



REPORT FOR ACTION

Chapter 349, Animals: Exceptions for Prohibited Animals

Date: November 16, 2016

To: Licensing and Standards Committee

From: Executive Director, Municipal Licensing and Standards

Wards: All

SUMMARY

This report proposes amendments to Chapter 349, Animals, Article II, Prohibited Animals to delete the exception for the premises of facilities accredited by the Canadian Association of Zoos and Aquariums (CAZA); delete the exception for areas in the City where education programs are conducted with prohibited animals; and add Ripley's Aquarium of Canada (located at 288 Bremner Boulevard) to the listed exceptions.

Toronto Animal Services has 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 removal of the blanket CAZA exception and exception for education programs conducted with prohibited animals will provide the City of Toronto the opportunity to conduct its own due diligence for organizations and facilities who want to keep prohibited animals. A process with established criteria is being developed for implementation in 2017.

The addition of Ripley's Aquarium of Canada to the listed exceptions in the by-law will then be necessary as it has been operating since 2013, is CAZA accredited and the City is satisfied with its ability to care for prohibited animals.

RECOMMENDATIONS

The Executive Director, Municipal Licensing and Standards recommends that:

1. City Council approve amendments to Chapter 349, Animals, Article II, Prohibited Animals, 349-4. Exceptions to:

- a. Add Ripley's Aquarium of Canada, located at 288 Bremner Boulevard in Toronto, to the list of exceptions.
- b. Delete the exception for the premises of facilities accredited by the Canadian Association of Zoos and Aquariums (CAZA).
- c. Delete the exception for the areas in the City where education programs are conducted with animals, if the animals are owned by facilities accredited by CAZA or the American Zoo and Aquarium Association and only while the education programs are actually being conducted, provided that such programs are limited to a maximum of three days at any one location.

FINANCIAL IMPACT

There are no financial impacts beyond what has already been approved in the current year's budget.

The Deputy City Manager & Chief Financial Officer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

At its meeting of October 8, 9, 10 and 11, 2013, City Council requested the Executive Director, Municipal Licensing and Standards to conduct further research, public consultation and report back to the Licensing and Standards Committee on issues dealing with prohibited animals.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.LS23.5>

COMMENTS

Chapter 349, Animals prohibits the keeping of certain animals in the City of Toronto.

Schedule A of Chapter 349, Animals identifies the list of prohibited animals. The list mainly covers animals which may be considered a health and/or safety risk to the public. These include some mammals (tigers, kangaroos, non-human primates, bears, elephants, etc.), some 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.

The list also includes some animals, when kept in an urban environment, that cause significant nuisance problems, such as noise and/or odour for neighbouring residents, including a variety of farm animals (e.g., cattle, goats, sheep and pigs).

Exceptions to Prohibited Animals

When this by-law was enacted in 1999, it included a number of exceptions to the prohibition on keeping certain animals in the City. These exceptions as listed in Section 349-4 include: 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 to name a few. It also includes the premises of facilities accredited by the Canadian Association of Zoos and Aquariums (CAZA) and for education programs conducted with prohibited animals.

Removing the "blanket" exception for facilities accredited by CAZA and for education programs conducted with prohibited animals

CAZA is a national not-for-profit organization. CAZA works to standardize professional conduct and care of animals through its accreditation program, which includes the regular inspection of its accredited facilities.

While ML&S does not have concerns about the quality of the accreditation process completed through CAZA, these blanket exceptions to the by-law do not allow the City to conduct its own due diligence in determining whether or not a facility can care for prohibited animals.

Toronto Animal Services has 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.

ML&S is proposing to delete the exception for the premises of facilities accredited by CAZA (section 349-4.F.) and delete the exception for the areas in the City where education programs are conducted with animals (section 349-4.H). Deleting these exceptions will ensure that the City is notified and becomes aware of any organization or facility that wants to keep prohibited animals in the City. It will also provide the City with the opportunity to review the organization to determine if it can properly care for the prohibited animals and reduce the health and safety risk to the public. Further, it will require City Council approval for the organization to obtain an exception to Chapter 349, Animals, Article II, Prohibited Animals.

A process with established criteria is being developed for the City to conduct its own due diligence for implementation in 2017.

Ripley's Aquarium of Canada

Ripley's Aquarium of Canada, located at 288 Bremner Boulevard, is a public aquarium in the City of Toronto, which houses over 16,000 aquatic animals. The aquarium

opened in October 2013 and features North America's longest underwater viewing tunnel with more than 5.7 million litres of water and over 100 interactive opportunities. It was funded in part by the Government of Canada, Province of Ontario and City of Toronto.

Ripley's Aquarium of Canada has been accredited by CAZA and voluntarily undergoes regular assessments by qualified zoo and aquarium associations and the Ontario Society for the Prevention of Cruelty to Animals. It currently has an exception to the Animals By-law for the keeping of prohibited animals as it is a facility accredited by CAZA.

This report proposes that Ripley's Aquarium of Canada, located at 288 Bremner Boulevard in Toronto, be added to the list of exceptions in Article II, Prohibited Animals, 349-4. Exceptions, as the CAZA exception is being deleted from the by-law. The City is satisfied with its ability to care for prohibited animals.

The recommendations in this report are part of a larger review of prohibited animals that Municipal Licensing and Standards is conducting. The larger review includes the development of a process to add and remove prohibited animals from the list of prohibited animals as contained in Schedule A of the Animals By-law and the development of a process to review organizations and facilities who want to keep prohibited animals in the City of Toronto.

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SIGNATURE

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