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**City Council**

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**Motion without Notice**

MM13.9	ACTION			Ward: All
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**Moving the Three Toronto Zoo Elephants to the PAWS Sanctuary as Soon and as Safely as Possible - by Councillor Michelle Berardinetti, seconded by Councillor Raymond Cho**

- \* *This Motion has been deemed urgent by the Chair.*
- \* *This Motion is not subject to a vote to waive referral.*
- \* *This Motion has been added to the agenda and is before Council for debate.*

**Recommendations**

Councillor Michelle Berardinetti, seconded by Councillor Raymond Cho, recommends that City Council direct the Board of Management of the Toronto Zoo as follows:

1. Toronto Zoo staff make the necessary arrangements with the PAWS sanctuary to physically transfer the 3 elephants, Iringa, Toka and Thika to its facility in California and to transfer legal ownership to PAWS as soon as arrangements can be made by PAWS to safely transport the elephants and permits can be obtained.
2. Toronto Zoo staff to work with the PAWS sanctuary on transport and permit arrangements, the PAWS sanctuary to have the primary responsibility for the safe and humane transport of the elephants to their facility in California, at their cost, while complying with all applicable laws and standards.
3. Recommendations 1 and 2 above be subject to the legal and financial commitments of PAWS and ZooCheck with respect to their contribution to the costs of the transfers being appropriately documented, to the satisfaction of the City Solicitor and the City Manager.
4. Toronto Zoo staff report to the Board of Management of the Toronto Zoo on the cost savings achieved in Zoo operations once the elephant transfer has been effected, and that the Board reduce its future operating budget by a corresponding amount.

**Summary**

On May 12, 2011, the Board of Management of the Toronto Zoo (the "Zoo Board") voted to close the Zoo's elephant exhibit and move the three remaining elephants to an AZA (American Association of Zoos and Aquariums) accredited facility that would provide "enhanced facilities comparable to the Toronto Zoo" and that have "eliminated the use of bull-hooks or other similar practices not used at the Toronto Zoo."

A Zoo Board report cites the elephants as being the most expensive animals to care for, with an annual maintenance cost of \$618,533. The Zoo staff have said it could take up to 2 years to find another zoo willing to take the elephants and to move them. Nearly 6 months have already passed since the Zoo Board voted to move the elephants, who remain at the Zoo. Maintaining them has resulted in an estimated \$300,000 cost to the Board.

Last May, the award-winning, world-renowned PAWS (Performing Animals Welfare Society) sanctuary in California offered the Toronto Zoo elephants a permanent home in an expansive, naturalistic 80-acre enclosure at no cost to the Board. Further delays in moving the elephants will increase costs and could result in additional unnecessary expenditures of \$1 million or more. An expedited move of the Toronto Zoo elephants could result in considerable savings to the Board and the City.

The transport of the elephants will be orchestrated and carried out by the PAWS sanctuary professionals in consultation with Toronto Zoo staff. Additionally, Zoocheck and PAWS have suggested that they are willing to cover a substantial portion on the moving costs, although no formal commitment is in place. The cost is estimated to be approximately \$300,000.

The City Solicitor advises that pursuant to the management agreement between the City and the Zoo Board, the live collection of animals at the Zoo, including the elephants, is the property of the City of Toronto. Decisions about the fate of the elephants are within the jurisdiction of Toronto City Council. Further, the City is responsible for the operating losses of the Zoo.

Torontonians overwhelmingly support sending the elephants to a sanctuary. A poll conducted by RA Malatest and Associates of people living in the 416 area code indicated that 74.1% of Torontonians support retiring the elephants to a sanctuary in a warm climate that can provide vast acreage for the elephants to roam around.

This is an urgent matter due to additional costs that could be incurred by the City of Toronto should any further delay occur, possibly up to \$1 million over two years. As well, two of the three elephants are seniors and could potentially pass away over the course of the winter, which would reflect poorly upon the Zoo and the City of Toronto.

(Submitted to City Council on October 24 and 25, 2011 as MM13.9)