

A Bylaw to Regulate the Subdivision of Land

Whereas it is desirable to regulate the subdivision of land in order to promote the harmonious and economical development of the Municipality.

Therefore the Municipal Council of the Corporation of the District of Burnaby enacts as follows:

1. This Bylaw may be cited as the Burnaby Subdivision Control Bylaw 1971.
2. The Approving Officer for the Corporation of the District of Burnaby shall be the Director of Planning for the purposes of the Land Registry Act.
3. Definitions:
In this Bylaw, unless the context otherwise requires;
"Access Roads", are those roads, whose width between curb faces is not less than 28' and which are used primarily for travel and access to and from the parcels contiguous thereto:

"Secondary Roads" are those roads, whose width between curb faces is not less than 36' and which carry traffic from access roads to main roads, including the principal entrance roads to a subdivision, and roads for circulation within a subdivision.

"Main Roads" are those roads whose width between curb faces is not less than 44' and which are used primarily for fast or heavy traffic, wherein a significant proportion of the traffic has both its origin and destination outside of the area of consideration.

"Applicant for subdivision approval means the owner of the land or his duly authorized agent.

4. Unless otherwise defined herein, any word or expression in this Bylaw shall have the same meaning as the same word or expression in the Land Registry Act.
5. The area shape and dimensions of parcels of land created by subdivision under this Bylaw shall satisfy the requirements established by the Zoning Bylaws of the District of Burnaby for the particular zone in which the parcels of land are situated, and for this purpose "land" does not include land covered by water.
6. Any subdivision of land shall:
 - i) be suited to the configuration of the land being subdivided;
 - ii) be suited to the use to which it is intended;
 - iii) not make impractical the future subdivision of the land within the proposed subdivision or of any adjacent land.
 - iv) not be approved if erosion, slippage, flooding, or any other undesirable condition exists that cannot be adequately controlled by approved Engineering methods.
7. The applicant shall be fully responsible for providing the following services, to the standards set out in Appendix "A" to this Bylaw, for all parcels of land created by subdivision.
 - i) Cleared, drained and surfaced highways (access roads, secondary roads, main roads) to the width that is dictated by the classification of the particular road concerned;

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- ii) concrete curbs and gutters;
- iii) water mains;
- iv) storm sewers;
- v) sewage collection system which must be connected to the established sewage disposal system.
Provided that the lands included in the subdivision shall be exempt from, but only from, the charges imposed in the municipality for works of a like nature for a period of time calculated to be sufficient to amortize the annual cost of the collection system computed at an interest rate not exceeding 4% per annum;
- vi) piping of watercourses where necessary to ensure that the subdivision be suited to the use to which it is intended;
- vii) paved lanes;
- viii) walkways where the Approving Officer deems them necessary for pedestrian access.

8. Where a partial standard of services exists, the applicant shall be responsible for improving the services to meet the standards set out in item 7.

9. Where new streets are created by subdivision, in no case shall electric power be provided by the installation of overhead wires and poles located on such new streets.

10. Subdivision Control Bylaw 1955 No. 3609 of the Corporation of the District of Burnaby is hereby repealed.

DONE AND PASSED in Open Council this ____ () day of _____, 1971

RECONSIDERED AND FINALLY PASSED this ____ () day of _____, 1971

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