



## POLICY-PROCEDURE MANUAL

### TITLE: COMFORT LETTER REQUESTS Policy C-29

Page 1

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The District of Kitimat does not provide comfort letters on residential properties.

A comfort letter request must be made for each property (or address), regardless of the number of properties owned by the same owner.

Payment schedule for comfort letter requests is as per the *Kitimat Municipal Code*. Payment is required prior to staff undertaking a response to the comfort letter request.

A template letter will be provided to the applicant with the request for payment. Receipt of payment for the comfort letter will deem acceptance to the format of the response to the comfort letter request. A copy of the template letter is attached for reference.

Copies of routinely available documents are provided with the response. A request under the *Freedom of Information and Protection of Privacy Act* will be required for non-routinely released documents. This is noted in the template letter provided to the applicant.

Corporate Administration will be responsible for receiving the request and responding to the applicant.

All reasonable efforts will be made to respond to the request within fourteen (14) days of receipt of payment and no later than thirty (30) days of receipt of the request.

Attachment(s): template comfort letter

[DATE]  
[NAME AND ADDRESS]

Dear Sir/Madam,

Re: Property Information Request – **[INSERT LEGAL OR CIVIC ADDRESS OF PROPERTY]** (the “Property”)

Thank you for your inquiry with respect to the Property. Your letter requests a number of factual and legal opinions the District does not give and refers to a number of documents that may contain information that can be requested in accordance with the *Freedom of Information and Protection of Privacy Act*.

Our records indicate the following with respect to publicly available documents:

- Land Use Contract – yes/no
- Development Permits – yes/no. If yes, development permit information provided.
- Development Agreements – yes/no
- Demolition Permits – yes/no
- Building Permits – yes/no (If yes, building permit # provided)
- Occupancy Certificates – yes/no (If yes, occupancy permit # provided)
- S.219 Covenants and SRWs – A request for particulars of a section 219 covenants and/or statutory right-of-way must include a title search for reference.
- Current applications by property owner for amendment of bylaws - yes/no
- Board of Variance orders – yes/no

You may determine the Zoning and Official Community Plan designation and regulations by reviewing the relevant maps, plans and bylaws.

A consolidated but unofficial versions of the Official Community Plan and related plans can be found on the District’s website [here](#).

The Kitimat Municipal Code contains other information including information related to zoning and can be found on the District’s website [here](#).

Kitimap is available to the public and includes a zoning and OCP layer. Kitimap is available [here](#).

For your convenience, the Official Community Plan designation for this property is \_\_\_\_\_ and the Zoning on the property is \_\_\_\_\_. You are responsible to confirm this information.

You may request a copy of the original bylaws. Copying and other charges are identified in Part 10, Division 1 of the Kitimat Municipal Code. Access to property specific files may be gained in accordance with the *Freedom of Information and Protection of Privacy Act*.

Policy C-29 Comfort Letter Requests  
Attachment: Comfort Letter Template

With respect to bylaw enforcement matters, there are no active files **[OR]** active files relate to \_\_\_\_\_. However, this is not a representation that the property, its use or development is in compliance with District bylaws and policies.

It is the property owner's responsibility to ensure its use, or proposed use, and development of the Property complies with zoning and all other bylaws and regulations. The property owner and any potential purchaser are directed to seek independent legal advice (and their counsel are directed to conduct their own due diligence).

Should you wish to access the District's records with respect to the property, you can direct your request to [administration@kitimat.ca](mailto:administration@kitimat.ca).