

Property Standards By-law: Phase II Review and Other Property Items

Date: October 16, 2025

To: Planning and Housing Committee

From: Interim Executive Director, Municipal Licensing and Standards

Wards: All

SUMMARY

Toronto is a city with a complex and varied array of property types. From century-old apartment buildings to cutting-edge industrial facilities, single-family homes to 70-storey office towers, multiplexes to bustling shopping malls. Toronto Municipal Code Chapter 629, Property Standards (Chapter 629) applies to every one of these unique property types, setting minimum standards for maintenance, and compelling repair where those standards are not being met. Chapter 629 is authorized by the *Ontario Building Code Act, 1992* (BCA), and establishes rules for everything from the maintenance of handrails in apartment buildings to the buffering of waste receptacles behind restaurants.

This report is Phase II of a multi-year review of Chapter 629, which dates back to 2019. This report addresses outstanding issues raised during the Phase I process, responds to ten additional Council directives on items including nuisance lighting and pest management, implements strategic objectives identified by Municipal Licensing and Standards (MLS), and aligns the property standards provisions with the 2024 Ontario Building Code (OBC). The bulk of Phase II focused on technical and structural amendments, with a key outcome of this review being the recommendation of an entirely rewritten By-law.

The structure of Chapter 629 has remained relatively static for over a decade, with changes made on an ad-hoc basis to address Council directives or solve specific operational issues. The Phase II review is a holistic review of the document, going line-by-line to standardize the language and style of the Chapter, streamline and simplify provisions, ensure that provisions align with the legislative intent of the Chapter, and ensure consistency with the updated OBC, which came into force on January 1, 2025.

The result of this work is a recommended draft By-law that eliminates outdated and redundant standards, clarifies the obligations of property owners, improves the enforceability of key provisions, and replaces technical terminology with easy-to-understand language. In addition to rewriting the by-law to simplify structure and language, staff are recommending a few substantive changes to ensure the by-law is

responsive to the current legislative framework and community needs. These changes are highlighted in further detail in the Policy Proposals section of this report.

Through this review, staff also identified a need to make technical amendments to Toronto Municipal Code Chapter 835, Vital Services, Discontinuance Of. It is recommended that edits to the definitions, offences, and entry to inspect sections are made to align the by-law with the latest authorities language in the *Residential Tenancies Act*. These changes will not alter existing City processes or procedures.

This report was written in consultation with Legal Services, Toronto Building, Toronto Public Health, Revenue Services, Toronto Water, and Environment, Climate & Forestry.

RECOMMENDATIONS

The Interim Executive Director, Municipal Licensing and Standards recommends that:

By-law amendments

1. City Council amend City of Toronto Municipal Code Chapter 629, Property Standards, so that it reads generally in accordance with the draft By-law in Attachment 1, with such amendments to come into force on May 1, 2027.
2. City Council adopt a new City of Toronto Municipal Code Chapter 611, Pest Management on Private Property, generally in accordance with the draft by-law in Attachment 2, with such new chapter to come into force on May 1, 2027.
3. City Council amend City of Toronto Municipal Code Chapter 629, Property Standards as follows to enable the new Property Standards Committee reporting requirements and delete duplicative provisions, with such amendments to come into force on March 1, 2026:
 - a) Adding a new section § 629-3.2 as follows:

§ 629-3.2 Reporting.

 - A. The Chair of the Property Standards Committee shall report annually to the Planning and Housing Committee, or its successor, and the report shall include:
 - (1) A summary of the activities of the Property Standards Committee, including the number of items heard in the calendar year across all four hearing panels, and any changes made to the hearing process during the past year;
 - (2) Emerging issues and observations that, in the Property Standards Committee's opinion, should be reviewed by the City of Toronto; and
 - (3) Any other matters that, in the Property Standards Committee's opinion, impact the effective operation of the property standards appeal

process.

- b) Deleting section § 629-10F on clothing drop boxes;
- c) Deleting section § 629-24 on vacant buildings and property.

4. City Council amend Toronto Municipal Code Chapter 632, Property, Vacant or Hazardous as follows, with such amendments to come into force on March 1, 2026:

- a) Add the following provision to § 632-4. Fencing of hazardous property:
 - i. Every owner shall ensure that a vacant property that is not a building is secured by fencing or similar devices to prevent unauthorized entry.

5. City Council amend City of Toronto Municipal Code Chapter 835, Vital Services, Discontinuance Of, to align the by-law with the latest authorities in provincial legislation, by making the additions and deletions as follows, with such amendments to come into force on December 1, 2025:

- a) Make the following changes to § 835-1. Definitions.
 - i. Delete the following definition:

COMMISSIONER – The Commissioner of Urban Development Services.
 - ii. Add the following definition:

EXECUTIVE DIRECTOR – The Executive Director of Municipal Licensing and Standards or their designate or successor.
 - iii. Delete and replace the definition of “landlord” with the following definition:

LANDLORD – Includes:
 - A. The owner of a rental unit or any other person who permits occupancy of a rental unit, other than a tenant who occupies a rental unit in a residential complex and who permits another person to also occupy the unit or any part of the unit.
 - B. The heirs, assigns, personal representatives and successors in title of a person referred to in Subsection A of this definition.
 - C. A person, other than a tenant occupying a rental unit in a residential complex, who is entitled to possession of the residential complex and who attempts to enforce any of the rights of a landlord under a tenancy agreement or the Residential Tenancies Act, 2006, S.O. 2006, c. 17, including the right to collect rent.

- iv. Delete and replace the definition of Vital Service with the following:

VITAL SERVICE – hot or cold water, fuel, electricity, gas or, during the part of each year prescribed by the regulations made under the Residential Tenancies Act, 2006, S.O. 2006, c. 17, heat.

- b) Replace all references to “Commissioner” with “Executive Director”.

- c) Delete and replace § 835-10. Offences with the following sections:

§ 835-10. Entry to inspect.

A. In compliance with section 218 of the Residential Tenancies Act, 2006, the Executive Director may, at all reasonable times, enter and inspect a building or part of a building with respect to which this Chapter applies for the purpose of determining compliance with this Chapter or a direction given under § 835-4.

B. Despite § 835-10.A., the Executive Director shall not enter a rental unit,

- (1) unless they have obtained the consent of the occupier of the rental unit after informing them that they may refuse permission to enter the unit; or
- (2) unless they are authorized to do so by a warrant issued under section 231 of the Residential Tenancies Act.

§ 835-11. Offences.

A. A person, other than a corporation, who contravenes or fails to comply with §§ 835-2, 835-4, 835-5, 835-6 or 835-8 is guilty of an offence for each day or part of a day on which the offence occurs or continues and is liable on conviction to a fine of not more than \$50,000.

B. A corporation, that contravenes or fails to comply with §§ 835-2, 835-4, 835-5, 835-6 or 835-8 is guilty of an offence and is liable on conviction to a fine of not more than \$250,000.

C. Every director or officer of a corporation that is convicted of an offence who knowingly concurs in the commission of the offence is guilty of an offence and is liable on conviction to a fine of not more than \$50,000.

6. City Council authorize the City Solicitor to introduce the necessary bills to give effect to City Council's decision and City Council authorize the City Solicitor to make any necessary clarifications, refinements, minor modifications, technical amendments, or by-law amendments as may be identified by the City Solicitor, in consultation with the Executive Director, Municipal Licensing and Standards, in order to give effect to Parts 1 to 5, inclusive, above.

FINANCIAL IMPACT

There are no financial impacts arising from the recommendations in this report.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial implications as identified in the Financial Impact section.

EQUITY STATEMENT

Access to good quality and safe housing is an important determinant of health and improves the social and economic status of an individual. The City recognizes the barriers presented by discrimination and the disadvantages faced by equity-deserving groups and vulnerable populations, including tenants of low-end market rental housing.

The Property Standards By-law sets the minimum standards for all properties in Toronto. It is used to positively impact lower-income and vulnerable individuals and families by ensuring property owners comply with building maintenance standards, thereby improving living conditions. The recommendations in this report, if adopted, will clarify requirements, and further strengthen enforcement.

