



Date: Wednesday, January 10, 2024

From: Michael Benner, MCIP RPP, Principal Planner

Subject: Backyard Poultry Information Report

Report DEV2024-001

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

Recommendation

That Council receive staff report DEV2024-01 Backyard Poultry Information Report for information, and;

That Council provide direction on the preferred option(s) presented in this report.

Background

In recent years, interest in keeping backyard poultry has flourished in many communities across the province. As more attention is paid to issues of sustainability, food security, and consumption of locally grown food, many residents have started looking for opportunities in their own backyards. Such opportunities include vegetables gardens, fruit and nut trees, and raising backyard poultry.

The Township of Georgian Bluffs Official Plan states that livestock can only be kept on agricultural properties and in the absence of wording to the contrary, poultry would be considered livestock, and therefore restricted to only agricultural and rural properties at this time.

At the Council meeting of May 10, 2023 correspondence was received regarding the keeping of backyard poultry. After some discussion, the following resolution was passed:

RES2023-100

Moved By: Councillor Ryan Thompson Seconded By: Councillor Cathy Moore Coburn

That staff be directed to bring back a report regarding backyard poultry by-laws.



Carried

This report addresses Councils direction and explores policy considerations regarding backyard poultry by-laws.

Analysis

Many municipalities in Ontario have adopted regulations for the keeping of backyard poultry to mitigate and minimize potential health risks, predators, and nuisance factors. Regulations can be created under the Municipal Act (such as licensing or animal control by-laws), and/or through the Planning Act (zoning controls and performance standards).

Many municipalities in Ontario have developed policies and by-laws permitting backyard poultry including Toronto (in specific areas), Ottawa, Brampton, Kitchener, Burlington, Guelph, Kingston, Waterloo, Brantford, Niagara Falls, Peterborough, Kawartha Lakes, Norfolk County, Alwicks/Haldimand, Quinte West, Meaford, Orangeville, Orillia, Halton Hills, Chatham-Kent, Clearview and others as the list keeps growing.

Common themes amongst these municipalities include: prohibition of roosters and, 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.

EngageGB Survey

During the fall of 2023 (August through November) an online survey regarding the notion of allowing backyard chickens in residential areas was conducted through the Township's EngageGB platform. The purpose of this survey was to explore community interest in the backyard chickens and to gather input on important considerations when developing policies related to this topic. This survey saw a total of 517 visits with 250 participants completing the questionnaire. Almost all of the participants are current full-time (78%) or part-time residents (18%) of Georgian Bluffs. The survey questions and results are summarized below:

- Do you think Georgian Bluffs residents should be allowed to keep backyard chickens, in both agricultural and rural and residential zones?
 - 74% of the responses were yes with moderate to no regulations.
- Does your household want to keep backyard chickens?
 - The 2 highest responses were split between wanting to (31%) or not wanting to (31%) keep chickens.



- Why do you think backyard chickens should be allowed within all areas of Georgian Bluffs?
 - The top reason with 189 responses was that keeping chickens was part of a sustainable lifestyle.
- Why do you think backyard chickens should not be allowed in all areas of Georgian Bluffs?
 - 174 respondents felt that chickens should be allowed. Other reasons for not allowing chickens included noise, odours, and attracting vermin and wildlife.
- What is the minimum property size you feel would be appropriate for backyard chickens?
 - 65% of respondents felt that small properties (500m² or under) would be appropriate.
- Should people wishing to keep backyard chickens have to apply for a special permit or license?
 - 54% of the respondents felt that permits or licensing were not necessary while 34% felt that they were.
- What is the maximum number of chickens that should be allowed per property?
 - 45% of respondents felt that 7 to 10 chickens would be appropriate.
- If guidelines are written to allow backyard chickens in all areas of Georgian Bluffs, what considerations do you think are important?
 - The 3 most popular considerations included getting permission from neighbouring properties, prohibition of commercial sale of eggs and birds and allowing in specific residential zones where appropriate.

