



## Reasons:

### Why consider allowing backyard chickens in the urban and suburban areas of Saanich?

- 🔍 Saanich is considering changes to the “Animals Bylaw” to allow chickens (hens, not roosters) to be kept on lots less than 1,114.9m<sup>2</sup> (12,000 ft<sup>2</sup> ).
  - 67 e-mail & letters and a 528 signature petition received requesting that chickens be allowed on smaller lots.
- 🔍 Allowing the keeping of a small flock of chickens is one step towards addressing:
  - food security
  - energy and resource sustainability and
  - reduction of carbon emissions
- 🔍 The Official Community Plan (OCP) states that Community Values include access to safe and nutritious food supply, at reasonable cost; and opportunities for local food production in both rural and urban areas.
  - Policy 5.1.1.13: Support small-scale agricultural initiatives on lands inside the Urban Containment Boundary, while balancing the need of neighbouring residents.
- 🔍 The average lot size within Saanich’s Urban Containment Boundary is approximately 905 m<sup>2</sup> (9,741ft<sup>2</sup>) ranging from 400m<sup>2</sup> (4,305ft<sup>2</sup>) to 0.4 ha (43,056 ft<sup>2</sup>). The result is that few if any lots within the urban area are permitted to keep chickens.
- 🔍 Other municipalities with in the Capital Regional District and throughout North America now allow the keeping of chickens in their urban and suburban neighbourhoods.
  - Esquimalt
  - Victoria
  - View Royal
  - Oak Bay
  - Vancouver
  - Seattle, Wa
  - Waterloo, Ont.
  - Niagara, Ont.
  - Brampton
  - South Portland, Maine

October 2009 Council passed the following motion:  
“That Council support urban agricultural opportunities by directing staff to receive and consider feedback from the Planning, Transportation and Economic Development Advisory Committee, the Peninsula Agricultural Commission, community associations, and residents, and develop options in a report to Council to allow chickens on residential property of less than 1,114.8 m<sup>2</sup> in area.”



## Chickens Permitted: Where Chickens are Currently Allowed to be Kept in Saanich

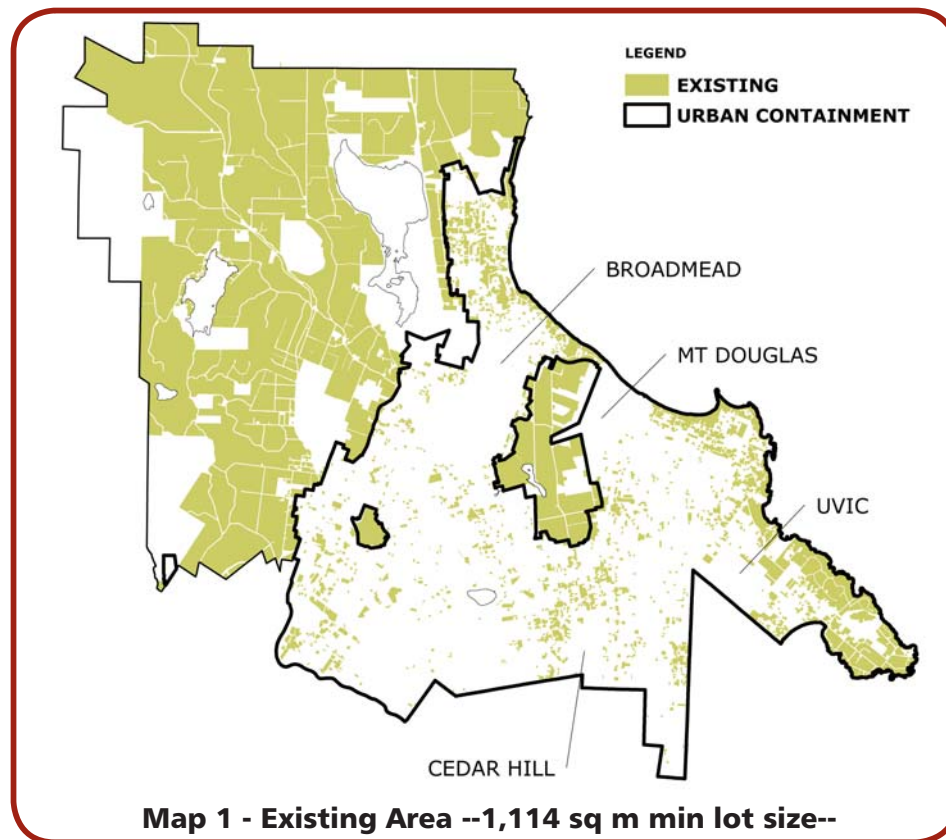
Saanich "Animals Bylaw" no. 8556 regulates the keeping of chickens.

