

TO: GENERAL COMMITTEE

FROM: G. ALLISON, DIRECTOR OF BUILDING AND BY-LAW SERVICES

PREPARED BY: J. FORGRAVE, SUPERVISOR OF BY-LAW SERVICES

**NOTED: P. ELLIOTT-SPENCER, MBA, CPA, CMA
GENERAL MANAGER OF COMMUNITY AND CORPORATE SERVICES**

C. LADD, CHIEF ADMINISTRATIVE OFFICER

RE: KEEPING OF BACKYARD HENS - COMMUNITY SUGGESTION

DATE: APRIL 4, 2016

This memorandum is prepared in response to a suggestion submitted by members of the public through the City of Barrie's online suggestion forum. The submitted suggestion is to allow the keeping of hens in residential areas in the City as a source of fresh and organic eggs for household consumption. The suggestion obtained enough support from Barrie residents to have staff investigate its viability.

Current Status

The City of Barrie By-law 2010-035 as amended prohibits the keeping of domestic fowl as defined by the By-law on any residential lot or in any residential dwelling unit within the City. Domestic Fowl is defined as "any feathered vertebrate animal living in or near the habitations of humans and not being wild; shall include, but not be limited to hens, chickens, ducks, geese, turkeys but shall not include pigeons, song birds or vertebrates commonly kept as domestic pets such as parrots, budgies, cockatiels etc."

Online Suggestion Merits

Resident comments in the suggestion forum want to make Barrie a sustainable city by allowing backyard hens for the purpose of household egg consumption. The expressed benefits for allowing hens include;

- the ability to gather and consume fresh, healthy, organic eggs free of pesticides and antibiotics
- the diversion of food and organic household waste from the landfill as hens will eat leftovers
- the reduction of backyard pest population as hens will eat weeds and insects
- the opportunity to teach family children about responsible animal care and food production

Historical Reference

The former Municipal Code 88-260 (1988) as amended permitted the keeping of up to a maximum of 20 domestic fowl on any lot or in any dwelling in a residential zone. Notwithstanding the above, any number of domestic fowl could be kept on any lot zoned agricultural, residential hold and industrial.

The section of the Municipal Code permitting domestic fowl on residential lots was repealed in 1995 and replaced with a new section which still permitted the keeping of chickens as noted above. This section of the Municipal Code was subsequently deleted in 2001 and domestic fowl were no longer permitted on any residential lot or residential dwelling unit. As before, any number of domestic fowl could be kept on any lot zoned agricultural, residential hold and industrial however were required to be contained within the owners property by means of fencing or other reasonable method.

The staff report that recommended the deletion from the By-law included staff reasons as;

- the minimal practice of keeping domestic fowl, being only 2 known locations,
- complaints received that the fowl were regularly roaming free around the neighbourhood in which they were located, including neighbour's yards,
- complaints about the noise and odour associated with the fowl as well as,
- the attraction of rodents, predatory animals and other pests to the neighbourhood.

Potential Issues & Concerns

Some members of the public expressed several concerns through the online suggestion forum contrary to the favourable comments, including;

- potential noise issues
- possible odour from the hens themselves, their enclosures and feces
- lack of containment of the hens leading to roaming of neighbours yards and the neighbourhood
- the possible attraction of rodents, coyotes and other predatory animals and other pests
- increased chance of disease to other domestic pets
- lack of caring for the hens leading to poor condition and health, unkempt enclosures and yards

Comparative Municipalities

Staff are currently aware of four of Barrie's comparator municipalities who permit the keeping of hens with a number of different conditions. Those municipalities are Kingston, Guelph, Niagara Falls and Brampton.

There are several municipalities we know have considered this issue but have decided to not allow the hens in residential zones, including Windsor, Kitchener, London, Bracebridge, Parry Sound, Bradford and Orillia.

Suggestion Implementation

To implement this suggestion an amendment to the Animal Control By-law 2010-035 would be required together with the establishment of reasonable standards and a review of possible impacts on By-law Services. This will include staffing needs, costs associated with enforcement, what measure of enforcement may be needed and possible revenue generation.

If Council wishes to investigate the viability of this suggestion further, it could refer this memo to staff in the Building and By-law Services Department to conduct further research regarding the potential costs and revenues to amend the Animal Control By-law to allow, with restrictions, hens to be kept in the rear yard of single detached dwellings in all residential zones and report back to General Committee.