

THE CORPORATION OF DELTA

BYLAW NO. 6388

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. 339 – Delsom Estates – LU04216) Bylaw No. 6388, 2005**".
2. "Delta Zoning Bylaw No. 2750, 1977" as amended is hereby further amended by:
 - (a) rezoning the lands shown on Schedule 6388-1 as follows:
 - (i) Lands within the areas outlined in bold and marked "CD 339-1" as C.D. 339-1 Comprehensive Development Zone No. 339-1;
 - (ii) Lands within the area outlined in bold and marked "CD 339-2" as C.D. 339-2 Comprehensive Development Zone No. 339-2;
 - (iii) Lands within the area outlined in bold and marked "CD 339-3" as C.D. 339-3 Comprehensive Development Zone No. 339-3;
 - (iv) Lands within the areas outlined in bold and marked "CD 339-4" as C.D. 339-4 Comprehensive Development Zone No. 339-4;
 - (v) Lands within the area outlined in bold and marked "CD 339-5" as C.D. 339-5 Comprehensive Development Zone No. 339-5;
 - (vi) Lands within the area outlined in bold and marked "CD 339-6" as C.D. 339-6 Comprehensive Development Zone No. 339-6;
 - (vii) Lands within the area outlined in bold and marked "CD 339-7" as C.D. 339-7 Comprehensive Development Zone No. 339-7;
 - (viii) Lands within the area outlined in bold and marked "CD 339-8" as C.D. 339-8 Comprehensive Development Zone No. 339-8; and
 - (ix) Lands within the areas outlined in bold and marked "P Public Use" as P Public Use.

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

- (b) inserting "339 Delta Zoning Bylaw No. 2750, 1977 Amendment (C.D. 339 – Delsom Estates – LU04216) Bylaw No. 6388, 2005" in the correct numerical order in the LIST OF COMPREHENSIVE DEVELOPMENT BYLAWS in Part VIIIA; and
- (c) inserting the following zones in numerical order in Part VIIIA:

“C.D. 339-1

ZONE: COMPREHENSIVE DEVELOPMENT ZONE NO. 339-1

1.1 Permitted Uses

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

Principal Use:

‘Dwelling, Single Family’

Accessory Permitted Uses:

‘Home Occupation’

Keeping of ‘Household Pets’

For the purposes of Section 607, this zone shall be deemed to be a RS zone.

1.2 Density

- (a) Not more than 115 nor less than 97 ‘Dwelling Units’ shall be constructed within the entire area comprising this zone.
- (b) Maximum density: 24.8 units per hectare (10 units per acre)
- (c) The maximum floor area of a ‘Dwelling, Single Family’ shall be the lesser of 235 square metres and the floor area derived from a maximum ‘Floor Space Ratio’ of 0.60.
- (d) Notwithstanding the definition of ‘Basement’ in Part II Interpretations, in this zone ‘basement’ means any ‘Storey’ of a ‘Structure’ having more than one-half of its volume below the finished grade adjacent to its exterior walls, and includes a ‘Cellar’.
- (e) Notwithstanding the definitions of ‘Floor Area’ and ‘Floor Space Ratio’ in Part II Interpretations, in this zone a ‘basement’ is not included in the calculation of maximum floor area under Section 1.2(c) of this zone.

1.3 Setbacks

- (a) Minimum ‘Setbacks’ for a principal building and an ‘Accessory Structure’ shall be:

	<u>Principal Building</u>	<u>‘Accessory Structure’</u>
Front	5.5 metres	12.0 metres
Rear	5.2 metres	1.0 metre
Side	1.2 metres	1.0 metre
Side on a ‘Flanking Street’	2.4 metres	6.5 metres

- (b) 'Permitted Projections' of a principal building may encroach into the required 'Setback' areas by no more than 0.6 metre, but to no closer than 0.9 metre from the side lot line and 2.0 metres to the side lot line on the 'Flanking Street'.
- (c) Notwithstanding Section 1.3(b) of this zone, cantilevered projections above the first 'Storey' may encroach into the required front or rear 'Setback' area by no more than 1.2 metres. A 'basement' shall not be considered a first 'Storey' for the purposes of this section.
- (d) The total horizontal lengths of 'Permitted Projections' on a building face, including any cantilevered projections but excluding eaves, shall not be greater than 30% of the length of the building face on which the projections occur.
- (e) Section 607.3 Rear Setback – Windows shall not apply in this zone.

1.4 Height of Structure

- (a) Notwithstanding the definitions of 'Height' and 'Vertical Building Envelope' in Part II Interpretations, in this zone 'height' means the vertical dimension of a 'Structure' or roof element measured from the average elevation of the two corners of the 'Structure' closest to the 'Front Lot Line' and the two corners of the 'Structure' closest to the rear lot line. Elevation shall be determined by reference to the Lot Grading Plan approved by the Municipality, and if there is no such Lot Grading Plan, then by reference to the actual elevations on the date the building permit is applied for.

- (b) The 'height' of a 'Structure' shall not exceed the following:

	<u>Principal Building</u>	<u>'Accessory Structure'</u>
(i) Maximum 'Storeys'	2 'Storeys' excluding any 'basement'	1 'Storey'
(ii) Maximum 'height' to roof ridge for a 'Pitched Roof' building	10.5 metres*	4.6 metres
(iii) Maximum 'height' to top of a flat roof building or to 'Mid-Roof'	8.0 metres*	3.75 metres

* On a 'Lot' that has an elevation difference of 2 metres or more between the 'Front Lot Line' and the rear lot line, the 'height' of a principal building may be increased to a maximum of 11.5 metres to the roof ridge for a 'Pitched Roof' building and 9.0 metres to the top of a flat roof building or to the 'Mid-Roof'.

- (c) Sections 306, 306A and 306B shall not apply in this zone.

1.5 Site Coverage

Maximum 'Site Coverage' shall not exceed 55% of the area of the 'Lot'.

