



Expansion of the Toronto Fire Services Data Portal

Date: November 19, 2019

To: Economic and Community Development Committee

From: Fire Chief and General Manager, Toronto Fire Services

Wards: All

SUMMARY

Since December 2017, Toronto Fire Services (TFS) has maintained a searchable online database, available to the public, for TFS inspection activities related to fire safety at high-rise residential buildings. This online portal, known as the "High-rise Residential Fire Inspection Results" contains data on all completed inspections conducted at high-rise buildings within the City of Toronto. This report responds to a March 2018 request from the Executive Committee for Toronto Fire Services to consider expanding the information available via the portal on Fire Inspections.

The Fire Chief and General Manager, TFS proposes enhancing the information being provided on the portal to include information on both active and completed inspection matters for multi-unit residential occupancy types including high-rise, low-rise, small multi-unit buildings, rooming houses/group homes, hotels, motels, detention centres, and all vulnerable occupancy buildings. This expanded online portal will be renamed as the Fire Inspection Portal. The information posted on this expanded portal will continue to be available on the City's Open Data portal as well.

Once the High-rise Residential Fire Inspection Results portal was established, TFS was contacted by Ombudsman Toronto, asking TFS to consider an expanded portal which would include additional public information on inspection matters. TFS consulted with Legal Services, IT Services as well as the City Clerk's Office to ensure this increased transparency is balanced with meeting all relevant privacy requirements. It is expected that the expanded Fire Inspection Portal will be fully operational by the end of 2020.

RECOMMENDATIONS

The Fire Chief and General Manager, Toronto Fire Services recommends that:

1. City Council adopt the proposed amendments to Chapter 79, Fire Services, as outlined in Attachment 1 to this report to establish the responsibility for the Fire Chief and General Manager, Toronto Fire Services to maintain a record available to the general public concerning Ontario Fire Code inspection and enforcement activities of Toronto Fire Services in multi-unit residential and institutional occupancies in a manner and form as approved by the Fire Chief and General Manager in accordance with the proper administration and efficient operation of Toronto Fire Services.

FINANCIAL IMPACT

There are no additional financial impacts on either the 2019 - 2028 Capital Plan for TFS or on the current or future operating budgets for the Program, as sufficient resources are included in the 2019 Operating Budget for TFS to support the enhancements and to maintain the upgraded information portal.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

At its meeting of March 19, 2018, the Executive Committee requested that the Fire Chief and General Manager, Fire Services and the Chief Information Officer include an analysis on providing open data on fire inspections.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.EX32.17>

COMMENTS

One of the means by which TFS increases public fire safety is through the enforcement of the *Ontario Fire Code* in accordance with the *Fire Protection and Prevention Act*, 1997 (*FPPA*) and associated regulations made under the *FPPA*.

Inspections are initiated routinely for certain occupancy types, and upon receipt of a request or complaint. In 2017, TFS launched the High-rise Residential Fire Inspection Results Portal, a [web portal](#) that allows the public to view information concerning

completed inspections in high-rise, multi-unit residential properties. This information is also available on the City's Open Data portal in CSV, JSON and XML formats.

Current High-rise Residential Fire Inspection Results Portal

The High-rise Residential Fire Inspection Results Portal provides the public with the ability to view inspection results for residential high-rise buildings within the City of Toronto and includes the details of any *Ontario Fire Code* violations that have been identified by TFS and corrected by the property owner at specific buildings. Properties on the portal can be sorted by address, street number, ward, and alphabetically. The information currently provided indicates the date the inspection was started, the date the inspection process ended, and where applicable, a list of violations of the *Ontario Fire Code* that were identified and resolved. Currently, "open" inspections, (i.e. outstanding violations) are not available on the High-rise Residential Fire Inspection Results Portal.

Expansion of the Fire Inspection Portal

Once the High-rise Residential Fire Inspection Results portal was established, TFS was contacted by Ombudsman Toronto, asking TFS to consider an expanded portal which would include additional public information on inspection matters. TFS worked with representatives from Ombudsman Toronto and consulted with Legal Services, IT Services as well as the City Clerk's Office to ensure this increased transparency is balanced with meeting all relevant privacy requirements.

