

**CITY OF LANGFORD
BYLAW NO. 1211**

A BYLAW TO AMEND BYLAW NO. 500

“LANGFORD SUBDIVISION AND DEVELOPMENT SERVICING BYLAW 500, 2000”

The Council of the City of Langford, in open meeting assembled, enacts as follows:

1. Bylaw 500 being “Langford Subdivision and Development Servicing, 2000” is amended as follows:
 - A. Section 5.0 of Subdivision and Development Servicing Bylaw No. 500, 2000 is repealed and replaced as attached (see Attachment A).
 - B. Section 7.0 of the Subdivision and Development Servicing Bylaw No. 500, 2000 is repealed and replaced as attached (see Attachment B).
 - C. Revised Table 1 to Bylaw 500, 2004 Application and Fees is repealed and replaced as attached (see Attachment C).
2. This Bylaw may be cited as “Langford Subdivision and Development Servicing Bylaw Amendment No. 17, Bylaw 500 (Text Amendment in relation to fees), 2000”.

READ A FIRST TIME this 2nd day of February, 2009.

READ A SECOND TIME this 2nd day of February, 2009.

READ A THIRD TIME this 2nd day of February, 2009.

ADOPTED this 2nd day of March , 2009

Mayor

Clerk-Administrator

Bylaw 1211

Attachment A

5.0 APPLICATIONS AND FEES

5.1 Fees

All fees referred to in this section are set out in Table 1 to this Bylaw. In the event that the installation of works and services involves excavation of an existing road, construction inspection fees and technical standards established by Bylaw No. 33 may also apply.

5.2 Preliminary Information Fee

Any property owner or other person wishing to obtain information to support an application for subdivision in the City and any conditions which would prevent or restrict the subdivision of the property may consult the Approving Officer at no charge for the initial inquiry and pay a fee for each additional inquiry within 12 months of the initial inquiry.

5.3 Application for the Approving Officers Statement of Conditions for the Approval of a Subdivision.

5.3.1 Any property owner or other person wishing to subdivide land must obtain a statement from the Approving Officer of the complete conditions which must be fulfilled in order to obtain approval of a subdivision and shall pay an application fee plus an additional fee for each parcel proposed to be created in addition to the number of existing parcels.

5.3.2 If the applicant wishes to submit a revised application within three months of the original submission an additional fee for considering the revised submission shall be required for each parcel added to the proposal from the original application. No fees will be refunded if the number of proposed lots is reduced.

5.3.3 If the applicant wishes to submit a revised application after three months but within one year from the date of the original submission, a fee for considering the revised submission shall be a percentage of the initial application fee plus an additional fee for each parcel added to the proposal from the original application. No fees will be refunded if the number of proposed lots is reduced.

5.3.4 If the applicant cannot apply for approval of the subdivision within one calendar year from the date of issuance of the Approving Officer's Statement of Conditions, the applicant may request a one year extension and in such cases shall pay an extension fee. Notwithstanding the date of the extension request, the date of expiration will be **6 Months** from the issuance of the Statement of Conditions. If no request for extension has been made after this one-year period, the applicant must apply for a new Statement of Conditions. If, in the opinion of the Approving Officer the delay in subdivision approval is due to unreasonable delays on the part of the City of Langford, then the extension may be granted beyond the 6 month period.

5.3.5 For a Bare Land Strata plan that amends the plan to create fee simple lots, the fee to examine the plan shall be in accordance with Table 1, Unit fees for Pre-Design Meeting of a Subdivision.

5.3.6 Applications for approval of a phased strata plan must be accompanied by a fee in accordance with Table 1.

5.4 **Referrals to Agencies**

The City will forward referrals to agencies of the Capital Regional District, the Government of B.C. and the Government of Canada whose input is required by law or required in the opinion of the Approving Officer regarding the application for the Statement of Conditions for the Approval of a Subdivision. Should the agency require a fee for this referral, the City will provide this information to the applicant. The applicant will be responsible for paying the applicable fees to that agency at that time. The City will not process payments to other agencies.

5.5 **Application for a Pre-Design Meeting.**

Any applicant intending to construct works or services required for the approval of a subdivision or development shall arrange for a pre-design meeting and pay, at the request for the meeting, **an administration fee** and a fee for each parcel to be created in addition to the number of existing parcels.

5.6 **Application to Construct Works and Services Required for Approval of a Subdivision or Development.**

5.6.1 Any applicant intending to construct works or services required for the approval of a subdivision or development shall pay, at the time of application, an administration fee plus a drawing review and construction inspection fee equal to a fixed percentage of the estimated cost of the works and services to be constructed. The cost of the work shall be estimated and certified by the Professional Engineer designing the works and services.

5.6.2 Should the construction of offsite works be required as a condition of subdivision, building permit or rezoning, the applicant shall pay a drawing review and construction inspection fee **in accordance with Bylaw 33.**

5.7 **Application for Subdivision Approval**

5.7.1 Any applicant intending to apply for final approval of a subdivision shall pay **an administration fee** and an application fee for each parcel to be created in addition to the number of existing parcels.

5.7.2 Should the approved subdivision plans require additional signatures due to expiry of the plans, the approval or rejection by the Land Titles Office for any other reason, an additional fee applies.

5.7.3 Where the proposed subdivision is a boundary adjustment which complies with the requirements of Zoning Bylaw No. 300 and the Official Community Plan Bylaw No. 150, an application fee is required.

