



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Tourism and Culture Division

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	December 4, 2019
SUBJECT/REPORT NO:	Donation of a Monument Commemorating the Genocide Against the Tutsi of Rwanda (PED19237) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Ken Coit (905) 546-2424 Ext. 6281
SUBMITTED BY:	Carrie Brooks-Joiner Director, Tourism and Culture Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATIONS

- (a) That the City of Hamilton accept the donation of a memorial commemorating the genocide against the Tutsi in Rwanda in 1994 from the Rwandan Canadian Community of Hamilton to be installed at Hamilton City Hall, 71 Main Street West.
- (b) That the Mayor and City Clerk be authorized and directed to execute any agreements and ancillary documents, between the City of Hamilton and Rwandan Canadian Community of Hamilton to accept the donation of a memorial commemorating the genocide against the Tutsi in Rwanda in 1994, with content acceptable to the General Manager of the Planning and Economic Development Department, in a form satisfactory to the City Solicitor.
- (c) That \$800 donated by the Rwandan Canadian Community of Hamilton for the long-term maintenance of the monument be deposited to the Public Art and Monuments Maintenance Balance Sheet Account 22323-000100.

EXECUTIVE SUMMARY

The Rwandan Canadian Community of Hamilton is seeking to donate a small black granite memorial commemorating the genocide against the Tutsi in Rwanda in 1994 to

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

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the City of Hamilton to be installed on the west side of City Hall and to make a financial donation of \$800 to offset long-term maintenance costs of the memorial. Staff worked with the donor to develop a detailed donation proposal as per the process outlined in the Council approved Art and Monuments Donation Policy and to evaluate this proposal against donation criteria outlined in the policy. These criteria include relevance, appropriateness of the location, durability, public safety and legal requirements. Staff has concluded that the donation satisfies the criteria, has negligible cost impacts on the City and will add to the cultural richness of City Hall grounds and is therefore recommending that the donation be accepted.

Alternatives for Consideration – Not Applicable

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: All fabrication and installation costs are to be funded by the donor. A contribution of \$800 is to be provided by the donor to help offset the long-term maintenance costs for the memorial.

Staffing: N/A

Legal: An agreement between the City of Hamilton and the Rwandan Canadian Community of Hamilton will have to be prepared and executed for the City to accept the donation.

HISTORICAL BACKGROUND

The Rwandan Canadian Community of Hamilton approached the Mayor's Office and Councillor Esther Pauls about the donation of a memorial in 2018 in anticipation of the 25th anniversary of the genocide in April 2019.

The Art and Monuments Donation Policy (PED19068) was approved by Council at its April 10, 2019 meeting.

A preliminary donation proposal was received on April 15, 2019.

A detail donation proposal was received July 29, 2019.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

This Donation Proposal was reviewed and evaluated as per the requirements and process of the council approved Art and Monuments Donation Policy.

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71 Main Street West, City Hall is a property designated under the Ontario Heritage Act Part IV (06-011). A heritage permit is therefore required for the installation of the proposed monument. This permit has been obtained.

RELEVANT CONSULTATION

Internal

Manager, Heritage Resource Management Section, Tourism and Culture Division, Planning and Economic Development Department

Conservator, Heritage Resource Management Section, Tourism and Culture Division, Planning and Economic Development Department

Manager, Forestry and Horticulture Section, Environmental Services Division, Public Works Department

Cultural Heritage Planner, Development Planning Section, Planning Division, Planning and Economic Development Department

Manager, Strategic Planning, Capital and Compliance Section, Energy, Fleet and Facilities Management Division, Public Works Department

Corporate Security Specialist, Facilities Planning and Business Support Section, Energy Fleet and Facilities Management Division, Public Works Department

Manager, Landscape Architectural Services Section, Environmental Services Division, Public Works Department

Manager, Parks and Cemeteries Section, Environmental Services Division, Public Works Department

Urban Forest Health Technician, Forestry and Horticulture Section, Environmental Services Division, Public Works Department

External

Heritage Permit Review Subcommittee September 17, 2019.

ANALYSIS AND RATIONALE FOR RECOMMENDATION(S)

The Rwandan Canadian Community of Hamilton is proposing to donate a small black granite memorial commemorating the genocide against the Tutsi in Rwanda in 1994 to

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the City of Hamilton to be installed by the donor on the lawn on the west side of City Hall grounds.

