

REGULAR COUNCIL Agenda Addendum

C-19/2022 - Regular Council

Monday, November 7, 2022

5:30 PM

Town of Pelham Municipal Office - Council Chambers

20 Pelham Town Square, Fonthill

During the ongoing global pandemic, Novel Coronavirus COVID-19, the Town of Pelham Council will continue to convene meetings in compliance with Provincial directives. Attendance by most Members of Council will be electronic. Public access to meetings will be provided via Livestream

www.youtube.com/townofpelham/live and subsequent publication to the Town's website at www.pelham.ca.

Pages

8. Consent Agenda Items to be Considered in Block

8.5. Information Correspondence Items

***8.5.5. Pamela DeFazio Correspondence re: Backyard Chickens** **2 - 8**

***8.5.6. Diane Stephens Correspondence re: Backyard Chickens** **9 - 11**

Town of Pelham and Council,

Thank you for taking action regarding urban backyard poultry. Although this has come up in council agenda much sooner than previously said, I am hoping for the best outcome. This letter is being written with only a few night-time hours of notice. The attached petitions only had 3 weeks to gather signatures.

I am hoping that my letter to the editor in The Voice of Pelham helped to clear up some common misconceptions with the keeping of urban poultry. I will attach it with this letter, along with the petitions.

I have been working on gathering a list of other Ontario cities that allow backyard poultry: Kitchener, Waterloo, Guelph, Niagara Falls, Mississauga, Vaughn, Toronto, Kingston, Newmarket, Brantford, Brampton, Tecumseh. But my research for this list was not complete.

I have had much outpouring of community support at the thought of having to rehome our chickens. Our hens have become a part of our neighborhood and family, in a very good way. They are pets, food providers, teachers, mental support workers, tick/bug control and support local businesses. At this time, my family and I are remaining hopeful that fair guidelines will be put in place so that we can all live in harmony with backyard poultry. I would like to suggest fairness such as consideration to lot size vs. number allowed. Just roughly speaking, three hens can live quite happily in a coop with 6x12 foot outdoor area. Or six in a 6x24 foot area. Way better living conditions than factory farms! Predator proof housing and cleanliness are essential of course!

If there are any concerns, or obstacles, I am eager to address them!

Thank you!

Pam DeFazio

I would like to address Town council about the article in last week's Voice regarding poultry in urban areas. I will start by saying that there are a lot of misconceptions about poultry in urban areas that I would like to address. There are many so I will do point form.

- To the best of my knowledge and research, the avian flu and poultry illnesses are not passed to humans. So before making that one of your bases for a decision, I would plead that you to check with experts.
- By permit only, could ensure cleanliness and distances are adequate. Most people would be surprised that with fresh bedding and daily scooping, coops do not smell bad at all! You have to pretty much put your head in the coop to smell anything. No comparison to the smell from the cannabis establishment that was approved! In the US, there is a new animal bedding product that keeps coops smelling downright heavenly. Like walking into a coffee shop. It is made of used coffee grounds that are processed to remove all the caffeine.
- With or without backyard poultry, people in urban areas will always feed wild birds, put garbage out at curb, drop bits of food, use corn gluten meal for weed control, use bone meal for fertilizer, etc., that inadvertently feed wildlife. With a permit system that ensures owners keep feed contained in a wildlife proof area, poultry feed does not have to be added to this list.
- Although these animals are often found fault with, a pet dog, neighborhood cat, wild foxes and traps are all great at keeping rodent populations down. If complaints are made about rodents, they should be dealt with and questions asked. Are other possible sources considered before blaming all backyard poultry? Are suggestions made to homeowner so they can fix the issue? Does the complaint come from one neighbor out of spite? Or legitimately from neighbors with proof? If the latter, it is time to enforce a law.
- Roosters are loud, there is no denying that. But there is no one wanting to keep a rooster anyway. Other types of poultry are not as loud. Hens for example, generally only make an "egg song" for a couple minutes during the day after they lay an egg or during the day if something scares them. Most of their day is filled with gentle clucks and murmurs that are quite relaxing. At sundown, they fall asleep until sunrise. If poultry are housed at certain distances from neighbors, their vocalizations would not be heard much louder than road traffic or wild birds. To be fair, most Town bylaws only have noise enforcements after certain hours, when chickens are fast asleep! This summer a house in Pelham sandblasted their pool for 8 days. The neighborhood had to wear earplugs, when in their yards, to prevent hearing loss. It was that bad. Complaints were made to Town but were not acted on because no noise bylaw was broken. My conclusion would be that a hen's egg song would not break any bylaw either!
- Hens and most poultry are small. About the size of a wild rabbit, dog or cat. The view of what is considered a farm animal is based on what? Dogs, cats and rabbits all used to be considered farm animals.
- Wild animal populations and habitats fluctuate all the time. In years past, it was common to see 9 squirrels at a time under our oak tree. This year, only a couple. Very similar for wild rabbits. The foxes we have been seeing are coming into our yards to eat the bounty of squirrels, rabbits and any other scraps we leave behind. Urban spread also, has pushed them into our town. Foxes do not normally attack humans or pets. We are told to co-exist and do not feed wildlife. I know some do. Permits could ensure poultry are strictly kept in predator proof area. Easier to control than the people who feed wild foxes.

