

Subject: Bylaw No. 21/006 - Backyard Hen Bylaw and Bylaw No. 21/007 - Amendment to Land Use Bylaw specific to Backyard Hen Pilot Project

APPROVALS:

Jamie Doyle

Director

Chief Administrative Officer

Recommended Motion:

1. THAT Bylaw No. 21/006, being the Backyard Hen Bylaw, be read a second time.
2. THAT Bylaw No. 21/006 be read a third and final time.
3. THAT Bylaw No. 21/007, being a bylaw to amend the Land Use Bylaw, specific to Backyard Hens, be read a second time.
4. THAT Bylaw No. 21/007 be read a third and final time.

Summary:

In the Urban Service Area today, hens are not permitted and in the rural communities there is limited ability for residents to keep hens on residential properties. Based on public feedback received, allowing hens in the Urban Service Area would generally be supported by residents. The proposed Backyard Hen Bylaw No. 21/006 ("Pilot Project") amends the Responsible Pet Ownership Bylaw to allow for a Pilot Project to be conducted. The Land Use Bylaw restricts the circumstances under which a resident can keep chickens to settings like farms. Consequently, a second Bylaw No. 21/007 is necessary to amend the Land Use Bylaw so that it permits the keeping of hens where a hen license has been issued under the Backyard Hen Bylaw. The Pilot Project is intended to evaluate impacts associated with backyard hens and assess the appropriateness of hens in the Urban Service Area and rural communities.

Background:

On September 1, 2015 a presentation was made to Council requesting that the Land Use Bylaw and Animal Control Bylaw be amended to allow residents to keep urban hens on their residential properties. The presentation outlined the advantages an amendment would have which included supporting the local economy for such things as construction supplies, and feed, and improving community life by fostering a relationship

between the consumer and product. At that time several other cities had set a precedence for allowing hens, including New York, Vancouver, and Portland.

On June 27, 2017 the Land Planning and Transportation Committee heard a presentation from a resident requesting urban backyard hen coops be permitted. A motion was made “that the request to allow backyard hen coops in the Urban Service Area be referred to Administration to be evaluated for possible inclusion in the Land Use Bylaw, currently under development.”

During the Land Use Bylaw re-write process, public engagement included asking residents about backyard hens. Additionally, the online feedback platform also received input from residents who wished to keep hens. In general, the public is in support of this initiative. A background report which reviewed common practices in other cities and literature has not raised major concerns provided that proper regulations are in place, can be found as Attachment 1.

On November 10, 2020 the following resolution was passed by Council:

“THAT Administration develop and bring forward for consideration a pilot project for Backyard Hens including the costs associated with implementing the pilot project.”

Given the resolution does not specifically limit the Pilot Project to the Urban Service Area, it has been expanded across the Municipality. Based on the research and direction given by Council, Administration has prepared the Backyard Hen Bylaw No. 21/006 for consideration, as outlined in Attachment 2.

Budget/Financial Implications:

The anticipated budgetary implications related to the passing of this bylaw includes the staff time required to develop and implement the Pilot Project including, but not limited to, accepting and reviewing applications for Pilot Project participants, ongoing monitoring of the Pilot Project, and enforcing the regulations.

Bylaw Officers will require an urban hen training course which ranges in cost from \$50.00 to \$75.00 per person. Additionally, costs would be incurred should hens need to be removed from a residence due to neglect or surrender. The hens would need to be relocated to an approved location within the RMWB to be cared for until the hens could be rehomed. These costs would include daily impound fees, food, veterinary care, and any other associated fees. This Pilot Project will generate modest income from the associated licensing fees.

Rationale for Recommendation:

Based on best practices, a maximum of fifty (50) properties across the Municipality will be considered to participate in the Pilot Project. The initial phase will have a duration of twenty-four months to span over multiple seasons beginning May 1, 2021.

During the Land Use Bylaw public engagement feedback was received from citizens who expressed an interest in raising hens within the RMWB. A review of common practices in other Alberta cities and literature has not raised major concerns provided proper regulations are in place.

Roosters and hens less than sixteen weeks old will not be permitted, and hens will be required to remain within their coop at all times. The participating properties will need to:

1. Have a Single Detached Dwelling or Semi-Detached Dwelling; and,
2. Have a minimum lot area of 400 sq. m.

The Applicant will be required to:

1. Reside at the property;
2. Notify immediately adjacent properties of their intent to participate in the Pilot Project;
3. Complete a Backyard Hen Training Course; and,
4. Apply annually for a License which expires the end of April every year.

The coop will be required to follow the same provisions as an Accessory Building under the Land Use Bylaw. All Federal, Provincial and Municipal Statutes and Regulations shall be met, including the Alberta Building Code. Yards containing coops will also be required to be screened.

Additional conditions will be imposed limiting the number of hens allowed, the conditions of the living area of hens, as well as their treatment in accordance with the proposed bylaw. General care details such as the type of materials used inside the coops, the hen food, or hen species will not be regulated. This is up to the hen owner to decide based on their personal preference and training.

Disposal of hen excrement that is not used for composting or fertilizer will follow the same process as disposal of any pet excrement in accordance with Municipal Bylaws. When disposing of dead hens, they may be taken to a facility that is permitted to dispose of Hens, such as a vet clinic, or they may be disposed of with household waste as they are considered food waste.

Administration will provide a report to Council annually on the status of the project. Prior to the end of the Pilot Project in May 2023 Administration will bring forward a recommendation to Council to either continue or discontinue allowing hens in the urban service area and rural communities based on the results of the Backyard Hen Pilot Project.

Strategic Priorities:

Responsible Government

Attachments:

- 1. Backyard Hens Background Report**
 - 2. Bylaw No. 21/006 - Backyard Hen Bylaw**
 - 3. Bylaw No. 21/007 - LUB Amendment Bylaw - Backyard Hen Pilot Project**
- Backyard Hens Pilot Project Presentation**