

Animal Control Bylaw Update

Report Purpose

To provide an update to Council on the most recent public engagement and obtain direction for updates to Bylaw 18-2011 Animal Control Bylaw.

Recommendation

THAT the recommendations, as set out in enclosure 1 of the December 10, 2019 Transportation and Agriculture Services report, be approved.

Our Prioritized Strategic Goals

Goal 1 - Build strong communities to support the diverse needs of residents
Goal 4 - Ensure effective stewardship of water, land, air and energy resources
Governance Requirement

Report

Public Engagement

Public engagement regarding livestock has initiated with the development of the Agriculture Master Plan and conversations became more specific with the Urban Agriculture Strategy. The topic of urban livestock was received by residents with interest and concern. To achieve a better understanding of what acceptable urban livestock would look like and better understand concerns of residents, a Strathcona County Online Opinion Panel (SCOOP) was completed in April 2019.

The survey showed that most respondents (62.9%) agree that an Exemption Permit process should to be included within Bylaw 18-2011 Animal Control Bylaw. Additionally, concern fell within four main themes related to urban livestock:

- Purpose of the livestock
- Neighbour relations
- Costs and ability of the County to monitor, control, and enforce an exemption
- Public, animal, and environmental health and safety

Animal Control Bylaw Revisions

Bylaw 18-2011 Animal Control Bylaw relies on Land Use Districts within the Land Use Bylaw. Following the revision of the Land Use Bylaw, the districts referred to in the Animal Control Bylaw are inconsistent.

Issues to Address

Appeal Process

Bylaw 18-2011 Animal Control Bylaw does not contain an appeal process. While not required, an appeal process is important to reflect the fair representation of the needs and wants of County residents.

Honeybees

Bylaw 43-2011 Apiculture Bylaw regulates the practice of beekeeping. This bylaw is due for review and could use updates similar to the Animal Control Bylaw. Additional issues that need to be addressed include neighbour relations and sustainable apiculture. Since honeybees are considered livestock by the Province, this could be an opportunity to

consolidate the Apiculture Bylaw with the Animal Control Bylaw, providing one location for municipal regulations about livestock in Strathcona County.

Wild Boar

Wild boar and genetic derivatives can be farmed in Alberta if the producer follows specified provincial requirements for containment. Wild boar that are running free are considered a pest under the *Agricultural Pests Act* and are classified as invasive species. These invasive species cause damage to agricultural crops and the environment, are dangerous, and can spread disease to humans and other animals. Wild boar also presents a significant risk to the Elk Island bison population and species gene pools. Some municipalities have banned wild boar within their boundaries. Strathcona County has two wild boar farms.

Exemption Permit

The current Animal Control Bylaw does not allow livestock in specific Land Use Districts, many of which are in the Urban Service Area of Sherwood Park. An exemption permit could provide an option for areas where livestock is not currently permitted.

The permitting of livestock for such activities as parades, petting zoos, educational institutions and business functions in urban areas is an option.

In addition, permits could be made available for livestock as support animals in urban areas, on a case by case basis. Support animals are classified into three categories:

- Service animals – certified animal trained to help with disabilities for daily function or medical crisis.
- Therapy animals – visit hospitals, nursing homes, and schools to provide emotional or mental benefits to patients and students.
- Emotional support animals - provide comfort to people with a mental or emotional disability. These animals are not specially trained or certified.

Strict criteria would be required to ensure consideration of public and animal health and safety, personal well-being, the protection of the local agricultural economy, and the protection of environment.

Exemption Permit Options:

Option 1 – Addition of a temporary exemption permit to allow livestock in urban areas for community events, parades, or business functions only, not use as therapy or emotional support animals.

Option 2 – Addition of a temporary exemption permit to allow livestock in urban areas for community events, parades, or business functions, and use as therapy animals, determined on a case by case basis.

Option 3 - Addition of a temporary exemption permit to allow livestock in urban areas for community events, parades, or business functions, and use as therapy or emotional support animals, determined on a case by case basis.

Regulations

The allowance of livestock is determined by land use zoning district and property size as outlined in Bylaw 18-2011 Animal Control Bylaw.

An update of the Animal Control bylaw provides an opportunity to address certain issues while encouraging agriculture in a responsible and sustainable manner.

Regulation Issues:

Increased interest in agriculture but limited options due to zoning district.

- Rural hamlets without Area Structure Plans contain zoning district Hamlet (RH) which does not allow livestock, however, some lots could be suitable for livestock
- Agriculture: Future Development under 10 hectares (24.7 acres) within rural hamlet boundaries require a permit for all livestock

Properties of same size could have different livestock carrying capacity

- Wetter properties are affected by manure differently than other locations. This could cause run off into neighbouring properties or environmental damage to water courses and water bodies
- Forested areas may not allow for enough space for animal units

Regulation Options:

Option 1 – Land Use District (Zone) and Parcel Size

- Parcel size and zoning determine if livestock is permitted
- Incorporates Land Use Bylaw permitted uses and intention of Land Use District
- Could allow for livestock in rural hamlets, where property size and zoning are suitable
- Animal units refined based on specific animals, their requirements, and waste produced
- No livestock permitted in Urban Service Area – Sherwood Park (excluding Urban Service Area – Bremner) unless exemption permit granted

Option 2 – Parcel Size Only

- Parcel size determine if livestock is permitted
- Could allow for livestock in rural hamlets, where property size is suitable
- Animal units refined based on specific animals, their requirements, and waste produced
- No livestock permitted in Urban Service Area – Sherwood Park (excluding Urban Service Area – Bremner) unless exemption permit granted

Option 3 – Land Use District (Zone), Parcel Size and Policy Area

- Parcel size and zoning determine if livestock is permitted
 - o Incorporates Land Use Bylaw permitted uses and intention of Land Use District
- Could allow for livestock in rural hamlets, where property size and zoning are suitable
- Animal units refined based on specific animals, their requirements, and waste produced
- Policy area (Municipal Development Plan) and property size determine number of allowable livestock units
 - o Environmentally significant areas could be treated differently if waste runoff and contamination of water bodies or water courses is a concern
- No livestock permitted in Urban Service Area – Sherwood Park (excluding Urban Service Area – Bremner) unless exemption permit granted

A comparison of the three options using color coding to express pros (green), cons (red), and potential concerns (yellow) have been identified in the presentation.

Council and Committee History

- November 18, 2018 Priority Committee provided input regarding revisions to Bylaw 18-2011 Animal Control Bylaw.
- November 29, 2016 THAT the Urban Agriculture Strategy, as set out in Enclosure 1 to the November 29, 2016 Transportation and Agriculture Services report, be approved.
- June 23, 2015 THAT Council approve the Agriculture Master Plan
- October 11, 2011 Bylaw 18-2011 Animal Control Bylaw received three readings

Other Impacts

Policy: GOV-002-021 Mandatory Review of Bylaws and Policies

Legislative/Legal: *Agricultural Pests Act, Public Health Act, Animal Protection Act, Livestock Industry Diversification Act, Bylaw 6-2015 Land Use Bylaw*

Interdepartmental: Transportation and Agriculture Services, Legislative and Legal Services, Planning and Development Services, Enforcement Services

Master Plan/Framework: Agriculture Master Plan

Enclosures

- 1 Animal Control Bylaw recommendations
- 2 Bylaw 18-2011 Animal Control Bylaw
- 3 Bylaw 18-2011 Animal Control Bylaw Presentation