

**POLICY:
VERIFICATION OF COMPLIANCE**

**Planning & Development
Policy #PD-008**

ALIGNMENT WITH STRATEGIC PRIORITIES:

- | | |
|---|--|
| <input type="checkbox"/> Collaborative Partnerships | <input checked="" type="checkbox"/> Excellent Service to Residents |
| <input type="checkbox"/> Responsible Finance | <input checked="" type="checkbox"/> Sustainable Infrastructure |
| <input checked="" type="checkbox"/> Lifestyle Enhancement | <input type="checkbox"/> Strong Leadership |

POLICY:

Verification of compliance is usually a condition placed upon a seller of property by either the purchaser or the purchaser's lending institution to protect the purchaser's investment. Beaver County is not required to verify compliance, however it will be provided as a service when requested.

DEFINITIONS:

Improvements: Any structure constructed or placed on, in or over land that may require a development permit in accordance with Beaver County's Land Use Bylaw. Improvements will include, but are not limited to dwellings, garages, outbuildings decks and fences.

Real Property Report: A document prepared by a Surveyor that identifies significant visible improvements relative to property boundaries and states the surveyor's opinion and/or concerns.

Surveyor: A professional surveyor registered with the Alberta Land Surveyors' Association.

ELIGIBILITY:

Landowners or their legal counsel will be provided with verification of compliance in accordance with this Policy.

GUIDELINES:

1. The County will issue a verification of compliance only upon submission of the following:
 - a) A completed verification of compliance application;
 - b) A Real Property Report prepared and endorsed by a Surveyor that meets the requirements of this Policy;
 - c) A Certificate of Title, issued no earlier than three (3) months from the date of the request for verification of compliance;
 - d) Payment of the applicable fee pursuant to Beaver County's bylaw.
2. The Real Property Report must be no older than one (1) year. Real Property Reports older than one (1) year, but no older than five (5) years, will be accepted if accompanied by a sworn affidavit signed by the landowner, indicating that the Real Property Report is an accurate and current representation of the property.
3. The Real Property Report must contain at least the following information:
 - a) Legal description of the property;
 - b) Dimensions and directions of all property boundaries;
 - c) Designation of adjacent properties, roads, lanes, etc.;
 - d) Location and description of all improvements together with dimensions and distances from the property boundaries;
 - e) Rights-of-way or easements shown on the title to the property at the date of survey;
 - f) Location and dimension of any visible encroachments onto, or off of, the property, including driveway encroachments;
 - g) A duly signed endorsement from the Surveyor;
 - h) Copyright.
4. The County will not inspect the property and will rely solely on the information provided in the Real Property Report.

5. The County will verify compliance based on the Improvements noted on the Real Property Report in relation to the County's Land Use Bylaw in effect at the time of the request. Verification will only relate to the following:
 - a) Zoning;
 - b) Floor area;
 - c) Property line setbacks;
 - d) Valid development approvals.
6. The verification of compliance will not provide an opinion regarding the following:
 - a) Use of the property;
 - b) Development standards;
 - c) Environmental setbacks;
 - d) Primary or secondary highway setbacks;
 - e) Compliance with any easement, covenant, agreement, or other document affecting the building or land;
 - f) Compliance with safety codes regulations.
7. The verification of compliance will be issued to the landowner or to the landowner's legal counsel acting on behalf of the landowner.
 - a) The verification of compliance will be issued within 3 business days.
 - b) Rush requests may be considered.
8. Verification of compliance is not a legal document and the County will not be liable for verification of compliance for Improvements not shown on the Real Property Report.

REFERENCES:

Beaver County Municipal Development Plan
Beaver County Land Use Bylaw

HISTORY:

- **Approval Date:** January 17, 2024 (Motion #24-024)
- **Effective Date:** January 17, 2024
- **Date Last Amended:** September 17, 2014 (Motion #14-207)
- **Scheduled Review Date:** 2027



ADMINISTRATIVE PROCEDURE: VERIFICATION OF COMPLIANCE

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PROCEDURE:

1. Upon receipt of a request for verification of compliance, the County will:
 - a) Review the completed verification of compliance application, Real Property Report, and Certificate of Title for completeness,
 - b) Once the required documents are deemed complete, process the request within the timeline requested and paid for (e.g. regular service vs "rush" request), and
 - c) Issue a verification of compliance letter advising whether the property complies pursuant to the parameters of the Policy.

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