

# Staff Report to Council

Planning & Development

FILE: 3900-20-2020

REPORT DATE: March 02, 2021      MEETING DATE: March 09, 2021  
TO: Mayor and Council  
FROM: Anne Berry, Director of Planning & Development  
SUBJECT: Zoning Bylaw Amendment – Livestock Animals

CHIEF ADMINISTRATIVE OFFICER REVIEW/APPROVAL:



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**RECOMMENDATION(S):** THAT Council:

- A. Grant first and second readings to Zoning Amendment Bylaw No. 2876, 2020 to clarify the Zoning Bylaw in regards to the keeping of livestock in Pitt Meadows; AND
- B. Waive the requirement for a public hearing pursuant to Section 46 of the City of Pitt Meadows Development Procedures Bylaw and Section 464(2) of the Local Government Act; OR
- C. Other.

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**PURPOSE**

The purpose of this report is to introduce a an amendment to the City's Zoning Bylaw that would regulate where livestock can be kept and raised in the municipality.

☐ Information Report

☒ Decision Report

☐ Direction Report

**DISCUSSION**

**Background:**

The City of Pitt Meadows regulates the keeping of animals, either as household pets or livestock, through the Zoning Bylaw. The Dog Control Bylaw and the Kennel Bylaw regulate the keeping of dogs, and so is more restrictive in its scope than the Zoning Bylaw.

The Zoning Bylaw differentiates between keeping/raising livestock and keeping domesticated animals. Livestock is defined in the bylaw as “domestic animals kept or dealt with for commercial purposes; includes cattle, goats, horses, mules, pigs, sheep, fur-bearing animals, and poultry; excludes animals normally kept within a dwelling unit as household pets.”

Keeping livestock is permitted as an agricultural use under the definition of agriculture. Agriculture means the use of land for growing crops or raising domestic animals. The bylaw further describes keeping livestock as a specific use under the definition of agriculture. “Livestock,” also defined under “Agriculture”, specifically excludes breeding pets, operating a kennel or exotic pets under raising livestock as a permitted farm use. The Province has regulations regarding exotic pets.

The keeping of livestock is permitted in all of the agricultural zones and also allowed in all but one of the rural residential zones under the definition for “light agriculture” and in the Large Lot Residential (RS) zone, also under the definition for “light agriculture,” provided that the lot is greater than 0.4 hectares in area. There is only one property in the urban area that is greater than 0.4 hectares in area. It is located on 188<sup>th</sup> Street, at the edge of the City’s urban area.

Section 5.13 of the Zoning Bylaw regulates the keeping of domestic animals other than livestock. Domesticated animals are limited to three per premise with exceptions for kennels, pet daycares and litters. The keeping of domestic animals is permitted in all zones.

“Domestic animals” and “household pets” are not defined in the Zoning Bylaw.

### **Relevant Policy, Bylaw or Legislation:**

#### Municipal Bylaws

Zoning Bylaw No. 2505 is the City’s only bylaw that directly regulates livestock and domestic animals other than dogs (the Dog Control Bylaw further regulates dogs in the municipality).

#### Provincial Regulations

The Province regulates the keeping of wildlife and exotic animals through the *Wildlife Act*. *The Community Charter* permits municipalities to enact bylaws in relation to nuisances, disturbances and other objectionable situations.

### **Analysis:**

The zoning bylaw sections described above intend:

- to regulate the keeping of livestock to agricultural areas or;

- to allow livestock on lots that are large enough to accommodate animals for residents who wish to enjoy them for companionship or as a hobby, and;
- to allow keeping traditional household pets such as cats and dogs throughout Pitt Meadows, within reason.

The Zoning Bylaw, however, is unclear and relies on an assumption of what one would consider to be an animal “normally kept within a dwelling unit as household pets” such as cats and dogs. For some people, the types of animals that would fall into that category could include pets that also cross over into the traditional farm animal category, such as pigs, horses, goats, etc. Moreover, the definition of livestock could potentially not apply to animals that are not traditionally kept for commercial purposes as per the definition. In other words, the Zoning Bylaw definition of livestock depends on the role that the animal plays (commercial or companion) and not the animal species.

