

CONSOLIDATED

CITY OF LANGFORD

BYLAW NO. 497

**A BYLAW TO DELEGATE THE COUNCIL'S POWERS
IN RESPECT OF FRONTAGE IMPROVEMENTS**

List of Amendments

Consolidated for Convenience Only

This Bylaw has been consolidated as of 5 April 2004 for convenience only. Where applicable, capitalization, numerical order, and numbering have been altered for consistency. Copies of the original Bylaw and amendments may be viewed at Langford City Hall.

Amendment No.	Bylaw No.	Adopted	Rescinded by Bylaw No.
1	645	n/a	n/a
2	825	2004-04-05	n/a

CITY OF LANGFORD

BYLAW NO. 497

A BYLAW TO DELEGATE THE COUNCIL'S POWERS IN RESPECT OF FRONTAGE IMPROVEMENTS

Short Title

1. This Bylaw may be cited as "City of Langford Frontage Improvement Delegation Bylaw, 2010".

Definitions

2. In this Bylaw:
 - a) "Act" means the *Local Government Act*;
 - b) "City" means the City of Langford;
 - c) "Council" means the elected council of the City.
 - d) "Frontage Improvements" means works or services within the means of s.938(6) of the *Local Government Act*.

Frontage Improvements Delegation

3. Council hereby delegates to the City's Local Government Engineer the authority to exercise all of the powers, duties and functions of the Council in respect of frontage improvements under s.938 (6) of the *Local Government Act*.
4. In exercising the power and discretion delegated by s.3 of this Bylaw, the City's Local Government Engineer must consider:
 - a) That Council require under s.938 of the *Local Government Act* that, as a condition of the approval of any subdivision which creates one or more new lots, full frontage improvements be constructed in accordance with Subdivision and Development Servicing Bylaw No. 1000, 2010.
 - b) That Council require under s.938 of the *Local Government Act* that: (*Bylaw No. 825*)
 - i. As a condition of the approval of any residential building permit outside the core area which creates one or two new dwelling units, including a duplex from a single-family dwelling, full frontage improvements be constructed in accordance with Subdivision and Development Servicing Bylaw No. 1000, 2010 except that the required frontage improvements be reduced to cost no more than 5% of the value of the building permit work;
 - ii. As a condition of the approval of any residential building permit which creates three or more new dwelling units, full frontage improvements be constructed in accordance with Subdivision and Development Servicing Bylaw No. 1000, 2010 except that the required frontage improvements be reduced to cost nor more than 15% of the value of the building permit work; and

- iii. In the core area only, as a condition of building permit for one or two new dwelling units, including a building permit which creates a duplex from a single-family dwelling, including a permit to move a house onto a property, full frontage improvements shall be constructed in accordance with Subdivision and Development Servicing Bylaw No. 1000, 2010 except that the required frontage improvements be reduced to cost no more than 20% of the value of the building permit work.
- c) That Council require under s.938 of the *Local Government Act* that, as a condition of the approval of any commercial, industrial or institutional building permit which creates one or more new buildings or creates alterations to an existing building, which are valued at more than 20% of the assessed value of the building and more than \$20,000, full frontage improvements be constructed in accordance with Subdivision and Development Servicing Bylaw No. 1000, 2010 except that the required frontage improvements be reduced to cost no more than 20% of the value of the building permit work.
- d) The extent that frontage improvements already exist and need not be replaced.
- e) Circumstances in which due to topography and it may be physically impossible or excessively expensive to provide any or all frontage improvements.
- f) Must not in respect of previously dedicated highways abutting parcels proposed to be created by subdivision impose a condition for aggregate frontage improvements greater than 50 linear metres multiplied by the number of new parcels to be created.
- g) Cash to satisfy the frontage improvement conditions imposed where the frontage improvements can be more efficiently or economically provided as part of other works and services that are planned for the future.

Appeals

- 5. An applicant for a building permit or subdivision may appeal a decision of the City’s Local Government Engineer made pursuant to the Bylaw to the Transportation and Public Works Committee by submitting in writing the appeal as to frontage improvements to the Clerk Administrator no more than 30 days after the decision by the Local Government Engineer is communicated in writing to the owner.
 - a) The request must be accompanied by an engineer’s estimate for the cost of the works and a site plan showing the extent of the required and proposed frontage improvements, and;
 - b) The request must be accompanied by the grounds of appeal and any supporting evidence in support of the appeal, and;
 - c) The request must be accompanied by an appeal fee of \$200.00.
 - d) The committee recommendation will be forwarded to Council for approval.

Scope of Bylaw

6. For clarity, subject to the Act, unless a power, duty or function of Council has been expressly delegated by this Bylaw, all of the powers, duties and functions of Council remain with Council.

Delegation to Persons Holding Position

7. Where this Bylaw delegates a power, duty or function to a named position, the delegation of the power, duty or function is to the person who from time to time holds the position and to any person who from time to time is appointed by Council as the deputy of that person.

No Delegation by A Delegate

8. For clarity, a person to whom a power, duty or function has been delegated under this Bylaw has no authority to further delegate to another person any power, duty or function that has been delegated by this Bylaw.

READ A FIRST TIME this 17th day of July, 2010.

READ A SECOND TIME this 17th day of July, 2010.

READ A THIRD TIME this 17th day of July, 2010.

ADOPTED by an affirmative vote of at least 2/3 of the Council members present and voting this 21st day of August, 2010.

MAYOR

CLERK-ADMINISTRATOR