

# Equity considerations in Toronto's Building Emissions Performance Standards: Implementation phase

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# Equity considerations in Toronto's Building Emissions Performance Standards: Implementation phase

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## Introduction

Building performance standards are a promising policy tool for reducing energy use and greenhouse gas emissions in existing buildings, and they have been adopted in Vancouver and Quebec. The City of Toronto’s Infrastructure and Environment Committee recently delayed council consideration of Building Emissions Performance Standards (BEPS) for the City until Q1 of 2027.<sup>1</sup> City staff have been directed to pursue further analysis in the interim of the economic impact, legal context and necessary measures for tenant protections under BEPS. This extension could allow for continued, in-depth consultation with impacted stakeholders – including underserved communities – on how equity can be centred throughout the design and implementation of a BEPS by-law, as well as how to mitigate potential harms.

This policy brief is the companion document to our first brief, “Equity Considerations in Toronto’s Building Emissions Performance Standards,” which focuses primarily on opportunities to embed equity within the policy design of BEPS for the City of Toronto.<sup>2</sup> Best practice suggests that equity be considered and prioritized throughout the design, implementation and evaluation phases of a BEPS by-law. Equity considerations in the implementation process are distinct from those in the policy design phase as they relate to not only how the by-law is enforced and whether or not equitable outcomes are achieved, but also how inequitable outcomes are addressed and adapted.

This brief builds on the best practices and opportunities identified in our first brief on centring equity in BEPS design and uses the same framework of the City’s five design

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<sup>1</sup> City of Toronto, IE26.3 - TransformTO Net Zero Strategy: Action Plan (2026-2030), Item 13. <https://secure.toronto.ca/council/report.do?meeting=2025.IE26&type=decisions>.

<sup>2</sup> Abhilash Kantamneni, Katharine Turner, Louise Sharrow & Marshall Duer-Balkind, “Equity Considerations in Toronto’s Building Emissions Performance Standards,” *Efficiency Canada, Carleton University & Institute for Market Transformation*, July 24, 2025. [https://www.energycanada.org/wp-content/uploads/2025/07/Equity\\_Considerations\\_in\\_Torontos\\_Building\\_Emissions\\_Performance\\_Standards\\_Final.pdf](https://www.energycanada.org/wp-content/uploads/2025/07/Equity_Considerations_in_Torontos_Building_Emissions_Performance_Standards_Final.pdf).

principles to facilitate the connection between recommendations.<sup>3</sup> These recommendations are not entirely conditional on the adoption of equitable by-law design principles, as implementation processes have their own distinct impacts on underserved and marginalized groups, but are strengthened and/or more effective when employed as a part of a sustained commitment to centring equity within the by-law.

## Key considerations

The successful implementation and enforcement of BEPS will require an investment in staffing capacity, tools, and collaboration between city departments, other levels of government, and non-government actors. Equitable implementation should stem from a policy that has been designed with equity at the centre and a robust network of supporting policies, programs, and processes. The considerations in this brief are informed by BEPS policies in other jurisdictions across the U.S. and Canada.<sup>4</sup> As BEPS policies continue to roll out and reach different stages of compliance in these jurisdictions, more lessons and opportunities are expected to emerge.

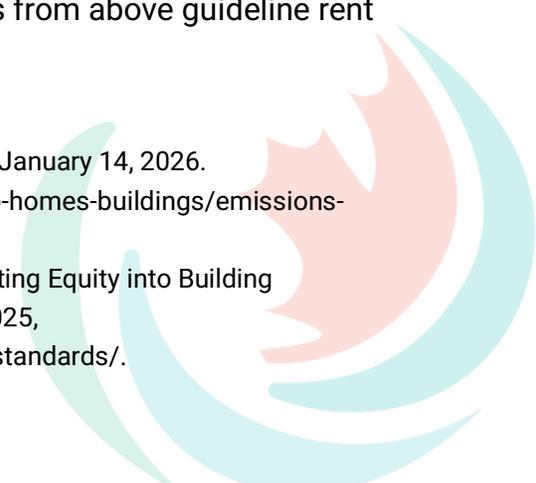
## Cross-cutting affordability and equity considerations; broad and inclusive engagement and consultation

Equity and affordability considerations must extend to the implementation and enforcement of BEPS to ensure that policies and programs perform as intended. This includes, but is not limited to, securing non-energy benefits for underserved communities, improving affordability, and protecting tenants from above guideline rent

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<sup>3</sup> City of Toronto, Building Emissions Performance Standards, accessed January 14, 2026. <https://www.toronto.ca/services-payments/water-environment/net-zero-homes-buildings/emissions-performance-standards/>.