1.6 Minimum Lot Size for Subdivision

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

- (i) 'Lot' area: 370 square metres
- (ii) 'Lot' width: 13.5 metres
- (iii) 'Lot' depth: 27.0 metres

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

Not applicable.

1.7 Off-Street Parking and Loading Requirements

(a) Off-street parking shall be provided, developed, and maintained in accordance with Part IX Off-Street Parking Regulations of this bylaw.

(b) Not less than 50 percent of all required off-street parking spaces or one parking space, whichever figure is greater, shall be contained within a private 'Garage' or principal building.

1.8 Other Regulations

(a) Front Building Elevation:

(i) Notwithstanding Section 607.4(a)(iii), the area covered by an attached 'Garage' and a porch may be included in the floor area of the first 'Storey' for the purposes of determining the maximum permitted floor area and indentation of the second 'Storey' under Section 607.4(a)(i).

(ii) The horizontal distance between the front-most part of an attached 'Garage' and the front-most face of the rest of the building foundation, including the foundation or footing supporting the roof of a covered porch, shall not exceed 3 metres.

(iii) Section 607.4(b) shall not apply in this zone.

(b) Principal Structure on the Same 'Lot':

Not more than one 'Dwelling, Single Family' shall be permitted on each 'Lot'.

(c) 'Floor Area':

No 'Dwelling Unit' shall have less than 90 square metres of 'Floor Area'.

(d) Impermeable Area:

Notwithstanding Section 607.6, in this zone not more than 70% of the total area of a 'Lot' may be covered by 'Impermeable Material'. This applies to 'Impermeable Material' sitting on, projecting or suspended over the surface of the 'Lot', and does not include swimming pools.

1.9 Land Development

Notwithstanding any other provisions of this bylaw, the uses permitted by this zone 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. 5100, 1994', 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. 5100, 1994', as amended from time to time.

C.D. 339-2

ZONE: COMPREHENSIVE DEVELOPMENT ZONE NO. 339-2

2.1 Permitted Uses

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

Principal Use:
'Townhouse'

Accessory Permitted Uses:
'Home Occupation'
Indoor Amenity Space
Keeping of 'Household Pets'
Public Walkway

2.2 Density

- (a) Not more than 74 nor less than 64 'Dwelling Units' shall be constructed within the entire area comprising this zone.
- (b) Maximum density: 17.23 units per hectare (7 units per acre)
- (c) Maximum 'Floor Space Ratio': 0.4

2.3 Setbacks

- (a) Minimum 'Setbacks' for a principal building and an 'Accessory Structure' shall be:

	<u>Principal Building</u>	<u>'Accessory Structure'</u>
Front	5.0 metres	12.0 metres
Rear	4.5 metres	1.0 metre
Side	3.0 metres	1.0 metre
Side on a 'Flanking Street'	5.0 metres	5.0 metres

- (b) 'Permitted Projections' of a principal building may encroach into the required 'Setback' areas by no more than 0.6 metre, provided that the total horizontal lengths of the 'Permitted Projections' on a building face, except eaves, shall not be greater than 30% of the length of the building face on which the projections occur.
- (c) Notwithstanding Section 2.3(b) of this zone, cantilevered projections above the first 'Storey' may encroach into the required front or rear 'Setback' area by no more than 1.2 metres provided that the total horizontal lengths of the 'Permitted Projections' on a building face, including the cantilevered projections but excluding eaves, are not greater than 30% of the length of the building face on which the projections occur.

2.4 Height of Structures

- (a) Notwithstanding the definitions of 'Height' and 'Vertical Building Envelope' in Part II Interpretations, in this zone 'height' means the vertical dimension of a 'Structure' or roof element measured from the average elevation of the two corners of the 'Structure' closest to the 'Front Lot Line' and the two corners of the 'Structure' closest to the

rear lot line. Elevation shall be determined by reference to the Lot Grading Plan approved by the Municipality, and if there is no such Lot Grading Plan, then by reference to the actual elevations on the date the building permit is applied for.

- (b) The 'height' of a 'Structure' shall not exceed the following:

	<u>Principal Building</u>	<u>'Accessory Structure'</u>
(i) Maximum 'Storeys'	3	1
(ii) Maximum 'height' to roof ridge for a 'Pitched Roof' building	13 metres	6.0 metres
(iii) Maximum 'height' to top of a flat roof building or to 'Mid-Roof'	11 metres	4.5 metres

- (c) Sections 306, 306A and 306B shall not apply in this zone.

2.5 Site Coverage

Maximum 'Site Coverage' shall not exceed 45% of the area of the 'Lot'.

2.6 Minimum Lot Size for Subdivision

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

(i) 'Lot' area:	4,000 square metres
(ii) 'Lot' frontage:	30 metres
(iii) 'Lot' depth:	30 metres

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

'Lot' area:	120 square metres
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2.7 Off-Street Parking and Loading Requirements

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

2.8 Other Regulations

- (a) Landscaping and Screening:

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

(b) 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 single family residential zone. 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'.

(c) 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.

(d) 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.

(e) Pavement Finish:

Notwithstanding Section 901.5(i), all parking areas and driveways shall be surfaced with asphalt, concrete or permeable pavers so as to provide a surface that is durable and dust-free and shall be so graded and drained to eliminate sheet flow of drainage water onto sidewalks, public rights-of-way, or abutting property.

2.9 Land Development

Notwithstanding any other provisions of this bylaw, the uses permitted by this zone 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. 5100, 1994', 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. 5100, 1994', as amended from time to time.

