



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
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Fax: 604 660-7033
www.alc.gov.bc.ca

June 3, 2013

ALC File: # 53155

Telus c/o Standard Land Company Inc.
610-688 West Hastings Street
Vancouver, BC
V6B 1P1

Dear Mr. Sugita:

Re: **Application to Conduct a Non-Farm Use on Land in the Agricultural Land Reserve (ALR)**

Please find attached the Minutes of Resolution # 117/2013 as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly. The Commission has also attached a Sketch Plan depicting the decision.

Further correspondence with respect to this application is to be directed to Lindsay McCoubrey.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Brian Underhill', is written over a horizontal line. The signature is fluid and cursive, with a large initial 'B' and a long, sweeping tail.

Brian Underhill, Executive Director

Enclosures: Minutes of Resolution #117/2013
Sketch Plan

cc: Regional District of Kootenay Boundary (File: E-376-02721.200)

53155d1



Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on May 22, 2013 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, BC.

FOR CONSIDERATION

Application: 53155

Applicant: Margaret & Robert Bugeaud

Agent: Telus c/o Standard Land Company Inc.

Proposal: To install a 40 metre self support radio communication tower with four initial panel antennas, eight future panel antennas and ancillary radio equipment including an equipment shelter within a 15.94 m x 15.94 m (254 square metre) leasehold. The tower will be accessed from an existing trail through the subject property and the Trans Canada Trail. (Submitted pursuant to section 20(3) of the *Agricultural Land Commission Act*)

Legal: Lot B, District Lots 376 and 502, Similkameen Division Yale District, Plan KAP90703.

Location: Midway, BC

DELEGATION OF DECISION-MAKING TO THE CHIEF EXECUTIVE OFFICER (CEO)

On June 27, 2011 the Commission delegated decision-making to the CEO by Resolution #016N-2011 (File: 135-45/ALC/CEO/APPL). In accordance with section 27 of the *Agricultural Land Commission Act* the Commission has specified that the following applications may be decided by the CEO.

Criterion 3

Non-farm use applications made necessary by minor deviations from the permitted uses identified in sections 2 and 3 of BC Regulation #171/2002 (ALR Use, Subdivision and Procedure Regulation);

DECISION:

After reviewing the entire file material, I, Richard Bullock, Chief Executive Officer of the Commission, am satisfied that the proposal is consistent with Criterion # 3 of Resolution #016N/2011 and approve the application on behalf of the Commission.

Approval is subject to the following conditions:

- the tower installation be in substantial compliance with the plan submitted with the application;
- the construction of a fence for the purpose of separating the communications installation from any adjacent farm activity;
- 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.

RESOLUTION # 117/2013

I CERTIFY THAT THIS IS A TRUE RECORD OF THE DECISION

A handwritten signature in black ink, appearing to read "Richard Bullock", written over a horizontal line.

Richard Bullock, Chief Executive Officer

**TOPOGRAPHIC SURVEY OF PROPOSED TOWER SITE BC1662,
WITHIN LOT B, DISTRICT LOTS 376 AND 502,
SIMILKAMEEN DIVISION OF YALE DISTRICT, PLAN KAP90703**

