

To: The City of London Support Clerk,

Re: Reptilia Zoo's request for an exemption to the Animal Control Bylaw

On behalf of the Animal Welfare Advisory Committee to the City of London, I am requesting the attached Report to Council Recommendation regarding Reptilia Zoo's request for an exemption to the Animal Control Bylaw accompanying attached document report be added to Council's agenda for Council's Meeting, to be held on December 13, 2022.

Regards,

Wendy Brown

Chair

Animal Welfare Community Advisory Committee

To: City Council, meeting on December 13, 2022  
From: Animal Welfare Community Advisory Committee (AWAC)  
Re: Reptilia Zoo request for exemption from the Animal Control By-law (CPSC Report)

To be helpful, I write to you regarding animal welfare concerns as it relates to the current request from Reptilia Zoo for an exemption to the Animal Control Bylaw and AWAC's past careful examination, research, and consequential best advice to the City of London as follows:

**The Animal Welfare Advisory Committee recommended:**

There be No amendment to the Animal Control Bylaw, and that council reaffirm that the exemption in the Animal Control By-law for animals licensed by the province is limited to the animals held under their provincial license, (those listed as specially protected or game animals under the Ontario Fish and Wildlife Conservation Act), and that ALL other animals continue to be subject to the current municipal animal control by-law.

**We continue to strongly recommend that there be no amendment to the Animal Control By-law to exempt Reptilia Zoo, or any other private zoo or exhibition using prohibited animals.**

**Background:**

- London's Animal Control Bylaw restricts the keeping of class 5 animals (non- venomous snakes, lizards, and spiders) and prohibits the keeping of class 7 animals such as crocodilians, alligators, and venomous snakes, lizards, spiders, to name a few.
- In 2011 The City of London took the progressive action of removing private zoos from the Animal Control and the Zoning By-laws due to animal welfare, public concern, and the excessive challenges and burdens to the city as it related to welfare concerns with private zoos.
- At December's 2018 Council Meeting, council rejected Reptilia Zoo's proposal to open a facility and declined an amendment to license private zoos.
- In April 2022, Reptilia Zoo's request for an exemption was rejected by Council.

**The Animal Welfare Advisory Committee maintains the following concerns for human health, safety, and animal welfare regarding exotic animals:**

- The Province does not currently regulate non-native species. The NDMNRF has no jurisdiction over them. Instead, they are regulated and/or prohibited by municipal by-laws. The municipality of Grand Bend established a bylaw prohibiting exotic animals in April of 2019 due to such concerns as it related to exotic animals. The Provincial Animal Welfare Services (PAWS) Act only minimally addresses the broad suite of issues associated with the keeping of exotic wildlife in captivity.
- The Provincial Animal Welfare Services Act (PAWS) focuses on a very basic and limited set of standards of captive wildlife care, including a small number of primarily enclosure safety features. The Act does not address exotic animal possession, acquisition, breeding, sale, trade, most aspects of public safety, including zoonotic disease risks posed by animals, facility design and security,

education, conservation, entertainment uses of animals, promotion of pet trade and many other issues associated with exotic animals. The Act recognizes that municipal bylaws that provide greater protections for animals supersede the protections of the PAWS Act.

