

THE CORPORATION OF THE TOWN OF GEORGINA

REPORT NO. DS-2023-0068

**FOR THE CONSIDERATION OF
COUNCIL**

July 12, 2023

SUBJECT: PIGEONS IN RESIDENTIAL AREAS

1. RECOMMENDATIONS:

1. That Council receive Report No. DS-2023-0068 prepared by the Planning Policy Division, Development Services Department dated July 12, 2023 on the results of the Pigeons in Residential Areas Review;
2. That Animal Control By-law 2003-0072 and Animals at Large By-law 2003-0073 be amended to allow for the raising of pigeons in residential areas in Pefferlaw and the Hamlet areas subject to a number of criteria and regulations as set out in Report No. DS-2023-0068 and that the amending by-laws be brought forward to a future Council meeting for consideration and enactment; and,
3. That Staff report back on a process to consider site specific requests for by-law amendments to permit for pigeon keeping in other areas of the Town, namely Keswick, the Serviced Lakeshore Areas and Sutton/Jackson's Point.

2. PURPOSE:

The purpose of this report is to respond to the Council direction of February 15, 2023, to conduct a public consultation process concerning the permissibility of keeping pigeons in residential areas, report on the results of the public consultation process and provide options and recommendations.

3. BACKGROUND:

3.1 Deputation

On September 14, 2022 Council received a deputation from Henry Radder requesting an exemption to Animal Control By-law 2003-0072 to permit pigeon-keeping on his property. Mr. Radder requested that the Town create a by-law to permit residents to raise pigeons as a hobby and a sport in residential areas as By-law 2003-0072 only permits pigeon keeping in the Rural (RU) zone. Mr. Radder provided examples of how pigeons have historically been used in hobby, sport and even postal services compatibly with residential areas.

Mr. Radder, a resident of Udora, has previously maintained a loft and pigeons on his property. After receiving a notice of violation from Municipal By-law Enforcement

concerning the keeping of pigeons on his property, Mr. Radder has since removed the birds (approximately 40) to a location out of Georgina.

At the September 14, 2022 meeting, Council adopted Resolution No. C-2022-0318 as follows:

“That Council receive the delegation provided by Henry Radder requesting the exotic animal by-law be amended to permit residents to raise pigeons as a hobby and a sport and refer the request to the Chief Administrative Officer’s office for discussion concerning the open by-law file on this issue.”

The matter was subsequently referred by the Chief Administrative Officer to the Development Services Department for review in consultation with the Manager of Municipal Law Enforcement, and for the preparation of an information report for Council’s consideration.

It is noted that By-law 2003-0072 is formerly referred to as “BEING A BY-LAW TO REGULATE AND PROHIBIT THE KEEPING OF ANIMALS OTHER THAN DOGS” but has been otherwise referred to as the Exotic Animal By-law. By-law 2003-0072 is now more commonly identified as the “Animal Control By-law” and is referred to as such in this report.

3.2 Pigeons in Residential Areas Report

On February 15, 2023, Council received Report No. DS-2023-0011 which presented background information, benefits, issues, policies and regulations, other municipal practices as well as options associated with permitting pigeons in residential areas. At the meeting, Council directed staff to conduct a public consultation process concerning the permissibility of pigeons in residential areas, by passing Resolution No. C-2023-0091 as follows:

1. That Council receive Report No. DS-2023-0011 prepared by the Planning Policy Division, Development Services Department dated February 15, 2023 on Pigeons in Residential Areas.
2. That Council authorize a public consultation process concerning the permissibility of Pigeons in Residential Areas as set out in Report No. DS-2023-0011.
3. That Staff be directed to report on the results of the public consultation process and provide updated options and recommendations concerning the possible permissibility of Pigeons in Residential Areas.

Report No. DS-2023-0011 can be viewed online on the Town’s website at the following link:

<https://pub-georgina.escribemeetings.com/Meeting.aspx?Id=e2c43f67-74a3-48bf-87f8-b3c5f09c5e46&Agenda=Agenda&lang=English>

Report No. DS-2023-0011 contains considerable background into the issue of pigeons inclusive of regulations, municipal practices and applicable policy framework which is not repeated in the present report.

