

A Consultation on Fire Safety for Vulnerable Residents in Ontario



Ministry of Community Safety
and Correctional Services
November 2010



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Making Homes for Vulnerable Ontarians Safer

The McGuinty Government is calling on its fire safety partners to help improve fire safety in residences for seniors, people with disabilities and other vulnerable Ontarians.

We are committed to working with, and listening to, our partners to find new ways to improve fire safety in vulnerable care homes. Together, we can take action to meet the needs of vulnerable Ontarians and ensure that they are safe in their homes.

Moving Forward

This consultation is about determining what next steps Ontario's fire safety partners can take to improve fire safety in vulnerable care homes across the province.

Between now and March 28, 2011, we are asking the public, our partners and stakeholders to tell us what challenges we continue to face in preventing fire emergencies in vulnerable care and care and treatment occupancies, and in responding when a fire occurs.

This consultation document poses a series of focused questions in several key fire safety areas, including;

- Fire Prevention and Education;
- Fire Protection and Inspection;
- Legislative and Regulatory Tools;
- Enforcement and Penalties; and,
- Implementation.

The answers to these questions will help us move forward to further improve fire safety for vulnerable residents in Ontario.

Our Focus: Fire Safety in Vulnerable Care and Care and Treatment Occupancies

This consultation focuses on care occupancies, and care and treatment occupancies that provide housing or other accommodation for vulnerable people in Ontario.

These are occupancies in which persons receive “special or supervisory care because of cognitive or physical limitations”, including:

- retirement homes
- group homes for children/youth
- mental health centres for children and youth
- group homes for adults
- group homes for deaf/blind adults
- domiciliary hostels
- Residences of the provincial and demonstration schools for students who are deaf, blind, deafblind or have a learning disability
- supportive housing

They also include occupancies in which persons receive “special care and treatment”, including:

- long-term care homes (includes nursing homes and homes for the aged)
- homes for special care
- hospitals

Residents in these occupancies face specific challenges and needs in responding to fire emergencies. Collectively, we need to ensure that we work together to meet these challenges and needs so that vulnerable Ontarians are safer in their homes.

Consultation Details

By March 28, 2011, we encourage the public, our partners and stakeholders to send us their feedback. There are two ways that you can have your say:

1. Mail, fax or email your document to

Mailing Address

Consultation on Fire Safety for Vulnerable Residents
Ministry of Community Safety and Correctional Services
Policy and Strategic Planning Division
25 Grosvenor Street, 9th Floor
Toronto, Ontario
M7A 1Y6

Fax: (416) 212-4020

Email: Fire.Safety.Consultation@ontario.ca

2. Complete the consultation questionnaire on the Ministry of Community Safety and Correctional Services website at <http://www.ontario.ca/safety>

All responses will remain strictly confidential. No response will be attributed to a particular organization or individual.

Following the consultation, your responses will be carefully reviewed and considered by government and included in a report summarizing input.

If you have any questions about the consultation process or the feedback form, or would like a copy of this document in an alternate accessible format please contact Dianne Kasias at 416 326-3476 or send an email to Fire.Safety.Consultation@ontario.ca

Respondent Information

Please complete the following particulars about the submission you are making.

Your name: _____

Your organization/association: _____

Your title within the organization/association you represent:

Are you authorized to speak on behalf of the organization/association?

If you are an owner or operator of a retirement home please specify the type of retirement home you own/operate, and the type of care, treatment and services provided: _____

Consultation Form

Please take the time to complete the following questions. As previously indicated this consultation will assist us in identifying future direction for fire safety in occupancies housing vulnerable Ontarians. The results of this consultation will be presented to government for consideration.

Please answer the questions below based on your experience [For on-line version: Please complete the answer fields and click the "Submit Form" button when done. Alternatively you may download the form in file format for later completion.]

For questions #2-6, 8, 9, 11, 13, 15-17, 19 and 20 please check the box that best indicates your **level of agreement** with the statements.