Current housing initiatives across all orders of government have adopted a human rights-based approach to the development of housing legislation, policy, and programs. In June 2019, the federal government enacted legislation which declares that it is the policy of the Government of Canada to recognize that the right to adequate housing is a fundamental human right affirmed in international law; to recognize that housing is essential to the inherent dignity and well-being of the person and to building sustainable and inclusive communities; to support improved housing outcomes for the people of Canada. The legislation furthers the progressive realization of this right as recognized in the International Covenant on Economic, Social and Cultural Rights, to which Canada is a party.

At its meeting of December 17, 2019, City Council adopted the HousingTO 2020-2030 Action Plan, which updates the Toronto Housing Charter. Consistent with the federal legislation, the charter expresses that the City adopts a human rights-based approach to housing as defined in the federal legislation. Access to good quality, safe, affordable housing for households in need and improving housing stability for residents struggling to maintain their existing homes are also fundamental goals of the City's Official Plan.

DECISION HISTORY

On July 23 and 24, 2025, City Council adopted [2025.EC22.5](#) - *Rat Response Plan*, instructing staff to identify opportunities to improve the City's ability to manage, enforce, and control pests as part of the review of the Property Standards By-law.

On March 26-27, 2025, City Council adopted [2025.MM28.36](#) - *Addressing Vacant Storefronts*, requesting Toronto Building and Municipal Licensing and Standards to

report on existing property standards applicable to vacant properties, and steps taken by staff to enforce them, and the efficacy of implementing tougher standards.

On March 26-27, 2025, City Council adopted [2025.MM28.6](#) - *Better Management of Derelict Buildings*, requesting Municipal Licensing and Standards, in consultation with Toronto Building and Financial Services, to report back on existing and potential tools to address vacant and derelict buildings, including enhancing processes for interdivisional information sharing about known vacant properties.

On December 17-18, 2024, City Council adopted [2024.MM24.9](#) - *Turn Off the Lights: Requesting a Review of the Nuisance Lighting By-law*, requesting Municipal Licensing and Standards to review opportunities to strengthen nuisance lighting by-law provisions, including issues arising from ambient, indirect lighting sources such as LED bulbs and soffit lighting.

On October 9 and 10, 2024, City Council adopted [2024.PH15.7](#) - *Request to Implement Measures for Mandatory Lead Disclosure and Mitigation in Multi-Residential Housing*, requesting Municipal Licensing and Standards and Toronto Water, in consultation with the Medical Officer of Health, to report on the feasibility of requiring landlords of specific types of rental properties to inspect for lead pipes, notify tenants of their presence, and mitigate negative impacts.

On April 17 and 18, 2024, City Council adopted [2024.PH11.8](#) - *RentSafeTO Program Update Report*, requesting Municipal Licensing and Standards review its procedures for when officers could extend time for compliance with a property standards order.

On July 19-21, 2022, City Council adopted [2022.MM47.18](#) - *Nuisance Lighting By-law Review*, requesting Municipal Licensing and Standards to report on a review of nuisance lighting rules, a scan of other jurisdictions, relevant enforcement technology, and potential financial impacts.

On June 15-16, 2022, City Council adopted [2022.MM45.29](#) - *Protecting Tenants' Health: Opening Windows to Keep Cool When it Gets Hot*, requesting Municipal Licensing and Standards review provisions regarding window protection in apartment buildings, and report on measures that will keep children safe without the use of a 'guard' or a 'controlled sash' that restricts outside air into apartment units.

On June 15 and 16, 2022, City Council adopted [2022.PH34.5](#) - *Review of Chapter 629 and Other Property Maintenance Regulations*, which implemented the Phase I changes to Chapter 629.

On April 6 and 7, 2022, City Council adopted [2022.HL35.8](#) - *Bringing a Public Health Lens to Indoor Ventilation Requirements*, requesting Municipal Licensing and Standards and Toronto Building, in consultation with the Medical Officer of Health, review the latest knowledge and best practices for ventilation to reduce the transmission of agents of infectious disease through the air and consider updates to Chapter 629.

On November 26 and 27, 2019, City Council adopted [2019.PH10.4](#) - *Amendments to Chapter 354, Apartment Buildings, and Progress Update on RentSafeTO*, requesting Municipal Licensing and Standards, in consultation with the City Clerk, to review and report on the Property Standards Committee in regards to time extensions and deferrals for rental properties.

On April 28 and 29, 2008, City Council adopted [2008.LS12.3](#) - *To amend Toronto Municipal Code Chapter 629, Property Standards to add specific standards for guards, handrails, lighting levels and hot water*, which implemented a series of technical and substantive updates to Chapter 629.

COMMENTS

Background

Legislative Context

Toronto Municipal Code Chapter 629, Property Standards sets minimum maintenance standards for all properties in Toronto. All property owners are required to repair and maintain their property to these standards, including owners of properties that are rented. Chapter 629 was brought into effect on January 1, 2001, and underwent technical amendments in April 2008 ([2008.LS12.3](#)), and as part of Phase I of this review in May 2022 ([2022.PH34.5](#)). Those reviews were scoped to address specific policy concerns; Chapter 629 has not undergone a line-by-line analysis and revision since its enactment in 2001.

Chapter 629 is one of the most significant by-laws enforced by MLS in terms of complaint volume. It is consistently among the top service request categories for the Division, with MLS responding to 19,293 property standards complaints in 2024 alone. Further, it is the backbone of rental standards programs like RentSafeTO, and the enforcement mechanism most commonly used when addressing tenant complaints and resolving neighbourly disputes about property issues.

Chapter 629 is a municipal by-law authorized by the *Ontario Building Code Act, 1992*, and establishes minimum standards for the maintenance of private properties. Almost all Ontario municipalities, regardless of size, have a property standards by-law. Property standards by-laws are broadly similar across the province, as they are adopted under the same provincial authority.

The OBC is a regulation passed under the *Building Code Act*, which sets province-wide technical and administrative requirements for the construction, renovation, change of use, and demolition of buildings. Chapter 629 prescribes standards for the maintenance and occupancy of *existing* property within Toronto, and compels property owners to maintain buildings on an on-going basis. As the OBC specifies that provincial rules supersede all municipal by-laws respecting the construction or demolition of buildings, the amendments to Chapter 629 were drafted to ensure consistency with the OBC. Where the OBC does not speak to a property standard, for example minimum light

levels on exterior pathways, Chapter 629 prescribes additional, complementary standards.

Current Enforcement Practices

Property standards service requests are investigated by several different teams within MLS, depending on the property type, location, and issue. There are approximately 158 By-law Enforcement Officers (BEO) who regularly enforce property standards regulations. In addition to property standards, these BEOs are also responsible for enforcing the 17 other by-laws that MLS oversees. In a typical year, approximately 49% of property standards complaints will involve a building within the RentSafeTO or Multi-Tenant Housing (MTH) programs, the remaining 51% will be addressed by Investigation Services or the Specialized Enforcement and Resolution Team (SERT).

When responding to service requests, BEOs use a progressive enforcement approach, focusing on education and voluntary compliance first, and escalating to other enforcement mechanisms where warranted. In over two-thirds of property standards cases, voluntary compliance is achieved after an initial round of contact by a BEO.

If non-compliance persists, BEOs may issue an Order to Comply. An Order includes the repairs needed to come into compliance with Chapter 629 and the time for a property owner to make those repairs. In accordance with the *Building Code Act*, Orders to Comply are the primary enforcement tool for BEOs under Chapter 629. BEOs have issued an average of 3,307 Orders annually since 2022. **Table 1** provides an overview of the total orders issued by year over the past three years.