Chickens are defined as "Poultry" and poultry is characterized as "any bird normally raised for food or egg production."

"Poultry", with the exception of roosters, are allowed to be kept on any lot that is larger than 1,114.9m<sup>2</sup> (12,000 ft<sup>2</sup> = 0.27 acre).

In general, the "Animals Bylaw" states that:

- No poultry is allowed, except for Bantam sized birds, on lots less than 1,114.9m<sup>2</sup> (12,000 ft<sup>2</sup>);
- Max .ten (10) chickens may be kept on property greater than 1,114.8 m<sup>2</sup> (12,000 ft<sup>2</sup>);
- Max. thirty (30) chickens may be kept on property greater than 1,858 m<sup>2</sup> (20,000 ft<sup>2</sup> ½ acre);
- No limit on the number of chickens allowed on property over 0.4 ha (1 acre).





## Other Municipalities: Similarities, Differences and Standards

Saanich staff reviewed regulations for the keeping of chickens provided in bylaws from ten municipalities located on the mainland, in the Capital Regional District and select locations in other provinces and states (see handout Tables 1 & 2 ). A brief of the results from the review is as follows:

### Similarities:

- Not allowed in front yard setback.
- Not to run at large.
- No roosters.
- No slaughtering
- No selling eggs
- Residential Zones only

### Differences:

- Distance from lot lines?
- Distance from neighbouring dwellings?
- Minimum size of structure per hen?
- Number of hens allowed?
- Which Zones?
- What Structure requirements may need to be identified?

### Minimum Standards

#### Numbers:

Chickens are social animals that instinctively live in flocks for health and safety. Generally numbers allowed range from 4 to 10.

#### Gender:

Seven out of the ten municipalities do not allow roosters to be kept in an urban setting. Roosters are prohibited because of the noise they create and are not necessary for egg production.

#### Limitation:

Eight of the ten municipalities state that chickens are not to be allowed to run at large for their safety (from vehicles and predators) and to avoid making nuisance for neighbours.

#### Minimum Lot Size:

- Many municipalities do not identify a minimum lot size for the keeping of urban chickens, but do identify setbacks
- Two municipalities identify a minimum lot size in an urban setting.

#### Setbacks:

- Six out of the ten municipalities require setbacks of 1.2m to 3m from side or rear lot lines.
- Some municipalities also regulate the minimum distance between a chicken house and enclosure to neighbouring dwellings.





## Other Municipalities: Enhanced Standards

### Other Regulations & Guidelines identified by some Municipalities

- Protect neighbours;
- Ensure proper care and attention of poultry; and
- Prevent potential health issues.
  - i. odour prevention;
  - ii. discouraging vermin; and
  - iii. prevention of the spread of disease.

### Structure Size:

Best management practices suggest a house and enclosure of approximately 1.3m<sup>2</sup> (14ft<sup>2</sup>) per hen to avoid over crowding as an important measure to protect the health of chickens.

### Cleaning:

Regular cleaning and removal of soiled bedding, manure and unused feed.

### Pest proof:

Construct structure in order to prevent access by vermin or predators. Resources are provided through links as a source for the proper construction of hen houses.

### Registration:

Some municipalities require registration of urban chickens to assist Animal Control Officers in finding owners of lost hens and providing a record of location in the case of an outbreak of disease.

### Public Education:

A key to the successful keeping of hens in an urban neighbourhood would require public education on best management practices.





## Other Legislation: Provides standards and guidelines related to health and safety

**Acts giving Ministries and Regional or Local Government authorities the tools to gather information, inspect, and require mitigation:**

### **Disease Control**

*Federal Government - Health of Animals Act* - 1990, c. 21 - This Act outlines steps that may be taken by inspectors in the case where diseases (e.g. avian flu) etc. may affect animals.

*BC Provincial Public Health Act* - Provides health officers the authority to order preventative measures to control a health hazard (e.g. Avian Flu outbreak).

*BC Provincial Animal Disease Control Act* - Veterinarians and Physicians are obligated to report known or suspected animals or persons that are suffering from or have died from a communicable disease.

