



Agricultural Land Commission
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23 February 2010

Reply to the attention of Tony Pellett
ALC File: MM-37775

City of Chilliwack
8550 Young Road
CHILLIWACK BC V2P 8A4

Attention: Karen Stanton, Mgr. Development Services

Re: Application to Exclude land from the Agricultural Land Reserve

Please find attached the Minutes of Resolution #2227/2010 outlining the Commission's decision as it relates to the above noted application to exclude a parcel of City-owned land and more specifically to your 18 November 2008 request that the Commission alter the wording of the conditional approval.

By way of a copy of this letter, the Commission is advising the Registrar of Land Titles of its order and confirming that the ALR notation is to be removed from the Certificate of Title for PID: 024-894-982.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', is written over a white background.

Erik Karlsen, Chair

Enclosure: Minutes

cc: BC Land Title & Survey, New Westminster
BC Assessment, Abbotsford

TP/
37775d3



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on February 10, 2010 by means of electronic communication.

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

For Consideration

Application: 01-MM-CHWK-2007-37775
Applicant: City of Chilliwack
Proposal: Remove the first of three conditions under the previous resolution, specifying City action to ensure that the landscaped buffer required under Application #MM-31767 be fully restored. The second condition is fulfilled. The third condition is addressed by the City's suggestion for specific wording to refer to buffer covenanting.
Legal: PID: 024-894-982: Parcel "A" (Reference Plan LMP47967) of Section 2, Township 23 NWD
Location: 44524 Keith-Wilson Road

Background

With respect to the first condition of the previous resolution, on November 18, 2008 the City of Chilliwack wrote proposing to work with the property owner to restore the vegetation, recognizing that there is little the City can do to require the property owner to restore the former buffer. With respect to buffering of the two parcels to the south of the strata access road of this application, the city proposed a new condition "that the buffer proposed in the Webster Block Comprehensive Plan be ensured by the registration of a more precise covenant, with wording to be determined in coordination with the Agricultural Land Commission". On the previous day, the Commission had viewed the area and had requested staff to bring the matter forward once the City of Chilliwack has taken action to meet the other conditions of Resolution #603/2008 notably in relation to restoration of the former buffer noted above. The matter was therefore left in abeyance to see whether the City of Chilliwack would be able to obtain cooperation from owners of the land where the former buffer had been destroyed. After the passage of over one year it was evident that Commission compliance or enforcement measures might have to be considered. On the basis that Commission compliance and enforcement staff will pursue buffer restoration, the Commission brought the joint applications #MM-37775 and #MM-38630 forward for a decision.

IT WAS

MOVED BY: Commissioner Bose
SECONDED BY: Commissioner Tomlinson

THAT the application be approved on the understanding that the City of Chilliwack will ensure

1. that development in the area south of Keith Wilson Road between Webster Road and the east boundary of the subject property proceeds in full accordance with the intent of the City's *Webster Block Comprehensive Plan* and
2. that the integrity of the buffer proposed in that plan is ensured by the registration of a covenant, with wording to be determined by the City in coordination with the Provincial Agricultural Land Commission.

This decision does not relieve the owners or occupiers of the responsibility to comply with applicable Acts and regulations, including decisions of any authorities that have jurisdiction under an enactment.

CARRIED
Resolution # 2227/2010