

Attachment

Town of Amherst

By-Law P-2-XX to amend the Land Use By-Law, P-2

1. This is a by-law to amend the Land Use By-Law of the Town of Amherst with respect to the matter of regulating the keeping of chickens.
2. In the Land Use By-law, Section 4.3 *Agricultural Animals* is amended by adding the subsection number “4.3.1”, removing the words, “in town”, and adding the words, “where permitted in Section 4.3.2 and”, removing the words, “which have”, adding the word, “with”, and adding Section 4.3.2.

4.3 Agricultural Animals

4.3.1 The keeping of agricultural animals is prohibited except where permitted in Section 4.3.2 and the following lots with agricultural uses existing at the date of this bylaw:

- i) PID# 25047010
- ii) PID# 25037219
- iii) PID# 25358086

OPTION A

- 4.3.2 In any residential zone, a Development Permit shall be issued for the keeping of female chickens (hens) as an accessory use, subject to the following requirements:
- a) ~~the lot is a minimum of 2,023 m² in area and~~ contains an existing Single Detached Dwelling only;
 - b) a maximum of six (6) hens are present on the lot;
 - c) the sale of eggs, meat, or manure on the lot is prohibited;
 - d) the slaughtering or euthanizing of hens on the lot is prohibited;
 - e) all hens shall be kept at all times in a chicken coop;
 - f) a chicken coop shall be visually screened from a street and neighbouring properties by a fence or landscaped buffer of at least 1.2 m in height;
 - g) a chicken coop shall not be located closer to any street than the dwelling, and have a minimum setback of 3 m from any property line, and a minimum setback of 10 m from any existing dwelling on an adjacent property;
 - h) a chicken coop shall be enclosed on all sides and have:
 - I. a roof and doors capable of being locked;
 - II. a minimum of 0.37 m² of coop floor area per hen;
 - III. a minimum of 0.92 m² of enclosed outdoor roofed area per hen;
 - IV. predator and bird-resistant wire mesh no greater than 2.5 cm over all openings;
 - V. one perch that provides at least 15 cm² of space per hen, and one nest box per hen;
 - i) not more than 0.1 cubic metres of manure generated by the hens shall be stored on a lot, and shall be stored within a fully enclosed structure no closer to the property line than the chicken coop; and,
 - j) stored food for the hens shall be kept indoors or in a weather resistant container sufficient to prevent access by animals.

OPTION B

- 4.3.2 In any residential zone, a Development Permit shall be issued for the keeping of female chickens (hens) as an accessory use, subject to the following requirements:
- a) the lot is a minimum of 2,023 m² in area and contains an existing Single Detached Dwelling only;
 - b) a maximum of six (6) hens are present on the lot;
 - c) the sale of eggs, meat, or manure on the lot is prohibited;
 - d) the slaughtering or euthanizing of hens on the lot is prohibited;
 - e) all hens shall be kept at all times in a chicken coop;
 - f) a chicken coop shall be visually screened from a street and neighbouring properties by a fence or landscaped buffer of at least 1.2 m in height;
 - g) a chicken coop shall not be located closer to any street than the dwelling, and have a minimum setback of 3 m from any property line, and a minimum setback of 10 m from any existing dwelling on an adjacent property;
 - h) a chicken coop shall be enclosed on all sides and have:
 - I. a roof and doors capable of being locked;
 - II. a minimum of 0.37 m² of coop floor area per hen;
 - III. a minimum of 0.92 m² of enclosed outdoor roofed area per hen;
 - IV. predator and bird-resistant wire mesh no greater than 2.5 cm over all openings;
 - V. one perch that provides at least 15 cm² of space per hen, and one nest box per hen;
 - i) not more than 0.1 cubic metres of manure generated by the hens shall be stored on a lot, and shall be stored within a fully enclosed structure no closer to the property line than the chicken coop; and,
 - j) stored food for the hens shall be kept indoors or in a weather resistant container sufficient to prevent access by animals.

Clerk's Annotation for Official By-Law Book

Date of First Reading:

Date of Notice of Intent to Consider:

Date of Second Reading:

Date of Advertisement/Notice of Publication (to be published following Ministerial approval)

Date of mailing to Minister a certified copy:

I certify that this **By-Law P-X, a By-Law to Amend the Land Use By-Law**, was adopted by Council and published as indicated above.

Gregory D. Herrett, CA
Chief Administrative Officer

Date

*Effective Date of the By-Law unless otherwise specified in the text of the By-Law.