

# Guidance Document for Apartment Building Owners/Operators

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## Background

Vital services are essential services that apartment building owners/operators must provide to keep tenants healthy and safe. Vital services include hot and cold water, fuel, electricity, natural gas, and heat. A vital service disruption is an event where any of these services is disrupted.

Vital service disruptions can result in:

- tenants remaining in place in an apartment building without access to some vital services (also known as shelter-in-place);
- an evacuation of part of a building; or
- an evacuation of all of a building.

The decision to evacuate or close a building is made by authorities having jurisdiction, such as by Toronto Fire Services, based on their assessment of risk.

[Chapter 354 of the Toronto Municipal Code](#) requires all owners/operators to develop and maintain a Vital Service Disruption Plan.

Under Chapter 354, the City of Toronto (the City) may take enforcement action against owners/operators who do not develop and maintain a Vital Service Disruption Plan or who fail to adequately implement their Vital Service Disruption Plan during a vital service disruption.

In a situation where an owner/operator does not implement their Vital Service Disruption Plan, the City may deliver the required services to support affected tenants at the owner/operator's expense.

Under Chapter 354 it is an offence to:

- a. fail to develop and maintain a Vital Service Disruption Plan;
- b. fail to immediately provide the completed Vital Service Disruption Plan to the City during an evaluation, audit, investigation or response to a vital service disruption, or any time the City requests it; and/or
- c. fail to implement the standards and minimum requirements in Sections 3, 4, 5 (heat, fire safety plan and building security), 6 (fire safety plan, building security and unit access) and 7 of the Vital Service Disruption Plan during a time of prolonged vital service disruption.

The City can lay charges against owners/operators who fail to provide or implement the Plan, which may result in a fine of up to \$100,000 on conviction (or more if a daily fine is imposed).

## **When to Implement the Plan**

A Vital Service Disruption Plan is intended to guide your response to unplanned vital service disruptions that occur in your building. The Vital Services Disruption Plan includes standards and minimum requirements in Sections 3, 4, 5, 6 and 7 and the timeframes to take specific actions. The Vital Services Disruption Plan also includes optional provisions Section 5 (drinking

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water, kitchen access and other) and Section 6 (lodging, drinking water, food, clothing and personal items).

You must begin implementing your Vital Services Disruption Plan once you have identified an unplanned vital service disruption.

The City may direct an owner/operator as to how their responsibility is to be carried out at any time during an unplanned vital service disruption. If the City is involved in supporting the response to a vital service disruption, you must implement your Plan in close coordination with City divisions, agencies, and corporations, such as the Office of Emergency Management and Toronto Fire Services.

Those services in the Vital Service Disruption Plan marked as optional best practices – being portions of sections 5 and 6 – are not mandatory, and owners/operators may elect to not include those services in their Vital Service Disruption Plan. These services are recommended best practices, however, and the City recommends owners/operators include what services they will provide to tenants in the event of a vital service disruption.

## **How to Develop your Plan**

This Guidance Document provides information to help you complete the Vital Service Disruption Plan form. You must use the form to complete your Plan. You may not delete or alter any component of the form. You (or your representative) must sign and date the Plan. You must review and update your Plan on an annual basis and anytime that there are operational or organizational changes.

You can contact the City's RentSafeTO team at 416-396-7228 or [RentSafeTO@toronto.ca](mailto:RentSafeTO@toronto.ca) with any questions about the form or the requirements under Chapter 354.

## **Section 1: Building information**

Section 1 requires you to provide basic information about the apartment building, including the property type, address, number of units, and number of floors. If you own/operate more than one apartment building, you must complete a separate Vital Service Disruption Plan form for each. If you do not know your RentSafeTO registration number, you can contact the RentSafeTO team at 416-396-7228 or [RentSafeTO@toronto.ca](mailto:RentSafeTO@toronto.ca).

## **Section 2: Contacts with the authority to act for the owner/operator**

During an unplanned vital service disruption, the City must be able to contact staff in your organization. In Section 2, you must provide two contacts (a primary and a secondary contact) who will communicate with the City. Both contacts must have the authority to make financial decisions and bind the owner/operator. The City must be able to reach at least one of these individuals at all times.

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## Section 3: Communicating with the City of Toronto

Section 3 requires you to provide the methods you will use to communicate with the City during an unplanned vital service disruption. Throughout a disruption you must respond to communications from the City within two hours at all times. You must provide contact information for the individual(s) who will be available on-site during a disruption.

## Section 4: Communicating with tenants

Section 4 requires you to provide the details of your communications plan for tenants. Ensuring timely two-way communication with tenants is an important component of your Vital Service Disruption Plan. The Plan sets out minimum standards for communication with tenants and you must describe how tenants will receive regular and detailed updates about a vital service disruption.

For most vital service disruptions, the primary point of contact for tenant enquiries would typically be a member of your staff. However, in large-scale vital service disruptions, particularly those that involve evacuations, owners/operators may consider hiring external communication support and expertise.

As an owner/operator, the Plan requires you to include details on how you will ensure that the contact information to be used by tenants to reach you is kept up-to-date. You must also outline the process by which you will proactively inform tenants of how they will receive information during an unplanned vital service disruption.

## Section 5: Services for tenants during shelter-in-place events

An unplanned vital service disruption may result in tenants be required to stay in their unit throughout the event (known as shelter-in-place). Section 5 outlines the services that must be provided at the expense of the owner/operator to support tenants who must shelter-in-place, being details of the owner/operator's fire safety plan, building security measures, heat, drinking water and food.

You must meet your obligations under the Ontario Fire Code (including implementing the Fire Safety Plan as required) and secure the premises if a vital service disruption has an impact on normal day-to-day security measures

Section 5 also permits you to add services that are not mandatory. You may also decide to provide additional provisions such as blankets, generators, and bathing facilities, and can include details of such services in the Vital Services Plan.

## Section 6: Services for displaced tenants during evacuations

A vital service disruption may result in tenants needing to be evacuated from their unit. Section

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6 outlines requirements that must be met in those circumstances, namely meeting your obligations under the Ontario Fire Code (including implementing the Fire Safety Plan as required) and securing the premises if a vital service disruption has an impact on normal day-to-day security measures. You must also have a plan for providing tenants occasional access to their units and personal items if the building is deemed safe to enter.

Section 6 also outlines services that are not mandatory, but are optional services the City recommends and may be provided to support tenants who have been displaced. These include alternate lodging, drinking water, access to food (such as hot meals, meal vouchers and/or a kitchen to prepare meals), clothing and toiletries and you may describe the details of the services you will provide in the Vital Services Plan.

## **Section 7: Tenants on the Voluntary Tenant Contact List**

Chapter 354 requires owners/operators to maintain a voluntary list of tenants who may require additional assistance during a vital service disruption. Use Section 7 to provide details on how you will support these tenants during a vital service disruption, including regular check-ins and responding to their questions within two hours.

## **Section 8: Other considerations, if any**

Use Section 8 to provide additional information on any aspect of your Vital Service Disruption Plan. You may add additional rows as needed.

## **Section 9: Signature of apartment building owner/operator**

In Section 9, the owner/operator, or an authorized representative, must sign the completed Vital Service Disruption Plan. An electronic signature is acceptable. The owner/operator is responsible for ensuring that the Vital Service Disruption Plan is developed and maintained.