

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 16, 2017

Item 6, Report No. 17, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 16, 2017.

6

ANIMAL-RELATED BUSINESS LICENSING

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Community Services, and Director, By-law & Compliance, Licensing & Permit Services, dated May 2, 2017:

Recommendation

The Deputy City Manager, Community Services, and Director, By-law & Compliance, Licensing & Permit Services, recommend:

1. That City Council amend the provisions in the Licensing By-law and the fees in the Fees and Charges By-law in accordance with Attachment A of this report; and
2. That City Council authorize staff to amend, in a form satisfactory to the City Solicitor, Consolidated Licensing By-law No. 315-2005 and Consolidated By-law No. 171-2013, and to take any other necessary actions to give effect to the recommendations herein.

Contribution to Sustainability

As the city continues to grow and diversify, so do the supply and demand for services in the community. The proposed amendments are intended to recognize the increasing prevalence of animal-related businesses.

Economic Impact

There is no net budgetary impact expected as a result of the recommendations in this report. As with all other business licensing, fees have been set to cover corresponding administrative and enforcement costs.

Although there is no empirical data upon which to base licence volume projections, staff expect approximately 50 new licences to be issued in 2017 at an initial rate of \$119 and a renewal rate of \$95 for 2018. Therefore revenue from these licences is expected to be \$5,950 in 2017; and \$4,750 in 2018. In addition, and in keeping with other animal-related business licences, it is recommended that an associated inspection fee be implemented of \$152 for 2017 and \$155 for 2018, with associated revenues being \$7,600 in 2017 and \$7,750 in 2018.

Staff will review the ongoing fee structure as part of an overall review of licensing fees and in accordance with the City's By-law Strategy.

Communications Plan

Impacted businesses will be proactively approached by staff, as well as in response to any resident complaint or inquiry, with the intent of providing information regarding the licensing requirement and process.

Notice of the proposed amendments to the Licensing By-law recommended in this report was conducted in accordance with Sections 4(3) and 4(4) of the City's Notice By-law No. 394-2002.

Purpose

The purpose of this report is to seek Council authorization for a number of amendments to Consolidated Licensing By-law No. 315-2005 to differentiate between, and provide a system of

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 16, 2017

Item 6, CW Report No. 17 – Page 2

licences for, the various types of animal-related businesses, and to amend Consolidated Fees and Charges By-law No. 171-2013 to introduce related inspection fees.

Background – Analysis & Findings

Under the current provisions of the Licensing By-law, businesses providing animal-related services such as animal grooming and animal-sitting are considered Boarding Facilities; breeders are considered Boarding Kennels. Under the City's Zoning By-law No. 1-88, as amended, a use that includes dog kennels or the breeding, (overnight) boarding or sale of dogs or cats is considered an agricultural use. As such, some businesses that under the Licensing By-law require a licence cannot obtain the zoning clearance because from their definition, their business activities can only take place in a zone deemed agricultural (and therefore they cannot obtain a licence). This inconsistency in definitions between the Zoning and the Licensing By-law was not a major issue at the time the Zoning By-law was passed, as the Town of Vaughan still largely consisted of agricultural lands. However, today there are many animal-related businesses in operation throughout the city.

Staff are therefore recommending that breeders and kennels be consolidated into one licensing category known as "Kennels" and that they continue to be defined in accordance with zoning definitions as Boarding Facilities and Boarding Kennels, and restricted to agricultural zones. Staff further recommend that other animal-related businesses be separately defined under the Licensing By-law as either Pet Grooming Establishment or Pet Shop and be subject to zoning restrictions associated with either Pet Grooming Establishment or Retail Store, respectively.

Relationship to Term of Council Service Excellence Strategy Map (2014-2018)

The recommendations in this report are in line with the following priorities and initiatives for this term of Council:

- Continue to ensure the safety and well-being of citizens

The recommendations of this report are also in line with the objectives and deliverables of the By-law Strategy, mainly to ensure that the City has by-laws and related processes in place that are relevant, effective and sustainable.

Regional Implications

There are no regional implications from the recommendations of this report.

