



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

March 4, 2014

ALC File: # 53555
Your file: # 23482.12.13

Steve Sirett
District Project Manager
Ministry of Transportation and Infrastructure
300 – 1358 St. Paul Street
Kelowna, BC V1Y 2E1

Dear Mr. Sirett:

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

Please find attached the Minutes of Resolution # 75/2014 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.

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

Further correspondence with respect to this application is to be directed to Ron Wallace.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Ron Wallace', written over a light blue horizontal line.

Colin J. Fry, Chief Tribunal Officer

Enclosures: Minutes of Resolution #75/2014
Sketch Plan

cc: North Okanagan Regional District

53555d1



PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on March 4, 2014 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, BC.

FOR CONSIDERATION

Application: 53555
Applicant: Ministry of Transportation & Infrastructure
Agent: Steve Sirett
Proposal: (Submitted pursuant to section 6 of BC Regulation #171/2002 (ALR Use, Subdivision and Procedure Regulation)
To realign 680 meters of Sugar Lake Road 50 meters to the southeast. Three properties are affected by this proposal and the total area affected will be 1.2 ha.

Legals: PID: 004-524-063
District Lot 1661, Osoyoos Division, Yale District, Plan 28633
PID: 011-738-278
District Lot 1661, Osoyoos Division, Yale District, Except Plans B6824 and 31167
PID: 011-738-197
District Lot 1659, Osoyoos Division, Yale District, Except Plan 4996

Location: 23482 Sugar Lake Road, Lumby
Background: The need for this realignment is due to the erosion created by the Shuswap River which is threatening to undermine Sugar Lake Road. The applicants indicated that only 30m of right of way is required to construct the new section of road. The Commission has not received any communication from the affected land owners regarding and agricultural concerns with this proposal.

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: 140-60/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 4

Non-farm use applications made pursuant to section 6 of BC Regulation #171/2002 (ALR Use, Subdivision and Procedure Regulation);

DECISION:

After reviewing the entire file material, I, Brian Underhill, Deputy Chief Executive Officer of the Commission, am satisfied that the proposal is consistent with Criterion # 4 of Resolution #016N/2011 and approve the application on behalf of the Commission.

Approval is subject to the following conditions:

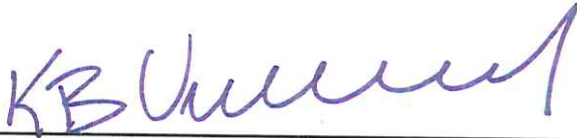
- the road realignment be in substantial compliance with the plan submitted with the application

- as per the mitigation commitments outlined in Table 2 of the report accompanying the application, that the old roadway be removed and the area be rehabilitated to a good agricultural standard

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 # 75/2014

I CERTIFY THAT THIS IS A TRUE RECORD OF THE DECISION

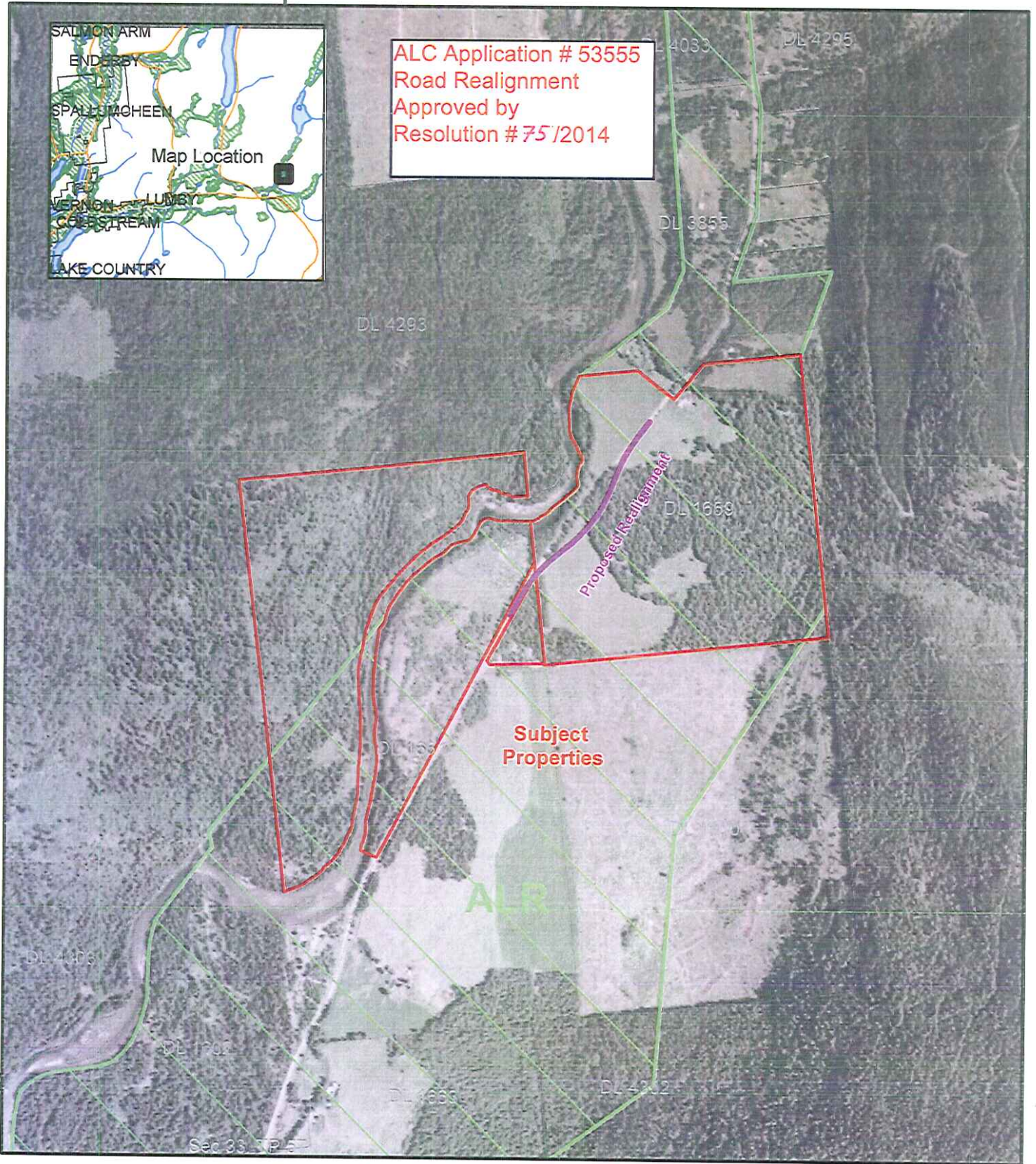


Brian Underhill, Deputy Chief Executive Officer

118°36'0"W



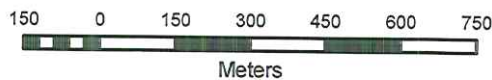
ALC Application # 53555
Road Realignment
Approved by
Resolution # 75/2014



Airphoto Map

2007 Natural Colour - Ortho

Map Scale: 1:15,000



ALC File #: 53555

Mapsheets #: 82L.028

Map Produced: Jan 30, 2014

Map modified : February 28, 2014

Regional District: North Okanagan