- Animal welfare and wildlife conservation NGOs and independent experts with vast experience working to protect wild and captive reptiles across the world, have opposed proposed Reptilia zoos or requests to amend animal control bylaws. They include, but not limited to: the Ontario Humane Society and SPCA, Humane Canada, World Animal Protection, Zoocheck, David Suzuki Foundation, Animal Justice, Niagara Action for Animals, Animal Alliance of Canada, International Fund for Animal Welfare, Ontario Captive Animal Watch, as well as members of academia, internationally renowned animal welfare scientists, veterinarians and members of the public.
- Reptilia Zoo heavily promotes their off site live exotic animal program, putting the public at risk for injuries and the spread of infectious diseases such as salmonella, particularly when animals are taken off-site for events such as birthday parties. The elderly, young, and immunocompromised are at the greatest risk.
- Our local hospitals' ability to respond as they are not equipped to address any venomous snake bites that may occur. Disabling effects of snake bites can be life long and treatment for venomous snake bites is more than a single injection of antivenom.
- As of 2022 Reptilia Zoo is no longer listed on Canadian Association of Zoos and Aquariums (CAZA) website as being an accredited facility. The loss of this accreditation is concerning, both for animal welfare at Reptilia, and for the precedent it sets that any unaccredited zoo or exhibition could seek an exemption from the by-law.
- A November 2021 City of Toronto staff report, in collaboration with Economic Development and Culture and Toronto Public Health, outlined concerns related to Reptilia Zoo's operations. The report was particularly concerned about the poor body condition of animals and adequacy of care provided to the animals and cited past investigations of Reptilia Zoo by the Provincial Animal Welfare Services (PAWS). (Please see the attached Report For Action, City of Toronto.)
- Captive breeding is often touted as a humane alternative to wild capture. Captive bred reptiles may be habituated to humans, but they remain wild. Captive bred or not, reptiles require the most vast and complex environments to express their innate natural instincts, biological functions and behaviours and suffer in confined, minimal enclosures, with few choices. Reptilia Zoo's off-site live animal business imposes excessive handling, and long periods of extreme confinement during transport and at events causing stress.
- Reptiles have evolved to live in a diversity of aquatic, terrestrial, fossorial and arboreal habitats. In captivity only the most basic aspects of a reptile's natural living conditions can be provided. As a result, captive reptiles live lives of idleness, emptiness, frustration and various states of deprivation. This diminishes their welfare and causes them to suffer.

- Business interests should not supersede science-based facts regarding human health and safety risks, the undue burden to municipalities, and ethical considerations as it relates to private and live mobile animal businesses.

**In conclusion:**

The intention of the current bylaw and zoning prohibitions pertaining to private zoos and mobile zoos IS progressive as it relates to animal welfare as well as the City's leadership in this area.

From the description of activities advertised on Reptilia Zoo's website, they showcase mainly non-native animals. These species are beyond the jurisdiction of the Fish and Wildlife Conservation Act and are currently not regulated by the province.

What we have here, is a private zoo, operating out of a Mall, under "a place of entertainment". However, under any definition Reptilia Zoo IS a private zoo.

In 2011 the City of London recognized public concerns regarding the keeping of exotic animals in private zoos as well as the undue burden to the city without Provincial Oversight, which remains a concern today. Therefore, an exemption sets a disconcerting precedent for private zoos and mobile animal businesses to set up here.

Since then, exotic animals have been removed from Storey Book Gardens as well as remaining farm animals due to animal welfare concerns.

Circuses using exotic animals for entertainment are no longer considered to be ethical and no longer welcomed by the City of London residents. Private and mobile zoos continue to pose tangible risks and animal welfare concerns for those municipalities without progressive zoning and bylaws to prohibit them.

Sincerely,

Wendy Brown  
Animal Welfare Community Advisory Committee Chair

## **Request to review Chapter 349, Animals exception for Reptilia Zoo**

**Date:** November 17, 2021

**To:** Economic and Community Development Committee

**From:** Executive Director, Municipal Licensing and Standards

**Wards:** Spadina-Fort York

### **SUMMARY**

---

This report responds to the Economic and Community Development Committee (ECDC)'s request to explore a site-specific exception in Chapter 349, Animals to permit the operations of Reptilia Zoo at 245 Queens Quay West (Harbourfront Centre).

Reptilia is a reptile zoo with locations in Vaughan and Whitby. Their operations include a self-guided visitation centre with exhibits that house numerous reptiles, as well as both on-site and off-site shows for education and entertainment. Reptilia's existing locations also have ancillary business functions such as adopting out reptiles, and the retail sale of food and equipment for keeping reptiles as pets.

The company has been in discussions with Harbourfront Centre as a prospective tenant. Reptilia's proposed program includes animals that fall under the Prohibited Animals list in Toronto Municipal Code Chapter 349, Animals. ECDC has requested that staff consider the specific species that would be permitted if the Animals Bylaw was amended to provide a site-specific exception for Reptilia's operations, and the health and safety implications associated with City Council granting an exception.

To respond to this request, staff undertook targeted stakeholder consultation and research on the implications of such an exception, including those related to health and safety, animal welfare, and economic development. Based on the findings of this work, staff do not recommend amending the bylaw to grant a site-specific exception to the Animals Bylaw. While this report recommends against an exception, staff note that the company can still pursue its operations without housing species listed in the Prohibited Animals list.

