

SUMMER VILLAGE OF GRANDVIEW
POLICY # 32 – 2012

SUBJECT: COMPLIANCE CERTIFICATES

DEPARTMENT: ADMINISTRATION

ADOPTED BY COUNCIL: August 2, 2012

AMENDMENT DATE: September 19, 2014

AMENDMENT RESOLUTION #: 14-101

PURPOSE:

To set out the requirements and processes for the review and issuing of compliance, and non-compliance certificates.

SCOPE:

Compliance certificates are issued by the Summer Village on an as-requested basis. They are generally requested to provide assistance with real estate transactions. This policy sets out the application process, review process and forms to be used for the review and issuance of compliance and non-compliance certificates. Processes in this policy comply with the requirements of the Land Use Bylaw.

DEFINITIONS:

In this Policy all definitions are as per the Land Use Bylaw. In addition:

Compliance Certificate - A document issued by the municipality pursuant to a request generally associated with a Real Estate Purchase Contract. The Real Estate Contract will frequently require that the Seller represent and warrant to the Buyer that:

- a) the current use of the Land complies with the existing municipal land use bylaw;
- b) the Buildings and other improvements on the Land are not placed partly or wholly on any easement or utility right-of-way and are entirely on the Land and do not encroach on neighbouring lands, except where an encroachment agreement is in place; and
- c) the location of Buildings and other improvements on the Land complies with all relevant municipal bylaws, regulations or relaxations granted by the appropriate municipality prior to the Completion Day, or the Buildings and other improvements on the Land are "non-conforming buildings" as that term is defined in the Municipal Government Act (Alberta).

For this reason, a Real Estate agent, lawyer or property owner would request a Compliance Certificate from the municipality.

Requestor – the person or organization requesting a *Compliance Certificate*.

APPLICATION PROCESS:

The *Requestor* shall send a letter to the Summer Village office requesting a *Compliance Certificate* for a specific property. The letter shall include the Lot, Block and Plan, the Municipal Address, contact information for the *Requestor*, and the Owner's name. If the *Requestor* is not

the Owner of the property, the letter must state that the *Requestor* is acting as the authorized agent of the Owner.

The letter must be accompanied by:

1. The required fee as established in the Fees and Charges Bylaw;
2. An originally signed and legible Real Property Report less than 5 years old showing dimensions and setbacks of the developments from the property lines;
3. A Statutory Declaration stating that there have been no additions and/or deletions to the developments for Real Property reports older than three (3) months and less than five (5) years. Any additions must be sketched on the Real Property Report and identified in the Statutory Declaration;
4. Dimensions of development shown on the Real Property Report including accessory or temporary buildings; and
5. A statement of the Land and Building Use (such as Residential, Commercial, Vacant)
6. Note that at the discretion of the Development Officer reviewing the application, additional information may be required.
7. A Statutory Declaration describing details of all Private Sewage Disposal Systems located on the property, including septic fields, holding tanks, privies, mounds, etc.

REVIEW PROCESS:

The Development Officer will review the Real Property Report submitted and evaluate the development based on parameters set out in the Land Use Bylaw. This will include required set backs from property lines, distances between buildings, driveway accesses, and other requirements of the Land Use Bylaw. It will not include building use as this information is not available from the Real Property report.

In the event that an encroachment exists, the Development Officer will note it on the compliance document.

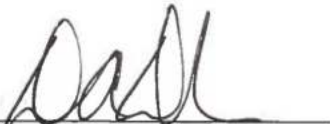
Based on the results of this evaluation, the Development Officer will complete and issue one of three certificates. The certificates will be either:

- Form A: Compliance Certificate -Complying Building and Development
- Form B: Certificate Respecting Compliance
- Form C: Certificate Regarding Non-Conforming Buildings

The review and issuance of the appropriate Form must comply with the timeframe associated with the Fee paid as shown in the Fees and Charges Bylaw.

FORMS:

Examples of Forms A, B and C are attached for reference.



Don Davidson, Mayor
Summer Village of Grandview



Sylvia Roy, Administrator
Summer Village of Ma-Me-O Beach