



TOWN OF NANTON

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Compliance Certificate Policy

December 9, 2002

Effective January 1, 2003

1. The Development Officer is hereby authorized to issue Certificates of Compliance and Certificates Respecting Compliance.
2. All requests for certification of compliance must be accompanied by a minimum of two (2) original Real Property Reports (RPRs) prepared by an Alberta Land Surveyor identifying the location of the improvements on the property including, but not limited to, buildings, decks, fences, additions and sheds of all sizes. The Town shall retain one original RPR for its files.
3. All RPRs must be newer than one (1) year unless accompanied by a Statutory Declaration, dated within 30 days of the date the request is received by the Town and sworn by the property owner, that no alterations have been made to a property since the creation of the Real Property Report. RPR's greater than eight (8) years old will not be accepted.
4. Measurements on the RPR are considered to be accurate within a tolerance of 0.05 m (2 inches).
5. In the event of non-compliant building locations, the property owner/applicant may make application for a variance through the development application process.
6. In the event that any building or structure shown on the RPR appears to encroach onto lands that are under the direction, control and management of the Town, and the Town has authorized entering into an Encroachment Agreement with the property owner, the execution of the Encroachment Agreement must occur prior to the issuance of a Certificate Respecting Compliance.
7. The certificates that can be issued in respect to a compliance request are attached hereto as Schedules A, B and C. Additional phrases may be added, as circumstances require.

APPENDIX E
FORM "A"
CERTIFICATE OF COMPLIANCE

PROPERTY DESCRIPTION: LOT _____ BLOCK _____ PLAN _____

A. Subject to the qualifications stated below, it is hereby certified:

1. That the property is located within a _____ district under the provisions of the Town of * Land Use Bylaw.
2. The permitted and discretionary uses for the district include:
3. The location of the buildings within the property is in conformity with the provisions of the Town of * Land Use Bylaw.

B. This Certificate is subject to the following qualifications:

1. The Town is relying entirely on the survey certificate (copy attached) supplied by or on behalf of the applicant with respect to the location of buildings within the property and the Town makes no representations as to the actual location of the buildings.
2. The Town has not conducted an inspection of the property.
3. The Town assumes no responsibility or liability for any inaccuracy, mistake or error of law or fact set forth in Part A of this Certificate which arises from the information supplied by or on behalf of the applicant.
4. This certificate of compliance relates only to the requirements of the Town of * Land Use Bylaw, and does not relate to the requirements of any federal, provincial or other municipal legislation nor to the terms or condition of any easement, covenant, building scheme, agreement or other document affecting the building(s) or land.

DATED at the Town of *, this ____ day of _____, 20____.

DEVELOPMENT OFFICER
TOWN OF *

FORM "B"

CERTIFICATE RESPECTING COMPLIANCE
Nonconforming Building

A. PROPERTY DESCRIPTION: LOT ____ BLOCK _____ PLAN

Subject to the qualifications stated below, it is hereby certified:

1. That the property is located within a ____ district under the provisions of the Town of * Land Use Bylaw.
2. The permitted and discretionary uses for the district include:
3. The location of the buildings within the property may not be in conformity with the present provisions of the Town of * Land Use Bylaw given:

[insert aspects of non-compliance]

However, the location of the buildings within the property can be continued indefinitely because:

- It appears to be a nonconforming building which may be continued under the provisions of Section 643 of the Municipal Government Act; or
- It appears that when the building was originally constructed it did not require a development permit and such building has continuously been maintained since it was originally undertaken.

B. This Certificate Respecting Compliance is subject to the following qualifications:

1. The Town is relying entirely on the survey certificate (copy attached) supplied by or on behalf of the applicant in respect to the location of buildings within the property and the Town makes no representations as to the actual location of the buildings.
2. The Town has not conducted an inspection of the property.
3. The right to continue any nonconforming building will terminate in accordance with the terms and provisions of the Municipal Government Act, Section 643.
4. The Town assumes no responsibility or liability for any inaccuracy, mistake or error of law or fact set forth in Part A of this Certificate which arises from the information supplied by or on behalf of the applicant.

5. This Certificate relates only to the requirements of the Town of * Land Use Bylaw, and does not relate to the requirements of any federal, provincial or other municipal legislation nor to the terms or condition of any easement, covenant, building scheme, agreement or other document affecting the building(s) or land.

DATED at the Town of *, Alberta, this ____ day of _____, 20____.

DEVELOPMENT OFFICER
TOWN OF *

FORM "C"
CERTIFICATE RESPECTING COMPLIANCE
Breach Situation

PROPERTY DESCRIPTION: LOT ____ BLOCK ____ PLAN

A. Subject to the qualifications stated below, it is hereby certified:

1. That the property is located within a ____ district under the provisions of the Town of * Land Use Bylaw.
2. The permitted and discretionary uses for the district include:
3. The location of the buildings within the property is not in conformity with the provisions of the Town of * Land Use Bylaw given:
 - [insert aspects of non-compliance]

B. This Certificate Respecting Compliance is subject to the following qualifications:

1. The Town is relying entirely on the survey certificate (copy attached) supplied by or on behalf of the applicant with respect to the location of buildings within the property and the Town makes no representations as to the actual location of the buildings.
2. The Town has not conducted an inspection of the property.
3. The Town assumes no responsibility or liability for any inaccuracy, mistake or error of law or fact set forth in Part A of this Certificate which arises from the information supplied by or on behalf of the applicant.
4. This Certificate relates only to the requirements of the Town of * Land Use Bylaw, and does not relate to the requirements of any federal, provincial or other municipal legislation nor to the terms or condition of any easement, covenant, building scheme, agreement or other document affecting the building(s) or land.

DATED at the Town of *, this ____ day of _____, 20____.

DEVELOPMENT OFFICER
TOWN OF *