### **Pests**

*BC Integrated Pest Management Act* - This Act mainly regulates pesticide use, but also gives authority to the Minister to order a Integrated Pest Management Plan for managing pest populations (including rats and insects) and reduce damage caused by pests.

### **Manure**

*BC Environmental Management Act and Public Health Act* - The Ministry of Environment regulates issues regarding organic matter and recycling through this act. The Ministry also provides Land Application Guidelines for the Organic Matter Recycling Regulation and the Soil Amendment Code of Practice – Best Management Practices.

### **Ethical care & treatment**

*BC Prevention of Cruelty to Animals Act* - The Act ensures the humane treatment of animals by providing a legislative mandate for the Society for the Prevention of Cruelty to Animals in British Columbia. It outlines the powers of their offices, rights of seizure and disposal or sale of animals taken into custody.

### **Odour**

*BC Waste Management Act* – The Ministry of Environment is responsible for maintaining air quality and investigating complaints.

### **Carcass removal**

*Saanich Animals Bylaw No. 8556* - The owner of any animal or bird may, upon payment of the required fee, deliver to the Municipal Pound, or request the Pound Inspector to pick up his/her animal or bird for the purpose of destroying it.

### **Other Regulations**

*BC Building Code* - Only applicable if accessory building is greater than 10 m<sup>2</sup>.

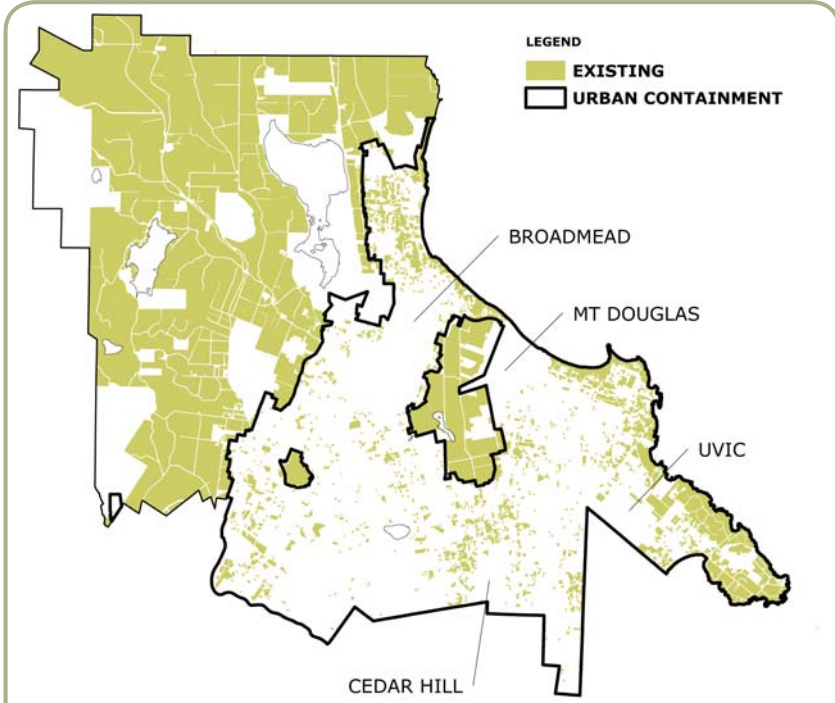
*BC Farm Protection Act* - Not applicable for urban farming





# Option 1: Make no change to the "Animals Bylaw."

- Make no change to the "Animals Bylaw."
- Only a small number of lots in urban Saanich would meet the current lot size requirement for keeping chickens