C.D. 339-3

ZONE: COMPREHENSIVE DEVELOPMENT ZONE NO. 339-3

3.1 Permitted Uses

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

Principal Use:
'Townhouse'

Accessory Permitted Uses:
'Home Occupation'
Indoor Amenity Space
Keeping of 'Household Pets'

3.2 Density

- (a) Not more than 104 nor less than 85 'Dwelling Units' shall be constructed within the entire area comprising this zone.
- (b) Maximum density: 27.33 units per hectare (11 units per acre)
- (c) Maximum 'Floor Space Ratio': 0.6

3.3 Setbacks

- (a) Minimum 'Setbacks' for a principal building and an 'Accessory Structure' shall be:

	<u>Principal Building</u>	<u>'Accessory Structure'</u>
Front	5.0 metres	12.0 metres
Rear abutting a street	5.0 metres	5.0 metres
Rear not abutting a street	4.5 metres	1.0 metre
Side	3.0 metres	1.0 metre
Side on a 'Flanking Street'	5.0 metres	5.0 metres

- (b) Notwithstanding Section 3.3(a) of this zone, the minimum 'Setbacks' from lot lines abutting 84 Avenue shall be 6.5 metres for a principal building and 12.0 metres for an 'Accessory Structure'.

- (c) 'Permitted Projections' of a principal building may encroach into the required 'Setback' areas by no more than 0.6 metre, provided that the total horizontal lengths of the 'Permitted Projections' on a building face, except eaves, shall not be greater than 30% of the length of the building face on which the projections occur.
- (d) Notwithstanding Section 3.3(c) of this zone, cantilevered projections above the first 'Storey' may encroach into the required front or rear 'Setback' area by no more than 1.2 metres provided that the total horizontal lengths of the 'Permitted Projections' on a building face, including the cantilevered projections but excluding eaves, are not greater than 30% of the length of the building face on which the projections occur.

3.4 Height of Structures

- (a) Notwithstanding the definitions of 'Height' and 'Vertical Building Envelope' in Part II Interpretations, in this zone 'height' means the vertical dimension of a 'Structure' or roof element measured from the average elevation of the two corners of the 'Structure' closest to the 'Front Lot Line' and the two corners of the 'Structure' closest to the rear lot line. Elevation shall be determined by reference to the Lot Grading Plan approved by the Municipality, and if there is no such Lot Grading Plan, then by reference to the actual elevations on the date the building permit is applied for.

- (b) The 'height' of a 'Structure' shall not exceed the following:

	<u>Principal Building</u>	<u>'Accessory Structure'</u>
(i) Maximum 'Storeys'	3*	1
(ii) Maximum 'height' to roof ridge for a 'Pitched Roof' building	13 metres*	6.0 metres
(iii) Maximum 'height' to top of a flat roof building or to 'Mid-Roof'	11 metres*	4.5 metres

* The maximum 'height' of any principal buildings abutting 84 Avenue shall not exceed 2 'Storeys' and 10.5 metres to the roof ridge and 8.0 metres to the 'Mid-Roof' for a 'Pitched Roof' building or 8.0 metres to the top of a flat roof building.

- (c) Sections 306, 306A and 306B shall not apply in this zone.

3.5 Site Coverage

Maximum 'Site Coverage' shall not exceed 45% of the area of the 'Lot'.

3.6 Minimum Lot Size for Subdivision

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

- (i) 'Lot' area: 4,000 square metres
- (ii) 'Lot' frontage: 30 metres
- (iii) 'Lot' depth: 30 metres

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

'Lot' area: 100 square metres

3.7 Off-Street Parking and Loading Requirements

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

3.8 Other Regulations

(a) Landscaping and Screening:

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

(b) 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 single family residential, duplex or public use zone. 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'.

(c) 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.

(d) 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.

(e) Pavement Finish:

Notwithstanding Section 901.5(i), all parking areas and driveways shall be surfaced with asphalt, concrete or permeable pavers so as to provide a surface that is durable and dust-free and shall be so graded and drained to eliminate sheet flow of drainage water onto sidewalks, public rights-of-way or abutting property.

3.9 Land Development

Notwithstanding any other provisions of this bylaw, the uses permitted by this zone 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. 5100, 1994', 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. 5100, 1994', as amended from time to time.

C.D. 339-4

ZONE: COMPREHENSIVE DEVELOPMENT ZONE NO. 339-4

4.1 Permitted Uses

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

Principal Use:

'Townhouse'

Accessory Permitted Uses:

'Home Occupation'

Indoor Amenity Space

Keeping of 'Household Pets'

4.2 Density

- (a) Not more than 294 nor less than 241 'Dwelling Units' shall be constructed within the entire area comprising this zone.
- (b) Maximum density:
- (i) On a 'Lot' within the area marked 'Block C' on Schedule 6388-2: 34.44 units per hectare (14 units per acre)
 - (ii) On a 'Lot' within the area marked 'Block E' on Schedule 6388-2: 30.29 units per hectare (12 units per acre)
 - (ii) On a 'Lot' within the area marked 'Block F' on Schedule 6388-2: 32.22 units per hectare (13 units per acre)
- (c) Maximum 'Floor Space Ratio':
- (i) On a 'Lot' within the areas marked 'Block E' and 'Block F' on Schedule 6388-2: 0.7
 - (ii) On a 'Lot' within the area marked 'Block C' on Schedule 6388-2: 0.8

4.3 Setbacks

- (a) Minimum 'Setbacks' for a principal building and an 'Accessory Structure' shall be:
- | | <u>Principal Building</u> | <u>'Accessory Structure'</u> |
|-----------------------------|---------------------------|------------------------------|
| Front | 5.0 metres | 12.0 metres |
| Rear abutting a street | 5.0 metres | 5.0 metres |
| Rear not abutting a street | 4.5 metres | 1.0 metre |
| Side | 3.0 metres | 1.0 metre |
| Side on a 'Flanking Street' | 5.0 metres | 5.0 metres |
- (b) 'Permitted Projections' of a principal building may encroach into the required 'Setback' areas by no more than 0.6 metre, provided that the total horizontal lengths of the 'Permitted Projections' on a building face, except eaves, shall not be greater than 30% of the length of the building face on which the projections occur.
- (c) Notwithstanding Section 4.3(b) of this zone, cantilevered projections above the first 'Storey' may encroach into the required front or rear 'Setback' area by no more than 1.2 metres provided that the total horizontal lengths of the 'Permitted Projections' on a building face, including the cantilevered projections but excluding eaves, are not greater than 30% of the length of the building face on which the projections occur.

