

CITY OF BURNABY

BYLAW NO. 14824

A bylaw to implement procedures for review
and approval of development applications

The Council of the City of Burnaby ENACTS as follows:

PART 1: CITATION

- 1.1 This **bylaw** may be cited as **BURNABY DEVELOPMENT PROCEDURES BYLAW 2026**.

PART 2: INTERPRETATION

- 2.1 In this **bylaw**:

“ advisory body ”	has the meaning set out in the Burnaby Procedure Bylaw
“ agent ”	means the person, firm or corporation representing the owner of a site , as designated by an owner’s authorization form
“ applicant ”	means an owner , or agent , of a site that is the subject of an application
“ application ”	means an application under this bylaw , and includes an initial application where required for that type of application under this bylaw
“ application, ALC ”	means an application in respect to land in the Agricultural Land Reserve which requires review by the City under the <i>Agricultural Land Commission Act</i> , including in respect to: (a) non-adhering residential use; (b) non-farm use; (c) subdivision; (d) soil use for placement of fill or removal of soil; (e) inclusion of land in Agricultural Land Reserve
“ application, cannabis store ”	means an application for a recommendation from the City under section 33 of the <i>Cannabis Control and Licensing Act</i> in respect to a cannabis store licence or amendment to a cannabis store licence

“ application, development permit ”	means an application for a development permit
“ application, DVP ”	means an application for a development variance permit
“ application, initial ”	means an application containing the information set out in sections 3.1.1 and 4.1.1, 4.2.1 or 5.1.1 of this bylaw , as applicable
“ application, liquor licence ”	means an application for a recommendation from the City under section 38(3) of the <i>Liquor Control and Licensing Act</i> in respect to a liquor licence or an amendment to a liquor licence
“ application, OCP amendment ”	means an application to amend the land use designations or the policy framework of the Official Community Plan to accommodate development, excluding any amendments initiated by the City
“ application, rezoning ”	means an application to amend the Zoning Bylaw
“ application, sign permit ”	means an application for a sign permit
“ application, subdivision ”	means an application to divide, reconfigure, or create parcels of land that requires approval by an Approving Officer or Approving Authority under the <i>Land Title Act</i> or the <i>Strata Property Act</i> , including: <ul style="list-style-type: none">(a) by deposit of a subdivision plan under section 92 of the <i>Land Title Act</i>;(b) air space subdivision;(c) phased strata subdivision;(d) bare land strata subdivision;(e) subdivision of strata common property;(e) strata conversion of previously occupied building;(f) any reference plan, explanatory plan, or other plan or instrument, or description that cannot be registered in the Land Title Office without the approval of the Approving Officer or Approving Authority, as applicable
“ application, TUP ”	means an application for a temporary use permit
“ bylaw ”	means this bylaw, including all schedules attached to this bylaw
“ City ”	means the City of Burnaby

“Council”	means the council of the City
“development approval information”	has the meaning set out in section 484 of the <i>Local Government Act</i>
“development permit”	means a permit under section 490 of the <i>Local Government Act</i>
“development plans”	means drawings, reports, studies, survey plans, agreements and other materials, in form and content satisfactory to the General Manager , required to determine if a development proposal complies with City policies and bylaws as well as Provincial or Federal statutes, regulations, policies and procedures
“development variance permit”	means a permit under section 498 of the <i>Local Government Act</i>
“General Manager”	means the head of the City’s Planning and Development Department, or designate
“heritage alteration permit”	means a permit under section 617 of the <i>Local Government Act</i>
“heritage revitalization agreement”	means an agreement under section 610 of the <i>Local Government Act</i>
“heritage value”	means the aesthetic, historic, scientific, cultural, social or spiritual significance of a building, structure, or site for past, present or future generations, determined with reference to the character-defining elements of that building, structure, or site
“lot”	means an area of land designated as a separate and distinct parcel on a legally recorded subdivision plan or description filed in the Land Title Office
“minor variance”	has the meaning set out in section 5.2 of this bylaw
“Official Community Plan”	means the Burnaby 2050 Official Community Plan
“owner”	means the registered owner(s) of an estate in fee simple of land, and also where the context or circumstances so require: (a) a tenant for life under a registered life estate; (b) a registered holder of an agreement for sale; (c) a holder or occupier of land held in the manner referred to in section 228 or 229 of the <i>Community Charter</i> ; (d) a lessee with the permission of the registered owner(s); (e) an occupier, tenant or holder of an interest in respect of the surface of water;

