

## Magnifico, Rose

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**Subject:** FW: June 18 CW meeting - item 24 - recommendation  
**Attachments:** Bylaw summary.pdf; City of Hamilton - New Animal By-law for the City of Hamilton.pdf;  
COMMITTEE OF THE WHOLE - June 18 2013 - Item 24 - recommendation.pdf

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**From:** Maj-Lis Vettoretti [<mailto:dmvett@rogers.com>]  
**Sent:** Monday, June 17, 2013 10:17 PM  
**To:** [Clerks@vaughan.ca](mailto:Clerks@vaughan.ca)  
**Subject:** June 18 CW meeting - item 24 - recommendation

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Communication
CW: <u>June 18/13</u>
Item: <u>24</u>

Attention: City Clerk,

I was advised by Councillor Iafrate's office that I may submit a recommendation to be included in the agenda for the Committee of the Whole meeting, on June 18th.

Please see the attached with respect to item 24 on the Agenda - Animal Services - Pigeons (referred)

I have attached 3 documents:

- my recommendation
- bylaw summary
- City of Hamilton New Animal By-law info

Please confirm receipt.

Regards,

Maj-Lis Vettoretti  
Fermar Dr.  
Maple ON

## COMMITTEE OF THE WHOLE – JUNE 18, 2013

### Agenda Item 24 – Animal Services – Pigeons (referred)

#### Recommendation

Deputant from May 21, 2013 Committee of the Whole meeting, Ms. Maj-Lis Vettoretti, Fermark Drive, Maple recommends the following regarding suitable setbacks for pigeon coops:

1. The current setback of 4.5 metres from any side or rear lot line be maintained, as described in Part 10 (9) of the Animal Control By-law 53-2002
2. In addition, a provision for coops to be located a minimum of 10 metres from any school, church, public hall, store, dwelling or premises used for human habitation, other than premises occupied exclusively by the owner or keeper of pigeons. [For clarity, the distance will be measured from the property line of a lot containing an occupied residential home]
3. The definition of premises be added to mean the entire lot on which a single dwelling unit building or a multi-dwelling unit building is situated.

The basis of the recommendation is as follows:

1. Experience of living beside a property containing a pigeon coop and the nuisances of smell, noise, excrement of birds and trespassing/loitering of birds as well as possible health hazards.
2. Review of several Southern Ontario City by-laws – summary attached
3. Consideration given to City of Hamilton's by-law for the following reasons:
  - Recently enacted on February 8, 2012
  - In depth project undertaken to create one harmonized by-law replacing ten previous by-laws across the entire amalgamated city
  - Extensive public consultation was undertaken
  - Best practices across Canada were considered
  - See attached FAQ from the City of Hamilton website

Summary of By-Laws by City  
With respect to keeping pigeons  
set backs for pigeon coops

City	Date of bylaw	set back side	set back rear	other
Vaughan	11-Feb-02	4.5 metres	4.5 metres	none
Hamilton	8-Feb-12	3 metres	3 metres	10 metres from any premises containing...dwelling used for human habitation premises includes land appurtenant to the building
London	16-Jul-07	3 metres	3 metres	12 metres from premises used for human habitation premises includes the entire lot on which a single dwelling unit is situated
Kitchener	June, 2008			12.2 metres from any dwelling unit pigeons prohibited on any lot within the City-exemption for pigeons kept continuously from
Cambridge	16-Feb-05	3 metres	3 metres	15 metres from any dwelling no person shall keep pigeons unless registered by and were in existence prior to Oct 31, 19
Waterloo	2009	3 metres	3 metres	15 metres from any dwelling not permitted in residential area unless in existence on date of by-law enactment
Mississauga	10-Mar-04	6.1 metres	6.1 metres	none
Markham	13-Jun-06	3 metres	3 metres	7 metres from any dwelling
Brampton	22-Nov-93	none	none	annual licensing

