

County offers HH support with developing exotic animal bylaw



Jan. 27, 2021

By Nate Smelle

Hastings Highlands council received a report prepared by CAO/treasurer David Stewart at their meeting on Jan. 20, providing feedback from Hastings County's Planning and Development Committee on the subject of exotic animals being kept in captivity within the municipality.

Stewart's report comes in response to a direction from council arising from their Nov. 18 meeting to obtain professional advice and support with the creation of a "county-wide pathway" to deal with the keeping exotic animals. Within the report, Hastings County's director of planning and development Justin Harrow addressed the municipality's request in another report presented to the county's Planning and Development Committee on Dec. 15.

During the committee's meeting held on this day, Harrow indicated that they discussed concerns regarding the potential development of a roadside zoo - "Safari Experience" business - in Hastings Highlands where lions, tigers and variety of exotic animals would be kept; and, where the public would be charged a fee to visit the site and view the animals. Pointing out how there is currently no legislation in Ontario regarding exotic animals; and, that Ontario is the only province in Canada that does not have such legislation, he explained that the province "downloaded" the responsibility to municipalities through the Municipal Act in 2001.

Acknowledging that staff had also reviewed the County of Hastings Official Plan in relation to the "Safari Experience" inquiry and similar uses involving exotic animals, Harrow said it was noted by the committee that the plan "does not permit or contemplate this type of development."

He continued "Subject to specific details, it would appear an Official Plan Amendment would be required for a "Safari Experience" or any similar type of use involving exotic animals in the county. The proponent of an OPA among other things would need to address public health and safety concerns as well as the health and safety of the animals."

In the report, Harrow said it was also determined by the committee that the OPA would need to address construction and maintenance standards for the proposed development. In addition, he stated that such a development would also require an amendment to the Municipalities Comprehensive Zoning Bylaw, as well as a site plan approval.

By means of these processes, Harrow said that member municipalities could "ensure the proposed development is appropriate for the

site, and that any potential issues/concerns can be addressed prior to any development occurring.?

Upon reviewing Hastings Highlands' inquiry, Harrow indicated that the committee recognized that without an exotic animal bylaw in place, a municipality has ?little control over exotic animals being located on private property.?

?This raises potential health and safety concerns among various other concerns. This is of particular concern for Hastings County where many of the member municipalities do not have an exotic animal bylaw in place," added Harrow.

Since several of Hastings County's member municipalities do not have the resources to properly research, draft, and where appropriate enact a bylaw to regulate exotic animals, Harrow said the committee suggested that the county take the lead in researching and preparing an appropriate draft exotic animal bylaw that local municipalities could use as a template.

In response to Hastings Highlands' request for assistance, and Harrow's recommendation the county's Planning and Development Committee directed staff to work with various stakeholders to establish an appropriate template to assist member municipalities with developing their own exotic animals bylaw.

?Without Provincial legislation in place, regulating and managing exotic animals falls to municipalities,"" explained Harrow."Municipalities generally have the tools to ensure that developments related to exotic animals and which are subject to approvals under the Planning Act, can be adequately managed. However, there are still gaps in existing legislation that allow the keeping of exotic animals without any oversight. In order to ensure municipalities have the proper tool(s) to manage exotic animals and ensure the health and safety of the public and the animals, it is prudent to consider the potential for enacting an exotic animal bylaw.?

Since preparing the report, Stewart said he has been in touch with Harrow to discuss anticipated timelines for the development of the exotic animal bylaw template. While there is not yet a definitive timeline as to when it will be finished, he said Harrow confirmed that they would be working on it quickly.

Expressing how grateful council is for the county's advice and support in developing an exotic animal bylaw, Councillor Nancy Matheson said Hastings County will also be supporting the municipality during the upcoming virtual delegation at the Rural Ontario Municipal Association conference with Ontario Solicitor General Sylvia Jones.

Echoing what the county had previously stated, Matheson said "in order to ensure municipalities have the proper tools to manage exotic animals and ensure the health and safety of the public and the animals it is prudent to consider the potential for enacting an exotic animal bylaws."