4.4 Height of Structures

(a) Notwithstanding the definitions of 'Height' and 'Vertical Building Envelope' in Part II Interpretations, in this zone 'height' means the vertical dimension of a 'Structure' or roof element measured from the average elevation of the two corners of the 'Structure' closest to the 'Front Lot Line' and the two corners of the 'Structure' closest to the rear lot line. Elevation shall be determined by reference to the Lot Grading Plan approved by the Municipality, and if there is no such Lot Grading Plan, then by reference to the actual elevations on the date the building permit is applied for.

(b) The 'height' of a 'Structure' shall not exceed the following:

	<u>Principal Building</u>	<u>'Accessory Structure'</u>
(i) Maximum 'Storeys'	3	1
(ii) Maximum 'height' to roof ridge for a 'Pitched Roof' building	13 metres	4.6 metres
(iii) Maximum 'height' to top of a flat roof building or to 'Mid-Roof'	11 metres	3.75 metres

(c) Sections 306, 306A and 306B shall not apply in this zone.

4.5 Site Coverage

Maximum 'Site Coverage' shall not exceed 45% of the area of the 'Lot'.

4.6 Minimum Lot Size for Subdivision

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

(i) 'Lot' area:	4,000 square metres
(ii) 'Lot' frontage:	30 metres
(iii) 'Lot' depth:	30 metres

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

'Lot' area:	100 square metres
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4.7 Off-Street Parking and Loading Requirements

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

4.8 Other Regulations

(a) Landscaping and Screening:

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

(b) 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 single family residential zone. 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'.

(c) 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.

(d) 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.

(e) Pavement Finish:

Notwithstanding Section 901.5(i), all parking areas and driveways shall be surfaced with asphalt, concrete or permeable pavers so as to provide a surface that is durable and dust-free and shall be so graded and drained to eliminate sheet flow of drainage water onto sidewalks, public rights-of-way or abutting property.

4.9 Land Development

Notwithstanding any other provisions of this bylaw, the uses permitted by this zone 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. 5100, 1994', 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. 5100, 1994', as amended from time to time.

C.D. 339-5

ZONE: COMPREHENSIVE DEVELOPMENT ZONE NO. 339-5

5.1 Permitted Uses

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

Principal Use:
'Townhouse'

Accessory Permitted Uses:
'Home Occupation'
Indoor Amenity Space
Keeping of 'Household Pets'

5.2 Density

- (a) Not more than 211 nor less than 184 'Dwelling Units' shall be constructed within the entire area comprising this zone.
- (b) Maximum density: 39.86 units per hectare (16 units per acre)
- (c) Maximum 'Floor Space Ratio': 0.8

5.3 Setbacks

- (a) Minimum 'Setbacks' for a principal building and an 'Accessory Structure' shall be:

	<u>Principal Building</u>	<u>'Accessory Structure'</u>
Front	5.0 metres	12.0 metres
Rear abutting a street	5.0 metres	5.0 metres
Rear not abutting a street	4.5 metres	1.0 metre
Side	3.0 metres	1.0 metre

Side on a 'Flanking Street'	5.0 metres	5.0 metres
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- (b) 'Permitted Projections' of a principal building may encroach into the required 'Setback' areas by no more than 0.6 metre, provided that the total horizontal lengths of the 'Permitted Projections' on a building face, except eaves, shall not be greater than 30% of the length of the building face on which the projections occur.
- (c) Notwithstanding Section 5.3(b) of this zone, cantilevered projections above the first 'Storey' may encroach into the required front or rear 'Setback' area by no more than 1.2 metres provided that the total horizontal lengths of the 'Permitted Projections' on a building face, including the cantilevered projections but excluding eaves, are not greater than 30% of the length of the building face on which the projections occur.

5.4 Height of Structures

- (a) Notwithstanding the definitions of 'Height' and 'Vertical Building Envelope' in Part II Interpretations, in this zone 'height' means the vertical dimension of a 'Structure' or roof element measured from the average elevation of the two corners of the 'Structure' closest to the 'Front Lot Line' and the two corners of the 'Structure' closest to the rear lot line. Elevation shall be determined by reference to the Lot Grading Plan approved by the Municipality, and if there is no such Lot Grading Plan, then by reference to the actual elevations on the date the building permit is applied for.
- (b) The 'height' of a 'Structure' shall not exceed the following:

	<u>Principal Building</u>	<u>'Accessory Structure'</u>
(i) Maximum 'Storeys'	3	1
(ii) Maximum 'height' to roof ridge for a 'Pitched Roof' building	13 metres	4.6 metres
(iii) Maximum 'height' to top of a flat roof building or to 'Mid-Roof'	11 metres	3.75 metres

- (c) Sections 306, 306A and 306B shall not apply in this zone.

5.5 Site Coverage

Maximum 'Site Coverage' shall not exceed 45% of the area of the 'Lot'.

5.6 Minimum Lot Size for Subdivision

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

- (i) 'Lot' area: 4,000 square metres
- (ii) 'Lot' frontage: 30 metres
- (iii) 'Lot' depth: 30 metres

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

'Lot' area: 100 square metres

5.7 Off-Street Parking and Loading Requirements

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

5.8 Other Regulations

(a) Landscaping and Screening:

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

(b) 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 single family residential zone. 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'.

(c) 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.

(d) 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.