<sup>4</sup> Louise Sharrow, Julianna DiLauro, and Marshall Duer-Balkind, "Integrating Equity into Building Performance Standards," *Institute for Market Transformation*, August 2025, <https://imt.org/resources/integrating-equity-into-building-performance-standards/>.



increases, renovictions, and passed-down costs from building owners.<sup>5</sup> Ongoing public consultation and engagement will be critical to understanding the direct impacts of how the policy is being enforced, any unmet needs, and recommendations for adaptations to the policy and supporting programs.

Opportunities:

**Empower community accountability boards:** Our first brief discusses the value of implementing a formal structure, such as a community accountability board (CAB), to empower community representatives to make decisions and guide the equitable implementation of the by-law. CABs are well-exemplified by Boston’s BERDO Review Board, which is composed of volunteers nominated by community-based organizations and the local community.<sup>6</sup> The board is responsible for overseeing applications and approvals for flexibility measures, making funding decisions for the Equitable Emissions Investment Fund, issuing notices of violations where necessary, and recommending updates to the policy. A CAB in Toronto could similarly provide ongoing insights, recommendations, oversight, and engagement pathways focused on equity and affordability throughout policy implementation and enforcement.

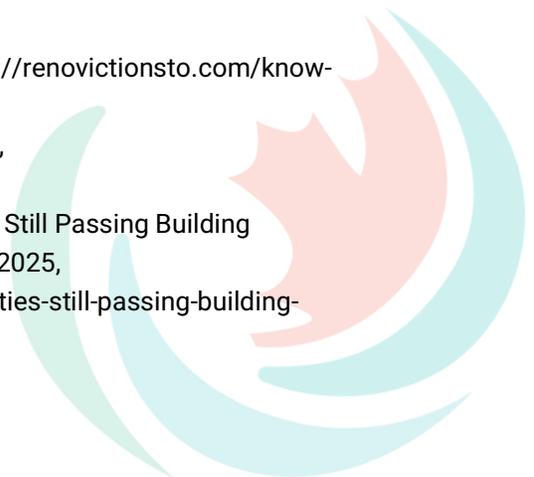
**Ensure adequate government staffing:** The experience of jurisdictions in the U.S. currently implementing building performance standards (BPS) suggests that they require at least one full-time employee for every 250–300 covered buildings, and C\$500–C\$750 of administrative costs per covered building.<sup>7</sup> Investing in staff capacity is particularly important in enabling flexibility measures (e.g., alternative compliance pathways, targets, or timelines, or pursuing specific end-use upgrades like in-unit

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<sup>5</sup> RenovictionsTO, “Know Your Rights,” accessed January 28, 2026. <https://renovictionsto.com/know-your-rights>.

<sup>6</sup> City of Boston, “BERDO Review Board,” last updated December 16, 2025, <https://www.boston.gov/departments/environment/berdo-review-board>.

<sup>7</sup> James Burton, “2025 Building Policies Outlook: More and Smaller Cities Still Passing Building Performance Standards,” *Institute for Market Transformation*, March 20, 2025, <https://imt.org/news/2025-building-policies-outlook-more-and-smaller-cities-still-passing-building-performance-standards/>.



cooling) within the by-law. These measures are essential to accommodating the unique needs of owners and inhabitants of equity-priority buildings (e.g., aligning with maintenance plans and financing cycles), and ensuring that costs are not passed on to tenants. Staff capacity is required to ensure that accommodations and flexibilities are reviewed and approved at a sufficient speed, with the necessary engineering knowledge and discretion. Staff capacity to support BEPS implementation may be needed across departments to cover diverse needs (e.g., data compliance, permit alignments, and adherence to tenant protection and rental laws).<sup>8</sup>

