



## Corporation of the Township of Brock

### Staff Report to the Mayor and Members of Council

**From:** Fernando Lamanna  
**Position:** Deputy CAO & Clerk  
**Title / Subject:** Backyard Hens  
**Date of Report:** September 20, 2024  
**Date of Meeting:** January 23, 2023  
**Report No:** 2024-GG-028

#### 1.0 Issue / Origin

This report is to provide a regulatory framework to permit backyard hens in Rural Residential (RR) and Hamlet Residential (HR) zones.

#### 2.0 Background

As previously reported by staff, By-Law Number 2402-2012-PP, otherwise known, as the “Exotic Animal By-law”, is a by-law to prohibit and regulate the keeping of certain animals within the township.

Specifically, Clause II Section 1, reads: *No person shall keep livestock within the Township except in accordance with the relevant provisions of the comprehensive Zoning By-Law.*

The Township’s comprehensive Zoning By-law permits “Farm” uses within the Rural (RU), and Rural Buffer (RB) zones, as well as the Environmental Protection (EP) zone subject to criteria.

The Exotic Animal By-law includes “chickens” as part of the livestock definition which are intended to be used or kept for agricultural purposes.

On July 15, 2024, staff presented Report No. 2024-GG-018, entitled “Urban Farming – Backyard Hens”. Staff noted that, given Brock’s extensive agricultural industry, the public health concerns with HPAI, the increase in issues with vermin and predators, staff recommend that backyard chickens not be permitted, unless on properties zoned Rural (RU).

Council opted for an alternative position and passed resolution: C-2024-154:

Be It Resolved That Report 2024-GG-018, Urban Farming – Backyard Hens, be received; and

That Council approves Option 1 to permit backyard chickens in rural residential and hamlet and villages; and

That staff bring back a report with recommended fees and licences; and

That any backyard chickens currently within rural, agricultural or hamlet or villages be grandfathered until the details can be finalized; and

That the forthcoming report be submitted to Council at their September 23, 2024 meeting.

### **3.0 Analysis**

Staff have reviewed other area municipal by-laws that have a regulatory framework for backyard hens. In addition, staff have had discussions with other area municipal staff responsible in licensing and enforcement of such backyard hens.

In summary, staff are recommending an amendment to the existing “Exotic Animal By-law” to include the regulations to permit backyard hens in Rural Residential (RR) and Hamlet Residential (HR) zones. Staff are also recommending that the regulatory framework for Backyard Hens not include any licensing requirements. It is staff’s opinion that a licensing fee imposed (on average \$0 to \$100) would not cover the associated costs to cover staff salaries that would be needed to process the license application and site inspections. Staff suggest a regulatory framework for backyard hens similar to other regulatory frameworks such as fencing private property, whereby the Township sets the framework and any non-compliance becomes an enforcement matter.

A draft amending By-law No. 3290-2024 is attached as Appendix “1” which outlines the proposed amendments to the Exotic Animal By-law No. 2402-2012-PP. In preparation of draft By-law No. 3290-2024, staff have identified a number of revisions to the Exotic Animal By-law, which will need new approval from the Ministry of Attorney General (MAG) in terms of the set fines. In this regard, staff are recommending that draft By-law No. 3290-2024 be forwarded to MAG for review and comment prior to formal adoption by Council at the meeting held on October 21<sup>st</sup>, 2024.

### **4.0 Related Policies / Procedures**

There are no specific policies or procedures affected by this report, however, staff do suggest that when the Township proceeds with the Comprehensive Zoning By-law review, that the permissions for Backyard Hens within the Rural Residential (RR) and Hamlet Residential (HR) zones be considered for implementation at that time.

## **5.0 Financial / Budget Assessment**

There is no direct financial implications with respect to this report. Any potential enforcement costs would be identified within the Protection & Enforcement annual budget.

## **5.1 Asset Management**

There are no impacts to asset management as it relates to this report.

## **6.0 Climate Change Impacts**

There are no climate change impacts to this report.

## **7.0 Communications**

This report is published on a public agenda. Additionally, staff will develop a new information page within the Animal Services webpage, that will highlight the regulatory framework for Backyard Hens as well as following information from the Canadian Food Inspection Agency, OMAFRA and Ministry of Health:

1. "[Bird Health Basics Video](#)" and "[Bird Health Basics Fact Sheet](#)" by the Canadian Food Inspection Agency.
2. "[Biosecurity Recommendations for Small Flock Poultry Owners](#)" by OMAFRA.
3. "[Small Flock Poultry: Raising Healthy Birds](#)" by OMAFRA.
4. "[Rodent Control in Livestock and Poultry Facilities](#)" by OMAFRA.
5. "[Keeping your family healthy with backyard poultry, including chickens and ducklings](#)" by the Ministry of Health.

## **8.0 Conclusion**

With respect to Council direction given on July 15, 2024, to implement a regulatory framework for Backyard Hens within the Rural Residential (RR) and Hamlet Residential (HR) zones, the draft amending by-law is presented for Council's consideration.

## **9.0 Recommendation**

Be It Resolved That Report No. 2024-GG-028, entitled "Backyard Hens", be received; and

THAT Council direct staff to forward draft By-law No. 3290-2024 to the Ministry of Attorney General for review and comment prior being presented to Council for adoption at the October 21<sup>st</sup>, 2024 meeting.