

Town of Amherst

Planning Advisory Committee

Minutes

Date of Meeting: Monday, October 1, 2018
Location: Council Chambers, Town Hall

Members Present: Deputy Mayor Sheila Christie
Councillor Terry Rhindress (Vice Chair)
Citizen Appointee Gordon Goodwin

Members Absent: Citizen Appointee Ronald Wilson

Staff Present: Manager of Planning and Strategic
Priorities, Andrew Fisher
Municipal Clerk Kimberlee Jones
Admin Assistant Emily Wainwright

1. Call to Order

Vice-Chair called the meeting to order at 4:31 p.m.

1.1. Approval of Agenda

Moved By: Deputy Mayor Christie
Seconded By: Councillor MacKenzie
That the agenda be approved.

Motion Carried

1.2. Approval of Minutes

Moved By: Deputy Mayor Christie
Seconded By: Councillor MacKenzie
That the minutes of the September 11, 2018 PAC meeting be approved.

Motion Carried

2. Motion to go In-Camera

**Moved By: Deputy Mayor Christie
Seconded By: Councillor MacKenzie
That the Committee go In-Camera.**

Motion Carried

Motion to go Back to Open Session

**Moved By: Deputy Mayor Christie
Seconded By: Councillor MacKenzie
That the Committee go back to Open Session.**

Motion Carried

3. LUB Amendment to Allow the Keeping of Chickens

3.1 Staff Report

Mr. Fisher reviewed his report as included as part of the agenda package. Mr. Fisher also wanted to make the Committee aware that at the September 11, 2018 PAC meeting, he had misread and therefore incorrectly reported on the livestock and related setbacks allowed in Cumberland County.

3.2 Committee Questions

Deputy Mayor Christie stated that she felt that 3 meters does not seem far enough for the set backs, and asked staff how they found that number. Mr. Fisher replied that they took the most restrictive requirements, taken from Fredericton and Moncton, and conversations with those jurisdictions have not had any issues with these setbacks.

Councillor MacKenzie asked who is going to police this, will there be inspectors going out once a month? Mr. Fisher responded that this report is in regard to land use bylaw issues, if someone comes in and says they want chickens, they would have to apply for a development permit, supply staff with setbacks, etc. Keeping chickens will be a day-to-day thing, and it does go beyond land use planning. It also dips into animal welfare; it sort of goes beyond the knowledge of the Town and what the Town currently has capacity to do. Councillor MacKenzie followed up asking if Sackville allows chickens. Mr. Fisher replied no, Sackville does not permit them, but Wolfville does, who have similar restrictions to the County.

Citizen Appointee Goodwin also asked if there were neighbours complaining that someone was not looking after their chickens, how do we police that? Mr. Fisher responded with that it would be difficult to answer at the moment, that may be a question for the SPCA.

4. Public Participation Opportunity – LUB Amendment to Allow the Keeping of Chickens

4.1 Staff Report

Mr. Fisher reviewed his report as included as part of the agenda package

4.2 Committee Questions

Deputy Mayor Christie stated that she believed there will be some issues with bylaw enforcement and asked if those issues would come through the Committee. Mr., Fisher responded that from a planning and development standpoint, we would look at the size of the coop, and the screening and fencing, and then a development permit may be issued. But the day-to-day health of the chicken would not be part of planning, it may be more.

Citizen Appointee Goodwin asked if someone were to submit an application, how will we measure the size of the lot. Would it need to be measured by a licensed surveyor to make sure it has met the size requirements? Mr. Fisher responded that like any other development, there is supporting documentation that we would request. If the lot was exactly one acre, or close, we would have the option to bring in a surveyor to confirm the size of the lot.

4.3 Public Questions & Comments

Prior to hearing questions and comments from the public, Municipal Clerk Kimberlee Jones read 5 written submissions. Submissions included those from Leslie Harder, Darrell Jones, Jeff Smith, Denise Allan, and Darlene Arsenault.

John Hudson, Durley Street Amherst. I have lived there for 6 years now, and what drives the interest in urban chickens at this time. Thank you.

Ed Childs, I am not against this bylaw of chickens, I am disappointed in the report saying that there are more issues than land use. My list of concerns includes that 6 is too many, coop requirements need to be spelled out, they need a chicken run and not to be stuck in a building, with the amount of manure on the property you gave no way to dispose of it, and the disposal of dead chickens, you can't slaughter on the property which you said, you'll need yearly inspections of chickens by a veterinarian as they carry disease that can spread to humans, you haven't dealt with the feeding requirements, chickens should be banded. You should get a band for each chicken with a number on it so if one gets away you know whose chicken it is. There should be noise restrictions for chickens, because they are noisy. The number of chickens should be related to space. You haven't addressed any enforcement capability at all, you can't say it doesn't cover your area. What if the bylaw is not followed, who is going to follow up on it, you need someone working full time on it. Can you fix the screen over there so the public can read it and not stretch our necks – put it over there. Fencing - you

didn't say the height – it's way too low for the height, and I have done quite a bit of research out West. Have a good time with chickens, if they come in my area I know a good fox. Who is going to enforce this and what are the penalties. You are just creating yourself more problems.

Elaine Hudson, Durley Street Amherst, there is absolutely no control of people complying. We already have chickens on Durley Street and they run onto the street. I have reported it, and nothing has been done. We already have bylaws that are not being adhered to. If you don't have one, get one. If we don't have bylaws, fine. I'm greatly concerned that compliance is an issue and it is paramount to address it.

