



Legislation Details (With Text)

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**Title:** St. Albert Backyard Hen Pilot Project  
Presented by: Lenore Mitchell, Senior Planner

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**Attachments:** 1. Terms of Reference Backyard Hen Pilot Project

Date	Ver.	Action By	Action	Result
9/26/2016	1	City Council	amended	Pass
9/26/2016	1	City Council	approved	Pass
9/26/2016	1	City Council	approved	Pass

**TAMRIMS#: B06**

**St. Albert Backyard Hen Pilot Project**  
Presented by: Lenore Mitchell, Senior Planner

**RECOMMENDATION(S)**

Moved by Councillor Heron

That Administration implement a backyard hen pilot project starting in Spring of 2016 with the following guidelines:

1. No more than 3-4 hens per residential property
2. All hens must be 4 months or older
3. The keeping of roosters is prohibited
4. Hens must be in their coops from 9pm-6am
5. Hens must be in an enclosed hen run when not in their coop
6. Hen coops must be maintained in a clean condition, free of obnoxious odors, substances etc and conform to the Community Standards Bylaw
7. Home slaughter of hens is prohibited
8. Keeping of hens will be for non-commercial purposes
9. A limit of 20 participants for the duration of the pilot.

That Administration conduct a Backyard Hen Pilot Project as outlined in “St. Albert Backyard Hen Pilot Project Terms of Reference”, provided as Attachment 1 to the September 26, 2016 agenda report entitled “St. Albert Backyard Hen Pilot Project”, with funding of \$15,000 provided from the Council Contingency Fund.

That Administration provide Council three updates through Council Advisories including: When courses are offered, when the details on the guidelines for having hens are finalized, and when the selection of participants to partake in the Pilot Program will occur.

That Administration report back to Council in October 2018, to provide the outcome of the Backyard Hen Pilot Project and recommendations for future actions.

## PURPOSE OF REPORT

In the third quarter of 2016, Administration is bringing back for the consideration of Council, a Backyard Hen Pilot Project. Administration has prepared a Terms of Reference (Attachment 1) to outline what is involved in setting up, implementing, and evaluating a Backyard Hen Pilot Project.

## COUNCIL DIRECTION

On November 2, 2015, the following motion was moved:

(C544-2015)

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2. All hens must be 4 months or older
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4. Hens must be in their coops from 9pm-6am
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9. A limit of 20 participants for the duration of the pilot.

Before voting on Council Motion C544-2015, Council passed the following motion:

(C545-2015)

That consideration of the motion be postponed to Q1 2016.

On February 1, 2016, the following motion was passed:

(C57-2016)

That the deadline of Quarter 1, 2016 for motion C545-2015 be extended to Quarter 3, 2016.

## BACKGROUND AND DISCUSSION

Administration has contacted the City of Edmonton, the City of Red Deer, and the City of Whitehorse to consult with staff about the keeping of backyard hens. Each municipality has

different guidelines and experiences in keeping backyard hens within an urban setting. St. Albert's Backyard Hen Pilot Project will allow Administration, hen keepers, and the public to learn from the Pilot Project, before considering amendments to City bylaws or to writing new bylaws.

Planning and Development will oversee the Backyard Hen Pilot Project and involve other departments as needed.

## STAKEHOLDER COMMUNICATIONS OR ENGAGEMENT

Council, through budget direction has asked for a public survey. Community & Protective Services coordinated a broad based survey conducted by Leger from June 30 to July 17 2016, which included three questions about backyard hens.

Question 1: The City of St. Albert is considering the respondents being able to raise chickens in their yards. The respondents could only raise hens, not roosters. How concerned are you, if at all, about the idea of raising hens in the City?

Response to Question 1: 48% are somewhat or very concerned, meaning 51% are not very or not at all concerned.

Question 2: If you found out that one of your neighbours was planning to raise hens on their property, what concerns would you have?

Response to Question 2: Some of the concerns listed included smell, noise, feed could be messy/not cleaned up, waste disposal/feces/dead animals, and not secure/chickens get out.