Conclusion

The proposed amendments are intended to ensure that there is a system of business licensing in place that recognizes the various types of animal-related businesses in the city.

Attachments

1. Amendments to Consolidated Licensing By-law No. 315-2005 and Consolidated Fees and Charges By-law No. 171-2013

Report prepared by:

Rudi Czekalla Martínez
Manager, Policy & Business Planning

Susan Kelly
Manager, Animal Services

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

COMMITTEE OF THE WHOLE MAY 2, 2017

ANIMAL-RELATED BUSINESS LICENSING

Recommendation

The Deputy City Manager, Community Services, and Director, By-law & Compliance, Licensing & Permit Services, recommend:

1. That City Council amend the provisions in the Licensing By-law and the fees in the Fees and Charges By-law in accordance with Attachment A of this report; and
2. That City Council authorize staff to amend, in a form satisfactory to the City Solicitor, Consolidated Licensing By-law No. 315-2005 and Consolidated By-law No. 171-2013, and to take any other necessary actions to give effect to the recommendations herein.

Contribution to Sustainability

As the city continues to grow and diversify, so do the supply and demand for services in the community. The proposed amendments are intended to recognize the increasing prevalence of animal-related businesses.

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Conclusion

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Report prepared by:

Rudi Czekalla Martínez
Manager, Policy & Business Planning

Susan Kelly
Manager, Animal Services

Respectfully submitted,

Mary Realí
Deputy City Manager,
Community Services

Gus Michaels
Director of By-law & Compliance,
Licensing & Permit Services

Amendments to
Consolidated Licensing By-law No. 315-2005
and
Consolidated Fees and Charges By-law No. 171-2013

1. Amend Consolidated Licensing By-law No. 315-2005 as follows:

- (a) Delete the definitions for “Boarding”, “Boarding Facility”, Boarding Facility Owner”, “Boarding Kennel”, “Kennel”, “Hobby Kennel”, “Domestic Animal Boarding Facility”, and “Pet Grooming Establishment”.

- (b) Add the following definitions to section 2.1 Definitions:

“Kennel” means any premises, building, structure, dog run or other facility or part thereof where dogs, cats, other domestic animals, or any combination thereof, are kept for the purposes of breeding and selling of such dogs, cats or other domestic animals, or for the purposes of overnight boarding of owned animals;

“Pet” means an animal not prohibited within the City of Vaughan under Animal Control By-law No. 53-2002, as amended;

“Pet Grooming Establishment” means a building or part of a building in which animals are groomed and where accessory products are sold (a maximum of 30% of the Gross Floor Area of the establishment can be devoted to accessory retail uses), and may also include pet obedience training and daily animal-sitting, but shall not include any overnight boarding of animal(s). Such a use must be conducted within a wholly enclosed building and may also be accessory to a veterinary clinic or pet shop;

“Pet Shop” means any building or part thereof where dogs, cats, other domestic animals, or any combination thereof, are either offered for adoption or sale.

- (c) Amend sections 19.1, 19.2 and 19.3 by replacing every reference to Boarding Facility with “Pet Grooming Establishment and Pet Shop”.
- (d) Add the following fee, in alphabetical sequence, to Schedule “B” – Classes of Business Licences and Fees:

	2017		2018	
	INITIAL FEE	RENEWAL FEE	INITIAL FEE	RENEWAL FEE
Pet Grooming Establishment	\$ 119	\$ 92	\$ 123	\$ 95
Pet Shop	\$ 119	\$ 92	\$ 123	\$ 95

2. Amend Consolidated Fees and Charges By-law No. 171-2013, as amended, as follows:

- (a) Amend the fee for Kennel/Boarding Facility in Schedule “I”, under By-law & Compliance Services, by deleting the words “Boarding Facility” such that the fee refers only to “Kennel Licence Inspection Fee”.

- (b) Add the following fee to Schedule “I”, under By-law & Compliance Services:

	2017	2018
Pet Grooming Establishment and Pet Shop Licence Inspection Fee	\$ 152	\$ 155