

Appendix D

*Draft Zoning Amendment*

*Bylaw No. 8375, 2023*

CORPORATION OF THE CITY OF NEW WESTMINSTER  
ZONING AMENDMENT BYLAW (102/104 EIGHTH AVENUE AND 728 FIRST STREET)  
NO. 8375, 2023

A Bylaw to Amend Zoning Bylaw No. 6680, 2001

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WHEREAS the Local government Act authorizes a municipality to zone areas of land and to make regulations pursuant to zoning,

WHEREAS the Council has adopted a zoning bylaw under Part 14 of the *Local Government Act*, and wishes to amend the bylaw,

THE CITY COUNCIL of the Corporation of the City of New Westminster, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes as “Zoning Amendment Bylaw (102/104 Eighth Avenue and 728 First Street) No. 8375, 2023.”
2. The Lands that are the subject of this bylaw are shown as outlined in bold on the map attached to this bylaw as Schedule B, and are referred to in this bylaw as the “Subject Lands”,
3. Zoning Bylaw No. 6680, 2001 is amended by:
  - a) Adding as a new section, to be numbered section 1100, the regulations attached to this bylaw as Schedule A.
  - b) Changing the zoning designation of the Subject Lands from “Single Detached Residential Districts (RS-1)” to “Comprehensive Development District (102/104 Eighth Avenue & 728 First Street) (CD-100)”; and,
  - c) Updating the Zoning Map annexed as Appendix “A” to Zoning Bylaw No. 6680, 2001 to record this zoning change.

GIVEN FIRST READING this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

GIVEN SECOND READING this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

PUBLIC HEARING held this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

GIVEN THIRD READING this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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MAYOR PATRICK JOHNSTONE

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JACQUE KILLAWEE, CITY CLERK

**Schedule A to Zoning Amendment Bylaw No. 8375, 2023**

**Comprehensive Development District (102/104 Eighth Avenue and 728 First Street)  
(CD-100)**

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# Comprehensive Development District (102/104 Eighth Avenue & 728 First Street) CD-100

## 1100 Comprehensive Development District (102/104 Eighth Avenue & 728 First Street) (CD-100)

1100 .1 The intent of this district is to, in combination with the design guidelines for infill townhouse and rowhouse within the Official Community Plan, allow infill townhouses and rowhouses which integrate well into existing single detached residential neighbourhoods.

### Permitted Uses

1100 .2 The following principal and accessory uses are permitted in the CD-100 zoning district. For uses accompanied by a checkmark, there are either Use Specific Regulations in the Conditions of Use within this zoning district or within the General Regulations or Special Conditions Sections of this bylaw.

Permitted Principal Uses	Use Specific Regulations
Single unit residential use;	✓
<i>Multiple dwellings;</i>	
Permitted Accessory Uses	Use Specific Regulations
<i>Uses accessory to any permitted principal uses;</i>	
<i>Home based businesses;</i>	✓

### Conditions of Use

1100 .3 A single detached dwelling shall conform to the regulations in the NR-2 zoning districts for lots located east of Eighth Street and north of Sixth Avenue, otherwise they shall conform to the regulations in the RS-2 zoning district.

### Density

1100 .4 The floor space ratio for the principal buildings shall not exceed 1.00.

1100 .5 The maximum floor space ratio for the principal buildings may be increased by:

- a) 0.01 if the buildings meets Step 3 of the Energy Step Code;



# Comprehensive Development District (102/104 Eighth Avenue & 728 First Street) CD-100

- b) 0.03 if the buildings meet Step 4 of the Energy Step Code; or
- c) 0.05 if the building meets Step 5 of the Energy Step Code, or is a Passive House.

1100 .6 The minimum floor space ratio of basement areas shall be 0.15 FSR.

1100 .7 For the purposes of this district, basement shall mean the lowest storey of a unit which, on the side of the unit with the highest existing grade level, shall not, at any point along that side of the unit, be more than 1 metre (3.28 feet) above the existing grade level.

1100 .8 A basement shall not extend beyond the walls of the storey above.

## Principal Building Height

1100 .9 All principal buildings and structures shall not exceed a height of 10.67 metres (35 feet) as measured from averaged, existing grade at the four corners of the building to the highest point of the building.

## Detached Accessory Building Regulations

1100 .10 *Detached accessory buildings:*

- a) shall not cover more than fifteen percent (15%) of the *site* area;
- b) shall not exceed one *storey*;
- c) shall not be located in the required *front yard*;
- d) shall not exceed 3.6 metres (12 feet) measured from the finished floor to the highest point of the building;
- e) shall not be enclosed on more than two sides, excluding the roof;
- f) shall not have dormers;
- g) shall not be located closer than 1 metre (3.28 feet) from the *principal building(s)*;
- h) in the case of a carport, where the vehicle entry faces the *lane*, shall not be located closer to a *lane* than 6.71 metres (22 feet), less the width of such a *lane*; and,



# Comprehensive Development District (102/104 Eighth Avenue & 728 First Street) CD-100

- i) shall not be located closer than 4.57 metres (15 feet) from the corner of a *site* at an intersection of streets, at the intersection of lanes or at the intersection of lanes or at the intersection of a street and a *lane*.

## Off-Street Parking and Loading Requirements

- 1100 .11 Off-street parking shall be provided in accordance with the Off-Street Parking Regulation section of this Bylaw except:
  - a) parking shall not be permitted in the *front yard*;
  - b) where a site abuts a *lane* 12 feet (3.66 metres) or more in width, all parking access is required from that *lane*;
  - c) one off-street loading space shall be required per *site*; and
  - d) notwithstanding the requirements in (d), the required off-street loading space may be shared with a visitor parking space provided a restrictive covenant is registered on title to the property, to the satisfaction of the *Director of Engineering*, to ensure the shared loading and visitor *parking spaces* are reserved and maintained for the uses for which they are required
- 1100 .12 The Scooter provisions in Section 145.2 of the Zoning Bylaw shall not apply.
- 1100 .13 The Locked-in Lot provisions in Section 170.1 of the Zoning Bylaw shall apply, except where existing adjacent lots meet the following:
  - i. Has a minimum site area of 557.40 square metres (6,000 square feet) or greater; and,
  - ii. Has access from a lane with a minimum width of 4.87 metres (16.0 feet), or is a corner lot.

**Schedule B to Zoning Amendment Bylaw No 8375, 2023**

**Area to be Rezoned to Comprehensive Development District  
(102/104 Eighth Avenue and 728 First Street) (CD-100)**

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