



Response to Applicant - Full Disclosure
Form 4A

June 3, 2021

[REDACTED]

Dear [REDACTED]

Re: Your request for access to information under Part II of the **Access to Information and Protection of Privacy Act, 2015** [Our File # 2021-11]

On May 6, 2021, the Town of Paradise received your request for access to the following records/information:

Height Measurements of the accessory building [REDACTED] [REDACTED] Measurements taken on or around the dates of November to December 2019, this measurement caused the occupant [REDACTED] to reduce the height of his structure by 4 feet or more., The owner appealed and lost the appeal where he had to reduce the height. That did not happen. Another measurement was then taken, and he was ok to 1'... Building did not sink. I need the first measurement so we can compare the differences. That means I need the most recent copy of the measurements are require also. Copy of the latest measurements Between October 2020 and Jan 2021? so copies of 2 measurements (1 around Nov - Dec 2019) (2- Oct 2020 - Jan 2021)

I am pleased to inform you that a decision has been made by the ATIPP Coordinator for the Town of Paradise to provide access to the requested information. In accordance with your request for a copy of the records, the appropriate copies have been enclosed.

Please be advised that you may ask the Information and Privacy Commissioner to review the processing of your access request, as set out in section 42 of the Access to Information and Protection of Privacy Act, 2015 (the Act). The address and contact information of the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John's, NL. A1B 3V8

Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act.

If you have any further questions, please feel free to contact me by telephone or by email.

Sincerely,

Corey Smith
for

Terrilynn Smith
ATIPP Coordinator

[REDACTED] Height Inspection

Introduction

A permit was issued for an accessory building to have a maximum height of 5.8 meters. This measurement would be from the established grade to the center of the truss. After a complaint was received during construction, Town staff carried out a site inspection and confirmed the accessory building had a height of 6.1 meters.

An Order was issued for the accessory building to be brought into compliance with the building permit. The applicant appealed the Order. The Appeal Board ruled in favor of the Town confirming the Town's Order that the building height be reduced to meet the max height of 5.8 meters to the center of the truss.

[REDACTED] that after the appeal, [REDACTED] work to lower the truss by removing the lower cord of the truss. Information was requested on how this was completed. [REDACTED] forwarded an email explanation on how the work was completed and is attached for Committee's reference. For ease of reference, the message body is quoted below:

"After receiving the Municipal Appeals Board decision on Dec 11, 2020, I lowered the overall height of the trusses on my accessory building. This was done by moving the bottom cord up closer to the peak and then laying the truss onto the wall again. In doing this, I lowered the center point of the truss to meet the 5.8m height.

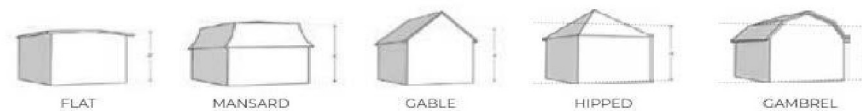
I used temporary bracing on the truss to ensure the structural integrity while the bottom cord was removed, and the webs shortened and repositioned.

I repeated this process on each truss individually. As each truss was changed, the temporary bracing held it in place. When all trusses were modified, I used jack posts to lower the roof, as a whole, onto the top of wall. I then fastened the trusses to the wall and removed the temporary bracing."

Planning Committee requested that the building height be confirmed by inspection. An inspection was carried out on Monday, January 18, 2021 with [REDACTED], property owner present during the inspection. [REDACTED] that he has complied with the terms of the Order.

