



WEST HANTS
NOVA SCOTIA

MUNICIPALITY OF THE DISTRICT OF WEST HANTS
Public Hearing
February 12, 2019
Land Use By-law Amendment
Hantsport Household Livestock

Present:	P. Morton	Deputy Warden
	R. Jannasch	Councillor District 1
	K. Monroe	Councillor District 2
	D. Keith	Councillor District 3
	T. Leopold	Councillor District 4
	D. Francis	Councillor District 5
	R. Hussey	Councillor District 6
	J. Daniels	Councillor District 7
	R. Zwicker	Councillor District 10
	M. Laycock	Chief Administrative Officer
	M. Lemay	Director of Planning and Development
	S. Shah	Municipal Planner
	K. Kehoe	Director of Parks and Recreation
	B. Carrigan	Director of Public Works
	R. Brown	Municipal Clerk
	C. Remme	Communications Coordinator
Regrets:	A. Zebian	Warden

There were 12 members of the public in attendance.

Deputy Warden Morton advised that the Public Hearing, required under the Municipal Government Act and hosted by Council, provides members of the public with an opportunity to bring forward concerns and ask staff questions regarding the proposed amendment. He went on to say that upon completion of the Public Hearing, the Council meeting will resume, and members of Council may then ask questions and make comments.

Deputy Warden Morton called on Municipal Planner, Saira Shah, to speak on the amendments. The Municipal Planner reviewed the presentation (attached).

The Municipal Clerk read an email received from Laurie and Marg Johnstone, Hantsport. "I am writing regarding the 2nd reading of the Livestock By-Law being proposed by the Planning Committee for Hantsport.

Firstly, I did attend the public session held in Hantsport last year. I expressed my view explicitly that I was not in favour of this by-law being passed. One of my questions was

how many people were actually asking for this by-law and I believe, but stand to be corrected, the response was that they had only had one request at that time.

I live on Maple Avenue which has always been a lovely and clean subdivision with a beautiful view of the Avon River. We made a considerable investment in our home and now have concerns regarding the resale value if this bylaw is passed.

Maple Avenue has 32 residences. Of those 32 residential properties, 30 would fall under the 15 animals allowed and 2 would fall under the 5 animals allowed.

In total for Maple Avenue, the by-law would allow 460 animals in our beautiful subdivision.

Maple Avenue is 1,820 feet long. The by-law being proposed would allow approximately 4 animals per foot of street.

I have other concerns regarding the by-law — people having animals they don't look after, the attraction of varmints to the area and disease being carried by chickens to migrating birds and the threat of disease to commercial poultry operations.

I also see in the by-law that slaughter is now being allowed on these properties. What a wonderful sight to behold. If you've never seen it, it is very unpleasant.

I am not sure how this by-law got to where it is today, but I really urge the Council to please step back and realize what results this by-law could have on our community.

When I spoke to the planner a couple of months ago, she told me that the Municipality did not think everyone would participate. My response to that is I don't really concern myself with what people think — I concern myself with what the law allows.

Please read this communication at the Council Meeting tonight and urge all councillors to please vote against passing this by-law.

Respectfully submitted,
Laurie & Marg Johnston"

The Municipal Planner clarified that the amendment is a Land Use By-law and Municipal Planning Strategy amendment, not a by-law specifically for household livestock.

Deputy Warden Morton called on members of the public to speak on the amendments.

Reed Fletcher addressed Council stating that he attended the public meeting that was held and did not hear anyone speaking in favour of the amendments. He went on to say

that he did not have an issue with any property owner having a few chickens in their yard but that there must be a limit. He asked the Planner if chickens were currently permitted in Hantsport to which the Planner responded no.

Reed Fletcher questioned why nobody was in Hantsport removing the chickens that were there. The Planner stated that the implementation of the Hantsport Land Use By-law is complaint based therefore someone would have to make a complaint to the Development Officer who in turn would investigate.

Reed Fletcher questioned who would be policing the By-law with the amendments to which the Planner stated it would be the same procedure whereas neighbours would contact the Development Officer to place a complaint. Mr. Fletcher stated that he did not like the idea of pitting neighbours against neighbours stating that he was against the amendments.

Mr. Fletcher expressed that he understood that not everyone would begin raising livestock with the passing of the by-law amendments but there would be an increase in the numbers within Hantsport. He went on to question what would happen if twenty people on his street had livestock and spoke of the possible increase in the number of rats as they are commonly attracted to livestock.

