Safe Temperatures in BC Rental Housing

Municipal and Provincial Policy Pathways

COMMUNITY ENERGY PROGRAM

Josephine Schrott, Senior Program Manager & Policy Analyst

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Contents

Executive Summary

Dangerous indoor temperatures are an increasingly urgent problem. While cold snaps and chronic underheating issues continue to impact people in their homes, summer temperatures are increasing. Heatwaves and wildfires are among the top three climate hazards that households in British Columbia are facing. Temperatures will continue to rise, as will the associated healthcare, economic, and social costs.

Extreme heat precipitates not only immediate medical emergencies, making the 2021 Pacific Northwest heat dome the deadliest weather incident in Canadian history, but also causes heat-related injuries that can persist for years. These devastating impacts can be mitigated by ensuring people can maintain safe temperatures in their homes. Additionally, heat can overlap with increasingly common wildfire smoke events, worsening air quality. These events make cooling, ventilation, and air filtration systems a requirement to avoid adverse health impacts. However, renter households are significantly constrained in their ability to adapt and improve climate resilience due to limited agency and power.

This report outlines potential policy pathways to improve the thermal safety of renters in their homes within the province of British Columbia (BC), Canada, focusing on:

- Small residential buildings (three storeys or less, <600 sqm footprint; corresponding to Part 9 of the BC Building Code), including small multi-unit apartment buildings, row homes, semi- and single-detached homes
- Electrification and low-carbon resilience
- Policy opportunities for BC municipalities, especially Standards of Maintenance bylaws
- Provincial policy opportunities

We expect that in BC, electrification of space heating and cooling by means of heat pumps is sufficient to ensure thermal safety in most Part 9 buildings. Passive cooling and energy efficiency measures should be pursued prior to or alongside mechanical cooling to increase resiliency and reduce energy demand and costs, but usually, only mechanical cooling can guarantee bringing overheated hours down to zero. Therefore, the policy pathways considered address not only temperatures and cooling but also building decarbonization and energy performance. Further, we consider the potential impacts of these policies on renters, including the cost of rent, utility bills, and the availability of housing. Approaches for tracking, protecting, and improving the safety of rental housing are outlined to mitigate adverse consequences.

Policy pathways are detailed, along with their status (as of fall 2025) in BC, and examples from other jurisdictions. The assessed policies are:

- Right to cool – prohibiting unreasonable cooling bans
- Rental Standards of Maintenance (SoM) – specifying standards for healthy and safe housing
- Rental licensing – to fill data gaps, inform decision-making, and implement/enforce standards

- Retrofit code and existing buildings renewal – bringing existing buildings up to better standards
- Equipment standards – to ensure improvements in space and water heating equipment at the time of replacement
- Rental energy performance standards – to increase energy efficiency in rental housing
- Energy and adaptation labels and ratings – to make visible the invisible elements of a home's efficiency and resilience, providing better transparency of costs and risks for both buyers and renters

We explore and recommend the following policy actions:

Provincial policy:

- Immediate actions:
    - Update the *Residential Tenancy Act*, *Strata Property Act*, and *Manufactured Home Park Tenancy Act* to include a right to cool
    - Update the provincial Standards of Maintenance (SoM) guide and sample bylaw to address health and safety issues stemming from common climate hazards
    - Expand short-term rental licensing to all rental units
- Longer-term actions:
    - Implement Highest Efficiency Equipment Standards (HEES) for space and water heating
    - Require energy rating/disclosure, and expand to include climate adaptation
- Update the *Residential Tenancy Act, Strata Property Act*, and *Manufactured Home Park Tenancy Act* with requirements to address survival of high-priority climate hazards.
- Develop an alterations code/existing buildings renewal strategy

Municipal policy

- Adopt Standards of Maintenance bylaws
    - Include a right to cool (including active and passive cooling, ventilation, air filtration)
    - Include a minimum and maximum temperature limit for rental units
- Ensure enforcement options are available
- Pursue complementary housing, energy retrofit, community planning, and emergency preparedness actions

We detail the powers and tools that BC municipalities have to develop and strengthen thermal safety policies locally. The appendices provide further information on the Canadian and BC housing, mitigation, and adaptation policy context (Appendix A); an overview of municipal Standards of Maintenance in BC (Appendix B); and additional resources on the topics covered in this report (Appendix C).

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Context

As extreme heat and air quality events become more common in the province of British Columbia (BC) and across Canada, tenants, who make up one third of Canadian households, will be at high risk of adverse health impacts. Tenants are systematically disadvantaged, having little to no agency to improve the health, safety and comfort of their homes by undertaking retrofits that would improve temperatures, air quality, and energy efficiency. Rental buildings present one of the most challenging markets for electrification, due to technical barriers and an unclear or insufficient business case for reducing emissions or improving health and safety in profit-driven housing.

Policies and regulations that facilitate or mandate safe temperatures and good air quality for tenants also present significant opportunities to electrify rental buildings through all-electric heating and cooling technologies such as heat pumps. Municipal governments in BC have been exploring ways to pursue such measures, including right to cool and maximum temperature bylaws, and have been calling for provincial-level action.

This work builds on our 2024 research report on Advancing Tenants' Rights to Retrofits and Energy Efficiency, along with the growing body of research produced in the wake of the 2021 Pacific Northwest heat dome. We aim to assist municipal and provincial governments in implementing policies that are specifically targeted toward preserving a safe indoor thermal environment for occupants of rental buildings, while encouraging electrification of space heating and cooling as a cost-effective compliance pathway. While much of this information applies to all building types, we have sought to supplement work focused on large multi-unit residential buildings (MURBs) with findings specific to small-MURBs and detached homes whenever possible.

Thermal safety

By thermal safety, we mean temperatures that are safe for the occupants of a home to live in – enough but not too much heat – to prevent negative health impacts of both under- and overheating. It can be operationalized by measuring indoor temperatures, with air temperatures below the range of 18-21°C being too cold, and over 26°C being too hot. Related concepts include:

- **Thermal comfort**: The narrower range of temperatures and related variables (e.g., humidity, airflow) at which people feel comfortable with the level of heat in a space.
- **Thermal resilience**: Maintaining comfortable and safe temperatures over the lifetime of a building, especially during and after challenges such as extreme weather or power outages.
- **Passive survivability**: How long a building can maintain safe indoor temperatures during a power or water outage.[1]

[1] Liyanage, D. R. et al. (2024). Thermal resiliency of single-family housing stock under extreme hot and cold conditions, *Energy & Buildings, 323*, p. 3.

The safety of temperatures is influenced by humidity, airflow, solar and reflected radiation, and radiant heat variables, as determined by:

- Outdoor conditions, including weather, green space, and shading from trees and other buildings.
- Building variables such as orientation, insulation, shading, ventilation, heating and cooling.
- Occupants, including how many people, their activity in the space, and what they are able to do to adjust the indoor temperature.

It is well documented that **cold housing contributes to excess winter mortality and morbidity** (disease).[2] Low indoor temperatures impact cardiovascular and respiratory health, negatively affect mental health, can exacerbate health conditions, and have other wide-ranging impacts on well-being, including playing a role in social isolation and food insecurity.[3] Underheating also makes moisture and mould issues in the home more likely.[4] The World Health Organization (WHO) recommends 21°C in living rooms and 18°C in bedrooms, and multiple studies suggest 18°C as a minimum to avoid adverse health impacts.[5] 26°C is suggested as a maximum, with temperatures below this threshold generally considered safe for most people, though this is not true for all, including some medically vulnerable people.[6]

Health risks from extreme heat include cardiovascular illness and collapse, dehydration leading to kidney injury and failure, heat stroke, and lung damage, all of which can be fatal. While these health consequences are noticeable more quickly following exposure than indoor cold-related impacts, research has found that "cognitive and organ dysfunction can persist for years," increasing the affected person's risk of death by two to three times for decades after the event.[7]

Recent analysis of the 2021 heat dome in BC – the deadliest weather event in Canadian history[8] – found that Vancouver-area emergency departments saw hundreds more visits per day (including during the heat event and the week following it), and hospitalizations more than doubled. The largest

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[2] Janssen, H. et al. (2022). Cold Homes and Their Association with Health and Well-Being: A Systematic Literature Review. *WHO Collaborating Centre on Investment for Health and Well-being, Public Health Wales NHS Trust.*
Green, K. L. (2024). Interventions for cold homes: a rapid review of the health impacts, *European Journal of Public Health*, 34(4), pp. 682–695.

[3] The Marmot Review Team (2011). The Health Impacts of Cold Homes and Fuel Poverty. *Department of Epidemiology & Public Health, University College London.*

[4] Howden-Chapman, P. et al. (2023). Review of the Impact of Housing Quality on Inequalities in Health and Well-Being, *Annual Review of Public Health, 44,* p. 236.

[5] Jevons, R. et al. (2016). Minimum indoor temperature threshold recommendations for English homes in winter - A systematic review. *Public Health, 136*, pp. 4-12.

[6] McKeown, D. (2015). Update on Extreme Heat and Maximum Indoor Temperature Standard for Multi-unit Residential Buildings. *Medical Officer of Health, Toronto Public Health.*
British Columbia Coroners Service (2022). Extreme heat and human mortality: A review of heat-related deaths in B.C. in summer 2021, p. 22.

[7] Ebi, K. L. et al. (2021). Hot weather and heat extremes: health risks, *The Lancet, 398*(10301), pp. 698-708.

[8] Gomez, M. (2021, October 2). June heat wave was the deadliest weather event in Canadian history, experts say. *CBC News.*

increases in diagnoses were of heatstroke and sunstroke (7,174%), dehydration (386%), and acute kidney injury (148%). The severity of illness increased as well, with visits coded to the highest acuity (Canadian Triage and Acuity Scale Level 1 – Resuscitation, requiring immediate aggressive intervention) increasing by 152%. This analysis did not include assaults[9] (including intimate partner violence[10]) or self-harm,[11] which are also known to rise as a result of heat.

The human body cools itself first by increasing peripheral blood flow, and next, at higher core temperatures, by sweating, the effectiveness of which is reduced if relative humidity is high. Depending on the intensity and duration of exposure, these cooling efforts can overtax the body, resulting in the above health consequences. Research has found that temporary cooling, such as provided by cooling centres, reduces cardiovascular strain while in the cool space, but benefits abate quickly as people return to a hot environment.[12]

People can acclimate to heat physiologically, to an extent, within weeks. This allows those in warmer climates and those living in warmer, unconditioned spaces to tolerate higher temperatures. It also results in greater impacts from extreme heat events earlier in the summer, when people have not yet acclimatized to warmer weather.[13] Another important variable involves **nighttime heat exposure.** This can be particularly consequential[14] because:

- Nighttime exposure impedes the ability to recover from heat stress from the day,[15] increasing morbidity and mortality,[16] especially among the elderly.[17]
- The option to avoid the heat by going to cooled public spaces is generally not available overnight.
- Nighttime heat impairs sleep, with wide-ranging health and well-being consequences.

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[9] Choi, H. M. et al. (2024). Temperature, Crime, and Violence: A Systematic Review and Meta-Analysis. *Environmental Health Perspectives, 132*(10), p. 7.
[10] Sanz-Barbero, B. et al. (2018). Heat wave and the risk of intimate partner violence. *Science of the Total Environment, 644*, pp. 413-419.
[11] Zhao, H. et al. (2024). Self-harm and interpersonal violence due to high temperature from the global burden of disease study 2019: A 30-year assessment. *Environmental Research, 243*.
[12] Meade, R. D. et al. (2023, June 1). Efficacy of Cooling Centers for Mitigating Physiological Strain in Older Adults during Daylong Heat Exposure: A Laboratory-Based Heat Wave Simulation, *Environmental Health Perspectives, 131*(6).
[13] Laouadi, A. et al. (2022, Feb. 16). *Climate resilience buildings: guideline for management of overheating risk in residential buildings*. *National Research Council Canada*, p. 8.
[14] Peacock, A. D. et al (2010). Investigating the potential of overheating in UK dwellings as a consequence of extant climate change. *Energy Policy, 38*(7), 3277–3288.
[15] Kovats, R. S., & Hajat, S. (2008). Heat stress and public health: A critical review. *Annual Review of Public Health, 29*(1), 41–55.
[16] Anderson, M. et al. (2013). Defining indoor heat thresholds for health in the UK. *Perspectives in Public Health, 133*(3), 158–164.
[17] Murage, P. et al (2017). Effect of night-time temperatures on cause and age-specific mortality in London. *Environmental Epidemiology, 1*.

