

- b. Council may require the applicant to post and maintain a performance bond, irrevocable letter of credit or similar legal mechanism to ensure performance and to protect the public interest.
- c. Council will require the applicant to provide and maintain liability insurance to protect the applicant, municipality and the public.
- d. Council will ensure there is adequate municipal infrastructure and other public facilities prior to entering into the Agreement with the applicant, which may include sewage disposal, garbage disposal, availability and adequacy of source of water, recreational facilities, etc.

3.10 Fees and Advertising

- a. The fees related to the Zoning Bylaw and Official Community Plan shall be set out in the Municipal Fees Bylaw.
- b. All advertising shall be as per the requirements of *The Planning and Development Act, 2007*.

3.11 Offences and Penalties

- a. Pursuant to Section 242 of *The Planning and Development Act, 2007* the Development Officer may issue a written order to the owner, operator or occupant of the land, building or premises for any contravention to this Zoning Bylaw or the Official Community Plan.
- b. Any person who violates this Zoning Bylaw is guilty of an offence and is liable, on summary conviction, to the penalties outlined in Section 243 of *The Planning and Development Act, 2007*.

3.12 Minor Variance

- a. Council may vary the requirements of this Zoning Bylaw for the:
 - i. Minimum required distance of a building from the lot line
 - ii. Minimum required distance of a building to any other building on the lot
- b. The maximum amount of variance given by Council shall not exceed 10% from the requirements established in this Zoning Bylaw. The development must conform to the land use requirements established in this Zoning Bylaw and shall not affect neighbouring properties.
- c. The Development Officer shall refer the development permit application for the minor variance to Council. Council shall approve, approve with conditions or refuse the minor variance.

- d. If the application is refused by Council, the Development Officer shall provide written notice to the applicant and provide reason for the refusal.
- e. If the application is approved by Council, with or without conditions, the Development Officer shall provide written notice, delivered by registered mail, to the applicant and to the assessed owners of property who have a common boundary with the applicant's land. The notice shall contain a summary of the application and reasons for Council's approval as well as the effective date of the decision. The assessed property owners may lodge a written objection to Council or the Development Officer within 20 days after the receipt of the notice. If an objection is lodged, the approval is deemed to be revoked and the Development Officer shall notify the development permit applicant, in writing, of the revocation of the approval and the applicants right to appeal the revocation to the Development Appeals Board within 30 days after receiving the notice.
- f. If an application for a minor variance is refused, the applicant may appeal the refusal to the District Development Appeals Board within 30 days of that decision

3.13 Interpretation

- a. Where any provision of this Bylaw appears unclear, Council shall make the final Bylaw interpretation.

3.14 Temporary Development Permits

- a. Temporary Development permits may be issued with specified conditions for a specified period of time to accommodate development incidental to approved construction, asphalt plants, work camps and gravel operations.