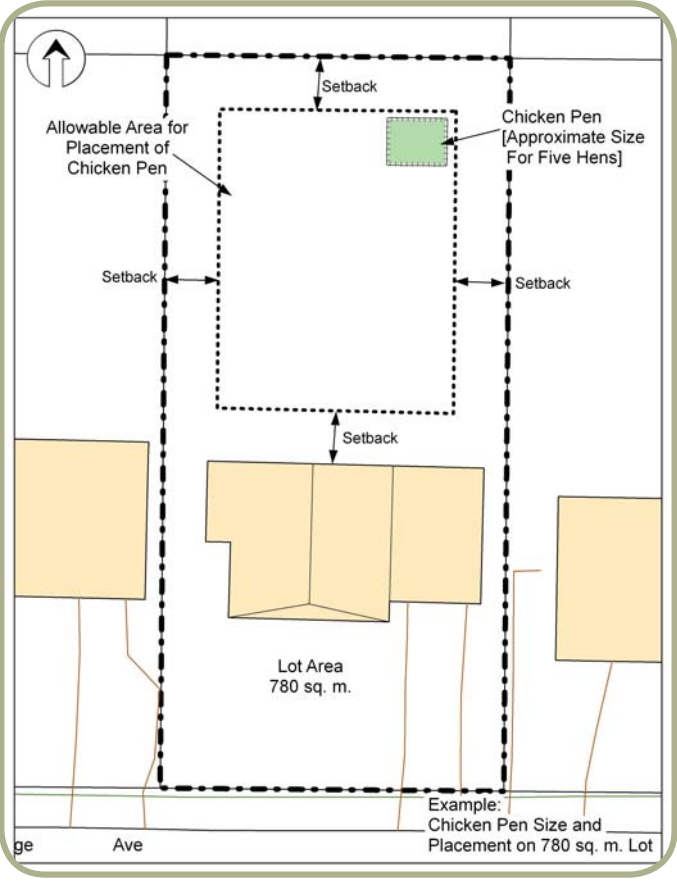
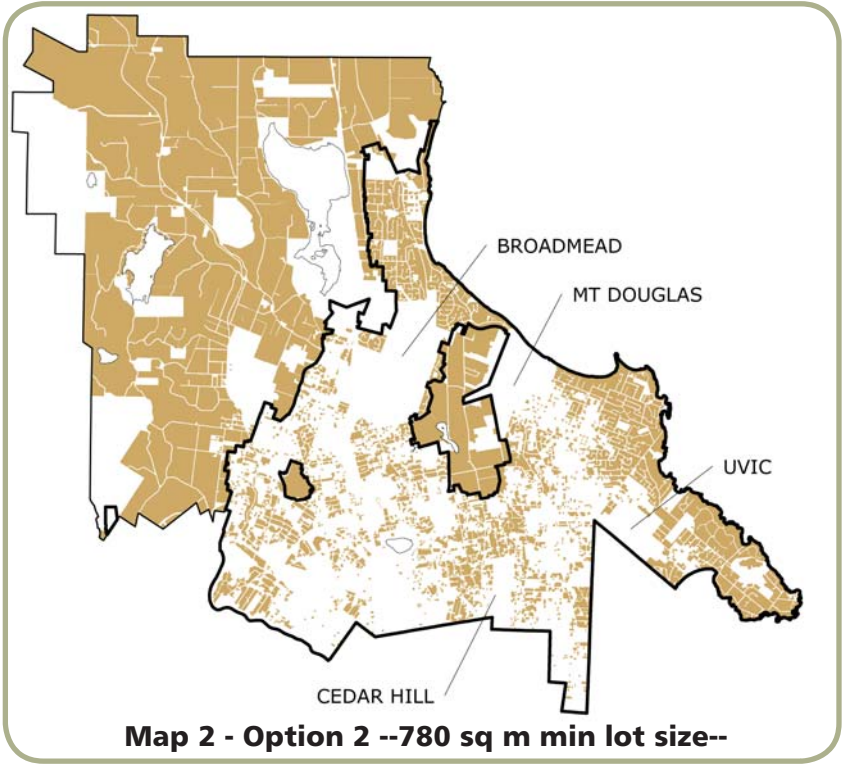
Map 1 - Existing Area --1,114 sq m min lot size--





