

**CITY OF DELTA**

**BYLAW NO. 7761**

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

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The Council of the City 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. 495 – Gateway Casinos & Entertainment Limited – LU008527) Bylaw No. 7761, 2018**".
2. "Delta Zoning Bylaw No. 2750, 1977" as amended is hereby further amended by:
  - (a) inserting "495 Delta Zoning Bylaw No. 2750, 1977 Amendment (C.D. 495 – Gateway Casinos & Entertainment Limited – LU008527) Bylaw No. 7761, 2018" in the correct numerical order in the LIST OF COMPREHENSIVE DEVELOPMENT BYLAWS in Part VIII A; and
  - (b) inserting the following zone in numerical order in Part VIII A:

"C.D. 495

ZONE: COMPREHENSIVE DEVELOPMENT ZONE NO. 495

1. Definitions:
  - (a) Notwithstanding the definition of 'Gaming Activity' in Part II Interpretations General, for the purposes of the C.D. 495 Comprehensive Development Zone No. 495, 'Gaming Activity' shall be defined as follows:

“Gaming Activity’:  
means the use of land, buildings or *structures* for any game of chance played with cards, dice or other mechanical or electronic device or machine for money, token, or anything of value, excluding:

    - (a) 'Charitable Casino',
    - (b) Lottery tickets,
    - (c) Club Keno, chaser or other electronic games of chance which are initiated by the purchase of a ticket from a Club Keno Corner located within a 'liquor primary establishment' licensed by the British Columbia Liquor Control and Licensing Branch or from a lottery ticket vendor licensed by the British Columbia Lottery Corporation, and
    - (d) Pull tabs, only as part of a Club Keno corner located within a 'liquor primary establishment' licensed by the British Columbia Liquor Control and Licensing Branch.”
  - (b) The following definitions shall apply only to the C.D. 495

Comprehensive Development Zone No. 495:

Banquet Hall:

means premises used to hold banquets, dances, meetings, weddings and similar events at which meals are served and which may be licensed to serve liquor.

Drive-Through Restaurant:

means premises used to prepare and sell food and beverages that are provided to customers in 'Vehicles' for consumption elsewhere.

Liquor Primary Establishment:

means premises for which a liquor primary licence has been issued by the Province of British Columbia Liquor Control and Licensing Branch where the primary purpose is the service of liquor as opposed to food, such as pubs, bars, lounges and night clubs.

Restaurant:

means premises used to prepare, serve and sell food and beverages to the public for consumption on the premises or elsewhere, and includes a 'Restaurant, Take-Out', but excludes a 'Restaurant, Drive-in', a 'Drive-Through Restaurant' and a 'Liquor Primary Establishment'.

2. Permitted Uses:

Subject to the General Regulations – Commercial Zones in Part VII and notwithstanding Sections 311(1) and 311(2) in Part III Operative Clauses, the following uses and no other uses shall be permitted:

*Principal Uses:*

- 'Banquet Hall'
- 'Gaming Activity'
- 'Hotel'
- 'Liquor Primary Establishment'
- 'Restaurant'

3. Setbacks:

The minimum 'Setbacks' for a principal 'Structure' and an 'Accessory Structure' shall be no closer to the 'Lot' lines than as shown on Schedule 7761-2 of this bylaw.

4. Height of Structure:

	<u>Principal Structure</u>	<u>Accessory Structure</u>
(a) Maximum 'Storeys'	6	1
(b) Maximum 'Height'	27 metres	3.75 metres

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5. Density:
  - (a) Maximum Number of 'Transient Accommodation Units': 124-193
  - (b) Maximum Gross Floor Area: 16,000-21,000 square metres, for the area shown outlined in bold and marked "Subject Area" on Schedule 7761-1
  
6. Maximum 'Site Coverage':

Maximum 'Site Coverage' shall not exceed 40% of the area shown outlined in bold and marked "Subject Area" on Schedule 7761-1.
  
7. Minimum Lot Size for Subdivision:

3.5 hectares.
  
