THE CORPORATION OF THE TOWNSHIP OF McNAB/BRAESIDE
By-Law Number 2026-54
Being a By-Law to Regulate Backyard Chickens

WHEREAS the Municipal Act, 2001 authorizes the councils of municipalities to pass by-laws with respect to animals;

AND WHEREAS Township Council considers it advisable to pass such a by-law;

THEREFORE, the Council of The Corporation of the Township of McNab/Braeside enacts as follows:

1. Definitions:

1.1 In this by-law,

"Administration Department" means the Building and Licensing Department, or another unit designated by Council to carry out the Department's responsibilities for the administration and enforcement of this by-law, and includes the Manager;

"Agricultural property" means a property that is zoned for agricultural use in the zoning by-law that applies to the property;

"Animal" means any member of the animal kingdom, other than a human;

"Animal Control Officer" means an authorized employee or agent of the Township of McNab/Braeside who is responsible for the enforcement of the provisions of this by-law;

"At large" in the case of backyard chicken, means being outside a coop or secure enclosed run;

"Backyard Chicken"-means a domesticated chicken or other permitted poultry for the purpose of producing eggs, meat, or as a companion animal;

"Chicken run" means covered secure enclosure that allows backyard chickens access to outdoors;

"Coop" means a fully enclosed weatherproof building where backyard chickens are kept and the interior of which includes nest boxes for egg laying, perches and nesting areas appropriate for the permitted poultry being kept and food and water containers;

"Council" and "**Township Council**" mean the Council of the Township of McNab/Braeside;

"Dwelling" means a self-contained residential unit;

"Highway" includes all land between the lateral boundaries of every provincial and municipal highway within the Township;

"Home occupation" has the same meaning as in the zoning by-law that applies to the property;

"Keep" means to have temporary or permanent custody or control of an animal, and **"keeps"** and **"Kept"** have corresponding meanings;

"Manager of Administration and Licensing" means the Manager, Building and Licensing Department and his or her designate or, in the event of organizational changes, another person designated by Council;

"Minor" means a person who has not attained the age of eighteen years;

"Mixed Species" means the keeping of more than one species of permitted poultry on the same property, including any combination of chickens, ducks, quail, geese, turkeys or guinea fowl.

"Owner" includes any person who possesses, harbours or keeps an animal or permitted poultry and, where an owner is a minor, includes the person who is responsible for the custody of the minor;

"Permitted Poultry" means chickens, ducks and quail, geese, turkeys and guinea fowl, but does not include roosters, or any bird not specifically permitted by this by-Law;

"Property" means a parcel of land and any buildings or other structures on the land;

"Residential property" means a property that is zoned for residential use in the zoning by-law that applies to the property;

"Rural area" means the areas that are designated in the Township's by-laws;

"Under the control of its owner" means being physically restrained by some other effective method by its owner or by another person acting on the owner's behalf;

"Veterinarian" means a person licensed under the Veterinarians Act;

"Veterinary hospital or clinic" means premises operated under the supervision of a veterinarian for the medical treatment of animals; and

"Zoning by-law" means a by-law passed under Section 34 of the Planning Act that restricts the use of land.

2. Application:

2.1 Except as otherwise provided, the regulations established by this by-law apply to all backyard chickens within the boundaries of the Township and to the owners of such backyard chickens.

2.2 This by-law does not apply to:

a) lands where farm use is permitted by the Township's Zoning by-law; or

b) properties having a minimum lot area of 2.0 Ha (5 acres).

3. Administration:

3.1 The Administration Department is responsible for the administration and enforcement of this by-law.

3.2 Every application (attached as Schedule 'B') for a chicken coop permit shall be submitted to the Administration Department in the form provided by the Department and shall indicate the purpose for which the permit is being obtained.

3.3 Every application for a permit will be reviewed by the Department to determine whether it meets the requirements of this by-law.

3.4 These agencies and individuals, as part of their review, may require an inspection of the property, other than a room or place used as a dwelling.

3.5 If it is determined that an application meets the requirements of this by-law, the Department will issue the permit.

3.6 There is no fee to obtain a permit, however, a fine will be imposed should a permit not be obtained.

3.7 If, at any time, the Chief Building Official, or designate determines, as a result of evidence that is provided, that the operation of a chicken coop does not conform to the requirements of this by-law, it may suspend or revoke the permit.

