

Report to Community & Protective Services Committee

To: CHAIR AND MEMBERS
COMMUNITY AND PROTECTIVE SERVICES COMMITTEE

From: SCOTT MATHERS, MPA, P. ENG
DEPUTY CITY MANAGER, PLANNING AND ECONOMIC DEVELOPMENT

Subject: ANIMAL CONTROL BY-LAW – REPTILIA

Date: APRIL 20, 2022

Recommendation

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, the following actions be taken with respect to a report request authorized by Council resolution:

- (a) That, on the recommendation of the Deputy City Manager, Planning and Economic Development, this report **BE RECEIVED** for information.

Analysis

City Council resolved that the Civic Administration **BE REQUESTED** to prepare a report, including any necessary legal advice, for the April 20, 2022 CPSC meeting.

The following is a summary of information presented to City Council in public session on February 15, 2022 by George Kotsifas, Deputy City Manager, Planning and Economic Development with respect to Reptilia establishing operations in Westmount Mall:

The Civic Administration has received several inquiries from members of Council, related to Reptilia, with requests for additional information about the building permit that was issued that allows Reptilia to move forward with opening a location in Westmount Mall. The following background information is presented to clarify some of the information that has been shared by the media and by other external groups.

Here is an overview of the process:

- June 2017 – Reptilia proactively presented to AWAC indicating interest in opening a facility in London and offers a tour of Vaughan location.
- June 2017 – City staff toured the Reptilia Vaughan location.
- December 2018 – Staff presented a report to CPSC, focusing on the intended use of the space and the intended operations:
 1. The report included a planning analysis of a proposed London location including Provincial Policy Statement (PPS), the London Plan and zoning. In the report, the intended use is recognized within the Place of Entertainment zone category.
 2. The report also outlines the regulations of the Animal Control by-law and recommended the addition of a business licensing category for facilities such as Reptilia. Under the Animal Control by-law, there is an exemption based on the requirement for licensing by a municipal or other government authority. Council voted against this business licensing category. It's important to note that voting against the business licensing category does not mean that organizations like Reptilia are prohibited from operating in London; it means that their operations are not regulated through City by-laws.

- January 2019 – A minor variance is approved to increase the floor area for a place of entertainment at Westmount Mall.
- January 2021 – The building permit issued based on zoning compliance (applicable law), as well as compliance with the Building Code and Building Code Act.

From a use perspective, the Place of Entertainment is permitted within the zoning, as was noted in 2018. Because the applicant has met all of the requirements under the Building Code Act, staff are required to issue a building permit. From an operational perspective, it is understood that Reptilia intends to operate under a Provincial license. The terms of that license are held by the Province. Once they are open and operating, enforcement of the terms and conditions of the license will be the responsibility of the Province, and any allegations of non-conformity could be subject to a Provincial investigation. If there are matters outside of their license, they may be subject to the City's Animal Control By-law.

Since this update to City Council there is no new information to share.

Prepared by:

**Orest Katolyk, MLEO (C)
Director, Municipal Compliance**

Recommended by:

**Scott Mathers, MPA, P. Eng
Deputy City Manager, Planning and Economic
Development**