



## REPORT

---

**TO:** Mayor Bonnette and Members of Council

**FROM:** Susie Spry, Manager of Enforcement Services

**DATE:** September 22, 2021

**REPORT NO.:** ADMIN-2021-0031

**SUBJECT:** Urban Chickens

---

### **RECOMMENDATION:**

THAT Report No. ADMIN-2021-0031 dated September 22, 2021 regarding the results from the Town's Public Engagement platform on Urban Chickens be received;

AND FURTHER THAT Council:

A) allow the keeping of chickens within the Urban areas of the Town of Halton Hills and approve the proposed changes to the Responsible Pet Owner's By-law 1994-077;

OR

B) not allow the keeping of chickens within the Urban areas of the Town of Halton Hills.

### **KEY POINTS:**

The following are key points for consideration with respect to this report:

- Staff were directed to assess the feasibility of an Urban Chicken program.
- Through two public surveys staff received over 1,000 total responses both for and against the keeping of chickens.
- Should Council approve the keeping of chickens, amendments to the Responsible Pet Owner's By-law 94-077 are required to allow for urban chickens and proposed amendments are attached as Appendix A
- Staff anticipate that the licensing and registration program could be ready in Q2 of 2022. In the interim, staff would freeze enforcement of urban hens.

## **BACKGROUND AND DISCUSSION:**

Currently under the Town's Responsible Pet Owner's By-law 1994-077, hens are only permitted to be kept on lands zoned and used for agricultural purposes. There are currently no allowances or exemptions in the by-law for keeping hens. Since 2010, there have been a total of 28 complaints and subsequent investigations regarding property owners keeping chickens on land where it is not permitted.

On September 9, 2019, Council passed a motion directing staff to engage Halton Hills residents on whether they would support the keeping of chickens within the urban boundaries.

### Initial Survey

The survey ran from March 9, 2020 to April 15, 2020 with over 700 respondents. Findings from the survey indicated 64% of respondents would be in favor of allowing urban chickens. Feedback from the initial survey exhibited both "pros and cons" associated with the keeping of hens.

#### Pros:

- Concern about where food comes from
- Environmentally friendly
- Provide as natural fertilizers for lawns
- Therapeutic
- Reduce bugs in warm season

#### Cons:

- Noise
- Attracts vermin and wildlife
- Odours/Unsanitary
- Health Hazard
- Negative

On March 22, 2021, report ADMIN-2021-0016 was brought before Council detailing the results from the initial survey launched the previous year. There was a brief delay in bringing this matter back before Council due to the COVID-19 pandemic which was realized shortly after the initial survey closed.

Based on the results from the initial survey, Council directed staff to prepare a public consultation process to determine the appropriate requirements for a backyard chicken policy for the Town of Halton Hills. A new survey was launched on May 1, 2021 and ran until the 28<sup>th</sup> of May. Participants were given the opportunity to review the proposed regulations and to provide feedback on whether the regulations would adequately address concerns and capture all the appropriate provisions in order to effectively

mitigate potential issues around standards of care, attraction of wildlife and health and safety.

### Second Survey

There were a number of proposed regulations presented in the survey which included some of the following;

- Maximum of 4 hens and 1 coop per property
- Prohibit the keeping of any rooster on any residential property
- All hens must be a minimum of four months old
- Hens must be kept in the hen coop or hen run at all times
- The sale of eggs for public consumption is not permitted
- Every hen owner must reside on the property in which they are kept

With respect to coops and runs;

- Minimum 3 metre setback from any dwelling on an adjacent lot and a minimum 2 metres from any lot line
- Permitted only in the rear yard of a property
- Must be completely enclosed to prevent escape
- Food shall be stored in a rodent proof container and remain secure at all times
- Must be maintained in good repair in a clean and sanitary condition, free of obnoxious odours, substances and vermin

The second survey generated 373 responses with most participants in agreement with the proposed regulations. 60% of the respondents agreed with the Town requiring a licence to keep hens indicating such requirement creates a level of accountability and responsibility for hen keepers to be/remain in compliance. It also supports the need for town staff to track the locations of where hens are being kept.

