



## **PLANNING COMMITTEE**

### **MINUTES 11-020(a)**

**Thursday, January 12, 2012**

**9:30 am**

**Council Chambers**

**City Hall**

**71 Main Street West**

**Hamilton, Ontario**

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

**Absent with Regrets:** Councillor C. Collins, personal  
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

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#### **THE FOLLOWING ITEMS WERE REPORTED TO COUNCIL FOR CONSIDERATION:**

**1. Responsible Animal Ownership By-law (PED09303(c)) (City Wide)  
(Outstanding Business List Item) (Item 6.1)**

**(Farr/Partridge)**

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

**CARRIED**

**2. Correspondence regarding Responsible Animal Ownership By-law (PED09303(c)) (City Wide) (Outstanding Business List Item)**

**FOR THE INFORMATION OF COMMITTEE:**

**(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

**(Pearson/Johnson)**

That the Agenda for the January 12, 2012 meeting of the Planning Committee be approved, as amended.

**CARRIED**

**(b) DECLARATIONS OF INTEREST**

None

**(c) APPROVAL OF MINUTES**

**(i) November 15, 2011 (Item 3.1)**

**(Partridge/Johnson)**

That the Minutes of the November 22, 2011 Planning Committee meeting be approved.

**CARRIED**

**(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.

**(Farr/Johnson)**

That the staff presentation respecting, Report PED09303(c), Responsible Animal Ownership By-law, be received.

**CARRIED**

**(Ferguson/Farr)**

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

**CARRIED**

**(Johnson/Pearson)**

That the by-law For Responsible Animal Ownership in the City of Hamilton, be 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.

**CARRIED**

**(Johnson/Pearson)**

That Section 9.1, Sub-section "Squamata" (a), of the by-law For Responsible Animal Ownership in the City of Hamilton, be amended by

adding the words “, or will exceed,” after the words, “female nor the male of species exceed”.

**CARRIED**

**(Johnson/Partridge)**

That Section 3.2 (j), of the by-law For Responsible Animal Ownership in the City of Hamilton, be amended by deleting the wording and replacing it with the following wording:

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.

**CARRIED**

**(Pasuta/Partridge)**

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

- (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 user for human habitation, other than the premises used exclusively by the owner of the pigeon; and

**CARRIED**

**For disposition on this item, refer to Item 1.**

**(Ferguson/Pearson)**

That the following motion, passed at the November 15, 2011 Special Meeting of the Planning Committee, be 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.”

The motion CARRIED on the following standing recorded vote:

Yeas: Pasuta, Clark, Ferguson, Pearson  
Total: 4  
Nays: Farr, Johnson, Partridge  
Total: 3  
Absent: Collins, Whitehead  
Total: 2

**(e) DISCUSSION ITEMS**

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

**(Johnson/Pasuta)**

That Report 12-001, Agricultural and Rural Affairs Advisory Committee, be received.

**CARRIED**

**(f) ADJOURNMENT**

**(Ferguson/Farr)**

That, there being no further business, the Planning Committee be adjourned at 12:34 p.m.

**CARRIED**

Respectfully submitted,

Councillor B. Clark

Chair, Planning Committee

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