

To: Chief Administrative Officer **Date:** January 18, 2021
From: Jennifer Meier, Engineering Technologist III – Environmental Services
Subject: Urban Agriculture Uses in the Zoning Bylaw

Recommendation

That following receipt and consideration of the report by the Engineering Technologist - Environmental Services, dated January 18, 2021, Council direct staff on whether to advance the preparation of a zoning amending bylaw and applicable policies to add agriculture uses in the urban designated areas to specifically allow hen and bee keeping.

Executive Summary

While urban agriculture can involve animal husbandry, aquaculture, and horticulture, and can provide an opportunity for healthy, local food production, increased food security, supporting pollinator populations, and contributing to overall well-being, the degree of this activity in an urban setting should be carefully considered in terms of parcel size and fit with the surrounding land uses. Currently, Mission's Zoning Bylaw limits agricultural type uses on urban properties to small hobby greenhouse uses where the more traditional agriculture uses are directed towards suburban and rural designated properties under the zoning categories of Minor or Major Agricultural. For the purposes of this report, Minor Agriculture uses include the limited keeping of bees, hens, ducks, and other livestock on suburban lots 0.36 ha (0.88 ac) or larger.

In two previous staff reports, staff examined the opportunities and challenges associated with the keeping of hens in residential areas. The matter of beekeeping was also contemplated in a recent update to the District's Zoning Bylaw. In both those cases, staff deemed that the current allowances for agriculture on larger properties were sufficient and changes to expand such uses into the urban area would need careful consideration and possibly additional resources to administer.

Along with the potential for mismanagement and improper care, the two main obstacles that have been identified with urban agriculture are the lack of enforcement resources to address problem activities and the fact that Mission has been identified as a hot spot for dangerous wildlife attraction. Since 2010, District staff have made significant efforts to educate residents about the need to keep wildlife attractants inaccessible to wildlife habitat interface areas. The District is also working on having Mission provincially designated as a Bear-Smart Community.

Allowing beehives and chickens in urban areas would inherently add wildlife attractants and has the potential to work against the efforts made to reduce dangerous human encounters with wildlife in the community. Accordingly, the BC Conservation Officer Service has provided written correspondence cautioning against any changes to local regulations that would allow the keeping of bees and backyard chickens in the urban area (Attachment E).

However, recognizing that there are benefits to some agricultural uses in the urban area and that Council may consider these benefits to outweigh the associated risks as they relate to the keeping of hens and bees, it is recommended that Council consider whether they would like to direct staff to come back with comprehensive bylaw and policy options including resource

implications to allow for urban agriculture. These options would likely include an Urban Agriculture Bylaw. The District of North Vancouver's Domestic Hens Bylaw, which requires electric fence enclosures, and the City of Chilliwack's Urban Beekeeping Bylaw could provide the basis for a draft bylaw. Additional amendments to the Ticket Information Bylaw and Zoning Bylaw, which would add fines and remove the electric fencing prohibition, respectively, would be necessary.

Purpose

The purpose of this report is to first inform Council and the public to why previous considerations to allow an expansion of agriculture into the urban area did not proceed and to set the context should Council resolve to allow urban agriculture, such as the keeping of chickens and bees in residential areas. This report also defines the necessary conditions and bylaw changes for Council's consideration.

Background

The implications of allowing backyard hens in residential areas were first researched and presented to Council in 2009 (Attachment A). That report was prepared in response to a delegation requesting Council to initiate a bylaw change to allow for chickens in urban areas. While the report concluded that the keeping of backyard hens did not raise immediate concerns related to avian influenza, animal rights, food safety, and nuisance issues, it did however, identify significant concerns about the enforceability of a bylaw, which included establishing appropriate setbacks for coops and runs and adding specific animal husbandry guidelines to the Fraser Valley Regional District's Animal Control Bylaw to which Mission is a participating municipality. It was mainly due to enforceability concerns at the time, that Council decided not to allow for chickens on urban residential properties. Council did, however, expand Zoning Bylaw allowances for small-scale agriculture, including the keeping of hens, on suburban lots sized 0.36 ha (0.88 ac) or greater.