52% of respondents want to see the fees associated with a licence as a one time fee while 47% want an annual cost to be charged. Applying a fee to the licence will add a financial consideration into the decision-making process on whether to keep hens or not. 61% of respondents felt the fee range of \$50-\$100 was reasonable and in line with what other municipalities are charging.

Among other requirements, requiring a minimum lot size received a 77% approval rating from the respondents. 58% disagreed with requiring consent from a neighbour in order to keep hens citing the high potential for conflict as a neighbour may create an issue out of spite. Other comments identified take in to account that it is not required for dogs and

cats and that it should be no one else's business. Necessitating a mandatory education component for all licensees received 77% approval. Keeping backyard hens is complicated and requires significant knowledge to be a responsible owner. It requires commitment to becoming educated about how hens must be cared for to ensure that they are kept in a manner which protects animal welfare and public health.

### Jurisdictional Scan

Staff have reviewed ten jurisdictions within the greater Toronto area. Six of the jurisdictions which include Brampton, Guelph, Cambridge, Kitchener, Niagara Falls, Caledon and Toronto (still in the pilot project phase) permit urban chickens. Three jurisdictions do not and those areas include Burlington, Oakville and Milton.

All of the regions that allow urban hens reported low complaint numbers in relation to the hen keeping despite the various size in each municipality. Municipalities that prohibit urban hens cited similar reasons for doing so. Common themes include concerns about attraction of unwanted wildlife, odour, noise, the transmission of zoonotic diseases such as Listerias and Salmonella and waste disposal. Further concerns included the worry of residents' ability to properly care and lawfully dispose of hens.

### Comments

Based on feedback from the public survey, stakeholder meetings, online open house and jurisdictional scan, staff have drafted proposed amendments to the Responsible Pet Owner's By-law 1994-077 attached as Appendix A. The proposed amendments outline the regulations for the keeping of hens in the urban area as well as the proposed licensing fee.

All enforcement of the new provisions would fall under the responsibility of the Town's Canine Control contractor as enforcing the Responsible Pet Owner's By-law is the primary function of the service.

### Public Health and Welfare

Public Health Ontario advises that illness and outbreaks have been associated with exposure to urban hens but that the risk of transmission can be lessened by avoiding close contact and practicing proper hygiene. Backyard hens can carry Salmonella germs even when they appear to be healthy and clean. Illness can be spread by touching the hens or anything within their environment and then touching your mouth, food or by swallowing Salmonella germs.

The following list recommendations will be included as part of the educational component of the required license.

- always wash your hands
- do not kiss or snuggle backyard hens

- keep supplies and footwear outside of the house
- always supervise children around urban hens to ensure hands are properly washed afterwards
- do not let children under 5 come into contact with backyard hens as young children are more likely to become ill
- contact your health care provider should you have any of the identified symptoms related to Salmonella

### Nuisance and Wildlife Concerns

Urban hens will increase the likelihood of nuisance type complaints such as noise, odour from food scraps or manure and the attraction of unwanted wildlife. Although most jurisdictions that permit the keeping of hens indicate relatively low complaint numbers, it is important for the Town to incorporate strong education and regulatory strategies to avoid or mitigate these concerns as recommended in this report.

### **STRATEGIC PAN ALIGNMENT:**

This report is administrative in nature and does not have an impact on the Town's Strategic Plan.

### **RELATIONSHIP TO CLIMATE CHANGE:**

This report is administrative in nature and does not directly impact or address climate change and the Town's Net Zero target.

### **PUBLIC ENGAGEMENT:**

Public Engagement has been conducted as follows: 2 online surveys (2020 and 2021) and a Public Open House in June 2021.

### **INTERNAL CONSULTATION:**

Throughout the process the Town Clerk and staff from Communications were consulted.

**FINANCIAL IMPLICATIONS:**

This report will be funded through an existing approved budget source. Should Council recommend and approve the keeping of backyard hens, it would create some additional costs for the Town with a nominal portion of these costs being offset through a licensing fee.

Reviewed and approved by,

Valerie Petryniak, Town Clerk & Director of Legislative Services

Chris Mills, Acting Chief Administrative Officer