



# STAFF REPORT

**TO:** Committee of the Whole **MEETING DATE:** April 20, 2021  
**FROM:** Silas White, Consultant **FILE NO:** 3900-20-1294  
Sue Booth, Bylaw Enforcement Officer  
**SUBJECT: Draft Wildlife Attractant Bylaw No. 1294, 2021**

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## RECOMMENDATIONS

**THAT the report titled Draft Wildlife Attractant Bylaw No. 1294, 2021 be received;**

**AND THAT Wildlife Attractant Bylaw No. 1294, 2021 be given First, Second and Third Reading;**

**AND THAT Garbage and Organics Collection and Disposal Bylaw No. 1252-04, 2021 be given First, Second and Third Reading;**

**AND THAT Bylaw Enforcement Notice Bylaw No. 1125-12, 2021 be given First, Second and Third Reading;**

**AND FURTHER THAT these recommendations be forwarded to tonight's council meeting.**

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## BACKGROUND / PURPOSE

On October 6, 2020, a delegation from the Sunshine Coast Bear Alliance requested that Council consider the adoption of a Wildlife Attractant Bylaw, which would "provide residents, commercial establishments and visitors with the concise measures that need to be undertaken to prevent attracting bears and other wildlife into our urban areas."

The delegation also presented a petition to adopt a separate wildlife attractant bylaw and improve enforcement, which was signed by 518 people.

On October 22, 2020, Council adopted the following resolution:

*R2020-479: THAT a report regarding the request presented by the Sunshine Coast Bear Alliance for the Town of Gibsons to adopt a separate wildlife attractant bylaw with accompanying fine schedule be provided for Council consideration.*

The Bear Alliance recommended best practice examples of wildlife attractant bylaws from the Resort Municipality of Whistler, District of Squamish and City of Rossland. In Gibsons' proximate

region, the Village of Pemberton and Squamish-Lillooet Regional District also have wildlife attractant bylaws. The purpose of this staff report is to present draft Wildlife Attractant Bylaw Number 1294, 2021.

## **DISCUSSION**

Twenty-two (22) bears were euthanized on the Sunshine Coast between April 2019 and January 2020, as bears become habituated to grazing from garbage cans, fruit trees and other attractants.

The Town of Gibsons is a rural community and therefore the proposed Wildlife Attractant Bylaw enclosed as attachment A, is a way to limit conflicts between bears and humans in our community, with the aim to reduce bears habituating to more urban areas.

### ***Wildlife Attractant Bylaw vs Garbage and Organics Collection and Disposal Bylaw***

The Town's Garbage and Organics Collection and Disposal Bylaw No. 1252, 2018 outlines the procedure for garbage and organics collection for Town residents as well as defines and regulates wildlife resistant containers and wildlife resistant enclosures.

A Wildlife Attractant bylaw can regulate attractants unrelated to refuse collection such as bird feeders, fruit and nut trees, composting, barbecue equipment and tools, beehives, grease, refrigerators and freezers, chickens, home food delivery, and feeding wildlife.

When reviewing the Town's existing bylaws, it is suggested the most concise and coherent way to communicate the Town of Gibsons' approach to wildlife attractants in the service of garbage and organics collection is to maintain the language in Section 5 of Bylaw 1252 around containers and enclosures, clearly and simply expressing these expectations in one place rather than duplicating and opening the risk to having conflicting language and interpretations over multiple bylaws.

### ***Options for consideration***

#### ***Prohibiting the feeding of wildlife***

The proposed bylaw looks to prohibit the feeding of all wildlife, including deer, squirrels and racoons. The bylaw speaks to limits the feeding of birds on roadways and sidewalks – enabling homeowners to continue having bird feeders at home or feeding ducks in the park. The Bylaw Enforcement Officer has been in contact with Conservation, who support this regulation, as the Wildlife Act only prohibits the feeding of dangerous wildlife.

#### ***Bird feeders***

The proposed bylaw looks to prohibit bird feeders during bear season (April 1–Nov 30). This regulation has been implemented successfully in the Town of Canmore.

