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Wednesday 2 December 2009

**Journal
des débats
(Hansard)**

Mercredi 2 décembre 2009

**Standing Committee on
Regulations and Private Bills**

**Fire Protection Statute Law
Amendment Act, 2009**

**Comité permanent des
règlements et des projets
de loi d'intérêt privé**

**Loi de 2009 modifiant des lois
en ce qui a trait à la protection
contre l'incendie**

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Hansard Reporting and Interpretation Services
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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE
ON REGULATIONS
AND PRIVATE BILLS**

**COMITÉ PERMANENT DES
RÈGLEMENTS ET DES PROJETS DE LOI
D'INTÉRÊT PRIVÉ**

Wednesday 2 December 2009

Mercredi 2 décembre 2009

The committee met at 0902 in room 151.

**FIRE PROTECTION STATUTE LAW
AMENDMENT ACT, 2009**

**LOI DE 2009 MODIFIANT DES LOIS
EN CE QUI A TRAIT À LA PROTECTION
CONTRE L'INCENDIE**

Consideration of Bill 14, An Act to deem that the Building Code and the Fire Code require fire detectors, interconnected fire alarms and non-combustible fire escapes / Projet de loi 14, Loi prévoyant que le code du bâtiment et le code de prévention des incendies sont réputés exiger des détecteurs d'incendie, des systèmes d'alerte d'incendie interconnectés et des sorties de secours incombustibles.

The Vice-Chair (Mr. Paul Miller): I bring this meeting to order. We will be dealing with Bill 14 today and we have a presenter.

THOMAS STEERS

The Vice-Chair (Mr. Paul Miller): Mr. Steers, would you come forward and introduce yourself, please? Mr Steers, you have 10 minutes, and if you want to leave any time for questions within the 10 minutes, that's up to you. Go ahead.

Mr. Thomas Steers: I'd like to thank the committee for allowing me to make this submission. The reason I'm here is that almost 10 years ago my fiancée, Linda Elderkin, died in a fire in Toronto. Another person who lived in the same apartment building, Paul Benson, also died. In the weeks and months after the fire, I sought to find out what happened and why. Both Linda and Paul Benson were relatively young people who had a lot of years of life ahead of them. The question I most wanted to answer was, could their deaths have been prevented?

I spoke with firemen who fought the fire that night, I spoke with people in the building who survived, and I spoke with neighbours who saw what happened. I appealed to the Ontario coroner's office to hold a public inquest into the deaths and what caused them, hoping that more information would come to light and that recommendations would be made that could save lives.

In June 2000, a provincial coroner's inquest was held. The facts that came out were these: At 3 a.m. on January

14, 1999, a fire broke out at 2362 Queen Street East in Toronto. That fire spread quickly. The building was four storeys above the ground, with a basement level. The fire broke out in the third-floor apartment, which was below the one Linda lived in. That night there was panic and confusion, and in that panic and confusion no one activated the manual pull stations that are common in many apartment buildings in this city and province. The woman in whose apartment the fire started awoke, tried to put the fire out, but was unsuccessful. No one in the building pulled the fire alarms. That fact was established by fire marshals who investigated the case.

The occupants of the building fled. By the time some of the residents knew there was a fire, the alarm was triggered, not by anyone pulling the manual alarm but because it had become so hot in the hallways that the wires actually melted in the alarm system, and that set it off. By then it was too late.

By that time Linda was aware of the fire, but the fire escape in the rear of the building, which was made of wood, was already in flames. The firemen who responded told the inquest that when they arrived, they could not get up the fire escape because it was on fire. They could hear people on the top floor screaming to be saved. Firemen who testified at the inquest said if there was ever a hell on earth, that's what the interior of Linda's apartment would have been like.

The firemen very bravely tried to get to the top floor of the building using the front staircase, but it was also in flames. Fires spread quickly. The heat from the fire was so intense that some of the visors of fire personnel melted, and they were burned through the thick gauntlets they wore on their hands. Fire personnel said at the inquest that no one should have died in that fire. Rank-and-file firemen told me that; fire chiefs told me that.

The Ontario coroner's inquest came out with 28 recommendations on June 29, 2000. A number of the recommendations were directed to the Ontario government. There were two key recommendations that have not been acted on, and that's why I'm here this morning: to try and convince you that the provisions in Bill 14 can and will save lives.