PREVENTION / PUBLIC EDUCATION

Question 1:

What types of fire prevention initiatives or measures should be implemented to improve fire safety in occupancies housing vulnerable Ontarians?

Please indicate which initiative(s) or measure(s) you identified should be considered the highest priority for improving fire safety in these occupancies.

Question 2:

The *Fire Protection and Prevention Act, 1997*, requires municipalities to establish public education and fire prevention programs within their communities.

Municipalities are currently meeting this obligation.

Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree

Please explain how municipalities are or are not currently meeting this obligation.

Please provide suggestions on how municipalities can more effectively meet this obligation (if applicable).

Question 3:

Residents have a role to play in terms of fire safety and prevention.

Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree

What role do residents play in terms of fire safety and prevention? Please explain your response.

PROTECTION AND INSPECTIONS

Question 4:

Municipalities establish the level of fire protection services, including fire safety inspections, based on the needs and circumstances within the community. Fire safety inspections are not prescribed in the *Fire Protection and Prevention Act, 1997*.

The current framework/practice for fire safety inspections by municipal fire departments is sufficient.

Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree

Please explain your response and provide suggestions for improvement (if applicable).

Question 5:

Establishing a prescribed frequency of fire safety inspections for occupancies housing vulnerable residents is an important tool for fire safety and prevention.

Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree

How often should occupancies housing vulnerable residents be inspected?
Please explain your response.

LEGISLATIVE AND REGULATORY TOOLS

Question 6:

Owners/operators are currently complying with the regulatory requirements of the Ontario Fire Code.

Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree

Please explain your response.

Question 7:

What types of responsibilities should owners/operators have with respect to fire safety in their buildings, which are not current requirements in the Ontario Fire Code?

Question 8:

Existing Ontario Fire Code requirements for care and care and treatment occupancies are sufficient.

Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree

Please explain how the existing Ontario Fire Code requirements for vulnerable occupancies are or are not sufficient.

ENFORCEMENT AND PENALTIES

Question 9:

Enforcement of the Ontario Fire Code is done by municipal fire departments.

The enforcement for existing Fire Code requirements, including Retrofit, is adequate.

Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree

Please explain your response.

Question 10:

How should enforcement of the Ontario Fire Code be improved to ensure increased compliance (if applicable)?

Question 11:

Increased penalties for convictions on Ontario Fire Code violations will increase compliance by owners/operators.

Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree

Please explain your response.

IMPLEMENTATION

Question 12:

The following features should be required on a Retrofit basis in existing buildings (housing vulnerable residents) constructed before 1998, through the Ontario Fire Code. Please check off all that apply:

- zone fire separations
- self-closing hardware for suite doors
- remote connection for fire alarm system
- emergency lighting upgrades
- voice communication for buildings more than 3 storeys high
- emergency power upgrades for buildings more than 3 storeys high
- other (please describe)

Please explain your rationale.

Question 13:

If the implementation of all or some of the fire safety features/retrofits listed in question 12 become mandatory for existing occupancies housing vulnerable residents, there are some occupancies that should be exempt from this requirement.

Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree

Question 14:

If you believe there should be exemptions for some occupancies, please identify:

- a) The type(s) of occupancies that should be exempt from this requirement? and,
- b) What these exemptions should be based on (i.e., building size, number of storeys, level/type of care provided, age of building, etc)?

Question 15:

There will be operational impacts on owners/operators and residents associated with the implementation of the fire safety features/retrofits described in question 12.

Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree

Please describe any anticipated impacts on both occupancies and residents.

Question 16:

Requirements for fire sprinklers were adopted through the Building Code for new construction in 1998.

The Ontario Fire Code should require installation of fire sprinklers in existing occupancies constructed before 1998 and housing vulnerable occupants.

Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree

Please explain your response.

Question 17:

If the installation of fire sprinklers becomes mandatory for existing occupancies housing vulnerable residents, there are some occupancies that should be exempt from this requirement.

Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree

Question 18:

If you believe there should be exemptions for some occupancies, please identify:

- a) The type(s) of occupancies that should be exempt from this requirement?; and,
- b) What these exemptions should be based on (i.e., building size, number of storeys, level/type of care provided, age of building, etc)?

Question 19:

There will be operational impacts on owners/operators and residents associated with the installation of fire sprinklers.

Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree

Please describe any anticipated impacts on both occupancies and residents.

Question 20:

There will be financial impacts on occupancies associated with the implementation of fire sprinklers and other fire safety features/retrofits.

Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree

Please describe anticipated impacts.

Question 21:

Installation of fire sprinklers and other fire safety features/retrofits in existing occupancies is a significant undertaking with corresponding financial and operational impacts on both the operators and residents. How much time would reasonably be required for owners/operators of existing occupancies to install fire sprinklers and other fire safety features?

- 0-5 years 5-10 Years 10-15 Years Other (please specify)

Please explain your response.

Question 22:

Do you have any other experience, comments or suggestions regarding fire safety and prevention for occupancies housing vulnerable Ontarians that you would like to provide?

ADDITIONAL DATA

Questions 23-34 should only be answered by municipalities and owners/operators of occupancies. If you are answering questions:

- a) On behalf of a municipality, please respond to questions 23-28.
- b) As an owner or operator of an occupancy(ies) housing vulnerable persons, please respond to questions 29-34.

Question 23:

How many of the following occupancies are in your municipality?

- retirement homes: _____
- group homes for children and youth: _____
- group homes for adults: _____
- mental health centres for children and youth: _____
- domiciliary hostels: _____
- supportive housing: _____
- Residences of the provincial and demonstration schools for students who are deaf, blind, deafblind or have a learning disability: _____
- group homes for deafblind adults: _____
- long-term care homes: _____
- homes for special care: _____

Question 24:

How many of these occupancies pre-date 1998?

- retirement homes: _____
- group homes for children and youth: _____
- group homes for adults: _____
- mental health centres for children and youth: _____
- domiciliary hostels: _____
- supportive housing: _____
- Residences of the provincial and demonstration schools for students who are deaf, blind, deafblind or have a learning disability: _____
- group homes for deafblind adults: _____
- long-term care homes: _____
- homes for special care: _____

Question 25:

Of the occupancies that pre-date 1998, how many have fire sprinklers?

- retirement homes: _____
- group homes for children and youth: _____
- group homes for adults: _____
- mental health centres for children and youth: _____
- domiciliary hostels: _____
- supportive housing: _____
- Residences of the provincial and demonstration schools for students who are deaf, blind, deafblind or have a learning disability: _____
- group homes for deafblind adults: _____
- long-term care homes: _____
- homes for special care: _____

Question 26 (three part question):

1. Do you conduct fire safety inspections in these occupancies?
2. What is the frequency of inspections?
3. Have occupancies been inspected for compliance with the Fire Code, particularly Retrofit requirements?

Question 27 (four part question):

1. Do you have any direct experience with installing fire sprinklers in an existing care and care and treatment occupancy/building?
2. What were the challenges?
3. If available, what were the costs?
4. What size of building was involved?

Question 28 (four part question):

1. Do you have any direct experience with upgrading an existing care and care and treatment occupancy/building with fire safety upgrades?

2. What were the challenges?

3. If available, what were the costs?

4. What size of building was involved?

If you are an owner or operator of an occupancy(ies) housing vulnerable persons, please respond to the remaining questions.

Question 29:

How many of the following buildings do you own, operate or represent through an association?

- a) retirement homes: _____
- b) group homes for children and youth: _____
- c) group homes for adults: _____
- d) mental health centres for children and youth: _____
- e) domiciliary hostels: _____
- f) supportive housing: _____
- g) Residences of the provincial and demonstration schools for students who are deaf, blind, deafblind or have a learning disability: _____
- h) group homes for deafblind adults: _____
- i) long-term care homes: _____
- j) homes for special care: _____

Question 30:

How many of these buildings pre-date 1998?

