



STAFF REPORT

DATE: May 5, 2023

FILE: 0550-04 Board

TO: Chair and Directors,
Regional Board

FROM: Dave Leitch
Chief Administrative Officer

RE: BYLAW NO. 495 – ELECTORAL AREA D LIVESTOCK KEEPING

PURPOSE

To consider third reading and adoption of Bylaw No. 495 which would allow a limited number of chickens, ducks or other domestic fowl to be kept on properties within Electoral Area D (Oyster Bay-Buttle Lake) subject to other zoning considerations.

EXECUTIVE SUMMARY

The attached report was considered at the April 26, 2023 meeting of the Regional Board at which time Bylaw No. 495 was given first 2 readings and the Board waived the holding of a public hearing in accordance with s.464 of the *Local Government Act*.

Public notice of the decision to waive the public hearing on Bylaw No. 495 was given through local newspaper, social media, and Regional District website postings. Notice was also placed on the public notice posting board at the Regional District's corporate office. No submissions or concerns were received from the public in response to the notices.

The Board may now proceed with third reading and final adoption of Bylaw No. 495 should it so choose.

RECOMMENDATIONS

1. THAT the report from the Chief Administrative Officer be received.
2. THAT Bylaw No. 495 be given third reading.
3. THAT Bylaw No. 495, being Campbell River Area Zoning Bylaw 1991, Amendment No. 62, be now reconsidered, finally passed and adopted.

Respectfully:



David Leitch
Chief Administrative Officer

Prepared by: T. Yates, Corporate Services Manager

Attachments: Bylaw No. 495
Copy of April 14, 2023 report to the Regional Board



BYLAW NO. 495

**A BYLAW TO AMEND THE ZONING REGULATIONS APPLICABLE TO ELECTORAL
AREA D (OYSTER BAY-BUTTLE LAKE)**

WHEREAS the former Comox-Strathcona Regional District has, by Bylaw No. 1404, adopted zoning regulations for Electoral Area D pursuant to Part 14 of the *Local Government Act*;

AND WHEREAS a bylaw of the former Comox-Strathcona Regional District that regulates the use or development of land within the area comprising the Strathcona Regional District remains in force until amended or repealed;

AND WHEREAS the Regional Board wishes to amend the aforesaid Bylaw No. 1404 having due regard to the requirements of the *Local Government Act*,

NOW THEREFORE the Board of Directors of the Strathcona Regional District, in open meeting assembled, enacts as follows:

Amendments

1. Bylaw No. 1404, being Campbell River Area Zoning Bylaw 1991, is hereby amended as set out in Schedule 'A', attached to and forming part of this bylaw.

Citation

2. This bylaw may be cited for all purposes as Bylaw No. 495, being Campbell River Area Zoning Bylaw 1991, Amendment No. 62.

READ A FIRST TIME ON THE 26TH DAY OF APRIL, 2023

READ A SECOND TIME ON THE 26TH DAY OF APRIL, 2023

PUBLIC HEARING HELD ON THE ____ DAY OF _____, 2023

READ A THIRD TIME ON THE ____ DAY OF _____, 2023

RECONSIDERED, FINALLY PASSED AND ADOPTED ON THE ____ DAY OF _____, 2023

Chair

Corporate Officer

SCHEDULE 'A'

SECTION ONE TEXT AMENDMENTS 1-2

TEXT AMENDMENT #1

Part 2, 'Interpretation' is amended by replacing the definition of '**Livestock**' with the following:

LIVESTOCK means animals used for agricultural purposes, which are used or the products of which are used for eventual consumption and in addition includes animals for work or are capable of work such as horses, donkeys or mules, but specifically excludes small fowl or poultry including chickens and ducks.

TEXT AMENDMENT #2

Part 4, Section 4.3 'General Provisions' is amended by adding a new 4.3.4 as follows:

- 4) In all upland zones, the keeping of up to four small fowl or poultry, including chickens and ducks, but specifically excluding roosters shall be permitted.



STAFF REPORT

DATE: April 14, 2023 **FILE:** 0550-04 Board

TO: Chair and Directors,
Regional Board

FROM: Dave Leitch
Chief Administrative Officer

RE: BYLAW NO. 495 – ELECTORAL AREA D (LIVESTOCK KEEPING)

PURPOSE

To consider Bylaw No. 495 which proposes to allow a limited number of chickens, ducks or other domestic fowl to be kept on properties within Electoral Area D (Oyster Bay-Buttle Lake) subject to other zoning considerations.

EXECUTIVE SUMMARY

The attached report was considered at the April 12, 2023 meeting of the Electoral Areas Services Committee at which time the following resolution was passed:

Rice/Mawhinney: EASC 100/23

THAT the Committee recommend that the draft bylaw attached to the March 30, 2023 report from the Chief Administrative Officer be considered by the Board for first and second readings, and

THAT the public hearing for the amendment bylaw be waived in accordance with section 464(2) of the Local Government Act.

The actions below are offered in support of the Committee's recommendations.