This report was written in consultation with Economic Development and Culture, Toronto Public Health, and Corporate Real Estate Management.

## RECOMMENDATIONS

---

The Executive Director, Municipal Licensing and Standards recommends that:

1. City Council not grant a site-specific exception for Reptilia Zoo, at 245 Queens Quay West, under Section 349-4 of City of Toronto Municipal Code Chapter 349, Animals.

## FINANCIAL IMPACT

---

There are no current or known future year financial impacts arising from the recommendation contained in this report.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial implications as identified in the Financial Impact section.

## DECISION HISTORY

---

On June 30, 2021, the Economic and Community Development Committee adopted Item EC23.8 Request for Review of City of Toronto Municipal Code Chapter 349, Animals Regarding Exemption for Reptilia Facility at 245 Queens Quay West, requesting the Executive Director, Municipal Licensing and Standards to report by the end of the fourth quarter of 2021 on the proposed Reptilia facility at 245 Queens Quay West, including a recommendation on whether or not to include the facility under the Prohibited Animals exceptions; the specific prohibited animal species that would be permitted if City Council grants the exception; and health and safety considerations for staff and the public, including access to antivenin and consultation with local hospitals. <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.EC23.8>

## COMMENTS

---

This report responds to the Economic and Community Development Committee's request for staff to explore the implications of a site-specific exception to the Prohibited Animals restrictions in Toronto Municipal Code Chapter 349, Animals, to permit the operations of Reptilia at 245 Queens Quay West (Harbourfront Centre).

Reptilia is a reptile zoo and visitation centre with locations in Vaughan and Whitby. Reptilia's operations include a self-guided visitation centre with exhibits that house numerous reptiles, as well as both on-site shows and mobile live animal programs (MLAPs), which are off-site shows that attend schools and events. Reptilia's existing locations also have ancillary business functions such as adopting out reptiles, and the retail of food and equipment for keeping reptiles as pets.

The company has been in discussions with Harbourfront Centre as a prospective tenant for the north building located at 245 Queens Quay West. Reptilia's proposed program

includes animals that fall under the Prohibited Animals list in the Toronto Municipal Code Chapter 349, Animals. The Committee has requested that staff consider the specific species that would be permitted if the Animals Bylaw was amended to provide a site-specific exception for Reptilia, and the health and safety implications associated with City Council granting an exception.

To respond to this request, staff undertook targeted stakeholder consultation and research related to health and safety, animal welfare and economic development. Staff did not undertake broad public consultation, but rather engaged the experts necessary to inform the recommendation.

This report recommends that City Council not amend the Animals Bylaw to provide a site-specific exception at 245 Queens Quay West. The following sections will outline the findings that informed this recommendation, including the historical context of the existing Prohibited Animals exceptions; and considerations related to health and safety, animal welfare, and economic development.

## **Background**

The Animals Bylaw prohibits the keeping of certain animals in the City of Toronto, as identified in Schedule A of Chapter 349, Animals. The Prohibited Animals list was developed in order to protect public health and safety, address concerns around animal care, and to restrict animals that may result in significant public nuisance problems such as noise and/or odour for neighbouring residents. The list includes animals such as some mammals (tigers, kangaroos, non-human primates, bears, elephants, etc.), birds (flightless birds such as ostriches and emus, geese, etc.), reptiles such as alligators and crocodiles, snakes that reach an adult length of greater than three metres, lizards that reach an adult length of greater than two metres, and all venomous and poisonous animals.

When this bylaw was enacted in 1999, it included a number of exceptions to the prohibition on keeping those prohibited animals in the City, such as exceptions for the premises of a City animal centre, an accredited veterinary hospital under the care of a licensed veterinarian, the Toronto Zoo, Riverdale Farm, Sunnybrook Stables and the High Park Zoo. It also included the premises of facilities with accreditation from the Canadian Association of Zoos and Aquariums (CAZA), as well as those used for education programs.