8. Off-Street Parking and Loading Requirements:

Off-street parking and loading shall be provided as follows:

  - ~~(a)~~ A minimum of 625 total parking spaces for Casino ('Gaming Activity'), 'Hotel', 'Banquet Hall' and 2 'Restaurant' uses, which shall include 193 reserved for 'Hotel' users and 7 accessible parking spaces.
  - ~~(b)~~ Notwithstanding Section 8(a), a minimum of 5 additional parking spaces shall be provided if a third 'Restaurant' is established on the lands.
  - ~~(b)~~ (c) With the exception of Section 901.4, Sections 901.7(a) to 901.7(c) inclusive, all parking spaces shall be developed and maintained in accordance with Section 901 of Part IX Off-Street Parking Regulations.
  - ~~(c)~~ (d) A minimum of one (1) off-street loading space.
  - ~~(d)~~ (e) With the exception of Sections 902.1 to 902.3 inclusive, all loading spaces shall be developed and maintained in accordance with Section 902 of Part IX Off-Street Parking Regulations.
  
9. Other Regulations:
  - (a) Bicycle Parking:

Bicycle parking spaces shall be provided in accordance with the following regulations:

    - (i) Minimum number of bicycle parking spaces required: 25
    - (ii) Bicycle parking space dimensions shall be as follows:

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Type of Space	Minimum Width	Minimum Length	Minimum Vertical Clearance
Horizontal	0.6 m	1.8 m	1.9 m
Vertical	0.6 m	1.0 m	1.9 m

- (iii) Bicycle parking spaces shall be provided in the form of lockers, racks or a combination thereof.
  - (iv) Bicycle parking spaces shall be located
    - (a) close to the main entrance of the building for which the bicycle spaces are provided,
    - (b) close to elevators or parking entry if they are located within a parking structure,
    - (c) so as to not obstruct pedestrian or vehicular movement, and
    - (d) outside any vehicle parking spaces, loading areas, fire zones or other areas where unobstructed access is required.
  - (v) Bicycle parking spaces shall be arranged to ensure the safe and convenient circulation of bicycles.
  - (vi) Bicycle parking spaces shall be provided on a 24 hours per day basis for every day or portion thereof where a use is in operation, whether the use is in operation in whole or in part.
  - (vii) Secured bicycle storage areas shall be separated from garbage storage space, recycling storage space and other storage areas.
- (b) Landscaping and Screening:  
The balance of the area shown outlined in bold and marked "Subject Area" on Schedule 7761-1 which is not occupied by buildings, parking areas, driveways and pedestrian ways shall be landscaped and maintained in good condition at all times.
- (c) Landscaping in Surface Parking Areas:  
Within a surface parking area:
- (i) one tree for each six (6) parking spaces shall be provided,
  - (ii) landscaping areas shall be a minimum of 6 m<sup>2</sup> in area with no dimension less than 2 m, and
  - (iii) a minimum distance of 1 m shall be provided between tree trunks and areas intended for 'Vehicles'.
- (d) Outside Storage:  
The storage of goods or materials outside any building is prohibited. Any storage of garbage or refuse must be in a commercial garbage container, which shall be enclosed with a decorative screen not less

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than 1.8 metres in height.

10. Land Development:

Notwithstanding any other provisions of this bylaw, the uses permitted by this bylaw shall be conditional upon the immediate availability and adequacy of those municipal facilities and services hereinafter set forth to serve the parcel of land and buildings, 'Structures', and uses to be erected, placed or undertaken thereon.

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

- (a) Sanitary sewer, waterworks, on-site fire protection and drainage works to the standards set out in the 'Delta Subdivision and Development Standards Bylaw No. 7162, 2015' as amended from time to time; and
- (b) Construction of all highways abutting and serving the land, including boulevards, landscaping, street lighting, underground wiring, sidewalks and transit service facilities, to the standards set out in the 'Delta Subdivision and Development Standards Bylaw No. 7162, 2015', as amended from time to time."