The first provision is that interconnected fire alarms should be made mandatory in rental buildings, and the second is that fire escapes must be made of non-flammable materials—no more wooden fire escapes. It's

that straightforward. The recommendations come out of what happened that night and so many other instances of fire. People panic, and in the middle of the night they're asleep. An interconnected fire alarm would notify all residents in a building when there was a fire or when there was smoke.

Bill 14 simply asks that an interconnected fire alarm be mandatory in common areas of multi-unit buildings, even in smaller apartment buildings like the one Linda lived in. The sensors would be in the common areas, not in each apartment where they might be set off by cooking. The logic here is that by the time smoke spills out into a hallway, into the common areas, and activates the fire alarm, it will set off the fire alarms in other common areas throughout the building so people will know there's a fire. This would have saved Linda's life. This would save other lives as well. It would not cost a lot of money, and a number of experts have told me that. For those who are concerned about costs, the cost of a fire is far higher. For those who think in terms of lives, there is no price. There is no amount of money that will bring someone back.

The second issue that Bill 14 addresses comes directly out of the coroner's inquest, and it involves wooden fire escapes. Linda and Paul Benson knew about the fire and wanted to get out, but they couldn't because the fire escape was completely engulfed in flames. The last 10 years have taught me that no one can conscientiously defend wooden or combustible fire escapes. Professional firefighters and their chiefs say it is clear: Fire escapes should be made of non-combustible material regardless of the construction of the building.

One of the firefighters who was at the fire that night and who tried with others to save Linda is Scott Marks. He is presently the president of the Toronto Professional Fire Fighters' Association. He has talked about the sinking, horrible feeling of firefighters who wanted to do their duty and save lives but couldn't because the fire escape, made of wood, in compliance with the current laws in our province, was itself on fire, and he had to watch two people die on the scene who could have and would have been rescued had the fire escape been made of non-combustible material.

I'm here this morning to personally ask you to not let this become a partisan issue. I'm here because someone I loved died needlessly, and it could have been prevented, and future deaths can be prevented, not only of the residents of buildings but perhaps of firefighters who are trying to save them as well. My hope is that no one else will have to go through what I did and what the family of Paul Benson did, that no one else will have to suffer and die like Linda and Paul did.

On that night 10 years ago, so little could have meant so much. With the provisions of this bill, those deaths could have been prevented and others can still be prevented. I urge you as sincerely as I can to support the bill.

The Vice-Chair (Mr. Paul Miller): Thank you. We have two minutes left. Any comments from the government?

Seeing none, Mr. Prue, do you have any comments?

Mr. Michael Prue: Yes, if I can. Mr. Steers came to see me shortly after my election to this House in 2001 and asked me to try to do something about this. It has taken a long time—this is the second time it has gone through this committee—and he's never wavered. Every time I read about this, I get choked up, but he has never wavered.

0910

I would ask the members of the committee to think about what happened to his fiancée, to think about what he said here today. I'd ask the committee again to support the recommendations when we get to clause-by-clause. I know you're going to hear from some fire chiefs as well about how this is going to save lives.

I just want to thank Mr. Steers for the past 10 years and everything he has tried to do—from going through the coroner's office, to coming to see me, to being before parliamentary committees and everything else—to change what I think is fairly sensible. Most people, if you ask them about wooden fire escapes, just look at it and see how really ludicrous that is.

I don't know if you want to add anything else, Mr. Steers.

The Vice-Chair (Mr. Paul Miller): Actually, we're out of time.

Mr. Michael Prue: Okay. I took the whole two minutes.

The Vice-Chair (Mr. Paul Miller): Thank you, Mr. Steers.

ONTARIO ASSOCIATION OF FIRE CHIEFS

The Vice-Chair (Mr. Paul Miller): Our next presenters are two members of the Ontario Association of Fire Chiefs: Tim Beckett, first vice-president, and Jim Jessop, assistant chief. Welcome, gentlemen. Could you state your names for the purposes of Hansard, please?

Mr. Tim Beckett: My name is Tim Beckett. I'm first vice-president of O AFC and fire chief for the city of Kitchener.

Mr. Jim Jessop: My name is Jim Jessop. I'm a member of the O AFC fire prevention committee and deputy chief for the Niagara Falls fire department.

Mr. Tim Beckett: We are honoured to be here today to speak in support of the principle of Bill 14. This is our second opportunity to speak in favour and support of the bill; our first was back in 2006. The O AFC is supportive of the intent in which it is designed to improve public and life safety, although we would like to see some added changes to increase public fire life safety through the addition of sprinklers. We see these as more added improvements to save lives out there in Ontario.

