



MEMO

To: Tyra Henderson, Corporate Officer

Date: April 23, 2020

From: Devon Bacon, Building Inspector

Subject: Notice on Title- PID- 012-191-604.

RECOMMENDATION:

That a notice be filed in the Land Title Office, in accordance with Section 57 (1)(b) of the *Community Charter* and Section 302 c) of the *Local Government Act*, against the title of Lot 8, Block 4, Section 18, Township 83, Range 18, W6M, PRD, Plan 14194 (The Property) disclosing that an accessory building on the property was constructed without a building permit, contrary to PRRD building bylaw regulations.

BACKGROUND/RATIONALE:

911 Civic: 9747 Old Fort Loop; **PID:** 012-191-604; **Folio:** 760-008002.000; **Landowner(s):** [REDACTED];
Legal Land Description: Lot 8, Block 4, Section 18, Township 83, Range 18, W6M, PRD, Plan 14194.

May 31, 2016- The Bylaw Enforcement Officer received a complaint that 2 accessory structures were built without a building permit and were in the mandatory parcel line setback. Investigation revealed that a Development Variance Permit was issued to this landowner on June 28, 2007 to reduce the front parcel line setback from 7m to 3m for the purpose of one specific garage only. On August 17, 2007, a building permit for the structure that was the focus of the DVP was issued to this landowner.

A second accessory structure has been built on this property without a building permit and is located within the mandatory front and exterior side parcel line setbacks and may interfere with the line of sight at this intersection. A photo of this structure has been attached to this memo.

Images taken from Google Earth Pro show that the structure was not on the property on June 7, 2011 but was on the property by May 27, 2012. A building permit was mandatory for this structure during this time. The images from Google Earth Pro have been attached.

A building permit would not have been able to be issued for this structure as it places the property in contravention of the maximum accessory building floor area for a property of this size.

December 9, 2016- The Peace River Regional District Board refused to issue a Development Variance Permit to further reduce the mandatory front parcel line setback to 0.96m and the mandatory exterior side parcel line from 5m to 0.96m.

December 15, 2016- The landowner applied to the Board of Variance (BoV). Once a new BoV is established this application will move forward.

April 17, 2020- This recommendation for a notice on title will not affect the BoV application. The BoV application is meant to legitimize the location of the structure and the notice on title is meant to notify any person(s) with an interest in the property that the structure was constructed without a building permit.

Attachments:

1. Photo of the accessory structure that is the subject of this memo.
2. Photos taken from Google Earth Pro showing date structure was on property.
3. Map showing property location.

PID 012-191-604



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This map is a user-generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. Peace River Regional District should be contacted for information regarding other conditions such as easements, rights-of-way or covenants.