In 2016, City Council adopted LS15.2 Chapter 349, Animals: Exceptions for Prohibited Animals, which changed the way that the City regulates prohibited animals in Toronto. This report removed the provisions that allowed both the "blanket" exception for facilities that were accredited by CAZA and those used for education programs. Deleting these exceptions aimed to ensure that the City would be notified and become aware of any organization or facility interested in keeping prohibited animals in the City. It also provided the City with the opportunity to review an interested organization to determine if it can properly care for the prohibited animals and reduce the health and safety risk to the public before an exemption could be granted.

Removing those blanket requirements also meant that there would be no further exceptions granted for any organization or facility interested in keeping prohibited animals in Toronto, unless granted by a bylaw amendment adopted by City Council. Since the changes were made in 2016, the City has denied a number of businesses requesting an exception to the bylaw, including temporary exceptions for events.

The 2016 report did not introduce a process for staff to review and approve applications for organizations to become exempt from the Prohibited Animals restrictions. At the time, Ripley's Aquarium of Canada was added to the listed exceptions in the bylaw. This was necessary as it had been previously granted an exception on the basis of its CAZA accreditation, and had been operating since 2013.

Reptilia Zoo is requesting a similar exception as its proposed operations at the Harbourfront Centre would include animals that are prohibited under the bylaw. Specifically, a total of 39 species of crocodilians, non-venomous and rear-fanged venomous (non-medically significant) snakes, lizards and venomous species would be included. The majority of these species (23) are venomous. As part of this request, staff discussed the specific species with Reptilia and reviewed a number of submitted documents including corporate health and safety protocols.

Toronto Animal Services continues to have significant concerns about prohibited animals in the City of Toronto, including the health and safety risk they pose to residents, the ability to properly care for the animals, and the nuisance to neighbourhoods that they may pose. The City does not have a role in accrediting such facilities, and staff do not recommend introducing a delegated process to review and approve individual facilities interested in keeping prohibited animals.

Staff recommend maintaining the current approach and intention of the bylaw to ensure that prohibited animals are not kept in Toronto unless granted by City Council, following consideration of unique circumstances on a case-by-case basis. Staff note that while this report recommends against an exception, Reptilia can still pursue its operations without a bylaw amendment if it does not house species listed in the Prohibited Animals section of the Chapter 349, Animals. Depending on the nature of the operations pursued otherwise, the company may be subject to other regulations, such as obtaining a pet shop licence under Chapter 545, Licensing.

## **Health and Safety Considerations**

The Committee requested that staff consider access to antivenin and consult with local hospitals. Reptilia has confirmed that its corporate protocol is to store antivenin on-site. In the event of an emergency, Reptilia staff accompany the injured person to the hospital with the appropriate antivenin in the event that antivenin will be required. Each antivenin dose must include detailed instructions on administration to accompany the injured person and the antivenin. This protocol is similar to what is carried out at other facilities, including the Toronto Zoo.

In consultation with Toronto Public Health (TPH), staff engaged local hospitals and heard that emergency departments generally do not have the capacity to manage

antivenins. The facility must ensure that an adequate supply of the appropriate types of antivenin is maintained at all times. For CAZA accreditation, there must be adequate antivenin to treat one severely poisoned patient should an envenomation occur. This is different for each animal and antivenin.

If antivenin is not within the facility, as it has been sent to a hospital with an injured person and/or has been used for that person, the Facility must have taken the venomous animal/animals off display until further replacement antivenin can be sourced.

Many antivenins are developed to support envenomation for only one species. Reptilia would therefore need to determine the most appropriate antivenin for each of the proposed species (23 venomous), and source them accordingly. The company needs a sponsoring physician to sign off on each antivenin that is applied for through Health Canada. Once secured, shipping conditions, storage requirements and transport modalities for each antivenin must be considered, as some have specific storage and temperature requirements in order for them to be active when brought to the hospital for administration. Antivenins are often expensive and tend to expire after 3-4 years, so these must also be kept up to date and be replaced after their shelf life.

Hospitals highlighted that the facility must have adequate oversight and qualified staff who can monitor antivenin supply, partner with external stakeholders including hospitals, and be on call to identify products to be used in the event of an emergency. Education and awareness efforts must also be undertaken to ensure that all partners understand the processes to follow in the event of an emergency. This includes detailed protocols with information for clinicians on the signs and symptoms indicating when antivenin is required for each species, the potential for anaphylaxis of each antivenin, as well as educational sessions for emergency departments. Engaging with Ontario Poison Centre is recommended. This resource will be contacted by a receiving hospital in the event of a bite as the average Emergency Physician/Intensivist will not be familiar with or comfortable caring for an envenomated patient.

