



Chris Murray, MCIP RPP
City Manager

City Hall
100 Queen Street West
East Tower, 11th Floor
Toronto, Ontario M5H 2N2

Tel: 416-392-3551
Fax: 416-392-1827
chris.murray@toronto.ca
www.toronto.ca

August 30, 2018

Mr. John MacKenzie
Chief Executive Officer
Toronto and Region Conservation Authority
101 Exchange Avenue
Vaughan, ON L4K 5R6
John.Mackenzie@trca.on.ca

Dear Mr. MacKenzie:

Re: July 25, 2018 letter regarding TRCA Resolution #A86/18 (Toronto Zoo – Updated Tripartite Agreement)

This letter is the City of Toronto and Toronto Zoo's joint response to your letter dated July 25, 2018 regarding Resolution #A86/18 adopted by the TRCA at its June 22, 2018 meeting (the "Resolution"). There are several key issues identified in the Resolution that extend beyond the Tripartite Agreement (the "Agreement") and are related to Zoo operations or the broader establishment of the Rouge National Urban Park (RNUP). As such, our response, which is summarized below and detailed in Attachment 1 is being provided in two sections:

- Section 1.0 - Issues related to the terms of the Agreement
- Section 2.0 - Operational and other matters

Issues related to the Agreement

As you know, negotiations have been underway for several years between the City, Zoo, and TRCA staff to update the terms of the Agreement to advance the strategic vision of the Toronto Zoo and facilitate establishment of the RNUP. City staff have been working closely with the Zoo, TRCA, and Parks Canada to implement City Council's direction adopted at its February 19, 2014 meeting: *2014.EX.38.4 Rouge National Urban Park: Transfer of Lands to Parks Canada*.¹ Per Council's direction, finalizing the Agreement is a key condition prior to the transfer of TRCA-owned lands in the vicinity of the Zoo to Parks Canada for establishment of the RNUP.

¹ <http://app.toronto.ca/trmmis/viewAgendaItemHistory.do?item=2014.EX38.4>

The City and the Zoo can support the amendments proposed by the TRCA, subject to the conditions identified in Attachment 1. We would be pleased to discuss these conditions with your representatives.

Operational and Other Matters

There are several other items that were identified in the Resolution that relate to the ongoing / daily operations of the Zoo and the RNUP, and as such are beyond the scope of the Agreement. However, the City and the Zoo would like to take this opportunity to stress the importance placed on ensuring the historical value of its assets are maintained to City standards. We work very closely on defining these requirements and will continue to welcome the perspectives of TRCA and other stakeholders in ensuring the protection of these assets.

As the process to establish the RNUP proceeds, including the transfer of lands to Parks Canada, there will be several areas where further discussion is required to more clearly define the relationship among the parties to this Agreement and with Parks Canada. This will include issues such as clarification of security and fencing agreements, as identified in the Resolution. We look forward to continuing to work closely on these various pieces to ensure timely resolution of emerging requirements and needs.

Our response to other items identified in the Resolution is summarized in Section 2.0 of the Attachment.

Implementation and Next Steps

Finalizing this Agreement is a key priority for the City and the Zoo and one of City Council's conditions to be fulfilled prior to the transfer of TRCA-owned lands in the vicinity of the Zoo to Parks Canada for the establishment of the RNUP. To expedite this process, the City's Legal Services Division will update the draft terms to the Agreement to reflect our joint response to the Resolution. This will be provided to TRCA for review and approval.

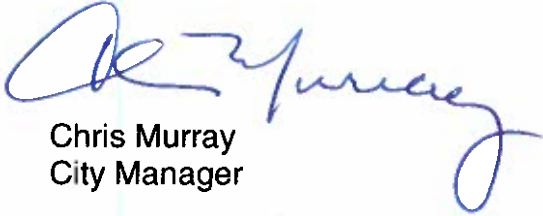
Beyond settling the terms of the Agreement there are several other issues raised in the Resolution that will require further discussion and negotiation between the Zoo and Parks Canada, including:

- Finalizing terms of lease agreements for the Finch Meander south of Old Finch Avenue and alternate Browse Garden location; and
- Defining the Parks Canada and Zoo relationship, including items such as ownership and easement requirements of zoo monorail line, and security and fencing requirements.

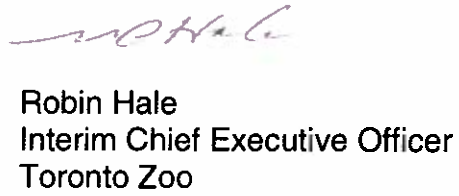
Lastly, we'd like to thank you and your staff for the extensive work to-date on advancing this important project. Completion of this agreement is a milestone step towards advancing the Zoo's Strategic Plan, and our mutual interests in establishment of the RNUP.

We look forward to continuing this collaborative relationship.

