CITY OF LANGFORD

BYLAW NO. 2023

A BYLAW TO IMPOSE STORM DRAINAGE DEVELOPMENT COST CHARGES.

WHEREAS:

(a) Council may impose development cost charges under Section 559 of the *Local Government Act*;

(b) Development cost charges 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; and

(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, namely the Spencer Pond overflow drain;

(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 The following terms have the definitions ascribed to them in *the Zoning Bylaw*, 300, as may be amended or replaced from time to time:

"Apartment";

"Building";

"Dwelling unit";

"Gross floor area";

"One-family dwelling";

"Residential";

"Structure";

"Townhouse"; and

"Two-family dwelling".

2. In this bylaw, the following terms are defined as:

"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*, 300.

"Industrial" means a use permitted in an industrial zone under the City's *Zoning Bylaw*, 300.

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

"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.

"Site area" in relation to storm drainage charges means that portion of a lot from which storm water drains directly or indirectly to drainage works of the City following the completion of industrial or institutional development of the lot.

Charges:

3. a) 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 purposes of One-family or Two-family dwellings shall pay to the City the development cost charges set out in Schedule "A" 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.

   b) Every person who obtains a building permit for a building or structure for a Townhouse, Apartment, Commercial, Institutional, Industrial, or Public Utility development, shall pay to the City the development cost charges set out in Schedule "A" and the building inspector shall not issue such a building permit until such development cost charges have been paid.

   c) Development cost charges for storm drainage are imposed only on DCC Contributing Lands indicated by shading on Schedule "B".

4. a) The charges imposed under Section 3(a) 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 on the basis of two Dwelling units for each additional lot on which the zoning bylaw permits the construction of Two-family dwellings.

   b) The charges imposed under Section 3(b) shall be paid 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 actually constructed, and any additional amount shall be paid prior to the issuance of an occupancy permit.

5. A development cost charge is payable in respect of every event under Tables 1 of Schedule "A", 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 the amount of development cost charges previously paid to the City for the same development on the same parcel under this bylaw.

6. 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 Table 1.

Exemptions:

7. 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;*

   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:

8. 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:

9. This bylaw may be cited for all purposes as the "City of Langford Storm Drainage Development Cost Charge Bylaw No. 2023, 2023."

READ a first time this 6th day of March, 2023.

READ a second time this 6th day of March, 2023.

READ a third time this 6th day of March, 2023.

APPROVED BY The Inspector of Municipalities, pursuant to s. 560 of the *Local Government Act* on this 15th day of August, 2023.

ADOPTED this 5th day of September, 2023.

PRESIDING COUNCIL MEMBER

SCOTT GOODMANSON
MAYOR

(Certified Correct)
CORPORATE OFFICER

Marie Watmough
Corporate Officer

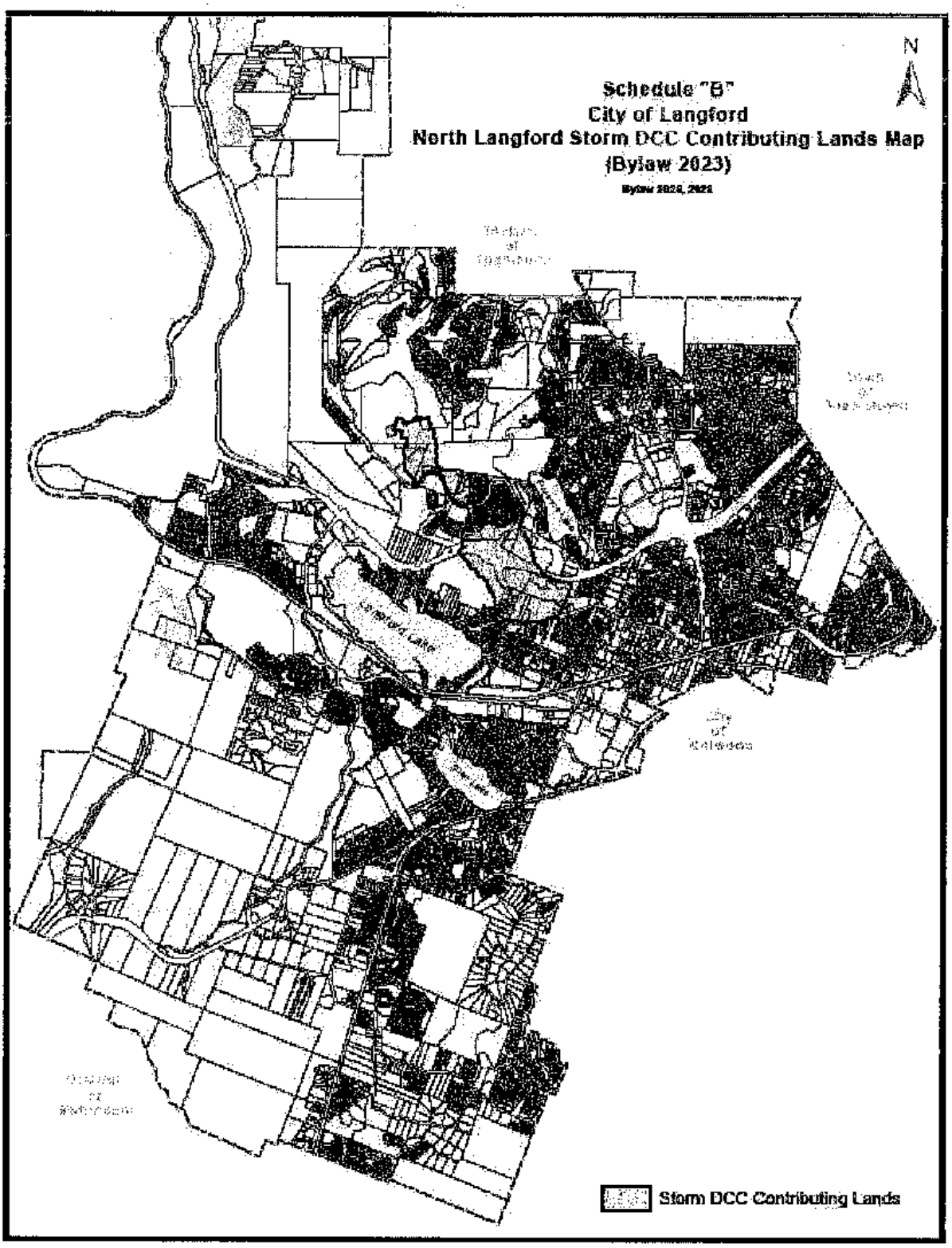
SCHEDULE "A" DEVELOPMENT COST CHARGES

1. 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".

Table 1 – Storm Drainage		
Column "A" Class of Development	**Column "B" Subdivision**	**Column "C" Building Permit**
One-family dwelling (>300 sq m lot)	$1593	
Small (≤300sq m lot) lot or Two-family dwelling per Dwelling unit	$919	
Townhouse per Dwelling unit		$919
Apartment per Dwelling unit		$211
Commercial or Institutional per sq m gfa*		$6.62
Industrial or Public Utility per Hectare of site area		n/a**
Public Utility with less than 5% impervious surface per sq m gfa*		$6.62

***gfa = gross floor area**

**** = there is no Industrially zoned land inside this catchment area**


N
Schedule "B"
City of Langford
North Langford Storm DCC Contributing Lands Map
(Bylaw 2023)
Storm DCC Contributing Lands