

The Corporation of the Municipality of Brighton
By-Law No. 012-2021

Being a By-Law to Regulate the Keeping of Backyard Hens under the provisions of Section 34 of the Planning Act, R.S. 0., 1990, to amend By-law No. 140-2002, as otherwise amended, of the Municipality of Brighton as it applies to the whole of the Municipality of Brighton

Whereas By-law No. 130-2019, as otherwise amended, the "Comprehensive Zoning By-law" of the Municipality of Brighton was passed under the authority of Section 34 of the Planning Act; R.S.O., 1990, as amended;

And Whereas the Council of the Corporation of the Municipality of Brighton conducted a public meeting in regard to this application, as required by Section 34(12) of the Planning Act R.S.O., 1990, as amended;

And Whereas the Council of the Corporation of the Municipality of Brighton deems it expedient to amend By-law No. 130-2019, as otherwise amended, with respect to the above-described lands, and under the provisions of Section 34 of the Planning Act; R.S.O., 1990, as amended, has the authority to do so.

Now Therefore, the Municipal Council of the Corporation of the Municipality of Brighton **enacts as follows**:

1. That Section 4.41 of By-law No. 130-2019 is hereby deleted and replaced with the following:

4.41 Backyard Hens

- i. The Owner of a lot in the RR, R1, R2, R3, HR, or SHR zones or a lot with a legal non-conforming dwelling unit in another zone may keep outside of the dwelling unit a maximum of six (6) hens.;
- ii. Notwithstanding i above, no keeping of hens shall be permitted where a developer's covenant agreement has been entered into with the landowner to the contrary, in which case the terms of the covenant shall prevail.
- iii. The keeping of hens shall be considered an accessory use to the residential use; when the residential use ceases, the keeping of hens shall also cease.
- iv. Hens shall only be kept for the purposes of egg production only and used on premise without sale or distribution to the public.
- v. All hens shall be contained within a coop and located in the rear yard.
- vi. A coop shall meet the side and rear yard setbacks of the dwelling unit or home for the zone; on legal non-conforming lots, the setbacks of the RR Zone in rural areas shall apply, setbacks of the R1 Zone in urban areas shall apply, and setbacks of the HR Zone shall apply in hamlet areas.
- vii. A coop shall be a maximum of 9m² in size and be at least 3 metres away from any neighbouring windows or doors.
- viii. A hen run shall be a maximum of 30 square metres.
- ix. A hen coop or hen run shall be a maximum height of 3 metres.
- x. A minimum of one (1) fully enclosed waterproof container for manure storage is required storing not more than a total of 0.08 cubic metres (2.8

cubic feet).

xi. The following uses are prohibited:

- a. Home slaughter of hens;
- b. The keeping of roosters;
- c. On-site disposal of deceased hens.

xii. Nothing in Section 4.41 shall be construed to limit the keeping of hens on parcels of land that are zoned to permit an Agricultural Use.

Read a first and second time, read a third time and finally passed this 8th day of February, 2021.

Original signed by:
(Sgd.) Brian Ostrander, Mayor

Original signed by:
(Sgd.) Candice Doiron, Clerk