

**CITY OF LANGFORD**

**BYLAW NO. 2022**

A BYLAW TO IMPOSE STORMWATER DEVELOPMENT COST CHARGES.

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**WHEREAS:**

- (a) Council may impose development cost charges under Section 559 of the *Local Government Act*.
- (b) Development Cost Charges (DCCs) may be imposed for the sole purpose of providing funds to assist the City in paying the capital cost of providing, constructing, altering or expanding sewage, water, drainage and highway facilities and providing or improving park land, or any of them, in order to serve, directly or indirectly, the development for which the charges are imposed.
- (c) In the consideration of Council, the charges imposed under this bylaw:
  - (i) are not excessive in relation to the capital cost of prevailing standards of service in the City;
  - (ii) will not deter development in the City;
  - (iii) will not discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land;
- (d) In the opinion of Council, the charges imposed under this bylaw are:
  - (i) related to capital costs attributable to projects included in the City's capital expenditure bylaw, including projects described in Schedule "A" attached to and forming part of this Bylaw;
  - (ii) related to capital projects consistent with the City's Official Community Plan.

**NOW THEREFORE**, the Council of the City of Langford, in open meeting assembled, hereby enacts as follows:

**Interpretation:**

1. In this Bylaw:

"Building" means any structure used or intended for supporting or sheltering any use or persons, animals, or property.

"City" means the City of Langford or the geographical area within the boundaries of the City of Langford, as the context requires.

"Commercial" means any commercial use as permitted under the City's zoning bylaw.

"Dwelling unit" means two or more habitable rooms constituting a self-contained unit with a separate entrance and used or intended to be used together for living and sleeping purposes for not more than one family and containing a separate and properly ventilated kitchen with a sink and not more than one set of cooking facilities and a bathroom with a water closet, washbasin and a bath or shower, and includes all seniors housing.

"Industrial" means a use permitted in an industrial zone under the City's zoning bylaw.

"Institutional" means any use that is not commercial, industrial, public utility or residential.

"Multi-family" means a use containing four or more dwelling units.

"Residential" means a use containing up to and including three dwelling units.

"Public Utility" means a private business organization that is subject to governmental regulation because it provides an essential service or commodity such as water, electricity, sewage collection, transportation, or communication to the consuming public or a public or private recreational building located on City land providing space to the general public for the purposes of recreation.

"Structure" means anything constructed, erected, or placed, the use of which requires location on the ground or attachment to something having location on the ground; excludes concrete or asphalt or similar surfacing of a lot, fences, signs and underground sewage disposal facilities.

"Townhouse" means:

- a) A building divided into two or more dwelling units with each dwelling unit having direct access to the exterior at grade or;
- b) Two or more detached dwellings constructed on the same lot.

**Charges:**

2.
  - a) Development cost charges for storm drainage are imposed only on DCC Contributing Lands indicated by shading on Schedule "B".
  - b) Every person who obtains approval of a subdivision, including a subdivision for the purpose of leasing land for a term exceeding 3 years, in a zoning district which permits the use of land for residential purposes shall pay to the City the development cost charges set out in Schedule "C" attached to and forming part of this bylaw, and the approving officer shall not approve such a subdivision until such development cost charges have been paid.
  - c) Every person who obtains a building permit for a building or structure for a residential, commercial, institutional, industrial, or public utility development use, including a building containing fewer than four dwelling units, shall pay to the City the development cost charges set out in Schedule "C" and the building inspector shall not issue such a building permit until such development cost charges have been paid.
3.
  - a) The charges imposed under Section 2(b) shall be paid in respect of the number of lots created in addition to the number of lots existing at the time of subdivision, and based on two dwelling units for each additional lot on which the zoning bylaw permits the construction of duplexes.
  - b) The charges imposed under Section 2(c) shall be calculated based on the information contained in the building permit application, and may, in the sole discretion of the City, be adjusted as necessary with reference to the building constructed, and any additional amount shall be paid prior to the issuance of an occupancy permit.
4. A charge is payable in respect of every event under Schedule C, provided that:
  - a) a charge is not payable under this Section where a charge under this bylaw has been paid previously for the same event in respect of the same development.
  - b) a credit shall be deducted from the amount that would otherwise have been imposed under this Section in respect of a parcel for development cost charges previously paid to the City for the same development on the same parcel under this bylaw.

5. Under no circumstances shall any charges collected under this bylaw be refunded. When an approved subdivision plan is not deposited or no construction is commenced pursuant to an approved building permit, charges collected shall be credited toward charges payable in respect of a future charging event under Schedule C.

