

CITY OF BURNABY

BYLAW NO. 14674

A BYLAW to amend Burnaby Development
Procedures Bylaw 2022

The Council of the City of Burnaby ENACTS as follows:

1. This Bylaw may be cited as **BURNABY DEVELOPMENT PROCEDURES BYLAW 2022, AMENDMENT BYLAW NO. 1, 2024.**

2. Burnaby Development Procedures Bylaw 2022, as amended, is further amended:

(a) at Section 2, Definitions, by adding the following definition in alphabetical order:

“**Sign Bylaw**” means the Burnaby Sign Bylaw 1972”

(b) by repealing Section 4A.1 in its entirety and replacing it as follows:

“4A.1 For the purpose of this bylaw, **minor variance** means a variance that meets each of the relevant criteria:

(a) in relation to the **Zoning Bylaw** (including a Comprehensive Development District), varies one or more requirements relating to:

(i) siting, size and dimensions of a building or structure, or a portion thereof;

(ii) siting, size and dimensions of uses that are permitted on the land, or portion thereof;

(iii) off-street parking space requirements; or

- (iv) screening and landscaping to mask or separate uses or to preserve, protect, restore and enhance the natural environment;
 - (b) in relation to the **Sign Bylaw**, varies a requirement under that bylaw;
 - (c) varies the requirement by no greater than 50 percent, except:
 - (i) building or structure heights may be varied by no greater than 25 percent; and
 - (ii) in respect to a Comprehensive Development District, the requirement may be varied by no greater than 50 percent of the corresponding requirement (or 25 percent in the case of building or structure heights) set out in the current **Zoning Bylaw** without reference to any variations under the Comprehensive Development District; and
 - (d) in relation to the **Zoning Bylaw** (including a Comprehensive Development District) does not result in a change to the use, density, residential rental tenure, or flood plain requirements.”
- (c) at Section 4A.2, by repealing subsection (b) and replacing it with the following:
- “(b) amend a **development variance permit** issued in respect to **minor variances**, provided that the combined variances do not exceed the criteria set out in section 4A.1 (c) of this **bylaw**; and”
- (d) at Section 4A.3, by repealing subsections (c) to (f) and replacing them with the following:

- “(c) the proposed development will not have significant impacts on the adjacent neighbourhood, uses, streetscapes, or the natural environment; and
 - (d) the proposed development and the requested variance are generally in compliance with other **City** policies and regulations.”
- (e) by repealing Section 4A.6 in its entirety and replacing it with the following:
 - “4A.6 The public notification requirements in Part 5 of this **bylaw** shall apply to reconsideration by **Council** upon a request by an **owner** of a **site** under section 4A.5 of this **bylaw**. For certainty, the requirements shall not apply to an application to the **General Manager Planning and Development** under this Part 4A.”
- (f) by repealing Section 5.1 in its entirety and replacing it with the following:
 - “5.1 Where notice is required to be provided in the *Local Government Act* or under this **bylaw** for an application for a **permit**, the distance for the mailing or delivery of notices is 30 m (98.4 ft.) from that part of the site that is subject to the **permit**.”
- (g) at Section 5.2 by repealing subsection (c) in its entirety and marking it repealed.
- (h) at Section 5.3 by repealing subsection (a) and replacing it with the following:
 - “(a) for a **permit** to be considered by **Council**, at least ten (10) days prior to the date of the **Council** meeting at which the application will be considered; and”

(i) at Section 5.3 by repealing subsection (b) in its entirety and marking it repealed.

(j) by repealing Section 5.5 in its entirety and replacing it with the following:

“5.5 The sign(s) required to be posted in accordance with section 5.3 of this **bylaw** shall be removed from the **site** within ten (10) days after the decision of **Council** in respect to the application or reconsideration. If the **owner** fails to do so, the **City**, by its employees or contractors, may enter the site and remove the sign(s) and the **owner** shall pay the sign removal fee set out in the Burnaby Consolidated Fees and Charges Bylaw, and if such fee is unpaid by the 31st day of December of the year in which the expenses were incurred, shall be added to and form part of the property taxes payable in respect of the **site** as taxes in arrears.”

Read a first time this day of , 2024
Read a second time this day of , 2024
Read a third time this day of , 2024
Reconsidered and adopted this day of , 2024

MAYOR

COPRORATE OFFICER