



**Advocacy Centre
for the Elderly**

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Sent via email to FireSafetyStandards@ontario.ca

Office of the Fire Marshal
5775 Yonge Street, 7th Floor
Toronto, ON M2M 4J1

Attention: Fire Safety Standards

To Whom It May Concern:

RE: Consultation on TAC Recommendations

We would like to thank the Office of the Fire Marshal at the Ministry of Community Safety and Correctional Services for consulting with stakeholders regarding the recommendations of the Technical Advisory Committee (TAC) arising from their Report on Improving Fire Safety for Vulnerable Ontarians.

The Advocacy Centre for the Elderly (ACE) supports TAC's recommendations because the lives of vulnerable adults are at stake if these fire prevention and safety changes are not implemented. ACE believes it is imperative that the government act as soon as possible to protect residents of retirement homes and care residences by making the suggested changes to the *Fire Code* and *Building Code*.

Introduction to ACE

ACE is a specialty community legal clinic funded by Legal Aid Ontario. ACE is the first and oldest legal clinic in Canada with expertise in legal issues pertaining to older adults. The mandate of ACE is to provide a broad range of legal services to low income seniors living in Ontario. Since ACE first opened in 1984, we have provided: individual and group client advice and representation; public legal education; community development; and law reform activities on issues that impact older adults.

In addition to our work in the above noted areas, ACE has also been involved in a number of high profile coroner's inquests relating to issues of importance to seniors, including two

where fires in retirement homes resulted in the deaths of several residents. In 1995-96, ACE represented the Alzheimer Society of Peel and the Alzheimer Association of Ontario (now the Alzheimer Society of Ontario) at the 72-day long Meadowcroft Place. In 2012, ACE represented the Alzheimer Society of Ontario, and the families of the late Robert McLean and the late Vera Blain at the recent six-week long Muskoka Heights inquest.

Following each of those inquests, ACE also participated on Technical Advisory Committees designed to give expert technical advice to the Office of the Fire Marshall on changes to the *Fire Code* that would be needed to implement the inquests' fire-safety recommendations.

Background

The Muskoka Heights inquest is one of four major coroner's inquests that have led to recommendations for improved fire-safety, including the mandatory retrofit of automatic sprinklers in retirement homes, long-term care homes and other vulnerable occupancies. Similar recommendations were made at inquests into the 1980 Extencicare Nursing Home fire; the 1995 Meadowcroft Place Retirement Home fire; and, the 1997 Sunnybrook "K" Wing fire.

The 1995 and 2012 inquests both recommended the implementation of mandatory automatic sprinklers in retirement homes and other care occupancies. In 1998, automatic sprinklers were mandated in the Ontario *Building Code* for newly constructed "care occupancies". However, despite the inquest recommendations, the *Fire Code* was not changed to require the retrofitting of sprinklers in existing facilities.

In 2012, the Muskoka Heights inquest again recommended the retrofitting of sprinklers in all existing care occupancies, including all retirement homes, and other life-safety enhancements. It also recommended improved resources for fire-safety training for retirement-home owners and supervisory staff, development of a municipal registry of vulnerable occupancies and increased *Fire Code* enforcement.

TAC Recommendations

As stated above, ACE was a member of TAC and provided input on proposed changes to the *Fire Code* and *Building Code*. The resulting TAC recommendations were consensus-based but required significant co-operation among all stakeholders to balance the interests of life-safety and feasibility of implementation, particularly with respect to costs.

While all of the recommendations are important, it is ACE's opinion that the most crucial recommendations are those concerning the mandatory installation of automatic sprinklers in all care homes, licensed retirement homes, and long-term care occupancies housing vulnerable Ontarians.

Conclusion

More than 33 years have passed since the Extendicare Nursing Home fire in 1980. Since this date, 44 residents of long-term care homes and retirement homes have tragically died due to fires. No more time should be lost in implementing the TAC recommendations in order to prevent unnecessary injuries and deaths to Ontarians.

Thank you again for the opportunity to participate in this review. Please do not hesitate to contact us if you have any questions.

Yours truly,

ADVOCACY CENTRE FOR THE ELDERLY

Lisa Romano
Staff Lawyer