



Recommendations for Municipalities Focus: Extreme Heat and Rental Housing in Hamilton

Prepared by:
Advocacy Centre for Tenants Ontario,
Canadian Environmental Law Association,
Low-Income Energy Network,
Hamilton Community Legal Clinic
April 4, 2023

CELA Publication Number: 1523
ISBN: 978-1-77842-019-1

1. BACKGROUND

TEMPERATURE IS RISING IN CANADA. As of January 18, 2022, 644 municipalities across Canada have declared a climate emergency.¹ As global temperatures continue to rise as a result of climate change, so will the length, frequency, and intensity of extreme heat events. Average mean temperature in Canada has risen by 1.7°C from 1948 to 2016 and is expected to increase between 1.8°C and 6.3°C by the end of the century.² The average annual temperature in northern Canada has risen by 2.3°C over the same period, about triple the global rate.³ Canadians will experience a stark increase in both daytime and nighttime temperatures. For example, by 2051-2080, overnight temperatures in Toronto during heatwaves will remain at or above 21°C, representing an increase of 1.7°C.⁴

EXTREME HEAT EVENTS HAVE MAJOR HEALTH IMPLICATIONS. Various life-threatening conditions can occur when the body cannot maintain its core temperature of approximately 36.6°C due to excessive external heat.⁵ These include dehydration, cramps, heat exhaustion, and heat stroke.⁶ During the summer of 2018 in Quebec, the hottest summer on record in 146 years, 86 heat-related deaths were recorded.⁷ In British Columbia, between June 25 and July 1, 2021, 619 heat-related deaths were recorded.⁸ Extreme heat is a public health emergency and action must be taken by all municipalities to reduce heat-related deaths.

2. EXTREME HEAT AND VULNERABLE PEOPLE

VULNERABLE POPULATIONS FACE HIGHER RISKS. Equity concerns must be built into any policy measure to address extreme heat as certain populations are more at risk for heat-related illnesses and death. These populations include seniors, infants and young children, individuals with chronic illnesses and mobility challenges, and individuals that are socially disadvantaged.

British Columbia

A report published by the Government of British Columbia, entitled “Extreme Heat and Human Mortality” found that it was vulnerable people who died during the extreme heat event in 2021.

¹ Random Acts of Green “644 Municipalities Have Declared a Climate Emergency” (January 18, 2022), online: <https://raog.ca/climate-emergency-declarations-canada/>.

² Government of Canada, “Changes in Temperature” (April 9, 2019), online: <https://www.canada.ca/en/environment-climate-change/services/climate-change/canadian-centre-climate-services/basics/trends-projections/changes-temperature.html>.

³ Government of Canada, “Changes in Temperature” (April 9, 2019)

⁴ Climate Atlas, “Heat Waves and Health, A Special Report on Climate Change in Canada” (August, 2019), online: <https://climateatlas.ca/sites/default/files/PCC%20-%20Heat%20Waves%20and%20Health%20-%20Nov%202019.pdf> at page 3.

⁵ Government of British Columbia, “Extreme Heat and Human Mortality: A Review of Heat-Related Deaths in B.C. in Summer 2021” (June 7, 2022), online: https://www2.gov.bc.ca/assets/gov/birth-adoption-death-marriage-and-divorce/deaths/coroners-service/death-review-panel/extreme_heat_death_review_panel_report.pdf at page 11.

⁶ Government of British Columbia, “Extreme Heat and Human Mortality: A Review of Heat-Related Deaths in B.C. in Summer 2021” at page 11.

⁷ Annick Poitras, “Extreme Heat Waves in Quebec”, online: <https://climatedata.ca/case-study/extreme-heat-waves-in-quebec/>.

⁸ Government of British Columbia, “Extreme Heat and Human Mortality: A Review of Heat-Related Deaths in B.C. in Summer 2021” at page 4.