### **Maintain community engagement and feedback throughout the implementation**

**process:** Community engagement, including but not limited to Toronto’s Equity Advisory Committee, should not end when a BEPS by-law is approved. Toronto should establish a clear process to solicit and act on feedback from all stakeholders once BEPS have gone into effect to ensure realized benefits for building owners and occupants. To be successful and efficient, this feedback structure should be established ahead of compliance rather than on an ad hoc basis when issues arise. Denver, Colo., is a strong example of making receptive adjustments based on stakeholder feedback to make BEPS compliance more attainable.<sup>9</sup>

As discussed in our first brief, the City should strive to engage broader audiences through public meetings, targeted focus groups, individual outreach and other methods. Engagements should focus on the items of most concern to community members (e.g., fear of rising rents, displacement, landlord accountability) and can be conducted in partnership with trusted local messengers such as community centres, faith groups, or

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<sup>8</sup> Cliff Majersik and Zachary Hart, “Building Performance Standard Implementation Guide,” Institute for Market Transformation, November 2022. <http://imt.org/resources/building-performance-standard-implementation-guide>.

<sup>9</sup> City and County of Denver, “Rules and Technical Guidance,” accessed January 7, 2026. <https://denvergov.org/Government/Agencies-Departments-Offices/Agencies-Departments-Offices-Directory/Climate-Action-Sustainability-and-Resiliency/Cutting-Denvers-Carbon-Pollution/Efficient-Commercial-Buildings/Denver-Building-Regulations/Energize-Denver-B>.

housing/tenant advocacy organizations to ensure materials are culturally relevant and reach a wide audience. Translated materials and services should also be provided where appropriate.

## Supportive programs and policies

Creating and communicating about a network of supportive programs, services, and policies is essential to ensuring that BEPS compliance is accessible and realistic for owners and operators of equity-priority buildings.

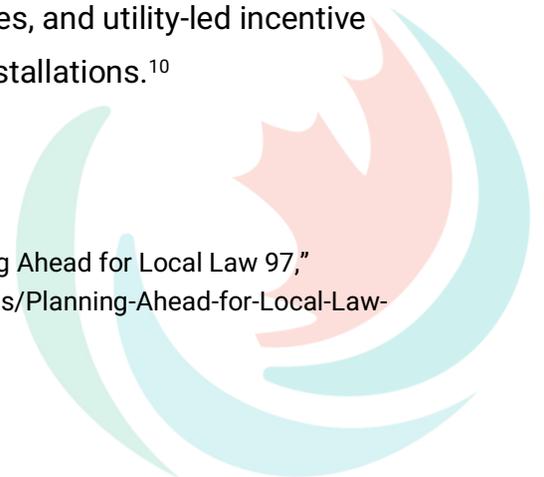
Opportunities:

**Remove barriers to compliance for building owners (collaboration):** Collaboration with other levels of government and non-government actors is essential to removing barriers for building owners and ensuring retrofits are pursued to their fullest extent. Below, we highlight some of the potential areas for collaboration and alignment that will contribute to a stronger, more effective policy and program network, with the understanding that the eventual goal is for BEPS to be integrated in national and provincial building codes.

- Provincial and federal governments: While dynamic, a range of opportunities for financial support and information sharing exist at the provincial and federal levels. Collaboration between levels of government to highlight supportive programs and share learnings will help to ease compliance. New York State exemplifies this as it highlights relevant programs to help comply with New York City's Local Law 97 on its Multifamily Building Programs page, including cost-reduced energy assessments, state-run solar incentives, and utility-led incentive programs for multi-family buildings and heat pump installations.<sup>10</sup>

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<sup>10</sup> New York State Energy Research and Development Authority, "Planning Ahead for Local Law 97," <https://www.nysrerda.ny.gov/All-Programs/Multifamily-Building-Programs/Planning-Ahead-for-Local-Law-97>.





