



## STAFF REPORT INFORMATION ONLY

### 8 St. Clair Gardens Inspection Status Report

<b>Date:</b>	November 13, 2007
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Edward Tipping, Director and Deputy Chief Building Official
<b>Wards:</b>	Ward 17
<b>Reference Number:</b>	2007EY037

### **SUMMARY**

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This staff report is about a matter for which the Community Council has delegated authority from City Council to make a final decision.

At the October 30<sup>th</sup> Etobicoke York Community Council a building inspection status report regarding 8 St. Clair Gardens dated October 16, 2007 (Ref.#2007EY029), was submitted for information, and a motion was adopted to defer the report to the November 30, 2007 meeting.

During this period, a site inspection was conducted at the dwelling and a number of building permit issues were complied with and the files have been cleared.

In reference to the illegal enclosure of the sidewalls on the two-storey deck that went before the Court on November 2, 2007, a trial date has been scheduled for June 19, 2008.

### **Financial Impact**

There is no financial implication resulting from the adoption of this report.

## **ISSUE BACKGROUND**

The dwelling located at 8 St. Clair Gardens is a semi-detached two-storey structure attached to 6 St. Clair Gardens. Renovations to this dwelling began in 1998 and these renovations have resulted in numerous complaints alleging that there is non-compliance with the issued building permits as well as zoning violations. In total, 10 building permits have been issued and there have been 7 Orders to Comply and 1 Stop Work Order issued to the owner.

Court action has been initiated against the owner and the prosecution is still before the courts.

## **COMMENTS**

### **Enforcement Status:**

Prosecution has been initiated against the owner in relation to the outstanding Order issued on February 26, 2007, dealing with:

- 1) Construction of partitions on the south and north walls of the rear two-storey deck.

As of October 16, 2007, construction has ceased on the property. (Appendix "A" contains information related to enforcement actions taken and pending.)

To date, no application for a revised building permit in relation to the above noted item has been received by Toronto Building.

On November 9, 2007, a building inspection was conducted at the site and the following projects were completed, and permit files closed:

- 1) Permit #01-200020: Construction of the masonry foundation wall in the basement cold storage room, and front platform with handrail leading from grand to front porch.
- 2) Permit #01-200020: Construction of the privacy screens and additional work on the second floor front porch.
- 3) Permit #02-1949889: Basement walk-out at rear of dwelling.

The issue that is before the court regarding the enclosure of the sidewalls on the rear two-storey dwelling has been scheduled for trial on June 19, 2008.

We will continue to inspect and monitor activities at this site and until such time as the building inspector is satisfied that the construction has been completed in compliance with the Code and all applicable laws. We will also continue to issue Orders and Stop Work Orders including legal action, if contraventions of the Ontario Building Code are observed at this site.

The authority under the provisions of the Ontario Building Code Act will be used to attain compliance.

## **CONTACT**

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## **SIGNATURE**

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