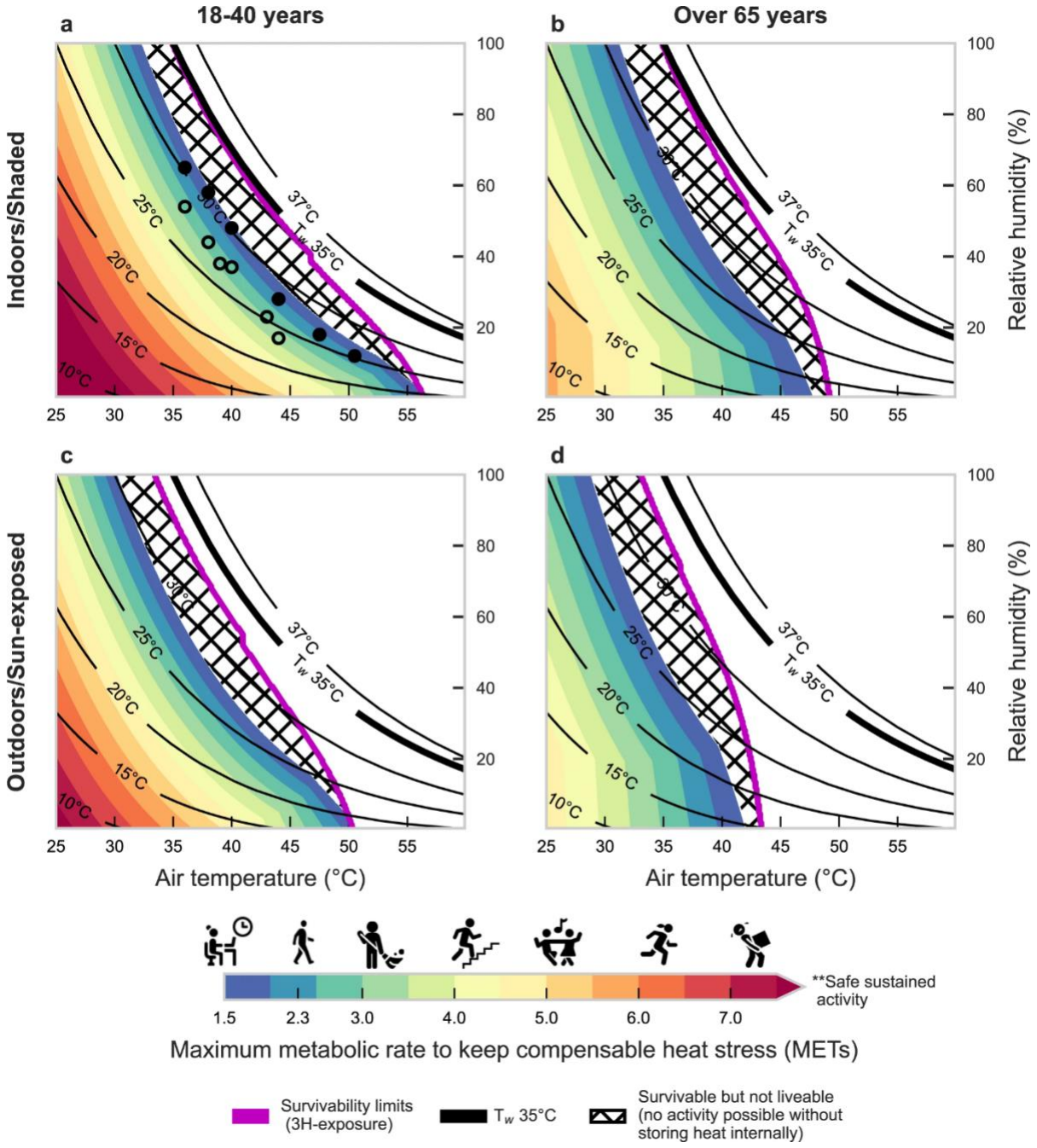
Health risks and impacts differ between people, including based on their **vulnerability**, which refers to how susceptible a person or community is to a hazard such as unsafe indoor temperatures.[18] Vulnerability results from the combination of:

- **Exposure**, e.g., climate, quality of housing, physical location, sun exposure, duration and intensity of exposure.
- **Sensitivity**, e.g., age, sex, chronic/mental illness, taking certain medications/drugs, pregnancy.
- **Ability to adapt**, e.g., income, control over home (low for tenants), disability, options to reduce activity or number of people in the space, and window operability.

To address these vulnerability factors, researchers are working to gather more data on the differences within neighbourhoods and buildings, and among demographic groups. One example is HeatWatch, which, while not currently available in Canada, lets users create personal heat health risk forecasts and cooling recommendations based on the user's risk categories, activity level, clothing, and sun exposure.[19] Other projects include HeatSuite,[20] an integrated environmental, physiological, and behavioural data monitoring platform for at-risk individuals, or Ethos, an in-home monitoring device for older adults.[21] Efforts such as these could enable more individualized and situationally relevant heat warning systems.

Air temperature and relative humidity limit safe levels of physical exertion, as illustrated by the figures below.[22] In hotter, more humid conditions, it is more difficult for the body to maintain thermal equilibrium than in drier, cooler conditions. People reach liveability limits more quickly when exposed to the sun (graphs c and d), in contrast with being in the shade (graphs a and b), and populations over 65 years of age (graphs b and d) have significantly lower limits than younger adults (graphs a and c).

[18] United States Environmental Protection Agency (Jan. 3, 2025). Understanding the Connections Between Climate Change and Human Health. Accessed via *Internet Archive*.
[19] Tartarini, F., and Jay, O. (2022). *HeatWatch. Heat and Health Research Centre, Faculty of Medicine and Health*. The University of Sydney.
[20] Ravanelli, N., et al. (2025). Evaluating compliance with HeatSuite for monitoring in situ physiological and perceptual responses and personal environmental exposure. *npj Digital Medicine, 8*.
[21] Oberai, M. et al. (2025). A digital heat early warning system for older adults. *npj Digital Medicine, 8*.
[22] Vanos, J. et al. (2023). A physiological approach for assessing human survivability and liveability to heat in a changing climate. *Nature Communications*, 14(1). Image reproduced under CC BY 4.0.


a
18-40 years
b
Over 65 years
Indoors/Shaded
c
d
Outdoors/Sun-exposed
Relative humidity (%)
Air temperature (°C)
10°C
15°C
20°C
25°C
30°C
37°C
Tw 35°C
**Safe sustained activity
1.5
2.3
3.0
4.0
5.0
6.0
7.0
Maximum metabolic rate to keep compensable heat stress (METs)
Survivability limits (3H-exposure)
Tw 35°C
Survivable but not liveable (no activity possible without storing heat internally)

A note on **rural communities:** While the urban heat island effect is well documented, it should not be assumed that rural areas will be less affected by overheating challenges. Research findings on rural heat impacts are mixed. Still, multiple studies have found greater vulnerability, higher rates of emergency department visits, and worse health outcomes from heat exposure than in urban areas.[23] Rural communities tend to have less access to health care and cooling centres, higher energy costs, and potentially greater heat exposure from outdoor work.[24] They may also have warehouses and large paved areas that can spike surface temperatures as much as urban downtowns.[25]

How is thermal safety achieved in buildings?

Many building components support thermal safety at both hot and cold outdoor temperatures, particularly when insulation and ventilation are well designed for both extremes, and do so more effectively when consciously designed for both extremes. Other measures address overheating only, and some of these may slightly increase heating demand in winter. Research indicates that combining multiple measures is most effective for addressing heat-health impacts.[26] The tables below summarize these.

[23] Lippmann, S. J., Fuhrmann, C. M., Waller, A. E., and Richardson, D. B. (2013). Ambient temperature and emergency department visits for heat-related illness in North Carolina, 2007–2008, *Environmental Research, 124,* p. 40.
Hess, J. J., Saha, S., and Luber, G. (2014). Summertime Acute Heat Illness in U.S. Emergency Departments from 2006 through 2010: Analysis of a Nationally Representative Sample, *Environmental Health Perspectives*, *122*(11), pp. 1209-1215.
Mendrinos, A. et al. (2024). Association between summertime emergency department visits and maximum daily heat index in rural and non-rural areas of Virginia (2015-2022). *Science of the Total Environment*, *948*.
Ahn, M., Keith, L., and Brown, H. E. (2025). Rural heat health disparities: Evidence from the U.S. National Emergency Medical Services Information System (NEMSIS). *The Journal of Climate Change and Health, 22*.
[24] Nicholas Institute for Energy, Environment & Sustainability, Duke University (n.d.). Rural Interventions. Retrieved March 24, 2025.
Molinsky, J. & Forsyth, A. (2023) Climate Change, Aging, and Well-being: How Residential Setting Matters, *Housing Policy Debate, 33*(5), p. 1037.
[25] United States Environmental Protection Agency (Dec. 10, 2024). What Are Heat Islands? Accessed via *Internet Archive.*
[26] Cartwright, A. et al. (2025). Housing conditions and the health and wellbeing impacts of climate change: A scoping review, *Environmental Research, 270*, p. 14.

Passive thermal safety measures	
Can address both cold and heat	**Heat-focused**
• Air sealing • Roof/attic insulation • Wall insulation (**with adequate ventilation**) • Natural ventilation • Temperature and humidity monitors and controls • High performance windows, low-E coatings • Insulating shades, e.g., cellular 'honeycomb' shades • Green roof/walls • Thermal energy storage, e.g., thermal mass hidden from summer sun, phase-change materials[27]	• Cool roofs, walls, and pavements • Heat controlling window films • Outdoor vegetation • Operable windows and enabling measures such as bug screens, bars for security if needed • Exterior shading – fixed or manually adjustable[28]
Active thermal safety measures	
Can address both cold and heat	**Heat-focused**
• Heat pumps • Mechanical ventilation, incl. bathroom and kitchen exhaust fans, ceiling fans, and HRVs/ERVs with summer bypass[29] • Solid-state heating & cooling • Backup power	• Exterior shading – mechanically adjusted • Air conditioners • Smart glass • Portable fans • Personal comfort systems (wearables, micro units)

[27] Wijesuriya, S. (2024). Enhancing thermal resilience of US residential homes in hot humid climates during extreme temperature events, *Cell Reports Physical Science, 5*(6101986).
[28] For comparison of shading options, see BC Housing (2019, June). BC Energy Step Code Design Guide Supplement S3 on Overheating and Air Quality, pp. 22-24.
A UK study found that "external shutters may reduce heat-attributable deaths by 30–60%:"
Taylor, J. et al. (2018). Comparison of built environment adaptations to heat exposure and mortality during hot weather, West Midlands region, UK, *Environment International 111*, pp. 287-294.
[29] BC Housing, Supplement S3 on Overheating and Air Quality, p. 28.

Mechanical cooling can prevent overheating in many situations provided there is power, and can address indoor air quality issues as well. However, passive measures would ideally be maximized before adding mechanical cooling, so that energy use, costs, and emissions are as low as possible. Passive measures are essential to ensure thermal safety during power outages, which are likely to increase because of the growing frequency of extreme weather events. Low-energy active solutions can help keep operating costs low, avoid overburdening the grid during extreme temperature events, and run on backup power in case of outages.[30]

Proactive occupant behaviour, particularly ventilating units by strategically opening windows, can significantly reduce overheating as well.[31] However, occupants may not be home at the optimal times of day to do so, may be physically unable, may not have sufficient operable window area, or may have security, noise, or pest concerns, all of which may limit their ability to intervene effectively.

Energy efficiency and overheating

While thermal safety from cold temperatures is very likely to be improved in energy efficiency and electrification upgrade scenarios, impacts on overheating are less straightforward. The key factor is often ventilation. Overall, high levels of insulation and airtightness can increase overheating risk if there is insufficient ventilation, for example, due to small or inoperable windows and in the absence of cross-ventilation options. However, the addition of roof insulation specifically has repeatedly been found to reduce overheating risk. [32]

A recent case study using a Canadian detached house archetype found that "high energy-efficient buildings can be more resilient to climate change than old buildings if adequate ventilation is provided" and that "natural ventilation in the high energy-efficient buildings is sufficient to reduce the overheating risk under the current climate but will require additional interior and exterior shading under future climates."[33]

Climate change impacts on thermal safety

We seek to integrate both **mitigation** – reducing greenhouse gas emissions (GHGs) to lower the severity of climate change, and **adaptation** – adjusting to the current and future effects of climate change to prevent harm from its impacts, with the aim of increasing climate **resilience** – anticipating, coping with, and recovering from these impacts with minimal damage.[34] Low-carbon resilience is

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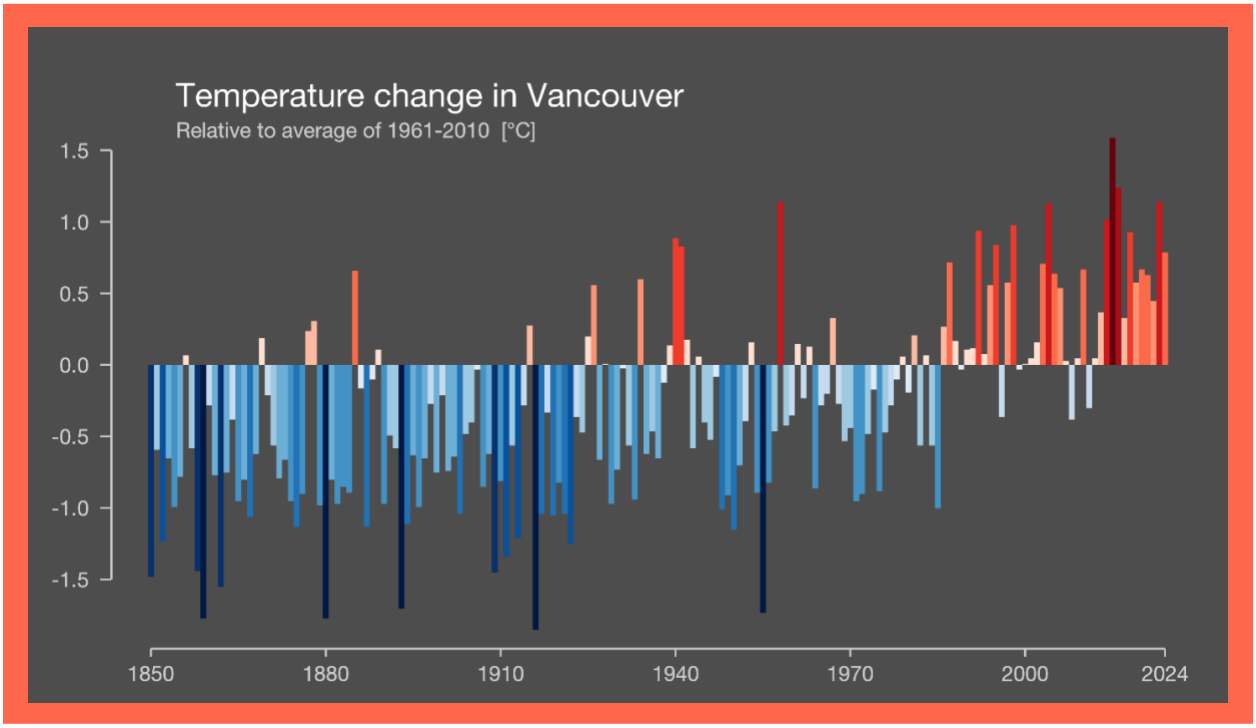
[30] Wijesuriya, Enhancing thermal resilience, p.1.
[31] Schuenemann, C. et al. (2020). Mitigation and adaptation in multifamily housing: overheating and climate justice, *Buildings and Cities, 1*(1), pp. 49.
[32] ARUP (2022). Addressing overheating risk in existing UK homes, p. 111.
[33] Baba, F. M. et al. (2022). Do high energy-efficient buildings increase overheating risk in cold climates? Causes and mitigation measures required under recent and future climates, *Building and Environment, 219*.
[34] Mehryar, S. (Sept. 12, 20222). What is the difference between climate change adaptation and resilience? *Grantham Research Institute on Climate Change and the Environment, The London School of Economics and Political Science.*

defined as “climate action that coordinates and mainstreams adaptation, mitigation, and co-benefits.”[35] See Appendix A for key climate policies in Canada and BC.

