

HALIFAX

**The Keeping of Egg-Laying
Fowl as an Accessory
Residential Use**

**Regional Council
August 31, 2021**

Origin

July 30, 2019 Region Council motion:

1. Initiate a process to consider amendments to the Regional Municipal Planning Strategy and all applicable Secondary Municipal Planning Strategies and Land Use By-laws as necessary to permit the keeping and raising of all egg-laying fowl consistent with the proposed policy direction outlined within the Discussion section of the staff report dated June 12, 2019; and
2. Follow the public participation program as set out in the Community Engagement section of the staff report dated June 12, 2019.

Egg Laying Fowl

- Report examined:
 - Chickens
 - Ducks
 - Geese
 - Guinea Fowl
 - Quail
 - Turkeys
- Centre Plan Package A
 - Permits up to 10 hens per lot
 - Must be kept within an accessory structure in a rear yard
 - Does not prohibit slaughter, or sale of meat, eggs, hens



Jurisdictional Review

- 11 Canadian Jurisdictions reviewed, including those in 2019 report
- Common Requirements:
 - Only hens are permitted, roosters are prohibited;
 - On-site slaughtering and the sale of eggs, meat or birds is prohibited;
 - The limit on the number of birds is usually between 4 and 6;
 - Hens must be kept in a coop or fenced area and setback from property lines;
 - Mandatory licensing with a fee is required in 5 cities
 - Free one-time registration in 6 cities – one of which is mandatory
 - Education on hygiene and disease transmission across jurisdictions
- US regulatory landscape is similar

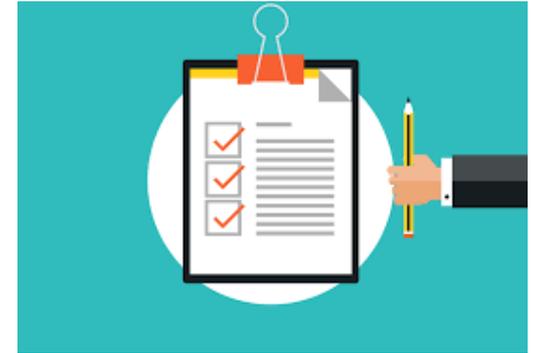
Impacts and Risks



- Compatible birds
 - Hens are considered compatible in a residential setting
 - Other types of fowl present conflicts with noise, smell or their care requirements
- Environment and Human Health
 - Setbacks from watercourses can mitigate impacts
 - Risks associated with disease spread can be mitigated with proper education
- Disposal, slaughter or surrender
 - Carcasses are “non-collectable waste” and cannot be put into any municipal waste stream – must be disposed of by a vet or at animal crematorium
 - On-site slaughtering not permitted
 - There is no organization which routinely accepts unwanted chickens

Community Engagement

- Online Questionnaire – November 2019 to January 2020
- 2,400 respondents
- Key themes:
 - The importance of coop management;
 - Control of odour and noise;
 - Concern for animal welfare;
 - Concern over the attraction of pests;
 - Adequate enforcement; and
 - Requiring training and education for fowl keepers.
- 79% of respondents supported the keeping of chickens, compared to 60% for ducks and 59% for Quail
- Suburban areas reported fewer fowl keepers, fewer people interested in keeping fowl, and more people in opposition to allowing fowl than in the Regional Centre or rural areas



External Stakeholders – Key Feedback

- Provincial Agencies
 - important to keep a registry of bird keepers
 - need for education and awareness
- Chicken-specific interest groups
 - animal welfare is an important consideration
 - keepers must be educated on disease risk mitigation
- Nova Scotia Veterinarians Members Association
 - provided advice on veterinarian limitations and relationships
- The Ecology Action Centre
 - the keeping of egg-laying hens can support household food supply
 - animal well-being and best-practice awareness are important



Proposed Approach

- Regional Plan and Land Use By-law amendments
- Larger scale operations will continue to be permitted in rural areas under resource and rural mixed-use zoning
- Aligned with Centre Plan Policies
- Consistent across HRM:
 - 6 adult hens per lot accessory to residential uses;
 - fowl to be kept in an accessory building or fenced area in a rear yard;
 - accessory building must meet the applicable requirements of the land use by-law;
 - accessory building or fenced area must be a minimum of 1 metre from property lines;
 - watercourse setbacks as per the local land use by-law;
 - on-site slaughtering and the sale of eggs, meat or birds not permitted; and
 - hens exempt from development permit

Proposed Approach

- Education
 - Information on a dedicated municipal webpage
 - Modeled off Canadian cities with experience in backyard hens
- Enforcement
 - Municipal compliance enforces noise and animals at-large
 - Animal welfare is the jurisdiction of the Province
 - Nuisance issues challenging to enforce unless it constitutes “dangerous and unsightly premises”
- Registration
 - Free, voluntary online registration in lieu of licensing or permitting
 - Similar approaches in other Canadian municipalities
 - Program setup can be accommodated using existing municipal resources
 - Used to support education and communication, rather than enforcement

Recommendation

It is recommended that Halifax Regional Council:

1. Give First Reading to the proposed amendments to the Regional Municipal Planning Strategy and all land use by-laws, with the exception of the Regional Centre Land Use By-law (Package A), as set out in Attachments A and B, to allow the keeping of hens as an accessory residential use and schedule a public hearing.
2. Adopt the proposed amendments to the Regional Municipal Planning Strategy and all land use by-laws, with the exception of the Regional Centre Land Use By-law (Package A), as set out in Attachments A and B , to allow the keeping of hens as an accessory residential use.
3. Direct the CAO to incorporate the proposed Regional Municipal Planning Strategy and land use by-law amendments concerning the keeping of hens within the Regional Centre Secondary Municipal Planning Strategy and Land Use By-law through the Package B planning process.