

# Council Member Motion

Notice given on: Wednesday, April 3, 2024

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Meeting Date      Wednesday, April 17, 2024  
From                Councillor Findlay  
Subject             Postpone BC Zero Carbon Step Code Emission Level (EL-4)

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## Background

Several municipalities in British Columbia, including North Cowichan, have expedited the BC Zero Carbon Step Code to Emission Level 4, six years ahead of the provincial recommended timeline. While many are making those decisions in relation to “climate change”, there was very little, if any, consultation with industry. North Cowichan staff recommended a change to Emission Level 2 at the council meeting on September 26, 2023, but council voted at that meeting to recommend to expedite to Level 3 on January 1, 2024 and instigate Level 4 by July 1, 2024. Council voted in favour of expediting EL codes on October 18, 2023.

The construction industry, along with fireplace manufacturers / retailers and the restaurant industry, were given little chance to provide feedback or recommendations to North Cowichan council, and other councils throughout the province who have stepped forward with this expedited amendment.

Recently the Canadian Federation of Independent Business, the Greater Vancouver and Surrey boards of trade, several trade unions including the International Brotherhood of Electrical Workers Local 213 and United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry Local 170, restaurateurs and natural gas fireplace manufacturers, created a new lobby group named “the BC Coalition for Affordable Dependable Energy”. This group is lobbying municipal governments to “pump the brakes on new Zero Carbon Step Code regulations that effectively ban natural gas in new commercial and residential buildings with strict GHG intensity standards.”

By having some municipalities stick to the provincial Step Code timelines, and neighbouring municipalities expedite them much faster, it is creating a “patchwork” of energy regulation, which is extremely frustrating for the building trades, manufacturers, engineers and unions. As the majority of North Cowichan industry completes projects in different jurisdictions throughout the Cowichan Valley and beyond, changing building practices is confusing and frustrating. For example, a new home being constructed on Garden Street in North Cowichan would currently have different energy requirements than the identical house built directly next door over the “border” on Garden Street in Duncan.

There is also some major concern in the industry that BC Hydro may not be able to meet our new electrified energy needs on an expedited basis, especially with so many new homes and businesses being retrofitted with EV charging stations to meet the EV demand requirements set out by the province. At this point only 19% of energy use in BC, according to BC Hydro, is supplied by electricity, including transportation fuels. To replace the other 81% is already a major undertaking to be completed within 2030 to 2050, without expedited changes. BC Hydro has put a call out for new energy partners, but that call was planned to meet current emissions legislation, not expedited versions.

North Cowichan is in a housing crisis, as are most other municipalities in British Columbia. Adding additional requirements on builders, that can add anywhere from \$8,000 to \$20,000 per residential dwelling, makes it even hard to provide any sort of newly constructed "affordable housing". With a new high school, a new RCMP building and a soon-to-be finished new electrified hospital, North Cowichan will be adding hundreds of workers to our community. Adding another layer of costs to the housing industry, in a time of unprecedented demand and accelerated cost structure, is a decision that should be delayed until the industry can "catch up" and have a plan in place to meet those energy change needs, especially with ever-changing energy technology.

### **Recommendation**

WHEREAS North Cowichan Council adopted the Building Amendment Bylaw on October 18, 2023, which included implemented Emission Level 3 of the BC Zero Carbon Step Code on January 1, 2024, and further implementing Emission Level 4 of the BC Zero Carbon Step Code on July 1, 2024;

AND WHEREAS the construction industry has stated this is an unreasonable and difficult acceleration of code implementation without the full BC industry being in line;

AND WHEREAS the Zero Carbon Step Code, as created by the BC government, was designed to be slowly implemented over time to allow industry to adapt;

AND WHEREAS several municipalities in British Columbia, including North Cowichan and Nanaimo, have expedited the Code six years faster than the provincial guidelines;

AND WHEREAS the construction industry while guided by the rules set out in the BC Building Code by the province, may have accelerated timelines for different, and sometimes neighbouring, municipalities for the Zero Carbon Step Code implementation;

AND WHEREAS North Cowichan staff recommended the expedience of the Zero Carbon Step Code but at a slower rate of Emissions Level 2, and to maintain the provincial guidelines for the Energy Step Code;

AND WHEREAS the Canadian Federation of Independent Business, the Greater Vancouver and Surrey Boards of Trade, the International Brotherhood of Electrical Workers and other unions, restaurant owners, trades and fireplace manufacturers, have created the BC Coalition for Affordable Dependable Energy lobby group to lobby the provincial government over such haphazard amendments;

NOW THEREFORE be it resolved that Council direct staff to draft an amendment to the Building Bylaw to postpone when the Emission Level 4 (EL-4) requirement comes into force and effect from July 1, 2024 to July 1, 2027, to allow industry to adapt to ever-changing energy advancements and legislation.

Attachment: