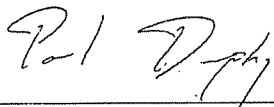




P.O. Box 1749
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**District 12 Planning Advisory Committee
April 18, 2011**

TO: Chair and Members of District 12 Planning Advisory Committee

SUBMITTED BY: 
Paul Dunphy, Director of Community Development

DATE: February 7, 2011

SUBJECT: Case 15775: Halifax Peninsula – Laying Hens

ORIGIN

At the December 14, 2009 meeting of Peninsula Community Council, it was moved by Councillor Watts, and seconded by Councillor Sloane, that:

Staff be requested to open a planning application to consult with the public, address any potential issues (e.g. separation distances, number of hens, prohibition of roosters) and, if appropriate, draft amendments to the Halifax Peninsula Land Use By-law to permit backyard laying hens.

RECOMMENDATION

It is recommended that the District 12 Planning Advisory Committee recommend that Peninsula Community Council maintain the existing Halifax Peninsula Land Use By-law which does not permit backyard laying hens.

EXECUTIVE SUMMARY

Urban areas such as Halifax are typically reliant on food imported from near and far, and in November 2010, Regional Council approved a motion to support local agriculture through various opportunities. Urban agriculture is one facet of local agriculture, which provides options for consumers to support neighbourhood or community gardens or farms. When urban agriculture moves beyond gardens, the keeping of backyard laying hens is often considered the next step.

However, the keeping of backyard laying hens is generally prohibited by HRM's land use by-laws covering urban and suburban areas. Peninsula Community Council requested that staff consult with the public and conduct further research into whether it would be reasonable to permit backyard laying hens under the Halifax Peninsula Land Use By-law (LUB).

A public information meeting was held on February 10, 2010, with approximately 75 members of the public in attendance and over 100 opinion surveys completed. It appears the major practical issue surrounding backyard laying hens is responsible animal ownership. As with other animals, concerns with backyard hens should be reduced with proper care, however, not every owner will act responsibly. While it may be reasonable to allow a limited number of laying hens in urban or suburban areas, because these neighbourhoods are dense, it is also essential to provide standards for the care of these animals and to address any conflicts which may arise.

It may be reasonable to allow a limited number of laying hens in urban or suburban areas, similar to how families keep dogs, cats or gardens, however, because these neighbourhoods are dense, it is also essential to provide standards for the care of these animals and any conflicts which may arise. Therefore, staff do not recommend that backyard laying hens be permitted under the Halifax Peninsula LUB. If this issue is to be further explored, it should be conducted at a regional level, where complementary regulations in another by-law can also be considered.

BACKGROUND

The keeping of backyard laying hens is not permitted under the Halifax Peninsula Land Use By-law (LUB) (Map 1). After a land use compliance case resulted in three chickens being relocated from Edinburgh Street, Peninsula Community Council requested and received an information report dated December 15, 2008. The report stated that the current land use by-law provisions are longstanding and that no further action was likely warranted. However, Peninsula councillors continued to receive inquiries regarding backyard laying hens. As such, Peninsula Community Council requested that staff consult with the public and conduct further research.

Sustainability and urban agriculture

As issues of sustainability, climate change, peak oil and food security become more widely acknowledged by Canadian citizens and governments, related issues at a household scale are also examined. For example, people consider their daily choices about what foods to eat and these

choices are based on economical, social, environmental, agricultural and ethical factors. Over time, the effects of these choices can impact their communities.

Urban communities such as Halifax are typically reliant on imported food, whether that food comes from within the Municipality, the Annapolis Valley, elsewhere in Canada, or further abroad. While HRM's reliance on imported food will likely continue, many people are searching for local choices. All cities accommodate varying intensities of urban agriculture, from balcony and backyard gardens and farms to chickens and bees. Halifax is involved to a certain extent, being home to farmers' markets, school gardens, community plots and urban farms such as the Spryfield Urban Farm Museum. On November 16, 2010, Regional Council approved a motion to support local agriculture through opportunities outlined in a staff report dated August 5, 2010.

Urban agriculture increases food security. For families with limited food budgets, it can provide an economical source of fresh, seasonal produce. Urban agriculture also provides options for consumers to support neighbourhood gardens or farms, where consumers have a relationship to the production, transportation and quality of their food. HRM's Regional Plan outlines a vision "to maintain and enhance our quality of life by fostering the growth of healthy and vibrant communities, a strong and diverse economy, and sustainable environment". Increased food security and certain types of urban agriculture are part of achieving this vision.

Backyard laying hens

Backyard laying hens are often considered the next step when urban agriculture moves beyond gardens. Some frequently asked questions concerning them are included in Attachment A. From a practical perspective, laying hens convert kitchen scraps, insects and weeds into fresh eggs and manure for garden compost. From an educational perspective, the experience of keeping chickens directly links people to their food and helps to teach children the responsibilities of caring for animals.

However, with these benefits, there are also potential issues with keeping even small numbers of laying hens in an urban community. Halifax is a port city with an existing rodent population, and rats and mice will be attracted to chicken feed (or bird feeders) if feeders are not properly set-up and carefully maintained. Further, while composted chicken manure is excellent fertilizer, it must be frequently cleaned from the coop and properly composted to avoid unpleasant odours.

Public health

Like all organisms, chickens are susceptible to certain diseases. Avian influenza (AI) is endemic in the wild bird population and generally causes mild or no symptoms. However, like the human flu, mutations do occur in the AI virus, which can result in more pathogenic strains¹.

Domestic fowl are also susceptible to infectious laryngotracheitis (ILT), a severe virus of the respiratory tract. To protect commercial poultry farms, when ILT is diagnosed in Nova Scotia,

¹ Accessed 28 April 2010 on the Canadian Food Inspection Agency's website at: <http://www.inspection.gc.ca/english/anima/disejala/avflu/avflufse.shtml>

the Department of Agriculture will quarantine the property and destroy the birds². While a vaccine is available for ILT, Nova Scotia still encounters five to ten cases of ILT annually.

The Canadian Food Inspection Agency provides common-sense biosecurity standards for backyard flocks, including frequent cleaning and quarantine for new birds³. Overall, backyard hens are unlikely to be a major threat to public health, however, should further regulations be explored, HRM would consult with the Capital District Health Authority regarding any environmental health related risks which could be minimized through a by-law. Research from the British Columbia Centre for Disease Control states⁴:

the risk of pathogen transmission associated with backyard chicken keeping appears to be mild and does not present a greater threat to population health compared to other animals allowed by similar by-laws (e.g. reptiles, dogs). Public adherence to proper hygiene will significantly mitigate the risk of any disease acquisition including pathogens commonly found in chickens.

Responsible care

As with all animals, high quality care and humane treatment of backyard laying hens is of great importance. Canada's Criminal Code prohibits anyone from wilfully causing animals to suffer from neglect, pain or injury. The Nova Scotia Department of Agriculture deals with animal welfare issues concerning farm animals, including chickens. If farm animals are permitted in urban areas, municipal regulations should assist the province with this responsibility. In addition, guidelines for care are provided by various animal welfare agencies. The following summarize the Nova Scotia SPCA guidelines for companion animals⁵ and the Farm Animal Welfare Council's Five Freedoms⁶:

- Human attention on a daily basis.
- Fresh food and clean water to maintain full health.
- Adequate shelter and a comfortable resting area to protect from weather.
- Routine veterinary care and appropriate immunizations.
- Rapid diagnosis and treatment when illness or injury occurs.
- The ability to express normal behaviour by providing enough space and company of the animal's own kind.

Other Canadian municipalities

Other jurisdictions regulate the keeping of backyard laying hens through a variety of means:

² Accessed 28 April 2010 on the Government of Nova Scotia's website at:
<http://www.gov.ns.ca/just/regulations/regs/AHP.htm>

³ Accessed 16 April 2010 on the Canadian Food Inspection Agency's website at:
<http://www.inspection.gc.ca/english/anima/heasan/disemala/avflu/bacdoc/floeele.shtml>

⁴ Accessed 16 April 2010 on the City of Vancouver's website at
<http://vancouver.ca/ctyclerk/cclerk/20100408/documents/penv3.pdf>

⁵ Accessed 16 April 2010 on the Nova Scotia SPCA's website at
<http://www.spcans.ca/education/positionStatements.html>

⁶ Accessed 16 April 2010 on the Farm Animal Welfare Council's website at <http://www.fawc.org.uk/freedoms.htm>

Permitted through by-laws

- Niagara Falls, ON permits up to 10 laying hens on lots of at least 4000 square feet through its animal control by-law.
- Victoria, BC permits a reasonable number of laying hens on all residential properties.
- Vancouver, BC has approved amendments to their animal control by-law and zoning by-law which permit up to 4 laying hens on all residential properties, based on a typical lot size of 33 x 122 feet (4026 square feet).

Permitted through pilot projects

- Moncton, NB has completed a one-year pilot project for backyard chickens, however, it should be noted that the *HRM Charter* does not allow HRM to consider a pilot project.

Prohibited

- Toronto's animal control by-law prohibits entire taxonomic orders of birds, mammals, reptiles and other species within the city, including chickens.
- Kamloops, BC recently investigated the possibility of backyard chickens and decided not to amend their by-laws.

DISCUSSION***Land uses***

While the LUB permits accessory uses that are “naturally and normally incidental, subordinate, and exclusively devoted to” a main use, specific direction is not provided for accessory activities that are not ‘land uses’. For example, keeping a dog is not considered to be a ‘land use’; however, running a kennel for breeding dogs is a ‘land use’. Regulations for ‘land uses’, such as accessory buildings or home occupations are included in the LUB, but regulations for keeping a dog or having a garden are not.

Currently, most of HRM's land use by-laws do not distinguish between backyard laying hens and poultry farms. No matter the number of hens, they are still an ‘agricultural land use’. Proponents for backyard hens argue that there is a difference, and that backyard laying hens should be considered part of a residential land use, similar to a garden or a dog.

Amending a land use by-law

While the LUB would require amendments in order to permit backyard laying hens, it should not be the only municipal regulation of these animals. Unfortunately, Peninsula Community Council (PCC) is limited in their power to change municipal regulations. While PCC can amend the Halifax Peninsula LUB (through a joint public hearing with Chebucto Community Council), they cannot amend any HRM-wide by-laws; therefore, the scope of this case is limited to the Halifax Peninsula LUB.

Amending other by-laws

In Halifax, amending an HRM-wide by-law requires direction by Regional Council. While HRM-wide amendments for the care of backyard hens could theoretically be added to another by-

law, the decision as to whether hens are permitted in non-agricultural zones in each LUB would remain under the control of the Community Councils.

Public Information Meeting

A public information meeting was held on February 10, 2010. Approximately 75 members of the public attended the meeting. A survey was distributed at the meeting for specific feedback (Attachments B, C and D) and minutes were taken (Attachment E). Correspondence was also received through email (Attachment F). More people spoke at the public information meeting in favour of laying hens than against (Attachment E), and the survey results supported the idea of laying hens (Attachments C and D). Comments received from the public echoed the information presented in the Background section of this report, both for and against backyard laying hens. Responsible pet ownership was a major concern, even for those in support.

Survey feedback

- Most responses were positive towards laying hens on the Halifax Peninsula, with an average score of 4.3 on a scale of 1 to 5 (with 1 being ‘strongly opposed’ and 5 being ‘strongly in favour’). Generally, respondents were either strongly in favour or strongly opposed: there were very few neutral responses.
- 84% of those surveyed believe that laying hens should be permitted in the Land Use By-law as an accessory use to a residence.
- When asked about typical concerns regarding laying hens in urban environments, respondents were most concerned about responsible pet ownership, with an average score of 3.1 on a scale of 1 to 5 (with 1 being ‘not at all concerned’ and 5 being ‘extremely concerned’).
- Relatively small lot sizes (2.4), rodents (2.3), noise / odour (2.1), and avian flu (1.5) received lower levels of concern on the same scale.

Staff analysis

From the survey, it appears the major practical issue surrounding backyard laying hens is responsible pet ownership. As with other animals, concerns with backyard hens should be reduced in situations where they are properly cared for. Before making a decision whether backyard hens were right for their lifestyle, one might reasonably expect a responsible citizen to research the amount of care needed, proper coop design, various costs, and how to mitigate potential issues (e.g. by using a rat-proof hanging feeder). However, experience shows that not every citizen will act responsibly.

