



Provincial Agricultural Land Commission - Staff Report

Application: 52311

Applicant: Anke Brander
Local Government: East Kootenay

Proposal: SUBDIVISION - Subdivision of an approximately 70 ha parcel into one 8 ha parcel and an approximately 62 ha remainder.

BACKGROUND INFORMATION

The property is an approximately 70 ha parcel in Wycliffe that is bisected by Wycliffe Road, a secondary paved road that runs from Wycliffe Park Road into Cranbrook. The approximately 8 ha of the property located north of the road contains a veterinary clinic and residence, and is leased to the former owner of the property.

On March 19, 2003, the Commission refused a request to subdivide the northern 8 ha of the property, on the basis that the parcel could support grazing and forage crops and should be kept as large as possible. The Commission also noted that the road did not prevent integrated use of the two sections of the property. The Commission authorized, however, the previously unauthorized veterinary clinic/residence along with a lifetime lease by explanatory plan over the 8 ha portion of the lot.

PROPERTY INFORMATION

PID: 014-010-186
Legal Description: District Lot 6164, Kootenay District, EXCEPT 1) Parcel A (Reference Plan 89878I) 2) Part included in Reference Plan 8587I and 3) Parts included in Plans 8417 and 13296
Property Area: 69.6 ha
ALR Area: 69.6 ha
Purchase Date: August 7, 2009
Location: 7547 Wycliffe Road North of Cranbrook
Owner: Anke Brander

Total ALR Area:

LAND USE

Current Land Use:

The proposed 8 ha parcel contains a residence and veterinary clinic and is used for grazing horses. The proposed remainder contains a residence and is used for grazing livestock. Approximately half of the remainder is cleared.

Surrounding Land Uses:

North: Agricultural
East: Residential/Agricultural
South: Undeveloped/Crown Land
West: Crown Land

PROPOSAL DETAILS

Subdivision - ALR Area: 69.6 ha

Number of Lots	ALR Area of Lot (ha)
1	62.0
1	8.0

Agricultural Capability:

The majority of the area under application is rated as: Mixed Prime and Secondary

Source: BCLI

Mapsheet: 82G/12

PREVIOUS APPLICATIONS

Application ID: 26105

Legacy #: 06350

Applicant: C L & T M Tournier

Note: Resolution #10064/1978. November 14, 1978. Refusal of proposal to subdivide an approximately 70 ha parcel into a 16 ha parcel and a 54 ha remainder, on the basis that the land can support forage crops and grazing and should be kept as large as possible.

Application ID: 17757

Legacy #: 34135

Applicant: Ian Thane

Proposal: To subdivide one (1) 8 ha lot to enable the applicant to semi-retire from his existing veterinarian clinic. The proposed parcel, separated from the main ranch by a road, would be improved with the installation of a well for irrigation. The applicant's son would continue to operate the beef ranch on the remnant parcel.

Decision:

Resolution #	Decision Date	Decision Description
306/2002	May 30, 2002	Refused. - Commission is not in favour of the reduction in parcel size of this large ranching property as it may limit agricultural options in the future.

Application ID: 5142

Legacy #: 08937

Applicant: C. & T. Tournier

Proposal: Exclude 2 ha of 75 ha property for son to sell and build home on remainder..

Decision:

Resolution #	Decision Date	Decision Description
11979/1979	August 16, 1979	Refuse exclusion, allow subdivision after C' onsite but no further s'd will be considered

RELEVANT APPLICATIONS

Application ID: 9531

Legacy #: 05097

Applicant: O'Grady/Blockside

Proposal: Proposed to s/d the 86 ac into 5 lots for each of the applicants children.

Decision:

Resolution #	Decision Date	Decision Description
7523/1977	November 4, 1977	Refused. The s/d would reduce the options for commercial ag. use of the property.

Application ID: 5144

Legacy #: 09986

Applicant: David Read

Proposal: S/d property into five +- 2.0 ha lots, and one 3.5 ha

Decision:

Resolution #	Decision Date	Decision Description
750/1980	May 30, 1980	Refuse, too small for area

Application ID: 5140

Legacy #: 06328

Applicant: John F. O'Grady

Proposal: Exclude 28 ha of the subject property for subdivision into 6.8 ha parcels for children

Decision:

Resolution #	Decision Date	Decision Description
10063/1978	November 14, 1978	Refuse exclusion. Allow s'd. After onsite, C' determined that area between Hwy 95A and the old Kimberley Hwy was lower ag cap and suitable for hobby farm development

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: Rockyview OCP

Designation: Rural Resource

OCP Compliance: Yes

Zoning:

Zoning Bylaw Name: Wycliffe Zoning Bylaw

Zoning Designation: Rural Resource (RR60)

Minimum Lot Size: 60.0 ha

Zoning Compliance: Yes

Comments and Recommendations:

Agricultural Advisory Committee

The Agricultural Advisory Commission recommends approval as the property has no agricultural value.

Board/Council

On May 6, 2011, the Regional District of East Kootenay Board adopted Resolution 42331 in support of the application.

Planning Staff

In a Staff Report dated April 29, 2011, Planning Staff for the Regional District of East Kootenay recommends approval with the following comments: The Wycliffe Zoning Bylaw supports reduction of parcel area requirements provided the parcel is divided by an existing registered highway where the boundaries of that parcel will be boundaries of the proposed parcel. The two proposed parcels both support existing serviced development.

ALC STAFF COMMENTS

-- The Commission has approved a lifelong lease of the proposed 8 ha parcel and authorized the existing veterinary clinic on the site. Approval of the current proposal would permanently separate the 8 ha parcel from the remainder of the property.

-- The agricultural capability of the proposed 8 ha parcel is primarily 4F improvable to 2X, with the eastern third rated as 5ST improvable to 4TP. The veterinary clinic and residence are located in the eastern portion of the proposed 8 ha parcel.

-- The agricultural capability of the proposed 62 ha remainder of the parcel is primarily 6:5TP 4:6T with smaller areas rated 5ST improvable to 4TP and 8:6T 2:5TP. An area of 4W rated soil is located near the convergence of Booth Creek and three tributary streams in the upper center of the property, just south of the road.

-- Booth Creek and three tributary streams cross the property. With the exception of the northernmost tributary, the streams and their corridors are considered Environmentally Sensitive Areas (ESAs) in the Rockyview Official Community Plan.

-- Both portions of the site contain grazing uses; horses are grazed on the proposed 8 ha parcel and a variety of livestock are grazed on the remainder.

-- A site inspection will help clarify whether traffic volumes on Wycliffe Road have increased since the Commission's previous site visit.

END OF REPORT

Prepared by: Lily Ford, September 6, 2011