

THE CORPORATION OF DELTA

BYLAW NO. 7586

A Bylaw to amend the "Delta Zoning Bylaw No. 2750, 1977"

The Municipal Council of The Corporation of Delta in open meeting assembled,
ENACTS AS FOLLOWS:

1. This bylaw may be cited for all purposes as "**Delta Zoning Bylaw No. 2750, 1977 Amendment (C.D. 475 – H. Sharma & Associates Inc. – LU007852) Bylaw No. 7586, 2017**".
2. "Delta Zoning Bylaw No. 2750, 1977" as amended is hereby further amended by:
 - (a) inserting "475 Delta Zoning Bylaw No. 2750, 1977 Amendment (C.D. 475 – H. Sharma & Associates Inc. – LU007852) Bylaw No. 7586, 2017" in the correct numerical order in the LIST OF COMPREHENSIVE DEVELOPMENT BYLAWS in Part VIII A; and
 - (b) inserting the following zone in numerical order in Part VIII A:

"C.D. 475

ZONE: COMPREHENSIVE DEVELOPMENT ZONE NO. 475

1. Permitted Uses:

(a) **Area 1:**

The following uses and no other uses shall be permitted within the area marked 'Area 1' in Schedule 7586-1:

All uses permitted in the P Public Use Zone, and access and 'Underground Parking' associated with a 'Dwelling, Apartment Building', 'Stacked Townhouse' and 'Townhouse' located within the areas marked 'Area 2' and 'Area 3' in Schedule 7586-1.

The aforesaid uses permitted in Area 1 shall be subject to all regulations, conditions and requirements of the P Public Use Zone, except that the minimum 'Setback' for 'Underground Parking' 'Structures' shall be 0 m from all property lines.

(b) **Area 2:**

Subject to the General Regulations – Residential Zones in Part VI, the following uses and no other uses shall be permitted within the area marked 'Area 2' in Schedule 7586-1:

'Dwelling, Apartment Building'
'Amenity, Outdoor Space'
'Home Occupation'

- (c) **Area 3:**
Subject to the General Regulations – Residential Zones in Part VI, the following uses and no other uses shall be permitted within the area marked 'Area 3' in Schedule 7586-1:

'Stacked Townhouse'
'Townhouse'
'Amenity, Outdoor Space'
'Home Occupation'

2. Interpretation:
Notwithstanding the definition of 'Lot' in Part II Interpretations General, in the C.D. 475 Comprehensive Development Zone No. 475:

'Lot' means:

- (a) a parcel of land created by subdivision under the *Land Title Act*;
(b) a parcel of land created by the filing in the Land Title Office of a bare land strata plan; or
(c) all the land within a strata plan other than a bare land strata plan

as the case may be.

'Lot Line' means any line which forms the boundary of a 'Lot'.

'Strata Lot' means the individual parcels of land shown on a strata plan other than a bare land strata plan.

3. Setbacks:
(a) All Principal 'Structures' and 'Accessory Structures' in the areas marked 'Area 2' and 'Area 3' in Schedule 7586-1 shall be sited in accordance with the setbacks and locations as shown in Schedule 7586-2.

Notwithstanding Subsection (a):

- (b) For a 'Dwelling, Apartment Building', eaves may encroach by up to 1.2 metres into the minimum 'Setback' areas on all sides.
(c) For a 'Stacked Townhouse' or 'Townhouse':

- (i) Eaves and roof overhangs may encroach by up to 1.2 metres into the minimum 'Setback' areas on all sides and 1.8 metres on the north side; and
- (ii) Balconies and porches may encroach by up to 1.2 metres into the minimum 'Setback' areas on the east side and 1.6 metres on the north side.

(d) Notwithstanding Subsection (a), the minimum 'Setback' for 'Underground Parking' 'Structures' shall be 0 m from all property lines.

4. Height of Structure:

(a) Maximum 'Height' for Principal 'Structures' and 'Accessory Structures' in the area marked 'Area 2' in Schedule 7586-1 shall be:

- (i) Principal 'Structure': 22 metres
- (ii) 'Accessory Structure': 6.7 metres
- (iii) Number of 'Storeys': 6

(b) Maximum 'Height' for Principal 'Structures' and 'Accessory Structures' in the area marked 'Area 2' in Schedule 7586-1 shall be:

- (i) Principal 'Structure': 11 metres to the roof ridge
9.8 metres to 'Mid-Roof' or top of a flat roof
- (ii) 'Accessory Structure': 3 metres
- (iii) Number of 'Storeys': 3

excluding any 'Underground Parking'.

