



April 18, 2024

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Attention: Mayor Adrian Foster and
Members of Council

**Re: Report CAO-002-24, The Perfect Storm - Impact of Provincial Changes on our
Community
Resolution #GG-067-24
Regular Council Meeting – April 22, 2024**

We are the lawyers for the Durham Region Home Builders' Association ("DRHBA") with respect to the above noted item.

DRHBA has reviewed Report CAO-002-24, The Perfect Storm, and its members are disappointed with the antagonistic tone of the Report and are deeply concerned with the implications, in particular, should Council accept staff recommendation 3, to undertake Fiscal Impact Assessments for all Secondary Plans prior to any further approvals with a potential to reschedule secondary planning and site-specific applications. Such actions will further delay housing delivery and increase housing costs, counteracting both provincial and local efforts to accelerate housing and improve affordability. As staff acknowledges in the Report, the recommendations will further impact the Municipality's ability to meet its housing pledge. DRHBA requests that Council refuse to adopt recommendation 3 and prevent unnecessarily restarting or reopening secondary plans as this will directly lead to significant housing delays and increased costs to both the Municipality and the industry and ultimately eroding affordability gains achieved through the legislative changes made through the Bill 23, *More Homes Built Faster Act*, 2022.

DRHBA is the voice of the residential construction industry in Durham Region and for over 70 years has been a partner in ensuring local and regional policies, programs and fees support building beautiful neighbourhoods in Durham. The Report's attempt to frame developers as taking parkland away from communities at the expense of taxpayers is inflammatory and misrepresents the reality that municipal charges (including gratuitous parkland dedications) imposed on new development necessarily impact affordability and the industry's ability to deliver housing. DRHBA's members have also identified errors in the examples presented in the Report and have advised they are indeed providing parkland consistent with proposed secondary plan


policies, suggesting any reduction in anticipated parkland is, at best, exaggerated. To be clear, to the extent there are reductions, developers are not improperly demanding reduced parkland to enrich themselves but are acting in compliance with provincial legislation, as the Municipality is also required to do. Should the Municipality choose to purchase lands beyond that required to be dedicated under the *Planning Act*, it can be presumed to be doing so at the cost of and for the benefit of all taxpayers in the best interest of the municipality, and not to place an undue burden on new home buyers.

While municipalities do not control when a developer decides to pull a permit, the Municipality can ensure its important role in community building, including processing development applications and advancing community-wide planning, is undertaken efficiently and in good faith. We ask that the Municipality confirm its commitment to honour the extensive secondary planning work undertaken to date and proceed to process development applications across the Municipality, as it is required to do at law.

DRHBA appreciates the opportunity to submit comments and thanks Council for its consideration of its request. DRHBA looks forward to continuing to work with the Municipality to ensure its members' efforts to get homes built quickly and affordably are not interrupted by unnecessary and unproductive planning delays.

Yours truly,

Cassels Brock & Blackwell LLP



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cc: Client