

**From:** [Mandavni FMTA](#)  
**To:** [Executive Committee](#)  
**Cc:** [Yaroslava Montenegro](#)  
**Subject:** [External Sender] My comments for 2026.EX31.2 on May 12, 2026 Executive Committee  
**Date:** May 12, 2026 2:30:32 AM  
**Attachments:** [FMTA Submission - EX28.3 - Towards Implementing a Maximum Indoor Temperature Requirement for Rental Units and Cooling Rooms.pdf](#)

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To the City Clerk:

Please add my comments to the agenda for the May 12, 2026 Executive Committee meeting on item 2026.EX31.2, Standardizing the Air Conditioner Benefit (Pilot)

I understand that my comments and the personal information in this email will form part of the public record and that my name will be listed as a correspondent on agendas and minutes of City Council or its committees. Also, I understand that agendas and minutes are posted online and my name may be indexed by search engines like Google.

Comments: Please see the attached file.

Gratitude,

**Policy Coordinator**  
**Federation Of Metro Tenants' Associations (FMTA)**

*The land we now call Toronto, and upon which FMTA operates, has for thousands of years been the traditional land of the Huron-Wendat, the Seneca, and most recently, the Mississaugas of the Credit River. This meeting place is still home to many Indigenous peoples from across what is now called North America. I am grateful to work, live and love on this land.*

*It is my position that across North America, non-Indigenous settlements do not constitute claims to property as against Indigenous peoples. Non-Indigenous claims over land and space are better understood and treated as claims against other non-Indigenous peoples. Not all non-Indigenous claims are or will be legitimate.*

*I agree that in Canada, the Crown's claim over land underlies and supersedes any individual non-Indigenous claim over the same. However, the Crown's claim is supreme only vis-a-vis individual settlers and all other non-Indigenous claims. The Crown does not enjoy the most fundamental relationship to land in Canada. The most fundamental relationships to land in North America, including Canada, have been and always will be Indigenous. These relationships underlie even Crown claims.*

*The above perspective emerges from my Master of Laws thesis work (in progress). If you are curious to learn more about this perspective, I invite you to send me a separate email inquiry at my personal email:*



FEDERATION OF  
METRO TENANTS'  
ASSOCIATIONS

May 12, 2026

## **RE: EX31.2 – Standardizing the Air Conditioner Benefit (Pilot) (Ward All)**

The Federation of Metro Tenants' Associations ("FMTA") welcomes the City of Toronto's continued efforts to address the growing risks posed by extreme indoor heat as is evident in the most recent proposed responses, including the standardization of the Air Conditioner Benefit Pilot and the broader development of a Maximum Indoor Temperature framework.

The FMTA continues to strongly supports the establishment of a Maximum Indoor Temperature By-Law ("By-Law") in the coming year. Absolutely, this is an issue of climate change, health and safety. Accordingly, we commend the City for recognizing that the extreme indoor heat disproportionately harms those who already face the greatest systemic barriers: low-income tenants, seniors, people living with disabilities and chronic illnesses, newcomers, migrant workers, women and trans folks fleeing violence, infants and children, seniors, and tenants living in aging or under-maintained housing.

### **Heat Exposure as a Disabling Event**

[Disability must be understood in social and structural terms](#). Accordingly, heat vulnerability, and its close connection with disability injustice, must be understood in the broader terms of housing inequality. Low-income tenants are disproportionately housed in older apartment buildings with poor ventilation, inadequate insulation, aging infrastructure, limited canopy coverage, and greater heat retention. [Heat exposure can also intensify at higher elevations](#) within towers due to building design and stack effect conditions. The City's own [climate risk reporting](#) identifies the ["urgent risk" of extreme heat](#) in apartment towers and for seniors, disabled people, low-income residents, and socially isolated individuals as [disproportionately vulnerable](#) to climate impacts and extreme heat events.

The importance of applying a housing equality framework to the By-Law is underscored by the fact that heat events themselves can be disabling. [Current climate data](#) strongly suggests that the City is expected to experience "approximately 66 days with maximum temperatures above 30 degree celsius." Extreme heat can worsen chronic illness, exacerbate mental health conditions, impair mobility, intensify respiratory and cardiovascular

conditions, and create acute risks for people taking those medications which are affected by temperature regulation.

At the same time, housing conditions can structurally produce or intensify vulnerability through social and medical arrangements that fail to accommodate human needs. In their report [Enabling America: Assessing the Role of Rehabilitation Science and Engineering](#), the National Academies of Sciences, Engineering, and Medicine writes: “The political system, through its role in designing public policy, can and does have a profound impact on the extent to which impairments and other potentially disabling conditions will result in disability.” Thus, inadequate housing conditions such as unsafe indoor heat, poor ventilation, inaccessible cooling, and deteriorating building infrastructure can produce disabling conditions.

The City must take every possible measure to prevent the production of disabilities among tenants via instituting universal maximum temperatures to safeguard tenants against disabling conditions of heat events.

### **Cooling rooms as an inadequate and potentially harmful measure**

On the intensification or production of vulnerability, consider the measure of common cooling rooms. The FMTA is concerned that reliance on common cooling rooms or shared cooling areas alone cannot adequately protect vulnerable tenants. Shared spaces may be inaccessible during [elevator outages which are more likely to occur in aging buildings](#). For this and other reasons, disabled tenants or seniors risk being excluded from common cooling rooms. Cooling protections must prioritize safe, dignified access within tenants’ own living spaces.

