



**WEST HANTS REGIONAL MUNICIPALITY
Hantsport Area Advisory Committee (HAAC) Agenda
October 6, 2020 – 6:30p.m.
Sanford Council Chambers / Zoom**

1.0 Call to Order

2.0 Approval of Agenda and Additions

3.0 Approval of Minutes

4.0 Business Arising from the Minutes

4.1 Food Security and Sustainability in Hantsport (Saira Shah)

4.2 File # 20-02 Cannabis in Hantsport (Saira Shah)

5.0 Building and Development Activity Reports

6.0 New Business

7.0 Notices from Adjacent Municipal Units

8.0 Questions and Comments from Public

9.0 Adjournment



WEST HANTS REGIONAL MUNICIPALITY INFORMATION REPORT

To: Members of Hantsport Area Advisory Committee

Submitted by: _____
Saira Shah, Planner

Date: 2020-10-06

Subject: Food Security and Sustainability in Hantsport

File 20-06A

LEGISLATIVE AUTHORITY

Section 205 of the Municipal Government Act.

BACKGROUND

Between 2017 and 2019 staff worked with the West Hants Planning Advisory Committee (PAC) and the Hantsport Area Advisory Committee (HAAC) to development amendments to permit household livestock in both Hantsport and West Hants.

In 2019, amendments to the Hantsport Municipal Planning strategy (HMPS) and Land Use By-law (HLUB) which had been recommended by the HAAC and PAC were not approved by Council.

At the September 11, 2019 HAAC meeting, committee members requested staff reinvestigate the household livestock amendment with a focus on food security and sustainability.

Staff could not address the request until after the Municipality of the District of West Hants and the Town of Windsor consolidated in April 2020.

At the September 1, 2020 HAAC meeting, staff presented an information report updating the original household livestock amendment to include details on food security and sustainability and requested direction from the committee. HAAC

requested that staff restructure the livestock amendment with a focus on food security and sustainability and investigate the potential for a permitting system for livestock.

DISCUSSION

To add details on food security to the amendment, staff investigated food insecurity in Canada. Statistics Canada defines household food insecurity as situations where there is “a compromise in the quality or quantity of food consumed (moderate food insecurity) or there is reduced food intake and disrupted eating patterns (severe food insecurity).” Based on the Canadian Community Health Survey completed by Statistics Canada in 2017/2018 the national average for moderate or severe food insecurity was 8.8%. Nunavut had the highest average in the country with 49.4% while Nova Scotia had the highest provincial average at 10.9%. The amendment has been updated to include this background information and is attached as Appendix A.

The HAAC also requested clarification on how many properties are over five (5) acres in Hantsport. A map showing these properties is attached as Appendix B.

Livestock Permitting System

Section 174 (f) of the Municipal Government Act enables a municipality to create a by-law respecting wild and domesticated animals and activities in relation to the animals. This section would enable Council to consider a by-law that establishes a permitting system for livestock in Hantsport.

Staff have completed an initial investigation into livestock permitting systems in Canada and have identified four (4) systems for comparison. The City of Calgary (Alberta) Responsible Pet Ownership Bylaw, Russel Township (Ontario) Backyard Hen By-law, Prince Edward Island Premises Identification System and City of Summerside (Prince Edward Island) Animal Control Bylaw. Staff were not able to identify any livestock permitting systems in Nova Scotia.

In the City of Calgary there are some areas where livestock are not permitted except as an emotional support animal which means a companion animal that a mental health professional has determined provides a benefit for an individual with a disability. If an individual would like to have an emotional support animal, they must apply for a permit from the Chief By-law Enforcement Officer. Additional conditions for keeping livestock may be determined on a case-by-case basis by the Chief By-law Enforcement Officer. The City of Calgary is currently considering amendments to the Responsible Pet Ownership Bylaw and asking residents for their opinion on urban hens and other livestock. They are considering: if the livestock would offer community benefit and have a positive impact, the support from adjacent neighbours, the suitability of living conditions for the animal and what would be considered an exception to the new rules.

Russel Township is developing a Backyard Hen By-law. The intent of this by-law is to permit, regulate and control the keeping of hens in residential zones. Residents would need to apply for a hen coop license to have hens on their property. A license is not transferable from person to person or from one property to another. There are two (2) categories of licenses: properties over 3,000 sq. m (32,291 sq. feet, $\frac{3}{4}$ of an acre) and a pilot program for properties between 500 sq. m (5,381 sq. feet) and 2,999 sq. m (32,280 sq. feet). The pilot program will last for one (1) year if Council approves the by-law and the licenses are limited to 20 households in detached and semi-detached dwellings on properties zoned residential. The 20 licenses would be issued on a first-come, first served basis and divided between five (5) different communities in the Township. Russel Township was initially considering a requirement that all applicants for the pilot program prove they have permission from their neighbours but based on public feedback this has been changed. In the draft by-law applicants are required to send a letter to neighbours to inform their neighbours about the license and steps to take if the license holder does not follow the by-law.