Table 1: Total property standards orders issued, by year, 2022-2024

Year	2022	2023	2024
Total	2,763	3,252	3,907

As required by the *Building Code Act*, an owner or occupant who has been served with an Order may appeal to the Property Standards Appeal Committee (PSAC) within 14 days after being served. PSAC then has the authority to rescind the order, confirm the order as is, modify the order, and/or extend the timeframe to comply. A more detailed analysis of the role of PSAC is provided in the Policy Proposals section of this report.

If an Order to Comply is not appealed, or following an appeal that confirms or modifies the Order, a BEO will re-inspect to determine compliance. Where compliance has not been voluntarily achieved, the City may also issue a re-inspection fee to recover the costs incurred by additional inspections.

Further, if compliance is not achieved by the date on the Order, BEOs may lay charges for failing to comply with the Order. Charges can be laid by issuing a Part I charge, which is associated with a set fine, or a Part III summons, which compels a property owner or occupant to appear before a Justice of the Peace. If convicted, the maximum

fine for failing to comply with an order is determined by the Justice overseeing the case and can be up to a maximum of \$50,000 for a first offence for an individual, or \$500,000 for a first offence for a corporation. Where an offence is the second or subsequent offence, the maximum fines are \$100,000 for an individual or \$1,500,000 for a corporation.

These are the maximum fines under the *Building Code Act*. Part III's are the primary charging tool associated with failing to comply with orders in relation to Chapter 629. **Table 2** provides an overview of charges issued for failing to comply with an order.

Table 2: Total charges issued for failing to comply with a property standards order

Charges	2022	2023	2024
Total	36	86	79

Remedial Action

The City also has the authority to undertake remedial action, where a contractor is hired by the City to carry out the repairs to bring the property into compliance with Chapter 629, with the cost of the work added to the property tax roll of the property owner. In 2024, MLS staff pursued remedial action 253 times to address complaints across a range of property maintenance by-laws, including Chapter 629, Property Standards; Chapter 489, Turfgrass and Prohibited Plants; Chapter 548, Littering and Dumping; and Chapter 485, Graffiti. The legislative mechanisms and required authorities to conduct remedial action are already in place. No additional by-law amendments are required to enable the use of remedial action.

As directed by Council through item [2024.PH11.8](#), staff are currently reviewing the conditions under which remedial action can be used across all of the by-laws enforced by MLS, aiming to communicate consistent standards and understand the operational, legal, and financial impacts of potentially increasing the use of remedial action. This review will consider whether additional contracts are required to enhance MLS' ability to undertake remedial action and will establish a framework to guide MLS' by-law officers in the application of remedial action in consideration of the circumstances and context of each case.

Specific to property maintenance, the framework will consider various factors, including where remedial action could have an immediate positive impact on occupant well-being, such as an unresolved vital services outage. As part of this review, staff will consider how the division's priority response model can be used to support the framework. A status update on the implementation of this work will be included in a report back to Council in Q2 2026.

Requesting a Report with Specialist Knowledge

Requesting a report from a person who has special or expert knowledge, for example a professional engineer or an HVAC technician, is an additional option for enforcement staff when dealing with a property that may have multiple or complex issues. These reports identify issues with the property and steps that are required to bring the property into compliance with applicable legislation and municipal by-laws, including Chapter 629. These reports are generally used in more complex situations where BEOs require additional expertise to determine the steps required to bring a building into compliance, and may identify if there are any structural or major public safety concerns, which require referral to Toronto Buildings. If a property owner were to fail to submit the report when requested, subsequent enforcement action may occur.

Process Improvements

Since 2022, MLS has undertaken a number of internal process improvements related to enforcement of property standards, with the goal of establishing the most consistent and fair enforcement practices possible. There has been a specific focus on creating and updating standard operating procedures (SOPs). By providing a predictable framework for tasks, standardized processes reduce administrative burden and allow BEOs to successfully close more files, reduce the risk of human error by defining procedural steps that need to be taken, and foster service excellence by enshrining best practices in day-to-day operations.

Since 2022, MLS has also been working on significant transformations of the backend technology that supports the enforcement of all by-laws. These modernizations will:

- Ensure officers have reliable mobile tools to support investigations in the field;
- Expedite enforcement action by replacing decades old applications and interfaces; and
- Enable more accurate data collection and reporting.

Context of the Phase II Review

The City began the Phase I review of Chapter 629 in 2019 to respond to a growing number of Council directives specific to “property issues” and to address the fact Chapter 629 had not been comprehensively reviewed for nearly two decades. However, work on the Phase I review was paused as a result of the COVID-19 pandemic and the need to redirect resources to emergency response and recovery efforts. Phase I was concluded in 2022, and included updates related to dormant development sites, surveillance cameras, snow and ice removal, elevators, right of entry, and the use of set fines. That report was approved by Council at its June 15-16, 2022 meeting ([2022.PH34.5](#)) and determined a Phase II report was required to address several outstanding issues. Where Phase I was more narrowly targeted to deal with critical operational issues and Council directives, Phase II was intended to address the comprehensive review and technical rewrite of the By-law.

The bulk of work for Phase II review of Chapter 629 focused on technical and structural amendments. As noted above, the structure of Chapter 629 has not changed substantially since it was first adopted in 2001, with most changes made on an ad-hoc

basis to address Council directives or solve specific operational issues. The Phase II review involved a holistic review, going line-by-line to standardize the language and style of the By-law, streamline and simplify provisions, ensure that provisions aligned with the legislative intent of the Chapter, and provide consistency with the requirements of the updated OBC, which came into force on January 1, 2025.

Research and Consultation

To develop the recommendations contained in this report, staff undertook extensive academic and jurisdictional research, conducted multiple rounds of consultation with technical experts, sent targeted communications to industry representatives, held multiple workshops with frontline enforcement staff, reviewed public submissions, and analysed complaint data and notes from thousands of property standards service requests. This section provides a high-level overview of research and data findings.

Complaints and Enforcement Data

Property standards service requests (complaints) are among the top service request categories for MLS. On average, MLS has received around 18,100 property standards related service requests each year since 2021. Around 95% of property standards investigations are initiated in response to a service request made by a member of the public via 311, with the remaining 5% initiated proactively by officers who observe a violation in the field. In a typical year, property standards complaints account for more than a third of all service requests investigated by MLS enforcement staff. **Table 3** provides an overview of total complaints received in the past 5 years.

Table 3: Total property standards service requests by year, 2020-2024

	2020*	2021**	2022**	2023	2024
Total	11,616	17,477	18,013	17,630	19,283

*Substantial resources were redirected to prioritize enforcement of COVID-19 emergency measures.

**311 intake continued to be altered for portions of these years to handle COVID-19 measures.

The 9.4% increase in service requests between 2023 and 2024 is consistent with the growth in complaints MLS has seen across all service lines, with growth in service requests ranging from 7-11% depending on the complaint type. This increase in service requests is not clearly attributable to one factor, and is likely a combination of: significant population growth across the GTA since 2021; the continuing return to “normal” activity and operational levels post-pandemic; the expansion of proactive inspection activity, especially in relation to apartment and multi-tenant properties; and the broader success of the RentSafeTO program, which encourages residents to call 311 about property issues through regular paid advertising and communications campaigns.

The most frequent property standards complaints received are related to: repairs required in dwelling units, pest infestations, general cleanliness, repairs required in

common areas, and garbage storage. **Table 4** provides an overview of total service requests received in the top five categories since 2022.

Table 4: Top property standards service requests, by year, 2022-2024

Category	2022	2023	2024
Dwelling unit requires repair	2,544	2,694	2,985
Infestation	1,687	1,805	1,440
General Cleanliness	1,374	1,228	1,541
Common area requires repair	1,015	1,015	992
Garbage Storage	745	748	782

Research and Technical Reviews

As part of this review, staff conducted a dedicated review of property standards data from 2022-2024, including an analysis of officer notes, complaint types, and emerging trends. This data represents more than 58,000 touchpoints with Toronto residents via 311 calls, online complaint submissions, and site visits by officers. Staff also undertook a series of workshops to solicit feedback from frontline BEOs, and conducted meetings with divisional partners to identify operational and policy concerns related to Chapter 629.