- 90% of the 619 people who died in British Columbia during last year’s heat wave were over 60 years old.⁹
- 91% were registered with at least one chronic disease registry.¹⁰
- Deaths were higher among those living in socially or materially deprived neighbourhoods. Poor quality housing, homelessness and overall deprivation were identified as risk factors for increased mortality rate.¹¹
- 98% of heat-related deaths occurred indoors. Most of the 619 people who died were in homes without adequate cooling systems.¹²

Quebec

An analysis of the deaths in the 2018 Quebec heat wave made similar findings that vulnerable people were most impacted by the extreme heat event:

- Elderly people, those that are socially isolated, and those with chronic diseases or psychotic disorders were most vulnerable to heat.¹³
- The majority of decedents lived in an urban heat island.¹⁴
- 8/53 decedents in Montreal lived in a senior’s home.¹⁵
- Most decedents did not have access to air conditioning.¹⁶

3. WHY IS INDOOR COOLING ESSENTIAL?

PUBLIC COOLING CENTRES ARE NOT ADEQUATE for those with mobility challenges, disabilities, or respiratory problems. Although these public cooling centres are essential for unhoused people or outside workers, they are not adequate for those indoors or those with disabilities. For individuals with mobility and respiratory issues, movement is further impaired by extreme heat.¹⁷ Getting to a public cooling centre is extremely difficult or near impossible. The most vulnerable populations during an extreme heat event, and the majority of the people who died in British Columbia during the extreme heat event in 2021, needed resources within their homes to survive.¹⁸

Similarly, common cooling rooms in resident buildings have been found to be ineffective. Common cooling rooms have been described as “effectively useless” by

⁹ Government of British Columbia, “Extreme Heat and Human Mortality: A Review of Heat-Related Deaths in B.C. in Summer 2021” at page 13.

¹⁰ Government of British Columbia, “Extreme Heat and Human Mortality: A Review of Heat-Related Deaths in B.C. in Summer 2021” at page 14.

¹¹ Government of British Columbia, “Extreme Heat and Human Mortality: A Review of Heat-Related Deaths in B.C. in Summer 2021” at page 17.

¹² Government of British Columbia, “Extreme Heat and Human Mortality: A Review of Heat-Related Deaths in B.C. in Summer 2021” at page 5.

¹³ Santé Montreal, “Heat Wave Summer 2018 in Montreal”, online: https://santemontreal.gc.ca/fileadmin/fichiers/professionnels/DRSP/Directeur/Rapports/Resume_EnqueteChaleurMtl_2018_Anglais.pdf at page 1.

¹⁴ Santé Montreal, “Heat Wave Summer 2018 in Montreal” at page 1.

¹⁵ Center-Sud-de-l’Île-de-Montréal Integrated University Health and Social Services Center, “Heat Wave: July 2018 - Montreal Preliminary Assessment”, online:

https://santemontreal.gc.ca/fileadmin/fichiers/actualites/2018/07_juillet/BilanCanicule2018VF.pdf at page 2.

¹⁶ Santé Montreal, “Heat Wave Summer 2018 in Montreal” at page 1.

¹⁷ Brishti Basu, “They were trying to figure out how to stay alive: Disability advocates slam heatwave response”, *Capital Daily* (June 7, 2022), online: <https://www.capitaldaily.ca/news/disability-advocates-slam-heatwave-response>.

¹⁸ Brishti Basu, “They were trying to figure out how to stay alive: Disability advocates slam heatwave response”

long-term care advocates as most residents stay in their rooms and staff often do not have the opportunity to bring all residents down to these rooms.¹⁹

LANDLORDS ARE NOT CURRENTLY OBLIGATED TO COOL BUILDINGS. Landlords across Canada are obligated to provide a minimum level of heat. For example, the *Residential Tenancies Act* in Ontario defines heat as a ‘vital service’ that the landlord is obligated to supply and O. Reg. 517/06: Maintenance Standards, section 15 provides details on heating systems within all habitable space in rental units.²⁰ Air-conditioning or cooling is not similarly defined. As a result, the *Residential Tenancies Act* does not include similar requirements for cooling.