Severe wildfire seasons and heat waves are among the top three climate risks at the provincial level in BC.[36] Some of the key risks to the safety and health of people in their homes that are worsened by climate change are outlined below. All of these climate risks can also have secondary impacts on the electricity grid, causing strain due to increased space heating or cooling demand, or outages from damage to electrical infrastructure.

Heat

The chart below illustrates what many residents of the province have experienced — a shift toward warmer temperatures.[37] The temperature changes shown are relative to the average of the last half century. Most years since the 1990s have been hotter than this average.



[35] SFU Action on Climate Team (n.d.). Low carbon resilience. Retrieved Mar. 24, 2025.
[36] BC Ministry of Environment and Climate Change Strategy (2019). Preliminary Strategic Climate Risk Assessment for British Columbia, p. 23.
[37] Hawkins, E. (n.d.). #ShowYourStripes, *National Centre for Atmospheric Science, University of Reading*. Retrieved Sept. 5, 2025. Image reproduced under CC BY 4.0.

Overall temperature averages will continue to rise, increasing cooling degree days, the number and duration of heatwaves, and therefore, overheating risk. Cooling degree days (CDD) refer to how many degrees Celsius the mean temperature of any given day is above 18°C. Heating degree days (HDD), conversely, refers to the number of degrees a day's average temperature is below 18°C.

Cooling Degree Days[38] **Vancouver, BC** Increase calculated as compared to the 1995-2014 average	**1.5°C Scenario**	**3.0°C Scenario**
Absolute increase	+16 CDDs	+25 CDDs
Percent increase	+174%	+275%

According to BC Housing, "summer weather in Metro Vancouver will be similar by 2050 to present-day weather patterns in San Diego, California."[40] In the BC Interior, Kelowna's very hot days (30+ °C) will go from just over 20 days to 62 days annually, its warmest maximum temperature from 35°C to 40°C, and the average length of a heat wave from six days to 11 days in a 2051-2080 high carbon scenario.[41]

Heatwaves[39] **Vancouver, BC**	**1.5°C Scenario**	**3.0°C Scenario**
Number of heatwaves per year	6 heatwaves	8 heatwaves
Duration of annual longest heatwave in days	12 days	15 days

A recent Quebec study estimates a three-fold to five-fold increase in heat-related health costs in 2040–2069.[42] These include direct costs (including ambulance transports, emergency department visits, hospital admissions), indirect costs (wage loss), and intangible costs (loss of well-being and mortality).

Cold

While temperatures are rising, severe winter weather still occurs. More importantly, the largest fraction of temperature-attributable mortality is **moderate cold**; extreme cold, as well as moderate

[38] Wong, T. et al. (Sept. 17, 2024). What would cities look like with 3 degrees C of warming vs 1.5? Far more hazardous and vastly unequal. *World Resources Institute.*
[39] Ibid.
[40] BC Housing (2023, January). Technical Bulletin No. 3-2023 - Climate Adaptation and Resiliency: Extreme Heat and Smoke Mitigation and Reduction of Greenhouse Gas Emissions, p. 2.
[41] 2051-2080 high carbon scenario. Eyquem, J. L, and B. Feltmate. 2022. Irreversible Extreme Heat: Protecting Canadians and Communities from a Lethal Future. *Intact Centre on Climate Adaptation, University of Waterloo*, pp. 33-34.
[42] In an SSP2–4.5 scenario and SSP5–8.5 scenario, respectively. Boudreault, J. et al. (2025). Projecting the overall heat-related health burden and associated economic costs in a climate change context in Quebec, Canada, *Science of the Total Environment, 958*, p. 6.

and extreme heat represent far smaller proportions of deaths globally, including in Canada.[43] Underheating, even in mildly cold weather, will continue to negatively affect people's health and take lives.

Wildfire smoke

With increasing temperatures and decreasing summer precipitation, severe wildfire seasons are becoming more likely. The resulting fine particulate matter will impact indoor air quality particularly in homes that are not well sealed or lack adequate air filtration. The combination of heat and poor air quality can compound health impacts and force trade-offs such as prioritizing staying cool over clean indoor air.[44]

Precipitation and flooding

In BC, climate change is likely to increase precipitation and flood risk, as well as the number of days with a Humidex greater than 30. The Humidex, short for humidity index, is a measure combining air temperature and relative humidity, and at a Humidex above 30, it is recommended that people moderate outdoor activities. Increased precipitation and floods are likely to exacerbate moisture and mould issues in homes without adequate ventilation and humidity control, negatively impacting thermal safety and indoor air quality.

The interaction between temperature and humidity has significant impacts on thermal safety, particularly during extreme heat events. The table below shows historical median days per year with Humidex greater than 30, and the future estimated increase in above 30 Humidex days in a high emissions scenario (SSP5-8.5).[45]

Humidex above 30

Median days per year

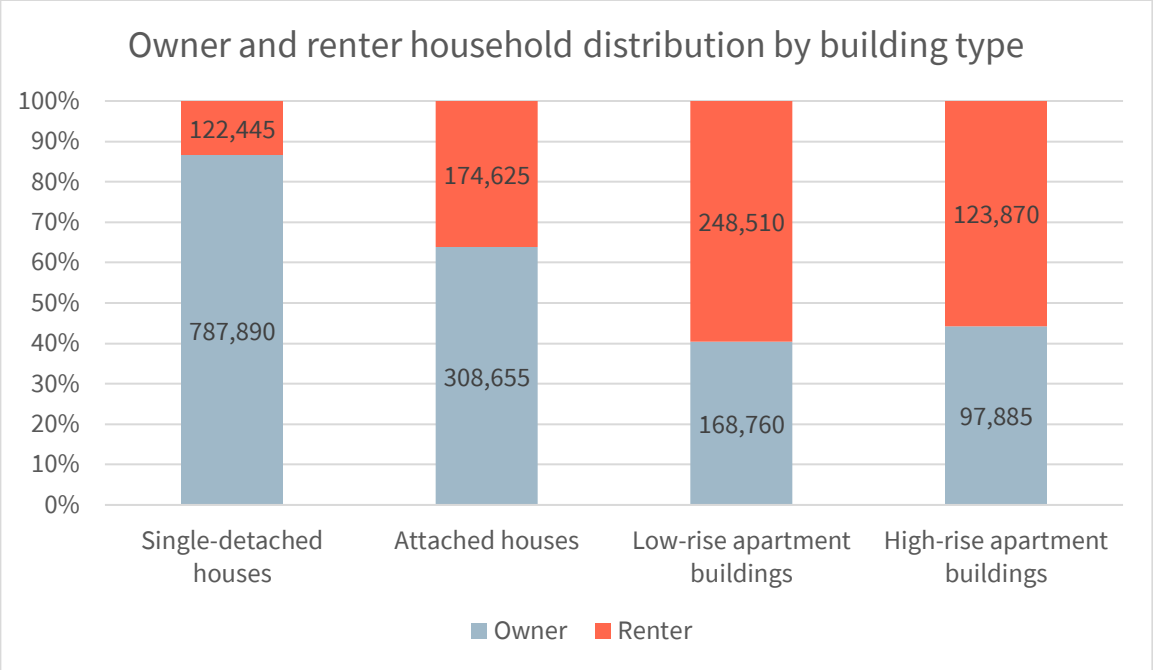
Location	1991-2020	2031-2060
Vancouver	14 days	+23 days
Campbell River	13 days	+20 days
Prince Rupert	1 day	+3 days
Kelowna	14 days	+22 days

[43] Gasparrini, A. et al. (2015). Mortality risk attributable to high and low ambient temperature: A multicountry observational study, *The Lancet, 386*(9991), pp. 369-275.
[44] BC Centre for Disease Control (2024, May). Wildfire smoke during extreme heat events, pp. 1-2.
[45] Climatedata.ca

All-electric cooling in Part 9 buildings

The 2021 Census found that of the two million occupied private dwellings in BC, the majority – at least 1.4 million (69%) – fall within Part 9 of the BC Building Code.[46] Part 9 covers small buildings with three or fewer storeys and a floor area of 600m^2 or less, including semi-detached houses, row houses, triplexes/fourplexes, manufactured homes, and single-detached homes. Another 20% of dwellings are apartments in buildings with fewer than five storeys, meaning a portion of these would be considered Part 9 as well.

42% of dwellings in BC are single-detached houses. According to estimates by Pembina Institute, the vast majority (92%) of all buildings (including commercial/institutional) in BC are one- and two-family homes, and 80% of multi-unit residential buildings are low-rise Part 9.[47] In short, most people in BC live in single-family or small ground-oriented multifamily homes. While single-detached homes are largely occupied by owner households, 44% of all renter households live in single-detached or attached houses, and another 37% live in low-rise apartment buildings.



[48]

Building type categories in the above table combine categories used in Canada's census data as follows:

- Single-detached houses, including moveable dwellings.

[46] Statistics Canada (2023). Census Profile. *2021 Census.*
[47] Pembina Institute (2016). Building Energy Retrofit Potential in B.C., p. 11-12.
[48] Statistics Canada (2022, September 21). Table 98-10-0239-01. Structural type of dwelling by tenure: Canada, provinces and territories, census metropolitan areas and census agglomerations.

- Attached houses: Apartments/flats in duplexes, row houses, semi-detached houses, and other single-attached houses.[49]
- Low-rise apartment buildings: Buildings that have fewer than five storeys.
- High-rise apartment buildings: Buildings that have five or more storeys.

While conversations about overheating often revolve around apartment buildings, particularly high-rises with glazed facades due to their severe overheating issues, it is clearly also important to consider how ground-oriented buildings fare in terms of thermal safety.

Research on differences in thermal safety and overheating in varying building types in BC is limited. Additionally, while overheating variations between building types and ages are significant, variation within types may be an even bigger factor due to differences in insulation, orientation, and the surrounding built environment.[50]

Detached homes

The advantage of detached homes is that upgrades tend to be technically simpler, and electrical capacity issues are less complex to address. Simple load management switches can prevent the need for capacity upgrades and require less negotiation of the potentially competing priorities of many households. These homes will also tend to have more cross-ventilation options than apartment buildings, with a generally more complex interior layout and units that may only have access to one or two outside walls. Tenants in detached homes may also have more options to make changes to their suites where a good relationship with the building owner exists.

Thermal safety challenges in detached homes originally designed for single-family occupancy may arise when there are no separate thermostats in rented rooms or suites, leaving tenants without control over the temperature. Depending on their location, this can result in chronic underheating in colder parts of the home (e.g., north-facing, ground-floor, or basement suites) and chronic overheating in naturally warmer areas (e.g., top-floor and highly sun-exposed suites). Additionally, equitable and transparent sharing of utility costs in situations where metering is shared between multiple households can be challenging, and any changes, such as added cooling costs, may be difficult to divide in a satisfactory manner.