**Exemptions:**

6. No charge is payable under this bylaw where:
- a) the building permit authorizes the construction, alteration or extension of a building or part of a building that is, or will be, after the construction, alteration or extension, exempt from taxation under s. 220(1)(h) or s. 224(2)(f) of the *Community Charter*;

or

  - b) the value of the work authorized by the permit does not exceed \$50,000 or any other amount prescribed by regulation under s. 561(9) of the *Local Government Act*.

**Severance:**

7. In the event a portion of this bylaw is set aside by a court of competent jurisdiction, the portion is deemed to be severed from the bylaw such that the remaining portions of the bylaw continue in force and effect.

**Citation:**

8. This bylaw may be cited for all purposes as the "City of Langford Stormwater Development Cost Charge Bylaw No. 2022, 2022."

**Repeal:**

9. City of Langford Development Cost Charge Bylaw No. 1700, 2017 is repealed.

READ a first time this 18<sup>th</sup> day of July, 2022.

READ a second time this 18<sup>th</sup> day of July, 2022.

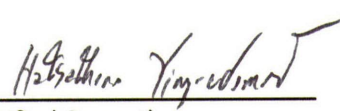
READ a third time this 18<sup>th</sup> day of July, 2022.

APPROVED BY The Inspector of Municipalities, pursuant to s. 560 of the *Local Government Act* on this 3<sup>rd</sup> day of October 2022.

ADOPTED this 21<sup>st</sup> day of November, 2022.

  
MAYOR

**SCOTT GOODMANSON  
MAYOR**

  
(Certified Correct)  
CORPORATE OFFICER

**Will Ying-Udomrat  
Deputy Corporate Officer**

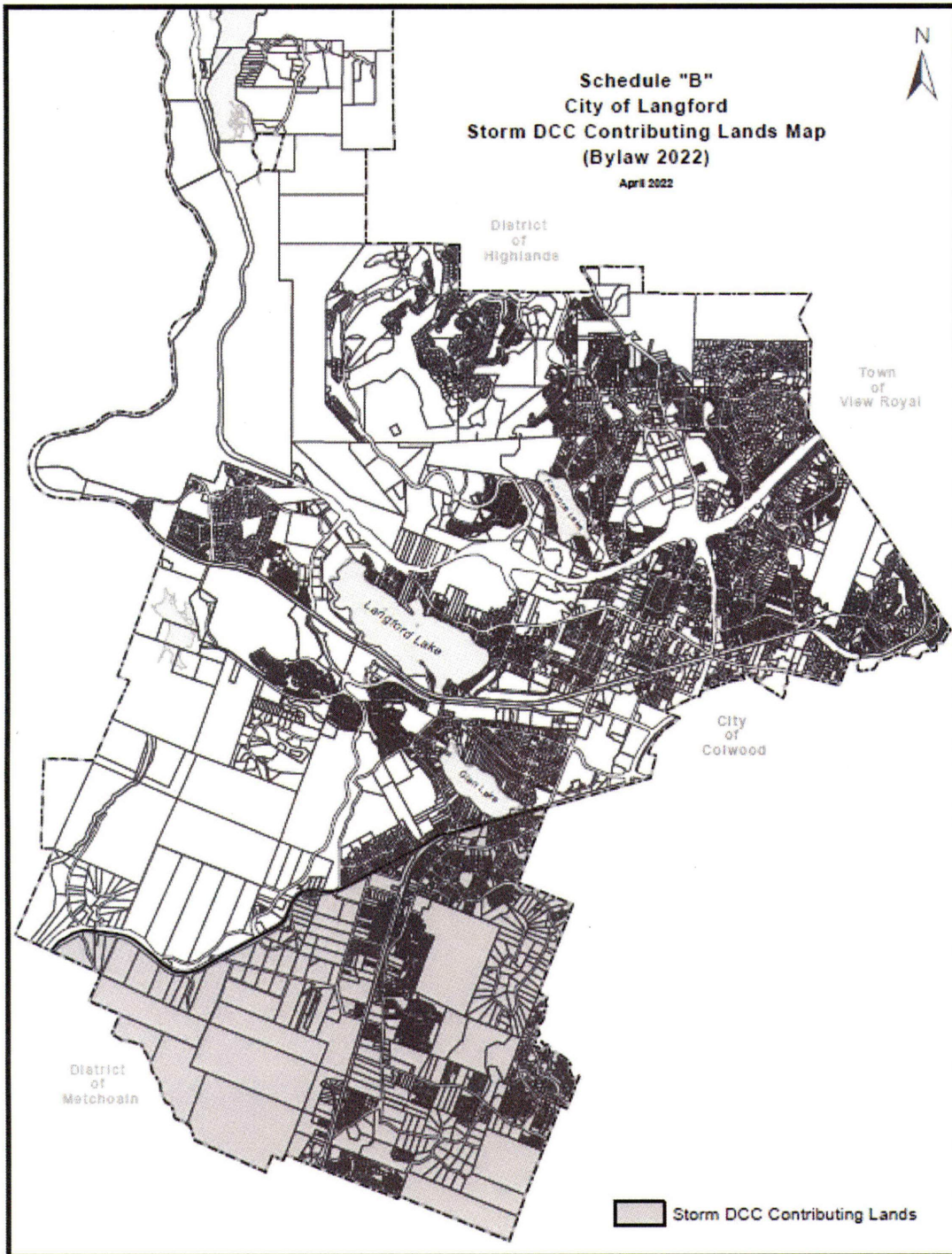
City of Langford  
Schedule A 2022 Stormwater DCC Program Project List

