

Attachment 4

City of Toronto Policy on Referencing TransformTO Net Zero Goals in Submissions and Filings

POLICY

Preamble

1. Whereas the City of Toronto's TransformTO Net Zero strategy, adopted by Council, includes a number of goals and targets related to achieving the City's overall goal of net zero greenhouse gas emissions in Toronto by 2040;

And whereas City Council, in Decision 2021.IE26.16, directed the City Manager, in consultation with all appropriate City divisions heads, including the City Solicitor, or their designates, to develop and implement a plan that outlines how to refer to TransformTO Net Zero Strategy goals and targets as and where appropriate in all relevant:

- a. submissions that the City of Toronto makes or the City of Toronto staff make in federal and provincial public comment processes; and
- b. filings that the City of Toronto makes in proceedings before Federal and Provincial regulatory bodies, administrative tribunals and courts;

This policy sets out the standards and processes to be followed across the City of Toronto Corporation for such comments and filings.

Definitions

2. The terms set out below have the following meanings:

Comments, as directed in Part 4a of Decision 2021.IE26.16, includes both written and oral comments, provided in any public process, on behalf of a person authorized to speak for the City of Toronto or by City of Toronto staff but does not include *filings*;

Filings, as directed in Part 4b of Decision 2021.IE26.16, includes both evidence and legal submissions provided on behalf of the City of Toronto to a federal or provincial regulatory body or administrative tribunal, or to a court, but does not include *comments*;

Stock content means content developed for use in specific topic areas (e.g. proceedings before the Ontario Energy Board with implications for fossil natural gas consumption in Toronto) that City Divisions can draw from when referring to *TransformTO Net Zero Strategy goals and targets* in relevant *comments* or *filings*;

TransformTO Net Zero Strategy goals and targets means the City's community-wide greenhouse gas reduction targets for 2020, 2025, 2030 and 2040 adopted by Council and the 2030 sectoral goals in section 4 of the

TransformTO Net Zero Strategy;

Determining relevance

3. City staff preparing *comments or filings* must consider whether the *TransformTO Net Zero Strategy goals and targets* are relevant to the matter(s) dealt with in the *comments or filings*;
4. With respect to paragraph 3 and the consideration of relevancy for *filings*, City staff must consult with the lawyer in City of Toronto Legal Services who has carriage of the proceeding,
5. The test for relevance is whether there is some connection between the outcomes in the *TransformTO Net Zero Strategy goals and targets* and the matter(s) dealt with in the *comments or filings* that is direct and more than trivial;

Content for relevant submissions

6. Whenever relevant *comments or filings* are made, they must include reference to one or more of the *TransformTO Net Zero Strategy goals and targets* and some explanation of how the matter(s) dealt with in the *comments or filings* impact their achievement, with the aim of educating the receiver of the *comments or filings* about the context of the climate emergency and the necessity of immediate and significant action by the City, other levels of government and the community to rapidly reduce greenhouse gas emissions to net zero;
7. *Stock content* may be used, in whole or in part, by Divisions to enhance efficiency and accuracy in their reference of *TransformTO Net Zero Strategy goals and targets* in relevant *comments or filings*;
8. The Executive Director, Environment & Climate, or their delegate, may develop *stock content* to provide to a Division;
9. Divisions may develop *stock content* but must notify the Executive Director, Environment & Climate, or their delegate, and provide a copy of the *stock content* and any revisions that are made to the *stock content*;
10. The Executive Director, Environment & Climate, or their delegate, is responsible for ensuring consistency across any *stock content* developed by or for Divisions;
11. Where *stock content* exists for a topic area that overlaps with the matter(s) dealt with in the *comments or filings*, the person making the *comments*, or the client in the proceeding where the *filings* are made, is responsible for determining which parts of the *stock content* to use, if any;

Notice

12. The Executive Director, Environment & Climate, must, at least once per calendar year, circulate this policy to all City staff and include any covering memorandum

from the City Manager with guidance that would assist with the policy's implementation;

Filings

13. Nothing in this policy is meant to conflict with the applicable laws, rules or professional responsibility obligations of City of Toronto staff or the City's legal counsel in proceedings where the *TransformTO Net Zero Strategy goals and targets* are relevant to *filings*.