

THE CORPORATION OF DELTA BYLAW NO. 5395

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

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 (C.D. 98A - MARINA GARDEN ESTATES - 94-18) AMENDMENT BYLAW NO. 5395, 1996".
2. Delta Zoning Bylaw No. 2750, 1977, as amended, is hereby further amended as follows:

A. Part II: INTERPRETATIONS:

- (1) Under TYPES OF DWELLINGS insert the following after the definition of "Dwelling, Strata House":

"Stacked Townhouse	A residential building consisting of two or more ground level dwelling units located side by side, with a second dwelling unit located above each such ground level dwelling unit. Each dwelling unit shall have direct exterior access either at or near grade or to the roof deck of its 'Parking Structure, Enclosed'."
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- (2) Under GENERAL insert the following after the definition of "Motel":

"Neighbourhood Convenience Commercial	A small commercial area which primarily serves a local neighbourhood, and which may include 'Convenience Store', Eating and Drinking Establishments, 'Office Operation', 'Personal Services' and the grooming and clipping of household pets, excluding the boarding thereof."
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- B. In the table referred to in Section 901.4, under USE RESIDENTIAL, insert "and 'Stacked Townhouse'" after, but in the same row as, "Townhouse."

C. By rezoning those lands outlined in bold:

- (1) Marked "A" on Schedule 98A-1 attached hereto, from CD 98 - Comprehensive Development Zone No. 98 to CD 98A - Comprehensive Development Zone No. 98A;
- (2) Marked "B" on Schedule 98A-1 attached hereto from A1 - Agricultural Zone to C.D. 98A - Comprehensive Development Zone No. 98A;
- (3) Marked "C" on Schedule 98A-1 attached hereto from C.D. 98 - Comprehensive Development Zone No. 98 to PR1 - Public Parks and Recreation Zone; and

- (4) Marked "D" on Schedule 98A-1 attached hereto from I5 - River Zone to CD98A - Comprehensive Development Zone No. 98A;

and by amending the zoning maps referred to in Section 301 accordingly.

3. Delta Zoning Bylaw No. 2750, 1977 as amended is hereby further amended:

- A. In Section 301, by replacing "C.D. 98 - COMPREHENSIVE DEVELOPMENT ZONE NO. 98" with "C.D. 98A - COMPREHENSIVE DEVELOPMENT ZONE NO. 98A";
- B. In Part VIIIA, by deleting all regulations relating to C.D. 98 - Comprehensive Development Zone No. 98, as amended; and
- C. In Part VIIIA, by adding the following immediately after C.D. Zone No. 97- Comprehensive Development Zone No. 97:

"C.D. 98A

ZONE: COMPREHENSIVE DEVELOPMENT ZONE NO. 98A

1.0 PERMITTED USES

- 1.1. The land, buildings and structures within the following Area Designations, which are outlined in black and designated by a corresponding number on Schedule 98A-2 attached hereto and forming a part of this Bylaw, shall be used only for the following uses:

Table 1.1

Area Designation No.	Permitted Uses	Permitted Accessory Uses
1.	'Stacked Townhouse' 'Townhouse' 'Marina' Eating and Drinking Establishments	Yacht club building, offices, retail sale and rental of boats, engines, marine supplies and equipment, boat service and repairs, marine fuel sales and parking accessory to 'Marina' use. 'Home Occupation' and the keeping of 'Household Pets' accessory to 'Stacked Townhouse' and 'Townhouse'. A residence of a caretaker who is essential to the operation or security of the 'Marina'. 'Parking Structure, Attached' 'Parking Structure, Enclosed'
2A.	'Stacked Townhouse' 'Townhouse' 'Resort Hotel' 'Neighbourhood Convenience Commercial' 'Executive Golf Course' Marina Parking	'Home Occupation' and the keeping of 'Household Pets' accessory to 'Stacked Townhouse' and 'Townhouse'. 'Parking Structure, Attached' 'Parking Structure, Enclosed' 'Parking Structure, Freestanding'
2B.	'Dwelling, Single Family' 'Dwelling, Duplex' 'Townhouse' 'Executive Golf Course' Elementary School	'Home Occupation' and the keeping of 'Household Pets' accessory to 'Dwelling, Duplex', 'Dwelling, Single Family' and 'Townhouse'. School Grounds accessory to an Elementary School 'Parking Structure, Attached' 'Parking Structure, Enclosed' 'Parking Structure, Freestanding'
3.	'Dwelling, Single Family'	'Home Occupation' and the keeping of 'Household Pets' accessory to 'Dwelling, Single Family'
4.	'Dwelling, Single Family'	'Home Occupation' and the keeping of 'Household Pets' accessory to 'Dwelling, Single Family'

- 1.2. In the C.D 98A - Comprehensive Development Zone No. 98A, unless the context otherwise requires, the following terms shall have the meaning set out opposite them:

Average Setback:

The area of that portion of a 'Lot' between the face of a building and its adjacent 'Lot' line, divided by the length of that building face.

Building Height:

The upper limit of a 'Vertical Building Envelope' as determined by Section 306B and measured from 3.5 metres Geodetic Survey of Canada datum.

Executive Golf Course:

Land used for a 9-hole golf course which may include storage sheds, clubhouse facilities in one or more buildings which may contain locker rooms, pro-shop, meeting rooms, recreational and banquet facilities, and an eating and drinking establishment which may be licensed to serve liquor.

Resort Hotel:

A building containing a lobby, guest registration area and 'Hotel Units', and which may also contain eating and drinking establishments, 'Retail Trade', 'Entertainment' and recreational and banquet facilities as accessory uses.

Hotel Unit:

Not more than two rooms, only one of which contains sleep furniture, plus a bathroom but no cooking facilities, occupied or intended to be occupied by persons requiring temporary lodging while absent from their normal or permanent place of residence.

Lot Coverage:

The area of a 'Lot' covered by all buildings or projections of buildings, including minor bays, measured to the outermost edge of the exterior walls, but does not include any 'Parking Structure, Enclosed'.

Parking Structure, Attached:

A building or structure, integrally attached to or contained within a 'Dwelling, Single Family', 'Dwelling, Duplex, or 'Townhouse' used to accommodate the parking of motor vehicles, and may include a 'Garage'.

Parking Structure, Enclosed:

A building or structure, which is structurally integrated with and enclosed above grade by 'Townhouse', 'Stacked Townhouse', 'Neighbourhood Convenience Commercial' or 'Resort Hotel' buildings on all sides except for driveway access, and is used to accommodate the parking of motor vehicles and where the roof surface is used as a public or private open space.

Parking Structure, Freestanding:

A structurally-independent building or structure which is used to accommodate the parking of four or less motor vehicles, and may include a 'Garage'.

Private Access Route:

The portion of Common Property within a Strata Plan which provides vehicular access to dwelling units or businesses within that Strata Plan.

Public Access Route:

A portion of any pedestrian and bicycle circulation route to and through the lands provided in a right-of-way or in a statutory right-of-way on private land for the use of the public.

- 1.3. The number of dwelling units in the C.D. 98A - Comprehensive Development Zone No. 98A shall not exceed 1426.
- 1.4. Sections 601, 603, 605, and 606 shall apply to all residential uses in this zone. Sections 602 & 609 shall apply to all residential uses in Area Designation Nos. 2B, 3 and 4. The General Regulations of Part VII shall apply to all commercial uses in this zone.

2.0. CONDITIONS AND REQUIREMENTS FOR PERMITTED USES:

The conditions and requirements for permitted uses in Area Designation Nos. 1, 2A, 2B, 3 & 4 (inclusive) shall be as noted hereunder:

2.1. CONDITIONS AND REQUIREMENTS FOR PERMITTED USES IN AREA DESIGNATION NO. 1:

In Section 2.1, for land within a subdivision created under the Condominium Act, other than a Bare Land Strata subdivision, 'Lot' includes the whole of the land covered by a strata plan.

2.1.1. SETBACK REGULATIONS:

For the purpose of establishing setback regulations, Area Designation No.1 is divided into Neighbourhoods 12 and 14, as shown on Schedule 98A-3 attached hereto.

2.1.1.1. All Permitted Buildings:

- (1) Subject to Section 406, no part of any building or structure other than 'Permitted Projections' shall be closer in horizontal distance to:
 - (a) any neighbourhood boundary, dyke right-of-way or 'Highway' than the respective distance specified to such feature in Schedules 98A-12 and 98A-14 attached hereto;
 - (b) the near edge of any 'Highway' than 6.5 metres;
 - (c) the near edge of any 'Private Access Route' than 2.0 metres;
 - (d) the near edge of any 'Public Access Route' than 4.0 metres;
- (2) No part of a building or structure within a strata plan created under the Condominium Act, other than a Bare Land Strata Plan, shall be closer in horizontal distance to any boundary of that Strata Plan than 6.0 metres, provided the foregoing shall not apply to the setback of any building or structure, being constructed on land which is subject to a Form E, from a boundary of a Strata Plan previously created in accordance with that Form E, where that boundary will be eliminated when the Phase Strata Plan containing the building or structure is amalgamated with the Strata Plan previously created in accordance with that Form E. Form E means a Declaration of Intention to Create a Strata Plan by Phase Development as provided for in the Condominium Act;

- (3) 'Permitted Projections' may project into the setback areas specified in subsection 2.1.1.1.(1)(a) - (d) inclusive, provided:
- (a) the 'Permitted Projections' do not project more than 1.2 metres;
 - (b) the total width of all 'Permitted Projections', except eaves, on any side of a building shall not be greater than 50% of the width of the face of the building on the side on which the projections occur; and
 - (c) 'Permitted Projections' shall not encroach onto, into or over any easement or statutory right-of-way.
- (4) Where any conflict exists in the application of the regulations in subsections 2.1.1.1.(1) to (3) inclusive, the regulation requiring the greatest distance shall apply.

2.1.2. MAXIMUM HEIGHT REGULATIONS:

2.1.2.1. The maximum building height shall be as provided in the following table:

- (i) In the CD98-A Zone, delete tables 2.1.2.1 and 2.2.2.1 and replace with the following tables respectively:

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"Table 2.1.2.1

Type of Building or Structure	Maximum Building Height		
	Storeys	to 'mid-roof' or top of a flat roof building	to the roof ridge for 'pitched roof' building
'Stacked Townhouse'	3 ½	12m	15m
'Townhouse'	2 ½	9.7m	12.7m
Eating and Drinking Establishments, 'Marina' buildings or structures	N/A	9m	12m
'Parking Structure, Attached' 'Parking Structure, Enclosed'	11	3.75m	4.6m

Type of Use	Minimum Lot Size	Minimum Lot Width	Minimum Average Lot Depth
'Townhouse' or 'Stacked Townhouse'	2 000 m ²	24 m	30 m
Boat Moorage Waterlot	100 m ²	N/A	N/A
Other Uses	900 m ²	N/A	N/A

- 2.1.3.2. Where more than one use is present on a 'Lot', the greater lot size requirement shall apply.

2.1.4. RESIDENTIAL DENSITY:

The number of dwelling units in Area Designation No. 1 shall not exceed 100, including a residence for a 'Marina' caretaker.

2.1.5. MINIMUM RESIDENTIAL FLOOR AREA:

2.1.5.1. The minimum 'Floor Area' per dwelling unit shall be as provided in the following table:

Table 2.1.5.1.

Type of Dwelling Unit	Minimum 'Floor Area'
'Townhouse' or 'Stacked Townhouse':	
1 Bedroom	50.0 square metres
2 Bedrooms	65.0 square metres
3 Bedrooms or more	78.0 square metres

2.1.6. OTHER RESIDENTIAL REGULATIONS:**2.1.6.1. Off-Street Parking:**

- (1) Off-street parking spaces shall be developed and maintained as per Section 901;
- (2) Except for 'Townhouse' and 'Stacked Townhouse', off-street parking spaces shall be required as per Section 901; and
- (3) The required number of parking spaces for 'Townhouse' and 'Stacked Townhouse' is 2 per dwelling unit plus .2 spaces per dwelling unit for visitor parking.

2.1.6.2. Off-Street Loading:

Off-street loading spaces shall be provided, developed and maintained as per Sections 409 and 902.

2.1.6.3. Parking or Storage of Commercial Vehicles & Equipment:

The parking or storage of any commercial vehicle, equipment, trailer or similar conveyance which exceeds a licensed gross vehicle weight of 4500 kilograms is prohibited on any 'Lot' except for the temporary parking of delivery or service vehicles.

2.1.6.4. Indoor Recreation Area:

- (1) Each 'Lot', other than a boat moorage waterlot, shall contain Indoor Recreation Area for the recreational use of the occupants of the 'Lot'.
- (2) The size of the Indoor Recreation Area shall be the aggregate of 1.5 square metres per dwelling unit located on the 'Lot'.

2.1.6.5. Lighting:

Any lighting used to illuminate any parking or loading area or parking structure shall be so arranged that all direct rays of light illuminate only such parking or loading area or parking structure, and not any adjoining premises.

2.1.7. OTHER NON-RESIDENTIAL REGULATIONS:

2.1.7.1. No storage of goods, materials or refuse outside of buildings shall be permitted, except the storage of boats.

2.1.7.2. Maximum Floor Area:

- (1) The maximum floor area of the Yacht club building shall be 930m².
- (2) The maximum aggregate floor area of all Eating and Drinking Establishments in Area Designation No. 1 shall not exceed 400m².

