



A meeting was held by the Provincial Agricultural Land Commission on January 26, 2009 at the Best Western Mission Lodge, Mission, B.C.

PRESENT:	Sylvia Pranger	Chair, South Coast Panel
	Michael Bose	Commissioner
	John Tomlinson	Commissioner
	Ron Wallace	Staff
	Tony Pellett	Staff

For Consideration

Application: # O- 38251
Applicant: City of Surrey
Proposal: In a letter dated December 5, 2008 the City of Surrey requested reconsideration of the application to construct a BCSPCA animal shelter on the eastern 3.25 hectare portion of the subject City property. The Commission gave support for the development subject to conditions as outlined by Resolution #685/2008. The City has requested that two conditions required by the Commission be rescinded for the reasons outlined in the above letter.

Legal: PID: 009-308-059
Lot B, New Westminster District, EXCEPT Firstly: Part lying within the Boundaries of the South 33 feet (Reference Plan 32488), Secondly: Parcel Two (SeeE14842), Thirdly: Part Dedicated Road on Plan BCP18862, Section 5, Township 8, Plan 10311

Location: 17910 Colebrook Road, Surrey

Context

The proposal was weighed against the purposes of the Commission as stipulated in section 6 of the *Agricultural Land Commission Act* (the "Act"). They are:

1. to preserve agricultural land
2. to encourage farming on agricultural land in collaboration with other communities of interest, and
3. to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

Discussion

The Commission reviewed the letter from the City of Surrey requesting reconsideration of the application to construct a BCSPCA animal shelter on the eastern 3.25 hectare portion of the subject City property. The conditions the City wishes to see rescinded are: that the remainder property be offered for sale to the lease holder of the property and the registration of a no build covenant for a residence on the title of the remainder lot. The Commission was prepared to amend its decision provided a covenant is registered on title of the remainder farmland property indicating that the land shall not be used for any purpose other than farm use.

IT WAS

MOVED BY: Commissioner Pranger

SECONDED BY: Commissioner Tomlinson

THAT the reconsideration request to amend the Commission's decision by Resolution #685/2008 be accepted.

THAT the proposal to construct a new 1,812 square meter (19,500 square foot) BC Society for prevention of Cruelty to Animals (BCSPCA) animal centre on the eastern 3.25 ha portion of the subject property be allowed subject to the following conditions:

- the proposed BCSPCA animal centre be in substantial compliance with the preliminary plan submitted with the application
- the proposed location of the animal centre on the eastern portion of the property to be subdivided by legal survey.
- The registration of a covenant on the title of the remainder lot stating that the land shall not be used for any purpose other than farm use.
- approval for non-farm use is granted for the sole benefit of the applicant and is non-transferable.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

CARRIED

Resolution # 35/2009



Agricultural Land Commission
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March 3, 2009

Reply to the attention of Ron Wallace
ALC File: O-38251

City of Surrey
14245 - 56th Avenue
Surrey, BC V3X3A2

Dear Sir/madam:

Re: Application for Use and Subdivision within the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 35/2009 outlining the Commission's decision as it relates to the above noted application.

Please send two (2) paper prints of the final survey plans to this office. When the Commission confirms that all conditions have been met, it will authorize the Registrar of Land Titles to accept registration of the plan.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

Enclosure: Minutes/Sketch Plan

cc: BC Assessment, Surrey

RW/
i/O-38251d2