

City of Toronto  
Office of the Chief Building Official and Executive Director  
Toronto Building Division  
Development and Growth Services  
Attention: Mr. Kamal Gogna, P.Eng., Interim Executive Director, and Chief Building Official

November 21, 2024

**Re: Implementing a Rental Renoviction License By-Law to Address Renovictions in the City of Toronto**

Dear Kamal,

Further to our letter dated September 24, 2024, Professional Engineers Ontario (PEO) had the opportunity to discuss the matter with the Ontario Association of Architects (OAA) and have aligned a coordinated joint response.

We have noted that your report to Council on October 16, 2024, showed on page 16 that

City staff have engaged the PEO and the OAA to discuss the implementation of a proposed Renovictions Bylaw. Staff heard of the need for clear guidance materials for both engineers and architects. Toronto Building will continue to engage these, and other professional organizations throughout the implementation process.

Our comments are specifically related to the City's Draft Renovictions Bylaw with respect to the role of individuals licensed by the PEO and OAA serving as "qualified persons" to prepare a report that a landlord's proposed renovations or repairs are so extensive that vacant possession of the rental unit is needed, as described in subsection 2.2 (5);

(5) a copy of a report prepared by a Qualified Person saying that the repairs or renovations **are so extensive or present such a danger to the health and safety of the occupant** that they require vacant possession of the Tenant's Rental Unit.

**Areas where further clarification is needed**

While the by-law has few details on how Qualified Persons will be involved and affected, both of our organizations are confident that persons licensed by the PEO and OAA are competent to prepare the required report. The following areas that require further clarification include:

- Clear definitions and/or other guidance to help qualified persons interpret what is meant by "extensiveness required for vacancy". A definition of "extensive", such that it could not be up for interpretation, is required prior to implementation.

- More clarity pertaining to the determining factors for health and safety dangers is recommended to reduce the possibility of deliberate attempt to encourage eviction. OAA

and PEO licensed members are not trained to identify specific health concerns or conditions, other than that which is directly related to safety.

- Specificity on the required scope of work needed from the qualified professional and responsibilities of any action needed.
- Clarity on what is meant by “emergency repair and health & safety risk” and whether the report by qualified professionals is intended to report on efforts to mitigate to avoid eviction.
- Guidance for consideration of issues that may be a significant inconvenience for contractors or tradespeople undertaking any applicable repairs or renovations with a tenant staying including scheduling, noise, dust, etc.
- How will the municipality enforce the by-law consistently as it relates to the report of the qualified professional?
- Protection from any administrative or legal penalties or liabilities that may be imposed on the qualified professional because of the report provided.
- How would the City of Toronto address situations of conflict of interest for qualified professional arise from issuing these reports, if it exists?

PEO and OAA value the opportunity to be included in these discussions with a view to helping you and your colleagues develop clear by-laws and supporting materials to guide both landlords and qualified professionals, as well as provide clarity to tenants affected by these renovation applications.

We look forward to continued consultations as the by-law development process moves forward.

Sincerely,

*David Smith*

David Smith  
Director, External Relations  
Professional Engineers Ontario



Kristi Doyle  
Executive Director  
Ontario Association of Architects