(e) Pavement Finish:

Notwithstanding Section 901.5(i), all parking areas and driveways shall be surfaced with asphalt, concrete or permeable pavers so as to provide a surface that is durable and dust-free and shall be so graded and drained to eliminate sheet flow of drainage water onto sidewalks, public rights-of-way or abutting property.

5.9 Land Development

Notwithstanding any other provisions of this bylaw, the uses permitted by this zone 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. 5100, 1994', 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. 5100, 1994', as amended from time to time.

C.D. 339-6

ZONE: COMPREHENSIVE DEVELOPMENT ZONE NO. 339-6

6.1 Permitted Uses

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

Principal Use:
'Townhouse'

Accessory Permitted Uses:
'Home Occupation'
Indoor Amenity Space
Keeping of 'Household Pets'

6.2 Density

- (a) Not more than 144 nor less than 128 'Dwelling Units' shall be constructed within the entire area comprising this zone.
- (b) Maximum density: 44.45 units per hectare (18 units per acre)
- (c) Maximum 'Floor Space Ratio': 0.8

6.3 Setbacks

- (a) Minimum 'Setbacks' for a principal building and an 'Accessory Structure' shall be:

	<u>Principal Building</u>	<u>'Accessory Structure'</u>
Front	5.0 metres	12.0 metres
Rear abutting a street	5.0 metres	5.0 metres
Rear not abutting a street	4.5 metres	1.0 metre
Side	3.0 metres	1.0 metre
Side on a 'Flanking Street'	5.0 metres	5.0 metres

- (b) 'Permitted Projections' of a principal building may encroach into the required 'Setback' areas by no more than 0.6 metre, provided that the total horizontal lengths of the 'Permitted Projections' on a building face, except eaves, shall not be greater than 30% of the length of the building face on which the projections occur.
- (c) Notwithstanding Section 6.3(b) of this zone, cantilevered projections above the first 'Storey' may encroach into the required front or rear 'Setback' area by no more than 1.2 metres provided that the total horizontal lengths of the 'Permitted Projections' on a building face, including the cantilevered projections but excluding eaves, are not greater than 30% of the length of the building face on which the projections occur.

6.4 Height of Structures

- (a) Notwithstanding the definitions of 'Height' and 'Vertical Building Envelope' in Part II Interpretations, in this zone 'height' means the vertical dimension of a 'Structure' or roof element measured from the average elevation of the two corners of the 'Structure' closest to the 'Front Lot Line' and the two corners of the 'Structure' closest to the rear lot line. Elevation shall be determined by reference to the Lot Grading Plan approved by the Municipality, and if there is no such Lot Grading Plan, then by reference to the actual elevations on the date the building permit is applied for.

- (b) The 'height' of a 'Structure' shall not exceed the following:

	<u>Principal Building</u>	<u>'Accessory Structure'</u>
(i) Maximum 'Storeys'	3	1
(ii) Maximum 'height' to roof ridge for a 'Pitched Roof' building	13 metres	4.6 metres
(iii) Maximum 'height' to top of a flat roof building or to 'Mid-Roof'	11 metres	3.75 metres

- (c) Sections 306, 306A and 306B shall not apply in this zone.

6.5 Site Coverage

Maximum 'Site Coverage' shall not exceed 50% of the area of the 'Lot'.

6.6 Minimum Lot Size for Subdivision

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

'Lot' area:	4,000 square metres
'Lot' frontage:	30 metres
'Lot' depth:	30 metres

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

'Lot' area:	100 square metres
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6.7 Off-Street Parking and Loading Requirements

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

6.8 Other Regulations

- (a) Landscaping and Screening:

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

(b) 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 single family residential zone. 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'.

(c) 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.

(d) 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.

(e) Pavement Finish:

Notwithstanding Section 901.5(i), all parking areas and driveways shall be surfaced with asphalt, concrete or permeable pavers so as to provide a surface that is durable and dust-free and shall be so graded and drained to eliminate sheet flow of drainage water onto sidewalks, public rights-of-way or abutting property.

6.9 Land Development

Notwithstanding any other provisions of this bylaw, the uses permitted by this zone 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. 5100, 1994', 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. 5100, 1994', as amended from time to time.

C.D. 339-7

ZONE: COMPREHENSIVE DEVELOPMENT ZONE NO. 339-7

7.1 Permitted Uses

Subject to the General Regulations of Part VI and Part VII, the following uses and no other uses shall be permitted:

7.1.1 *Principal Uses:*

- (a) Commercial and service uses limited to the following:

Adult Daycare Facility
'Child Care/Preschool Facility'
'Drug Store'
Eating and Drinking Establishments, excluding 'Restaurant, Drive-in',
and any other Drive-in or Drive-through Service or Operation
Grooming and Clipping of 'Household Pets', excluding the Boarding
thereof
Health Club and Spa
'Office Operation'
'Personal Services' excluding 'Adult Entertainment'
'Pharmacy'
'Retail Trade' excluding 'Adult Entertainment', Pawn Shop, 'Retailer of
Automotive Products', and Sale of Weapons which are Restricted
or Prohibited by Federal or Provincial Enactments

- (b) Residential uses limited to the following:

Assisted Living Residence registered under the *Community Care and
Assisted Living Act*
'Dwelling, Senior Citizens Home'
Seniors' Apartment Building
'Seniors' Congregate Care Facility'

7.1.2 *Accessory Permitted Uses:*

Indoor Amenity Space accessory to a permitted Residential Use
'Home Occupation' accessory to a permitted Residential Use
Keeping of 'Household Pets' accessory to a permitted Residential Use

7.2 Density

- (a) Not more than 80 'Dwelling Units' and 'Sleeping Units' in aggregate shall be constructed within the entire area comprising this zone.
- (b) Maximum 'Floor Space Ratio' for commercial and service uses: 0.17

7.3 Setbacks

- (a) Minimum 'Setbacks' for a principal building and an 'Accessory Structure' shall be:

	<u>Principal Building</u>	<u>'Accessory Structure'</u>
Front	6.0 metres	12.0 metres
Rear	6.0 metres	4.5 metres
Side	4.5 metres	4.5 metres
Side on a 'Flanking Street'	6.0 metres	6.0 metres

- (b) Notwithstanding Section 7.3 (a) of this zone, the minimum 'Setbacks' for a principal building of a 'height' exceeding 10 metres to the top of a flat roof or to 'Mid-Roof' shall be 50.0 metres from a lot line abutting Nordel Way.

