



## BE AWARE AND GET INVOLVED

*A real time monthly series created to bring awareness ...*

Our Association newsletter has a monthly series that started in November of 2021, BE AWARE AND GET INVOLVED. The series takes readers through the challenges experienced by one of the builds in our neighbourhood in real time with the intention to bring awareness and share steps to take for support.

When we started this series we did not anticipate that we would still be telling the story a year later. **We wanted to make it easy for our readers to catch up, below is a collection of the stories found in our monthly newsletter.**

### **A quick recap of what has happened since we started this series:**

For 2 years this home was a suspected Pop up TEMPORARY illegal MTH. A clip from our December newsletter, "Many calls were made to 311, Ministry of Labour and Toronto Fire regarding the subject property. 311 calls were made at least once a week for an entire two years to enact enforcement for potential bylaw violations" The series highlights a support system that works in silos and is struggling to meet the demands for concerns it is meant to support.

1. From the start the site has had multiple and continual safety violations; some have required the Ministry of Labour to intervene.
2. Demolition began with natural gas and electricity utilities live and active. Emergency calls were made by the neighbours to have them immediately shut down.
3. The foundations of this house did not appear to be built to plan. They appeared to be 24" above the permit drawings specified and it also appeared the house framing plans were not followed.
4. The drawings had to be revised as there were several deviations on the plans which required the drawings to be resubmitted and re approved through the buildings dept.
6. On Canada Day work started again - missing as built survey documentation was not supplied to the CITY as per requirement to continue work. Local residents notified the City to look into suspected additional infractions on site - Site was stopped and has been shut down since. This is the Fourth STOP WORK ORDER for this site. On July 8th an as-built survey was submitted to City Inspectors for review by the contractor. A discrepancy between the approved first floor elevation and as-built survey was noted. Toronto Building issued an order instructing the owner/builder to stop all work and obtain the necessary approvals. Toronto Building confirmed they will continue to monitor and will address complaints and deviations and non-conformance as they arise

Association Members will receive emailed updates to this series in future newsletters, or you can visit our website to get new and past issues of our newsletters, <https://www.cliffcrestscarboroughvillagesw.ca/news>

To become a member visit <https://cliffcrestscarboroughvillagesw.ca/become-member/>

Enjoy catching up and please send any questions or comments to [info@csvsw.ca](mailto:info@csvsw.ca)

### **Issue #3 – November 2020 on Location**

**BE AWARE AND GET INVOLVED** A local resident recently noticed a 20-ton excavator show up on the lawn next door, without posted permits, no hoarding and no tree protection, just some fencing to block the front yard. They ripped out a tree just to park the excavator! It is important to be aware of the process and get involved when something is not right. Did you know that tree protections and hoarding need to be installed BEFORE permits are issued? A permit is required to remove a tree with a diameter of 30 cm, approximate thickness of a telephone pole. For full details on guidelines and what to do when a tree is being cut, CALL 311. Some good news. With the help of local residents, Councillor Crawford's office, Forestry Department and 311, inspectors arrived at the above site and both issued notices of contravention. The Association exists to tell these stories, to share information and to bring awareness. You can make a difference. Look at what was accomplished in this story. Stay tuned for next month's newsletter on more news from this site. Learn how major construction to an 850 sq.ft. home upgrading to 3000+sq.ft. passes COA approval identifying no variances. True Story!



### **Issue #4 – December 2020 on Location**

**BE AWARE AND GET INVOLVED** This story continues from last month's issue.... Many calls were made to 311, the Ministry of Labour and Toronto Fire regarding the subject property. 311 calls were made at least once a week for an entire two years to enact enforcement for potential bylaw violations. To learn more about City bylaws see <https://www.toronto.ca/city-government/public-notices-bylaws/> The home became vacant on Sept. 30, 2020, when workers began work to demolish the home. The owner had obtained a permit for a "SMALL residential project". A renovation is classified as "small", if minimum 50% of the house walls are kept intact and used for the new addition and build. The word "small" is very misleading! Under the description as a "small renovation", plans are also considered to be confidential by the City of Toronto. The general public can gain access to confidential plans through the Freedom of Information Act. An application can be made through the City of Toronto website ("How to Access City Information") and a fee of \$75 to be paid prior to receiving the plans. By obtaining these plans, neighbours learned that the existing 850 sq. ft. home is to become a 3000+sq.ft