Prince Edward Island has a mandatory Premises Identification System for any property where animals may be, including hobby farms and veterinary clinics. There is no fee associated with this system and the information collected is used by the government as an animal and public safety mechanism in case there is an animal disease or emergency situation that requires evacuation.

The City of Summerside developed the most extensive animal permitting system reviewed by staff. If an individual does not live on a property zoned agricultural, they must apply to Council for an animal permit through the animal control officer (Police Chief). The applicant must include the following details in their application: the proposed type and number of animals, why the owner wants to keep the animals, the conditions under which the animals will be kept, and proof that the adjoining property owners within a radius of 200 feet have been notified. The animal control officer will review the city zoning bylaw and make a recommendation based on the application. The City of Summerside Council considers the recommendations of the animal control officer, any submissions made by the applicant, and any submissions made by adjoining property owners in a manner similar to a Public Hearing. The City of Summerside Council determines if a permit is granted or refused and sets a fee for the application. A permit has an expiry date and can be reviewed or revoked if conditions of the permit are not met.

Staff have also reviewed by-laws in neighboring Nova Scotia municipalities. As mentioned, Section 174 (f) of the MGA enables a municipality to create a livestock permitting by-law. Many municipalities including the Town of Wolfville, the Municipality of the District of East Hants and West Hants Regional Municipality have dog by-laws which require dog owners to register their pets and addresses concerns related to noise, violence, and animals at large (lose animals). The County of Kings

and Cape Breton Regional Municipality have animal control by-laws which apply to cats, dogs, and urban hens. These by-laws address noise, odour, animals at large, and overall welfare of the animals. However, staff have not identified a livestock permitting system in Nova Scotia.

To develop a draft livestock permitting by-law, staff need the following information from the HAAC:

1. What is the committee's intent for the livestock permitting by-law?
 - to limit the number of livestock permitted
 - to identify livestock in case animals are running at large
 - to notify neighbours of the potential for livestock
 - to ensure animal welfare
 - to address potential nuisance concerns (noise, odour, storage of feed, etc.)
2. What kind of a process does the committee consider appropriate for a livestock permit?
 - a registration system similar to the Dog By-law in West Hants Regional Municipality administered by staff
 - a more extensive Council approval process
 - a pilot project system similar to Russel Township

NEXT STEPS

In response to this report, HAAC may:

- request staff prepare a draft livestock permitting by-law for the next HAAC meeting;
- withdraw the request for a livestock permitting by-law and request staff prepare a recommendation report on the Food Security and Sustainability amendment and prepare for a Public Information Meeting at the next HAAC meeting;
- request staff provide additional information or alter the amendments; or
- withdraw the request for sustainable livestock amendments to the HMPS and HLUB.

FINANCIAL IMPLICATIONS

There are no anticipated financial implications for the Municipality associated with this proposed amendment. The financial implications of a livestock permitting by-law cannot be determined until a draft by-law is prepared.

ATTACHMENTS

- | | |
|------------|--|
| Appendix A | Draft Amendments |
| Appendix B | Properties over Five (5) acres with Residential or Commercial Zoning |

Report Approved by: _____

Madelyn LeMay, Director of Planning and Development

Appendix A Draft Amendments

1. Text Amendments to the Hantsport Municipal Planning Strategy to allow sustainable livestock in all residential and commercial zones to improve food security.

Insert Section 3.2.5, below, in Part 3 of the Hantsport Municipal Planning Strategy as a new section following Section 3.2.4:

3.2.5 Food Security and Sustainability

Food insecurity is when individuals must compromise on the quality or quantity of food or reduce their food intake. Based on the Canadian Community Health Survey completed by Statistics Canada in 2017/2018 Nova Scotia is the province with the highest percentage of households experiencing food insecurity in Canada. Residents have expressed a desire to raise livestock for personal enjoyment and as a sustainable food resource to improve food security. Council wishes to encourage the raising of sustainable livestock for personal use.

GP-8

It shall be the policy of Council to establish regulations in the Land Use By-law to improve food security by permitting sustainable livestock in residential and commercial zones.

2. Text Amendments to the Hantsport Land Use By-law to allow sustainable livestock in all residential and commercial zones to improve food security.