	(f) the strata corporation in respect to common property in a strata plan
“owner’s authorization form”	means a form, in form and content established by the General Manager , by which an owner designates an agent as the representative of the owner in respect to an application
“prior site”	has the meaning set out in the Burnaby Tenant Protection Bylaw
“protected heritage property”	means property that is: (a) designated as protected under bylaws made under section 611 [<i>heritage designation protection</i>] of the <i>Local Government Act</i> ; or (b) included under section 614(3)(b) [<i>designation of heritage conservation areas</i>] of the <i>Local Government Act</i> in a schedule to an official community plan
“qualified heritage professional”	means a person who is experienced in the preparation of heritage assessments and is a member of the Canadian Association of Heritage Professionals or with an equivalent designation that is acceptable to the General Manager
“security”	means cash, a certified cheque, bank draft or a clean, unconditional, irrevocable letter of credit, or other form of security satisfactory to the City
“sign permit”	means a permit required under the Burnaby Sign Bylaw
“site”	means the land or lands that is the subject of an application
“statement of significance”	means a statement prepared by a qualified heritage professional that describes and identifies the heritage value and character-defining elements of a building, structure or site
“temporary use permit”	means a permit a under section 493 of the <i>Local Government Act</i>
“title summary”	means a summary of all non-financial charges registered on title to a lot that is the subject of an application , which summary shall include: (a) an assessment of each registered charge’s relevance to the application ; (b) a description of any legal steps required to amend, postpone or discharge the charge to enable the application to proceed; and (c) such other information or analysis required by the General Manager in relation to the registered charges

“Zoning Bylaw” means the Burnaby Zoning Bylaw

- 2.2 A reference to an Act refers to a statute of British Columbia unless otherwise indicated, and a reference to any statute, regulation, code, bylaw or other enactment refers to that enactment as it may be amended or replaced from time to time.
- 2.3 Any reference to the words “include”, “includes” or “including” in this **bylaw** shall be deemed to be followed by the words “without limitation”, whether or not they are in fact followed by those words or similar words.

PART 3: GENERAL PROVISIONS

3.1 GENERAL APPLICATION REQUIREMENTS

- 3.1.1 In addition to other requirements under this **bylaw**, each **application** shall be:
- (a) made on a form for the **application** established by the **General Manager**;
 - (b) signed by all **owner(s)**, or by an **agent** on behalf of all **owner(s)** and accompanied by an **owner’s authorization form** signed by all **owner(s)**;
 - (c) accompanied by a title search for each **lot** comprising the **site**, that is obtained not more than fourteen (14) business days prior to the date of the **application**;
 - (d) include such information, documents and materials as may be required under Parts 4, 5, 6 or 7 in respect to such **application**; and
 - (e) be accompanied by other information, documents and materials as may be required by the **General Manager** which, in the opinion of the **General Manager**, are required to process the **application**, at the sole cost of the **applicant**.
- 3.1.2 If there is a change in ownership of a **lot** that is the subject of an **application**, the **applicant** shall provide the **City** an updated title search and new **owner’s authorization form** signed by all **owner(s)** prior to proceeding with the **application**.

3.2 ABANDONMENT, WITHDRAWAL AND RE-APPLICATION

- 3.2.1 If an **applicant** does not provide, or show any action to provide, information, documents or materials requested by the **City** in respect to an **application** within six (6) months of the request, the **application** may be considered abandoned by the **applicant** and be cancelled by the **General Manager** and the **applicant** will be required to submit a new **application** in accordance with this **bylaw**.
- 3.2.2 An **applicant** may withdraw an **application** by providing written notice of withdrawal to the **City** department to which the **application** was submitted.

- 3.2.3 If an **applicant** withdraws an **application**, this **bylaw** applies to any re-application for the same **application** as if it were a new **application**.
- 3.2.4 If an **application** is refused or not approved, the **applicant** shall not submit the same **application** for one (1) year after the **application** is refused or not approved, after which this **bylaw** applies to any re-application as if it were a new **application**.

3.3 APPLICATION FEES AND REFUNDS

- 3.3.1 An **applicant** shall pay fees in respect to each **application**, as set out in the Burnaby Consolidated Fees and Charges Bylaw.
- 3.3.2 For an **application** made after the effective date of this **bylaw**, subject to sections 3.3.3 and 3.3.4, the **City** will refund fees paid, less any non-refundable amount set out in the Burnaby Consolidated Fees and Charges Bylaw, in respect to an **application** as follows:
- (a) 100% of fees paid if the **City** receives the written notice of withdrawal by the end of Burnaby City Hall hours on the next business day after the **application** is submitted to the **City**;
 - (b) 100% of fees paid where the **General Manager** determines that the **application** was not required after the **application** was submitted;
 - (c) 75% of fees paid if the **application** is withdrawn before the first referral of the **application** to any **City** department or external agency or organization;
 - (d) 50% of fees paid if the **application** is withdrawn after referral to any **City** department or external agency or organization and before any comments have been provided by the **City** department or external agency or organization receiving the referral.
- 3.3.3 Fees paid in respect to the following are non-refundable:
- (a) a **sign permit application**;
 - (b) an **ALC application**;
 - (c) an **application** cancelled in accordance with section 3.2.1; and
 - (d) an **application** that has been refused or not approved by **Council** or the **General Manager**, as applicable.
- 3.3.4 Any non-refundable disbursements or fees incurred by the **City** or payable in respect to an **application** under this **bylaw** or other **City** bylaws, including advertising and

3.3.5 mailout/courier costs, third-party technical reviews and legal fees, may be deducted from any refund to be issued to an **applicant** under section 3.3.2 of this **bylaw**.