home! In addition, the designer of this house claims to be Tarion-registered, but this could not be confirmed on the Tarion web page. The actual “Builder” of this home is also the owner of the property, who has been engaged with multiple projects in the area. We could not find the builder’s company name registered with WSIB, there is no licence with the City of Toronto as a builder or renovator and the project was not registered with the Ministry of Labour. Demolition started without properly posted permits & with the gas, electrical and water utilities still live throughout the house. A consultation with an electrical and gas contractor confirmed these services should be shut off at the street to prevent a safety hazard that could result in a fire or explosion. It was left to a neighbour to make an emergency call to have the utilities shut off. The Ministry of Labour was called several times for safety infractions. City of Toronto “Building Inspectors” must be called in by the contractor at scheduled points of work completion. City staff do NOT monitor the site’s daily activities and do not monitor safety matters. The Ministry of Labour will only arrive when notified of a safety issue. Residents must be aware and get involved to notify the proper authorities when something is not right. When planning a new build or renovation project, a consumer should verify that the builder has full and up to date WSIB coverage for their workers & contractors. They must carry full Liability Insurance and they must be registered as a licensed Builder with the City of Toronto. These are required by Law. If your builder is not carrying the proper coverage, any issues will be become your responsibility and you will need to pay for the shortcomings. When buying a new home, ask your agent who the builder was and investigate the builder. Protect your investment and do not invest in problems. Who should you call? It can be frustrating to find the right contact. For some direction see page 16 of the Good Neighbour Guide and be aware of the contacts like Toronto Hydro, Enbridge Gas, Ministry of Labour, Transportation Services, Forestry, Toronto Building, Toronto Police Services, Scarborough Building Inspectors and Manager, and City Councillor contacts. [https://www.toronto.ca/wp-content/uploads/2017/10/98ad-Good\\_Neighbour\\_Guide\\_Digital-shrunk.pdf](https://www.toronto.ca/wp-content/uploads/2017/10/98ad-Good_Neighbour_Guide_Digital-shrunk.pdf) This story shows why it is important to be aware of the process and get involved when something is not right. The Association exists to tell these stories, to share information and to bring awareness. You can make a difference. To become a member visit, [cliffcrestscarboroughvillagesw.ca/become-member](http://cliffcrestscarboroughvillagesw.ca/become-member)



### **Issue #5 – January 2021 on Location**

**BE AWARE AND GET INVOLVED** This story continues from last month issue... Construction continues at this home - City inspection has been notified by local residents of a number of suspected discrepancies in the build against what the permits/drawings allow. We will continue this series and update on what happens in our next issue. Construction continues with footings poured at this site The Association has been involved in a Committee of Adjustment (COA) hearing for another build where the developer was requesting additional variances for a house that was already built. We have seen this happen previously at other locations. How and why are developers allowed to build beyond what is approved or allowed by existing zoning, and then simply pay a penalty? This does not appear to be an effective deterrent as the overbuilds continue to happen. This is why it is important to **BE AWARE** of the process and **GET INVOLVED** when something is not right.



### **Issue #6 – February 2021**

**BE AWARE AND GET INVOLVED** We continue to follow construction in the story of this home.... Stop Work Order and Order to Comply to the drawings was issued following notification made to City Inspection of suspected infractions at this site. They may try and get an “after build” variance as mentioned in our pervious article. Who should you call? It can be frustrating to find the right contact. For some direction see page 16 of the Good Neighbour Guide and be aware of the contacts like Toronto Hydro, Enbridge Gas, Ministry of Labor, Transportation Services, Forestry, Toronto Building, Toronto Police Services, Scarborough Building Inspectors and Manager, and City Councillor contacts. [https://www.toronto.ca/wp-content/uploads/2017/10/98ad-Good\\_Neighbour\\_Guide\\_Digital-shrunk.pdf](https://www.toronto.ca/wp-content/uploads/2017/10/98ad-Good_Neighbour_Guide_Digital-shrunk.pdf) It is important to **BE AWARE** of the process and **GET INVOLVED**. when something is not right.