Keeping farm animals in the urban area could result in potentially unintended harm to the animal itself, which may need space to thrive, and adverse impacts on the adjacent properties can include noise, odour, and property damage, all of which could reduce property enjoyment. The City has an interest in not allowing typical farm animals into the urban area.

Staff recommend an amendment to the definition of livestock to clarify what is considered livestock. The definition would conclusively list animals considered livestock first and include language that any other animals raised as part of a farm operation or used for business activity are considered livestock.

Those animals considered livestock under the proposed bylaw are:

- Cattle
- Horse
- Sheep
- Llama
- Fowl
- Poultry
- Swine
- Pigeon
- Donkey
- Mink
- Hare
- Mule
- Goat

The definition does not include bees as livestock. Raising bees is permitted in the urban area with conditions.

The proposed bylaw has been vetted by the City's legal counsel to ensure that the bylaw is valid and that it achieves its intended purpose in a lawful manner.

Upon completion of the Official Community Plan Review, staff will conduct a review of Zoning Bylaw 2505 to ensure its consistency with the new Official Community, and to generally update and rationalize the bylaw. At that time, staff may recommend further changes to the bylaw in terms of how livestock and pets are regulated by the City.

#### **COUNCIL STRATEGIC PLAN ALIGNMENT**

- ☐ Principled Governance   ☐ Balanced Economic Prosperity   ☐ Corporate Excellence  
☒ Community Spirit & Wellbeing   ☐ Transportation & Infrastructure Initiatives  
☐ Not Applicable

Wellness. Provide and encourage a community conducive to healthy, inclusive and accessible living

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#### **FINANCIAL IMPLICATIONS**

- ☒ None   ☐ Budget Previously Approved   ☐ Referral to Business Planning  
☐ Other

There are no financial implications associated with this report.

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#### **PUBLIC PARTICIPATION**

- ☒ Inform   ☐ Consult   ☐ Involve   ☐ Collaborate   ☐ Empower

Staff is recommending that no public hearing be held for this Zoning Bylaw amendment since its purpose is to clarify an existing section of the bylaw.

Comment(s):

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#### **KATZIE FIRST NATION CONSIDERATIONS**

Referral   ☐ Yes   ☒ No

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**SIGN-OFFS**

**Written by:**

Dana Parr,  
Planner II

**Reviewed by:**

Alex Wallace,  
Manager of Community Development

**Approved by:**

Anne Berry,  
Director of Planning & Development

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**ATTACHMENT(S):**

A. Zoning Bylaw Amendment No. 2876, 2020

**CITY OF PITT MEADOWS**  
**ZONING AMENDMENT BYLAW**  
**No. 2876, 2020**

Attachment A

A bylaw to amend applicable sections of Zoning Bylaw No. 2505, 2011

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**WHEREAS** it is deemed expedient to amend the City of Pitt Meadows Zoning Bylaw No. 2505, 2011;

**NOW THEREFORE** the Council of the City of Pitt Meadows enacts as follows:

1. This Bylaw may be cited as "Zoning Amendment Bylaw No. 2876, 2020".
2. The Zoning Bylaw No. 2505, 2011 is amended as follows:
  - (a) Part 2 Interpretation, 2.3 General Definitions is amended by deleting the definition of Livestock, and replacing it with the following:

**LIVESTOCK** means

    - (a) any cattle, horse, sheep, goat, swine, donkey, mule, llama, fowl or poultry, pigeon, hare, or mink; or
    - (b) any animal raised or kept as part of a farm operation or other business activity, but does not include bees.

**READ** a FIRST and SECOND time on [DATE].

**PUBLIC HEARING** held on [DATE].

**READ** a THIRD time on [DATE].

**ADOPTED** on [DATE].

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Bill Dingwall  
Mayor

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Kate Barchard  
Corporate Officer