7.4 Maximum Height of Structures

- (a) Notwithstanding the definitions of 'Height' and 'Vertical Building Envelope' in Part II Interpretations, in this zone 'height' means the vertical dimension of a 'Structure' or roof element measured from the average elevation of the two corners of the 'Structure' closest to the 'Front Lot Line' and the two corners of the 'Structure' closest to the rear lot line. Elevation shall be determined by reference to the Lot Grading Plan approved by the Municipality, and if there is no such Lot Grading Plan, then by reference to the actual elevations on the date the building permit is applied for.

- (b) The 'height' of a 'Structure' containing or accessory to any residential use listed in Section 7.1.1(b) of this zone shall not exceed the following:

	<u>Principal Building</u>	<u>'Accessory Structure'</u>
(i) Maximum 'height' to roof ridge for a 'Pitched Roof' building	24 metres	6.0 metres
(ii) Maximum 'height' to top of a flat roof building or to 'Mid-Roof'	22 metres	4.0 metres

provided that the foregoing shall not apply to aerials, elevator shafts or stairwells.

- (c) The 'height' of a 'Structure' not containing nor accessory to any residential use listed in Section 7.1.1(b) of this zone shall not exceed the following:

	<u>Principal Building</u>	<u>'Accessory Structure'</u>
(i) Maximum 'Storeys'	2	1
(ii) Maximum 'height' to roof ridge for a 'Pitched Roof' building	12 metres	6.0 metres
(iii) Maximum 'height' to top of a flat roof building or to 'Mid-Roof'	10 metres	4.0 metres

provided that the foregoing shall not apply to aerials, elevator shafts or stairwells.

- (d) Sections 306, 306A and 306B shall not apply in this zone.

7.5 Site Coverage

Maximum 'Site Coverage' shall not exceed 50% of the area of the 'Lot'.

7.6 Minimum Lot Size for Subdivision

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

(i) 'Lot' area:	4,000 square metres
(ii) 'Lot' frontage:	30 metres
(iii) 'Lot' depth:	30 metres

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

(i) Commercial and service use 'Lot' area:	40 square metres
(ii) Residential 'Lot' area:	50 square metres

7.7 Off-Street Parking and Loading Requirements

- (a) Off-street parking and loading shall be provided, developed, and maintained in accordance with Part IX Off-Street Parking Regulations of this bylaw.
- (b) No person shall park or store, or cause to be parked or stored, any commercial vehicles, equipment, trailer or similar conveyance which exceeds a licenced 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.

7.8 Other Regulations

(a) Location of Permitted Commercial and Service Uses:

Notwithstanding Section 7.4(b) of this zone, the uses listed in Section 7.1.1(a) of this zone shall only be located on the ground and second floors.

(b) Food Store:

The gross floor area for food store uses shall not exceed 2,790 square metres within the entire area comprising this zone.

(c) Landscaping and Screening:

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

(d) 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 single family residential zone. 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'.

(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) Pavement Finish:

Notwithstanding Section 901.5(i), all parking areas and driveways shall be surfaced with asphalt, concrete or permeable pavers so as to provide a surface that is durable and dust-free and shall be so graded and drained to eliminate sheet flow of drainage water onto sidewalks, public rights-of-way or abutting property.

7.9 Land Development

Notwithstanding any other provisions of this bylaw, the uses permitted by this zone 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. 5100, 1994', 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. 5100, 1994', as amended from time to time.

C.D. 339-8

ZONE: COMPREHENSIVE DEVELOPMENT ZONE NO. 339-8

8.1 Permitted Uses

The following uses and no other uses shall be permitted:

Principal Use:

Private Recreation Facility not for profit or commercial use

Accessory Permitted Uses:

Adult Daycare Facility

'Child Care/Preschool Facility'

'Community Services'

'Dwelling Unit' limited to one in number and maximum 120 square metres in floor area, provided that it is contained within the principal building and is occupied by an employee of the owners to provide property management and security

Guest Suites limited to two in number and a maximum floor area of 70 square metres each provided that they are contained within the principal building, are occupied by guests of the owners on a transient basis, and do not contain cooking facilities.

8.2 Density

Maximum 'Floor Space Ratio': 0.4.

8.3 Setbacks

- (a) Minimum 'Setbacks' for a principal building and an 'Accessory Structure' shall be:

	<u>Principal Building</u>	<u>'Accessory Structure'</u>
Front	7.5 metres	12.0 metres
Rear	7.5 metres	3.0 metres
Side	3.0 metres	3.0 metres
Side on a 'Flanking Street'	5.0 metres	5.0 metres

- (b) 'Permitted Projections' of a principal building may encroach into the required 'Setback' areas by no more than 0.6 metre, provided that the total horizontal lengths of the 'Permitted Projections' on a building face, except eaves, shall not be greater than 30% of the length of the building face on which the projections occur.

- (c) Notwithstanding Section 8.3(b) of this zone, cantilevered projections above the first 'Storey' may encroach into the required front or rear 'Setback' area by no more than 1.2 metres provided that the total horizontal lengths of the 'Permitted Projections' on a building face, including the cantilevered projections but excluding eaves, are not greater than 30% of the length of the building face on which the projections occur.