Reasonable guidelines would help prospective backyard hen owners get started in the right direction, by providing standards for basic care, housing and setbacks. Guidelines would help the neighbours know what was permitted and what standards of cleanliness were expected. Finally, effective guidelines would include a way to resolve complaints over backyard laying hens. For example, dogs are accepted as part of our urban neighbourhoods, but dogs that are not properly trained or cared for become nuisances, and HRM has regulations to manage these nuisances.

However, our enabling legislation, the *Halifax Regional Municipality (HRM) Charter*, does not authorize a land use by-law to regulate these types of guidelines with respect to animal care. This is the major legislative issue surrounding backyard laying hens.

Regulations for care of animals and conflicts

While the keeping of pets isn't considered a 'land use' and therefore isn't covered by the LUB, conflicts can still arise as a result. These conflicts are addressed by other municipal by-laws, such as the Animal By-law and the Nuisance By-law. The *HRM Charter* allows these by-laws to address different situations than a land use by-law.

As in other municipalities, along with the LUB, another by-law could be amended to provide guidelines for the care of backyard hens. Currently, neither of the HRM by-laws addresses backyard hens: the Animal By-law focuses on dogs and the Nuisance By-law focuses on cats.

Whichever by-law was amended, it would be reasonable for the amendments to address education of potential owners, numbers of hens, setbacks from abutting residential uses, coop and cleanliness standards, vaccinations and provincial health requirements, etc. These items would be useful for resolving conflicts, rather than establishing a complicated licensing or permitting system. In addition, moveable chicken coops may not be considered accessory buildings or structures by the LUB, therefore, it would be prudent to outline the requirements for these coops outside of the LUB.

Conclusion

Staff cannot responsibly recommend that backyard laying hens be permitted through the Halifax Peninsula LUB without supporting regulations for the care of the animals to resolve potential conflicts.

It may be reasonable to allow a limited number of laying hens in urban or suburban areas, similar to how families keep dogs, cats or gardens, however, because these neighbourhoods are dense, it is also essential to provide standards for the care of these animals and any conflicts which may arise. Under HRM's governing legislation, the Municipality cannot legally provide these standards in a land use by-law.

Staff recommends that Peninsula Community Council close this planning application without amending the Halifax Peninsula LUB. If this issue is to be revisited, it should be based on direction from Regional Council, where complementary regulations in another by-law can also be considered.

BUDGET IMPLICATIONS

There are no budget implications associated with the alternative recommended in this report to maintain the existing Halifax Peninsula Land Use By-law which does not permit backyard laying hens.

If PCC chooses the second alternative, there may be budget implications. Development Services' Community Standards Officers do not currently address many animal-related land use compliance cases. This type of compliance case would likely increase if backyard laying hens were a permitted land use without enforceable and reasonable guidelines for their care.

If PCC chooses the third alternative, there may be budget implications if Regional Council decides to consider amendments to HRM-wide by-laws (e.g. the Animal By-law). Public consultation and coordination between various business units would be required to draft amendments. The costs to implement and enforce such amendments would be determined as part of that process, should Regional Council decide to proceed in that direction.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the proposed 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

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy. The level of community engagement was consultation, achieved through a public information meeting held on February 10, 2010, as well as a survey distributed in hard copy and on the HRM website (Attachment B). A public hearing must be held by Council before a decision can be made to change the existing LUB.

For the public information meeting, notices were posted on the HRM website and in the newspaper. Attachments C and D contain the results of the survey; Attachment E contains a copy of the minutes from the meeting; and Attachment F contains various correspondence. Should Council decide to proceed with a Public Hearing on this application, in addition to the published newspaper advertisements, people who signed up at the Public Information Meeting will be notified.

Staff's recommendation is to maintain the existing LUB. This will potentially impact the following stakeholders: local residents and property owners. If Peninsula Community Council chooses a different alternative, other groups may also be affected.

ALTERNATIVES

1. Peninsula Community Council could choose to maintain the existing Halifax Peninsula Land Use By-law which does not permit backyard laying hens, and direct staff to close this planning application. This is the recommended alternative.
2. Peninsula Community Council could choose to direct staff to draft amendments to the Halifax Peninsula Land Use By-law which would permit backyard laying hens. This alternative is not recommended, as reasonable guidelines for the care of backyard laying

hens cannot be included in a land use by-law under the terms of the Halifax Regional Municipality Charter. If this alternative is chosen, a joint public hearing will be required with Chebucto Community Council, due to the overlap of District 15 with the lands covered by the Halifax Peninsula Land Use By-law.

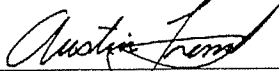
3. Peninsula Community Council could choose to forward this proposal to Regional Council to consider whether other regulations (e.g. the Animal By-law) could be amended to provide reasonable guidelines for the care of backyard laying hens. This is not recommended for the reasons outlined in Alternative 2, as well as the Budget Implications outlined above.

ATTACHMENTS

Map 1	Halifax Peninsula Land Use By-law Context Map
Attachment A	Frequently Asked Questions
Attachment B	Sample of Survey
Attachment C	Summary of Survey Results
Attachment D	Summary of Survey Comments
Attachment E	Minutes from February 10, 2010 Public Information Meeting
Attachment F	Correspondence

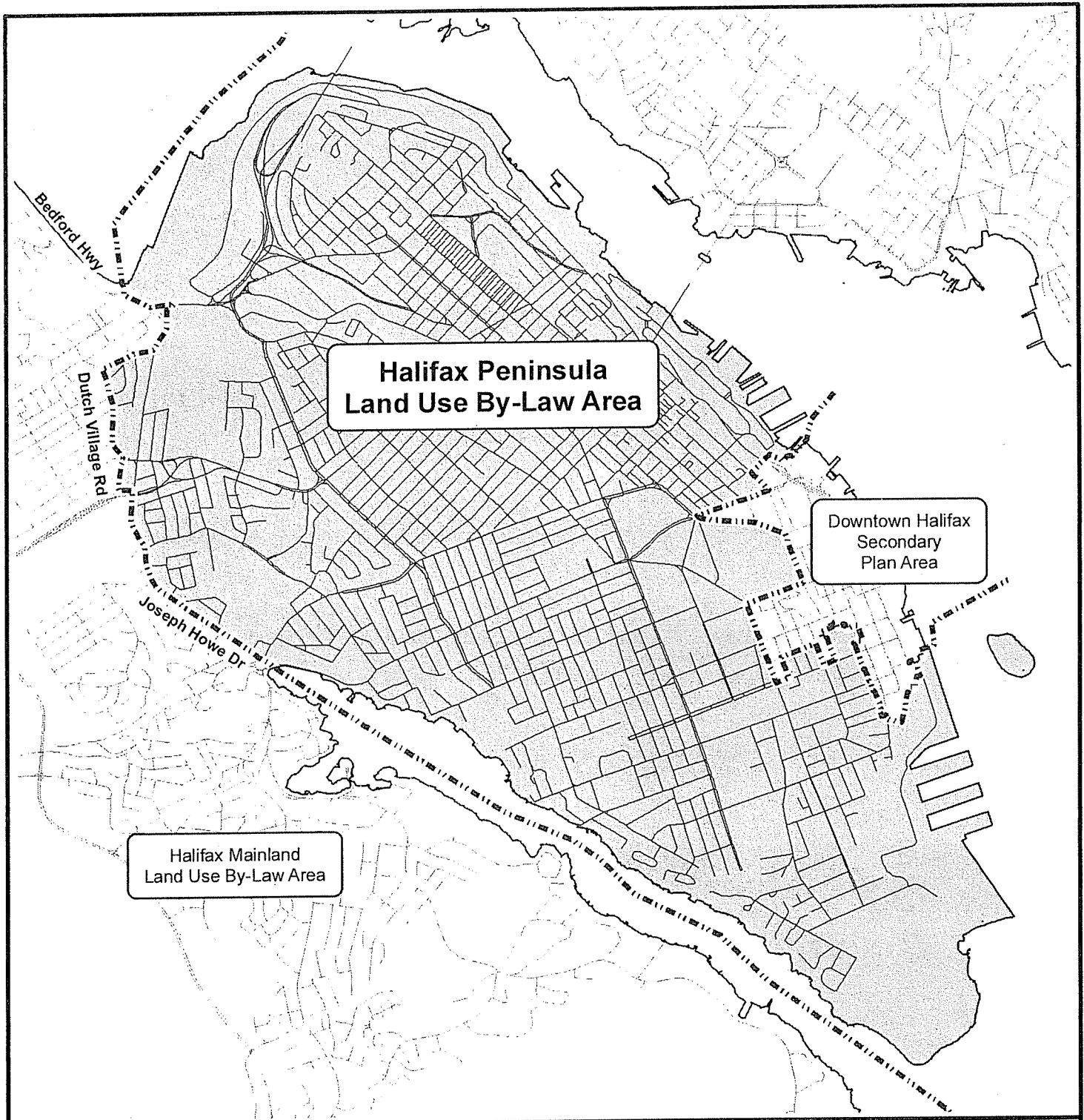
A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/cc.html> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Mackenzie Stonehocker, Planner I, 490-4793

Report Approved by: 
Austin French, Manager of Planning Services, 490-6717


Attachment A:
Frequently Asked Questions

- **Why is HRM only looking at the Halifax Peninsula?**
 - Staff were directed by Peninsula Community Council to investigate this issue, and PCC is limited in their jurisdiction to the Halifax Peninsula.
- **Are roosters required in order for hens to lay eggs?**
 - No, roosters are not required for hens to lay eggs. Roosters are required to fertilize the eggs to produce chicks.
- **What is the difference between a pet and livestock (i.e. an agricultural use)?**
 - According to the Merriam-Webster dictionary, a pet is “a domesticated animal kept for pleasure rather than utility”, while livestock are “animals kept or raised for use or pleasure; especially farm animals kept for use and profit”.
- **What is the difference between keeping laying hens to provide eggs for a family, for sale through a home business, or for retail wholesale (e.g. to a store or restaurant)?**
 - Under the Halifax Peninsula Land Use By-law, a home occupation “shall be conducted entirely within the dwelling unit”; therefore, use of an accessory building such as a chicken coop would not be permitted.
 - Eggs produced for wholesale must be graded in a federally registered egg grading station, which would not be feasible for a small backyard flock of hens.
- **What happens when laying hens are too old to lay eggs?**
 - Most other municipalities prohibit slaughter of backyard hens. Under the new regulations in Vancouver, hens may be euthanized by a veterinarian or taken to a farm or abattoir for slaughter.
- **How are backyard chickens currently enforced in Halifax?**
 - Backyard chickens are currently enforced through a complaint-driven process. If HRM receives a complaint about backyard chickens, any non-compliance with the Land Use By-law is investigated through Development Services’ Community Standards Officers.
- **How many chickens are currently on the Halifax Peninsula?**
 - Since enforcement is done on a complaint-driven basis, HRM is not aware of any backyard chickens that have not caused complaints with the neighbours.
- **Could HRM do a trial period or issue special permits for backyard laying hens?**
 - HRM does not have the option through the HRM Charter for either a trial period or special permits. If permits are issued for backyard chickens, those chickens would be grandfathered.
- **Which level of government manages the following issues?**



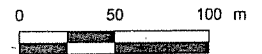
Map 1 - Context Map

Halifax Peninsula
Land Use By-law Area

 By-law area boundary

Halifax Peninsula
Land Use By-Law Area

HALIFAX
REGIONAL MUNICIPALITY
COMMUNITY DEVELOPMENT
PLANNING SERVICES



HRM does not guarantee the accuracy of any representation on this plan.

Attachment B - Sample of Survey

Case 15775: Laying Hens

SURVEY

Thank you for attending this public information meeting and completing this survey.

Your feedback will help Peninsula Community Council to decide if changes should be made to the Halifax Peninsula Land Use By-law to permit a limited number of laying hens in association with residential uses. If changes are recommended, your feedback will help determine what issues are important to control or regulate.

For this survey, please keep the limits of this case in mind: HRM is investigating the possibility of amending the Halifax Peninsula Land Use By-law to permit a limited number of laying hens (no roosters) on residential properties.

1. Before tonight's meeting, and using a scale from 1 to 5 (with 1 being 'strongly opposed' and 5 being 'strongly in favour'), how did you feel about the idea of laying hens on the Peninsula?

