



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

November 25, 2005

Reply to the attention of Ron Wallace

Allan and Debora Frank
11075 Valdon Road
Ladysmith, BC V9G 1Z2

Dear Sir/Madam:

Re: Application # A-36258
That Part of District Lot 40, Alberni District, Plan 66RW, Except Part in Plan 1554; and
That Part of District Lot 40, Alberni District, and comprising part of the Right of Way of the Esquimalt and Nanaimo Railway as shown coloured red on Plan 66RW and containing 5.55 acres

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to reconfigure the above noted properties into two new lots as divided by Pledsted Creek. The application was submitted pursuant to section 21(2) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission wishes to thank you for taking the time to meet with its representatives on November 16, 2005. The Commission found the meeting and site visit informative.

The Commission writes to advise that it approved your application subject to:

- the subdivision being in substantial compliance with the attached plan.
- compliance 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. The Commission suggests you contact the Regional District of Alberni-Clayoquot at your earliest convenience.

The decision noted above is recorded as Resolution #621/2005.

Please send two (2) paper prints of the final survey plans to this office well in advance of commencing registration at the Land Titles Office. When the Commission confirms that the subdivision plan is acceptable and verifies that all conditions of approval have been met it will authorize the Registrar of Land Titles to accept the application for deposit of the plan. Please quote your application number in any future correspondence.

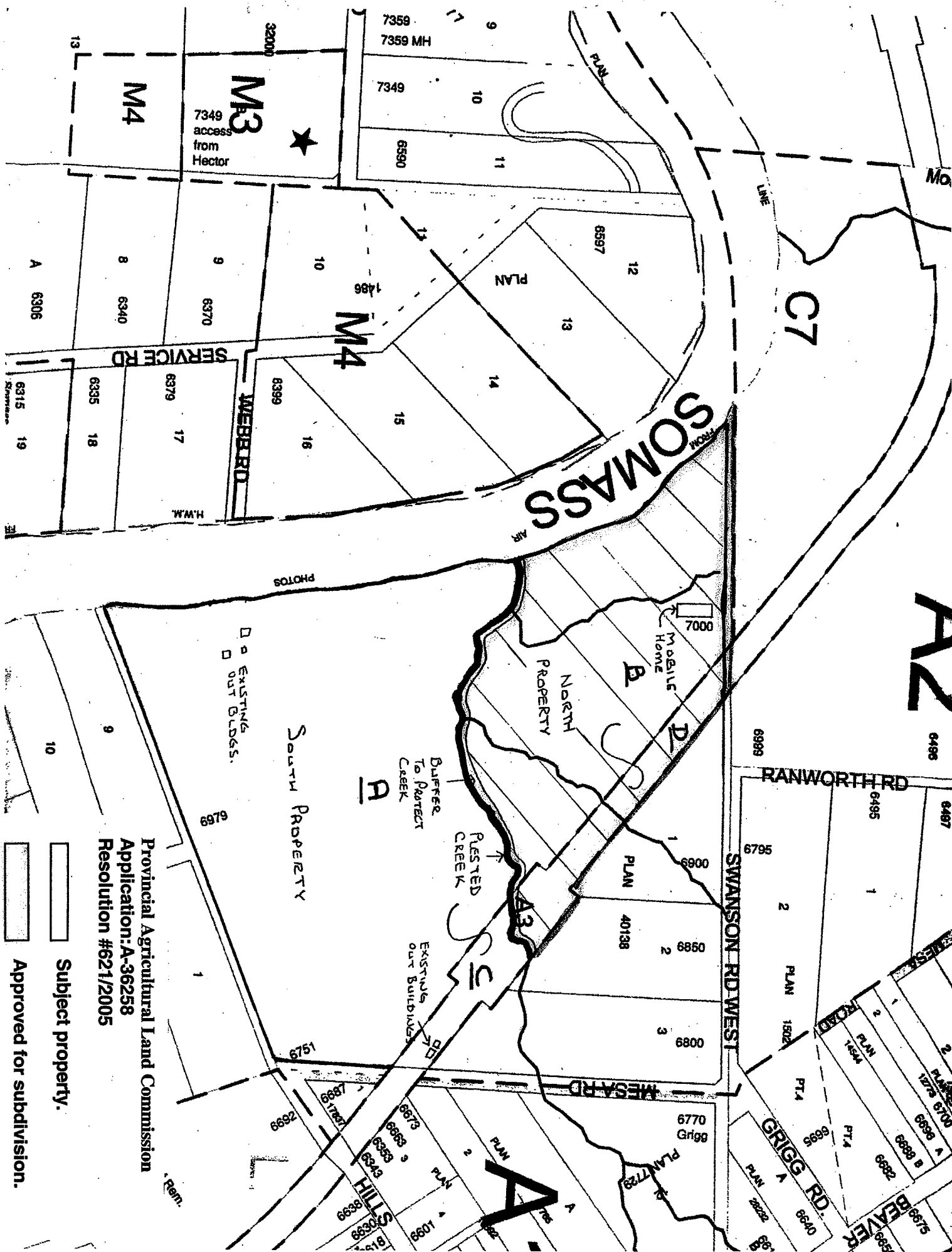
Yours truly,
PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