BCGS: 82E.006



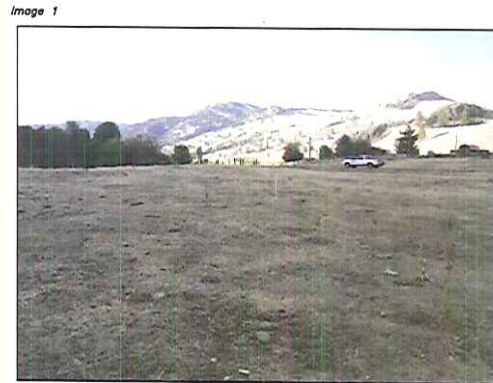
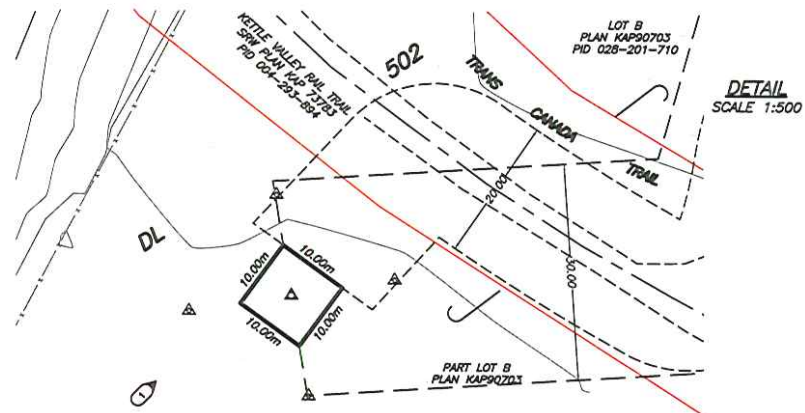
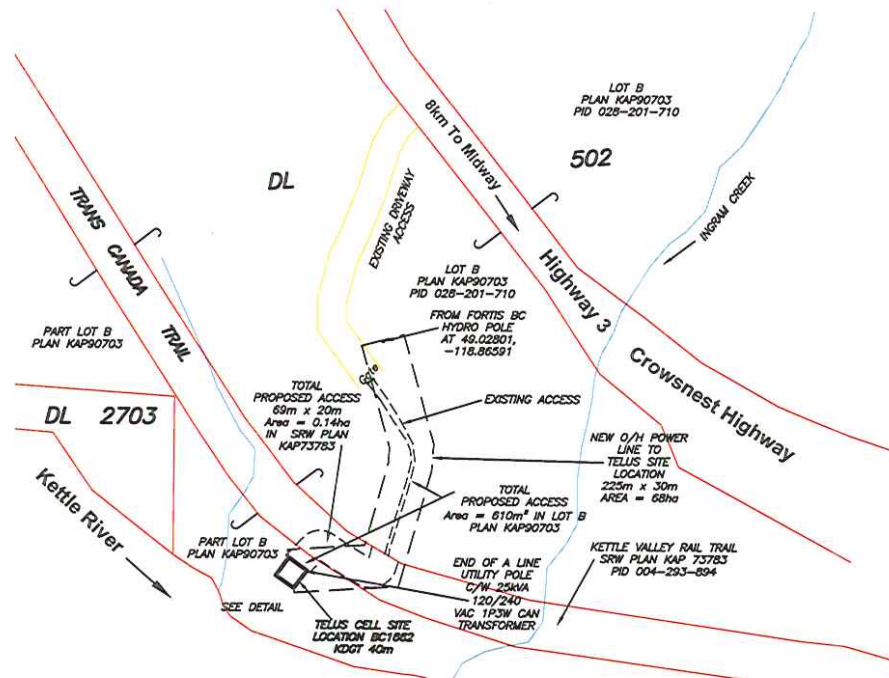
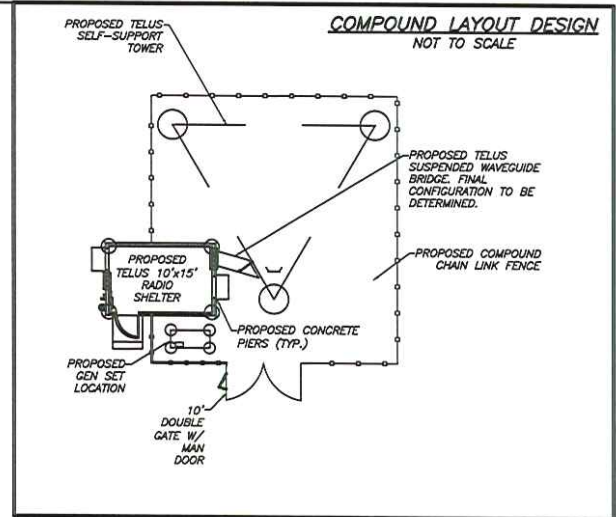
All distances are in metres and decimals thereof.

The intended plot size of this plan is 432mm in width by 560mm in height (C size) when plotted at a scale of 1:2500.

This plan lies within the Kootenay Boundary Regional District
Date of field survey September 12th, 2012
Contour interval 1.0m
Elevations are geodetic derived from differential dual frequency GNSS observation to Castalgar ACP (GCM #382358), published elevation = 459.287m.

- LEGEND**
- ▲ denotes stake set
 - ▲ denotes spike set
 - ◇ denotes hydro pole
 - ↓ denotes pole anchor
 - denotes top of bank
 - - - denotes edge of gravel
 - - - denotes center line of road
 - - - denotes fence

ALC Application #53155
Resolution #117/2013 - Allowed
Radio-Communication Tower



COORDINATE TABLE						
NAD83 ZONE 11						
DESCRIPTION	NORTHING	EASTING	LAT.	LONG.	LAT. DMS	LONG. DMS
SITE BC1662	5432100.70	363545.63	49.02968	-118.86664	49°01'36.065"	-118°51'59.900"
UTILITY POLE	5432261.98	363608.68	49.02815	-118.86683	49°01'41.335"	-118°51'56.992"

PROPOSED TOWER HEIGHT: 40m

NOTE: LOT B, PLAN KAP90703 PID 028-201-710 LIES WITHIN THE AGRICULTURAL LAND RESERVE

C/MC ADDRESS: 3000 HIGHWAY 3

FOCUS

PROJECT

PROJECT REF.

SITE BC1662 TOPOGRAPHIC SURVEY

DRAWN MLE	DATE 2012-09-19	CHECKED BD	SCALE 1:750
SHEET TITLE			
010038570-TSSI25-R01			

Map modified - May 22, 2013

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