



Department Administration	Policy No. AD(19)	Page 1 of 2
Policy Title COMPLIANCE REPORTS		

Council Resolution No. C/81/09	Date: February 12, 2009	Cross Reference C/375/05	Effective Feb. 12, 2009
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Policy Statement

Lacombe County will respond to requests for compliance reports. These reports advise whether or not existing buildings and/or development on a parcel of land comply with the setback requirements of the County’s Land Use Bylaw.

Procedural Guidance:

1. A Compliance Report shall be issued solely on the basis of the Real Property Report provided and the current Land Use Bylaw. There will be no inspections of the property on the part of the County.
2. The County has not imposed limits on how old of a Real Property Report the County will consider. However, the Real Property Report must be legible.
3. In addition to the minimum standards published in the Alberta Land Surveyor’s Association’s “Manual of Standard Practice”, a Real Property Report shall show the following information:
 - a. any or all permanent and/or non-permanent private improvements located on adjoining County reserve lands; and
 - b. distances of buildings and structures from the top of the bank where a property abuts a river, stream or watercourse, and the high water mark where the property abuts a lake or other body of water.
4. The Compliance Report issued by the County will address only the compliance of buildings and structures with respect to their location on the property, and does not address any other issue of land use. The County may, however, comment on the existence or non-existence of a development permit.
5. If there is a non-conformance, regardless of how minor, the County shall only describe the nature of the non-conformance. Department staff may separately advise how the non-conformance may be addressed. The County will not provide for any non-conforming building or structure to “remain as is” through the issue of a Compliance Report. Such permission must be considered through the development permitting process, as is the case for any request for the relaxation of building setback requirements in the Land Use Bylaw.
6. Where the property borders a highway, Department staff shall advise that the setback distance requirements from the highway are established by Alberta

Policy Title COMPLIANCE REPORTS	Policy No. AD(19)	Page 2 of 2
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Transportation. The Compliance Report shall direct that the Department be contacted for further information.

7. A statement shall be included that the Compliance Report does not relate to any other municipal, provincial or federal statute, regulation or bylaw and in particular, makes no representation about compliance with the requirements of the Safety Codes Act and the associated Regulations.
8. It shall be expressly stated on the Compliance Report that the County does not warrant the accuracy of the information provided by the person requesting the Compliance Report, and that if the information is found not to be accurate, the Compliance Report will likewise be inaccurate.
9. A statement shall be included in the Compliance Report advising that the Compliance Report is not a substitute for legal advice and that any issues or questions regarding compliance should be reviewed by a lawyer with relevant expertise.