In 2010, a conservation officer personally brought it to staff's attention, that Mission was "THE hot spot for bear conflicts in the Lower Mainland". The main attractant identified then was curbside waste. Since then, prevention efforts have included attaching signage to waste collection vehicles, putting up signage along roads and in parks, restricting waste set outs to the hours of between 5 and 8 a.m. on collection day, and including wildlife attractant management clauses in Section 5 of the [Solid Waste Management Bylaw 5526-2015](#).

The solid waste bylaw defines "Wildlife Attractant" as "any material or substance, which could reasonably be expected to attract animals, including Dangerous Wildlife", and specifically mentions pet food, bird feed, fruit and honey. The bylaw requires bee hives to be made inaccessible to dangerous wildlife, and stipulates that livestock feed and small livestock, including chickens and rabbits, be kept indoors or in a wildlife-resistant enclosure from dusk to dawn. Schedule 14 of the [Bylaw Notice Enforcement Bylaw 5700-2018](#) carries a \$250 fine for the failure to keep wildlife attractants inaccessible to dangerous wildlife, and specifically mentions beehives, pets, and small livestock.

There are also bear conflict prevention messages on our [website](#), as well as in every issue of the annual [curbside collection calendar](#). Summer students and bylaw enforcement officers have been leaving doorhangers about unsecured wildlife attractants and placing stickers on waste containers set out early to raise awareness for over three years. District staff has been liaising with [WildSafeBC](#), which has coordinators attend numerous community events and schools in participating municipalities every year. Mission has also been working towards attaining provincial "bear smart" status.

In 2018, another delegation requesting allowance for backyard hens prompted a follow-up staff report, which identified both bylaw enforcement and dangerous wildlife attraction as the most significant concerns with the keeping of backyard chickens (Attachment B). As a result, Council directed staff to provide follow-up information to the delegation, but did not pursue any bylaw changes to allow for backyard hens.

Despite all the efforts, conservation officers still end up destroying conflict bears almost every year (Figure 1). In 2019, locations where bears were destroyed were on Cedar Street, Cherry Avenue and Catchpole Avenue. It would appear that fewer bears have been destroyed in recent years, possibly due to higher community awareness.

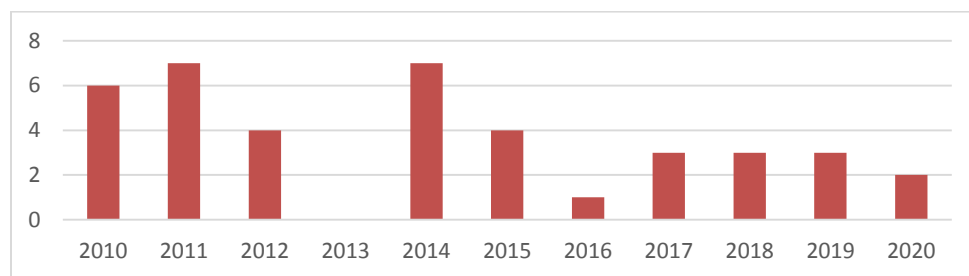


Figure 1 – Bears Destroyed in Mission

Nevertheless, conservation officers advise that dangerous wildlife attraction due to small livestock has been on the rise (Attachment E). Figures 2, 3 and 4 in Attachment C show dangerous wildlife sightings reported to the BC Conservation Foundation's [WildSafeBC](#) via the Wildlife Alert Reporting Program ([WARP](#)) in 2019 and 2020. It stands out that dangerous wildlife conditioned to livestock has increased in Mission's rural areas in 2020. While WARP does not show any sightings due to attraction by livestock in the urban area, it does demonstrate the presence of dangerous wildlife in residential neighbourhoods.

Discussion and Analysis

Urban agriculture is the practice of cultivating, processing and distributing food in and around urban areas. It can involve animal husbandry, aquaculture, and horticulture, and can provide an opportunity for healthy, local food production with many other benefits, such as increased food security, supporting pollinator populations, improving mental health and contributing to overall well-being. Urban agriculture can also enhance a community's ambience and promote a better understanding of life cycles and natural processes.

Subject to size and siting restrictions, Mission's Zoning Bylaw allows for Hobby Greenhouse uses in all urban residential zones, and Minor Agriculture, which includes the keeping of bees, hens, ducks, geese, rabbits, llamas, alpacas, goats, sheep, horses and cattle, is permitted on suburban lots of 0.36 ha (0.88 ac) or greater in size. The number of animals allowed is pro-rated by property size, and structures to house these animals must be located at least 15 metres (49 ft) from any lot line.