RECOMMENDATIONS

1. THAT the report from the Chief Administrative Officer be received.
2. THAT Bylaw No. 495, being a bylaw to amend the zoning regulations applicable to Electoral Area D (Oyster River-Buttle Lake), be now introduced and read a first time.
3. THAT Bylaw No. 495 be given second reading.
4. THAT the requirement to hold a public hearing on Bylaw No. 495 be waived in accordance with s.464(2) of the *Local Government Act*.

Respectfully:



David Leitch
Chief Administrative Officer

Prepared by: *T. Yates, Corporate Services Manager*

Attachments: Bylaw No. 495
Copy of March 30, 2023 report to the Electoral Areas Services Committee

COPY



BYLAW NO. 495

A BYLAW TO AMEND THE ZONING REGULATIONS APPLICABLE TO ELECTORAL AREA D (OYSTER BAY-BUTTLE LAKE)

WHEREAS the former Comox-Strathcona Regional District has, by Bylaw No. 1404, adopted zoning regulations for Electoral Area D pursuant to Part 14 of the *Local Government Act*;

AND WHEREAS a bylaw of the former Comox-Strathcona Regional District that regulates the use or development of land within the area comprising the Strathcona Regional District remains in force until amended or repealed;

AND WHEREAS the Regional Board wishes to amend the aforesaid Bylaw No. 1404 having due regard to the requirements of the *Local Government Act*;

NOW THEREFORE the Board of Directors of the Strathcona Regional District, in open meeting assembled, enacts as follows:

Amendments

1. Bylaw No. 1404, being Campbell River Area Zoning Bylaw 1991, is hereby amended as set out in Schedule 'A', attached to and forming part of this bylaw.

Citation

2. This bylaw may be cited for all purposes as Bylaw No. 495, being Campbell River Area Zoning Bylaw 1991, Amendment No. 62.

READ A FIRST TIME ON THE ___ DAY OF _____, 2023

READ A SECOND TIME ON THE ___ DAY OF _____, 2023

PUBLIC HEARING HELD ON THE ___ DAY OF _____, 2023

READ A THIRD TIME ON THE ___ DAY OF _____, 2023

RECONSIDERED, FINALLY PASSED AND ADOPTED ON THE ___ DAY OF _____, 2023

Chair

Corporate Officer

SCHEDULE 'A'

SECTION ONE TEXT AMENDMENTS 1-2

TEXT AMENDMENT #1

Part 2, 'Interpretation' is amended by replacing the definition of '**Livestock**' with the following:

LIVESTOCK means animals used for agricultural purposes, which are used or the products of which are used for eventual consumption and in addition includes animals for work or are capable of work such as horses, donkeys or mules, but specifically excludes small fowl or poultry including chickens and ducks.

TEXT AMENDMENT #2

Part 4, Section 4.3 'General Provisions' is amended by adding a new 4.3.4 as follows:

- 4) In all upland zones, the keeping of up to four small fowl or poultry, including chickens and ducks, but specifically excluding roosters shall be permitted.



STAFF REPORT

DATE: March 30, 2023

FILE: 0540-04 EASC

TO: Chair and Directors,
Electoral Areas Services Committee

FROM: David Leitch
Chief Administrative Officer

RE: **BACKYARD CHICKENS – ELECTORAL AREA D**

PURPOSE

To consider proposed amendments to Bylaw No. 1404, being the Campbell River Area Zoning Bylaw 1991, which would allow up to four chickens (roosters excluded) or ducks to be kept on properties less than one acre in area within Electoral Area D.

POLICY ANALYSIS

The attached report was considered at the February 22, 2023 Board meeting at which time the following resolution was passed:

Rice/Vonesch: SRD 156/23

THAT a report outlining the process to amend the zoning bylaw for Electoral Area D be prepared to allow up to four chickens or 4 ducks on properties that are less than one acre, and with roosters not permitted on lots less than one acre.

EXECUTIVE SUMMARY

As per the Board's direction, the attached draft bylaw has been prepared which would allow the keeping of up to four small fowl or poultry including chickens and ducks, but specifically excluding roosters, on properties less than one acre in area within the boundaries of Electoral Area D.

Should the Committee support the bylaw as presented, it is recommended that it be forwarded to the Board for first and second reading. Given the nature of the amendment, it is also recommended that the public hearing be waived as per Section 464(2) of the *Local Government Act*.

RECOMMENDATIONS

1. THAT the report from the Chief Administrative Officer be received.
2. THAT the Committee recommend that the draft bylaw attached to the March 30, 2023 report from the Chief Administrative Officer be considered by the Board for first and second readings, and

THAT the public hearing for the amendment bylaw be waived in accordance with section 464(2) of the *Local Government Act*.

