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Councillors back hens in back yards

By Bill Rea

Chickens may soon be welcome in back yards in Caledon.

Town councillors, sitting in committee Tuesday, approved a recommendation from staff to permit the raising of hens in residential areas, although there are several conditions that would have to be imposed. That decision will still have to be ratified at the next Council meeting, scheduled for Dec. 12.

The decision came after roughly 90 minutes of discussion that sometimes got heated. Councillor Barb Shaughnessy at one point objected to a ruling by Councillor Jennifer Innis, who was chairing the meeting, but her position was upheld by her colleagues. Shaughnessy also once stated that Councillor Johanna Downey of laughing during the debate.

Councillor Doug Beffort was successful in getting an amendment approved calling on staff to update councillors on the implementation of the program in September 2018. He had originally called for that report a year from now, in November, but concerns were expressed that that would be after next year's municipal elections, meaning the new Council would have to address it. So the required report from staff was moved ahead two months.

The conditions that staff suggested and which were accepted by committee included not allowing these birds in multi-residential properties, allowing a maximum of four hens per lot, with the owner of the property living on the premises. Roosters will not be allowed in residential areas, and the hens must be at least four months old. They will have to be kept in a coop or run at all times, and will be kept in the coop between 9 p.m. and 6 a.m. There are also provisions governing the condition of the facilities they are to be kept in, as well as rules ensuring their well-being.

Shaughnessy had problems with what staff had suggested, and she put forth a number of proposed amendments that weren't approved by her colleagues.

She made an unsuccessful attempt to get the matter referred back to staff so a licensing or permit program could be established for people interested in raising hens. She also wanted a meeting with officials from the Peel Federation of Agriculture (PFA) so they could respond to issues raised at a public open house on the matter earlier this month. She said she had heard concerns from PFA that the open house was held during harvest time, and while the Royal Agricultural Winter Fair was on.

?They didn't figure that was fair notice,? she remarked, adding it would be ?respectful? to give them a chance to comment.

Mayor Alan Thompson said he was at a PFA meeting in November, at which the matter was discussed ?to a fair extent.? He added he heard no request for a referral.

Councillor Rob Mezzapelli said his main concern was with possible health implications. He said the staff report noted there had been discussions with Peel Public Health, as well as with the Ontario Ministry of Agriculture, Food and Rural Affairs and the Canadian Food Inspection Agency.

?There has been deep consultation on this issue,? Mezzapelli declared.

Councillor Nick deBoer said he didn't think there was a concern raised by PFA, and Beffort said if it had been discussed, that was fine with him.

?It wasn't discussed formally,? Shaughnessy countered. ?It wasn't on any agenda.?

?I doesn't hurt to find out their opinions,? she added.

Innis said she, Thompson and deBoer were at the PFA meeting. The matter was an added item to the agenda, and it was discussed, she said. She added information on this issue had been circulated to the Federation membership, and there was lots of opportunity for them to offer staff input.

Councillor Gord McClure, who has been opposed to allowing backyard hens, said had he known the issue was going to be discussed at the PFA?meeting, he would have been there.

Thompson said the matter came up under new business, and the members decided to wait and see the proposed regulations.

?They're asking for a referral,? Councillor Annette groves remarked.

Town Clerk Carey deGorter said the regulations proposed by staff were circulated to PFA members.

Patrick Trafford of the Town's Legislative Services, said the list of proposed regulations were available at the public open house. He also said he was asked to provide the list to PFA, which was done. Staff received confirmation that they had been received, but no other comment.

Regarding the permit program, Shaughnessy maintained it would enable the Town to know where these hens are, in the event of some health concern. She added it would help with making sure the regulations are being complied with.

?There's no point in putting regulations in if you can't enforce them,? she observed, but she wasn't able to convince enough of her

colleagues.
Another amendment Shaughnessy unsuccessfully proposed called for obtaining the approval of abutting landowners before hens could be kept on a property.
She said there were concerns about the odours generated by these birds, and she was concerned about the possible impacts on children and seniors with asthma, adding she has asthma herself.
She also said giving the neighbours some say is a matter of respect.
?You don't know what health risks lie next door to somebody,? she said.
Trafford said there are some municipalities where neighbours have to give concent, and he said that has had little or no effect on the number of complaints. He added they tried to address noise and smell issues in coming up with the regulations.
Groves wondered if the neighbours get no input, how the Town would react if issues come up.
DeGorter said if there are complaints, Town staff would investigate to make sure the regulations are being complied with. If they are, there would be nothing else for the Town to do.
?We're just opening a Pandora's box here,? Groves replied, adding she knows of people in town who would like to keep pot-bellied pigs as pets.
?Pot-bellied pigs are probably cleaner than dogs,? deBoer observed.
Mezzapelli stood by staff, observing it looked like they had addressed how to mitigate against things like smells.
He added he had chickens when he was a youngster. ?The odour was not significant,? he said.
He also pointed out dogs defecate on their private properties, yet there are no regulations governing that.
As well, Mezzapelli said he understood asthma is a problem only in enclosed areas.
Thompson said someone close to him has asthma, but there has never been a problem when dealing with birds.
?I don't buy it,? he said.
Trafford told Shaughnessy several people at Peel Public Health were consulted regarding general health concerns.
?This particular issue (asthma) wasn't discussed,? she replied.
One of the proposed regulations stipulated that coops and runs have to be at least three metres from a dwelling on a neighbouring property. Shaughnessy tried unsuccessfully to get that increased to 10 metres, pointing out that's the required setback from a property that has a business, school or church. She added people use these facilities only part of the time, but they spend a lot more time in their homes.
McClure pointed out chicken farms have to be 500 metres from a home.
?We don't have the staff to enforce these rules,? he added.
Mezzapelli said increasing the distance from homes to 10 metres would eliminate many urban properties from having hens.