

# RAIC | IRAC

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November 20, 2015

The Right Honourable Justin Trudeau  
Prime Minister of Canada  
Langevin Block  
Ottawa, ON K1A 0A2

Dear Prime Minister:

We are pleased that the Minister of Canadian Heritage is re-examining the Memorial to the Victims of Communism project. Our coalition of civil society organizations respectfully requests to be part of the consultation process.

Our organizations, representing architecture, landscape architecture, urban planning and heritage professionals, are strongly opposed to the proposed location of this memorial in the Judicial Precinct adjacent to the Supreme Court of Canada.

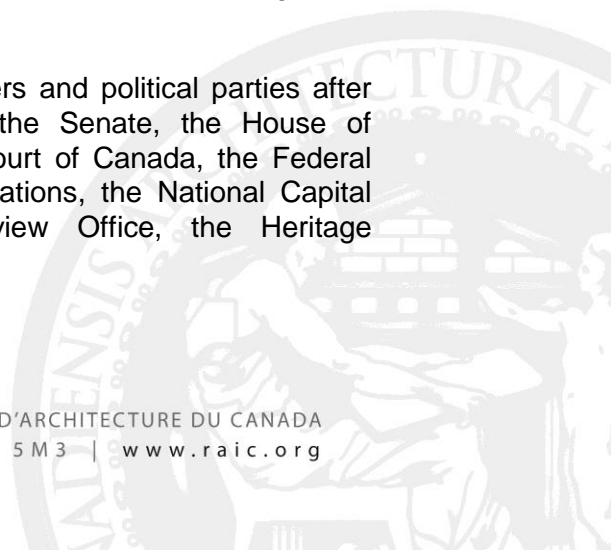
Working together as a coalition, we campaigned for almost a year to persuade the former government to relocate the memorial. We also took the step of applying to the Federal Court to prevent construction on the site before securing all formal approvals.

Through this campaign, we became acutely aware of the vulnerability of the Parliamentary and Judicial Precincts to arbitrary development inconsistent with the broader, approved plans for the Parliamentary and Judicial Precincts.

The buildings and grounds of these precincts are among the most significant in Canada and have been part of our history since before Confederation. They project a visual symbol of the pillars of our democracy—the legislative branch and the judicial branch.

The precincts have been shaped by a series of urban design plans going back nearly a century. Developed by Canada's finest architects, urban designers, and landscape architects for the Government of Canada, the plans culminated in the *Long Term Vision and Plan* (LTVP) of 2007.

Importantly, the LTVP was approved by all stakeholders and political parties after extensive consultation. These stakeholders include the Senate, the House of Commons, the Library of Parliament, the Supreme Court of Canada, the Federal Court, Library and Archives Canada, security organizations, the National Capital Commission, the Federal Heritage Buildings Review Office, the Heritage



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Conservation Directorate and the City of Ottawa. (Although the citizens of Canada were not part of the approval process, they are also stakeholders.)

Despite this approval, Canada's previous government attempted to alter the Judicial Precinct in an intrusive and destructive way, without reference to the LTVP and due process.

We remain very concerned that an executive order was able to override the LTVP. We believe that the LTVP and the two precincts are not adequately protected by law—and that perhaps Members of Parliament are not fully briefed on the history and importance of the precincts and the LTVP.

There are gaps in the legislation protecting Canada's National Capital Region. Notably, under the current *National Capital Act*, there is no special designation or protection provided for the Parliamentary and Judicial Precincts. We would recommend that the *Act* be reviewed and amended to provide special designation and protection. Consideration should also be given to making the buildings in both precincts National Historic Sites.

Moreover, while the *Act* requires the approval of the National Capital Commission for development proposals on public land in the National Capital Region, there are no criteria outlined for this process. We would recommend that the legislation be amended to codify policies for the approval process, including policies requiring meaningful public consultation.

While certain policies already exist regarding consultation, the Department of Justice recently took the position that these policies are not enforceable. In our view, this experience highlights the need for stronger legislative safeguards surrounding the approval process for development projects on public land.

We know that the National Trust for Canada shares our concerns, has long promoted statutory protection for historic places on federal lands and is, amongst the groups, also prepared to brief and support your Minister responsible for Canadian Heritage in this regard.

We realize that you and your Cabinet have an extensive and challenging agenda, and sincerely hope that an amendment to the *National Capital Act* can make its way onto it.



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As informed and engaged stakeholders, we welcome the upcoming consultation process and hope for the opportunity to share our perspectives with the Minister of Canadian Heritage.

Yours sincerely,



Allan Teramura, FRAIC, Vice-President of the Royal Architectural Institute of Canada  
on behalf of:

Royal Architectural Institute of Canada  
Canadian Institute of Planners  
Canadian Society of Landscape Architects  
Architectural Conservancy Ontario  
Heritage Ottawa  
Canadian Architect magazine  
Barry Padolsky, FRAIC  
Shirley Blumberg, FRAIC

cc: The Honourable Mélanie Joly, P.C., M.P., The Honourable Judy Foote, P.C.,  
M.P., The Honourable Catherine McKenna, P.C., M.P., The Honourable Mauril  
Belanger, P.C., M.P., The Honourable David McGuinty, M.P.

