



Consolidated Bylaw No. 5953C

Burnaby Subdivision Control and Development Servicing Bylaw (formerly called ‘Subdivision Control Bylaw 1971’) **Bylaw No. 5953**

Purpose: regulate the subdivision of land

The following document is a copy of the above-named parent Bylaw in which every current enforceable amendment made to that Bylaw has been **CONSOLIDATED FOR CONVENIENCE** only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws on this subject.

To view an amendment bylaw made to **Bylaw No. 5953**, click on the link below:

<https://heritageburnaby.ca/>

Burnaby Subdivision Control Bylaw 1971			
No.	Amendment Bylaw No.	Final Adoption Date	Description
32	14667	2024 Aug 26	Replace Bylaw name with “ Burnaby Subdivision Control and Development Servicing Bylaw ”; other amendments to meet new Small Scale Multi Unity Housing regulations
31	14510	2022 Oct 03	Fees in Consolidated Fees and Charges Bylaw
30	13937	2018 Sep 24	Subdivider standards set out in City’s Design and Critical Manual (DCM); delete Sched “A” and “E”
29	13796	2017 Oct 16	Updates to application requirements
28	13664	2016 Nov 07	Repeal and replace Application Fees table
27	13535	2015 Dec 07	Repeal and replace Application Fees table
26	13406	2014 Dec 08	Repeal and replace Application Fees table
25	13263	2013 Dec 02	Repeal and replace Application Fees table
24	13165	2013 Jan 28	Repeal and replace Application Fees table
23	13042	2012 Jan 30	Repeal and replace Application Fees table
22	12897	2011 Jan 24	References to Local Government Act
21	12884	2010 Dec 06	Repeal and replace Application Fees table

20	12726	2009 Nov 16	Repeal and replace Application Fees table
19	12629	2009 Apr 20	Non-Market & Not-for-profit Housing
18	12547	2008 Dec 01	Repeal and replace Application Fees table
17	12371	2007 Nov 26	Repeal and replace Application Fees table
16	12185	2006 Nov 20	Repeal and replace Application Fees table
15	12036	2005 Dec 05	Repeal and replace Application Fees table
14	11849	2004 Nov 29	Repeal and replace Application Fees table
13	11667	2003 Dec 08	Repeal and replace Application Fees table
12	11482	2002 Dec 16	Repeal and replace Application Fees table
11	11337	2002 Jan 14	Repeal and replace Application Fees table
10	11195	2000 Dec 11	Repeal and replace Application Fees table
9	11063	2000 Jan 24	Repeal and replace Application Fees table
8	10890	1999 Mar 01	Repeal and replace Application Fees table
7	10831	1998 Oct 26	Subdivision in R12 Residential District
6	10575	1997 Jun 02	Repeal and replace Application Fees table
5	9806	1992 Nov 23	Repeal and replace Application Fees table
4	6567	1974 Dec 02	Repeal and replace Sec 5 and Sched C
3	6402	1973 Nov 06	Add Sec 8(8) and (9)
2	6356	1973 Oct 09	Repeal and replace Sec 5(a); add (f) (g); repeal Sec 6
1	6230	1973 Feb 12	Repeal and replace Sec 5 (b) and (c)
Original	5953	1971 Sep 20	Subdivision of land Fees and regulations

UNOFFICIAL CONSOLIDATION

THE CORPORATION OF THE DISTRICT OF BURNABY BYLAW NO. 5953

A BYLAW to regulate subdivision of land.

(CONSOLIDATED FOR CONVENIENCE WITH BYLAWS Nos. 6230, 6356, 6402, 6567, 9806, 10575, 10831, 10890, 11063, 11195, 11337, 11482, 11667, 11849, 12036, 12185, 12371, 12547, 12629, 12726, 12884, 12897, 13042, 13165, 13263, 13406, 13535, 13664, 13796, 13937, 14510 and 14667 which comes into force and effect on September 30, 2024)

The Council of The Corporation of the District of Burnaby ENACTS as follows:

1. This By-Law may be cited as "**BURNABY SUBDIVISION CONTROL AND DEVELOPMENT SERVICING BYLAW**". (BYLAW NO. 14667)
2. Every subdivision shall
 - (a) be suited to the configuration of the land being subdivided; and
 - (b) be suited to the use to which it is intended; and
 - (c) shall not make impracticable the future subdivision of the land within the proposed subdivision or any adjacent land.
3. Without limiting the generality of Section 2, approval of any subdivision may be refused if it
 - (a) contains land which is subject to erosion; or
 - (b) contains land which is subject to flooding so as to render it unsuitable for the use to which it is intended.
- 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. (BYLAW NO. 14667)
- 4B. (BYLAW NO. 14667)
 - (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 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.

5A. (BYLAW NO. 14667)

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 the 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. (BYLAW NO. 14667)

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 in section

5A, the works or services shall be altered or replaced so that they comply with such standards.

6A. (BYLAW NO. 14667)

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. (BYLAW NO. 14667)

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, or 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, or 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.

7A. (BYLAW NO. 14667)

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. (BYLAW NO. 14667)

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.

8. Repealed. **(BYLAW NO. 14667)**

9. Repealed. **(BYLAW NO. 14667)**

10. Repealed. **(BYLAW NO. 14667)**

11. Repealed. **(BYLAW NO. 14667)**

Read a first time this 13th day of September, 1971

Read a second time this 13th day of September, 1971

Read a third time this 13th day of September, 1971

Reconsidered and adopted this 20th day of September, 1971

(Signed) "Robert W. Prittie"

MAYOR

(Signed) "J. H. SHAW"

CLERK

(Schedules "A" to "E" deleted – BYLAW NO. 13937)