



City of Delta
COUNCIL REPORT
Regular Meeting

To: **Council**

File No.: **LU009762**

From: **Development Department**

Date: **June 6, 2025**

Development Variance Permit at 6322 Market Avenue

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

▪ **RECOMMENDATION:**

THAT Development Variance Permit LU009762 be issued.

▪ **PURPOSE:**

The purpose of this report is to present for Council's consideration Development Variance Permit LU009762 to reduce the minimum required number of residential and commercial parking spaces and a required setback for a portion of a proposed mixed-use building. A location map and aerial photo are provided in Attachment A and a project data table is provided in Attachment B.

▪ **BACKGROUND:**

Site Description and Context:

The subject property is located in the Southlands community in Tsawwassen. The 5,160 m² (55,542 ft²) site is currently vacant and is surrounded by a mix of uses, including commercial and residential uses. A development permit (LU009229) was previously issued in 2022 for the development of a mixed-use building with 21 residential units and commercial space. The applicant did not move forward with the proposal and the development permit has since lapsed. The applicant is coming forward with a new development proposal due to changing market conditions.

Council Policy:

The Official Community Plan (OCP) designation for this site is Neighbourhood Centres and Corridors (NC). This designation is intended to provide opportunities for multi-unit residential and mixed uses in neighbourhood centres and along major corridors. Main building types include townhouses, low-rise and mid-rise apartment buildings, and commercial or mixed-use buildings with retail uses primarily on the ground floor to a maximum height of six storeys. The proposed development is consistent with the NC designation.

The subject property is located in both the Boundary Bay Foreshore and the Southlands (SD3) and Southlands Village (SD5) Development Permit Area. The SD3 Development Permit requirements have previously been satisfied. Approval of an SD5 Development Permit for form and character for this application is delegated to the General Manager, Development.

All development within the Southlands community is subject to a Phased Development Agreement (PDA) that was adopted in July 2016, for a term of 20 years. The PDA provides provisions limiting the number of residential dwelling units permitted to 950 and the total allowable commercial floor area to 7,432 m² (80,000 ft²). Provisions of the Zoning Bylaw that regulate use, density, siting, size and dimensions, subdivision and servicing were applicable as of the date of the agreement. The zoning of the subject property is Comprehensive Development Zone No. 423-R (C.D. 423-R) and is accordingly subject to the provisions in "Delta Zoning Bylaw No. 2750, 1977".

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 three-storey, mixed-use commercial and residential building with 493.8 m² (5,315 ft²) of retail commercial space fronting Market Avenue to the north and 66 apartment dwelling units located to the south with a central courtyard for the residential tenants located off Red Barn Road. All ground floor apartment units along the streets and laneways have direct ground floor access. A site plan and architectural plans are provided in Attachment C.

Community Consultation:

Public notification for the proposed Development Variance Permit has been sent to surrounding residents to advise them that Council will be considering this item at the June 23, 2025 Regular Meeting. 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 the following provisions in "Delta Zoning Bylaw No. 2750, 1977":

1. Section 901.4 by reducing the following:
 - a. the minimum required number of resident parking spaces from 1.5 spaces per apartment dwelling unit (99 spaces) to 1.4 spaces per apartment dwelling unit (93 spaces);
 - b. the minimum required visitor parking spaces from 0.2 spaces per dwelling unit (13 spaces) to 0.1 spaces per dwelling unit (7 spaces); and
 - c. the minimum required number of retail commercial parking spaces from 1 space for each 19.5 m² of gross floor area (25 spaces) to 1 space for every 38 m² of gross floor area (13 spaces).

2. Section 902.1(a) by reducing the minimum number of required off-street loading spaces from 2 loading spaces to 1 loading space.
3. Section 3.4.A of Comprehensive Development Zone No. 423-R, by reducing the minimum required flanking side setback from 3 m (9.8 ft) to 2.3 m (7.5 ft) for a portion of the residential building at the southwest corner of the lot.

The applicant notes that the requested variances align with urban design principles that have been employed throughout the development of the Southlands neighbourhood. These principles have worked to create a walkable pedestrian environment which facilitates active transportation and the use of public transit. The applicant's detailed rationale for the requested variances is provided as Attachment D.

Furthermore, the proposed parking variances are in line with recently adopted changes to "Delta Zoning Bylaw No. 7600, 2017", which lowered required parking and loading minimums across the municipality. Although the zoning of the Southlands Development is subject to the parking requirements in "Delta Zoning Bylaw No. 2750, 1977", no variances would be required if the current parking requirements were applied, as shown in the table below:

	Required under "Delta Zoning Bylaw No. 2750, 1977"	Proposed under "Delta Zoning Bylaw No. 2750, 1977"	Required under Delta Zoning Bylaw No. 7600, 2017"
Resident Spaces	99 Spaces	93 Spaces	66 Spaces
Visitor Spaces	13 Spaces	7 Spaces	7 Spaces
Retail Commercial Spaces	25 Spaces	13 Spaces	7 Spaces
Off-Street Loading Spaces	2 Spaces	1 Space	1 Space

The variance to reduce the minimum required flanking side setback is required due to a small building protrusion of 4.3 m (14 ft) that has been included to improve the articulation and allow for an improved three-bedroom layout at this location. Staff support this request as it supports the enhanced visual interest of the building and the livability of the unit.

Building Design:

The proposed mixed-use building utilizes design principles to differentiate between commercial component located along Market Avenue and residential portions of the building. A mix of one- to three-bedroom apartment units is proposed. The common outdoor amenity space includes a large courtyard along Red Barn Boulevard for residents. Landscaping will include the installation of street trees along the south and east lanes and Red Barn Boulevard.

The primary residential parking is provided underground (90 spaces), accessed off Red Barn Road. Additional parking is provided within the laneways to the east and south of the site and commercial parking is located along the east lane, with additional

commercial and residential parking located in the south lane. A loading space for the commercial units is provided off Red Barn Road.

A development permit for form and character in the Southlands Village (SD5) Development Permit Area is required for this project. Approval is delegated to the General Manager, Development. The proposed development generally complies with the guidelines in the Southlands Village (SD5) Development Permit Area.

Implications:

Financial Implications –The proposed mixed-use development would generate an additional \$82,000 in annual property tax for Delta.

Interdepartmental Implications – Southlands is subject to a Phased Development Agreement. The owner would be required to satisfy the engineering and servicing requirements included in the agreement.

▪ **CONCLUSION:**

Development Variance Permit LU009762 is requested to vary “Delta Zoning Bylaw No. 2750, 1977” and Comprehensive Development Zone No. 423-R (C.D. 423-R) by reducing the minimum number of required resident, visitor and commercial parking spaces, off-street loading spaces, and reducing the flanking side setback for a proposed mixed-use commercial and residential building. It is recommended that Development Variance Permit LU009762 be issued.



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EP/rl

▪ **ATTACHMENTS:**

- A. Location Map and Aerial Photo
- B. Project Data Table
- C. Site and Architectural Plans
- D. Applicant Rationale Letter