5.7.4 Final approval of the subdivision will not be granted to the applicant by the Approving Officer unless the applicant has received a letter of acceptance from the City Engineer that all works are complete, or the applicant has entered into a Servicing Agreement in accordance with section 7.0 of this Bylaw.

5.7.5 Any rights of way required to service a subdivision or development with future maintenance obligations for the City require a fee for document review in accordance with Schedule 1 of this bylaw.

5.7.6 Subdivision plans submitted for final subdivision approval must be accompanied by 4 paper copies, one digital copy to NAD83, and one digital PDF file, a current state of title certificate and all legal documentation as required by the Approving Officer in duplicate.

5.8 **Strata Title Conversions**

5.8.1 A fee for an application for Strata Title Conversion that complies with all City Policies and Bylaws is required.

5.8.2 A fee for an application for Strata Title Conversion that will require a determination from Council as to substantial compliance with the City Policies and Bylaws is required.

5.9 **Park Land Dedication**

Any application for Subdivision Approval that creates three or more new parcels requires that the applicant dedicate parkland to the City in accordance with the *Local Government Act* s.941. The proposed parkland must be approved by the District.

5.10 **Panhandle Lots**

Any panhandle lots proposed with the subdivision application must conform to the City of Langford Panhandle Policy No. 3320-00.

5.11 **Duplex Lots**

Any proposed parcels of land that comply with Zoning Regulations for duplex construction must comply with the Requirements of the Langford Official Community Plan, Bylaw No. 150 and Bylaw No. 322 as it pertains to Two Family and Multi-Family Residential Land. A development permit is required for duplex construction.

5.12 **Refunds**

Refunds are available under the following conditions:

5.12.1 Full refund less a \$50 administration fee for an application for Statement of Conditions, Boundary Adjustment, a revision to a Subdivision Application, or a Strata Title Conversion if the application is withdrawn within 48 hours of the initial application and receipt of fees.

5.12.2 Full refund less a 50% administration fee (up to a maximum of \$2,000) for the application to construct works and services if the application is withdrawn prior to the start of any works on site. The applicant must re-apply for a Statement of Conditions and pay the full application fee plus the full application for works and services fee if the developer wishes to resume the work on site.

5.12.3 No refunds are available for final approval of a subdivision.

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Attachment B

7. WORKS AND SERVICES AGREEMENTS

- 7.1 In the event that an owner of land wishes to obtain approval of a subdivision or issuance of a building permit prior to the construction and installation of works and services required by this bylaw, the owner may enter into a servicing agreement with the City in the form attached to this Bylaw as Schedule 6. All Works and Services Agreements may be executed by the City of Langford Authorized Signatories. No such agreement shall be entered into with respect to works affecting soil stability including stacked boulder retaining walls. **This agreement must be prepared as a Section 219 (of the *Land Title Act*) Covenant in favour of the District, to be registered with the subdivision plans.**
- 7.2 Any owner intending to enter into a servicing agreement pursuant to s.7.1 must provide to the City a letter of credit, cash or other form of security acceptable to the City, equal to 100% of the cost of the works and services required, the estimate of which is to be certified by a Professional Engineer, and must provide a date for the completion of the works and services for the purposes of s.940 of the *Local Government Act*.

**Bylaw 1211 Attachment C - Table 1 to Bylaw No. 500, 2009
Applications and Fees**

Section Number	Application Type	Admin Fee	Unit Fee
5.3.1	Application for the Approving Officers Statement of Conditions (Residential Lots)	\$0	Plus, per new lot created: <ul style="list-style-type: none"> ➤ <u>\$0</u> for <550m² lots in an RS1 zone ➤ <u>\$0</u> for >550m² and <835m² lots in an R2 zone ➤ <u>\$0</u> all other residential
5.3.1.1	Application for the Approving Officers Statement of Conditions (all others)	\$250	Plus, per new lot created: <ul style="list-style-type: none"> ➤ <u>\$375</u> for Commercial or Industrial
5.3.2 & 5.3.3	Revised application for a Statement of conditions (when applied for <i>within one year</i> of original application)	\$750	
5.3.4	Extension of a Statement of Conditions (<i>valid for 6 months</i>)	\$750	
5.3.7	Approval of a phased strata plan (due upon form P submission)		\$500 per phase
5.5	Application for Pre-Design Meeting	\$500	Plus, per new lot created: <ul style="list-style-type: none"> ➤ <u>\$200</u> for <550m² lots in an RS1 zone ➤ <u>\$300</u> for >550m² and <835m² lots in an R2 zone ➤ <u>\$500</u> all other residential ➤ <u>\$750</u> Commercial or Industrial
5.6.1	Application to Construct – On Site (Construction Administration Fee)	\$700	Plus 2.5% of engineers estimate of cost of works and services up to \$200 000 and 1% of the remainder
5.5.2	Application to Construct – Off Site (in exist road ROW) (Construction Administration Fee)		In accordance with Bylaw No. 33 <ul style="list-style-type: none"> ➤ <i>To include all utilities except Hydro</i>
5.7.1 & 5.7.7	Application for Final Approval of a Subdivision	\$0	
5.7.2	Signature Expiration	\$100	
5.7.3	Boundary Adjustment	\$750	Plus \$250 per each additional lot line to be adjusted.
5.8.1	Strata Title Conversion Residential Compliant	\$750	
5.8.2	Strata Title Conversion Residential Non-Compliant	\$2000	
5.8.1	Strata Title Conversion Commercial/ Multi Family/ Industrial Compliant	\$1500	
5.8.2	Strata Title Conversion Commercial/ Multi Family/ Industrial Non-Compliant	\$3000	