### **Issue #7 – March 2021 on Location**

**BE AWARE AND GET INVOLVED** This story continues from last month issue... In this month’s update for this building, construction is halted still & has not continued on this home. Stop Work Order and Order to Comply to the drawings was issued, following notification to the City by local residents to look into suspected infractions at this site. Residents are concerned that the builder may try to get a “after build” variance as mentioned in a previous article. We heard that many

neighbours are frustrated watching their streets transform from open natural settings to severed, treeless lots with maximized street-walls of row house-like multiple infills changing the character of the street. We welcome development that is fitting with the character of the neighbourhood, but what do you do when it is not? When a development is proposed, you as a resident can participate in the process. Our strength is your participation in the process and comes from support of a well-informed community. The Association's main role with respect to the Committee of Adjustment review process is to support the participation of individual residents by providing useful tools and resources. Follow this link to learn more about "Navigating the Committee of Adjustment Process" [CSVSW-CofA-Guide-Jul-2021.pdf](#) ([cliffcrestscarboroughvillagesw.ca](#))n It is important to BE AWARE of the process and GET INVOLVED when something is not right. Thank you, Alan Burt, one of our CSVSWRA Directors, for creating this valuable document.



#### **Issue #8 – April 2021 on Location**

BE AWARE AND GET INVOLVED This story continues from last month issue... In this month's update - this building construction is still halted. Residents continue to raise concerns about the scale of development which is taking place in our neighbourhoods. This link has some great information for anyone experiencing an infill build next to or close to your home. <https://www.toronto.ca/services-payments/building-construction/complain-about-construction-issues/residential-infill-construction> / This shoring drill, at another site, is used to install vertical shoring caissons along the property line. It is required when excavating is done for deeper than normal foundations and when foundations are installed very close to the property line. It helps to ensure the excavation walls do not cave in. This machine tipped over, which should not happen when the right measures are in place. The Ministry of Labour arrived within 20 minutes of calls from neighbours and the site is now locked down. The original application had the house set back from the adjacent property line by only 1'6", and the Committee of Adjustment (CoA) had the architect move this in so that the house would be 3' from the property line. All other variances were granted. The impact of approved developments with variances and how they impact neighboring homes is outside the purview of the CoA. So, the question is - should a construction plan or other protective measures been captured during the zoning and permitting phase? Earlier this month branches were broken off a mature tree, another indication of considerations not being given to adjoining properties. Forestry requirements were not, but should have been, stipulated to ensure tree protections were in place. The building and development processes need to make best efforts to ensure that parties can be held accountable for impact to community and community safety.



### **Issue #9 – May on Location**

**BE AWARE AND GET INVOLVED** This story continues from last month's issue... In this 7th update for this series, the building construction has been halted since March this year following a Stop Work Order and Order to Comply to the drawings prompted by notification to the City by local residents to look into suspected infractions at this site. However, across our neighborhoods' residents continue to raise concerns about other sites and the scale of development which is taking place. See photo related to another home where trees were dumped into a very deep hole in the ground, 5 mature trees were removed. I visited the site to find the neighbour finalizing details to put up a fence. The new construction dug right to the property line, this raised concerns for safety, as well as for the health of the mature trees on the property line. <https://youtu.be/oPCmS7UJerg> Did you know a person convicted of an offence under City of Toronto Municipal Code Chapter 813, Trees, Article III is subject to a minimum fine of \$500 and a maximum fine of \$100,000 per tree involved in an offense? A special supplementary fine of \$100,000 is also possible. The Association submitted the following letter to advocate for the protection of our mature tree canopy, [Letter to Mayor Tory re Tree destruction 4 June 21 \(cliffcrestscarboroughvillagesw.ca\)](https://www.cliffcrestscarboroughvillagesw.ca) In last month's issue, I reported about the tipped over shoring drill. This month, at this same site machinery attempting to remove the tipped drill broke branches off the neighbors' front lawn trees and the NEW boundary fence was hit and damaged. What is notable about the above two instances is that due to inconsiderate development, neighbours felt the need to build fences where none was needed before, a clear indicator of detrimental change to the nature of the community. This is why it is important to **BE AWARE & GET INVOLVED!**



