

THE CORPORATION OF DELTA

BYLAW NO. 7653

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. 360-5 – Tsawwassen Golf & Country Club Ltd. – LU007923) Bylaw No. 7653, 2017**".

2. "Delta Zoning Bylaw No. 2750, 1977" as amended is hereby further amended by:

(a) Rezoning the lands shown on Schedule 7653-1 as follows:

(i) Lands within the area outlined in bold and marked "C.D. 360-1" as C.D. 360-1 Comprehensive Development Zone No. 360-1; and

(ii) Lands within the area outlined in bold and marked "CD 360-5" as C.D. 360-5 Comprehensive Development Zone No. 360-5;

and by amending the "Delta Zoning Maps" referred to in Section 301 accordingly.

(b) inserting "360-5 Delta Zoning Bylaw No. 2750, 1977 Amendment (C.D. 360-5 – Tsawwassen Golf & Country Club Ltd. – LU007923) Bylaw No. 7653, 2017" in the correct numerical order in the LIST OF COMPREHENSIVE DEVELOPMENT BYLAWS in Part VIIIA; and

(c) inserting the following zone in numerical order in Part VIIIA:

"C.D. 360-5

ZONE: COMPREHENSIVE DEVELOPMENT ZONE NO. 360-5

1. Permitted Uses:

Subject to the General Regulations – Residential Zones in Part VI, the following uses and no other uses shall be permitted:

Principal Uses:

'Townhouse'

Accessory Uses:

'Common Outdoor Amenity Area'

'Home Occupation'

The keeping of 'Household Pets'

2. Interpretation

Notwithstanding the definition of 'Lot' in Part II Interpretations General, in this zone:

'Common Outdoor Amenity Area' means land free of buildings, roadways and parking areas that includes recreational structures such as benches and a children's playground apparatus.

'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, but does not include any 'Common Property' or 'Limited Common Property' (as those terms are defined in the *Strata Property Act*) associated with such parcel of land; 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 a parcel of land shown on a strata plan other than a bare land strata plan, but does not include any 'Common Property' or 'limited common property' (as those terms are defined in the *Strata Property Act*) associated with such parcel of land.

3. Setbacks

- (a) All Principal 'Structures' and 'Accessory Structures' shall be located within the shaded area and sited in general accordance with the building footprints as shown in Schedule 7653-2.
- (b) Notwithstanding Subsection (a), eaves, roof overhangs and balconies and other architectural appurtenances may encroach by up to 0.8 metres into the minimum 'Setback' areas on all sides.

4. Maximum 'Height':

| | Principal 'Structure' | Accessory 'Structure' |
|--|--------------------------|--------------------------|
| Maximum 'Storeys' | 3 | 1 |
| Maximum 'Height' to the roof ridge for a 'Pitched Roof' 'structure': | 10.5 metres* | 4.6 metres* |
| Maximum 'Height' to the 'Mid-Roof' or the top of a flat roof 'structure': | 9.5 metres* | 3.75 metres* |

*Notwithstanding the definition of 'Vertical Building Envelope', building heights shall be measured from the two point nine (2.9) metre Geodetic Survey of Canada datum.

5. Density:
 - (a) Maximum Number of 'Dwelling Units': 60
 - (b) Maximum 'Floor Space Ratio': 0.58

6. Site Coverage:

'Site Coverage' shall not exceed 35% of the area of the 'Lot'.

7. Minimum Lot Size for Subdivision:
 - (a) Subdivision under the *Land Title Act* or Bare Land Strata Regulations under the *Strata Property Act*:

'Lot' Area: 1.5 ha

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

'Lot' Area: 1.5 ha

'Strata Lot' Area: 115 square metres

6. Off-Street Parking and Loading Requirements:

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

7. Other Regulations:
 - (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) Common Outdoor Amenity Area':

A 'Common Outdoor Amenity Area' at least 430 square metres in size, for the general use of residents of the subject lot, shall be provided in general accordance with the area identified in Schedule 7653-2 as 'Common Outdoor Amenity Area' and shall be maintained in good condition at all times.

 - (c) Fencing:

A 'Fence' 1.8 metres in height shall be provided between private 'Amenity, Open Space' and where a private 'Amenity, Open Space' abuts Springs Boulevard. 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'.

