

July 28th, 2026

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RE: Item #16.2 - A Notice of Motion regarding expanding cooling requirements and cooling amenity spaces in apartment buildings

The Canadian Environmental Law Association (CELA) is writing to support the notice of motion, item #16.2. Climate change is a public health and equity crisis. Indoor temperatures above 26°C have been identified as unsafe. In particular, CELA calls for the City of Mississauga to expand its property standard for cooling to all rental units.

Extreme Heat is a Public Health Crisis

Canada's National Adaptation Strategy identifies extreme heat events as the deadliest weather-related events in Canada. It includes a target of eliminating all heat-related deaths by 2040.¹

Health Canada recommends an upper indoor temperature limit of 26°C to reduce adverse health effects, particularly for older adults. Health Canada notes in its analysis that as climate change accelerates, implementing indoor temperature limits is "critical to reducing preventable heat-related health risks".²

Numerous life-threatening conditions may arise if an individual is exposed to extreme heat and if a human body cannot maintain its core temperature of approximately 36.6°C due to excessive external heat. Such conditions may include dehydration, skin rashes, cramps, heat exhaustion, or heat stroke.³

Extreme heat events may in some cases lead to death. 619 people died from heat exposure in 2021 in British Columbia during an extreme heat event. 98% of the deaths occurred indoors.⁴ 90% of the people who died were over the age of 60. Most of the people who died did not have adequate

¹ Government of Canada, "Canada's National Adaptation Strategy" (1 August 2023), online: <<https://www.canada.ca/en/services/environment/weather/climatechange/climate-plan/national-adaptation-strategy/full-strategy.html>>.

² Health Canada, *Guidance on Indoor Temperature for Older Adults*, June 2026, pp. 4, 12, online: [guidance-upper-indoor-temperature-limits-protecting-older-adults.pdf](#).

³ British Columbia Coroners Service, "Extreme Heat and Human Mortality: A Review of Heat-Related Deaths in B.C. in Summer 2021" (7 June 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> ["British Columbia Coroners Service"].

⁴ Government of British Columbia, "Extreme Heat and Human Mortality: A Review of Heat-Related Deaths in B.C. in Summer 2021" (June 7, 2022) at 5, online: <[Extreme Heat Death Review Panel Report](#)>. ("Extreme Heat Death Review Panel")

cooling systems. Notably, deaths were higher among those living in socially or materially deprived neighborhoods with poor-quality housing. Unhoused individuals and overall deprivation were also identified as risk factors for increased mortality rates.⁵

The Chief Coroner of British Columbia explicitly identified high indoor temperatures as the primary cause of injury and death during the 2021 extreme heat event.⁶

During this time, hot air became trapped indoors and continued to rise over time. Although outdoor temperatures decreased overnight, residences did not cool off, exposing people to harmful high temperatures for extended periods of time. The BC Centre for Disease Control (BCCDC) identified that **people were most in danger when indoor temperatures remained above 26 degrees throughout the heat event.**⁷

Why a Maximum Temperature by-law is Essential

Tenants are vulnerable to the impacts of extreme heat. They often live in older apartment buildings or high-rise buildings that lack air conditioning and cannot be easily cooled, and they typically do not have the authority to install central air conditioning or high-powered AC units on their own.⁸ Many lower-income tenants also cannot afford the upfront cost of purchasing an AC unit or the higher electricity costs of running AC if they have it. A maximum temperature by-law would address this gap by requiring landlords to provide and maintain a safe level of cooling in rental homes, essentially the mirror image of municipal minimum heat standards that protect tenants in winter.

Cooling Rooms or Cooling Centers are Inadequate

Researchers looked at the physiological impacts of temporary periods of cooling during a heatwave and determined that the benefits of temporary cooling were transient. In a simulated 9-hour heat wave, older adults who had access to air conditioning for two hours saw temporary benefits but ultimately their core body temperatures were statistically equivalent with older adults who did not access air conditioning when they returned to a hot environment.⁹

A recent systematic literature review in *Oxford Open Climate Change* concluded:

“Mechanistically, cooling centres have intuitive appeal as an intervention to protect public health during adverse hot weather. ... However, the available data did not allow the authors to identify how long or at what time of day a visit to cooling environment was most effective (considering the potential dangers of nighttime heat stress) or how to promote use of cooled spaces (especially by the most vulnerable). *Whilst we know cool environments*

⁵ Extreme Heat Death Review Panel at 17.

⁶ Extreme Heat Death Review Panel at 22.

⁷ Extreme Heat Death Review Panel at 22.

⁸ ACORN Tenant Union, “Engaging Tenants in Climate Action” (July 2024), online: <<https://acorncanada.org/wp-content/uploads/2024/07/Ottawa-Climate-Report-2024.pdf>>.

⁹ Robert D. Meade et al., “Efficacy of Cooling Centers for Mitigating Physiological Strain in Older Adults during Daylong Heat Exposure: A Laboratory-Based Heat Wave Simulation” (2023) 131:6 *Environmental Health Perspectives*.

reduce heat stress it is not clear that cooling centres are an effective, efficient or equitable means to achieve this for a given population, especially with regards to protecting those most vulnerable to adverse heat.” [emphasis added]¹⁰

Public cooling centers, such as libraries, community centers, or malls, are not an adequate solution to extreme heat on their own, especially for people with disabilities, mobility challenges, or those without reliable access to transportation.¹¹ The British Columbia Coroner’s Report found that people with mobility issues may not be able to access cooling centres. Solutions must focus on cooling for people who cannot easily leave their residences for health or mobility reasons.¹²

Moreover, cooling centers do nothing to help people cope with stifling indoor heat at night, when they need to sleep. Advocates for the residents of long-term care facilities and other seniors’ homes called common cooling areas “effectively useless”, since most residents stay in their rooms.¹³

Complementary Measures are Well Understood and Should Move Forward at the Same Time as the By-Law

The provincial *Residential Tenancies Act, 2006*, SO 2006, c 17 (“RTA”) and the above guideline rent increase regime are unfair to tenants and should be reformed by the provincial government. However, the urgent public health need for mechanical cooling in tenants’ homes must be addressed and cannot wait for provincial reform. The following complementary measures are recommended to mitigate the costs for tenants of cooling requirements.