The Director of Tourism and Culture received a preliminary proposal for this donation in April 2019. Staff subsequently worked with the donor to develop a Detailed Donation Proposal, attached as Appendix "A" to Report PED19237, illustrating the proposed design and addressing the relevance, proposed location, durability, public safety, legal and financial requirements of the donation as outlined in the City of Hamilton Art and Monuments Donation Policy and the Art and Monuments Donation Process.

Relevance

The group describes the reason for and the relevance of the proposed memorial in their donation proposal as follows.

The memorial:

- Will be a reminder that the Genocide against Tutsi was a crime against humanity,
- Will be a strong message for fighting an ever-growing movement of genocide denial,
- Will be a reminder to the International community to how it failed to prevent and to stop the genocide while The United Nations had the military Peace Keepers on ground,
- Will be a symbol for Hamiltonians to realize that no communities are immune to this type of atrocity.
- Will be an educational tool for peace building, a representation of the resilience of the genocide survivors and encouragement that the community stands in solidarity with them. Most of the survivors never had a chance to bury their loved ones; this monument will help in their grieving process, contribute to their healing journey, and to finding closure.
- The Genocide against Tutsi in Rwanda in 1994 was the fastest of the century (over one million killed in a hundred days) and was preventable.
- The site is already home to other monuments displaying cases of Human Rights violations, Discrimination, Injustice and Hate Crimes.

Evaluation

The Detailed Donation Proposal was circulated to applicable staff for comment. The following is an overview of staff comments:

Tourism and Culture

The subject matter of the memorial as described in the Detailed Donation Proposal is factual, does not duplicate an existing memorial in the city and will be relevant to the Rwandan community and to many Hamiltonians. The location is appropriate as the

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location is in close proximity to the Peace Garden and other existing memorials addressing similar themes. The small scale of the monument will have minimal physical impact on the site and the proposed material, black granite, is appropriate for the site as it is similar to the material that currently clads the base of the adjacent City Hall.

Forestry

Forestry staff identified concerns of possible damage to existing tree roots and recommended the preferred location be the central terrace location noted as B in the proposal. They also identified a set of conditions to minimize any damage during installation as part of a permit issued for the proposed installation. The donor has indicated that they are in agreement with the recommended location and that their installer can satisfy the conditions of the permit.

Heritage

Heritage staff noted the site is designated under the heritage act and that a Heritage Permit would be required to install the monument. The Detailed Donation Proposal was therefore discussed at the Heritage Permit Review Subcommittee on September 17, 2019. Approval was granted and a Heritage Permit has been issued.

Ongoing Maintenance and Conservation

Conservation staff indicated that the proposed materials are durable and will minimize on-going maintenance requirements. It was recommended that the foundation be designed by an engineer to ensure the long-term stability of the monument and that it be designed in such a way as to minimize damage from lawn and snow clearing equipment. The donor has indicated that this can be accommodated.

The donor has provided a cost estimate for the foundation of \$2000 including installation and an additional \$6,060 for the fabrication of the monument itself. The Arts and Monuments Donation Policy recommends a minimum 10% of the current market value of the donation be provided to the City to offset future maintenance and conservation costs. The Rwandan Canadian Community of Hamilton has agreed to provide the City with the amount of \$800 as part of the donation.

Conditions Letter

A letter outlining a set of conditions and requirements identified by staff to be satisfied by the donor in order for the donation to satisfy the criteria of the Arts and Monuments Donation Policy was sent to the donor on October 18, 2019. The donor responded that they can satisfy all conditions. The conditions letter is attached as Appendix "B" to Report PED19237.

Conclusion

Upon evaluation of the Detailed Donation Proposal and receipt of confirmation that the donor agrees to satisfy those conditions identified through internal staff consultation, staff confirms that the proposed donation satisfies the donation criteria set out in the Art and Monuments Donation Policy. Staff therefore recommend that the donation be accepted and installed as described in the Detailed Donation Proposal, and conditions letter upon the successful completion of a donation agreement between the City of Hamilton and The Rwandan Canadian Community of Hamilton.

ALTERNATIVES FOR CONSIDERATION

N/A

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Built Environment and Infrastructure

Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

Culture and Diversity

Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report PED19237 – Detailed Donation Proposal

Appendix “B” to Report PED19237 – Conditions Letter

KC:ro