
TO:	GENERAL COMMITTEE
SUBJECT:	REQUEST FOR PERMANENT EXEMPTION FROM ANIMAL CONTROL BY-LAW 2010-035 AS AMENDED – REPTILIA INC.
WARD:	ALL
PREPARED BY AND KEY CONTACT:	J. FORGRAVE – SUPERVISOR OF ENFORCEMENT SERVICES BRANCH – EXTENSION #4330 T. BANTING – MANAGER OF ENFORCEMENT SERVICES BRANCH – EXTENSION #4336
SUBMITTED BY:	W. COOKE, DIRECTOR OF LEGISLATIVE & COURT SERVICES DEPARTMENT
GENERAL MANAGER APPROVAL:	D. McALPINE, GENERAL MANAGER OF COMMUNITY & CORPORATE SERVICES
CHIEF ADMINISTRATIVE OFFICER APPROVAL:	M. PROWSE, CHIEF ADMINISTRATIVE OFFICER

RECOMMENDED MOTION

1. That Reptilia Inc. be granted a permanent exemption from By-law 2010-035 as amended section 17.1.0.0.0. in conjunction with the operation of their business to permit the ownership, harbouring and possession of exotic animals as defined, with the exemption to remain in effect until such time as the business ceases operation.
2. That this exemption shall apply to the business' operational address within the City of Barrie and to any off-site educational project, training, or authorized special event activities within the City limits, including the transportation to and from such off-site location.
3. That Reptilia Inc. notify the Enforcement Services Branch prior to attending any off-site educational project, training, or authorized special event activities within the City of Barrie and the duration of said off-site event.
4. That Reptilia Inc. be required to provide unencumbered access to any Municipal Law Enforcement Officer, Ontario Society for the Prevention of Cruelty to Animals Inspector or other duly appointed individual for the purposes of an inspection to determine the safety and security of the animals and the public at any reasonable time.
5. That if Reptilia Inc. decides to locate their business outside of the City of Barrie limits any exemption would be considered null and void.
6. That if Reptilia Inc. wishes to bring any exotic animals into the City of Barrie for an educational project, training, or authorized special event they would be required to submit a request for a temporary exemption from By-law 2010-035 as amended.

PURPOSE & BACKGROUND

7. On February 22, 2010 City Council adopted By-law 2010-035, a by-law of the Corporation of the City of Barrie to regulate and govern animals including exotic animals within City.
8. By-law 2010-035 as amended section 17.1.0.0.0. states:

“No person shall own, harbour, possess, keep, sell or offer for sale any animal listed below as a pet or for any other purpose or for any period of time.”

a) all non-human primates (such as gorillas and monkeys);	i) all snapping turtles;
b) all felids, except the domestic cat;	j) all elephants;
c) all canids, except the domestic dog;	k) all snakes of the families pythonidae and boidae;
d) all mustelids (including but not limited to skunks, weasels, otters, badgers, etc. but not including the domestic ferret);	l) all poisonous or venomous snakes;
e) all marsupials (including but not limited to kangaroos and opossums);	m) all poisonous or venomous arachnids (including but not limited to spiders);
f) all bats;	n) all poisonous or venomous lizards;
g) all ursids (bear);	o) all crocodilians (including but not limited to alligators and crocodiles);or,
h) all hyaenas;	p) any endangered species as defined by the Canadian Wildlife Service.

9. Reptilia Inc. possesses, harbours and keeps exotic animals, including but not limited to poisonous or venomous snakes, crocodiles, alligators and poisonous or venomous lizards for the purposes of entertainment, training and education.

ANALYSIS

10. Reptilia Inc. approached staff in the Business Development Department in the spring of 2018 enquiring what would be required to locate/expand their business into Barrie. As part of their inquiry the keeping of exotic animals was discussed and a request for an exemption was referred to staff in Enforcement Services.
11. Reptilia Inc. currently operates two locations in Ontario, one in Vaughan and one in Whitby, and are also in discussions with other municipalities in Canada and the United States to expand their business. Reptilia Inc. was named the highest rated tourist attraction in Vaughan in 2017.
12. Reptilia Inc. offers a number of services that benefit both the public at large and private sector. Services include:
 - Public Reptile Zoo and tourist attraction;
 - Training for First Responders (police, fire and paramedic), Department of Defence, Municipal Animal Service departments, Canadian Border Services;
 - Camp programs for youth;
 - Event appearances at off-site venues including municipally sponsored events; and
 - Movie and TV filming and other related facets of filming production.

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13. Following receipt of the request from Reptilia Inc. staff have engaged in correspondence, phone calls and on site meetings with representatives from Reptilia Inc. Staff attended a full tour of the Vaughan facility to witness the design of the facility, the animals that are kept within the facility and to assess the security and containment of the animals within the facility.
 14. Reptilia Inc. has provided staff with all security and containment procedures of their facilities, as well as documentation regarding their liability insurance and related permits, licences and accreditations such as being CAZA (Canada's Accredited Zoos and Aquariums) accredited. Reptilia has been recognized for the high standard of animal welfare and a humane agency for animal care, conservation, science, and education.
 15. Reptilia Inc. is currently evaluating possible locations in both the north and south ends of the City that receive high visitor traffic as well as the City centre. Representatives from Reptilia Inc. believe their facility will fit well at any of these locations and enhance the visitor traffic for the area businesses. Reptilia Inc. does not have a final location selected at this time, however they have entered into discussions with owners of vacant land and commercial property owners. Reptilia Inc.'s preference is to do a design build on vacant land. However, it will consider buying and retrofitting an existing location or leasing a venue for a minimum 25 year term. Reptilia Inc. has requested consideration to grant their request for an exemption prior to a final financial investment and commitment to a location.
 16. Reptilia Inc. has reviewed the current requirements as set out in the City of Barrie by-laws and advises that their proposed facility will conform to all other restrictions prescribed by the by-laws.
 17. As a condition of the exemption staff are recommending that Reptilia Inc. notify the Enforcement Services Branch prior to attending any off-site educational project, training, or authorized special event activities within the City and the anticipated duration of said off-site event.
 18. In addition to the above condition staff are also recommending that Reptilia Inc. provide unencumbered access to any Municipal Law Enforcement Officer, Ontario Society for the Prevention of Cruelty to Animals Inspector or other duly appointed individual for the purposes of an inspection to determine the safety and security of the animals and the public.
 19. Further to the above noted conditions, Reptilia Inc. will be responsible to obtain all permissions, permits and licences as required by the City to construct and operate their facility.
 20. Staff is of the opinion that the requested exemption is reasonable and are satisfied that Reptilia Inc. will comply fully with all conditions and by-laws.

ENVIRONMENTAL MATTERS

21. There are no environmental matters related to the recommendation.

ALTERNATIVES

22. There is one alternative available for consideration by General Committee:

Alternative #1

General Committee could recommend that the request submitted by Reptilia Inc. for an exemption be denied and Reptilia Inc. be required to comply with all municipal regulations.

This alternative is not recommended as the sole objective to Reptilia Inc. programming is to be a tourist destination and to introduce people to the world of reptiles. The denial of their request for an exemption may potentially cause Reptilia Inc. to not locate their next business in the City.

FINANCIAL

23. There are no financial implications associated with the recommended motion.

LINKAGE TO 2018-2022 STRATEGIC PLAN

24. The 2018-2022 Council Strategic Plan has not been finalized as of the writing of this report.