

CITY OF BURNABY

BYLAW NO. 14667

A BYLAW to amend Burnaby
Subdivision Control Bylaw 1971

The Council of the City of Burnaby ENACTS as follows:

1. This Bylaw may be cited as **BURNABY SUBDIVISION CONTROL BYLAW 1971, AMENDMENT BYLAW NO. 1, 2024.**

2. Burnaby Subdivision Control Bylaw 1971, as amended, is further amended by:

(a) repealing the name of the bylaw, “**Burnaby Subdivision Control Bylaw 1971**”, and replacing it with “**Burnaby Subdivision Control and Development Servicing Bylaw**”;

(b) repealing Section 4 in its entirety and replacing it as follows:

“4A. The area, shape and dimensions of parcels of land created by subdivision plan shall conform to the requirements set out in the Burnaby Zoning Bylaw for the particular zone in which such parcels are situated.

4B. (a) An applicant for approval of a subdivision shall submit with the application fees as specified in the Consolidated Fees and Charges Bylaw.

(b) Where the purpose of the subdivision application is to create a parcel or parcels of land for non-market housing for families or persons of low income, persons suffering from a disability or with special needs or seniors, operated on a not-for-profit basis, the fees payable under this section

may be deferred until the earlier of:

- (i) the date which is 24 months after the date upon which the subdivision is approved by the Approving Officer; and
- (ii) the date upon which the occupation of any part of the non-market housing commences, and on such terms and conditions as the City's General Manager Planning and Development may require."

(c) repealing Section 5 in its entirety and replacing it as follows:

"5A. As authorized by section 506 of the *Local Government Act*, works and services required by this bylaw shall include:

- (a) highways and lanes, boulevards including street trees and other landscaping, boulevard crossings, culverts, transit facilities, sidewalks, walkways, highway and walkway bridges, curbs and gutters, traffic signs and signals, and street lighting;
- (b) water distribution systems connected to the City's water distribution system, including without limitation, pipelines, fire hydrant systems, valves and valve chambers, meters and meter chambers;
- (c) sewage collection systems connected to the City's sewage collection system, including without limitation, gravity mains, forcemains, lift stations, manholes and sewage holding facilities;
- (d) drainage collection systems connected to the City's drainage collection system, including without limitation, enclosed storm sewers, catch basins, manholes, ditches, gates, stormwater retention and detention facilities, and environmental control

facilities; and

- (e) underground wiring and third party utilities,

and be provided in accordance with and to the standards set out in the City of Burnaby Engineering Design Criteria Manual (DCM) and City of Burnaby Engineering Supplemental Specifications and Detail Drawings, as prescribed, replaced or amended from time to time by the City's General Manager Engineering.

- 5B. If works or services of the type described in section 5A of this bylaw are already in existence on or adjacent to the parcel being subdivided or on which a building permit is proposed, and the works or services do not comply with the standards required by section 5A, the works or services shall be altered or replaced so that they comply with such standards.”

- (d) repealing Section 6 in its entirety and replacing it as follows:

“6A. Subject to sections 6B and 7B of this bylaw, the owner of the land that is the subject of a subdivision or building permit application shall provide, alter or replace works and services in accordance with this bylaw as a condition of the approval of the subdivision or issuance of the building permit.

- 6B. The provisions of this bylaw do not apply:

- (a) to the issuance of a building permit for a residential building, where the construction does not result in:
 - (i) a new or additional dwelling unit, other than solely a secondary suite; or
 - (ii) an expanded floor area with a building permit construction value, as determined pursuant to the

Burnaby Building Bylaw, of more than
\$400,000;

- (b) to the issuance of a building permit for a non-residential building, where the construction does not result in:
 - (i) a new building; or
 - (ii) an increase in a building's floor area with building permit construction value, as determined pursuant to the Burnaby Building Bylaw, of more than \$1,000,000;
- (c) in respect to any underground electrical wiring requirement, where the issuance of a building permit is for less than an additional 50% in floor area as an addition to an existing building with overhead electrical wiring on the property, and there is no demolition of an existing building or portion of a building;
- (d) in respect to one or more works or services, where the City's General Manager Engineering determines that the need for the works or services is not directly attributable to the subdivision, to the buildings likely to be constructed in the subdivision, or to the building for which a building permit application has been made.”
- (e) adding the following as Sections 7A and 7B:
 - “7A. Subject to section 7B, the responsibility for and cost of providing, altering or replacing works and services as required by this bylaw shall be borne by the owner of the land in respect of which the subdivision or building permit application has been made.

7B. The City's General Manager Engineering may require an owner of land, in lieu of providing, altering or replacing works and services as required by this bylaw, to pay to the City cash in the amount determined by the General Manager Engineering to be the cost of designing and providing, altering or replacing the works and services as of approval of the subdivision or issuance of the building permit, including any land acquisition costs, if the General Manager Engineering determines on the basis of sound civil engineering practices or cost considerations that the works and services should be provided, altered or replaced at a later time or concurrently with the provision, alteration or replacement of works and services serving adjacent or nearby parcels of land."

(f) repealing Sections 8, 9, 10 and 11 in their entirety.

3. Where a subdivision or building permit application in complete form was made on or before September 29, 2024, the subdivision may be approved or the building permit issued in accordance with this bylaw as it read on such date, provided the subdivision is approved or the building permit is issued no later September 29, 2025.

4. This Bylaw comes into force and effect on September 30, 2024.

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

CORPORATE OFFICER