

INTER-OFFICE MEMORANDUM

TO: DIRECTOR
LEGISLATIVE SERVICES

March 11, 2025

FROM: GENERAL MANAGER
PLANNING AND DEVELOPMENT

Subject: **REZONING REFERENCE # 20-35**
BYLAW 14566, AMENDMENT BYLAW NO. 10/23
Emerald Place
Brentwood Town Centre Development Plan
Reconsideration and Final Adoption

Address: 2300 Madison Avenue and BC Hydro 165 Right-of-Way

Legal: PID: 002-113-431; 010-735-950

Lot 46, District Lot 119, Group 1, New Westminster District Plan 40447
Block 13, District Lot 119, Group 1, New Westminster District Plan
2855, Except Plans 40447 and EPP41113

Applicant: Polygon Development 366 Ltd.
900 – 1333 West Broadway
Vancouver, BC V6H 4C2
Attention: Brian Ellis

Current Zoning: M1 Manufacturing District and M2 General Industrial District

Proposed Zoning: CD Comprehensive Development District (based on RM4s Multiple Family Residential District, RM4r Multiple Family Residential District and the Brentwood Town Centre Development Plan as guidelines, and in accordance with the development plan entitled “Emerald Place” prepared by Buttjes Architecture Inc.)

The following information applies to the subject rezoning bylaw:

1. First Reading given on May 08, 2023;
2. Public Hearing given on May 30, 2023;
3. Second Reading given on June 05, 2023 and,
4. Third Reading given on December 16, 2024.

The prerequisite conditions have been completely satisfied as follows:

A. The submission of a suitable plan of development.

A complete suitable plan of development has been submitted.

- B. The deposit of sufficient monies including a 4% Engineering Administration Fee to cover the costs of all services necessary to serve the site and the completion of a servicing agreement covering all requisite services. All services are to be designed to City standards and constructed in accordance with the Engineering Design. One of the conditions for the release of occupancy permits will be the completion of all requisite services.

The applicant has submitted the necessary funds including a 4% inspection fee to cover the costs of all services necessary to serve the site and the servicing agreement has been completed.

- C. The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development (as well as underground switching and transformer/service boxes in town centre locations), and to the point of connection to the existing service where sufficient facilities are available to serve the development.

The applicant has agreed to this prerequisite in a letter dated November 12, 2024.

- D. The undergrounding of existing overhead wiring abutting the site.

The applicant has agreed to this prerequisite in a letter dated November 12, 2024 and has deposited the necessary funds to guarantee the completion of this prerequisite.

- E. The submission of an undertaking to remove all improvements on the development site within 12 months of Final Adoption of the Rezoning Bylaw.

The applicant has completed the demolition of all improvements on the site. Therefore, a Section 219 Covenant and security will not be required for this prerequisite.

- F. The utilization of an amenity bonus through the provision of a cash in-lieu contribution in accordance with Section 4.3 of the Council report.

The applicant has agreed to this prerequisite in a letter dated November 12, 2024. The applicant has chosen to defer payment of the density bonus fee to the issuance of Preliminary Plan Approval and/or Building Permit (whichever comes first), and will make quarterly interest payments to the City of RBC Prime + 2% per annum starting on the date of Final Adoption until the total fee (\$40,819,000) has been paid in full. A Section 219 Covenant guaranteeing this provision has been submitted in registerable form, and will be deposited in the Land Title Office prior to Final Adoption.

- G. The consolidation and re-subdivision of the site into three lots.

The requisite subdivision plan has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.

- H. The dedication of any rights-of-way deemed requisite.

A subdivision plan dedicating the requisite rights-of-way has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.

- I. The granting of any necessary statutory rights-of-way, easements and/or covenants in accordance with Section 4.12 of this report.

The requisite statutory rights-of-way, easement and covenants have been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.

- J. The registration of a Housing Covenant and Housing Agreement.

A Section 219 Covenant has been deposited in the Land Title Office restricting the issuance of an Occupancy Permit until such time that a Housing Agreement has been approved, and the requisite covenant to guarantee its provision has been deposited.

- K. The submission of a suitable on-site Stormwater Management System, the deposit of sufficient monies for its provision, and the granting of a Section 219 Covenant to guarantee its provision and continuing operation.

A suitable on-site stormwater management system has been approved by the General Manager Engineering, the required covenant has been submitted in registrable form and will be deposited in the Land Title Office prior to Final Adoption, and the required funds to guarantee this provision have been deposited.

- L. Compliance with the City's Groundwater Management for Multi-Family Development guidelines.

The applicant has agreed to this prerequisite in a letter dated November 12, 2024.

- M. The submission of a geotechnical and groundwater study.

A geotechnical and groundwater study has been submitted and the required covenant has been submitted in registrable form and will be deposited in the Land Title Office prior to Final Adoption.

