



PLANNING COMMITTEE

REPORT 11-020(a)

Thursday, January 12, 2012

9:30 am

Council Chambers

City Hall

71 Main Street West

Hamilton, Ontario

Present: Councillors B. Clark (Chair), Councillor J. Farr (1st Vice Chair), B. Johnson (2nd Vice Chair), R. Pasuta, L. Ferguson, J. Partridge and M. Pearson

Absent with Regrets: Councillor C. Collins, personal business
Councillor T. Whitehead, personal

Also Present: T. McCabe, GM, Planning & Economic Development
M. Hazell, Senior Director, Parking & By-Law Services
S. O'Dwyer, Manager of Animal Control
A. Fletcher, Manager
L. Pasternak, Senior Solicitor
V. Robicheau, Legislative Assistant

THE PLANNING COMMITTEE PRESENTS REPORT 11-020(a) AND RESPECTFULLY RECOMMENDS:

- 1. Responsible Animal Ownership By-law (PED09303(c)) (City Wide) (Outstanding Business List Item) (Item 6.1)**
 - (a) That the Responsible Animal Ownership By-law, as amended and attached as Appendix "A" to Report PED09303(c), and which has been prepared in a form satisfactory to the City Solicitor, be enacted; and,
 - (b) That the item respecting a Harmonized Animal Control By-law be removed from the Planning Committee's Outstanding Business List.

2. Correspondence regarding Responsible Animal Ownership By-law (PED09303(c)) (City Wide) (Item 6.1)

That the following correspondence regarding Responsible Animal Ownership By-law (PED09303(c)) (City Wide), be received.

November 15, 2011:

- (a) John Ford
- (b) Pat Oertel
- (c) Jessica Aird
- (d) Mike Petrik
- (e) Judith Harrison
- (f) Michelle Gibson
- (g) Jean Rodda
- (h) Caroline
- (i) Pablo Regueiro
- (j) Rachel Cook
- (k) Hugh McGilchrist
- (l) Colleen Simmons
- (m) Jessica Nye Brouwer
- (n) Wendy Moreton
- (o) Agnes Nelson
- (p) Removed
- (q) Samantha Stiling
- (r) Bonnie Dawson
- (s) Gemma Norman
- (t) J. Collins
- (u) Denise Richardson
- (v) Mrs. Clark
- (w) Paul Meixner and Lisa Kabesh
- (x) Marie-Lynn Hammond
- (y) Lillian Szilagy
- (z) Brenda Power Ahmad
- (aa) Joe Stocco
- (bb) Leanne Tucker
- (cc) Bonnie Gardhouse
- (dd) Lesley Sampson – Coyote Watch Canada
- (ee) Wendi McManus
- (ff) Trish O'Meara
- (gg) Jaymz Kay

January 22, 2012:

- (hh) Carolyn McCann
- (ii) Doris Shields
- (jj) Jaymz Kay

- (kk) Sandy MacLennan
- (ll) Encarni Escobar
- (mm) Ira Rosen
- (nn) Justine Schultes
- (oo) Steve Walsh
- (pp) Bob Campbell
- (qq) Don Intini (FFFF)
- (rr) Don Intini

Due to bulk, Correspondence (2)(a) through (2)(rr) is available for viewing on the City of Hamilton website.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA

The Committee Clerk advised of the following changes to the Agenda:

APPROVAL OF MINUTES

- 3.1 November 15, 2011

PUBLIC HEARINGS AND DELEGATIONS

- 6.1 Responsible Animal Ownership By-law (PED09303(c)) (City Wide)
(Outstanding Business List Item)
 - (i) Correspondence from Carolyn McCann
 - (ii) Correspondence from Doris Shields
 - (iii) Correspondence from Jaymz Kay
 - (iv) Correspondence from Sandy MacLennan
 - (v) Correspondence from Encarni Escobar
 - (vi) Correspondence from Ira Rosen
 - (vii) Correspondence from Justine Schultes
 - (viii) Correspondence from Steve Walsh
 - (ix) Correspondence from Bob Campbell
 - (x) Correspondence from Don Intini (FFFF)
 - (xi) Correspondence from Don Intini

DISCUSSION ITEMS

- 8.1 Report 12-001 - Agricultural and Rural Affairs Advisory Committee

The Agenda for the January 12, 2012 meeting of the Planning Committee was approved, as amended.

