



Agricultural Land Commission
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August 2, 2007

Reply to the attention of Terra Kaethler
ALC File: # F - 36933-1

Wendy Pope
RR1 - Suite 16A - Comp 25
Winlaw, BC V0G 2J0

Dear Madam:

Re: Reconsideration for Non-Farm Use in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 364/2007 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Regional District of Central Kootenay (# 4035-20-A624G-01327.000)
Second Chance Animal Shelter Society, 2124 Ymir Rd, Nelson, BC V1L 6Y9

Enclosure: Minutes

TK/lv
36933d2.



A meeting was held by the Provincial Agricultural Land Commission on 13th July 2007 at the offices of the Integrated Land Management Bureau, Ministry of Agriculture and Lands, Cranbrook, B.C.

PRESENT:	Monika Marshall	Chair, Kootenay Panel
	Carmen Purdy	Commissioner
	D. Grant Griffin	Commissioner
	Terra Kaethler	Staff
	Roger Cheetham	Staff

For Consideration

Application: # F - 36933
Applicant: Wendy Pope / Second Chance Animal Shelter Society
Original Proposal: To establish an animal sanctuary, veterinary clinic, and a small animal crematorium on a portion of the 8.8 ha property. Approved as requested, including a small cemetery under Resolution #538/2006.
Current Proposal: Request reconsideration of Resolution #538/2006 to allow new ownership of the proposed development by the Second Chance Animal Shelter Society.
Legal: PID: 008-683-654
Lot C, District Lot 273 and 1237, Kootenay District, Plan 2329, EXCEPT Parts included in Reference Plan 103021I and Plan 5659
Location: Salmo

Site Inspection

No site inspection was conducted.

Discussion

The Commission's original decision granted approval to the applicant only. The Second Chance Animal Shelter Society has requested reconsideration of the decision to allow transfer of the approval to the Society, in the event that they become the newly registered owners as intended. The Commission understands that the Society will operate the development as proposed in the original application.

The Commission recognized that there was significant local opposition to this application and considered all comments that were submitted. However, the Commission confirmed its assessment of the impact of the proposal against the long term goal of preserving agricultural land. The Commission does not believe the proposal as presented would impact existing or potential agricultural use of the subject property or surrounding lands.

The Commission also confirmed that the proposed cemetery will be for cremains (ashes) only.

IT WAS

MOVED BY: Commissioner Griffin

SECONDED BY: Commissioner Purdy

THAT the approval under Resolution #538/2006 be reconfirmed and that the transfer of approval to The Second Chance Animal Shelter Society be approved.

The approval is subject to the conditions of Resolution #538/2006.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

CARRIED

Resolution # 364/2007