This report proposes two key enhancements to the current High-rise Residential Fire Inspection Results Portal, which will be renamed as the Fire Inspection Portal. The two key enhancements the Fire Inspection Portal will have are:

1. The inclusion of additional building/occupancy types, and;
2. Increased inspection details.

1. Inclusion of Additional Building and Occupancy Types

In addition to high-rise residential buildings, the public will now have access to inspection results for other multi-unit residential buildings that include low-rise, small multi-unit, rooming houses / group homes, hotels, motels, detention occupancies as well as buildings that are designated as vulnerable occupancies (such as Hospitals, Retirement Homes, and Long term Care Facilities). Table 1 provides a definition of the building occupancy types to be included within the Fire Inspection Portal.

Table 1: Overview of included Building and Occupancy Types

Building or Occupancy Type	Definition
High-rise residential building	A building that has seven storeys or more above grade.
Low-rise/ Small Multi-unit residential building	A building that has fewer than seven stories above grade and containing at least three (3) apartment units with some units sharing a common exit.
Rooming House/ group homes	A house or dwelling unit where more than four individuals separately rent out sleeping rooms or lodge rooms, and share kitchen and/or washrooms. In group home instances, the occupants require additional support/care.
Vulnerable Occupancies	An occupancy where special care is provided by a facility to occupants who would be incapable of evacuating the building without assistance.
Hotel / Motel	An occupancy with four or more suites that provide sleeping accommodation for the travelling public or for recreational purposes.
Detention Occupancy	An occupancy in which persons are incapable of self-preservation because of security measures not under their control.

2. Increased Provision of Inspection Details

The expanded Fire Inspection Portal will include additional information that is not presently included on the High-rise Residential Fire Inspection Results Portal. The additional information will include information about addresses with "open" violations rather than just those that have been "closed" (i.e. corrected to comply with the *Ontario Fire Code*).

The Fire Inspection Portal will also include information concerning addresses where enforcement proceedings, such as prosecution under the *Provincial Offences Act* has commenced. This information will be included in the Fire Inspection Portal in a manner similar to inspection results, and will also be updated on a regular basis. TFS is in the process of identifying the technology and process changes required to capture the data related to prosecutions for the web portal.

The Fire Inspection Portal will enable the public to readily obtain information concerning outstanding *Ontario Fire Code* violations, Inspection Orders made under the *FPPA*, and details as to whether identified deficiencies have been corrected. The public will also be able to readily obtain information concerning whether inspection activities have resulted in enforcement proceedings.

Fire Inspection Portal - Privacy Considerations

TFS has consulted with the City Clerk's Office for input in the development of procedures related to the privacy of property owners and residents. The proposed approach will balance the objectives concerning increased transparency and accountability with respect to TFS inspection/enforcement activities with the reasonable privacy interests of individuals. Due to concerns with respect to potential inadvertent disclosure of occupants' personal information, information concerning single family dwellings and two-unit dwellings will not be included within the Fire Inspection Portal. The proposed approach seeks to avoid any information that could directly or indirectly identify specific individuals being included on the Fire Inspection Portal.

Therefore with respect to the orders issued by TFS inspectors, and related prosecutions, this process would operate as follows:

'G-Order'

This is an order made pursuant to s.21(1)(g) of the *FPPA*. G-Orders, are orders "to remedy any contravention of the Fire Code" and primarily contain content which lists the violations that have been identified under the *Ontario Fire Code*, with limited narratives and details. Examples of G-Orders include: Faulty fire doors, faulty lighting on emergency exit signs, or faulty fire extinguishers.

There are very few circumstances where the content in a G-Order would identify personal information about any identifiable individual. The individual violations from an issued G-Order will be listed on the portal.

'F-Order'

This is an order made pursuant to s.21 (1) (f) of *FPPA*. F-Orders address a number of situations concerning "anything respecting fire safety including anything relating to the containment of a possible fire, means of egress, fire alarms and detection, fire suppression and the preparation of a fire safety plan." F-Orders may be used in various situations where an issue with a specific unit has been identified, and the inspectors notes would often contain specific details that may relate to an identifiable individual.