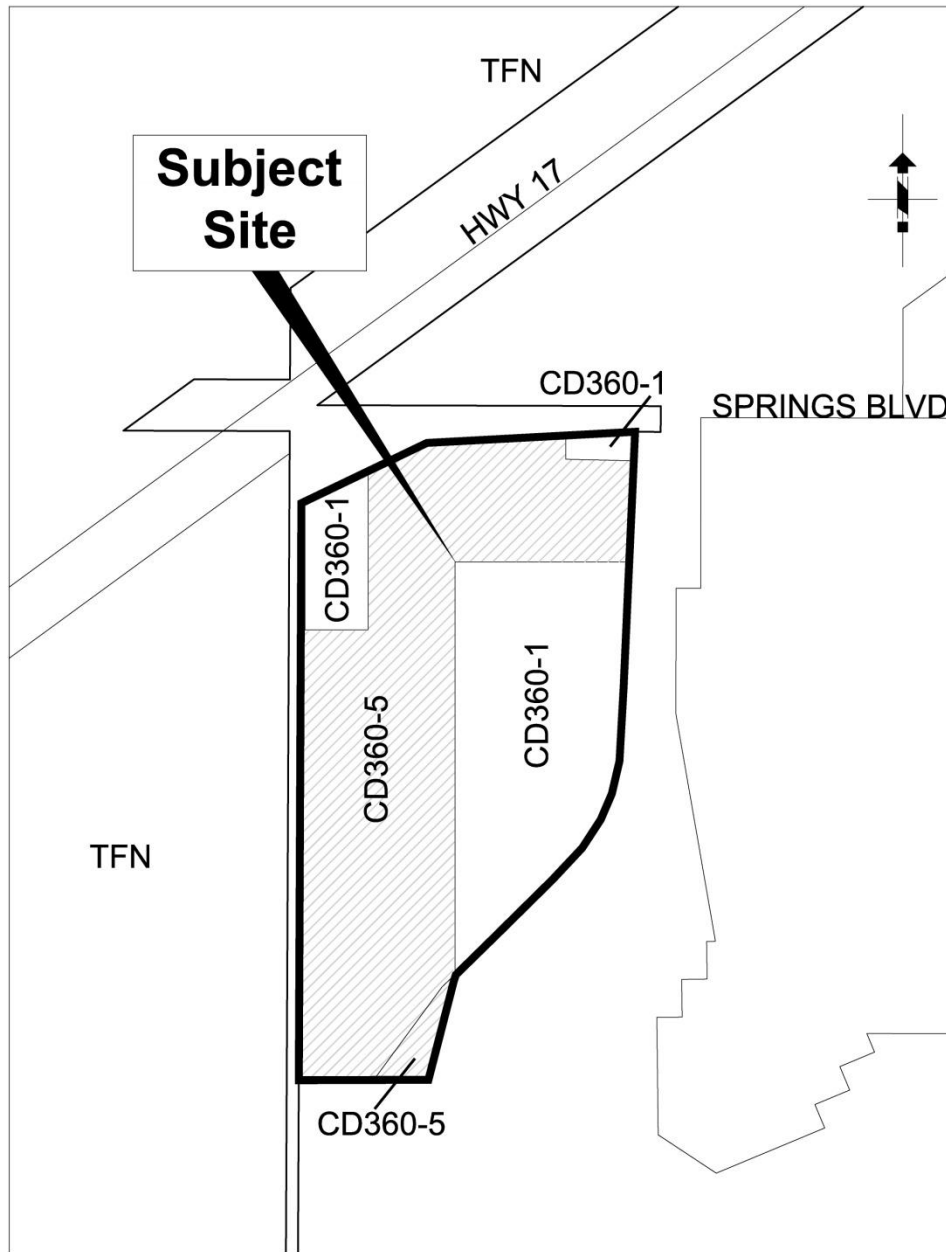
- (d) **Driveways:**
A driveway at least 3.2 m in length shall be provided for each townhouse dwelling unit, as measured from the curb of the internal road to the garage door of the townhouse dwelling unit.
- (e) **Outside Storage:**
The storage of goods or materials outside any building is prohibited. 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.
- (f) **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.
- (g) **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.
- (h) **Surface Finish:**
All parking areas and driveways shall be surfaced with 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.