3. "Delta Zoning Bylaw No. 2750, 1977" as amended is hereby further amended by rezoning the lands as shown outlined in bold and marked "Subject Area" on Schedule 7761-1 as C.D. 495 Comprehensive Development Zone No. 495 and by amending the "Delta Zoning Maps" referred to in Section 301 accordingly

4. Schedules 7761-1 and 7761-2 attached hereto shall form part of this bylaw.

READ A FIRST TIME the **9<sup>th</sup>** day of **April,** **2018.**

READ A SECOND TIME the **9<sup>th</sup>** day of **April,** **2018.**

PUBLIC HEARING HELD the **1<sup>st</sup> and 2<sup>nd</sup>** day of **May,** **2018.**

READ A THIRD TIME the **2<sup>nd</sup>** day of **May,** **2018.**

APPROVED BY THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE the **23<sup>rd</sup>** day of **July,** **2018.**

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FINALLY CONSIDERED AND ADOPTED the **30<sup>th</sup>** day of **July**, **2018**.

“Lois E. Jackson”

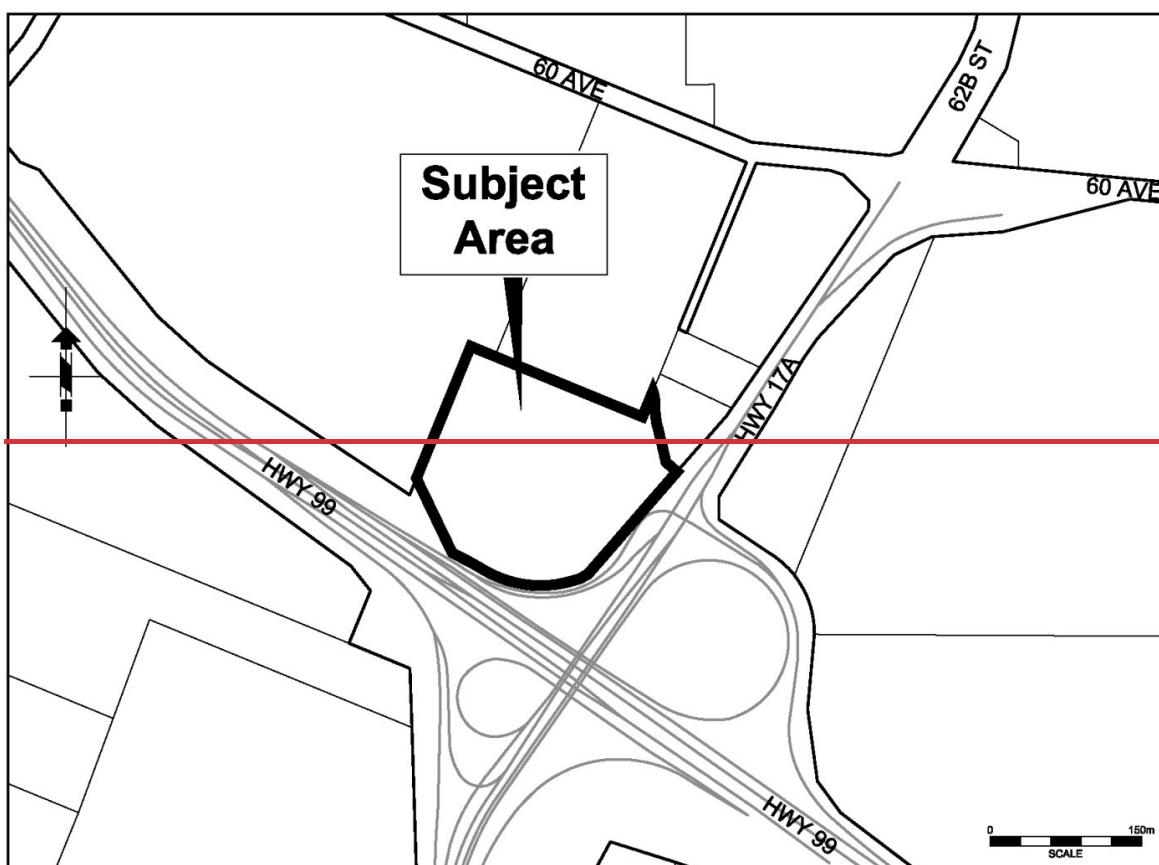
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Lois E. Jackson  
Mayor

