

THE CITY OF TORONTO

Clerk's Department

Minutes of the Board of Health

Meeting No. 14

Tuesday, December 1, 1998.

The Board of Health met on Tuesday, December 1, 1998, in Council Chambers, 2nd Floor, Metro Hall, Toronto, commencing at 9:30 a.m.

Members Present:

Councillor John Filion, Chair
Councillor Irene Jones
Councillor Joan King
Councillor Joe Mihevc
Councillor Michael Prue
Elca Rennick
Robert Davies

Observers: Gerri Gershon, Toronto District School Board

152. Revised Animal Control By-law

The Board of Health had before it a report (October 29, 1998) from the City Solicitor respecting the Revised Animal Control By-law, providing the Board of Health with a revised draft animal control by-law which reflects the recommendations made by the Animal Services Advisory Subcommittee of the Board of Health; and recommending that authority be granted to introduce the necessary Bill in Council in the form or substantially in the form of the draft by-law attached to the foregoing report.

The Board also had before it the following reports/communications:

- (November 16, 1998) from Councillor Irene Jones, Chair, Animal Services Subcommittee of the Board of Health
- (September 16, 1998) from the Interim Contact, Board of Health for the City of Toronto Health Unit, addressed to all Community Councils
- (October 21, 1998) from the City Clerk, Toronto Community Council
- (October 19, 1998) from the City Clerk, East York Community Council
- (October 16, 1998) from the City Clerk, Etobicoke Community Council
- (October 19, 1998) from the City Clerk, North York Community Council

Board of Health Minutes
Tuesday, December 1, 1998.

- (October 20, 1998) from the City Clerk, York Community Council
- (November 17, 1998) from the City Clerk, Scarborough Community Council
- (October 11, 1998) from Joseph Frankovic and Janet Lawrence, Toronto
- (November 5, 1998) from Louis McCann, Executive Director, PIJAC Canada (Pet Industry Joint Advisory Council)
- (November 6, 1998) from Margaret S. Both, Vice-President, OHS
- (October 26, 1998) from Dr. Wolfgang Zenker, Burloak Animal Clinic, Oakville
- (November 2, 1998) from C. M. McIntosh and Margaret Ratan, Don Mills
- (September 30, 1998) from Jack Warren, Toronto
- (October 6, 1998) from Vernon Nixon
- (October 12, 1998) from Rhea Plosker and Michael Carter, Toronto
- (October 12, 1998) from Holly Penfound and Lesli Bisgould, Directors, Zoocheck Canada Inc.
- (October 13, 1998) from Ian Clifford, Toronto
- (October 14, 1998) from Heather Speakman, Toronto
- (October 18, 1998) from Sheila Bacher, Toronto
- (November 15, 1998) from Thea Botsford, Toronto
- (November 17, 1998) from Heather Hogben, Toronto
- (November 18, 1998) from Lois Horst, Toronto
- (November 27, 1998) from the Medical Officer of Health
- (November 21, 1998) from Zennia Savaryn, Toronto
- (November 17, 1998) from Carol Lau, Etobicoke
- (November 23, 1998) from Helen Roman Barber, Toronto
- (November 24, 1998) from Elyse Tytel, Toronto
- (November 25, 1998) from Chris Whitelaw, obo Aquarium Services Warehouse Outlets
- (November 25, 1998) from Lori A. Welbourn, Cavan, Ontario
- (July 28, 1998) from Gloria Lindsay Luby, Toronto City Councillor, Kingsway Humber, forwarding a communication (undated) from Veronika Hering
- (November 25, 1998) from Eileen Elmy, Toronto
- (November 20, 1998) from Penny Walker, Thornhill
- (November 27, 1998) from Janet M. Shea & Children, Newmarket
- (November 27, 1998) from Mary & Bob Long, Scarborough
- (Undated) from A. Teresa Kowalishin, Toronto
- (November 25, 1998) from Christopher Holoboff, The Avicultural Advancement Council of Canada, Toronto
- (November 18, 1998) from Jim Albani, East York, forwarded by Councillor Michael Prue
- (November 18, 1998) from B. Buckle, Toronto
- (November 30, 1998) from Anne Leon
- (November 29, 1998) from Veronica Pees
- (November 18, 1998) from Jennifer Polk, obo The Kindness Club
- (Undated) from Patricia Thiessen, Chairman, Putting People First, Canada

Board of Health Minutes
Tuesday, December 1, 1998.

