

Approved by Council November 16 1999

Occupancy and Building Condominium Endorsement Policy

Council Motion: 446-99

The following Policy refers to the issuance of occupancy for developments and buildings by the Planning and Development Department, and to the endorsement of Building Condominium Plans. The intent of this Policy is to restrict the occupancy of buildings and the endorsement of Building Condominium Plans until such time as both the requirements of the Building Code and the Land Use Bylaw have been substantially complied with.

1. The Planning and Development Department **shall** issue an Occupancy Certificate for a building **only** when a project has complied with the requirements of the Building Code as determined by the Safety Codes Officer, and has substantially complied with the requirements of the Land Use Bylaw as determined by the Development Officer.
2. That the Town of Canmore should not endorse a Building Condominium Plan until a building is deemed to be substantially complete. The Town may allow a Building Condominium Plan to be endorsed prior to substantial completion, provided that the Builder/Developer provides adequate additional security to the satisfaction of the Development Officer, and that a written schedule of completion is provided by the Builder/Developer.
3. Under both of the above provisions, “substantially complete” or “substantial compliance” would mean that all non - seasonal aspects of the building or project **must** be completed, with only such outstanding issues as asphalt paving (if the weather prohibits) and landscaping remaining to be completed.
4. A reduced flow spacer shall not be removed and a water meter shall not be installed by the Utilities Department until an Occupancy Certificate is issued by the Planning and Development Department.
5. Partial occupancy of a building or project may be granted by the Development Officer, provided that that portion of the building or project that is to be granted occupancy has achieved substantial completion.
6. Administration will make every effort to ensure that inspections required as part of this Policy shall be conducted within 48 to 72 hours for residential developments, and within 1 week for commercial or mixed use projects.
7. Should occupancy or partial occupancy be granted for a development, and the terms, conditions and limitations attached to the occupancy not be met by the Builder/Developer, **or** the development does not comply with the construction timelines established in the Land Use Bylaw, or Development Agreement where applicable, then the Town should execute or cash any securities or Letters of Credit held in relation to the development.