In the Government of British Columbia’s report following the extreme heat event and deaths in the summer of 2021, high indoor temperature was identified to be the primary cause of injury and death.²¹ The B.C. Centre for Disease Control found that people were most in danger when indoor temperatures remained above 26 °C throughout the event.²² A study in New York also found that humidity exposure and indoor heat above 26 °C increased the proportion of emergency calls due to cardiovascular and respiratory distress.²³ A study by the American Journal of Alzheimer’s Disease & Other Dementias found that the symptoms of dementia were significantly exacerbated when patients were exposed to temperatures above 26 °C.²⁴ In elderly people, chair rise and balance were significantly lower when these individuals were exposed to a temperature of 27 °C, demonstrating increased mobility problems.²⁵ Therefore, it is crucial that indoor temperatures remain under 26 °C.

However, there is currently no legal standard created to protect the health of vulnerable tenants. When Toronto Public Health inspectors measured indoor temperatures at buildings 2-3 storeys high, they found temperatures ranged from 32-39 °C during an extreme heat event.²⁶

¹⁹ Katherine DeClerq, “All Ontario long-term care homes now have air conditioning, but not all have them in resident rooms”, CTV News (May 27, 2021), online: <https://toronto.ctvnews.ca/all-ontario-long-term-care-homes-now-have-air-conditioning-but-not-all-have-them-in-resident-rooms>.

²⁰ *Residential Tenancies Act*, 2006, S.O. 2006, c. 17; O. Reg. 517/06: Maintenance Standards, s 15

²¹ Government of British Columbia, “Extreme Heat and Human Mortality: A Review of Heat-Related Deaths in B.C. in Summer 2021” at page 22.

²² Government of British Columbia, “Extreme Heat and Human Mortality: A Review of Heat-Related Deaths in B.C. in Summer 2021” at page 22.

²³ Uejio, C. K, et al. (2016). Summer indoor heat exposure and respiratory and cardiovascular distress calls in New York City, NY, US. *Indoor air*, 26(4), 594-604.

²⁴ Tartarini, F et al. (2017). Indoor air temperature and agitation of nursing home residents with dementia. *American Journal of Alzheimer’s Disease & Other Dementias*, 32(5), 272-281.

²⁵ Lindemann, U et al. (2017). Effect of indoor temperature on physical performance in older adults during days with normal temperature and heat waves. *International journal of environmental research and public health*, 14(2), 186.

²⁶ City of Toronto, “Reducing Health Risk from Extreme Heat in Apartment Buildings” (June 11, 2015), online: <https://www.toronto.ca/legdocs/mmis/2015/hl/bgrd/backgroundfile-81510.pdf>

4. THERE IS AN URGENT NEED FOR MAXIMUM INDOOR TEMPERATURE CONTROL IN HAMILTON

Hamilton's Adaptation Plan

Hamilton is one of the many Canadian communities to adopt an official Declaration of Climate Emergency.²⁷

Hamilton's commitment to climate action predates this Declaration and its newly developed Adaptation Plan. Staff have been developing and delivering programs such as expanded stormwater capacity, sewer separation, extreme temperature response programs, infrastructure improvements, and programs to assist homeowners in recovering from basement floods for some time now.²⁸

Of particular relevance are the actions regarding extreme temperatures, specifically, extreme heat. Throughout the plan, actions are already being undertaken by the City, and new ones are also proposed:

- Action 1.2 aims to develop guidelines and incentives for homeowners and landlords to improve the resilience of residential buildings to climate-related risks through upgrades and/or retrofits. Details explain “the creation of guidelines and incentives to improve the resilience of homeowners and landlords can help reach and encourage community members to reduce risk from ... extreme heat ... and other climate-related hazards to their buildings and property”.²⁹
- Action 3.1 aims to develop and implement a response program for vulnerable populations to protect residents from climate-related risks (i.e. extreme cold, extreme heat, etc.).³⁰
- Action 3.3 aims to coordinate local efforts to address excessive indoor temperatures in rental housing.³¹

The inclusion of these actions in its plan poises Hamilton to be a champion in advocating for a maximum heat bylaw at the municipal level.

²⁷ City of Hamilton, “City of Hamilton Climate Change Impact Adaptation Plan” at p 4, online (pdf): <https://www.hamilton.ca/home-neighbourhood/environmental-stewardship/environmental-plans-strategies/hamiltons-climate-1>.