Use of other resources including Toronto EMS may be impacted should an injured person incident occur.

Staff reviewed all existing relevant documentation related to Reptilia's operations, including health and safety protocols. Staff found that the training requirements, emergency procedures and facility security standards are reasonable and sufficient to keep facility staff and the public safe.

However, staff do have concerns with the handling of reptiles in general. In consultation with TPH, staff note that there are potential health risks associated with handling reptiles, including exposure to infectious diseases, injuries, and allergies.

Vulnerable populations, such as children, those with compromised immune systems, and the elderly are more vulnerable and susceptible to disease transmission, including zoonotic diseases transmitted from animals. Children are more vulnerable than adults to acquiring infections from animals, as a result of several factors such as a general lack of awareness of the risk of disease transmission, less than optimal hygiene practices,

propensity to put their fingers in their mouths, increased risk of developing disease after exposure to a pathogen and their natural curiosity and attraction to animals. Young children and infants also have an increased risk of infection and complications from such infections that can result in serious illness because their immune systems are not fully developed. Accordingly, there are certain animals that are considered too high risk for children under 5 years of age to interact with, including exotic animals, reptiles, amphibians, and live poultry.

Infectious diseases passed on from animals to humans occur through direct and indirect contact with animals. Examples of direct contact include petting an animal, while indirect contact can include touching an animal's environment (e.g. cage, terrarium). There are several diseases that reptiles and amphibians can transmit to humans. For example, since almost all reptiles and amphibians can carry Salmonella bacteria, this pathogen can be transmitted to both children and adults. Studies suggest that approximately half of reptiles carry the disease. Reptiles and amphibians can also carry Salmonella bacteria without being sick. Staff note that the rodents used to feed some reptiles can also carry Salmonella bacteria or other germs that can make people sick.

Staff also note particular concern regarding mobile live animal programs and other activities that take place off-site, which are key components of Reptilia's operations in other jurisdictions. Bringing exotic and potentially dangerous animals offsite can pose significant health and safety risks such as the potential for an animal to escape, increased incidence of handling the animals and exposure to infectious disease, and a lack of oversight and other safety features that are contained in the facility itself. Concerns regarding MLAPs were also raised from animal welfare experts and residents in the surrounding community.

Concerns regarding MLAPs were one of the key reasons for amending the bylaw in 2016 to prevent further exceptions and ensure that Animal Services has sufficient oversight of the keeping of prohibited animals in the City. Furthermore, TPH has advised that if such mobile activities were permitted, there would need to be strict documentation and trace-back protocols for public health officials to use in order to protect the public from outbreaks.

### **Animal Welfare Considerations**

As part of this review, staff requested information from the Ontario Ministry of the Solicitor General's Provincial Animal Welfare Services (PAWS) regarding any animal welfare concerns associated with Reptilia's operations in other jurisdictions. Based on the information received, staff have significant concerns regarding the outcomes of past investigation and inspections by PAWS. While the company quickly came into compliance following these inspections, there are concerns regarding the adequacy of care provided to the animals, as well as poor record-keeping of critical information.

Staff also heard from experts in animal welfare. These stakeholders have outlined a number of concerns and recommended that the City does not grant a bylaw exception to permit Reptilia's operations.

Stakeholders are concerned that an exception establishes a precedent that will create a case for other exotic animal businesses and institutions to seek exceptions moving forward, and could result in an expansion the number of animals and various species that are kept in Toronto. Stakeholders have also raised concerns about Reptilia as a commercial zoo with many ancillary businesses, including the retail of reptiles and supplies. In particular, stakeholders are concerned that Reptilia's operations will result in an increase in MLAPs in the City.

