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| <b>Title:</b> Accessory Building Permit Policy      | <b>Internal/External</b>                 |
| <b>Department:</b> Planning and Protective Services | <b>Policy Number:</b> PPS-010            |
| <b>Approval Date:</b> July 4, 2017                  | <b>Implementation Date:</b> July 5, 2017 |

*Amended version approved at the Council meeting of July 4, 2017.*

## BACKGROUND

There have been recurring issues with accessory buildings not being located in accordance with the Town of Paradise Development Regulations including but not limited to the structure being located within an easement. These issues become apparent during compliance inspections when properties are being sold or re-financed.

## PURPOSE/OBJECTIVE

The purpose of the Accessory Building Permit policy is to ensure that accessory buildings are located and constructed in accordance with the Town of Paradise Development Regulations and the required Building Permit. In addition, the policy is necessary to ensure that the property owner(s) are held solely responsible for the construction and location of the structures in accordance with the Town of Paradise Development Regulations, 2004.

## DEFINITIONS

*'Town of Paradise Development Regulations'* refers to the Development Regulations in place at the time a Building Permit is issued.

*'Surveyor's Real Property Report'* refers to a Real Property Report prepared by a certified Newfoundland Land Surveyor.

*'Approved Plan'* refers to the plan that has been stamped approved by the Town of Paradise and indicates the location of the proposed accessory building.

*'Approved Lot Grading Plan'* refers to the approved lot grading plan prepared by a professional engineer licensed to practice in the Province of Newfoundland and Labrador and approved by the Town of Paradise.

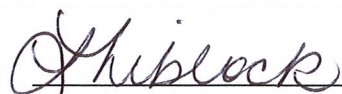
POLICY STATEMENT : To ensure that accessory buildings are constructed and located in accordance with the Town of Paradise Development Regulations and that the property owner is ultimately responsible for the correct location of the structures.

REQUIREMENTS AND PROCEDURES

- Submission of a neatly scaled drawing, preferably on a Surveyors Real Property Report, that indicates the proposed accessory relative to the boundaries, existing dwelling and any other buildings, *easements and/or water bodies/watercourses*. The building must be clearly dimensioned. Hand drawn scaled drawings may be accepted if all required detail is shown.
- Applicant must identify if any fill material must be imported or removed.
- If the submitted plan is found to be acceptable, it may then be stamped approved and signed by the Building Inspector assigned to the file.
- The applicant must sign the approved plan indicating that he/she understands that he/she is responsible to ensure the structure is located as per the approved plan and that the property owner will be responsible to re-locate or remove the structure should it be determined at a later date that the structure was not located as per the approved plan. A copy of the approved plan will then be kept on file for future reference.
- Where fill material must be removed or brought to the property to prepare the location for the accessory structure, a site inspection *may be carried out* to determine if the grading may affect adjacent properties will be carried out. If the Town determines that the grading will be an issue, the Town reserves the right to require the submission of a lot grading plan for review and approval. Grading must be carried out as per an approved lot grading plan.
- The addition of the following standard condition to all accessory building permits:

**The property owner is solely responsible for ensuring the accessory structure is constructed and located as per the permit conditions and the approved location plan. The property owner is strongly advised to have a professional Newfoundland Land Surveyor layout the location of the proposed building prior to construction. The Town of Paradise accepts no liability, financial or otherwise, if the building is not constructed and/or located as per the permit conditions and/or the approved location plan. "Without limitation, the Town has the legislative ability to require the removal, modification or alteration of any accessory structure found to have been constructed in contravention of the terms of a permit or in contravention of the Town's Development Regulations."**

Signature: \_\_\_\_\_

  
Lisa Niblock, CAO (Acting)

Date: \_\_\_\_\_

