

TOWN OF MOUNT MORIAH
DEVELOPMENT REGULATIONS for 2017 to 2027
AMENDMENT No. 1, 2024

**Amendment of Development Regulations affecting keeping of animals,
specifically poultry and more particularly keeping of roosters.**

Adopted by Council on the 16th day of October 2024

RESOLUTION TO ADOPT; CLERK'S & MCIP CERTIFICATE

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Council of the Town of Mount Moriah adopts Amendment Number 1, 2024, to the Development Regulations for 2017 to 2027, exactly as notice was given for public submissions.

Resolved by the Council of the Town of Mount Moriah on the 16th day of October, 2024.

Signed and sealed this 30 day of December, 2024.

Mayor: Lisa Duffrey

Clerk: Carol Skeard (Council Seal)

MCIP Certificate

I certify that the attached Amendment Number 1, 2024 to the Development Regulations for 2017 to 2027 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

Member of the Canadian Institute of Planners

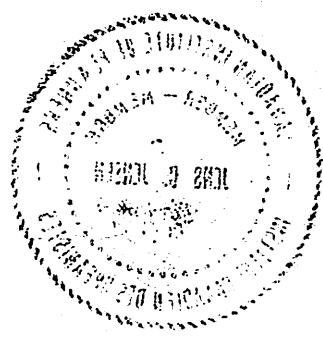
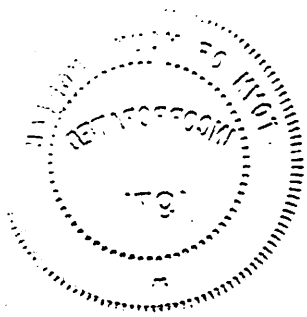
Jens Jensen Jens Jensen, P. Eng., MCIP (MCIP seal)

Date: 7th day of January, 2024.
2025



Development Regulations/Amendment	
REGISTERED	
Number	<u>3340-0008-2025</u>
Date	<u>15 JAN 2025</u>
Signature	<u>[Signature]</u>

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BACKGROUND

The Council of the Town of Mount Moriah intends to amend the Development Regulations for 2017-2027.

The subject of the amendment concerns the regulations affecting keeping of animals, specifically poultry and more particularly the desire to not include roosters in the definition of eligible birds.

PLANNING POLICY ANALYSIS

The Municipal Plan includes policies on the subject, as follows on pages 28 - 29:

6.2.7 Keeping of Animals

People keep animals as pets for the companionship and enjoyment of them. Keeping of small animals as pets is rarely a matter of concern in a Municipal Plan, as the activity tends to be self regulating as far as land use is concerned. Municipal planning laws such as a Municipal Plan and Development Regulations are not intended to be used to deal with situations where pets are dangerous or nuisances to others, or are not properly housed or not given appropriate care. In those cases, regulations concerning public health, public safety, dangerous animals, running at large, cruelty to animals, noise and other such matters better enable authorities to deal with offending behaviour.

However, keeping large animals presents risks to the health, environment, and amenity of nearby people and lands, and thus keeping of large animals is prohibited except in association with approved agricultural uses where suitable provisions are in place to deal with the expected effects.

Further, the Development Regulations will consider keeping of small animals as pets to be an acceptable accessory use to the main use of a property where it is appropriate. A reasonable maximum number of small animals of acceptable types will be defined in the Development Regulations for clarity.

The existing requirement in the Development Regulations is found in Regulation 45, page 37, as follows:

45. Livestock Structures and Uses

Livestock structures and agricultural uses involving the keeping of animals are not permitted in any part of the Planning Area. Small animals may be kept as pets as accessory uses anywhere in the Planning Area.

Regulation 45 prohibits keeping of animals for agricultural purposes, ie: production of valued products. This is amplified in Condition 5 for the Mixed Development Land Use Zone, page 83, as follows, which adds the point that keeping large animals as accessory uses is not permitted. It also specifies the number of small animals of acceptable types which may be kept as accessory uses as pets:

5. Keeping of Animals

Keeping of small animals such as dogs, cats, small birds and the like customarily kept as household pets in Mount Moriah is permitted. Keeping of large animals including but not restricted to cows, horses, sheep, goats, pigs, and large birds such as ostriches and the like is not an accessory use in the Town of Mount Moriah. Further, birds such as chickens, ducks, and geese may be kept, up to a total of 10 birds. Permits or Council approvals are not required for keeping of pets up to the limits described here.

Council has become aware that a considerable nuisance is created by the very loud and persistent vocalizations of roosters, noises not in keeping with the customary tranquil quality of life in the community. This amendment will prohibit keeping of roosters for any reason, except at the existing agricultural use at the end of the maintained part of Serpentine Road.

This is accomplished by insertion of words “*but not including roosters (any rooster which becomes non-conforming upon this amendment coming into effect shall not be replaced with another upon its demise or removal)*” immediately after the words “10 birds” in the second last line of Mixed Development (MD) Zone Condition 5 in that zone’s use zone table.

PUBLIC CONSULTATION

Council gave notice of their intention to make the said amendment by way of posting a notice on bulletin boards in the Post Office, the Town Hall and the Council office, and the Town’s website and Facebook page, as is customary for public municipal notices.

The notice invited representations from interested people and associations, to be considered before making any decision to proceed. A notice period of at least three weeks was provided.

PROPOSED AMENDMENT No. 1, 2024

The existing text of Development Regulations Condition 5 in the Use Zone Table for the Mixed Development (MD) Zone is amended by insertion of the words "*but not including roosters (any rooster which becomes non-conforming upon this amendment coming into effect shall not be replaced with another upon its demise or removal)*" immediately after the words "10 birds" in the second last line.