- a) retirement homes: _____
- b) group homes for children and youth: _____
- c) group homes for adults: _____
- d) mental health centres for children and youth: _____
- e) domiciliary hostels: _____
- f) supportive housing: _____
- g) Residences of the provincial and demonstration schools for students who are deaf, blind, deafblind or have a learning disability: _____
- h) group homes for deafblind adults: _____
- i) long-term care homes: _____
- j) homes for special care: _____
- k) hospitals: _____

Question 31:

Of the buildings that pre-date 1998, how many have fire sprinklers?

- a) retirement homes: _____
- b) group homes for children and youth: _____
- c) group homes for adults: _____
- d) mental health centres for children and youth: _____
- e) domiciliary hostels: _____
- f) supportive housing: _____
- g) Residences of the provincial and demonstration schools for students who are deaf, blind, deafblind or have a learning disability: _____
- h) group homes for deafblind adults: _____
- i) long-term care homes: _____
- j) homes for special care: _____

Question 32 (four part question):

1. Do you have any direct experience with installing fire sprinklers in an existing care and care and treatment occupancy/building?

2. What were the challenges?

3. If available, what were the costs?

4. What size of building was involved?

Question 33 (four part question):

1. Do you have any direct experience with upgrading an existing care and care and treatment occupancy/building with fire safety upgrades?

2. What were the challenges?

3. If available, what were the costs?

4. What size of building was involved?

Question 34 (three part question):

1. Is your occupancy(ies) regularly inspected by the fire department? How often is it inspected?

2. When was the last inspection?

3. Is this the right frequency? If not, should there be an increase or decrease in the frequency of inspections?

Please indicate if any additional supporting information/materials are being forwarded separately_____.

Appendix

Background

Overview of Roles and Responsibilities

Municipal Fire Services

Fire protection in Ontario is provided by municipal fire departments. In addition to emergency response and fire suppression activities, fire protection services may also include fire prevention activities, public fire safety education and specialized emergency services. There are a total of 469 fire departments across the province with 269 of these operating exclusively with volunteer personnel. Full time fire prevention personnel are provided in 102 of the 469 fire departments. Although many of the remaining fire departments have part-time or volunteer fire prevention personnel, there are over 200 fire departments without designated fire prevention staff.

Enforcement of the Ontario Fire Code is done by municipal fire departments. Penalties for convictions are prescribed in the *Fire Protection and Prevention Act, 1997*. Upon conviction, an individual is subject to a fine not exceeding \$50,000 or imprisonment for not more than one year, or both, for each specified offence. Fines for corporations and their officers / directors are higher. There is no minimum fine prescribed in statute.

Ontario Government

The Building Code and Ontario Fire Code are companion regulations adopted by Ontario as uniform minimum mandatory standards for building construction and fire safety. The Building Code regulates new construction of buildings, and renovations to, or change-of-use in, existing buildings.

- For example, as of 1997 all care and care and treatment occupancies must be built with fire sprinklers and other fire safety features. As of April 1, 2010, all three story or higher residential buildings must be built with a sprinkler system.

The Ontario Fire Code sets out uniform, minimum, mandatory fire safety requirements for all existing buildings and premises on an ongoing basis. General fire safety measures regulated by the Ontario Fire Code include the following:

- Control of fire hazards such as smoking, building appliances, use of open flames, etc.;
- Maintaining all fire safety systems and equipment in operating condition;

- Regular tests, maintenance and inspection of fire protection equipment;
- Fire safety planning and establishment of fire evacuation procedures; and,
- Training of staff in emergency procedures.

The Ontario Fire Code defines Retrofit. It is defined as the “minimum performance requirements for life safety for existing buildings” and prescribes fire safety features that must be present in specified existing occupancies to meet these minimum requirements.

- For example, mandatory Retrofit requirements for hospitals, nursing homes, homes for the aged, and homes for special care were adopted in 1987.

Owners / Operators

Owners and operators are responsible for ensuring compliance with the Ontario Fire Code and have direct control to adopt procedures and install building fire safety features.