3.4 PROCESS WHERE COUNCIL APPROVAL REQUIRED

3.4.1 In respect to an **application** requiring **Council** approval, the **General Manager** shall prepare a report that includes the following:

- (a) a review and analysis of the **application**;
- (b) comments from any referrals to **City** departments and/or external agencies or organizations;
- (c) if approval from a Provincial Ministry or external agency or organization is required, confirmation that such approval has been obtained;
- (d) if applicable, summary of any consultation undertaken and feedback received;
- (e) if applicable, a copy of undertakings signed by the **applicant**;
- (f) if applicable, any **security** required and terms and conditions relating to the **security**, including the amount and form of the **security**;
- (g) a recommendation as to whether to approve the **application** or approve proceeding with the required procedural requirements in respect to the **application**, with or without conditions, or refuse the **application**.

3.4.2 If applicable, an **application** requiring **Council** approval will be submitted to an **advisory body** for consideration of a recommendation to **Council** prior to being submitted to **Council** for a decision.

3.4.3 At the **Council** meeting at which the **application** requiring **Council** approval is considered, **Council** may:

- (a) approve the **application** or approve proceeding with the required procedural requirements in respect to the **application**, as proposed or with additional terms, conditions or directions;
- (b) refer the **application** with directions or for further review to the **advisory body** or **General Manager**; or
- (c) refuse the **application**.

3.5 CONSULTATION AND NOTIFICATION

3.5.1 **Applications** are subject to consultation and notification requirements as set out in Schedule "A" of this **bylaw**, in accordance with the procedures set out in the applicable legislation and/or this **bylaw**.

3.5.2 Where public notice is required to be provided for an **application** under the applicable legislation and/or this **bylaw**:

- (a) the distance for the mailing or delivery of notices is 30 metres from that part of the **site** that is subject to the **application**; and
- (b) public notice shall be provided in accordance with the applicable legislative requirements and the Burnaby Public Notice Bylaw.

3.5.3 Where a development sign is required for an **application**, as set out in Schedule "A" of this **bylaw**:

- (a) if the **application** requires **Council** approval, the **applicant** shall prepare and post a sign on the **site** at least ten (10) business days prior to the **Council** meeting at which the **application** or first reading of the **bylaw** for the **application** will be considered, whichever is later;
- (b) if the **application** does not require approval by **Council**, the **applicant** shall prepare and post a sign on the **site** within ten (10) business days after being notified by the **City** that a sign is required to be posted;
- (c) where a decision of the **General Manager** is being reconsidered by **Council** in accordance with Section 3.8 of this **bylaw**, the **applicant** shall prepare and post a sign on the **site** at least ten (10) business days prior to the **Council** meeting at which the decision will be reconsidered;
- (d) the **General Manager** shall establish requirements, including with respect to the number, size, form, location and content, for a development sign for an **application**, which may vary based on the type of **application** or other factors relevant to an **application**;
- (e) if an **applicant** fails to post a development sign for an **application** in accordance with this **bylaw**, consideration of the **application** may be postponed; and
- (f) development sign(s) required to be posted in accordance with this **bylaw** must be removed by the **applicant** within ten (10) business days after the decision of **Council** or the **General Manager** has been made, failing which 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 all such fees that remain 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.

3.5.4 Where public notice is required and there is a disruption in postal service affecting the mailing of public notices in respect to an **application** required under the applicable legislation and/or this **bylaw**, the **applicant** must elect whether to:

- (a) postpone consideration of the **application** until the public notice can be mailed within the required timeframes; or
- (b) agree to pay the cost of commercial courier delivery of the public notices within the required timeframes, in which case the **applicant** shall provide to the **City** a cash deposit for the full cost of such delivery to all recipients required under the applicable legislation and/or this **bylaw**.

3.6 DELEGATION

3.6.1 The **General Manager** is hereby delegated the authority to issue, refuse, amend and revoke:

- (a) **development permits**;
- (b) **development variance permits** for **minor variances** in accordance with section 5.2 of this **bylaw**; and
- (c) **sign permits**,

and, at the **General Manager's** discretion, impose terms and conditions and require **applicants** to provide undertakings and **security** in respect to the above permits, in accordance with the *Local Government Act, Community Charter* and this **bylaw**.

3.7 SECURITY

3.7.1 Guidelines for **security**, if required in respect to an **application** or a requirement in an approval or permit under this **bylaw**, are as set out in Schedule "C" of this **bylaw** and such **security** shall be provided to the **City** prior to approval of the **application** or issuance of the applicable permit under this **bylaw** or in accordance with the approval or permit, as applicable.

