



# ONTARIO ASSOCIATION OF FIRE CHIEFS

*Leading innovation and excellence in public and life safety*

July 27, 2021

Jon Pegg  
Fire Marshal of Ontario  
Office of the Fire Marshal and Emergency Management  
25 Morton Shulman Ave,  
2<sup>nd</sup> Floor  
Toronto, Ontario  
M3M 0B1

## **Re: Fire Code Change Requests**

Dear Fire Marshal Jon Pegg,

As you know, Ontario's Fire Code is a living document that gets refined and updated by Fire Code Change Requests which can come from anyone, any time, and the request will be processed for possible inclusion in the next iteration of Ontario's Fire Code. As Canada begins to harmonize the various provincial and territorial Codes over the coming years, we understand that the cyclical review process of Fire Code Change Requests will likely take longer than we are historically used to.

The Ontario Association of Fire Chiefs (O AFC) Board of Directors recently met with the Canadian Automatic Sprinkler Association (CASA) to discuss potential Fire Code changes to strengthen the qualifications and enforcement aspect of the Sprinkler and Fire Protection Installer trade, that we would like to see implemented before the cyclical review process is updated. While at the same time, our Fire Prevention and Public Education Committee has been working to strengthen the enforcement language of Section 9.3 of the Ontario Fire Code, Boarding, Lodging and Rooming Houses.

The O AFC, in partnership with CASA, the Ontario Association of Fire Educators (O AFE), and the Ontario Municipal Fire Prevention Officers Association (OMFPOA) are formally submitting the following three Fire Code Change Request for inclusion in the next edition of Ontario's Fire Code. Each request is not only supported by the aforementioned fire organizations, but also by hundreds of individuals in the fire service. For a full listing of supporters for these changes, please see the Appendix following this letter.

## **Strengthening the Sprinkler Installation Trade and Enforcement and Codify NFPA 25**

On January 1, 2014, Ontario became the first province in Canada to require the retrofit of all vulnerable occupancies to include the installation of automatic sprinkler systems. On February 2, 2017, in response to the amended Fire Code, and with the support of the O AFC, the Ontario College of Trades made sprinkler and fire protection installation a compulsory trade under *O/Reg 275/11, s.41*. This Regulatory change meant that those working on sprinkler systems must be properly trained, certified, and be College of Trades members in good standing under the following criteria:

- Apprentices Class;
- Journey person Candidates Class; or



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- Journeypersons Class (Certificate of Qualification/ Provisional Certification of Qualifications issued by the college).

Only those certified in the above classes and are College of Trades members in good standing may practice the Sprinkler and Fire Protection Installation Trade, be employed to work on sprinklers and fire protection installation, and use the trade title to describe themselves. Individuals qualified by the College of Trades are registered through the College's Public Register located at [www.collegeoftrades.ca/public-register-search](http://www.collegeoftrades.ca/public-register-search).

Since this legislation was enacted, chief fire officers have been working diligently with property owners to ensure that vulnerable occupancies are brought into compliance with Ontario's Fire Code. As we enter a Fire Code revision cycle, now is a perfect opportunity to revisit this legislation to identify what aspects of it are working, and what areas may need improvement.

The OAFC, in conjunction with our partners, will be bringing forward and submitting two proposed Fire Code amendments that will affect the Sprinkler and Fire Protection Installation Trade. These Code amendments have been vetted and supported by our Fire Prevention and Public Education Committee. The proposed Fire Code amendments include:

1. Strengthening sprinkler and fire protection qualifications and enforcement; and,
2. Codify NFPA 25 – Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems

One long-standing area of concern with this legislation is the enforcement aspect of qualified sprinkler installers. It has been noted that once the fire service has identified a potentially non-compliant installation of a sprinkler system, there is confusion over how to proceed. Compounding the issue is the fact that many fire personnel feel the enforcement aspect lacks teeth – no one has the actual authority to enforce compliance. This is caused in part due to the disconnected nature of Ontario's Fire Code with Ontario's College of Trades regulatory requirements, specifically with Sections 6.4, 6.5, 6.6, 6.8 with Division C, Subsections 1.2.1 and 1.2.4 of the Ontario Fire Code.

The OAFC, in partnership with CASA, the Ontario Association of Fire Educators (OAFE), and the Ontario Municipal Fire Prevention Officers Association (OMFPOA) are requesting that the Ontario College of Trades qualifications outlined above, be included into Division C of Ontario's Fire Code. This would mirror what exists for persons who work on fire alarms (Subsection 1.2.1) and for Chief Fire Officials (Subsection 1.2.4).