4. Regulations for the Keeping of Backyard Chickens:

4.1 (a) No person shall keep backyard chickens anywhere within the Township unless he or she has first obtained a chicken coop permit. This requirement shall not apply where the keeping of chickens is associated with farm use permitted under the

applicable zoning by-law, or on properties having a minimum lot area of 2.0 Ha (5 acres).

(b) Every person who holds a chicken coop permit shall allow, at any reasonable time, an animal control officer or other authorized employee or agent of the Township to inspect the property, (other than any room or place used as a dwelling) to determine whether all requirements of this by-law are complied with.

(c) The total area of all chicken coops and secure enclosed chicken runs is to be less than 161 square feet (15 square metres) and must be limited to one story and less than 10 feet high.

(d) Location of the backyard chicken coop or secure enclosed chicken run shall comply with the setbacks for accessory buildings as specified in the township's zoning by-law (Table 1)

(e) Chicken coops and secure enclosed chicken runs shall be located at least 15 metres from any school.

(f) Chicken coops and secure enclosed chicken runs shall be located at least 7.5 metres from any institution or business.

Table1

	RR, LSR	RU, A	All Other Zones
(1) Minimum Required setback from a front lot line	Same as required for principal building		
(2) Minimum required setback from an Exterior Side Lot Line or a Rear Lot Line abutting a street	Same as minimum exterior side yard setback		
(3) Minimum required setback from an Interior Side Lot Line or Rear Lot line (not abutting a street)	0.6 m	1.2 m (Does not apply to agricultural buildings or structures)	1.2 m
a) For a marine facility (dock or launching) where it abuts a watercourse	0 m		
b) For shared garages or carports erected on a common side lot line	0 m		
c) For children's play structure, aboveground swimming pools, hot/tubs located within a building/structure	1.2 m or a distance equal to the height of the structure (whichever is greater)		
(4) Minimum Required distance from any other building located on the same lot (except a hot tub)	1.2 m		
(5) Maximum permitted height (see also 3.11 – Exceptions to Height)	5 m	9 m (Does not apply to agricultural buildings or structures)	6 m
(6) Maximum permitted size (*not including outdoor swimming pool or hot tub)	Aggregate of all accessory buildings shall not exceed a cumulative floor area of 70 m^2	Aggregate of all accessory buildings not to exceed a lot coverage of 5% or 400 m^2, whichever is less (Does not apply to agricultural buildings or structures)	No maximum
(7) Maximum Number of Accessory Buildings permitted on a lot (*does not apply to an outdoor swimming pool or hot tub)	2	4 (Does not apply to agricultural buildings or structures)	3

(g) Chicken coops and secure enclosed runs are not permitted in any front yard.

(h) The minimum lot area required, and the maximum number of permitted poultry allowed on a property shall be as set out in Table 2 of this by-law.

Table: 2

Lot Size	Permissions/Requirements (Chicken, Ducks, Quail)	Permissions/Requirements (Turkeys, Geese, Guinea Fowl)
Less than 0.4 Ha	Maximum 6	Maximum 3
0.4 Ha to less than 0.8 Ha	Maximum 12	Maximum 6
0.8 Ha to less than 2.0 Ha	Maximum 20	Maximum 10
2.0 Ha and greater	Exempt from this by-law	

The maximum number permitted poultry shown in Table 2 is the total maximum number permitted on the property and is not an additional allowance for each species.

(i) A property shall not contain mixed species of permitted poultry. Only one species of permitted poultry may be kept per property.

(j) Minimum Distance Separation (MDS) requirements shall not apply to the keeping of backyard chickens or related structures where the total number of permitted poultry kept on the property is twelve (12) or fewer.

(k)Tenants must obtain permission from the property owner to keep backyard chickens on the owner's property.

(l) The owner of the permitted poultry must reside on the property where the permitted poultry are kept.

