

Mayor Halloran and Members of City Council
The City of Waterloo
100 Regina St. S.
Waterloo, ON
N2J 4A8

SENT VIA EMAIL

Dear Mayor Halloran and Members,

I was recently contacted by a resident of your municipality (as well as by two media sources) and asked about the status of chicken-keeping in urban backyards in our community. I would be pleased to offer any information, advice or other assistance I can on this issue, as it is one in which I have been closely involved.

I have served 10 years on Niagara Falls City Council and, during that time, chaired the ad-hoc animal population committee which investigated this matter several years ago and subsequently brought recommendations forward to Council. (If I remember correctly, our work began in 2001 and concluded in 2002.) Our committee was initially struck to investigate ways of preventing puppy mills from locating in our municipality, but soon took on the additional issue of chicken-keeping within the urban boundary, as Council members were receiving numerous complaints regarding this practice then. During the course of our public meetings, complaints about rabbit-keeping inside the urban boundaries also arose, so this issue was included in our investigations as well.

Our recommendations were implemented as part of By-law 2002-152, a consolidated by-law which may be viewed online at http://www.city.niagarafalls.on.ca/city_hall/departments/clerks/bylaws/pdf/Animal_control.pdf (this involved a consolidation of the new regulations pertaining to the animals we investigated, as well as our pre-existing by-laws pertaining to the keeping of domestic cats and exotic animals).

The complaints our ad-hoc committee had received regarding chickens being kept in the urban area fell into four categories: Chickens running at large, the crowing of roosters, odours and vermin. We were successful in addressing all of these concerns, and in creating – to my knowledge – a much more peaceful coexistence between urban chicken-keepers and their neighbours.

Schedule C “Chickens” of our animal control by-law provides that no owner shall allow or permit his or her chicken to be at large (ie. found in any place other than the property of the owner). It prohibits the keeping of roosters within the urban boundary. It placed a phased-in cap on the maximum number of chickens permitted per urban property – 20 chickens as of the passing of the by-law, and 10 chickens on and after a date three years following the passing of the by-law. The 10-chicken per property cap remains in effect.

Our by-law also stipulates that all chicken coops shall be located in the rear yard and must fully enclose the chickens and prevent them from escaping. In order to address odour and vermin concerns, we stipulated that coops must be designed and constructed to ensure proper ventilation and sufficient space for the chickens, that coops must be maintained in accordance with good animal husbandry practices and keep all vermin out, and that dead chickens must be disposed of within 24 hours. The chicken’s food supply must also be protected against vermin.

All lots housing chickens must have a frontage of at least 40 feet and a lot depth of at least 100 feet. In order to mitigate impacts on neighbours, we directed that coops must be located at least 25 feet from the rear lot line and at least 15 feet from any side lot line.

I checked with one of my colleagues whom I recalled having previously received complaints about chickens; she indicated that she had received not a single complaint about urban chickens since our by-law was put into effect six years ago. I personally have not fielded a single complaint on this issue either since then either.

I checked with our City Clerk today (yes, he responds to his email even on Sundays!). His response was that we do "on occasion get some chicken complaints," which he advised are related to noise and odour. This indicates to me a huge drop in the volume and vociferousness of such complaints from pre-2002. Since hens do not crow, I suspect that the noise-related complaints stem from breaches of our prohibition on roosters, and that odour complaints arise when a coop is improperly sited on the lot or good animal husbandry practices are not followed. All these issues are addressed in our by-law. Our ad-hoc committee had received extensive public input, researched well (I even personally visited one backyard to see how chickens should be kept), and introduced provisions aimed at addressing the risk of odours and vermin.

I have a B&B establishment where chickens are being kept neighbouring one of my properties. I was not even aware the chickens were there until I toured the property during its heritage designation ceremony last year. I thought the idea of the establishment offering its guests eggs fresh from the backyard was delightful and a fine example of promoting Niagara-grown produce.

Since then, as Co-Chair of our Park in the City (formerly Environmental Planning & Greening) Committee, I have signed a nomination letter, prepared by City staff, for a local family to be considered for the Region's "Niagara's Greenest Family" award. One of the points was that the family keeps chickens which not only produce fresh eggs for the family but help turn over the soil and work in the compost used in their vegetable gardens.

Neither of these property owners are of Italian background, but I am aware that Niagara Falls does have a large Italian-Canadian population and that chicken-keeping is popular with this ethnic group. There are doubtless many other urban properties at which fowl are being kept here. In light of the tremendous drop in complaints about chicken-keeping since our by-law was adopted, I would suggest that the regulations contained therein pertaining to how many, and how, such fowl should be kept in urban areas have been successful in addressing this issue in Niagara Falls.

This issue was considered so contentious at the time I took it on that all my colleagues – friends and political foes alike – thought I was crazy to do so. We had a wonderful City Solicitor then, with whom I worked closely, and I think our efforts resulted in a happy compromise – which many aspects of urban living involve. Complaints about noise and odours are by no means limited to chickens; I have dealt with noise complaints ranging from barking dogs to nightclubs, and with other odour complaints as well – including an ongoing series about noxious odours from an autobody repair and paint shop abutting a residential neighbourhood. Thus far, we have banned neither dogs, nor nightclubs,

nor autobody shops, but have sought ways to increase their compatibility with their urban neighbours.

Our municipality will be entering the Provincial Communities in Bloom competition next year. I have suggested to our staff that, among our other preparations, we should look at the idea of "promoting urban agriculture and encouraging people to do creative things like this to promote sustainability in urban areas." What better place for a locavore, or 100-Mile Diet, to begin than one's own backyard!

Yours very truly,

Councillor Janice Wing
6018 Barker Street
Niagara Falls, ON
L2G 1Y4

There have been very few complaints since the passing of the By-law in 2002. In 2001 we dealt with 38 complaints in regard to the keeping of (farm type) animals within the urban boundary which included 18 related to fowl. Through the years that number has decreased to one or two per year as listed below;

2003 - 16 complaints
2004 - 14 "
2005 - 6 "
2006 - 2 "
2007 - 1 "
2008 - nil " (to date)

The majority of the complaints related to chickens had to do with the keeping of a rooster (not permitted) and the maximum number of birds was being surpassed.

We do get several inquiries (12-15) every year mostly asking how many birds that a person may keep, however there are no records of those calls.

Robert Judge
Manager of By-law Services
905-356-7521 ext 4262