9. 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 therefore 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



This is Schedule 7653-1 to “Delta Zoning Bylaw No. 2750, 1977 Amendment
(C.D. 360-5 – Tsawwassen Golf & Country Club Ltd. – LU007923)
Bylaw No. 7653, 2017”

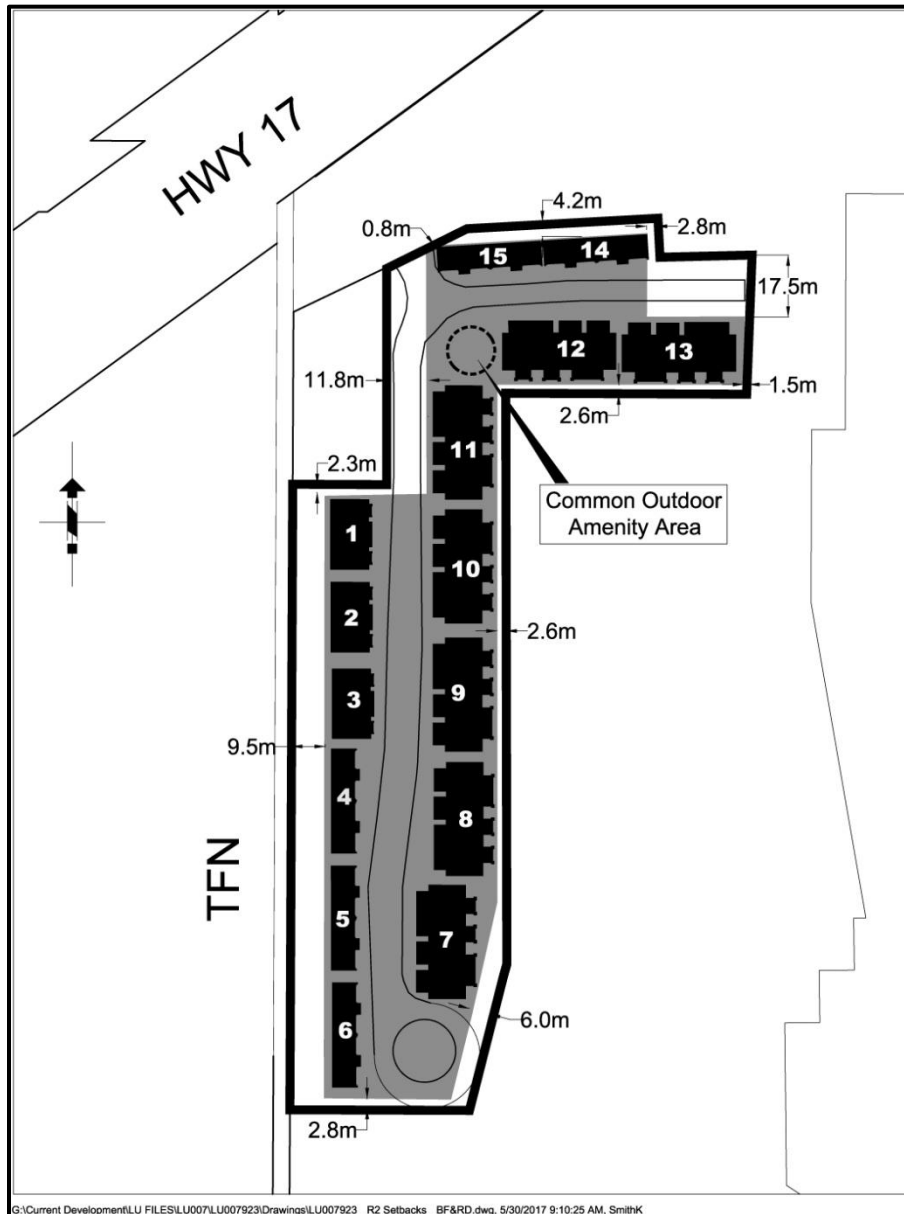
Legal: P.I.D. 013-123-149

Lot A, Section 10, Township 5, New Westminster District Plan 78593

and

Legal: P.I.D. 028-012-241

Lot 1, Section 10 & 15, Township 5, New Westminster District Plan BCP41748,
Except Plan EPP42884



This is Schedule 7653-2 to "Delta Zoning Bylaw No. 2750, 1977 Amendment (C.D. 360-5 – Tsawwassen Golf & Country Club Ltd. – LU007923) Bylaw No. 7653, 2017"

Legal: P.I.D. 013-123-149

Lot A, Section 10, Township 5, New Westminster District Plan 78593

and

Legal: P.I.D. 028-012-241

Lot 1, Section 10 & 15, Township 5, New Westminster District Plan BCP41748, Except Plan EPP42884