

Attachment 1: Summary of Status of 2018.LS25.1 Directives

In May 2018 ([2018.LS25.1](#)), City Council directed staff from Municipal Licensing and Standards, Toronto Public Health, Environment and Climate and Social Development, Finance and Administration in collaboration with other City divisions to examine strategies that could address excessive indoor temperatures in apartment buildings. More recently, the June 2023 directive ([2023.MM7.8](#)) requested an update on the status of those 2018 directives.

Interdivisional Working Group

As directed by City Council, a "Heat in Apartments Working Group" was established, including representatives from the divisions listed above and the working group met three times in 2018 to review and address the directives. The working group noted that developing a synchronized "strategy" to address excessive indoor temperatures in apartment buildings among the working group members proved to be challenging as the various divisions' existing initiatives and project timelines were not aligned. As such the working group members chose to disband the working group with the understanding that the divisions involved would continue to independently work on the components of the directives which are within their responsibilities.

Requirements for Air Conditioning

Staff reported in 2018 that requiring all buildings to install central air conditioning or provide window air conditioners in all units would not be recommended due to technical and financial barriers. Some buildings lack ductwork, insulation, and windows that open, making any cooling solution challenging without significant retrofits. Toronto's constrained electrical distribution infrastructure may have difficulty accommodating increased electrical demand for a solution focused on air conditioning. Further, under existing provincial legislation, the costs of significant building retrofits could be passed on to tenants through an above-guideline increase, which could negatively impact low-income tenants. Landlords can apply to increase rent beyond the annual guideline (which is 2.5% for 2024) to cover the costs of an eligible capital expenditure. For large buildings undergoing significant retrofits, up-front costs would likely be millions of dollars.

Notably, the Housing Secretariat's High Rise Investment Support Program (HI-RIS) and Taking Action on Tower Renewal (TATR) address several elements of the Council directive as these programs finance building improvements that address the energy efficiency of existing rental buildings and may further reduce summer heat gain through building envelope improvements.

RentSafeTO Communications

Chapter 354, Apartment Buildings By-law states that landlords/property managers are required to post the following on their Tenant Notification Board: i) the location of an air-

Attachments to Establishing a Framework to Address Excessive Indoor Temperatures in Leased Residential Premises

Attachment 1: Summary of Status of 2018.LS25.1 Directives

conditioned place (cooling room) in the building and other locations on the property (i.e. a shaded area) that may offer relief from uncomfortably warm indoor temperatures, if accessible to all tenants; and ii) the name, address and map to the nearest location of a publicly accessible air-conditioned place (i.e. a community centre, shopping mall, library, etc.)

To support this requirement and respond to Council direction, City staff developed a Summer Heat Safety Notice template and a Beat The Heat: Tips for Staying Cool poster. Further, in the shoulder seasons, RentSafeTO staff circulate an advisory notice to landlords and property owners regarding heating and cooling for tenants and their buildings. The RentSafeTO program encourages landlords and property owners create a hot weather plan as recommended by Toronto Public Health.

Changes to Chapter 497, Heating

Through the 2018 report, staff addressed bylaw interpretation challenges with Toronto Municipal Code Chapter 497, Heating to support property owners in their compliance with the City's regulatory requirements. By adopting By-law 646-2018, Chapter 497 was amended in its entirety so that Section § 497-1.2. states:

C. For greater clarity, where a dwelling unit is at a minimum air temperature of 21 degrees Celsius, a landlord is not required to operate a heating unit.

In addition, amendments made through By-law 646-2018 to Section § 497-3.1 have made Chapter 497, Heating consistent with the authorities granted by the City of Toronto Act, 2006 to permit the City to undertake the necessary enforcement action. The amendments included: increasing the issuance of a maximum fine amount of \$100,000, establishing the authority to issue special fines when it is determined that a breach of the by-law could have resulted in an economic advantage, creating an offence for failing to comply with an order and granting the City authority to undertake inspections to determine compliance with the by-law and/or an order.

Encouraging Efficiency and Advancing Retrofits in Existing Buildings

The City is actively working on the development of policy (e.g. the development of Buildings Emissions Performance Standards – BEPS), programs and initiatives to encourage retrofitting of buildings, including apartment buildings. Through ongoing engagement with the Provincial and Federal government, the City continues to advocate for funding to support climate action, including building retrofits. This advocacy is aligned with the City's policy objectives focused on expanding the availability of housing, including affordable housing, as well, efforts to reduce emissions from buildings while maximizing opportunities to realize co-benefits, through measures like the installation of heat pumps, which help to mitigate the impacts of heat.