Multi-unit buildings

The Vancouver Indoor Air Temperature Survey found that without A/C use, temperatures in multi-unit ground-oriented buildings like duplexes and townhomes were higher (median highest 38.2°C) than in apartments, condos, or single-detached homes (median highest 34°C). As for unit size, research out of the UK found that "smaller houses and flats are generally at more risk of overheating than larger

[49] For definitions, see Statistics Canada (2017). Classification of residential structures.
[50] Mavrogiannia, A., et al. (2012). Building characteristics as determinants of propensity to high indoor summer temperatures in London dwellings, *Building and Environment, 55*, 117-130.

homes," and similarly, an overheating assessment in Finland confirmed smaller apartments to be at a higher risk.[51]

Passive and active cooling

Active cooling systems can usually guarantee thermal safety in extreme heat conditions when passive measures become insufficient. However, these systems become far more effective when combined with passive cooling measures, which reduce heat gain, slow the rise in indoor temperatures, reduce energy consumption, and improve safety during outages. These measures can also be combined and used strategically to reduce cooling costs where time-of-use electricity rates are in place.[52]

RDH Building Science has completed a comprehensive assessment of thermal comfort in MURBs in BC's Lower Mainland to identify cost-effective climate adaptation measures. Their work shows that only mechanical cooling brings overheated hours down to zero.[53] For existing low-rise buildings, where windows typically perform poorly, their findings suggest focusing on mitigating solar heat gain by upgrading to windows with a low solar heat gain coefficient and adding exterior shading, alongside mechanical cooling.[54] This reduces the need for excessive cooling energy or new electrical capacity and improves the chances that the system will meet peak cooling loads. RDH also suggest heat pumps with high-efficiency HRVs to address the lack of ventilation in most existing buildings. [55]

A meta-analysis of retrofits aimed at reducing GHGs in six low-rise MURBs in BC found convergence around air-source heat pumps, heat pump water heaters, HRV/ERVs, insulation, and double-pane windows—a bundle the research suggests is likely applicable to most buildings of this age and type in climate zones 4 and 5. In assessing the City of Vancouver's 20h and 200h overheating limits, all six design teams concluded that passive cooling would not be sufficient, and recommended heat pumps for this reason.[56]

In MURBs in BC's Lower Mainland, active measures and passive measures that reduce solar heat gain (e.g. shading, windows) have been assessed as highly effective, along with improvements to airflow.[57] It is also worth examining different types of mechanical cooling. Portable air conditioners (especially single-hose devices) are inefficient, and likely less able to prevent overheating than a properly sized

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[51] Arup (2022). Addressing overheating risk in existing UK homes, p. 111.
Farahani, A. V., et al. (2024). Overheating assessment for apartments during average and hot summers in the Nordic climate, *Building Research & Information, 52*(3), 273-291.
[52] Huang, Y. X. (2025). Transient cooling performance and parametric characteristic of active–passive coupling cooling system integrated air-conditioner, PV-PCM envelope, and ice storage, *Energy and Buildings, 329.*
[53] RDH Building Science (2020, May 13). UBC – Designing Climate Resilient Multifamily Buildings, p. 89.
[54] Ibid., p. 4.
[55] Ibid., p. 81.
[56] Gutland, M. et al. (2024). A meta-analysis of the schematic design process of deep retrofit projects, *Energy and Buildings, 324,* p. 11.
[57] Westerhoff Climate Strategies, Focal Engineering, and Introba (2025). Thermal Safety in Existing Multi-Unit Residential Buildings: A Policy Toolkit for Local Governments in BC's Lower Mainland, *Appendix B: Evaluation of Retrofit Options,* pp. 43-44.

heat pump system. A study monitoring overheating in New York City apartments found that apartments with window or portable air conditioners were significantly warmer than those with central or ductless A/C.[58]

While only active cooling can ensure thermal safety, particularly in an increasingly hot future, it is generally recommended to implement passive solutions before or alongside the addition of active cooling. This reduces electricity demand and costs, ensures right-sizing of active cooling equipment, can avoid electrical capacity upgrades, preserves grid capacity, and avoids exacerbating the urban heat island effect. A simulation looking at the effect of shading and ventilation on overheating during the 2021 Pacific Northwest heat wave found that, in some cases, these two passive measures could have eliminated dangerous temperatures, "reduced active cooling loads by up to 80%," and lowered "peak indoor air temperatures by approximately 14 °C."[59]

Resiliency during power outages

Passive solutions also drastically increase resiliency during power outages, which is one key scenario where mechanical cooling cannot ensure thermal safety. Modelling based on future climate conditions in extreme heat and cold scenarios projected the thermal resiliency of single-family housing in Vancouver, Calgary, and Toronto during a power outage.[60] For Vancouver, the modelling predicts a 17% decrease in heating degree days (HDD) and 105% increase in cooling degree days (CDD) in the immediate future (until 2050), and a 30% decrease in HDD and 286% increase in CDD 2051-2080.[61] The number of heatwaves is expected to more than double, while cold snaps are expected to decrease, though it is not clear whether the intensity of future cold events will increase or decrease.[62]

This modelling predicts the conditions of a single-family detached house entering the caution zone (heat index of 27-31°C) within six to eight hours. In the post-2050 scenario, the home is in the extreme caution zone (32-39°C) almost immediately. Natural ventilation could significantly reduce, but not eliminate, the time spent in the extreme caution and danger (+39°C) zones.[63] Risky cold conditions were estimated to start at 25 hours, reflecting the higher level of resiliency BC homes tend to have in cold weather as compared to heat.[64]

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[58] Quinn, A. et al. (2017). Predictors of summertime heat index levels in New York City apartments, *Indoor Air, 27*(4), 840-851.
[59] Rempel, A. R. et al (2022). Improving the passive survivability of residential buildings during extreme heat events in the Pacific Northwest, *Applied Energy, 321.*
[60] Liyanage, D. R. et al. (2024). Thermal resiliency of single-family housing stock under extreme hot and cold conditions, *Energy & Buildings, 323*.
[61] Ibid., p. 9.
[62] Ibid., p. 9 & 17.
[63] Ibid., p. 15 & 18.
[64] Ibid., p. 18

Affordability

Another key consideration for relying on mechanical cooling for thermal safety is when households are unable to afford their electricity bills, meaning they may need to reduce or forego the use of an air conditioner or heat pump. In this scenario, thermal safety hinges on the ability to pay, again reinforcing the importance of passive measures and retrofits that reduce the building's need for cooling. Additionally, policies such as disconnection bans, along with financial supports for households facing energy insecurity, can ensure everyone is able to meet their basic and life-saving energy needs.

Cooling and electrification

Without diminishing the importance of passive cooling measures, it can be concluded that in BC, electrification of space heating and cooling with heat pumps is sufficient to ensure thermal safety in most Part 9 buildings. Since most buildings are single-detached or attached homes, they are usually simple to upgrade with a heat pump and to ventilate naturally, providing a combination that should ensure thermal safety in most scenarios.

By adapting buildings to increasing heat while also mitigating the further acceleration of climate change, which causes this issue, thermal safety upgrades present significant opportunities for building decarbonization and electrification. Air source heat pumps were evaluated as a high priority on both mitigation and adaptation in RDH's 2021 mapping of building-level resilience actions.[65] When heating systems are replaced in a building, switching to an electric heat pump adds highly effective cooling and, in the case of fuel switching, significantly reduces GHG emissions, while also removing the health hazards associated with fossil-fuel systems in the home.

Most programs focused on energy demand and GHG reductions still pursue decarbonization or energy efficiency goals with little to no consideration of thermal safety, air quality, or other health hazards, risking unintended adverse consequences and missing a major opportunity for synergistic benefits. The integration of climate and health considerations can deliver a range of benefits, including cost and energy savings, decarbonization, and enhanced thermal safety through a single retrofit, with tangible, immediate improvements to occupant health and safety. For this reason, the policy pathways examined in the following section include approaches that focus on energy efficiency, decarbonization, or electrification, as well as those more directly focused on thermal safety.

[65] RDH Building Science (2021). Climate change resilience for buildings, p. 28.

Policy pathways

This section provides an overview of potential policy pathways for municipal and provincial governments to address thermal safety, electrification, and tenant protection, summarized in the table below. A combination of measures that integrate affordability, health, safety, and climate resilience considerations with energy efficiency and decarbonization policy is required.

Policy	Cover existing rental units	Ensure safe indoor temperatures	Avoid substantial rent increases*	Encourage all-electric space and water heating
Right to cool	✓	? For those who can afford/install	?	✗
Rental thermal safety standards	✓	✓ For most	✗	✗
Rental Standards of Maintenance	✓	✓	✗	? Could be included
BC Building Code	✗ Only in specific upgrade cases	✓ In one room	✗	✓ With Zero Carbon Step Code adoption
Retrofit code	✓	✓ If heat safety is included	✗	✓
Equipment standards	✓ At time of system replacement	✗	✗	✓
Rental energy performance standards	✓	? Could be included	✗	✓
Labels/ratings	✓ Could be included	✗	?	✗

*Currently, building owners in BC can pass repair and improvement costs on to tenants via an Additional Rent Increase (ARI). As long as this option remains in place and scarce housing options limit tenants' power and choices, nearly any approach to ensure safe indoor temperatures can result in additional costs being borne by tenants.

The table below categorizes policies in terms of approach. Again, a combination is needed, but actions can be sequenced, e.g., starting with informing and incentivizing policies to increase readiness for regulations.

Policy type	Inform	Incent/Provide	Enable	Regulate
Temperature pathway	Home energy rating Resilience rating	BC free A/C program Active & passive cooling upgrades	Right to cool Local government regulation	Temperature standards
Electrification pathway	Home energy rating Resilience rating	Energy efficiency / electrification rebates Insurance discounts attached to rating improvements	Local government regulation	High Efficiency Equipment Standards Alterations Code

Right to cool

A right to cool would prevent building owners from banning air conditioning or passive cooling efforts such as window coverings. Especially in homes that overheat easily, window or portable air conditioning would likely be the key solution a tenant can install, although this right could also include removable passive measures such as window coverings. It would allow those who are able to install and afford cooling to help themselves. It may also be a first step to implement on the path towards temperature standards or more comprehensive Standards of Maintenance (SoM).

However, particularly in inefficient dwellings, relying only on air conditioners or heat pumps can be unaffordable, increasing energy use and worsening the urban heat island effect. The right to cooling is thus not an effective thermal safety solution for those facing energy insecurity, nor does it address energy efficiency or climate mitigation.

Status

According to guidance issued in May 2024 by the BC Residential Tenancy Branch (RTB), bans on air conditioning or passive cooling strategies are likely considered unconscionable (meaning: oppressive or unfair and therefore unenforceable) if they "grossly impacted the health and quality of life of the tenant." This depends on the specific circumstances of each case,[66] but there is precedent that those with medical conditions or disabilities impacted by heat must be allowed air conditioning as an accommodation.[67]

The burden of challenging a ban by taking to the Residential Tenancy Branch remains on individual tenants. The guidance also states that bans would likely be enforceable if there were "safety or building issues," and that restrictions on the number of units, BTU (cooling power) limits, and prohibiting window units higher than ground level would likely be acceptable, providing broad grounds for limiting or banning cooling.

Possibilities

A right to cool would flip this approach, making cooling allowable by default, and making any possible bans an exception, with the onus being on the building owner to prove that there is a significant and unresolvable safety or technical issue. The Union of BC Municipalities has made this request of the

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[66] Province of British Columbia (Aug. 15, 2024). Residential Tenancy Policy Guideline: 8. Unconscionable, Unlawful, and Material Terms, pp. 2-3.

[67] Zarychta, E. and Track, L. (2022, June 16). Human Rights in Heat Waves. *BC Human Rights Clinic.*

Province three times within the last two years, via endorsed resolutions EB19 (2023), NR29 (2023), and NR32 (2025).

A first step could be for the RTB to change guidance in this manner and provide more clarity on the types of issues that may warrant cooling bans. It should address the issue of electrical capacity, requiring any necessary load management or electrical upgrades to enable cooling, or passive cooling alternatives to avoid a major electrical infrastructure upgrade.

To **unambiguously establish a right to cool**, the provincial government could explicitly prohibit cooling bans in the *Residential Tenancy Act (RTA)*. Most renters are covered by the *RTA,* including those living in "illegal" suites, single-room occupancies (SROs), subsidized housing, and the 24% of BC renters who live in strata units.[68] Strata bylaws that amount to cooling bans affect both owner-occupants and renters; therefore, the *Strata Property Act* should be updated as well.

Owners of manufactured homes who rent the land on which their home sits are subject to the *Manufactured Home Park Tenancy Act*, which should be updated in tandem with any changes to the *RTA.* Households living in manufactured homes are often particularly vulnerable to temperature extremes due to under-insulation, energy inefficiency, and high need for repairs, and should not be overlooked in efforts to improve thermal safety.[69] In Arizona, for example, HB 2146 ensured that manufactured home park tenants cannot be prevented from installing cooling methods, both for energy cost reduction and health reasons.

First United has written a **suggested amendment to the *RTA*** to prevent bans on cooling (which their policy platform calls for alongside other updates addressing procedural fairness and rent stabilization):

> *Terms prohibiting cooling devices and fees for cooling devices not enforceable - 6.2 A term of a tenancy agreement is not enforceable if it purports to:*
>
> *(1) prohibit a tenant's use or installation of a window or portable air conditioner, fan, or other cooling device*
>
> *(2) charge a fee for a tenant's use or installation of a window or portable air conditioner, fan, or other cooling device in a rental unit for which the landlord does not supply a cooling device that is sufficient to maintain a temperature of 26 degrees Celsius or lower.*[70]

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[68] Tenant Resource & Advisory Centre (2024). Am I Covered by the Law?
Statistics Canada (2022, September 21). Table 98-10-0239-01. Structural type of dwelling by tenure: Canada, provinces and territories, census metropolitan areas and census agglomerations.
[69] Ashwell, R. (2025). Manufactured Home Retrofits in BC, *Ecotrust Canada*, p. 16.
[70] Marsden, S. et al. (2025) Inclusion, Fairness, & Stability: Advancing Solutions for the Right to Housing in B.C.. *First United*, p. 48.

These changes could simultaneously address the issue of prohibitions on heat pumps, allowing some strata and manufactured home residents to upgrade their heating systems. They could take an approach similar to the 2022 update to the *Strata Property Act* that declared rental restrictions invalid, as well as the 2023 change that details the process for installing electric vehicle charging infrastructure. The latter creates what is sometimes referred to as a "right to charge," in stating that "the strata corporation must not unreasonably refuse to approve an owner's request."[71] Unfortunately, no equivalent exists for life-saving cooling equipment.

The provincial government could also support municipalities and regional districts to include a right to cooling in their rental or SoM bylaws by updating its outdated SoM guide and sample bylaw accordingly. As two BC municipalities have already done the research and written the right to cool into their SoM bylaws, the provincial government can incorporate this work into its guidance.