The O AFC, though, has concerns over some of the wording in the bill. We have Jim with us today to speak to the technical aspects, and we'll address the committee with our concerns and recommendations to further improve the bill.

Mr. Jim Jessop: Upon review of the bill, going line by line through the Ontario building code and the Ontario

fire code, which, as Chief Beckett has stated, we support in principle, a few recommendations that would come forward from us that would make the application of this bill for the fire prevention officers, building inspectors and plans reviewers who will be required to enforce it would be requested—minor changes that basically focus on the definitions or terms or defined terms in the regulations that are going to be required to be changed.

Recommendation in the Building Code Act under (2.0.1) for fire alarms: The terms “fire alarm,” “fire detector” and “fire systems” have been used interchangeably through both the Building Code Act and the Fire Protection and Prevention Act. The first recommendation to the committee would be that, based on the proposed wording, the fire detector and fire alarm used in (2.0.1)(b) be replaced by the defined term “smoke alarm.” A smoke detector is part of a larger fire alarm system. So if the intent we have read into it is to have interconnected smoke alarms in public corridors and common hallways and, we would also recommend, stairwells, the term “smoke detector” be replaced with the term “smoke alarm.” It achieves the same intent of early warning; it would provide the same audibility. The problem with the term “smoke detector” is that it is part of a larger system that is not technically required for these types of buildings.

That would be the first recommendation out of the Building Code Act; again, that smoke alarms be installed in public corridors, common areas and stairwells, and smoke alarms be interconnected such that the activation of a smoke alarm in a stairwell, common or public area of a building will sound an alarm that is audible throughout the building.

The Vice-Chair (Mr. Paul Miller): Just to interject, if you want to get it all in, you’d better pick up the pace.

Mr. Jim Jessop: Yes, sir. I’m going to move fast.

The Vice-Chair (Mr. Paul Miller): You’re going to have to talk faster.

Mr. Jim Jessop: Okay. Thank you, sir.

There are no technical issues with the fire escape.

Now, with the Fire Protection and Prevention Act, it is a little more complicated, because the fire code is divided into three sections that this bill will affect; they’re called retrofit sections. Sections 9.5, 9.6 and 9.8 would all be affected by this bill, because they all include more than two residential units.

Again, getting right to the recommendations without the history:

(1) That smoke alarms be installed in public corridors, common areas and stairwells and smoke alarms be interconnected such that the activation of a smoke alarm in a stairwell, common or public area of a building will sound an alarm that is audible throughout the building in buildings regulated under section 9.8 of the fire code. That will address two-unit residential.

(2) That smoke detectors be installed in public corridors, common areas and stairwells in buildings regulated under section 9.6 of the fire code. The reason for the term

“smoke detector” is that buildings under section 9.6 require fire alarm systems.

(3) That clause 9.5.4.1(3) of the Ontario fire code be deleted. This amendment will attain the desired outcome of ensuring that early warning is provided to those residents in these specific buildings prior to the means of egress becoming untenable.

These are the recommendations that have been reviewed by the OAF fire prevention committee, barring any questions.

The Vice-Chair (Mr. Paul Miller): Well, that was fast. That alarm went off quickly.

We have a couple of minutes left. Are there any questions from the government side?

Mr. Mario Sergio: Mr. Craitor first.

Mr. Kim Craitor: Thanks very much, Jim. It’s nice to see you here. I’m used to seeing you in Niagara Falls as our fire chief.

It’s not quite related to what we’re talking about, but I just want to share with the committee the expertise that Jim brings to this table and why I’m going to be supporting what he is proposing.

Jim Jessop was involved with our fire chief, who is now the Ontario fire marshal, in developing a plan that is implemented across all of Ontario for dealing with grow ops and grow op homes. We had unfortunate situations where grow op homes were found and the owners put them back on the market without properly ensuring that they were safe. People and families were moving into these grow op homes and finding themselves in a state of danger for their health. We learned as well, thanks to Jim and his work, that it’s a danger for firefighters or any emergency officers going into these homes. Now there’s special equipment they wear and breathing masks.

I just wanted to put that on the record and say thanks for taking the time to come up here and share your expertise with us.

The Vice-Chair (Mr. Paul Miller): Mr. Sergio.