- Utilities: The City can build on processes and relationships that utilities have already developed to access benchmarking data and support larger efforts around neighbourhood-level energy planning and retrofits projects (e.g., thermal energy networks).<sup>11</sup> Utilities such as the Independent Electricity System Operator, Toronto Hydro, and Enbridge can also work to ensure that incentive programs (e.g., Enbridge’s Affordable Housing Multi-Residential program) are designed or updated with a clear understanding of BEPS. Similar approaches may also be applied to affordable and social housing programs (e.g., Rent-Geared-to-Income Housing).
- City planning and permitting departments: All city staff that interact with buildings should be well-informed of BEPS compliance requirements and should encourage building owners to consider BEPS in their asset planning and decision making. In addition, BEPS targets should be considered when designing future versions of the building code and Toronto Green Standards to ensure that newly constructed buildings are set up for successful BEPS compliance from the outset through aligned requirements and predictive modelling.<sup>12</sup>
- Tenant rights enforcement: Departments and entities involved in the support and enforcement of tenant rights – such as RentSafeTO and the Ontario Landlord and Tenant Board – should be well versed on BEPS to support monitoring vital tenant and affordability protections within the by-law.

**Provide tailored and streamlined support:** Many jurisdictions designing or implementing BEPS in the U.S. have a designated building resources hub (e.g., New York City’s Building Energy Exchange, Illinois’ Building Energy Hub, Washington D.C.’s

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<sup>11</sup> Building Decarbonization Coalition, “Thermal Energy Networks (TENs),” accessed January 7, 2026. <https://buildingdecarb.org/resource-library/tens>.

<sup>12</sup> Marshall Duer-Balkind and Louise Sharrow, “Missed Connections: Building Energy Codes and Building Performance Standards,” *Institute for Market Transformation*, May 3, 2024, <https://imt.org/news/missed-connections-building-energy-codes-and-building-performance-standards/>;  
Maria Karpman, Michael Rosenberg, Andrea Mengual, and Michael Tillou, “Building Performance Standards and Energy Code Alignment,” *Pacific Northwest National Laboratory*, June 2024, [https://www.pnnl.gov/main/publications/external/technical\\_reports/PNNL-34451.pdf](https://www.pnnl.gov/main/publications/external/technical_reports/PNNL-34451.pdf).

Building Innovation Hub, and Denver’s Energize Denver program) similar to the City of Toronto’s Better Buildings Navigation Resource Hub.<sup>13</sup> These can be housed within the city government but are more often implemented by a third-party non-profit due to greater flexibility in funding and programming and their independence from the city’s government. Resource hubs should make information on BEPS compliance and all available programs, resources and supports available. The existing network of hubs in the U.S. has many resources that can be applied to the Toronto context.<sup>14</sup> Hubs are a strong resource to provide more in-depth, tailored support for owners of equity-priority buildings. This could include special education sessions, one-to-one coaching (e.g., The Atmospheric Fund’s Retrofit Accelerator), concierge-style programs, and access to dedicated funding streams. Washington D.C.’s Affordable Housing Retrofit Accelerator and Denver, Colorado’s Compliance Assistance Program are both strong models for equity-oriented hub programs.<sup>15</sup>

Support for equity-priority buildings offered through resource hubs should similarly build upon the principle of collaboration discussed above. Resources should be offered in collaboration with entities such as city departments, utilities, contractor networks, bill assistance programs, legal aid clinics (e.g., Advocacy Centre for Tenants Ontario, Low Income Energy Network in Toronto), tenant and affordable housing advocacy organizations (e.g., ACORN), small business associations, and other community-based

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<sup>13</sup> Building Energy Exchange & Institute for Market Transformation, “Building Performance Partnership.” <https://buildingperformancepartnership.org/>; City of Toronto, “Better Buildings Navigation Resource Hub,” accessed January 13, 2026. <https://www.toronto.ca/services-payments/water-environment/net-zero-homes-buildings/better-buildings-partnership/better-buildings-resources-hub/>.

<sup>14</sup> “Our Network,” *Building Performance Partnership*, accessed January 27, 2026, <https://buildingperformancepartnership.org/our-network>.

