



# Annotated Bibliography

CIP Climate Change Committee, Issue 02

**Title:** Legislation in a Changing Climate

**Preamble (to be included in all releases):** The Canadian Institute of Planners Climate Change Committee is developing a series of annotated bibliographies as one of our deliverables for this year. Through these bibliographies we intend to tell a story that explores the dynamic and challenging issues that affect the ability of the planning profession to mitigate greenhouse gas emissions while adapting to the impacts of climate change. This story is the tale of a wicked problem, rooted in social complexity, policy and planning law, technological variability, and the geographic realities that define Canada.

**Focus:** The focus of this bibliography is on the linkage between federal and provincial climate change legislation and the role of practicing planners. Sources explore international, federal, and local legislation, both within Canada and abroad. Individually, the sources provide overviews and comparisons of legislation between jurisdictions and when combined illustrate the crucial links and opportunities they share. This multi-jurisdictional linkage defines, in part, the ability of planners to address complex and rapidly changing problems such as climate change.

**Key Takeaways:** Commitments to climate change mitigation and adaptation are accelerating at all levels of government. Emerging legislative and regulatory requirements are having tremendous impacts on planners across Canada. This issue summarizes the climate change legislation emerging at the federal and provincial/territorial levels and includes resources to support planners as they seek to apply emerging policies within their planning practice. The following excerpt from the American Planning Association Policy Guide on Climate Change summarizes the key takeaway for planners: “The need for both mitigation and adaptation responses to climate change makes planning central to any policy solution. Planners must play a key role in promoting energy efficiency in the existing built environment and changing development patterns, transportation systems, and regulations in ways that reduce GHG emissions, while simultaneously enhancing the resilience of communities to unavoidable climate impacts through adaptive responses such as stormwater management, improved hazards planning, and efficient use of climate sensitive resources like water.” (American Planning Association, 2011). This annotated bibliography provides resources related to the legislative frameworks in place across Canada to support planners as they navigate decision making related to climate change.



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Title	Author(s)	Publication Date	Relevance to Planners	Link	Scope
The Paris Agreement	United Nations Framework Convention on Climate Change	2015	<p>In December 2015, the Paris Agreement was adopted, signaling a profound and unprecedented commitment to reducing greenhouse gas (GHG) emissions. Together, 195 nations committed to a legally-binding agreement limiting global temperature increases to 2 degrees Celsius above pre-industrial levels.<sup>1</sup> To achieve this target, participating countries have committed to a widespread and coordinated global energy transition, beginning first by establishing national GHG emission reduction targets (referred to as Intended Nationally Determined Contributions – INDCs).</p> <p>Canada has committed to reduce emissions to 30 percent below 2005 levels by 2030 (a 225 megaton equivalent<sup>2</sup>).</p>	<a href="http://unfccc.int/paris_agreement/items/9485.php">http://unfccc.int/paris_agreement/items/9485.php</a>	International - Mitigation and Adaptation
The Pan Canadian Framework on Clean Growth and Climate Change	Environment and Climate Change Canada	December 2016	<p>The Pan Canadian Framework for Clean Growth and Climate Change outlines federal commitments related to climate change. Commitments described in the framework include:</p> <ul style="list-style-type: none"> <li>• Outlining the principles on which the pan-Canadian approach to pricing carbon pollution will be based. The Framework states that a federal carbon pollution pricing backstop will begin to apply in all jurisdictions that do not have a carbon pollution pricing system in place that meets the elements of the Benchmark by 2018</li> <li>• Developing new building codes to ensure that buildings are more energy efficient</li> <li>• Deploying more electric charging stations to support electric vehicles</li> </ul>	<a href="https://www.canada.ca/en/services/environment/wealthier/climatechange/pan-canadian-framework.html">https://www.canada.ca/en/services/environment/wealthier/climatechange/pan-canadian-framework.html</a>	National - Mitigation and Adaptation

<sup>1</sup> European Commission (2015). Paris Agreement. [http://ec.europa.eu/clima/policies/international/negotiations/paris/index\\_en.htm](http://ec.europa.eu/clima/policies/international/negotiations/paris/index_en.htm)