Cc: 501462 BC Ltd. Inc. No. 50142 - 11075 Valdon Road, Ladysmith, BC, V9G1Z2
Marjorie Maud Ferguson - 11075 Valdon Road, Ladysmith, BC V9G1Z2
Regional District of Alberni-Clayoquot (#AE05003)

RW/lv/Encl./36258d1



Provincial Agricultural Land Commission
 Application: A-36258
 Resolution #621/2005

- Subject property.
- Approved for subdivision.

□ EXISTING
 □ OUT BLDGS.

South Property

SOMASS AVE

RANWORTH RD

SWANSON RD WEST

GRIGG RD

MEGA RD

Buffer To Protect Rusted Creek

EXISTING OUT BUILDINGS

Mobile Home

North Property

M4

M3

M4

C7

AZ

A

BEAVER

7349 access from Hector

7359 7359 MH

7349

6590

6597

12

PLAN

13

14

15

16

17

18

19

9 6370

8 6340

A 6306

6379

6335

6315

32000

PHOTOS

Rem.

HILL

PLAN

PLAN

PLAN

PLAN

PLAN



Staff Report
Application # A – 36258-0
Applicant: Allan and Debora Frank

DATE PREPARED: November 7, 2005

TO: Chair and Commissioners – Island Panel

FROM: Ron Wallace, Regional Research Officer

PROPOSAL: The proposal is to reconfigure the existing two properties, including an old railway right-of-way, into two new lots as divided by Pledsted Creek that traverses the property in an east-west direction.

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

There have been no previous applications on the subject properties.

Local Government:

Regional District of Alberni-Clayoquot

Legal Description of Property:

1. PID: 000-732-419
That Part of District Lot 40, Alberni District, Plan 66RW, EXCEPT Except Part in Plan 1554;
2. PID: 008-418-161
That Part of District Lot 40, Alberni District, and comprising part of the Right of Way of the Esquimalt and Nanaimo Railway as shown coloured red on Plan 66RW and containing 5.55 acres;

Purchase Date (m/d/y):

01/29/2004

Location of Property:

The property is located north-west of port Alberni, adjacent to Somass River.

Size of Property:

000 732 419 is 27.5 ha

008 418 161 is 2.2 ha

Both properties are entirely in the ALR

Present use of the Property:

Rural residential use.

Surrounding Land Uses:

WEST: Somass River
SOUTH: Residential use, ALR
EAST: Residential
NORTH: Residential use, ALR

Agricultural Capability:

Data Source: Agricultural Capability Map # 92F.026
The majority of the property is identified as having Mixed Prime and Secondary ratings.

Official Community Plan and Designation:

The two properties are designated Agricultural and Trail with the OCP.

Zoning Bylaw and Designation:

Rural (A2) District and Forest Reserve (A3) District

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Regional Board

The Regional Board recommended approval subject to meeting technical requirements of referral agencies.

Advisory Planning Commission

Approval recommended in concurrence with planning report dated July 5, 2005.

Local Government Staff

Recommend support.

