

Part 2 GENERAL PROVISIONS

(Replaced by Bylaw No. 1662)

2.01 Application

2.01.01 The provisions of this Bylaw apply to the City of Langford shown on Schedule "A" (Zoning Map) which forms part of this Bylaw.

2.02 Requirements for Compliance

2.02.01 Land or the surface of water in the City of Langford may not be used, land may not be subdivided, **buildings** and **structures** on land or on the surface of water may not be constructed, altered, located or used, and **signs** may not be erected or located on any land except as specifically permitted by this Bylaw or the City of Langford Sign Bylaw.

2.02.02 All siting measurements must be made on a horizontal plane from the **natural boundary**, **lot line** or other feature specified in this Bylaw to the nearest portion of the **building, structure or use** in question.

2.03 Violation

2.03.01 A person commits an offence under this Bylaw, who, being an owner or occupier of land or of the surface of water in the City of Langford: *(Bylaw No. 1992)*

- (1) Violates any property that is subject to regulation under this Bylaw, for the purpose of the provisions of this Bylaw;
- (2) Causes or permits any act or thing to be done in contravention or violation of any of the provisions of this Bylaw;
- (3) Neglects or omits to do anything required under this Bylaw;
- (4) Carries out, causes or permits to be carried out any development of land or the surface of water in a manner prohibited by or contrary to any of the provisions of this Bylaw; or *(Bylaw No. 1992)*
- (5) Fails to comply with an order, direction or notice given under this Bylaw; or prevents or obstructs or attempts to prevent or obstruct a person authorized under Section 2.04 from entering on property.

2.04 Administration and Enforcement

2.04.01 Pursuant to Section 16 of the *Community Charter*, the City of Langford may enter, at any reasonable time, upon any property that is subject to regulation under this Bylaw for the purpose of determining whether the regulations are being observed. *(Bylaw No. 1992)*

2.04.02 A person must not obstruct any Bylaw Enforcement Officer, or any other designated person engaged in the administration or enforcement of this Bylaw. *(Bylaw No. 1992)*

2.05 Penalty

- 2.05.01 Every person who commits an offence against this Bylaw is liable, upon summary conviction, to a fine and penalty not exceeding the maximum as stated in the *Offence Act* as amended from time to time. (*Bylaw No. 1992*)
- 2.05.02 Each day during which an offence against this Bylaw continues is deemed to constitute a new separate offence. (*Bylaw No. 1992*)
- 2.05.03 The penalties imposed under Subsections 2.05.01 and 2.05.02 are in addition to and not in substitution for any other remedy that the City may pursue for a contravention of this Bylaw. (*Bylaw No. 1992*)

2.06 Non-compliance with Siting, Size and Shape Requirements

- 2.06.01 A **building** which exists at the time of adoption of this Bylaw, but which fails to comply with the requirements relating to siting, size and shape must not be altered or extended except in compliance with the requirements of this Bylaw. (*Bylaw No. 1992*)

2.07 Non-Conforming Uses

- 2.07.01 The regulations governing **non-conforming uses** are set forth in the *Local Government Act*.
- 2.07.02 The lawful **use** of any land, **building** or **structure** existing at the time of the adoption of this Bylaw may be continued (subject to the provisions of the *Local Government Act*), despite such use being non-conforming with the provisions of this Bylaw. (*Bylaw No. 1992*)

2.08 Units of Measurement

- 2.08.01 Metric measurements are used in this Bylaw.
- 2.08.02 Imperial measurements included in this Bylaw do not form part of this Bylaw and are intended only as a convenience for the reader. In most cases they have been rounded up or down to the nearest decimal point.

2.09 Section 514 Subdivision

- 2.09.01 Despite the minimum **lot** sizes established by this Bylaw for various Zones, the minimum **lot area** that may be subdivided in accordance with Section 514 of the *Local Government Act* in the Walfred Road area (as defined by Schedule "F") is 40 ha (98.8 ac), and no **lot** created by such a subdivision in that area may be less than 2 ha (4.9 ac) in **lot area**; and
- 2.09.02 Despite the minimum **lot areas** established by this Bylaw for various Zones, the minimum **lot area** that may be subdivided in accordance with Section 514 of the *Local Government Act* in a rural area (as defined by Schedule "P") is 40 ha (98.8 ac) and no **lot** created by such a subdivision in that area may be less than 4 ha (9.9 ac) in **lot area**.

2.10 Severability

2.10.01 If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision shall be severed from the Bylaw and the decision that such provision is invalid shall not affect the validity of the remaining provisions of the Bylaw.

2.11 Development Permit Guidelines

2.11.01 Appendices A to V are adopted pursuant to Section 488 of the *Local Government Act* as guidelines pertaining to the Development Permit Areas designated in the Langford Official Community Plan.