Number	Projected Construction Date	Project	Type	Size/length	Estimated 2022 Cost (incl E&C&Land)	Grants	Total Cost	Benefit to Exist Users	Tax Expense	Net	Municipal Assist Factor(1%)	Municipal Assist Factor Cost as General Revenue(\$)	NET DCC Eligible
1	2026	SVI Rangers	Pond	19,500	\$1,179,750	\$300,000	\$879,750	10%	\$87,975	\$791,775	1%	\$7,918	\$783,857
2	2022	802 Latoria/969 Wendy Drive (formerly addressed as 804 Latoria Road)	Pond	1,800	\$215,000	\$0	\$215,000	10%	\$21,500	\$193,500	1%	\$1,935	\$191,565
3	2022	Pritchard: Latoria Culverts	Ch Imp		\$250,000	\$0	\$250,000	10%	\$25,000	\$225,000	1%	\$2,250	\$222,750
4	2022-2024	Happy Valley: Luxton - Bilston Improvements	Ch Imp	500	\$1,000,000	\$0	\$1,000,000	10%	\$100,000	\$900,000	1%	\$9,000	\$891,000
5	2022	Latoria: Happy V to 200m east	Stm Drain	200	\$220,000	\$0	\$220,000	10%	\$22,000	\$198,000	1%	\$1,980	\$196,020
6	2024	Ernhill Dr: Ernhill - Glen Lk	Stm Drain	500	\$880,000	\$0	\$880,000	10%	\$88,000	\$792,000	1%	\$7,920	\$784,080
7	2023	890 - 915 Walfrad	Ch Imp	400	\$417,120	\$0	\$417,120	10%	\$41,712	\$375,408	1%	\$3,754	\$371,654
8	2022	2621 - 2633 Ernhill Dr	Stm Drain		\$234,976	\$0	\$234,976	10%	\$23,498	\$211,478	1%	\$2,115	\$209,364
9	2022-2024	Misc Improvements (eg. Walfrad/Lodmeil Area)	Ch Imp		\$825,000	\$0	\$825,000	10%	\$82,500	\$742,500	1%	\$7,425	\$735,075
10	2022-2025	Storm water Management Plan Updates			\$82,500	\$0	\$82,500	10%	\$8,250	\$74,250	1%	\$743	\$73,508
					\$5,304,346	\$300,000	\$5,004,346		\$500,435	\$4,503,911		\$45,039	\$4,458,872

Report Support: South Langford SWMP Report by Focus in 2007; Updated by Kerr Wood Loidal January 2017

Schedule "B"  
City of Langford  
Storm DCC Contributing Lands Map  
(Bylaw 2022)

April 2022



**SCHEDULE C**  
**DEVELOPMENT COST CHARGES**  
*(Bylaw No. 2022)*

The charges to be levied and paid are the amounts specified in Columns B and C of Tables 1 in respect of the class of development specified in Column "A".

<b>Table 1 – Storm Drainage</b>		
<b>Column "A"</b> <b>Class of Development</b>	<b>Column "B"</b> <b>Subdivision</b>	<b>Column "C"</b> <b>Building Permit</b>
Single family with suite per lot or Single family (>300 sq m lot)	\$1655	
Small (≤300sq m lot) lot or duplex per dwelling unit	\$1028	
Townhouse per dwelling unit		\$1028
Multi-Family per dwelling unit		\$535
Commercial or Institutional per sq m gfa*		\$4.58
Industrial or Public Utility per Hectare of site area		\$25,464
Commercial Recreation or Public Utility with less than 5% impervious surface per sq m gfa*		\$4.58

\*gfa = gross floor area