



**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

June 28, 2006

Reply to the attention of Gordon Bednard

Maxwell and Susan Banton  
7701 Woodward Road  
Port Alberni, BC V9Y 9E5

Dear Sir/Madam:

RE: Application #A-36588  
PID: 017-888-620  
Lot A, District Lot 85, Alberni District, Plan VIP54872

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to subdivide the existing 4 ha property, as severed by Woodward Road, into two parcels of 1.6 ha and 2.4 ha. 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 June 6, 2006 at the property. 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 Alberni-Clayoquot Regional District at your earliest convenience.

The decision noted above is recorded as Resolution # 295/ 2006.

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

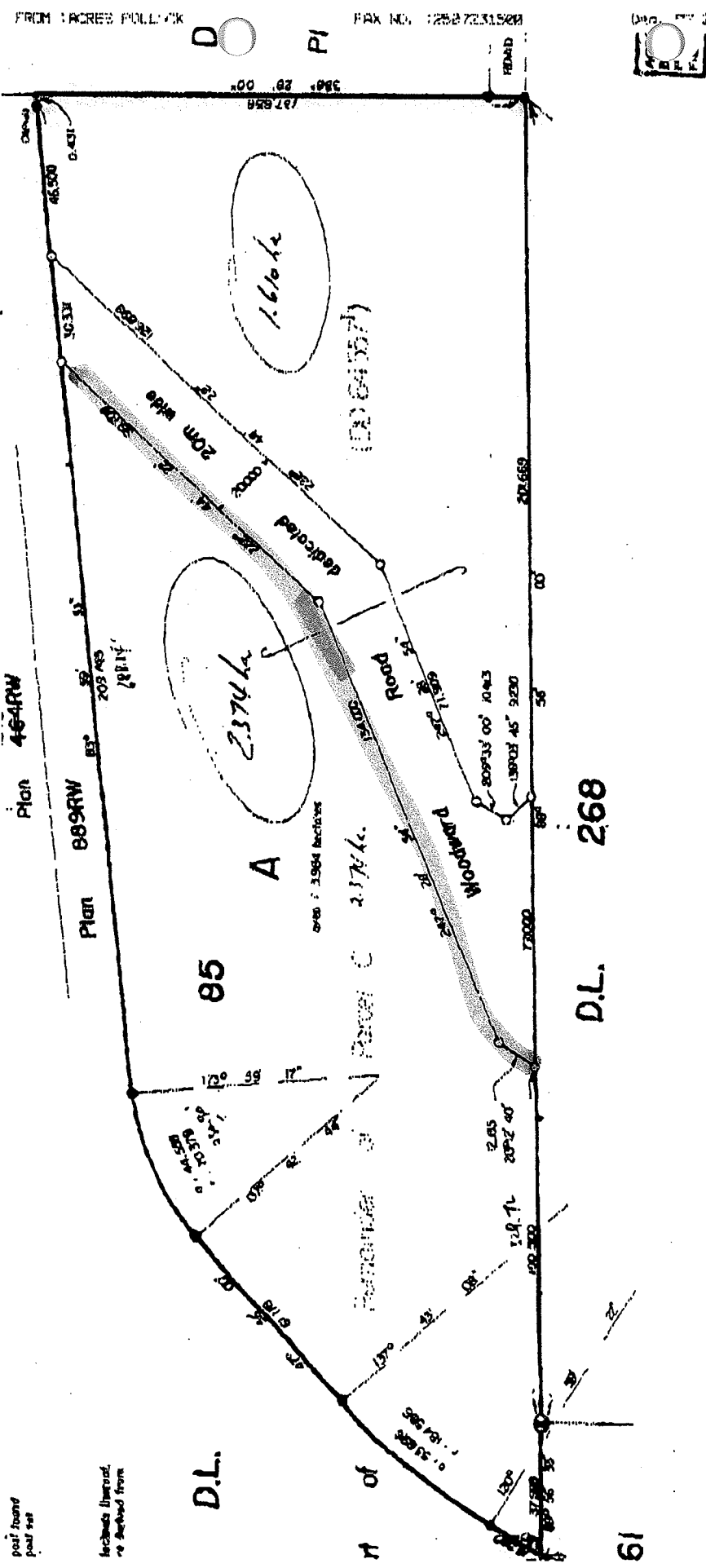
Per:

Erik Karlsen, Chair

pc: Regional District of Alberni Clayoquot - Attn: Marcel Cyr

GB/lv/Encl.