2.1.7.3. Off-Street Parking:

- (1) Except for 'Marina' parking, off-street parking spaces shall be provided as required by Section 901;
- (2) The required number of parking spaces for 'Marina' shall be 1 for each 2 boats offered for rent plus 1 for each 4 boat-docking or storage spaces provided plus 20 for each 6 metre width of boat launching ramp, or portion thereof; and
- (3) Off-street parking spaces shall be developed and maintained in accordance with the standards contained in Section 901.

2.1.7.4. Off-Street Loading:

Off-Street loading spaces shall be required, developed and maintained as per Sections 409 and 902.

2.1.7.5. Lighting:

Any lighting used to illuminate any parking or loading area or parking structure shall be so arranged that all direct rays of light illuminate only such parking or loading area or parking structure, and not any adjoining premises.

2.2. CONDITIONS AND REQUIREMENTS FOR PERMITTED USES IN AREA DESIGNATION Nos. 2A and 2B:

In Section 2.2, for land within a subdivision created under the Condominium Act, other than a Bare Land Strata subdivision, 'Lot' includes the whole of the land covered by a strata plan.

2.2.1. SETBACK REGULATIONS:

2.2.1.1. 'Dwelling, Single Family' and 'Dwelling, Duplex':

- (1) Subject to Section 406, no part of a building or structure to be constructed on a lot created in accordance with the Land Title Act or the Bare Land Strata Regulations of the Condominium Act, other than 'permitted projections' therefrom, shall be closer to a 'Lot' line, 'Highway', the near edge of a 'Private Access Route', or the near edge of a 'Public Access Route' as the case may be, than the distance specified therefor in Table 2.2.1.1.

Table 2.2.1.1.

Type of Building or Structure	Minimum Setback Regulations (subject to Subsection 2.2.1.1.(2))					
	Front	Rear	Side	Side on a Flanking Street	'Private Access Route'	'Public Access Route'
'Dwelling, Single Family'	6.5 m	9.0 m subject to Sub-section 2.2.1.1(3)	1.5 m	3.5 m	3.5 m	4.0 m
'Dwelling, Duplex'	6.5 m	subject to Sub-section 2.2.1.1(4)	subject to Subsection 2.2.1.1(5)	3.5 m	3.5 m	4.0 m
Buildings or Structures accessory to 'Dwelling, Single Family' or 'Dwelling, Duplex'	12.0 m	1.0 m	1.0 m	6.5 m	6.5 m	4.0 m

- (2) Except for side setbacks on a flanking street, the setback of a principal building may be reduced by 20 percent at one or more locations along the relevant face of a building PROVIDED THAT the resulting 'average setback' for that face of building is not less than the setback specified for that face of building in Table 2.2.1.1.

(3) Exception for 'Dwelling, Single Family' Rear Setbacks:

The rear setback specified in Table 2.2.1.1. may be reduced to 6.0 metres provided the portion of the building encroaching upon the minimum rear setback specified in Table 2.2.1.1 is not more than one-half the width of the building and the area of the building footprint which encroaches upon the minimum rear setback specified in Table 2.2.1.1 is equal to or less than the area of open space that is located within the 'Building Envelope' and that open space area contains no dimension of less than 2.0 metres.

(4) 'Duplex Dwelling' Rear Setbacks:

(a) Where average lot depth is equal to or less than 35 metres, the minimum rear setback shall be 9.0 metres, or 7.5 metres where the 'Dwelling, Duplex' does not exceed 1.5 stories in height, provided that these distances may be reduced to 6.0 metres provided the portion of the building encroaching beyond the minimum rear setback specified in Table 2.2.1.1. is not more than one-half the width of the building and the area of the building footprint which encroaches beyond the minimum rear setback specified in Table 2.2.1.1. is equal to or less than the area of open space that is located within the 'Building Envelope' and that open space area contains no dimension of less than 2.0 metres;

(b) Where average lot depth is greater than 35 metres, the minimum rear setback shall be:

(i) 7.5 metres, plus an amount equal to 65 percent of the average lot depth greater than 35 metres, where the 'Dwelling, Duplex' does not exceed 1.5 stories in height;

(ii) 9.0 metres, plus an amount equal to 65 percent of the average lot depth greater than 35 metres, where the 'Dwelling, Duplex' equals or exceeds 1.5 stories in height.

(5) 'Dwelling, Duplex' Side Setbacks:

(a) Where average building depth is equal to or less than 18 metres, the minimum side setback shall be 10 percent of the average lot width or 1.5 metres, whichever is greater;

(b) Where average building depth is greater than 18 metres, the minimum side setback shall be 10 percent of the average lot width or 1.5 metres, whichever is greater, provided that the setback

abutting the portion greater than 18 metres shall be increased at the ratio of 1 metre of additional setback for each additional 4 metres, or portion thereof, of building depth.

2.2.1.2. Other Buildings:

For the purpose of establishing setbacks for uses other than 'Dwelling, Single Family' and 'Dwelling, Duplex' constructed on a lot created in accordance with the Land Title Act or the Bare Land Strata Regulations of the Condominium Act, or buildings accessory thereto, Area Designation Nos. 2A and 2B have been divided into Neighbourhoods 4 - 11 inclusive and 13, as shown on Schedule 98A-3 hereto.

- (1) Subject to Section 406 and subsections 2.2.1.2.(2) - (5) inclusive below, for all uses other than 'Dwelling, Single Family' and 'Dwelling, Duplex' constructed on a lot created in accordance with the Land Title Act or the Bare Land Strata Regulations of the Condominium Act, or buildings accessory thereto, no part of any building or structure:
 - (a) shall be closer in horizontal distance to any neighbourhood boundary or the near edge of any dyke right-of-way or 'Highway' than the respective distance specified to such feature in Schedules 98A-4 to 98A-11, inclusive and 98A-13 attached hereto;
 - (b) shall be closer in horizontal distance to the near edge of any 'Highway' than 6.5 metres;
 - (c) shall be closer in horizontal distance to the near edge of any 'Public Access Route' than 4.0 metres;
 - (d) shall be closer in horizontal distance to the near edge of any 'Private Access Route' than:
 - (i) 4.5 metres for 'Townhouse' use;
 - (ii) 6.5 metres for 'Stacked Townhouse' use;
 - (iii) 4.0 metres for other principal buildings or structures;
 - (iv) 6.0 metres for a 'Parking Structure, Attached' or 'Parking Structure, Freestanding' where the garage door is located at an angle less than or equal to 45 degrees to the 'Private Access Road';
 - (v) 2.0 metres for a 'Parking Structure, Attached' or 'Parking Structure, Freestanding' where the garage door is perpendicular or located at an angle greater than 45 degrees to the 'Private Access Road';
 - (vi) 6.0 metres for a 'Parking Structure, Enclosed'.

- (e) shall be closer in horizontal distance to the inland edge of any dyke right-of-way adjacent to Deas Slough than 6.0 metres;
 - (f) shall be closer in horizontal distance to the inland edge of any dyke right-of-way adjacent to Green Slough than 6.0 metres;
 - (g) within a strata plan created under the Condominium Act, other than a Bare Land Strata Plan, shall be closer in horizontal distance to any boundary of that strata plan than the distance specified below, provided that the foregoing shall not apply to the setback of any building or structure, being constructed on land which is subject to a Form E, from a boundary of a Strata Plan previously created in accordance with that Form E, where that boundary will be eliminated when the Phase Strata Plan containing the building or structure is amalgamated with the strata plan previously created in accordance with that Form E. Form E means a Declaration of Intention to Create a Strata Plan by Phase Development as provided for in the Condominium Act:
 - (i) 'Townhouse', 'Stacked Townhouse' and other principal buildings 6.0 metres
 - (ii) Accessory Buildings 1.0 metres
- (2) 'Permitted Projections' may project into the setback areas specified in subsection 2.2.1.2.(1)(a) - (g) inclusive, provided:
- (a) the 'Permitted Projections' do not project more than 1.2 metres;
 - (b) the total width of all 'permitted projections', except eaves, on any side of a building shall not be greater than 50% of the width of the face of the building on the side on which the projections occur; and
 - (c) 'Permitted Projections' shall not encroach onto, into or over any easement or statutory right-of-way.
- (3) notwithstanding subsection (2) above, no private patio or balcony shall be constructed within the setback area specified in subsection 2.2.1.2.(1)(e) or (f);
- (4) where the distance from a neighbourhood boundary specified in Schedules 98A-4 to 98A-11 inclusive, or 98A-13 is shown as 6.0 metres, it may be reduced to 5.0 metres at any point provided that the average setback from the neighbourhood boundary is not less than 6.0 metres;

- (5) where any conflict exists in the application of any of the regulations in subsection 2.2.1.2.(1)(a) - (g) inclusive and 2.2.1.2.(2) to (4) inclusive above, the regulation requiring the greatest distance shall apply.

2.2.2. MAXIMUM HEIGHT REGULATIONS:

- 2.2.2.1. The maximum building height shall be as provided in the following table:

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Table 2.2.2.1

Type of Building or Structure	Maximum Building Height		
	Storeys	to 'mid-roof' or top of a flat roof building	to roof ridge for 'pitched roof' building
'Dwelling, Single Family'	2 ½	8m	10.5m
'Dwelling, Duplex' side by side vertical	1 ½	6m	8.5m
	2 ½	8m	10.5m
'Townhouse'	2 ½	9.7m*	13m*
'Stacked Townhouse'	3 ½	12m*	16m*
Other Principal Buildings or Structures	N/A	11m	14.5 m
Accessory Buildings or Structures			
'Parking Structure, Attached'	1	3.75m	4.6m
'Parking Structure, Enclosed'	2	6m	N/A
'Parking Structure, Freestanding'	1	3.75m	4.6m
Other	1	3.75m	4.6m

*Subject to subsection 2.2.2.2."

2.2.3. MINIMUM LOT SIZE REGULATIONS:

2.2.3.1. Minimum lot size shall be as provided in the following table:

Table 2.2.3.1.

Type of Use	Minimum Lot Size	Minimum Lot Width	Minimum Average Lot Depth
'Dwelling, Single Family' in Bare Land Strata Subdivisions in Area Designation No. 2B	390 m ²	13 m	30 m
'Dwelling, Single Family', other (on an arterial or collector road) in Area Designation No. 2B	540 m ²	18 m	30 m
'Dwelling, Single Family', other (on a local or private road) in Area Designation No. 2B	460 m ²	15 m	30 m
'Dwelling, Duplex' in Area Designation No. 2B	670 m ²	22 m	30 m
'Townhouse'	2 000 m ²	24 m	30 m
'Stacked Townhouse' in Area Designation No. 2A	2 000 m ²	24 m	30 m
Other Uses	900 m ²	N/A	N/A

2.2.3.2. Where more than one use is present on a 'Lot', the greater lot size requirement shall apply.

2.2.4. RESIDENTIAL DENSITY:

2.2.4.1. A maximum density of 42 dwelling units per 'Hectare, Net' shall be permitted in Area Designation No. 2A;

2.2.4.2. A maximum density of 23 dwelling units per 'Hectare, Net' shall be permitted in Area Designation No. 2B;

2.2.4.3. The combined total number of dwelling units within Area Designation Nos. 2A and 2B shall not exceed 988.

2.2.5. RESIDENTIAL LOT COVERAGE:

'Lot coverage' shall not exceed 45 percent of the 'Lot'.

2.2.6. MINIMUM RESIDENTIAL FLOOR AREA:

2.2.6.1. The minimum 'Floor Area' per dwelling unit shall be as provided in the following table:

Table 2.2.6.1.

Type of Dwelling	Minimum 'Floor Area'
'Dwelling, Single Family'	90.0 square metres
'Dwelling, Duplex'	90.0 square metres
'Townhouse' or 'Stacked Townhouse':	
1 Bedroom	50.0 square metres
2 Bedrooms	65.0 square metres
3 Bedrooms	78.0 square metres

2.2.7. RESIDENTIAL FLOOR SPACE RATIO:

2.2.7.1. The maximum 'Floor Space Ratio' shall be as follows:

(1) for 'Dwelling, Single Family':

- (a) .25 of the 'Lot' area plus 125m² for a 'Lot' of 650m² or less; and
- (b) .30 of the 'Lot' area plus 93m² for a 'Lot' greater than 650m²;

(2) for 'Dwelling, Duplex':

.30 of the 'Lot' area plus 93m².

2.2.7.2. For a 'Parking Structure, Attached' to a 'Dwelling, Single Family' or 'Dwelling Duplex', the maximum exemption from 'Floor Space Ratio' calculations for required parking spaces is 21m² per off-street parking space, to a maximum of 42m² per dwelling unit.

2.2.8. OTHER RESIDENTIAL REGULATIONS:

2.2.8.1. Principal Structures on the Same 'Lot':

- (1) Not more than one 'Dwelling, Single Family' or 'Dwelling, Duplex' is permitted on a 'Lot'.
- (2) The minimum distance between principal structures on the same 'Lot' shall be as follows:
 - (a) 2.5 metres minimum (4.0 metres average) between buildings which are 2.5 storeys or less in height;
 - (b) 4.5 metres minimum (6.0 metres average) between buildings, one or more of which is more than 2.5 storeys in height; and

- (c) 9.0 metres minimum (14.0 metres average) between buildings, where the buildings are separated by the roof of and vertically extend above a 'Parking Structure, Enclosed.'

