CLEAN ECONOMY ALLIANCE

April 13, 2016

Rebecca Teare
Policy Advisor, Ministry of Energy
Conservation and Renewable Energy Division
Conservation and Energy Efficiency Branch
Energy Conservation Policy
77 Grenville Street
5th Floor
Toronto, ON M7A 2C1

RE: Environmental Bill of Rights Registry No. 012-6904, Large Building Energy and Water Reporting and Benchmarking regulation

Dear Ms. Teare,

The following submission provides the Clean Economy Alliance's response to Ontario's proposed Large Building Energy and Water Reporting and Benchmarking regulation. The Clean Economy Alliance (CEA, or the Alliance) is a group of over 90 organizations representing a broad cross-section of Ontarians that united last year to urge Ontario to show leadership in addressing the crucial issue of climate change (See Appendix 1 for full membership list). The CEA includes prominent Ontario businesses, industry associations, labour unions, farmers' groups, health advocates, and environmental organizations. The Alliance supports the Ontario government's commitments to develop and implement a climate change strategy. We recognize that reducing pollution will bring many benefits, including cleaner air, improved public health, and more jobs and business opportunities in the clean economy.

The CEA supports Ontario's proposal to require large buildings to benchmark and report on their energy use, water use and greenhouse gas emissions. The provincial government has been measuring and reporting online the energy performance of provincial buildings since 2011,[1] setting an important standard for other building operators to follow.

Energy use in buildings accounts for over 25 per cent of Ontario's greenhouse gas (GHG) emissions.[2] Achieving deep GHG reductions in this sector will require all stakeholders to be better informed about how Ontario's building stock is performing, and how that performance is changing over time. The proposed regulation will also harness market forces to drive improvements in performance. Markets function optimally when all actors have easy access to high quality information. Making building performance data available publicly will provide all real estate market actors with the information needed to factor energy and carbon into decisions. This in turn will enhance incentives for building operators to improve performance.

While the Alliance supports the regulatory proposal, we make the following recommendations to enhance its effectiveness:

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[1] Government of Ontario. (2011). *Regulation 397/11: Energy Conservation and Demand Management Plans*. Retrieved from https://www.ontario.ca/laws/regulation/r11397.

[2] When including emissions from both natural gas and electricity use.

1) **Invest in capacity building and engagement to support stakeholders in complying with the regulation and making use of the benchmarking data.**

The Alliance believes that the impact of the proposed regulation can be strengthened through capacity building, education and engagement with building operators and other stakeholders. This will promote compliance with the regulation, while also increasing the likelihood of the benchmarking data being used to support the government's objective of reducing GHG emissions. The government should also use this opportunity to encourage innovation in Ontario's energy tech sector, supporting the creation of jobs and world-leading export products for benchmarking in buildings.

2) **Expand the list of data points for public disclosure in line with the best practices established by leading jurisdictions in the United States.**

Disclosure of key building performance data is essential to realizing the full potential of the proposed regulation. The data points currently proposed for disclosure are far more limited than those disclosed by leading jurisdictions in the US. For example, Chicago, Boston, Washington DC, and Philadelphia are all disclosing building age and fuel-specific energy data, two notable gaps in Ontario's proposed disclosure.

Building owners should also be incentivized to publically display benchmarks in prominent areas of buildings to raise awareness and encourage residents and building occupants to improve efficiency. Ontario should consider mandatory labelling, in the form of a sticker showing a building's energy use intensity or Energy Star score, to enhance public awareness. Leaders in the various buildings categories should be recognized for the energy performance achievements they have made each year.

3) **Ensure accuracy and fairness through a stronger data verification process.**

Bad data will undermine market confidence in the benchmarking system. It may also negatively impact responsible building operators who accurately report their performance data, but are unfairly compared against other buildings which have reported erroneous or falsified information. It is therefore essential for the Province to incorporate a robust process to ensure data quality. The City of Chicago has set the standard for data verification, requiring data verification by a qualified professional every three years. If this type of verification system is not incorporated in Ontario, the province should at least undertake audits on a large number of submissions each year to promote data quality. Inaccuracies in benchmarking data could be reduced by directing utilities to move forward with automated data uploading to Portfolio Manager.

The CEA looks forward to continuing to work with the Province on the implementation of its climate change strategy, including the proposed benchmarking regulation. If you have any questions or require any clarification on the contents of this submission, please contact:

Patrick DeRochie
Coordinator, Clean Economy Alliance
116 Spadina Ave, Suite 300
Toronto, ON M5V 2K6
Phone: 416-323-9521 X. 248
Email: pderochie@environmentaldefence.ca

Appendix 1: List of Clean Economy Alliance Members

ArcTern Ventures
Asthma Society of Canada
BioFuelNet
Bioindustrial Innovation Canada
Blue Green Canada
Bullfrog Power
Canadian Association of Physicians for the Environment
Canadian Biogas Association
Canadian Solar Industries Association
Canadian Wind Energy Association
Carbonzero
Cement Association of Canada
Chrysalix Energy Venture Capital
Citizens Environment Alliance of Southwestern Ontario
Clean Air Partnership
Clean Energy Canada
Climate Reality Project Canada
CoPower
Corporate Knights
CRH Canada
Cycle Toronto
David Suzuki Foundation
The Clean 50
Delta Management
Earth Day Canada
Earth Rangers
Ecosystem Energy Services Inc.
Efficiency Capital Corporation
Energy Storage Ontario
EnviroCentre
Environmental Defence
Evergreen CityWorks
Fadco Consulting Inc.
Faith & the Common Good: Greening Sacred Spaces
Field Chemical Technologies Inc.
Forests Ontario
Green Communities Canada
Green Neighbours 21
Green Planet Biofuels
Innovolve Group
International Institute for Sustainable Development
Lafarge Canada Inc.
LED Roadway Lighting
Lumos Energy
MaRS CleanTech
Mindscape Innovations

Mountain Equipment Co-op
NAIMA Canada
Nanoleaf
NRStor Inc.
Ontario Association of Architects
Ontario Clean Air Alliance
Ontario Federation of Agriculture
Ontario Lung Association
Ontario Nature
Ontario Rivers Alliance
Ontario Secondary School Teachers' Federation
Ontario Society of Professional Engineers
Ontario Sustainability Services
Ontario Sustainable Energy Association
Ontario Waterpower Association
OpenConcept Consulting Inc.
Patagonia
Perkins+Will
Petrolup
Plug n' Drive
Price Carbon Now, ON!
RainGrid
Registered Nurses' Association of Ontario
Responsible Investment Association
rethink Green: Solutions for a Sustainable Sudbury
Shareholder Association for Research & Education
Smarter Shift
St Marys Cement
Sustainability CoLab
Sustainable.TO Architecture + Building
The Pembina Institute
Terragon Environmental Technologies Inc.
Top Drawer Creative
Toronto Atmospheric Fund
Toronto Centre for Active Transportation
Toronto Cycling Think and Do Tank
Toronto Environmental Alliance
Toronto Parks and Trees Foundation
TREC Renewable Energy Cooperative
TREC Education
Unifor
United Steelworkers
Windmill Development Group Ltd.
World Wildlife Fund Canada
Zerofootprint Software Inc.