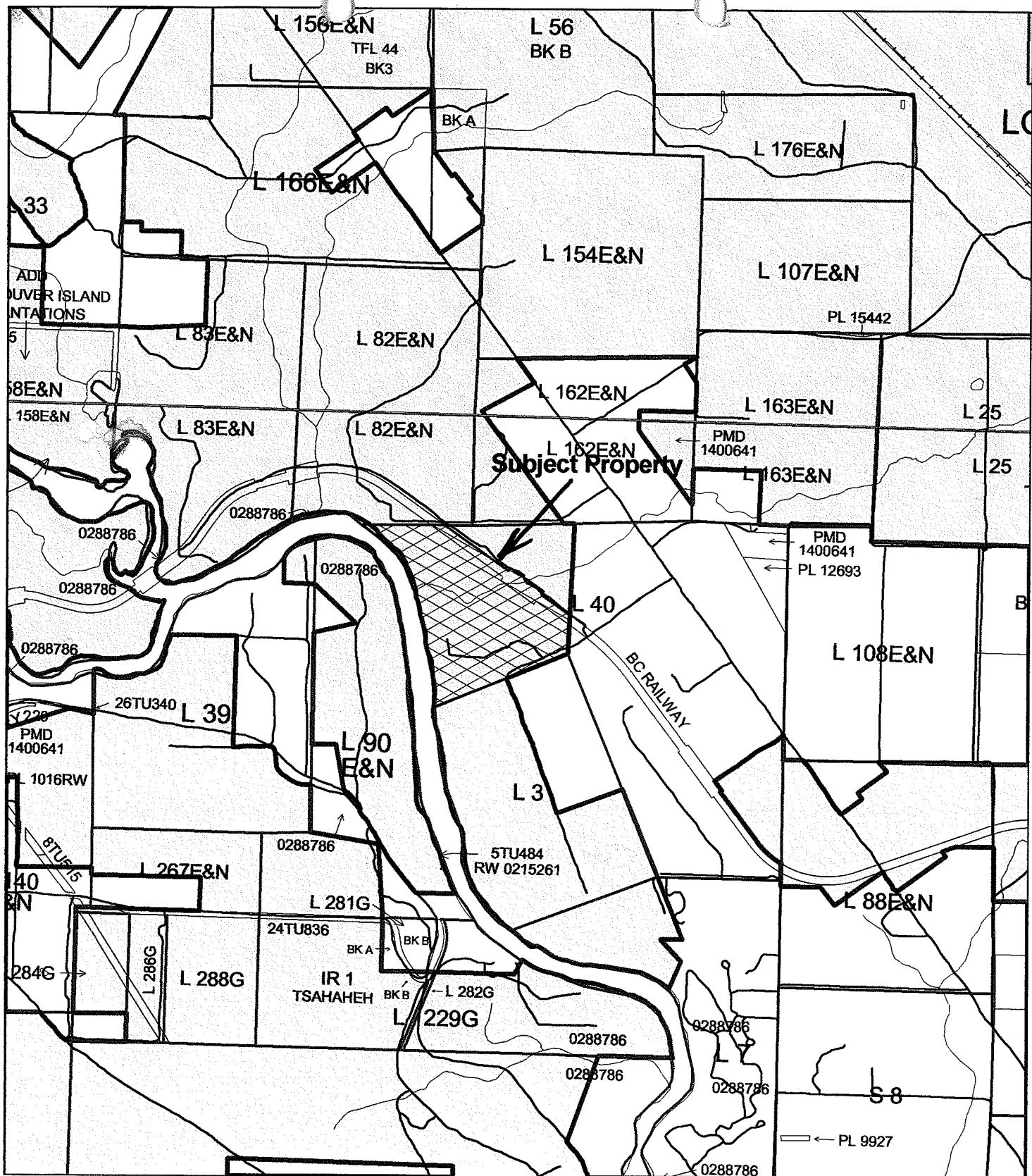
STAFF COMMENTS:

It is noted from the Agricultural Capability map that the existing properties are bisected by a creek and steep topography (Class 7T), making north south access difficult. It appears the proposed lots make an improvement from the existing lot configuration, allowing each lot to be a separate farm unit.

END OF REPORT

Signature

Date Nov 8/05



ALC CONTEXT MAP
Application # 36258

Map Scale: 1: 20000

ALC File #: 21-05-36258

BCGS Map Sheet #: 92F.026

Regional District: Alberni-Clayoquot