

TOWN OF SLAVE LAKE

COUNCIL POLICY

Department:	Planning and Development	Policy No:	PD.PLN – 23 1006
Policy Title:	Certificate of Compliance Policy	Issue Date:	12-12-2023

1. **PURPOSE**

- 1.1. To establish a system regarding requests for a Certificate of Compliance in accordance with the provision of the Town of Slave Lake's Land Use Bylaw and eliminate any responsibility and/or liability to the Town for any mistake, inaccuracy, or error which may arise from the information supplied by or on behalf of the applicant.

2. **POLICY STATEMENT**

- 2.1. The issuance of a Certificate of Compliance is a service provided by the Town of Slave Lake to property owners within the municipality's jurisdiction to assist with arrangements for the sale and transfer of ownership of property. The Certificate of Compliance is a confirmation from the Town of Slave Lake that the location of building(s) or structure(s) on a site complies with the requirements of the prevailing Land Use Bylaw and is based on the information supplied by the applicant. The Council of the Town of Slave Lake believes that this policy will promote a consistent approach to the processing and issuance of a Certificate of Compliance.

3. **DEFINITIONS**

- 3.1. **Accessory Building:** means a building separate and subordinate to the main building, the use of which is incidental to that of the main building and is located on the same parcel of land.
- 3.2. **Building:** means anything constructed or placed on, in, over or under land but does not include a highway or public roadway or bridge forming part of a highway or public roadway.

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- 3.3. **Certificate of Compliance:** means a written statement from the Town of Slave Lake that the location of a principle building, accessory buildings, and/or projections on a property conforms to the setback requirements of the Land Use Bylaw and does not relate to land uses.
- 3.4. **Non-Complying Building:** means a building that does not comply with the requirements of the Land Use Bylaw.
- 3.5. **Non-Conforming Building:** means a building a) that is lawfully constructed or lawfully under construction at the date a Land Use Bylaw or any amendment thereof affecting the building or land on which the building is situated becomes effective; and b) that on the date that Land Use Bylaw or amendment thereof becomes effective does not, or when constructed will not, comply with the Land Use Bylaw.
- 3.6. **Non-Conforming Use:** means a) a lawful specific use being made of land or buildings or intended to be made of a building lawfully under construction, at the date a Land Use Bylaw or any amendment thereof affecting the land or building becomes effective; and b) means a lawful specific use being that on the date the Land Use Bylaw or any amendment thereof becomes effective does not, or in the case of a building under construction will not, comply with the Land Use Bylaw.
- 3.7. **Projection:** means a portion or part of a building that extends horizontally above and beyond the foundation of the building including, but not limited to uncovered decks, unenclosed steps, cantilevered windows, or eaves.
- 3.8. **Real Property Report:** (or Survey Certificate) means a legal document

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that clearly illustrates the location of significant visible building(s) relative to property boundaries and that is signed by an authorized Alberta Land Surveyor.

3.9. **Statutory Declaration:** (or Affidavit) means a solemn statement made by an individual that has been sworn before a solicitor, notary, or commissioner for oaths.

3.10. **Setback:** means a distance that a development or a specified portion of it must be set back from a property line. The setback shall be measured from the building foundation to front, rear or side property boundaries.

4. **GUIDELINES**

4.1. Procedure and Responsibility

4.1.1. Chief Administrative Officer (CAO) will ensure the Certificate of Compliance Policy is implemented and followed.

4.1.2. The Director of Planning & Development will ensure that all requests for a Certificate of Compliance are dealt with in a timely manner and in accordance with the approved Policy.

4.1.3. Town Council will approve the Certificate of Compliance Policy and any amendments thereto.

4.1.4. Any interested party may apply, in writing, to the Development Authority for a Certificate of Compliance upon payment of an application fee as prescribed by the Planning and Development Fees Bylaw for each property for which a Certificate of Compliance is

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required.

- 4.1.5. The applicant for a Certificate of Compliance shall, in respect to each property, provide the Development Authority with a Real Property Report, (or Survey Certificate), or other documentation satisfactory to the Development Officer, which shows the location of all building(s) and structures within or on boundaries of the property.
- 4.1.6. The applicant for a Certificate of Compliance shall in respect to each property, provide the Development Authority with a written statement describing all uses of the land and building(s) within the property, if not indicated on the Real Property Report, (or Survey Certificate), or other documentation satisfactory to the Development Officer.
- 4.1.7. If the Real Property Report, (or Survey Certificate), or other documentation is dated more than thirty (30) days from the application for a Certificate of Compliance, accompanying the Real Property Report (or Survey Certificate) shall be a Statutory Declaration (or an Affidavit) indicating any and/or no changes, additions, or alteration to the land and/or building(s).
- 4.1.8. No Real Property Report, (or Survey Certificate) or other documentation shall be accepted for Certificate of Compliance purposes if it is dated more than ten (10) years from the date of application for a Certificate of Compliance.
- 4.1.9. Where all information required to be supplied by the applicant for a Certificate of Compliance is received by the Development Officer, and



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the buildings or structures are in complete compliance with the provisions of the Land Use Bylaw, the Development Authority shall issue to the applicant a Certificate of Compliance.

4.1.10. Where the buildings or structures are not in compliance with either the uses or standards prescribed under the Land Use Bylaw, the Development Authority shall issue a Certificate Respecting Compliance.

4.1.11. Where the buildings or structures are not in conformance with the uses or standards prescribed under the Land Use Bylaw, the Development Authority shall issue a Certificate Respecting Compliance (Lawful Non-Conforming).

4.2. Standards/Guidelines

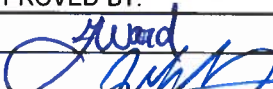
4.2.1. That all regular requests for a Certificate of Compliance are to be addressed within 48 hrs. upon receipt of the request.

4.2.2. That all rush requests for a Certificate of Compliance are to be addressed within 24 hrs. upon receipt of the request.

5. REVIEW OF THE POLICY

5.1.1. This Policy will be reviewed and may be amended from time to time based on the needs and experiences of our workplace.

6. APPROVAL and REVISION CONTROL

ISSUED BY	APPROVED BY:	DATE:
Mayor		12/12/23
Chief Administrative Officer		12/12/23