3.7.2 Terms and conditions for the use and release of **security** provided under this **bylaw** shall be as set out in the permit or approval for the **application**.

3.8 RECONSIDERATION BY COUNCIL

3.8.1 Where a decision has been delegated to the **General Manager** under this **bylaw**, an **applicant** may request **Council** to reconsider the **General Manager's** decision by

submitting a request in writing to the Corporate Officer within ten (10) business days of being notified of the **General Manager's** decision and paying the applicable fee set out in the Burnaby Consolidated Fees and Charges Bylaw. The written request shall include the reasons for seeking reconsideration, including grounds on which the **applicant** considers the **General Manager's** decision should be overturned or varied and if applicable, what terms and conditions should be overturned or varied.

3.8.2 The Corporate Officer will notify the **General Manager** of each request for reconsideration and the **General Manager** will, prior to the date of the **Council** meeting at which the reconsideration will occur, provide a written report to **Council** setting out the **General Manager's** reasons for their decision.

3.8.3 At the **Council** meeting at which the reconsideration occurs, **Council** may:

- (a) confirm the **General Manager's** decision;
- (b) overturn or amend the **General Manager's** decision, with or without terms, conditions or directions; or
- (c) refer the decision with direction for further review to the **General Manager**.

3.9 APPLICATION DOCUMENTS AND FOIPPA

3.9.1 All documents accompanying an **application** submitted to the **City** become the property of the **City** and are subject to the *Freedom of Information and Protection of Privacy Act*.

PART 4: LAND USE APPLICATIONS

4.1 APPLICATIONS TO AMEND OFFICIAL COMMUNITY PLAN

4.1.1 An **initial application** shall be submitted prior to an **OCP amendment application** and shall include:

- (a) a description of the present and proposed development or change in land use;
- (b) the applicable goals, objectives, policies and regulations of the Regional Growth Strategy, **Official Community Plan**, **Zoning Bylaw**, and, if applicable, Development Permit Areas, and any proposed changes to these policies, regulations, or areas;
- (c) a statement indicating why the **application** is in the public interest including an assessment of potential social, environmental, and economic impacts; and
- (d) such **development plans** as may be required by the **General Manager** if the **application** includes an associated development proposal.

4.1.2 Following review and completion of an **initial application**, the **applicant** shall submit an **OCP amendment application** and include the information outlined in section 4.1.1, incorporating any comments received through the review of the **initial application**.

4.2 REZONING APPLICATIONS

4.2.1 An **initial application** shall be submitted prior to a **rezoning application** and shall include:

- (a) such **development approval information** as may be required by the **General Manager**, in form and content as set out in Schedule “B” of this **bylaw**;
- (b) such **development plans** as may be required by the **General Manager**; and
- (c) a **title summary**, together with copies of all non-financial charges, including covenants, statutory rights of way and easements.

4.2.2 Following review and completion of an **initial application**, the **applicant** shall submit a **rezoning application** and include the information outlined in section 4.2.1, incorporating any comments received through the review of the **initial application**.

4.3 SUBDIVISION APPLICATIONS

4.3.1 A **subdivision application** shall include:

- (a) such **development plans** as may be required by the **General Manager**;
- (b) a **title summary**, together with copies of all non-financial charges, including covenants, statutory rights of way and easements;
- (c) a draft subdivision plan prepared, signed, and dated within six (6) months of the application by a British Columbia land surveyor, showing the proposed configuration of parcels and any road or lane dedication, if applicable;
- (d) a written description of the proposed subdivision, including the nature of the subdivision, the number and type of parcels or interests in land to be created, amended, cancelled, or reconfigured, and any easements, statutory rights of way, covenants, or agreements proposed in support of the subdivision; and
- (e) information sufficient to demonstrate that the proposed parcels or interests in the land can be appropriately accessed, serviced, and used for their intended purpose.

4.4 AGRICULTURAL LAND COMMISSION APPLICATIONS

4.4.1 An **ALC application** shall include:

- (a) an Agricultural Land Commission application ID;
- (b) a survey plan including the location and type of all buildings and utilities entering and adjacent to the **site**;
- (c) any materials submitted as part of the application to the Agricultural Land Commission, including any agrologist report prepared by a certified professional registered with the BC Institute of Agrologists or other reports submitted by a qualified professional; and
- (d) such **development plans** as may be required by the **General Manager**.

4.4.2 If an **ALC application** proposes soil placement or removal, the **applicant** shall submit proof that a Notice of Intent to the Agricultural Land Commission has been submitted in accordance with the *Agriculture Land Commission Act* regulations or proof that a Notice of Intent is not required.

4.4.3 The **applicant** shall ensure consistency among all applications and Notice of Intent submitted to the Agricultural Land Commission with an **ALC application**.

4.4.4 In respect to an **ALC application**, **Council** may:

- (a) forward the **ALC application** to the Agricultural Land Commission with comments and recommendations;
- (b) forward the **ALC application** to the Agricultural Land Commission with no comments or recommendation; or
- (c) refuse the **ALC application** and not forward it to the Agricultural Land Commission pursuant to Section 34.1 of the *Agriculture Land Commission Act*.

