



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

June 25, 2014

ALC File: #53675

Ministry of Transportation and Infrastructure
4th Floor, 310 Ward Street
Nelson, BC V1L 5S4

Attention Kristen Spearman:

Re: Application for Transportation, Utility or Recreational Trail Uses within the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution # 258/2014 as it relates to the above noted application. The Commission has also attached a Sketch Plan depicting the decision.

Please send two (2) paper prints of the final survey plans to this office in order for the Commission to authorize the Registrar of Land Titles to accept registration of the plan.

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.

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, Ron.Wallace@gov.bc.ca.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in blue ink, appearing to read 'Colin Fry', is written over a horizontal line. The signature is fluid and cursive.

Colin J. Fry, Chief Tribunal Officer

Enclosure(s): Minutes of Resolution #258/2014
Sketch Plan

53675d1



Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on June 25, 2014 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, BC.

FOR CONSIDERATION

Application: 53675
Applicant: BC Ministry of Transportation and Infrastructure
Proposal: To add 0.05 ha of DL 773 and 0.4 ha of DL 2445 to Hwy 23 ROW.
(Submitted pursuant to section 6 of BC Regulation #171/2002 (ALR Use, Subdivision and Procedure Regulation)
Legal: District Lot 773, Kootenay District, except part outlined red on Plan DD 9796 and except that part in Plan 9151.
(PID# 017-338-344).
Lot 1, District Lot 2445, Kootenay District, Plan 9406.
(PID# 006-551-165)
Location: Highway 23 at Galena Bay Ferry Terminal (North of Nakusp)
Background: The proposal is required to upgrade the Galena Bay Ferry Terminal to allow 2 lanes of traffic to simultaneously load and offload the ferry.

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.

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 # 258/2014

I CERTIFY THAT THIS IS A TRUE RECORD OF THE DECISION

Brian Underhill, Deputy Chief Executive Officer

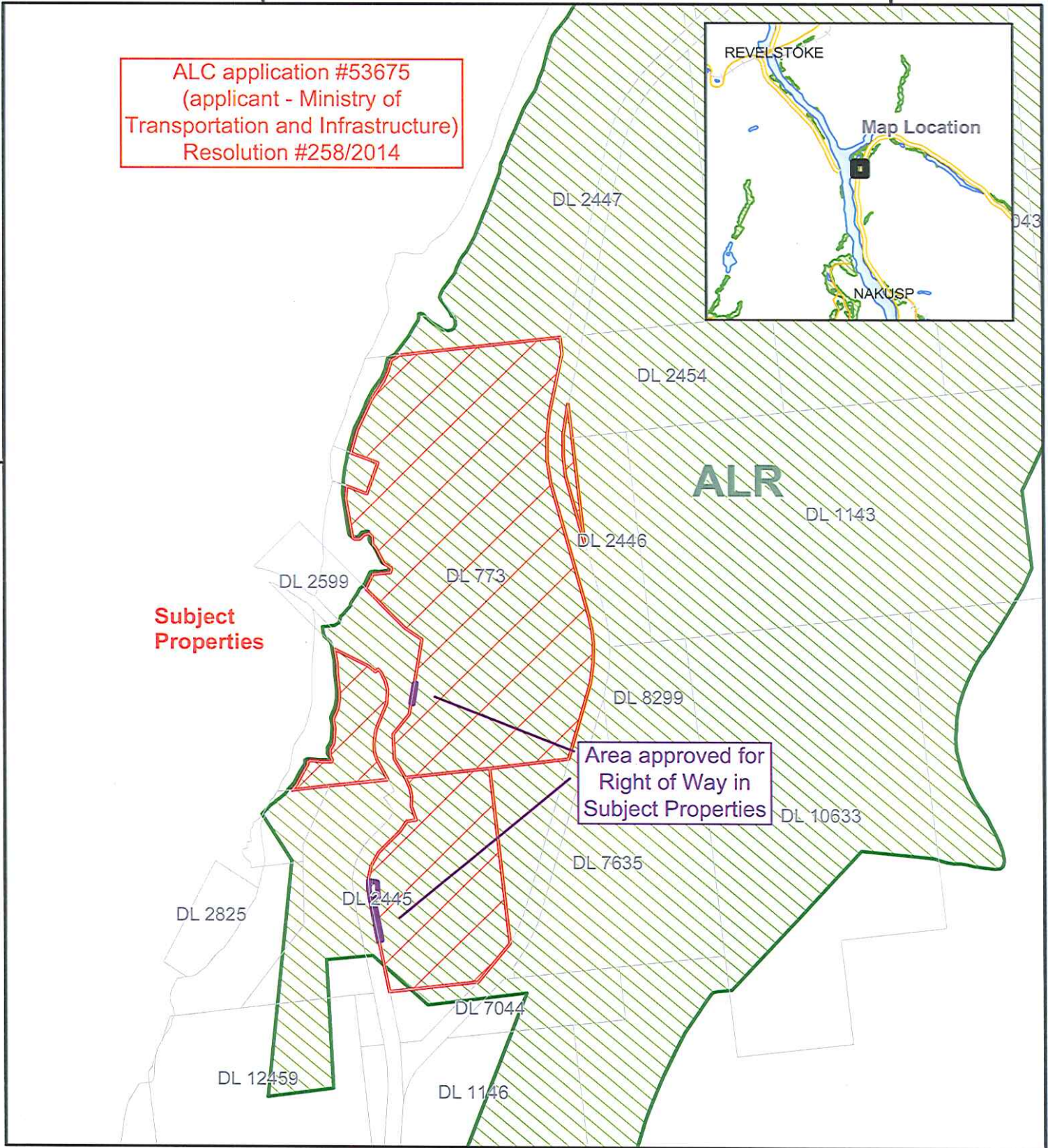
117°52'0"W

117°50'0"W

ALC application #53675
(applicant - Ministry of
Transportation and Infrastructure)
Resolution #258/2014



50°38'0"N



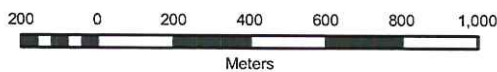
Subject
Properties

Area approved for
Right of Way in
Subject Properties



ALC Context Map

Map Scale: 1:20,000



ALC File #: 53675

Mapsheet #: 82K.061

Map Produced: May 21, 2014

Regional District: Columbia Shuswap