(Strongly opposed) 1 2 3 4 5 (Strongly in favour)

2. As a result of the discussion during this meeting, has your general impression of laying hens changed?
- No, I still feel the same way.
 - Yes, now I feel more _____ towards the idea of laying hens.
3. When you think of a limited number of laying hens, what do you think is the most similar?
- Livestock
 - Pets
 - Garden
 - Other – please specify: _____
4. Do you think laying hens should be permitted in the land use by-law as 'accessory' to a residential use?
- Yes
 - No
- If you answered 'no', please specify:
- I think more regulations are needed than the land use by-law can provide.
 - I don't think laying hens should be permitted, no matter how many regulations are provided.
5. What type(s) of residential properties do you think are appropriate for laying hens? (Fill in all boxes that apply.)
- Properties off of the Peninsula, in zones where agriculture is a permitted use
 - Properties off of the Peninsula, in areas where lots are generally larger
 - Properties on the Halifax Peninsula:
 - Single unit dwellings
 - Single unit dwellings with basement suites
 - Semi-detached dwellings or duplexes
 - Townhouses
 - Multi-unit dwellings (e.g. apartments or condos)
 - Other – please specify: _____
6. If laying hens were permitted on the Peninsula, do you think there should be a minimum lot size?
- No
 - Yes, I think that properties should be at least:
 - 3000 square feet. (This would include about 83% of the residential properties on the Peninsula.)
 - 5000 square feet. (This would include about 33% of the residential properties on the Peninsula.)
 - 8000 square feet. (This would include about 9% of the residential properties on the Peninsula.)
 - Other – please specify: _____

Case 15775: Laying Hens

SURVEY

7. The following items have been identified in other municipalities as typical concerns regarding laying hens in urban environments. Thinking specifically of the Halifax Peninsula, and using a scale from 1 to 5 (with 1 being 'not at all concerned' and 5 being 'extremely concerned'), do the following items concern you?

	<i>(Not at all concerned)</i>			<i>(Extremely concerned)</i>	
Relatively small lot sizes	1	2	3	4	5
Rodents	1	2	3	4	5
Noise / odour	1	2	3	4	5
Avian flu	1	2	3	4	5
Responsible pet ownership	1	2	3	4	5

8. If any of the items listed in Question 7 concern you, could municipal regulations alleviate your concerns?

- Yes
- Perhaps
- No

Please explain:

9. How did you hear about this meeting?

- HRM website
- Municipal notice in Halifax Chronicle Herald
- Other – please specify: _____

10. Please provide your email address if you would like to be added to the mailing list for this case:

- _____

Additional comments:

Government	Regulations	
Municipal	Land use by-law	Outlines permitted or prohibited land uses, as well as height, setbacks, etc.
	Animal by-law	HRM's by-law focuses on regulations and licensing for dogs.
	Nuisance by-law	HRM's by-law focuses on potential nuisances such as cats and shopping carts.
Province	Humane treatment	The Department of Agriculture deals with animal welfare issues concerning farm animals, including chickens.
	Public health	Capital District Health Authority Department of Agriculture
Federal	Food inspection and public health	Canada Food Inspection Agency

Attachment C:
Summary of Survey Results

The survey included as Attachment B of this report was circulated at the February 10, 2010 public information meeting, and was also available online from February 11, 2010 to March 3, 2010. Surveys were accepted until March 5, 2010. In total, 109 surveys were returned.

1. Before tonight's meeting, and using a scale from 1 to 5 (with 1 being 'strongly opposed' and 5 being 'strongly in favour'), how did you feel about the idea of laying hens on the Peninsula?

Average response: 4.3

Number of responses: 106

2. As a result of the discussion during this meeting, has your general impression of laying hens changed?

Number of responses: 99

75% 'No, I still feel the same way'

25% 'Yes, now I feel more _____ towards the idea of laying hens'

Of the 25% who answered yes, all responses indicated a more positive impression.

3. When you think of a limited number of laying hens, what do you think is the most similar?

27% Livestock

29% Pets

44% Garden

Number of responses: 109

4. Do you think laying hens should be permitted in the land use by-law as 'accessory' to a residential use?

84% Yes

16% No

Number of responses: 106

Of the 16% who answered no,

12% believe that 'more regulations are needed than the land use by-law can provide'

76% believe that 'laying hens shouldn't be permitted, no matter how many regulations are provided'

12% did not specify

5. What type(s) of residential properties do you think are appropriate for laying hens?

94 people Properties on the Halifax Peninsula

Of the 94 people who chose the Halifax Peninsula, the following were selected as appropriate for laying hens:	91%	Single unit dwellings
	84%	Single unit dwellings with suites
	77%	Semi-detached dwellings or duplexes
	60%	Townhouses
	31%	Multi-unit dwellings
	15%	Other – e.g. schools or community centres

6. If laying hens were permitted on the Peninsula, do you think there should be a minimum lot size?

53% No *Number of responses: 98*
47% Yes

Of the 47% who answered yes,	65%	3000 square feet
	13%	5000 square feet
	11%	8000 square feet
	11%	did not specify

7. The following items have been identified in other municipalities as typical concerns regarding laying hens in urban environments. Thinking specifically of the Halifax Peninsula, and using a scale from 1 to 5 (with 1 being 'not at all concerned' and 5 being 'extremely concerned'), do the following items concern you?

Average response:

2.4	Relatively small lot sizes	<i>Number of responses: 104</i>
2.3	Rodents	<i>Number of responses: 103</i>
2.1	Noise / odour	<i>Number of responses: 103</i>
1.5	Avian flu	<i>Number of responses: 103</i>
3.1	Responsible pet ownership	<i>Number of responses: 101</i>

8. If any of the items listed in Question 7 concern you, could municipal regulations alleviate your concerns?

41% Yes *Number of responses: 90*
41% Perhaps
18% No

See Attachment D for comments received for Question 8, as well as additional comments.

Attachment D:
Summary of Survey Comments

Comments regarding municipal regulations:

- I would hope that, as with all pets, potential chicken abuse would be dealt with by an appropriate authority.
- Existing regulations address pest control and responsible pet ownership. These regulations would also apply to urban chickens and should suffice to make chicken ownership a healthy and humane activity.
- Municipal government doesn't seem to deal with any animal welfare issues.
- Not under the LUB, but as far as nuisance, animal control and unsightly premises regulations are concerned. Many things other than bird feed attract rats and are appropriately dealt with on a case-by-case basis, not by simply outlawing bird feeders / compost / garbage etc.
- I believe HRM's responsibility is towards holding public meetings and providing education for HRM residents on issues within communities and to help facilitate solutions for everyone's needs.
- Just like the bylaw regarding other pets (i.e. dogs), it would be important to extend this to laying hens as pets.
- I am unsure at which level of argument this should be addressed, but there is a need for regulation regarding proper management – nothing more than is already extended to other pets and property, but simply what is reasonable. In fact, it may already be there!
- Changes to the animal bylaws to regulate responsible ownership.
- Regulations about size, etc. Research to bust myths!
- I believe that the concern about rodents is a legitimate one, but that certain simple regulations will prevent these problems: sealed, rat-proof containers, hanging chicken feeders, etc.
- Neighbours being good neighbours would be preferable.
- I think responsibility of the owner is vital to contain the other issues above. Regulations could be made to deal with that, which could deal with other activity that could promote, for example, rodent livelihood, such as food kept in the house like oatmeal. Basically, I don't think these are issues directly related to people having laying hens on their property, though they are related.
- I think, like any situation, care and responsibility of one's property and animals is up to the integrity of the individual. I agree that roosters may not be appropriate in an urban area; however, I would like to see allowances for at least ten laying hens in the city, as people with larger lots may be interested in larger flocks. I think this is an excellent opportunity to encourage residents to live more sustainably and to build stronger communities.
- Minimum lot sizes will address noise and odour issues that may arise. Unsightly premises should lead to well-kept coops, since it applies to everything on the property. Avian flu is not an issue: it is present in the environment, and it is a problem on factory farms where conditions are crowded.
- My only concern is with mistreating of chickens.

- Education and regulations for cages and food storage.
- Establish a set of parameters, best practices, and educate.
- Communication with neighbours should suffice in most cases.
- A major issue that seems excluded from the debate is animal welfare, and how the animals will be taken care of. Chickens are sentient, feeling beings with particular needs – how will we be assured that animals will be properly fed, properly sheltered, properly taken care of if injured or sick? The SPCA or animal control certainly do not have the capacity to deal with animal cruelty cases.
- Neighbours can, if necessary, launch complaints that are heard.
- No chickens.
- Please leave the bylaw alone.
- The bylaw is fine the way it is.
- How can you legislate responsibility? Remember the cat bylaw, the occasional snake release, etc. Laying hens are a rural activity; this is not a third world environment.
- I would want guidelines to specify appropriate and humane living conditions for the animals. I believe that this could be resolved with minimal regulation.
- My understanding is that chickens produce a lot of feces. As long as the number was limited for the area, I feel this could be resolved. Otherwise, I would be concerned about the potential health issues.
- Some sort of lengthy and complex licensing system whereby only those who are extremely committed to raising hens would be able to, provided there had very large backyards and all necessary equipment and housing for the bird (i.e. no more than one bird).
- Proper care of hens – perhaps an educational course.
- Humane treatment of hens essential. Cleanliness of pens, etc.
- Consult with experienced hen owners to set some basic regulations on care of hens.
- Municipal regulations should set a minimum garden size and maximum numbers of hens. Roosters are probably not appropriate.
- I think that education is more important than implementing regulations. For example, everyone has to take a ‘How to Take Care of Your Chicken’ course before being allowed to purchase a bird.
- Husbandry standards could be specified.
- Minimum lot sizes, inspections for sanitation, noise regulations, healthy chickens.
- Apply for permit, so only those who really want them will go through the process. Also, individuals should demonstrate a knowledge of what is needed to raise hens.
- Guidelines that need to be followed to maintain.
- I would want to make sure that there is adequate space for the laying hens.
- There should be ample available educational materials relating to urban laying hen ownership and maintenance / care.
- I think just being a good neighbour. I’m not more concerned about this than other pets.
- Enforceable guidelines.
- These concerns apply to all ‘pet’ owners.
- There might be a funded / non-funded educational course. In the case someone would want to own laying hens, they would need to be ‘certified’.

- There are existing noise / odour bylaws. There are also pet ownership bylaws. Limit the number of laying hens to 5 per 5000 square foot lot. For every 1000 square feet of lot size, you can have another chicken.
- Neighbourhood watch and feedback mechanisms for noise and pet ownership responsibilities, information about keeping food scraps off the ground to discourage rodents.
- Animal care regulations.
- Certain housing / fencing regulations should be in place.
- Stipulations regarding the number of animals per lot / square foot would alleviate concerns about noise / odour.
- Ensuring residents have adequate room so the chickens can enjoy a good quality of life is important to me. Having a regulation for minimum lot size / area allocated to chickens could be useful, same for ensuring people treat the animals properly and humanely.
- No change to the bylaw for Halifax Peninsula.
- We are at the whim of the chicken owner. These lots are too small and this is a city, not a farm. I live next door to Louise Hanavan on Edinburgh Street. Her lot is an eyesore and she thinks that it's okay, and that it's okay to attract rats. The people who want chickens have not demonstrated any leadership or the responsibility that comes with raising chickens. The city cannot conscionably allow this; I had rats in my yard and in my house. It is time to stop spending city resources on this issue and put an end to it once and for all.
- Perhaps -- I would be interested in what regulations would be in place for responsible ownership of these birds, to ensure adequate living conditions and safety.
- A few guidelines and standards could be used.
- Regulation regarding the number of chickens and lot sizes would be fairly easy to address. In the interests of the chickens, the city should fund some educational programs / materials for citizens who want to keep hens. The city might also consider measures to address cruelty to the birds and how to enforce it.
- Same laws should apply as with any pet, and minimum lot size should be enforced.
- Not sure what can be covered by the regulations. Would have to be only on large lots; include regulations for the type of structures, food storage and food distribution; require agreement by surrounding neighbours (not sure if that is feasible); include process to deal with increased rat population.
- Legislation has a precedence of protecting humane treatment of animals.

Additional comments:

- I think this is a great opportunity for HRM to make a progressive amendment. Lots of young people care about food security and showed up to say so. That's quite powerful.
- Complimentary education programming would be important to encourage responsible chicken keeping.
- I think food security issues are very important and allowing laying hens would help address my concerns.
- I am not pro-rats, I don't want to raise chickens myself, but this is not a land use issue. If you treat it as such, smaller (and lower income, potentially) [properties] who may need the agricultural education more and the food more, but for any chicken to be illegal due to

pre-existing or an influx of rats is virtually absurd. I don't like seeing people being inconsiderate or negligent towards their neighbours, and I think there are systems to protect neighbourhoods and landowners already. It seems not to be an issue of chickens or land but of feeding rats to the detriment of your neighbours.

