



**City of
Lloydminster**

Policy

Policy Title:	Compliance Certificates Policy	Policy Number:	610-01
Date of Adoption:	April 12, 2021	Motion Number:	115-2021
Date of Amendment:	June 22, 2026	Motion Number:	186-2026

1. Purpose:

- 1.1. To establish a clear, consistent and transparent framework for the issuance of Compliance Certificates by the City. This Policy is intended to guide applicants and City staff in understanding the requirements, limitations and validity of Land Use Compliance Certificates.

2. Objectives:

- 2.1. To ensure that all Compliance Applications received by the City of Lloydminster are dealt with in an efficient and consistent manner.
- 2.2. To provide transparency and clarity on the application and review process for Compliance Certificates.
- 2.3. To verify and confirm the compliance of all existing buildings and structures with development permit approvals, conditions, current land surveys, and compliance with regulations set out in the current Land Use Bylaw.
- 2.4. To reduce risk and liability to the City by clarifying the scope and limitations of Compliance Certificates.

3. Definitions:

Administration	An employee or Contract employee of the City of Lloydminster.
Certificate of Land Use Compliance (Compliance Certificate)	Also referred to as a Letter of Compliance, or Zoning Compliance Letter, the Compliance Certificate is an official document issued from the City of Lloydminster which specifies that the property complies with the applicable Land Use Bylaw or any previous Land Use Bylaw.
City	The corporation of the City of Lloydminster.

Land Surveyor	A qualified professional that determines property boundaries, prepares maps and survey plots.
Land Use Bylaw (LUB)	A statutory document provincially required pursuant to the <i>Municipal Government Act</i> that is amended from time to time, or any successor enactment used to regulate and control the use and development of all land and buildings.
Legal Non-Conforming	A use which does not conform to the requirements of the current Land Use Bylaw but legally existed under any previous Land Use or Zoning Bylaw and is allowed to continue.
Real Property Report (RPR)	A legal document created by a registered surveyor that clearly illustrates the location of significant visible improvement(s) relative to property boundaries.
Subdivision and Development Appeal Board (SDAB)	The group of individuals appointed by Council responsible for hearing appeals on various conditions or decisions of development permits, subdivisions and other issues as determined by Alberta legislation, and rendering a decision. This board is not responsible for subdivision appeals in the province of Saskatchewan.
Variance	A variation, relaxation or waiver of a development regulation or other requirement listed in the Land Use Bylaw.

4. Scope:

- 4.1. This Policy applies to all properties/sites within the City of Lloydminster boundaries where a Compliance Certificate is requested.
- 4.2. This Policy will assist the City with enforcement and compliance with the Land Use Bylaw.
- 4.3. This Policy does not apply to:
 - 4.3.1. building code regulations;
 - 4.3.2. fire code regulations;
 - 4.3.3. structural safety; or
 - 4.3.4. renovations on the interior where the footprint is not affected.

5. Policy Instructions:

5.1. Application Requirements:

- 5.1.1. Letter of Compliance applications shall be received by Planning and directed to a Development Officer or designate. The application can be submitted through the online permitting portal on the City website or in a paper format.
- 5.1.2. Applications received on outdated forms may be deemed incomplete and may not be processed until the application is in a form or manner acceptable to Planning.
- 5.1.3. Landowner authorization and/or condo board authorization is required where the applicant is not the owner of the property and/or where the property lies within a condominium corporation.
- 5.1.4. Compliance Certificate applications are to be attached to a Real Property Report (RPR) that is:
 - i. stamped by an Alberta or Saskatchewan Land Surveyor within ninety (90) days of the application being submitted;
 - ii. endorsed by a surveyor authorized for the province on which the property is located;
 - iii. an accurate reflection of the property on the day of the application submission and includes the location of the structures located on the property including but are not limited to:
 - a. the principal dwelling;
 - b. decks with stair location (including covered decks);
 - c. height of the rear deck;
 - d. garages;
 - e. all accessory buildings and structures, including those which are temporary and/or moveable, such as gazebos and pergolas; and
 - f. any other additions and/or alterations to development on the property;
- 5.1.5. RPRs stamped by an Alberta or Saskatchewan Land Surveyor more than ninety (90) days prior to the application submission may, at the discretion of the Development Officer or designate, be accepted provided that nothing on the report would change other than the date issued by the Surveyor.
- 5.1.6. RPRs dated ten (10) years or more before the application date will not be accepted and will require an updated survey to verify that no improvements have occurred on the subject property.

