

November 18, 2025

To the Mayor of Toronto and Toronto City Councillors
Toronto City Hall
100 Queen Street West, Toronto M5H 2N2

RE: Building Emissions Performance Standards

We are writing to support the implementation of a Building Emissions Performance Standard (BEPS) bylaw in the City of Toronto, and for the inclusion of Multi-Unit Residential Buildings (MURBs) in the upcoming BEPS bylaw expected in December 2025.

We do so because Building Performance Standards in general are not just a way to protect the environment, but also a way to ensure that homes and rental units are healthier and more affordable for tenants and residents to operate.

The practice of using energy retrofits to justify Above Guideline Rent Increases (AGIs) is already widespread, even in situations where landlords, not tenants, ultimately financially benefit from these retrofits. We strongly believe that this is unjust, and that **the implementation of a well-designed BEPS for Multi-Unit Residential Buildings can significantly improve living conditions for tenants; while also reducing emissions, and protecting tenants from landlords using energy efficiency and climate safety as an excuse to apply for AGIs.**

To do that, a BEPS framework for MURBs in the City of Toronto must include measures to protect low- and moderate-income tenants from Above Guideline Rent Increases from energy and climate retrofits.

AGI's are one of the main contributors to the loss of affordable housing in Toronto and are commonly used to pass on the cost of regular repair and maintenance to tenants. AGIs have increased by 107% in the past two decades, becoming a commonplace tactic for corporate landlords across the province to extract more money from tenants.

The process to fight AGI's is extremely inaccessible to the average tenant due to an overly complicated process with hearings moved to online and written modes. The process also requires legal support for the average tenant and legal support is most often not available.

About 40% of all renter households in Toronto spent 30% or more of income on shelter.

Therefore, we strongly recommend that the upcoming Bylaw expected to come to City Council in December of 2025 include the following:

- 1) Compliance dates for non-residential buildings starting in 2030-2032, where 85% of buildings already meet the compliance criteria;**
- 2) Compliance date for Multi-Unit Residential Buildings (MURBS) of 2033, where 85% of buildings already meet the compliance criteria, provided that:**

a) there is a mandatory review of the MURB residential components of the BEPS bylaw at City Council in 2027 to ensure that this bylaw will not result in cost passdowns to low- and moderate-income tenant households;

and

b) that the 2027 Mandatory Review be presented alongside solutions to eliminating cost passdowns to low- and moderate-income tenant households, including:

- A commitment to publicly recognize and support all efforts in the City of Toronto's legal authority to ban AGIs;
- Enhancement of existing City low-interest loan programs for MURBS that already prohibit Above Guideline Rent Increases;
- City support for provincial regulation that would mandate that if government funding or incentives are available, landlords should be mandated to obtain those funds first and be banned from applying for AGIs;
- Retrofit financing solutions, including grants, low or zero-interest loans and other funding from the federal and provincial governments and their financing agencies;
- A City-led and/or non-profit heat pump installation and retrofit program, similar to the City's current AC installation program, that would restrain ability of landlords to apply for AGIs on City-led energy and decarbonization retrofits;
- Alternative BEPS compliance pathways for Affordable Housing Providers, such as relaxed timelines or exemptions tied to affordability;

- City-led support program(s), including legal support, for tenants facing unjust Above Guideline Rent Increases from energy, decarbonization, and/or extreme weather building upgrades;
- A systemic AGI litigation fund that would identify and support unique cases that would build case law that would have systemic impact to support tenants on a large number or all AGIs;
- Transparency measures to ensure tenants are informed about real retrofit costs, retrofit savings, and support and legal protections available to tenants before and during energy, decarbonization, and/or extreme weather building upgrades;
- A schedule for the implementation of non-energy Building Performance Standards for low and medium residential tenant issues such as indoor air quality, ventilation, flood protection, etc.

Background

Over the past few years, Toronto City Hall has been working on implementing a Building Emissions Performance Standard (BEPS) bylaw. Already passed or implemented in jurisdictions like New York, Vancouver, Boston, and the European Union, Building Emissions Performance Standards set minimum greenhouse gas emission requirements for a city's existing buildings. These standards induce the lowest performing buildings to undertake measures to improve a building's energy and emissions performance which typically save energy costs.

Reports from City of Toronto staff presented to consultation groups in June propose a Building Emissions Performance Standard on a four-year compliance cycle. According to those reports, compliance levels are expected to be set so that 85% of buildings in any category would already meet compliance targets. City of Toronto staff would provide support for the remaining 15%, with the majority of that number only needing to tweak existing building systems.

Compliance for non-residential buildings would begin in 2030 to 2032, depending on the size of the building. This gives non-residential building managers and owners five to seven years to meet compliance targets. The lowest performing 15% of Multi-Unit Residential Buildings (MURBs) would have until 2033 (eight years from now) to meet compliance.

However, we are aware that it's possible that the MURB portion of the Building Emissions Performance Standard bylaw coming in December may be excluded, potentially indefinitely.

We, the undersigned organizations, believe that a BEPS bylaw that does not include MURBs would be a misstep, and that the measures being proposed to be added in the City of Toronto

BEPS regime would be beneficial to low- and moderate-income tenants who are already bearing the inequitable cost of climate inaction.

Thank you.



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