Question 3: What, if anything, could the City of St. Albert do as part of a pilot project or any new regulations to address your concerns about backyard hens in the City?

Response to Question 3: Abolish it {meaning the pilot project}, rules/regulations/bylaws need to be in place, educate people, do it on a trial basis and then review it.

A correlation based on age and where the respondent lived in the City was completed and found that in the NE portion of the City there was stronger opposition and concern for hens. The NW was an even split on support and non-support for hens. In the SW and SE, the majority was not concerned. Respondents aged 55+ had more concern than respondents aged 18 to 34.

The pilot project has taken into account concerns identified in the survey, and should a pilot project be supported, further analysis of the concerns raised in the survey can be considered.

As outlined in the Terms of Reference (Attachment 1), a public consultation plan will need to be developed, and this will be done in consultation with Corporate Communications & Design, and Innovation & Technology Services (IT).

## IMPLICATIONS OF RECOMMENDATION(S)

Administration prepared the Terms of Reference (Attachment 1) to show that implementing backyard hens will involve preparation time, courses for residents considering participating as hen keepers, monitoring of the pilot project, evaluating, and reporting back to Council. The Planning and Development Department is taking the lead on the Pilot Project, and through the process, the Corporation will learn what departments need to be involved and what bylaws will need to be amended or written. The anticipated cost of the Pilot Project is \$15,000, excluding staff time.

Administration will consult with other municipalities to continue learning about their successes and changes they have made, so that St. Albert has a program that works for St. Albert.

a) Financial:

- A Backyard Hen Pilot Project has a projected cost of \$15,000 that would support courses to educate residents and staff about proper hen keeping, public consultations, and print material about the Pilot Project and hen keeping. The anticipated expenses have not been budgeted and will require funding which is recommended to be funded out of Council Contingency Fund.
- Staffing costs will be tracked as the Pilot Project will be a collective effort with staff from various departments. The staff costs will be part of the City's regular costs.

b) Legal / Risk:

- Section 20 of the Animal Control Bylaw indicates as follows:

*No person shall keep or harbor any animal considered to be "livestock" as defined in the Land Use Bylaw, this includes any horses, cattle, pigs, sheep, goats, llamas, ostriches, bison, chickens, turkeys, ducks, geese, pigeons, foxes, mink, rabbits, skunks, poultry, or fowl, unless the person holds a development permit that authorizes such activities.*

Approved participants in the Pilot Project would receive a Development Permit or the equivalent thereof, and therefore would be compliant with this section. If backyard hens are permitted in the long term, Land Use Bylaw changes will be necessary (including the definition of "livestock") as will corresponding changes to the Animal Control Bylaw.

- The Land Use Bylaw defines livestock as including horses, cattle, pigs, sheep, goats, llamas, ostriches, bison, chickens, turkeys, ducks, geese, pigeons, foxes, mink, rabbits, skunks, and all other animals, poultry, fowl, and birds whether of a domestic nature or wild, but does not include dogs, cats or other domesticated household pets ordinarily kept within the confines of a dwelling house. This definition may need to be amended should the keeping of backyard hens be permanently allowed.
- The Community Standards Bylaw relates to the conduct and activities of people on privately owned property and immediately adjacent areas. As the Pilot Project may receive complaints related to an unsightly coop, placement of a coop, odors, and attraction of pests, staff will need to document the issue and work with the participant to correct the issue. However, if there is no cooperation, then the City could charge an owner for not complying with this Bylaw. This document may need to be amended should the keeping of backyard hens be permanently allowed.
- To enable a Pilot Project, no changes will be made to the Land Use Bylaw, Community Standards Bylaw, or the Master Rates Bylaw. This is possible because the Pilot Project is being implemented to inform which Bylaws may need to be amended, or written, should backyard hens be permanently permitted in the future.
- Participants in the Backyard Hen Pilot Project will need to sign a disclaimer clause or an agreement with the City so that the City is not held liable for costs by the participants if they withdraw or the Pilot Project is discontinued.

