



**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

November 20, 2006

Reply to the attention of Gordon Bednard  
ALC File: L-36765

BC Hydro & Power Authority  
8th Floor - 333 Dunsmuir Street  
Vancouver, BC V6B 5R3

Dear Ms. Crawford:

**Re: Application for Utility Corridor within the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 558/2006 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', is written over the 'Per:' label.

Erik Karlsen, Chair

cc: Regional District of East Kootenay - Attn: Planning Department

Encl.: Minutes/Sketch Plan  
GB/eg/36765d1

# Provincial Agricultural Land Commission

Application: L-36765

Resolution # 558/2006



Area approved for expansion of power line right-of-way as a non-farm use within the ALR.

## PLAN OF TRANSMISSION LINE RIGHT-OF-WAY (Easement) OVER BED OF KOOTENAY RIVER FROM LOT 265 TO LOT 8455, AND IN LOT 84 KOOTENAY DISTRICT

Scale 1"=100'

### LEGEND

- indicates old iron post found
  - indicates iron post set
  - indicates old wood post found
  - indicates old pipe post set
- Acres based on N.S.P. 1959  
 1959 25.34 Acres 6.70

BRITISH COLUMBIA POWER COMMISSION

*[Signature]* CHAIRMAN

*[Signature]* SECRETARY

Lot	Area	Ac.	sq
Kootenay River	0.05	1	
8455	0.68	27	

UNSURVEYED

CROWN LAND

8455

I, J.M. Campbell of Creston B.C., a British Columbia land Surveyor, make oath and say that I was present on and did personally supervise the survey represented by this plan and that the survey and plan are correct. The said survey was completed on the 2nd day of July 1959.

Sworn before me this 21st day of July 1959

*[Signature]*  
 Commissioner for the Survey of Land within British Columbia



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

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A meeting was held by the Provincial Agricultural Land Commission on September 27, 2006 at Nelson, B.C.

**PRESENT:**     Monika Marshall                             Chair, Kootenay Panel  
                  Carmen Purdy                                 Commissioner  
                  Erik Karlsen                                 Chair, ALC  
                  Gordon Bednard                             Staff, ALC

### **For Consideration**

Application:       # L- 36765  
Applicant:         BC Hydro & Power Authority  
Proposal:          To use 0.8 ha to increase a BC Hydro right-of-way on Crown Land for  
                      the operation of a power line.  
Legal:             PID: 016-451-091  
                      That part of District Lot 8455, Kootenay District, shown outlined in  
                      red on RW Plan 310  
Location:         Cranbrook

### **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.

The Act provides processes for landowners, local governments and First Nations to apply to the Commission to remove land from the ALR or to use land in the ALR for non-farm purposes.

### **Assessment of Impact on Agriculture**

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission does not believe the proposal would impact existing or potential agricultural use of surrounding lands.

### **IT WAS**

**MOVED BY:**             Commissioner Carmen Purdy  
**SECONDED BY:**        Commissioner Monika Marshall

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THAT the application be allowed as presented for the above reason.

AND THAT the approval is granted to the applicant only and is valid for three (3) years from the date of this decision.

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 # 558/2006**



**Staff Report**  
**Application # L – 36765**  
**Applicant: BC Hydro & Power Authority**

**DATE PREPARED:** August 2, 2006

**TO:** Chair and Commissioners – Kootenay Panel

**FROM:** Simone Rivers, Land Use Planner

**PROPOSAL:** To use 0.8 ha to increase a BC Hydro right-of-way on Crown Land for the operation of a power line.

**BACKGROUND INFORMATION:**

BC Hydro has an existing powerline that, due to required operational upgrades for safe operation of the powerline, requires additional right-of-way. Application for the increased right-of-way area has been made to the Integrated Land Management Bureau in Cranbrook.

**Local Government:**

Regional District of East Kootenay

**Legal Description of Property:**

PID: 016-451-091

That part of District Lot 8455, Kootenay District, shown outlined in red on RW Plan 310

**Location of Property:**

Cranbrook

**Size of Property:**

0.8 ha (The entire property is in the ALR).

**ATTACHMENTS:**

- ALR Context map (82G/13) 1:50,000 (Created by ALC Staff)
- Map: Plan of Transmission Line Right-of-way (easement) over Bed of Kootenay River... (Submitted by BC Hydro)
- Map: Proposed right-of-way widening context map (submitted by BC Hydro)

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**END OF REPORT**

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**Signature**

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**Date**