

Toronto Star

Justice of the peace slams Toronto Community Housing for latest fire code violation



By [Samantha Beattie](#) Staff Reporter
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A justice of the peace has slammed Toronto Community Housing after the landlord pleaded guilty to fire code violations related to a blaze at its 275 Shuter St. building.

“There’s an expectation entities such as Toronto Community Housing are on top of these things, are responsible, are following the law and are monitoring the requirements of the law,” justice of the peace Ana Christina Costa said in provincial offences court Nov. 24. “This is outrageous and if this were not a joint position on penalty, Toronto Community Housing would be getting a much higher amount because I think it’s unacceptable.”

While no was hurt in the Feb. 8 fire in the seventh-storey unit, a fire investigator discovered Toronto Community Housing knew the fire alarm system wasn’t working, and did not inform tenants, the on-site supervisor or the fire department, said prosecutor Amanda Cahill. At least two of the building’s supervisors were not trained in fire emergency procedures and did not receive the proper training for another six and a half months after the fire occurred.

In all, Toronto Community Housing was fined a total of \$25,000 for two fire code violations. The maximum fine for each violation is \$100,000.

It was the latest round of fire code violations faced by Toronto’s largest landlord.

During the fire on Feb. 8, it fell to tenants to raise the alarm. Joan Harvey was one of the first to respond. She was standing outside the 16-storey, 300-unit building at about 6:30 a.m. when she heard a window shatter. She looked up and saw flames and smoke billowing out of her apartment window.

She ran into the lobby, alerted security, took the elevator up to the seventh floor and pounded on tenants’ doors.

“I’m not a hero,” Harvey told Star. “I just did what everyone would do.”

Toronto Fire Services said it has responded to more than 300 fires at Toronto Community Housing buildings in 2016 and 2017, several of which were fatal.

In 43 of these fires, Toronto Fire Services laid charges, some of which are still before the courts. From January 2016 to Dec. 21, 2017, Toronto Community Housing has paid more than \$230,000 in fines related to fire code violations, its spokesperson Anne Rappe said. In those 43 fires, Rappe would not say how many charges were laid or provide information as to their status.

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“Tenant safety and fire life safety, in particular, are top priorities for Toronto Community Housing,” Rappe said. “Toronto Community Housing is committed to taking all reasonable measures to make (our) buildings as safe as possible for tenants, employees and the public.”

But one housing advocate called the violations “pure discrimination.”

“If these apartments were for people who were wealthy, (city officials) would be running to fix the problem. But because it is community housing it’s like, ‘who cares?’” said Alejandra Ruiz Vargas on behalf of Acorn Canada, an advocacy group for low-income families.

Justice of the peace Costa could have raised the fine amount in the Shuter St. fire but such a move is unusual, when a deal is reached, said one Toronto lawyer.

“The fact the justice of the peace accepted the fine doesn’t surprise me because it takes a lot for them to not do that... the joint submission has to be so manifestly so unfit for the circumstances it would shock the public,” said Antoinette Raviele, a former assistant Crown attorney, now a Toronto defense lawyer.

She said she was surprised, however, that the prosecutor agreed to a \$25,000 fine.

“What do you think the reaction would have been with a \$100,000 fine (for each charge)?” Raviele said.

Toronto Community Housing is a city-owned, non-profit corporation that houses 110,000 low-income and oftentimes vulnerable residents across 2,100 buildings. The agency faces a massive repair backlog totaling more than \$2.5 billion.

Many of Toronto Community Housing’s fire code problems may relate to the repair backlog. Fire code violations can include a wide-range of issues, some big, some small, including: holes in walls and ceilings, door latches that don’t work, fire doors that don’t close, inoperable alarm systems and lack of fire safety training for staff.

“There has been a huge effort from Toronto Community Housing and fire services to have better performance in this area,” said Councillor Ana Bailao, chair of the city’s affordable housing committee. This “effort” was rolled out this year and will continue next year and its impacts are yet to be determined.

Toronto Community Housing said in 2018 it plans to hire two fire prevention inspectors to regularly review all its buildings.

Toronto Fire Services spokesperson Cpt. Dave Eckerman said it has inspected Toronto Community Housing's high-rise buildings over the past two years and has also trained 500 Toronto Community Housing staff of their responsibilities under the fire safety plan.

However, due to budgetary pressures from city hall, Toronto Fire Services has not requested money to inspect the remaining Toronto Community properties, nor to "properly address the Toronto Community Housing portfolio-wide issue" in 2018, Deputy Fire Chief Matthew Pegg said at a recent Toronto budget committee meeting.