5. Density:

(a) Maximum permitted density in the combined areas marked 'Area 2' and 'Area 3' in Schedule 7586-1 shall be:

- (i) Maximum Number of 'Dwelling Units': 122
- (ii) Maximum 'Floor Space Ratio': 2.4

(b) Maximum permitted density in the area marked 'Area 2' in Schedule 7586-1 shall be:

- (i) Maximum Number of 'Dwelling Units': 110
- (ii) Maximum 'Floor Space Ratio': 2.6

(c) Maximum permitted density in the area marked 'Area 3' in Schedule 7586-1 shall be:

- (i) Maximum Number of 'Dwelling Units': 12
- (ii) Maximum 'Floor Space Ratio': 1.4

6. Site Coverage:

Maximum 'Site Coverage' in the areas marked 'Area 2' and 'Area 3' in Schedule 7586-1 to this bylaw shall not exceed 55 percent of the area of the 'Lot'.

7. Minimum Lot Size for Subdivision:

Minimum lot size for subdivision in the areas marked 'Area 2' and 'Area 3' in Schedule 7586-1 shall be:

(a) Subdivision under the *Land Title Act* or Bare Land Strata Regulations under the *Strata Property Act*:

'Lot' Area: 6,000 square metres
'Lot' Width: 66 metres

(b) Subdivision under the *Strata Property Act* other than a Bare Land Strata Plan:

'Lot' Area: 6,000 square metres
'Strata Lot' Area: 55 square metres in 'Area 2'
115 square metres in 'Area 3'

8. Off-Street Parking and Loading Requirements:

Off-street parking and loading shall be provided, developed, and maintained in accordance with Sections 409, 410, and 411 and Part IX Off-Street Parking Regulations of this bylaw.

9. Other Regulations:

The following regulations shall apply to the areas marked 'Area 2' and 'Area 3' in Schedule 7586-1:

(a) Landscaping and Screening:

The balance of the 'Lot' which is not occupied by buildings, parking areas, driveways and pedestrian ways shall be landscaped and maintained in good condition at all times.

- (b) 'Amenity, Open Space':
A minimum 271 square metres of 'Amenity, Open Space' shall be provided on the 'Lot'.
 - (c) Fencing:
With the exception of the front 'Setback' area of a parcel, a 'Fence' 1.8 metres in height shall be provided along the remaining portions of a parcel which adjoins a residential property. A landscape strip of at least 1.5 metres in width, consisting of a thick hedge of hardy shrubs or evergreen trees not less than 1.2 metres in height at time of planting, and maintained in a healthy growing condition and in a neat and orderly appearance, may be substituted for a 'Fence'.
 - (d) Outside Storage:
The storage of goods or materials outside any building is prohibited. Any storage of garbage or refuse must be in a commercial garbage container, which shall be enclosed with a decorative screen not less than 1.8 metres in height.
 - (e) Lighting:
Any lighting used to illuminate any parking areas shall be so arranged that all direct rays of light illuminate only the parking areas and not any adjoining premises.
 - (f) Overweight Vehicle Parking:
No person shall park or store, or cause to be parked or stored, any commercial vehicle, equipment, trailer or similar conveyance which exceeds a licensed gross vehicle weight of 5,500 kilograms on any lot between the hours of 9:30 p.m. and 7:00 a.m. of the following day.
 - (g) Surface Finish:
All parking areas and driveways shall be surfaced with an asphalt, concrete or permeable paving so as to provide a surface that is durable and dust-free and shall be so graded and drained as to properly disperse all surface water.
10. Land Development:
Notwithstanding any other provisions of this bylaw, the uses permitted by this bylaw shall be conditional upon the immediate availability and adequacy of those municipal facilities and services hereinafter set forth to serve the parcel of land and buildings, 'Structures', and uses to be erected, placed or undertaken thereon.

No use of land and no use of any building or 'Structure' thereon shall be deemed to be authorized by this bylaw and all uses otherwise permitted by this bylaw are hereby prohibited unless and until all of the following services and facilities have been provided and are immediately available and are adequate therefor to the standards set out as follows:

- (a) Sanitary sewer, waterworks, on-site fire protection and drainage works to the standards set out in the 'Delta Subdivision and Development Standards Bylaw No. 7162, 2015' as amended from time to time; and
 - (b) Construction of all highways abutting and serving the land, including boulevards, landscaping, street lighting, underground wiring, sidewalks and transit service facilities, to the standards set out in the 'Delta Subdivision and Development Standards Bylaw No. 7162, 2015', as amended from time to time."
3. "Delta Zoning Bylaw No. 2750, 1977" as amended is hereby further amended by rezoning the lands as shown outline in bold and marked "Subject Properties" on Schedule 7586-1 attached hereto and forming part of this bylaw as C.D. 475 Comprehensive Development Zone No. 475 and by amending the "Delta Zoning Maps" referred to in Section 301 accordingly.
4. Schedules 7586-1 and 7586-2 attached hereto shall form part of this bylaw.