2.2.8.2. Off-Street Parking:

- (1) Except for 'Townhouse' and 'Stacked Townhouse', off-street parking spaces shall be provided as required by Section 901.
- (2) The required number of parking spaces for 'Townhouse' and 'Stacked Townhouse' is 2 per dwelling unit plus .2 per dwelling unit for visitor parking.
- (3) For 'Dwelling, Single Family' or 'Dwelling, Duplex', 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 'Parking Structure, Attached' or 'Parking Structure, Freestanding.'
- (4) Off-street parking shall be developed and maintained in accordance with the standards contained in Section 901.

2.2.8.3. Off-Street Loading:

Except for 'Dwelling, Single family' and 'Dwelling, Duplex,' off-street loading spaces shall be provided, developed and maintained as per Sections 409 and 902.

2.2.8.4. Parking or Storage of Commercial Vehicles, Equipment, etc.:

The parking or storage of any commercial vehicle, equipment, trailer or similar conveyance which exceeds a licensed gross vehicle weight of 4 500 kilograms is prohibited on any 'Lot' except for the temporary parking of delivery or service vehicles.

2.2.8.5. 'Amenity Open Space':

- (1) Except in a 'Dwelling, Single Family' or 'Dwelling, Duplex', 'Amenity Open Space' shall be provided on the 'Lot' in the aggregate of not less than 3.0 square metres per dwelling unit on that 'Lot'.
- (2) 'Amenity Open Space' may include landscaped areas of the roof of a 'Parking Structure, Enclosed', except private patios.

2.2.8.6. Indoor Recreation Area:

- (1) Except in a 'Dwelling, Single Family' or 'Dwelling, Duplex', each 'Lot' shall contain Indoor Recreation Area for the recreational use of the occupants of the 'Lot'.
- (2) The size of the Indoor Recreation Area shall be the aggregate of 1.5 square metres per dwelling unit located on the 'Lot'.

2.2.8.7. Bare Land Strata Subdivisions:

No 'Lot' having an area less than 1 hectare shall be subdivided pursuant to the Bare Land Strata Regulations of the Condominium Act.

2.2.8.8. Lighting:

Any lighting used to illuminate any parking or loading area or parking structure shall be so arranged that all direct rays of light illuminate only such parking or loading area or parking structure, and not any adjoining premises.

2.2.9. OTHER NON-RESIDENTIAL REGULATIONS:

2.2.9.1. 'Executive Golf Course':

- (1) The 'Executive Golf Course' shall contain not less than 9 holes and shall have a playing length of not less than 1645 metres.
- (2) The maximum floor area of the golf course clubhouse shall be 1000m².

2.2.9.2. 'Neighbourhood Convenience Commercial':

In Area Designation No. 2A, the total gross floor area of all 'Neighbourhood Convenience Commercial' uses shall not exceed 1000m², and no single commercial unit shall exceed 400m² in floor area.

2.2.9.3. 'Resort Hotel':

One or more 'Resort Hotels' shall be permitted, provided that the aggregate number of 'Hotel Units' does not exceed 220.

2.2.9.4. Outside Storage:

No storage of goods, materials or refuse outside of buildings shall be permitted.

2.2.9.5. Off-Street Parking:

Off-street parking spaces shall be provided, developed and maintained as per Section 901.

2.2.9.6. Off-Street Loading:

Off-Street loading spaces shall be provided, developed and maintained as per Sections 409 and 902.

2.2.9.7. Bare Land Strata Subdivisions:

No 'Lot' having an area less than 1.0 hectare shall be subdivided pursuant to the Bare Land Strata Regulations of the Condominium Act.

2.2.9.8. Lighting:

Any lighting used to illuminate any parking or loading area or parking structure shall be so arranged that all direct rays of light illuminate only such parking or loading area or parking structure, and not any adjoining premises.

2.3. CONDITIONS AND REQUIREMENTS FOR PERMITTED USES IN AREA DESIGNATION NO. 3

2.3.1. SETBACK AND MAXIMUM HEIGHT REGULATIONS:

2.3.1.1. The minimum setback and maximum height for buildings and structures shall be as provided in the following table:

- (j) In the CD98A Zone, amend tables 2.3.1.1 and 2.4.1.1 by substituting the column entitled 'Maximum Building Height' with the following:

Table 2.3.1.1

MAR. 31/03

Maximum Building Height		
Storeys	to 'mid-roof' or top of a flat roof building	to roof ridge for 'pitched roof' building
2 ½	8m	10.5m
1	3.75m	4.6m

2.3.1.2. For the purpose of permitted projections in Section 305A, all lands within Area Designation No. 3 shall be deemed to be in a RS zone.

2.3.1.3. Exception for Rear Setback:

Notwithstanding anything to the contrary herein, the rear setback may be reduced to 6 metres provided the portion of the building encroaching beyond the minimum rear setback specified in Table 2.3.1.1. is not more than one-half the width of the building, the area of the building footprint which encroaches beyond the minimum rear setback specified in Table 2.3.1.1. is equal to or less than the area of open space that is located within the 'Building Envelope' and that open space area contains no dimension of less than 2 metres.

2.3.2. MINIMUM LOT SIZE REGULATIONS:

Minimum lot size for a 'Dwelling, Single Family' shall be as follows:

Table 2.3.2.

Available Services	Minimum Lot Size	Minimum Lot Width	Minimum Lot Depth
Municipal water, sanitary sewer, storm sewer, and a fully developed 20m wide arterial street	540 m ²	18 m	30 m
Municipal water, sanitary sewer, storm sewer, and a fully developed 15m wide internal street	450 m ²	15 m	30 m
Municipal water, sanitary sewer, storm sewer and a road with a maximum length of 122 m and terminating in a cul-de-sac.	360 m ²	12 m	30 m

2.3.3. FLOOR AREA REGULATIONS:

The 'Floor Area' per dwelling unit shall be as provided in the following table:

Table 2.3.3.

Type of Building or Structure	Minimum Floor Area	Maximum Floor Area
'Dwelling, Single Family'	90 m ² ~	N/A
Accessory Buildings and Structures	N/A	62 m ² or 10% of the area of the lot, whichever is greater

2.3.4. RESIDENTIAL DENSITY:

The number of dwelling units in Area Designation No. 3 shall not exceed 199.

2.3.5. OTHER REGULATIONS:

2.3.5.1. Not more than one 'Dwelling, Single Family' is permitted on a 'Lot'.

2.3.5.2. The construction of a 'Fence' shall be subject to Sections 406 and 408.

2.3.5.3. Parking or storage of any commercial vehicle, equipment, trailer or similar conveyance which exceeds a licensed gross vehicle weight of 4 500 kilograms is permitted only between the hours of 7:00 A.M. and 9:30 P.M.

2.3.5.4. Off-Street Parking:

Off-Street parking spaces shall be provided, developed and maintained as per Section 901.

2.4. CONDITIONS AND REQUIREMENTS FOR PERMITTED USES IN AREA DESIGNATION NO. 4:**2.4.1. SETBACK AND MAXIMUM HEIGHT REGULATIONS:**

2.4.1.1. The minimum setback and maximum height for all buildings and structures shall be as provided in the following table:

Table 2.4.1.1.

Table 2.4.1.1 *MAR 31/03.*

Storeys	Maximum Building Height	
	to 'mid-roof' or top of a flat roof building	to roof ridge for 'pitched roof' building
2 ½	8m	10.5m
1	3.75m	4.6m

Accessory Buildings and Structures	12.0 m	0.6 m	0.6 m	6.0 m	3.75 m or 1 storey whichever is less
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2.4.1.2. The front setback for a 'Dwelling, Single Family' may be reduced to 3.0 metres provided:

- (1) that the front wall located within the reduced front yard shall have no windows less than 3.0 metres above the finished grade;
- (2) that there is no vehicular access between such front wall and the road;
- (3) that the total of the front setback and the rear setback shall not be less than 12.0 metres; and
- (4) that the maximum height of the building or structure within 6.0 metres from the front property line shall be 3.75 metres or one storey whichever is the lesser.

2.4.1.3. The rear setback specified in Table 2.4.1.1. may be reduced by 1.5 metres provided that the average rear setback is not less than that specified in Table 2.4.1.1.

2.4.2. MINIMUM LOT SIZE REGULATIONS:

Minimum lot size for a 'Dwelling, Single Family' shall be as follows:

Table 2.4.2.

Available Services	Minimum Lot Size	Minimum Lot Width	Minimum Lot Depth
Municipal water, sanitary sewer, storm sewer	360 m ²	12 m	30 m

2.4.3. RESIDENTIAL DENSITY:

The number of dwelling units in Area Designation No. 4 shall not exceed 139.

2.4.4. FLOOR AREA REGULATIONS:

The 'Floor Area' per dwelling unit shall be as provided in the following table:

Table 2.4.4.

Type of Building or Structure	Minimum Floor Area	Maximum Floor Area
'Dwelling, Single Family'	78 m ²	N/A
Accessory Buildings and Structures	N/A	62 m ² or 10% of the area of the lot whichever is greater

2.4.5. OTHER REGULATIONS:

2.4.5.1. Not more than one 'Dwelling, Single Family' is permitted on a 'Lot'.

2.4.5.2. The construction of a 'Fence' shall be subject to Sections 406 and 408.

2.4.5.3. Parking or storage of any commercial vehicle, equipment, trailer or similar conveyance which exceeds a licensed gross vehicle weight of 4 500 kilograms is permitted only between the hours of 7:00 A.M. and 9:30 P.M.

2.4.5.4. Off-Street Parking:

Off-Street parking spaces shall be provided, developed and maintained as per Section 901.

3.0. LANDSCAPING AND FENCING

3.1. Landscaping

Except a 'Dwelling, Single Family' in Area Designation Nos. 3 and 4, any buildings or structures being erected, enlarged or increased in capacity shall make provision for landscaping as follows:

- 3.1.1. All portions of the site not covered by buildings, structures, parking areas, driveways, walkways and patios shall be landscaped by planting.
- 3.1.2. Landscaping, including patios, walkways, planting areas and open space roof landscaping on 'Parking Structure, Enclosed', shall cover not less than 30 per cent of the site area, of which 15% of the site area is to be at grade level.
- 3.1.3. For all residential development, a continuous landscape strip not less than 4.5 metres in width shall be provided along any sides of the site which abut a 'Highway', and 'Private Access Routes', with interruptions only at vehicle and pedestrian access points.
- 3.1.4. The boulevard areas of all 'Highways' shall be seeded or sodded with grass.
- 3.1.5. All required landscaping shall be done according to a landscaping plan prepared by a registered B.C. Landscape Architect and approved by the Director of Planning.

3.2. Fencing

3.2.1. Subject to Section 406 and notwithstanding any other provision of this bylaw:

- 3.2.1.1. A fence not greater than 1.2 metres in height may be located anywhere on a 'Lot';
- 3.2.1.2. A fence not greater than 1.8 metres in height may be located on any lot to the side or rear of a building;
- 3.2.1.3. An open mesh or a chain link type fence not greater than 2.5 metres in height may only be located:
 - (a) on the 'Executive Golf Course' and 'Marina', provided that, for an 'Executive Golf Course', vegetation screens the fence on both sides;
 - (b) surrounding the 'Elementary School'.
- 3.2.1.4. Barbed wire, razor wire or similar types of fences are prohibited.

3.2.2. A fence or other structure not being a building, to which section 3.2.1. does not apply, shall comply with the height and setback requirements prescribed for accessory buildings within the Area Designation in which it is situated.

- 3.2.3. The height of a fence shall be determined by measurement from the ground level at the average grade level within 1 metre of both sides of such fence.
- 3.2.4. The portion of a retaining wall which projects more than 1.2 metres above the surface of the ground which it supports shall be considered as a fence and subject to the regulations of this Section.
- 3.2.5. Notwithstanding subsection 3.2.3., in cases where a retaining wall has been constructed along a property line, the height of a fence shall be determined by measurement from the surface of the ground which the retaining wall supports at the average grade level within 1 metre of such retaining wall.

4.0. LAND DEVELOPMENT

Notwithstanding any other provisions of this zone, the uses permitted by Section 1.1 shall be conditional upon the immediate availability and adequacy of those municipal facilities and services hereinafter set forth to serve each 'Lot'. No use of land and no use of any building or structure thereon shall be deemed to be authorized by Section 1.1 of this zone, 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:

- 4.1. sanitary sewer, waterworks, fire protection and drainage works shall be provided and constructed to the standards set out in Delta Subdivision and Development Standards Bylaw.
- 4.2. all street lighting, underground wiring and 'Highways' abutting and serving land within this Zone, including boulevards and sidewalks, shall be provided and constructed to the standards set out in the Delta Subdivision and Development Standards Bylaw.

5.0. INTERPRETATION

In this Zone, any reference to any other provision of this bylaw shall be deemed to refer to that provision as it existed at the date of adoption of 'DELTA ZONING BYLAW NO. 2750, 1977(C.D. 98A - MARINA GARDEN ESTATES - 94-18) AMENDMENT BYLAW NO. 5395, 1996'."

Bylaw 5395

READ A FIRST time the **14th** day of **May**, 1996.