In 2025, a third-party building code consultant with expertise in fire and life safety systems was retained to conduct a line-by-line review of Chapter 629 to ensure the By-law was not in conflict with the updated building code, and to advise on technical provisions related to ventilation and window guards. An engineering consultant with specialist knowledge in lighting design and lighting condition assessments was also retained to advise on potential new lighting provisions within the By-law. Jurisdictional scans were undertaken to understand how other Ontario municipalities and global peer cities use property standards provisions, and to identify potential best practices for addressing the issues raised through Council directives. Lastly, targeted engagement was undertaken, which included circulating draft proposals to subject-matter specialists for comment.

Public and Stakeholder Engagement

The research and technical review conducted for this report was complemented by substantial public outreach that was undertaken as part of the Phase I review. In 2019, staff undertook a coordinated public and stakeholder engagement campaign that solicited feedback on various issues related to property standards and building maintenance by-laws. These efforts included public town halls, targeted stakeholder meetings, and public opinion research. In 2021, staff undertook a second round of

engagement including follow-up meetings with divisional and external partners, as well as conducting a public questionnaire with targeted questions about nuisance lighting provisions. Key takeaways from the public research conducted through Phase I ([2022.PH34.5](#)), that was relevant to the Phase II review, included:

- That the vast majority of homeowners were content with the existing property standards framework, and the quality of their current living situation.
- Renters were generally content with life safety measures in their buildings, such as fire safety, building security, and the functioning of major systems. However, a large percentage of renters indicated dissatisfaction with quality-of-life standards, including pest management and the maintenance of common areas.
- When asked to identify “Neighbourhood Problems”, the only elements regulated through Chapter 629 that were identified were: garbage and pests.
- The top five maintenance and repair requests by renters were: plumbing (38%), appliances (23%), leaks (16%), pests (15%), and electrical (13%).
- Owners were significantly more likely than renters to report that interactions with 311 and Toronto By-law Enforcement Officers were reasonably positive, with 71% of owners and 54% of renters reporting being either satisfied or somewhat satisfied with the outcome of their complaints.

All research conducted and data collected through Phase I was re-examined by staff in 2024/2025 to inform the Phase II review.

Policy Proposals

This report, in sections 1 through 8 below, describes the intended outcomes of the By-law update, and summarizes the research conducted and decision-making rationale related to the outstanding Council directives on property standards:

1. By-law Updates and Intended Outcomes
2. Property Standards Appeal Committee
3. Nuisance Lighting
4. Pest Management
5. Vital Services (Chapter 835)
6. Vacant Properties and Storefronts
7. Ventilation (Airborne Illnesses)
8. Window Openings (Heat Relief)
9. Lead Pipe Disclosure and Mitigation

1. By-law Updates and Intended Outcomes

This report recommends that City Council adopt the proposed fully rewritten Chapter 629, which is easier to read and understand. The proposed re-draft of Chapter 629 can be found in Attachment 1 and includes the introduction of a consistent structure for all provisions, more intuitive section titles, replacement of complex jargon with plain language, and the removal of double negatives. In addition, the proposed By-law has been made significantly shorter through the removal of obsolete provisions and streamlining key sections.

Streamlining Chapter 629

The draft By-law is significantly streamlined compared to the existing Chapter 629. This was accomplished by removing large sections of technical measurements in the By-law that had been duplicated in-full from historical versions of the OBC. This duplication was problematic for two reasons: first, these sections were often overly technical and difficult for the general public to understand, and second, it created a by-law that was “frozen in time” as the standards reflected what was in the OBC when drafted. This meant that every time a technical amendment was made to the OBC to adjust a standard, Chapter 629 was not necessarily amended in the same way. To correct that issue, in sections of the By-law that previously listed in-depth technical measurements, the By-law would instead use the following more general provision:

In accordance with all applicable requirements for constructed new buildings or altered or reconstructed existing buildings in the current Building Code.

This language will ensure that the Property Standards By-law references the most up-to-date OBC standards on key issues of building safety, and that the safety requirements enforced by the City remain consistent with the best practices established through the building code. In place of duplicating specific provisions derived from the OBC in the By-law, staff will create checklists that will itemize required standards in an easy-to-understand format. These checklists will serve a dual-purpose, as they will expedite inspections by BEOs, while also providing a plain language online resource for residents.

Removing Occupant’s Duties

The attached draft also removes the Occupant’s Duties (§ 629-6) section. Under the current Chapter 629, Occupant’s Duties require people who occupy properties to maintain the cleanliness of the property and to cooperate with the landlord in complying with the Chapter.

These provisions have existed in Chapter 629, in essentially their current form, since the original drafting of the By-law in 2000 ([930-2000](#)). Chapter 629 sets standards of maintenance that apply to all buildings, regardless of whether they are rented or owned. Chapter 629 requires owners, which includes an owner of the property and a person managing or receiving the rent, to maintain all properties in a safe and healthy condition.

Where a landlord and a tenant disagree as to whose responsibility it is to maintain a property under a lease, or as to whether cooperation has met the required standards of a lease, those matters are best decided through the *Residential Tenancies Act* processes, including potential dispute resolution through the Landlord and Tenant Board. While the City will continue to ensure properties are maintained by their owners in accordance with Chapter 629 and can direct these sorts of disputes to mediation services where appropriate, staff have removed the occupant obligation section to avoid confusion over how to resolve tenancy issues.

Removing Duplicate Provisions

The draft by-law also removes sections from Chapter 629 that have been enshrined in other chapters of the Toronto Municipal Code, largely in by-laws enacted under *City of Toronto Act, 2006* (COTA) authority. Since COTA came into force, Council has passed by-laws on certain matters also contained within Chapter 629 under separate COTA by-laws. However, those items were not always removed from Chapter 629. Though it is not a critical issue to have provisions appear in two separate by-laws, it is not a legislative best practice and can create confusion for enforcement staff and residents. To streamline Chapter 629 and reduce potential confusion, the following provisions, which are now covered elsewhere in the Toronto Municipal Code, have been deleted from the proposed Chapter 629 By-law draft:

- § 629-9 Pest Control; covered by the proposed Chapter 611
- § 629-10(F) Clothing drop boxes; covered by existing Chapter 395
- § 629-24 Vacant buildings and property; covered by existing Chapter 632

Through future work that will be coming to Council in the next 12 months, staff are also exploring consolidating heating and cooling provisions from Chapter 629 to Chapter 497, Heating, and all provisions related to tree maintenance from Chapter 629 to Chapter 813, Trees.

2. Property Standards Appeal Committee

Chapter 629 exists under the authority of the BCA, which empowers a municipality to enact a property standards by-law so long as the by-law establishes an independent property standards appeals committee. Section 15.3 of the BCA prescribes that any owner or occupant who has been served with an order made under a property standards by-law, and who is not satisfied with the terms or conditions of the order, may appeal to the committee by sending a notice of appeal within 14 days after being served with the order. In Toronto, this committee takes the form of an independent tribunal, called the PSAC. In a typical year, between 2-3% of orders to comply issued under Chapter 629 by MLS are appealed to PSAC.

Existing Processes: Property Standards Appeal Committee

PSAC is a local board of the City, consisting of 16 Council-appointed members organized into four panels, one for each of the Community Council areas. Each panel consists of four members, who serve a four-year term of office that aligns with the term of Council. Every term, the members of PSAC elect a single, citywide chair from within their membership. PSAC members are paid an annual fee, plus a per diem for all hearings, business meetings, and training sessions.

Where there is a surplus of eligible applicants, the City's Public Appointments Secretariat assesses possible members based on a list of seven qualifications:

- Bring an understanding of the diverse neighbourhoods and communities across the city.

- Have a concern for the health and safety of city residents.
- Have an understanding of the *Building Code Act*; Municipal Code Chapter 629, Property Standards; building practices; and tribunal processes.
- Have a clear understanding of the role of the committee.
- Not act as an agent for any appellant before the Property Standards Committee.
- If possible, have previous experience as a member of a decision-making body.
- Be able to read and understand building plans, surveys, and reports.