- (November 30, 1998) from Maria Kasstan
- (November 25, 1998) from Baxter H. Boyde
- (November 30, 1998) from the Toronto Humane Society
- (November 30, 1998) from Christopher Holoboff, Barrister and Solicitor
- (November 29, 1998) from Dr. Rick Axelson, The Links Rd. Animal & Bird Clinic
- (November 28, 1998) from H. Makarewicz
- (November 30, 1998) from Mary Ann Clifton
- (Various dates) Various communications submitted by Councillor Anne Johnston
- (November 30, 1998) from Dr. B. Mingram, P.V.M., Clarington Animal Hospital
- (November 30, 1998) from Grace Hall, Adopt-A-Dog/Save-A-Life
- (November 30, 1998) from Conrad Beaubien
- (November 30, 1998) from Frances Rodenburg, Executive Director, Canadian Federation of Humane Societies
- (Undated) from Natalia Mayer and Derek Smith
- (Undated) from Ontario Herpetological Society
- Photo of corn snake at the North York Animal Shelter
- (December 1, 1998) from Brian Eddy, Founding President of the Parrot Association of Canada and Life Member of the World Parrot Trust
- (December 1, 1998) from Christine Schramm, President, Rainforest Reptile Refuge Society
- (Undated) from Steve Marks
- (December 1, 1998) from Chris Holoboff, forwarding copy of Bird Talk, January 1999
- (December 1, 1998) from Rob Laidlaw and Holly Penfound, Directors, Zoocheck Canada Inc.
- (December 1, 1998) from Tom Mason, Toronto Zoo
- (Undated) from Jenny Pearce, Etobicoke
- (Undated) from Jeff Hathaway, Etobicoke
- (December 1, 1998) from Marlene Semple, Annex Animal Rescue, Toronto
- (November 30, 1998) from F. Everitt and F.F. Everitt

The following persons appeared before the Board of Health in connection with the foregoing matter:

- Eric Pressman, Toronto
- Heath Thomas, Scarborough
- Josephine Polk, The Kindness Club, Toronto
- Michael Lockey, Toronto Parrot Club
- Anne Parker, Weston
- Victoria Earle, Chief Executive Officer, Ontario S.P.C.A.
- Nathalie Karvonen, Toronto Wildlife Centre

Board of Health Minutes
Tuesday, December 1, 1998.

- Valerie Wyatt, Guelph
- Brian Eddy, Founding President of The Parrot Association of Canada, and Life Member of The World Parrot Trust, Toronto
- Margaret Both and Carol Both, Aurora
- Melissa Drake, Etobicoke
- Adelaide Bell, Toronto
- Mike Murphy, Toronto
- Chris Pritchard, Toronto
- Lois Horst, Toronto
- George Haeh, Toronto
- Zennia Savaryn, Toronto
- Gayle Murphy, Toronto
- Veronica Hering, Toronto
- Dr. Petra Burgmann, Animal Hospital of High Park
- Keith Burgess, Ontario Director, PIJAC Canada, and Pet Paradise
- Arlene Lannon, Toronto
- Jennifer Jones, Markham
- Grant Crossman, Ontario Exotic Pet Council, Port Credit
- Steve Marks, Barrie
- Valerie Scott, Toronto
- Rob Summers, Etobicoke
- Professor Sylvia Mittler, Scarborough
- Chris Holoboff, Toronto
- Steve Ellis, Toronto

The meeting adjourned at 12:38 p.m.

The meeting reconvened at 1:30 p.m.

Members Present:

Councillor John Filion, Chair
Councillor Anne Johnston
Councillor Irene Jones
Councillor Joan King
Councillor Mihevc
Councillor Michael Prue
Elca Rennick
Robert Davies

Observers: Gerri Gershon, Toronto District School Board

Board of Health Minutes
Tuesday, December 1, 1998.

The following persons also appeared before the Board of Health in connection with the foregoing matter:

- Diane Grell Thow, East York
- Linda Pitney
- Mark Hagan, Scarborough
- Dr. W. G. E. Zenker, Burloak Animal Clinic, Oakville
- Merlin Andrew, Toronto
- Holly Penfound, Zoocheck Canada Inc., Toronto
- Chris Whitelaw, obo Aquarium Services Warehouse Outlets, Markham
- David Rosenfeld, Toronto
- Teresa Kowalishin, Toronto
- Louis McCann, Pet Industry Joint Advisory Council Canada (PIJAC), Pointe Claire, Quebec
- Ms. Paula Neilson, North York
- Rose Jackson, Toronto
- Alan Heisey, Kerzner, Papazian, MacDermid, Solicitor obo PJ's Pet Stores, Toronto
- Dr. Rick Axelson, The Links Road Animal & Bird Clinic, North York
- Mike Elioff, Ontario Turtle & Tortoise Society, Oakville
- Jacquie Blackburn, Scarborough
- Maris White, Toronto
- Dominic Clarke, Menagerie Petshop, Toronto
- Peter Mostert, c/o Christopher Holoboff, Barrister & Solicitor, Toronto
- Rick Parker, Canadian Wrangler Motion Picture Animals Ltd.
- Rose Kologie, Ajax
- Tom Mason, Acting Curator of Birds, and Curator of Invertebrates, Toronto Zoo
- Liz White, Director, Animal Alliance of Canada
- Mike Coward, Ontario Coalition Against Poverty, Toronto
- Sharon Boon, Scarborough
- Jenny Pearce, Etobicoke
- Jeff Hathaway, Etobicoke
- Mike Murphy, Toronto
- Christine Pellegrini, North York
- Marlene Semple, Annex Cat Rescue, Toronto
- Jim Martin, Toronto
- Rob Laidlaw, Director, Zoocheck

The Board of Health took the following action with respect to this matter:

On motion by Councillor Jones, the Board of Health:

Board of Health Minutes
Tuesday, December 1, 1998.