PART 5: LAND USE PERMIT APPLICATIONS

5.1 DEVELOPMENT PERMIT APPLICATIONS

5.1.1 An **initial application** shall be submitted prior to a **development permit application**, except for a **site** that is zoned R1 – Small-Scale Multi-Unit Housing District under the **Zoning Bylaw**, and shall include:

- (a) such **development approval information** as may be required by the **General Manager**, in form and content as set out in Schedule “B” of this **bylaw**;

- (b) such **development plans** as may be required by the **General Manager**; and
- (c) a **title summary**, together with copies of all non-financial charges, including covenants, statutory rights of way and easements.

5.1.2 Following review and completion of an **initial application**, the **applicant** shall submit a **development permit application** and include the information outlined in Section 5.1.1, incorporating any comments received through the review of the **initial application**.

5.2 DEVELOPMENT VARIANCE PERMIT APPLICATIONS

5.2.1 A **DVP application** shall include:

- (a) a description of the requested variances to one more provisions of bylaws under section 498(1) of the *Local Government Act* and how the variances differ from the provisions of the relevant **City** bylaw(s);
- (b) such **development plans** as may be required by the **General Manager**; and
- (c) a **title summary**, together with copies of all non-financial charges, including covenants, statutory rights of way and easements.

5.2.2 A **DVP application**, other than for a **minor variance**, shall follow the process set out in Section 3.4 of this **bylaw**.

5.2.3 For the purposes of this Section 5.2, a **minor variance** to the **Zoning Bylaw** (including a Comprehensive Development District under the **Zoning Bylaw**) means a variance that meets each of the following criteria:

- (a) varies one or more requirements relating to the following:
 - (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 **site** or portion thereof;
 - (iii) **lot** coverage;
 - (iv) off-street parking, loading, bicycle parking, and end of trip facility requirements;
or
 - (v) screening and landscaping requirements intended to mask or separate uses or to preserve, protect, restore, or enhance the natural environment;
- (b) varies the requirement by no greater than 50 percent, except:
 - (i) building 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 heights) set out in the **Zoning Bylaw** without reference to any variations under a Comprehensive Development District; and

(c) the variance does not result in a change to the use, density, residential rental tenure, or flood plain requirements.

5.2.4 For the purposes of this Section 5.2, a **minor variance** to the Burnaby Sign Bylaw means any variance to a requirement under that bylaw.

5.2.5 The **General Manager** may approve or refuse a **DVP application** for a **minor variance**, taking into consideration the following guidelines:

(a) the requested variance facilitates the efficient use and development of the **site**, taking into account the specific site conditions and/or special circumstances that have unreasonably compromised the potential development of the **site**;

(b) the **applicant** has made reasonable efforts to eliminate the need for, or reduce the extent of, the requested variance;

(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.

5.3 TEMPORARY USE PERMIT APPLICATIONS

5.3.1 A **TUP application** shall include:

(a) such **development approval information** as may be required by the **General Manager**, in form and content as set out in Schedule “B” of this **bylaw**;

(b) such **development plans** as may be required by the **General Manager**; and

(c) a **title summary**, together with copies of all non-financial charges, including covenants, statutory rights of way and easements.

5.3.2 As a condition of issuing a **temporary use permit**, **Council** may require the **owner** to give an undertaking to:

(a) demolish or remove a building or other structure; and

(b) restore the **site**, or a portion of the **site**, to a condition and by the date specified in the **temporary use permit**.

5.3.3 An undertaking required under Section 5.3.2 of this **bylaw** must be attached to and forms part of the **temporary use permit**, and if the owner fails to comply with all of the undertakings given, the **City** may enter onto the **site** and carry out the demolition, removal or restoration at the expense of the **owner** and apply any **security** provided

under Section 3.7 of this **bylaw** towards payment of the cost of the demolition, removal or restoration.

5.4 SIGN PERMIT

5.4.1 A **sign permit application** shall include:

- (a) identification and description of the **site** on which the sign is proposed to be located;
- (b) a description of the proposed sign or signs, including the number, type, size, and general location of each sign;
- (c) the proposed timing of installation of the sign or signs;
- (d) plans, drawings, photographs, specifications, calculations and other information that demonstrate compliance with the Burnaby Sign Bylaw and show the type, scale, location, illumination, and construction of the proposed sign;
- (e) if the **site** is subject to a comprehensive sign plan or master comprehensive sign plan approved prior to the effective date of the Burnaby Sign Bylaw, a description of how the proposed sign complies with the comprehensive sign plan or master comprehensive sign plan; and
- (f) if a comprehensive sign plan is required under the Burnaby Sign Bylaw and the **application** is for the first sign on the **site**, a comprehensive sign plan showing the dimensional size, location, orientation, type, illumination, and details of signage for the **site**.