Mr. Mario Sergio: I appreciate your presence here this morning, but I have to say you’ve really confused me. If we are to follow your recommendations, then we might as well have a brand new bill drafted. You’ve got so much in your presentation here—changes to the building code, changes to the fire code, what’s an alarm, what’s the other system—that we might as well change the way the entire bill has been written.

My question to you—it’s a good intent, absolutely, but I have a problem with the words “interconnected smoke alarms.” The sound will be heard from an abutting unit or unit above or below. How would this affect two units side by side?

Mr. Jim Jessop: The intent of our recommendations is, again, not to have smoke alarms interconnected in the actual suites. We do not want smoke alarms going off every time somebody burns toast. The smoke alarms interconnected in the stairwells, common areas and public corridors would be outside the suite doors. So if smoke activates the smoke alarm outside your door, it would also warn me that the stairwell could become compromised.

0920

Mr. Mario Sergio: So, no other units could be affected?

Mr. Jim Jessop: No, it would only be in stairwells, common areas or public corridors. We would not support having every smoke alarm in individual suites activated.

Mr. Mario Sergio: I see. I had another question. I don't know if I have time—

The Vice-Chair (Mr. Paul Miller): Okay. Are you done?

Mr. Mario Sergio: I'll make—

The Vice-Chair (Mr. Paul Miller): Okay. Mr. Prue.

Mr. Michael Prue: Just to assuage the fears of Mr. Sergio, that is in fact the intent of the bill: not to have it interconnected between units, for precisely the reason the fire people say.

Mr. Mario Sergio: It doesn't say that in the bill.

Mr. Michael Prue: No, it does say that in the bill. It's interconnected not between the units, but interconnected in the common areas. That's the intent of the bill. That's always been the intent of the bill. We don't want fire alarms going off when people burn toast because then people will not pay any attention to them.

Mr. Sergio is right—I mean, this bill has been a long time. This is the second time it has made its way all the way through to committee, and this is the first we've heard of the changes you are proposing. We only have an hour to do that. Can you give the changes to our legislative counsel and our legislative researcher? Perhaps we can try to have those here for this afternoon and to incorporate them, if possible. I don't want to have the bill not go forward within that hour, but if we can do as much as what you are saying within the hour, I'm willing to give it a try.

The Vice-Chair (Mr. Paul Miller): Mr. Prue, I think that this is not too much. It would be okay to put it in for this afternoon, as far as I'm concerned.

Mr. Michael Prue: But we also need the appropriate motions. To the legislative counsel: Can that be done?

Ms. Catherine Oh: We'll have to talk about it. There's some issue with this, because the amendments that you propose would amend the fire code and the building code, which are regulations, whereas these are acts. Bills generally amend acts. They don't amend regulations. We have to come up with a different approach than is used in most bills, so that might be a bit of a difficulty.

Mr. Michael Prue: But it will not be difficult to simply change the words "smoke detectors" from "fire detectors."

Ms. Catherine Oh: Some of these amendments would be very simple to do. The ones to the Fire Protection and Prevention Act might be a little bit more complicated, so we'll have to talk about that.

Mr. Mario Sergio: I just have a question for legal counsel, since she has brought up the concern of the two building codes and the fire department. What has to be done to change the building act, if you will, and the building code? What's required? What's necessary? Which one is easier?

Ms. Catherine Oh: It's just that it's not normally done, for a bill to amend a regulation directly. What would more normally happen is that a regulation amendment would be done through the regulation-making channels. In order for a bill to amend a regulation, it would more likely have language that would simply override the regulation, the way we've tried to do in this bill, rather than specifically saying, "This section of the regulation is amended by saying X." This is not normally something we do, so I need to go back to my office and talk to my senior counsel there about whether this can even be done.

Mr. Mario Sergio: Are you saying then, counsel, that we the committee, our recommendations, do not have any power to change the regulations or the act?

The Vice-Chair (Mr. Paul Miller): I don't think that's what she's saying.

Ms. Catherine Oh: No, I'm not saying there is no power to do that. I believe a bill can change a regulation. It's just a matter of how we go about doing it and the specific language.

The Vice-Chair (Mr. Paul Miller): We'll clarify this in the recess and we'll move on, and this afternoon maybe we can come back with some answers. We don't want to hold it up if it's a good bill.

One comment from the presenters?

Mr. Mike Colle: Mr. Chairman, you can't comment on whether it's a good bill. That's not what—

The Vice-Chair (Mr. Paul Miller): Oh, I'm sorry, Mr. Colle. The human factor came out.

