

November 28, 2023

City Council
City of Toronto
100 Queen Street West
Toronto, ON

Re: Proposed Building Emissions Performance Reporting By-Law (Item 2023.IE9.5)

Dear Infrastructure and Environment Committee Members,

The Atmospheric Fund (TAF) strongly supports the adoption of the proposed Building Emissions Performance Reporting By-Law. Existing buildings are the largest source of greenhouse gas emissions in Toronto, accounting for 58 percent of total emissions across the city. TAF is pleased to see this by-law coming before committee today as it is a vital step in the right direction to addressing emissions from existing buildings. Emissions performance reporting is a proven policy tool that directly motivates emission reductions while enabling development evidence-based policies and programs. Implementation of this proposed by-law would establish the City of Toronto as a leader in Ontario, and join other jurisdictions like the City of Vancouver, City of Montreal, and the Province of Quebec.

TAF supports all of the staff recommendations but would like to highlight the importance of recommendation 7. We encourage Toronto to move as swiftly as possible towards disclosure of non-anonymized data on building performance. Building performance transparency is a well-established best practice that has already been put in place by leading cities including Montreal and New York. Without transparency there is no accountability, and no link between emissions performance and asset values. The limited and anonymized dataset made available by the province is one of the key reasons Toronto needs its own bylaw. While it is reasonable to delay publication of non-anonymized data while the city reviews and consults on disclosure details, transparency should be the end goal.

We would also like to highlight the importance of compliance management including fines for non-compliance, as proposed by staff. The province does not currently enforce reporting requirements, resulting in low compliance rates. This is another key reason Toronto requires its own bylaw. Experience with provincial emissions reporting has shown that a reporting “requirement” with no consequence for non-compliance is just a voluntary program. Low compliance rates compromise the integrity of the data and its usefulness for designing policies and programs. Outreach and education are the first priorities in motivating compliance, but they must be backstopped to achieve and sustain acceptable compliance rates.

Finally, we applaud staff at the Environment and Climate Division for their excellent work in developing the proposed bylaw, including an extensive stakeholder consultation process. The timelines proposed for implementation are suitably ambitious yet achievable and reasonable, especially

considering that large buildings are already required to report provincially using the same reporting tool. Emissions reporting is needed as quickly as possible in order to inform the development of the City's building performance standards and enable stakeholders to plan the transition to net zero ready buildings. This proactive approach enables better planning to prevent unnecessary investment in gas-fired heating equipment that could become stranded assets given the long-life of HVAC equipment.

Overall, TAF is very supportive of the City of Toronto's proposed Building Emissions Performance Reporting By-Law and **we strongly recommend that the committee vote in favour of this proposed by-law**. Adopting this by-law will support the City of Toronto in its commitment to reducing building emissions and provide certainty to the private sector and relevant agencies on actions needed to support emission reduction. This policy is key to achieving the City of Toronto's net-zero objectives and a low carbon future.

Sincerely yours,



Bryan Purcell
VP Policy & Programs, The Atmospheric Fund

About The Atmospheric Fund

The Atmospheric Fund (TAF) is a regional climate agency that invests in low-carbon solutions for the Greater Toronto and Hamilton Area (GTHA) and helps scale them up for broad implementation. We are experienced leaders and collaborate with stakeholders in the private, public, and non-profit sectors who have ideas and opportunities for reducing carbon emissions. Supported by endowment funds, we advance the most promising concepts by investing, providing grants, influencing policies, and running programs. We're particularly interested in ideas that offer benefits in addition to carbon reduction such as improving people's health, creating local jobs, boosting urban resiliency, and contributing to a fair society.