



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 3, 2009

Reply to the attention of Gordon Bednard
ALC File: 38999 (ID#45974)

Jim McManus
9535 Faber Road
Port Alberni, BC V89Y 9C5

Dear Sir:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 1185/2009 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

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

Erik Karlsen, Chair

Enclosure: Minutes/ .

cc: Dean Wilson, 6512 Smith Road, Port Alberni V9Y 8L8
Alberni-Clayoquot Regional District file #AE08004

GB/
i/38999d1

Assessment of Agricultural Suitability

The Commission assessed whether external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission does not believe there are external factors that render the land unsuitable for agricultural use. The Commission acknowledges the existence of a variety of sizes of parcels in the ALR in this area which could be used for a variety of agricultural activities. The Commission is familiar with the area in which the subject property is located having attended site inspections within the last year for properties nearby.

The Commission sees no value in the creation of more small lots in this area, especially considering the high agricultural capability of the land. The Commission believes the subject property, in its present size, is suitable for a small agricultural operation.

Conclusions

1. That the land under application has agricultural capability and is appropriately designated as ALR.
2. That the land under application is suitable for agricultural use.
3. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Niels Holbek
SECONDED BY: Commissioner Lorne Seitz

THAT the application be refused for the above reasons.

AND THAT the applicant be advised of the provisions of Section 33 of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration.

- S.33 (1) *On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that*
- (a) *evidence not available at the time of the original decision has become available,*
 - (b) *all or part of the original decision was based on evidence that was in error or was false.*
- (2) *The commission must give notice of its intention to reconsider a decision under subsection (1) to any person that the commission considers is affected by the reconsideration.*

AND THAT the applicant be advised that a revised proposal does not constitute new information and will not be considered as a basis for reconsideration and the time limit for submitting a request for reconsideration is one (1) year from the date of the decision letter.

CARRIED

Resolution # 1185/2009