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Towards a New Act

Protecting Canada's Historic Places



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4. Abbotsford Sikh Temple submitted by the Khalsa Diwan Society, Abbotsford

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VALUING OUR HISTORIC PLACES

Canada's historic places represent the soul and spirit of the country. These places mark the lives and stories of those who forged Canada.

From the famed totem poles of the Haida to the Parliament Buildings to Nova Scotia's Africville, the historic district of Québec City to Newfoundland and Labrador's Cabot Tower, our historic places are as important to our Canadian identity as the maple leaf, the beaver and the Rockies.

Historic places provide tangible economic, environmental, social and cultural benefits. They contribute to the social cohesion of Canada.

Heritage buildings make cities more interesting places to live. They can revitalize downtown cores. They can also draw in tourism dollars for rural communities, small towns and urban centres alike. When visitors come to see the wonders of Lunenburg, they spend money at communities along the way and invariably stop to enjoy the pleasures of Halifax. In a very real sense then, historic places contribute to jobs, community pride and national well-being in modern day Canada.

Restoration of historic places helps the environment by capitalizing on the energy investment in the original structures, preventing unnecessary resource use and reducing the pressure on landfill sites from demolition.

Historic places connect us to our past, to our future and to each other. They provide places of learning for our children and places of understanding for both new citizens and Canadians of longstanding.

We must cherish, protect and nourish the future of our historic places. And we must never lose sight of the simple reality that Canadians of today hold our heritage in trust as a legacy for Canadians of tomorrow.

Historic places can be buildings, battlefields, shipwrecks, parks, archaeological sites and cultural landscapes, bridges, homes, grave sites, railway stations, historic districts, ruins, engineering wonders, schools, canals, courthouses, theatres or markets. They can be large and perfectly intact. They can be small and have only fragments of their history remaining. What Canada's historic places require, though, is commitment by Canadians to protect and value them.



HISTORIC PLACES INITIATIVE – AN OVERVIEW

Three years ago, the Department of Canadian Heritage and Parks Canada began a wide-ranging series of consultations on the best means to preserve and celebrate Canada's historic places. There has been a tremendous sense of cooperation and good will from the provinces and territories, municipalities, an Aboriginal Advisory Committee, Members of Parliament, other elected officials, heritage experts and volunteers, archaeologists, planners, government departments, Agencies, Crown Corporations, and a cross-section of other thoughtful and committed Canadians.

This process has taken time because it is important to be fully inclusive, open to all good ideas and focussed on undertaking the most significant and long-term heritage conservation action ever in Canada. Out of the consultations has arisen a broad-based strategy – the Historic Places Initiative – which is the most important federal heritage conservation proposal in Canada's history.

There is consensus on where Canadians will be when the Historic Places Initiative is fully implemented:

- Canadians will have built a culture of heritage conservation
- Governments will work together to achieve common goals
- Canadians will have the basic tools to protect historic places
- The Government of Canada will become a model custodian of historic places



Fortifications of Québec National Historic Site of Canada
(Photographer: P. St-Jacques, © Parks Canada)

This brief document outlines the three phases of the Historic Places Initiative.

The first phase covers action taken to date – progress made possible thanks to excellent federal-provincial-territorial teamwork.

The second phase covers plans to get the federal house in order with respect to protection of historic

places. While the plans for this phase flow from the previous consultations, it remains important to hear advice which might help fine-tune any legislative or policy action proposed by the Government. The Minister of Canadian Heritage is eager to maintain consensus as the Historic Places Initiative moves forward.



This document outlines the basic steps proposed by the Government of Canada to fulfil its obligations and to strengthen its efforts for the conservation of historic places. Those measures to make the Government of Canada a leader by example in heritage conservation form the core of the second phase of the Historic Places Initiative.

At this time, readers are particularly invited to submit their suggestions for improvements to this second phase to assist the Government in preparing legislation for consideration by Parliament.

