

Report to Community and Protective Services Committee

To: Chair and Members
Community and Protective Services Committee

From: Cheryl Smith
Deputy City Manager, Neighbourhood and Community-Wide Services

Subject: Byron Monument Donation to Springbank Park

Date: January 8, 2024

Recommendation

That, on the recommendation of the Deputy City Manager, Neighbourhood and Community-Wide Services, the following actions **BE TAKEN** with respect to the proposed donation of Byron Monument to the City of London for Springbank Park per Sections 4.1a) and 4.2b) of the City of London Donation Policy:

- a) that the donation of the Byron Monument and cash contribution of \$200,000 for installation and maintenance from the Byron-Springbank Legion Branch 533 (Monument Consortium) **BE ACCEPTED IN PRINCIPLE**; it being noted that the preliminary estimate of the total cost of the Byron Monument Project is \$400,000 to be fundraised by the Monument Consortium.
- b) that the acceptance identified above in part a) **BE CONDITIONAL** upon the Corporation entering into a formal Agreement for the work to be done related to the detailed design/fabrication, site placement, construction, ownership/maintenance of this Byron Monument donation at Springbank Park including a written valuation by an independent appraiser or other third-party supporting documentation to substantiate fair market value;
- c) that Civic Administration **BE DIRECTED** to report back at a future meeting of the Community and Protective Services Committee with a formal Agreement related to the approval in part a), above.
- d) that Byron-Springbank Legion Branch 533 (Monument Consortium) **BE THANKED** for their generous donation.

Executive Summary

This report seeks Council approval to accept the Byron Monument (and cash contribution of \$200,000 for installation and maintenance) donation to the City of London for Springbank Park, as per Sections 4.1a) and 4.2b) of the City of London Donation Policy, from the Byron-Springbank Legion Branch 533 (Monument Consortium).

The acceptance of this donation “in principle” is proposed to be conditional upon the Civic Administration reporting back at a future meeting of the Community and Protective Services Committee with a formal Agreement with the Byron-Springbank Legion Branch 533 for the detailed design/fabrication, site placement, construction, ownership/maintenance of the Byron Monument at Springbank Park including a written valuation by an independent appraiser or other third-party supporting documentation to substantiate fair market value.

Linkage to the Corporate Strategic Plan

The Byron Monument Donation proposal is aligned with the following strategic areas of focus in the City of London Strategic Plan 2023 – 2027:

- Wellbeing and Safety – Londoners have a strong sense of belonging and place; Create cultural opportunities that reflect the arts, heritage, and diversity of the community.
- Climate Action and Sustainable Growth – Infrastructure is built, maintained, and secured to support future growth and protect the environment; Continue to develop and maintain cultural assets in the community.

Analysis

1.0 Background Information

Byron-Springbank Legion Branch 533 holds an annual Remembrance Day service in November in front of the Byron Library and Legion that requires blocking off Commissioners Road West for the Remembrance Day Parade. The Byron-Springbank Legion suggested that traffic congestion and public safety concerns could be alleviated if a new Byron Monument that paid tribute to veterans, could be erected in Springbank Park.

The proposed site location for the Byron Monument by the Byron-Springbank Legion Branch 533 would be at the end of North Street in Springbank Park, designed as a roundabout at the end of the parking lot (see Appendix 'A'). This proposed location will be reviewed with Parks and Forestry Division, subject to detailed design and further discussions with Parks Operations Division.

South Korean artist Kay Jang, who lives in London worked with the Byron-Springbank Legion Branch 533 to create a preliminary conceptual design (see Appendix "B") for the Monument that would fit within the proposed roundabout site. The purpose of the Monument is to honor our veterans and draw attention to their contribution to our city and society. It is to indicate that while some who served died, others were able to return to their homes and support others. The Monument is intended to be a non-lighted piece of art for contemplation as people walk by that will function as a reminder of our peace, security, freedom, and sacrifice.

1.1 Previous Reports Related to this Matter

- City of London Donation Policy, Enacted June 13, 2017
- Public Art and Monuments Policy, Enacted June 26, 2018

2.0 Key Issues and Considerations

2.1 The City of London Donations Policy

The Donations Policy [Donations Policy | City of London](#) includes the following definition of a donation: "means a gift, bequest, financial contribution, or in-kind contributions of tangible property such as art." The following sections of the Donations Policy apply to the proposed financial contribution and the Byron Monument tangible property proposed to be donated to the City from the Byron Monument from the Byron-Springbank Legion Branch 533 (Monument Consortium):

Accepting Donations

Section 4.1a) states that "the City reserves the right in its sole discretion to accept or decline any donation", and that "donations exceeding \$100,000 will be presented to City Council."