²⁸ City of Hamilton, “City of Hamilton Climate Change Impact Adaptation Plan” at p 4, online (pdf): <https://www.hamilton.ca/home-neighbourhood/environmental-stewardship/environmental-plans-strategies/hamiltons-climate-1>.

²⁹ City of Hamilton, “City of Hamilton Climate Change Impact Adaptation Plan” at p 33, online (pdf): <https://www.hamilton.ca/home-neighbourhood/environmental-stewardship/environmental-plans-strategies/hamiltons-climate-1>.

³⁰ City of Hamilton, “City of Hamilton Climate Change Impact Adaptation Plan” at p 37, online (pdf): <https://www.hamilton.ca/home-neighbourhood/environmental-stewardship/environmental-plans-strategies/hamiltons-climate-1>.

³¹ City of Hamilton, “City of Hamilton Climate Change Impact Adaptation Plan” at p 39, online (pdf): <https://www.hamilton.ca/home-neighbourhood/environmental-stewardship/environmental-plans-strategies/hamiltons-climate-1>.

The Health and Wellbeing of Hamiltonians

It's important not to repeat the past: on July 13 1936, Hamilton experienced its worst ever extreme heat event where the temperature reached 41.4 C (without a humidex calculation at the time).³² An estimated 80 Hamiltonians died as a result. The Hamilton Spectator reported the death toll in the city was the highest since the 1918-19 Spanish Flu pandemic. Air conditioning had been invented but was still a rarity. There were public spaces in the city with air conditioning, such as the Westdale Theatre. However, approximately 80 community members still died. For tenants, this is still their reality: no access to air conditioning in their homes, and difficulty accessing cooler locations.

In April of 2010, the Hamilton Spectator published the “Code Red” series highlighting inequality between residents of Hamilton. The Code Red series found that there was a 21-year difference in life expectancy, an 89 fold difference in secondary school dropout rates, a six-fold difference in dwelling values, and other stark differences between the most and least prosperous neighbourhoods of the city.³³

Unfortunately, Hamilton will also be prone to extreme heat. The Intact Centre on Climate Adaptation, in partnership with the University of Waterloo, has released a report that looks at what Canadians can do to reduce the risks of extreme heat. While the projections are qualified by noting that conditions decades into the future will depend on what actions are taken to slow climate change, it indicates Hamilton faces the second-highest risk of extreme heat among cities in Canada.³⁴ An Ontario climate change and health modelling study published in 2016 alongside the University of Toronto had also previously recognized Hamilton as an area of concern for extreme heat events almost 10 years ago.³⁵

We also know that excessive indoor temperatures can cause significant health concerns to building occupants, especially to vulnerable populations (i.e. older adults and seniors, children, people living with health issues and/or disabilities, etc.). As summer temperatures and extreme heat days are projected to increase, there is an increased need to coordinate efforts throughout the City and work towards improving summer indoor temperatures.³⁶

Renters are particularly vulnerable to extreme heat event for a host of reasons. For

³² The Hamilton Spectator, “About 80 died in Hamilton’s worst ever heat wave” (29 May 2021), online:

<https://www.thespec.com/life/local-history/spec175/2021/05/29/about-80-died-in-hamiltons-worst-ever-heat-wave.html>.

³³ Patrick F. DeLuca and Pavlos S. Kanaroglou, “Code Red: Explaining Average Age of Death in the City of Hamilton” (17 November 2015), online: *National Library of Medicine* <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5690439/>.

³⁴ Nathan Sager, “Extreme heat will hit Hamilton, Niagara Falls and St. Catharines harder than almost anywhere else in Canada” (25 April 2022), online: *The Hammer* <https://www.insauga.com/extreme-heat-will-hit-hamilton-niagara-falls-and-st-catharines-harder-than-almost-anywhere-else-in-canada/>.

³⁵ Government of Ontario and University of Toronto, “Ontario climate change and health modelling study” (2016), online: https://www.health.gov.on.ca/en/common/ministry/publications/reports/climate_change_toolkit/climate_change_health_modelling_study.pdf.