PART 6: HERITAGE PROTECTION

6.1 HERITAGE REVITALIZATION AGREEMENT APPLICATION

6.1.1 An **application** for a **heritage revitalization agreement** shall include:

- (a) a **statement of significance** for the built heritage resource prepared by a **qualified heritage professional**;
- (b) a description of the proposed variances or supplementary provisions for bylaws and/or permits set out in section 610(2)(b) of the *Local Government Act*;
- (c) proposed actions, and phasing and timing of the commencement and completion of such actions, if applicable, to be included in the **heritage revitalization agreement**;
- (d) whether the **application** proposes any change to the use or density of use or residential rental tenure of the **site** under the **Zoning Bylaw**; and
- (e) such **development plans** as may be required by the **General Manager**.

6.2 HERITAGE ALTERATION PERMIT APPLICATION

6.2.1 An **application** for a **heritage alteration permit** shall include:

- (a) a **statement of significance** for the built heritage resource prepared by a **qualified heritage professional**;
- (b) a description of the proposed alterations or actions that require authorization by way of a **heritage alteration permit** under section 617 of the *Local Government Act*; and
- (c) such **development plans** as may be required by the **General Manager**.

6.3 WITHHOLDING OF PERMITS FOR HERITAGE PROTECTION

6.3.1 Subject to subsections 604(5) and (6) of the *Local Government Act*, the **General Manager** is hereby authorized to withhold the issuance of a **development permit**, **development variance permit** for a **minor variance**, or **sign permit** that, in the opinion of the **General Manager**, would alter or cause an alteration to any of the following:

- (a) **protected heritage property**;
- (b) property subject to temporary heritage protection under Part 15 of the *Local Government Act*; or
- (c) property identified as heritage property on the Burnaby Community Heritage Register.

6.3.2 If the **General Manager** withholds issuance of a permit under Section 6.3.1, the matter must be referred to **Council** at its next regular meeting.

PART 7: LIQUOR LICENCE AND CANNABIS APPLICATIONS

7.1 LIQUOR LICENCE APPLICATIONS

7.1.1 A **liquor licence application** shall include:

- (a) all materials submitted to the Liquor and Cannabis Regulation Branch applicable to the **application**; and
- (b) other information and materials as may be required by the **General Manager** to assess the **application's** compliance with the **City's** Liquor and Cannabis Licensing Policy.

7.1.2 The **General Manager** is hereby delegated the powers and duties under section 38(3) of the *Liquor Control and Licensing Act* to provide comments on and make a

recommendation to the Liquor and Cannabis Regulation Branch regarding a **liquor licence application**.

7.1.3 Despite Section 7.1.2, the **General Manager**:

- (a) may refer any **liquor licence application** to **Council** for comments and a recommendation to the Liquor and Cannabis Regulation Branch if the **General Manager** considers that the proposed **liquor licence application** is supportable under specific conditions or limitations that the **applicant** does not accept; and
- (b) shall refer a **liquor licence application** to **Council** if the **General Manager** intends to recommend to the Liquor and Cannabis Regulation Branch that a **liquor licence application** not be approved.

7.2 CANNABIS STORE APPLICATIONS

7.2.1 A **cannabis store application** shall include:

- (a) all materials submitted to the Liquor and Cannabis Regulation Branch applicable to the **application**; and
- (b) other information and materials as may be required by the **General Manager** to assess the **application's** compliance with the **City's** Liquor and Cannabis Licensing Policy.

7.2.2 **Council** shall provide comments on and make a recommendation to the Liquor and Cannabis Regulation Branch in respect to a **cannabis store application** in accordance with Section 33 of the *Cannabis Control and Licensing Act*.

PART 8: SEVERABILITY

8.1 If any definition, section, subsection, paragraph, subparagraph, clause or phrase in this **bylaw** is held invalid by a Court of competent jurisdiction, the invalid definition, section, subsection, paragraph, subparagraph, clause or phrase must be severed and the remainder of this **bylaw** is deemed to have been adopted without the severed definition, section, subsection, paragraph, subparagraph, clause or phrase.

PART 9: REPEAL AND EFFECTIVE DATE

9.1 Burnaby Development Procedures Bylaw 2022 (Bylaw No. 14427), and all amendments thereto, are hereby repealed.

9.2. This **bylaw** comes into force and effect on July 1, 2026.

Read a first time this 26th day of May, 2026

Read a second time this 26th day of May, 2026

Read a third time this 26th day of May, 2026

Reconsidered and adopted this 9th day of June, 2026

MAYOR

ACTING DEPUTY CORPORATE OFFICER

Original Signed Bylaw on file.