Sincerely,



Chris Murray
City Manager



Robin Hale
Interim Chief Executive Officer
Toronto Zoo

- c. Kathy Stranks, Clerk and Senior Manager, Corporate Records, TRCA
Mike Fenning, Associate Director, Property and Risk Management, TRCA
Brandon Hester, Senior Property Manager, Property Services, TRCA
Michael Tolensky, Chief Financial and Operating Officer, TRCA

Attachment 1 – City/Zoo Response

Item	TRCA Request	Joint City and Zoo Response
Section 1.0 -Tripartite Agreement-Related Requests		
1.1	Removal of the Finch Meander from the lands to be added to the tripartite agreement subject to Parks Canada entering into a lease with the Toronto Zoo for the Finch Meander area south of Old Finch Avenue;	City and Zoo agree with this request, subject to agreement that the terms of a lease with Parks Canada and the Zoo for the Finch Meander be confirmed prior to signing the tripartite agreement.
1.2	Removal of the browse garden use from the lands being added to the tripartite agreement north of Finch Avenue with the understanding that the Zoo and PC shall work together in partnership toward an agreement for a new browse location;	City and Zoo agree with this request, subject to agreement that the terms of a lease with Parks Canada and the Zoo for the location of new browse garden be confirmed prior to signing the tripartite agreement.
1.3	Any development proposed on the lands north of Finch Avenue be restricted to the areas highlighted in blue on Attachment 2 with the access to the conservation breeding facility highlighted in red on Attachment 2 and be subject to City of Toronto approval processes;	City and Zoo agree with this request.
1.4	That the tripartite agreement be amended so that the clause relating to TRCA and PC staff being allowed access to the lands north of Finch Avenue as required in order to undertake environmental monitoring and restoration activities also apply to lands on the east side of Meadowvale Road;	City and Zoo agree with this request, subject to TRCA and PC staff providing the Zoo Board with 48 hours written notice of intent to access the lands.
1.5	That a clause be added to the tripartite agreement to ensure that Valley Halla is restored and maintained in a condition that protects the heritage value of the buildings subject to Toronto Zoo Board approval;	City and Zoo agree to add clause to tripartite agreement that reflects the importance of historical City assets on Zoo Lands included in the tripartite agreement and that the assets will be managed accordingly.
1.6	That a clause be added to the tripartite agreement that the parties may agree to amend the boundary at a future date to accommodate the outcome of the Parks Canada-led process for determining the ultimate location of an orientation and education facility	Tripartite agreement may be amended at any time subject to agreement of all three parties. A clause will be added to this effect.
Section 2.0- Operational and Other Matters		
2.1	That a clause be added to the tripartite agreement to ensure cooperation on requests to PC and other bodies to support the restoration and maintenance of built heritage assets in the RNUP including but not limited to Valley Halla and the Pearse House	Response reflected in 1.5 above.
2.2	That the Zoo work with PC and community groups to provide periodic access to Valley Halla allowing small groups the opportunity observe the rich historical architecture and craftsmanship subject to Toronto Zoo Board approval, and report back in two years on progress of implementation	City and Zoo agree to this, subject to approval of Zoo Board.

Item	TRCA Request	Joint City and Zoo Response
2.3	THAT TRCA urge Parks Canada, the City of Toronto and the Toronto Zoo to develop, as soon as possible, a long-term fencing and security agreement to protect the Zoo and implement improvements as required;	Security/fencing is an operational matter, delegated to Zoo Board. City suggests a meeting between the Zoo, TRCA and Parks Canada be held to discuss these needs.
2.4	THAT Parks Canada be requested to remove informal trails in Area #1 and develop a trail system in that area on the table lands only;	Defer to Parks Canada. These lands will not be within City or Zoo jurisdiction.
2.5	THAT Parks Canada be requested to grant an easement over the monorail line to the Zoo at a minimal cost and that, if the Zoo decides to reinstitute the service, that TRCA's approval be required;	Parts of Zoo monorail lie in lands that are proposed to be transferred to Parks Canada. Further discussion is needed to identify the Zoo's rights to changes or development of mono-rail lands. An easement over the subject lands, being Parts 11, 13-14 on 66R-29657 is one option.
2.6	THAT Parks Canada be requested to remove informal trails in Area #2;	Does not pertain to the City. The Zoo has agreed this is ok as lands will be leased to them.
2.7	THAT staff ensure that there are no fences on the outer perimeter of Area #3;	The Zoo has previously agreed to this.
2.8	THAT TRCA staff, the Toronto Zoo and Parks Canada be requested to investigate security fencing and monitoring options for the immediate Valley Halla property and report back to the Authority as soon as possible;	Security fencing and monitoring options are an operational matter and will be identified by the Zoo Board.
2.9	THAT the City of Toronto be requested to transfer its lands along Meadowvale Road south of the Zoo to Parks Canada;	City requires further information regarding this request.
2.10	THAT the City of Toronto be encouraged to apply for an infrastructure grant for Valley Halla to restore the building in a reasonable timeframe;	City may investigate opportunities to apply for appropriate federal heritage funds, providing the funding/grant program is suitable and Council has not already identified priority projects for the program.
2.11	THAT staff report back annually on the state of the tripartite agreement;	TRCA staff may report back to Authority when requested.
2.12	THAT staff report back to a future Executive Committee meeting within the next year on the status of the tripartite agreement and the PC lead process for determining the ultimate location of an orientation and education facility;	The City and Zoo may also report back to respective Board and Committees as required.
2.13	AND FURTHER THAT authorized TRCA officials be directed to take the necessary action to finalize the tripartite agreement, including obtaining any necessary approvals and the signing and execution of documents.	City and Zoo staff have the delegated authorities to finalize tripartite agreement. Once changes are made to reflect City and Zoo responses in 1.1 to 1.6 above, agreement can be finalized and executed.