

**CITY OF LANGFORD**  
**Subdivision, Development and Servicing Bylaw Number 1000**

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WHEREAS Council may appoint a person to be called an Approving Officer to exercise the jurisdiction conferred on him by the *Land Title Act* or the regulations or any other Act or regulations

AND WHEREAS the Approving Officer appointed by the City of Langford has established procedures for examining proposed subdivisions which information is available to the public.

AND WHEREAS the Council may by bylaw impose subdivision application fees pursuant to Section 931 of the *Local Government Act*.

AND WHEREAS Council may by bylaw regulate and require the provision of works and services in respect of the subdivision or development of land, pursuant to Section 938 of the *Local Government Act*;

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

1.0 TITLE

1.1 This Bylaw may be cited as the "Langford Subdivision and Development Servicing Bylaw No. 1000, 2009".

2.0 APPLICATION

2.1 The provisions of this Bylaw apply to all lands within the area incorporated as the City of Langford. This Bylaw does not apply to any subdivision or building permit for which application was made prior to the date of coming into force of this Bylaw provided that such application is completed within 12 months of adoption of Bylaw 1000.

2.2 The purpose of this Bylaw is to regulate the subdivision and development of land and the arrangement, design and construction of highways, works and services, in order to:

- (a) Promote orderly, efficient, economical and aesthetically pleasing development.
- (b) Ensure that subdivisions and developments are developed in harmony with the environment and are suited to the use for which they are intended.

2.3 This Bylaw should be used in conjunction with the Schedules to this bylaw, Langford Zoning Bylaw, 1999 (No. 300) and the Langford Official Community Plan Bylaw, 2008 (No. 1200). Users of this Bylaw are advised that they should also be knowledgeable of the requirements of other applicable enactments including without limitation the:

- (a) *Land Title Act*;
- (b) *Local Government Act*;
- (c) *Community Charter*
- (d) *Strata Property Act* and Bare Land Strata Regulations;
- (e) *Agricultural Land Commission Act*;
- (f) *Real Estate Act*;
- (g) *Land Survey Act*;
- (h) *Forest Land Reserve Act*;
- (i) *Waste Management Act*;
- (j) *Highway Act*;

- (k) *Builders Lien Act;*
- (l) *Water Act.*

2.4 As a condition of

- a) The approval of a subdivision, or
- b) The issuance of a Building Permit

The owner of the land is required to provide works and services in accordance with the standards established in this bylaw, on that portion of a highway immediately adjacent to the site being subdivided or developed, up to the center line of the highway

3.0 SEVERABILITY

3.1 No provision of this Bylaw depends for its validity on any other provision and if any section, subsection, clause, sub-clause or phase of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Bylaw.

4.0 DEFINITIONS

In this Bylaw,

"Acceptance" means acceptance of the works and services excepting landscaping by the City Engineer which shall include all deficiencies rectified, as-constructed documentation received, certification by the professional engineer that all works and services have been constructed as approved, and applicable warranties in place; all to the satisfaction of the City Engineer. Acceptance for the purposes of landscaping means one year after Substantial Completion, following completion of the one year maintenance period by the Developer.

"Applicant" means a person applying for approval of a subdivision or development, whether as the owner or as agent for the owner.

"Approving Officer" means the Approving Officer appointed pursuant to the *Land Title Act* for the City of Langford.

"Blast or Blasting" means the use of explosives for the purpose of moving, displacing or breaking rock or other material;

"Blaster" means the person, firm or corporation engaged by the Owner to conduct Blasting and includes an agent, contractor or employee of the Blaster;

"Boundary Adjustment" means an adjustment in existing boundaries between legally defined parcels of land that does not create additional parcels.

"Building Code" means the British Columbia Building Code, latest edition.

"Capital Regional District Water Services (CRDWS)" includes any organization assuming the responsibility for the retail water supply in Langford.

"City" means the City of Langford.

"City Engineer" means the company, person or persons appointed from time to time by the Council as City Engineer or any employee authorized to act on his behalf.

"City of Langford Supplements" are supplements to the Master Municipal Construction Documents (MMCD), latest edition.

"Community Plan" means the Langford "Official Community Plan Bylaw No. 1200, 2008" and as amended.

"Completion" - for the purpose of assessing applications, means a Servicing Agreement has been executed or a pre-construction meeting has been held with City representatives.

"Contractor" is the person, firm or corporation under contract with the City or developer to provide labour, equipment and materials for the execution of the works.

"Core Area" as defined in Zoning Bylaw 300.