- Let people provide food for themselves.
- I believe responsible regulation of feed and excrement control are important, and can alleviate the concerns associated with chickens. I believe this is a food supplementary activity and should be regarded as such positively. Please consider that minimum lot size is discriminatory of the poor in terms of ownership and access.
- I am strongly in favour of the land use bylaw laying hen amendment. From the discussion tonight, it seems clear that rats could be avoided or minimized with adequate pre-caution, and that the rodent issue should not be the deciding factor – exposed garbage, bird feeders, etc. are supporting rodents more than laying hens would, and these could not reasonably be banned. There are many, many positive reasons to support hens – local food, food knowledge, changing our relationship with food, and a step towards a future. Halifax can now prove itself as a progressive city and is up to the challenge.
- For me, respectful community relations are much more powerful than regulation, though I do believe the LUB should be changed.
- Sustainability is out, or at least one of, our biggest issues in the world. Where does the majority of our food come from? How does it get here? Today, the answers to these questions are not sustainable. I hope I don't have to elaborate why sustainability is important. Though allowing laying hens may be a small step, it is an important one, just like recycling, just like composting, and gardening, etc. Any drawbacks concerning the issue should be taken seriously, but should invite inspiration and innovation in our communities to a better way of life, not a fear of change.
- With some basic guidelines in place, any potential issues can be prevented. As a longtime property owner, I want the right to engage in a harmless hobby on my property. If there's an issue, investigate the issue.
- I think it's time for HRM staff, planners and councilors need to start taking sustainability, food production, and food security seriously. If we are to live in an urban area, we need to remember that we are still responsible for ourselves and to our soil. We need to start producing more food in HRM – both in our backyards and in our for-profit and non-profit urban farms. Halifax is ready for this bylaw to be changed. There are community organizers and community leaders ready to offer the necessary public education. I would like to see chickens in our yards, in our schools, and on our urban farms.
- In allowing chickens, we should stay away from bureaucratic measures like licensing that create needless obstacles. We should set regulations as the municipality has the power to do, and then respond to complaints. Existing bylaws can apply, as can provincial regulations. There is no need to create obstacles that won't really help.
- When the land use bylaw changes, HRM must help educate potential chicken keepers and offer advice, possibly through NGOs or community centres. HRM must offer community coops for those in apartments with no yards. Haligonians need to produce as much of their own food as possible. Gardens were a start, next comes chickens. Let's get moving!
- Rat and other concerns could be addressed by complaints to bylaw enforcement, similar to unsightly premises, late night noise, etc.

- My name is Kayleigh MacSwain and I live on -----, and I support amending the bylaw to allow for chickens in backyards. I want to note that I'm not really concerned about any of the issues raised. I have faith that we're smart and innovative people that can create solutions together to any of these concerns. Also, communities that recognize their responsibility for food sovereignty and security are the kind of vibrant and progressive communities that I want to be a part of and live in.
- This is HRM's opportunity to make a progressive amendment to the current land use bylaw. Currently, there exists a vibrant community of urban farmers; such an amendment would only serve to foster a larger, much more positive urban space.
- Consider using the Ecology Action Centre to conduct workshops on responsible chicken ownership.
- Education is key to responsible chicken keeping.
- There are a number of health concerns, safety concerns and animal welfare concerns associated with backyard chickens which make a strong point for not allowing chickens in HRM backyards and not amending the bylaw.
- More effort should be expended by HRM to control rodents.
- HRM can educate population. If cost is a problem, promote the farmers market – good for the environment, good for survival of the farm economy.
- I am concerned about my health and the rodent situation.
- I think this survey should be limited to tax-paying property owners on the Peninsula, as they are the only ones to be affected by the bylaw change.
- A number of years ago, we innocently put out a bird feeder in our backyard. We had to stop because it was attracting rats. Once we removed the food supply, the rats left. We were alarmed to hear about Judy Haley's experience with rats in her house on Edinburgh Street (in the Chronicle Herald article). We should not be allowing any activity in the city that will attract rodents. I don't care how 'controlled' the activity is. Are those who advocate having hens prepared to pay for the extermination costs of their neighbours?
- I totally support backyard chickens in HRM. In 2004-2005, we had two hens in our backyard in the North End. There were no complaints, so no one ever found out (i.e. media or municipality). Our neighbours were supportive. Allowing this would allow chicken owners to share information. It makes sense in so many ways and is allowed in other cities. HRM would be foolish not to change the by-laws.
- I feel that this is a very important issue. I would love to see this city encouraging initiatives to grow our food growing skills, culture and capacity – including gardens, chickens, bees and hopefully much more! Let's join other progressive cities and get these amazing skills normalized again!
- I had trouble with Question #3 because chickens would not fit any of those categories for me. They are more useful than a pet, less impact than livestock, and have more legs than a garden. If a person can have multiple dogs, why not one chicken? The waster could be handled similarly, but the chicken would have a lot more use.
- I think that provided there is adequate planning and regulation, this could be a positive situation for HRM. It promotes sustainability and fulfills the bourgeois fantasy of connection with the land that seems to be prevalent in this community. In all seriousness though, I think it is possible to manage hens in an urban environment on a very small scale. I would maybe allow a trial period with a few different neighbourhoods to measure the potential successes or failures in different parts of the city. Thanks and best wishes.

- It is important to take charge of our own food as much as possible. We would need to be sure people with hens were informed of the process.
- Small-scale gardening and hobby farms in the city are healthy for all. Children benefit from knowing where their food comes from and learn responsible ways of caring for life.
- Just let people have hens in their yards and see what happens, then adjust the rules.
- I am very in favour of urban poultry, but do think it has to be thought-out carefully so that both the chickens and the people are happy.
- I agree with the argument that bird feeders would be comparable to having laying hens.
- Other animals as 'garden accessories' should be considered besides laying hens: rabbits, goats.
- I would like to see forms of urban agriculture encouraged, including chickens.
- I think allowing for an easy and efficient municipal regulation to permit citizens of Halifax to own laying hens would be a wonderful move in the right direction so that Halifax can take advantage of its unique and potential environment.
- I see nothing wrong with keeping laying hens in HRM, and think it's ridiculous that bylaws restrict it.
- I think having chickens on the Peninsula and all of HRM would be a positive decision. I think HRM should be embarrassed to have a bylaw against having a few laying hens. Food production among other self-sustaining activities are innately human and natural and should be encouraged instead of discouraged. Risk is inherently associated with all we do every day in our lives. Rat populations should be among the least of our concerns – shouldn't we be investing more time into encouraging the growth and development of a sustainable and self-reliant HRM?
- Before considering chickens or livestock on Peninsula, the rat infestation should be the #1 consideration of Council.
- I think that city chickens are good. They work in other cities and should be allowed. This will encourage HRM residents to engage in more food production on a local basis, something we need to encourage. Rats are here already, chickens or not.
- I'd like to thank the Peninsula city councilors for being receptive to citizen demand on this matter. There is a burgeoning 'local food' movement in Nova Scotia – a grassroots response to climate change, health crisis, peak oil and a (generally) broken food system. To support this movement and address those issues, cities need to become more self-sufficient – need to learn how to decrease their impact on struggling rural and farming communities. I think urban chickens and yummy city eggs would be a meaningful step in that direction.
- I live on Edinburgh Street near where this controversy began. I was always very happy to have chickens on Edinburgh Street, and I would like to have my own.
- I feel that this issue comes down to citizens taking responsibility and an active role in food production. I believe that with proper education and appropriate regulations, laying hens can be raised in the city. I also believe that HRM should be considering food production as an important aspect of municipal planning.

Attachment E:
Minutes from February 10, 2010 Public Information Meeting

Public Information Meeting – Case 15775
February 10, 2010 – Halifax Hall

In attendance: Councillor Jennifer Watts
 Councillor Jerry Blumenthal
 Councillor Dawn Sloane
 Mackenzie Stonehocker, Planner
 Kelly Denty, Supervisor, Planning Applications
 Hilary Campbell, Planning Technician
 Gail Harnish, Planning Services

Call to order, opening remarks

Ms. Mackenzie Stonehocker called the public information meeting (PIM) to order at approximately 7:00 p.m. in Halifax Hall. She introduced members of staff and the councillors in attendance, and thanked members of the public for attending this meeting to get feedback on backyard chickens.

Overview of planning process

Ms. Stonehocker advised HRM has opened an application to consider amending the Halifax Peninsula Land Use By-law to permit backyard chickens for eggs. The purpose of tonight's meeting is to explain the process to amend the land use by-law and to get feedback from members of the public.

Ms. Stonehocker stressed the importance of respecting everyone's point of view and their opinions. This is a meeting for staff to gather feedback from members of the public and for the councillors to hear everyone's perspective. No decisions have been made on whether or not chickens will be allowed. She asked that everyone sign the attendance sheet in order to be added to the mailing list.

Many of you probably know some of the background around chickens in Halifax. There were a couple of cases where people had chickens which were not permitted in the zone and, as a result, Peninsula Community Council requested an information report in 2008. That report was given to Community Council about a year ago. Councillor Watts is now the councillor for District 14 and she has been receiving a lot of inquiries. In order to get some official investigation into the idea, on December 14, 2009, Peninsula Community Council passed a motion that "staff open a planning application to consult with the public, look into any potential issues, and if appropriate, draft amendments to the Halifax Peninsula Land Use By-law to permit backyard laying hens".

At this point we want to find out if the public thinks this is appropriate. One of the first steps is tonight's meeting.

With the use of a map, Ms. Stonehocker clarified what areas are covered by the Halifax Peninsula Land Use By-law. The downtown is excluded because it is covered by the new Downtown Halifax Land Use By-law, as well as the area covered by the Halifax Mainland Land Use By-law (the other side of Dutch Village Road and Joe Howe Drive). Amendments to any other land use by-law would be covered by different Community Councils. For example, Peninsula Community Council cannot change the rules for Dartmouth; only Harbour East Community Council can change those. Alternatively, Regional Council could ask for amendments to all the land use by-laws.

Ms. Stonehocker reviewed the amendment process:

- Staff will do preliminary research.
- Staff will hold a public information meeting to answer questions and get comments and feedback from the public.
- Staff will compare what the MPS says with the feedback from the public and other HRM departments
- Depending on the feedback, we could recommend a variety of things to Community Council:
 - We could recommend that the by-law not be changed;
 - We could recommend that the by-law be changed to allow one or two or three or five hens; or
 - We could make a totally different recommendation
- Along with the minutes from tonight's meeting, some alternatives will be written into a report that will recommend that Community Council choose one of the alternatives.
- Community Council will schedule a public hearing.
- Following the public hearing, Community Council will make their decision, based on staff's recommendation and the public hearing.
- Whether Community Council approves or refuses the application, there is an appeal period during which their decision can be appealed to the Nova Scotia Utility and Review Board.

Ms. Stonehocker provided a brief outline of where zoning comes from. Zoning was basically invented in the Industrial Revolution because there were conflicts between the new industrial factories and the people who had to work and live nearby. Zoning helped alleviate some of these conflicts. In the short-term, uses which were incompatible with each other were separated. No one had to live next to a factory and factories did not need to worry about bothering residential neighbours. In the long-term, zoning gives people security in knowing what to expect in their neighbourhood. Currently if you live in a residential area, you do not have to worry about an industrial use moving next door.

Similarly, agricultural uses are generally excluded from urban areas. That is partly because some agricultural uses are not appropriate in a city (like a feed lot) because they need a lot of space, and also because property values are so high in the City that agricultural uses are not a good investment.

Our purpose in this case is to find the line that divides agricultural chickens from pet chickens. A factory egg farm is not something we want to consider in the City, but people do have dogs and cats and pot-belly pigs in the City. Do we think of a couple of chickens more like pets, or are they still livestock? It looks like there are a couple of key differences. If we are going to permit chickens in the City, their numbers must be limited - someone cannot keep 100 chickens on a Peninsula lot. Another difference is that if laying hens are going to be permitted, roosters will be excluded. Hens do not need roosters to lay eggs, and roosters are noisy. Another key difference is whether they are to eat or to lay hens. It is not reasonable to allow people to slaughter animals for meat in the City.

Those differences between “backyard” chickens and “livestock” chickens have been discussed in other cities. She displayed a short list of Canadian municipalities that have done different things with chickens. Niagara Falls and Victoria both allow a limited number of laying hens, and have for some time. Toronto also has an established by-law but in an opposite direction; they prohibit chickens as well as many other types of animals. Kamloops looked at the possibility of laying hens in the last year, and decided to maintain the status quo of no chickens. On the other hand, Vancouver also looked at the possibility of laying hens in the last year, and their staff are currently drafting amendments to their by-laws. Moncton is in the middle of a year-long pilot project for laying hens. Moncton is a special case because the New Brunswick planning legislation allows them to give a special permit. In HRM, we either have to allow them or prohibit them. We cannot do a pilot project or give special permits. There is no consensus on chickens and the legislation varies across Canada.