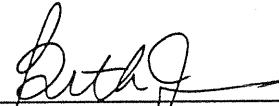
READ A SECOND time the **14th** day of **May**, 1996.

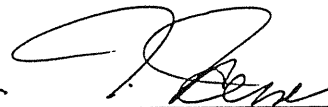
PUBLIC HEARING held the **10th** day of **June**, 1996

READ A THIRD time the **9th** day of **July**, 1996 .

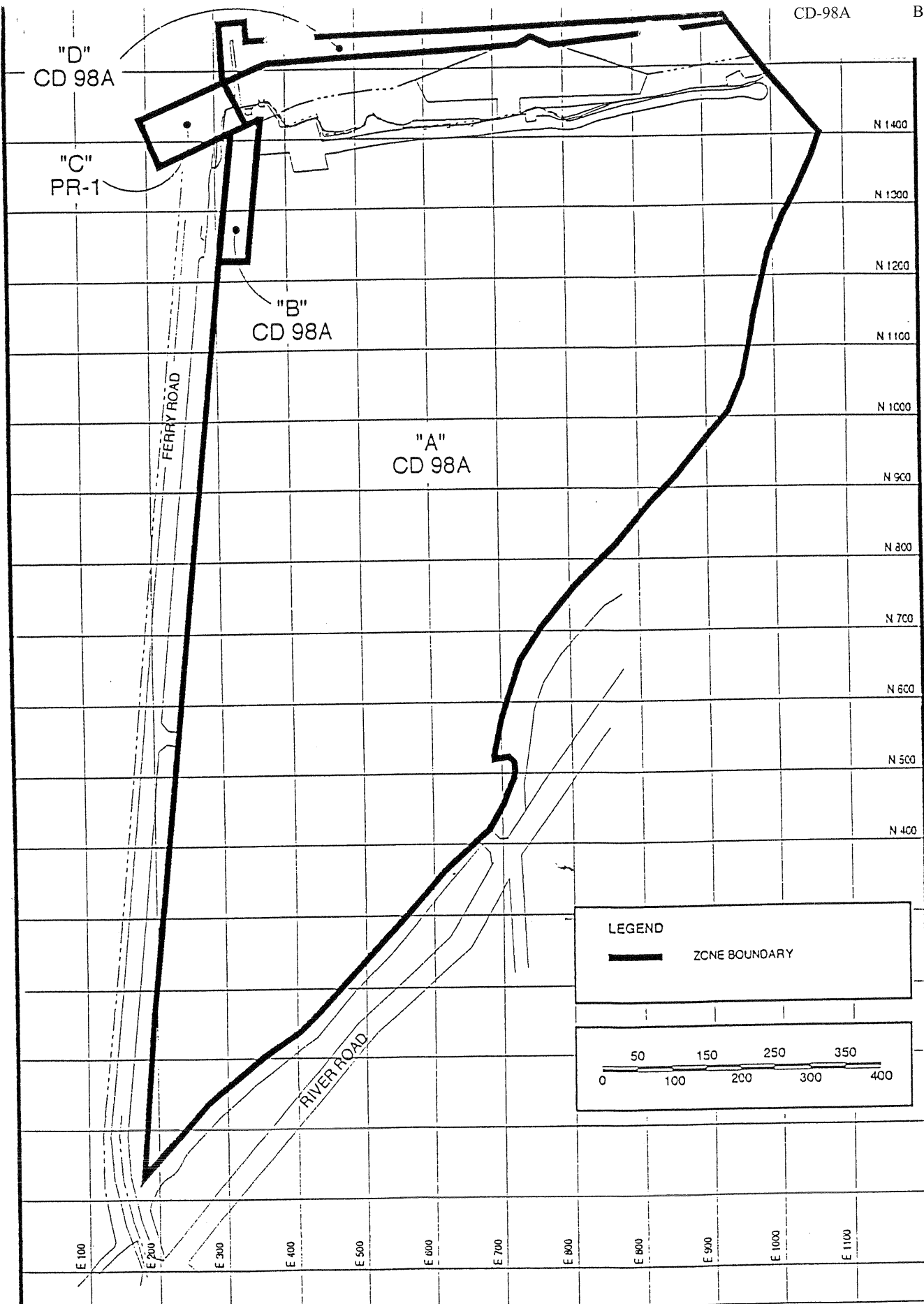
APPROVAL of the Ministry of Transportation and Highways the **12th** day of **August**, 1996.

RECONSIDERED AND ADOPTED the **22nd** day of **October**, 1996 .

