

CORPORATION OF THE CITY OF NEW WESTMINSTER
ZONING AMENDMENT BYLAW (819 MILTON STREET)
NO. 8266, 2021

A Bylaw to Amend Zoning Bylaw No. 6680, 2001

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 (819 Milton Street) No. 8266, 2021.”
2. The Lands that are the subject of this bylaw are shown as outlined in bold dash 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) Replace section 120.64 with the following
“**Duplex** means a building consisting of two principal *dwelling units* contained within a *principal building*”
 - b) Adding as a new section, to be numbered section 1077, the regulations attached to this bylaw as Schedule A.
 - c) Changing the zoning designation of the Subject Lands from “Single Detached Residential Districts (RS-1)” to “Comprehensive Development District (819 Milton Street) (CD77)” and,
 - d) Updating the Zoning Map annexed as Appendix “A” to Zoning Bylaw No. 6680, 2001 to record this zoning change.

GIVEN FIRST READING this 30th day of August, 2021.

GIVEN SECOND READING this 30th day of August, 2021.

PUBLIC HEARING waived under Section 464(2) of the Local Government Act

GIVEN THIRD READING this _____ day of _____, 2021.

ADOPTED this _____ day of _____, 2021.

MAYOR JONATHAN X. COTE

JACQUE KILLAWEE, CITY CLERK

Schedule A to Zoning Amendment Bylaw No 8266, 2021

Comprehensive Development Districts (819 Milton Street) (CD-77)



Comprehensive Development District (819 Milton Street) CD-77

1077 Comprehensive Development District (819 Milton Street) (CD-77)

- 1077 .1 The intent of this zoning district is to allow a duplex dwelling with secondary suites in the Brow of the Hill neighbourhood.

Permitted Uses

- 1077 .2 The following principal and accessory uses are permitted in the CD-77 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 following uses and no others shall be permitted in the (CD-77) district:

Permitted Principal Uses	Use Specific Regulations
Community gardening;	
<i>Residential community living;</i>	
<i>Single unit residential use;</i>	
<i>Transitional housing for women;</i>	✓

Permitted Accessory Uses	Use Specific Regulations
<i>Uses accessory to any permitted principal uses;</i>	
<i>Child care;</i>	✓
<i>Home occupations;</i>	✓
<i>Secondary suites residential use;</i>	✓

Definitions

- 1077 .3 Despite definitions elsewhere in the Bylaw, the following shall be defined as noted below for the purposes of this Zoning District
- 1077 .4 **Floor area** means the numerical value determined by measuring the horizontal cross-sectional area of all buildings on a site to the outside of the outer walls at each storey and calculating the total of all such areas
- (i) including all areas used for attached, enclosed parking structures (garages),



Comprehensive Development District (819 Milton Street) CD-77

- (ii) excluding up to 4.0 square meters (43 square feet) used for enclosed bicycle parking,
- (iii) excluding any area having a floor to ceiling height of 1.22 metres (4 feet) or less.

- 1077 .5 **Floor space ratio** means the numerical value determined by dividing the floor area on a site by the site area.
- 1077 .6 **Secondary Suite** means an accessory residential use contained within a principal dwelling unit.

Density - Units

- 1077 .7 One duplex building containing two dwelling units.
- 1077 .8 One secondary suite per principal dwelling unit, provided it complies with the requirements for *secondary suites residential uses* in the General Regulations section of this bylaw.

Density – Principal Building Area

- 1077 .9 The floor space ratio for the principal building shall not exceed 0.60
- 1077 .10 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

- 1077 .11 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.



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Principal Building Envelope

1077 .12 All principal buildings and structures shall be sized and sited according to the following:

Regulation	Requirement
Minimum Front Setback	Twenty percent (20%) of the depth of the <i>lot</i> but need not exceed 5.79 meters (19 feet)
Minimum Rear Setback	Twenty percent (20%) of the depth of the <i>lot</i> but need not exceed 7.62 metres (25 feet)
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 Lot Coverage	Thirty five percent (35%)

Projections

1077 .13 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

1077 .14 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 15 feet (4.57 metres) 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;



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- d) shall be located not closer than a distance of 15 feet (4.57 metres) from the corner of the site at an intersection of a street and lane;
- e) shall be located not closer than 5 feet (1.52 metres) from any rear or side site line bounded by a street;

Detached Accessory Structures

1077 .15 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 and:
 - (i) in the case of a roof pitch of 4:12 or greater, no portion of the roof shall exceed 4.57 metres (15 feet), or
 - (ii) in the case of a roof pitch less than 4:12, no part of the roof shall exceed 3.6 metres (12 feet);as measured from the finished floor of the detached accessory building;
- c) shall not be located in the required front yard;
- d) 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 such accessory building;
- e) shall not be located closer to a lane than 22 feet (6.71 metres), less the width of such lane;
- f) shall not be closer than 5 feet (1.52 metres) from side and rear site lines where such accessory building or use is a swimming pool or an enclosure of a swimming pool;
- g) shall be located not closer than a distance of 15 feet (4.57 metres) from the corner of the site at an intersection of a street and lane;
- h) shall be limited to one plumbing fixture;
- i) enclosed garages are not permitted. Parking structures may consist of carports, provided they do not contain garage doors, and that no more than 60% of the perimeter walls are enclosed.



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Off-Street Parking and Loading

- 1077 .16 Off-Street parking shall be provided in accordance with the provisions of the Off-Street Parking Regulations section of this Bylaw, except that:
- a) A minimum of 1 parking space shall be provided for each principal dwelling unit, and
 - b) A minimum of 1 parking space shall be provided for each secondary suite
- 1077 .17 Bicycle Parking is not required to be provided.

Schedule B to Zoning Amendment Bylaw No 8266, 2021

Area to be Rezoned to Comprehensive Development District (819 Milton Street) (CD-77)