When municipalities do consider laying hens, it usually includes a limit on the number of hens permitted. Roosters are prohibited because they are noisy. Baby chicks are also often prohibited because they are too cute and because half of them grow up to be roosters. Minimum lot sizes and setbacks from property lines or neighbour’s houses are often included. If licensing is included, like an annual permit, that is usually done as part of animal control, along with controls for nuisances and standards for care.

With all those things considered, they could probably write a long and thorough Chicken By-law for Halifax but at this point we do not have the option to do that for Halifax. There are other by-laws in Halifax that deal with animals, specifically the Animal Control By-law and the Nuisance By-law. We will not be revising those by-laws as part of this process.

With a land use by-law, the Halifax Regional Municipality Charter is our legislation and it lists certain things which we can and cannot regulate. With the example of chickens, the land use by-law can define a new land use called “accessory laying hens”. Your main purpose on the property would be to live there. The land use by-law could say in which zones you are permitted to have that land use. Should it only be single family homes or apartment buildings? It could also say how much space you need for that land use, the required setbacks, and the type of permit you need to build a coop.

The flip side is we cannot control some things in the land use by-law. If we wanted to license every chicken, the land use by-law would not set up a system for that. If responsible pet care was the issue, it would not be covered in the land use by-law. For example, the land use by-law permits restaurants in some zones but it leaves food inspections and liquor licenses to other levels

of government. Some municipalities include hens as part of their animal control by-law, so there is more control over the space that each hen has, over the design of the chicken coop, and over biosecurity measures.

Questions have been raised about avian flu and rats. Avian influenza is present in wild birds throughout the world. If you had backyard chickens, they could get the flu virus directly from another bird, or indirectly through contaminated feed, water, equipment, boots or clothing. People who have backyard chickens use several measures called “biosecurity” to protect their birds from avian flu. This involves a lot of cleaning, as well as keeping your chickens away from wild birds, and keeping an eye on the chicken to see if gets a cold.

The methods recommended by the Food Agency for biosecurity would also help with potential rat problems. If you are discouraging wild birds from stopping by your house, that is you are not leaving food or water for wild birds, you will also discourage rats from stopping by your house. Halifax is an old port city so we all know that rats are an issue in Halifax. People talk about controlling rodents, not about getting rid of them completely.

Many municipalities that permit chickens have a minimum lot size, so we have done some preliminary research on lot sizes on the Halifax Peninsula. The properties displayed on the map in colour are residentially zoned. There are over 11,000 lots.

- The properties shown in red are less than 3000 square feet – 17% of the lots.
- The property shown in orange are between 3000 and 5000 square feet – 49% of the lots on the Peninsula.
- The properties shown in yellow are between 5000 and 8000 square feet – 24% of the properties.
- The properties shown in tan are over 8000 square feet – 9% of the properties.

The properties shown in yellow and tan may have apartments.

She displayed the square footage of the lots in some areas of the City:

- In the Hydrostone, the townhouses are on roughly 1500 square foot lots. The units on the ends of the buildings and on the street corners are a little larger.
- Around North and Oxford Streets, lots are a little larger at roughly 2800 square feet for semi-detached and singles on lots from 3300 to 4500 square feet.
- At Jubilee and Vernon Street, west of the Halifax Infirmary, lots are getting a little larger. The smaller lots are still over 3000 square feet and the larger ones are 5000 square feet.
- Down by Dal and St. Mary’s, the lots are larger still. They are generally between 5000 and 7000 square feet with a couple of them getting up to 8000 square feet.
- Down by Point Pleasant Park is where the largest residential lots are. They are about 9000 to 10,000 square feet, but some are still under 8000 square feet.

Ms. Stonehocker advised after tonight’s meeting, staff will continue to do research, taking into consideration all the issues raised tonight and using feedback from comments and surveys, we will write a staff report which will include a recommendation. The report will be tabled with

Peninsula Community Council to set a date for a public hearing. There is an opportunity to appeal the process through the Nova Scotia Utility and Review Board.

A PDF of the survey will be posted on the HRM web page tomorrow. Responses can be submitted until the beginning of March.

Questions and comments from members of the public

An individual stated there are a couple of reasons why she would like to be able to keep chickens. They grow most of their vegetables. They are still using squash and tomatoes which they grew last summer. It has been good for them because they do not have a lot of money and it is a bit of security for them to have their own chickens and produce their own eggs. It is also important for their kids growing up to know where food comes from and have a link to the earth.

Ms. Selah Koile said she would like to have chickens. She taught a cooking class for children aged 6-12 and part of the curriculum is to help them become more familiar with where their food comes from. She took them to her backyard garden which is mainly used for growing food, and she would like them to be exposed to a diversity of ways of living and to see where the food comes from. Most of these kids are only being exposed to real food through her program. They do not know what food that is not packaged looks like. She would like to have eggs for herself.

Ms. Pauline Murphy stated she would like to present a statement on behalf of Judy Haley who was unable to be in attendance tonight.

“I have followed the urban chicken issue with interest and regret that I cannot attend Wednesday’s public meeting due to work commitments. It has been good to hear dialogue on the issue over the last week. The vision and benefits of urban farming are clearly articulated by proponents; however, little is said about how chickens will fit into our neighbourhoods. Virtually nothing is said about the rats that will be attracted to chicken feed. It concerns me that those who want to raise chickens do not talk about any of the practical issues such as lot size, coop construction, food management, or the responsibility that comes with raising chickens in a densely populated area.

A number of people say that chickens do not cause rat problems: the rats are already there. Yes, there are rats on Halifax Peninsula. There is no question about that. Introducing the food of urban chickens provides another source of food to attract rats. A pest control professional told me that 1) rats flock to food sources; 2) rats remain close to the food source and breed; 3) rats are attracted to bird seed and chicken feed, and 4) if rats are already present, they multiply once a new food source is introduced. So, if you provide a food source, rats will come, breed and multiply.

People say bird feeders, garbage, litter, commercial waste and green bins provide food for rats and keep the population thriving. Mishandling any kind of food or waste will attract rats. However, the only issue under review is whether the City by-laws should be amended to allow chicken farming activities on the Peninsula.

I want to go on record and say that I really like my neighbour. This is all about the rats.

I have firsthand experience living next door to chickens on the Halifax Peninsula. I live on Edinburgh Street where the lots are 40 x 100 feet. You are never more than 20' from a neighbour. My next door neighbour had three chickens for several months. I decided to see what it would be like having chickens next door.

My neighbour has stated publicly that she trapped lots of rats in her yard. Somewhere along the line I realized that those metal boxes around the chicken coop were live traps. Rats were caught regularly. She said that initially she released them elsewhere, but later she drowned them by placing the trap, rat and all, in a large tub of water. The bodies were disposed of somehow. So the cycle was: get chickens, feed chickens, feed attracts rats, rats multiply, catch and drown rats, collect three eggs. I can say with absolute certainty that the previous owners of this property did not have to trap rats. I do not want to live near this activity. Rats are disease carriers. We should deter rats, not provide them with a new food source.

After the chicken food and rat traps were gone, the rats moved further afield. A neighbour saw one sitting in a tree eating from my bird feeder. The chicken owner offered to put the traps out and caught a couple of rats. I do not feed birds anymore because the food attracted rats.

There was evidence of rats in my house. Feces was found in a kitchen cupboard. During renovations, rat feces and insulation from wires were found in a light fixture. Rats had chewed the insulation off the wires leaving bare live wires. I was unknowingly living in a fire hazard created by rats. In the twelve years I have lived here, this was the first time rats were in my house.

After this experience with chickens next door, I do not want to live near urban chickens again. Their food attracts rats. Rats are disease carriers and damage homes. We should not introduce something that attracts them to backyards where they will multiply. I do not want to live next door to the routine trapping, drowning, and disposal of rats for the sake of three eggs a day.

Leaders of the Halifax Chicken group have been quoted as saying there should not be too many restrictions on residents who want to raise hens. It should be simple and cheap. They say that minimum lot sizes would make it impractical for many people.

This school of thought will lead to unsightly chicken coops on small city lots. Rats will be attracted to food sources that are not properly managed. In many of the cities where urban chickens are permitted, Peninsula lots would be too small. Is live-trapping drowning rats a viable means of rodent control for urban chicken farming? When we live in such close proximity, we have to be conscious of how we impact our neighbours.

I do not support farming practices that provide food supplies for rats. Urban rats do come with urban chickens. This is my reality living next door to urban chickens. It was a sickening and frightening experience.

This is too much to ask of a neighbour. This is too much to ask of a neighbourhood.”

Mr. Robert-Yves Mazerolle stated after researching this subject and weighing the pros and cons objectively, he has decided to add his voice to the rising number of people who ask that HRM Council modify its by-laws to allow responsible egg laying hens. He has also decided to join a Facebook group called Halifax Chickens dedicated to this cause.

Many citizens are realizing the importance of establishing a better connection to their food while seeking ways to live a more sustainable lifestyle. People are gardening more, farmer's markets are experiencing a revival, and communities across the nation are changing decade-old laws that were designed in a different era.

Other port cities like Vancouver, Victoria, New York, Seattle and Chicago now allow chickens while Moncton is running a pilot project. Halifax must be a leader in being a progressive city that promotes sustainable practices. That is the way of the future. Rising energy prices, combined with the degradation of the environment, are inescapable.

Chickens have existed in cities since the dawn of time and they still exist all over the world. Benefits to raising hens come in many forms: fresh and healthy eggs free of pesticides and antibiotics; they eat table scraps thereby reducing municipal waste and water pollution; their manure makes for a great natural fertilizer for the garden, eliminating the need for petrochemical fertilizers; they make for great pets; teach children where our food comes from and demonstrate responsible pet ownership; they are people friendly; and they eat insects and contribute to reducing backyard pest population. They do not attract rats; mismanagement of food does that. Single family dwellings should be permitted to keep up to six laying hens for household egg gathering purposes. Clear rules should be established to ensure that chicken coops are kept in neat, clean and sanitary conditions, and within a reasonable distance from property lines. Other studies have shown that 15' seems to be a reasonable distance. Roosters should be prohibited.

Under these basic common sense parameters, the citizens of Halifax would be making another sensible step on the path to a better city and would be more eco-friendly.

Mr. Clarence McInnis stated he felt it was important that the people who speak on this should live on the Peninsula of Halifax. This is important because it is they, as taxpayers of Peninsula Halifax, who will be most impacted by this fiasco. He has lived at his current address for the past forty-seven years and never saw such an influx of rodents as happened when the chickens were present on their block two years ago. No resident of Halifax should have to put up with the nuisance their neighbours had to put up with while her neighbour was keeping chickens on her 40' x 40' backyard so that one person could have a fresh egg every morning.

Chickens are not pets, even if you treat them as such and give them fancy names. As has been proven by the courts, chickens are fowl by definition, livestock, regardless of whether you intend to eat them or their eggs. If this by-law was changed, would "livestock" stop at chickens? Livestock is livestock, whether it has two or four legs. It will not stop there.

His greatest concern is that they attract rats. All of them on Edinburgh Street had to deal with this problem when chickens and chicken feed were present. When there is an ample supply of food, there will be rats. He and his neighbours spent much time, effort and expense trying to rid themselves of this nuisance since the chickens have been sent back to the farm where they

belong. Through their combined efforts, they have seen considerable improvement in this rodent problem since the chickens were removed. He implored them not to put them through this again.

In an article in the Chronicle Herald on January 25th, Mayor Peter Kelly is quoted as saying "I think the people of Halifax are chickened and catted to death".

Let's use some common sense in HRM for a change. We are in the process of opening a new City Farmer's Market which will be open seven days a week. What a tremendous opportunity to support our local farmers. We can all have fresh eggs every day, without the rats and the rest of the nuisance and we can all live as good neighbours.

He would implore any advocate of chickens in the City to lay in Ms. Haley's bed and listen to the rats going through the attic.

In response to the question about whether livestock could stop at chickens, **Ms. Stonehocker** noted we could amend the by-law to say only chickens.

Ms. Katie McKay said she had no interest in raising chickens but she would like to support the people who want to.