4. Public Consultation Program

Implementing direction from Council, a public consultation program was initiated by Staff, which included the following:

- A Pigeons in Residential Areas webpage on the Town's website, as well as a slide on the Town's main page. The website can be viewed through the following link: <https://www.georgina.ca/living-here/planning-and-development/pigeons-residential-areas>
- Notice in the Georgina Advocate on April 27, 2023
- Notice on the Town's Facebook and Twitter pages
- A Public Information Centre (refer to Attachment 1)
- A Pigeons in Residential Areas Survey (refer to Attachment 2)

4.1 Pigeons in Residential Areas Public Information Centre

On May 9, 2023, a Pigeons in Residential Areas Public Information Centre (PIC) was held in the Council Chambers at the Town of Georgina Civic Centre from 7:00 to 9:00 p.m. At the PIC, Staff from Development Services and Municipal Law Enforcement provided informational poster boards on pigeons in residential areas, as well as copies of the relevant by-laws and Report DS-2023-0011 (refer to Attachments 1, 3 and 4 respectively). Despite the strong response to the online survey, no members of the public attended the PIC event.

4.2 Pigeons in Residential Areas Survey

To gain feedback from residents regarding the permissibility of pigeons in residential areas, an online survey using survey monkey was conducted from April 27, 2023 to May 25, 2023. A copy of the survey has been included as Attachment 2.

A total of 382 online responses were submitted. A summary of the survey results has been included as Attachment 6. Based on the results of the survey, 57.33% of respondents oppose and 41.1% of respondents support the keeping of pigeons in residential areas.

Within the Hamlet Areas and Pefferlaw, approximately 70% of respondents were in favour of permitting pigeons, while in Keswick, the Serviced Lakeshore Residential Areas and Sutton/Jackson's Point over 70% of residents were opposed to pigeons being permitted in residential areas. These results have been consolidated into the below chart.

Community Area in Georgina	Keswick		Sutton/Jackson's Point		Pefferlaw		Hamlet Areas		Served Lakeshore Residential Areas	
Permit	60	27%	12	26%	24	77%	15	68%	1	20%
Do Not Permit	159	72%	35	74%	7	23%	7	32%	4	80%
Total Responses	220	100%	47	100%	31	100%	22	100%	5	100%

*Note: Served Lakeshore Residential Areas were included under the 'Other' location category within the survey. Permit and Do Not Permit numbers may not add up to the Total Responses, as some 'Other' responses were not relevant and were not included.

Of those that support the keeping of pigeons, the primary reasons included:

- That pigeons are a benefit for owners and/or are harmless;
- That individuals should have the freedom to own pigeons; and,
- That other pets are already permitted in residential areas, and that pigeons are not expected to be more disruptive.

Of those that do not support the keeping of pigeons, the leading reasons included:

- Concerns about disease or cleanliness; and,
- The impacts of pigeons on neighbouring properties, in particular concerns about the noise and mess pigeons could generate.

Significant public comments were received through the public consultation program. Below is a summarized list of concerns identified during the survey:

- Pigeons will negatively impact neighbours due to mess and noise;
- Pigeons will bring disease;
- Pigeons need more space than can be provided in a residential neighbourhood; and,
- Illegal/ feral pigeons are already causing issues.

5. **ANALYSIS:**

5.1 Permitting Racing Pigeons In Residential Areas - Options

Going forward, there are a number of options that can be considered for addressing the results of the public engagement and the permissibility of pigeons in residential areas. A number of these are presented below:

Option 1 - Do Nothing

Under this option, no action would be taken and the results of the public consultation would be received. The relevant by-laws would not be amended to address the permissibility of pigeons in residential areas. The keeping of greater than 3 pigeons in

areas other than Rural (RU) zones would not be permitted. Municipal Law Enforcement staff would continue to respond to and enforce complaints pursuant to the current regulations.

While the simplest option, this would not allow for reasonable and appropriate keeping of pigeons on appropriately located and sized lots. There is a basis to consider this activity subject to appropriate controls as is the case in many comparable municipalities.

Option 2 - Pilot or Licencing Program

Under this option, a pilot program would be initiated that could be authorized by a new by-law passed under the Municipal Act or through amendments to the existing Animal Control By-law 2003-0072 and Animals at Large By-law 2003-0073. The program could run for a defined period of time (i.e. 24-36 months) for a limited number of residents and be based on specific criteria and standards. The program could be designed such that a restricted number of licenses could be issued to allow a limited number of racing pigeons in residential areas subject to regulations. The Town previously undertook this type of approach in relation to the permitting of urban hens.

