



STAFF REPORT ACTION REQUIRED

Donation toward revitalization of Holocaust Memorial in Earl Bales Park

Date:	August 22, 2013
To:	Parks and Environment Committee
From:	Jim Hart, General Manager, Parks, Forestry and Recreation Division
Ward:	Ward 10 – York Centre
Reference Number:	P:\2013\Cluster A\PFR\PE22-091613-AFS#18204

SUMMARY

The purpose of this report is to seek approval from City Council to accept an in-kind donation and to enter into a construction agreement with The Canadian Society for Yad Vashem to renovate and improve the Holocaust Memorial in Earl Bales Park, in accordance with the terms and conditions described in this report.

RECOMMENDATIONS

The General Manager of Parks, Forestry and Recreation Division recommends that:

1. City Council accept an in-kind donation valued at approximately \$600,000 for renovations and improvements to the Holocaust memorial in Earl Bales Park in compliance with the Policy on Donations to the City for Community Benefits.
2. Authority be granted to the General Manager, Parks, Forestry and Recreation to negotiate and enter into an agreement with The Canadian Society for Yad Vashem for the construction, completion and ongoing maintenance of the Holocaust Memorial in Earl Bales Park, in a form and content satisfactory to the City Solicitor, such agreement for the maintenance component to be for a term of ten years, renewable at the City's option.
3. Following the successful negotiation of an agreement between The Canadian Society for Yad Vashem and the City, that the General Manager, Parks, Forestry and Recreation and the Chief Financial Officer submit a report to City Council to establish a reserve fund called the “Holocaust Memorial Maintenance Reserve Fund” to receive funds for the ongoing maintenance of the memorial, such maintenance

funds to be donated to the City by The Canadian Society for Yad Vashem and to total 10 per cent of the total project budget.

Implementation Points

The Canadian Society for Yad Vashem will procure all materials and supplies and carry out the construction of the Memorial in accordance with all City by-laws, policies and contractual requirements including compliance with the City's Fair Wage and Contractual Obligations in the Construction Industry Policies to the satisfaction of the City Solicitor and the General Manager of Parks, Forestry and Recreation.

Completion of the project will be commemorated with a ceremonial event organized by The Canadian Society for Yad Vashem.

Financial Impact

There are no financial impacts resulting from the renovations and improvements to the Holocaust Memorial in Earl Bales Park.

Toronto Cultural Services maintains the memorial flame portion of the existing Holocaust Memorial, 1991 by Ernest Raab, as part of the outdoor art and monument collection maintenance program. Other components are Raul Wallenberg Memorial, 1996 by Ernest Raab, and Jose Rizal Memorial, 1998 by F.B. Caede.

The value of the proposed renovations and improvements to the Holocaust Memorial is estimated at \$600,000 and construction will be 100% funded by The Canadian Society for Yad Vashem.

Parks, Forestry and Recreation currently maintain the grounds at the site of the Holocaust Memorial and the maintenance cost of the memorial is estimated at \$7,500 per year. This annual maintenance cost is included in Parks, Forestry and Recreation's 2013 Operating Base Budget.

Following the successful negotiation of an agreement between The Canadian Society for Yad Vashem and the City, a reserve fund called the "Holocaust Memorial Maintenance Reserve Fund" will be established to receive funds for the ongoing maintenance of the memorial. These maintenance funds will be donated to the City by The Canadian Society for Yad Vashem and will total 10 per cent of the total project budget.

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

ISSUE BACKGROUND

Based in Israel, Yad Vashem is the world center for holocaust research, education, documentation and commemoration. The organization has representative bodies in countries throughout the world.

The Canadian Society for Yad Vashem memorial site is located in Earl Bales Park. The Holocaust memorial site was constructed by the founders of The Canadian Society for Yad Vashem as a permanent reminder not only of the Holocausts devastating toll on humanity, but the triumph of the spirit over sorrow and calamity.

The Society's Memorial flame was unveiled in 1991, and the Wall of Remembrance followed in 2001. The eight marble walls that encircle the site are engraved with the story of the Holocaust, the names of Canadian family members who perished in the Holocaust, and Holocaust Survivors who rebuilt their lives in Canada and have since passed on. The Canadian Society for Yad Vashem is one of the largest and most prominent societies among Yad Vashem's 28 representative bodies worldwide. The Society supports Yad Vashem's initiatives and implements its important vision across Canada. Through its educational and commemorative activities, the Society ensures that the Holocaust and its lessons are forever engraved in the memory of humankind.

COMMENTS

Staff have reviewed the Policy on Donations to City for Community Benefits and determined that the proposed donation is compliant with the policy.

Subsequent to the approval of Council, the General Manager of Parks, Forestry and Recreation, in consultation with the Legal Services Division, will negotiate and enter into a construction and maintenance agreement for the proposed renovations and improvements to the memorial in accordance with all applicable statutes, by-laws, policies and contractual requirements of the City, including the following:

1. The donor, The Canadian Society for Yad Vashem (the "Proponent") will retain a design architect for the project to act as the Project Manager who will co-ordinate all work and approvals through the General Manager, Parks Forestry and Recreation. The design architect will be a member in good standing of a respected professional organization (e.g. Ontario Association of Architects, Ontario Association of Landscape Architects or Professional Engineers of Ontario) approved by the City. The design architect will be designated as the "Constructor" under Occupational Health and Safety Act (OHSA), and will be responsible for coordinating all contractors insurance and WSIB certificates and submitting them to the City.
2. The project will be carried out at the sole expense of the Proponent, in accordance with all applicable statutes, by-laws, policies and contractual requirements of the City including but not limited to the City's Fair Wage and Contractual Obligations

in the Construction Industry Policies. A list of all contractors will be submitted to the City for review for Fair Wage and Union compliance.

3. The design architect will submit detailed drawings for the project that will be subject to review and approval by the City.
4. All construction materials and plant materials used in the construction of the Memorial will require pre-approval by the City in advance of procurement and the design architect will provide warranties for the work and materials used in the build.
5. Upon completion of renovations and construction of the memorial, the design architect, the Proponent and City staff will meet to review the completed work. Only when the work is deemed satisfactory to the City, will City sign off on the City's acceptance in accordance with the agreed upon design plans. The memorial will continue to be the property of the City of Toronto.
6. All volunteers utilized in memorial and horticultural maintenance of the memorial will be required to complete and sign the City's approved volunteer participation form and will receive an orientation by City staff on the specific activities.
7. The Proponent will provide all required insurance and indemnities including but not limited to a performance bond and labour and material payment bond in the amount of 50 per cent of the value of the project.

No work will commence until an agreement has been reached and the source of funding confirmed. In addition, ten percent of the total project budget is to be deposited into a reserve fund to be established to cover ongoing maintenance.

It is anticipated work on this project, if approved, will be undertaken in the spring of 2014.

This project has been reviewed and recommended by the Official Gifts, Public Art and Commemorations staff committee and has the support of both the Ward Councillor and the local community.

CONTACT

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SIGNATURE

Jim Hart
General Manager, Parks, Forestry and Recreation

ATTACHMENTS

Attachment 1: The Holocaust Memorial at Earl Bales Park Revitalization Plan presented by The Canadian Society for Yad Vashem