SCHEDULE “A”

REQUIREMENTS FOR CONSULTATION AND PUBLIC NOTIFICATION

Application Type		Referrals ¹	Public Notice	Development Sign ²	Council Meeting	Public Hearing
Initial Application		x				
Land Use Applications	Official Community Plan Amendment		x	x	x	See section 464 of LGA
	Rezoning	x	x	x	x	See section 464 of LGA
	Subdivision	x				
	Agricultural Land Commission	x			x	
Land Use Permit Applications	Form and Character Development Permit	x		x		
	Streamside Protection and Enhancement Development Permit	x		x ³		
	Tenant Protection Development Permit	x		x ³		
	Development Variance Permit (Minor Variance)	x				

¹ Referrals include internal referrals (e.g. Engineering, Burnaby Fire, Building, etc.), as well as referrals to applicable external agencies (e.g. private utilities, agencies, organizations, other orders of government), as deemed appropriate by the **General Manager**.

² Development signage is not required where the amendment of the **Zoning Bylaw** or **Official Community Plan** is initiated by the **City** and the **City** does not own the **site**; or where the amendment of the **Zoning Bylaw** or **Official Community Plan** affects ten (10) or more parcels owned by ten (10) or more persons.

³ A development sign is only required for a Streamside Protection and Enhancement Development Permit or Tenant Protection Development Permit when they are associated with a Form and Character Development Permit. If a Form and Character Development Permit is not required as part of the **application**, then no development sign is required to be posted.

	Development Variance Permit (Council Approval)	x	See Section 499 of LGA	x	x	
	Temporary Use Permit	x	x	x	x	
	Sign Permit	x				
Liquor or Cannabis Applications	Liquor Licence	x	x	x	x	
	Cannabis Store	x	x	x	x	
Heritage Applications	Heritage Revitalization Agreement		See section 610 of LGA			See section 610 of LGA
	Heritage Alteration Permit		See section 610 of LGA			

SCHEDULE “B”

DEVELOPMENT APPROVAL INFORMATION REQUIREMENTS

1. Pursuant to Section 485(1) of the *Local Government Act*, the entire City of Burnaby is designated in the **Official Community Plan** as an area for which **development approval information** may be required, including information on the anticipated impact of the proposed activity or development on such matters as the following:
 - (a) transportation patterns including traffic flow;
 - (b) local infrastructure;
 - (c) public facilities including schools and parks;
 - (d) community services;
 - (e) the natural environment of the area affected; and
 - (f) tenants who are or may be displaced by a redevelopment, as those terms are defined in Section 63.1 of the *Community Charter*.

2. The following are potential components that could create the Terms of Reference for the information and reports that may be requested of the **applicant** for a proposed development. The scope of the Terms of Reference will vary depending on the scale and potential impact of the specific development.

(a) **Transportation**

If the **City** requires **development approval information** relating to the impact of development on transportation, the following may be required:

- (i) A Traffic Impact Assessment Report in accordance with the criteria determined by the **City’s** Transportation Planning Division. The Report must outline the process, outcomes, and mitigation strategies needed to support the proposed development.
- (ii) Traffic Demand Management analysis required when the proposed parking or loading supply does not meet **Zoning Bylaw** requirements.
- (iii) Proposed preliminary geometrics and coordination with any transportation project.
- (iv) Proposed road ownership (public or private) identifying any dedications and/or Statutory Right-of-Ways (SRW) required.

(b) **Local infrastructure**

If the **City** requires **development approval information** in the form of a report relating to the impact of development on the local infrastructure, the following information may be required:

- (i) Servicing report(s) for stormwater management, sanitary sewer, water supply.

- (ii) The report(s) should include capacity analysis of the existing system, impacts of the development on the existing system(s), proposed improvements to the existing system(s) whether on-site or off-site to accommodate the development, and include consideration for the development of adjacent or tributary lands.

(c) Public Facilities (including Schools and Parks) and Community Services

If the City requires **development approval information** in the form of a report relating to the impact of development on public facilities including schools and parks, the following information may be required:

- (i) Identify services within a 5-minute walking distance of the proposed development.
- (ii) Identify the impacts on community services from the proposed development, including demand on: schools, community safety services (e.g. police, fire, ambulance), health care and parks, recreation and cultural facilities and services.

(d) Natural Environment

If the City requires **development approval information** in the form of a report relating to the impact of development on the natural environment, the following information may be required. Specifically, for a Streamside Protection and Enhancement **development permit application**, the following information is required:

- (i) Survey Plan, including topography, Top of Bank or Top of Ravine Bank, and significant trees.
- (ii) A Site Plan, based on the Survey Plan, describing the location of existing and proposed development.
- (iii) An Environmental Assessment Report prepared by a qualified environmental professional (QEP) including, but not limited to the Streamside Protection and Enhancement Areas (SPEA) for all stream(s) within or around the parcel, as determined by the Streamside Protection and Enhancement Development Permit Guidelines in the **Zoning Bylaw**.
- (iv) Restoration and Enhancement Plan identifying opportunities to improve habitat within the SPEA, including the area proposed to be planted, restored or enhanced, the location and specifications of the SPEA fence, and proposed planting details (species, location, size), with any replacement trees as required by the Burnaby Tree Bylaw. This plan must also include a Monitoring and Maintenance Plan, for a minimum of 3 years for lots zoned R1 Small Scale Multi-Unit Housing District, 5 years for all other zoning districts or as specified by the City guidance documents and cost estimates based on Schedule "C" of this **bylaw**.
- (v) Erosion and Sediment Control (ESC) Plan showing ESC measures to protect the SPEA during the construction phase.

