



City of Delta
COUNCIL REPORT
Regular Meeting

To: **Council** File No.: **LU009735**
From: **Development Department** Bylaw No.: **8499**
Date: **April 27, 2026** Application Date: **August 15, 2024**

Amendment of Bylaw No. 8499 at 809 51 Street and 5140 8A Avenue

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 Bylaw No. 7600, 2017" Amendment Bylaw No. 8499, 2025, as amended.
 - B. THAT the owner satisfy the following requirements as a condition of final consideration and adoption of Bylaw No. 8499, as amended:
 1. Enter into Section 219 Covenant and provide associated securities for building design, landscaping and tree relation; and
 2. Provide an easement to allow reciprocal access over the shared driveways.
-

▪ **PURPOSE:**

The purpose of this report is to present for Council's consideration Zoning Amendment Bylaw No. 8499, as amended (Attachment A). A redlined version of Bylaw No. 8499, as amended is provided in Attachment B. A location map and an aerial photo are provided in Attachment C.

▪ **BACKGROUND:**

This application includes a request for a zoning bylaw amendment which would enable the subdivision of the subject properties and a portion of 51 Street into four lots, and the construction of a four-unit houseplex on each lot.

Bylaw No. 8499 was presented for Council's consideration of first, second, and third readings on May 26, 2025, to allow subdivision of the properties at 809 51 Street, 5140 8A Avenue, and a portion of 51 Street into four small scale residential lots, rezoning to Comprehensive development Zone 57 (CDZ57), and construction of a four-unit houseplex on each lot for a total of 16 units.

Bylaw No. 8499 was rescinded by Council on April 13, 2026 as the applicant has requested further amendments to the proposed CDZ57 zone. An excerpt of the meeting

minutes from the May 26, 2025 and April 13, 2026 Regular Meetings are provided as Attachments D and E, respectively.

Road Closure and Cancellation Bylaw No. 8477 was also presented for Council's consideration of first, second, and third readings on May 26, 2025. Bylaw No. 8477 remains at third reading pending completion of the statutory requirements for road closure, cancellation and disposition under the *Community Charter*, as previously presented to Council. Bylaw No. 8477 is not impacted by the proposed changes to Bylaw No. 8499.

Site Description and Context:

The subject site is located in the community of Tsawwassen. The 5,054 m² (54,401 ft²) site consists of two small scale residential lots, both of which are vacant following the demolition of a single detached dwelling on each lot in November 2025, along with a 733 m² (7,890 ft²) portion of 51 Street running between the two properties. The site is surrounded by single detached residential lots. Dennison Park, South Delta Secondary School, and South Park Elementary School are located one block east.

Council Policy:

The OCP designation for this site is Small Scale Residential (SSR). This designation is intended for residential uses. 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 development is consistent with the SSR designation.

The current zoning of the site is Single Detached Residential 1 (RS1). The RS1 Zone is intended for single detached housing in lower density residential areas. Small-scale multi-unit housing (SSMUH) regulations allow up to four units on a lot, including a single detached dwelling or duplex dwelling, and accessory dwelling units. Properties in the general vicinity of the site are zoned RS1, Single Detached Residential 4 (RS4), and Single Detached Residential 5 (RS5).

▪ **DISCUSSION:**

Proposal:

The subject application includes a request for a zoning bylaw amendment and road closure and cancellation which would enable the subdivision of the subject site from two lots and a portion of road into four lots. The road closure and cancellation bylaw received third reading on May 26, 2025. This report is for consideration of an amendment to Comprehensive Development Zone 57 (CDZ57) under Bylaw No. 8499, as amended. A project data table is provided in Attachment F.

Community Consultation:

A public notification letter regarding the proposal was sent on November 4, 2024 and a public notice sign was installed on the site on November 7, 2024. Notice of the application was provided in advance of the May 26, 2025 Council meeting, and again in advance of this report in accordance with Section 467 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. Under Section 464 of the *Local*

Government Act, a Public Hearing must not be held for Bylaw No. 8499 as the bylaw is consistent with the OCP.

Rezoning:

The owner wishes to rezone the subject properties from Single Detached Residential 1 (RS1) to proposed Comprehensive Development Zone 57 (CDZ57), which would be further amended to permit subdivision into four small scale residential lots and the construction of a four-unit houseplex on each lot based on the detailed designs presented in this report. These designs were not prepared at the time of readings of Bylaw No. 8499. Although SSMUH regulation does permit up to four units on a lot, "Delta Zoning Bylaw No. 7600, 2017" does not include standard zoning for houseplexes. A site plan and subdivision plan are provided in Attachment G.

