

Request to Implement Measures for Mandatory Lead Disclosure and Mitigation in Multi-Residential Housing

Date: June 27, 2024

To: Planning and Housing Committee

From: City Council

Wards: All

CITY COUNCIL DECISION

City Council on June 26 and 27, 2024, referred Motion MM19.19 to the Planning and Housing Committee for consideration.

RECOMMENDATIONS

Councillor Dianne Saxe, seconded by Deputy Mayor Ausma Malik, recommends that:

1. City Council direct the Executive Director, Municipal Licensing and Standards, in consultation with other appropriate Division Heads, to report to the December 5, 2024, meeting of the Planning and Housing Committee on options and feasibility of requiring that:

- a. landlords of leased residential properties constructed prior to 1950 with six or fewer units determine if their properties have a lead water service pipe through water testing, visual inspection by a plumber, or requesting records check through 311;
- b. landlords of leased residential properties with lead water service pipes disclose the presence of the pipes to tenants; and
- c. landlords of leased residential properties with lead water services pipes replace them or provide tenants with an NSF-053 certified filter and replacement cartridges as needed.

SUMMARY

Lead poisoning poses a serious risk to the wellbeing of Torontonians, especially children and people who are pregnant. Exposure to even small amounts of lead can impede kids' ability to learn, cause adults nerve and brain damage, and lead to miscarriages. In Toronto, upwards of 20,000 households have City-owned lead water services pipes, and likely more have privately-owned lead pipes, from which lead can leach into drinking water.

Through the Priority Lead Water Service Replacement Program and Capital Water Service Replacement Program, the City of Toronto has taken important steps to eliminate lead pipes. However, landlords currently have no obligation to replace dangerous lead pipes on their properties, nor inform potentially vulnerable tenants that they are present.

Tenants must not be kept in the dark. This motion seeks to protect tenants, especially those who are pregnant or have young children, by requesting that staff investigate requiring landlords to inspect their property for lead pipes, disclose the presence of lead pipes if they are found, and take action to prevent lead poisoning, either by replacing the pipes or providing their tenants with a high-quality filter. Currently, the City of Toronto provides a rebate for these filters for families with young children or pregnant women who earn under \$50,000 – a lead poisoning prevention By-law would protect the right of every tenant to clean water while minimizing expense to the City.

Implementing this By-law would make Toronto a leader in lead poisoning prevention as one of the first cities in Canada to require both disclosure and mitigation or replacement of lead pipes. However, the By-law would not be unprecedented – the Regina, Saskatchewan City Council approved requiring property owners to replace the private portion of lead water pipes in conjunction with city repairs when they take place in 2021.

Whether they own or rent their homes, Torontonians should feel safe turning on their faucets. Through a lead poisoning prevention By-law, the City can ensure that no tenant feels uninformed or helpless when it comes to the critical threat of lead poisoning.