Section 4.1h) Where the donor requests that conditions be placed on the use of the Donation, Legal Services must be consulted to ensure that the appropriate agreements are prepared prior to accepting the Donation.

Gift In-Kind

Section 4.2a) In-kind Donations to the City must be free and clear of all encumbrances, conditions and restrictions and shall provide that use of the property shall be entirely at the discretion of the City. Section 4.2b) further requires that “final acceptance of an in-kind donation will require a transfer of title or ownership through a written agreement as to the future use and disposition” of the amenity.

In keeping with the City’s Donations Policy, the Civic Administration recommends that the donation of the financial contribution and the Byron Monument from the Byron-Springbank Legion Branch 533 (Monument Consortium) be accepted “in principle” until a formal Agreement is brought forward at a future meeting of the Community and Protective Services Committee for approval.

2.2 City of London Public Art and Monuments Policy

The primary purpose of this Public Art and Monument Policy [Public Art / Monument Policy | City of London](#) is to provide a mechanism through which the City of London can acquire significant pieces of public art/monuments (including cenotaphs) for municipally owned public space through their purchase, commission, or donation. The Byron Monument Project would be considered to be a donation under this Policy.

2.3 Detailed Design, Site Placement and Construction of the Monument

If approved, the Monument will be designed and fabricated at an estimated cost of \$100,000 by the Byron-Springbank Legion Monument Consortium for 2025 to be compliant with all applicable legislation in consultation with the Parks and Forestry Division. The detailed design of the Monument will encompass all considerations associated with risk mitigation, legal compliance including heritage alteration permit approval for Springbank Park, accessibility, and health and safety.

The Parks and Forestry Division will support the installation, including coordinating the construction of footings and surrounding hard surface/landscape) based upon the terms and conditions agreed upon in a formal Agreement.

Per the Public Notice Policy for recreation facilities and parks, public notice will commence upon Council approval to accept the donation from the Byron-Springbank Legion Branch 533 (Monument Consortium). This Public Notice will remain in place for a minimum of six weeks prior to any work beginning and will inform the public that this work will not displace any of the parks existing uses or any of its existing amenities.

3.0 Financial Impact/Considerations

There is no new funding being requested by Administration through this recommendation report for the receipt of this donation or impact on the City’s 2024 – 2027 Multi-Year Budget. Initial discussions have taken place with the Byron-Springbank Legion Branch 533 (Monument Consortium), and the anticipated preliminary budget for the installation of this project by the City includes:

Byron Monument Construction and Maintenance Components	Preliminary Budget Estimate
Paving and retaining walls	\$105,000
Planting beds and landscape restoration	\$ 15,000

Byron Monument Construction and Maintenance Components	Preliminary Budget Estimate
Site furniture and plaque	\$ 20,000
Maintenance Contribution	\$ 10,000
Contingency	\$ 50,000
Total Cash Funding to City	\$200,000

The maintenance of the Byron Monument would be part of the City's Public Art and Monument Lifecycle Cultural Renewal (LCR) Program that is managed by Culture Services in partnership with the City of London's Facilities Division. This maintenance management would require a cash contribution of \$10,000 from the Byron-Springbank Legion Branch 533 (Monument Consortium).

The Byron-Springbank Legion Branch 533 (Monument Consortium) will be launching its fundraising campaign in 2024 to raise approximately \$400,000 in funds from the community to cover the total project costs of the Byron Monument. The following are the additional Byron Monument creation, valuation, transportation and crane placement and education components that are required for the completion of this project:

Byron Monument Creation, Valuation, Transportation, Placement and Education Components	Preliminary Budget Estimate
Design and fabrication of Monument	\$100,000
Professional third-party valuation of the Byron Monument	\$1,000
Transportation and Crane	\$7,000
Education	\$75,000
Contingency	\$17,000
Additional Funding Required	\$200,000

Conclusion

Once the Byron-Springbank Legion Branch 533 (Monument Consortium) has raised the required amount of fundraising (preliminary estimate \$400,000) to complete the Byron Monument Project, Civic Administration will come back to a future Community and Protective Services Committee meeting with a formal Agreement for approval between the City of London and the Byron-Springbank Legion Branch 533.