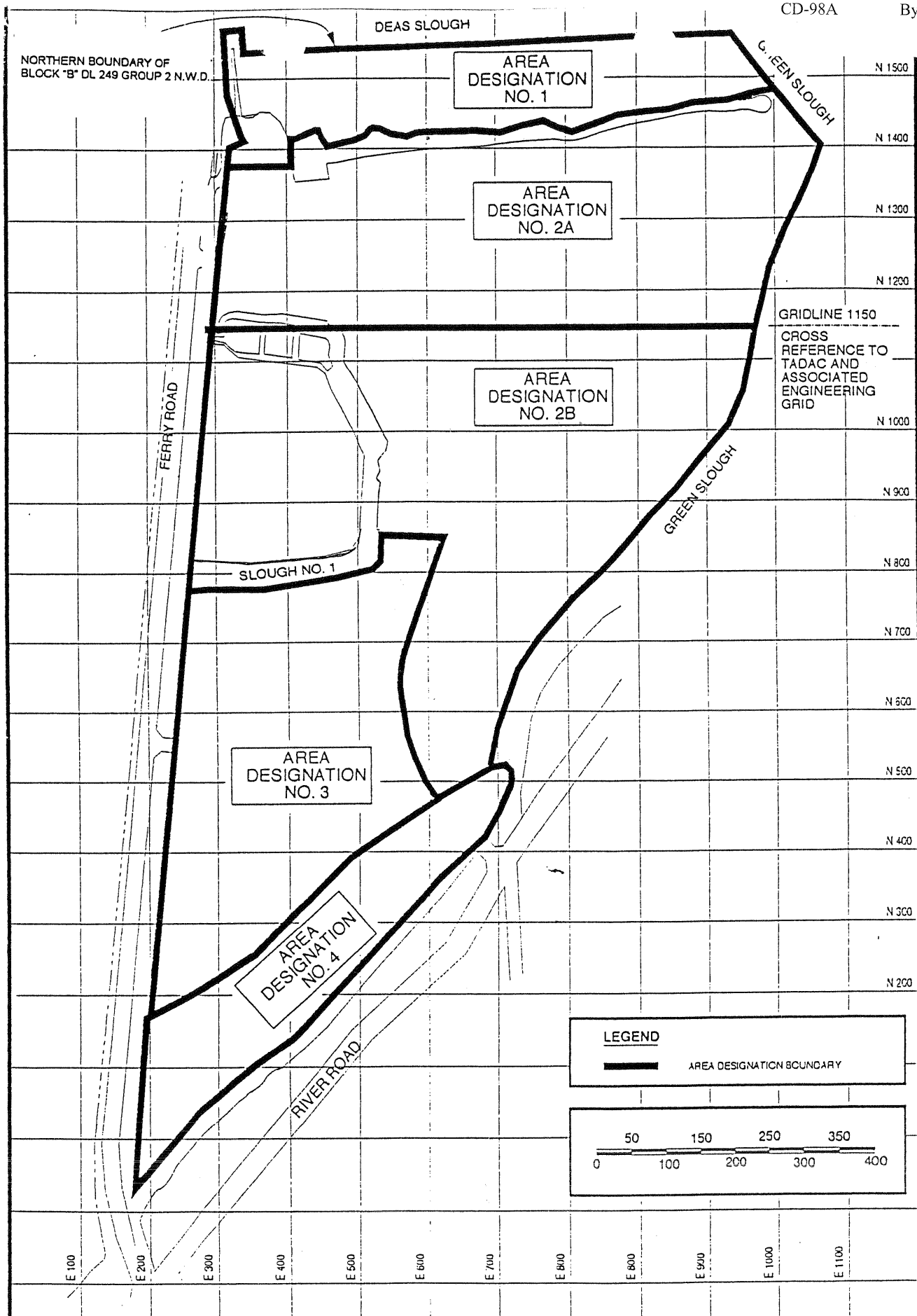


Beth Johnson,
Mayor

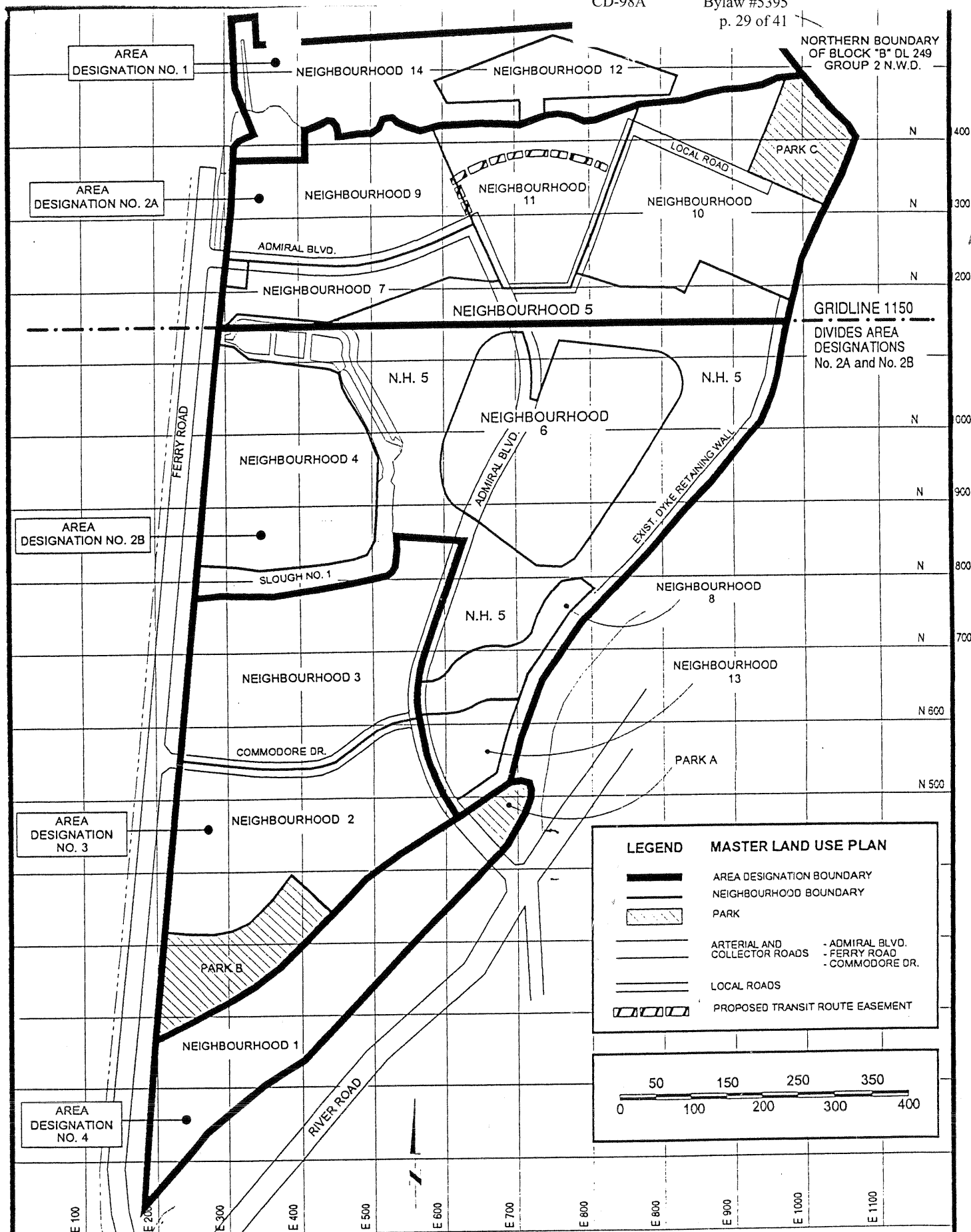
Tanalee Hesse,
Municipal Clerk



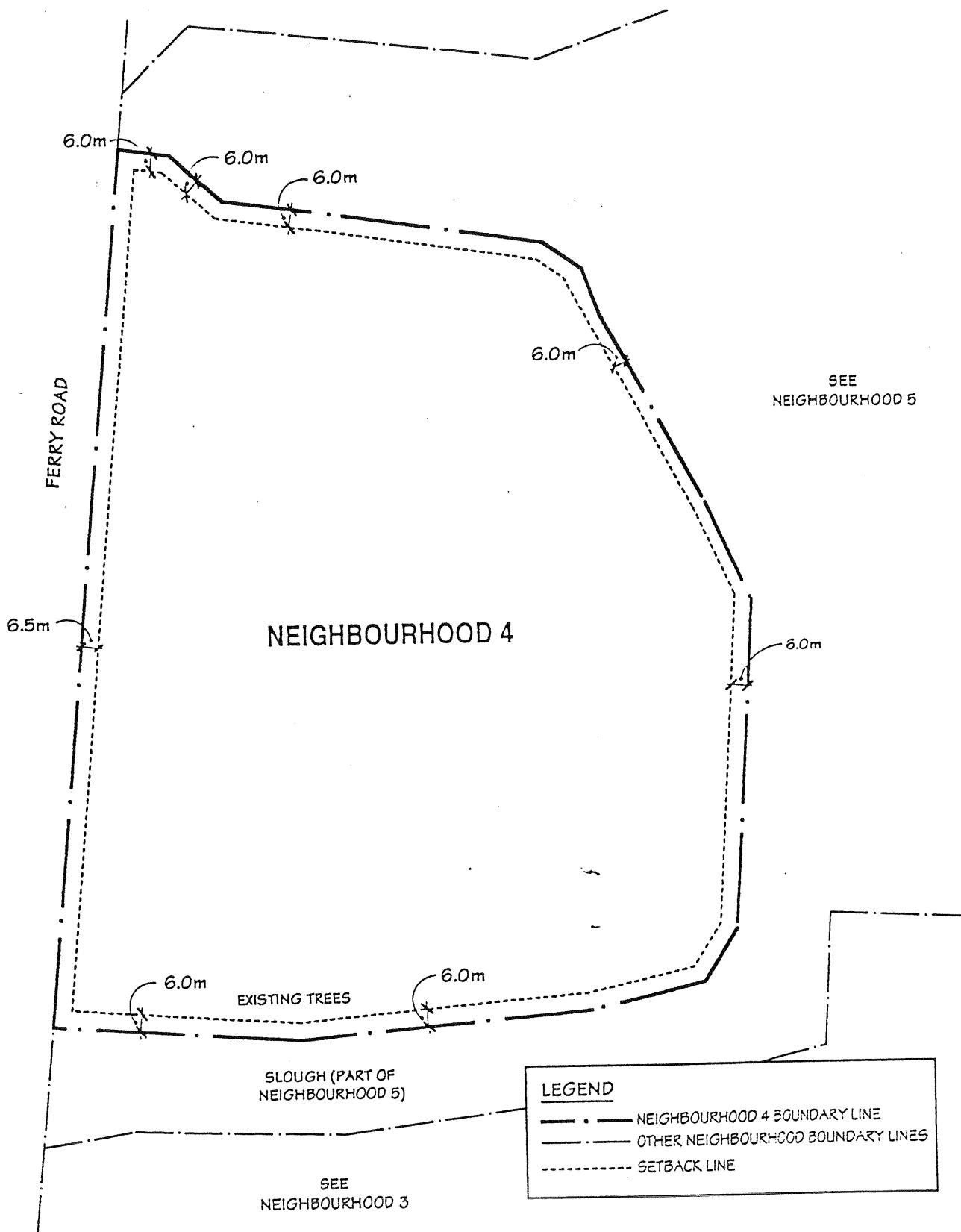
This is Schedule "98A-1" to "DELTA ZONING BYLAW NO. 2750, 1977
(C.D. 98A-MARINA GARDEN ESTATES-94-18)
AMENDMENT BYLAW NO. 5395, 1996."



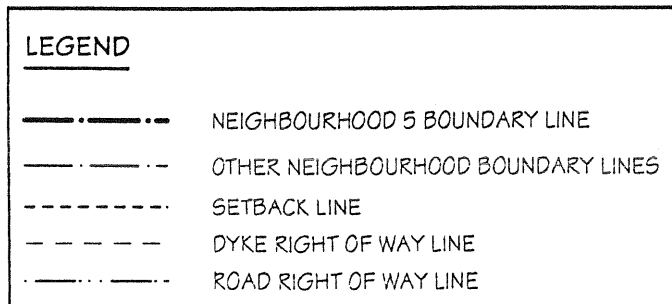
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(C.D. 98A-MARINA GARDEN ESTATES-94-18)
AMENDMENT BYLAW NO. 5395, 1996."



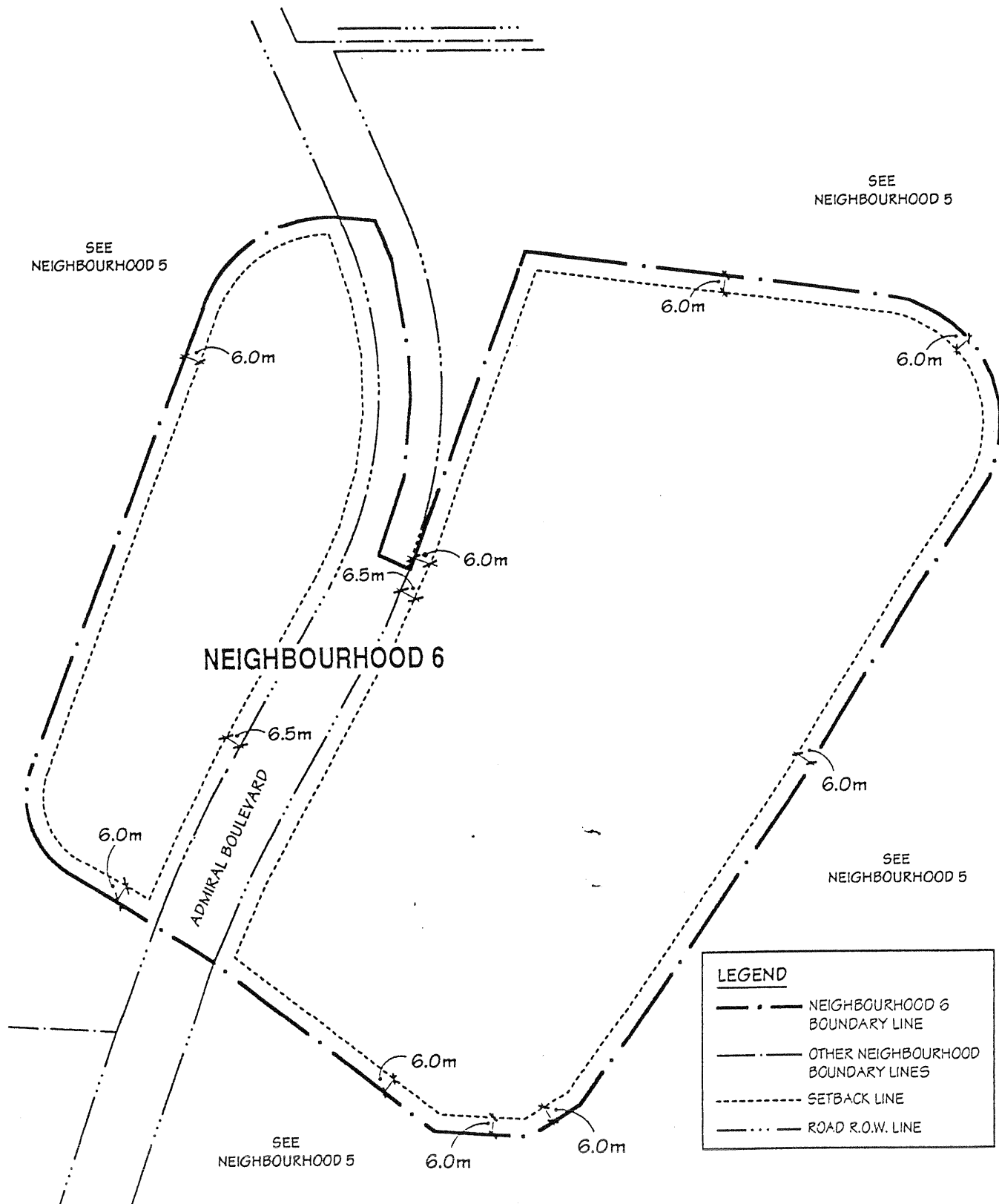
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(C.D. 98A-MARINA GARDEN ESTATES-94-18)
AMENDMENT ZONING BYLAW NO. 5395, 1996."



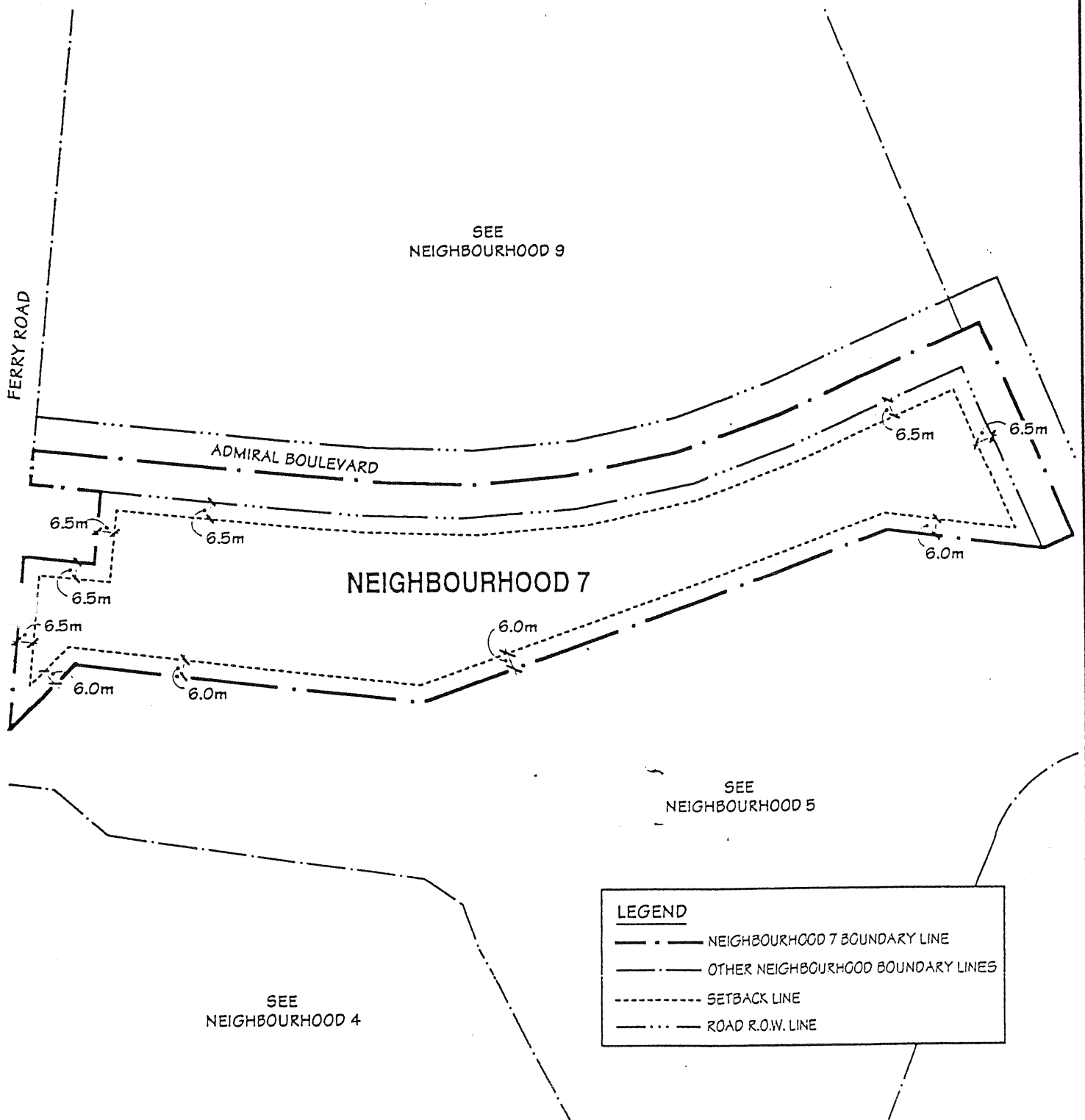
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(C.D. 98A-MARINA GARDEN ESTATES-94-18)
AMENDMENT BYLAW NO. 5395, 1996."