READ A FIRST TIME the **16th** day of **January, 2017.**

READ A SECOND TIME the **16th** day of **January, 2017.**

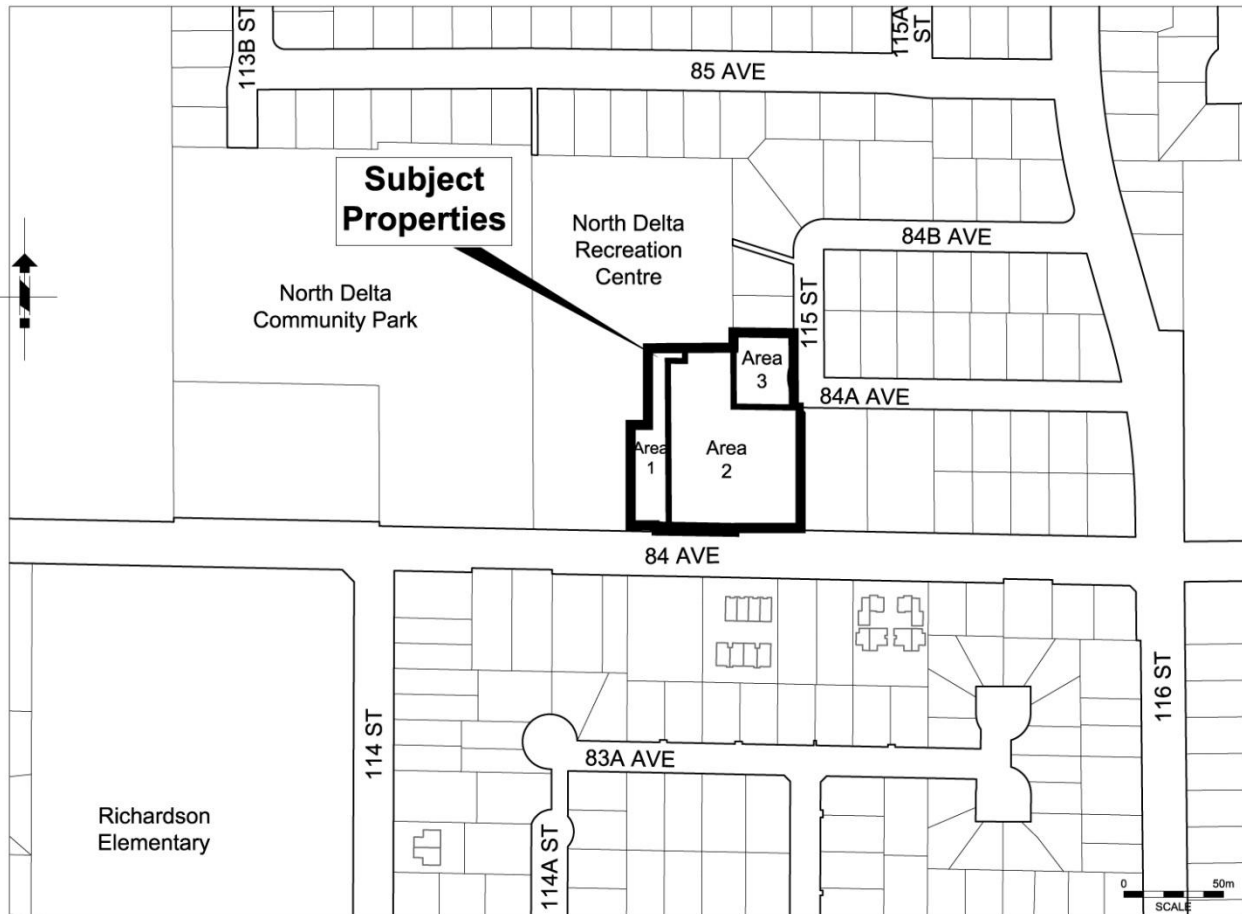
PUBLIC HEARING HELD the day of , 201 .

READ A THIRD TIME the day of , 201 .

