

AT A GLANCE

Investigation into Allegations of Wrongdoing Regarding Building Inspections of 2 Houses

WHY THIS INVESTIGATION MATTERS

This investigation looked into allegations of wrongdoing related to the construction of two large houses by one builder. One of the houses was more than 600 square meters in size and had a firewall, basketball court, and underground parking for 6 vehicles. The houses were in different districts, and different Toronto Building employees conducted code and zoning reviews and inspections.

The complainant made 4 allegations, including that the builder was not constructing the houses in accordance with the permits approved by Toronto Building, and that the houses were potentially unsafe.

While this investigation focuses on two houses and one builder, it demonstrates the risk that some builders might be making unapproved changes to their buildings that are not in compliance with the *Ontario Building Code* and/or not approved by Toronto Building, and therefore could be unsafe. This risk is further increased if Toronto Building is not notified to review and inspect the changes and/or the changes are not caught during the inspection process.

HOW RECOMMENDATIONS WILL BENEFIT THE CITY

By implementing the 6 recommendations in this report, the Division will be in a stronger position to carry out its mandate. It will also be able to better support its staff as they continue to review plans and conduct inspection work to verify that houses and buildings are being constructed in compliance with the City-approved plans, the *Ontario Building Code*, and the *Building Code Act*.

BACKGROUND

This complaint came to the Auditor General's Office through the Chief Building Official in the spring of 2021. Due to the serious nature of the allegations, the Auditor General immediately began an investigation. The Chief Building Official, at the Auditor General's request, directed that re-inspections of the houses be done, by different, very experienced inspectors from different districts from where the houses were being built.

WHAT WE FOUND

Conclusion of the Complainant's Allegations

This investigation substantiated 1 of the 4 allegations: that the builder made material changes to City-approved plans without having them first approved by Toronto Building.

- **Allegation 1:** Builder made changes to the houses without having those changes approved by Toronto Building – **Substantiated**
- **Allegation 2:** The changes made to these houses were potentially non-compliant with the *Ontario Building Code* – **Unable to Determine**
- **Allegation 3:** Builder was fraudulently using architect's credentials to make changes to the houses – **Unsubstantiated**
- **Allegation 4:** Builder had connections at City of Toronto, who were in some way helping the builder bypass regular Toronto Building plan review and/or inspection processes – **Unsubstantiated**

Other Issues Identified in the Investigation

1. A risk-based approach to inspections is not used
2. The importance of using powers to enforce compliance
3. Material and note-worthy changes were not identified through the inspection process
4. The inspection order is not always logical
5. The City-approved plans were not always used for inspections