<sup>2</sup> Environment and Climate Change Canada (April 27, 2016). Progress Toward Canada's Greenhouse Gas Emissions Reduction Target. <https://www.ec.gc.ca/indicateurs-indicators/default.asp?lang=en&n=CCED3397-1>



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			<ul style="list-style-type: none"> <li>• Expanding clean electricity systems, promoting inter-ties, and using smart-grid technologies</li> <li>• Setting an example and driving significant reductions in emissions from government operations</li> <li>• And more</li> </ul>		
Survey of Canadian Federal, Provincial, Territorial Climate Change Legal Provisions	Canadian Environmental Law Association	January 2015	<p>What legislation in Canada refers to climate change? This 28-page table provides a survey of Canadian federal, provincial, and territorial climate change legal provisions. These provisions are found in Canadian legislation intended to address climate change and related subjects, as well as legislation for other purposes. The majority of the research for this survey was conducted on CANLii and reflects search results in all jurisdictions for the following terms: 'climate change', 'global warming', 'greenhouse gas'.</p>	<a href="http://www.cela.ca/node/2991">http://www.cela.ca/node/2991</a>	National - Mitigation and Adaptation
Policy Guide on Climate Change	American Planning Association	April 11, 2011	<p>This Climate Change Policy Guide recommends a policy framework to assist communities in dealing with climate change and its implications. It provides planners with strategies to slow the pace of climate change and to adapt to its impacts.</p> <p>The following takeaway may be of interest to members of CIP: The need for both mitigation and adaptation responses to climate change makes planning central to any policy solution. Planners must play a key role in promoting energy efficiency in the existing built environment and changing development patterns, transportation systems, and regulations in ways that reduce GHG emissions, while simultaneously enhancing the resilience of communities to unavoidable climate impacts through adaptive responses such as stormwater management, improved hazards planning, and efficient use of climate sensitive resources like water.</p>	<a href="https://planning-org-uploaded-media.s3.amazonaws.com/legacy_resources/policy/guides/pdf/climatechange.pdf">https://planning-org-uploaded-media.s3.amazonaws.com/legacy_resources/policy/guides/pdf/climatechange.pdf</a>	National - Mitigation and Adaptation
Overview of the North American	Pechar, Emily (Duke University) and	2016	This background paper provides an overview of the current national policy landscapes across North	<a href="http://institute.smartprosperity.ca/sites/default/files/">http://institute.smartprosperity.ca/sites/default/files/</a>	National / International



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Climate Policy Landscape at the National and Subnational Levels	Marcano, Mercedes (Smart Prosperity Institute)		America. Though not comprehensive, it lists a summary of federal legislation and regulations related to energy efficiency, fuel efficiency standards, renewable fuels regulations and funding, as well as sub-national policies in BC, Alberta and Quebec.	<a href="#">pre-conference paper overview of the north american climate policy landscape at the national and subnational levels_0.pdf</a>	
Climate Change Adaptation and Canadian Infrastructure A review of the Literature	International Institute for Sustainable Development	2013	<p>This literature review is intended to serve as a stimulus for further discussions around planned adaptation to climate change in Canada, particularly with respect to ensuring the viability of critical built infrastructure.</p> <p>The following takeaways may be of interest to members of CIP:</p> <ul style="list-style-type: none"> <li>-Climate change has the potential to substantially affect the effectiveness and lifespan of infrastructure in Canada, particularly in transportation, buildings, marine and water management infrastructure.</li> <li>-Adaptive measures can be taken to limit costs and strengthen the resiliency of infrastructure.</li> <li>-While a great deal of research and planning has been done, most supporting policies and regulatory changes remain nascent, and investments have not yet fundamentally shifted.</li> <li>-Adaptation is a dynamic, context-specific and often long-term process that requires sustained efforts from a variety of actors, including planners</li> </ul>	<a href="http://www.adaptationlibrary.ca/wp-content/uploads/adaptation_library/363COM-iisd_CCA-and-Canadian-Infrastructure.pdf">http://www.adaptationlibrary.ca/wp-content/uploads/adaptation_library/363COM-iisd_CCA-and-Canadian-Infrastructure.pdf</a>	National - Adaptation
The National Report on Policies Supporting Community Energy Plan Implementation	The Community Energy Association, QUEST and the Smart Prosperity Institute	2015	This report summarizes over 400 federal and provincial policies supporting the implementation of community energy plans and projects that support climate change mitigation and adaptation at the local level.	<p>Full report: <a href="http://gettingtoimplementation.ca/wp-content/uploads/2017/03/National-Report-on-Policies-Supporting-CEP-Implementation-OnlineVersion-September2015.pdf">http://gettingtoimplementation.ca/wp-content/uploads/2017/03/National-Report-on-Policies-Supporting-CEP-Implementation-OnlineVersion-September2015.pdf</a></p> <p>Policy database: <a href="http://gettingtoimplementation.ca/wp-content/uploads/2015/06/Appendix-I-Provincial-">http://gettingtoimplementation.ca/wp-content/uploads/2015/06/Appendix-I-Provincial-</a></p>	National - Mitigation