(m) Home slaughter of permitted poultry is permitted on the property where the poultry is kept and for personal consumption by the owner and the owners immediate family. Meat obtained through home slaughter shall not be sold, offered for sale, distributed, or transported off the property.

i. Home slaughter shall be conducted in a clean and sanitary area on the property and in a manner that prevents contamination, nuisance, or access by animals, wildlife, pests, or vermin;

ii. Slaughter waste shall be removed from the property or otherwise disposed of in accordance with all applicable provincial and federal legislation and municipal requirements;

iii. Any deceased permitted poultry, including poultry that dies naturally or is killed through home slaughter, shall be disposed of at a Township-approved landfill facility, livestock disposal facility, or through the services of a veterinarian, in accordance with all applicable provincial and federal legislation and municipal requirements;

iv. In accordance with O.Reg 106/09 and 105/09 deceased permitted poultry being disposed of at a Township landfill shall be transported directly to the landfill:

a. Placed in a leak-proof, fully enclosed and securely closed container;
b. Transported in a vehicle, trailer or container that prevents leakage or escape of the carcass, fluids or other materials;
c. Secured in a manner that prevents the container from tipping, opening, leaking, or releasing the carcass or other material during transportation;
d. Transported in a manner that prevents the carcass from being visible to the public;

e. Transported directly to the Township landfill without being left, stored, or transferred at any unauthorized locations; and
f. Transported in accordance with all applicable provincial and federal legislation;

v. The vehicle, trailer, and container used to transport deceased poultry shall be maintained in a sanitary condition and shall be thoroughly cleaned and sanitized following transportation;

vi. The person transporting the carcass/waste to the Township landfill shall provide the complete Chicken Carcass Disposal Form to the landfill operator upon arrival;

vii. Following transportation, the vehicle, trailer or container shall be thoroughly cleaned and sanitized

viii. Deceased permitted poultry shall not be placed in residential garbage, recycling, or any curbside collection service; and

ix. Disposal of deceased permitted poultry at a Township landfill shall be subject to the applicable standard tipping fee.

(n) Permitted Poultry shall always remain within a coop or a secure enclosed chicken run.

(o) Chicken coops and secure enclosed chicken runs shall be maintained in a clean condition, and the coop shall be kept free of obnoxious odors, substances and vermin.

(p) Stored manure shall be kept in an enclosed structure such as a compost bin, and no more than three cubic feet shall be stored at any one time.

5. Offence and Penalty Provisions:

5.1 Every person who contravenes any provision of this by-law and any person who fails to comply with an order issued under this by-law is guilty of an offence and, upon conviction, is liable to a penalty as provided for in the Provincial Offences Act and to any other applicable penalties.

5.2 Every owner of an animal who contravenes any provision of this by-law or whose animal contravenes any provision of this by-law is guilty of an offence and, upon conviction, is liable to a penalty as provided for in the Provincial Offences Act and to any other applicable penalties.

5.3 If this by-law is contravened and a conviction entered, the court in which the conviction was entered or any Court of competent jurisdiction may, in addition to any other remedy and to any penalty that is imposed, make an order prohibiting the continuation or repetition of the offence by the person convicted.

6. Validity:

6.1 If a court of competent jurisdiction declares any provision, or any part of a provision, of this by-law to be invalid, or to be of no force and effect, it is the intention of Council in enacting this by-law that each and every provision of this by-law authorized by law be applied and enforced in accordance with its terms to the extent possible according to law.

7. Commencement:

7.1 This by-law comes into force on the final day of passing

BE IT FURTHER ENACTED, that all BY-LAWS, or parts thereof and all or any Resolutions of Council contrary thereto, or inconsistent herewith, be and the same are hereby repealed.

READ a first time this **20th day of October, 2026.**

READ a second time this **20th day of October, 2026.**

READ a third and final time this **20th day of October, 2026.**

MAYOR CLERK

Schedule "A"
Township of McNab/Braeside
Part 1 Provincial Offences Act
Regulate Backyard Chickens

ITEM	Short Form Wording	Section	Set Fines - excluding costs
1.	Keep permitted poultry – No Permit	4.1 (a)	$200.00
2.	Keep prohibited poultry	4.1 (a)	$200.00
3.	Fail to Allow Inspection	4.1 (b)	$200.00
4.	Prohibited Chicken Coop/ secure enclosed run - excess of 15 square metres	4.1 (c)	$200.00
5.	Prohibited Chicken Coop – excess of 10 feet high	4.1 (c)	$200.00
6.	Chicken Coop/ secure enclosed run- Failed to comply with setback requirements in Table 1.	4.1 (d)	$200.00
7.	Chicken Coop/ secure enclosed run – less than 15 metres from school	4.1 (e)	$200.00
8.	Chicken Coop/ secure enclosed run – less than 7.5 metres from church or business	4.1 (f)	$200.00
9.	Chicken Coop/ secure enclosed run – prohibited location – front yard	4.1 (g)	$200.00
10.	Exceed maximum permitted poultry under Table 2	4.1 (h)	$200.00
11.	Keep mixed species of permitted poultry	4.1 (i)	$200.00
12.	Tenant – Keep Backyard Chickens without owner consent	4.1 (k)	$200.00
13.	Owner – fail to reside on property	4.1 (l)	$200.00
14.	Improper disposal of permitted poultry.	4.1 (m)	$200.00/ bird
15.	Fail to confine permitted poultry – free-range poultry prohibited	4.1 (n)	$200.00
16.	Fail to maintain chicken coop/ secure enclosed run	4.1 (o)	$200.00
17.	Chicken manure – improper storage/disposal	4.1 (p)	$200.00