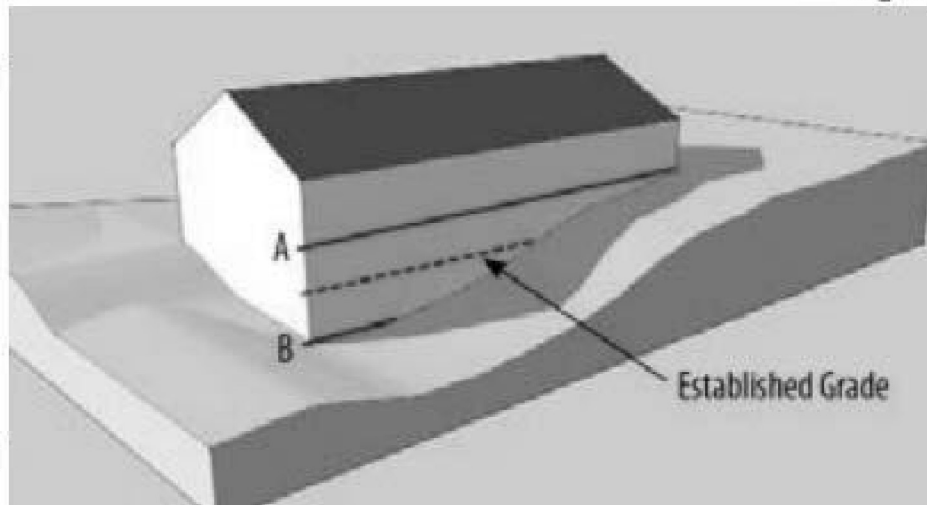
Excerpts From the Town of Paradise Development Regulations, 2016

“BUILDING HEIGHT means the vertical distance, measured in metres, from Established Grade to the: a. highest point of the roof surface of a flat roof. b. deck line of a mansard roof; and c. mean height level between the eave and ridge of a gable, hip or gambrel roof and in any case, a Building Height shall not include mechanical structures, smokestacks, steeples, and purely ornamental structures above a roof.”



“ESTABLISHED GRADE means a.) where used in reference to a Building, the average elevation of the finished surface of the ground where it meets the exterior of the front of that Building exclusive of any artificial embankment or entrenchment; or b.) where used in reference to a structure that is not a Building, the average elevation of the finished grade of the ground immediately surrounding the structure, exclusive of any artificial embankment or entrenchment.”

Provincial
Reg. 4 (1) (g)



Determining Building Height

In order to determine the actual height based on the definitions of Building Height and Established Grade, both the wall height and the truss height had to be determined. The established grade was the same around the building and the retaining wall did not factor into determining the established grade. The wall height was constant along both sides of the building. To ensure accuracy, the measurements were taken inside the building.

Wall Height

A measurement was taken from the floor slab to the top of the wall (photo #'s 1 & 2). The measurement was 11'11".



Mean Truss Height

To determine truss height, a second measurement was taken from the top of the bottom cord of the truss to the peak (Photo #'s 3, 4 and 5 on following page). The measurement was 13'3". A third measurement was taken from the bottom of the bottom cord of the truss to the top of the bottom cord (photo # 6). This measurement was 11". Total Truss Height = 13' 3" + 11" = 14' 2". The mean truss height is 7' 1". *These truss measurements were taken [REDACTED] as it was unsafe for staff to be on a ladder up in the trusses and could not be accurately completed from the floor. [REDACTED] locked in the tape and carried it down for Staff to observe the measurement.*



Total Height

To achieve the maximum height, the wall height was added to the mean truss height.

Wall (11'11") + Mean Truss Height (7'1") = 19' = 5.79m

Summary

The Work Order required that the height be reduced to 5.8 m. Town staff carried out the inspection and the measurements taken indicate that the height was lowered. Photo #7 below shows that a truss plate is bent over whereby a truss member was removed. The truss plates were bent when the truss assemblies were lowered. This appears to confirm the information outlined in the email from [REDACTED]



Conclusion:

