



# Provincial Agricultural Land Commission - Staff Report

## Application: 52309

**Applicant:** Cecil & Heather Morissette  
**Local Government:** East Kootenay

**Proposal:** SUBDIVISION - Subdivision of an approximately 20.3 ha property into two approximately 10 ha parcels divided by Pighin Road.

### BACKGROUND INFORMATION

The subject property is located in Wycliffe immediately northwest of the intersection of Highway 93A and Mission Wycliffe Road. It is surrounded by large parcels to the north and west, and a small lot subdivision to the east. It is bisected by Pighin Road, an approximately 12 km long paved secondary road that serves rural properties north of the site.

The Commission refused a previous application to subdivide the property along Pighin Road on the grounds that the subdivision would have negative impacts on the agricultural nature of the area. The Commission also determined that traffic volumes on Pighin Road were not sufficient to preclude the integrated use of the property for agriculture.

### PROPERTY INFORMATION

**PID:** 016-761-791  
**Legal Description:** Parcel 2 (See 232711) of District Lot 2969 Kootenay District, Except Part Included in SRW Plan 15445  
**Property Area:** 20.3 ha  
**ALR Area:** 20.3 ha  
**Purchase Date:** February 16, 1994  
**Location:** 9795 Pighin Road, Wycliffe  
**Owner:** Cecil & Heather Morissette

**Total ALR Area:**

### LAND USE

**Current Land Use:**

Rural residential

**Surrounding Land Uses:**

North: Beef Farm/Residential  
East: Residential  
South: Highway 95A/Land Conservancy  
West: Land Conservancy

### PROPOSAL DETAILS

**Subdivision - ALR Area:** 20.3 ha

**Agricultural Capability:**

The majority of the area under application is rated as: Prime Dominant

**Source:** BCLI

**Mapsheet:** 82G/12

## PREVIOUS APPLICATIONS

**Application ID:** 2722

**Legacy #:** 29403

**Applicant:** Cecil & Heather Morissette

**Proposal:** To subdivide 19.6 ha parcel along Pighin Road into two lots of 10.6 ha and 9 ha

**Decision:**

Resolution #	Decision Date	Decision Description
61/1995	January 17, 1995	Refuse, to be consistent with previous decisions in the area, good ag cap

## RELEVANT APPLICATIONS

**Application ID:** 43370 **Legacy #:** 36875

**Applicant:** Raymond Van Steenburg

**Proposal:** To subdivide a 4.5 ha property from the 83.1 ha property. The applicants are offering to tie the remainder of the 83.1 ha property to an adjacent 24.3 ha property.

**Decision:**

Resolution #	Decision Date	Decision Description
602/2006	October 17, 2006	Allow subject to receipt of proof of binding of titles covenant - granted in lieu of Homesite severance in future.

**Note:** The property is located immediately north of the subject site.

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**Application ID:** 39428 **Legacy #:** 22420

**Applicant:** Kimberley Trap & Skeet Club

**Note:** Approval of proposal to rebuild and enlarge an existing clubhouse on a 10 ha parcel. The parcel is immediately west of the subject property.

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**Application ID:** 36372 **Legacy #:** 19898

**Applicant:** Min. of Highways

**Note:** Approval of proposal to widen the highway south of the subject site.

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**Application ID:** 25848 **Legacy #:** 15077

**Applicant:** Milton & Theresia Mellor

**Note:** Approval of proposal to subdivide a 4.2 ha parcel into seven 0.6 ha lots, on the basis that there are no agricultural operations adjacent to the subject property and the subdivision would "round out" an existing area of even smaller parcels. The property is located immediately east of the subject property, across Mission Wycliffe Road.

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**Application ID:** 25847 **Legacy #:** 07855

**Applicant:** M A Mellor

**Note:** Approval of proposal for a boundary adjustment between a 5.2 ha parcel and a 0.2 ha parcel, resulting in a 4.8 ha parcel and a 0.6 ha parcel. The Commission noted that the majority of land proposed to be added to the smaller parcel was already taken up by buildings. The property is located immediately east of the subject property, across Mission Wycliffe Road.

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**Application ID:** 25649 **Legacy #:** 09185

**Applicant:** R & I Ganong

**Note:** Refusal of application to subdivide a 2 ha parcel from an approximately 8 ha parcel on the grounds that the Commission did not wish to see any further residential development on lands near grazing areas. The Commission reaffirmed the refusal upon reconsideration. The property is located north of the subject site.

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**Application ID:** 25240 **Legacy #:** 12219

**Applicant:** R Y Ganong

**Note:** Refusal of request for exclusion and approval of request to subdivide a 2 ha lot from an approximately 8 ha parcel. The Commission noted that any further request for subdivision would not be looked upon favourably. The property is located north of the subject site.

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**Application ID:** 22651 **Legacy #:** 06847

**Applicant:** M & M Robinson

**Note:** Approval of proposal to subdivide a 0.5 ha parcel from an existing 1.2 ha parcel, and consolidate the 0.5 ha parcel with an existing 0.2 ha parcel. The result would be two parcels of approximately 0.7 ha. The property is located immediately east of the subject property, across Mission Wycliffe Road.

## LOCAL GOVERNMENT INFORMATION

### Official Community Plan:

**Bylaw Name:** Rockyview OCP  
**Designation:** Rural Resource  
**OCP Compliance:** Yes

### Zoning:

**Zoning Bylaw Name:** Wycliffe Land Use Bylaw  
**Zoning Designation:** RR-16  
**Minimum Lot Size:** 16.0 ha  
**Zoning Compliance:** Yes

### Comments and Recommendations:

#### **Advisory Planning Committee**

The Advisory Planning Committee for Area C recommends approval of the proposal.

#### **Agricultural Advisory Committee**

The Agricultural Advisory Commission recommends approval; no impact on agriculture.

#### **Board/Council**

On May 6, 2011, the Regional District of East Kootenay Board adopted Resolution 42332 in support of the proposal.

## ALC STAFF COMMENTS

-- The agricultural capability of the parcel is primarily 4F improvable to 2X, with smaller areas in the north rated as 6:6TR 4:5TP and 4ST improvable to 6:3T 4:4TP.

-- The property is partly cleared and contains a single family residence. Prior to 1994, it was owned by a mining company (Cominco) and leased as horse pasture.

-- The property is surrounded by large parcels to the north and west, and smaller parcels to the east, particularly to the east of Mission Wycliffe Road.

-- A site inspection will help determine traffic volumes on Pighin Road.

## ATTACHMENTS

52309\_ContextMap20k.pdf  
52309\_AirphotoMap5k.pdf  
52309\_AgCapabilityMap.pdf

## END OF REPORT

**Prepared by:** Lily Ford, September 2, 2011