8.4 Height of Structures

- (a) Notwithstanding the definitions of 'Height' and 'Vertical Building Envelope' in Part II Interpretations, in this zone 'height' means the vertical dimension of a 'Structure' or roof element measured from the average elevation of the two corners of the 'Structure' closest to the 'Front Lot Line' and the two corners of the 'Structure' closest to the rear lot line. Elevation shall be determined by reference to the Lot Grading Plan approved by the Municipality, and if there is no such Lot Grading Plan, then by reference to the actual elevations on the date the building permit is applied for.

- (b) The 'height' of a 'Structure' shall not exceed the following:

	<u>Principal Building</u>	<u>'Accessory Structure'</u>
(i) Maximum 'Storeys'	2.5	1
(ii) Maximum 'height' to roof ridge for a 'Pitched Roof' building	13.0 metres	4.6 metres
(iii) Maximum 'height' to top of a flat roof building or		

to 'Mid-Roof'

11.0 metres

3.75 metres

- (c) Sections 306, 306A and 306B shall not apply in this zone.

8.5 Site Coverage

Maximum 'Site Coverage' shall not exceed 45% of the area of the 'Lot'.

8.6 Minimum Lot Size for Subdivision

- (a) 'Lot' area: 2,500 square metres
(b) 'Lot' frontage: 30 metres
(c) 'Lot' depth: 30 metres

8.7 Off-Street Parking and Loading Requirements

- (a) Off-street parking and loading shall be provided, developed, and maintained in accordance with Part IX Off-Street Parking Regulations of this bylaw.
- (b) No person shall park or store, or cause to be parked or stored, any commercial vehicles, equipment, trailer or similar conveyance which exceeds a licenced 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.

8.8 Other Regulations

- (a) Landscaping and Screening:

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

- (b) 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.

- (c) 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.

(d) Pavement Finish:

Notwithstanding Section 901.5(i), all parking areas and driveways shall be surfaced with asphalt, concrete or permeable pavers so as to provide a surface that is durable and dust-free and shall be so graded and drained to eliminate sheet flow of drainage water onto sidewalks, public rights-of-way or abutting property.

8.9 Land Development

Notwithstanding any other provisions of this bylaw, the uses permitted by this zone 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. 5100, 1994', 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. 5100, 1994', as amended from time to time."

3. "Delta Zoning Bylaw No. 2750, 1977" as amended is hereby further amended by inserting the following definitions in the appropriate alphabetical locations in Part II INTERPRETATIONS - GENERAL:

<u>Adult Entertainment</u>	Means the use of any premises for the offering for rent, use, viewing, or sale of an object (other than a contraceptive), commodity, good, material, device, machine or entertainment which is designed or intended to be used in or is a depiction of, a sexual act as defined in the <i>Motion Picture Act Regulations</i> . It includes, but is not limited to, a bodyrub or massage parlour, unless provided by a practitioner so licensed or registered by the Province of British Columbia, and an 'Adult Video Store'.
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<u>Adult Video Store</u>	Means any premises from which a person licensed as an adult film retailer under the <i>Motion Picture Act</i> sells or rents adult films, as defined under that Act."
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4. If any provision of this Bylaw is held to be invalid, it is the intention of Council that such invalidity shall not affect the validity of the remainder of the Bylaw and that the remainder of the Bylaw should be upheld and preserved.
5. Schedules 6388-1 and 6388-2 attached hereto shall form part of this bylaw.

READ A FIRST TIME the day of , 2005.

READ A SECOND TIME the day of , 2005.

PUBLIC HEARING HELD the day of , 2005.

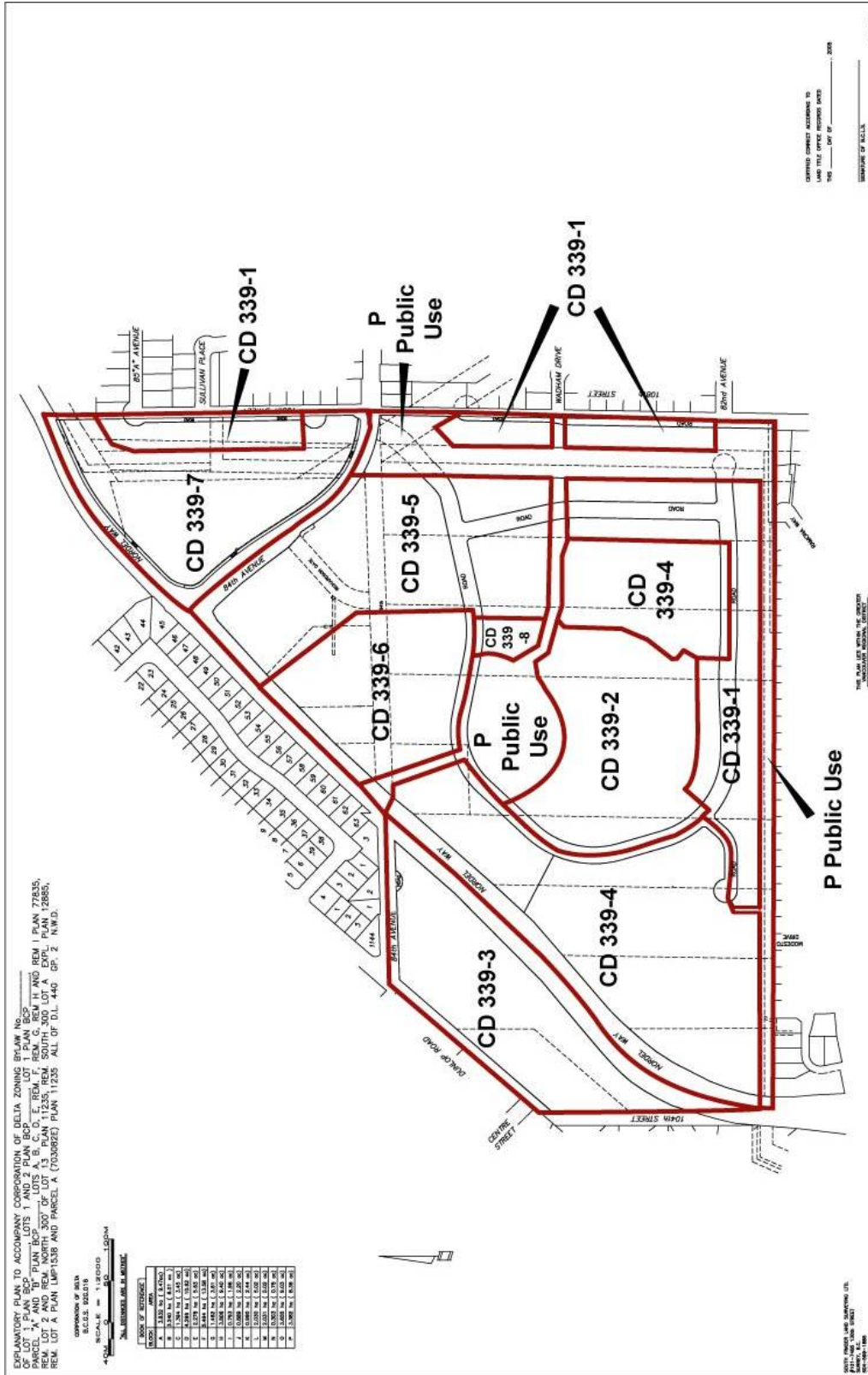
READ A THIRD TIME the day of , 200 .

