

**CONDITIONS OF APPROVAL**

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**38 CONDITIONS OF APPROVAL**

**38.1 General Conditions**

38.1.1 Subject to the standards of the applicable land use district, other regulations in this Bylaw, the provisions of any statutory plan, and the Act and its regulations, in an approval of a development permit for a permitted or discretionary use or building, or when approving a subdivision application, the Development or Subdivision Authority may impose any conditions it deems necessary, including but not limited to the following:

- (a) that the developer make satisfactory arrangements for the supply of gas, water, electric power, telephone, sewer service, vehicular and pedestrian access or any other utility or service or facility, including payment of installation or construction costs by the developer;
- (b) that the developer enter into a development agreement with the Municipality in accordance with the Act;
- (c) that the developer enter into an agreement with the Municipality to ensure the conditions of the development permit or subdivision approval have been met;
- (d) that any subdivision or development approvals does not exempt the applicant or developer from obtaining any necessary permits from other government departments or agencies;
- (e) the time within which a development or any part of it is to be completed;
- (f) time limits respecting the duration that a development permit may continue to be in effect;
- (g) the phasing of a development;
- (h) development and construction practices, as referred to in Section 36.25;
- (i) the maximum density of dwelling units, persons or animals that may be allowed to occupy a site;
- (j) the size, location, orientation, appearance and character of a building or other structure;
- (k) lot grading;
- (l) the consolidation of parcels;
- (m) the hours of operation of a business;
- (n) water conservation measures, including the installation of low-flow plumbing fixtures;
- (o) measures for the mitigation of dust, vibrations, odour and noise;
- (p) improvements to municipal infrastructure such as roads and water and wastewater treatment or distribution systems;



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- (q) any other condition to ensure that this Bylaw, any statutory plans, the Act and its regulations affecting the land to be developed or subdivided are complied with.

**38.2 Security**

38.2.1 Where an agreement is entered into or a permit is issued, the Development Authority may require the developer to give security to ensure that the terms of the agreement or permit are carried out, or to mitigate any issues created by the development if the developer defaults on the development. The security may amount to 125% of the value of performing or completing particular requirements of the agreement or permit.

**38.3 Registration of Conditions on Title**

38.3.1 The Municipality may register a caveat in respect of a development agreement against the certificate of title for the property that is the subject of the development or subdivision. This caveat shall be discharged when the agreement has been complied with, at the request of the land owner or the land owners agent.