- c) Program or Service:
- There will be a shift of duties for the lead staff overseeing and running the Backyard Hen Pilot Project. It is estimated that 20% of one person's workload will be spent on the Pilot Project. At certain points in the project, the project manager will have to commit more time, which is dependant upon where things are in the process. In addition, staff from other departments will participate on an as-needed basis.
  - The Pilot Project will inform staff demands should backyard hens be permanently permitted in the future.
- d) Organizational:
- The Backyard Hen Pilot Project will have peak demand periods on staff, such as: Getting the registration process in place, offering courses, registration of participants, site inspections and monitoring the Pilot Project, and reporting on the Projects outcomes and recommendations.

## **ALTERNATIVES AND IMPLICATIONS CONSIDERED**

If Council does not wish to support the recommendation, the following alternatives could be considered:

- a) Alternative 1: That the Backyard Hen Pilot Project not be implemented. This means no additional staff time or costs will be incurred, and that no bylaws will be considered for amendment as it related to hens. Basically, what is in place today would stay in place.
- b) Alternative 2: That the Backyard Hen Pilot Project is not done by staff, but is contracted out. This would require a proposal call, a budget to support a contractor, staff time to oversee the contract, and some additional input from various departments.

## **STRATEGIC CONNECTIONS**

- a) City of St. Albert Strategic Plan (Policy C-CG-02)

### **Pillars of Sustainability**

- **SOCIAL** - We are a friendly and inclusive community of passionate equals, where everyone feels a sense of belonging. We believe that community starts with the person next door.
- **NATURAL ENVIRONMENT** - We protect, embrace and treasure our deeply-rooted connections with the natural environment through championing environmental action.
- **CULTURE** - We are proud of our storied history that has fed and nurtured our festive and culturally-rich community.

### **Governance Strategy**

- Council is committed to ensuring that the City of St. Albert is a responsive, accountable government that delivers value to the community.

## Service Delivery Strategy

- Council is committed to ensuring that the City of St. Albert is engaging residents to identify opportunities to improve delivery of services to the community.
- a) Long Term Plans
- Through the Backyard Hen Pilot Project, consideration will be given to possible impacts to long term plans, or how long term plans have an impact to the Pilot Project, and the outcomes of the Pilot Project.
  - The Land Use Bylaw, Animal Control Bylaw, Community Standards Bylaw, and the Master Rate Bylaw may need to be considered for possible amendments should the keeping of hens be permanently permitted in the future.
  - St. Albert Natural Area Conservation and Management Plan: Consideration of placement of coops when adjacent to natural areas, parks, trails, and wildlife corridors. Consider setbacks from Stormwater Management Facilities (SWMF) to reduce cross contamination of bird-type flues between hens and wild birds.
  - Integrated Pest Management Plan: Consideration of appropriate management strategies for potential nuisance and pests that may occur with the introduction of hens. These pests may include insects, rodents, and birds such as crows, magpies, and pigeons. The courses for participants and staff should also discuss ways of keeping hens so that foxes and coyotes are not attracted to the eggs and hens.
  - Social Master Plan, where residents know their neighbours.
  - Recreation Master Plan: Consideration for programs related to hen keeping. This may touch on eating locally and urban agriculture. Explore the fit with Recreation Service, because they offer programs and oversee community gardens.
  - Community Standards Bylaw: Consideration of type of offences such as an unsightly coop and odors associated with un-kept hen runs, and what penalty to assign for an offence.
- b) Corporate Objectives
- Deliver programs and services that meet or exceed our standards.
  - Ensure our customers are very satisfied.
- c) Council Policies
- Not applicable.
- d) Other Plans or Initiatives
- The St. Albert Heritage Site Functional Plan: Consider opportunities for urban agriculture at the proposed gardens at the Heritage site.

Report Date: September 26, 2016  
Author(s): Lenore Mitchell, Senior Planner  
Committee/Department: Planning & Engineering

General Manager: Gilles Prefontaine  
Interim City Manager: C. Jardine