<sup>15</sup> District of Columbia Sustainable Energy Utility, “Affordable Housing Retrofit Accelerator,” Government of the District of Columbia Department of Energy & Environment, accessed December 23, 2025, <https://www.dcseu.com/affordable-housing-retrofit-accelerator>; City and County of Denver, “Energize Denver Compliance Assistance for Large Buildings,” accessed December 23, 2025, <https://denvergov.org/Government/Agencies-Departments-Offices/Agencies-Departments-Offices-Directory/Climate-Action-Sustainability-and-Resiliency/Cutting-Denvers-Carbon-Pollution/Efficient-Commercial-Buildings/Resources-for-Multifamily-Housing-and-Small-B>.

organizations that may already have relationships with tenants and users of equity-priority buildings. A resource hub for Toronto could also build upon existing support networks such as the Low-income Energy Assistance Program (LEAP) Agencies or the Toronto Strong Neighbourhoods Strategy (TSNS).<sup>16</sup>

**Support funding support programs:** Adequate funding and financial support must be available throughout implementation to help ensure equity-priority buildings can comply without passing costs on to tenants.<sup>17</sup> Funding support can be provided through a variety of channels, including government grants, green banks and financing, public-private partnerships, and tax incentives. For example, Seattle’s Building Decarbonization Grant is funded by payroll tax to assist non-profits and affordable housing providers in BEPS compliance.<sup>18</sup> Grant recipients are further encouraged to consider funding needs beyond direct retrofit financing for a successful BEPS (e.g., building health and safety, legal aid support, tenant support funds, and other wrap-around services).

**Keep parallel policies and programs on track:** No one policy tool can do it all. Our initial brief outlines the necessity of supporting parallel policies (e.g., maximum heat or renovictions by-laws) to ensure a BEPS by-law does not impose additional burdens or harm tenants and underserved groups. This will be especially important as buildings electrify and add cooling, as energy use and costs may shift to tenant-paid meters. If the equity strategy for Toronto’s BEPS is dependent on companion policies, all actors

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<sup>16</sup> Ontario Energy Board, “LEAP Agencies,” accessed January 7, 2026. <https://www.oeb.ca/consumer-information-and-protection/bill-assistance-programs/low-income-energy-assistance-program/leap-agencies>; City of Toronto, “Toronto Strong Neighbourhoods Strategy,” accessed January 7, 2026. <https://www.toronto.ca/city-government/accountability-operations-customer-service/long-term-vision-plans-and-strategies/toronto-strong-neighbourhoods-strategy/>.

<sup>17</sup>City and County of Denver, “What is an Equity Priority Building,” accessed January 13, 2026. <https://denvergov.org/Government/Agencies-Departments-Offices/Agencies-Departments-Offices-Directory/Climate-Action-Sustainability-and-Resiliency/Cutting-Denvers-Carbon-Pollution/Efficient-Commercial-Buildings/Resources-for-Multifamily-Housing-and-Small-B>.

<sup>18</sup> Caleb Stipkovits, “2025 Building Decarbonization Grant Application Now Open to Help Community Buildings Reduce Climate Pollution,” City of Seattle’s Office of Sustainability & Environment, 2025. <https://greenspace.seattle.gov/2025/04/2025-Building-Decarbonization-Grant-Application-Now-Open-to-Help-Community-Buildings-Reduce-Climate-Pollution>.

involved in the implementation process should be equally invested in ensuring that these parallel policies are adopted and implemented effectively. Environment, Climate & Forestry staff should be up to date on tenant protection policies, and connections to other departments should be considered when accounting for adequate staffing for BEPS implementation.

**Reinvest funds:** Toronto should reinvest any non-compliance fees collected directly into building decarbonization, ideally to support equity-priority buildings with BEPS compliance, as is done in several existing BPS policies. Boston’s Equitable Emissions Investment Fund is a particularly strong example for this model of reinvesting – in part due to the oversight provided by the community-centred BERDO Review Board as discussed above.<sup>19</sup> As of January 2026, no jurisdictions with a legislated BEPS have begun collecting non-compliance fees. Since the first deadlines are only taking effect now, best practices on implementing these funds have yet to be determined.