## City of Hamilton - Planning &amp; Economic Development

**New Animal By-law for the City of Hamilton****What?**

After extensive public consultation the City of Hamilton has developed an updated Animal By-law for Hamilton. There were ten By-laws across the City that regulated the keeping and control of animals. Although the new By-law (titled the Responsible Animal Ownership By-law) has new provisions, much of what was in the old By-laws have remained the same. The purpose of this By-law is to ensure the health and safety of residents, protect property and prevent public nuisances. Some examples of what remains the same include:

- Licensing dogs;
- Prohibiting animals 'at large';
- Requiring owners to clean up after their animals;
- Designating potentially dangerous and dangerous dogs (and requiring muzzles); and
- Prohibiting exotic animals.

A few of the new provisions to the By-law include:

- Clarification of what is permitted in rural versus urban areas;
- 'Owned' cats that roam or are 'at large' will be regulated in the same way as dogs, with the exception that cats will not need to be licensed;
- Pet limits have been limited to 4 domestic animals per dwelling in urban areas;
- Urban chickens are not permitted; and
- Regulations have been added regarding where and how an animal may be housed to ensure its health and safety.

Public consultation was conducted during 2009 and 2010 with members of the public, animal rescue groups, pet store owners, animal-related organizations, vet clinics and environmental groups who all provided input and feedback to proposed changes to the current By-law.

You can review the complete report and recommendations provided in the right hand column on this webpage.

**Why?**

To:

- create one "harmonized" Animal Control By-law that replaced the ten previously existing by-laws regulating the keeping and control of animals across the entire amalgamated City;
- increase the health and safety of residents and animals;
- update and change some old or out-dated regulations; and
- balance the needs and differing situations between regulations for the rural and urban areas.

**When?**

By-law 12-031 was enacted by City Council on February 8th, 2012.

For comments or questions regarding the revised By-law, contact Animal Services at:

**Contact Information****Hours of Operation**

Monday - Friday: 8:30am - 4:30pm

Saturday - Sunday:

10:00am - 2:00pm

Closed on Holidays

**Phone:** 905-574-3433

**Dispatch Services**

Monday - Friday: 8:30am - 6:00pm

**Emergencies Only**

Monday - Friday: 6:00pm - 8:30am

Weekends and Holidays

**Fax:** 905-574-8877

**Licensing Fax:** 905-546-4044

**Email:**

[animalcontrol@hamilton.ca](mailto:animalcontrol@hamilton.ca)

*(Please Note: This e-mail address is not monitored continuously and should not be used for matters requiring immediate attention.)*

**Things You Need to Know**

- [Report to the Planning Committee PED09303\(b\)](#)
- [Report to the Planning Committee PED09303\(c\)](#)
- [By-law 12-031](#)

e-mail: [animalcontrol@hamilton.ca](mailto:animalcontrol@hamilton.ca)  
phone: 905-574-3433  
fax: 905-574-8877  
in person: 247 Darnall Road, Hamilton

## ANIMAL SERVICES BY-LAW FAQs

### Has the public been able to provide input?

Extensive public consultation was conducted during 2009 and 2010 with members of the public, animal rescue groups, pet store owners, animal-related organizations, vet clinics and environmental groups who all provided input and feedback to proposed changes to the current By-laws. The City received feedback from approximately 400 groups and individuals through:

- Public meetings,
- Focus groups,
- Written submissions (letters, email), and
- Delegations (presentations).

### Why did we need to make changes to the previous By-laws?

The City of Hamilton had ten (10) by-laws that regulated the keeping and control of animals. Changing/revising the By-law allowed us to:

- create one "harmonized" Animal Control By-law that replaced the ten existing by-laws regulating the keeping and control of animals across the entire amalgamated City;
- increase the health and safety of residents and animals;
- update and change some old or out-dated regulations;
- improve and enhance our relationships with rescue organizations; and
- balance the needs and differing situations between regulations for the rural and urban areas.