An example of an "F-Order" could be to require a homeowner to reduce the height of a storage pile to ensure that smoke alarms are able to operate properly. While "F-Orders" will be included within the Fire Inspection Portal, no specific details associated with the order will be provided in order to prevent any personal information from being disclosed. Generally, an entry would indicate only that an "F-Order" was issued, its date of issuance, status, and a general description of the order will be provided.

A-E Orders

A-E Orders refers to orders made pursuant to subsections 21(1)(a)-(e) of *FPPA* and can be summarized as follows:

- **A-Order:** "to remove buildings or structures from the land or premises." For example, an A-Order could be used to facilitate the removal of a deteriorating structure that poses a fire and safety risk.
- **B-Order:** "To make structural and other repairs or alternations, including material alterations, to the buildings or structures." For example, a B-Order could be used to install fire doors to create another zone to prevent the spread of smoke and fire.
- **C-Order:** "to remove combustible or explosive material or anything that may constitute a fire hazard." An example of a C-Order could be used to require removal of a large amount of combustible storage in a building creating a large "fuel load".
- **D-Order:** "to install and use specified equipment or devices as may be necessary to contain hazardous material on the land or premises and, in the event of a fire, to remove or transport the material." An example of a D-Order could be used to install equipment to help control flammable vapour concentrations in a laboratory room in a hospital through special conditions.
- **E-Order:** "to discontinue the manufacturing, production, or fabrication of any material, device or other thing that creates or poses an undue risk of fire or explosion." An example of an E-Order is to cease using a paint spray booth in a hobby room that does not have an adequate exhaust system until the exhaust system is repaired or installed.

While "A-E Orders" will be included within the expanded Fire Inspection Portal, no specific details associated with the order will be provided in order to prevent any personal information from being disclosed. Generally, an entry would indicate only that an "A-E Order" was issued, its date of issuance, status, and a general description of the order will be provided.

Prosecution related Information

Entries related to charges laid against property owners will utilize standardized language, corresponding with provisions of the *FPPA* in order to protect the privacy of residents living in the dwellings.

Timeline and Next Steps

Work on finalizing the appropriate general policies and procedures to be issued by the Fire Chief and General Manager, Toronto Fire Services concerning the Fire Inspection Portal is underway. TFS will continue to work closely with IT, Legal and Corporate Information Management Services in order that the expanded Fire Inspection Portal is fully launched by the end of 2020.

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SIGNATURE

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ATTACHMENTS

Attachment 1 - Draft Amendment to Chapter 79.

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By-law No. xxx-2020

To amend City of Toronto Municipal Code Chapter 79, Fire Services, to require the keeping of a record available to the general public concerning inspection and enforcement actions of Toronto Fire Services.

Whereas under section 8(1) of the City of Toronto Act, 2006 (the "Act"), the City may pass by-laws to provide any service or thing that the City considers necessary or desirable for the public; and section 8(2) of the Act the City may pass by-laws in Accountability and transparency of the City and its operations and of its local boards (restricted definition) and their operations; and

Whereas the City has a division, known as Toronto Fire Services, that is the City's "fire department" under the Fire Protection and Prevention Act, 1997; and

Whereas Council has adopted Municipal Code Chapter 79, Fire Services, section 79-8 of which establishes that it is responsibility and duty of the Fire Chief to the head of the Fire Department and shall be responsible for its proper administration and efficient operation, and that City Council can require the keeping of specific records; and

Whereas Council has decided that, the creation and maintenance of a record that is available to the general public concerning such details of the inspection and enforcement activities of the City's fire department, that the Fire Chief believes consistent with the proper administration and efficient operation of Fire Department and the effective management of the fire protection services for the City would result in increased accountability and transparency of the City's operations, specifically the operations of the Toronto Fire Services,

The Council of the City of Toronto enacts:

1. Chapter 79, Fire Services, is amended by deleting by replacing subsection 79-8B(9) with the following:

(9) For keeping a record to be available to the general public concerning the Fire Department's inspection and enforcement activities with respect to fire safety containing such particulars of the Fire Department's inspection and enforcement activities as the Fire Chief believes suitable for the proper administration and efficient operation of the Fire Department and the effective management of the fire protection services for the City, along with such other records as may be required by the Council.

2. This By-law is to have come into effect on June 30, 2020.