

January 31, 2020

Submission to the Emergency Program Act Modernization
Ministry of Public Safety & Solicitor General
Submitted by email to EmergencyProgramAct@gov.bc.ca

About Canadian Home Builders' Association of BC (CHBA BC)

CHBA BC represents over 2,200 member companies in the residential construction industry who work as home builders, renovators, tradespeople, suppliers, service professionals, and others. CHBA BC members are small and medium-sized businesses creating jobs and economic benefits in all areas of the province. Overall, the residential construction industry represents over 207,184 on-site and off-site jobs, \$12.6 billion in wages, and \$28.3 billion in investment value.

Overview

The residential construction industry will play a key role in the mitigation and recovery of natural disasters. Some of this work has been previously identified in our [recent submission](#) to the Climate Preparedness and Adaptation Strategy consultation through the Ministry of Environment and Climate Change Strategy.

Discussion

Mitigation

Development Approvals

The discussion paper proposes to, “Require Local Authorities, and the Province (through the Ministry of Transportation and Infrastructure’s subdivision approval authority in unincorporated areas) to give greater consideration of current and future risk for new development approvals in hazardous areas; and, require sustainable long-term mitigation measures when building and development is approved in hazardous areas” (p.27).

With little information on how this would be facilitated, we can provide the following feedback to the proposal:

- We have limited mapping and awareness of B.C.’s “hazardous areas”. Without this data it is challenging to make evidence-based decisions without causing unnecessary delays for new developments. Please refer to the section on Risk Mapping.
- Challenges with the subdivision approval process are already identified in the [Development Approvals Process Review Report](#) through the Ministry of Municipal Affairs

and Housing (p.17). These process changes are integral before additional reviews or considerations are made.

- There is limited information in the paper regarding when the risks would be identified to a land developer.
- Further discussion on what would take place for areas where strategic retreat is needed.

CHBA BC would be happy to participate in future discussions in this area, when more details and proposals are made available.

Collaboration & Coordination

Considerable work is already underway in Canada to develop a coordinated national and comprehensive approach to Wildland-Urban Interface (WUI) wildfire risk. Under the National Research Council of Canada, a *Canadian Wildland-Urban Interface Guideline* is expected to be completed and released in mid-2020. For more details related to the WUI wildfire risk, please refer to our submission on the Climate Preparedness and Adaptation Strategy consultation.

Risk Information Flow - Risk Mapping

CHBA BC supports improving information sharing and coordination under the proposed modernized approach: “Improve integration and hazard and risk information flow between communities, ministries, Crown corporations, and critical infrastructure operators; [and] mandate greater consideration of current and future risk when considering development in hazardous areas.” (p. 16)

Accurate risk mapping is critical in determining the technical requirements for building construction, landscaping and vegetation control. The province should take the lead in defining a technical standard for Wildland-Urban Interface (WUI) risk mapping for British Columbia to ensure consistency and accuracy. In particular, rural municipalities may require significant assistance in order to develop mapping that is adequate to support informed zoning and development decisions. Effective mapping of WUI risks is essential to specifying appropriate requirements and measures.

Similar to wildfire risk, effective flood risk mitigation must start with effective hazard mapping. As noted by Public Safety Canada in 2017, “Canada lacks effective flood hazard maps, which are considered essential risk assessment tools.” In many parts of Canada, flood maps are out-of-date and inaccurate, which was highlighted in a [Globe & Mail article](#) on April 23, 2019: “much of the populous Lower Fraser Valley still hadn’t been mapped or was served by maps dating from the 1960s.”

The province must address the urgent need for up-to-date flood mapping that incorporates climate change adjusted assumptions concerning future flood levels and return periods. This tool provides jurisdictions with the foundational knowledge required to move forward with

non-structural and small-scale structural mitigation measures¹. We recommend that the province adopt the current Federal Flood Mapping Framework that would ensure the use of consistent and accurate geospatial data supporting the production of flood maps. Such data is essential for sound, evidence-based decision-making. Once generated, this data should be made publicly available, so that current and future property owners can better understand the potential flood risk they face, and take steps to mitigate this risk where practical. High quality flood maps can be an invaluable resource for Canadians in coming to terms with the need for climate change adaptation, but unfortunately most British Columbians do not have access to such maps.