Hens and Bees in Other Municipalities

Due to their proximity to vast stretches of dangerous wildlife habitat, most communities north of the Fraser River in the Lower Mainland, such as Maple Ridge and Coquitlam, do not currently allow for the keeping of backyard hens. Maple Ridge has undergone a comprehensive public consultation process, but to date has not allowed for the keeping of urban hens. West Vancouver, the City of North Vancouver, and the District of North Vancouver do permit keeping backyard hens. Neither Abbotsford nor Chilliwack allow for urban hens, however, Chilliwack

recently issued a temporary use permit for three hens to one resident inside the urban containment boundary.

Table 1 summarizes Lower Mainland municipalities' allowances for egg-laying backyard chickens and beehives. Generally, there is no allowance for the keeping of chickens for meat production.

	Urban Chickens	# of Hens	Minimum Lot Size	Urban Bees	# of Hives	Lot Size
Abbotsford	No			No		
Burnaby	No			Yes	2	557 m ² and up
Chilliwack	No			Yes	2 4	<500 m ² <2000 m ²
Coquitlam	No			No*		
Delta	Yes	4 ¹	n/a	Yes	2 4	<1000 m ² >1000 m ²
Langley Township	No			Yes	2 4	650 m ² - 2000m ² >2000m ²
Maple Ridge	No			Yes	2	n/a
New Westminster	Yes	6	557 m ²	Yes	2 4	<1000 m ² <2000 m ²
North Vancouver City	Yes	8	557 m ²	Yes	2	n/a
North Vancouver District	Yes	6	n/a	Yes	2	<1100 m ²
Pitt Meadows	No			Yes	2 4	<1000 m ² >1000 m ²
Port Coquitlam	No			Yes	2	n/a
Port Moody	No			Yes	2	n/a
Richmond	Yes	4	2000 m ²	No*		
Surrey	Yes	4	669 m ²	Yes	4	< 10,000 ft ²
Vancouver	Yes	4	279 m ²	Yes	2 4 ²	<10,000 ft ² per rooftop
West Vancouver	Yes	6	n/a	No		

Table 1 - Urban Agriculture in Other Municipalities

The City of Vancouver's [Basic Chicken Care guidelines](#) require chicken containments to keep out predators and pests, but its fencing requirements acknowledge only dogs, rats, raccoons, and coyotes as the most likely predators. As such, the Vancouver guidelines specify chain link, welded, or woven fencing on a sturdy frame with small mesh metal wire reinforcement at the bottom. This type of fencing is not considered adequate to deter black bears and other larger

¹ Only on lots adjacent to agriculturally zoned lands

² More than 4, where institutional or educational sites have demonstrated capacity to care for more

predators. West Vancouver's [backyard chicken requirements](#) and the City of North Vancouver's (CNV) Urban Chicken Guidelines are similar in nature to Vancouver's.

The District of North Vancouver's (DNV) [Keeping of Domestic Hens Bylaw 8211, 2016](#) specifically requires electric fencing that is designed and maintained in accordance with the [electric fencing guidelines for the WildSafeBC program](#). DNV requires a fence inspection before residents can get a permit for backyard hens. Inspections are currently part of the responsibilities of three property use inspectors. There are presently approximately 30 active backyard hen permits, but DNV staff advised that there are likely unpermitted backyard flocks, as many residents find the electric fencing requirement too daunting or costly. DNV enforces its domestic hen bylaw on a complaint basis only. One issue DNV staff associated with the keeping of backyard hens was the attraction of rats, which were reported to be "associated with almost every coop". DNV's bylaw requires feed to be secured in a coop; however, due to chickens' natural feeding habits, it's not practical to keep feed completely contained.