### **Issue #10 – June/July on Location**

**BE AWARE AND GET INVOLVED** This story continues from last month's issue... Since March this year following a Stop Work Order and Order to Comply to the drawings, constructions had halted at this site. It started again on the Canada Day long weekend. Work started again with NO permits posted on site, as is the requirement. Inquiry to Toronto Buildings Records at Scarborough City Hall confirmed that no other plans had been issued beyond the initial permit. A call to 311 prompted the following actions: the contractor is required to provide an as-built survey which will show the elevations; the area inspector will attend the site and review what has been constructed to date and compare this to the approved permit plans; and, once the assessment is done, the area inspector will take steps to gain compliance where it is found to be necessary. This is why it is important to **BE AWARE & GET INVOLVED!**

### **Issue #11 – August/September on Location**

**BE AWARE AND GET INVOLVED** This story continues from last month's issue... On July 25th, a Stop Work Order and Order to Comply was posted on the permit board on site in response to inquiries made by local residents. Toronto Building indicated they have no direct control of the



on-going work at this site or any construction sites. They are required to inspect the work at various stages when notice is given and use their enforcement powers when necessary. It is also the expectation that the builder constructs in accordance with the approved plans. If there are any deviations or non-compliance the developer will need to submit revised drawings for their review and acceptance. Deviations and non-conformance, if they do come up, with

the issued permit plans are discovered when the required inspection stages are requested. Toronto Building confirmed they will continue to monitor and will address complaints and deviations and non-conformance as they arise. Why is it necessary for residents to continually police these sites and where is the accountability? It appears that, unless residents raise concerns, work could progress without checks along the way. This is why it is important to BE AWARE & GET INVOLVED!

### **Issue #12 – October on Location**

BE AWARE AND GET INVOLVED Part 10 to a monthly series There has been no activity at this site since July when Toronto Building issued an order instructing the owner/builder to stop all work and obtain the necessary approvals. This is the Fourth STOP WORK ORDER for this site. Toronto Building confirmed they will continue to monitor and will address complaints and deviations and non-conformance as they arise. Catch up on what has been happening in this series by following this link:

<https://cliffcrestscarboroughvillagesw.ca/data/documents/BE-AWAREGET-INVOLVED-SERIES-CATCH-UP-vs2.pdf>

Residents shared this photo of another home in our neighbourhood that remains unfinished and vacant. They reported many calls to 311 for enforcement have been made over the last 7 years and pointed out other homes in the same state that can be found throughout the neighbourhood. Another example of a support system that is struggling to meet the demands for concerns it is meant to support. A vacant home tax is currently being reviewed, homeowners who choose to keep their properties vacant, rather than renting or selling them, are subject to a tax. The City wants to hear from you on how this tax should work in Toronto. Take some time to complete the following survey.



<https://www.toronto.ca/services-payments/property-taxes-utilities/vacanthome-tax/>

### **Issue #13 – November on Location**

BE AWARE AND GET INVOLVED Part 11 to a monthly series When we started this series, we did not anticipate still telling this story a year later. Onsite construction has stopped since July when the Fourth STOP WORK ORDER was issued. The framing work installed in July 2021, prior to proper permit approvals, has now been removed. Currently, most of the materials, strewn about the site, appear to no longer be usable. You can catch up on what has been happening in this series via this link:

<https://cliffcrestscarboroughvillagesw.ca/data/documents/BE-AWAREGET-INVOLVED-SERIES-CATCH-UP-vs2.pdf> The concerns reported at this site are echoed throughout our neighbourhoods. This is why it is important for residents to BE AWARE & GET INVOLVED



