

Keeping of Poultry in Residential Areas

2024-APR-29

Background

At its regular Council meeting on September 25th, 2023, Council passed a motion to direct Staff to:

“complete a review of the provisions of the Animal Control Bylaw and the Zoning Bylaw that regulate the keeping of poultry on large residential properties and provide options to further support the City’s goals of food security.”

This was in response to the receipt of several inquiries and calls for service relating to the keeping of poultry on residential lots.



Regulations

History of Regulatory Tools

- **2010** - Licensing and Control of Animals Bylaw 1995 No. 4923.06
 - Amendment to allow poultry on residential lots
- **2011** - Licensing and Control of Animals Bylaw 1995 No. 4923.08
 - Amendment to allow increase poultry on residential lots
- **2011** - Zoning Bylaw 2011 No. 4500
- **2021** - Animal Responsibility Bylaw 2021 No. 7316
 - Limited the keeping of poultry to twelve on large residential lots

These regulatory tools are intended to support household food security with manageable flock sizes.

Regulations

Current Regulations

- **2011** - Zoning Bylaw 2011 No. 4500
- **2021** - Animal Responsibility Bylaw 2021 No. 7316

Zoning	Lot Size	Permitted Poultry
R1/R1a/R1b, R2 – R15	Less than 450m ²	4
	Greater than 450m ² but less than 4,000m ²	6
	Greater than 4,000m ²	12
AR1 and AR2	Any Lot Size	No Maximum

These regulations support best practices and distinguish between household flock sizes and commercial agriculture operations.

Municipal Comparison

	City of Nanaimo	City of Parksville	City of Surrey	City of Kelowna	City of Kamloops
Bylaw No.	Bylaw No. 7316	Bylaw No. 2000	Bylaw No. 18754	Bylaw No. 5421-82	Bylaw No. 34-11
Regulations	<p>Max. 4 poultry on residential lots less than 450m²</p> <p>Max. of 6 poultry on residential lots >450m² but <4,000m²</p> <p>Max. of 12 poultry on residential lots >4,000m²</p> <p>Unlimited poultry on agriculturally-zoned properties (any lot size)</p>	<p>No keeping of poultry on lots <1,000m²</p> <p>Max. 4 poultry on lots >1,000m²</p>	<p>Max. 4 poultry on residential lots between 668.9m² – 4,046.86m²</p> <p>Maximum of 12 poultry on lots >4,046.86m² but <20,234.3m²</p>	<p>No keeping of poultry permitted on any lot less than 2,023.4m²</p> <p>Max. 10 poultry on lots between 2023.4m² - 4,046.86m²</p> <p>Unlimited number of poultry on Agriculture and Rural Residential zoned lots larger than 4,046.86m²</p>	<p>No keeping of poultry on lots less than 370m²</p> <p>Max. 5 hens on Residentially zoned lots between 370m² – 4,000m²</p> <p>Max. 30 poultry on lots > 4,000m²</p> <p>Unlimited number of poultry on Agriculture zoned lots > 4,000m²</p>
Roosters	Prohibited	Prohibited	Roosters are prohibited in residential areas on lots less than 20,234.3m ²	Roosters are permitted in Rural Residential and Agriculture zones.	Roosters are prohibited on Residentially zoned lots.

Discussion

Staff reviewed current regulations and approaches to support the keeping of poultry on large residential lots (greater than 4,000m²) that not within the Resource Management Land Use Designation (City Plan):

- 1) Increasing Allowable Poultry (>12 poultry on a lot)
- 2) Reducing Allowable Poultry (<12 poultry on a lot)
- 3) Maintain Existing Regulations with Revisions for Clarity (*Recommendation*)
 - Revise the *Zoning Bylaw* definition of **AGRICULTURE**
 - Add a definition of **LIVESTOCK** and **POULTRY** to the *Zoning Bylaw*



Considerations

Should the Governance and Priorities Committee wish to expand the keeping of poultry provisions, the following potential impacts should be considered:

- Increased land use conflicts
- Manageable of flock sizes
- Appropriate waste disposal
- Increased odour and noise
- Attraction of pests and predators
- Spread of disease
- End of productive-life care
- Lack if inspections



Recommendation

Maintain Existing Regulations with Revisions for Clarity

1. Amend the existing definition of Agriculture in the Zoning Bylaw.

Add the term “poultry” to the definition of Agriculture, to be read as follows:

AGRICULTURE - means the use of land or buildings for the growing, rearing, producing and harvesting of agricultural products, or the raising of livestock **or poultry**, but specifically excludes the processing of livestock **or poultry**. Agriculture includes the processing of crops grown on the land, the storage and repair of farm equipment used on the land, horticulture, nurseries and commercial greenhouses, and sale on the land of agricultural products produced on the land. In the context of this bylaw, agriculture also means aquaculture, horticulture, and silviculture.

Recommendation cont'd

2. Include a definition of Livestock and/or Poultry in the Zoning Bylaw.

Add the terms "Livestock" and "Poultry" to the Zoning Bylaw to align with the Animal Responsibility Bylaw, to be read as follows:

LIVESTOCK - means an Animal normally raised or kept for food, milk or for wool or fiber, or a beast of burden, and includes, but is not limited to, alpaca, cows, donkeys, emus, goats, horses, llamas, mules, ostriches, sheep, or swine, including miniature pigs, and all other animals that are solely used for agricultural purposes.

POULTRY - means any bird normally raised for food or egg production, and without limiting the generality of the foregoing includes: hens or pullets, rooster or cockerels, ducks, geese, turkeys, artificially reared grouse, partridge, quail, pigeons, pheasant, rock doves, quail or ptarmigan.

Conclusion

City Plan supports household food security by encouraging access to nourishing food for all residents, promoting education, and creating equitable and sustainable food systems.

In accordance with City Plan policy, intensive food production activities are envisioned to occur on large rural properties outside of the Urban Containment Boundary, while residential lands within the City boundary are primarily intended to supply housing.

The recommendation would provide clarity and continue to support household food security while mitigating potential impacts on community food security.



Options

1. That the Governance and Priorities Committee recommend that Council direct Staff to prepare amendments to the City of Nanaimo Zoning Bylaw 2011 No. 4500, as outlined in the Staff Report dated 2024-APR-29.
2. That the Governance and Priorities Committee provide alternative direction.