As previously noted, when an order is appealed to PSAC, the Committee has the authority to confirm the order as is, rescind the order in its totality, modify certain conditions within the order, or extend the timeframe to comply. An analysis of appeals heard by PSAC indicates that the most common outcome is to uphold the order but grant additional time to comply, which happens in approximately 60% of cases. To provide context, that means in a typical year where around 3,000 property standards orders are issued, about 90 are considered by PSAC, with approximately 54 receiving a timeline extension to make necessary repairs.

When an extension is granted, it delays the deadline for work required by the order, and can therefore delay resolution of the issue. There is no cap on the length of extension PSAC can grant, with extensions ranging anywhere from 30 days for cosmetic repairs to units and common areas, to over three months for more complex work involving plumbing, HVAC, or roofing. By their nature, issues that end up at PSAC are unique, and not representative of the common property standards service requests handled by MLS. Issues of a complex nature that require significant capital work may warrant timeline extensions beyond the default compliance window prescribed in an order.

As per direction in [2019.PH10.4](#), staff explored the feasibility of limiting time extensions by PSAC, by either creating guidelines or establishing a hard cap. As an independent adjudicative body exercising its authority under the BCA, the PSAC has broad powers and must decide each case strictly on the merit of the facts presented. As such, it would be inappropriate for Council to prescribe any guidelines to the PSAC regarding when it grants time extensions for Orders to Comply.

In addition to the above analysis, staff assessed PSAC's governance model compared to other independent City tribunals and are including some recommendations below.

Recommendations

Through research, staff identified the potential to increase the transparency around PSAC's operations to improve public confidence in their processes, expand qualification criteria to ensure the membership best reflects the diversity of Toronto's population, and add training specific to Council's endorsement of a human rights-based approach to housing. Staff recommend three changes.

First, amend Chapter 629 to require the Chair to deliver an annual report to Planning and Housing Committee outlining the activities of PSAC. This document will provide the public, staff, and Council insight into the high-level decision-making process of PSAC, while also providing the Chair an opportunity to comment on emerging trends the

committee is observing. Requiring an annual report is a best practice in the governance of quasi-judicial committees, as it allows them to maintain full decision-making independence, while bolstering transparency and public trust.

Second, in collaboration with the Public Appointments Secretariat, update the qualifications for PSAC applicants to explicitly identify lived experience and/or career experience related to housing access and tenant protection as an asset. The current qualifications are concerned primarily with technical knowledge of building practices and tribunal processes. Staff believe there is a benefit to adding additional qualification metrics to help ensure PSAC members understand how those technical components have real world impacts on the access to safe and affordable housing. PSAC is often called upon to make rulings that impact deeply affordable rental buildings, which can often be older, multi-tenant buildings with growing maintenance backlogs. Ensuring members have a more complete understanding of how the Property Standards By-law intersects with Toronto's ongoing affordability crisis, particularly through professional or lived experience, would add a valuable dimension of knowledge to the committee.

Third, to further the objectives noted above, staff recommend providing training on the Toronto Housing Charter and its human rights-based approach to housing as a mandatory component of the PSAC member onboarding process. This will help ensure that all members, regardless of their background or expertise, understand how their work could impact vulnerable populations seeking access to adequate, safe housing.

3. Nuisance Lighting

There are city-wide regulations, enforced by MLS, to regulate light levels and impacts through Chapter 629, while a distinct team within Toronto Building enforces lighting rules for permanent outdoor signs through Chapter 694, Signs, General. The "Buffering" section in Chapter 629 is designed to prevent light from being shined directly into residential dwelling units, the "Lighting" section ensures minimum illumination levels are achieved in public corridors/exits and on outdoor pathways/stairs to maintain user safety.

From January 1, 2022, to December 31, 2024, there were 1,696 property standards service requests related to lighting, which resulted in five Orders to Comply. Analysis of the above data indicates that about 16% of lighting complaints relate to minimum light levels not being met, another 16% are related specifically to overnight construction or crane lighting, and the remaining 68% are general complaints about perceived nuisance lighting.

The challenge with regulating nuisance lighting in an urban environment is that any rules need to be sufficient to prevent extreme cases that clearly surpass what is reasonable, while remaining flexible enough to allow light types that are desirable and necessary in a functioning urban environment.

Addressing lighting complaints is further complicated by the fact that there is no objective, measurable level of light that is widely accepted by industry professionals as the threshold for constituting a nuisance in an urban environment. This is in contrast to

an issue like noise, where there are widely accepted industry standards when volumes become injurious. Additionally, staff are mindful that adopting a lighting standard that is too restrictive could require retrofits on a significant proportion of properties, including those that may not be a nuisance issue. The analysis and recommendations below considered these factors. Staff believe the resulting proposals strike an appropriate balance, providing enforceable standards to effectively address nuisance while not putting an unreasonable burden on property owners.

Minimum Light Levels in Chapter 629

Lux is the unit of illuminance used by the International System of Units, and is the industry standard in determining the brightness of an area. For the purposes of this section, it is important to understand that lux is the measurement of light as it illuminates a given surface or area. This means that lux are not used to determine the brightness of a light source, but rather the impact of a light source (or multiple light sources) on a specific area. This makes lux a useful metric for determining if a sufficient amount of light is being provided for a certain use or activity, but makes it less effective for making an objective conclusion if a light source is too bright.

The minimum light levels prescribed for public areas in Chapter 629 are based on the standards in the OBC, which are measured in lux. This report does not recommend any amendments to minimum light levels, beyond what is required by the 2024 OBC.

Maximum Light Levels in Chapter 629

Chapter 629 does not currently prescribe a maximum light level for any setting. Instead, the by-law contains a “Buffering” section which is applicable to situations where light is shining directly into the dwelling unit of another property. As currently written, the buffering provision in Chapter 629-17 creates a relatively high threshold for a lighting complaint to trigger a By-law violation, as it must be determined by the officer that it is *directly* shining into a dwelling unit.

The application of these provisions is further complicated by the increased adoption of outdoor LED lighting, which is typically a cool light that is considered harsher, produces greater ambient light levels, and alters how many members of the public perceive “direct” light. Approximately 84% of lighting complaints are related to a light buffering issue (i.e. a light perceived as too bright by a complainant impacting their dwelling unit), with about 20% of those complaints being related to construction or crane lighting.

Given that the vast majority of lighting complaints relate to fixtures perceived as overly bright, and with the aim of providing a simple, objective standard for lighting violations, staff explored the possibility of enshrining a maximum measurable level in Chapter 629. However, substantial constraints were identified, which are outlined below.

Issues with Enforcing a Maximum Light Level

The central problem with introducing a maximum light threshold is that there is no industry consensus on what level of brightness constitutes a nuisance, as well as the best way to measure that brightness level. The three relevant metrics for measuring the

effect of a light source are lumens, lux, and nits. In the simplest terms, lumens measure the power of an individual light source, lux measure the impact of light sources on a specific area, and nits measure the brightness of displays.

If the intention is to determine if a single light bulb is too bright, lumens would be the logical metric to use, however lumen levels are extremely difficult to measure at property inspections. An accurate lumen measurement requires an integrating sphere, which is a cumbersome piece of equipment that can cost anywhere from \$2,000 to \$6,000 per unit, needs careful calibration, and requires the precise placement of the light source and sensor to avoid errors from light leakage, fixture absorption, or an incorrect setup. Lumen measurements are typically conducted in controlled lab settings, and not conducive to enforcement activity.

In contrast, lux levels can be measured with a hand-held device that typically cost \$250 - \$1,000 and require annual calibrations. Though lux levels are easier to measure in the field, they remain a problematic metric for enforcing maximum light levels, especially in an urban setting. Specifically, lux measurements cannot distinguish what source of light is creating the problem if multiple sources are shining on an area, are skewed by other sources of ambient light (e.g. passing headlights), and are dependent on context-specific factors like the angle of the measurement device relative to the light source. In short, lux levels are in most cases not sufficient to pursue enforcement action for maximum lighting levels.