### **Issue #14 – December *on Location***

BE AWARE AND GET INVOLVED Part 12 of a monthly series Early December, work began again at odd hours and on weekends, with the removal of the confirmed non-compliant framing work. The contractor appeared to be correcting the height of the foundation by cutting down the concrete foundations. MLS confirmed that non-compliant construction was to be removed and the foundations brought to the required elevations, as specified by the approved permit plans. The builder is required to have a licensed surveyor confirm the elevations. Once this exercise is completed, a follow up with the area inspector will confirm if work can commence again. The SWO will remain in effect until the area inspector is satisfied that the foundations are at the required elevations. With respect to the lumber, the area inspector will have a discussion with the builder as to the condition of the lumber that appears to be weathered/rotted and depending on the condition they will need to use 'new' lumber. The construction for this structure will be reviewed at the different stages of construction by the area inspector before it proceeds to the next stage as well as advise the contractor as to the permitted hours of work both for the weekdays and weekends. An informed community is a strong community & as a resident it is important to BE AWARE & GET INVOLVED when you notice something that does not appear to be right. For some guidance on steps to take visit, <https://www.cliffcrestscarboroughvillagesw.ca/community-support/>



### **Issue #15 – January *on Location***

BE AWARE AND GET INVOLVED Part 13 of a monthly series When the area inspector finally received the as-built survey from the builder and verified that elevations for the first floor had been corrected, (as per the approved permit plan) construction was permitted to begin again. However, when the contractor cut the foundations to the proper height, they caused damage to a neighbour's fence when they shoved the cut concrete in the direction of the fence. The neighbours, who are seniors, were left with the cost of the repairs. As the builder has not installed temporary utilities on the property for the construction use, even though the elderly couple continually said no, the workers repeatedly asked for the use of hydro and water. Toronto Building acknowledged what had taken place was "unfortunate", but that these matters are not code related issues and could not take any enforcement action. Toronto Building indicated they would have the area inspector follow up and remind the builder of Good Neighbour guidelines, [https://www.toronto.ca/wp-content/uploads/2017/10/98adGood\\_Neighbour\\_Guide\\_Digital-shrunk.pdf](https://www.toronto.ca/wp-content/uploads/2017/10/98adGood_Neighbour_Guide_Digital-shrunk.pdf) Re: damages to the fence - it is regarded as a civil matter and affected parties would need to address this outside of City and building code related issues. This does not fall under the jurisdiction of Toronto Building or under the code. When it was pointed out that the builder was not registered with

WSIB and not licensed to operate in Toronto, Toronto Building indicated they could not comment on the licensing requirements, insurance coverage and WSIB, again these are not code requirements and suggested contacting the Ministry of Labour. Be aware when buying a new home to ensure the builder has WSIB, are licensed and that they carry full Liability Insurance, as any issues may become your responsibility and you may need to pay for the shortcomings or possible liabilities. When buying a new home, ask your agent who the builder was, investigate the builder & consider a home inspection. Protect your investment and do not invest in problems. We share these stories because we believe an informed community is a strong community and as a resident it is important to BE AWARE & GET INVOLVED when you notice something is not right.

### **Issue #16 – February on Location**

BE AWARE AND GET INVOLVED Part 14 of a monthly series This project is currently at the framing stage of work. After many stop work orders and delays on the construction due to safety infractions, not building to plan and other issues, the builder appears to be following the plans which were approved by the City. It has been a community effort to engage the Building Dept and also stay abreast of the work being completed. You are within your right as a community to be informed and to know that developers are kept in check. To stay informed means to learn and understand the building process and which departments to speak to when an issue arises. Reach out to the RA if you are unsure of what steps to take. Residents are also allowed to request information about all projects through the City of Toronto - Freedom of Information Act - there is a cost to request documents and drawings, but it is well worth it to stay informed and engaged. It is important to keep a close eye on projects which are already suspect to issues of non compliance. There is still a lot to do at this project and the community continues to pay close attention to the work being done. We share these stories because we believe an informed community is a strong community. As a resident, it is important to BE AWARE & GET INVOLVED when you notice something is not right.

