

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 087-2022

A By-law to amend Animal Control By-law 066-2020, as amended, to prohibit relocation and disturbance of wild animals, to introduce new definitions and to prohibit people from allowing their animals to kill or injure wild animals.

WHEREAS the *Municipal Act, 2001 S.O. 2001, c.25* (“*Municipal Act*”), subsection 8(1) provides that the powers of a municipality under the Act be interpreted broadly so as to confer broad authority on municipalities to enable municipalities to govern their affairs, as they consider appropriate, and enhance their ability to respond to municipal issues;

AND WHEREAS the Council of The Corporation of the City of Vaughan deems it desirable to protect the wildlife;

NOW THEREFORE the Council of The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. That By-law 066-2020, as amended, be further amended by changing the name of Part 21.0 from “Feeding of Wildlife” to “Wildlife”.
2. That By-law 066-2020, as amended, be further amended by repealing the word “intentionally” in section 21.0(1).
3. That By-law 066-2020, as amended, be further amended by adding section 21.0(4) to read as follows:

No person shall *Disturb* or *Relocate* any *Wild Animal*, nest, den, or eggs on any *Public Lands* in the *City* unless authorized to do so by the *City* or by applicable legislation, provided that the *Relocation* is done in a humane manner.
4. That By-law 066-2020, as amended, be further amended by adding a definition for Public Lands to section 3.0(1), as follows:

“Public Lands” means lands owned by the *City*, and shall include but not be limited to the boulevard, any highway, lane, alley, square, place, viaduct or trestle, water way or bridge, park, woodland, greenbelt, storm water management facility, open space, municipal golf course or cemetery, and all parts thereof, including any surface, grassed area, boulevard, ditch, curb, gutter and sidewalk, but does not

include property owned by the Regional, Provincial, Federal Government, a Crown Corporation, Hydro, Utility or Railway Company.

5. That By-law 066-2020, as amended, be further amended by adding a definition for Private Property to section 3.0(1), as follows:

“Private Property” means any property that is privately owned and is not owned by the City, the Regional Municipality of York, a Local Board, the Crown in Right of Ontario, the Crown in the Right of Canada, or any emanations thereof.

6. That By-law 066-2020, as amended, be further amended by adding a definition for Disturb to section 3.0(1), as follows:

“Disturb” means to intentionally or unintentionally change the conditions which interfere with the normal living of *Wildlife*, and for greater certainty shall include *Harassment* and any other actions, such as taking photographs or being too close to a *Wildlife Animal’s* habitat, that may interfere with such *Wildlife Animal’s* normal living behaviour patterns.

7. That By-law 066-2020, as amended, be further amended by adding a definition for Harassment to section 3.0(1), as follows:

“Harass” or “Harassment” means to engage in any act which demonstrates a disregard for the well-being of, creates the likelihood of injury to, or disrupts normal behavior patterns of *Wildlife*, such as feeding, watering, resting, and breeding. Such acts include, but are not limited to, approaching, chasing, pursuing, herding, or attempting to take *Wildlife*.

8. That By-law 066-2020, as amended, be further amended by adding section 21.0(5) to read as follows:

No person shall allow his or her *Animal* to kill, attempt to kill, maim, injure or harass any *Wildlife* on *Public Lands* or *Private Property*.

9. That By-law 066-2020, as amended, be further amended by replacing the wording “public property” to “*Public Lands*” throughout the by-law.

10. That By-law 066-2020, as amended, be further amended by capitalizing and italicizing the words “private property” throughout the by-law.

Enacted by City of Vaughan Council this 17th day of May, 2022.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk

Authorized by Item No. 7 of Report No. 21
of the Committee of the Whole
Adopted by Vaughan City Council on
May 17, 2022.