Banton Property



FROM SACRES POLLACK  
 D O P I  
 384 28 00  
 127528  
 ROAD

DATE: 2006-10-20  
 1  
 1992

I, Richard Norman Abram, a British Columbia Certified Land of Port Alberni, in British Columbia, certify that I was and personally supervised the survey measurements and that the survey and plan are correct. The survey was completed on the 20th day of Oct.

*R. Abram*

**Provincial Agricultural Land Commission**

Application: A-36588  
 Resolution # 295/2006

Subject property.

Approved subdivision within the ALR.



to Act, 1992.

of Highway.

of-Designated Regional District.

D.L. 268

D.L.

61





**Staff Report**  
**Application # A – 36588-0**  
**Applicant: Maxwell & Susan Banton**

**DATE PREPARED:** May 29, 2006

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

**FROM:** Ron Wallace, Regional Research Officer

**PROPOSAL:** To subdivide the existing 4 ha property as severed by Woodward Road into two parcels of 1.6 ha and 2.4 ha. The applicants propose to build a modest retirement home on the 1.6 ha lot on the east side of the road and to sell the 2.4 ha lot on the west side of the road containing the existing dwelling and farm.

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

**BACKGROUND INFORMATION:**

There have been two previous applications involving the subject property as outline below.

**Local Government:**

Regional District of Alberni-Clayoquot

**Legal Description of Property:**

1. PID: 017-888-620  
Lot A, District Lot 85, Alberni District Plan VIP54872

**Purchase Date (m/d/y):**

1993-03-13

**Location of Property:**

7701 Woodward Road, Port Alberni

**Size of Property:**

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

**Present use of the Property:**

Rural residential use, small scale farm use

**Surrounding Land Uses:**

**WEST:** Farm land  
**SOUTH:** Forest land  
**EAST:** Forest land  
**NORTH:** Private Air Field

**Agricultural Capability:**

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

**Official Community Plan and Designation:**

The Sproat Lake OCP designates the subject property as "Agricultural"

**Zoning Bylaw and Designation:**

The property is zoned a combination of Rural (A2) District, Rural Abattoir (RAH) District and Forest Reserve (A3) District. with a minimum lot size of 2 ha, 0.404 ha and 4.04 ha respectively

**PREVIOUS APPLICATIONS:**

**Application #28968-0**

**Applicant:** Banton, Max & Sue  
**Decision Date:** Aug 1984  
**Proposal:** Construct abattoir on north portion of property to service local farm operations  
**Decision:** Allowed

---

**Application #23499-0**

**Applicant:** Van Beek, Jan  
**Decision Date:** May 1990  
**Proposal:** Subdivision of 17 ha lot into 13 and 4 ha (present subject property) as divided by water line R/W  
**Decision:** Allowed (recon regarding further subdivision of present subject property refused based on agricultural capability – road did not prevent use of land as single agricultural unit)

---

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

**Regional Board**

The Board concurs with the recommendation of the Planning Department and support the application as it felt that it would not have an adverse effect on agricultural lands and further recommend a review by the Agricultural Land Commission Agrologist to determine the suitability and potential of the soils to support viability for farming on the acreage.

**Advisory Planning Commission**

The Sproat Lake Advisory planning Commission supports a process that would allow the applicant to subdivide this property subject to ALC approval. Therefore the APC supports the application being forwarded to the ALC got its decision.

**Agricultural Advisory Committee**

The AAC endorses the application for a Section 946 subdivision of the subject property.

**Local Government Staff**

The planning department believes there are two options for the Regional Board:

- Deny the present application as it conflicts with current zoning lot size requirements and OCP guidelines regarding retention of large acreages;
- Support the application as it is felt that it would not have an adverse effect on agricultural lands and forward to the ALC for adjudication and a decision on subdivision.  
Recommend their investigation involving a review by the ALC agrologist to determine the suitability and potential of the soils to support viability for farming on this acreage.

**STAFF COMMENTS:**

Staff has the following comments:

- the agricultural capability of the property is 70% Class 3 with soil moisture deficiency and topography limitations and 30% Class 5 with topography limitations.
- Staff would only support subdivision if Woodward Road which divides the property is felt to be a significant barrier to farming the property as a whole.

---

**END OF REPORT**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**