# Option 2: Amend the "Animals Bylaw" - Medium Size Lots

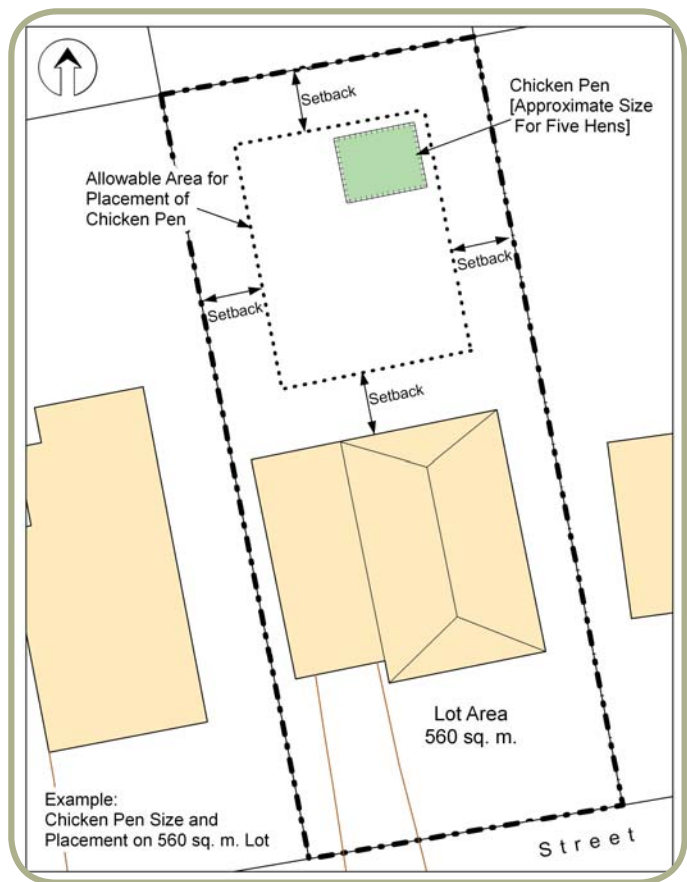
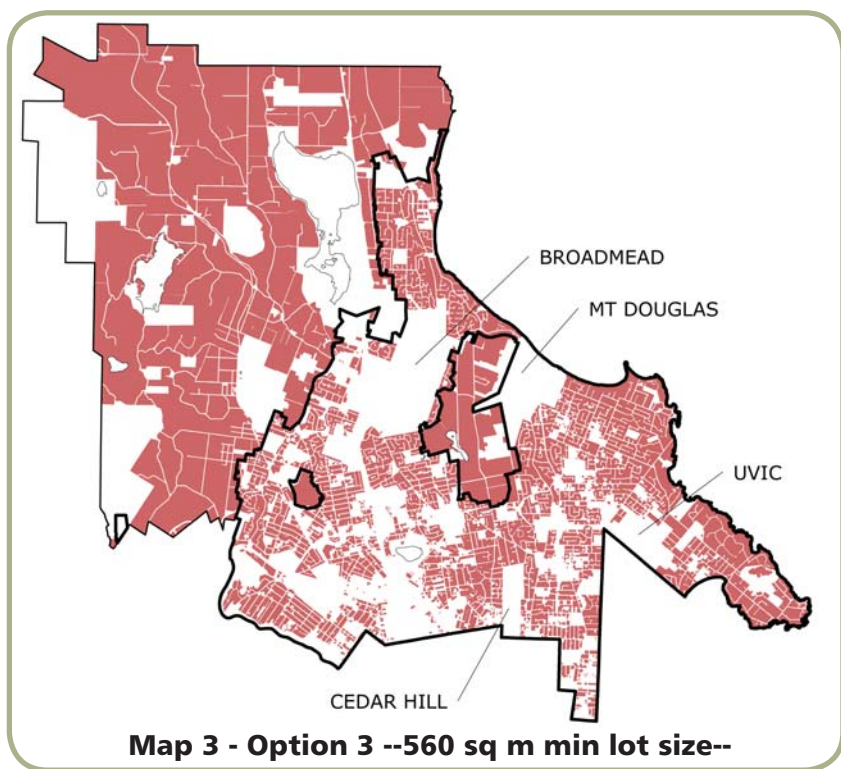
- Amend the "Animals Bylaw."
- Allow up to five chickens on single family lots with an area of no less than 780 m<sup>2</sup> (8,396 ft<sup>2</sup>).
- Roosters would be prohibited.





## Option 3: Amend the "Animals Bylaw" - Smaller Size Lots

- Amend the "Animals Bylaw."
- Allow up to five chickens on single family lots with an area of no less than 560 m<sup>2</sup> (6,028 ft<sup>2</sup>).
- Roosters would be prohibited.