NOTE: The penalty provision for the offences indicated above is section 5 of this By-Law #2026-54

Schedule "B"
Township of McNab/Braeside
Application for Chicken Coop Permit

Applicant Name: _____Phone Number: (____)-_____-_____

Permit Address (where backyard hens will be housed):

_____

_____

Number of permitted poultry to be kept at permit address ____

Type of permitted poultry this application is for: _____

Lot area____ Zoning_____

The total area of all coops and secure enclosed runs are less than 161 square feet (15 square metres) ☐

The chicken coop and secure enclosed chicken run is one story high and less than 10 feet in height ☐

Please include a site plan illustrating where the chicken coop, and secure enclosed run will be located on your property.

DECLARATION

IN THE MATTER OF AN APPLICATION FOR THE GRANT OF A MUNICIPAL PERMIT TO WIT:

I, _____ of the _____ of _____ in the do solemnly declare:

1. That I am the applicant for the grant of a permit authorizing me to keep permitted poultry pursuant to by-law 2026-54 within the Township of McNab/Braeside now and hereafter in force. I undertake to conform to the terms, conditions and regulations set out in by-law 2026-54 and understand that I must comply with all applicable regulations and requirements of: 1) every by-law of the Township of McNab/Braeside; and 2) every Provincial and Federal Act and regulation made under such an Act.
2. That I understand that any permit issued pursuant to the said application is subject to revocation.
3. I certify that the information contained in this application is true and complete to the best of my knowledge. I acknowledge that providing false or misleading information may result in the refusal, suspension, or revocation of the permit.

_____

Applicant

Office Use Only

Chief Building Official Approval _____ Date: _____

Permit No. Issued by:

NOTICE OF COLLECTION: Personal Information collected is pursuant to the Municipal Freedom of Information and Protection of Privacy Act (and all other applicable privacy provincial and federal legislation). Such legislation is reviewed and applied for the collection, use, disclosure and destruction of the information. The personal information collected as a result of this application may be used to assist in reporting information when requested.

Schedule "B"
Township of McNab/Braeside
Application for Chicken Coop Permit

Regulations for the keeping of backyard chickens and coops:

• The permit for a chicken coop is in accordance with By-Law 2026-54 with the Administration Department.

• The maximum number of poultry permitted on a property shall be in accordance with the lot area requirements and maximum flock size set out in Section 4.1 Table 2 of this By-law.

• The keeping of roosters is prohibited.

• A tenant must obtain permission from the property owner to keep permitted poultry on the owner's property.

• The owner of the permitted poultry must reside on the property where the backyard chickens are kept.

• Permitted poultry must always be confined within a coop or secure enclosed chicken run. Free-range keeping of permitted poultry is prohibited.

•Chicken coops and secure enclosed runs shall be located in accordance with the minimum setback requirements for accessory structures as identified in Section 4.1 Table 1 of this By-law.

• Chicken coops and secure enclosed chicken runs shall be located at least 15 metres from any school.

• Chicken coops and secure enclosed chicken runs shall be located at least 7.5 metres from any institution or business.

• Chicken coops are not permitted in any front yard.

• Chicken coops and secure enclosed chicken runs shall be maintained in a clean condition, and the coop shall be kept free of obnoxious odors, substances and vermin.

• Stored manure shall be kept in an enclosed structure such as a compost bin in accordance with compost regulations, and no more than three cubic feet shall be stored at any one time.

• Any deceased permitted poultry that dies naturally or is killed through home slaughter, shall be disposed of at a Township-approved landfill facility, livestock disposal facility or through the services of a veterinarian, in accordance with all applicable provincial and federal legislation and municipal requirements.

• Only one species of Permitted Poultry may be kept on a property at any one time. Mixed species are prohibited.