

**ATTACHMENT 3****Request for Feedback – Non-farm uses and fill application requirements**

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To: ALC.Island@gov.bc.ca <ALC.Island@gov.bc.ca>; ALC.Referrals@gov.bc.ca <ALC.Referrals@gov.bc.ca>; mike.bandy@gov.bc.ca <mike.bandy@gov.bc.ca>

Good afternoon,

The BCSPCA is proposing to replace the Cowichan SPCA facility on their property at 7550 Bell McKinnon Road, Duncan. The site currently includes three smaller buildings that have served as the Cowichan SPCA since 1995. The proposed plan is to replace these buildings with one purpose-built building in the same location.

The applicant (Studio Hub Architects for the BCSPCA) provided details comparing the existing and proposed uses and size of the buildings in the following table.

The applicant indicates that animals intended to be sheltered include dogs, cats and small animals (typically rabbits, guinea pigs, rodents and birds).

The capacity of the current buildings is approximately 8 dogs, 12 cats and space for small animals within the multi-purpose space. The applicant notes that capacity is not determined by space available, but by how humanely the animals can be housed (determined by staffing levels and state of kennels/cat housing). The capacity of the proposed building is 12 dogs, 40 cats, and a designated room for small animals.

The land is zoned as A-2 Rural Zone in the North Cowichan Zoning Bylaw, which permits kennels. However, the scale and range of uses of the proposed SPCA exceed the intent of the Zoning Bylaw's definition of a kennel (*"a structure on and/or a use of land for the purpose of sheltering, boarding, and/or breeding four or more dogs"*), therefor will require a zoning amendment.

The parcel is located within the ALR. While an animal shelter is not an agricultural use, Part 3 of the Agricultural Land Reserve Use Regulations, "Permitted Non-Farm Uses" includes the following:

***Keeping animals***

**23** *The following uses of agricultural land are permitted but may be prohibited as described in section 20:*

- (a) pet breeding and boarding;*
- (b) sheltering and caring for surrendered, abandoned or seized livestock;*
- (c) providing a refuge for wildlife within the meaning of the [Wildlife Act](#).*

North Cowichan would appreciate receiving feedback as to whether the Cowichan SPCA's existing/proposed land use meets the ALR definition of keeping animals as a permitted non-farm use on

ALR land.

Additionally, there is little information available at this stage of the application, but we would appreciate feedback from Commission staff regarding this application as to whether a Notice of Intent, or a Soil or Fill Use Application will be required for the placement of fill or removal of soil to aid in the construction of the new building as a non-farm use.

Please feel free to contact me via email at [angela.davies@northcowichan.ca](mailto:angela.davies@northcowichan.ca), or by phone at 250-667-1804.

Regards,  
Angela

**Angela Davies**

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