## Regulations for the Keeping of Chickens: Current Regulations and Possible Amendments

### Current regulations for keeping chickens in Saanich (Bylaw 8556):

- Set backs for building or enclosure for up to 10 poultry must be at least 7.6m (25ft) from any highway and 4.57m (15 ft) from any other property line (section 41.1)
- No poultry may run at large or trespass on any private property (section 42),
- Poultry must be:
  - Kept house and fed in a manner conducive to good health and well being
  - Examined and treated by a qualified veterinarian if injured or diseased
  - Kept in accommodation that is maintained and clean so that no nuisance or hazard to health arise (section 54).
- Birds may be delivered or picked up by Municipal Pound Inspector upon the owner paying a fee (section 69),
- No roosters (section 40)

### Possible amendments to the “Animals Bylaw” that could be included with either Option 2 or 3 that address potential health issues, the well-being of chickens, and other potential on-site activities are as follows:

- Not allowed in front yard;
- The coop and run to be setback at least 3 m (10 ft) from rear and side lot lines;
- The coop and run combined, to be no more than 9.2 m<sup>2</sup> in area;
- The coop to be no more than 3 m in height;
- The coop to be no closer than 3 m from any door or window of any dwelling;
- Provide each hen with at least 0.37 m<sup>2</sup> of coop floor area, and at least 0.92 m<sup>2</sup> roofed outdoor enclosure;
- Construct and maintain each hen enclosure in good repair and sanitary condition, and free from vermin and obnoxious smells and substances;
- Manure to be stored within a fully enclosed structure, and that no more than 3 cubic feet be stored at one time;
- Hens be kept for personal use only, no sale of eggs, manure, meat;
- Require the storage of food supply for the hens to be done in pest and vermin proof containers;
- No slaughtering onsite; and
- No disposal of a hen(s) except by delivering it to a facility that has the ability to dispose of the animal in a lawful manner (e.g. veterinarian, abattoir, and farm).
- Property owners to register their flock:
  - May be done online or in person with no fee charged;
  - Municipality to provide information on the web and in the community regarding best management practices for the keeping of chickens;
  - Owner to sign declaration that they have read and understand the general information provided.



## Review Process: Whats Next?

- ✓ 1. Study Saanich Animals Bylaw and Bylaws from other Municipalities
- ✓ 2. Review comments received from Community Associations and residents
- ✓ 3. Develop options for consideration
- ✓ 4. Request comment from:
  - Saanich Community Association Network
  - Planning, Transportation & Economic development Advisory Committee
  - Peninsula Agricultural Commission
- ✓ 5. Refine options
- ✓ 6. Hold Public Open House and provide a survey for residents

### What's Next?

1. Analyse information gathered from the survey and open houses
2. Present background information and options to Council for their consideration.



# Vancouver Guidelines

## Changes to Vancouver's Bylaws

### Vancouver Zoning Bylaw changes

The City of Vancouver Zoning and Development By-Law include limits to the floor area ratio, the height and the set backs of hen enclosures.

1. A maximum floor area ratio (FAR) for hen enclosures of  $9.2\text{m}^2$  ( $100\text{ft}^2$ ) in order to exempt the enclosure from FAR limits,
2. A maximum height of 3m (10ft) in order to minimize visual impact, and
3. A minimum allowed setback of 3m (10ft) to give greater options for orienting enclosures on the property

### Vancouver Animal Control Bylaw changes

The following regulations are specific to the keeping of hens:

1. Definition of "Hen" as female domesticated chicken over the age of four months,
2. Roosters and chicks under four months not allowed,
3. Maximum of 4 hens,
4. Hens must be registered through City Hall for the tracking of hens and distribution of educational information,
5. No slaughtering of hens on the property
6. Owners shall be responsible for the humane and sanitary disposal of hens  
(Vancouver Animal Shelter may accept carcasses for cremation),
7. Minimum of  $0.37\text{m}^2$  ( $4\text{ft}^2$ ) of shelter per hen
8. Minimum of  $9.2\text{m}^2$  ( $10\text{ft}^2$ ) of roofed outdoor enclosure,
9. One perch and one nest provided for each hen,
10. Hens to be kept in enclosure at all times,
11. Adequate food, water, shelter light and ventilation, veterinary care, scratching and dust-bathing opportunities to be provided,
12. Enclosures to be in good repair, sanitary conditions, free of vermin, and obnoxious smells,
13. Prevent access to enclosure by other birds and animals,
14. Left over feed, trash and manure to be removed in a timely manner,
15. Storage of composting manure to be limited to not more than  $1\text{m}^3$  ( $3\text{ft}^3$ ),
16. Follow bio-security procedures, as recommended by the Canadian Food Inspection Agency (CFIA), and
17. No selling of eggs, manure or other chicken products.

