

Attachment 3: Detailed Regulatory Landscape – Indoor Temperatures

Toronto Municipal Code, Chapter 629, Property Standards (“Property Standards By-law”)

- Requires that air conditioning system or unit be kept in good repair and maintained in good working condition.
- Require every heating system be capable of maintaining a room temperature of 21°C at 1.5 metres above the floor level in all habitable rooms, bathrooms, and toilet rooms.
- Requires that if a building has an air-conditioning system, it shall be operated from June 1 to September 30 so as to maintain an indoor temperature of not more than 26°C.
- Requires that window openings have a guard and a controlled sash that limits the opening of windows to no more than 100 mm (or 10 cm). This aligns with Ontario Building Code requirements for new buildings that are three stories or higher. The by-law allows some flexibility, as it permits other safety options as an alternative to guards, 'sash operations' and screens, if the degree of safety is not reduced.
- Does not prohibit window air conditioning units in apartment buildings.
- In 2025, the City conducted Phase II of a multi-year review of the Property Standards Bylaw. [PH25.8 - Property Standards By-law: Phase II Review and Other Property Items](#) was presented to City Council on November 12 – 14, 2025, and included a series of proposed technical and substantive updates to Chapter 629.
 - The wording of heating and cooling provisions was updated to read more clearly, but the substance of the rules was not changed.
 - For example, the term “air conditioning” will be changed to “cooling system”, effective May 1, 2027.

Toronto Municipal Code, Chapter 354, Apartment Buildings (“Apartment Buildings By-law”)

- Apartment buildings with 3 or more storeys and 10 or more rental units must be registered under the City’s RentSafeTO program. For instance, condo buildings, townhomes, or units in a private home (basement or main floor apartment) are not part of the RentSafeTO program. Long-term care homes, licensed retirement homes, or housing co-operatives are also excluded.
- Requires building owners to post on its Tenant Notification Board the location of an air-conditioned place in the building and of other locations on the property that offer relief from uncomfortably warm indoor temperatures, including a cooling room or shaded area, if accessible to all tenants. It also requires that the name, address and map to the nearest location of a publicly accessible air-conditioned place (as operated by the Heat Relief Network) be posted.

- Requires building owners or operators to maintain a contact list of tenants who voluntarily self-identify as needing additional assistance during periods of evacuation or temporary discontinuance of vital services.
- Requires building owners or operators to maintain a vital service disruption plan.
- An owner or operator of an apartment building may be required to provide proof that a qualified tradesperson has installed, or confirmed proper installation and maintenance of, the window air conditioning unit. There are no City by-laws requiring this proof from tenants or allowing landlords to require this proof from tenants.

Toronto Municipal Code, Chapter 497, Heating (“Heating By-law”)

- Requires a property owner to provide heat to their dwelling units and ensure that a minimum air temperature of 21°C is maintained in all areas from October 1 to May 15.
- Where a dwelling unit is at a minimum air temperature of 21°C, a landlord is not required to operate a heating unit.

Ontario’s Residential Tenancies Act, 2006 (RTA)

- The Government of Ontario has jurisdiction over rent control policy and landlord-tenant matters through the RTA, which outlines the rights and responsibilities of residential landlords and tenants in Ontario. Section 21 of the RTA outlines a landlord's responsibilities regarding vital services. Vital services constitute heat (for part of the year), fuel, gas, electricity and hot or cold water. Vital services are defined to include heat between September 1 and June 15 (Ontario Regulation O. Reg. 516/06: General, a regulation made under the RTA) and the RTA's maintenance standards contain a minimum temperature requirement of 20°C (O. Reg 517/06: Maintenance Standards). Given that the City of Toronto has a Property Standards By-law, the RTA's maintenance standards do not apply in Toronto, but instead, the provisions of Chapter 629 apply.
- A Landlord is not permitted to withhold the reasonable supply of any vital service the landlord has agreed to provide under the tenancy agreement or deliberately interfere with the reasonable supply of any vital service to a tenant. Under the standard lease agreement, the residential tenancy agreement may contain provisions that outlines whether the landlord or tenant will be responsible for the maintenance and/or the payment of these vital services. Notably, air conditioning is not defined as a vital service in the RTA and landlords are not required to equip a dwelling unit with air conditioning.
- The RTA permits municipalities to pass by-laws requiring landlords to provide certain adequate and suitable vital services to the landlord's rental units.

Ontario’s Bill 97, Helping Homebuyers, Protecting Tenants Act, 2023

- In June 2023, the Government of Ontario passed Bill 97, the Helping Homebuyers, Protecting Tenants Act, 2023 (Bill 97), which outlines changes to the RTA regarding access to air conditioning in rental housing. The legislation received Royal Assent on June 8, 2023, but has not yet been proclaimed and supporting regulations have not been published for interpretation.
- Schedule 7 of Bill 97 permits tenants to install and use a window or portable air conditioner in a rental unit for which a landlord does not supply air conditioning, provided certain conditions are met. Landlords are only allowed to prohibit air conditioners in certain prescribed circumstances.
- Under the new changes, a tenant would be required to notify their landlord in writing prior to installing air conditioning. If a landlord pays for electricity to the rental unit, they may increase the rent charged if the tenant installs an air conditioner to account for the actual cost or a reasonable estimate of the cost to the landlord for the electricity supplied. The legislation also outlines rules requiring rent decreases if a tenant seasonally stops using or removes the air conditioner from use. Certain provisions of the section are made to apply to previously installed window or portable air conditioners. Amendments also clarify that a landlord can inspect the rental unit to determine a tenant's compliance with the requirements for safe installation under the Act.

National Building Code proposed changes

- The Canadian Commission on Building and Fire Codes is considering amending the National Building Code of Canada, 2020 to introduce a maximum indoor air temperature of 26°C in new dwelling units. The indoor temperature is to be maintained by mechanical cooling or, where achievable, through passive cooling design measures. City staff submitted support for these proposed changes in February 2025.