



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Parking and By-law Services Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	March 18, 2014
SUBJECT/REPORT NO:	Keeping of Pigeons in Urban Areas (PED13107(a)) (City Wide) (Outstanding Business List Item)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	William Young (905) 546-2424 Ext. 2469
SUBMITTED BY:	Joe-Anne Priel Acting General Manager Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That the proposed By-law, attached as Appendix "A" to Report PED13107(a), which amends the Responsible Animal Ownership By-law No. 12-031 with respect to allowing pigeons in urban areas with appropriate restrictions, and which has been prepared in a form satisfactory to the City Solicitor, be passed.
- (b) That the item titled Racing Pigeons be identified as complete and removed from the Planning Committee's Outstanding Business List.

EXECUTIVE SUMMARY

This Report recommends that the Responsible Animal Ownership By-law be amended to permit the keeping of pigeons in urban areas of the City only by residents who are members in good standing with the Canadian Racing Pigeon Union Inc. and/or the Canadian Pigeon Fanciers Association, and subject to appropriate restrictions such as requiring them to be kept in sanitary conditions, appropriate separation distance from adjacent premises and limited in number as detailed in the Report. The regulations allowing the keeping of pigeons in rural areas will remain unchanged.

This Report also provides information on how staff can address feral pigeon issues in the urban areas of the City through the Wildlife Feeding By-law No. 12-130.

Alternatives for Consideration – See Page 3

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

N/A

HISTORICAL BACKGROUND

At the January 25, 2012 Council meeting, communications were received from the North Road Racing Pigeon Association of Hamilton and the Canadian Racing Pigeon Union Inc. both expressing concerns about banning the keeping of pigeons in urban areas. Subsequently, Council at its next meeting approved the new Responsible Animal Ownership By-law but, the section addressing the regulation of pigeons was referred back to the Planning Committee “to consider changing the by-law to allow pigeons within the urban zone”.

The Planning Committee, on June 18, 2013, heard a delegation from the Canadian Racing Pigeon Union Inc. Staff was directed to consult with the delegates and to report to the Committee on allowing pigeons to also be kept in the urban areas of the City.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

N/A

RELEVANT CONSULTATION

Staff consulted with Legal Services, as well as the Canadian Racing Pigeon Union Inc. who concur with the staff recommendation.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

Several other municipalities have passed by-laws permitting residents to keep pigeons in urban areas with restrictions that ensure health and nuisance issues are addressed.

Based on consultation with the Canadian Racing Pigeon Union Inc., staff is recommending that the Responsible Animal Ownership By-Law be amended to allow pigeons to be kept in urban areas of the City with the following additional, new restrictions:

- that residents keeping pigeons in urban areas be required to be members in good standing of either the Canadian Racing Pigeon Union Inc., or the Canadian Pigeon Fanciers Association; and,
- that the number of pigeons be limited to a maximum of 80 pigeons from April 1 to October 31 and 60 pigeons from November 1 to March 31 to accommodate racing.

Also, two minor housekeeping changes are required to better define current restrictions already contained in the Responsible Animal Ownership By-law as follows:

- limiting flights to specified morning and evening times (an amendment, allowing at least 2 hours of daylight flight time in the morning and at least 1.5 hours of daylight flight time in the afternoon, is included in the attached amending By-law),
- requiring that pigeon enclosures be separated from adjacent premises (an amendment clarifying the distance from property lines and buildings is included in the attached amending By-law).

The regulations allowing the keeping of pigeons in rural areas are less restrictive and will remain unchanged.

With respect to the health concerns regarding feral pigeon droppings, staff can advise that there are currently adequate provisions in the Wildlife Feeding By-law No. 12-130. The By-law prohibits the feeding of feral pigeons on public property and, if it causes any nuisance, on private property. Animal Services currently provides information regarding this By-law on the City of Hamilton website. Also, in the case of a violation, a fine of up to \$10,000 may be levied by the Courts upon the first conviction and \$25,000 upon subsequent convictions.

ALTERNATIVES FOR CONSIDERATION

Allowing residents to keep pigeons in rural areas only.

ALIGNMENT TO THE 2012 – 2015 STRATEGIC PLAN

Strategic Priority #3

Leadership & Governance

WE work together to ensure we are a government that is respectful towards each other and that the community has confidence and trust in.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report PED13107(a) – By-law amending the Responsible Animal Ownership By-law

WY/dt