Mr. Tim Beckett: Mr. Chair, Jim and I will make ourselves available for this morning if your legal counsel requires some clarification in our presentation.

The Vice-Chair (Mr. Paul Miller): Thank you, gentlemen.

Okay, last one, Mr. Ruprecht.

Mr. Tony Ruprecht: In terms of interconnected fire systems, could you tell me what's on the books now? I assumed that that was already done.

Mr. Jim Jessop: In response to the member's question, again, it's a complicated answer. It depends on the height of the building, the number of people who are sleeping in a building and how many suites share a common exit. But in answer to your question, in buildings that have two units or less, they are not required to be installed in common areas. In buildings that are up to and including six storeys that have residential units, they are not required in the hallways, stairwells or common areas unless there are more than 24 people sleeping or more than four apartments share a common exit, and they are not required under retrofit of buildings exceeding six stories. Theoretically, you could have a heat detector which does not activate until the temperature of that hallway exceeds 185 degrees to set off the alarm system. It's a bit of a complicated issue. In answer to your question, no, they're not.

Mr. Mike Colle: On a point of order: I'd like to extend the time for some questions for the presenters because there are some really interesting proposals put

forward. I think we should make sure we get this right. I just want to extend for 10 minutes.

The Vice-Chair (Mr. Paul Miller): Mr. Colle, that's not a point of order. If you want to vote on it—

Mr. Mike Colle: I want to move unanimous consent that we extend for 10 minutes.

The Vice-Chair (Mr. Paul Miller): Well, you'd have to have a motion.

Mr. Mike Colle: I move we extend the questioning of the expert presenters for 10 minutes, so we can just clarify some technical aspects.

The Vice-Chair (Mr. Paul Miller): Any debate on this motion?

Mr. Mike Colle: I have a question.

The Vice-Chair (Mr. Paul Miller): One at a time, please. So we all agree on the motion for 10 minutes to be extended. Agreed? Agreed.

Okay, one more question, Mr. Colle. Then, Mr. Craitor and Mr. Balkissoon.

Mr. Mike Colle: Thank you very much. It is very valuable to have you here. I'm glad you came because we just want to try to ensure we break this down into doable pieces. I'm just ensuring that what you're proposing as amendments fit in with the intent of the bill. That's what I'm just trying to see. One of the points of contention is the interconnectivity of fire alarms or detectors. Could you explain that to me again, just so I understand that?

Mr. Jim Jessop: Certainly. Upon review of the bill, we agree that the intent certainly does not appear to be having alarms going off in rooms. That's not the intent that we have read in the bill, and that's not something that the OAFCA would support.

We do fully support having smoke alarms and smoke detectors, depending on the requirements of the size of the building, installed in stairwells, common areas and public corridors, such that if a smoke detector in the stairwell of the, for example, fourth floor activated, all of the smoke detectors in the stairwells, common areas and corridors would activate so that all residents of the building would be aware at the earliest stages of a fire that they had to leave.

Currently, the retrofit sections of the fire code do not require replacing what they term "heat detectors" in stairwells and in common areas that were installed prior to the requirements to be replaced. There are situations out there that I have personally seen and dealt with where a heat detector, for example, may be installed in the top of a stairwell. For that heat detector to activate, that temperature in the stairwell has to reach such a temperature that nobody in this room would survive. It would be untenable.

What we agree with is that if the smoke detector is in the stairwell, that will activate at a much earlier stage and provide all of the building occupants plenty of time to exit safely. The interconnectivity, sir, is for the common areas and stairwells, not between Mr. Beckett's apartment and my apartment.

Mr. Mike Colle: Within the common areas, the interconnectivity?

Mr. Jim Jessop: Correct.

Mr. Mike Colle: So the amendment you're making there doesn't contravene the intent of the bill; it just, essentially, clarifies some of the practical aspects of making the system work?

Mr. Jim Jessop: That's correct. The biggest amendments that we have suggested, respectfully, have more to do with defining terms that exist within the legislation that we are going to be required to enforce of "smoke alarm" as a "fire alarm." For example, "fire alarm" is not a defined term in either piece of legislation, so if that was to be put through, we would have a very difficult time enforcing the bill out there. But the intent of the interconnectivity is certainly the same.

0930

Mr. Mike Colle: Okay. Thank you.

The Vice-Chair (Mr. Paul Miller): Mr. Craitor.

