

**ATTACHMENT 4 (A)****RE: Request for Feedback – Non-farm uses and fill application requirements**

ALC Referrals ALC:EX <ALC.Referrals@gov.bc.ca>

Mon 8/14/2023 2:07 PM

To: Angela Davies <Angela.Davies@northcowichan.ca>

Angela

You already reference the ALC regulation below in Section 23 (a)

Regards

Martin

---

**From:** Angela Davies <Angela.Davies@northcowichan.ca>

**Sent:** Monday, August 14, 2023 2:03 PM

**To:** ALC Referrals ALC:EX <ALC.Referrals@gov.bc.ca>

**Subject:** Re: Request for Feedback – Non-farm uses and fill application requirements

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Hi Martin,

Thank you for your response regarding both the non-farm uses and fill application requirements. Once we have further information (regarding the area to be covered with fill) from the applicant, we'll be able to ascertain whether a Notice of Intent will be required.

As far as the permittance of the SPCA's keeping/boarding abandoned pet on agricultural land, would you be able to help by directing me to the section of the ALC regulations regarding this so I'm able to represent information correctly in my report?

Many thanks,  
Angela

**Angela Davies**

Development Planner (Contractor)

Planning and Building

E: [angela.davies@northcowichan.ca](mailto:angela.davies@northcowichan.ca)

7030 Trans-Canada Highway  
Duncan, BC V9L 6A1 | Canada

[www.northcowichan.ca](http://www.northcowichan.ca)



**From:** ALC Referrals ALC:EX <[ALC.Referrals@gov.bc.ca](mailto:ALC.Referrals@gov.bc.ca)>  
**Sent:** Monday, August 14, 2023 11:36 AM  
**To:** Angela Davies <[Angela.Davies@northcowichan.ca](mailto:Angela.Davies@northcowichan.ca)>  
**Subject:** RE: Request for Feedback – Non-farm uses and fill application requirements

Angela

A facility that keeps/Boards abandoned pets is permitted within the ALR as per the ALC regulation. However, the ALC does not permit an area greater than 1,000 sq meters to be covered with fill without permission. I do not have this information as to the scale of the new structure, and ancillary parking etc, but if it exceeds 1,000 sq meters for all fill areas then a Notice of Intent must be submitted to the ALC through the ALC website [www.alc.gov.bc.ca](http://www.alc.gov.bc.ca)

Regards



**Martin Collins,**  
Regional Planner | Agricultural Land Commission  
201 – 4940 Canada Way, Burnaby, BC, V5G 4K6  
T 604-953-6673 |  
[www.alc.gov.bc.ca](http://www.alc.gov.bc.ca)

*If you are not the intended recipient of this e-mail and attachments please notify the sender by return e-mail and delete the e-mail and attachments immediately. This e-mail and attachments may be confidential and privileged. Confidentiality and privilege are not lost by this e-mail and attachments having been sent to the wrong person. Any use of this e-mail and attachments by an unintended recipient is prohibited.*

---

**From:** Angela Davies <[Angela.Davies@northcowichan.ca](mailto:Angela.Davies@northcowichan.ca)>  
**Sent:** Monday, August 14, 2023 10:27 AM  
**To:** ALC Island Land Use ALC:EX <[ALC.Island@gov.bc.ca](mailto:ALC.Island@gov.bc.ca)>; ALC Referrals ALC:EX <[ALC.Referrals@gov.bc.ca](mailto:ALC.Referrals@gov.bc.ca)>; Bandy, Mike ALC:EX <[Mike.Bandy@gov.bc.ca](mailto:Mike.Bandy@gov.bc.ca)>  
**Subject:** Re: Request for Feedback – Non-farm uses and fill application requirements

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Good morning - I'm checking in in the hopes that we can receive feedback from ALC staff as to the non-farm use at the Cowichan SPCA for their rezoning applications. Please let me know if you have any questions about the information provided. I can be reached by email or by phone at 250-667-1804.

Thank you,  
Angela

---

**From:** Angela Davies <[Angela.Davies@northcowichan.ca](mailto:Angela.Davies@northcowichan.ca)>  
**Sent:** Thursday, July 20, 2023 5:40 PM  
**To:** [ALC.Island@gov.bc.ca](mailto:ALC.Island@gov.bc.ca) <[ALC.Island@gov.bc.ca](mailto:ALC.Island@gov.bc.ca)>; [ALC.Referrals@gov.bc.ca](mailto:ALC.Referrals@gov.bc.ca) <[ALC.Referrals@gov.bc.ca](mailto:ALC.Referrals@gov.bc.ca)>; [mike.bandy@gov.bc.ca](mailto:mike.bandy@gov.bc.ca) <[mike.bandy@gov.bc.ca](mailto:mike.bandy@gov.bc.ca)>  
**Subject:** Re: Request for Feedback – Non-farm uses and fill application requirements

Apologies, it appears that the inserted table didn't transmit as intended. A copy is attached to this email.

---

**From:** Angela Davies <[Angela.Davies@northcowichan.ca](mailto:Angela.Davies@northcowichan.ca)>

**Sent:** Thursday, July 20, 2023 5:36 PM

**To:** [ALC.Island@gov.bc.ca](mailto:ALC.Island@gov.bc.ca) <[ALC.Island@gov.bc.ca](mailto:ALC.Island@gov.bc.ca)>; [ALC.Referrals@gov.bc.ca](mailto:ALC.Referrals@gov.bc.ca) <[ALC.Referrals@gov.bc.ca](mailto:ALC.Referrals@gov.bc.ca)>; [mike.bandy@gov.bc.ca](mailto:mike.bandy@gov.bc.ca) <[mike.bandy@gov.bc.ca](mailto:mike.bandy@gov.bc.ca)>

**Subject:** Request for Feedback – Non-farm uses and fill application requirements

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**

Planning Contractor

Planning and Building

E: [Angela.Davies@northcowichan.ca](mailto:Angela.Davies@northcowichan.ca)

7030 Trans-Canada Highway  
Duncan, BC V9L 6A1 | Canada  
[www.northcowichan.ca](http://www.northcowichan.ca)