Christopher Essert, legal scholar and Dean of the Henry N.R. Jackman Faculty of Law at the University of Toronto argues that [experiences of homelessness constitute experiences of unfreedom and subordination](#) which result from a “lack [of] rights to the space where they stay, and therefore that their staying and doing the things they do there are subject to the permission of the person whose space it is.” Cooling spaces, instead of adequate temperature controls in individual apartments and other dwellings, thus risk rendering tenants effectively homeless.

Moreover, Essert cites the [United Nations Committee on Economic, Social and Cultural Rights](#) who reject defining housing “in a narrow or restrictive sense [that] equates it with, for example, the shelter provided by merely having a roof over one’s head,” instead urging the conceptualization of housing in the terms of “liv[ing] somewhere in security, peace and dignity.” Council should consider the latter understanding of housing when considering cooling

rooms as an option for tenants. During extended heat events, tenants expected to make use of cooling rooms are, in essence, being expected to relinquish their tenant rights to safe housing and accept, in place of a home, a roof and reality absent of the security, peace, and dignity available to those who may afford access to temperature regulated homes.<sup>1</sup>

## **The City of Toronto has a duty to protect tenants' human dignity**

We also urge the City to continue to recognize that the issue of extreme indoor heat is also fundamentally about human dignity, fairness, and meaningful [access to justice](#). For example, tenants most likely to experience dangerous indoor temperatures are also often the least able to navigate [lengthy and inaccessible enforcement systems](#). Beyond the health and safety risks of extreme heat inside homes, climate change has the effect of increasing the [cost of living](#) and thereby reducing tenants' bargaining power in the landlord-tenant context.

The City has recognized that, for many tenants, legal protections exist on paper and yet are not meaningfully accessible in practice. In response to this reality, the City has implemented RentSafeTO. We applaud the City for demonstrating its commitment to tenants through this program which continues to provide vital oversight in housing quality. This is especially significant given the reality of unjustly lengthy delays in Landlord and Tenant Board's ("LTB") proceedings specifically with respect to tenant application matters. The fact is that such LTB proceedings, almost always taking several months or years to resolve, are designed in ways that presume tenants have the physical, financial, linguistic, mental, and technological capacities and resources to navigate them. During periods of extreme heat, delayed enforcement can have devastating consequences.

The City has already recognized the need for municipal intervention where provincial housing enforcement mechanisms are insufficient. The FMTA urges the City to recognize extreme indoor heat as another area requiring proactive municipal action to protect tenants from preventable harm. Such a resolution

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<sup>1</sup> Essert [writes](#): "Canadians who are adequately housed are able to live their lives as they choose to, whereas Canadians who are inadequately housed are not: they are constantly at the mercy of others in respect of how and where they may conduct some of the most personal and private parts of their lives." Applied to the present context: A tenant living in a poorly ventilated high-rise apartment without safe cooling access will almost surely experience heat very differently than someone with access to stable housing private cooling, mobility, financial resources, or flexible work conditions. The [unequal distribution of safe housing conditions](#) creates unequal climate harms and establishes, as a second class of citizens, the entirety of Toronto's most vulnerable tenants. Where a Maximum Heat Temperature By-Law is rejected on the basis of budget, this so-called class of second-class citizens is rendered, in effect, disposable and whose lives collectively are treated as costs which do not outweigh benefit of reallocation of financial expenses.

aligns with the City's existing commitment to principles of inclusion and equity as a member of the Coalition of Inclusive Municipalities. Because a city committed to inclusion cannot allow tenants to endure unsafe and disabling indoor temperatures because they lack the income, mobility, legal knowledge, or bargaining power necessary to protect themselves.

Importantly, dangerous indoor temperatures do not require formal heat emergencies of outdoor temperatures exceeding 26 degrees Celsius. Nor are formal heat emergencies, including excessive outdoor temperatures, confined to calendar days. For example, outdoor temperatures upwards of 20 degrees celsius were recorded for more than 11 days in May 2025. As already mentioned, outdoor temperatures at this level will invariably be experienced indoor as higher temperatures. Accordingly, it is the FMTA's position that confining the By-Law to June 1 to September 30 is arbitrary.

Even a single day of extreme indoor heat can create life-threatening conditions, particularly for medically vulnerable residents, seniors, infants, and disabled tenants. Air conditioner restrictions in apartment buildings pose additional serious risk associated with inadequate cooling access. Most notably, tenants who have been discouraged or prohibited from installing air conditioning units have had to rely on open windows as a source of ventilation during extreme heat moments.

Over the past few years, a number of infants and young children have suffered falls from windows and [some of these falls have been fatal](#). The most recent instance of a suspected heat-related fall from a window, likely opened for temperature control reasons, took place in North York on April 26, 2026. [The maximum outdoor temperature recorded](#) on that day in North York was 17.5 degrees celsius. Unfortunately, the six-year-old fall victim did not sustain her injuries.

## **Conclusion**

We urge Council to consider the establishment of a Maximum Indoor Temperature By-Law ("By-Law"), and to further develop measures to protect tenants from disabling heat events, as well as standing for people's right to housing in security, peace and dignity.

## **Federation of Metro Tenants' Associations**

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