³⁶ City of Hamilton, “City of Hamilton Climate Change Impact Adaptation Plan” at p 39, online (pdf):

<https://www.hamilton.ca/home-neighbourhood/environmental-stewardship/environmental-plans-strategies/hamiltons-climate-1>.

one, they tend to be lower-income earners. Second, they can live in high rise buildings, where heat rises. And third, they do not always have control or access to the heating and cooling systems in their units.

According to the 2021 Census, there are 76,400 renter households in Hamilton, growing by more than 1,500 new renter households per year since 2016. Record high housing ownership costs have reduced the number of households that can afford to move from renting to owning. The aging population is a factor as well, with growing numbers of older homeowners selling and moving to retirement buildings and other rental accommodation that better suit their needs for accessibility and support.³⁷ In addition, people living with health issues and/or disabilities are also susceptible to extreme heat events. In Hamilton, lung cancer and COPD are among the top 3 most burdening health conditions. Locally, lung cancer and COPD caused 498 preventable deaths in 2012 alone.³⁸ People with these types of lung diseases can be particularly sensitive to air pollution, which often accompanies extreme heat events. Pollution can aggravate their diseases, leading to increased medication use, doctor and emergency room visits, and hospital visits.³⁹

These statistics show only some of the reasons that Hamiltonians would greatly benefit from a maximum heat bylaw.

5. MODEL BY-LAW

This model by-law is a recommendation for municipalities to adopt. It combines various legal sources including O. Reg. 517/06: Maintenance Standards, Mississauga's Adequate Temperature By-Law 0110-2018, Durham's Community Adaptation Plan and Vancouver's Omnibus Climate Emergency Building Report.

WHEREAS sections 8, 9 and 11 of the Municipal Act, 2001, S.O. 2001, c.25, (the "Municipal Act, 2001") authorize a municipality to pass by-laws necessary or desirable for municipal purposes, and in particular, paragraphs 5, 6 and 8 of subsection 11(2) provide that a lower-tier municipality may pass by-laws respecting the economic, social and environmental well-being of the municipality, the health, safety and well-being of persons, and the protection of persons and property;

AND WHEREAS section 425 of the Municipal Act, 2001 authorizes a municipality to pass by-laws providing that a person who contravenes a by-law of the municipality passed under that Act is guilty of an offence;

³⁷ Social Planning and Research Council of Hamilton, "Hamilton Social Landscape", online (pdf):

[https://www.sprc.hamilton.on.ca/wp-content/uploads/2020/08/SPRC-Hamilton-Social-Landscape-Renter-Growth-Nov-2022.pdf?utm_source=getresponse&utm_medium=email&utm_campaign=mailchimp%20act%202022&utm_content=New%3A%20Renter%20growth%20in%20Hamilton%20and%20take%20action%20on%20Bill%2023#:~:text=ACROSS%20HAMILTON'S%20COMMUNITIES,-Hamilton's%20renter%20population&text=The%202021%20Census%20counted%2076%2C400,since%202016%20\(chart%201\).](https://www.sprc.hamilton.on.ca/wp-content/uploads/2020/08/SPRC-Hamilton-Social-Landscape-Renter-Growth-Nov-2022.pdf?utm_source=getresponse&utm_medium=email&utm_campaign=mailchimp%20act%202022&utm_content=New%3A%20Renter%20growth%20in%20Hamilton%20and%20take%20action%20on%20Bill%2023#:~:text=ACROSS%20HAMILTON'S%20COMMUNITIES,-Hamilton's%20renter%20population&text=The%202021%20Census%20counted%2076%2C400,since%202016%20(chart%201).)

³⁸ City of Hamilton, "Diseases & Conditions", (21 February 2021), online: <https://www.hamilton.ca/people-programs/public-health/diseases-conditions>.

³⁹ CBC News, "Soaring temperatures prompt heat warning for Hamilton" (6 June 2021), online: <https://www.cbc.ca/news/canada/hamilton/hamilton-heat-warning-1.6055299>.

AND WHEREAS section 436 of the Municipal Act, 2001, provides that a municipality may pass a by-law providing that the municipality may enter on lands at any reasonable time for the purpose of carrying out an inspection to determine whether a by-law of the municipality has been complied with;

AND WHEREAS sections 444 and 445 of the Municipal Act, 2001, provide that the municipality may make an order requiring the person who contravened the by-law or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred to discontinue the contravening activity or to do work to correct the contravention;

AND WHEREAS the City of Hamilton considers it necessary to regulate cooling in all rented or leased dwellings.