- Tenant Support Programs

The focus of tenant support programs should be on low-income tenants. We recommend the adoption of a program that would assist low-income tenants with the costs of any above guideline rent increase associated with compliance with the by-law. At the same time, we recommend that the city promote existing programs that may provide assistance, including the Save on Energy – Energy Affordability Program, which in some circumstances provides free mechanical cooling to low-income tenants along with other free energy efficiency upgrades, and the Ontario Electricity Support Program.

- Funding Assistance to Landlords

Above Guideline Rent Increase Regime under the RTA

¹⁰ Charles Dearman et al., “Public health effectiveness of cooling centres during periods of adverse hot weather: a systematic literature review” (2025) 5:1 Oxford Open Climate Change.

¹¹ Brishti Basu, “They were trying to figure out how to stay alive: Disability advocates slam heatwave response” (7 June 2022), online: <<https://www.capitaldaily.ca/news/disability-advocates-slam-heatwave-response>>.

¹² Government of British Columbia, “Extreme Heat and Human Mortality: A Review of Heat-Related Deaths in B.C. in Summer 2021” (7 June 2022) at 11.

¹³ Katherine DeClerq, “All Ontario long-term care homes now have air conditioning, but not all have them in resident rooms” (27 May 2021), online: <<https://toronto.ctvnews.ca/all-ontario-long-term-care-homes-now-have-air-conditioning-but-not-all-have-them-in-residentrooms>>.

Above guideline rent increases are only available if an eligible capital expenditure is made.¹⁴ A “capital expenditure” is defined as an extraordinary or significant renovation, repair, replacement or new addition.¹⁵ The maximum increase allowed above the guideline is 3% per year.¹⁶

Tenant advocates stress that some landlords are already seeking the maximum above guideline rent increase per year. Those actions are causing serious harm and are a key reason why reform of the provincial legislation is necessary. However, for the purpose of the City of Mississauga’s analysis of possible above guideline rent increases associated with a new property standard, complementary measures should be focused only on additional above guideline rent increases and not on all above guideline rent increase applications, many of which are taking place regardless of action to address extreme heat.

Landlords are also already not permitted to utilize both financial assistance and the above guideline rent increase regime. Section 22(1)(2)(i) of O. Reg 516/06 requires landlords to disclose all information regarding grants and assistance from any level of government.¹⁷ Importantly, s.26(5) of O. Reg 516/06 provides that the amount of a capital expenditure cannot include grants or financial assistance received by the landlord for that work:

Subtract from the amount determined under paragraph 1 **any grant or other assistance from any level of government** and any insurance, salvage, resale or trade-in proceeds related to the work undertaken or the item purchased.¹⁸ [emphasis added]

Assistance Should be Provided to Landlords

A key mechanism to avoid additional above guideline rent increases is to provide funding assistance to landlords. Existing municipal programs should be reviewed to ensure that landlords can easily access existing funding and use that funding for mechanical cooling upgrades.

During an initial compliance period, CELA recommends that the City of Mississauga hire and make available staff persons to assist landlords. Landlords would benefit from advice about what existing programs apply to them and what approach to cooling would work well for their building type. Landlords could be assisted with applications for financial assistance from the Federal, provincial and municipal government.

The Cost of Doing Nothing

Any analysis of a maximum temperature standard in Mississauga should also include an estimate of the health and financial costs of doing nothing. The status quo is very dangerous and itself has high costs which are being borne by the City of Mississauga and its tenants.

¹⁴ *Residential Tenancies Act, 2006*, SO 2006, c 17 (“RTA”), s.126(1)(2)

¹⁵ O. Reg. 516/06, s. 18(1). Online: <[O. Reg. 516/06 GENERAL | ontario.ca](http://www.ontario.ca)>

¹⁶ RTA, s. 126(11)

¹⁷ O. Reg 516/06, s. 22(1)(2)(i)

¹⁸ O. Reg 516/06, s. 26(5)(2)

Conclusion

Although low-income communities across the city are not responsible for climate change, they are disproportionately impacted by its effects. Climate change is causing extreme heat events to become more frequent, more lengthy and more severe. Extreme heat can be deadly, particularly in rental housing with no cooling infrastructure in place and where indoor temperatures soar above 26 degrees Celsius for long periods of time.

The Ontario Human Rights Commission stated that access to cooling during extreme heat waves is a human rights issue.¹⁹

New Westminster in British Columbia recently passed a maximum temperature by-law. The staff report supporting the by-law focuses on the dangers of overnight heat.²⁰

CELA appreciates that the City of Mississauga is examining ways to better protect tenants from extreme heat. A by-law which sets a maximum indoor temperature of 26 degrees Celsius in all rental units is urgently needed.

Yours truly,

CANADIAN ENVIRONMENTAL LAW ASSOCIATION



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¹⁹ Ontario Human Rights Commission, “OHRC Statement on Human Rights, Extreme Heat Waves and Air Conditioning”, August 19, 2022. Online: <[OHRC statement on human rights, extreme heat waves and air conditioning | Ontario Human Rights Commission](#)>

²⁰ City of New Westminster, Report to Council, March 20, 2026. Online: <[Business Regulations and Licensing \(Rental Units\) Bylaw Cooling Amendments and Next Steps](#)>