- If there are other misconceptions, I would be happy to address them. There are always naysayers. Do we live in a world that denies all simple pleasures because of them? Do we say, “If you want to swim, go to the lake!?” “No pools allowed, because they are drowning hazards and noisy?” We found a permit system that for the most part, works! So, what is the reasoning or justification behind a councillor saying, “Want eggs or free-range meat, go to a farm!?” As any other enjoyable amendments that are added to yards, poultry can provide mental happiness for those who love them. Poultry can give lessons in self-sustainability in uncertain times. I am not in any way saying that everyone or situation should be allowed to have them. It could be on a case-by-case basis, by permit only. Forward thinking communities such as Guelph, Waterloo, Kitchener and Toronto have pilot programs and permanent bylaws with allowances for urban poultry.

Our personal story

When we were thinking of getting chickens, my husband called Town bylaw to ask what rules were. He was told that technically chickens are not allowed but many do anyway. As long as your neighbors do not complain, Town does not have to enforce, we were told. Bylaw went on to give tips for building a coop! Because of a far away neighbor who takes pleasure in hurting others, we are now being forced to part with our beloved hens. The rest of our neighbors are as heart broken as we are. These “girls” are much loved. As you would love any pet. Their eggs are shared to our neighbors.

I will leave this letter on a final note. I want the Town of Pelham to know, as you set your sights on enforcing zoning laws, you are leaving a trail of broken hearts that will not soon be forgotten. All of council has an open invite to visit us before our girls are rehomed. To see first hand, what they will be voting on in January.

Pam, Coop Cleaning Lady

John, Treat Provider

Mason, Yard Monitor

Jack (Russell), Rodent Ridder

Peep and Dumpling, Respected Coop Representatives

Submission from another Pelham resident about ducks. He tells of the usefulness of poultry for self-sustainable living.

Ducks are one of the best fowl for effective control of ticks and other biting insects. They are great as a gardener's friend as long as they are monitored, they will help control grubs, slugs, snails and other creatures that will eat your garden. They are easy to care for, and contrary to popular belief, they don't need a whole lot of room. They will eat out of a dish, much the same as a dog or cat would. Any duck that has been bred for a typical agricultural need is too large to fly away for the most part. Certain duck breeds lay more regularly than

chickens, and duck eggs, due to their different nutritional value, are great for baking, because they have a little more fat and protein, and can usually be eaten by people who are allergic to chicken eggs.

Supporters of Urban Poultry in Pelham, Ontario



329 have signed. Let's get to 500!



At 500 signatures, this petition is more likely to be featured in recommendations!

Sign this petition

[Redacted signature area]

I'm signing because... (optional)

[Empty text box for signing reason]

☐ Display my name and comment on this petition



[Pam DeFazio](#) started this petition

petition of supporters for chickens in Urban Pelham

Name

Address

Lesley Benchina

Simon Wayon

Griff Blewitt

JORDAN JACKSON

FIONA Kelly

Nancy Rushford

Sara Schaeffer

Paul Blushitz

Sara Edwards

Brenda Kerecsi

Eugen Kerecsi

Cassandra Scapillati

Jeannine Weddell

Karen Sneath

Bob Marshall

Kevin Twomey

0

petition of supporters for chickens in Urban Pelham

Name

Address

Bob Konert
Paul Della Smirra
Krzysztof Kwasniewski
Sasha Spitzer;



Backyard Chickens in Residential Pelham - A prey source for Fonthill's coyote population

Diane Stephens
[REDACTED]

November 6, 2022

Council
Town Hall Pelham
20 Pelham Town Square
Fonthill, ON L0S 1E0

Dear Council:

I am writing in support of Council's vast majority vote *against* backyard chicken hens in urban residential areas during its October Council meeting. **Council's decisive vote against residential backyard chicken hens was the smart decision and supports its long-standing position that livestock and hobby farms are unsuitable (un-permitted uses) in residential zoned areas as per the Town's Zoning By-Law.** Pelham just underwent an extensive review of its Zoning By-Law and, through public input and sound decision-making from its elected officials, Pelham once again chose not to include livestock and hobby farms in residential areas.

In recent news, it has come to light that members of the community may be partaking in urban backyard chicken keeping: just because some members of the community have maintained an unpermitted use does NOT mean that Council should change policy to allow it. Police do not change speeding laws when someone protests getting a speeding ticket because decision-makers put laws and policies in place to protect the community for a multitude of reasons.

The following is a brief overview of why Council, including Mayor Junkin, should continue to NOT allow livestock, including backyard chicken hens, and hobby farms in urban residential areas:

Coyotes

Pelham is home to Short Hills Provincial Park, with many of the park's wildlife and diverse habitat spilling out beyond the park's boundary. Consequently, predators like coyotes are common throughout Pelham, where they have even taken a stronghold within Fonthill. It's commonplace to hear coyotes howling in and around the new builds of East Fonthill, with end of day dog-walks interrupted to the sounds of nearby coyotes sometimes in the middle of taking down their prey.

