

Submitted to Joe Rogers, Building Code Coordinator
on September 18, 2023
to ofm@novascotia.ca

Dear Joe,

Thank you for the opportunity to comment on the proposed amendments to Nova Scotia's building code regulations. We at Ecology Action Centre are pleased to see proposed improvements in mandatory energy-efficiency standards for all new builds. This is a significant step toward helping the province meet its climate goals, enhancing climate resilience and ensuring an energy-secure future for the province. We appreciate your work and that of the Nova Scotia Building Advisory Committee.

It is important to note that by signing on to the Pan-Canadian Framework on Clean Growth and Climate Change in 2016, Nova Scotia committed to a net-zero energy-ready (NZER) code for new construction by 2030, including the National Building Code Part 9.36 (residential buildings under 600m²) and the National Energy Code. To meet our commitments, the province must adopt **all five tiers** of the National Building Codes, and specifically adopt Tier 5, net-zero energy-ready construction, by 2030. The current amendments take us only to Tier 3 by 2028, leaving precious little time reach our commitments. I urge you to work with the building advisory committee to develop a plan to reach Tier 5 by 2030.

We must aim for the highest possible standards of energy efficiency. Given the life of a building, anything constructed without maximum efficiency in the design will only need to be retrofitted at greater expense later. Efficiency should also address upfront emissions (embodied carbon), which are released into the atmosphere during material extraction and manufacturing for construction.

There is considerable financial gain to be had building efficient the first time. Various experts (see Canada Green Building Council's [Making the Case for Building to Zero Carbon \(cagbc.org\)](https://www.cagbc.org), page 35; AND EnviroCentre's [Retrofitting-to-Net-Zero-Getting-it-Right Presentation.pdf \(envirocentre.ca\)](https://www.envirocentre.ca), Page 15) have estimated an average upfront cost premium of 8 to 9% to construct net-zero energy-ready buildings in Canada. However, doing so results in annual savings of 24 to 35% in operational costs.

Nova Scotia is well positioned for Tier 5 building codes. We have approximately 3.4 Certified Energy Advisors (CEAs) per 10,000 households, one of the highest rates in Canada. Energy advisors can play a pivotal role in supporting the implementation of tiered building codes. Collaboration with Efficiency One, which provides recruitment support, industry training and upskilling, and funding

support to ramp up capacity for home energy assessments, would further bolster code enforcement through energy modelling, compliance verification, and incentive programs to encourage adoption of higher efficiency standards in the province. Energy advisors should be included and engaged throughout the process of adopting higher-efficiency codes.

Rather than impede the development of affordable housing, Tier 5 energy codes can and should contribute to social equity, through better and more innovative buildings, and a more appealing construction industry for young workers. Innovative examples include using better materials and pre-manufactured components, smart design of simpler and more efficient building shapes, and increased density in urban areas.

We also want to encourage the province to empower Nova Scotia municipalities to exceed provincial efficiency standards. This municipal ability has created much improved efficiency standards in cities like Vancouver and Toronto. Locally, municipalities of various size have already shown an eagerness to require more energy-efficient building construction and have taken steps to encourage it.

For example, the Town of Bridgewater has recommended introducing voluntary Energy Step Codes exceeding minimum provincial standards (please see Community Energy Investment Plan: The Way Forward, <https://www.bridgewater.ca/document-library/sustainability/sustainable-bridgewater/1667-community-energy-investment-plan-the-way-forward/file>, Page 44). The Halifax Regional Municipality recently passed a motion to adopt tiered energy codes in new construction, demonstrating leadership in higher efficiency standards (see Environment and Sustainability Standing Committee, Agenda Item 12.1, [Administrative Order 2021-002-OP – Respecting Net-Zero Construction of New Municipal Facilities Within the Halifax Regional Municipality - November 4/21 Environment and Sustainability Standing Committee | Halifax.ca](#)).

Empowering municipalities and Indigenous communities to adopt Tier 5 National Building Code tiers fosters local engagement and addresses unique regional sustainability needs. Strategic collaboration among Nova Scotia municipalities can secure funding for larger initiatives that may be challenging to undertake independently (please see examples at [The Power of Municipal Collaboration — Zero30](#) and [Canada and FCM Announce Green Investments for Communities in Nova Scotia - Canada.ca](#)).

Net-zero energy-ready buildings offer a multitude of benefits to communities and play a crucial role in achieving sustainability and environmental objectives in Nova Scotia. They serve as landmarks of innovation, smart design, and a

modern approach to construction. The implementation of Tier 5 building codes in 2030 will seed the development of energy-efficient construction practices across all building types and increase productivity of builders to be greener faster. Net-zero energy-ready buildings should serve to create a smarter, more productive building process.

Legislating Tier 5 National Building Codes in Nova Scotia by 2030 is essential to meeting the province's greenhouse gas emissions-reduction goals. Strategic collaboration, capacity building, and local empowerment can enable a smooth transition that drives economic growth through energy efficient, resilient, and innovative buildings across the province.

There is much work to do, but we at EAC are confident in Nova Scotia's building community, with the provincial government's support, can make the transition. Net-zero energy-ready building codes are a key tool in the toolbox. We urge the province to meet the commitment it made in 2016 as a signatory to the Pan-Canadian Framework on Clean Growth and Climate Change. We commend you on the progress made so far, and hope you share our view that the current proposed amendments are only a start.

Sincerely,

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