

GREATER TORONTO CHAPTER

CANADA GREEN BUILDING COUNCIL (CaGBC)

MUNICIPAL LEADERS FORUM WORKING GROUP

TEMPLATE FOR THE SUBMISSION OF BEST PRACTICES TOOLKIT FOR THE GTA CONTEXT

POLICIES AND PROCEDURES for SUSTAINABLE BUILDING AND DEVELOPMENT*



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1. MUNICIPALITY

City of Pickering

2. PROJECT / POLICY DESCRIPTION:

Sustainable Development Guidelines, Draft, May 2007

(<http://sustainablepickering.com/sustainabledevelopmentguidelinesc553.php>):

The Guidelines create a rating system for the level of sustainability of new development, similar to a LEED system. The Guidelines identify “required” and “optional” elements. Points are given for the optional elements only. Nine different categories of sustainability are addressed. There are two Guidelines: #1 is for Neighborhoods; and #2 is for Plans of Subdivisions, Re-zonings, Site Plans and Building Permits. Guideline #1 addresses just over 50 elements and Guideline #2 addresses just under 90 elements of sustainability. The Guidelines identify three levels of achievement: 1,2 and 3, with 3 being the highest.

3. SUSTAINABLE DEVELOPMENT CATEGORY (more than one may apply):

- ✓ Green Buildings
- ✓ Energy Conservation
- ✓ Green Infrastructure
- ✓ Smart Growth / Sustainable Urban Design
- ✓ Water Conservation

4. POLICY/ PROJECT OBJECTIVE OR GOAL

To promote sustainable communities and development at both the neighborhood scale, and site scale; Pickering’s Sustainable Program identified five objectives: Healthy Environment; Healthy Economy; Healthy Society;

Responsible Development; and Responsible Consumption. The Guidelines help apply these objectives to planning and development.

5. INSTRUMENTS OF IMPLEMENTATION

Council Consideration: Council received the Draft Sustainable Development Guidelines in June 2007 and authorized their further use, testing and refinement.

Official Plan Policies and By-law Requiring Pre-Submission Consultation (May 2009): Prior to the adoption of the policies and By-law, City staff had encouraged pre-consultation and, at those meetings, advised applicants of the Sustainable Development Guidelines and the City's interest in achieving sustainable development. With the policies coming into force, pre-submission consultation is mandatory, and the City's sustainability objectives are discussed.

Official Plan Policies identifying Required Studies for a Complete Application (May 2009): As part of a complete application, proponents are required to submit a Sustainability Report in which they rate their proposal against the City's Sustainable Neighborhood Guidelines. The Sustainability Report is then used in staff's review of the application.

Council Resolution: In September, 2009, Council passed a resolution requiring all development proposals to meet a minimum of "Level 1" under the Sustainable Development Guidelines. In the event a proposal does meet Level 1, then an explanation of why a proposal cannot meet Level 1 must be addressed in the Report to Committee/Council.

Development Review: City staffs evaluate the development proposals against the Guidelines, using the submitted Sustainability Report for reference, as well as the planner's knowledge of the project. Larger scale applications are reviewed with a multi-department team approach. Smaller applications are evaluated by the Planning and Development Department staff. The staff



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provides feedback to the applicant on how to improve the sustainability of their project.

Reports to Council: All Reports to Council have a section requiring the “Sustainability Implications” of the recommendation to be addressed.

6. INCENTIVES (if any):

Fast tracking through the development approvals; promotion by the City

7. RESULTS / MEASURES OF SUCCESS

Pickering has a strong political and staff support for sustainable development.

The Guidelines have been successful in getting Council, developers, builders, City staff and the public to discuss and apply sustainability measures through the development review and approvals process.

The Guidelines allow some choice on what optional elements to pursue to address sustainability, while reinforcing that all scales of development, from neighborhood design to building materials, need to contribute to sustainability.

A review of a Neighborhood (Secondary) Plan for the City’s Duffin Heights Neighborhood implemented many elements of the Guideline #1, and achieved Level 2 rating, but just a few points shy of Level 3.

Four draft plans and rezoning in that same neighborhood achieved Level 1 under Guideline #2.

Most other major developments are achieving Level 1.

The Sustainability reports provide for greater learning for staff and Council of the various and ever-evolving sustainability techniques and approaches available.

As of mid-2000, there are five Pickering projects listed with the Canada Green Building Council for certification under the LEED program (Steeple Hill-General Paints, the Duffins Creek Water Pollution Control Plant Biosolids Facility, Home Depot – Pickering #7238, Pickering GO Station rehabilitation, and the 20 Vic Pickering Town Centre office building and parking structure.



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8. CHALLENGES ENCOUNTERED

Lack of policy support in the Official Plan as the Guidelines were completed prior to the Bill 51 Planning Act changes allowing sustainable elements to be addressed in site planning. Council was frustrated at not being able to “require” a minimum level of sustainability when “encouragement” alone was not working. This led to the passing of the resolution noted in section 5. Developers working across the Region (and GTA) express concern with different guidelines being prepared in each municipality. Scoring involves some judgment, and thus, both the development industry and staff using the Guidelines felt the scoring was in some cases ambiguous. Although Guideline #2 indicates it is to be used for proposals for greater than ten lots, staff finds certain infill applications that are greater than ten lots in older neighborhood are still unable to achieve a Level 1, unless a “green” building program is used.

For smaller scale applications and applicants with no professional assistance, staff provide some guidance on a more informal “letter report” that can be submitted in place of the Sustainability Report.

Some developers “promised” to do certain elements at the building stage without it being a binding condition of approval. Yet, when building plans were submitted, the sustainable elements were not included. From a Building Code perspective, the Code prevails over the Guideline and “promises”. Unless a developer willingly agrees to do more, higher standards could not be required. Both staff and developers find the Guidelines not user friendly, and fairly complicated.

9. LESSONS LEARNED

Broad corporate and political support is essential.



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Although the evolution of sustainability will continue to be a combination of requirements and incentives, specific construction matters that exceed minimum building code provisions should be included in an appropriate agreement that will be considered applicable law.

The risk in codifying an approach, or establishing a minimum level in policy, is that it becomes the new minimum. Some incentives would be required to strive for a higher level.

Current municipal budgets and revenues make it difficult to offer financial incentives. Fast-tracking is one of the key approaches the City can offer. There needs to be a regular process of updating the Guidelines, as sustainability measures are changing quickly. For example, the Guidelines still identify points for an Energy Star equivalency that is now the minimum under the Building Code. This aspect of the Guidelines needs revising. Similarly, the Guidelines give points for pre-submission consultation; the Guidelines should no longer be giving points for element.

A checklist would be of assistance as the Guidelines are more difficult to use than is preferred. However, there still needs to be a reference document with enough detail to explain what is acceptable.

As the Guidelines are used on a regular basis, individual staff is becoming more comfortable in their rating. Staff training on the guidelines is required, to either keep staff abreast of current interpretations and examples, and as new staff is hired.

A Guideline approach provides the development industry with flexibility in the methods, practices and technologies they implement, with a rationale identifying benefits and limitations.

Sustainable development on its own does not capture other essential characteristics of good “places”. Quality urban design is also required.

*private development only – does not include municipal or other public projects and developments



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