

**HERITAGE
CANADA
FOUNDATION**



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**Heritage Canada Foundation Presentation to the
Standing Committee on Government Operations and Estimates
February 21, 2008**

Madame Chair, members of the Committee, thank you for this opportunity to comment on the Federal Government's Real Estate Plan and more particularly, the sale of federal heritage buildings. The Heritage Canada Foundation is an independent charitable organization with a public mandate to promote the rehabilitation and sustainable re-use of Canada's historic buildings.

Why is the Heritage Canada Foundation interested in this issue?

The federal government is a major property holder and counts more than 1300 designated heritage buildings among its holdings. That number does not include an unknown backlog of federally owned buildings 40 years old or older, but not yet submitted for heritage review (to date, about 6300 buildings have been evaluated, out of a total of about 46,000).

Canadians look to their federal government for leadership, therefore, federal actions regarding stewardship of heritage property are of interest to the Heritage Canada Foundation.

Our concerns and recommendations fall in two areas:

- The important role of the federal government as a trustee of legacy buildings
- The risk that heritage buildings leaving the federal inventory may face

The Federal Government as a trustee of legacy buildings

Federal buildings provide accommodation for federal institutions. But they do much more: traditionally, they were designed to make a big impression and to reflect our ideals as a nation and our system of government; they were built to last as public landmarks and monuments, representing the federal presence in towns and cities across the country; and they were designed to demonstrate the highest standards of design and construction, often showcasing Canada's best architects. In short, they represent a legacy that belongs to all taxpayers.

We urge you to consider PWGSC's equivalent in the United States – the General Services Administration (GSA). Like PWGSC, GSA has had to rationalize its portfolio but at the same time has recognized that some federal buildings have not only a monetary value but also a cultural value: they represent a national legacy held in public trust. GSA has been systematically exploiting and benefiting from the 'public relations potential' of their buildings through a number of innovative programs.

The US federal government also has a highly effective "heritage first" policy that increases the 'market demand' for heritage buildings both within and outside its portfolio. Since 1996, federal agencies have been required to fill their accommodation needs by turning first to underutilized or vacant heritage buildings, to the maximum extent feasible. Agencies are also required to maintain these properties to national standards.

We urge Government to follow GSA's lead in seeing its heritage buildings as assets worth retaining and investing in.

Risks posed by gaps in protection when buildings leave the federal inventory

The Minister of Public Works suggested to this committee last December that federal buildings will be in better hands in the private sector, however, a number of high-profile federal buildings that have not fared well once transferred to the private sector.

Fundamentally, the only effective strategy for protecting heritage buildings throughout changes in ownership is by protective covenants registered on title. Current disposal practice according to the Treasury Board Guide to the Management of Real Property requires the Government to make 'best efforts' toward protection, but does not make a covenant or other form of statutory protection a condition of sale. It is our understanding that the heritage buildings sold in August do not have protective covenants registered on title.

Recommendations:

1. Before considering disposal, give due consideration to the fact that some federal buildings have cultural and symbolic value – a national legacy held in public trust.
2. Consider enacting statutory protection for historic places in the form of the anticipated Historic Places Act, including:
 - statutory protection and maintenance standards for federally owned and regulated historic places;
 - 'heritage first' provisions to promote the re-use of existing heritage buildings by the federal government; and
 - mechanisms to ensure ongoing protection of historic places that leave the federal inventory, such as protective covenants and equivalent designations under provincial or territorial jurisdiction.