Municipalities can advocate to the Province for all the above changes, as for example the Union of BC Municipalities[72] and the City of Vancouver have done.[73] They can also **adopt or update their own SoM bylaws to include a prohibition on cooling bans**.

Example: City of Port Moody, BC

The City of Port Moody adopted a Standards of Maintenance Bylaw to regulate the maintenance of rental units, including a prohibition on unreasonable cooling bans. To our knowledge, it was the first municipality in BC, and likely the first government in Canada, to establish something akin to a right to cool. Section 7.2 of this bylaw reads:

> *The Landlord of a Residential Property where air conditioning is not provided must not unreasonably prohibit or prevent a Tenant from using a portable device designed to cool internal temperature in a Rental Unit.*

The City's Municipal Ticket Information Authorization Bylaw, 2020, No. 3218 was amended alongside the creation of the SoM bylaw, via Amendment Bylaw No. 3488, 2025, "to designate enforcement officers and add fines for violations." The City's authority for this is established by Part 8 — Bylaw Enforcement and Related Matters of the *Community Charter* and allows for municipal tickets as well as more formal dispute resolution through the court system.

Additions to consider for further improvement of the right to cool guidance and regulation:

- Specifically include passive cooling, ventilation, and air filtration. These can mitigate the need for potentially costly, energy-intensive air conditioning and are crucial for health in the face of extreme temperatures, particularly during combined air quality and temperature events.

[71] Province of British Columbia (1998). *Strata Property Act*, s 90.2 (4).
[72] UBCM (2024, February). NR29: Updating the Strata Property Act to Include Allowances for Heat Pumps and Other Mechanical Cooling Systems, in *Response to the 2023 UBCM Resolutions*, p. 115.
[73] City of Vancouver (Nov. 28, 2024). City Council Advocates for "Right to Cool" for Strata Buildings.

- Develop a process to address common issues that would require exemptions, such as electrical capacity constraints. This could include requirements for electrical capacity assessments, load management, and upgrade planning timelines.

Rental temperature standards and licensing

While there are more sophisticated methods for measuring or modelling thermal safety, in the context of existing buildings, it is more simply operationalized by specifying an indoor temperature range in rental units that is safe for the majority of people, such as 21-26°C. Such temperature standards allow for flexible compliance options, including heat pumps or air conditioners, as well as passive cooling measures.

Status

The Province of BC has a Standards of Maintenance Guide (1996) and model bylaw as guidance for local governments wishing to create SoM bylaws, however, it is not a prescription or regulation and does not address cooling. It should also be updated to reference current legislation.

Only about 19 of BC's 161 municipalities have SoM bylaws. All of these, with the exception of one, specify a **minimum** indoor air temperature standard that a unit must be capable of maintaining, with minimums ranging from 19°C - 22°C, most often at 22°C. The majority are bylaws specific to rental units, but six apply to all residential properties. See Appendix B for a list of municipal SoM bylaws in BC.

Business licensing of rental building owners or units can be used to apply rental maintenance standards. BC municipalities have business licensing authority, and the cities of New Westminster and Prince Rupert have used this authority to implement rental licensing bylaws. There is currently no provincial-level rental licensing in BC, with the exception of a short-term rental registry that requires rental hosts and platforms to register as of May 1, 2025.

Possibilities – Standards of maintenance

Contrary to BC, many jurisdictions around the world have comprehensive minimum health and safety standards for rental units, including the Province of Alberta's rental housing health standards. Some also include energy efficiency considerations, such as New Zealand's Healthy Homes Standards, which address heating, insulation, ventilation, moisture, and drafts. Another example is the Government of Victoria, Australia, whose *Residential Tenancies Regulations* set out maintenance standards, as well as minimum water and energy efficiency ratings for appliances and heating/cooling systems.

In the province of Ontario, Canada, the cities of Mississauga and Toronto have implemented bylaws requiring a 26°C temperature maximum, but only for those units that already have air conditioning. In the United States, several cities and Montgomery County, Maryland, have cooling requirements with

temperature maximums that cover all rental units. For instance, in the City of Dallas, Texas, rental units must be able to stay 8°C cooler than the outside temperature and no more than 29°C (1 room only if the outdoor temperature is 43+°C).[74] Notably, enforcement is clearly laid out. City compliance officers investigate within 24 hours, give the owner 24 hours to remedy the issue, and issue a $700 fine if the lack of cooling is not resolved.

Using such standards as a model, the Province could create its own standards and include a thermal safety requirement and other priority health and safety issues faced by municipal governments and BC residents today. It can build on existing municipal work to include high-priority resilience concerns such as indoor air quality and passive cooling, as well as climate hazards such as extreme precipitation, flooding, mould, and cold.

UBCM endorsed a resolution to this effect (NEB5) at its 2024 Convention, which requests that the Province (emphasis added):

> *Make the necessary changes to the Standards of Maintenance Guide to align [with] the BC Building Code regulations for* ***maximum and minimum temperature standards*** *and ensure that* ***considerations of health and climate hazards such as mould, precipitation, extreme heat and cold*** *conditions, are included; And be it further resolved that the* ***guidance be converted to regulation, with associated regional and or provincial supports for investigation and enforcement*** *such that communities of every size have protection for renters.*

We recommend that the Province provide a substantive response that specifically addresses the issues described, along with an action plan.

BC can include these issues, particularly maximum temperatures, in its SoM guide and sample bylaw, add them to RTB guidance, and/or attach them as regulations to the *RTA, Strata Property Act, and Manufactured Home Park Tenancy Act.* The BC *Public Health Act* also allows the government to prescribe "health and safety standards that must be met by landlords of rental accommodations," along with enabling health officer inspections and orders to deal with contraventions.[75] Municipalities can address health and safety issues, including maximum temperatures and climate hazards in their SoM bylaws, and adopt enforcement bylaws to deal with contraventions if they have not done so.

Further, the Province can **address the issue of electrical capacity** in rental units and manufactured home parks, as it has already done for stratas. BC's *Strata Property Regulation* now requires stratas with five or more lots to conduct an electrical planning report to plan for increasing demands (e.g., from electric vehicle charging and heat pumps).[76] The Province should develop sample language and legal clarity for the inclusion of maximum temperatures, and provide a template for exemptions, alternate compliance pathways, and longer-term compliance planning. This work can be completed

[74] City of Dallas (2024). Chapter 27: Minimum Property Standards. *City of Dallas, Texas Code of Ordinances.*
[75] Province of British Columbia (2008). *Public Health Act*, s. 23-25, 30-36, and 123.
[76] Province of British Columbia (2025, May 1). Strata electrical planning report.

using a phased approach, starting with high-priority buildings and setting timelines to allow for sufficient preparation of all parties.

Possibilities – Rental licensing

Rental licensing is both a useful complement to rental maintenance standards as well as a much-needed source of data on the number and types of rental units and renters in any given jurisdiction, which can be used to inform other actions. It can also be used to create more proactive enforcement of standards by including, for example, inspection or documentation requirements to verify compliance. Municipalities can implement rental-specific business licensing requirements if they have not done so. For a more consolidated approach, the Province could take up the issue and expand its short-term rental registry to long-term rentals as well.

Building codes and efficiency standards

Status

While new construction is regulated to address basic safety, and increasingly also energy and climate-related risks, codes largely do not require changes in existing buildings. The BC Building Code "sets minimum requirements for safety, health, accessibility, fire, and structural protection of buildings and energy and water efficiency."[77] Effective March 2024, it requires providing one living space that does not exceed 26°C.[78] Additionally, BC's Energy Step Code sets out increasing levels of energy-efficiency requirements, and the Zero Carbon Step Code (ZCSC) can be adopted to prescribe emissions reductions.

Energy efficiency and emissions performance standards, such as the BC Energy Step Code and Zero Carbon Step Code, do not directly address thermal safety, but are still crucial because the efficiency measures they require have associated thermal safety and other climate resilience benefits. They are also far more ubiquitous than standards directly addressing overheating or other climate adaptation components. As such, they are part of the policy mix and pathway towards safe indoor temperatures.

These standards generally apply to new construction but can also be triggered by major renovations requiring building permits. However, there is also an urgent need to adapt existing buildings more broadly to the changing climate. This can be achieved via standards for existing buildings, rental units, and equipment.

The City of Vancouver has used its unique regulatory authorities under the *Vancouver Charter* to regulate emissions, energy efficiency and more in both new and existing buildings. The Vancouver Building Bylaw, for example, requires MERV 13 air filtration effective July 2023, sets greenhouse gas emissions intensity and embodied carbon limits, and mandates active mechanical cooling capable of maintaining 26°C in new Part 3 buildings effective January 2025. Part 11 of the bylaw specifies

[77] Province of British Columbia (Sept. 12, 2024). BC Codes.
[78] BC Building and Safety Standards Branch (Apr. 19, 2024). Information Bulletin: Protection from Overheating in Dwelling Units.

upgrade requirements depending on the type of renovation the building owners want to pursue. The City's Greenhouse Gas and Energy Limits Bylaw (2022) applies requirements to existing large commercial and multifamily buildings.

Who has authority

The Province of BC: The provincial government is responsible for the BC Building Code, which "applies across BC except on federal lands and on First Nations reserves, unless a First Nation opts in or a treaty includes provision for the BCBC application."[79]

Municipalities: BC's *Community Charter* (s. 8(3)(l) and s. 53-58) allows municipalities to regulate, prohibit or impose requirements related to buildings and other structures by bylaw for the purposes of accessibility, energy or water conservation, GHG emissions reductions, and the "health, safety or protection of persons and property."

Regional districts: For these same purposes, regional districts that provide building inspection also have authority under s. 297-300 of *the Local Government Act* to "regulate the construction, alteration, repair or demolition of buildings and other structures" as well as the "the installation, alteration or repair of plumbing including septic tanks and sewer connections, heating, air conditioning, electrical wiring and equipment, gas or oil piping and fittings, appliances and accessories of every kind" by bylaw.

Possibilities - Retrofit code & existing buildings renewal

In 2021, the Province of BC committed to creating an 'alterations' or retrofit code to regulate energy efficiency in existing buildings, along with a broader Existing Buildings Renewal Strategy to address energy and water conservation, decarbonization, seismic upgrades, climate resilience, and wildfire, smoke, heatwave and flood safety in an integrated manner. However, these efforts appear to have stalled, perhaps due to the federal work on a national alterations code being delayed from 2022 to 2030.[80] Completion and implementation of these policies would represent a step change in bringing existing buildings up to better standards. Authorizing municipalities to create building performance standards would enable them to follow the City of Vancouver's lead in regulating existing buildings.

Possibilities - Equipment standards

In 2021, BC also committed to implementing Highest Efficiency Equipment Standards (HEES), which would require all space and water heating to be at least 100% efficient starting in 2030. It would do so via two mechanisms: 1) point of sale standards under the *Energy Efficiency Act*, and 2) point of installation standards under the BC Building Code. Implementing HEES would counter the inertia that tends to result in like-for-like appliance replacements and take advantage of efficient heat pump technology, which also provides for cooling, thereby significantly improving thermal safety.

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[79] Union of BC Municipalities (Nov. 2022). Local Government Factsheet #25: Land Use Regulation, p. 8.
[80] Blue, R. (2024, January 17). Deep retrofit supply chain waiting for more support. *Pembina Institute.*

The Province should implement these standards, and local governments could also be authorized to adopt these standards ahead of the provincial timeline. It may also be possible for local governments to create their own equipment licensing or operating permit, though this may require provincial enabling legislation.

Possibilities - Rental energy performance standards

Another option on the pathway towards thermal safety in rental units is specifically regulating the energy performance of rental buildings. Several U.S. jurisdictions have taken this approach, some focusing purely on energy efficiency, with others making broader regulations that address safety and maintenance issues.

For example, Montgomery County, MD's Building Energy Performance Standards (BEPS) establish a site energy use intensity standard for multifamily buildings >25,000 sq ft., reported via its annual energy benchmarking requirements. It allows for rent increases based on required upgrades. Gainesville, FL "established annual permits, inspections, minimum energy efficiency, life safety and property maintenance standards for all residential rental units within the city" in 2020.[81] Other standards are only applied at the time of sale, such as San Francisco's Residential Energy Conservation Ordinance.

Likely one of the most comprehensive systems of its kind, Boulder, Colorado's rental licensing requires both inspection for health and safety compliance (incl. fire, structural, maintenance, lighting, ventilation, plumbing, mechanical, electrical) and compliance with its energy efficiency standard – SmartRegs. This standard offers a prescriptive path (used in 98% of cases) with minimum energy and water conservation points scoring based on inspection, as well as a performance path requiring a minimum Home Energy Rating System (HERS) score. It does not currently have cooling requirements.

Other U.S. cities that have created rental building standards include Denver, CO; St. Louis, IL; Boston, MA; New York, NY; and Washington, DC. Flanders, Belgium, has a minimum roof insulation requirement, and Brussels, Belgium, has trialed a prohibition of rent increases in units with the lowest efficiency ratings.

Labels & ratings

Requiring measurement, labelling, and disclosure of building attributes such as energy efficiency and climate resilience fills data gaps to allow better targeting of incentives and regulation, improves transparency, and provides an avenue to value non-aesthetic or invisible retrofits.

Status

Canada currently uses the EnerGuide home labelling system, which models a home's energy consumption and GHG emissions based on an EnerGuide home evaluation with a typical new home as

[81] City of Gainesville (n.d.). Housing Related Matters.

reference, and breaks down that consumption between categories such as heating, cooling, ventilation, etc.[82] It does not classify homes into categories or grades as other systems do.