- 5.1.7. Where an applicant does not have a copy of an RPR to provide to the City for an application, the City may, for an additional charge to the applicant as per the current Fees and Charges Bylaw at the time of application submission, use the RPR on file should there be one. An RPR is a copyrighted document; therefore, the City may generate the Compliance Letter using the RPR on file but shall not duplicate or release the RPR without written approval from the owner of the copyright.
- 5.1.8. If the landowner cannot provide a RPR and the City has an outdated one on file (older than 10 years), the City may provide the applicant with the name of the Land Surveyor and the file number indicated on the RPR to assist the applicant in obtaining an updated version. Any fees associated with this process are solely the responsibility of the applicant and no compensation from the City is provided.
- 5.1.9. Faxes, distorted copies and plot (site) plans will not be accepted as a current RPR.
- 5.1.10. Payment as per the *Fees and Charges Bylaw*, as amended from time to time, is required with application submission and is non-refundable on refused or cancelled applications.

6. Review Requirements and Consideration

6.1. Supplementary Verification

- 6.1.1. Supplementary verification may be required where:
 - i. the RPR was stamped over 90 days prior to application submission;
 - ii. the internal planning map shows additional development on the property; or
 - iii. file search shows issued permits for structures not identified on the RPR.
- 6.1.2. The applicant may be requested to submit photos or videos of the buildings and structures on the land.
- 6.1.3. The applicant may be requested to submit an updated RPR where the missing structures cannot be confirmed compliant.

6.2. Compliance Review

- 6.2.1. Compliance Certificate applications will be reviewed when applications are deemed complete including receipt of payment and landowner authorization or condo board approval, where applicable.

- 6.2.2. When an application is deemed complete it may take up to ten (10) business days for the certificate to be issued.
- 6.2.3. When a property is conforming and the RPR is up to date, the Compliance Certificate will be issued and will provide confirmation of the permits issued on the site for the existing structures.
- 6.2.4. When a development does not conform to the Land Use Bylaw and a non-conforming letter is issued, the applicant is required to:
 - i. apply for necessary permits if not already in place and pay the application fees for each permit as set out in the Fees and Charges Bylaw, as amended from time to time; or
 - ii. take action and make changes to the development to ensure compliance; or
 - iii. apply for a variance to see if conformity can be achieved by the variance powers; or
 - iv. development permit and/or variance applications are denied; the applicant may apply to the Subdivision and Development Appeal Board for a decision.

6.3. Legal Non-Conforming Development

- 6.3.1. Compliance Certificates will be issued for Legal Non-Conforming Development when development occurred under a previous Land Use Bylaw or Zoning Bylaw and conformed to the conditions of the approved development permit as well as the regulations set out in the Land Use Bylaw or Zoning Bylaw in effect at the time of the development.
- 6.3.2. Legal Non-Conforming development does not have to conform to the current Land Use Bylaw until changes including alterations and improvements occur; at that time the new development permit may be required, and development must conform to the current *Land Use Bylaw* to be considered a conforming development and to obtain a Compliance Certificate.

6.4. Validity of Compliance Certificates

- 6.4.1. Compliance Certificates are only valid as of the day of issuance and do not guarantee ongoing compliance as regulations, site conditions, and land uses may change:
 - i. if there is no reasonable way of achieving conformance, and
- 6.4.2. Copies of previously issued Compliance Certificates or Compliance Letters may be provided to the landowner, or their designate with owner authorization through a file review.

6.4.3. Any previous letter that is provided by way of a file review request shall:

- i. be valid only as of the original date of the document,
- ii. have a disclaimer that the letter cannot be confirmed accurate today, and
- iii. only be released once file review fees are paid in full as per the current Fees and Charges Bylaw, as amended from time to time.

5. Penalty:

5.1. Any member of Administration found to be in violation of this Policy may be subjected to disciplinary action. Such action may be dependent upon the nature of the breach of this Policy; discipline may range from a written warning to dismissal with cause.

6. Responsibility:

6.1. City Council shall review and approve all policies.

6.2. City Administration may administer the Policy through the use of a supporting procedure, as required.