Chapter 694. Signs, General, uses nit levels, and staff use a device called a “nit gun”, to measure and enforce violations related to the brightness of signs. A nit is a unit of measurement used to quantify the brightness of a screen/surface, and is an accurate, consistent, and relatively easy way to measure the brightness of a sign. However, nit measurements can only be taken of a flat surface, meaning a nit gun cannot be used to accurately measure the brightness of an individual lightbulb. Therefore, it is not practical to use the same standards or tools employed in enforcement of Chapter 694 to address the wide range of nuisance light complaints that MLS receives.

Jurisdictional Scans of Ontario Lighting Policies

To further the above analysis, City staff and a third-party consultant with technical expertise in lighting conducted jurisdictional scans of lighting rules in Ontario, Canada, and internationally. Except for specialist sign by-laws similar to Chapter 694, which can rely on nits, it was rare for cities to codify measurable maximum light levels in their property standards by-laws. The absence of such rules is likely due to the constraints listed above, in addition to the fact they can increase enforcement costs, as they require specialist equipment and on-going calibration, additional training, and the creation of dedicated overnight shifts.

Instead of setting measurable maximum light levels, jurisdictions investigated used a combination of subjective standards within their by-laws, which typically require any “light fixtures that create a nuisance” and/or “fixtures that create an unusual quantity or type of light” to be shielded and/or redirected to eliminate the nuisance. Where these kinds of subjective regulations are enacted, it is important to establish clear definitions,

plainly state the conditions enforcement staff are looking for when determining if a violation exists, and provide direct guidance on how a property owner can remedy the violation.

Recommended Action

In response to the above research, staff are recommending amendments to Chapter 629 to clarify the existing buffering provisions and add a new section specific to preventing unreasonable light intrusion. The new lighting language, as proposed in Attachment 1 section 629-4.21 *Buffering* and section 629-4.23 *Light Intrusion*, will:

- Clarify existing buffering rules that mitigate the negative impacts from vehicle headlights shining into residential units;
- Introduce a new defined term “unreasonable light intrusion”, to clarify how staff will interpret nuisance lighting in the context of a property standards complaint;
- Establish new obligations for property owners to shield, redirect, and/or remove exterior lights that create unreasonable light intrusion into neighbouring dwelling unit(s);
- Provide a remedy for tenants who are negatively impacted by intrusive lighting installed by their own property manager; and
- Establish new obligations to shield, direct strictly downwards, and dim construction lighting overnight, unless the lighting is required by provincial or federal safety regulations.

The intent of these new provisions is to help enforcement staff more effectively address nuisance cases, while maintaining the flexibility to allow other lighting that is low-impact to remain as is. Critically, these new provisions do not rely on technical measurements that are difficult to validate during property inspections. Staff are confident these rules will provide measurable benefit, without necessitating widespread retrofits, which would be costly and frustrating for property owners. To complement these new rules within Chapter 629, staff are also working to develop public education materials, which use simple images and language to support property owners in complying with the new provisions.

4. Pest Management on Private Property

In a typical year, property standards service requests for pest infestations are the second most common complaint type, with an average of 1,644 pest complaints being addressed annually. Through public consultation, residents have consistently raised that pest management is a major concern for Torontonians, particularly those in rental properties. Common complaints include that pest management does not occur quickly enough, and that the actions undertaken are not sufficient at addressing underlying factors that exacerbate infestations. The proposed changes below are intended to help staff address both those concerns.

The current pest provisions in Chapter 629 are broad, lack prescriptive detail on what constitutes a violation, and do not clearly lay out a pathway to compliance. Currently, Chapter 629 reads:

§ 629-9. Pest control.

All properties shall at all times be kept free of pests and from conditions which may encourage infestation by pests.

Pests are a constant threat to the health, safety and well-being of persons, properties and other animals in the City. Staff recommend creating a new, expanded, standalone Municipal Code Chapter that deals exclusively with pest management to deal with these issues. The proposed standalone by-law provides greater detail regarding what constitutes a pest issue, guidance on the necessary steps to achieve compliance including record keeping and timelines for action, and clearly lays out applicable fines.

The proposed standalone by-law (see: Attachment 2) mirrors the pest control provisions in Chapter 354, Apartment Buildings, bringing RentSafeTO quality pest protections to all rental properties. These requirements are clear and enforceable, while addressing the health, safety and well-being issues that pests create.

5. Vital Services (Chapter 835)

MLS enforces rules through Chapter 835, Vital Services, Discontinuance Of, to ensure that property owners provide essential services like fuel, hydro, gas, and hot/cold water to rental units. Chapter 835 exists under the authority of the *Residential Tenancies Act, 2006*. The enforcement of Chapter 835 is closely intertwined with the enforcement of Chapter 629, as both help ensure that Torontonians have access to safe, adequate, and well-maintained housing. Similar to Chapter 629, Chapter 835 had not been comprehensively reviewed for over a decade.

In conducting the review of Chapter 629 and surrounding enforcement practices, staff identified the need to make technical amendments to Chapter 835. The recommended changes will ensure that the definitions, inspection authorities, offences language, and fine amounts within Chapter 835 reflect the latest version of the *Residential Tenancies Act, 2006*. These technical changes will not substantively alter day-to-day operations.

6. Vacant Properties and Storefronts

Currently, provisions pertaining specifically to vacant buildings and property exist in both Chapter 629, Property Standards and Chapter 632, Property, Vacant or Hazardous. Staff recommend removing all provisions pertaining specifically to vacant property from Chapter 629 to consolidate them under Chapter 632 to provide greater clarity around what property maintenance provisions are critical when managing vacant property.

Vacant property by-laws are designed to maintain health, safety and maintenance at these properties. They are not intended to require property owners to rehabilitate vacant properties to a habitable state.

Vacant Properties – Existing Process

Section 629-24.A. sets out an owner's obligations to ensure any vacant property they own is protected from risk of fire, accident, or other danger. The underlying rationale for the existing provisions in Chapter 629 is to ensure site security.

The provisions pertaining to vacant properties in Chapter 629 were duplicated word-for-word in Chapter 632 when that by-law was brought into effect in January 2010. Chapter 632 also includes additional fencing obligations, tree management provisions, and a slightly different set of enforcement tools enabled under COTA. In addition to the provisions in Chapters 629 and 632, BEOs also use Chapter 489, Turfgrass and Prohibited Plants, and Chapter 485, Graffiti to ensure vacant properties are kept in a satisfactory condition. Currently, MLS enforcement against vacant properties is guided by four high-level priorities:

1. Mitigating fire and flooding risks; as such, property owners are required to disconnect all utilities in a building that is vacant for 90 days or more, with exceptions for heritage properties.
2. Protecting vacant properties from trespass and unlawful occupation by securing windows, doors, and other openings.
3. Preventing illegal dumping and waste accumulation by installing fencing, bollards, or wheel stops to prevent access. In consolidating vacant property provisions into Chapter 632, staff recommend adopting the higher standard in that chapter, which only accepts fencing as a suitable site access control.
4. Keeping the exterior of any vacant structures and associated land in a safe condition and free of major maintenance deficiencies.

As with all enforcement action, the response to vacant properties is guided by priority response principles. From January 1, 2022, to December 31, 2024, there were 109 service requests specific to vacant property violations, that is: failure to prevent entrance of unauthorized persons, failure to disconnect utilities, or failure to erect or maintain a fence.

Staff conducted a scan of other large urban centres in Ontario to understand how they use property standards rules to respond to vacant properties. Every city investigated followed a similar approach to Toronto, with an emphasis placed on security, basic maintenance, and mitigating fire risks. This is consistent with the best practices identified in a scan of public policy literature, which generally identified mitigating risks of harm as the top priority, followed by preventing property decay, tracking vacancies, and encouraging more productive uses.