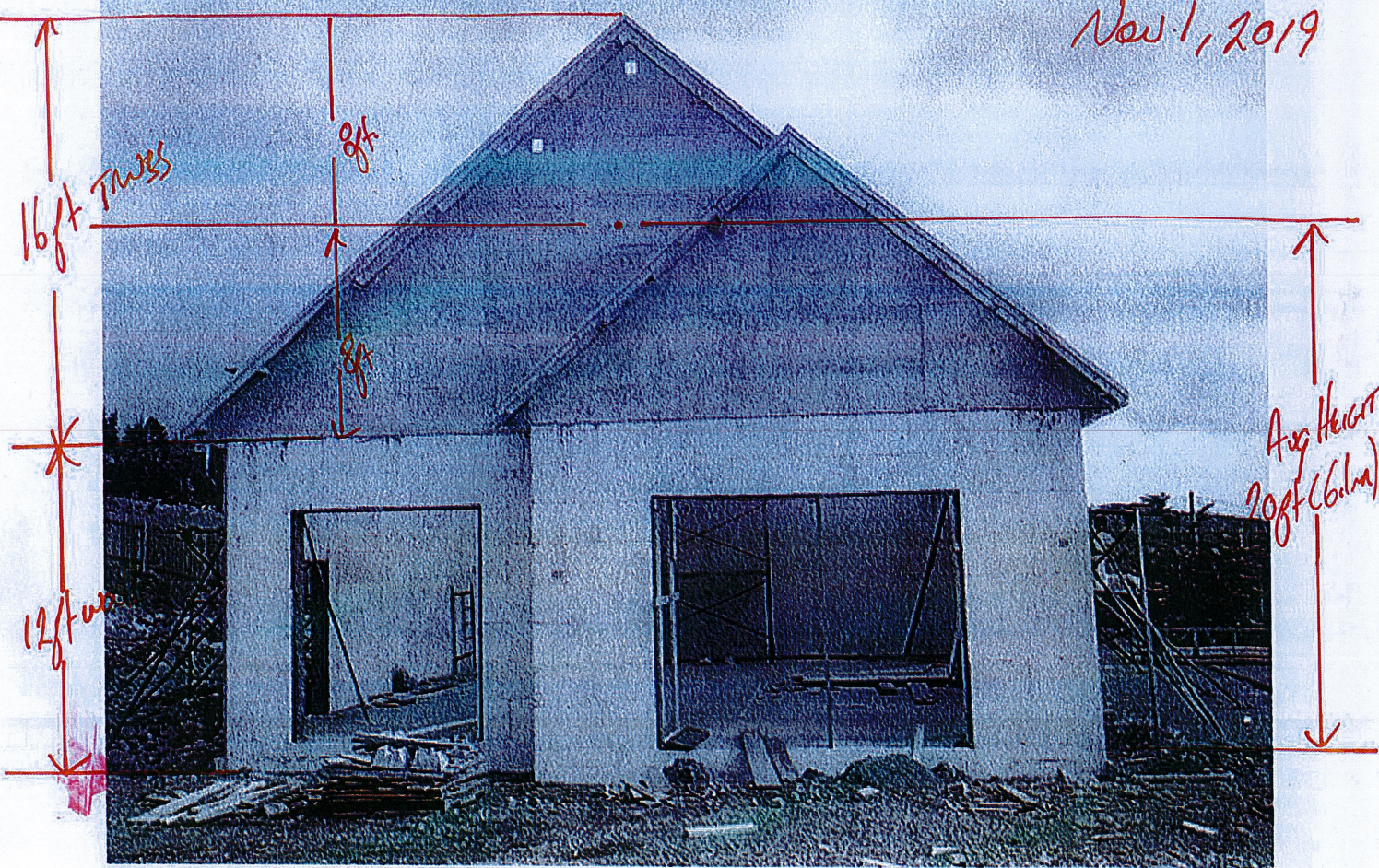
Based on the measurements taken in the field and the information provided by the property owner, the accessory building height appears to comply with the maximum 5.8 m outlined in the Work Order issued to the property owner on Dec 12, 2019.

Prepared By:

Brian Tobin

Brian Tobin, CET
Senior Building Inspector

Nov 1, 2019



$\frac{1}{2}$ TRUSS HEIGHT + WALL HEIGHT = Avg HEIGHT.

$$8ft + 12ft = 20ft (6.1m)$$