It is the intention of the Minister of Canadian Heritage to prepare a report summarizing all responses to this consultation document. The Minister will present the report to the House of Commons Standing Committee on Canadian Heritage at an early opportunity so that Members of Parliament will have the benefit of the collective wisdom of those Canadians who have provided advice.

Possible actions for the third phase of the Historic Places Initiative are also outlined below in brief. These are ideas which are not yet ready for concrete proposals but which merit serious scrutiny.



FIRST PHASE – ACTION TO DATE

A federal-provincial-territorial working group, assisted by a variety of professionals and technical experts, has succeeded in developing the criteria for a new Canadian Register of Historic Places.

When the Register is up and running, hopefully in 2003, it will include a listing of approximately 20,000 Canadian historic places. The Register will be an important Internet-based source for planners, policymakers, developers, industry, community organizations, and teachers and students.

Major progress has also been achieved among governments in preparing for new Conservation Standards and Guidelines. These measures will provide guidance for anyone carrying out conservation work in Canada and will ensure that the Standards are in line with the most advanced and internationally accepted Standards. Over fifty pilot projects are underway across the country now to make sure that the final standards are as solid, practical and comprehensive as possible.

These two tools are being developed to give Canadians access to the knowledge they need to help conserve Canada's historic places.



Old Town Lunenburg Historic District National Historic Site of Canada

(Photographer: J-P Jérôme, © Parks Canada)



SECOND PHASE – ACTION IN THE MONTHS AHEAD

Of the 20,000 historic places expected to be on the new Canadian Register, only a small number are owned by the Government of Canada. Those federal holdings are, however, among Canada’s most important and treasured places.

Surprisingly, some of these “crown jewels” of Canada are not guaranteed conservation protection by law – including the Parliament Buildings and the Supreme Court of Canada.

Of all federal historic places, only the National Historic Sites under the jurisdiction of Parks Canada receive any protection in law. Historic places managed by other federal departments or agencies are protected, if at all, only by policy.

Except for shipwrecks covered by the Canada Shipping Act, there is currently no federal protection for archaeological resources which may be unearthed on federal land or found along Canada’s vast coastlines and ocean beds.

To address gaps in federal legislation, the Government of Canada is considering legislation to establish a new Canada Historic Places Act.

Such a bill would offer legal protection for all historic places on federal lands and protection for archaeological resources on or under federal lands or waters. The proposed legislation would also formally recognize the Canadian Register of Historic Places and commit the Government of Canada to the agreed-upon Conservation Standards and Guidelines.

For two decades, there has been a professional process for evaluating the heritage value of federal buildings more than 40 years old. The proposed legislation would extend this process to include federal agencies and Crown corporations that hold federal properties.

The federal buildings of utmost Canadian historic importance are designated as ‘classified’ Federal Heritage Buildings. Many of these are also National Historic Sites. These cover a wide range – from the Langevin Block to the Kingston Customs House to the Royal Flying Corps Hangars at Canadian Forces Base Borden. There are 264 such buildings.

Under the proposed Canada Historic Places Act, the Government would be required to ensure that its ‘classified’ buildings are appropriately maintained and protected against harmful or destructive actions. Maintenance and any proposed change or addition to a ‘classified’ building would have to be carried out in accordance with the new Conservation Standards and Guidelines.



If a 'classified' building is ever sold or leased out by the Government of Canada, specific legal instruments would be put in place to ensure that the building would continue to receive the same high level of conservation protection.

Besides those National Historic Sites owned by Parks Canada which currently enjoy legal protection, all NHS in the federal inventory would be covered by the proposed legislation as well. That would increase the total of National Historic Sites protected by federal legislation from 145 to 200.

Federal buildings with heritage value, but less than 'classified' buildings or National Historic Sites, are designated as 'recognized'. At the moment, there are 1092 'recognized' buildings. For these buildings, the proposed legislation would encourage the use of the Standards and Guidelines, and require departments, agencies and Crown corporations to take into account the heritage status of the building.

It is also the intention of the Government to incorporate a requirement that no demolition of any part of National Historic Sites or 'classified' Federal Heritage Buildings could take place without the consent of Parliament.