Where other Ontario jurisdictions differed from Toronto is in their use of tools beyond the Property Standards By-law. Most commonly, these tools took the form of an escalating vacant home tax rate (i.e. a rate that goes up each consecutive year a property is empty) or a vacant property permit, which requires the owner to register with the relevant division and pay an annual fee. There is limited evidence these tools decrease the total volume of vacant or derelict properties across a city, but they can aid cost recovery for enforcement activity and facilitate proactive inspections. Academic literature also pointed to the value of financial rebates, tax incentives, or permit exemption processes to encourage short-term and pop-up uses. However, these tools have limited value in neighbourhoods with chronic vacancy issues, as they typically only work to tenant properties in already vibrant shopping and commercial districts.

Vacant Properties – Interdivisional Information Sharing

MLS works closely with divisional and agency partners to address vacant properties. Questions of structural integrity and/or issues where there may be an imminent and immediate threat to the health and safety of persons occupying the building, or persons outside the building, are referred to Toronto Building to be investigated by a Building Inspector. In cases where a BEO cannot identify the property owner, there is a defined process to request information from the City's Revenue Services Division, who have access to relevant property tax and ownership information. In cases where vulnerable individuals are involved, the Specialized Enforcement & Resolution Team (SERT) within MLS can be brought in, as they have specific training to deal with at risk populations. Toronto Fire Services and the Toronto Police may also become involved if BEOs identify a relevant risk.

In the 2022 staff report on property standards, MLS was asked to explore how, upon implementation of the Vacant Home Tax (VHT), any resultant data could be leveraged to improve enforcement against derelict vacant properties. Since that report, data has been collected for two tax cycles. In 2023, there were 5,695 properties reported and deemed to be vacant, and in 2024, there were 7,504, although this number is still subject to fluctuation as audits are ongoing. It is worth noting that VHT data only includes residential properties, is not categorized by property type (i.e. single-family home vs. apartment unit vs. condo), and that vacant properties do not necessarily mean derelict properties. In 2025, the VHT rate climbed from 1% to 3% of the current value assessment for the property. Though it will take several years to assess the impact of this change, it will increase the financial burden on owners of vacant properties, which should encourage the rate at which they convert those properties to productive uses.

MLS was instructed to explore if VHT data could help guide proactive enforcement, allowing the City to identify derelict vacant properties prior to a complaint being submitted to 311. Under the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA), enforcement staff would not be permitted to access VHT data without formal cause. Under MFIPPA, Revenue Services can only disclose personal information such as an address or property owner information to MLS once certain investigation criteria have been met. In other words, MLS cannot scan the VHT data to create a list of

vacant properties to inspect, but once a derelict vacant property has been identified and is under investigation, VHT data can be leveraged to complement enforcement action.

Rationale for Maintaining Existing Standards

Dealing with the problem of vacant properties is an incredibly difficult urban challenge. Vacant properties can be indicative of economic hardship and declining vibrancy, but are also common in areas experiencing financial booms and the rapid redevelopment that success enables. Further, a well-managed vacant property can go almost unnoticed for years, whereas a vacant property that has fallen into disrepair can create a nuisance and contribute to the perception that an area is unsafe.

The priority of MLS is to ensure that owners of vacant properties are conducting basic upkeep on all land and the exterior of any buildings, and have installed sufficient barriers to ensure the safety and security of the property and of passersby. Based on a scan of peer jurisdictions, this is a well-accepted standard for enforcement action when dealing with vacant properties, and the recommended continued enforcement approach.

Instead of adjusting reactive enforcement practices, evidence suggests supplemental policy tools that incentivize and/or expedite the conversion of vacant properties to more productive land uses should be explored. A scan of the latest research shows that solutions focused on addressing the economic, social, and development factors that contribute to vacancy are much more likely to have a sustainable positive impact, compared to punitive measures that target owners of vacant land.

7. Ventilation (Airborne Illnesses)

The OBC contains minimum standards for the design of buildings as it relates to mechanical and natural ventilation, depending on a broad range of factors from building size to occupancy. In general, ventilation systems in larger buildings are required to have increased capacity. For buildings such as hospitals, or industrial uses where noxious chemicals are present, building design and operations are subject to more stringent standards under a combination of provincial regulations, and national and professional guidelines. The priority of BEOs when investigating a complaint related to ventilation under Chapter 629 is to: first, ensure that appropriate natural or mechanical ventilation is provided to each room based on the version of the building code that was applicable at the time of construction, and second, ensure that any mechanical systems are being appropriately serviced and are in good repair, including being turned on.

The COVID-19 pandemic heightened public awareness of indoor air quality (IAQ) and its role in reducing airborne disease transmission. Various governmental agencies in Canada have developed guidance and standards to improve ventilation and filtration performance as a result of the pandemic, however these guidelines are not legally binding in most building types. Currently, performance-based IAQ standards are not referred to in the OBC or the National Building Code. To remain broadly consistent with the regulatory framework of the OBC, staff do not recommend incorporating IAQ provisions into Chapter 629 at this time.

While staff are not recommending incorporating IAQ provisions into Chapter 629 at this time, staff are proposing a series of amendments to simplify and clarify the existing ventilation section within Chapter 629, based on the above research and a scan of other Ontario municipalities. The current language is overly technical and can make it difficult for BEOs to prove a defective HVAC system has met the threshold for issuing a Property Standards Order. The existing ventilation section (629-39) requires mechanical ventilation systems to achieve a specific air change rate per hour. Determining air change rates is a complicated process that requires specialized equipment to measure the power of the vent, training to measure the air volume of the room, and the ability to perform complex calculations. In practice, this creates a barrier to public understanding of what the ventilation rules mean and prevents effective enforcement action by BEOs.

The proposed ventilation provisions in Attachment 1 use more straightforward language that is focused on ensuring HVAC systems are properly maintained and functioning. The latest guidance from Health Canada, [published in September 2025](#), affirms that regular building and HVAC maintenance is a critical baseline standard for maintaining a healthy indoor environment. The new provisions require that mechanical ventilation systems are installed per the OBC at the time of construction, and that those systems are properly maintained, always turned on, regularly cleaned, and repaired when necessary. This more straightforward language will help residents and property owners better understand the required level of service and pathway to compliance. Further, it will provide officers with clear and definitive guidance on when to issue Orders to Comply to remedy deficiencies.

8. Window Openings (Heat Relief)

Since 2012, the OBC has prescribed a 100mm window opening limit where there is a significant fall risk for children or vulnerable individuals. This means that when a window is within a child's reach inside the building (1,070mm or less above the finished floor), and the drop to the ground or adjacent level outside the window is sufficient to cause injury (1,800mm or more), a window restrictor must be installed. BEOs enforce this standard through Chapter 629 and look to ensure proper window guards are installed when they inspect residential units and common areas. Through [2022.MM45.29](#), Council directed staff to explore whether measures could be implemented that would keep children safe without the use of a "guard" or a "controlled sash" that restricts outside air into apartment units. Staff conducted an in-depth review of applicable legislation, property standards by-laws across Ontario, and a scan of relevant academic literature.

Through this review, staff found no clear municipal precedent in Ontario for varying from the OBC standard, and were advised by the third-party building code consultant that maintaining alignment with the OBC standard is recommended. Additionally, academic research analysing pediatric patient data from major trauma centres indicates that the vast majority of window fall injuries involving children are unwitnessed, underscoring the critical importance of window safety features. Although research on pediatric window fall

injuries is relatively limited, the existing studies indicate the implementation of effective window safety features is essential for preventing severe injuries and death.^{1 2}

Further, research into the heat relief effects of larger window openings is not sufficiently conclusive to justify the risk of deviating from the 100mm window opening limit. Though some studies indicate substantial cooling benefits from fully opened windows versus windows restricted to a narrower code compliant opening, other factors complicate making a simple conclusion. Meteorological conditions such as high overnight temperatures and high humidity can all but negate the effectiveness of natural ventilation in cooling units. Further, the orientation of the building, the presence of green infrastructure and natural shade, the type of insulation used, the use of internal shades such as blinds, and the location and type of window opening (i.e. do they encourage cross ventilation) have been shown to be as effective at mitigating excess heat in units compared to wider window openings, without increasing potential fall risks.