Reed Fletcher spoke of the size of the lots referred to in the Hantsport Land Use By-law which allows that animals on a quarter of an acre of land compared to the West Hants Land Use By-law that requires an acre in Three Mile Plains and Falmouth. He voiced that he would like to see the lot sizes be the same regarding livestock as both communities are in West Hants. The Planner stated that, as the planning documents are different in West Hants and Hantsport, and there are two separate committees dealing with the planning. The Hantsport amendment can be different because of how planning is structured in West Hants.

Mr. Fletcher voiced that members of the Hantsport Area Advisory Committee have chickens and therefore would recommend in favour of these amendments. He went on to encourage Council to not approve the recommended amendments stating that it does not fit with the majority of the residents of Hantsport.

Deputy Warden Morton asked if there were any additional questions or comments from the public. There were none.

Deputy Warden Morton declared the Public Hearing adjourned at 7:51 p.m.

Paul Morton, Deputy Warden

Rhonda Brown, Municipal Clerk



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Hantsport Household Livestock
Amendment
February 12, 2019

Background

- ▶ Based on input from agricultural experts, the public and discussion at the HAAC meetings, several amendments are proposed for the residential and commercial zones to permit a variety of livestock
- ▶ Horses are the only livestock currently permitted within Hantsport by the HMPS and HLUB.

HMPS Amendments

- ▶ To enable Council to permit additional animals in the HLUB, following discussion at the September PAC meeting, amendments were drafted:
- ▶ 3.2.5 Household Livestock
- ▶ Residents have expressed a desire to raise livestock for personal enjoyment and as a food resource. Council wishes to encourage the raising of livestock for personal use.
- ▶ GP-8
- ▶ It shall be the policy of Council to establish regulations in the Land Use By-law for household livestock in residential and commercial zones.

HLUB Amendments

- ▶ 5.22 Household livestock shall be permitted in any residential or commercial zone subject to the following:
- ▶ (a) household 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;

HLUB Amendments

- ▶ (d) the slaughtering of household 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.

HLUB Amendments

- ▶ (e) the number of animals permitted on a lot shall be limited to:
 - ▶ (i) Lots up to and including $\frac{1}{4}$ 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 $\frac{1}{4}$ 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.

HLUB Amendments

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

HLUB Amendments

	Household Livestock Animal Units
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

HLUB Amendments

	Household Livestock Animal Units
Weaners	3
Hogs (Feeders)	2
Laying Hens (whole year)	80
Broiler Chickens	80
Turkey Broilers (5 kg)	25
Mink (female including young)	10
Rabbits (female including young)	20
Llamas/Alpacas	1
Ostriches/Emus	1

HLUB Amendments

- ▶ (f) The following animals shall not be permitted in Hantsport:
 - ▶ Peacocks
 - ▶ Bulls
 - ▶ Minks
 - ▶ Guinea Fowl

Discussion

- ▶ Roosters will be permitted as noted above.
- ▶ Any structure used to contain livestock will be considered an accessory building and must meet the requirements of Section 5.1 of the HLUB.
- ▶ Regulations regarding separation distances for manure storage have been added to reflect comments from agricultural experts.
- ▶ The slaughter of animals will be permitted.

Discussion

- ▶ As horses are currently permitted in Hantsport, the lot size requirements for horses will not be altered in the proposed changes.
- ▶ However, horses have been added as a permitted use in the Commercial (C-1) and Mixed Commercial/Residential (C-2) zones to ensure residential properties in these zones are permitted to have horses.

HMPS General Criteria

- ▶ Policy IM-3 of the HMPS states the general criteria to be considered for any amendment to the HLUB.
- ▶ In summary:
 - ▶ the proposal is not premature or inappropriate for the area; and
 - ▶ the Municipal Building Official has no concerns.

Process

Notices were placed in the local paper

All statutory requirements have been met

No phone calls were received. One (1) email was received.





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Recommendation

Should Council wish to proceed following the Public Hearing, the following motion would be in order:

that Council gives Second Reading to and approves the amendment to the text of the Hantsport Municipal Planning Strategy and Land Use By-law to enable livestock on lots located in the residential and commercial zones, in a manner substantially the same as the draft amendment attached to the staff report dated February 12, 2019 as Appendix A.