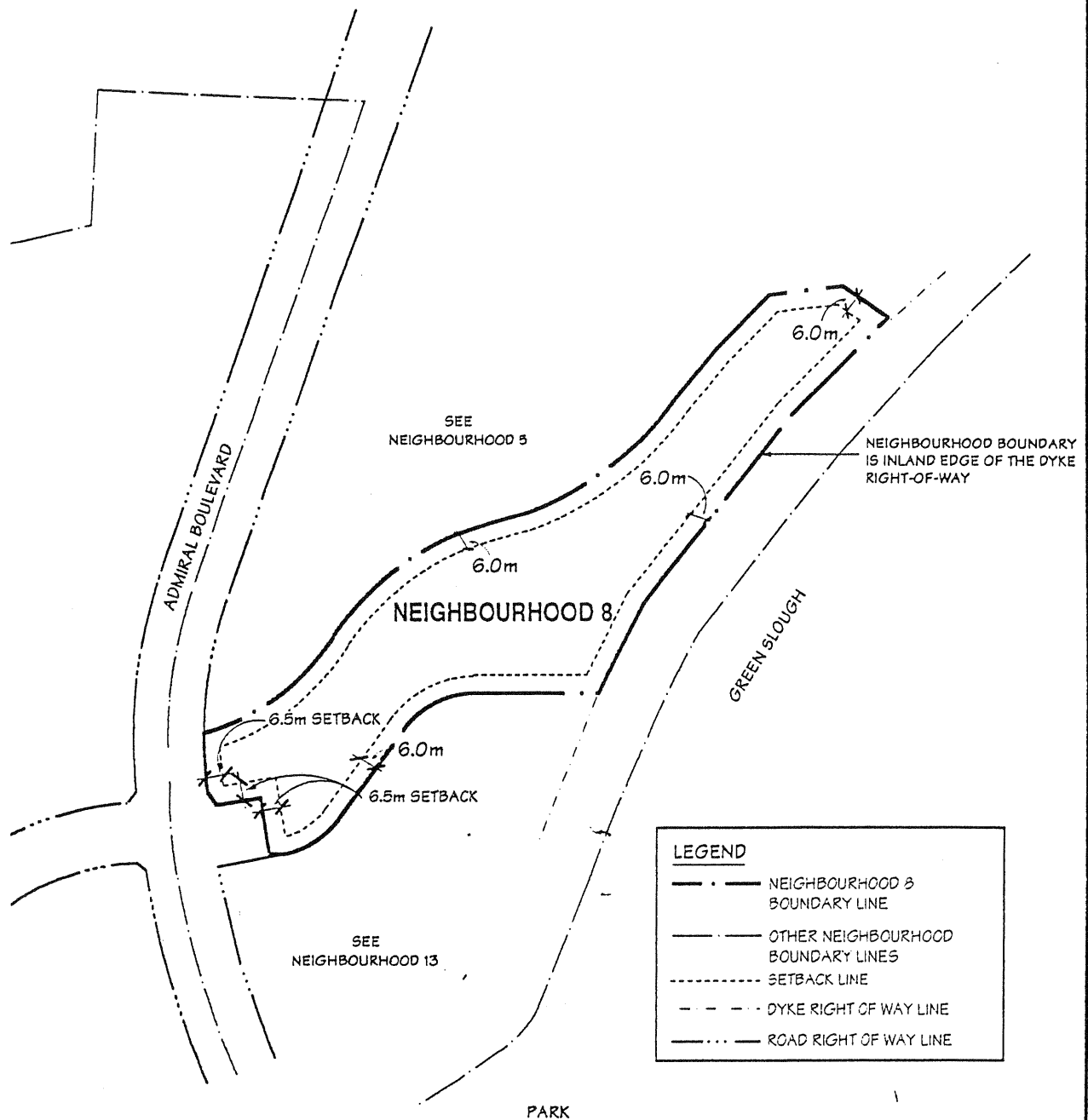
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(C.D. 98A-MARINA GARDEN ESTATES-94-18)
AMENDMENT BYLAW NO. 5395, 1996."



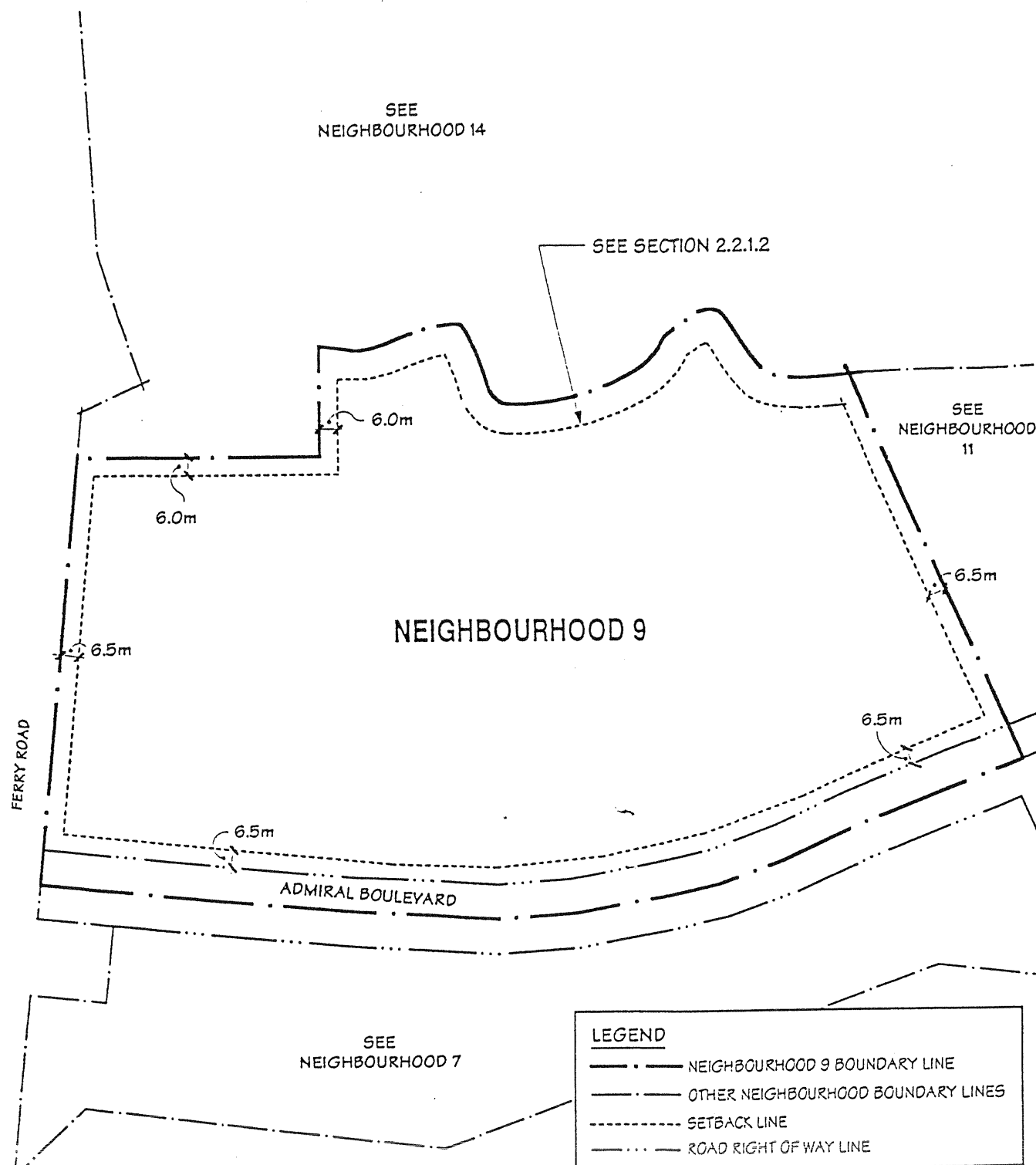
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(C.D. 98A-MARINA GARDEN ESTATES-94-18)
AMENDMENT BYLAW NO. 5395, 1996."



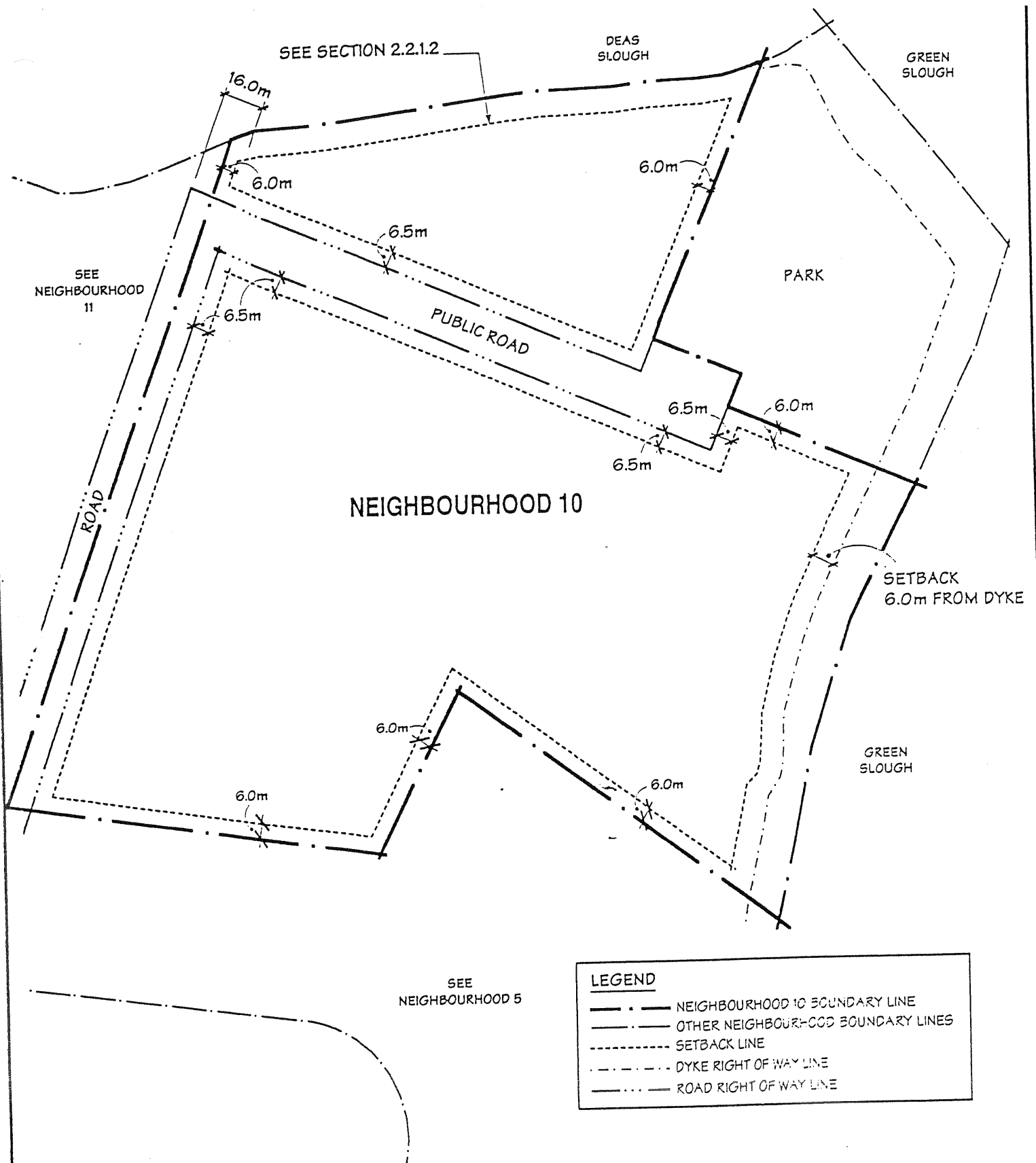
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(C.D. 98A-MARINA GARDEN ESTATES-94-18)
AMENDMENT BYLAW NO. 5395, 1996."



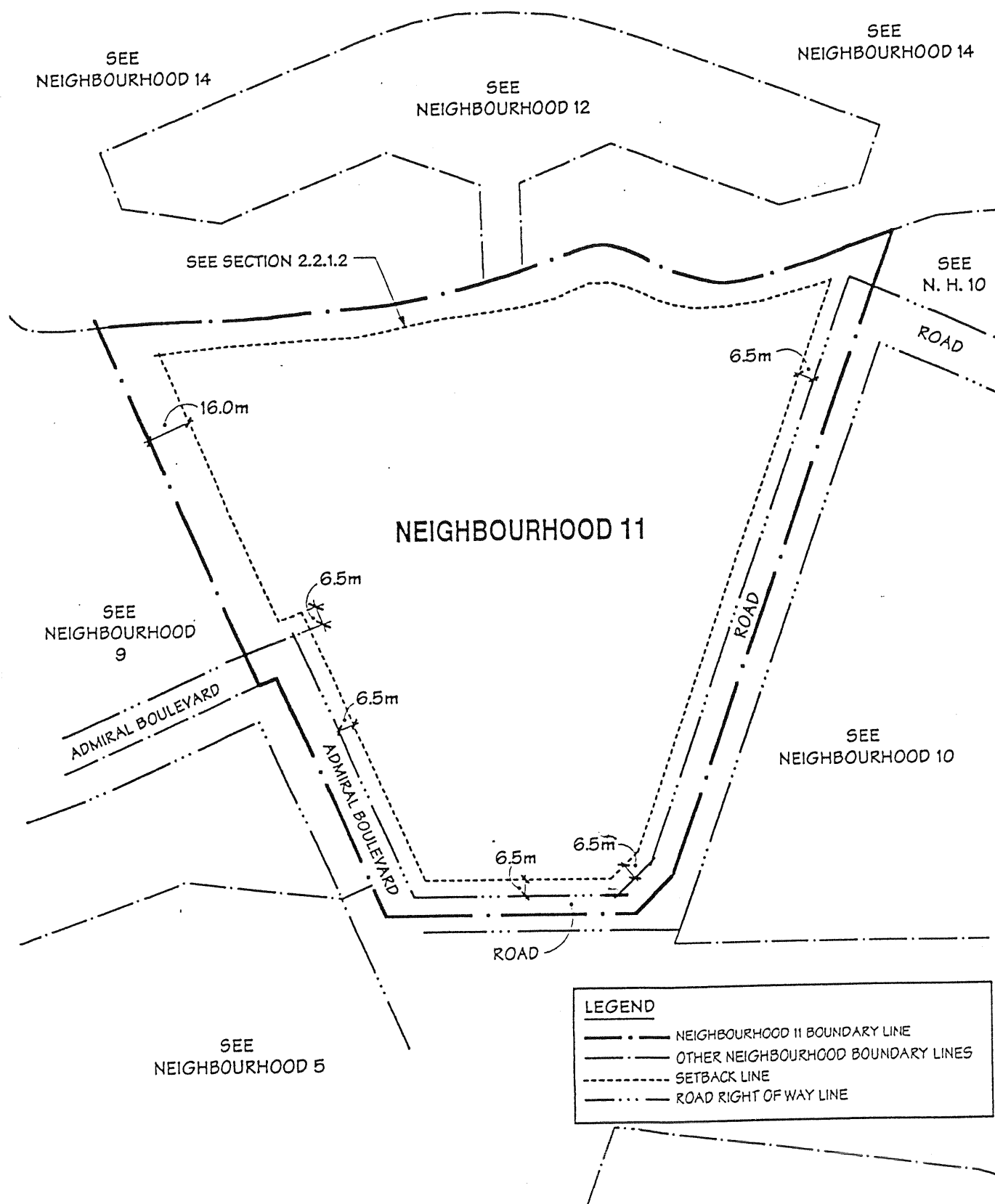
This is Schedule "98A-8" to "DELTA ZONING BYLAW NO. 2750, 1977
(C.D. 98A-MARINA GARDEN ESTATES-94-18)
AMENDMENT BYLAW NO. 5395, 1996."