The keeping of honeybees in urban settings presents a similar challenge to keeping chickens, i.e., there is significant concern about dangerous wildlife attraction. Whistler's Bear Smart Society's [Beekeepers page](#) suggests electric fencing for beehives as well. Furthermore, in a [2019 article in the Vancouver Sun](#), a provincial apiculturist (bee expert) advises, that if honeybees aren't carefully managed, they can contribute to the spread of disease in wild colonies. Staff at [The Happy Homesteader](#), disagreed, but confirmed that honeybees should be medicated to prevent mites. The Store's representative also felt that most people would be good stewards of backyard beehives, and suggested that joining one of the local bee clubs could be of benefit for new urban beekeepers. The [Urban Bee Network](#) lists a number of clubs and training courses. The [North Fraser Bee Club](#) in Maple Ridge may also be a good resource, and the provincial government offers [Bee Courses](#) free of charge. The Happy Homesteader, located in Mission's downtown, retails food processing equipment, barbeques, smokers and canning products as well as offers classes and equipment for beekeeping.

None of the Lower Mainland communities allowing for urban beekeeping appeared to have a requirement for electric fencing. The City of Chilliwack recently implemented [Urban Beekeeping Bylaw 2019, No. 4680](#), requires urban beekeepers to register their hives with the BC Ministry of Agriculture, in keeping with the provincial *Bee Act*, and mandates completion of a recognized course in beekeeping, as well as membership in a local bee club. Chilliwack staff stated that the city deliberately does not issue permits for urban beehives to reduce administration, and therefore would not be aware of their location, unless a complaint were received. Dangerous wildlife attraction was not considered when the beekeeping bylaw was implemented, as it is reportedly not a big concern in Chilliwack, because its surrounding, large stretches of agricultural land, which provide a buffer between the city and dangerous wildlife. Chilliwack has made a conscious decision to not allow for urban hens, as the presence of numerous egg farms in the area allegedly negates the need, and there are concerns about rat attraction that come with chickens.

Maple Ridge allows for the beekeeping on residential lots via its [Hobby Beekeeping Regulation Bylaw No. 6839-2011](#), which mentions deterring wildlife, but is largely non-prescriptive.

Wildlife Experts' Comments

During a recent meeting with the NE Bear Network Committee, which includes Lower Mainland municipal staff, provincial conservation officers, and representatives from WildSafeBC, options for allowing urban chickens and beehives in residential neighbourhoods were discussed. There was consensus that electric fencing would be the best, if not the only way to deter dangerous wildlife, although it was cautioned that hives and coops would still add attractants, as bears' keen senses of smell would lead them to investigate. A conservation officer forwarded a [Berry](#)

[Grower magazine article](#) in support of electric fencing after the meeting. The WildSafeBC representative forwarded a position paper on urban agriculture (Attachment D), which also recommends electric fencing.

Other ideas discussed included placing hives and coops on top of multi-story buildings, or locating them in courtyards on institutional properties, such as schools and seniors' homes. However, conservation officers noted that Missions downtown core did not currently have bear presence, which could change if an allowance for urban agriculture were made in higher-density housing situations as bears are reportedly able to scale structures and [buildings, including multi-story buildings](#).

Coquitlam staff mentioned that urban agriculture had been considered by its environmental advisory committee in 2017, but recommended against it due to wildlife attraction concerns. Coquitlam, which is considered a leader in bear-conflict prevention, has a full-time urban wildlife coordinator, is a provincially designated "Bear Smart" community, and issues \$500 fines for leaving attractants accessible.

A letter from the Conservation Officer Service opposing beekeeping and backyard chickens, and providing detailed statistics on dangerous wildlife attraction, is appended in Attachment E.

Bylaw Changes

In order to allow for urban agriculture, changes to existing bylaws must be considered. In addition to the preparation of supporting policies, the following bylaws would need to be amended along with the adoption of a new Urban Agriculture Bylaw which would explicitly detail the provisions and requirements for these agricultural uses in the urban residential area.

Zoning Bylaw

"Urban Agriculture" should have its own definition in the Zoning Bylaw to include animal husbandry limited to hens and bees. "Urban Agriculture" could be added to the Use Regulations (Section 106) under Agricultural Uses and the desired zones could be referenced. "Urban Agriculture" could then be added to any appropriate zone as a permitted accessory use. In order to enable electric fencing for adequate wildlife deterrence, the prohibition of electric fencing would need to be removed from or modified in the Landscaping section (Section 112).

