



City of Delta
COUNCIL REPORT
Regular Meeting

To: **Council** File No.: **LU009749**
From: **Development Department** Bylaw No.: **8536**
Date: **September 26, 2025** Application Date: **September 19, 2024**

Rezoning for a Two-Lot Subdivision at 5443 Paton Drive

The following report has been reviewed and endorsed by the City Manager's Office.

▪ **RECOMMENDATIONS:**

- A. THAT first, second, and third readings be given to Zoning Amendment Bylaw No. 8536.
 - B. THAT the application for Development Variance Permit LU009749 be received.
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▪ **PURPOSE:**

The purpose of this report is to present for Council's consideration Zoning Amendment Bylaw No. 8536 (Attachment A) and a development variance permit to allow subdivision of the property at 5443 Paton Drive into two small-scale residential lots. A location map and an aerial photo are provided in Attachment B.

▪ **BACKGROUND:**

Site Description and Context:

The subject property is located in the community of Ladner. The 1,104 m² (11,883 ft²) lot is currently vacant. The site is surrounded by small-scale residential lots with agricultural land located one block east.

Council Policy:

The OCP designation for this site is Small Scale Residential (SSR). This designation is intended for residential uses and limited retail and services such as local stores, cafes, or childcare facilities. Main building types include single detached houses, duplexes, houseplexes, and accessory dwelling units with a height of up to two-and-a-half storeys. The proposed subdivision is consistent with the SSR designation.

The current zoning of the site is Single Detached Residential 2 (RS2). This zone permits small-scale residential housing as well as nursery and raising of crops and animals subject to additional regulations. Properties in the general vicinity of the site are zoned RS2, and Single Detached Residential 1, 4, 5, 6, and 7 (RS1, RS4, RS5, RS6, and RS7).

▪ **DISCUSSION:**

Proposal:

The subject application includes a request for a zoning bylaw amendment which would enable the subdivision of the property from one to two lots. Each lot would accommodate the construction of SSMUH up to four units and a maximum floor area of 236 m² (2,540 ft²) on Proposed Lot 1 and 250 m² (2,691 ft²) on Proposed Lot 2. A project data table is provided in Attachment C.

Community Consultation:

A public notification letter regarding the proposal was sent on February 6, 2025 and a public notice sign was installed on the site on February 13, 2025. To date, two emails and one phone call from three households expressing opposition to the proposal have been received. Issues of interest include concerns for safety, lack of adequate parking, traffic impacts, and drainage.

A Public Hearing must not be held for Zoning Amendment Bylaw No. 8536, as the bylaw is consistent with the Official Community Plan. Notice of the application has been provided in accordance with Section 467 of the *Local Government Act*. Council may also pass a resolution to issue a development variance permit when prior notice has been given to surrounding owners and tenants in accordance with the *Local Government Act*. Any correspondence received in response to the notice will be provided to Council in the agenda package and presented alongside this report.

Rezoning:

The owner wishes to rezone the subject property from Single Detached Residential 2 (RS2) to Single Detached Residential 7 (RS7) to permit subdivision into two small-scale residential lots. The site plans and subdivision plan are provided in Attachment D. The proposed lots would each be 10.5 m (34 ft) wide with an average lot depth of 39 m (128 ft) and 50 m (164 ft), respectively, and a lot area of 472 m² (5,081 ft²) and 631 m² (6,792 ft²), respectively. The proposed lots would be narrower than other lots in the surrounding neighbourhood.

Development Variance Permit:

The owner is requesting a development variance permit to vary Section 11.70.8 of "Delta Zoning Bylaw No. 7600, 2017" by reducing the minimum lot width for subdivision from 11 m (36 ft) to 10.5 m (34 ft) for proposed Lots 1 and 2. This variance is requested to account for the irregular shape of the lot, which increases in width substantially at the rear of the property. The lots meet the 11 m (36 ft) width requirement when measured 9 m (30 ft) from the front lot line, as shown on the subdivision plan (Attachment D).

Tree Retention, Removal, Replacement and Landscaping:

There are two trees on the subject property, both of which are proposed to be retained. There are also two off-site trees and one off-site hedge, of which all are proposed to be retained. The Tree Management Plan is provided in Attachment E. The applicant would be required to plant one new tree in the front yard of each lot as per Section 7.3.2 of "Delta Zoning Bylaw No. 7600, 2017".

Implications:

Financial Implications – The additional residential units would result in an increase in the tax base which would generate additional property tax revenue for Delta.

Interdepartmental Implications – The owner would be required to comply with the regulations as set out in the “Delta Development and Subdivision Standards Bylaw No. 8288, 2024” and enter into a Development Agreement.

▪ **CONCLUSION:**

The owner has applied to rezone the subject property from RS2 to RS7 to permit subdivision into two small-scale residential lots and construction of a new duplex dwelling with secondary suites on each lot. A development variance permit is also requested to reduce the minimum lot width for proposed Lots 1 and 2.

It is recommended that Bylaw No. 8536 be given first, second and third readings and the application for Development Variance Permit LU009749 be received.

D. Mayhew

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General Manager, Development

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EA/rl

▪ **ATTACHMENTS:**

- A. Bylaw No. 8536
- B. Location Map and Aerial Photo
- C. Project Data Table
- D. Site Plans and Subdivision Plan
- E. Tree Management Plan