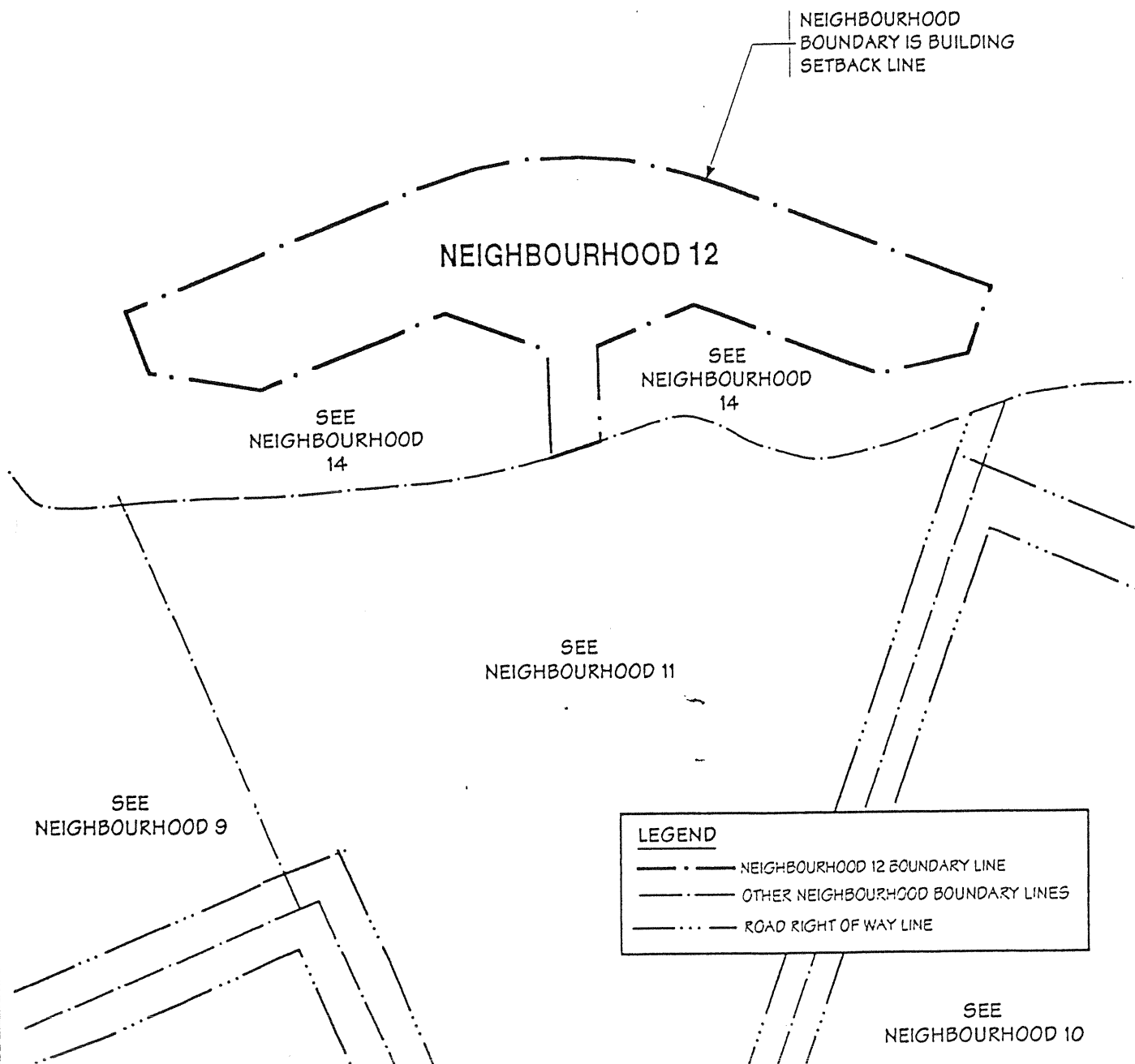
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(C.D. 98A-MARINA GARDEN ESTATES-94-18)
AMENDMENT BYLAW NO. 5395, 1996."



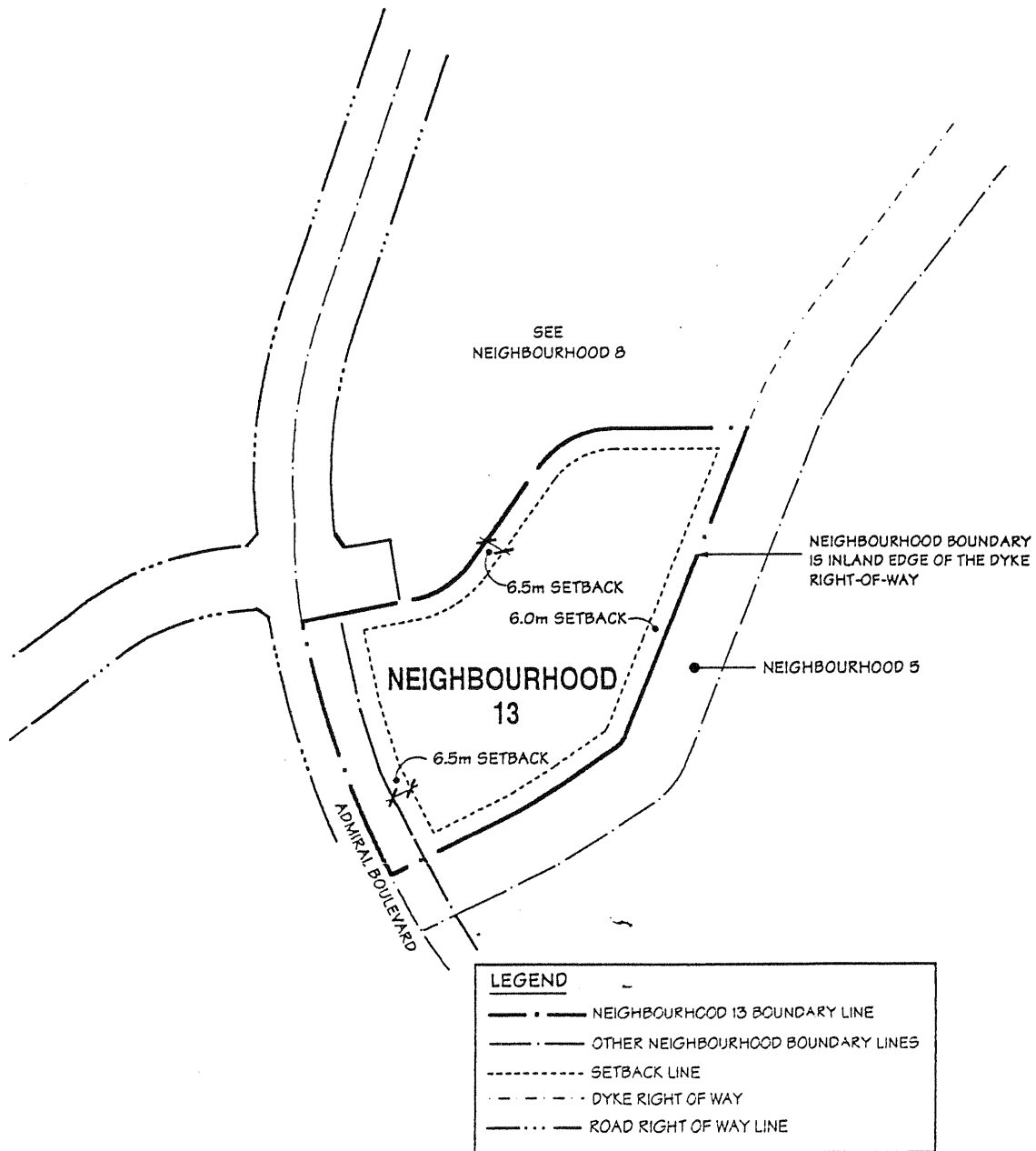
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(C.D. 98A-MARINA GARDEN ESTATES-94-18)
AMENDMENT BYLAW NO. 5395, 1996."



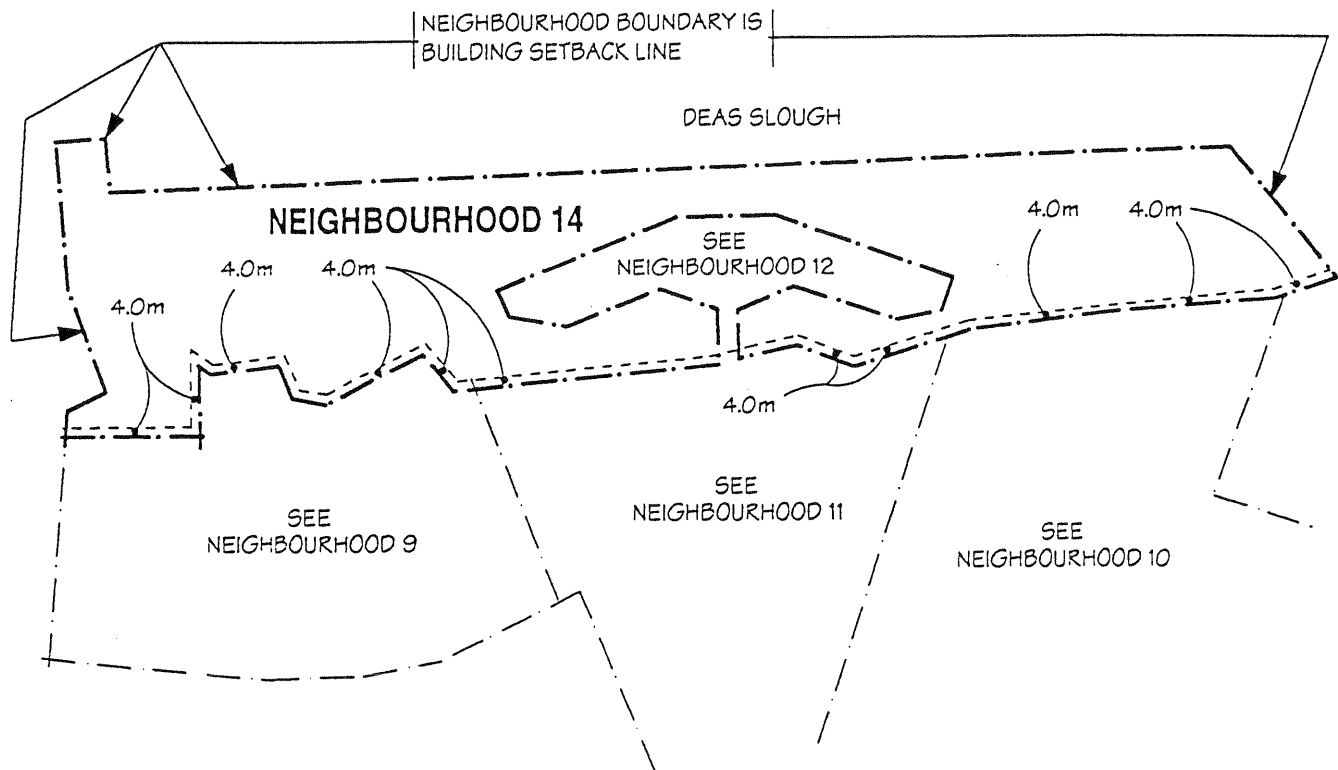
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(C.D. 98A-MARINA GARDEN ESTATES-94-18)
AMENDMENT BYLAW NO. 5395, 1996."



This is Schedule "98A-12" to "DELTA ZONING BYLAW NO. 2750, 1977
(C.D. 98A-MARINA GARDEN ESTATES-94-18)
AMENDMENT BYLAW NO. 5395, 1996."