Insert Section 5.22, below, in Part 5 of the Hantsport Land Use By-law as a new section following Section 5.21:

5.22 Sustainable livestock shall be permitted to improve food security in any residential or commercial zone subject to the following:

- (a) livestock shall be contained within the limits of the lot by means of fencing, enclosures or non-residential buildings;
- (b) any structure containing livestock shall be considered an accessory building and shall meet the requirements of Section 5.1 of this By-law;
- (c) for purposes of this section, a lot may include multiple abutting properties held by the same owner;
- (d) the slaughtering of livestock shall be permitted on the lot;

(e) for lots greater than five (5) acres, manure storage shall not be located within:

- (i) 50 ft (15.24 m) of an adjoining lot; and
- (ii) 100 ft (30.48 m) of a water well or watercourse.

(f) the number of animals permitted on a lot shall be limited to:

(i) Lots up to and including ¼ an acre (10,890 sq. feet)

- a combination of rabbits and chickens (including Roosters, Broilers, and Laying Hens) to a total of five (5) animals.

(ii) Lots greater than ¼ acre (10,890 sq. feet) up to and including 5 acres (217,800 sq. feet)

- a combination of rabbits and chickens (including Roosters, Broilers, and Laying Hens) to a total of fifteen animals.

(iii) Lots greater than five (5) acres (217,800 sq. feet) shall be limited to one (1) animal unit and one (1) additional animal unit for each additional full acre to a maximum of eight (8) animal units.

| | Number of Sustainable Livestock Equal to One (1) Animal Unit |
|---------------------------------------|--|
| Cows | 1 |
| Dairy Heifers | 1 |
| Beef Cows | 1 |
| Beef Feeders (150 - 500 kg) | 2 |
| Veal calves | 3 |
| Miniature horses and ponies (<225 kg) | 2 |
| Sheep | 4 |
| Sows (Breeding/Gestation) | 2 |
| Sows (Farrow to Finish) | 1 |
| Sows (Farrow to Wean) | 2 |
| Weaners | 3 |
| Hogs (Feeders) | 2 |
| Laying Hens (whole year) | 25 |
| Broiler Chickens | 25 |
| Turkey Broilers (5 kg) | 25 |
| Rabbits (female including young) | 20 |
| Llamas/Alpacas | 1 |
| Ostriches/Emus | 1 |

(g) The following animals shall not be permitted in the area regulated by the Hantsport Land Use By-law:

- Peacocks
- Bulls
- Minks
- Guinea Fowl

Amend Section 9.1.1 of Part 9 of the Hantsport Land Use By-law by adding the following use “the keeping of horses provided they are kept in a fenced area with a minimum area of 0.4 hectares (44,560 sq. ft.) for each horse” so that Section 9.1.1 reads as follows:

9.1.1 Permitted Uses

The following uses are permitted in this zone:

- all commercial uses
- artisan workshops
- offices
- medical clinic
- museums
- residential uses existing as of May 1, 2018
- residential uses in accordance with Section 9.1.5
- the keeping of horses provided they are kept in a fenced area with a minimum area of 0.4 hectares (44,560 sq. ft.) for each horse

Amend Section 9.2.1 of Part 9 of the Hantsport Land Use By-law by adding the following use “the keeping of horses provided they are kept in a fenced area with a minimum area of 0.4 hectares (44,560 sq. ft.) for each horse.” so that Section 9.2.1 reads as follows:

9.2.1 Permitted Uses

The following uses are permitted in this zone:

- all commercial uses
- artisan workshops
- offices
- medical clinics
- museums
- residential uses existing as of May 1, 2018
- single detached dwellings

- two-unit dwellings
- multiple unit dwellings
- residential day care centres
- guest houses
- bed and breakfast homes
- boarding rooms
- the keeping of horses provided they are kept in a fenced area with a minimum area of 0.4 hectares (44,560 sq. ft.) for each horse
- institutional uses existing as of date of amendment as follow:

| Civic Address | Owner | Use |
|---|---|----------------------------|
| 58 Main Street | 3262992 NOVA SCOTIA LIMITED | Nursing Home |
| 59 Main Street 61 Main Street | Parish of Avon Valley Rector Wardens and Vestry of Saint Andrews Church | Place of Worship |
| 67 Main Street | Roman Catholic Episcopal Corporation | Place of Worship |
| 19 Chittick Avenue | Municipality of The District of West Hants | Department of Public Works |
| 1 Oak Street 3 Oak Street 36 William Street | Municipality of The District of West Hants | Food Bank |
| 5 Oak Street | Municipality of The District of West Hants | Fire Station |