Currently, the options for enforcement are extremely limited in Ontario's current Fire Code to ensure that those conducting work, or installing these sprinklers, meet the requirements outlined by the College of Trades. It is our belief that this needs to be corrected. Allowing unqualified individual(s) to conduct this work negates our efforts to improve the life safety of residents in Ontario and specifically undermines the intent of *O. Reg. 150/13: Fire Code*, which requires the installation of working sprinklers in vulnerable occupancies.

The theme that ties the above sections together, and to close existing loopholes, is NFPA 25 Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems. Confusion currently exists in these sub-sections because compliance with NFPA 25 is limited to the items explicitly



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outlined in the Ontario Fire Code and does not allow for the standard to be adopted across the full spectrum of the system, e.g., when deficiencies and impairments are identified, supply valve status testing, and forward testing of back flow preventors.

The OAFCh recommendation is to update the language to be consistent with the National Fire Code, specifically section 6.4.1.1 that states inspection, testing and maintenance of water-based fire protection systems shall be done in conformance with NFPA 25, "Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems".

### **Section 9.3 of the Ontario Fire Code, Boarding, Lodging and Rooming Houses.**

For a number of years fire departments have identified Section 9.3 Boarding, Lodging, and Rooming Houses, of the Fire Code as being especially problematic to enforce. Difficulties arise because it is the living arrangements themselves and the type of occupancy, which are often the intrinsic fire risk in these types of living arrangements. Most individuals living in these types of homes are unaware of their fellow occupants' day-to-day activities, whereabouts, and live independently of the rest of the members of the building.

The current language for Section 9.3 of the Fire Code is problematic in a few instances as some requirements such as fire alarm and detection only apply to individual units within the building, not the entire building itself. Revising the language would help bring Section 9.3 in line with 9.5 and 9.6 and allow for the most restrictive requirements to apply in a building where there may be more than one residential occupancy regulated under Part 9. Updating the language in Article 9.3.2.4 which speaks to interior wall separations and fire-resistance ratings, will address, and fix, the issues arising from the current language, which resulted in an interpretation whereby there are no requirements for a fire separation between each room, between rooms and adjacent corridors, or other rooms and areas (such as laundry, kitchen/dining, bathrooms, etc.). The proposed change will address these shortcomings and provide greater degree of fire compartmentations.

Further proposed changes to this Section of the Fire Code speak to providing clarity for owners, ensuring that all fuel-fire appliances are installed properly, harmonizing the fire-resistance rating throughout the structure at a 30 minute fire resistance rating, updating Subsection 9.3.3 Mean of Egress making the safety requirements equivalent to those in similar buildings that are classified in Section 9.5 of the Fire Code, ensuring a smoke alarm for each sleeping room, and requiring an early warning detection system.

The proposed updated Section 9.3 will also include a definition of a "Kitchen facility" to aid owners in determining what is permitted within a room in boarding, lodging, and rooming houses and what is not. The definition will also aid inspectors in determining occupancy and the ability to differentiate between a sleeping room and a dwelling unit.

Finally, we are proposing to add a new subsection to 9.3 of the Fire Code entitled 9.3.5 Suppression which speaks to automatic sprinkler protection in accordance with NFPA 13R "Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height".



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The OAFCh has sought and received a broad consensus of support from Ontario's fire sector on these three proposed Fire Code Changes including CASA, the OAFE, the OMFPOA, and over a hundred Chief Fire Officers, Fire Prevention Officers, and those working in fire related fields.

The OAFCh believes these three proposed changes will help fulfill our organizations mission, to lead innovation and excellence in public and life safety, and our vision of inspiring and influencing a safer Ontario for all who reside here. We are looking forward to seeing these changes adopted into the next iteration of Ontario's Fire Code.

On behalf of the OAFCh, thank you for taking the time to review our Fire Code Change Requests. If you have any questions, please contact Michelle O'Hara, Executive Director by email to [michelle.ohara@oafc.on.ca](mailto:michelle.ohara@oafc.on.ca)

Yours truly,

A handwritten signature in black ink, appearing to read "Mark MacDonald".

Chief Mark MacDonald  
President

Cc:

The Hon. Sylvia Jones, Solicitor General

The Hon. Minister of Labour Training and Skills Development of Ontario, Monte McNaughton

Jo-Ann Gauthier, Canadian Automatic Sprinkler Association

Kevin Vaughan, Chair, Ontario Association of Fire Educators

Vince Giovannini, President, Ontario Municipal Fire Prevention Officers Association



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## **APPENDIX – Supporters of the Fire Code Change Requests.**

Accompanying Appendix Attachment: Supporters of the OAFCh Fire Code Change Requests  
Accompanying Appendix Attachment Called: [Appendix - 2021-07-27 OAFCh Fire Code Change Supporters.xlsx](#)