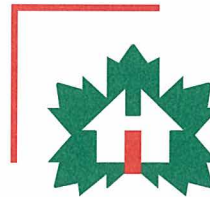


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**Canadian
Home Builders'
Association**



**Association canadienne
des constructeurs
d'habitations**

May 22, 2009

Bruce Clemmensen, Chair
Canadian Commission on Building and Fire Codes
c/o Anne Gribbon, Secretary
Canadian Codes Centre / National Research Council
Building M-23A
1200 Montreal Road
Ottawa, Ontario K1A 0R6

Re: Questions arising as a result of the meeting of the Standing Committee on Energy Efficiency in Buildings

Dear Bruce:

I am writing in regard to the meeting of the Standing Committee on Energy Efficiency in Buildings (SCEEB) that took place in Yellowknife on May 11th and 12th. The CHBA participated in the meeting, as an observer.

The SCEEB's discussions raised a number of concerns for the CHBA, and I am writing to bring these to your attention, as well as ask for your clarification on the specific questions arising from these concerns.

1) Establishing the "baseline" for current construction practice

It has been our understanding that the refurbishment of the Model National Energy Code for Buildings (MNECB) would draw on an analysis of current building practice (the "baseline"), and then establish a specific level of required energy efficiency (the "target"), in relation to this baseline. This approach would support accurate assessment of the costs and performance expectations represented by the target. Such methodology would be consistent with the broader requirements of the Canadian Commission on Building and Fire Codes (CCBFC) in relation to proposed Code changes.

Based on the recent SCEEB meeting, it is not clear to the CHBA that this disciplined approach is being followed. This gives rise to the following questions:

- a) **Has the CCBFC given direction to the SCEEB regarding the degree to which assumptions underpinning reference baseline construction must reflect current building practice?**
- b) **How does the SCEEB propose to establish this baseline, and what data or evidence exists to support this decision?**

- c) **If the SCEEB proposes to establish a baseline other than one fully reflective and consistent with current building practice, what would this baseline be and what would be its rationale?**

2) Policy direction from the CCBFC

It is the CHBA's expectation that the SCEEB would seek and receive guidance from the CCBFC in relation to the establishment of minimum energy performance requirements within a refurbished MNECB. Recognizing that the CCBFC is currently in the process of applying its protocol for consideration of new objectives for the national Codes, the CHBA is concerned about the Commission's ability and capacity to provide policy direction to the SCEEB in this regard. This raises the following questions:

- a) **The policy of the Government of Canada calls for reducing emissions of greenhouse gasses in Canada by 20% over 2006 levels by 2020. As a national body, does the CCBFC believe that this national policy framework provides it with guidance concerning how to address the establishment of minimum energy performance requirements for buildings?**
- b) **Has the CCBFC given direction to the SCEEB with regard to setting minimum energy performance requirements ("targets") for a refurbished MNECB? If so, what is the nature of this direction?**
- c) **Has the SCEEB established a specific minimum performance target for the refurbished MNECB and, if so, what is this target and what is the rationale that supports it?**
- d) **If the SCEEB has established a specific minimum performance target for the refurbished MNECB, how would this apply? Would it represent an average across the sector? Would it apply equally to each building type, or as an average of all building types, or as a weighted average? Similarly, how would it apply to building systems? Similarly, how would it apply to occupancies and uses?**

3) Assessing costs and impacts

It is the CHBA's understanding that the CCBFC requires a proper analysis of the costs resulting from any proposed Code change. On this basis, the CHBA has assumed that the proposed new MNECB would be required to meet this same requirement. Given our concerns related to the establishment of both the baseline and target reference levels by the SCEEB, it is unclear whether the SCEEB can conduct such an analysis in a rigorous manner.

Notwithstanding this concern, the following questions arise:

- a) **If the baseline reference construction practice adopted by the SCEEB does not represent actual current practice, how can those initial differential construction costs and energy performances be determined?**

- b) Has the CCBFC provided guidance to the SCEEB regarding what would constitute acceptable cost impacts for any “target” proposed for the new MNECB? If so, what has this guidance been? If not, how is the SCEEB proposing to address this issue and what is the rationale for this?**

The CHBA would appreciate receiving responses to the above questions from the CCBFC’s Executive Committee. We look forward to hearing from you.

Yours truly,



John Kenward
Chief Operating Officer

cc: CHBA Executive Board