

Subject: Hen Registration By-law – Trial Program

Department: Corporate Services

Division: By-law/Property Standards

Report #: CPS-2020-004

Meeting Date: 2020-10-19

Recommendations

That report CPS-2020-004 Hen Registration By-law - Trial Program be received;

And that Council bring forward a by-law to regulate the keeping of hens in the Town of Orangeville as outlined in Attachment 1 to Report CPS-2020-004.

Background and Analysis

At the November 18, 2019 Council meeting, Council directed staff to investigate the potential for residents to keep backyard chickens and work in partnership with Sustainable Orangeville to create a pilot program that could potentially begin in May of 2020.

Staff of the By-law Division conducted a review of best practices in the City of Brampton, City of Guelph, City of Kitchener, Town of Newmarket, City of Orillia and the Township of Centre Wellington, all of which permit the keeping of hens. Staff also consulted with the Town's Planning and Infrastructure Services divisions, Sustainable Orangeville and Wellington Dufferin Guelph Public Health and obtained comments and feedback in relation to the keeping of hens on residential properties. As a result, a proposed Hen Registration By-law was drafted and is attached as Attachment 1.

Council received staff's report at the June 8, 2020 meeting in relation to the implementation and proposed regulations of a three (3) year Hen Registration Trial Program, ending December 31, 2023.

In accordance with Council's resolution from the June 8, 2020 meeting, the public consultation process consisted of a public meeting held on September 30, 2020 and an online survey that was available on the Town's website from September 10, 2020 to September 30, 2020.

At the public meeting, comments relevant to support and concerns associated with the Hen Registration Trial Program were submitted electronically (two people) and in written format (one person). The minutes from this public meeting are included as part of the Council Agenda. The online survey received a total of 155 responses and the summary of responses are outlined in Attachment 2.

Highlights from the survey responses include:

- 93% were a resident of the Town of Orangeville
- 60% agree that residents should be allowed to keep hens in rear yards of residential lots
- 40% of responses that did not agree with allowing to keep hens in rear yards, chose the following as their top three reasons why:
 - 93% - Odour
 - 80% – Noise
 - 77% – Unsanitary (illness/disease)
- 80% agree hens should only be kept on residential lots containing either a single family dwelling or semi-detached dwelling
- 68% agree with limiting the number of hens during the trial period to a maximum of two
- If hens are permitted, responders felt that the top five restrictions/guidelines that should be considered in the by-law are:
 - 87% - Cleanliness standards
 - 83% – Hens only – no roosters
 - 83% – Limit on number of hens permitted
 - 78% – Limit location of hens to rear yard only
 - 71% – Requirements for storage, location and disposal of feces

Summarized below is a list of the main concerns brought forward during the public consultation process:

Public Concerns / Comments	Staff Recommendation
Increase number of hens to more than two to ensure their well being (social), protection and warmth in colder months, and to provide sufficient number of eggs for a family	Should the trial program be well received and overall compliance maintained, consideration could be given to increasing the number at a later date.

Public Concerns / Comments	Staff Recommendation
Proposed fee of \$110 should be a one-time fee or drop the yearly fee to the \$50 range to ensure people register and it doesn't deter compliance	The recommended fee of \$110 is for the recovery of costs for the delivery of the program. The fee can be reviewed at the time of review of the trial program.
30 permits issued be increased based on number of interested parties	Should the trial program be well received and overall compliance maintained, consideration could be given to increasing the number of permits upon review of the trial program.
Concerns of hens causing noise, odour, unsanitary conditions (illness/disease), attraction of pests/rodents/vermin, waste disposal, unsightly appearance of hen coop, decrease neighbouring property values	Regulations drafted are for the well being of the animal and the protection of neighbouring properties. Enforcement includes fines and/or revocation of a permit for non-compliance.
Education on care for hens	Education material will be developed with the assistance of Sustainable Orangeville and provided on the Town's website for applicants.
Hens belong on farms – none should be permitted	The draft by-law has not been modified to respond to these comments. Should Council wish to incorporate these changes direction needs to be given to staff to amend the draft by-law.
Semi detached properties are too small	
Neighbouring property owners and occupants within the dwelling should have to agree	
People near wellhead, schools and churches have dogs/cats why should a few hens be prohibited	

In conclusion, should Council wish to proceed with the implementation of the Hen Registration Trial Program, the proposed regulations have been developed to mitigate

concerns residents may have in relation to the well-being of hens and the potential impact to surrounding property owners. Failure to comply with the provisions of the By-law may result in revocation of a permit and/or court action.

Strategic Alignment

Orangeville Forward – Strategic Plan

Priority Area: Strong Governance

Objective: Transparent and fair decision-making processes

Sustainable Neighbourhood Action Plan

Theme: Social Well-being

Strategy: Increase equitable access to and affordability to healthy food options (local when possible)

Notice Provisions

Not applicable.

Financial Impact

An annual registration fee of \$110.00 is recommended to recover costs of delivering the program:

- Acceptance and processing of an application (intake, payment processing and circulation)
- Review of the application (zoning, source protection and plans)
- Inspection of the hen coop
- Issuing of registration document
- Database entry and tracking
- Education and enforcement

Respectfully submitted

Reviewed by

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Prepared by

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Attachment(s):

1. Hen Registration By-law Draft
2. Summary of Survey Responses