

**CORPORATION OF THE CITY OF NEW WESTMINSTER
BYLAW NO. 8404, 2023**

A Bylaw to Amend Zoning Bylaw No. 6680, 2001

The Council of The Corporation of the City of New Westminster in open meeting assembled ENACTS AS FOLLOWS:

Citation

1. This Bylaw may be cited for all purposes as "Zoning Amendment Bylaw (376 Keary Street) No. 8404, 2023"

Amendments

2. Zoning Bylaw No. 6680, 2001 is amended by:
 - a. Adding as a new section, to be numbered section 1102, 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 (376 Keary Street) (CD-102)"; and,
 - c. Updating the Zoning Map annexed as Appendix "A" to Zoning Bylaw No. 6680, 2001 to record this zoning change.

Public Hearing not held, notice published September 15 and September 21, 2023.

GIVEN FIRST READING THIS 25th day of September 2023.

GIVEN SECOND READING THIS 25th day of September 2023.

GIVEN THIRD READING THIS 25th day of September 2023.

ADOPTED THIS _____ day of _____ 2023.

Mayor Patrick Johnstone

Peter DeJong, Corporate Officer

Schedule A to Zoning Amendment Bylaw No. 8404, 2023

Comprehensive Development District (376 Keary Street) (CD-102)



Comprehensive Development District (376 Keary Street) (CD-102)

1102. Comprehensive Development District (376 Keary Street) (CD-102)

1102 .1 The intent of this zoning district is to allow a duplex dwelling in the Sapperton neighbourhood. Secondary suites are not permitted in this zoning district.

Permitted Uses

1102 .2 The following principal and accessory uses are permitted in the CD-102 zoning district. For uses accompanied by a checkmark, there are either Use Specific Regulations in the Conditions of Use contained within this zoning district or within the General Regulations or Special Conditions Sections of this Bylaw.

Permitted Principal Uses	Use Specific Regulations
<i>Residential community living;</i>	
<i>Single detached dwelling;</i>	
<i>Duplex;</i>	
<i>Women's transition house;</i>	✓

Permitted Accessory Uses	Use Specific Regulations
Uses accessory to any permitted <i>principal uses</i> ;	
<i>Child care;</i>	✓
<i>Home based business;</i>	✓

Conditions of Use

1102 .3 Single detached dwellings shall only be permitted to RS-1 District standards.

Definitions

1102 .4 Despite definitions elsewhere in the Bylaw, the following shall be defined as noted below for the purposes of this Zoning District.

1102 .5 **Floor area** means the numerical value determined by measuring the horizontal cross-sectional area of all *principal buildings* on a site to the



Comprehensive Development District (376 Keary Street) (CD-102)

outside of the outer walls at each storey and calculating the total of all such areas:

- a) including all areas used for attached, enclosed parking structures (garages); and,
- b) excluding any area having a floor to ceiling height of 1.22 metres (4 feet) or less.

1102 .6 **Floor space ratio** means the numerical value determined by dividing the floor area on a site by the site area.

Density – Units

1102 .7 One duplex building containing two principal dwelling units.

Density – Principal Building Area

1102 .8 The floor space ratio for the principal building shall not exceed 0.60.

1102 .9 The maximum floor space ratio on a parcel may be increased by:

- a) 0.01 if the building meets Step 3 of the Energy Step Code; or
- b) 0.03 if the building meets 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.

Site Area and Frontage

1102 .10 A site shall be not less than 557.40 square metres (6,000 square feet) in area and shall have a frontage of not less than ten percent (10%) of its perimeter.

Principal Building Envelope

1102 .11 All principal buildings and structures shall be sized and sited according to the following:



Comprehensive Development District (376 Keary Street) (CD-102)

Regulation	Requirement
Minimum Front Setback	Twenty percent (20%) of the depth of the <i>lot</i> but need not exceed 5.79 metres (19 feet) or the average depth of the front setback of existing principal buildings on sites on either side of the site, whichever is less.
Minimum Rear Setback	7.62 metres (25 feet) or twenty percent (20%) of the depth of the site, whichever is less.
Minimum Side Setback	<i>Side setbacks</i> shall be provided on each side of not less than 1.52 metres (5 feet)
Maximum Building Height	7.62 metres (25 feet)
Maximum Peak Height	10.67 metres (35 feet)
Maximum Site Coverage	Thirty-five percent (35%)

Projections

1102 .12 Projections are permitted in accordance with the relevant provisions of the 'Projections into Yards' portion of the General Regulations section of this Bylaw.

Attached Accessory Structures

1102 .13 Attached decks, porches, balconies, greenhouses, parking structures or swimming pools shall be deemed to be accessory structures, and are permitted provided they comply with the following:

- the combined area of all attached accessory structures shall not exceed ten percent (10%) of the site area;
- shall not exceed one storey nor a height of 4.57 metres (15 feet) measured from the finished floor of such accessory structure;
- shall not be located closer than twice the width of the required side yard from the window of a habitable room on an adjoining site, unless such window is above the roof line of the accessory structure;
- shall be located not closer than a distance of 4.57 metres (15 feet) from the corner of a site at an intersection of a street and a lane; and,



Comprehensive Development District (376 Keary Street) (CD-102)

- e) shall be located not closer than 1.52 metres (5 feet) from any rear or side site line bounded by a street.

Detached Accessory Structures

- 1102 .14 Detached greenhouses, parking structures, sheds, gazebos or swimming pools shall be deemed to be accessory structures, and are permitted provided they comply with the following:
- a) the combined area of all detached accessory structures shall not exceed ten percent (10%) of the site area;
 - b) *detached accessory structures* 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*;
 - 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,
 - 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 a street and a *lane*.

Off-Street Parking and Loading

- 1102 .15 Off-Street parking shall be provided in accordance with the provisions of the Off-Street Parking Regulations section of this Bylaw.

Schedule B to Zoning Amendment Bylaw No. 8404, 2023

Area to be Rezoned to Comprehensive Development District
(376 Keary Street) (CD-102)