Ms. Garity Chapman stated she would like to see the by-law amended to allow chickens on the Peninsula. She thought the difference between pets and livestock was somewhat irrelevant. She did not think having an animal in your household that becomes useful should be on a farm. That way of thinking was outdated and not suited to sustainable cities. More importantly are practical concerns such as keeping a clean coop and having a reasonable lot size and properly keeping feed. In terms of regulating those concerns, there also needs to be public education. There has been a bit of loss of knowledge on keeping chickens. If the opportunity arose to keep chickens on the Peninsula, it would be a great opportunity to teach people how to keep their feed, how to build a proper coop, and properly house their chickens.

In terms of regulations on lot size and zoning, she would like to see it open to as many people on the Peninsula as possible and not be regulated by your income and large lot size. Perhaps something like 10' between a coop and a nearby residence. She would like to see it available not only in R-1 single family areas but mixed zoned areas as well.

Ms. Louise Hanavan indicated she was the keeper of the chickens referenced earlier in the meeting. She wanted to respond to the rat issue because there are rats in the neighbourhood. There were rats before she started keeping chickens and the rats were definitely interested in the chicken feed. They offered the feed in a bowl on the ground. If she was to do it over again, or somebody else was to, she would recommend they use a proper chicken feeder which hangs so the birds can access the feed but the rats cannot.

She would be interested in seeing a different way of talking to each other through this. None of the neighbours who have spoken publicly tonight have spoken to her in person about this. We have an opportunity for having a better public dialogue with each other.

Keeping chickens is part of a bigger change that we are trying to make to re-localize our food system and having a closer connection with food in the cities. In doing so, they are going to be learning because they will have food around and all of these changes are going to mean looking at things like how we compost, grow food in their backyards, and store food in our house. We are learning and have to think about past practices and have education to accompany that change that we are making in the cities.

Mr. Blair Beed stated he did not want to live in a farm yard. On his street there are the same three people who do not shovel the sidewalk, and put out their cats at 8 o'clock and take them in at 6 o'clock regardless of the weather and how cold it is. He goes down to Point Pleasant Park to view the ships and he has resentful looks from dog owners who are walking in a part of the park they are not supposed to be walking in. To think that all chickens will be kept well is fantasy.

He lived in a small yard which he enjoyed. He could end up having three chicken coops surrounding his yard with a smell, and did not want to live in a farm yard. There is noise and he did live in a city. He did not want to hear people calling their chickens early in the morning and in the evening. In the summer time, some kids play in the pool for a couple of hours but then they go in the house. His neighbour's dog would probably bark more if there were chickens, and then they would take the dog into the house. Chickens are outside twenty-four hours a day. He did not want to live in a farm yard and definitely did not want chickens on his street which is on the Peninsula of Halifax.

Mr. Fred Connors commented he recently moved into a house that used to be rat infested and was used for drugs and a crackhouse, and was engaged in community efforts to support people who are recovering from drug addiction and involved in the sex trade.

His neighbours were very relieved he moved into the neighbourhood and was helping to minimize drugs and prostitution in the neighbourhood by planning to convert his property to an urban farm which involves chickens and lots of food and rabbits. Rabbits are no problem but they still produce waste and ate the same food as chickens. Twenty years ago when he started a garden on the Peninsula, his neighbours on Maynard Street were concerned about the concept of composting. Everybody around him was convinced he would attract rats to the neighbourhood. A couple of years later, HRM implemented a backyard composting program where they encouraged everybody to compost.

He has raised chickens outside the City for over ten years and never saw rats in his house. The kids in the local neighbourhood played with them but he did not consider them to be pets because they produced food.

Almost two years ago, Anna Marie Tremonte did a piece on CBC Radio about the global food security crisis. There are more people on earth than we can produce food to feed. People interested in laying chickens for the purpose of raising food are very passionate about the way they eat and being part of a healthy community and being healthy.

We are talking about legislation. People are not always picking up after their dogs, not everybody controls their children, and not everybody shovels their snow properly. These are the realities.

Individuals who own property and individuals who are passionate about wanting to secure healthy food to feed themselves and their families should be able to do so.

We have wasted so much time in the City debating legislation and by-laws that have gotten the City nowhere. We are struggling to identify as a progressive City filled with interesting people with great innovative ideas. He returned recently from San Francisco where they have urban farms in the center of the city where property owners are raising chickens, goats, pigs, rabbits and turkeys in the San Francisco Bay area. These individuals were contributing to the vibrancy of their communities, raising animals and farming on an urban level very responsibly, contributing to the healthy food supply that exists, contributing to the vitality of their neighbourhoods and contributing to the healthy food supply that exists in California. There are a lot of people who want to be able to grow great food for their families.

An individual commented human beings have been living with chickens for about 5000-7000 years. He did not see any reason why we cannot live with a few chickens and hens.

Catherine ... said she was very much in support of people being able to have laying chickens in their backyard. As we very slowly wake up to the notion that we need to live a more sustainable lifestyle in order to keep this world going, we also have to wake up to the notion that we need to radically shift the way we live in cities and that includes being more comfortable with things that live in our backyard, whether that is tomatoes or chickens. Rats are often said to be carriers, when actually mice, dogs and cats carry far more transmittable diseases than rats do on average.

Mr. Thom Oommen stated he was in support of this and hoped it came out to their area as well. 90% of the food in Nova Scotia is grown in another part of the world. This is a problem when you think about transportation and greenhouse gases and oil. He thought it was great to support local farmers but at the same time recognize that people are not paying enough for food. Farmers are not making a living. You will be paying more for food soon and the way to offset that is to have gardens. He looked at chickens as having garden plus. You can grow vegetables but they are not great protein or fat. The egg is the perfect food. We need to start seeing our problems as solutions. We have to approach these things more creatively and take control of our food. There are not enough farms to do it for us.

Ms. Elizabeth Pearce commented as a gardener, she appreciated the value of chickens as a built-in pest control system. HRM has a Pesticide By-law. Chickens eat a lot of bugs. She attended the recent public meeting about fire ants and learned that apparently chickens eat them too which is good news because they are in the middle of a fire ant city and would appreciate being out in the garden without being bitten to death.

Ms. Kim Thompson stated she wished to speak in favour of this by-law for chickens. She thought it was a great example of how we have become disenfranchised from many parts of our lifestyle such as health and education and environment. This is embracing urban gardening and what the chicken legislation might represent and it is a window to thinking differently. It is a great opportunity to have this conversation.

Mr. Sam Austin said he grew up in the countryside and since about grade four when the facts of life class resulted in chickens, his family had chickens and they never had problems with rats.

The fresh eggs have been most welcome over the years. He did not see any reason why we cannot have chickens with the proper controls. The issue is change. People do not like change. Dogs get off leash, run through parks, make a mess, and bite people, but you would not think about banning dogs. Chickens are new to us. Bird feeders attract rats. Issues with chickens are manageable. He did not buy the argument about avian flu. That will be an issue where you have thousands of birds in cages. He was in favour of chickens on the Peninsula. We do need some rules. He was pleased to see staff looking at lot sizes but was concerned the lot size would be set so big nobody would be able to have chickens.

Mr. Austin stated he was against the idea of licensing. Most dogs in the City are not licensed. We have had all sorts of somersaults over cats and it is another level of bureaucracy and a waste of money to police a small hobby. There should be requirements but it should be complaint driven so they can deal with the owner who is negligent rather than punishing people who are responsible. It goes to the bigger argument of government in our lives. He took a course on planning at Dalhousie and one of the professors with a day job at the government said planning really contemplates the worst case scenarios and legislates to death. We should be dealing with the one-offs and allowing people to engage in these kind of pursuits.

Ms. Jocelyn Barb said she believed a lot of people have already voiced the merits of local food and sustainability practices. It is built into our food sovereignty and food security policies as a basic human right. She found it strange that Council is using language of chickens as pets. An accessory use that would also imply a supplementary food source. She found it strange we are not open to viewing that in a positive or negative way. It seems a little odd how it is presented, given a lot of the supporters for this are very adamant they are doing it for ecological practice and food security practice but we know the people more affected by food sovereignty and food security are generally the people with lower incomes. A minimum lot size would definitely become a discriminatory practice against people with lower incomes and with people who rent. A lot of the smaller lot sizes are in neighbourhoods where food security and sovereignty is already a problem. She questioned why Moncton could do a pilot project and we cannot.

Ms. Stonehocker responded it goes to the difference between the New Brunswick Planning Act and the HRM Charter. HRM can issue permits for things and once issued, the use is there forever. That is how a lot of units came to be grandfathered on the Peninsula because they existed before the by-law came into effect. In New Brunswick, their legislation is written differently. They can issue normal permits and also give special permits for a limited time and then at the end of the time of the special permit they can either change the by-law to match that or they can say you had your special permit and it is over and your chickens have to go. If HRM was to change its by-law to allow chickens, then people who had their chickens and a permit could be grandfathered.

Ms. Barb indicated the other problem is they are looking to institute a right without legislating a responsible way of practicing that right along with it. Why is supplementary legislation not being considered that would regulate things like handling the feeder?

Ms. Stonehocker responded the Charter says the City can make a land use by-law and in a land use by-law there are certain things you can regulate such as lot sizes for a use. The land use by-law cannot cover things such as how to store food in that use. That is why an Animal Control By-law could cover things like how a coop is designed, the type of feed, and taking a chicken

education course before you got a chicken. That would be covered through a different type of by-law than a land use by-law. The Animal Control By-law in HRM is HRM-wide so if you wanted to change that by-law, Regional Council would have to do that. Peninsula Community Council can only change the land use by-law that affects their district.

Ms. Barb noted this was brought before Peninsula Community Council rather than Regional Council because the issue was instigated on the Peninsula. Ms. Stonehocker concurred.

Mr. Silas Magee stated chickens make manure and manure makes compost and compost makes topsoil. The majority of our topsoil in the City comes from the valley where it is strip mined. He thought it was important to make our own topsoil in the City. Compost is known to attract rats sometimes but if you have fresh manure in the compost, it allows it to decompose faster, therefore minimizing rat infestation problems.

An individual said she recently moved here from Vancouver and wished to speak in support of legalizing chickens. She worked on a farm for the past three years on the edge of Vancouver. One of the best parts of her job was to see children and adults interact with chickens. It was an amazing thing. People love chickens. She felt the benefits outweigh the concerns. Not everybody is going to do this. Her mom lives in Portland, Oregon, and has been saying for two years she was going to get chickens and her dad did offer to buy the coop but it still has not happened. We will not be inundated by chickens. A small minority of people will follow through even if they are really interested in doing this. We will have time to adjust to this and have time to learn as we go about how Halifax can best deal with chickens in the City. There is a real concern about people having access to skills and good information about chickens and their health and their needs that will make this work well and safely, and that will allow us to create a good environment for the chickens and the people in this City. She was originally from Portland, Oregon, where chickens are legally allowed in the city. There is a really large and vibrant community that has grown up around the chicken movement. There are an amazing amount of resources in that city now and many cities now allow chickens in North America. Other cities have risen to the challenge and she believed Halifax should as well.

Mr. Ron Skibbens said he wished to speak in favour of allowing people to have chickens. He had a garden in his backyard for many years and he grew lots of food. There is concern with attracting unwanted rodents there but he worked hard at keeping them under control. He would not be raising chickens because he did not want to give up space in his garden. He would be concerned about things like noise, smell, rodents, and he hoped that if his neighbour decides to have chickens that he would talk to him about any concerns he would have because that was the neighbourly thing to do. But, if his neighbour did not address the concerns, he liked the notion of having some sort of regulation in place like unsightly premises or noise regulations, so that if noise, smell or rodents was an issue and the neighbour was not addressing the issue, then the City would have some way to be able to slap a notice on their building and say they have a certain amount of time to deal with it or steps will be taken if they do not. People should be able to do what they want on their own property without infringing on their neighbour's peaceable enjoyment of their place.

Ms. Laura Stinson indicated she recently moved here from Antigonish where she lived on a farm and raised chickens. She would like to speak to the vibrancy of Halifax. It was unfortunate

they cannot write specific regulations in the land use by-law for things like food storage and cage specifications, but she believed Halifax has a strong community sense and if it was legalized, there are tons of organizations around that would organize such workshops and raise that education level. She thought the community would rise to the occasion.

Mr. Hugh Gillis stated he did not have enough information to make a decision yet. He is not pro or con. He looked at some of the things you can look at in the land use by-law. If that is the route taken, he would encourage staff to analyze that and look at things like the lot size and setback. If you have problems in the neighbourhood, how do the problems get dealt with? If you do look at setbacks, things can change as well over time. If it is a 10' setback and there are concerns, that can be reduced as well. These are not cast in stone. Do thorough analysis and look at all the questions raised.