This approach is not recommended given the lesser level of interest in keeping pigeons and the fact that the administration of a pilot program entails significant administrative costs that can be avoided by a focused by-law regulatory approach as recommended.

Option 3 – Site Specific Amendments to the Animal Control By-law

Under this option, owners would be required to obtain a site specific amendment to allow pigeons to be permitted on a lot in a residential area. This option could be followed by itself or in addition to Option 5 below which would permit pigeon keeping in certain geographical areas of the Town.

This option allows for review of site specific requests to keep pigeons in a residential area not permitted “as of right” by the by-law. However, it would require interested residents to apply for a by-law amendment, and a process would need to be established for individuals to make applications to Council and for public/neighbourhood consultation as appropriate.

Option 4 – Amend Animal Control By-law 2003-0072 and Animals at Large By-law 2003-0073 to Permit Pigeon Keeping with No Restrictions

Under this option, amendments would be advanced to allow for the raising of pigeons in residential areas with no restrictions.

This option, while simple to implement, provides for no standards or basis to address difficulties, delinquent situations and other issues of compatibility should they arise.

Furthermore, this option is inconsistent with the vast majority of responses to the online survey.

Option 5 – Amend Animal Control By-law 2003-0072 and Animals at Large By-law 2003-0073 to Permit Pigeon Keeping Subject to Conditions and Restrictions

Under this option, amendments would be advanced to allow for the raising of pigeons in residential areas subject to a number of criteria and regulations and geographical areas as appropriate.

This option provides a balance for permitting pigeon keeping in appropriate locations and subject to appropriate standards while maintaining controls that can be enforced to ensure appropriate use and compatibility in permitted areas.

5.2 Staff Recommendation

In consideration of the above, Staff recommend that Council generally adopt the direction of Option 5 for the Pepperlaw and Hamlet areas and proceed with an amendment to Animal Control By-law 2003-0072 and Animals at Large By-law 2003-0073 that would permit the keeping of pigeons in these areas subject to a number of criteria and regulations as identified in Section 5.3 of this report. For Keswick and Sutton/Jackson's Point, where the results of the consultation revealed a strong aversion to the permissibility of pigeon keeping, Staff recommend that Council adopt Option 3, which requires residents to apply for a site specific exemption to keep pigeons in residential areas.

5.3 Permitting Pigeons in Residential Areas - Proposed By-law Regulations

The following is a summary of the basic regulations proposed to be contained in amendments to Animal Control By-law 2003-0072 and Animals at Large By-law 2003-0073:

- Pigeons would only be permitted on a property with a minimum lot size of 1/2 acre

Comment / Rationale:

The 1/2 acre minimum lot size represents a relative mid-point of lot size requirements found in comparable municipalities, which included minimum lot sizes of 1/3 of an acre for Kingston and 1 acre for Caledon (refer to Attachment 5). This lot size restriction is also reflective of the input received in the survey.

As seen in the maps shown in Attachment 7, this lot size restriction still permits pigeon ownership on most residential lots in the Hamlets and Pepperlaw, where most respondents were supportive of pigeon keeping.

- Pigeons would only be permitted on a property containing a single detached dwelling;
- Pigeon lofts would only permitted within the rear yard; and,
- Pigeon lofts would need to be a minimum of 3 metres from the property line, and a minimum of 10 metres from any dwelling, shop or apartment building other than the owner's dwelling.

Comment / Rationale:

The intent of these regulations is to ensure that the pigeons have ample space while learning how to fly, that pigeon lofts are placed a sufficient distance away from neighbouring properties, and to restrict the keeping of pigeons to less dense neighbourhoods. These provisions will significantly reduce potential pigeon ownership in Keswick, which is where the majority of survey respondents who opposed pigeon keeping reside. By contrast, in the Hamlet Areas, which will be most impacted by this regulation, the vast majority of respondents were supportive and wanted pigeons to be permitted.

