

ATTACHMENT B

CITY OF NANAIMO

BYLAW NO. 7393

A BYLAW TO ESTABLISH THE HOME ENERGY RETROFIT FINANCING PROGRAM

WHEREAS the City of Nanaimo in its City Plan Bylaw 2022 No. 6600 has established community-wide greenhouse gas emission reduction targets, together with a policy of supporting the upgrade of existing buildings to achieve the goal of net-zero greenhouse gas emissions for all buildings in the City of Nanaimo by the year 2050.

AND WHEREAS Council for the City of Nanaimo wishes to establish a property assessed clean energy (“PACE”) style financing program to enable owners of eligible dwellings to carry out improvements to decrease greenhouse gas emissions and energy consumption and improve climate change resiliency.

AND WHEREAS Council wishes for the financing program to be structured as a local area service.

NOW THEREFORE the Council of the City of Nanaimo in open meeting assembled enacts as follows:

Title

1. This Bylaw may be cited for all purposes as “Home Energy Retrofit Financing Program Bylaw 2025 No. 7393”.

Definitions

2. In this Bylaw:

“ADMINISTRATOR”	means a person, including an individual, society or other corporation, contracted by the City to administer the Program.
“APPLICANT”	means an Eligible Owner who applies for the Program.
“CHARGE”	means an annual liability to repay the financing amount under the Program, as authorized by a local area service bylaw.
“COUNCIL”	means the Municipal Council of The City of Nanaimo.

“ELIGIBLE DWELLING”	means one of the following dwelling types: (i) Single Residential Dwelling; and, (ii) a unit in a duplex, triplex, row house or town house, where the unit has its own separate meter for hydroelectricity.
“ELIGIBLE OWNER”	means the registered owner in fee simple of an Eligible Dwelling.
“GREENHOUSE GAS”	means any or all of carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, sulphur hexafluoride or any other substance prescribed by regulation.
“FINANCING AMOUNT”	means an amount required by a loan to the Applicant to finance a Qualified Improvement as part of the Program.
“FINANCING AGREEMENT”	means an agreement between the City and the Applicant, which sets out the terms of financing for the Program.
“FOSSIL FUEL”	means fuels such as coal, gasoline, natural gas, oil, diesel, etc., that are sourced from organic materials formed over a long geological time period.
“NON-ENERGY RELATED MEASURES”	means work or improvements that are incidental to a Qualified Improvement but have a purpose other than decreasing Greenhouse Gas emissions or energy consumption, including but not limited to an electrical service upgrade necessary for a heat pump, additional heat pump air filtration, or asbestos testing and removal.
“PETITION”	means a petition for the Program to be offered as a local area service, pursuant to section 212 of the <i>Community Charter</i> , SBC 2003, c. 26.

"PRE-INSTALLATION ELIGIBILITY REQUIREMENTS"	means all requirements that must be carried out by the Applicant prior to entering into the Financing Agreement, including but not limited to: carrying out an EnerGuide Evaluation on the Eligible Dwelling, registering for the Home Energy Navigator Program, and securing a quote for the Qualified Improvement.
"PROGRAM"	means a financing program established under this Bylaw to enable an Eligible Owner in the City to make Qualified Improvements.
"PROGRAM REGISTRATION FORM"	means a registration form completed by the Applicant and submitted to the administrator, to demonstrate that the Applicant is eligible to participate in the Program.
"QUALIFIED IMPROVEMENT"	means any of the following permanent improvements affixed to real property and intended to decrease Greenhouse Gas emissions or energy consumption or improve climate change resiliency: <ul style="list-style-type: none"><li data-bbox="893 1060 1430 1155">(i) electric heat pump, including any air filtration components and necessary duct work<li data-bbox="893 1165 1356 1197">(ii) solar photovoltaic (PV) system<li data-bbox="893 1207 1153 1239">(iii) backup battery<li data-bbox="893 1249 1430 1291">(iv) building envelope repairs and improvements
"SINGLE RESIDENTIAL DWELLING"	has the meaning assigned in the Zoning Bylaw.
"ZONING BYLAW"	means City of Nanaimo Zoning Bylaw 2011 No. 4500, as amended or replaced from time to time.

3. Program Administration

- 3.1 An Applicant may apply to the Program by delivering to the Administrator the Program Registration Form and a Petition.
- 3.2 Upon receipt and validation of the Petition, Council may, in its sole discretion, adopt a local area service bylaw, to offer the Program as a local area service.

- 3.3 If Council adopts a local area service bylaw, the Applicant may secure the financing through:
 - (i) Completing the Pre-Installation Eligibility Requirements; and,
 - (ii) Entering into a Financing Agreement with the City.
- 3.4 Once the Qualified Improvement is complete, the Financing Amount shall be disbursed and collected in accordance with the Financing Agreement.
- 3.5 The Applicant shall repay the Financing Amount to the City by means of a parcel tax, to be included on the annual property tax notice for the eligible property. The Financing Amount will be repaid over a ten (10) year period, with the possibility of paying the outstanding balance at any point as a lump sum amount.
- 3.6 Nothing in section 3.1 or 3.2 precludes an Applicant or the Council from proceeding by way of council initiative subject to petition against or subject to elector assent.

4. Delegation

- 4.1 Council delegates to the General Manager, Corporate Services or their designate the administrative authority to enter into Financing Agreements for the Program.

5. Eligible Costs

- 5.1 Program financing established under this Bylaw may include:
 - 5.1.1. disposal fees and cost of labor for the removal of the Fossil Fuel tank and Fossil Fuel-burning equipment that was used as a primary space or water heating source.
 - 5.1.2 the cost of materials and labor necessary for installation or modification of a Qualified Improvement.
 - 5.1.3 permit and inspection fees.
 - 5.1.4 Post-installation EnerGuide evaluation costs.
 - 5.1.5 other fees or costs that may be incurred by the owner incidental to the installation, modification or improvement on a specific or pro rata basis.
- 5.2 The maximum Financing Amount available through the Program is fifteen thousand (\$15,000) dollars including all applicable taxes.
- 5.3 Not more than thirty percent (30%) of the Financing Amount shall be used for Non-Energy Related Measures.

Effective Date

6. This bylaw shall take effect on April 7, 2025.

PASSED FIRST READING:
PASSED SECOND READING:
PASSED THIRD READING:
ADOPTED:

MAYOR

CORPORATE OFFICER