

CORPORATION OF THE CITY OF NEW WESTMINSTER
ZONING AMENDMENT BYLAW (122 EIGHTH AVENUE)
NO. 8325, 2022

A Bylaw to Amend Zoning Bylaw No. 6680, 2001

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 (122 Eighth Avenue) No. 8325, 2022.”
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 1097, 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 (122 Eighth Avenue) (CD-97)”;
 - c) Updating the Zoning Map annexed as Appendix “A” to Zoning Bylaw No. 6680, 2001 to record this zoning change.

GIVEN FIRST READING this 9th day of May, 2022.

GIVEN SECOND READING this 9th day of May, 2022.

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

GIVEN THIRD READING this 30th day of May, 2022.

ADOPTED this _____ day of _____, 2022.

MAYOR JONATHAN X. COTE

JACQUE KILLAWEE, CITY CLERK

Schedule A to Zoning Amendment Bylaw No 8325, 2022

Comprehensive Development Districts (122 Eighth Avenue) (CD-97)



Comprehensive Development District (122 Eighth Avenue) CD-97

1097 Comprehensive Development District (122 Eighth Avenue) (CD-97)

- 1097 .1 The intent of this zoning district is to allow a duplex dwelling in the Glenbrooke North neighbourhood. Secondary suites are not permitted in this zoning district.

Permitted Uses

- 1097 .2 The following principal and accessory uses are permitted in the CD-97 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-97) district:

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

Permitted Accessory Uses	Use Specific Regulations
Uses accessory to any permitted principal uses;	
Child care;	✓
Home occupations;	✓

Definitions

- 1097 .3 Despite definitions elsewhere in the Bylaw, the following shall be defined as noted below for the purposes of this Zoning District.
- 1097 .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:
- a) including all areas used for attached, enclosed parking structures (garages); and,



Comprehensive Development District (122 Eighth Avenue) CD-97

- b) excluding any area having a floor to ceiling height of 1.22 metres (4 feet) or less.

1097 .5 **Floor space ratio** means the numerical value determined by dividing the floor area on a site by the site area.

Density - Units

1097 .6 One duplex building containing two principal dwelling units.

Density – Principal Building Area

1097 .7 The floor space ratio for the principal building shall not exceed 0.6.

1097 .8 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

1097 .9 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

1097 .10 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 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.



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Regulation	Requirement
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 Lot Coverage	Thirty-five percent (35%)

Projections

- 1097 .11 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

- 1097 .12 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,
 - shall be located not closer than 1.52 metres (5 feet) from any rear or side site line bounded by a street.



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Detached Accessory Structures

- 1097 .13 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 lanes or at the intersection of a street and a *lane*.

Off-Street Parking and Loading

- 1097 .14 Off-Street parking shall be provided in accordance with the provisions of the Off-Street Parking Regulations section of this Bylaw.
- 1097 .15 Bicycle Parking is not required to be provided.

Schedule B to Zoning Amendment Bylaw No 8325, 2022

**Area to be Rezoned to Comprehensive Development District
(122 Eighth Avenue) (CD-97)**