Generally speaking, the survey results would appear to indicate that respondents are in favour of keeping poultry on smaller residential properties provided there are very minimal controls in place. Licensing and permits for such a use was generally not favoured but limitations on the number of birds and the sales of eggs and birds should be controlled.

It should also be noted that although the majority of respondents were in favour of backyard poultry, the survey also revealed important matters to be considered in the keeping of backyard poultry. These concerns were primarily brought forward in the comments section of the survey and included the following:

- Noise and odour;
- Proper disposal of manure and dead birds;



- Potential for disease;
- Potential for increases in vermin and wildlife preying on poultry, and;
- Concerns over enforcement.

A copy of the survey results is included in the appendices of this report.

Considerations for By-laws and Registry Provisions

The following chart provides some of the key considerations that could be explored in a 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 1,000 sq. metres (1/4 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	-7 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. -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
Registry options	Small flock locations and number of flock registered for each property in program.

Poultry vs Other Birds

Currently, staff are recommending that further work only focus on chickens rather than considering provisions for waterfowl or other birds (turkey, pigeons, quail, guinea fowl, pheasants, partridges) for the following reasons:

- Different breeds and species of birds have different sizing requirements.
- Waterfowl are accustomed to and spend a substantial amount of time in water. As such, owners of waterfowl would need to have adequate access to fresh water or a water bath (typically water which is deep enough to rinse their nostrils and to wash their eyes and tail) during daylight hours. Changing and maintain this water source in a residential neighbourhood may be challenging and be a nuisance to neighbouring landowners.
- Waterfowl (and larger birds), such as geese, produce significant noise compared to chickens.
- Waterfowl can produce a lot of wet manure and tend to be more of an odor problem.
- Mixing birds of different species and from different sources increases the risk of introducing disease to the flock. It is preferable to keep only birds of similar age and species together.

Options for Consideration

From the survey results, it would appear that there is community interest in moving forward with backyard poultry permissions. Most of the municipalities in Ontario who do permit backyard poultry do so through amendments to their Zoning By-laws and some have also put a registration/licensing program in place.

Given the variable approaches taken, staff are requesting that Council provide direction on the preferred approach for a backyard poultry program for the Township. Three potential options are described below.



Option 1. Do nothing.

This option would uphold the present agricultural policies treating poultry as livestock and only allowing poultry and as an agricultural use on properties zoned as Agricultural and Rural. The keeping of poultry on Residential, Commercial and Industrial zoned properties would continue to not be permitted.

Option 2. Permit poultry in residential areas through a housekeeping amendment to the Zoning By-law.

This option would require staff to craft an amendment to the Comprehensive Zoning By-law 2020-020 that would add the keeping of poultry as a permitted use in select residential zones. The By-law would contain restrictions on minimum parcel size, numbers of poultry and other provisions relating to chicken coops and runs. The draft by-law would be circulated for comment and a statutory public meeting would be held prior to bringing the by-law to Council for adoption. Enforcement would be limited to the provisions contained in the by-law.

Option 3. Permit backyard poultry through a housekeeping amendment to the Zoning By-law and develop a registration/licensing system for residents who wish to keep poultry in residential areas.

This option would include the amendment noted in option 2 and create a registration/licensing system for backyard poultry. The registration/licensing program would involve more ongoing staff administration and enforcement.

Financial Impact

No financial impact at this time.

Staff are anticipating that there will be a financial impact if a bylaw or a licensing program is implemented, which may be able to be recovered fully or partially if fees were associated, for example, with licensing. This will be explored in more detail in subsequent options and recommendations.

Strategic Priorities

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



Conclusion

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. Staff are recommending that Council consider the implementation options outlined in this report and provide staff with a preferred direction for further action.

Respectfully Submitted:

Original Signed by:

Michael Benner, MCIP, RPP



Report Approval Details

Document Title:	DEV2024-01 Backyard Poultry informational Report.docx
Attachments:	- Backyard_Poultry_Survey_Responses_Report.pdf
Final Approval Date:	Dec 21, 2023

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

Niall Loble, Director of Community Services