

Deck awning: Do I need a plan?

Thursday, 17 July 2014

Last Updated Thursday, 17 July 2014

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I have erected an awning over my deck about 10 years but I am selling the house now. The person that is buying the house wants a plan or a letter to state no plan is needed. Do I need a plan?

Les responds:

Any structure which has a solid roof over it needs to have an approved plan and it needs to be constructed within the building line setbacks for the property or, in the case of a garage or car port, consent from your neighbour. Municipalities all over are tightening up on illegal building work and it is catching a lot of people when they wish to sell their houses. As a routine, the building inspector is now obliged to inspect every home which is being sold before they issue the rates clearance certificate, to see that what has been built is reflected on the approved plans that they have on record. Where there is no plan for any building work which is identified, then the owner is obliged to submit an as-built plan to the municipality. If the work conforms to the building and Zoning regulations then there should not be a problem. If however the work does not conform, then you will be obliged to make rectification and in some cases, even demolish the structure.

You need to check with your municipality building department if they would be happy with just a letter of undertaking from either yourself as the existing owner or from the new owner that the plans for the illegal work will be submitted but they will then hold that party fully liable to ensure that the building work meets all the regulatory requirements and to pay whatever fees that may be required for the submission.