The federal government has committed to creating national guidelines for home labelling and a voluntary standard setting minimum requirements for virtual home labelling, both targeted for release in 2025, along with a simplified energy assessment based on its existing EnerGuide system, targeted for 2026.[83] It clarified that its role is mainly to inform and encourage national consistency, and it is limiting its focus to homeowners.

Canadian provinces have the authority to regulate labelling. The BC government has committed to developing a Virtual Home Energy Rating System applicable to both owners and renters. It's BC Home Energy Planner has been made available to the whole province as of June 2025. The information is not public, and currently doesn't include condos, apartments, or any building over three storeys.

The City of Port Moody's legal review concluded that "local governments have the authority to require building energy and carbon benchmarking and disclosure," but municipal benchmarking efforts to measure and compare building GHG intensity remain largely voluntary. This approach is generally used for larger (Part 3) buildings.[84] Building Benchmark BC has not found a strong correlation between benchmarking and GHG reductions since it began in 2019.[85]

Possibilities

Currently, none of these programs are broadly implemented or mandatory in BC, nor do they directly address thermal safety or climate resilience more broadly. However, many other jurisdictions have comprehensive and mandatory rating programs, and some are starting to integrate climate adaptation and resilience concerns as well.

For instance, Australia has a Nationwide House Energy Rating Scheme (NatHERS) and has also developed a tool to estimate the energy efficiency of existing homes quickly.[86] To address overheating specifically, Darwin Living Lab House Comfort Ratings are voluntary ratings that assess living room and bedroom thermal comfort without air conditioning to optimize design. They complement energy ratings, which assess energy consumption with air conditioners in use, and a pilot integration with NatHERS software is available.[87]

Several cities in the United States, including Berkeley, Portland and Austin, have Home Energy Rating Score® requirements, and the following US jurisdictions have rental energy **disclosure** policies in

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[82] Natural Resources Canada (2025, February 12). Sharing your home's energy efficiency performance.
[83] Natural Resources Canada (2024). Home labelling: Informing Canadians on home energy performance discussion paper, p. 8.
[84] For definition of Part 3 vs Part 9 buildings, see housing policy section in Appendix A.
[85] Building Benchmark BC (Oct. 17, 2024). Year Four Annual Report.
[86] Commonwealth Scientific and Industrial Research Organisation (n.d.) RapidRate overview. Retrieved March 24, 2025.
[87] Northern Territory Government (n.d.). Darwin Living Lab House Comfort Ratings. Retrieved March 24, 2025.

place: Austin, TX; Chicago, IL; Gainesville, FL; Minneapolis, MN; State of Maine. Publicly available home energy information in Canadian jurisdictions includes publicly shared home ratings, e.g., the Regional District of the Central Okanagan's Property Map and the City of Saskatoon's Home Energy Map; as well as electricity cost estimates from Hydro Québec's online tool.

Such ratings could additionally be used to obtain and register a climate adaptation certification, which can be linked to insurance premium reductions. Currently, some owners may face insurance disincentives, as premiums are assessed on replacement cost and may therefore increase following retrofits. A certified rating that tracks climate risk reduction upgrades could reverse this dynamic and reward proactive owners.

Tenant impact considerations

As long as scarce housing options limit tenants' power and choices, and adequate tenant protections, along with financial supports for landlords in need, are not in place, nearly any approach to ensure safe indoor temperatures could result in additional costs borne by tenants.[88] To avoid exacerbating the broader issue of housing affordability, actions to improve thermal safety in rental units need to consider and mitigate adverse impacts, and seek opportunities for improvement on both counts.[89]

Cost of rent

Rent increases can result from retrofits. One possibility is a rent increase above the annual rent increase limit allowable in BC, via an additional rent increase (ARI) for:

- Expenses, e.g., significantly higher utility bills, or
- Capital expenditures (often abbreviated to ARI-C), e.g., "installing a major system or part to follow health, safety and housing rules" or "making changes that help save energy, reduce pollution or make the property safer."[90]

Building owners need to apply to the Residential Tenancy Branch (RTB) for approval. Tenants can also be asked to agree to a voluntary rent increase in exchange for the right to cool or any thermal safety improvements, as voluntary above-limit increases are legal with tenant agreement.

Another way rents can increase is through unit turnover, as there are currently no limitations on rent increases between tenants in BC. While increases are limited when there is no change in tenant, overall rent costs have increased by 40.4% since 2018 (double the overall cost-of-living increase), because building owners, on average, raise rents dramatically between tenants.[91] Such increases may be even higher if the retrofit makes the unit more desirable and therefore commands above-average market rent.[92]

In fact, rent increases are explicitly promoted as a motivation for building owners to make upgrades, as they may improve the business case and represent a more predictable factor than utility cost savings. In this way, retrofits can contribute to gentrification, housing unaffordability, and

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[88] See Yoon, L. et. al (2025). Too Hot to Think Small: The Case for a Right to Cool in British Columbia. *University of British Columbia Centre for Climate Justice*, for a comprehensive illustration of the importance of holistic approaches, and the inseparability of the right to cool from the housing crisis.
[89] ACORN Canada (2025, May 28). Crumbling Apartments in a Warming World: Tenants in an Energy Cost Crisis.
[90] Province of British Columbia (2024, June 17). Rent increases to offset growing costs and expenses.
[91] Marsden, S. et al. (2025) Inclusion, Fairness, & Stability: Advancing Solutions for the Right to Housing in B.C.. *First United*, pp. 26-27.
[92] In Germany, monthly rents of retrofitted apartments are ~ €1/m^2 higher and energy cost savings only partly balance this higher rent level. See Schuenemann, C. et al. (2020). Mitigation and adaptation in multifamily housing: overheating and climate justice, *Buildings and Cities, 1*(1), pp. 50.

homelessness. However, it is unclear how much they might factor when average rents are already rising rapidly, and vacancy rates are extremely low.

Vacancy control or **rent stabilization** policies limit how much rents can be increased between tenants. First United outlines the evidence pointing to the need for such policies and the various possible approaches BC could take. One option would be to replicate the example of the Province of Prince Edward Island, where rent increases are tied to the unit, not the tenant. Another approach is to define Rent Pressure Zones in areas with high average rent increases and low vacancy rates.[93] Such measures could prevent extreme rent increases and their consequences, including affordability struggles, household energy insecurity, and homelessness.

Utility costs

Reliance on inefficient mechanical cooling in energy-inefficient units that lack passive cooling can result in high operating costs to the owner or renter (or both) paying the utility costs. Some households may not be able to afford to operate cooling equipment but would still have to pay any ARIs for the equipment upgrade if applicable. Energy is not considered in BC's Poverty Reduction Strategy (updated 2024), and ongoing electricity bill support is not available. While the Province has provided free air conditioners, recipients still need to cover the operational costs if they are responsible for their electricity bills.

Those in shared home situations with no control over the cooling equipment may face unaffordable increases in utility bills, without the agency to mitigate these costs by reducing their use. Where an upgrade results in a transfer of utility costs previously paid by the building owner to a tenant, this must be accompanied by a compensatory rent reduction. Clear guidelines should be established as to how this would be calculated. LandlordBC is currently investigating pathways to fair utility cost allocation where central gas space heating is upgraded to in-suite electric heat pumps. In general, utilities cannot be increased without tenant agreement.

Positive impacts on utility costs can be achieved with retrofits that increase efficiency, such as improved insulation or windows, or the replacement of electric baseboard heaters by heat pumps. Where tenants are already responsible for all utility costs, upgrades that address both overheating and efficiency can reduce renters' costs.

Market rental supply and sale

The evidence from BC, along with studies of other jurisdictions, does not support fears that regulation reduces supply.[94] However, owners unable or unwilling to invest in upgrades may sell their buildings to larger corporate owners or real estate investment trusts. This could theoretically result in corporate

[93] Marsden, S. et al. (2025) Inclusion, Fairness, & Stability, pp. 31-47.
[94] Ibid., pp. 32-41.

consolidation, oligopolies or monopolies in some rental markets, and a worsened power imbalance between owners and renters, thereby intensifying the extraction of ever higher rents while reducing owners' accountability.

While beyond the scope of this report, financial supports for building owners, along with process supports targeted to the needs of building type and owner (e.g., the BC Retrofit Accelerator led by the Zero Emissions Innovation Centre), can also prevent costs being passed on to tenants. These are being explored by organizations such as LandlordBC, and could create and improve financial tools including stackable rebates, tax incentives, innovative financing programs, and support for addressing common challenges such as building and grid electrical capacity constraints. [95] On-bill tariff utility programs and enabling legislation for municipal Property Assessed Clean Energy (PACE) loans that could be used to support climate resiliency upgrades are opportunities that remain unrealized in BC.

However, such supports by no means automatically prevent cost increases to tenants. Unless such programs and explicit requirements proactively consider tenant impacts and are incorporated into funding and financing agreements, severe negative consequences can result. For this reason, tenant advocacy groups such as ACORN call for affordability and anti-eviction covenants, tenant participation, and community benefit agreements.[96] Transparency on the distribution of costs and clarity on other impacts can reduce fear and increase trust among **both building owners and tenants interested in retrofits.** Many programs focus more on technical issues and fall short in navigating social challenges overall, and tenant impacts in particular. Including a process that clearly lays out the distribution of responsibilities, risks, costs, and benefits between building owners and tenants in incentive and financing programs could address some of these challenges.

Approaches also exist to recognize that some building types or owners, such as nonprofit or co-op housing, may struggle to comply with regulations more than others. Equity Priority Buildings designations, for example, can identify buildings where undue burdens or risks for vulnerable populations exist.[97] These can then be offered targeted supports or alternative compliance pathways, which may allow the building owners to work on extended timelines or use other options to address the regulated issue.[98] Additionally, establishing rights of first refusal for land trusts, co-ops, tenants, and non-profits can act as a counter to the financialization of housing. The City of Montreal, for instance, has given itself the pre-emptive right to purchase certain buildings.

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[95] For on overview on financing heat pump retrofits in low-rise MURBs, see Urban Climate Leadership (2025, January). Financing and funding heat pumps for low-rise multi-unit residential buildings (MURBs): A discussion primer.

[96] ACORN Canada (2025, May 28). Crumbling Apartments in a Warming World: Tenants in an Energy Cost Crisis, p. 12.

[97] Kantamneni, A. et al. (2025, July 24). Equity Considerations in Toronto's Building Emissions Performance Standards. *Efficiency Canada, Carleton University, and Institute for Market Transformation*, p. 4.

[98] Jarrah, A. et al. (2024). Nobody left behind: Preliminary review of strategies to support affordable housing compliance with building performance standards. *American Council for an Energy-Efficient Economy [ACEEE].*

Municipal regulatory powers

This section seeks to shed light on the question of whether and how municipalities might regulate thermal safety in rental units. It should not be interpreted as legal advice, but rather as identifying potential avenues for each municipality to explore further in their own context, while outlining relevant legislative frameworks, examples of implementation, and recommendations.

In Canada, any municipal authority must be explicitly given by the province, meaning municipalities can only regulate what falls within the scope of powers outlined in provincial law or otherwise granted. In BC, the key acts are the *Community Charter* and the *Local Government Act*, which are discussed in further detail below. Additionally, municipal bylaws cannot conflict with provincial (or federal) law, meaning that complying with a bylaw cannot require contravening provincial law.[99] A bylaw could, however, duplicate or be stricter than provincial or federal law.

The Canadian Environmental Law Association (CELA) has outlined key findings applicable to municipal powers to regulate on local environmental and health issues from the *Spraytech v Hudson* Supreme Court of Canada case:

- Municipalities can respond to new challenges without provincial enabling legislation, so long as they are not in contradiction of provincial law.
- Municipalities can regulate general welfare "aimed at furthering goals such as public health and safety."
- Presumption that bylaws are valid until proven otherwise.[100]

It is also worth noting here that municipalities already regulate minimum temperatures, and there is no indication from the Province of BC that they could not do the same for maximum temperatures.

The Province of BC has a Standards of Maintenance Guide along with a sample bylaw. However, it should be noted that both documents were prepared in 1996 and therefore contain outdated references, including to the *Municipal Act,* which has been replaced. For this reason, we lay out some of the key elements of current provincial legislation on municipal powers to implement and enforce bylaws below.

[99] Province of British Columbia (2003). *Community Charter,* s 10.
[100] Canadian Environmental Law Association (2024, October 9). Amending the Property Standards By-Law Respecting Air Conditioning Appliances. *CELA Publication #1593*, p. 7.

"*Many BC municipalities, including Vancouver, already require indoor heating to a minimum temperature in rental homes. If there is the political will, every municipality except Vancouver already has the power to require indoor cooling below a maximum temperature, under the* Community Charter. *Vancouver is governed by the* Vancouver Charter*, and because of a difference in wording, it cannot regulate on maximum temperatures right now. The City of Vancouver has asked the province to correct this anomaly to allow it to regulate on maximum temperatures. First United has advocated for the province to make this change, and we continue to urge municipalities and the province to act by requiring maximum indoor temperatures in rental housing. As part of our law reform work, we are also advocating for an amendment to the* Residential Tenancy Act *to confirm tenants' right to install and use cooling devices, such as air conditioners, and to prohibit landlords from restricting tenants from doing so."*

-Sarah Marsden, Barrister and Solicitor, Director of Systems Change and Legal, First United

The Local Government Act

The *Local Government Act* regulates both municipalities and regional districts. The municipal powers most relevant to thermal safety regulation in rental units are largely found in the *Community Charter,* described in the next section. The *Local Government Act,* on the other hand, sets out the purpose and powers of regional districts.

While this report focuses on municipalities, the following key sections may be of interest to regional districts: Regional districts that provide building inspection services have building regulation authority, including under Section 298(1), to require (d) occupancy permits and regulate the maintenance of (n) rental units and (o) manufactured homes and parks, for the same purposes as municipalities – accessibility, energy or water conservation, GHG emissions reductions, and the health, safety, or protection of persons and property.