Mr. John van Gurp said he was very much in favour of a change to the by-law to allow the raising of chickens. He viewed it as a relatively harmless hobby that people partake on their own property. Comparing raising chickens to farming is ridiculous. It would be like calling somebody with a couple of cats a farmer. Having a few chickens has been done all around the world with no ill effects. He also saw it as an opportunity to do community building. It is a chance for Halifax to show itself as a progressive city. He did not think there will be an overwhelming number of chickens. Relatively few people will take advantage of the opportunity. People are talking about communities that help people raise chickens properly and help them to construct coops.

Julia ... stated she did not want to raise chickens and did not want rats in her neighbour's backyard. She did not see how this could possibly be a land use issue. Things like the Nuisance By-law, Unsightly Premises or Animal Control are important. She did not think it should be tied to the lot size or how much money you have, but she could see the problem with having a chicken coop on every balcony in a condominium. However, she knew quite a few people in British Columbia who have a chicken coop and they are transportable so that you can clean them and move them. There are alternatives. It would be helpful to raise the feed off the ground. It is more an education and communication issue rather than a land use problem.

Mr. Bill Lewis said it concerned him that direction has already been given. In the conclusion of the report it states that the issue was longstanding and no further action is warranted and it should be undertaken on a regional rather than a local scale. That sets the stage to determining where your discussion will go. He supported the change to the by-law. He was here in solidarity for the people who want this. A lot of the discussion has quite rightly gone to the issue of individual housing units and it is being posed on an individual level.

Mr. Lewis indicated he lived next to the Dartmouth Common. He has been the coordinator for the community gardens. He was part of a network of people who are trying to encourage more community gardens in schools and on empty City property, so he thought that was a related issue in terms of food. We need to encourage people to grow their own food. People living in apartments should be part of this discussion.

Ms. Stonehocker pointed out he was referencing the conclusion in the information report. Since that information report, the interest continued so Peninsula Community Council asked us to look at this on a community scale.

Tom ... commented chickens mow your grass so you would not have to use any gas.

An individual stated he previously lived in British Columbia. With respect to composting, he would like to see any rat that likes to live in the first two to three days of a heavy compost bin where the temperatures can reach 140 to 150 degrees. They had giant bins in the garden and never had a problem with rats. Right across the street was the big reefers from California and they had rats. Their compost operation did not because of the temperature and by keeping an eye on things. Rats do not go where it is that hot.

Mr. Fred Curtis said his issue was with rats because he thought that was the main issue. He was fully aware of the problems they had with rodents on Edinburgh Street. On his street he had neighbours who stopped using birdfeeders because they attract mice and rats. A friend of his who lived on Arm Crescent recently killed eight rats in his basement and numerous others in his backyard. He claims they came from a City sewer and through PCB piping into his home. The City refused to investigate even though his yard is filled with holes. There was extensive damage to the wiring, insulation and drywalling in his house which was not covered by insurance. They recently met with Councillor Watts and advised her she and the City would be responsible for devaluing their property caused by rodents. He did not make that statement but thought it could be taken seriously. He thought HRM should take immediate action to effectively control rodents on the Peninsula. A readily available food source attracts more rodents, just as it attracts crows and raccoons. The current land use by-law which prohibits raising livestock in urban areas must be maintained and enforced. He did not think the City has the ability or the desired controls.

Mr. Jeff Cutten stated he agreed Council should make some changes. People should be allowed to grow or raise some of their own food if they wish to do so. He thought that goes back as far as mankind. To feed one's family has always been top priority. They did not always go and take a dead deer from the woods and feed their family. They want it fresh. That has been going on for a long time.

In 1749, the British Navy sailed into Halifax and set up a town. He thought they brought some rats with them. Rats have been here a long time and will likely survive for a long time. Chickens do not attract rats; the food supply does. If you take care of the food supply, there will not be any rats because they will go where they can get some food.

He was a farmer but was not afraid of the competition. They will grow the feed for their chickens. He agreed there should be some changes. In the City and other parts of the country, changes are going to happen. All of us here have not gone hungry. We do not know what it is like to not have food. There are people in other parts of the world that know all about not having food. Someday you might have to beg that neighbour for an egg because you do not have anything. Let's give this a try. You cannot hurt anything. It is a fundamental thing for people to raise food for themselves.

Mr. Mark Lamovsek stated he was supportive of amending the land use by-law in favour of raising laying hens in the City.

Ms. Jane Gesner commented she recently got a cat. When she left the food for her cat in some sort of a cardboard paper bag, she ate the food. As long as she put it in a sealed ice cream container she could not smell it and eat it. Can we not be putting the chicken feed in air tight containers and putting the feed into the proper chicken feeders? Couldn't we have a little faith and troubleshooting as we go? See if we can work with the conditions and find a solution that does not bring an abundance of pests. She thought it would be great if people could have some chickens.

Ms. Jessica Ross said she recently moved back to the City after living on three different farms for about ten months. She spent a fair amount of time around chickens. She liked having them as part of a food system, her eating habits, and part of her life. She supported changes to permit chickens in the City. She thought it was reasonable to expect that we can manage proper food and storage. It is the same as when irresponsible people do not seal their food in a house or a neighbourhood with pest problems. She has lived in a house with pest problems and they had to be strict about using air tight containers. Chickens go crazy when you put food in front of them. It is not like you are putting a vast amount of food to last for a long period of time. The chickens will consume the food until it is gone. If you put out the amount of food they need to eat, it will be gone in a short amount of time. We will not be talking about a lot of feed laying around in people's backyards because the chickens will eat it.

Mr. Bill Forbes stated he was against chickens. For years he dealt with rats in their neighbourhood from the Northwest Arm. People said they would like fresh eggs. We are opening up a new farmer's market soon. By the time they go there and buy their eggs, they will be saving money rather than having to buy a coop and feed. He did not understand why people are saying it is for food and their livelihood. He thought that was so that people could have fresh food.

Ms. Pauline Murphy said they had been in their house for six years and never saw a rat or rodent and the people who lived there for sixty years before them never saw a rodent. Then one day they found three rats in their basement. They checked in their basement to see where they were coming in and found a very small area. A rat can manipulate its body down to within half an inch to squirm through an area. Most of the people in their neighbourhood are retired and have been in the area for years and years. Lately they noticed an influx of younger families with curious young kids. These little kids are taught to look at little cats and puppies and what not. The rodents have been very obvious in their neighbourhood. They have been seen in birdfeeders and under sheds, and they had a neighbour come home and there was a rat caught in a folding chair and his daughter was screaming. It has been a huge incident in their nice quiet neighbourhood. They do not want chickens in their neighbourhood. If the rats want to find the food, they will find it.

The other thing that concerns them is the property value and the ability to sell their homes. She would not want to buy a home next door to a property with rats or chickens or livestock. It would cut back on the number of people interested in her property if they knew there was livestock next door.

Ms. Laura Kolnick said she supported changing the by-law to allow chickens. She thought it was really important for the City to take steps in the direction of sustainability because it is pretty

evident the world is in danger. She did not think the minor issue of rats, which should be dealt with, should outright prevent them from taking steps forward towards a sustainable future.

Ms. Hanavan referenced the questions on the survey and indicated we already have laws in place which deal with the humane treatment of animals. Those same regulations would apply to keeping chickens just like keeping dogs and cats. The same thing applies to doing things that would attract rodents. If she was doing anything like leaving bread out that attracts rats, she believed her neighbours had a right to call the City.

Mr. Reg Harper stated he was against having chickens in their neighbourhood. He spoke about this issue on CBC Radio a few times.

Ms. Hanavan said she wanted to thank the two neighbours who spoke about having rats in their homes for quite a while and noted that those surrounding neighbourhoods have had rats in their homes for quite a while. It was not possible that the amount of food that her chickens ate could feed an entire city of rats. Rats will continue to be around. She would love advice from her neighbours on how to deal with them.

Mr. van Gurp commented he used to live on McCully Street for a couple of years and heard the description about the rat problem on Edinburgh Street. The house on McCully Street had an identical problem with drywall and wires being chewed, rat feces, and rats running overhead in the ceiling at night, and there were no chickens in the neighbourhood. It may have been bird feeders. It may be a coincidence. There is not necessarily a direct link.

Ms. Koile said she wished to offer some empathy to the people having rat problems. She was sure if they experienced an influx of rats in their homes and neighbourhood they would be frustrated and anxious about the idea of having something that may further promote that. She recently started keeping bees in her yard and was concerned how it would affect her neighbours so she spoke to all of them, especially the ones adjoining her, and everybody was really excited about it, even though it was technically illegal. We should communicate with each other. If there are problems you might want to speak to the property owners and generally communicate with each other. She was sure if Ms. Hanavan's neighbours had communicated with her, she was guessing she would probably have dealt with the complaint.

Ms. Yolanda Clattenburg stated she wished to speak in support of changing the by-law to be able to raise chickens in Halifax because she felt having access to food is a basic human right that we should try to maintain.

Ms. Dorothy McInnis said she did not want chickens in their neighbourhood. She was not against anybody growing vegetables in their backyard but she did object to hens. The food does attract rats. They have had rats in the last two years in their neighbourhood. She has seen them playing in the yard. Her husband spent a lot of money on poison to get rid of them. She did not want to see this come back again.

Ms. Chapman stated when we look at chickens it is an issue of food security, sustainability, strong communities, and it offers some wonderful opportunities for people to get together in their backyard or in public spaces to grow their own food and have greater access to good food and

sharing skills largely lost between generations. Staff and Council need to start incorporating the production of food in our cities. We should be open to urban farms in the city. People also want to grow food as a non-profit farm and there are lots of obstacles about that. In terms of the number of chickens, perhaps three would be a reasonable number in a backyard but perhaps ten chickens on an urban farm might be reasonable. There are options available and a huge amount of knowledge available in this City for them to share and educate each other on these issues. She hoped they did not lose the opportunity to catch up.

Mr. Barten Cutten, representing Food Secure Canada, indicated they are a national organization that deals with national and provincial food policy and security, and more recently involved in municipal food security as well. They have been watching this a lot and in principle are supportive of moving forward cautiously to further develop these by-laws. They are sensitive to the concerns and some of the negative experiences which some people experienced in trying to pursue this. They have a lot of knowledge when it comes to proper urban agriculture management of any kind. They represent and are in contact with close to 300 organizations across Canada that deal with food security and they are willing to offer some of their resources and knowledge, and would encourage a further dialogue and make an extra effort to reach out to those who are opposed or concerned and try to resolve some of these issues.

Mr. Steve Gentile said the common theme seems to be sustainability and food security. At the beginning of the meeting it was indicated it would be for hens only. He did not understand or see where food security or sustainability will be achieved with a few hens laying some eggs. If that is going to be the theme for changing the land use by-law, what is to stop an individual from bringing in goats, cows and pigs for sustainability and food security?

Ms. Stonehocker advised in the land use by-law we can differentiate between a couple of hens and other livestock through the definition. If the definition was to be changed at a later date, it would be through another public process.

Mr. Gentile expressed concern that the definition could be changed later on to include livestock. His concern was for down the road. He has lived in HRM his whole life and was concerned with what could happen down the road. Halifax is a port city and has rats. They do not want to do anything to propagate the growth of more rats. Rats usually have litters three rats a year and give birth to eight and ten rats at a time. If there is a sustainable food source, they will go there and breed and propagate. When that food source is eliminated, they will move somewhere else. His next door neighbour could try and get the by-law changed in the future to include goats. Today we are dealing with a land use by-law amendment to allow chickens but that could be changed again. We are setting a precedent. He did not see how a few chickens and eggs could be equated with sustainability. You are not going to survive on five or six eggs a day.

Mr. Jack Smith commented it all comes down to the rats. He asked if staff did the research from other cities to resolve that issue.

Ms. Stonehocker advised we do not have an answer on the rat issue yet.

Mr. Connors commented if he priced out the cost of each egg from the chickens that he raised, it would probably be about \$4 each but he really enjoyed good quality food and a \$4 egg tastes

really good. If he priced each head of lettuce and every squash and bushel of beans that he has grown, it would be ten times more expensive than what we would pay in a grocery store. It has already been said that we do not pay enough for our food that we already eat, especially for good quality food which is why we are inundated with junk food and processed food. We are debating chickens but in Halifax it is legal to raise rats.

Mr. Greg Smith stated he was against changing the by-laws. He encouraged them to support the markets and support the farmers even if they have to subsidize them and do it in a proper way.