Recovery

The consultation document indicates that, “building back stronger refers to reconstructing buildings and infrastructure to ensure the built environment is better able to withstand future emergencies.” (p. 17)

CHBA BC encourages the province to utilize the framework of the WUI Guideline in developing provincial responses to WUI risk. While some of these construction requirements are fairly straightforward, affordability and evidence-based decisions must be a key objective when regulation changes are considered and should not impose undue costs on new home buyers.

The other significant challenge in relation to WUI lies in addressing the existing stock of buildings and homes, and the lands they are located on. More stringent WUI-related building code requirements will have limited impact on the existing stock. Careful consideration of how best to incent or require existing property owners to comply with the specified WUI construction and landscaping requirements will be needed.

Assistance for rebuilding/Disaster Recovery Program

It is expected that a significant re-build could take place following a natural disaster, with many residents unable to bear these costs alone, or through insurance.

In 2013, Alberta pledged to assist those with flood damage and developed a Disaster Recovery Program (DRP)². If the cost of repairs was greater than the cost of rebuilding the home, the DRP assisted with funding a rebuild. The level of funding was based on the cost of construction per square foot to a basic level of finish. The DRP worked with insurance coverage but did not replace insurance. Should a similar program be adopted, the Province of British Columbia should be prepared for challenges that were identified with Alberta’s program administration³. While the development of a flood insurance program would be of benefit to affected property

¹ <https://www.publicsafety.gc.ca/cnt/rsrsrcs/pblctns/vltn-ntnl-dsstr-mtgn-prgrm-2019/index-en.aspx>

² <https://www.alberta.ca/release.cfm?xID=346802662C868-D3E5-DBB4-BCB0B4FA855DDA1D>

³ <http://www.aema.alberta.ca/documents/2013-flood-response-report.pdf>, p.9

owners, catastrophic floods will never-the-less continue to impose very high public costs and inflict trauma on those affected. Insurance alone does not prevent floods.

Any provincially-run recovery program should ensure that citizens only work with licensed residential builders (in the case of a rebuild) and businesses that provide a GST number. This is to ensure any work goes to reputable contractors and not to businesses that operate in the underground economy or aim to take advantage of an unfortunate situation.

The Province of British Columbia should be prepared that during a rebuild, it is very likely that 'storm chasers' will arrive and sadly try to take advantage of those affected. This was highlighted to consumers in 2016 during the Fort McMurray wildfires, to avoid false contractors that claimed to be able to build cheaper and faster but with a cash deposit⁴. In an emotionally-charged situation, such as disaster recovery, it is important to prepare communication materials for residents in advance of such risks and to ensure homeowners avoid participating in the underground economy.

Bylaws and Zoning

The discussion paper indicates the proposal to, "Enable Local Authorities, in consultation with the Minister responsible for the Community Charter, Vancouver Charter and Local Government Act and the Minister responsible for emergency management, to make emergency amendments to an Official Community Plan, Regional Growth Strategy, zoning, or bylaws." (p. 30)

With limited details, it is challenging to provide sufficient input in this area. However, best use of land following a large disaster is an important discussion when significant rebuilding would be required. That being said, further discussions in advance with property owners - such as home builders and developers with building or development permits in place or in the process of a rezoning - would be needed to understand how they would be treated in this scenario, and in particular the scale of change in a high-density versus low-density area. In addition, how a local government or authority would facilitate a large number of approvals that would likely be required following a natural disaster to initiate recovery efforts.

CHBA BC would be pleased to any further discussions in this area, as details are developed.

Follow up

Thank you for the opportunity to participate in this consultation. We recognize this is an ongoing conversation and would be pleased to participate in any additional consultations or discussions on this topic.

⁴ <https://www.cbc.ca/news/canada/edmonton/scams-fort-mcmurray-wildfire-1.3590705>