Retrofit Requirements in the Ontario Fire Code

The Retrofit requirements in the Ontario Fire Code were developed for consistency and compatibility with the Building Code to ensure that property owners/operators are not caught in a conflict from the design / construction phase to the ongoing use of the building. The mandatory Retrofit features prescribed for existing buildings relate to four general subject areas that affect life safety, namely:

1. Control of fire spread in the building is achieved by providing fire compartments within floor areas and vertically from floor to floor. For example, each residential suite must be constructed as a fire compartment.
2. Each floor area must be provided with specified number of exits. Each exit must be enclosed as a separate fire compartment and must have other features to provide safe egress for occupants of the building.
3. Automatic fire detection connected to a building fire alarm system must be provided to alert occupants to a fire emergency and to initiate evacuation.
4. Retrofit also incorporates certain features or systems to assist with fire suppression activities. For example, buildings may be required to have fire hose, voice communication equipment to enable critical messages throughout the building, or designated access for firefighters.

Mandatory Retrofit requirements for hospitals, nursing homes, homes for the aged, and homes for special care were adopted in 1987. Requirements for multi-

unit residential occupancies, which currently also apply to retirement homes, were adopted in 1992. All existing buildings in these occupancy groups must have a combination of fire safety features as prescribed in Retrofit based on the four life safety areas described above.

All existing Retrofit requirements in the Ontario Fire Code were developed through a consensus process with input from affected stakeholders. The requirements are largely based on the Building Code of the day, but at the same time balance life safety priorities against conditions within existing buildings.

Evolution of Fire Safety Standards

Establishment of construction and fire safety standards is the mandate of the provincial government under the *Constitution Act* (Canada). The Building Code and the Ontario Fire Code have been adopted into regulation to address uniform construction and fire safety.

The Ontario codes are harmonized with the model National Building and Fire Codes of Canada, where appropriate, but also include unique provincial requirements that respond to local priorities. The model Canadian codes are not regulations and have no force in law; they are the Canadian version of model construction and fire safety standards. The model Canadian codes are continuously evolving in response to fire experience, development of new construction materials, new technology, etc. The Ontario's Building and Fire Codes also continue to change and have seen a number of new editions since their initial adoption.

In particular, the requirements for new construction have increased significantly with time. The model Canadian codes do not include specific guidance on upgrading of existing buildings and therefore each jurisdiction uses a different approach to reflect unique implementation challenges.

Additional Information

Research and experience have shown us that fire growth is often very fast and very intense. In most cases, occupants have less than five minutes to escape from the room or space where a fire begins, and about fifty percent of the fire fatalities occur when the fire department response time to the building is five minutes or less. Ontario's Building and Fire Codes use a number of design features, systems and strategies to protect the occupants and reduce the impact of fire.

Although this consultation paper cannot cover an exhaustive list for all situations, life safety for vulnerable residents often includes a combination of the following:

- A series of fire compartments to contain the spread of fire and provide tenable conditions for the assisted evacuation which requires more time than in other occupancies. Fire compartments are created using special construction materials for walls, floors and ceilings; protection of openings in those assemblies; and specialized hardware to protect the integrity of those compartments.
- Strong reliance on trained staff to conduct the assisted evacuation using a staged process that moves residents to protected fire compartments away from the fire on a priority basis. The evacuation of residents proceeds first horizontally into a separate fire zone on the same floor, and then vertically using protected stairs as necessary.
- Early automatic detection of fire in the building and fire department response to the premises to begin fire suppression and rescue where needed.
- Voice communication system in the building to allow critical information to be communicated to staff and fire department personnel during a fire emergency.
- More stringent requirements for emergency lighting and emergency power supply to support the longer evacuation times.
- In more recent years, fire sprinklers have also been used to limit the spread of fire, reduce property losses and protect the occupants. The importance of fire sprinklers has been recognized in Ontario for new construction and is receiving increasing acceptance in other jurisdictions both for new and existing buildings.