Todd Vance, 30 Townshend Avenue, I think you are creating a problem we don't have right now. I haven't heard anything on policing or stench. We are taxed high enough, I would like to see more things cut rather than added, to cut taxes. If I wanted to live on a farm, I would move out there.

Denise Allan, I think you're making a big issue out of something not big. We already have nuisance animals. We have raccoons and skunks in our yard, dogs and cats, and I live with it, I don't care. I think if people want to have chickens, if people want to have health food for their family, I don't think that's a big deal. 6 chicken? Why not 10? There're dogs running around. It is not a smell issue, it can go in the compost. I think it's getting blown out of proportion.

Leslie Childs, Durley Street, if you're going to make a bylaw, make sure the bylaw officer comes around and enforces it. Deeply concerned about lack of provision for enforcement.

Jill Brewster and Jeff Brewster. Jill Brewster, we're probably the reason why everyone is here right now. We moved here from Saint John and were interested in having some chickens. Maybe we jumped the gun in purchasing and creating a coop. We purchased some babies, not knowing the gender, and once we found out we had roosters, we got rid of them as soon as we could. It turned into and issues, and we are interested in the urban chicken trend happening across Canada right now. I agree with the recommendations with being strict with what people are allowed to do. I would be disappointed if a Town would be discouraging people from an extremely positive thing. I think that if we all live here, and all pay our taxes we have a say. Jeff Brewster, I agree with everything she said, that it's becoming a bigger deal than what it really is. I would challenge anyone who can detect the smell of 6 hens. I have the understanding of chickens and other animals, and how they operate. I challenge if you can really hear or smell that. I agree that roosters should not be kept on property in the Town. In regard to the disposal of waste, the waste of 6 hens wouldn't produce enough waste to fill one of our Town compost bins, and if there was a death in the coop – compost bin.

Nolan Black, 28 Brownell Avenue, I think its being made into a bigger deal than it needs to be. They make a lot less noise and mess than neighbour's cats. As far

as enforcement goes, the Town doesn't do annual inspections if you're dealing with your dogs or kids to make sure they're being fed. I don't support Option B (lot size), as long as you meet the set back requirements. It is being blown out of proportion.

Darlene Arsenault, when I first read this, I did not want them, but then I researched them. I'm not disagreeable anymore other than the enforcement does have to happen. Everything we have done in this Town gets extreme. Someone always pushes the buttons. Not that I have done this, I have changed my opinion. When I looked at Moncton and Vancouver, they all allowed 4 hens. I wanted to come out and admit I was wrong. They can attract rats, mice, lice, disease, skunks, that's what I Googled. If people take care of them, we won't have these problems. I agree with it, as long as it's enforced. It needs to be included, there has to be some kind of spot where it needs to be. Be fair; and since there's no roosters, I'm happy. There are chickens right now next to me, and I don't smell them.

Being no further speakers, the Public Participation Opportunity closed.

4.4 Recommendation

Move By: Deputy Mayor Christie

Seconded By: Councillor MacKenzie

That the Planning Advisory Committee recommend that Council not amend the Land Use Bylaw to allow chickens.

5. Staff Reports / Presentations

5.1 Discussion Item – Amendments to the LUB for Cannabis-related Land Uses

Mr. Fisher reviewed his report as included as part of the agenda package.

5.1.1 Committee Questions

Councillor MacKenzie asked, if this goes through, will the business at the old jail have to be shut down. Mr., Fisher responded that he believes they are doing that with medical marijuana. If you have a license to use, you are also allowed to grow, or you're allowed to assign that under someone else. My understanding of the Cannabis Act is that you can't grow for someone else at all. Councillor MacKenzie added that he doesn't want to see them shut down because they spent a lot of money here.

Deputy Mayor Christie stated that she believes there needs to be a conversation on retail spaces.

Vice-Chair Rhindress was wondering about bigger cities allowing edibles.

Mr. Fisher replied that they are illegal right now. They will need to pass legislation to allow edibles.

5.2 Discussion Item – Signage Review

Mr. Fisher reviewed his report as included as part of the agenda package.

5.2.1 Committee Questions

Deputy Mayor Christie commented that she thinks it would be great for the Town to continue with the same look and feel as the County when coming in on LaPlanche Street, and to have uniformity. Something similar to the Malagash sign, where they show the different businesses. The Irving lot on LaPlanche Street would be a great spot, or by Robbs ball field. There may be a possibility of extending the downtown core, and the reason is because there is one big billboard sign that is now allowable because it was moved a few feet. There may also be a need to do away with political sign, or only being permitted in certain areas. I think this needs to be revisited.

Councillor MacKenzie agreed with Deputy Mayor Christie. He mentioned that Birkinshaw's just won an award and they can't really display that. These signs may draw business in to that place in particular.

Citizen Appointee Goodwin added that he agrees with a sign near Robbs, but advertising for one a couple businesses may be difficult, as one person may be left out of the group.

Mr. Fisher stated that in terms of entrance signage, those are not really something the land use bylaw would address. Extending the uniform signage from the County until at least the entrance of Town, that can be done outside of the land use bylaw as there are already provisions in place. I could do some research and see if other municipalities have, if any, control that they impose for election signs.

6. Adjournment

Deputy Mayor Christie motioned to adjourn the meeting at 6:26 p.m

Motion Carried

Kimberlee Jones, Municipal Clerk

Vice Chairman Terry Rhindress