

## Proposed Change 2181

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|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Code Reference(s):</b> | <b>NBC25 Div.B 9.36.1.3.(1) (first printing)</b>                                                                                                       |
| Subject:                  | Energy Efficiency for Houses                                                                                                                           |
| Title:                    | Minimum Energy Performance Compliance Level                                                                                                            |
| Description:              | This proposed change removes "base code" requirements as a compliance path option and sets Energy Performance Tier 1 as the minimum performance level. |

This change could potentially affect the following topic areas:

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|--------------------------------------------------------------------|-------------------------------------------------------------|
| <input type="checkbox"/> Division A                                | <input checked="" type="checkbox"/> Division B              |
| <input type="checkbox"/> Division C                                | <input checked="" type="checkbox"/> Design and Construction |
| <input type="checkbox"/> Building operations                       | <input checked="" type="checkbox"/> Housing                 |
| <input checked="" type="checkbox"/> Small Buildings                | <input type="checkbox"/> Large Buildings                    |
| <input type="checkbox"/> Fire Protection                           | <input type="checkbox"/> Occupant safety in use             |
| <input type="checkbox"/> Accessibility                             | <input type="checkbox"/> Structural Requirements            |
| <input type="checkbox"/> Building Envelope                         | <input checked="" type="checkbox"/> Energy Efficiency       |
| <input type="checkbox"/> Heating, Ventilating and Air Conditioning | <input type="checkbox"/> Plumbing                           |
|                                                                    | <input type="checkbox"/> Construction and Demolition Sites  |

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### Problem

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Subsections 9.36.2. to 9.36.4., and 9.36.6. of the National Building Code of Canada (NBC) provide the minimum performance, or "base code," requirements upon which the performance improvement levels of the energy performance tiers are based.

Although the Energy Performance Tier 1, in Subsections 9.36.7. to 9.36.10., provides a similar performance level, the base code requirements differ from those of Tier 1. The slight differences may complicate demonstrating and determining Code compliance for Code users and building officials.

In addition, once a jurisdiction enforces an energy performance tier that is higher than Tier 1, the base code requirements are no longer an independent compliance option, but are instead referenced by the requirements of the higher tier.

This proposed change removes the reference to the base code requirements in Sentence 9.36.1.3.(1) (and moves some content from Subclauses to Clauses) to avoid confusion about whether the base code requirements are available independently to demonstrate Code compliance.

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## Justification

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Removing references to Subsections 9.36.2. to 9.36.4. and 9.36.6. as compliance options in Sentence 9.36.1.3.(1) would reduce confusion for Code users and building officials and ensure that the intended minimum energy performance tiers enforced by a jurisdiction are met.

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## PROPOSED CHANGE

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### **[9.36.1.3.] 9.36.1.3. Compliance**

**[1] 1)** Except as provided in Article 9.36.1.4. and Sentences (3) and (4), *buildings* shall comply with one of Energy Performance Tiers 1 to 5, using

- [a] a) the tiered performance requirements in Subsection 9.36.7., ~~the prescriptive or trade-off requirements in Subsections 9.36.2. to 9.36.4.~~
- [b] b) the tiered energy use intensity requirements in Subsection 9.36.8., ~~the performance requirements in Subsection 9.36.6.~~
- [c] c) the tiered points-based prescriptive trade-off requirements in Subsection 9.36.9., ~~the NECB, or~~
- [d] d) the tiered prescriptive path requirements in Subsections 9.36.10. to 9.36.14., ~~or for compliance with Energy Performance Tiers 1 to 5,~~
  - [i] i) ~~the tiered performance requirements in Subsection 9.36.7.~~
  - [ii] ii) ~~the tiered energy use intensity requirements in Subsection 9.36.8.~~
  - [iii] iii) ~~the tiered points-based prescriptive trade-off requirements in Subsection 9.36.9.~~
  - [iv] iv) ~~the tiered prescriptive path requirements in Subsections 9.36.10. to 9.36.14., or~~
  - [v] v) ~~the NECB.~~
- [e] --) the NECB.

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## Impact analysis

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This proposed change would not impact the minimum performance level for Energy Performance Tier 1. Code users would continue to have four compliance options available for demonstrating compliance with Energy Performance Tier 1.

The Tier 1 prescriptive path requirements in Subsection 9.36.10. reference the base code requirements in Subsections 9.36.2. to 9.36.4. and align with the Tier 1 requirements in the points-based prescriptive trade-off path in Subsection 9.36.9. The incremental cost of installing a heat/energy recovery ventilator, as required by

Subsection 9.36.10, could be offset by the reduced cost for lower insulation values.

Using the Tier 1 performance requirements in Subsection 9.36.7. rather than those in Subsection 9.36.6. to demonstrate compliance would not result in any additional costs as the requirements are identical.

In addition, the energy use intensity compliance path in Subsection 9.36.8. is available to Code users for demonstrating compliance with Tier 1 and may result in lower incremental construction costs for some types of housing.

This proposed change would benefit Code users and enforcement officials by providing increased clarity.

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## Enforcement implications

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As the proposed change would simply clarify the available compliance options for minimum energy performance, it would not require additional Code enforcement resources.

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## Who is affected

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Regulators, builders, designers, engineers, architects, contractors and consultants.

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## OBJECTIVE-BASED ANALYSIS OF NEW OR CHANGED PROVISIONS

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**[9.36.1.3.] 9.36.1.3. ([1] 1) no attributions**

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