"Cul-de-sac" means a highway of which one end is designed to be permanently closed to motor vehicles, or which is terminated by a natural feature and which provides a vehicular turning area.

"Deep Sewers" means those installed at greater than 3.0 metres below finished grade.

"Developer" means the owner or authorized agent engaged in the process of subdividing or developing the subject property.

"Development" means any improvement to residential, commercial, industrial, institutional or municipal lands, highways and rights-of-way, including the construction, alteration or repair of a building pursuant to a building permit.

"Final Acceptance" means completion of the Warranty Period for engineering works provided that all outstanding deficiencies with respect to the works and services have been remedied to the satisfaction of the City Engineer.

"Final Approval" means the Approving Officer's signature on the mylars.

"Highway" includes a street, road, lane, bridge, viaduct and any other way open to the use of the public, but does not include a right-of-way on private property, other than an access route in a bare land strata plan that, in the opinion of the City Engineer must be designed to City standards in the interest of public safety and emergency access.

"Medical Health Officer" means the Medical Health Officer for the Vancouver Island Health Authority.

"Municipal Sewer System" means the network of pipes and infrastructure placed so as to receive and direct sewage from two or more parcels of land to a treatment facility, which is owned and operated, by municipal government or City.

"Parcel" means any lot, block or other area in which real property is held or into which real property is subdivided, but does not include a highway or portion thereof and includes the remainder of a parcel.

"Potable Water" means water, which is approved for drinking purposes by the Medical Health Officer pursuant to the *Health Act*.

"Professional Engineer" or "Consulting Engineer" means a person who is registered or licensed in the Province of British Columbia as such under the provisions of the *Engineers and Geoscientists Act*.

"Right-of-Way" means land or any interest in land acquired for the purpose of:

- (a) public rights of passage with or without vehicles; or
- (b) erecting and maintaining any pole-line; or
- (c) laying, placing and maintaining drains, ditches, pipes, transmission lines or wires for the conveyance, transmission or transportation of water, electric power, forest products, oil or gas or both oil and gas or solids as defined in the *Pipeline Act*; or
- (d) the transmission or disposal of sanitary sewage, storm water or drainage;
- (e) the operation and maintenance of any other undertaking of the City; and shall include a statutory right-of-way as defined in the *Land Title Act*.

"Road" means the portion of a highway constructed for vehicular traffic.

"Statement of Conditions" means the letter issued by the Approving Officer for the City to a land owner or agent that outlines the legal, servicing and procedural conditions that must be met prior to obtaining subdivision approval.

"Subdivision" means the division of land into two or more parcels, whether by plan, descriptive words or otherwise, and includes boundary adjustments.

"Subdivision Approval" means approval of the subdivision of land granted by the Approving Officer when all relevant requirements of this bylaw, the *Land Title Act* and any other relevant bylaws and legislation have been fulfilled.

"Substantial Completion" means completion of the Works, excepting only minor deficiencies, such that the respective Works have been fully tested, are functional and can be used for their intended purpose, all to the satisfaction of the City Engineer.

"Walkway" means an area of land improved primarily for the use of pedestrian traffic.

"Works and Services" means construction such as roadways, lanes, gas, drainage, water and sewer systems, earthworks and slope stabilization, sidewalks, walkways, boulevards, landscaping, street lighting and underground wiring, and includes works and services whether on highways, rights of way or common property, to be provided for in a subdivision or development of land under this bylaw.

"Works and Services Agreement" means an agreement between the City and the owner in accordance with s. 940 of the *Local Government Act* that works and services will be completed to service a subdivision or development by a date specified in the agreement

and that sufficient security has been provided to the City to secure the construction of those works,

"Zone" means a zone established by the "Langford Zoning Bylaw, 1999 (No. 300)" and as amended from time to time.

REPEAL

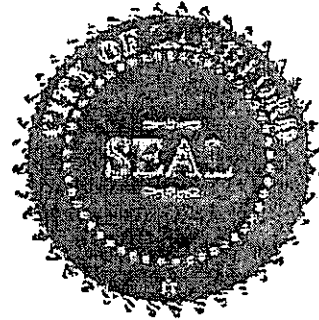
"City of Langford Subdivision Servicing Bylaw No. 500 and all amendments thereto are hereby repealed.

READ a first time this 1<sup>st</sup> day of February, 2010.

READ a second time this 1<sup>st</sup> day of February, 2010.

READ a third time this 1<sup>st</sup> day of February, 2010.

ADOPTED this 15<sup>th</sup> day of February, 2010.



  
MAYOR

  
ADMINISTRATOR