

## WHAT IF I AM NOT IN COMPLIANCE WITH THE LAND USE BYLAW?

If it is determined that the property, according to the RPR, is not in compliance with the Land Use Bylaw, you may apply for a development permit, and a variance if needed.

The Land Use Bylaw may authorize that a variance be considered. Typically, a variance may be approved by the development authority, for the front, side, or rear yard setback, building height, lot width, or lot area requirements. The degree of variance allowed and the specific site provisions required is specified in each municipality's Land Use Bylaw, and these may vary between municipalities.

## COMPLIANCE TIMELINES

Contact your municipality to confirm the timeline associated with the Compliance Certificate. The timeline may vary depending on the number of applications being reviewed by the municipality.

## FEES

Contact your municipality to confirm the fee associated with obtaining a compliance certificate.

The contact information for our member municipalities can be found on our website at:

[www.mmsa.ca/about-us/region](http://www.mmsa.ca/about-us/region)



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**NOTE:** The brochure has no legal status and cannot be used as an official interpretation of the various bylaws, codes, and regulations in effect. Applicants are advised to contact their municipality or the MMSA prior to making an application to obtain assistance. The MMSA does not accept responsibility for persons relying solely on this information.

# COMPLIANCE CERTIFICATES

a guide to applying for a compliance certificate



[www.mmsa.ca](http://www.mmsa.ca)

## WHAT IS A COMPLIANCE CERTIFICATE?

A Compliance Certificate is a document issued by a municipality confirming that the location of the buildings on a site conform to the Land Use Bylaw (LUB). The compliance review is based on a Real Property Report (RPR) issued by an Alberta Land Surveyor.

There is no obligation for a municipality to provide a Compliance Certificate. A Compliance Certificate is often required by lending institutions as a part of the land purchase process, to protect a client's investment, and are often required for real estate purchase contracts.

## WHAT IS AN RPR?

A Real Property Report will show:

- The dimensions of all property boundaries,
- The location of all buildings, shed, decks, and other structures,
- Any rights-of-way and/or easements, and
- The location and dimension of any visible encroachments.

An RPR is a signed certification and opinion of an Alberta Land Surveyor, and must be signed, dated, and stamped by an Alberta Land Surveyor.

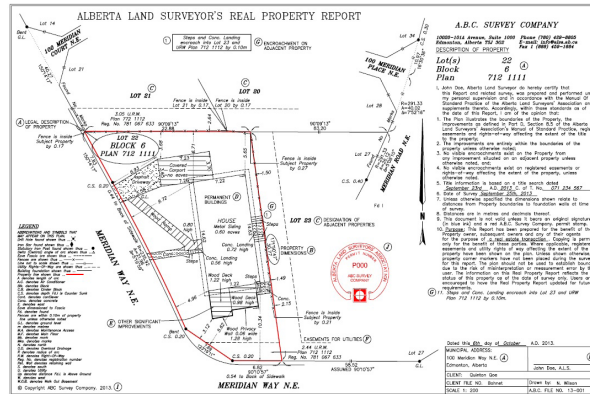
Further information about RPRs can be found on the Alberta Land Surveyors' Association website.

## HOW DO I APPLY?

To obtain a compliance certificate, the following must be submitted to the municipal office:

1. A request for a Compliance Certificate,
2. The associated fee, and
3. An original RPR for the property. Contact your municipality to determine how current the RPR must be to be accepted.

Below is a sample RPR obtained from the Alberta Land Surveyors' Association website:



Sample Real Property Report  
Source: Alberta Land Surveyors' Association

The Development Authority may issue one of the following, a:

1. **Compliance Certificate** which states that, according to the RPR provided, the buildings and/or structures on the land conform with the requirements of the Land Use Bylaw.
2. **Certificate Respecting Compliance (Lawful Non-Conforming)** which states that according to the RPR provided, the buildings and/or structures do not conform to the Land Use Bylaw, but did conform to a previous Land Use Bylaw.
3. **Certificate Respecting Compliance** which states that the buildings and/or structures do not

## COMPLIANCE CERTIFICATE PROCESS