Staff recommend that Chapter 629 continue to reference the OBC standard regarding window guards and control sashes, while also continuing to require that windows are: properly and securely fitted; easily operable and lockable; maintained free from defective hardware; kept clean; and, if capable of being opened, fitted with screens in good repair.

Heat Relief Mitigation

Despite alterations to the window opening provision in Chapter 629 not being advised, the City has several measures in place to protect residents, including tenants, during extreme heat events. The City of Toronto's Heat Relief Strategy is a protocol for hot weather response that aims to reduce the incidence of heat-related illness and death due to extreme heat. As part of this, apartment building owners and operators are required to post on their tenant notification board the location of an air-conditioned place on the property or the closest accessible air-conditioned space. The City's Heat Relief Network features cool spaces that are open throughout the summer, including on days when heat warnings are issued by Environment and Climate Change Canada. Also, in summer 2025, City staff launched a pilot program to provide portable air conditioners to low-income seniors living in multi-unit residential buildings who have a self-identified medical need made worse by extreme heat.

City staff continue to consider additional measures to protect tenants during extreme heat events. On December 17 and 18, 2024, Council endorsed a health-based maximum indoor temperature standard of 26°C for leased residential dwellings and cooling rooms to protect tenant health from excessive heat ([2024.PH17.5](#)). In addition, on June 25 and 26, 2025, City Council adopted [2025.MM31.21 - Addressing Gaps in the City's Heat Relief Strategy](#). The motion requested staff to find opportunities to

¹ Rajagopal et al., *Paediatric injuries due to falls from windows and balconies: an 8-year prospective and retrospective review*. *Paediatrics & Child Health*, 26(5), 2020.

² Apostolopoulou et al., *Secure windows for child safety: a retrospective study of window falls in children, aiming to raise prevention awareness*. *Child's Nervous System*, 39(11), 2023.

activate 24/7 indoor cool spaces for vulnerable people in the 2025 summer season. Staff are scheduled to report back in Q4 of 2025 on both of these items

9. Lead Pipe Disclosure and Mitigation

Through [2024.PH15.7](#), Council directed staff to explore the feasibility of requiring landlords of tenanted properties with six or fewer units, and built prior to 1950, to identify if they have lead service lines, and to notify tenants and take corrective measures if lead pipes were detected. To understand if Chapter 629 could be leveraged to address this directive, staff conducted a review of applicable legislation, the latest Toronto Water testing data, and property standards by-laws across Ontario. Currently, there are no provisions within Chapter 629 that pertain to lead pipes.

Lead Pipes and Property Standards By-Laws

Though both the Ontario Plumbing Code and OBC recommend the replacement of lead pipes, neither explicitly mandates the immediate replacement of these pipes. As such, lead pipe controls generally do not appear in property standards by-laws, an approach which ensures consistency with OBC requirements. The Ontario drinking water quality standard for lead is 10 micrograms per litre; this is often written as 10 µg/L and is equivalent to 10 parts per billion (ppb). The lead standard is found in *Ontario Regulation 169/03*, a regulation made under the *Safe Drinking Water Act, 2002*. Toronto Water works closely with the Ministry of the Environment, Conservation and Parks (MECP) to test for and mitigate lead levels in the City's water supply.

In a jurisdictional scan of five large Ontario municipalities, Hamilton was the only jurisdiction that mentioned lead service lines in their Property Standards By-law. Hamilton requires lead pipe replacement in situations where a building is being connected to the city water system *and* the public-side of the connection has already been updated to a lead-safe material. In practice, the Hamilton property standard does not provide additional protection compared to Toronto's existing rules, as any project connecting a home to the City water system would be substantial enough to require a building permit. That permit would require construction to be to the latest code requirements, which ban the use of lead fixtures.

Success of Existing City Interventions

With specific regard to the Council directive, which focuses on creating a landlord obligation to identify lead pipes and notify tenants, there is not a clear policy rationale for utilizing Chapter 629. The Property Standards By-law is meant to be a minimum standard that applies broadly to all property types. Creating a provision that is only applicable in a very specific set of circumstances based on building age and tenure would be inconsistent with that approach.

Further, based on evidence from the [2024 Annual Report – Lead in Drinking Water Mitigation Strategy](#), existing mitigation efforts have proved highly-effective at bringing lead levels within safe thresholds. The City of Toronto currently has three targeted programs focused on mitigating the impact of lead fixtures on the water system:

- Priority Lead Water Service Replacement Program: When homeowners pay out-of-pocket to replace the private-side service line to their home, they can apply to have the City replace the public-side of their service line, at no extra cost, within 12 weeks.
- Lead Testing for Residents: Any resident living in a property built prior to the mid-1950s can submit a tap water sample to the City for testing, free of charge, to help determine if lead levels in their water exceeds safety thresholds.
- Corrosion Control Plan: Toronto Water adds phosphate to the drinking water system city-wide, which forms a protective coating inside all pipes and household plumbing fixtures, which helps to reduce the potential for lead to enter tap water.

Corrosion control treatment, which was introduced by the City in 2014, has proven especially successful at bringing lead levels below the 10 parts per billion (ppb) threshold mandated by the province. The MECP Drinking Water License, in effect for Toronto Water in 2024, required the annual collection of system samples and tap water samples from homes and businesses with known or suspected lead water services. The 2024 regulated tap water test results show significantly lower lead levels compared with the lead levels measured prior to initiating corrosion control treatment. In 2024, 58 homes and businesses were tested, with none of the samples exceeding 10 parts per billion (ppb), and the average level being well below 1 ppb. Of the 14 distribution system samples tested, none exceeded 1 ppb. This is in stark contrast with 2008, when 100 homes and businesses were tested, and 52% of the samples exceeded 10 ppb.

Conclusion

In summary, there would be major logistical and operational constraints to enforcing a lead pipe inspection and notification rule through the Property Standards By-law. More importantly, evidence from annual Toronto Water testing shows that corrosion control strategies have been extremely effective. TPH was consulted on this report and supports the recommended approach as evidence indicates that Toronto tap water, even in households with lead service lines, is within safe limits per provincial standards and national guidelines. As such, staff are recommending that no provisions regarding lead pipe identification and mitigation be added to Chapter 629.

Next Steps

Staff recommend that the proposed changes to Chapter 629 and the introduction of Chapter 611 come into effect in phases. Staff recommend that the proposed technical amendments to Chapter 835 come into effect on December 1, 2025, to ensure alignment with relevant provincial legislation and authorities. Staff recommend simple technical amendments to Chapter 629 that do not require substantial operational, systems, or training changes to come into effect on March 1, 2026. These include:

- The addition of PSAC reporting requirements to Article 2;
- The removal of clothing drop box provisions (629-10F);

- The removal of vacant property provisions (629-24); and

All remaining changes, which will require sufficient time for staff to update administrative processes, develop communications and training materials, and overhaul internal technological systems, are recommended to come into effect on May 1, 2027, in concert with MLS' modernized backend work management system. Staff will collaborate across relevant City divisions to develop a detailed implementation schedule. It will include components related to technology, administration, communications, compliance, and enforcement.

MLS staff will also continue to work on key items that intersect with the Property Standards By-law. Items that will come to council in the next 12 months include: updates to the Multi-Tenant Housing Framework, the report-back on implementing a maximum indoor temperature requirement, action items related to the Rat Response Plan, and updates on operational changes made to address the Ombudsman's May 2025 report on a vital services outage at a rooming house.

Those projects will complement the recommendations in this report to help ensure that property maintenance regulations are responsive to community needs, and support access to safe, adequate, and well-maintained housing.

CONTACT

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SIGNATURE

Gadi Katz
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ATTACHMENTS

Attachment 1: Chapter 629, Property Standards - Updated

Attachment 2: Chapter 611, Pest Management on Private Property - New