Additionally, some **sites** may require an arborist report, geotechnical report, grading plan, and civil key plan.

(e) Tenants Impacted by Redevelopment

If the **City** requires **development approval information** in the form of a report relating to the impact of development on the tenants impacted by redevelopment, the following information may be required.

Specifically, for a Tenant Protection **development permit application**, the following information is required at the time of **application** submission:

- (i) Completed tenant assistance plan template form.
- (ii) Information Sharing Agreement, in form and content established by the City, executed by the Tenant Relocation Coordinator and owner.
- (iii) Draft eligible household list based on then-current **prior site** households.

Additionally, for a Tenant Protection **development permit application**, the following information is required prior to issuance of the **development permit**:

- (i) A completed Tenant Assistance Form report outlining the selection of future benefits for each **prior site** household;
- (ii) Copies of Tenant Assistance Forms received from **prior site** households;
- (iii) An updated list of **prior site** households, if there are changes from the submission made with the **development permit application**; and
- (iv) A completed security calculation template.

SCHEDULE "C"

SECURITY GUIDELINES

1. Purpose and Amount of Security

(a) Security for Phased Strata Plan Common Facilities

The amount of **security** is to be based on the final cost estimates, as submitted by a qualified professional and approved by the **Approving Officer**, for constructing the common facility, including the cost of land, at the time the common facility is estimated to be constructed under the Phased Strata Plan Declaration.

(b) Security for Landscaping and Remediation under **Development Permit** (other than Streamside Protection and Enhancement **Development Permit**), **Development Variance Permit** and **Temporary Use Permit**

The amount of **security** is to be based on the final cost estimates to install and/or remedy the works, as submitted by a Landscape Architect, QEP, Professional Engineer or Geoscientist, or other qualified professional satisfactory to the **General Manager**, which amount is to be approved by the **General Manager**. All estimates must be provided by the **applicant** at the **applicant's** expense.

(c) Security for the Restoration and Enhancement Plan under the Streamside Protection and Enhancement **Development Permit**

The amount of **security** is to be based on a cost estimate prepared by a qualified environmental professional to implement the restoration and enhancement plan and the monitoring and maintenance plan. The cost estimate will be the sum of estimated costs for the following line items, as applicable:

- (i) Site preparation and plant installation
 - Invasive species removal
 - Grading
 - Soil preparation / amendment (materials and labour)
 - Temporary and permanent SPEA fencing (materials and labour)
 - Plants (materials)
 - Plants installation (labour)
 - Temporary irrigation system (materials and labour)
- (ii) Monitoring and maintenance
 - Monitoring (labour)
 - Maintenance (labour)
 - Plant replacement (materials and labour)

- Annual reporting

The amount of **security** will be equivalent to estimated cost set forth in the cost estimate plus contingency (125%).

(d) **Security** for Performance of Terms in **Temporary Use Permit**

The amount of **security** is to be based on the final cost estimates to undertake the works at the time of expiration of the permit, submitted by a qualified professional and approved by the **General Manager**. All estimates must be provided by the **applicant** at the **applicant's** expense.

(e) **Security** for Performance of Undertaking to Remove/Demolish and Restore in **Temporary Use Permit**

The amount of **security** is to be based on the final cost estimates to demolish or remove buildings or other structures and restore the **site**, or portion thereof, at the time of expiration of the permit, submitted by a qualified professional and approved by the **General Manager**. All estimates must be provided by the **applicant** at the **applicant's** expense.

(f) **Security** for Performance of Terms of **Heritage Alteration Permit**

The amount of **security** is to be based on the final cost estimates to undertake and/or remedy the works, submitted by a qualified professional and approved by the **General Manager**, and the cost estimate at the time of expiration of the permit shall apply. All estimates must be provided by the **applicant** at the **applicant's** expense.

(g) **Security** for Tenant Protection **Development Permit**

The amount of **security** should be based on the final cost estimates equal to the following:

$(A + B + C) \times 1.04$, where:

A = the total lump sum compensation payable to all **prior site** households, calculated in accordance with Option 3 set out in Schedule A of the Burnaby Tenant Protection Bylaw;

B = two times the flat rate moving compensation for all **prior site** households, calculated in accordance with Schedule B of the Burnaby Tenant Protection Bylaw; and

C = \$100,000 (if there are 15 or more **prior site** households), or \$60,000 (if there are less than 15 **prior site** households).

2. In special circumstances, an alternate method of calculating the amount of **security** may be approved by the **General Manager**.