Mr. Kim Craitor: Just a short comment for the benefit of the committee. First, to the two fire chiefs, thank you so much. Jim, we have spent hours and hours together. The bottom line is, and this is just me speaking as a member, let's not get caught up in everything. You've got some great suggestions. I know you so well.

We had a major fire in Niagara Falls at a seniors' home. Thank God nobody got killed, but Cavendish Manor had no fire alarm system. Michael, I know how emotional you get over this. I think we all do. I remember going out to that building and thinking of the people inside that building that I personally knew who were seniors. I would go out there for their spaghetti dinners. We all do those kinds of things, and I was thinking, we ought to change this. So I just want to put it on the record. I don't really care how we do it; let's just do it.

The Vice-Chair (Mr. Paul Miller): Thank you, Mr. Craitor. Mr. Balkissoon.

Mr. Bas Balkissoon: I just have a quick question for Jim—and, Jim, thanks for coming. I've had the opportunity to work with him. He's one of the few people in the fire department who have had extensive training with the building code. He's very familiar with that—you nod.

I just want to clarify something. Here in Toronto we have a lot of homes with two units, but they don't share common areas extensively. They might just share a front foyer. How does this affect those kinds of buildings?

Mr. Jim Jessop: That's a good question, Mr. Balkissoon, and that's something that, when we were reviewing, we were considering. The intent of the bill, from the way we have read it—there may be situations, when you just have two units, where there is no common stairway or common hallway. Maybe I enter through the back door and Mr. Beckett enters through the side door. This bill would not require interconnected smoke alarms, because there are no common areas, so that certainly could be the case.

Right now, the types of buildings you're referring to fall under the retrofit provisions of section 9.8 of the fire code. I can tell you, upon reviewing that section prior to respectfully submitting this submission, if there are two-unit buildings in Toronto or in any other municipality

that do have a common exit stairway, at this point they are not required to have interconnected smoke alarms in the common areas.

The Vice-Chair (Mr. Paul Miller): Okay, thank you. We'll have just one more question from the government side. I've got four minutes left and I'm going to allow the opposition to have a couple of minutes. Last question from the government side, Mr. Ruprecht.

Mr. Tony Ruprecht: I'm looking at Mr. Steers's submission, and he indicates, as have many others in the same position, that the fire broke out on the third floor and there was no signal emitted. I'm not sure what you can do about this, but I think the first safety issue for tenants in a building—it doesn't matter whether it's one unit, two units, three units—is the smoke alarm system.

The reason you will find that there are many submissions of this nature is because the person in whose unit you have a smoke detector would either take tape and cover up the parts so that smoke is not detected—this is very important, Mr. Chair—or secondly, take out the battery. That's the first issue. You're talking about burning toast. I understand that part of it. But while we're doing all of this, isn't it important, or even most important, that the first part, where someone can detect fire or smoke, is being taken care of?

I don't know how this will all fit in here, but I would think that somehow you could also make a recommendation to the manufacturer that some of these systems are simply too sensitive and they are taken out. I don't know, Mr. Chair, but I think that would be a great idea.

The Vice-Chair (Mr. Paul Miller): Mr. Ruprecht, that's actually a good question, but it's more of a technical question between the manufacturer and—the fire department only enforces the rules at hand. That would be a good suggestion.

Mr. Martiniuk, do you have any questions?

Mr. Gerry Martiniuk: No, thank you.

The Vice-Chair (Mr. Paul Miller): Mr. Prue.

Mr. Michael Prue: The recommendations that are contained in here came almost word for word from the inquest. The recommendations you are making: This is due to the change in technology over the last 10 or 11 years since the inquest? To talk about smoke detectors versus heat detectors, to talk about all the things you're saying, it's because technology has moved on since the inquest?

Mr. Jim Jessop: Yes, Mr. Prue. The recommendations that we have brought forward are because the Ontario fire code, not the act, has been amended since the inquest. Terms and definitions have been changed; requirements have been changed. I can cite it in my submissions, in 1.2, fire escapes, that in 2007, for example, for buildings that would have included the Queen Street building—as I stated, I recall that because I was a firefighter at that night—the fire code has been amended now to even further protect fire escapes, requiring fire-rated glass and steel doors that will come down if a fire is activated. So the submissions that we

have respectfully submitted are because the fire code has been amended at least once since the original inquest. Most importantly, it will allow us to apply your bill as assistants to the fire marshal.

