



City of Delta
COUNCIL REPORT
Regular Meeting

To:	Council	File No.:	LU007445
From:	Development Department	Bylaw Nos.:	7505, 7506, 7507 & 7508
Date:	June 2, 2025	Application Date:	April 8, 2015

Final Consideration and Adoption of Bylaws No. 7505, 7506, 7507 and 7508, and Issuance of Development Permit LU007445 at 7969 Highway 91 Connector

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

▪ **RECOMMENDATIONS:**

- A. THAT Bylaw No. 7505 be finally considered and adopted.
- B. THAT Bylaw No. 7506 be finally considered and adopted.
- C. THAT Bylaw No. 7507 be finally considered and adopted.
- D. THAT Bylaw No. 7508 be finally considered and adopted.

▪ **BACKGROUND:**

The application at 7969 Highway 91 Connector is for a master-planned industrial business park in close proximity to Highway 17 and Highway 91. This application considered by Council in June 2016 includes agricultural benefits, environmental mitigation and enhancement measures for the Burns Bog Ecological Conservancy Area and transportation improvements.

As part of this application, three lots (A, B and C as shown on Attachment A) totaling 137.7 ha (340 ac) will be transferred from the owners to the City for conservation purposes. The owner was also required to provide an \$11 million amenity contribution directed towards irrigation and drainage improvements, North Delta transportation improvements, and community amenities. Further details would be determined through future budget discussions. The owner also provided the Province 2.4 ha (6 ac) of highway dedication for the Nordel Way interchange.

Bylaw No. 7505 (Attachment B) would amend the regional land use designation in the Regional Context Statement in Schedule A of the "The Corporation of Delta Official Community Plan No. 3950, 1985" from Agriculture to Industrial and extend the Urban Containment Boundary to include the subject property.

- First and Second Readings: June 20, 2016
- Second Reading Rescinded: July 11, 2016
- Second Reading as Amended: July 11, 2016
- Public Hearing: July 26, 2016
- Third Reading: July 26, 2016
- Multiple Third Reading Extensions

Bylaw No. 7506 (Attachment C) would amend the land use designation for the subject property in the Future Land Use Plan in Schedule A of “The Corporation of Delta Official Community Plan No. 3950, 1985” from Agricultural (A) to Industrial (I).

- First and Second Readings: June 20, 2016
- Public Hearing: July 26, 2016
- Third Reading: July 26, 2016
- Multiple Third Reading Extensions

Bylaw No. 7507 (Attachment D) would rezone the subject property from I3 Extraction Industrial to Comprehensive Development Zone No. 474 under “Delta Zoning Bylaw No. 2750, 1977” to permit industrial uses on a majority of the site with environmental and agricultural buffers along the perimeter.

- First and Second Readings: June 20, 2016
- Public Hearing: July 26, 2016
- Third Reading: July 26, 2016
- Multiple Third Reading Extensions
- Ministry of Transportation and Transit: February 14, 2023

Bylaw No. 7508 (Attachment E) would extend the Sewer Area boundary to include the subject property in Delta’s Sewer Area and Metro Vancouver’s Fraser Sewerage Area.

- First and Second Readings: June 20, 2016
- Third Reading: July 26, 2016
- Greater Vancouver Sewer & Drainage District: November 1, 2019

Development Permit LU007445 would address environmental setbacks within the Streamside Protection and Enhancement (SPEA) Development Permit Area. Approval is delegated to the General Manager, Development.

Agricultural Land Commission (ALC) and Metro Vancouver Approvals:

The application to exclude the subject property from the Agricultural Land Reserve (ALR) and include the property at 7007 Highway 91 (Lot B) was conditionally approved by the ALC on September 11, 2018. The conditions of approval were met and ALC staff confirmed that the properties were excluded from and included in the ALR. Following approval from the ALC, the application was referred to Metro Vancouver in February 2019 for consideration of Delta’s request to amend the land use designation in the Regional Growth Strategy and Regional Context Statement, and to extend the urban containment boundary and Fraser Sewerage Area. Metro Vancouver approved the Regional Growth Strategy and Regional Context Statement amendments on October 4, 2019 and the Fraser Sewerage Area extension on November 1, 2019.