“Robyn Anderson”

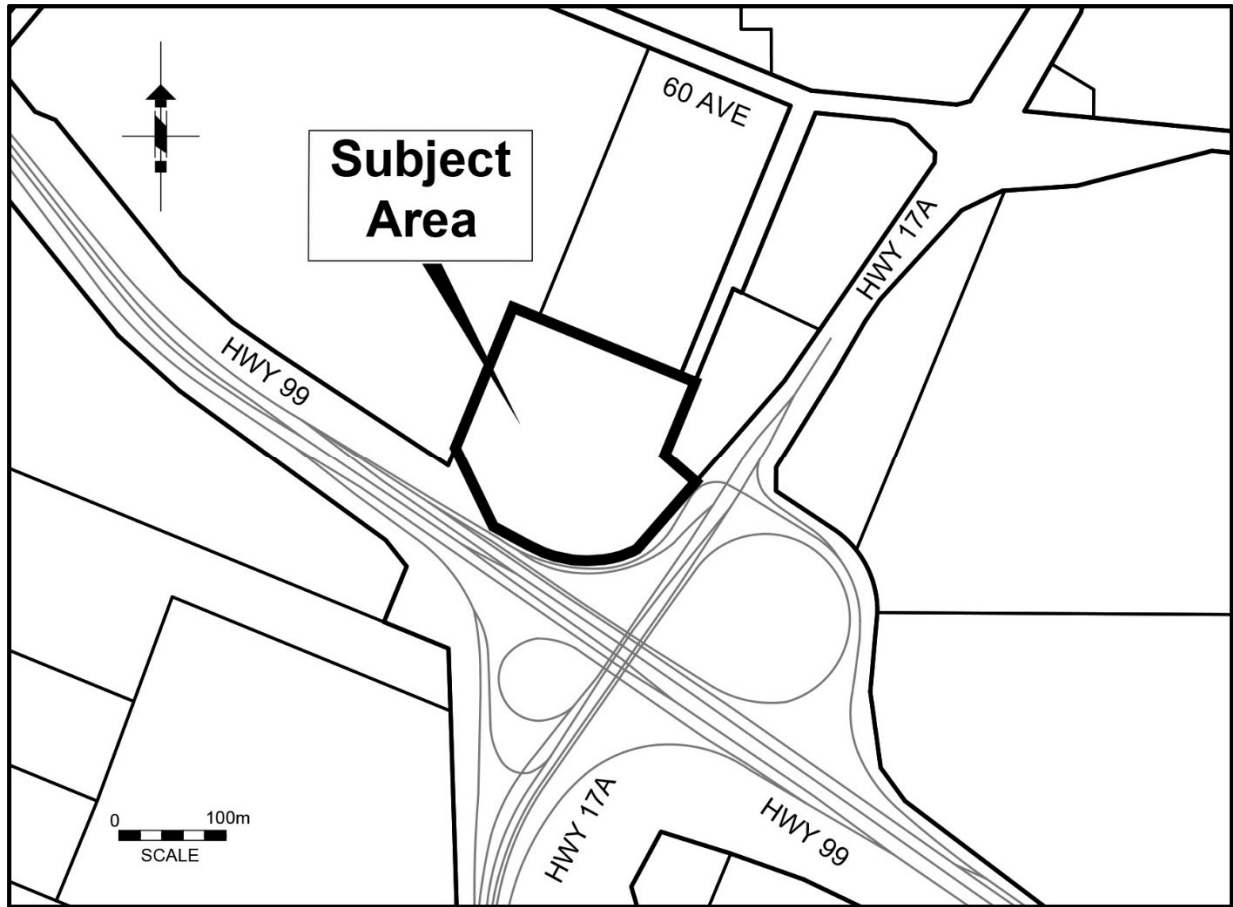
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Robyn Anderson  
City Clerk



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This is Schedule 7761-1 to "Delta Zoning Bylaw No. 2750, 1977 Amendment  
(C.D. 495 – Gateway Casinos & Entertainment Limited– LU008527)  
Bylaw No. 7761, 2018"

