

Understanding Compliance Reports

Q: What is a Compliance Report?

A: A Compliance Report is a letter prepared by the Town to confirm whether or not the buildings shown on the Real Property Report comply with the Town's current Land Use Bylaw.

Q: Does my Compliance Report include Building Code compliance?

A: A Compliance Report does not address Alberta Building Code compliance. If you have concerns in regards to Building, Electrical, Gas or Plumbing Code issues, you will need to consult with a qualified Safety Codes Officer for that discipline.

Q: What is a Real Property Report?

A: A Real Property Report is a legal document prepared by an Alberta Land Surveyor that illustrates the location of significant visible improvements relative to the property boundaries.

Q: How do I get a Real Property Report?

A: A list of Alberta Land Surveyors can be found on the ALSA website at <https://www.alsa.ab.ca>. You may want to shop around as prices and timelines may vary.

Q: Why do I Need a Compliance Report?

A: The Town of Stony Plain does not require Compliance Reports; however, we do provide this as a service. A real estate contract will typically include a condition requiring the seller to provide a Real Property Report and Compliance from the municipality. Lending institutions and lawyers may also require Compliance Reports to protect their clients' investments.

Q: What does a Compliance Report evaluate?

A: The Town relies strictly on the Real Property Report provided by the applicant and looks for the following:

- *Compliance with the Town's current Land Use Bylaw regulations in regards to setbacks, heights and location for all buildings shown on the Real Property Report. Buildings include improvements to the land such as dwellings, additions, decks, sheds, garages, sun rooms, gazebos, privacy walls, retaining walls, green houses, etc.*
- *Buildings encroaching onto utility and road right of ways, public property, and adjacent properties; and*
- *Associated permits required for buildings shown on the Real Property Report. Examples of buildings that would require permits are :*
 - *Detached garages and car ports*
 - *Sheds and gazebos (larger than 10 m² or 107 ft²) (Note that all sheds, regardless of size must meet current Land Use Bylaw regulations in regards to setbacks, height, and site coverage)*

- Decks measuring above 0.60 metres (2.0') in height
- All additions, sunrooms and covered decks (regardless of height)
- Privacy walls and retaining walls, depending on height
- Hot tubs

Q: When should I request a Compliance Report?

A: Ideally, a request for a Compliance Report would be submitted before a property owner receives an offer to purchase. Selling a property can be stressful. Waiting until the last minute to obtain a Compliance Report can add to that stress if outstanding permits or encroaching buildings needing to be relocated or removed are identified in the review of the Real Property Report. Permits and inspections take time to process and it can be difficult to relocate a building in the winter.

- Processing times for permits vary and can take 4-6 weeks, not including time for inspections and deficiency corrections. Some permits are subject to a 21 day appeal period, and an appeal of a permit could delay approval an additional 45 days. To avoid delays be sure all permits are in place prior to listing.

- NOTE: permit fees are double for any work that has commenced prior to obtaining a permit.

Q: Can I use the Real Property Report and Compliance I received when I purchased my property?

A: The Town will not accept a Real Property Report if we are aware of improvements to the property that are not shown on the RPR. It is at the Development Authority's discretion to accept a Real Property Report that is 1 year or older. The Town will not accept a Real Property Report more than 5 years old.

If your buyer is willing to accept an old RPR and Compliance Report, it's at their own risk. Due to amendments to the Land Use Bylaw over time, Compliance Reports become outdated and may not reflect compliance with the current Land Use Bylaw. As well, purchasers may inherit the responsibility to obtain permits for buildings that have been built without the proper permit approvals and inspections by previous owners.

Q: There's a suite in the basement of the property I'm considering buying. How do I know if it's legal?

A: Always check with the municipality to determine if an existing suite is a legal suite.

Secondary suites can provide an additional source of revenue, as well as an alternative housing option for people in need. However, it is essential that the proper permits and inspections are in place to ensure the health and wellness of your tenants. Secondary suites are regulated by both the Land Use Bylaw and the Alberta Building Code. It is the responsibility of the property owner to ensure all permits are in place.

Q: The basement was developed when I bought my home. Why wasn't I made aware that it didn't have permits when I bought it?

A: Real Property Reports only show improvements on the land outside of the dwelling. If you are purchasing a property that has a basement development or other renovations, you may want to check with the municipality to ensure the property permits and inspections were obtained.

Obtaining a Compliance Report :

To Apply for a Letter of Compliance:

Step 1: - Obtain a current Real Property Report (RPR)

- If you don't have a current RPR dated 12 months or less or if there have been improvements that don't show on your RPR, you will need to hire a Registered Alberta Land Surveyor to prepare a new Real Property Report for the subject property (photocopies, facsimiles and emailed copies cannot be accepted). There is a charge for this service. Consumers are advised to shop around as rates and processing times vary.
 - Visit www.ALSA.AB.CA for a listing of Alberta Land Surveyors in the area.

Step 2: Submit your application to the Town.

- Complete the Town of Stony Plain Compliance Report Application form found online on our website or at Town Hall.
- Bring one original copy of your Real Property Report to the Planning department, second floor, Town Hall.
- Pay the required fee via credit card, debit card, cash or cheque. (see website for fee list).

Step 3: Wait for your Report.

- **Standard processing time for a letter of compliance is 5-7 business days.**
- **Rush service of 2-3 business days is available for double fee.**

To avoid delays:

- *Make sure that all required permits and inspections are in place for improvements on your property; and*
- *Apply for your Compliance Report as soon as you decide to sell your property!*