



City of Delta
COUNCIL REPORT
Regular Meeting

To: **Council**

File No.:

LU009948

From: **Development Department**

Date: **February 9, 2026**

Application Date: **November 5, 2025**

**Development Variance Permit for an Accessory Residential Building at
3475 41B Street**

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

▪ **RECOMMENDATION:**

THAT Development Variance Permit LU009948 be issued.

▪ **PURPOSE:**

The purpose of this report is to present for Council's consideration Development Variance Permit LU009948. The permit would vary Section 10.10.6(a) of "Delta Zoning Bylaw, No. 7600, 2017" by increasing the maximum permitted size and depth of the farm home plate to allow for an accessory residential building. A location map and aerial photograph are provided in Attachment A.

▪ **BACKGROUND:**

Site Description and Context:

The subject property is located in an agricultural area southwest of Ladner but is not currently farmed. The 0.78 ha (1.93 ac) site contains a farm house that would remain and an existing accessory building that would be demolished. The surrounding area consists of several similarly sized agricultural parcels to the north and west and large active agricultural operations including several large greenhouses to the south and east.

Council Policy:

The OCP designation for this site is Agricultural (A). This designation is intended to maintain agriculture lands and promote a thriving agricultural sector. Main building types include farm and agricultural buildings, farm house, migrant farm worker housing and residential that supports agriculture. Main uses are agriculture and uses ancillary to agriculture subject to policies in the OCP and Agricultural Land Commission (ALC) legislation and policies.

The current zoning of the site is Agriculture (A1). The A1 Zone is intended for farming, breeding pets, kennels and related uses. Properties in the general vicinity of the site are also zoned A1.

Council may 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*.

▪ **DISCUSSION:**

Proposal:

The applicant is proposing to construct a 428 m² (4,607 ft²) accessory residential building to replace an existing accessory building located at the rear of the subject property. A development variance permit is requested to increase the maximum permitted farm home plate size to include the entire property. A project data table is included in Attachment B and a survey plan and building plans are included in Attachments C and D, respectively.

The subject property is located within the Agricultural Land Reserve (ALR); however, the Agricultural Land Commission (ALC) has confirmed that this parcel is exempt from the restrictions on the use of agricultural land under Section 23(1) of the *Agricultural Land Commission Act* and ALC regulations as it is less than 0.85 ha (2 ac) and on its own certificate of title prior to the establishment of the ALR. As a result, land use on the property is regulated by Delta zoning regulations, and no additional soil fill or land use approvals from the ALC are required for the proposed accessory building.

Community Consultation:

Notice of the application has been provided in accordance with Section 499 of 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.

Development Variance Permit:

The applicant is requesting a development variance permit to vary Section 10.10.6(a) of “Delta Zoning Bylaw No. 7600, 2017” in order to increase the maximum permitted size of the farm home plate from 3,600 m² (38,750 ft²) to 7,800 m² (83,959 ft²), and the maximum permitted depth of the farm home plate from 60 m (197 ft) to 152.4 m (500 ft). The proposed variance would allow the owner to construct an accessory residential building generally in the same location as an existing structure that would be removed. The new building would be used as a personal workshop and for the storage of personal vehicles, boats, yard equipment and hobby farm equipment (Attachment E). The building would be limited to agricultural or non-habitable accessory residential uses permitted in the A1 zone, and no commercial or industrial uses would be permitted. An accessory farm dwelling unit is permitted on A1 zoned properties; however, the proposed structure would not qualify as one, as it exceeds the maximum permitted floor area of 90 m² (969 ft²).

The requested variance would allow the proposed accessory building and all residential-related uses to be located within an expanded farm home plate. Expanding the farm home plate would allow accessory residential uses across the entire property and reflect its current use. Farm uses would still be permitted within the expanded farm home plate, as farming is allowed anywhere on properties zoned A1.

Soil Contamination and Remediation:

The property was identified as having contaminated soils at the time of purchase in November 2024, and remediation measures have been undertaken by the new owner in accordance with Provincial requirements. Staff acknowledge the owner's remediation efforts to date; recent site photography (Attachment F) illustrates the substantive improvements made to the property's condition. As of early January 2026, the Ministry of Environment and Parks has accepted the site disclosure statement and the owner has applied for a Release Notice, which is required prior to the City issuing a building permit.

Implications:

Financial Implications – There are no financial implications to Delta.

▪ **CONCLUSION:**

The applicant for 3475 41B Street has requested a development variance permit to increase the size and depth of the farm home plate to allow construction of a new accessory residential building at the rear of the subject property. It is recommended that Development Variance Permit LU009948 be issued.



Tanya Mitchner
Acting General Manager, Development

Department submission prepared by: Cody Bator, Planner
CB/jl

This report has been prepared in consultation with the following listed department.

| Concurring Department | | |
|-----------------------|------------------|-----------|
| Department | Name | Signature |
| Corporate Services | Mike Brotherston | MB |

▪ **ATTACHMENTS:**

- A. Location Map and Aerial Photo
- B. Project Data Table
- C. Site Survey
- D. Building Plans
- E. Applicant Rationale
- F. Before and After Photos