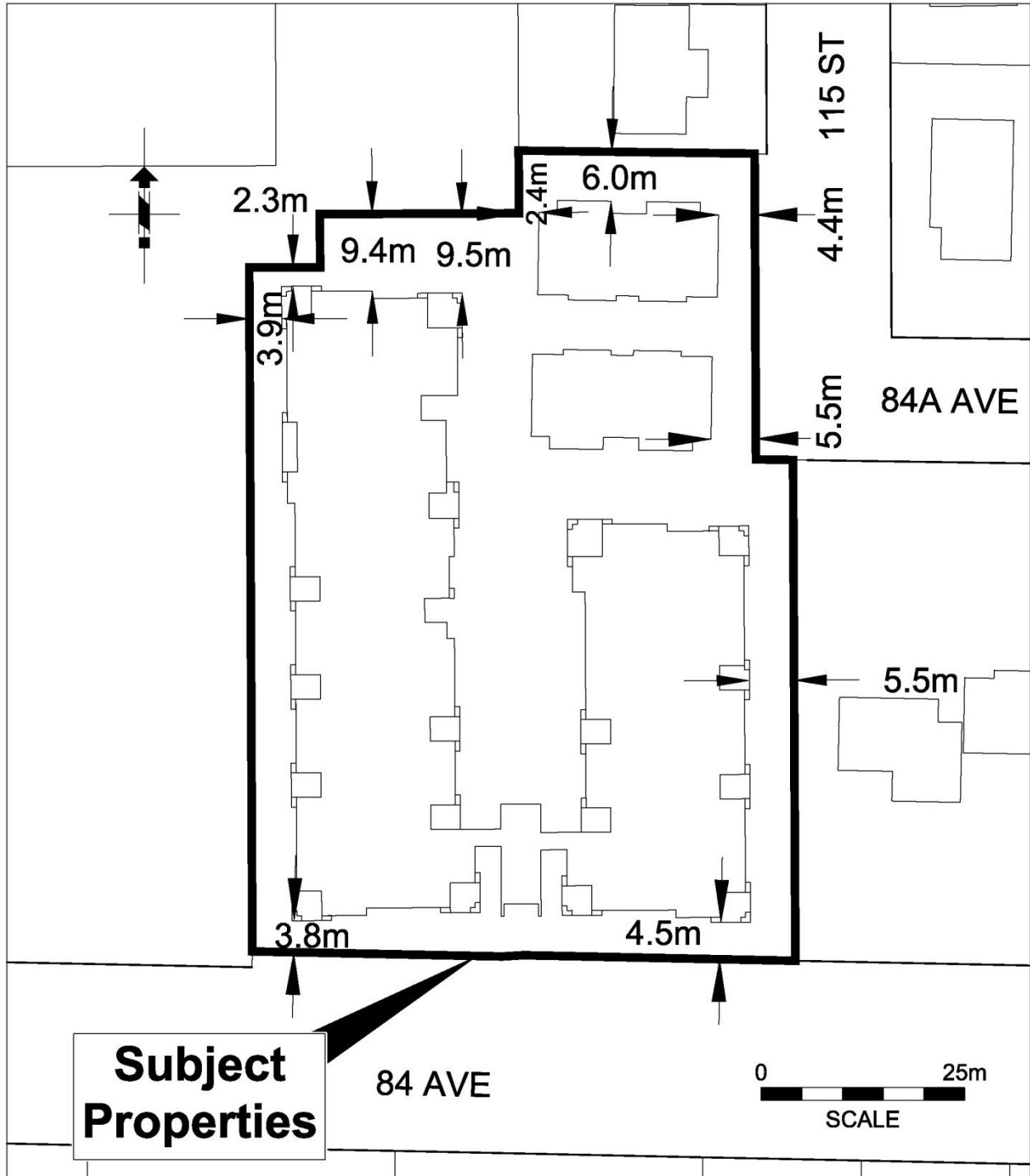
FINALLY CONSIDERED AND ADOPTED the day of , 201 .

Lois E. Jackson
Mayor

Robyn Anderson
Municipal Clerk



This is Schedule 7586-1 to "Delta Zoning Bylaw No. 2750, 1977 Amendment
(C.D. 475 – H. Sharma & Associates Inc. – LU007852)
Bylaw No. 7586, 2017"



This is Schedule 7586-2 to "Delta Zoning Bylaw No. 2750, 1977 Amendment (C.D. 475 – H. Sharma & Associates Inc. – LU007852) Bylaw No. 7586, 2017"