Mr. Michael Prue: In terms of the interconnectedness—and I do hear that there is a little bit of concern on the other side about the interconnectedness—this is to put it in the common areas so that people throughout will be able to hear it. You were a firefighter there on Queen Street 11 years ago. Would such a system have worked in that building at that time, as you are proposing and as this bill proposes? Would it have saved those two lives?

Mr. Jim Jessop: As someone who was actually there that night and who witnessed that, yes, it would have. With early warning, the occupants would have known there was a fire. They would have been able to safely escape in a quicker time before the exits and everything caught fire. Yes.

Mr. Michael Prue: Thank you, Mr. Chair. Oh, I think there's a second comment.

Mr. Tim Beckett: I just want to clarify—

The Vice-Chair (Mr. Paul Miller): Closing comment.

Mr. Tim Beckett: Okay, thank you. I just want to clarify that we're not looking to compound the situation here. We are in support of the intent of the bill. What we're trying to do is just clarify some wording so that when we have to apply it in the field, we have cleared up all the confusion that may happen with some of the tenants out there.

The Vice-Chair (Mr. Paul Miller): Thank you, gentlemen.

Mr. Michael Prue: I appreciate it. Thank you.

The Vice-Chair (Mr. Paul Miller): I guess now, obviously, we're going to have some corrections or some inquiries done, so I'm assuming that clause-by-clause will be done at 12 o'clock.

Interjection.

The Vice-Chair (Mr. Paul Miller): And does the committee want to look at the draft report on regulations or no?

Mr. Mike Colle: When would we look at that?

The Vice-Chair (Mr. Paul Miller): Well, it's been sent to your offices. Do you want to deal with it now or later?

Mr. Mike Colle: We can deal with it later, I think.

Mr. Bas Balkissoon: Deal with it later with the changes.

The Vice-Chair (Mr. Paul Miller): No, no.

Mr. Bas Balkissoon: There's no changes?

The Vice-Chair (Mr. Paul Miller): The draft report on regulations.

Mr. Bas Balkissoon: Oh, okay, that one.

The Vice-Chair (Mr. Paul Miller): You could probably read that at your own convenience, I would think.

Okay. Seeing no further business—

Mr. Mike Colle: Excuse me, Mr. Chair, but isn't there going to be a discussion with legal counsel to work out that problem about—

The Vice-Chair (Mr. Paul Miller): Yes, during the adjournment. So are we asking for adjournment, then?

Mr. Michael Prue: For 12 o'clock.

Mr. Mike Colle: Yes. I move adjournment.

The Vice-Chair (Mr. Paul Miller): We'll recess until 12 o'clock. Thank you.

The committee recessed from 0938 to 1208.

The Vice-Chair (Mr. Paul Miller): This meeting is now called. Would the government member please take his chair?

Mr. Kim Craiton: I have to go back for the vote.

The Vice-Chair (Mr. Paul Miller): Mr. Prue, you have the floor. Section 1.

Mr. Michael Prue: I have an amendment here to section 1 of the bill. I move that subsection 34(2.0.1) of the Building Code Act, 1992, as set out in section 1 of the bill, be struck out and the following substituted:

"Same—smoke alarms

"(2.0.1) Regulations made under subsections (1) and (2) are deemed to require that every residential building in which there are two or more dwelling units be equipped with,

"(a) smoke alarms installed in all public corridors, common areas and stairwells of the building; and

"(b) smoke alarms interconnected such that the activation of a smoke alarm in a public corridor, common area or stairwell of the building will sound an alarm that is audible throughout the building."

The Vice-Chair (Mr. Paul Miller): Is there any discussion? Make it brief, I would suggest, Mr. Prue.

Mr. Michael Prue: No, no. I don't have discussion. I'm just voting yes.

The Clerk pro tem (Mr. Trevor Day): You have to give the members an opportunity to vote.

The Vice-Chair (Mr. Paul Miller): I have to give them an opportunity to vote?

The Clerk pro tem (Mr. Trevor Day): Even if they don't want to, we have to recess to give them an opportunity to vote.

Mr. Michael Prue: Should we go to the next one?

The Clerk pro tem (Mr. Trevor Day): We have to have a recess to give any member an opportunity to vote. So we're going to have to recess.

Mr. Michael Prue: For how long?

The Clerk pro tem (Mr. Trevor Day): Until the vote's over.

Mr. Michael Prue: Then there's another one.

The Vice-Chair (Mr. Paul Miller): You mean he can't vote by himself?