### **Issue #17 – March on Location**

BE AWARE AND GET INVOLVED Part 15 of a monthly series Notice Posted on the permit board from COT MLS for violation in March. A resident made several calls to Toronto Buildings, MOL in addition to another report with regards to a dog that had entered the job site through an open fence on site, due to poorly secured fencing and emerged badly injured. The response was that it was regretful but would have the area inspector touch base with the contractor to advise as to what happened. The site was marginally cleaned at the front yard but the sides and back yard are still rife with debris and dangerous materials strewn through the site. Frustration continues with a process designed to stonewall residents. We continue to hear the all too familiar response again and again "We can only enforce those issues that deal directly with the Building Code How the contractor does the work, who they hire, are they licensed or not or do they have insurance or WSIB lays solely with the contractor. With respect to the licensing question please feel free to make a complaint to MLS to review and follow up as required." We

have learned that if the home is not built properly the liability is on the homeowner. What needs to change to make this process work better? Where does correction need to occur? Why does the City of Toronto issue permits to companies which are not licensed, have not provided proof of insurance and WSIB coverage. The process puts the community at risk and leaves the risk on the shoulders of residents. We share these stories because we believe an informed community is a strong community. As a resident, it is important to BE AWARE & GET INVOLVED when you notice something is not right.

### **Issue #18 – April/May on Location**

BE AWARE AND GET INVOLVED Part 16 of a monthly series The site remains stopped with Notice Posted on the permit board from COT MLS for violation since March. Visit our FAQ Tab to see what questions other residents asked the RA, you may have the same questions. If you do not find what you need, please reach out to us at [info@csvsw.ca](mailto:info@csvsw.ca) so we can, 1. Capture your concerns, 2. Find the response, and 3. Include it in this reference document for other members. <https://cliffcrestscarboroughvillagesw.ca/community-support/faq-resources/> We share these stories because we believe an informed community is a strong community. As a resident, it is important to BE AWARE & GET INVOLVED when you notice something is not right

### **Issue #19 – June/July on Location**

BE AWARE AND GET INVOLVED Part 17 of a monthly series The site remains stopped with Notice Posted on the permit board from COT MLS for violation since March. We share these stories because we believe an informed community is a strong community. As a resident, it is important to BE AWARE & GET INVOLVED when you notice something is not right. Visit our FAQ Tab to see what questions other residents asked the RA, you may have the same questions. <https://cliffcrestscarboroughvillagesw.ca/community-support/faq-resources/>

### **Issue #19 – August on Location**

BE AWARE AND GET INVOLVED Part 18 of a monthly series. Since March of 2022, this site has remained stopped with Notice Posted on the permit board from COT MLS for violations. However, sporadic work occurred through odd scheduled times on weekends and on Holidays, to avoid the scrutiny of the City. Neighbours were surprised to see the work progressing as the height of the foundation walls issue had not yet been resolved and contacted City Building. The area inspector was called to attend the site and review what has been constructed to date and compare this to the approved permit plans. Aug 8, 2022, this builder attempted to pass their structural and framing inspection, but failed to do so

The work at this house has been under review over the course of many months with continual safety and permit related issues raised. It has been checked and confirmed that this operator is NOT covered through WSIB. Toronto Buildings advised these concerns fall to the contractor/owner as it is their responsibility to address. Apparently, these items are investigated through the Ministry of Labour, and required to be in place before permits are issued. If this is the case, why were they issued a permit? That remains unanswered. There are means by which permits can be issued, and these loop holes remain unchecked. Why are they permitted to continue operating - That

remains unanswered also. The community has been watching and observing and reporting to Toronto Buildings who advised that with respect to the code issues the area inspector will follow up with them to assure that what is constructed is in compliance with the code and the issued permit plans. With respect to the safety concerns and issues that have been brought up, again neighbours were told they have been brought to the contactors attention and it is their responsibility to address them.

We share these stories because we believe an informed community is a strong community. As a resident, it is important to BE AWARE & GET INVOLVED when you notice something is not right.