~~Legal: P.I.D.000-670-332~~

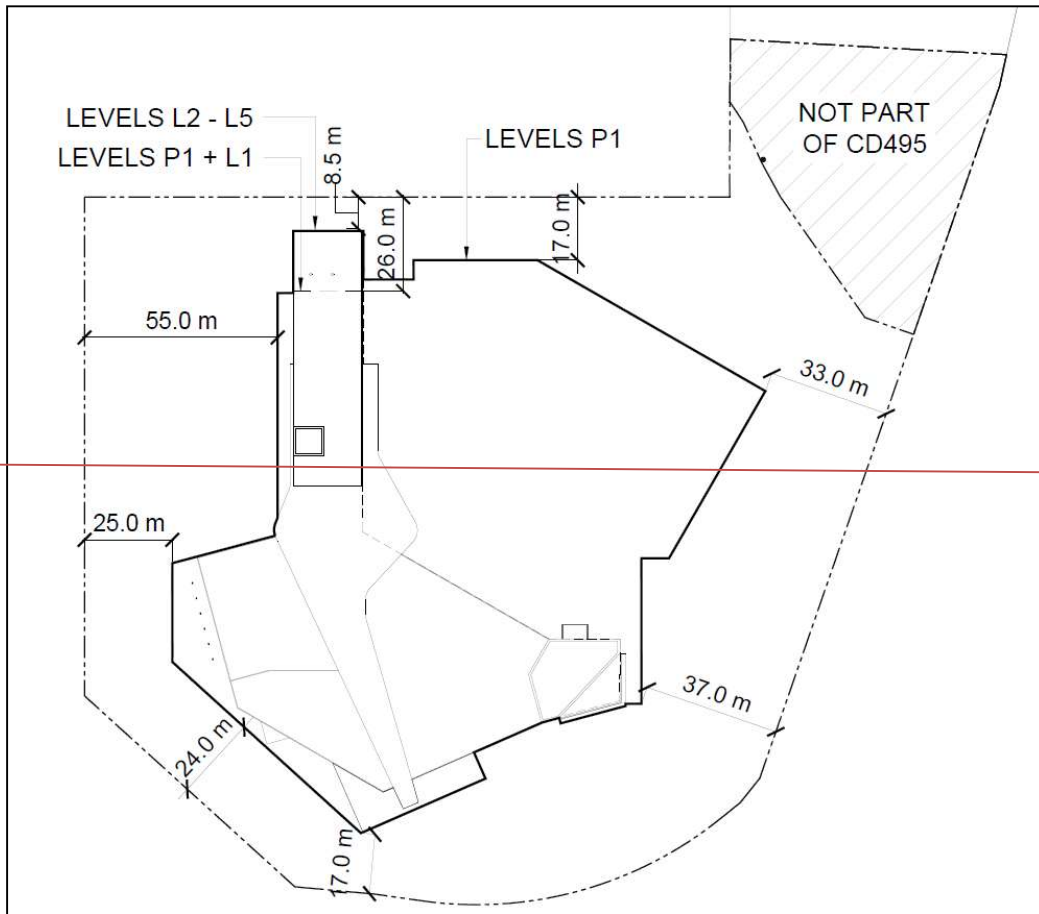
~~Lot 9 Except: Firstly: Part on Plan 45999A; Secondly: Part Dedicated Road on  
Plan LMP43493; District Lot 26 Group 2 New Westminster District Plan 33914~~