The Clerk pro tem (Mr. Trevor Day): No, I mean an opportunity to vote in the House. There's a vote in the House right now. The committee has to stop in order to give every member an opportunity to vote in the House. You need to recess until the end of the vote.

The Vice-Chair (Mr. Paul Miller): We're recessed.

The committee recessed from 1209 to 1214.

The Vice-Chair (Mr. Paul Miller): Okay, we're back in session. Mr. Prue, you have the floor. Section 1.

Interjection.

The Vice-Chair (Mr. Paul Miller): No further debate? All in favour? Carried.

Mr. Michael Prue: Shall section 1 carry?

Interjection: No.

Mr. Michael Prue: No?

The Vice-Chair (Mr. Paul Miller): Section 3—

The Clerk of the Committee (Mr. Trevor Day): No, sorry. That says to "enact section 1, as amended. Any debate?"

The Vice-Chair (Mr. Paul Miller): Any debate on section 1, as amended? Shall it carry? Carried.

Section 2: amendment number 2.

Mr. Michael Prue: I move that subsection 12(1.1) of the Fire Protection and Prevention Act, 1997, as set out in section 2 of the bill, be struck out and the following substituted:

"Same—smoke alarms and detectors re buildings under s. 9.5 of the fire code

"(1.1) Regulations made under subsection (1) are deemed to require that,

"(a) if a fire alarm is required in a building regulated under section 9.5 of Ontario regulation 213/07 (fire code) made under this act, the building be equipped with smoke detectors in all public corridors, common areas and stairwells of the building; and

"(b) if a fire alarm is not required in a building regulated under section 9.5 of Ontario regulation 213/07 (fire code) made under this act, the building be equipped with smoke alarms interconnected such that the activation of a smoke alarm in a public corridor, common area or stairwell of the building will sound an alarm that is audible throughout the building.

"Same—smoke detectors re buildings under s. 9.6 of the fire code

"(1.1.1) Regulations made under subsection (1) are deemed to require that every residential building regulated under section 9.6 of Ontario regulation 213/07 (fire code) made under this act, that is in existence on a day to be specified by regulation, be equipped with,

"(a) smoke detectors installed in all public corridors, common areas and stairwells of the building; and

"(b) smoke detectors interconnected such that the activation of a smoke detector in a public corridor, common area or stairwell of the building will sound an alarm that is audible throughout the building.

"Same—smoke alarms re buildings under s. 9.8 of the fire code

"(1.1.2) Regulations made under subsection (1) are deemed to require that every residential building regulated under section 9.8 of Ontario regulation 213/07 (fire code) made under this act, that is in existence on a day to be specified by regulation, be equipped with,

"(a) smoke alarms installed in all public corridors, common areas and stairwells of the building; and

"(b) smoke alarms interconnected such that the activation of a smoke alarm in a public corridor, common area or stairwell of the building will sound an alarm that is audible throughout the building."

I have no comments.

The Vice-Chair (Mr. Paul Miller): Any discussion or questions? Seeing none, all in favour? Carried.

We'll now have a recess for the vote.

The committee recessed from 1217 to 1222.

The Vice-Chair (Mr. Paul Miller): The committee is now reconvened.

Any debate on section 2, as amended? Seeing none, all in favour? Opposed? Carried.

The amendment on section 3, Mr. Prue.

Mr. Michael Prue: I withdraw the amendment.

The Vice-Chair (Mr. Paul Miller): That's fine. There's an amendment on section number 3.

Mr. Michael Prue: Oh, yes, the next one. I withdraw number 3.

I move that the French version of section 3 of the bill be struck out and the following substituted:

“Entrée en vigueur

“3. La présente loi entre en vigueur six mois après le jour où elle reçoit la sanction royale.”

The Vice-Chair (Mr. Paul Miller): Any discussion on this amendment? Seeing none, all in favour? Opposed? Carried.

Shall section 3, as amended, carry? Carried.

Any debate on section 4? Seeing none, carried.

We have an amendment to the title of the bill.

Mr. Michael Prue: I move that the long title of the bill be struck out and the following substituted:

“An Act to deem that the Building Code and the Fire Code require interconnected smoke alarms and smoke detectors and non-combustible fire escapes.”

The Vice-Chair (Mr. Paul Miller): Any discussion? Seeing none, all in favour? Opposed? Carried.

Shall the title, as amended, carry? Carried.

Shall the bill, as amended, carry? Carried.

Shall I report the bill, as amended, to the House? Carried.

All business is finished. We're now adjourned.

The committee adjourned at 1224.

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