- Pigeon lofts must be maintained to a high standard of cleanliness, with pigeon ancillary appropriately stored and the lofts free of obnoxious odours, substances and vermin;
- Owners shall be required to lime-wash, paint or disinfect the inside walls and ceilings of the pigeon buildings at least once a year;
- Owners shall store all feed in rodent-proof containers;
- Pigeon flights shall be supervised by the owner or another individual, with a maximum of 2 flights per day;
- Pigeon flights shall be permitted before 9 a.m. or after 5 p.m. between April 1 and October 31. During the period from November 1 of one year to March 31 of the following year, all flights shall take place before 10:00 a.m. or after 3:00 p.m. Exceptions will be made for organized flights undertaken by a recognized pigeon club;
- 10 pigeons shall be permitted per square metre of loft; up to a maximum of 40 birds. The maximum number of pigeons may be up to 60 between April 1 and October 31; and,
- Pigeons are not permitted to perch, roost, nest or rest upon any premises other than the premises of the owner.

Comment / Rationale:

These regulations are intended to reduce any negative impacts of pigeon ownership on neighbouring properties. This includes the regulations regarding pigeon loft maintenance and food storage, flight time restrictions, the restriction on pigeons resting on neighbouring buildings, pigeon loft location, and pigeon density requirements.

- Owners shall be required to fit their birds with an owner identifying leg band; and,

- Owners wishing to permit their birds to leave their lofts shall be required to be a member of a racing club.

Comment / Rationale:

The final two recommendations are to ensure a means of identifying ownership and returning any lost pigeons to their owners. By ensuring they have an owner identifying leg band and that the owner is a member of a racing club, the Town will be better positioned to ensure that the owners of any lost pigeons are able to be identified.

6. RELATIONSHIP TO STRATEGIC PLAN:

Delivering Service Excellence

- Commit to citizen-centric service delivery

Creating a Vibrant, healthy and Safe Community for All

- Support a safe, healthy and inclusive community

7. FINANCIAL AND BUDGETARY IMPACT:

Not Applicable

8. PUBLIC CONSULTATION AND NOTICE REQUIREMENTS:

Henry Radder, the originator of the deputation, was notified of this report as were other individuals currently on record with the Town as having an interest in the matter. There are no statutory notification or consultation requirements associated with this report.

9. CONCLUSION:

This report responds to the direction of Council to conduct and report back on a public outreach program concerning a potential relaxation of existing regulations to allow for the keeping of pigeons in residential areas.

The results of the consultation program reflect a strong aversion by residents to the permissibility of introducing pigeons into the Keswick or Sutton/Jackson's Point communities, and a general acceptance for them in Pepperlaw and the rural Hamlet areas.

This report presents five (5) potential options for addressing this matter and recommendations concerning the types of regulations that could be imposed should it be the will of Council to amend Animal Control By-law 2003-0072 and Animals at Large By-law 2003-0073 to permit pigeon keeping.

Staff recommend that Council proceed with Option 5 - an Amendment Animal Control By-law 2003-0072 and Animals at Large By-law 2003-0073 to extend permissibility for pigeon keeping in Pepperlaw and the Hamlet areas subject to the restrictions identified in Section 5.2 of this report. The keeping of pigeons would continue to be prohibited in Keswick, the Serviced Lakeshore Areas and Sutton/Jackson's Point. Any permission to keep pigeons in these communities would be subject to Option 3 requiring a separate application for a site specific approval to keep pigeons. If Council adopts the recommendations in this report, Staff will return with a by-law(s) to amend Animal Control By-law 2003-0072 and Animals at Large By-law 2003-0073 for consideration and enactment. Staff will also report back on a process and criteria to consider site specific requests for by-law amendments to permit pigeon keeping in Keswick, the Serviced Lakeshore Areas and Sutton/Jackson's Point.

APPROVALS

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Recommended By:	Denis Beaulieu, MCIP, RPP Director of Development Services
Approved By:	Ryan Cronsberry Chief Administrative Officer

Attachments:

Attachment 1: Public Information Centre Poster Boards
Attachment 2: Survey Questions
Attachment 3: Animal Control By-law 2003-0072
Attachment 4: Animals at Large By-law 2003-0073
Attachment 5: Jurisdictional Scan
Attachment 6: Public Outreach Results
Attachment 7: Map of Residential Properties ½ Acre or Larger