DISTRICT OF LANGFORD
BYLAW NO. 497
A BYLAW TO DELEGATE THE COUNCIL'S POWERS IN RESPECT OF FRONTAGE IMPROVEMENTS

Short Title

1. This Bylaw may be cited as “District of Langford Frontage Improvement Delegation Bylaw, 2000”.

Definitions

2. In this Bylaw:
   a) “Act” means the Municipal Act;
   b) “District” means the District of Langford;
   c) “Council” means the elected council of the District.
   d) “Frontage Improvements” means works or services within the means of s.938(6) of the Act.

Frontage Improvements Delegation

3. Council hereby delegates to the District's Municipal Engineer the authority to exercise all of the powers, duties and functions of the Council in respect of frontage improvements under s.938 (6) of the Act.

4. In exercising the power and discretion delegated by s.3 of this Bylaw, the district’s Municipal Engineer must consider:
   a) That Council require under section 938 of the Municipal Act that, as a condition of the approval of any subdivision which creates one or more new lots, full frontage improvements be constructed in accordance with Subdivision and Development Servicing Bylaw No. 500, 2000.
   b) That Council require under section 938 of the Municipal Act that, as a condition of the approval of any residential building permit which creates one or more new dwelling units, including a building permit which creates a duplex from a single family dwelling with or without an existing secondary suite, full frontage improvements be constructed in accordance with Subdivision and Development Servicing Bylaw No. 500, 2000 except that the required frontage improvements be reduced to cost no more than 15% of the value of the building permit work.
   c) That Council require under section 938 of the Municipal Act that, as a condition of the approval of any commercial, industrial or institutional building permit which creates one or more new buildings or creates alterations to an existing building, which are valued at more than 20% of the assessed value of the building and more than $20,000, full frontage improvements be constructed in accordance with Subdivision and Development Servicing Bylaw No. 500, 2000 except that the required frontage improvements be reduced to cost no more than 20% of the value of the building permit work.
d) The extent that frontage improvements already exist and need not be replaced.
ed) Circumstances in which due to topography and it may be physically impossible or excessively expensive to provide any or all frontage improvements.
f) Must not in respect of previously dedicated highways abutting parcels proposed to be created by subdivision impose a condition for aggregate frontage improvements greater than 50 linear metres multiplied by the number of new parcels to be created.
g) Cash to satisfy the frontage improvement conditions imposed where the frontage improvements can be more efficiently or economically provided as part of other works and services that are planned for the future.

Appeals

5. An applicant for a building permit or subdivision may appeal a decision of the District’s Municipal Engineer made pursuant to the Bylaw to the Transportation and Public Works Committee by submitting in writing the appeal as to frontage improvements to the Clerk Administrator no more than 30 days after the decision by the Municipal Engineer is communicated in writing to the owner.

a) The request must be accompanied by an engineers estimate for the cost of the works and a site plan showing the extent of the required and proposed frontage improvements, and;
b) The request must be accompanied by the grounds of appeal and any supporting evidence in support of the appeal, and;
c) The request must be accompanied by an appeal fee of $200.00.
d) The committee recommendation will be forwarded to Council for approval.

Scope of Bylaw

6. For clarity, subject to the Act, unless a power, duty or function of Council has been expressly delegated by this Bylaw, all of the powers, duties and functions of Council remain with Council.

Delegation To Persons Holding Position

7. Where this Bylaw delegates a power, duty or function to a named position, the delegation of the power, duty or function is to the person who from time to time holds the position and to any person who from time to time is appointed by Council as the deputy of that person.

No Delegation By A Delegate

8. For clarity, a person to whom a power, duty or function has been delegated under this Bylaw has no authority to further delegate to another person any power, duty or function that has been delegated by this Bylaw.
READ A FIRST TIME this 17th day of July, 2000.
READ A SECOND TIME this 17th day of July, 2000.
READ A THIRD TIME this 17th day of July, 2000.

ADOPTED by an affirmative vote of at least 2/3 of the Council members present and voting this 21st day of August, 2000.

MAYOR

CLERK-ADMINISTRATOR