

Re: 11.1



P.O. Box 1749
Halifax, Nova Scotia
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Harbour East Community Council
February 3, 2011

TO: Chair and Members of Harbour East Community Council

SUBMITTED BY: Paul Dunphy
Paul Dunphy, Director of Community Development

DATE: January 18, 2011

SUBJECT: Urban Gardening

INFORMATION REPORT

ORIGIN

Motion of HECC on November 4, 2010:

"MOVED by Councillor Barkhouse, seconded by Councillor Fisher, that Harbour East Community Council request a staff report on urban gardening where the produce is generated and sold on properties that are zoned for residential. MOTION PUT AND PASSED."

BACKGROUND & DISCUSSION

Urban gardening is a growing trend across the country. In large part it is a result of the “eat local” and “locavore” trends, each of which seeks to generate healthier food, reduce the large carbon footprint caused by shipping produce long distances, and to generate greater income in locally based agriculture.

A small part of the urban gardening trend is the use of backyards, where people farm their own backyard and sell the produce. Another scenario is where a small business operator will grow and harvest produce in several backyards, and then process and sell the produce from a single location. Under either case, it could be sold to the public from the site, delivered to local retailers or restaurants, or delivered to home customers through a weekly food box subscription service. Urban gardening would not include back yard livestock such as laying hens, or the keeping of apiaries for honey production as such a use would be considered urban farming.

Existing MPS Policy and LUB Provisions

Of the four MPS documents (Cole Harbour/Westphal, Dartmouth, Downtown Dartmouth, and Eastern Passage/Cow Bay) within Harbour East none contain specific policy regarding urban agriculture or gardening in the serviced areas. However, the LUB documents do regulate urban farming, including livestock. In all residential zones in serviced areas, the growing of fruits and vegetables is permitted but the selling of such produce is regulated under home business provisions. In the unserviced areas of Cole Harbour/Westphal and Eastern Passage/Cow Bay, agricultural uses are permitted.

Growing & Selling Fruits and Vegetables

Typically, within each of the 4 urban area plans, a home occupation must be wholly enclosed within a dwelling or accessory building. A strict reading of the bylaws means that this would preclude the ability to grow produce outside in the yard for commercial gain. However, it could be grown within greenhouses that meet the requirements for accessory buildings, or within the home. The sale of such produce from the property where it was grown would be permitted, provided there was no outdoor storage or display. The sale of produce not grown on the property is not permitted.

Livestock & Bees

The Dartmouth and Downtown Dartmouth LUBs ban the keeping of livestock, including poultry, in any residential zone. However, the keeping of bees is permitted. In Cole Harbour/Westphal and Eastern Passage/Cow Bay, livestock can only be kept in the unserviced rural zones, where agriculture is a permitted use but bees can not be kept in a residential zone. The issues associated with the keeping of farm animals (i.e. poultry) in residential zones is currently being reviewed by staff and, to date, no recommendations have been drawn.

Conclusion

In summary, the sale of urban gardening produce is generally not permitted within residential zones. Should council wish to consider urban gardening, a motion should be made directing staff to undertake public consultation on the matter, and bring forward appropriate amendments.

BUDGET IMPLICATIONS

There are no budget implications.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Project and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Project and Operating reserves, as well as any relevant legislation.

COMMUNITY ENGAGEMENT

No community engagement is required since this report responds to Council's request for information and staff has not been directed to open a case or consider amendments to any planning document. If Council directs staff to open a planning case, consultation will be conducted in accordance with the Community Engagement Strategy and the Halifax Regional Municipality Charter.

ATTACHMENTS

None.

A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/cc.html> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

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Report Approved by:


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