

# Rogue builders have Peel councillors looking to Queen's Park for help

Renovators, builders refusing inspections, stop work orders



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Mississauga and Peel Region councillor Karen Ras speaks about illegal home construction in a constituent's backyard on Dec. 11, 2020. Peel Region is seeing a rise in non-permitted building due in part to a lack of enforcement. (Evan Mitsui/CBC)

Peel Region is facing a rash of rogue contractors who ignore building codes and bar inspectors from their sites, according to local councillors.

And they're getting away with it because building inspectors can't legally enter a dwelling without the owner's permission, unless it's a life-threatening emergency.

"They've done zero," Mississauga and Peel Region Coun. Karen Ras said of builders at one site in a tony section of south Mississauga where a multi-level home is being framed.

At the site, workers go about their business, but there's one problem, she says: No permits have been issued for the work that's underway.



Separate entrances, often built without proper municipal inspections, are a common feature of unregistered additional units in single-family homes. (City of Brampton)

And work that's done without permits means the municipality has no way of checking whether the home is structurally sound, whether fire codes are being met or if gas lines are being installed correctly.

In Brampton last year, records show there were 10 house fires in buildings with basement apartments not registered with the municipality. Homes with legally registered basement apartments had none.

"I've heard from some very frustrated and angry residents who want to make sure that when there is development in the area, that it's done appropriately. So understandably, they're very upset," Ras said.



This staircase was built in an unapproved, renovated house in Brampton, without the benefit of municipal inspections. (City of Brampton)

Even though the municipality has slapped a stop work order on one of the south Mississauga projects, she says there's no way, short of seeking a court order, of enforcing it.

"All we know is that municipalities need more power to do their job, and protect people and property around these developments," she said.

Councils in both Mississauga and Brampton have approved motions calling on the Ontario government to enhance the powers of local inspectors, so they can enter sites without having to resort to the time-consuming practice of getting a court order.



Safety is a big concern for Brampton Coun. Jeff Bowman, who's calling on the province to give greater inspection powers to municipalities. (City of Brampton)

But they appear to getting short shrift from the Ministry of Municipal Affairs and Housing.

"Crickets," is how Ras described the provincial response to her motion, passed by Mississauga council in September.

In Brampton, where Coun. Jeff Bowman says the demand for living space is fuelling a surge in illegal builds, council passed the same motion in October.



Sloppy wiring in a reno would not be passed by an inspector and creates a safety hazard, municipal officials say. (City of Brampton)

He said homeowners will often get permission from the municipality to add one extra unit — then once the project has been inspected, more will be added surreptitiously.

He said he's heard of one converted single family home that eventually housed 20 people.

"Vans will pull up, especially on a weekend," he said. "They just literally rip everything out, build a second unit, third unit, fourth unit, divide the house up any way they want."



Mississauga home owner Alicia Schoroth, pictured in her backyard, speaks about illegal home construction going on in her neighbourhood on Dec. 11, 2020. Peel Region is seeing a rise in non-permitted building due in part to a lack of enforcement. (Evan Mitsui/CBC)

Both councillors say the rising cost of land, and demand for housing is fuelling the unscrupulous builders, but as long as contractors can keep inspectors out, there's little that can be done to curb the problem.

"We need change in the permission of entry," Bowman said. "If we've got good cause for entry, we need to be allowed to enter that home without search warrants.

"There is privacy legislation, but like I keep saying, where does the rights of someone who's breaking the law trump the rights of all the neighbours in the neighbourhood who have to put up with what's going on in terms of garbage and noise?"



Brampton city councillor Jeff Bowman speaks about illegal home construction on a constituent's street on Dec. 11, 2020. Peel Region is seeing a rise in non-permitted building due in part to a lack of enforcement. (Evan Mitsui/CBC)

One of those neighbours is Alicia Schoroth, who lives adjacent to the large, active building site that Coun. Ras says is being erected without building permits and in defiance of a stop-work order.

"We moved here from downtown Toronto because we love the mature trees; this is where we wanted to raise our family, and then we have this happen. We've lost trees.

"It's incredibly violating. This person has no respect for our laws for our city and particularly for our neighbourhood."



At this house on Vanier Drive, in Mississauga, which once listed for \$1.6 million, a renovator has created a new living space by installing a wall in the middle of a bay window. (Karen Ras)

Nearby, on Vanier Drive, a homeowner has converted a single-family home into a triplex that included building a wall in the middle of a bay window.



The city says the renovations were not municipally approved, and staff are preparing a court case.

Neighbour Ed Arundell said that makes him "nervous. I don't know if this is a safe house."



Mississauga home owner Ed Arundell speaks about illegal renovations in his neighbourhood on Dec. 11, 2020. Peel Region is seeing a rise in non-permitted building due in part to a lack of enforcement. (Evan Mitsui/CBC)

"We complained to the city and the city was starting to move forward, and then COVID hit, and so it's been a stutter start with them. They just don't seem to have the authority to move quickly on these things when they come up."

And it doesn't appear likely that's going to change soon.

In an email to CBC Toronto, the Ministry of Municipal Affairs and Housing states: "The Minister considers all proposals to update and revise the Building Code Act. However, when requests relate to powers to enter buildings, consideration must be given to the importance of protecting public safety and the privacy interests of people in their own homes."



Homebuilder Brendan Charters, of BILD-GTA, says it's rare to find a registered, insured contractor who's engaging in illegal building practices. (Richard Agecutay/CBC)

"The Canadian Charter of Rights and Freedoms recognizes that everyone has the right to be secure against unreasonable search and seizure. Any powers of entry must be consistent with this right."

BILD GTA, the industry organization that represents homebuilders, renovators and developers, told CBC Toronto that almost all projects are built by professionals who follow local and provincial building regulations.

Brendan Charters, a contractor and past BILD board member, said the problems Peel Region is facing are not the norm. He said legitimate builders "abide by a strict code of conduct, a code of ethics" set by BILD's RenoMark program.

"I can't speak to the specifics, but if (Peel Region is) facing challenges with multiplexes being created from otherwise single family homes and done without permits, I mean, you can hypothesize why that is. But I would suggest it's a shortage of housing," he said.

"At the end of the day, it's the property owner who is responsible to make sure that permits are undertaken and taken out on the project, and that they are hiring professional builders that have written contracts that are licensed with the municipality they're working in, and are insured for the work that they're doing. "