Stakeholders are also concerned that accreditation or association memberships (for example, CAZA) do not guarantee optimal animal welfare and public safety standards. The commercialization of wildlife supports the continued expansion of reptile pet keeping and trade, which can have negative impacts related to public health and safety, as well as threats to native wildlife. Finally, stakeholders raise that such an exception is a substantial departure to Council's previous direction to remove blanket exceptions to the bylaw, which could undermine deliberate past improvements to animal welfare and undermine the City's reputation as a national leader in this space.

Many of the concerns raised are shared by City staff, particularly regarding a potential increase in MLAPs across the city that may pose health and safety risks to the public and the environment. Staff are also concerned about the potential increase in exotic animal businesses seeking exceptions and expansion in the number of these animals kept in the City. Staff continue to have concerns regarding the ability to properly care for such animals, and believe that the intention of the bylaw as currently drafted is supportive of animal welfare and contributes to the City's leadership in this space.

Staff recommended removing the blanket CAZA exception in 2016 to ensure due diligence and oversight of prohibited animals in the City. CAZA is a national not-for-profit organization that works to standardize professional conduct and care of animals through its accreditation program, which includes the inspection of its accredited facilities. As part of this review, staff consulted with CAZA to understand whether there were existing concerns related to the facility's ability to care for its animals. CAZA confirmed that Reptilia is in good standing with its accreditation in its existing facilities.

Staff also met with community leaders and residents from the surrounding Harbourfront neighbourhood. While there is interest among residents in seeing a new family-friendly business on the waterfront, concerns were raised about whether the animals would be adequately cared for, and the risk of exotic animals entering the City and threatening native species.

## **Economic Development Considerations**

While the mandate of Toronto Animal Services is to focus on public health and safety and animal welfare, staff acknowledge that there may be potential economic benefits to the City with the introduction of a facility such as Reptilia's.

Harbourfront Centre, who would be the property manager facilitating the lease with Reptilia Zoo, is supportive of the proposed facility. Harbourfront Centre highlighted the economic benefits of introducing a facility such as Reptilia Zoo by bringing tourism and

economic activity to the waterfront area, particularly since this location has been vacant since 2017. The proposed facility would bring visitors to the area year-round, including during the winter months when the area would otherwise be less active, which would also bring benefits to the surrounding community and businesses.

Harbourfront Centre believes that the proposed facility is a natural fit for tourism and family businesses in the surrounding area, and also fits within their mandate promoting the local economy and strong ties to education. Staff confirmed that the Harbourfront Centre is satisfied with the information Reptilia has provided them regarding their health and safety protocols.

Community leaders and residents from the surrounding neighbourhood expressed some support for the proposed facility. Residents are supportive of the Harbourfront Centre and would like to see the space occupied by a family-friendly business with daytime hours and limited nuisance. However, residents also noted longer-term implications on the surrounding area that must be considered, such as the potential for increased noise, nuisance lighting and traffic. They also expressed concern regarding the lack of parking in the area, and that the company may expand the size of their operations in the future if an exception is granted for this site.

## **Other considerations**

Since Chapter 349, Animals, was last amended with respect to prohibited animals in 2016, the City has denied a number of requests from business operators seeking exceptions to the Prohibited Animals restrictions, including temporary exceptions for events.

Staff are concerned that pursuing an exception for Reptilia's operations may set a precedent for exceptions becoming more frequent in the future. Such exceptions are not aligned with previous City Council direction and staff recommendations, and pose a number of challenges related to health and safety and animal welfare, as described in this report.

While this report recommends that the Animals Bylaw should not be amended to grant a site-specific exception at 245 Queens Quay West, staff note that this does not mean that Reptilia cannot establish a facility in this location. Without a bylaw exception, the company can still pursue its operations without housing species listed in the Prohibited Animals list.

Staff note that if the proposed facility includes a retail component that sells animals or offers adoption services, the company would be required to obtain a pet shop licence under Chapter 545, Licensing. Pet shops that sell and/or keep animals for sale must meet requirements to ensure that the facility is kept in a sanitary, well-ventilated, and clean condition, and that animals are safely housed, cared for, and provided adequate food and water.

## **CONTACT**

---

Esther Attard, Director, Animal Services, Municipal Licensing and Standards,  
416-338-1476, [Esther.Attard@toronto.ca](mailto:Esther.Attard@toronto.ca)

## **SIGNATURE**

---

Carleton Grant  
Executive Director, Municipal Licensing and Standards