



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

September 26, 2012

Reply to the attention of Ron Wallace
ALC File: 52885

BC Ministry of Transportation & Infrastructure
342 – 447 Columbia Street
Kamloops, BC
V2C 2T3

Attention: Rampaul Dulay

Re: Application to Install Passing Lanes within the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 62/2012 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.

Other approvals may be necessary. Prior to proceeding, the Commission suggests you contact your Local Government.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'B. Underhill', is written over a horizontal line.

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Regional District of Okanagan-Similkameen



PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on September 17, 2012 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Sylvia Pranger	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner

COMMISSION STAFF PRESENT:

Ron Wallace	Land Use Planner
Brian Underhill	Executive Director

APPLICATION: # 52885

PROPOSAL: To install passing lanes on 1.5 km section of Highway 97, between the towns of Oliver and Okanagan Falls, north of Gallagher Lake. The project entails widening of the existing 2 lane highway to provide both north and south passing lanes, including a 2.6 m paved center median, 2.0 m wide shoulders, rumble strips and roadside barrier as required.
(Submitted pursuant to section 6 of BC Regulation #171/2002 (ALR Use, Subdivision and Procedure Regulation))

Legal: PID: 004-263-375; That Part of District Lot 3473 Shown on Plan A429, SDYD, Except Plan KAP82998
PID: 027-464-865; Lot A District Lot 3473, SDYD, Plan KAP86377

COMMISSION CONSIDERATION:

Section 6 of the *Agricultural Land Commission Act* identifies the purposes of the Commission 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.

After reviewing the file information the Commission has noted that the proposed new right-of-way road upgrade involves a portion of one lot which is not being farmed due to its low agricultural capability and a portion of the other lot which was formerly a segment of the Kettle Valley Railway and not suitable for agricultural use. Therefore the Commission has no objections to the proposed road upgrade project and supports the BC Ministry of Transportation and Infrastructure commitments as outlined in the *Agricultural Assessment* report dated August 2012 prepared by Talisman Land Resource Consultants Inc.

CONCLUSIONS:

1. That the land under application has limited agricultural capability.
2. That the land under application is not well suited for agricultural use.
3. That the proposal will not significantly impact agriculture.
4. That the proposal is not inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Richard Bullock

SECONDED BY: Commissioner Bert Miles

THAT the application be approved.

AND THAT the approval is subject to the following conditions:

- That the proposed highway improvement project be in substantial compliance with the plans submitted with the application.
- That the MoTI comply with the commitments as outlined in the *Agricultural Assessment* report dated August 2012 prepared by Talisman Land Resource Consultants Inc.
- Approval for this project 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 # 62/2012