



Consolidated Bylaw No. 5953C

Burnaby 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:

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Burnaby Subdivision Control Bylaw 1971			
No.	Amendment Bylaw No.	Final Adoption Date	Description
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 and 14510)

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

1. This By-Law may be cited as "**BURNABY SUBDIVISION CONTROL BYLAW 1971**".
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.
4. The area, shape and dimensions of parcels of land created by subdivision plan shall conform to the requirements set out in the Zoning By-Law of the Municipality for the particular zone in which the said parcels are situated.
5. The subdivider shall:
 - (a) clear, drain, and surface highways within the subdivision, including the construction of sidewalks, boulevards and transit bays,
 - (b) provide a sewage collection system for the subdivision and make provision for the connection of the said system with the established sewage system of the City,

- (c) provide the subdivision with a community water supply system connected to the existing municipal waterworks system,
- (d) where the nearest boundary of the land proposed to be subdivided is 2,000 feet or more in distance from an established trunk water main, provide for the installation of the water mains including trunk water mains from such established trunk water main in and to the proposed subdivision,
- (e) where the nearest boundary of the land proposed to be subdivided is 2,000 feet or more in distance from an established trunk sanitary sewer, provide for the installation of sanitary sewers including trunk sanitary sewers from such established trunk sanitary sewer in and to the proposed subdivision,
- (f) install underground wiring, and
- (g) install street lighting within and adjacent to the subdivision,

all in accordance with and to the standards set out in the City's Design Criteria Manual (DCM), as prescribed, replaced or amended from time to time by the City's Director Engineering.

(BYLAW NO. 13937)

- 6. The cost of providing, constructing and installing all of the works and services required to be provided pursuant to this By-Law shall be borne by the subdivider.
- 7. By-Law No. 3609 is hereby repealed.
- 8. (a) An applicant for approval of a subdivision shall submit with the application fees as specified in the Burnaby Consolidated Fees and Charges Bylaw. (BYLAW NO. 14510)
- (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 Director Planning and Building may require.

(BYLAW NO. 13796)

- 9. The Council does hereby delegate to the Approving Officer its powers under subsection (2)

of Section 944 of the *Local Government Act*.

10. (1) Where

- (a) the owner of a parcel of land designated under Burnaby Zoning Bylaw 1965 as being in the (R12) Residential District makes application for
 - (i) the approval of a subdivision in respect of that land, or
 - (ii) the issuance of a building permit for the construction of a new or additional dwelling unit on that land or for work on that land the value of which exceeds Fifty Thousand (\$50,000.00) Dollars as determined by the City's Chief Building Inspector,
- (b) the owner is subject to a requirement under section 938(6) of the Municipal Act to provide works and services, in accordance with the standards established in this bylaw, on that portion of the highway immediately adjacent to that parcel of land up to the centre line of the highway as a condition of approval of the subdivision or the issuance of the building permit, and
- (c) the City's Director Engineering considers that the provision of the works and services up to the centre line of the highway immediately adjacent to that parcel of land should be deferred to allow for the more orderly provision of such works and services generally along a larger section of that highway that includes the portion of the highway immediately adjacent to that parcel of land,

the owner shall satisfy the requirement to provide those works and services on the adjacent highway by paying to the City an amount of money equal to the cost of providing those works and services as estimated by the City's Director Engineering.

- (2) The money paid to the City by an owner under subsection (1) shall be used by the City on behalf of the owner to pay for the cost of providing the works and services referred to in subsection (1).
- (3) In this section the expression "dwelling unit" means one or more habitable rooms constituting one self-contained living unit.

11. The Approving Officer is hereby designated as the municipal officer for the purposes of Section 943 (b) of the *Local Government Act*. (BYLAW NO. 12897)

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)