(b) DECLARATIONS OF INTEREST

None

(c) APPROVAL OF MINUTES**(i) November 15, 2011 (Item 3.1)**

The Minutes of the November 22, 2011 Planning Committee meeting were approved.

(d) PUBLIC HEARINGS AND DELEGATIONS**(i) Responsible Animal Ownership By-law (PED09303(c)) (City Wide)
(Outstanding Business List Item) (Item 6.1)**

Sue O'Dwyer, Manager of Animal Control, addressed the Committee with the aid of a PowerPoint presentation. A copy of this presentation has been included in the official record.

The staff presentation respecting, Report PED09303(c), Responsible Animal Ownership By-law, was received.

Section 6.4 sub-section (a) of the By-law For Responsible Animal Ownership in the City of Hamilton, respecting Cinema Park, was referred back to Staff for further investigation into the identification of Cinema Park as an unleashed area.

The By-law For Responsible Animal Ownership in the City of Hamilton, was amended by including both the metric (hectare) and imperial (acre) measurements in Part 1, Section 1.1, Sub-section "rural or agricultural premises" (b); and in Part 6, Section 6.7.

Section 9.1, Sub-section "Squamata" (a), of the By-law For Responsible Animal Ownership in the City of Hamilton, was amended by adding the words ", or will exceed," after the words, "female nor the male of species exceed".

Section 3.2 (j), of the By-law For Responsible Animal Ownership in the City of Hamilton, was amended by deleting it in its entirety and replacing it with the following:

- 3.2(j) Any display held by an agricultural or horticultural organization incorporated under the Agricultural and Horticultural Organizations Act; but not limited to; a fair, exhibition or competition held by the Binbrook Agricultural Society, Rockton Agricultural Society and the Ancaster Agricultural Society.

Section 5.3, Sub-section (c), of the By-law For Responsible Animal Ownership in the City of Hamilton, was amended by deleting it in its entirety and replacing it with the following:

5.3(c) is located not less than:

- (i) 3 metres from the boundary line of; or
- (ii) 10 metres from;

any premises containing a school, church, public hall, store, dwelling or premises used for human habitation, other than the premises used exclusively by the owner of the pigeon; and

For disposition on this item, refer to Item 1.

The following motion, passed at the November 15, 2011 Special Meeting of the Planning Committee, was rescinded:

“With regard to the consideration of Urban Chickens:

- (a) That staff report back by the end of the first quarter of 2012 with a comprehensive report on the concerns and regulations required for Urban Chickens, taking into account: the number of chickens per household; coop distance restrictions; enclosure and containment restrictions; enclosure and containment restrictions nuisance clauses; permit fees; and rooster regulation (rooster restriction);
- (b) That staff fully study the financial and resource issues, including: budgetary implications, licensing and registration and inspection costs; the costs of handling abandoned chickens and capital for accommodation of stray chickens; and a cost recovery model;

- (c) That staff seek more comprehensive input from Public Health with this report.”

(e) DISCUSSION ITEMS

- (i) Report 12-001 - Agricultural and Rural Affairs Advisory Committee (Item 8.1)**

Report 12-001 of the Agricultural and Rural Affairs Advisory Committee, was received.

(f) ADJOURNMENT

There being no further business, the Planning Committee was adjourned at 12:34 p.m.

Respectfully submitted,

Councillor B. Clark
Chair, Planning Committee

Vanessa Robicheau
Legislative Assistant
Office of the City Clerk
January 12, 2012