DEFINITIONS

1. In this By-Law:

“adequate and suitable cooling” means an indoor air temperature in the dwelling unit that does not exceed 26 degrees Celsius (26°C).

“dwelling unit” means one or more habitable rooms used or designed to be used for human habitation;

“habitable space” means a room or area used or intended to be used for living, sleeping, cooking or eating purposes and includes a washroom;

“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 clause (a), and

(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 this Act, including the right to collect rent;

“qualified tradesperson” is someone who is a licensed Refrigeration and Air Conditioning Systems Mechanic or Electrician, including apprentices of the trade, as per the Skilled Trade Public Register⁴⁰, or someone else who is qualified to professionally install the approved cooling device.

“tenant” includes a person who pays rent in return for the right to occupy a rental unit and includes the tenant’s heirs, assigns and personal

⁴⁰ Skilled Trades Ontario, “Public Register Search”, (2023), online: <https://services.skilledtradesontario.ca/STOportal/app/public-search>.

representatives, but “tenant” does not include a person who has the right to occupy a rental unit by virtue of being,
(a) a co-owner of the residential complex in which the rental unit is located, or
(b) a shareholder of a corporation that owns the residential complex;

ADEQUATE AND SUITABLE COOLING

2. (1) Adequate and suitable cooling shall be provided and maintained so that the room temperature at 1.5 metres above floor level and one metre from exterior walls in all habitable space and in any area intended for normal use by tenants, including recreation rooms and laundry rooms but excluding locker rooms and garages, is a maximum of 26°C.

(2) Subsection (1) does not apply to a rental unit in which the tenant can regulate the temperature and a maximum temperature of 26°C can be maintained.

(3) Every dwelling unit shall have cooling equipment capable of maintaining the temperature levels required by subsection (1).

(4) Only cooling equipment approved for use by a recognized standards testing authority shall be provided for use.

(5) The landlord is responsible for the safe installation of the approved cooling equipment by a qualified tradesperson.
3. Section 2 shall be implemented by the landlord within one year of the passing of this by-law.

6. OTHER RECOMMENDATIONS

These recommendations are suggested to be implemented **above and beyond** the model municipal by-law requiring adequate and suitable cooling by all landlords.

1. **Activate public spaces as temporary cooling centres during extreme heat events.** During a heat event, the City of Hamilton opens sites for residents to cool off. A map of these locations is posted publicly on their website.
2. **Provide free public transportation to cooling locations during an extreme heat event to increase accessibility.** As part of its Heat Response Plan, the City of Greater Sudbury provides free bus transportation to cooling centres.
3. **Distribution of bottled water to high-risk populations.** As part of its Heat Response Plan, the City of Greater Sudbury provides bottled water to vulnerable populations in conjunction with community partners, such as the

Red Cross and Salvation Army.

4. **Enhance protection of outside workers during extreme heat.** The City of Windsor in its Climate Adaption Plan will identify options to modify outdoor staff work schedules and/or move tasks to earlier in the day, or into shaded areas. Windsor will also provide sun protection options and investigate cooler uniform options.
5. **Mapping to identify vulnerable populations.** Heat vulnerability maps show where "hotspots" in the city overlap with populations who may be more vulnerable to heat. These maps allow community partners to deliver heat-related resources to those that need it most. Toronto Public Health has developed several heat vulnerability maps.
6. **Work with landlords and community organizations to establish a vulnerable persons registry to communicate with them and their caregivers proactively during extreme weather.** Durham Public Health gives local municipalities and community partners early notification of extreme heat events who then provide services for vulnerable individuals. An email is posted on their webpage for organizations to subscribe to early notifications.