Under Section 304, a regional district board may "regulate and prohibit for the purposes of maintaining, promoting or preserving public health," subject to the *Public Health Act* and regulation, agreement or approval by the provincial minister responsible. It can also take remedial action to address hazardous building conditions or contraventions of building regulations/bylaws as per Section 305. Further, Section 326.1 sets out bylaw authority for business regulation.

The Community Charter

The *Community Charter* applies to all BC municipalities except the City of Vancouver, which is subject to the *Vancouver Charter* instead. The *Community Charter* establishes the purposes of municipalities, including "fostering the economic, social, and environmental well-being of its community."[101] The fundamental powers of municipalities are described in Section 8, and are to be interpreted broadly.[102]

In particular, Section 8(3) authorizes a municipality's council to regulate, prohibit, and impose requirements in relation to the following matters:

- (g) **health, safety or protection of persons or property** in relation to matters referred to in Section 63 [protection of persons and property]
- (h) the protection and enhancement of the **well-being of its community** in relation to the matters referred to in Section 64 [nuisances, disturbances and other objectionable situations]
- (i) **public health**
- (j) protection of the natural environment
- (l) buildings and other structures, for the purposes of accessibility, energy or water conservation, GHG emissions reductions, and the health, safety or protection of persons and property as per Division 8 – Building Regulation.

Some of these fundamental powers, including (i) public health and (j) protection of the natural environment, are within spheres of concurrent authority with the Province, and therefore a municipality can only adopt a bylaw on these matters with the Province's regulation, agreement or approval.[103] For public health bylaws in particular, Councils need to consult with the local health authority and receive ministerial approval from the Province.[104]

Section 63 concerning the protection of persons and property specifies the matters to which section 8(3)(g) can be applied, including:

- (d): trailer courts, manufactured home parks and camping grounds.
- (f): rental units and residential property, as those are defined in the Residential Tenancy Act, that are subject to a tenancy agreement, as defined in that Act.
- (g): without limiting paragraph (f), the protection of tenants as described in section 63.2 (rental redevelopment/tenant relocation).

This section of the *Community Charter* also provides definitions and further details regarding rental units and tenant protection.

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[101] Province of British Columbia (2003). *Community Charter,* s 7.
[102] Ibid., s 4.
[103] Ibid., s 9.
[104] Province of British Columbia (2016). *Public Health Bylaws Regulation*, s 2.

Business regulation

Section 8(6) of the *Community Charter* authorizes a local government to regulate in relation to **business,** including to require business licences.

Section 15 allows a council to require licences, permits, or approvals, and it allows for the adoption of standards and codes. This section also allows a council to suspend or cancel licences for failure to comply with a bylaw, along with Section 60 to refuse, suspend, or cancel a business licence for reasonable cause.

Standards of Maintenance bylaws

A number of BC municipalities have Standards of Maintenance (SoM) bylaws, which contain a clause requiring a minimum temperature. These are all fairly similar to the text contained in the Province's 1996 sample bylaw, which reads:

> *(1) Heating equipment shall be maintained in a safe and good working condition so as to be capable of safely attaining and maintaining an adequate temperature standard, free from fire and accident hazards and in all rental accommodation capable of maintaining every room at a temperature of 22 C (72 F) measured at a point 1.5 meters (5 feet) from the floor, and in the centre of the room.*
>
> *(2) Where heating equipment or part of it or any auxiliary heating system burns solid or liquid fuel, a place or receptacle for the storage of such fuel shall be provided and safely maintained in a convenient location and so constructed as to be free from fire or accident hazards.* [105]

Some municipalities have made additional specifications, such as:

- *"The heating equipment shall be turned on in order to maintain the required temperature upon the request of any occupant of a rental unit."*[106]
- *"Portable room heaters or cooking facilities shall not be used as a primary source of heat in a rental unit."*[107]

Municipalities without SoM in place may want to consider adopting such a bylaw, applicable to all rental units. If or when in place, SoM can regulate minimum and maximum temperatures. The addition of a maximum temperature could follow a format similar to the text developed for Ontario municipalities, and be inserted into the SoM bylaw:

> *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*

[105] Province of British Columbia (1996). Standards of Maintenance Bylaw: Sample Bylaw, p. 8.
[106] City of Prince Rupert (2022, April 25). Business Regulations and Licensing (Rental Units) Bylaw No. 3476, p. 12.
[107] Town of Creston (2022, March 22). Rental Standards of Maintenance Bylaw No. 1951, p. 3.

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 residential complex 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 in a room used or intended for use for sleeping purposes.[108]

CELA defines adequate and suitable cooling as "an indoor air temperature in the dwelling unit that does not exceed 26 degrees Celsius (26°C)."[109]

Bylaw enforcement

Municipalities usually become aware of a lack of bylaw compliance because of a complaint, since they tend not to have in place any proactive enforcement of rental SoM through regular inspections or as a requirement for obtaining a business licence. They have multiple options to address non-compliance.

Tenants can ask the owner of their building to address contraventions, request municipal communication with the building owner, or call for a bylaw officer inspection. They can also take a case to the RTB, and advocates report that having municipal SoM bylaws is helpful to tenants in this process. Such bylaws, contrary to the *Residential Tenancy Act,* set specific, measurable maintenance requirements. The RTB also relies on local government inspection and enforcement, as it does not have its own field officers.

On the part of municipalities, primary steps include public education for building owners and tenants, as well as direct communication with those not complying to make them aware of requirements and encourage voluntary action. This can also include inspection by bylaw officers or other personnel authorized for this purpose. Section 16 of the *Community Charter* details the conditions under which the municipality has authority to enter into property, including to inspect for compliance with regulations.

When more collaborative approaches fail, a variety of means to exact financial and other consequences are available. Depending on the bylaws of the municipality in question, these can include:

- Bylaw notices
- Tickets

[108] Canadian Environmental Law Association (CELA), Low-Income Energy Network, and Advocacy Centre for Tenants Ontario (2022). Recommendations for Municipalities Focus: Extreme Heat and Rental Housing, pp. 5-6.
[109] Ibid., p. 5.

- Prosecution in court
- Business licence suspension (as described above)
- Notice on property title
- Work orders

Municipalities would need to have both a bylaw with which owners of rental units need to comply and bylaws establishing their enforcement processes.

Part 8 of the *Community Charter* details bylaw enforcement, including ticketing and court prosecution under the *Offence Act*. Sections 264-273 of the *Community Charter* outline the ticketing process, and maximum fines are set by regulation. Currently the *Community Charter Bylaw Enforcement Ticket Regulation* (B.C. Reg. 425/2003) sets this maximum at $3,000. In 2025, UBCM passed a resolution calling for an increase to $10,000 to provide a more effective deterrent for contraventions of short-term rental bylaws, which would likely be a helpful leverage option for long-term rental issues as well.[110] Under the *Offence Act*, the maximum fine is $50,000.[111]

Alternatively, municipalities can utilize bylaw contravention notices as authorized under the *Local Government Bylaw Notice Enforcement Act*, and the accompanying regulation (B.C. Reg. 175/2004). While both processes initially issue a ticket to notify of a contravention and to impose a fine, they diverge if the ticket is disputed. Municipalities may have (or want to consider) bylaws enabling both avenues, as suitability may differ depending on the situation. The table below outlines the key distinguishing factors.

	Municipal Ticket Information	**Bylaw Notice**
Act	*Community Charter*	*Local Government Bylaw Notice Enforcement Act*
Dispute resolution	Via provincial court system	Via local adjudication process administered by the municipality
Time & cost	Usually slower, more time intensive, costlier	Usually faster, less time intensive, less costly
Suitable for	Complex, serious, or repeat offences; requiring more significant penalty	Minor contraventions; preference for quick resolution

[110] Union of BC Municipalities (2025). 2025 Resolutions Book, p. 145.
[111] *Community Charter*, s. 263.

Other options include the municipality filing a notice on the property title for contravention of building regulations (see *Community Charter* Section 57) or issuing work orders. The latter can be used as a last resort where compliance has not been achieved – work can be ordered through a contractor or done by the municipality, with cost recovery from the owner, including, in certain cases, via property tax (see *Community Charter* Section 17).

Bylaw implementation

Concerns around implementing bylaws tend to revolve around municipal authority (as detailed above), municipal resources and enforcement capacity, and building owners' ability to comply. Municipalities may take into consideration the following starting points to mitigate issues:

- Allocating staff resources for background research, heat vulnerability mapping, bylaw development and implementation, and public education. These efforts can be integrated with and support goals municipalities may already be working on, including housing, climate adaptation or low-carbon resilience, poverty reduction, health and safety, social services, equity, and emergency management.
- Existing tenant and building owner liaison roles to support education, dispute resolution, and compliance issues.
- Collaboration with community groups and service organizations for outreach and impact assessment.
- Assessing bylaw officer capacity, including the number of available officers, whether SoM already exist or would be newly added, and whether equipment and training are already in place for minimum temperatures (and could be applied to maximum temperatures).
- Timelines from announcement to implementation and enforcement to ensure sufficient time for education and planning.
- Approaches to bring "illegal" secondary suites into compliance to reduce illegal evictions, such as voluntary secondary suite registries and amnesty programs.
- Staged approaches using phasing options,[112] including:
    - Identifying and prioritizing the most at-risk areas based on vulnerability mapping
    - Identifying and supporting the buildings most likely to face compliance challenges
    - Crowdsourcing information from tenants and owners
    - Phasing in bylaw by building size or type
    - Transitioning from portable to permanent systems over time
    - Transitioning from cooling rooms to in-suite cooling over time, or using cooling rooms as temporary alternate compliance options, particularly where there are electrical capacity limitations.

[112] The Atmospheric Fund (Aug. 2024). Low Carbon Considerations for Maximum Temperature Bylaws, p. 6.

Example: City of New Westminster, BC

New Westminster has a Business Regulations and Licensing (Rental Units) Bylaw No. 6926 through which the City applies requirements to rental building owners, including providing the City with information about the rental unit(s) to obtain the business licence, maintaining a register of tenants, as well as the Standards of Maintenance (SoM) that the building must meet. The standards apply to all rental units, but owner-occupied single-detached homes with a secondary suite are exempt from the licensing requirements.

The City amended the SoM in this bylaw in 2025 to prevent cooling device prohibitions, including for tenants in strata units. A process is established through which building owners may obtain exemptions if they cannot reasonably comply, provided they obtain documentation from a licensed professional and renew it every two years. Section 34 (c) through (e) contains this update and reads as follows (emphasis added):

> *(c) No Prohibiting Portable Cooling Devices*
>
> *i. Where air conditioning, or another form of installed cooling system, is not already provided,* ***no owner shall prohibit or prevent a tenant from using a portable device designed to cool*** *internal temperature in a rental unit.*
>
> *ii. Subsection (i)* ***applies despite any strata bylaws*** *adopted under the Strata Property Act, 1998, c. 43 that directly or indirectly prohibit a tenant from using a portable device designed to lower the temperature of a rental unit.*
>
> *(d) Application for Exemption from Section 34 [(c)]*
>
> *i. An owner who is subject to section 34 (c)(i) may apply to the Building Official for an exemption from that section in respect of a rental unit, on the grounds that the owner cannot reasonably comply with section 34 (c).*
>
> *ii. An application under subsection (i) shall be submitted by the owner to the Building Official and* ***must be accompanied by documentation from a licensed professional*** *that outlines the unreasonable physical barriers that would need to be overcome in order to allow the dwelling unit to support a portable device designed to cool internal temperature in a rental unit.*
>
> *iii. An exemption granted under this section, is valid for 2 years from the date granted and must be reapplied for to maintain the exemption.*
>
> *(e) Dwelling Units with Cooling Devices or Systems*
>
> *Where air conditioning, or another form of installed cooling system, is provided by the owner, the owner shall maintain the system to be in good working condition.*

Continued: City of New Westminster, BC

Some of the key *Community Charter* authorities the City uses in its regulation of rental units include:

- Section 8(3)(i) to regulate public health
- Section 8(3)(g) in conjunction with section 63(f) to regulate health, safety or protection of persons or property in relation to rental units and residential property
- Section 8(6) to regulate business
- Section 59(1)(a) to require a register of tenants

Along with the business licensing bylaw detailed above, New Westminster also passed amendments to two of its existing enforcement-related bylaws, enabling multiple options for applying penalties in the case of violations:

- The Municipal Ticket Information Bylaw No. 8077 (updated with Amendment Bylaw No. 8527) established $750 per day penalties for prohibiting cooling devices, or failing to maintain them where provided by the owner.
    - This authority is established under the *Community Charter.*
    - The City of Port Moody uses this same mechanism for its SoM.
- The Bylaw Notice Enforcement Bylaw No. 7318 (updated with Amendment Bylaw No. 8526), established $200 penalties for these same contraventions.
    - The City's authority for this is established by the *Local Government Bylaw Notice Enforcement Act*, S.B.C. 2003, c. 60, and allows for a generally less formal, locally adjudicated process for minor contraventions.