- (1)
 - (a) referred all material before the Board of Health with the exception of those matters referred to in the following Recommendation (2), to the Board of Health for its January 1999 meeting, and requested the Medical Officer of Health, in consultation with the City Solicitor, to report thereon with a revised By-law taking into account the concerns and suggestions of the deputants and people who had written in to the Board, and any other recommended amendments deemed appropriate;
 - (b) requested that this revised by-law be circulated as early as possible in December to all deputants and other interested persons;
 - (c) requested that deputations not be heard at the January 1999 meeting, but that written submissions would be welcomed;
- (2) referred the following recommendations of Community Councils with respect to the Uniform Policy for Leashed and Unleashed Dogs in City Parks, the establishment of leash-free zones in the City and the regulation of dog walkers, to the Economic Development Committee for consideration;

From Toronto Community Council:

- “(6) the following off leash hours be instituted in Jean Sibelius Park for a period of six months:

Weekdays : 7:00 a.m - 9:00 a.m. and 6:00 p.m. - 10:30 p.m.

Weekends: 8:30 a.m. - 10:30 a.m. and 6:00 p.m. - 10:30 p.m.

- (7) the Park Users’ Committee of the Annex Residents’ Association be recognized as the “dog watch community group” for the Jean Sibelius Park, as requested by City policy on leash-free areas in City parks.”

From Etobicoke Community Council:

- “(2) strongly supported the introduction of leash-free areas in City Parks and endorsed the Uniform Policy for Leashed and Unleashed Dogs in Parks;

- (4) endorsed the Stoop and Scoop Provision of the proposed by-law and its appropriate enforcement.”

From North York Community Council:

Board of Health Minutes
Tuesday, December 1, 1998.

“1. WHEREAS our recreational parks are being overrun by irresponsible dog owners who are allowing their dogs to run loose; and

WHEREAS the responsible dog owner has become increasingly fed up with the conduct of the irresponsible dog owner; and

WHEREAS the irresponsible dog owner has put the City in a very difficult situation; and

WHEREAS it has contributed in the public having less faith in trusting loose dogs; and

WHEREAS the City's enforcement of the dog loose leash by-law should become heightened;

THEREFORE BE IT RESOLVED THAT the City's Health Department carry out aggressive enforcement of the following by-laws as they relate to dogs and dog owners:

Dog loose leash, stoop and scoop, noise and biting.;

AND BE IT FURTHER RESOLVED THAT:

(1) should an offence be acknowledged by the City's Health Department, the dog owner be given written warning on a first and second offence of the by-law; and

(2) should a third offence be acknowledged by the City's Health Department, that a fine be set for the dog owner at a minimum fine of \$1,000.00;

AND:

“5. Recommendation (4) embodied in the joint report (June 30, 1998) from the Commissioner of Economic Development, Culture and Tourism and the Medical Officer of Health, as amended by Clause 1 of Report No. 7 of the Community and Neighbourhood Services Committee, be amended to provide for the following:

“That the off-leash area in Sherwood Park be discontinued pending the fast track evaluation that is currently under way.”;

Board of Health Minutes
Tuesday, December 1, 1998.

and that this amendment also be forwarded to the Economic Development Committee; “

- (3) referred the following recommendations of the Animal Services Advisory Committee back to that Committee for further consideration:
- “m. (1) give consideration to the feasibility of establishing future by-laws:
- (c) to licence/identify and regulate the keeping of and use of guard dogs, including such things as hours of work and training; and
 - (e) to regulate the use of poisons and adhesives;” and
- (4) requested the Medical Officer of Health to report to the Board of Health on details on a public education campaign regarding spay/neuter clinics;

On motion by Councillor Johnston, the Board of Health requested the Medical Officer of Health to include in the aforementioned report a clarification of the provisions of the By-law with respect to attendant working dogs (eg: seeing-eye dogs);

On motion by Councillor King, the Board of Health:

- (5) referred the following motions placed by Councillor Prue to the Medical Officer of Health for consideration of including these into the revised By-law:
- “(a) including in Section PART VII, Pigeons, a recommended number of pigeons that may be kept on the property of the person keeping the pigeons;
 - (b) an appeal process which would consider exemptions, in certain situations, for animals included on Schedule A;
 - (c) that the exemption definition contained in the Birds order/family of Psittaciformes be revised to conform with the federal legislation as set out in Appendix I of the Convention on International Trade in Endangered Species (CITES) or the International Union for the Conservation of Nature (IUCN).”

The following motion placed by Councillor Prue was voted on and lost:

Board of Health Minutes
Tuesday, December 1, 1998.

“That the Medical Officer of Health report further on an explanation of why certain species in the proposed by-law have size limitations”.

(City Solicitor; Economic Development Committee; Animal Services Advisory Committee; cc: City Clerk, Toronto Community Council; City Clerk, East York Community Council; City Clerk, Etobicoke Community Council; City Clerk, North York Community Council; City Clerk, York Community Council; City Clerk, Scarborough Community Council; Interested Persons - December 16, 1998)

The meeting adjourned at 4:55 p.m.

Chair.