The following amendments should also be made to the Ontario *Residential Tenancies Act*:

7. **Section 15 of the O. Reg. 517/06 should be amended to include maximum heat protections.** Maximum heat protections should be passed by the province to ensure all tenants across the province are protected from the health impacts of extreme heat.
8. **Any ongoing cost to the tenant for adequate and suitable cooling should only reflect the actual cost of the additional service.** The *Residential Tenancies Act* should explicitly prevent landlords from charging more for ongoing cooling services than the actual monthly cost of the service.
9. **Any term of a lease restricting the ability of tenants to cool their units should be declared void by the *Residential Tenancies Act*.** An amendment to the *Residential Tenancies Act* should recognize that previous agreements restricting the use of air-conditioning by renters shall be considered void.

Targeted federal and provincial programs should be created to assist landlords with meeting the requirements of the by-law.

10. **Provincial and federal funding for energy retrofit programs should explicitly include building upgrades to provide cooling.** Currently, there are a number of programs available to assist the owners of large buildings with energy retrofits. Those programs should be widened and targeted to low-income rental

properties. Those programs should explicitly include funding for retrofits to allow for cooling as a critical climate adaptation measure.

Ontario Electricity Support Program should account for any increase in costs to tenants from cooling.

11. **The Ontario Energy Board should increase the Ontario Electricity Support Program on-bill credit amount to reflect any higher electricity usage to adequately cool dwelling units.** The Ontario Electricity Support Program provides on-bill credit amounts for eligible electricity users. The program is reviewed every three years. At the next review, the Ontario Energy Board should review on-bill credit amounts to ensure it reflects the cost of using air-conditioning in summer months.

7. FINANCIAL RESOURCES

Below are some financial resources available to the City and/or to landlords to assist with complying with the new by-law.

City Enrichment Fund Environment Program Handbook

Objective: To support projects and programs that promote clean air, water, and soil, protect and enhance biodiversity, provide access to natural spaces, and address the challenges of climate change, either by reducing greenhouse gas emissions or by building resilience to climate change impacts.

Details: <https://www.hamilton.ca/sites/default/files/2022-08/cityenrichmentfund-2023-cef-environment-handbook.pdf>

Home Energy Retrofit Opportunity

Objective: While there was no progress by staff on this project until 2021, City Staff have now been given approval to seek a FCM grant to design a HERO program for Hamilton.

Details: <https://www.environmenthamilton.org/hamiltonhero>

The Canada Greener Homes Initiative

Objective: The Canada Greener Homes Initiative provides grants and a loan for home evaluations and for retrofits. The eligible retrofits include home insulation, windows and doors, air sealing, and mechanical and renewable energy systems.

Details: <https://www.nrcan.gc.ca/energy-efficiency/homes/canada-greener-homes-grant/start-your-energy-efficient-retrofits/all-about-the-canada-greener-homes-initiative/23476>

Green Municipal Fund

Objective: The FCM has the Green Municipal Fund with multiple various funding opportunities. Most of them are GHG focused, there are other "retrofit" opportunities, however, none for individuals (in other words, the funding is for municipal governments or NFPs).

Details: <https://fcm.ca/en/funding>

- **Community Efficiency Financing**
<https://greenmunicipalfund.ca/community-efficiency-financing>

National Adaptation Strategy

Objective: The Government of Canada will invest in new measures help rapidly scale up efforts to protect individuals, communities and health systems from climate change impacts. Federal investments to build resilience in the health sector include up to \$30 million over five years to expand Health Canada's Protecting Canadians from Extreme Heat program to provide the best available guidance and resources to Canadians in addressing extreme heat.

Details:

<https://www.canada.ca/en/services/environment/weather/climatechange/climate-plan/national-adaptation-strategy.html>

- **New: Protecting Canadians from Extreme Heat**
Increases Canada's ability and capacity to adapt and reduce health risks from extreme heat, including by supporting the [Heat Alert and Response Systems](#). New Investments in this program will fill critical evidence and guidance gaps hindering adaptive action at local, provincial and territorial levels - particularly to adapting to indoor heat.
- **Natural Infrastructure Fund: Supporting projects that use natural or hybrid approaches, such as urban tree canopies, to protect the natural environment and support healthy and resilient communities.**
- **New: Disaster Mitigation and Adaptation Fund**
Funding to support community infrastructure to build resilience to natural hazards, including extreme heat.