



THE CORPORATION OF THE TOWN OF TECUMSEH

Corporate Services & Clerk
Report No. 55/16

TO: Mayor and Members of Council

FROM: Director Corporate Services & Clerk

DATE: October 21, 2016

DATE TO COUNCIL: November 22, 2016

SUBJECT: Keeping of Urban Chickens

RECOMMENDATIONS

It is recommended that:

1. Animal Control Bylaw No. 1999-07, be amended, to specifically prohibit the keeping of chickens in urban areas; and that
2. Corporate Services & Clerks Department Report No. 55/16 regarding the keeping of urban chickens, be received.

BACKGROUND

A growing concern has been expressed by residents related to the keeping of chickens in residential areas, along with complaints relating to rodents and other wildlife.

“Urban chickens” have become a growing trend across North America. In an effort to be more involved in their own food production, many urban residents across Canada have opted to raise and keep chickens in their backyards. Chickens raised on urban residential properties are therefore referred to as “urban chickens” or “backyard chickens”.

As a result of the growing trend of keeping chickens in urban areas, municipalities are left deciding whether to regulate or prohibit backyard chickens.

The responsibility for the humane and sanitary keeping of backyard chickens lies both on the owners, as well as municipalities. There are both benefits and risks associated with the keeping of urban chickens, including but not limited to:

- I. **Animal & Public Health:** Poultry can host diseases that can be passed on to humans. These animals require health management and veterinary care, as well as basic biosecurity measures, to minimize the occurrence and spread of diseases.
- II. **Animal Care:** Basic hygiene is essential when caring for these animals, which also need proper shelter, food, water and adequate space to stay healthy. Manure must be disposed of in a safe and environmentally responsible manner. Even with the best of care, some animals will die, which means there must be a plan in place for the disposal of dead chickens.

- III. **Predators:** Poultry can attract predators such as coyotes, rodents, skunks, raccoons, foxes, other wildlife and neighbourhood pets.
- IV. **Food Safety:** There are provincial and federal regulations regarding food safety. For example, regulations under the *Food Safety and Quality Act, 2001* govern the sale of ungraded eggs.
- V. **Nuisance:** Nuisance issues such as, increased noise and unpleasant odors.
- VI. **Abandonment:** There have been instances where urban chickens are no longer able to lay eggs [after 5 years], or male chickens, that are abandoned as reported by the Windsor Essex County Health Unit.
- VII. **Education & Entertainment:** Raising backyard chickens can be fun and educational, allowing families to teach their children about avian biology, animal welfare, behavior and much more.
- VIII. **Improved Nutrition:** Backyard chickens provide urban residents a chance to grow their own food. This allows residents to have more control over their food production. There are also many health benefits of eggs from chickens, including omega-3 fats.
- IX. **Animal Welfare:** Backyard Chickens are believed to live a healthier, happier life than those who spend their lives in captivity at chicken farms.

Concerns raised specifically by some Tecumseh residents are in regards to the rodent population within the Town. There is a belief that the keeping of urban chickens has led to an increased presence of rodents. Research has shown that urban chickens, and improperly stored food, have the potential to attract rodents and other wildlife. The Corporate Services & Clerks, Public Works & Environmental Services, Planning & Building Services and Information and Communication Services Departments have worked collaboratively to establish where urban chickens are known to be located within the Town in relation to where complaints have been received about rodents, in order to see if a correlation between the two could be established. Based on analysis, no such correlation was demonstrated.

The Town has taken measures to mitigate the rodent population through a public education campaign on how to discourage rodents and introducing mandatory hard-sided containers for household waste, effective January 1, 2017.

COMMENTS

Currently, the Town's Animal Control Bylaw No. 1999-07 does not prohibit, nor regulate, the keeping of urban chickens.

The Town's current Zoning By-laws also do not provide specific regulations pertaining to the keeping of urban chickens [or any other type of animal/pet] within residential areas. As a result, and in an attempt to provide some reasonable application of the Zoning By-law, there has been reliance upon a simplified interpretation of other provisions in the Zoning By-laws as a means to ensure that the noted use does not become an incompatible use within residentially zoned areas.

More specifically, the Planning & Building Services Department has relied upon the definition of "accessory" when dealing with the introduction of urban chickens [and the associated structures which house them] on a residentially zoned property. Currently, the use is being interpreted as an accessory use to the permitted residential use provided it meets the Zoning By-law's definition of "accessory" [*"being a use that is normally incidental, subordinate and exclusively devoted to a main use..."*] along with the associated accessory use provisions [building size, minimum side and rear yards, building height, etc.].

As the demand for urban chickens has increased over the past several years, the above-noted interpretation was applied to any property complaint received by the Town. The approach consistently being used is that in order to meet the “accessory” definition of the Zoning By-law, a maximum of three (3) urban chickens could be deemed a permitted accessory use. Part of the rationale for this number is that the Animal Control By-law establishes the number “three” as the maximum number of cats or dogs that are permitted on an individual property, provided once again that the definition and associated provisions regarding accessory uses/buildings/structures are met.

Neighboring municipalities were surveyed for the purpose of this report, most of which ban the keeping of chickens on residential property. The municipalities that prohibit the keeping of urban chickens on residential property, within their respective Animal Control By-laws, are: the Towns of LaSalle, Lakeshore, and Kingsville and the City of Windsor.

Although there are some Canadian cities which allow for and regulate urban chickens [i.e. Vancouver, Victoria, and Montreal], most municipalities either ban the practice or do not currently have a policy in place to deal with this issue.

When deciding to permit and regulate, or prohibit, the keeping of chickens on residential properties within the urban areas of the Town, a variety of factors have been taken into consideration as previously commented, in addition to enforcement, inspection and monitoring.

The proper care of chickens and their welfare is of importance to any municipality grappling with the decision to permit and regulate, or prohibit, the keeping of urban chickens. After careful consideration of all issues facing both municipalities and urban residents, it is recommended that the keeping of urban chickens be prohibited in the Town of Tecumseh.

All the associated benefits and risks have been considered in making the recommendation to prohibit the keeping of urban chickens on residential properties in the urban areas of the Town.

CONSULTATIONS

City of Windsor
Essex County Municipalities
Information & Communication Services Department
Ontario Ministry of Agriculture, Food and Rural Affairs
Planning & Building Services Department
Public Works & Environmental Services Department
Windsor-Essex County Humane Society

FINANCIAL IMPLICATIONS

There are no financial implications.

LINK TO STRATEGIC PRIORITIES

No.	2015-16 Strategic Priorities	Applicable
1.	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.	✓
2.	Ensure that the Town of Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.	
3.	Integrate the principles of health and wellness into all of the Town of Tecumseh's plans and priorities.	✓
4.	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.	
5.	Demonstrate the Town's leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.	

COMMUNICATIONS

Not applicable

Website Social Media News Release Local Newspaper

This report has been reviewed by senior Administration as indicated below and recommended for submission by the CAO.

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