Prepared by: Robin Armistead, Manager, Culture Services

Concurred by: Paul Yeoman, Director, Parks and Forestry

Recommended by: Cheryl Smith, Deputy City Manager, Neighbourhood and Community-Wide Services

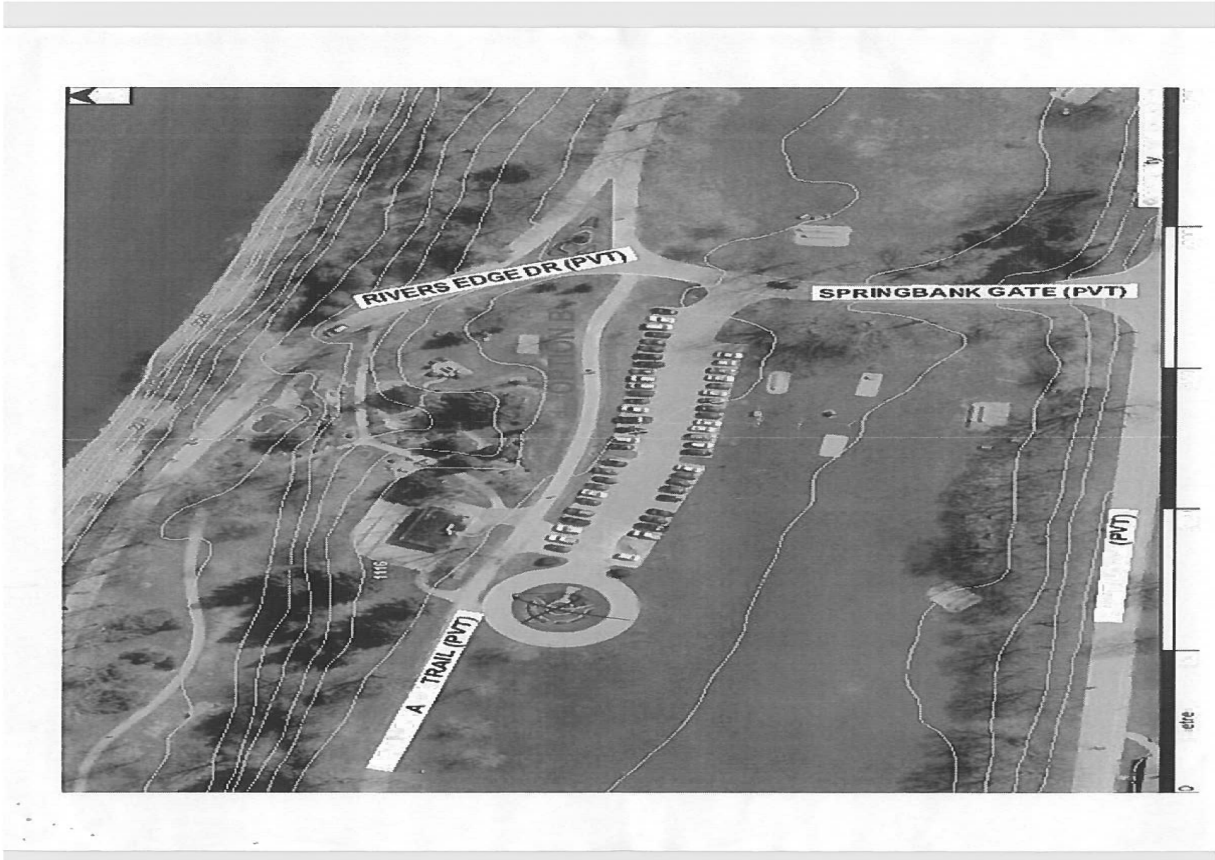
cc: Reverend Frank Mantz, Byron Monument Committee Chair

Ed Holder, Byron Monument Committee Member

Appendix A: Proposed Site Location in Springbank Park

Appendix A is the the Byron-Springbank Legion Branch 533 (Monument Consortium) proposed site location aerial photo of the end of North Street in Springbank Park designed as a roundabout at the end of the parking lot.

This proposed location will be reviewed with Parks and Forestry Division, subject to detailed design and further discussions with Parks Operations Division.



Appendix B: Proposed Byron Monument

Appendix B is the preliminary conceptual design of the proposed Byron Monument provided to the City by the Byron-Springbank Legion Branch 533 (Monument Consortium).