Introducing backyard chicken hens into residential areas would be providing a prey source for coyotes to remain and hunt in residential communities. Any restrictions to allow backyard chicken hens on, say, only larger residential lots means that coyotes would navigate towards where those larger lots are, which is mainly in the older areas of Fonthill which are now becoming surrounded by highly intensified newer areas of Fonthill. The largely unlit Steve Bauer Trail links older residential areas with new and could become a trail for coyotes to navigate between the two areas.

NOTL is struggling with its residential coyote problem, especially within Old Town and Virgil. Recently a daytime video of a 30 year old woman being stalked and attacked by a coyote while walking her dog in residential NOTL made headlines¹ and, thankfully, a fellow NOTL resident (newly elected Councillor Tim Balasiuk) was driving by and scared the coyote away. Introducing a prey source, like residential backyard chicken hens, for Pelham's thriving coyote population would be an unsafe decision impacting residents' personal safety.

Some have compared backyard chickens with, say, an urban family's pet cat. This is an unrealistic comparison - an urban cat is also a predator, is singular and, if it goes outside at all, typically only goes out for short periods of time and comes back in for the night – which is during coyotes most active hunting time. A fenced in coop may act as a deterrent but like raccoon-proof garbage cans, a coop is only as good as its predator and if the coyotes want in they will get in. This raises the issue of stalking prey and accountability – should the Town allow a residential prey source for coyotes, does the Town assume culpability for coyote attacks and will have an established and proactive plan in place to address any impending residential coyote problems? NOTL has also had to manage unsanctioned citizen-led coyote culls to address the brazen coyote problem.

Avian Flu and Vermin

Avian Flu is in Niagara² and, as recently as Fall 2022, Niagara Region Public Health identified H5N1 avian influenza within a farm's mixed flock of birds (chicken, geese and ducks). Thankfully, its likely that the skilled knowledge of the farmer and the farm's inspections helped minimize the impacts of avian flu by reducing its spread. With most residential backyard chicken keepers being hobbyists, the hobbyist will likely have a reduced knowledge base as compared to a poultry farmer, and with backyard hens not requiring inspections like large farming operations, this may result in early avian flu warning signs being missed. Additionally, the conditions to which residential backyard hens are kept, within a residential backyard and likely close proximity to bird baths or ponds, creates additional opportunities for kept hens to mingle with wild birds. Allowing residential chicken hens could turn residential areas into avian flu breeding grounds – which could negatively impact the

¹ 2022, April 27. Video of Coyote Confrontation Causes Concern. Niagara Now.

<https://niagaranow.com/news.phtml/7372-video-of-coyote-confrontation-causes-concern/>

² 2022, September 30. Avian Influenza has been identified in the Niagara Region. Niagara Region Public Health. <https://www.niagararegion.ca/news/article.aspx?news=1437>

viability and health of Niagara's poultry farms.

Vermin is a struggle in urban areas – Niagara Region Public Health and Emergency Services fanned out a letter dated August 24, 2022 within the River Estates community of East Fonthill regarding a rodent (rat) problem³. This rat problem was a direct result of an unpermitted residential poultry hobby farm - vermin, like coyotes, found a food source (chickens, ducks, their eggs and feed) and were attracted to it and stayed for the feast. Utah State University has researched and validated the correlation between backyard chickens and rodents⁴, and the only proactive measure to prevent a vermin problem is to forbid residential backyard chicken hens. According to Utah State, poorly kept coops are “perfect rodent storms”, but any coop is an attraction for vermin. Rodent proofing is as effective as raccoon proofing and is as effective as coyote proofing – they are all simply reactive deterrents and at the cost of the homeowner. *Should Pelham allow residential backyard chicken hens, will it also include, at the cost of the Town, a vermin elimination program for communities impacted by newfound vermin attracted by residential backyard chicken keepers?*

Service and Support Dogs

Many of these animals are highly trained, costing thousands for their skilled medical duty. These animals are not, however, void of instincts and that is to hunt prey. Allowing backyard chicken hens in residential areas will result in service and support dogs being distracted by the sounds and actions of a farm at a neighbouring backyard, thus making the medical dog unable to focus on its medical duty.

In closing, some may say the progressive approach would be to allow residential backyard chickens in Pelham. Humanizing poultry with pet names doesn't mean they are a pet – they are poultry who attract predators like coyotes and run the risk of spreading avian flu. The truly progressive approach is to protect Fonthill and its growing intensified communities from coyote and vermin problems by continuing a ban on residential chicken hen keeping.

Sincerely,

Diane Stephens

³ Letter from Niagara Region Public Health available upon request to author.

⁴ 2018, August 23. Is there a correlation between rodents and backyard chickens? Utah State University. https://extension.usu.edu/news_sections/agriculture_and_natural_resources/rodent-chicken