
Inquiry – Councillor D. Hill - Regulation of Kennels (September 19, 2016)

Recommendation

That the report of the General Manager, Community Services Department, dated April 8, 2019, be received as information.

Topic and Purpose

This report provides information related to the regulation and operation of kennels within Saskatoon.

Report Highlights

1. Kennels are regulated through Bylaw No. 8075, Business License Bylaw and are required to comply with Bylaw No. 8770, The Zoning Bylaw (Zoning Bylaw) and Bylaw No. 9455, The Building Bylaw, 2017 (Building Bylaw) with respect to location and building construction.
2. Animal cruelty incidents that occur within city limits are investigated by the Saskatoon SPCA (SPCA) as the animal protection officer appointed by the province.
3. Regulations related to the zoning, building, and licensing of kennels are similar across Canada however the specific regulations for the operation of kennels vary across Canada.

Strategic Goal

This report supports the City of Saskatoon's (City) Strategic Goal of Sustainable Growth through the regulation of building construction, land use, and business licensing of kennels.

Background

At the September 19, 2016 City Council meeting, Councillor Hill requested the Administration to provide information related to the regulation and operation of kennels in response to a tragic incident at a local kennel.

Report

Zoning, Building and Business Licensing Regulations

The location of kennels is regulated through the Zoning Bylaw, which defines two types of kennels:

1. Boarding kennels – for the temporary accommodation of dogs, cats or other domestic animals for commercial purposes.

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2. Breeding kennels – for the keeping of more than four dogs, cats, or other domestic animals, male and female, and which are more than 12 months old, for breeding purposes.

Both types of kennels are permitted in General Light Industrial, Heavy Industrial, and Agricultural zoning districts and are discretionary in the Future Urban Development zoning district. Kennels are not permitted in Residential, Institutional, and Commercial zoning districts.

Kennels are required to obtain a Commercial Business License. In 2018, the City issued six commercial business licenses for boarding kennels, which includes dog daycares, overnight boarding, and two licensed breeding kennels. A business license confirms that the business is in compliance with land use and building regulations.

The National Building Code of Canada does not contain minimum standards with respect to the design and operation of a kennel. The operation of kennels are permitted in buildings meeting the minimum National Building Code of Canada standards associated with medium hazard industrial and retail occupancies.

Standards for Kennel Operations

The operation of kennels is not regulated at the municipal level.

At the provincial level, the SPCA, is appointed by the province through *The Animal Protection Act* (Act) to investigate incidents of animal cruelty, and when necessary, enforce under the legislation. The City provides funding in the form of an annual grant to the SPCA to be the Animal Protection Agency and provide animal protection and cruelty investigative services within the City. The SPCA, as the Animal Protection Officer, investigates all complaints of animal cruelty and animals in distress.

The province does not have provincial licensing requirements for the operation of kennels, but there is a standard that kennels are encouraged to meet in order to ensure that animals are not placed in distress. This document is published by The Canadian Veterinary Medical Association as a resource for veterinarians, dog breeders, kennel operators, and prospective owners, and is titled, *A Code of Practice for Canadian Kennel Operations* (see Attachment 1). The standards identified in this document are referred to in the Act and are used as the criteria to determine if charges should be laid under the provincial legislation.

In 2018, changes were made to Division 3 of the Act to permit the Animal Protection Officer to conduct inspections of pet businesses without a warrant. In general, the Animal Protection Officer does not conduct inspections of businesses, except in response to a complaint or invitation from the owner. On average, the Animal Protection Officer conducts one to two inspections of businesses per year.

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Other Municipalities

In surveying other cities, Saskatoon's approach to regulating kennels through the Zoning, Building, and Business Licencing Bylaws is consistent with other cities. In general, the operation of kennels are regulated at the provincial level in a similar manner as Saskatchewan.

Research found two municipalities, the City of Ottawa, ON and the City of Abbotsford, B.C. that have enacted bylaws pursuant to the Municipal Act, to regulate aspects of *A Code of Practice for Canadian Kennel Operations*.

Financial Implications

The Administration has consulted with the SPCA, and if the inspection of kennels became a required component of the business license process, additional grant funding would be required on an annual basis to conduct the inspections. Alternatively, the cost of the yearly inspections could be charged directly to the business owner. They would be responsible to provide proof of inspection in conjunction with their application for a business license, and with the subsequent annual renewal of their business license. Based on the complexity of the inspection, size of facilities, and reporting requirements, the SPCA provided a preliminary cost estimate of \$300 to \$500 per inspection visit.

Other Considerations/Implications

There are no policy, environmental, privacy, or CPTED implications or considerations; a communication plan is not required at this time.

Public Notice

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

Attachment

1. A Code of Practice for Canadian Kennel Operations
<https://www.canadianveterinarians.net/documents/Code-of-Practice-for-Canadian-Kennel-Operations>

Report Approval

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