Staff have reviewed Wildlife Attractant Bylaws from a number of municipalities in BC, each of which state that bird feeders must be inaccessible. Town of Gibsons Bylaw Enforcement note that this is difficult to enforce. For example, if bylaw enforcement is inspecting yards in a

neighbourhood a bear is frequenting, deciding whether a bird feeder is “inaccessible” to dangerous wildlife can be very arbitrary.

However, if Council wants to avoid prohibiting bird feeders completely during bear season, an alternative could be to just apply the language in the bylaw for September 1 – November 30, when bears are actively seeking to “bulk” up before winter.

#### *Outdoor fridges and freezers*

In 2015, Council amended the Garbage and Organics Collection and Disposal Bylaw 1252 to include Section 5.2.3 that states:

*“Any refrigerator, freezer or storage container placed outdoors shall be located and equipped in such a manner that is inaccessible to dangerous wildlife.”*

Staff suggest removing Section 5.2.3 from Bylaw 1252 as this item would be more appropriate under the Wildlife Attractant bylaw. Currently Bylaw Enforcement strongly recommends to residents not to store any food outside so in alignment with this, the proposed bylaw takes a stronger approach from Bylaw 1252 with the following wording:

*“No refrigerator, freezer, storage container or similar appliance, device or apparatus that contains wildlife attractants of any type shall be located outside;”*

Alternatively, Council could opt to move the previous Garbage and Organics language to make fridges and freezers inaccessible to this bylaw, rather than to prohibit them.

#### ***Garbage and Organics Collection and Disposal Bylaw Amendments***

Draft Garbage and Organics Collection and Disposal Bylaw No. 1252-04 is enclosed as attachment C. Staff have added Schedule B and C to provide clear direction for garbage containers and enclosure standards for commercial and multi-family properties.

As the Town has no specific standards, developers and property owners don’t have any guidelines when constructing garbage enclosures. This addition to the bylaw provides clarity and clear standards for developers and property owners to obey.

The Schedule C standards are taken from the District of Squamish, with the kind consent from the Resort Municipality of Whistler. Staff have been in contact with Resort Municipality of Whistler (RMOW) to confirm the use of the standards in the Town bylaw – at the time of writing this report, staff are awaiting a formal response. Once we have a response, staff would replace the Squamish logo with the Town’s and credit both the RMOW and District of Squamish for the drawings.

#### **COMMUNICATION**

The Town of Gibsons currently uses social media, the e-newsletter, the Town’s “News and Views” advert in the Coast Reporter and other Town communication, including utility bill inserts to educate residents of wildlife attractants. Staff suggest an advert in the newspaper and social media blitz to educate residents on the new bylaw.

Enforcement of the proposed bylaw would take an education first approach, rather than ticketing.

*Coast-wide consistency*

The Bear Alliance requested all local governments on the Sunshine Coast to implement wildlife attractant bylaws. Currently there is no record of the District of Sechelt or SCR D passing motions or tabling bylaws regarding wildlife attractants, therefore the Town of Gibsons would be the first community on the Coast to implement this type of bylaw.

**NEXT STEPS**

Bear season is beginning and therefore it would be prudent to move the bylaw forward to reduce human/bear interactions in the Town.

**RECOMMENDATIONS / ALTERNATIVES**

Recommendations are listed on page 1 of this report, alternatively Council may request changes.

**Attachments**

- Attachment A – Draft Wildlife Attractant Bylaw No. 1294, 2021
- Attachment B – Garbage and Organics Collection and Disposal Bylaw No. 1252, 2018
- Attachment C – Draft Garbage and Organics Collection and Disposal Bylaw No. 1252-04, 2021
- Attachment D – Draft Bylaw Enforcement Notice Bylaw No. 1125-12, 2021

Respectfully Submitted,



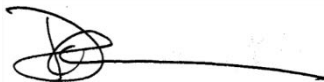
Silas White  
Consultant



Sue Booth  
Bylaw Enforcement Officer

**CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:**

I have reviewed the report and support the recommendation(s).



Dave Newman  
Acting Chief Administrative Officer