Burns Bog Scientific Advisory Panel (SAP) Review:

The SAP reviewed this application in June 2016 and January 2022, and provided advice on the mitigation, maintenance and monitoring plans pertaining to bog ecology and hydrology.

Ministry of Water, Land and Resource Stewardship (Ministry):

The Ministry granted conditional approval for the owner's *Water Sustainability Act* application in December 2024. As part of the approval, the owner is required to undertake wetland replacement on Lot C which will involve:

- development of a detailed wetland replacement plan (land to be transferred to Delta) that considers connectivity with and management of Cougar Creek and the lands east of Lot C before August 1, 2025;
- development and implementation of maintenance and monitoring plans; and
- completion of the wetlands and/or stream habitat by December 31, 2028.

Project Refinements:

In December 2019, Council was advised that given the complexity of this application and the requirement for external agency approvals, a no build/no future subdivision covenant approach similar to the one used for the Parkwood industrial application at 5224 88 Street was under consideration. Given that many of the external agency approvals are still required for the on-site and off-site servicing, the extensive engineering design work required, and the lengthy period of time required to construct the perimeter berms and fill the site to flood proofing levels, the owner has elected to enter into a covenant for no building and no future subdivision subject to:

- Entering into a development agreement(s) for on-site and off-site works including provision of fees and securities for the works.
- Securing approvals from the following external agencies (if required):
 - Fortis and BC Hydro for emergency secondary access through an existing statutory right-of-way;
 - Vancouver Port Authority for stormwater drainage infrastructure;
 - BC Rail for utility crossing(s); and
 - Ministry of Transportation and Transit for stormwater drainage works.
- Provision of the following:
 - subdivision plan with road dedication and creation of lots for the perimeter environmental buffer and pump station;
 - off-site statutory rights-of-ways or easements for utilities, servicing, access or other public purposes as required;
 - construction traffic management plan;
 - securities for the construction and maintenance and/or monitoring of the environmental and agricultural perimeter buffers; and
 - a design covenant for the future industrial build out.

Fill and perimeter berm construction works would be permitted while the owner completes the requirements of the covenant. However, no building or subdivision would be permitted on the subject property until the above conditions have been met.

Application Approval Conditions:

The project data table and an excerpt of the meeting minutes from the July 26, 2016 Meeting Following the Public Hearing are provided as Attachments F and G, respectively. The owner has provided the \$11 million amenity contribution and tree replacement security in the amount of \$2,345,500. The owner also entered into the following legal agreements:

- Purchase and sale agreement for the transfer of Lots A, B and C;
- No-Build/No Subdivision covenant;
- Ministry of Transportation and Transit no-build covenant;
- Environmental covenants for the buffer (north) non disturbance, perimeter buffer, environmental management planning and environmental monitoring program;
- Flood covenant;
- Perimeter works security agreement;
- Perimeter lot access statutory right-of-way;
- Permitted uses covenant;
- Pump station and perimeter lot statutory right-of-way and option to purchase;
- Road reservation covenant;
- Tree replacement covenant;
- Utility, public and emergency access statutory right-of-way; and
- Development Permit LU007445

Implications:

Financial Implications – The owner has provided the \$11 million amenity contribution, \$2,345,500 tree replacement security and signed the transfer of ownership documentation for the three lots totaling 137.7 ha (340 ac).

▪ CONCLUSION:

The owner has satisfied the requirements for final consideration and adoption of Bylaws No. 7505, 7506, 7507 and 7508 and issuance of Development Permit LU007445.



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General Manager, Development

Department submission prepared by: Tanya Mitchner, Director of Planning

▪ ATTACHMENTS:

- A. Aerial Photo
- B. Bylaw No. 7505
- C. Bylaw No. 7506
- D. Bylaw No. 7507
- E. Bylaw No. 7508
- F. Project Data Table
- G. Excerpt of Minutes from July 26, 2016 Meeting Following the Public Hearing