Additional actions

In addition to regulation, municipalities also have the power to advocate for changes that support thermal safety in rental units and to support or incentivize such efforts. There are countless policies, programs, services, and other actions municipalities can consider within these three broad areas of influence. Many have already been implemented, and more detailed resources beyond the scope of this report exist for guidance, some of which are linked below:

- Emergency preparedness and response
    - Municipal heat response planning, heat preparedness, and cold preparedness
    - Household education and heat preparedness, including distribution of public health information (e.g. VCH, Fraser Health) and alerts, cooling supply kits
    - Collaboration with health authorities and community organizations on outreach and check-ins during extreme weather events
    - Communal emergency cooling & warming centres, water/misting stations

- Energy retrofit supports
    - Adopt broader building efficiency and emissions standards
- Support rating or labelling efforts
    - Case studies on cooling retrofits and retrofit incentives
    - Green or cool roof requirements, e.g., Port Coquitlam (green roofs, large commercial), Toronto (green roofs, all large buildings), Montreal borough of Rosemont-La-Petite-Patrie & Gatineau (green or cool roofs, new buildings or when renovating)
- Housing policy
    - Consider creating a tenant liaison or office to implement and support renter-related policies and SoM compliance
- Broader housing preservation and renter protections, such as the City of Burnaby Tenant Assistance Policy to prevent displacement from redevelopments, and the City of New Westminster Residential Rental Tenure Zoning
- Community planning
    - Mapping of buildings and populations vulnerable to extreme temperatures, data collection on indoor temperatures and air quality in residential units, e.g., BC Centre for Disease Control (BCCDC) Sentinel Indoor Temperature Network (SITNet), Vancouver Indoor Air Temperature Survey (City of Vancouver, Vancouver Coastal Health, BCCDC)
    - Improved municipal green spaces, planting of climate-adapted trees, and shading in public spaces
    - Applying thermal comfort frameworks such as Toronto's Thermal Comfort Guidelines
- Advocacy to the Province of BC, e.g., by mayor and council or via Union of BC Municipalities

Appendix A: Policy context

Housing policy

BC Building Code: "Sets minimum requirements for safety, health, accessibility, fire and structural protection of buildings and energy and water efficiency." It applies mainly to new construction but can also be triggered by major renovations.

- Part 9 of the Code regulates single-family homes, multiplexes, townhomes, small apartment or office/shop buildings 1-3 storeys high. Part 3 refers to large and complex buildings over three storeys and greater than 600sqm/6,500sqft in footprint.
- Since March 2024, it includes a requirement to provide one living space that does not exceed 26 degrees Celsius.
- Local governments can adopt higher levels of energy efficiency requirements via BC's Energy Step Code, or carbon emissions regulation via the Zero Carbon Step Code.

BC Residential Tenancy Act (RTA): Regulates most rental housing in BC, including rental units in stratas, secondary suites that are "illegal" (i.e., not compliant with municipal bylaws), some treaty lands, and subsidized housing, but not in assisted living or health facilities, nor on most reserves.[113]

The section on maintenance (s. 32 (1)) states that:

> *A landlord must provide and maintain residential property in a state of decoration and repair that*
>
> *(a) complies with the health, safety and housing standards required by law, and*
>
> *(b) having regard to the age, character, and location of the rental unit makes it suitable for occupation by a tenant.*

There is no inspection or proactive enforcement from the Province. It relies on tenants to bring complaints to the Residential Tenancy Branch (RTB).

The RTB has issued guidance and a policy guideline on air conditioners and passive cooling. It considers bans on these likely unenforceable if they "grossly impacted the health and quality of life of the tenant," but likely enforceable if there were "safety or building issues," leaving much open to case-by-case interpretation.

[113] For details on who is/isn't covered by the RTA, see the Tenant Resource & Advisory Centre's guidance.

Mitigation policy

The *Canadian Net-Zero Emissions Accountability Act* set out Canada's legally binding commitment to net-zero by 2050. The Canada Green Buildings Strategy (2024) addresses both mitigation and climate resilience, and includes a summary of retrofit funding programs, coordinating a national approach to home labelling, regulatory goals (including Energy Efficiency Regulations amendments), among other actions.

The BC *Climate Change Accountability Act* legislates economy-wide GHG emissions reduction targets. The Province's plan to meet these targets is set out in the CleanBC Roadmap to 2030, which aims for a 59-64% reduction in emissions from buildings and communities (from the 2007 baseline) by 2030. The Province has now acknowledged it is falling short of these goals. While per capita GHG reductions have been achieved, there has been no change in total GHG emissions from residential buildings.

Most local governments in BC have signed onto the BC Climate Action Charter, committing to corporate carbon neutrality, GHG emissions reporting, and supporting community-wide emissions reductions.

Specific to buildings, most upgrade incentive programs are primarily focused on reducing energy use and/or emissions. Goals may include **fuel-switching** from fossil fuels to cleaner energy sources, and **building electrification** – "making the shift away from fossil fuels and using low-carbon electricity for space heating, hot water and cooking" to mitigate climate change.[114] CleanBC incentives include targeted support for low- to medium-income households through the Energy Savings Program.

Filling the incentive gap for Multi-Unit Residential Buildings (MURBs) identified in Ecotrust Canada's 2024 Tenants Rights Report, the BC Hydro/CleanBC MURB Retrofit Program launched Sept. 2024, along with support through the Retrofit Accelerator for market rental buildings, non-profit housing, and strata buildings. Unfortunately, these programs missed the opportunity to consider the role of tenants: Not a single mention of the word tenant or renter can be found in the program guide materials.[115]

Adaptation policy

Canada's National Adaptation Strategy (2023) has a health and well-being goal that includes the objective to protect people "from urgent climate-related health risks such as extreme heat, infectious diseases, wildfire smoke, foodborne hazards and impacts to traditional foods, poor mental health outcomes, and others," along with a target that "by 2040, deaths due to extreme heatwaves have been eliminated."

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[114] Building to Electrification Coalition (2021). Building Electrification FAQ. Retrieved Mar. 24, 2025
[115] BC Hydro (2024, September). Multi-unit residential building retrofit program participant guide.
BC Hydro (n.d.). Multi-unit residential building retrofit program frequently asked questions.

BC's Climate Preparedness and Adaptation Strategy: Actions for 2022-2025 (2022) identifies extreme heat preparedness as a priority and outlines a preparedness framework that includes the BC Heat Alert and Response System, the Prepared BC Extreme Heat Guide, and the Community Emergency Preparedness Extreme Heat funding stream.

While not their primary aim, a number of the measures supported by BC's energy retrofit incentive programs also support climate adaptation and building resilience, e.g., by adding cooling through heat pump installations, improving thermal safety and indoor air quality with ventilation, and increasing extreme-weather resilience with insulation.

A number of local governments in BC have developed adaptation plans or plans that integrate mitigation and adaptation, including Campbell River, Prince Rupert, and the Capital Regional District. The City of Vancouver Climate Change Adaptation Strategy 2024-25 Update & Plan includes indoor cooling and thermal safety actions, including retrofits, advocacy, and investigating the feasibility of indoor temperature reductions in MURBs.

Appendix B: Municipal Standards of Maintenance bylaws in BC

Municipality	Heating capability required	Rental specific	Bylaw name and notes
Campbell River	No	No	Public Nuisance Bylaw 3543, 2014 Maintain rental premises to the BC Building Code
Chilliwack	Min. 19°C	No	Building Maintenance and Occupancy Standards Bylaw No. 3733, 2010
Creston	Min. 21°C	Yes	Rental Standards of Maintenance Bylaw No. 1951, 2022
Delta	Min. 22°C	No	The Residential Standards of Maintenance Bylaw No. 6262, 2004
Maple Ridge	Min. 22°C	Yes	Rental Premises Standards of Maintenance Bylaw No. 6550, 2008
New Westminster	Min. 22°C*	Yes	Business Regulations and Licensing (Rental Units) Bylaw No. 6926, 2004 Includes business licence requirement for all rentals except owner-occupied single detached homes with a secondary suite; and maintaining a tenant register
City of North Vancouver	Min. 20°C	Yes	Rental Premises Standards of Maintenance and Prevention of Nuisances Bylaw No. 7931, 2008
District of North Vancouver	Min. 22°C	Yes	Standards of Maintenance Bylaw No. 6917, 1997
Pitt Meadows	Min. 22°C	Yes	Residential Standards of Maintenance Bylaw No. 2686, 2015
Port Moody	Min. 22°C	Yes	Standards of Maintenance Bylaw No. 3467, 2024
Prince Rupert	Min. 22°C*	Yes	Business Regulation and Licensing (Rental Units) Bylaw 3476, 2021

			Includes business licence requirement for all rentals except single & two-family dwellings
Quesnel	Min. 22°C	Yes	Minimum Rental Property Standards Bylaw No. 187, 2019
Richmond	Min. 22°C*	Yes	Rental Premises Standards of Maintenance Bylaw No. 8159, 2006
District of Saanich	Min. 20°C	No	Minimum Property Maintenance Standards Bylaw No. 4050, 1978
City of Surrey	Min. 22°C*	Yes	Surrey Rental Premises Standards of Maintenance By-law, No. 17686, 2012
Terrace	Min. 22°C*	Yes	Bylaw to Regulate and Impose Requirements for the Standards of Maintenance for Residential Rental Premises, No. 2017, 2013
Vancouver	Min. 22°C	No	Standards of Maintenance By-law No. 5462, 2024
Vernon	Min. 22°C*	Yes	Rental Unit Standard of Maintenance Bylaw No. 5120, 2008
Victoria	Min. 21°C*	Yes	Rental Property Standards of Maintenance Bylaw No. 20-091, 2020
View Royal	Min. 22°C	No	Property Maintenance Bylaw No. 512, 2006

*Specifies that the heat must be turned on upon occupant request.

Some of the larger municipalities in BC that do not appear to have any SoM bylaws include: Burnaby, Central Saanich, Coldstream, Coquitlam, Cranbrook, Langford, North Saanich, Oak Bay, Sooke, Squamish, and White Rock.

Municipalities with maintenance or "good neighbour" bylaws that focus solely on the building exterior, often addressing "unsightliness" and "nuisance," i.e., not covering the indoor conditions of rental units (bylaws linked) include: Abbotsford, Colwood, Comox, Courtenay, Dawson Creek, Esquimalt, Fort St. John, Kamloops, Kelowna, Lake Country, City of Langley, Township of Langley, Mission, Nanaimo, Nelson, North Cowichan, Parksville, Penticton, Port Alberni, Port Coquitlam, Powell River, Prince George, Salmon Arm, Sechelt, Sidney, Summerland, West Kelowna, West Vancouver, Williams Lake, and Whistler. There are likely more municipalities with similar bylaws not listed here; significantly more such bylaws exist than bylaws addressing rental SoM.

Appendix C: Resources

Adaptation/resilience resources

Thermal Safety in Existing Multi-Unit Residential Buildings: A Policy Toolkit for Local Governments in BC's Lower Mainland by Westerhoff Climate Strategies, Focal Engineering, and Introba (2025) including policy recommendations, a cooling audit framework, implementation pathways depending on budget and severity of overheating, and an effectiveness evaluation of retrofit options

Policy Tools to Create and Support Cooler, Safer Indoor Living Spaces by Vancouver Coastal Health (2023)

Climate change resilience for buildings guide by BC Housing Research Centre / RDH (2021) provides a good introductory overview of the topic.

BC Housing's 2024 Realizing Resilient Buildings in B.C.: A Toolkit for local governments includes a section on extreme heat.

ClimateResilientRetrofits.ca hosts a multi-hazard resilient retrofits database applicable to residential buildings, including a database of extreme heat protection measures.

Irreversible Extreme Heat: Protecting Canadians and Communities from a Lethal Future by Intact Centre on Climate Adaptation (2022)

Healthy Buildings in a Changing Climate: Improving health with multi-unit residential building retrofits by Pembina Institute (2024)

C40 Cities (international) Knowledge Hub, including extreme heat and neighbourhood-level cool implementation guide

Community Sector Blueprint for Minimum Energy Efficiency Rental Requirements (2023) by the Healthy Homes for Renters campaign in Australia

Overheating design guidelines

BC Housing - BC Energy Step Code Design Guide Supplement S3 on Overheating and Air Quality (2019): Focused on new mid-to-high-rise buildings, but provides a clear explanation of concepts and design strategies to address overheating and air quality.

Engineers & Geoscientists BC - Practice Advisory: Overheating Considerations for Existing Multi-Unit Residential Buildings (2022): Causes and impacts of overheating, how to evaluate and reduce it, and energy use and GHG implications.

National Research Council Canada - Climate resilience buildings: guideline for management of overheating risk in residential buildings (2022) details human health effects of heat, thermal comfort/stress measures, building overheating and measures for mitigating it, organized by home type.

National Collaborating Centre for Environmental Health – Preventing indoor overheating (2023): Collection of resources on risk factors, passive and active strategies, and policy considerations/

Municipal bylaw resources

Canadian Environmental Law Association (CELA), Low-Income Energy Network, and Advocacy Centre for Tenants Ontario (2022) - Recommendations for Municipalities Focus: Extreme Heat and Rental Housing report includes a model maximum temperature bylaw, as well as action recommendations for municipalities. While written for Ontario municipalities, these can serve as a template for adaptation in BC. An accompanying advocacy toolkit is also available.

City of New Westminster - May 2025 report to council provides an overview of the City's cooling bylaw amendment work, along with an overview of the City's Vulnerable Buildings Assessment Project. Also see the City's Business Regulations and Licensing (Rental Units) Bylaw No. 6926, 2004.

City of Port Moody - 2023 Municipal Scan: Minimum Standards of Maintenance Bylaws and 2024 Minimum Standards of Maintenance Bylaw Enforcement Options summarize the City's research prior to adopting its SoM bylaw.

The Atmospheric Fund offers some approaches to and examples of Low Carbon Considerations for Maximum Temperature Bylaws (2024).

ecotrust canada

Vancouver Office

225 West 8th Avenue, Suite #300
Vancouver, BC V5Y 1N3

Prince Rupert Office

425-309 Second Avenue West
Prince Rupert, BC V8J 3T1

ecotrust.ca