- N. The execution of an indemnity agreement by the developer saving the City harmless from all liability associated with this development in relation to its geotechnical and hydrological (including any potential contaminated groundwater) impacts to surrounding infrastructure and other nearby development.

The requisite indemnity agreement has been submitted in registerable form and will be deposited in the Land Title Office prior to Final Adoption.

- O. The submission of a detailed design for a pedestrian and bicycle multi-use rail line overpass.

The applicant has submitted a Conceptual Design Plan for the rail line overpass to the satisfaction of the General Manager Engineering. A Section 219 Covenant, which outlines the terms and conditions for the detailed design and construction management for the rail line overpass, has been submitted in registrable form and will be deposited in the Land Title Office prior to Final Adoption.

- P. The submission of a feasibility study for locating a sanitary pump station on the site.

The General Manager Engineering has confirmed that this prerequisite is no longer a requirement of the subject rezoning application.

- Q. The submission of an Environmental Assessment for the potential wetland habitat on the site and resolution of any resultant conditions.

The Environmental Planning Division has received and accepted the required Environmental Assessment, and no further action is required.

- R. The submission of a suitable Solid Waste and Recycling Plan.

The necessary provisions are indicated on the development plans and the applicant has submitted a letter of undertaking dated November 12, 2024 committing to implement the solid waste and recycling provisions.

- S. The review of on-site loading facilities.

The applicant has agreed to this prerequisite in a letter dated November 12, 2024.

- T. The provision of enhanced car wash stalls and an adequately sized and appropriately located garbage handling and recycling material holding space and a commitment to implement the recycling provisions.

The necessary provisions are indicated on the development plans and the applicant has submitted a letter of undertaking dated November 12, 2024 committing to implement the recycling provisions.

- U. The provision of facilities for cyclists in accordance with this report.

This provision is indicated on the development plans and the applicant has submitted a letter dated November 12, 2024 agreeing to meet this prerequisite.

- V. The design and provision of units adaptable to persons with disabilities, the provision of customized hardware and cabinet work being subject to the sale/lease of the unit to a disabled person.

This provision is indicated on the development plans and the applicant has submitted a letter dated November 12, 2024 agreeing to meet this prerequisite.

W. The approval of the Ministry of Transportation and Infrastructure.

The approval of the Ministry of Transportation to the rezoning bylaw has been obtained.

X. Compliance with Council-adopted sound criteria.

The applicant has submitted an acoustic study which has been accepted by the Climate Action and Energy Division, and a Section 219 Covenant to ensure compliance with the submitted study has been submitted in registrable form and will be deposited in the Land Title Office prior to Final Adoption.

Y. Compliance with the guidelines for underground parking for visitors.

The applicant has agreed to this prerequisite in a letter dated November 12, 2024 and the necessary provisions are indicated on the development plans.

Z. The submission of a detailed Public Art Plan.

The required Public Art Plan has been approved, and a Section 219 Covenant to ensure compliance with the approved plan has been submitted in registrable form and will be deposited in the Land Title Office prior to Final Adoption.

AA. The submission of a Green Building Plan and Energy Benchmarking.

The applicant has submitted a Green Building Strategy which has been accepted, and a Section 219 Covenant to ensure compliance with the submitted strategy has been submitted in registrable form and will be deposited in the Land Title Office prior to Final Adoption.

BB. The submission of a Site Disclosure Statement and resolution of any resultant conditions.

The applicant has submitted the required Site Disclosure Statement for the development site and has committed to obtaining an appropriate instrument from the Ministry of Environment prior to release of any Occupancy Permits. The required Covenant governing this arrangement has been deposited in the Land Title Office.

CC. The deposit of the applicable Parkland Acquisition Charge.

The required deposits have been made to meet this prerequisite.

DD. The deposit of the applicable School Site Acquisition Charge.

The required deposits have been made to meet this prerequisite.

EE. The deposit of the applicable GVS & DD Sewerage Charge.

The required deposits have been made to meet this prerequisite.

FF. The deposit of the applicable Regional Water Cost Charge.

The required deposits have been made to meet this prerequisite.

GG. The deposit of the applicable Regional Transportation Development Cost Charge.

The required deposits have been made to meet this prerequisite.

HH. The submission of a written undertaking to distribute area plan notification forms, prepared by the City, with disclosure statements; and, to post area plan notification signs, also prepared by the City, on the development site and in the sales office in prominent and visible locations prior to Third Reading, or at the time marketing for the subject development commences, whichever is first, and remain posted for a period of one year, or until such time that all units are sold, whichever is greater.

The applicant has provided a letter of undertaking dated November 12, 2024 and the area plan notification signs are in place.

As the prerequisite conditions to this rezoning are now completely fulfilled, could you please arrange to return this amendment bylaw to Council for Reconsideration and Final Adoption on March 11, 2025.

E. W. Kozak, GENERAL MANAGER
PLANNING AND DEVELOPMENT