### Have we looked at what other cities are doing with their Animal By-laws?

Yes, we have looked at a number of best practices across Canada. For example, we have reviewed Calgary's model as they are recognized as a leader and have seen a number of positive results. Recommendations for Hamilton's By-law also take into account opportunities for customization in our distinct community.

### Does the new By-law recommend that cats must be licensed?

No, there is no recommendation to licence cats at this time. We will continue to encourage cat owners to microchip and register their cat(s) to increase the likelihood that they return home if they get lost.

### Will the By-law suggest that the City proactively pick up cats that are roaming around?

No, Animal Services will continue to respond to calls regarding injured or deceased cats. Animal Services staff will respond to complaints about cats 'at large'. What will change is that cats will be treated in a similar way to dogs and they will not be allowed to leave your property and wander around your neighbourhood unless your neighbours are ok with this. This new By-law emphasizes the importance of responsible pet/animal ownership.

### Under the new By-law if a complaint is received about my cat wandering around would I immediately receive a ticket?

No, enforcement of this would follow similar process like other By-law complaints where the owner would first receive a warning informing them that there are concerns about their cat(s) 'at large' and would ask them to ensure that their cat(s) remains on their property. If the concern is not addressed then staff could follow up with more progressive measures such as issuing a ticket etc.

### **Is there a difference between what's allowed in rural areas (farms) versus urban (residential)?**

Yes, animals produced or raised as part/all of an agricultural use (including horse farms) are exempt from the regulations contained in the new By-law. In addition, a broader range of animals are permitted on farms, wherever they are located (as long as allowed by zoning), as well as outside of the urban boundary and the rural settlement areas. This would permit, for example, hobby farms for keeping ducks, chickens, peacocks, etc.

On rural or agricultural premises, dogs can be kept without fencing or other restraint if sufficiently trained to stay on the property (also permitted on properties one hectare or larger). Chickens, pigs, donkeys and other farm animals (in addition to dogs, cats, ferrets, rabbits, etc.) can be kept even if there are no livestock or horses on a horse farm. Falcons can be kept with the provincial licence and wild animals can only be kept if they are sick or injured and being nursed with the provincial authorization.

### **Are all types of snakes and lizards allowed and what other changes apply to owning reptiles?**

The new By-law suggests that the only type of snakes and lizards that would be allowed will include:

- non-venomous snakes that do not exceed three metres in length from nose to tip of tail at maturity; and
- non-venomous lizards (not including iguanas) that do not exceed two metres in length from nose to tip of tail at maturity.

The current By-law prohibits the sale and ownership of banned snakes and lizards. The revisions to the By-law for reptiles is also in keeping with what neighbouring cities allow.

### **Why aren't urban chickens permitted?**

Staff have been directed to investigate the possibility of keeping urban chickens. Due to health and safety concerns, more research needs to be conducted. The keeping of domestic poultry can put humans in close contact with poultry viruses such that the potential health risks associated with the keeping of poultry outweighs the potential benefit realized from the food security perspective at this time. Poultry carry Salmonella sp. bacteria and have the ability to carry Influenza viruses. Salmonellosis infections can be quite serious, particularly in children under the age of five years and poultry are a natural reservoir for influenza viruses.

### **Does the new By-law make any recommendations about banning the sale of cats and dogs in stores?**

Based on our observations and anecdotal reports for the Hamilton area, there is a continued trend where stores get their cats or dogs from rescue groups and organizations, which aides in finding homes for these animals.

### **Can I review the entire new By-law?**

Yes, you can review the complete, new By-law found in the right hand column of this webpage. For comments or questions regarding the revised By-law, contact Animal Services at:

e-mail: [animalcontrol@hamilton.ca](mailto:animalcontrol@hamilton.ca)  
phone: 905-574-3433  
fax: 905-574-8877  
in person: 247 Darnall Road, Hamilton