APPROVED BY THE MINISTRY OF TRANSPORTATION
 the day of , 200 .

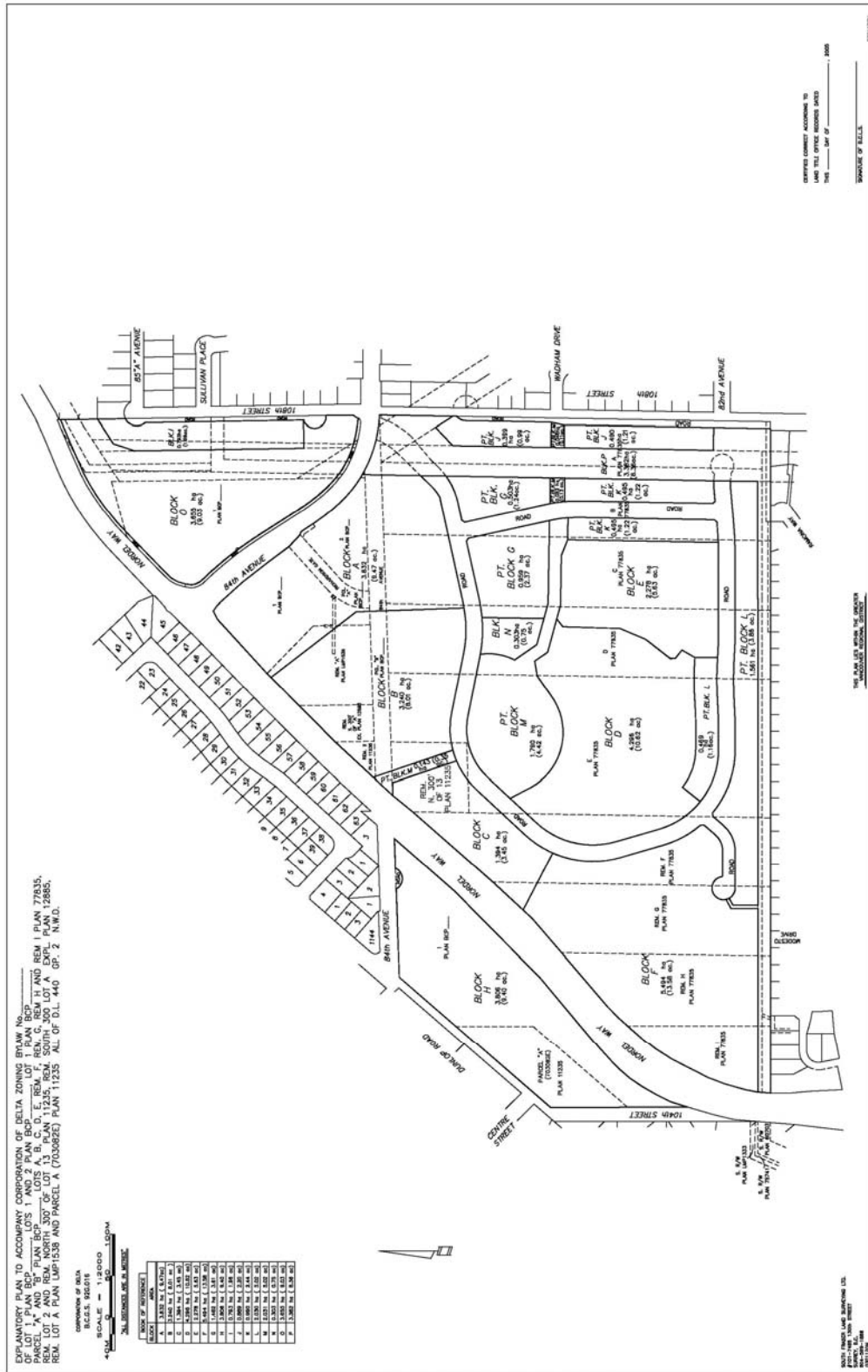
FINALLY CONSIDERED AND ADOPTED the day of , 200 .

Lois E. Jackson
Mayor

Gil Mervyn
Municipal Clerk



This is Schedule 6388-1 to "Delta Zoning Bylaw No. 2750, 1977 Amendment (C.D. 339 – Delsom Estates – LU04216) Bylaw No. 6388, 2005"



This is Schedule 6388-2 to "Delta Zoning Bylaw No. 2750, 1977 Amendment (C.D. 339 – Delsom Estates – LU04216) Bylaw No. 6388, 2005"