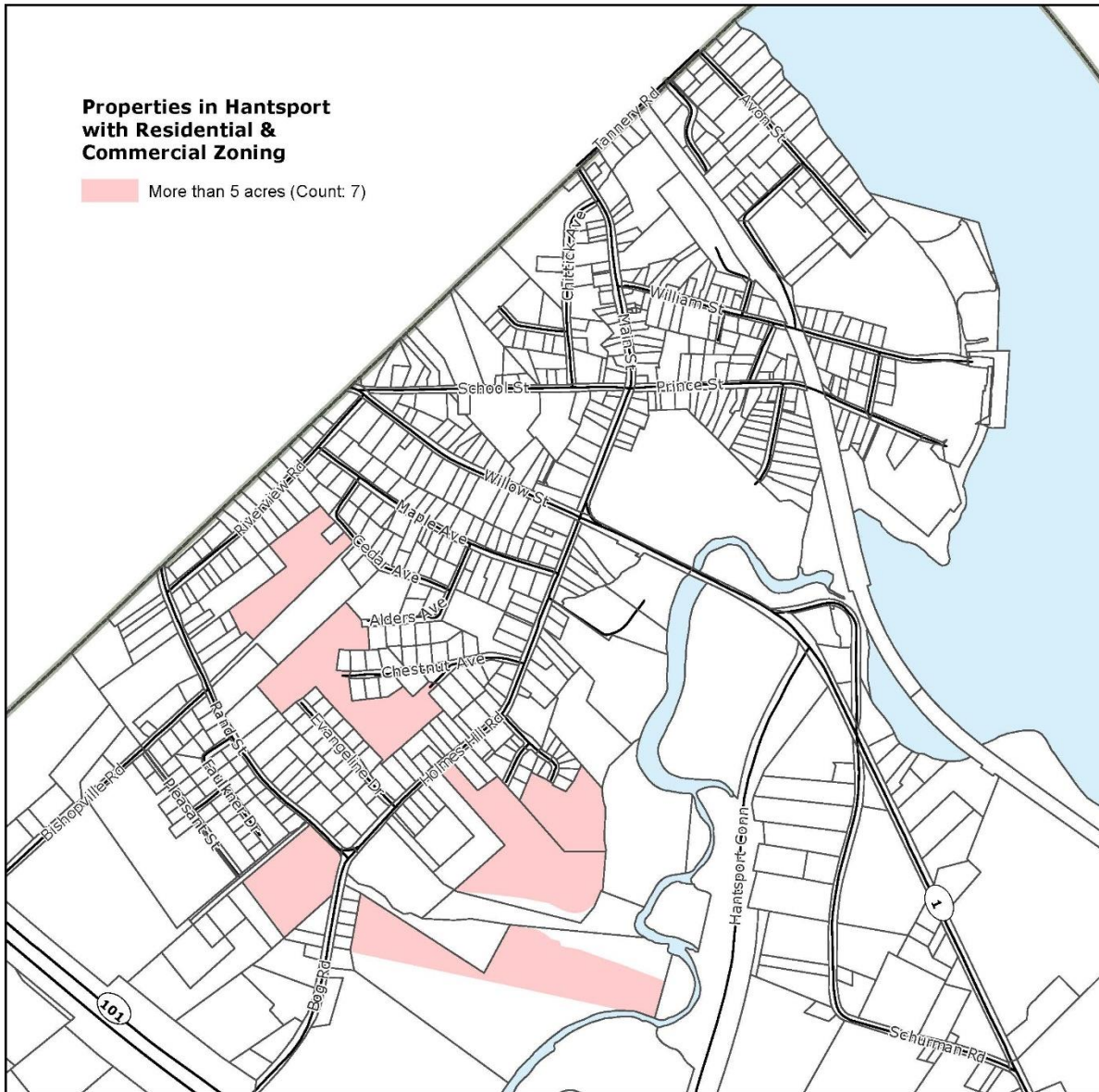
Appendix B

Properties over Five (5) acres with Residential or Commercial Zoning



West Hants Regional Municipality

Properties over Five (5) acres with Residential or Commercial Zoning

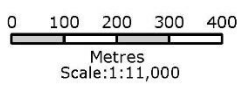


Base data derived from the Nova Scotia Property Records Database (NSPRD) and the Nova Scotia Geomatics Centre (NSGC), Copyright Her Majesty The Queen in Right of the Province of Nova Scotia.

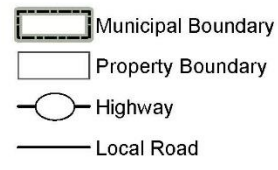
This map is a graphical representation only. This map is not a land survey and is not intended to be used for legal descriptions or to calculate exact dimensions or area.

Prepared by: West Hants Regional Municipality Planning and Development Department September 2020

Hantsport



Metres
Scale: 1:11,000



- Municipal Boundary
- Property Boundary
- Highway
- Local Road