



RCRS Secondary:	GOV-02	Effective Date:	2021-JUN-29
Policy Number:	COU-216	Amendment Date/s:	
Title:	BC Energy Step Code Rezoning Policy	Repeal Date:	
Department:	Development Approvals	Approval Date:	2021-MAR-29 COUNCIL

PURPOSE:

The Province of British Columbia has set a long-term goal for all new buildings to be net-zero-energy-ready by 2032. The Energy Step Code was enacted by the Province in 2017 to provide a consistent set of energy efficiency standards across BC. In July 2018, Nanaimo City Council endorsed the BC Energy Step Code Implementation Strategy, which included a recommendation for a Step Code rezoning policy. BC Energy Step Code requirements were adopted and incorporated into the City of Nanaimo “Building Bylaw 2016 No. 7224” on 2019-OCT-21. Additionally, the City has recently updated GHG reduction targets in its Official Community Plan as the result of Nanaimo City Council declaring a climate emergency on 2019-APR-29, and Council’s commitment to reducing buildings’ GHG emissions consistent with the *Climate Action Charter*

DEFINITIONS:

Energy Step Code	means the Province of British Columbia’s performance-based standard for energy efficiency in new construction requiring energy modeling and on-site testing to demonstrate minimum performance against metrics for building envelope; equipment and systems; and airtightness requirements; and including Step 1, Step 2, Step 3, Step 4 and Step 5, as defined in Sections 9.36.6 and 10.2.3 of the British Columbia Building Code, all as amended or re-enacted from time to time.
Low Carbon Energy System	means a professionally operated and maintained, highly efficient mechanical system that supplies a building’s space heating, cooling, and domestic hot water heating demand primarily from renewable energy sources, and meets defined GHG limits.
Greenhouse Gas Intensity	means a measure of a building’s GHG performance using the definition, calculation, and fuel type emissions factors established in the energy modeling guidelines referenced by the Energy Step Code that is a calculated value determined through energy modeling and reported in kilograms of carbon-dioxide-equivalent per square meter per year (kgCO ₂ e/m ² /yr.).

SCOPE:

This policy applies to rezonings for new construction in buildings under Part 9 (houses and small buildings) and Part 3 (large and complex buildings) of the BC Building Code.

POLICY:

Rezoning applications that lead to an increase in density or a change of use will require minimum building energy efficiency standards to be secured through the application process. The minimum building energy standard will be either (a) one step above the required BC Energy Step Code standard, or (b) the required BC Energy Step Code standard plus the City's Greenhouse Gas (GHG) emission reduction standard.

PROCESS:

Applications to amend the "City of Nanaimo Zoning Bylaw 2011 No.4500" or any bylaw enacted in its place (a "rezoning application") will proceed as follows:

1. During preliminary review of a potential rezoning application, Staff will direct the prospective applicant to review this Policy, the BC Energy Step Code and the BC Building Code, although the prospective applicant is solely responsible for being aware of and responsible for the legal and cost implications.
2. For any rezoning application received, Staff will assess whether the proposed rezoning will lead to an increase in density or change of use. If either of these criteria are met, Staff will recommend a minimum building energy standard be secured consistent with this policy for any future development on the subject property through one or more of the following: a bylaw, phased development agreement, standard development agreement, amenity zoning, or covenant.
3. For a building or portion of building constructed under Part 3 of the BC Building Code, specifically conforming to Section 10.2.3 of the BC Building Code (that is, four storeys and above and greater than 600 square metres in building area), or under Part 9.36.6 of the BC Building Code, the building must comply with the BC Building Code energy standard and either:
 - a. one step above the Energy Step Code step prescribed for that building, or
 - b. subject to a legal commitment to install a low-carbon energy system that satisfies a greenhouse gas intensity limit of 3kg/m²/year.
4. If the rezoning application is approved by Council, the applicant must, prior to bylaw adoption, enter a phased development agreement, standard development agreement, amenity zoning commitment, or covenant for any future development on the subject property, assuring the project complies with this policy prior to building occupancy.

RELATED DOCUMENTS:

- BC Energy Step Code
- BC Building Code
- Building Bylaw 2016 No. 7224