Ms. Ross commented the rats are a pretty interesting issue. They have worked pretty hard to create a strong city where they pushed food production way out and it is done in the Valley and in the developing world where it is cheaper. They have created a pretty civilized place where we deter rats as much as possible, and we have been able to push out a lot of natural processes that exist, such as rats and bugs existing and things eating each other and life processes. That is problematic now as it is harder and harder to sustain cities and the cost of food is rising. We are trying to learn more about integrating these processes back into cities and re-integrating that knowledge back into our lives and culture. We are pushing local food and people getting involved in caring about what they eat and where it comes from. The farmer's market is part of that but it is a larger educational process. Unfortunately it means when you are trying to bring parts of the natural world back into cities, you make openings for life processes that we worked hard to shut out with cement foundations and drywall and plastic containers to store our food in. Growing food does mean recognizing change of eating and maintaining those boundaries, and being responsible citizens is part of integrating that back into cities. She would like to tie it together, in terms of farmer's markets and caring about food and recognizing shared processes that exist. Rats and rodents are there.

An individual commented the majority of speakers in favour of changing the by-law were young ladies. He wondered how many of them are property owners and taxpayers on the Peninsula of Halifax?

Ms. Stonehocker responded it is not something they can deal with through a land use by-law amendment.

Mr. Neil Bailey said he was a new Haligonian. He thanked staff for the presentation. It is obvious we are going through a transition now. As much as he was in favour of the farmer's market and came from a family farm in rural Manitoba, farmer's markets will not save farms. We are losing farms very rapidly. His generation is not taking up farming in sufficient numbers to make up for that. He grew up in a really sanitized world. With a handful of exceptions, his generation has very little respect or knowledge of the natural world. The irony in the last few years is that Quebec has outlawed raw milk products and has decimated that industry. They have been dealing with H1N1 on a global scale, which has been growing so fast because they are tied to such a big system. All systems have flaws and failures. The bigger the system, the bigger the failure. He felt chickens are secondary to what we are talking about tonight. He was a student of urban planning. Public meetings are formal processes and will always be a poor substitute for true conversations amongst neighbours who have respect for each other and a love for a neighbourhood and the place they call home. Anybody having rats in their homes has a huge

issue. Thank you for the forum, but he thought the issue would be better dealt with successfully together and with the sincere love for each other.

Mr. Ian Guppy stated he was in favour of changing the land use by-law. He would not have any concerns if any of his neighbours chose to raise chickens. From his research in preparing for tonight, in other communities and other parts of North America where they allow this type or practice, most of the people interested in doing this are highly motivated. If you were to see the type of practices they employ and the networks they develop, some of the coops he has seen pictures of are better than the house they live in. He would encourage the Municipality to not necessarily over-regulate and, if anything, there are probably things you could do in terms of developing that culture. You will find that it will be self-regulated if you look at some of the other models in other communities, the networking that was created, and the pride in that community in terms of the aesthetics of the coop and the practices and the education. There is tons of information out there. If we were to adopt such a by-law, the resources are quite deep in terms of a reasonable practice.

Mr. Jeff Cutten commented the presentation tonight was very good and let people know what was going on. Thank you for the opportunity for people to be able to come and express their views.

Adjournment

The meeting adjourned at approximately 9:05 p.m.

Attachment F:
Correspondence

During this case, correspondence was received from the following individuals who wished their opinions to be a part of the public record:

- Alissa Decker
 - Darren Fowler
 - Wayne Howatt
 - Fred Curtis
 - Caitlin Rooney
 - Treva Reeves
 - Carey Jernigan
 - Keeley Mclean
 - Miriam Jones
-

Hi Jennifer,

This is Alissa Decker and I am the home owner of ----- and am writing to you to express my concerns about the potential change to city bylaws that would result in the allowance of urban farming. As an individual who is environmentally conscious and takes as many measures as I can to limit my carbon footprint, I do have GREAT concerns about the potential change to this bylaw which would result in urban chickens being raised a few doors from my home and within my community. I recognize that urban farming occurs in many other cities around the world, however my understanding is that the space and other parameters for this are quite different from those that would be possible on our peninsula, thus the generalizability from these studies is very questionable.

My main concerns are surrounding health, safety and quality of life for my community, in particular related to the often co-existent of urban chickens with urban rats. As Halifax is a port city, there is a significant population of rats already and inviting in chickens with their feed simply facilitates rat's migration into my neighbourhood, as has already been demonstrated when the chickens were living on my street, the neighbours had a significant issue with rodent control. Everyone in my neighbourhood pays significant taxes that help support the standard of living to which we are privileged and although I am supportive of individual choice, when this choice is detrimental to others, I feel this is unacceptable and needs to be very carefully reviewed.

I would very much appreciate having a copy of the report generated by staff related to this issue and in particular would like a detailed list of resources that were reviewed for this report. Additionally, would be interested to see the framework developed that would outline the accountability for proper farming practices- who would be monitoring these standards?

I hope this is an issue that as a neighbourhood and community we are able to resolve that it is in the best interest of the majority.

I welcome your comments and feedback.

Yours truly,
Alissa Decker

I live at ----- in Halifax, two houses away from the house where chickens were once being raised in the backyard. Judy Haley, my next door neighbour lives between me and the chicken house. I support the ongoing ban on raising chickens in Halifax.

There was a problem with rats and other rodents when the chickens were here and it will resurface if the chickens return. Rat traps are not the answer, as that only leads to more time consuming efforts. Chickens belong on farms, not in urban backyards.

Darren Fowler

Seems odd that the process of opening the rules up a bit would get started in the area with densest population, where we're apt to have real issues/friction with mixing mini-agriculture and city living. I expect it may getting attention just as a reaction to the one or two instances where people on the peninsula tried to do it and created some furor, not because it makes overall sense for HRM to do consider doing a pilot project in this area...shame how it seems council's structure militates against 'big picture' thinking and leadership.

I expect you saw and read the recent article in the Herald about the rat issues created by chickens; in case not, here is a reference/link to it, below.

PS I've not had rat problems, but seems I've hearing (in media, and elsewhere anecdotally) about and getting sense of increasing incidents of rat problems, so it may be the last thing we need is anything that could exacerbate it.

Regards,
Wayne Howatt

Dear Ms Watts-

Thank you for taking the time to meet with us this morning. I trust that the comments and discussion provided some insight into a frustrating situation.

There is one point that I would like to restate regarding the 'silent majority', who you indicated may be impartial or indifferent. Based on the 'Edinburgh St. Experience', it is obvious that for every person who may have an interest in maintaining fowl on their urban property, there are

easily hundreds who are against it, particularly after they go through what these long term residents have endured. Imagine if this situation was repeated on every street throughout the city.

Halifax does not have adequate resources to monitor or control cats, crows, rodents or poultry. We have an effective land use bylaw- enforce it and lets move on to tackle some of our major and more pressing issues.

Sincerely,
Fred Curtis
-----, Halifax

Ms. Watts

I am writing to share my thoughts on urban chickens. I won't be able to attend the public information meeting on Feb 10th, I have an 8 month old who needs to be put to bed at that time. However, I wanted my views to be heard because I feel very strongly about this issue.

I am in strong support of an amendment to the by-laws to allow laying hens on the peninsula. Having a local, clean source of food so readily available is important for our food security, as well chickens are a great way to keep garden pests down, lower the organic waste that is handled by the municipality and teach our children that food doesn't just come from the Superstore. My Gran has had chickens for as long as she can remember and they have never been a noise problem. In my neighbourhood I have more noise issues from students renting nearby apartments (Chebucto townhouses and the Killam complex off Monestary) than I could imagine having with a few clucking hens. The main reason for this is hens cluck during the day and they don't get drunk and party at night. I don't think they would make any more noise than my neighbours' dogs.

As far as the rats go, Halifax has rats. We are a port city. The restaurants on Quinpool road contribute more to the rat population than a few well sealed bins of chicken feed will. As long as the owners of chickens are attentive to their charges, there won't be left over seed in the feeders and the food will be stored away properly. Allowing cats to roam around in backyards will do enough to keep the rat population in check.

I was dismayed when I read the opinion letter in the Herald. It seems clear to me that the lady who wrote it had rats before the chickens arrived, she just didn't see them. If the problem was really the chickens, why were the rats in her attic and not closer to the chickens?

Please keep my support of urban chickens in mind as you represent our neighbourhood in the upcoming meeting.

Thank you,
Caitlin Rooney

Hello Jennifer Watts, Sue Uteck, Dawn Sloane, and Gerry Blumenthal
(cc Mackenzie Stonehocker)

I live in the area represented by Jennifer Watts. I have read the Halifax Herald opinion piece 'Urban Chickens bring Urban Rats' and the subsequent comments on the article. As a resident of the peninsula, and in advance of the February 10 meeting of the Peninsula Community Council, I would like to express that I am not in support of a by-law that would permit residents to raise chickens in their backyard on peninsular Halifax.

As indicated in the article and comments, we know there are rats in the city. Unless disproved, I am not in support of introducing a new activity that improves conditions for rat population growth in residential areas, and the associated negative impacts of that population growth. Although there may be benefits to those who have backyard chickens, I feel the associated negatives outweigh the benefits, especially for those who have urban chicken farmers as their neighbours. There are many other farming options for urban areas - grow herbs, have a fruit tree, plant some vegetables!

When it comes to urban chicken farming, are you NIMBY or IMBY? If the first, maybe that's the end of it!

Treva Reeves
-----, Halifax

Dear Mackenzie Stonehocker,

I won't be able to attend the meeting regarding keeping chickens in urban settings, but I want to say that I am delighted you are discussing the issue and that I fully support allowing urban residents to keep chickens in their yards. It's a great idea.

Thank you,
Carey Jernigan
-----, Halifax

Hello Mackenzie,

Here is my story of urban chickens. A couple of years ago while I was living on ----- my household raised two laying hens. We had them for about a year. We introduced the chickens to our immediate neighbors who would come to visit them. Children dropped by with their parents. The chickens laid eggs, we composted their manure to enrich our garden, they were clean, healthy and happy and no one complained so the city didn't need to know.

I believe that a healthy vibrant city allows for its citizens to raise their own food. As Haligonians become more concerned with food security raising chickens is the obvious choice.

thanks for your time,
Keeley Mclean

Greetings,

Attached, please find a letter and position statement regarding the keeping of chickens in an urban or semi-urban setting [see below]. These materials were created by a coalition of animal rescue organizations which, after carefully examining the results of existing urban backyard bird endeavors, has concluded that allowing chickens to live in a town setting of any kind is problematic for both citizens and chickens.

We know that the council is hosting the first of what will undoubtedly be a series of meetings, leading to a formal vote, as to whether or not amendments to the peninsula land-use bylaw will be changed to allow chickens to be kept within town limits. We urge you to take the attached information into account during your decision-making process.

Thank you so much, and please do not hesitate to contact me if you have any questions or concerns.

Sincerely,
Miriam Jones, Eastern Shore Sanctuary and Education Center

----- Collective Position Statement on Backyard Poultry -----

Eastern Shore Sanctuary and Education Center
Springfield, Vermont

As the country's largest coalition of animal sanctuaries involved in the direct care of unwanted chickens, we are writing to you with our recommendations regarding the recent trend in backyard chicken-keeping. As the popularity of raising backyard flocks has grown, our shelters have become inundated with calls to take in unwanted chickens. In addition, we understand many communities are now besieged with requests to legally regulate the keeping of backyard flocks. Recognizing the importance of this issue, we have crafted the attached Position Statement.

Backyard chicken-keeping by amateurs raises many serious concerns regarding both the welfare of the birds, and the community. Moreover, it raises serious concerns about ordinance enforcement issues, and the burden placed on already overwhelmed local shelters when birds are abandoned, seized, or surrendered.

Further, it must be pointed out that hatcheries marketing chickens for backyard flocks use cruel factory farm methods which include overcrowding, de-beaking, and the shipment of day old chicks by mail—a process that subjects them to temperature extremes, injury, and sustenance deprivation. Unmarketable male chicks are often included as living packing material—leading to their eventual abandonment or surrender to local shelters.

For all of these reasons, we respectfully urge you to read and consider the issues raised in the attached position statement on the keeping of chickens. We urge you to consider the reasons we give for encouraging your municipality to resist becoming zoned for chicken-keeping. If zoning is already in place, we urge your municipality to establish and enforce strict requirements designed to protect both the birds, and your community, from serious problems that will, quite predictably, otherwise result.

Thank you very much for your consideration. For more information, please contact us and we'll be more than happy to talk with you.