Good Neighbour Bylaw

Section 8.5 of the Good Neighbour Bylaw prohibits the keeping of any animal that disturbs "the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood", and Section 9 includes a prohibition of noxious odours. Section 16 of the bylaw requires prevention or removal of vermin infestations and Section 18 prohibits dangerous wildlife attraction. It is conceivable that the above issues could be ancillary to the keeping of urban hens and bees, so while there are no changes suggested to this bylaw, allowing for animal-based Urban Agriculture could be expected to require additional bylaw enforcement resources.

Animal Control Bylaw

This bylaw, which is administered by the FVRD, and the service area of which includes Mission, speaks to some animal rights issues and animals being prohibited from being at large. However, staff at the FVRD's CARE Centre advised that only animals at large and animals where they're not permitted are followed up on, and that any animal welfare concerns should be forwarded to the SPCA. Mission bylaw enforcement staff would be responsible to respond to nuisance complaints under the Good Neighbour Bylaw.

Urban Agriculture Bylaw (New)

In order to establish setbacks for coops, runs and hives, limit the number of hens and hives, stipulate enclosure requirements, and prescribe proper animal husbandry practices, and in keeping with most other municipalities' approach, urban agriculture should be regulated by its own bylaw. The enforcement of such a bylaw would fall to Mission's bylaw enforcement officers.

Under the provincial Bee Regulation, beekeepers must register their hives with the BC Ministry of Agriculture. Surrey also requires owners of backyard hens to register their flocks, using the same [online registration form](#). Surrey also offers a practical [online form for the registration](#) of backyard hens with the City, which requires a valid British Columbia Poultry Premises Identification number.

The District of North Vancouver's and the City of Chilliwack's recent bylaws on backyard hens and urban bees, respectively, could be used as the basis for Mission's Urban Agriculture Bylaw.

Urban Agriculture Alternatives

If Council resolved to allow urban agriculture in its residential neighbourhoods, the potential of increasing dangerous wildlife attraction should be considered. Urban agriculture can also be practiced in a way that does not add to the issue, for example in the form of crop production, particularly, if kept to the production of vegetables. Hobby greenhouses are already allowed in urban residential zones, including urban compact, downtown, and in comprehensive developments.

Similarly, increasing pollinator populations could be accomplished by the establishment and addition of mason bee colonies, which should not add significant wildlife attraction risk. Staff at The Happy Homesteader confirmed that mason bees are effective pollinators, are naturally docile, do not produce honey, and only the females, of which there are two for every ten males, have stingers, which would also address potential allergy concerns. There would be no need to change any bylaws, provide bylaw enforcement staff, or even keep track the location of these hives. Mason bee houses could also be added to Mission's parks and other public spaces. Coquitlam has set up mason bee houses in its parks, and is encouraging people to get involved by taking care of them, see [Adopt-A-Pollinator Hotel](#) initiative. Richmond encourages residents to grow pollen-rich plants as part of its [Bee Ambassador](#) program, which is another natural way to support pollinators in urban areas.

If the District is to allow the keeping of chickens and honeybees in urban areas, then conservation officers' advice should be heeded, and electric fencing should be a requirement. It should be kept in mind that a chicken coop or bee hive will be an attractant, just by its scent, and while not every beekeeper or chicken owner will have dangerous wildlife issues, adding attractants to residential neighbourhoods may increase the number of conflicts and result in injury to people and wildlife.

Financial Implications

There are no financial implications with the contents of this report. The need for additional resources, if any, would be considered should Council resolve to advance the preparation of a zoning amending bylaw and applicable policies to add agriculture uses in the urban designated areas of Mission.

Communication

Should Council decide to support bylaw amendments to allow for the keeping of hens and bees in urban areas, the change will be advertised via social media, the Mission City Record, and the District's website.

Report Prepared by: Jennifer Meier, Engineering Technologist III – Environmental Services

Reviewed by: Barry Azevedo, Manager of Environmental Services

Approved for Inclusion: Mike Younie, Chief Administrative Officer

Attachments

Attachment A: Chickens in Residential Areas Report to Council 2009
Attachment B: Chickens in Residential Areas Update Report to Council 2018
Attachment C: Dangerous Wildlife Sightings by Attractant 2019-2020
Attachment D: Wildsafe Position Paper on Urban Agriculture
Attachment E: Letter from the Conservation Officer Service