The CDZ57 zone is modelled after the Single Detached Residential 6 (RS6) Zone and the proposal would meet or exceed all zoning bylaw requirements with a few minor differences to accommodate the houseplex form. The CDZ57 zone proposed in Bylaw No. 8499, as amended, would include:

- A maximum floor space ratio (FSR) of 0.78.

The CDZ57 zone as originally written contemplated exemptions to the floor area of an attached garage and an attic, which are exempted for single detached or duplex dwellings. It was later determined that these floor area exclusions do not apply to houseplexes under the Zoning Bylaw. As such, the CDZ57 zone requires an amendment to the maximum FSR from 0.6 to 0.78 to accurately reflect the total gross floor area proposed. The requirement for maximum gross floor area would also be deleted for clarity. Although the maximum FSR would increase, the gross floor areas of the houseplexes would be consistent with the total size of maximum permitted single detached or duplex dwelling sizes when exempted floor area for basements, attics and garage spaces are accounted for.

- A maximum height of 2 ½ storeys.

Bylaw No. 8499 originally established a maximum of 2 storeys for a principal structure. The intent of the bylaw was to align as closely to existing standard small-scale residential zones as possible. A clerical error in the bylaw resulted in a height of 2 storeys being included instead of 2 ½ as intended. As such, the maximum storeys for a principal structure would be amended to 2 ½ to be consistent with standard small-scale residential and duplex (RS and RD) zones. The maximum permitted height to the roof ridge and mid-roof would be unaffected.

- A revised definition of houseplex within the zone for added clarity.
- Updated language for the minimum requirement for one enclosed parking space per unit to regulate the form of the proposal more concisely.

The following regulations in the CDZ57 zone would remain unchanged from the zone as originally presented for Council's consideration in May 2025:

- A minimum 3.5 m (11 ft) setback for the interior side setback to create an additional buffer and provide outdoor space between lots.
- A maximum 0.6 m (2 ft) projection into the front setback to encourage articulation of the building's frontage with the goal of maintaining the small scale residential character of the neighbourhood.
- A minimum of 15 m² (161 ft²) of private outdoor amenity space for each dwelling unit.

Building Design:

The proposed building designs are consistent with the designs presented to Council on May 26, 2025. Building massing which is defined by maximum roof height and setbacks would be unaffected by the proposed bylaw amendment.

The proposed houseplexes would be designed to fit within the existing character of the neighbourhood. The units fronting 8A Avenue would be oriented towards the street to create the appearance of single detached dwellings. Each unit has one enclosed parking space. Two driveways are proposed to minimize impacts to street parking. Each driveway would provide shared access to eight units (four per lot) from a center drive aisle. Elevation drawings and renderings are provided in Attachment H. The owner would be required to enter into a design covenant to ensure the plans submitted with a building permit application are consistent with the designs presented to Council in this report.

Tree Retention, Removal, Replacement and Landscaping:

When the application was presented to Council on May 26, 2025, there were 84 on-site trees on the subject properties, four off-site trees, and two city trees. The four off-site trees are to be retained. All the on-site trees and the two city trees have now been removed with the appropriate permits, payments, and securities. The applicant is proposing a combination of 60 replacement trees and cash-in-lieu for the balance of the replacement trees in accordance with the "Delta Tree Protection and Regulation Bylaw No. 7969, 2021." One new tree is required in the front yard of each lot as per Section 7.3.2 of "Delta Zoning Bylaw No. 7600, 2017." Included in the landscaping is surface treatment of the driveways and hardscaped areas to provide variation and definition of pedestrian areas, and to minimize visual impact of the hardscaped areas. The landscape plan is provided in Attachment I.

Implications:

Financial Implications – The addition of 14 net new small scale residential units would result in an increase in the tax base which would generate additional property tax revenue for Delta.

Intergovernmental Implications – Delta is under a Provincial Housing Target Order. Should this application be approved, the proposed 14 net new units would contribute towards achieving the required 3,607 units. Occupancy must be achieved prior to September 30, 2028, in order to be counted towards the Housing Target Order.

▪ **CONCLUSION:**

It is recommended that Bylaw No. 8499 as amended, be given first, second and third readings.



Anne Berry, RPP, MCIP
General Manager, Development

Department submission prepared by: Emma Adams, Planner
EA/ja

▪ **ATTACHMENTS:**

- A. Bylaw No. 8499, As Amended
- B. Bylaw No. 8499, As Amended – redlined version
- C. Location Map and Aerial Photo
- D. Excerpt of Minutes from May 26, 2025 Regular Meeting of Council
- E. Excerpt of Minutes from April 13, 2026 Regular Meeting of Council
- F. Project Data Table
- G. Site Plan and Subdivision Plan
- H. Elevations and Renderings
- I. Landscape Plan