### Data-driven and attainable standards

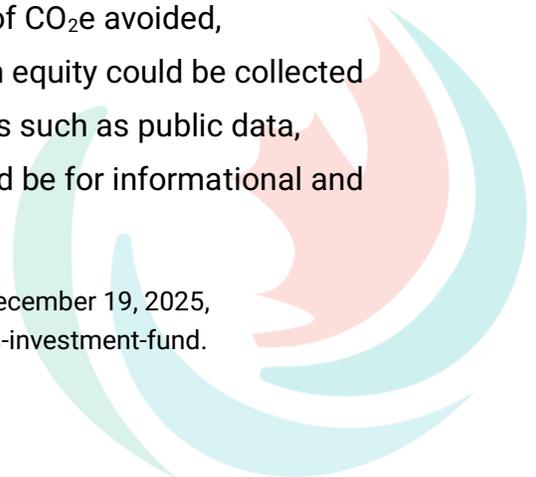
Appropriate metrics to track non-energy benefits are critical to ensuring that BEPS create more affordable and resilient buildings. By collecting and sharing both quantitative and qualitative data, the City can more effectively engage impacted communities throughout implementation and make timely adjustments to regulations.

Opportunities:

**Transparency and clear metrics for evaluation:** A BEPS by-law has clear metrics embedded in the policy (GJ or kWh of energy saved, tonnes of CO<sub>2</sub>e avoided, compliance rates). Additional metrics to evaluate impacts on equity could be collected either directly from building owners or through other methods such as public data, aggregated utility data, or sampling approaches. These would be for informational and

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<sup>19</sup> City of Boston, “Equitable Emissions Investment Fund,” last updated December 19, 2025, <https://www.boston.gov/departments/environment/equitable-emissions-investment-fund>.



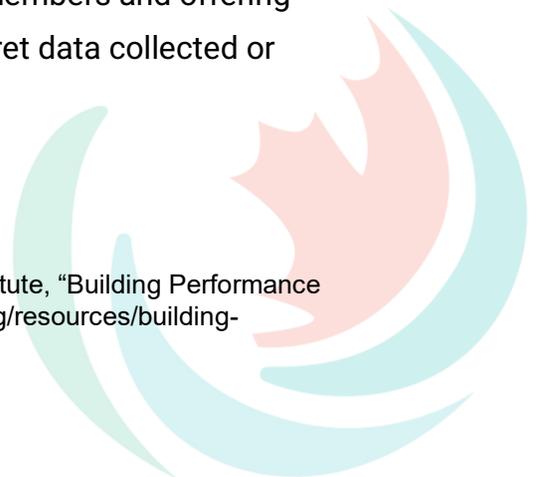
large-scale evaluation purposes, not to create additional standards for individual buildings. Possible metrics include:

- Indoor/outdoor air quality levels (indoor CO<sub>2</sub>, NO<sub>x</sub>, O<sub>3</sub>) through sampling<sup>20</sup>
- Energy costs, likely in aggregate or through an agreement with utilities
- Compliance rates and reductions in energy consumption and/or greenhouse gas emissions by neighbourhood, informed by Neighbourhood Improvement Area designations
- Average rent increases over time just above/below the BEPS size threshold
- Evictions and tenancy court filings
- Sales of multi-family buildings
- Building code violations
- Emergency room asthma cases
- Job creation and workforce development programs by neighbourhood
- Status of Minority Business Enterprises of retrofit workforce

To ensure realistic and appropriate metrics are chosen, plans for evaluation should be designed in advance of implementation with strong input from the community. CABs may also play a valuable role in reviewing and providing periodic recommendations based on evaluation outcomes. CABs could also provide guidance on resolving potential conflicts between outcomes (e.g., increased cost of electricity for tenants due to fuel switching). Regular and transparent communication of these metrics and outcomes are also needed to establish whether the policy is working and if it is meeting equity standards and goals. City staff can strengthen communication, with the support of CABs, by conducting listening sessions with community members and offering ongoing feedback mechanisms that may help the City interpret data collected or address any gaps.

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<sup>20</sup> Institute for Market Transformation and International Well Building Institute, “Building Performance Standard Module: Ventilation and Indoor Air Quality,” 2021, <https://imt.org/resources/building-performance-standard-module-ventilation-and-indoor-air-quality/>.



## Summary

Careful consideration is necessary to implement equity-centred BEPS. Implementation not only determines whether the by-law is achieving more equitable outcomes but also establishes processes for addressing concerns and potential injustices within compliance requirements. Toronto has much of the existing infrastructure and networks to support the recommendations of this brief, but the City will need to prioritize ongoing collaboration and engagement with stakeholders, clear evaluation metrics, adequate resourcing, and continual improvement to ensure the successful and equitable implementation of a BEPS by-law.