Respectfully:



David Leitch
Chief Administrative Officer

Prepared by: *A. Nelson, Senior Manager, Community Services*

Attachments: draft amendment bylaw
Copy of February 17, 2023 report to the Board

COPY



BYLAW NO. ____

**A BYLAW TO AMEND THE ZONING REGULATIONS APPLICABLE TO ELECTORAL
AREA D (OYSTER BAY-BUTTLE LAKE)**

WHEREAS the former Comox-Strathcona Regional District has, by Bylaw No. 1404, adopted zoning regulations for Electoral Area D pursuant to Part 14 of the *Local Government Act*;

AND WHEREAS a bylaw of the former Comox-Strathcona Regional District that regulates the use or development of land within the area comprising the Strathcona Regional District remains in force until amended or repealed;

AND WHEREAS the Regional Board wishes to amend the aforesaid Bylaw No. 1404 having due regard to the requirements of the *Local Government Act*;

NOW THEREFORE the Board of Directors of the Strathcona Regional District, in open meeting assembled, enacts as follows:

Amendments

1. Bylaw No. 1404, being Campbell River Area Zoning Bylaw 1991, is hereby amended as set out in Schedule 'A', attached to and forming part of this bylaw.

Citation

2. This bylaw may be cited for all purposes as Bylaw No. ____ being Campbell River Area Zoning Bylaw 1991, Amendment No. ____.

READ A FIRST TIME ON THE ____ DAY OF _____, 2023

READ A SECOND TIME ON THE ____ DAY OF _____, 2023

PUBLIC HEARING HELD ON THE ____ DAY OF _____, 2023

READ A THIRD TIME ON THE ____ DAY OF _____, 2023

RECONSIDERED, FINALLY PASSED AND ADOPTED ON THE ____ DAY OF _____, 2023

Chair

Corporate Officer

SCHEDULE 'A'

SECTION ONE TEXT AMENDMENTS 1-2

TEXT AMENDMENT #1

Part 2, 'Interpretation' is amended by replacing the definition of '**Livestock**' with the following:

LIVESTOCK means animals used for agricultural purposes, which are used or the products of which are used for eventual consumption and in addition includes animals for work or are capable of work such as horses, donkeys or mules, but specifically excludes small fowl or poultry including chickens and ducks.

TEXT AMENDMENT #2

Part 4, Section 4.3 'General Provisions' is amended by adding a new 4.3.2 as follows and renumbering the subsequent accordingly:

- 2) In all upland zones, the keeping of up to four small fowl or poultry, including chickens and ducks, but specifically excluding roosters shall be permitted.



STAFF REPORT

DATE: February 17, 2023 **FILE:** 0550-04 Board

TO: Chair and Directors,
Regional Board

FROM: Dave Leitch
Chief Administrative Officer

RE: KEEPING OF LIVESTOCK IN ELECTORAL AREA D

PURPOSE/PROBLEM

To consider a recommendation from the Electoral Areas Services Committee regarding a bylaw amendment for the Electoral Area D zoning bylaw that would permit the keeping of livestock.

EXECUTIVE SUMMARY

At its February 8, 2023 meeting the Electoral Areas Services Committee received a report requesting that the process to amend the zoning bylaw for Electoral Area D to permit the keeping of livestock be outlined. At that time the Committee passed the following resolution:

Rice/Vonesch: EASC 51/23

THAT a report outlining the process to amend the zoning bylaw for Electoral Area D be prepared to allow up to four chickens or 4 ducks on properties that are less than one acre, and with roosters not permitted on lots less than one acre.

The actions outlined below are offered in support of the Committee's recommendation.

RECOMMENDATION

1. THAT the report from the Chief Administrative Officer be received.
2. THAT a report outlining the process to amend the zoning bylaw for Electoral Area D be prepared to allow up to four chickens or 4 ducks on properties that are less than one acre, and with roosters not permitted on lots less than one acre.

Respectfully:



Dave Leitch
Chief Administrative Officer

Prepared by: E. Watson, Senior Executive Assistant
Attachment: January 31, 2023 report to the Electoral Areas Services Committee

Edith Watson

From: John Rice
Sent: January 31, 2023 11:48 AM
To: Tom Yates
Subject: Motion for report to amend bylaw 1404

Hi Tom

Can this motion be added to the next EASC agenda.

THAT a report outlining the process to amend the zoning bylaw for Electoral Area D be prepared to allow up to four chickens or 4 ducks on properties that are less than one acre, and with roosters not permitted on lots less than one acre.

Background

In 2020 there was a petition in Area D for this bylaw to be amended. This petition did have 100 signatures from Area D residents.

On March 10th 2021 this item was on the agenda for the EASC committee to consider, and at that time no amendments were made, nor was staff directed to prepare an amendment for further consideration. Instead it was suggested by the Area Director that it would be okay for residents to ignore this bylaw and to go ahead and have chickens or ducks. The rationale was that if you do keep chickens or ducks in contravention of the bylaw you will be more careful in insuring that there are no complaints.

It is important that bylaws be well written and that they serve the interests of all the Residents. Significant support on a petition that calls into question any bylaw should not be ignored. For a Director to even suggest that it is okay to ignore bylaws puts the entire voluntary compliance of bylaws at risk. It is time for this bylaw to be amended.



John Rice
Area D Regional Director
Oyster Bay - Buttle Lake
e. jrice@srd.ca | m. 250-203-1598

I would like to acknowledge that I am on the Unceded traditional territory of the Laich-Wil-Tach Peoples