



Date: Wednesday, May 08, 2024
From: Michael Benner, Director of Development and Infrastructure
Subject: **Backyard Poultry Zoning By-law**
Report DEV2024-026

This document and its attachments are public and available in an accessible format upon request.

Recommendation

That Council receive staff report DEV2024-026 Backyard Poultry Zoning By-law for information, and;

That Council authorize the Mayor and Clerk to enact an amendment to the Township's Zoning By-law 2020-020 to permit backyard poultry as a permitted use on certain residential properties within the Township.

Background

At the January 10, 2024 Committee of the Whole meeting, Council received staff report DEV2024-001 Backyard Poultry Information Report for their consideration. This report provided some background on the notion of permitting poultry to be allowed as an accessory use to residentially zoned properties. The report also provided an analysis of the pros and cons of backyard poultry uses and provided a summary of a community survey undertaken on the topic in the fall of 2023. Thirdly, the report also provided 3 options for Council's consideration.

After receiving the report, the following resolution was passed:

COW2024-006

Moved By: Mayor Sue Carleton Seconded By: Councillor Cathy Moore Coburn

That Council receive staff report DEV2024-01 Backyard Poultry Information Report for information, and; That Council hereby provides direction to proceed with option 2 as presented in report DEV2024-001.

Approved



Analysis

As noted in report DEV2024-001, many municipalities in Ontario have developed policies and by-laws permitting backyard poultry. Common themes amongst these municipalities include:

- prohibition of roosters,
- limiting the number of hens to under 10,
- restricting chicks/pullets under 4 months,
- a registry or permit process,
- coop specifications, and setback provisions.

In addition, some areas allow backyard poultry in residential zones as either a permanent change or as a pilot project lasting 1-3 years.

The following chart provides some of the key considerations that have been explored in preparing the backyard poultry by-law with examples of provisions that have been considered or included within other municipal examples.

Subject	Example Provisions
Allowable zones	-Agricultural and Rural zones already permit agricultural uses. -Select residential zones based on parcel size and location. (i.e. minimum 2,000 sq. metres (1/2 acre) parcel size)
Sitting restrictions for enclosures (coops)	-Not located in front yards -Minimum 2 metres from rear and side lot lines -2 metres from dwelling units -10 metres from neighbouring dwelling unit -15 metres from dug or drilled wells
Size restrictions for enclosures (coops)	Maximum area 10 sq. metres Maximum height 2 metres
Number and types of birds	-10 hens per lot, no roosters -No waterfowl -No turkeys
Housing/yard requirements	-Coop must be roofed and enclosed with walls and floors to protect from weather yet provide proper ventilation. -Run must be fenced and well secured to prevent hen escape and potential predation.



	<ul style="list-style-type: none"> -Coops and runs must be kept in good repair and sanitary condition. -Food should be secured in pest proof containers -Manure and waste should be contained in enclosed container and properly disposed.
biosecurity	Must have regard for OMAFRA biosecurity recommendations for small flock chicken owners

Given Council’s preference for Option 2, noted above, registry provisions have not been explored.

An amendment to the Townships Zoning By-law has been drafted and is included as an Appendix to this report. This By-law proposes to amend the Definitions section of the Zoning By-law to include definitions for animal enclosures, backyard poultry and hens. Additionally, Section 5.13 Livestock on Residential Lots will be amended to include provisions permitting backyard poultry in select residential areas. Together, these definitions and provisions provide the following specifications:

- Backyard Poultry is limited to hens or pullets and does not include roosters, waterfowl or other birds.
- Backyard Poultry will only be permitted on Residentially zoned parcels (Residential R1, R1a, R1b, R1c and Shoreline Residential SR) that are larger than 0.2 hectares (1/2 acre).
- Enclosures for poultry are limited to a maximum size of 10 square metres and are controlled under the same setback provisions as other accessory structures. They must also be setback a minimum of 10 metres from any adjacent dwelling.

It should be noted that poultry and other livestock are already permitted on properties zoned as Agricultural or Rural.

Financial Impact

Staff are anticipating that there may be some impact to the Municipality’s Municipal Law Enforcement program as enforcement issues related to the by-law amendment arise.

Strategic Priorities

2. Foster Economic Growth
3. Demonstrate and Enhance Environmental Stewardship



Conclusion & Recommendation

The keeping of backyard poultry in residential areas poses both benefits and challenges for residents and the municipality. Although a growing number of municipalities across the province are permitting this use, the by-laws and registration programs administering the use need to be carefully and thoroughly considered before implementation. With that in mind, staff re recommending that Council authorize the Mayor and Clerk to enact an amendment to the Township's Zoning By-law 2020-020 to permit backyard poultry as a permitted use on certain residential properties within the Township.

Respectfully Submitted:

Original signed by Michael Benner

Michael Benner, MCIP, RPP



Report Approval Details

Document Title:	DEV2024-026 Backyard Poultry Zoning By-law.docx
Attachments:	- Draft Backyard Poultry By-law.pdf
Final Approval Date:	Apr 30, 2024

This report and all of its attachments were approved and signed as outlined below:

Niall Loble, Chief Administrative Officer