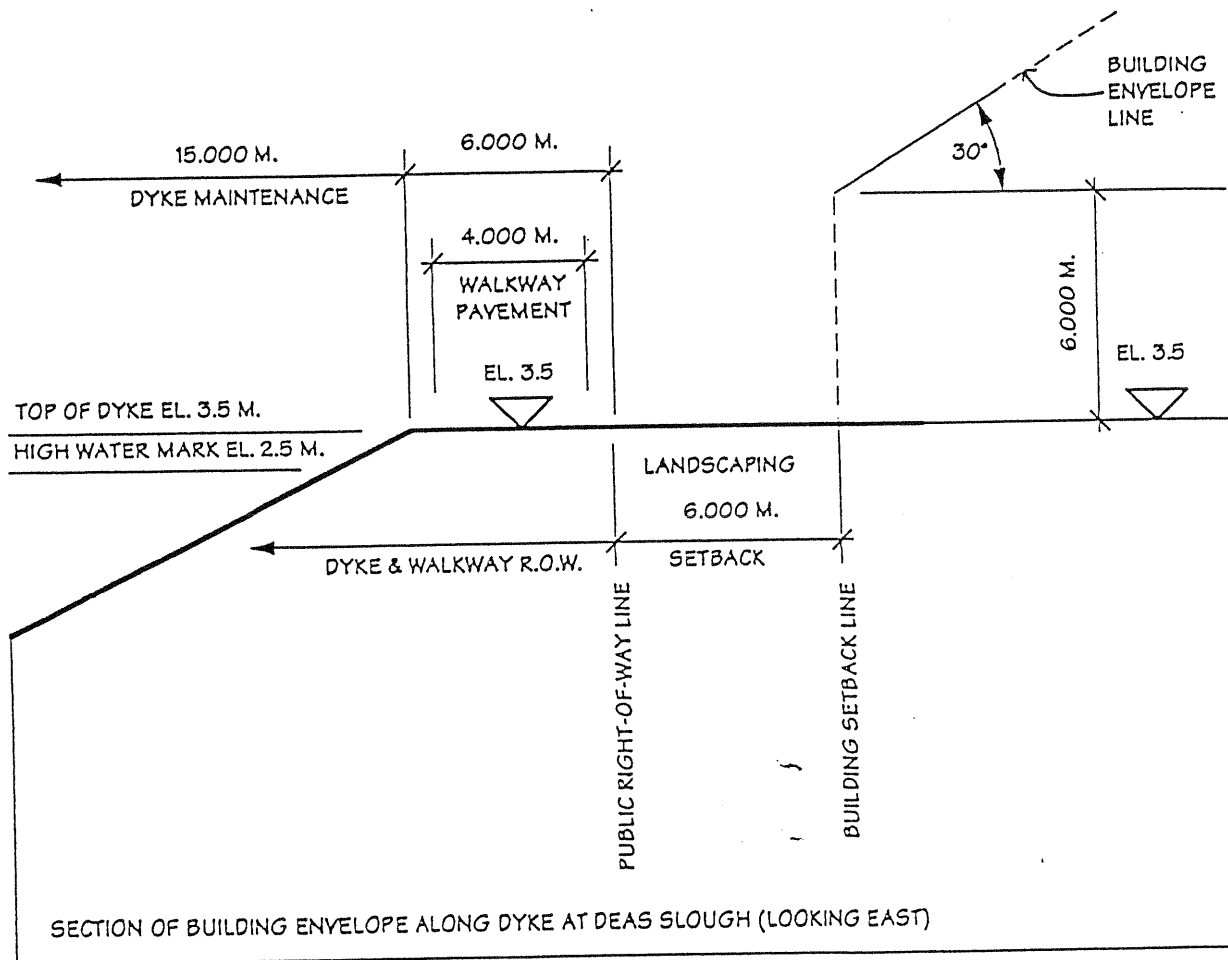


This is Schedule "98A-13" to "DELTA ZONING BYLAW NO. 2750, 1977
(C.D. 98A-MARINA GARDEN ESTATES-94-18)
AMENDMENT BYLAW NO. 5395, 1996."

**LEGEND**

- · — · — NEIGHBOURHOOD 14 BOUNDARY LINE
- — — — — OTHER NEIGHBOURHOOD BOUNDARY LINES
- - - - - SETBACK LINE

This is Schedule "98A-14" to "DELTA ZONING BYLAW NO. 2750, 1977
(C.D. 98A-MARINA GARDEN ESTATES-94-18)
AMENDMENT BYLAW NO. 5395, 1996."



This is Schedule "98A-15" to "DELTA ZONING BYLAW NO. 2750, 1977
(C.D. 98A-MARINA GARDEN ESTATES-94-18)
AMENDMENT BYLAW NO. 5395, 1996."

THE CORPORATION OF DELTA

BYLAW NO. 6074

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 (Residential Building Heights) Bylaw No. 6074, 2002"**.
2. "Delta Zoning Bylaw No. 2750, 1977" as amended, is hereby further amended as follows:
 - (a) In Part II Interpretations:
 1. By replacing subsection 1 of the definition of "Storey, One Half" with the following:
 - "1. That portion of a building or structure situated wholly within the roof structure, including gable ends and dormers, and which has a floor area equal to or less than 50 percent of the floor area of the 'storey' directly below; and"
 2. By adding the following definition after the definition of "Marina":

"Mid-Roof" means the mean level between the top of the ridge of the roof and the eaves of the same "pitched roof".
 3. By adding the following definitions after the definition of "Personal Services":

"Pitched Roof" means a roof with a slope equal to or greater than 3 vertical to 12 horizontal."
 4. By replacing the definition of "height" with the following:

"Height" means the upper limit of the 'Vertical Building Envelope', as determined in accordance with Sections 306 B and 306 C."

- (b) By amending Section 306 by adding the following at the end:

"Where a single 'height' regulation measured in metres or feet is specified in a zone, the 'height' shall be measured to the 'mid-roof' or the top of a flat roof. Where more than one 'height' regulation is specified in a zone, they must all be complied with."

- (c) By deleting the content of Section 306A, and replacing it with the following:

"Notwithstanding Section 306:

- (a) aerals, elevator penthouses, stairwells, smoke stacks, and spires may be higher or extend outside the 'Vertical Building Envelope'.
- (b) the portion of a sloping roof above the 'mid roof' 'height' may extend outside the 'vertical building envelope' in situations where a 'height' is measured to 'mid-roof'."

- (d) Inserting Section 606 as follows:

"Notwithstanding the 'height' regulation in any zone, the 'height' of a 1 ½ storey 'Dwelling, Single Family' must not exceed 7.5 m measured to the roof ridge of a 'pitched roof' building and 5.5m to the 'mid-roof' or the top of a flat roof building."

- (e) In the RS1, RS2, RS3, RS4, RS5, RS6, RS7, RS8, RMH and RFH Zones, delete the contents of Sections 613, 623, 633, 633A, 633B, 633C, 633D, 633E, 640A.3, and 640B.5 respectively, and substitute the following text in each section:

" Height

		<u>Principal Structure</u>	<u>Accessory Structure</u>
1.	Maximum Storeys	2 ½	1
2.	Maximum 'Height' to the roof ridge for 'Pitched Roof' Building	10.5 m.	4.6 m.
3.	Maximum 'Height' to 'Mid-roof' or the top of a flat roof building	8.0 m.	3.75 m."

- (a) In the RS9 Zone, delete the contents of Section 633F, and replace it with the following:

“ Height

	<u>Principal Structure</u>	<u>Accessory Structure</u>
1. Maximum Storeys	2 ½	2
2. Maximum ‘Height’ to the roof ridge for ‘Pitched Roof’ Building	10.8 m.	9.8 m.
3. Maximum ‘Height’ to ‘Mid-roof’ or the top of a flat roof building	8.3 m.	7.3 m.”

- (b) In the RD1, RD2, and RM1 Zones, delete the contents of Sections 643A, 643B, and 643 respectively, and replace them with the following text in each Section:

“ 1. Height for ‘side-by-side duplex’:

	<u>Principal Structure</u>	<u>Accessory Structure</u>
a. Maximum Storeys	1 ½	1
b. Maximum ‘Height’ to the roof ridge for ‘Pitched Roof’ Building	7.3 m.	4.6m.
c. Maximum ‘Height’ to ‘Mid-roof’ or the top of a flat roof building	4.8 m.	3.75 m.

2. Height for ‘vertical duplex’ or ‘single family dwelling’:

	<u>Principal Structure</u>	<u>Accessory Structure</u>
a. Maximum Storeys	2 ½	1
b. Maximum ‘Height’ to the roof ridge for ‘Pitched Roof’ Building	10.5 m.	4.6 m.

- c. Maximum 'Height' to 'Mid-roof' or to the top of a flat roof building 8 m. 3.75 m."

- (c) In the RSH-1 Zone, delete the content of Section 653 and replace it with the following:

"Height for 'Dwelling Strata House'"

	<u>Principal Structure</u>	<u>Accessory Structure</u>
1. Maximum Storeys	2 ½	1
2. Maximum 'Height' to the roof ridge for 'Pitched Roof' Building	11.5 m.	4.6 m.
3. Maximum 'Height' to 'Mid-roof' or to the top of a flat roof building	9 m.	3.75 m."

- (i) In the CD98-A Zone, delete tables 2.1.2.1 and 2.2.2.1 and replace with the following tables respectively:

"Table 2.1.2.1

Type of Building or Structure	Maximum Building Height		
	Storeys	to 'mid-roof' or top of a flat roof building	to the roof ridge for 'pitched roof' building
'Stacked Townhouse'	3 ½	12m	15m
'Townhouse'	2 ½	9.7m	12.7m
Eating and Drinking Establishments, 'Marina' buildings or structures	N/A	9m	12m
'Parking Structure, Attached' 'Parking Structure, Enclosed'	11	3.75m	4.6m

Table 2.2.2.1

Type of Building or Structure	Maximum Building Height		
	Storeys	to 'mid-roof' or top of a flat roof building	to roof ridge for 'pitched roof' building
'Dwelling, Single Family'	2 ½	8m	10.5m
'Dwelling, Duplex' side by side vertical	1 ½	6m	8.5m
	2 ½	8m	10.5m
'Townhouse'	2 ½	9.7m*	13m*
'Stacked Townhouse'	3 ½	12m*	16m*
Other Principal Buildings or Structures	N/A	11m	14.5 m
Accessory Buildings or Structures			
'Parking Structure, Attached'	1	3.75m	4.6m
'Parking Structure, Enclosed'	2	6m	N/A
'Parking Structure, Freestanding'	1	3.75m	4.6m
Other	1	3.75m	4.6m

*Subject to subsection 2.2.2.2.”

- (j) In the CD98A Zone, amend tables 2.3.1.1 and 2.4.1.1 by substituting the column entitled 'Maximum Building Height' with the following:

Table 2.3.1.1

Maximum Building Height		
Storeys	to 'mid-roof' or top of a flat roof building	to roof ridge for 'pitched roof' building
2 ½	8m	10.5m
1	3.75m	4.6m

Table 2.4.1.1

Maximum Building Height		
Storeys	to 'mid-roof' or top of a flat roof building	to roof ridge for 'pitched roof' building
2 ½	8m	10.5m
1	3.75m	4.6m

READ A FIRST time the 9th day of **December, 2002.**

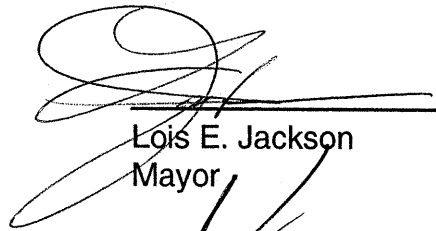
READ A SECOND time the 9th day of **December, 2002.**

PUBLIC HEARING held the 28th day of **January, 2003.**

READ A THIRD time the 3rd day of **March, 2003.**

APPROVED BY THE MINISTRY OF TRANSPORTATION the 19th day
of **March, 2003.**

FINALLY CONSIDERED AND ADOPTED the 31st day of **March, 2003.**


Lois E. Jackson
Mayor


Gil Mervyn
Municipal Clerk

April 3, 2003

THE CORPORATION OF DELTA

BYLAW NO. 6004

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

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 (C.D. 98A2 - Marina Garden Estates - 94-18) Amendment Bylaw No. 6004, 2002**".
2. "Delta Zoning Bylaw No. 2750, 1977", as amended, is hereby further amended as follows:
 - (a) by amending the Maximum Building Height for 'Dwelling, Single-Family' in Table 2.2.2.1. of the C.D. 98A Zone by deleting 6.0 metres and inserting 8.0 metres in its place.

READ A FIRST time the 5th day of **March, 2002.**

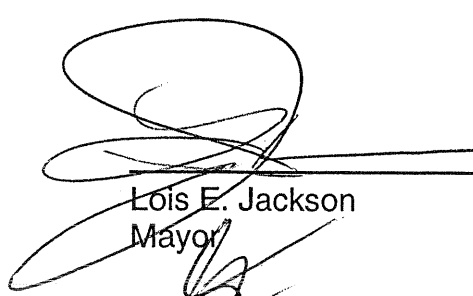
READ A SECOND time the 5th day of **March, 2002.**

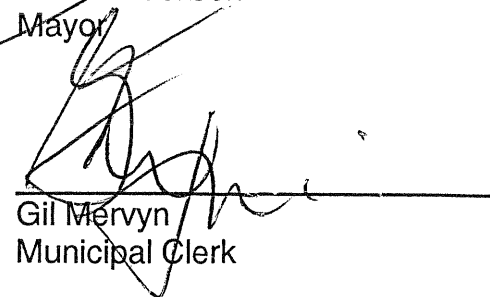
PUBLIC HEARING held the day of 2002. ***Waived by Council March 5, 2002.***

APPROVED by the Ministry of Transportation and Highways the 13th day of **March, 2002.**

READ A THIRD time the 9th day of **April, 2002.**

FINALLY CONSIDERED AND ADOPTED the 9th day of **April, 2002.**


Lois E. Jackson
Mayor


Gil Mervyn
Municipal Clerk

APRIL 12, 2002.