~~Legal: PID: 032-488-726~~

~~Lot A District Lot 26 Group 2 New Westminster District Plan EPP125520~~

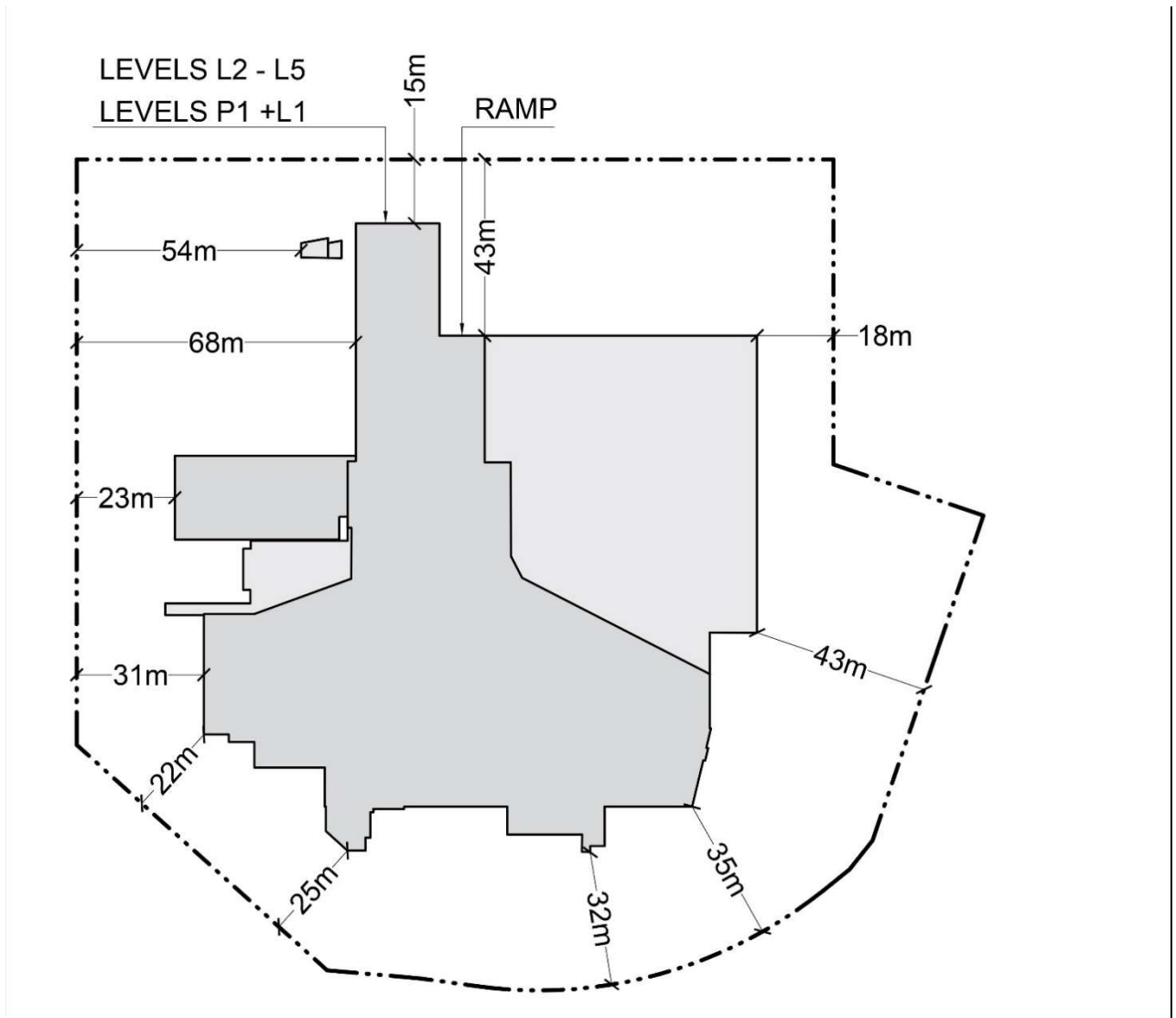
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This is Schedule 7761-2 to "Delta Zoning Bylaw No. 2750, 1977  
Amendment (C.D. 495 – Gateway Casinos & Entertainment Limited – LU008527)  
Bylaw No. 7761, 2018"

Legal: P.I.D.000-670-332

Lot 9 Except: Firstly: Part on Plan 45999A; Secondly: Part Dedicated Road on  
Plan LMP43493; District Lot 26 Group 2 New Westminster District Plan 33914

Legal: PID: 032-488-726

Lot A District Lot 26 Group 2 New Westminster District Plan EPP125520