As part of the "Heritage First" thrust of the policy and proposed legislation, all federal departments, Crown Corporations and agencies would be required to give priority consideration to using National Historic Sites and 'classified' Federal Heritage Buildings before opting for new construction or leases.

With respect to protection of archaeological resources, proposed intervention on lands owned by the Government of Canada that involved disturbance of the grounds would require an archaeological impact assessment. This would apply both to construction projects and archaeological research projects.

The initial assessment could be a simple checklist based on archival material and knowledge of the site.

Detailed assessment and archaeological work would be required if serious potential for damage to historic artefacts exists. In such cases, archaeological permits would be issued by Parks Canada. There would be requirements for appropriate operating conditions, reporting systems and pre-arranged storage space for any artefacts that might be discovered.

It is proposed that the Canadian Museum of Civilization manage an inventory of archaeological information obtained on federal sites and that access to this sensitive information be limited in order to prevent looting or vandalism of precious historic resources.



As with other sections of the proposed legislation, the archaeological rules would apply to all federal departments, agencies and Crown corporations.

Underwater archaeological resources (except for shipwrecks covered by the Canada Shipping Act) would be protected by the proposed Canada Historic Places Act.

The proposed legislation would make legal provision for the designation of national historic persons and events as well as National Historic Sites.



Inglis Grain Elevators National Historic Site of Canada
(© Parks Canada/HRS 1996)

The proposed legislation would require federal entities to take into account in their actions the heritage value of all places on the new Canadian Register of Historic Places, including those places designated by provinces, territories or municipalities which are owned by other levels of government, community groups, heritage societies, the private sector or individual Canadians.

The Government fully appreciates that Aboriginal historic places are an enormous blessing for Canadians. As part of this second phase of the Historic Places Initiative, the Minister of Canadian Heritage will strengthen the dialogue already begun with Aboriginal people in order to discuss practical needs so that Aboriginal people may be fully engaged in the Initiative.

While many of Canada's historic places are buildings, for Aboriginal people, historic places are far more likely to be found in archaeological sites and cultural landscapes. Such places could be old settlements, trails, petroglyphs, ceremonial places, and other fragile and traditional places of hunting, gathering, celebration, commercial trade and production.



THIRD PHASE – POTENTIAL FUTURE ACTION

As the Historic Places Initiative moves forward, the Government will take careful measure of the need for financial incentives to encourage the conservation and restoration of historic buildings.

An interesting concept raised frequently by Canadians during earlier consultations is the establishment of a national trust. Such a trust could help strengthen a culture of conservation protection and promotion in Canada. It could encourage private sector investment and philanthropy in support of historic places.

While such trusts have demonstrated their worth in other countries, it is important for Canadians to examine further the feasibility of property ownership by a national trust. This, in turn, raises the serious question of the appropriate level of government funding for, and involvement with, a new national trust, set off against the perceived need for substantial trust independence. These issues are important and merit more extensive research and consultation.

It is a vital part of the Historic Places Initiative to draw upon the wisdom of Elders and others to find inspirational ways to protect historic places important to Aboriginal people and to foster a deeper appreciation among Canadians and the world of Aboriginal culture and heritage.

The Government is committed to supporting the engagement of Aboriginal people in the Historic Places Initiative and in their capacity to protect special places of traditional culture and heritage. Such measures will follow successful conclusion of the newly broadened Aboriginal consultations.



SEEKING YOUR INPUT

The conservation of Canada's historic places requires enormous effort by a vast array of Canadians. The Government is determined to engage Canadians in ensuring that our country makes the most of the Historic Places Initiative. For that reason, your comments are not only welcome but much appreciated.

Readers are asked to provide us with feedback or fresh ideas, particularly with respect to the current second phase of the Initiative relating to proposed legislative proposals.

Ongoing dialogue and consultation remain a cornerstone of our collective success as Canadians act together to honour and safeguard the historic places that have defined our country's destiny and forged our country's identity.

Please forward any comments to:

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