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				<a href="#">and-Territorial-Policies_online.xls</a>	
Energy Policies of IEA Countries: Canada	International Energy Agency	2015	This report distinguishes between the legislative authority of federal and provincial governments with respect to climate change. It states the “The shared jurisdiction over environmental matters means that policies and measures to reduce emissions are in place at both the federal and provincial levels. Federal policies to address GHG emissions are underpinned by several legislative instruments, most notably by the CEPA 1999, which includes authority to regulate GHG emissions and, indirectly, the Energy Efficiency Act (1992) which provides authority to regulate minimum energy efficiency standards for energy-consuming products, product labelling, and collection of data on energy use. As noted earlier, most GHG-focused federal regulations have taken the form of sector-specific, intensity-based standards derived from authorities under CEPA 1999.”	<a href="https://www.iea.org/publications/freepublications/publication/energy-policies-of-iea-countries---canada-2015-review.html">https://www.iea.org/publications/freepublications/publication/energy-policies-of-iea-countries---canada-2015-review.html</a>  <a href="#">The Executive Summary is available in French here:</a> <a href="https://www.iea.org/publications/freepublications/publication/politiques-energetiques-des-etats-membres-de-laie---canada-2015.html">https://www.iea.org/publications/freepublications/publication/politiques-energetiques-des-etats-membres-de-laie---canada-2015.html</a>	National - Mitigation and Adaptation

Interested in additional tools and resources related to climate change legislation in Canada? These libraries provide extensive reading the subject of legislation and climate change as it relates to the planning profession:

- Climate Analytics Publications - <http://climateanalytics.org/publications.html>
- Canadian Environmental Law Association Publications - <http://www.cela.ca/publications>
- Climate Law: A Journal on Climate Change and the Law
- CanLII - <https://www.canlii.org/en/>
- Ecofiscal Commission Reports - <https://ecofiscal.ca/reports/>
- Pollution Probe Publications - <http://www.pollutionprobe.org/publications/>
- Sabin Centre for Climate Change Law - <http://columbiaclimatelaw.com/>
- West Coast Environmental Law Publications - <http://wcel.org/publications-search>
- Zizzo Strategy Blog - <http://zizzostrategy.com/blog>

This annotated bibliography is intended to provide an introduction to the subject area and further exploration by the reader. It is not intended to be comprehensive. We have also focused solely on open source resources to ensure the referenced resources can be accessed by a broad audience. That said, we are interested in your feedback! If you have additional resources or themes you would like us to explore, please let us know through the Canadian Institute of Planners [admin@cip-icu.ca](mailto:admin@cip-icu.ca).

The Climate Change Committee is a volunteer committee established by the Canadian Institute of Planners provide current, cutting edge guidance and direction on how to address the impacts of climate change on our communities and within the professional practice of members.