



Report
Staff Report
The Corporation of the City of Brampton
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Date: 2024-02-20

Subject: **Revised Tamil Genocide Monument Design**

Contact: Kelly Stahl, Director, Cultural Services

Report number: Community Services-2024-186

RECOMMENDATIONS:

1. That the report from Kelly Stahl, Director, Cultural Services to the Council Meeting of February 28, 2024, re: **Revised Tamil Genocide Monument Design**, be received;
2. That Council approve the proposed revised design for the Tamil Genocide Monument;
3. That subject to the proposed revised design meeting the site specifications, staff be directed to dispense with the surplus declaration process and negotiate a Site Agreement with the National Council of Canadian Tamils (NCCT), inclusive of the NCCT assuming all costs related to the monument, including, without limitation, fabrication, installation, ongoing maintenance, and deaccessioning;
4. That Council delegate the authority to the Commissioner, Community Services to execute such agreement and/or other documents as may be required to implement Council's resolutions and directions relating to the Tamil Genocide Monument, including such terms and conditions as may be satisfactory to the Chief Administrative Officer and in a form acceptable to the City Solicitor or designate; and
5. That staff be directed to develop a comprehensive Commemoration Policy to govern the creation, placement, and management of monuments, memorials, and other forms of commemoration on municipally owned properties.

OVERVIEW:

- At their regular meeting on June 8, 2022, Council provided approval (CW293-2022) to proceed with the installation of the Brampton Tamil Association's Monument at Chinguacousy Park, subject to the revised design.
- At their regular meeting on November 1, 2023, Council approved a motion (C267-2023) for the National Council of Canadian Tamils (NCCT) to lead the project of constructing the Tamil Genocide Monument with the assistance of

- the City of Brampton, Brampton Tamil Association (BTA), Brampton Tamil Seniors Association (BTSA), and other relevant stakeholders.
- The NCCT, in consultation with relevant stakeholders, has proposed a revised design (see Attachments 1 and 2) for Council's approval.
- The NCCT aims to retain ownership of the monument and seeks a long-term license (Site Agreement) with the City. Therefore, Council needs to provide approval to dispense with the surplus declaration process and negotiate a Site Agreement with the NCCT.
- Subject to Council's approval, staff will ensure that the approved design meets site specifications, formalizing details in the Site Agreement with the NCCT.
- The NCCT will bear all costs related to the monument's fabrication, installation, deaccessioning, and ongoing maintenance.
- There is no financial impact resulting from the adoption of the recommendations outlined in this report.
- This report seeks approval for the proposed Tamil Genocide Monument while highlighting the opportunity to develop a Commemoration Policy to guide decision-making for future projects.

BACKGROUND:

Council Resolution and Project Initiation

At their regular meeting on June 8, 2022, Council provided approval (CW293-2022) to proceed with the installation of the Brampton Tamil Association's Monument at Chinguacousy Park, subject to the revised design.

At their regular meeting on November 1, 2023, Council requested (C267-2023) that the NCCT lead the project to build the Tamil Genocide Monument, with the assistance of the City of Brampton, the Brampton Tamil Association (BTA), the Brampton Tamil Seniors Association (BTSA), and all other relevant stakeholders.

The National Council of Canadian Tamils (NCCT) is a leading national organization representing Tamil Canadians in Canada, advocating on behalf of Tamil people to achieve recognition, accountability, and justice for the Tamil Genocide committed against them in Sri Lanka.

The National Council of Canadian Tamils Proposed Revised Design

As a result of leading this project, the NCCT, with support from relevant stakeholders, is proposing a revised design detailed in Attachments 1 and 2 of this report. As per Council resolution C267-2023, this monument will remember and memorialize the Tamil people's lives lost during the Tamil Genocide.

Staff is working with the NCCT to support the monument's technical approval, installation, and other terms to be outlined in the Site Agreement.

CURRENT SITUATION:

Parks and Recreation staff collaborated with relevant stakeholders to select a location within Chinguacousy Park for the Tamil Genocide Monument, which Council approved at the June 8, 2022 Committee Meeting (CW293-2022). The proposed site, measuring approximately 10m x 8m, offers excellent visibility and access without negatively impacting nearby park amenities.

Given the approved site, the NCCT, supported by BTA and BTSA, is presenting the revised design concept outlined in Attachments 1 and 2. The NCCT is responsible for independently managing the monument's procurement and installation, with assistance from City staff.

As the NCCT aims to retain ownership of the memorial, the City must provide a license to the NCCT to locate its monument on the site and grant access rights to perform its obligations. In order to negotiate a long-term license with the NCCT, this report seeks Council approval to dispense with the surplus declaration process (this allows for the Site Agreement to be 21+ years in length).

The Site Agreement allows the NCCT's monument to be installed at Chinguacousy Park and to remain on City property, contingent upon meeting specific requirements, including that the site remains open and accessible to the public and that the NCCT assumes all obligations and costs associated with the monument, without limitation, including fabrication, installation, insurance, maintenance, repair, and eventual deaccessioning, removal, and disposal.

Staff is assisting the NCCT in obtaining technical approval for the monument, overseeing its installation, and outlining terms in the Site Agreement. Any further revisions to the proposed design directed by City staff will be made to ensure the monument aligns with the specifications of the agreed-upon location, with efforts made to minimize impacts on the presented design. Staff will continue to work with the NCCT to finalize the Site Agreement and will provide project updates to Council at key milestones throughout the construction process.

Policy Framework for Monument Approval

Under the Council-approved Interim Framework for Public Art on Municipal Infrastructure (CW521-2021), civic monuments and memorials intended to honour individuals, groups, or events of significant importance to Brampton are subject to Council approval.

In alignment with other municipalities and to support the growing number of requests for monuments and memorials on municipally-owned properties, staff recommend establishing a comprehensive Commemoration Policy to guide future initiatives.

Staff propose initiating the process by developing a simplified interim commemoration framework, outlining basic principles, criteria, and procedures for evaluating and approving commemorative projects. Following the establishment and implementation of this interim framework, the development of the comprehensive Commemorative Policy will be informed by the insights gained and lessons learned during its implementation.

CORPORATE IMPLICATIONS:

Financial Implications – There is no financial impact resulting from the adoption of the recommendations in this report. The NCCT will agree to assume full costs of the monument project including, without limitation, fabrication, installation, deaccessioning, and ongoing maintenance.

Legal Implications – Legal Services will work with Staff to review a Site Agreement with the NCCT and will approve as to form an agreement on terms which the Chief Administrative Officer finds appropriate and applicable for the City.

STRATEGIC FOCUS AREA:

This report aligns with the Strategic Focus Area of Culture and Diversity, emphasizing cultural diversity, fostering cross-cultural understanding, and promoting artistic expression and production.

CONCLUSION:

Staff recommends approval of the revised design proposed by the NCCT for the Council-approved Memorial Project at Chinguacousy Park. Upon Council approval of this report, staff will work with the NCCT to finalize a Site Agreement that clearly outlines ownership and responsibilities for the maintenance and ongoing management of the monument. Further, through developing a Commemoration Policy, the City of Brampton aims to establish a robust framework that upholds best practices and ensures the thoughtful and meaningful integration of monuments and memorials into public spaces.

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Chief Bill Boyes
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Chief Administrative Officer

Attachments:

- Attachment 1 – Tamil Genocide Monument Rendering
- Attachment 2 – Tamil Genocide Monument Layout Plan