



5 February 2020

Attention:

Dr. Mechtild Rössler
Director
World Heritage Centre
7, place de Fontenoy
75352 Paris 07 SP, France

State of Conservation – Rideau Canal

Reference: Letter dated 04 November 2019, CLT/WHC/EUR/19/12234

Dear Dr. Rössler:

I am writing in response to your correspondence of 4 November 2019 to H.E. Madame Ayotte, Ambassador and Permanent Delegate of Canada to UNESCO regarding the ICOMOS Technical Review of: I) a proposed addition to the Château Laurier hotel in Ottawa; and II) a proposed residential building at the Rideau Marina in Kingston. As you may be aware, both proposed developments are currently subject to appeals, thus construction has not proceeded on either of the proposed projects.

The Rideau Canal was inscribed on the World Heritage List in recognition of its cultural value as an engineering work and its link to an important stage in human history. The property, and thus the limit of Parks Canada's jurisdiction, extends to the upper controlled water elevation of the canal and includes the associated lockstation grounds.

All planning and development matters on land adjacent to the canal are under the jurisdiction of the relevant local municipal authorities. As such, the City of Ottawa and the City of Kingston have delegated jurisdiction for alterations to these privately-owned properties in accordance with the *Ontario Planning Act*. In the case of the Château Laurier, the City of Ottawa also has delegated jurisdiction under the *Ontario Heritage Act*, as this act pertains to the conservation of property of cultural heritage value or interest.

Although the respective municipalities are the approval authorities for all development applications in the province of Ontario, they must also ensure that provincial requirements are met for both these proposed developments. As a result, over the past several years various Heritage Impact Assessments and Visual Impact Assessments associated with the proposed development projects have been undertaken. These were completed in accordance with the guidelines set out in ICOMOS's guidance on Heritage Impact Assessments for Cultural World Heritage Properties. Please see the attached list of Cultural Heritage Impact Statement reports, addendums, peer reviews, and viewscape studies, all of which have been reviewed by Parks Canada (Annex 1).

In accordance with Part IV of the *Ontario Heritage Act*, a Cultural Heritage Impact Assessment is required when development or redevelopment is proposed on or adjacent to a designated property. The heritage impact assessment determines if any cultural heritage resources are impacted by the proposed development and how the cultural heritage resource will be conserved in the context of redevelopment. Mitigation measures and alternative development options are also recommended. With respect to the proposed developments, this process has resulted in evolutions to the designs which have reduced heights, increased setbacks, and been intended to reduce visual impacts.

Parks Canada has been providing comments and input since 2015 on the existing request to alter the Château Laurier under the *Ontario Heritage Act* and the *Ontario Planning Act*. Similarly, Parks Canada has been providing input under the *Ontario Planning Act* since 2013 on the existing request to develop the Rideau Marina property with a residential building.

At this time, both proposed developments are subject to appeals at the Local Planning Appeal Tribunal (LPAT), formerly known as the Ontario Municipal Board, an adjudicative tribunal that makes decisions under the provincial *Planning Act*. No timeline has been established for the LPAT to provide decisions on the current appeals.

The properties are both privately owned and located outside of the boundary and buffer zone of the Rideau Canal World Heritage property. Nonetheless, Parks Canada continues to encourage that they be managed in accordance with the *Standards & Guidelines for the Conservation of Historic Places in Canada*. Parks Canada has offered the assistance of the Agency's heritage conservation specialists to explore potential options to ensure the heritage value of the properties are maintained.

With respect to ICOMOS's recommendations for updated management planning, I am pleased to confirm that Parks Canada is in the process of renewing the Rideau Canal National Historic Site Management Plan (completed in 1996, updated in 2005, and slated for renewal by December 2020). This management plan is underpinned by the *Historic Canals Regulations*, which provide an enforcement mechanism for any activities that might impact on the cultural values of the property. Management plans for Fort Henry National Historic Site and Kingston Fortifications National Historic Site, components of the World Heritage property, are also nearing completion.

Furthermore, Parks Canada maintains a comprehensive inventory of the state of conservation of all components of the Rideau Canal, and through its mandate and management plans, protects and presents the Rideau Canal National Historic Site and World Heritage site.

As with all Parks Canada managed places, the Agency engages with federal, provincial and municipal governments as well as Indigenous communities and other stakeholders to work together to implement best practices for review and planning processes associated with proposed development projects. Moreover, Parks Canada continues to advocate for stronger planning policies in municipal official plans for properties adjacent to the Rideau Canal.

The Government of Canada is committed to its role in the protection of the Rideau Canal National Historic Site and World Heritage site and is dedicated to working with partners to give full attention to the Outstanding Universal Value for which the Rideau Canal was inscribed on the

World Heritage List. Should concerns regarding the Outstanding Universal Value of the property arise in the future, Parks Canada will consider the feasibility of conducting an additional heritage impact assessment, as recommended by ICOMOS.

Please note that in order to ensure all the parties are aware of the concerns raised in your correspondence, a copy of your letter and the ICOMOS Technical Review will be shared with the National Capital Commission, the cities of Ottawa and Kingston as the municipal authorities with jurisdiction over the two development proposals under discussion, and the respective proponents.

Given that neither proposed project is in a position to proceed at this time, we will continue to monitor the situation and will take additional steps, as required, when the future of each project becomes more clear.

With respect to the open letter from supporters of the Friends of the Château Laurier enclosed in your correspondence, Parks Canada confirms that this letter was published on the Heritage Ottawa / Patrimoine Ottawa website on September 11, 2019, and it remains available for public viewing.

Thank you for taking the time to share your concerns and I trust this information is helpful.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Joëlle Montminy', with a stylized flourish at the end.

Joëlle Montminy
Vice President Indigenous Affairs and Cultural Heritage, Parks Canada Agency
and
Head of Canadian Delegation to the World Heritage Committee

Attachment:

(1): List of third party heritage impact assessment and visual impact assessment reports

c.c.: H.E. Éline Ayotte, Ambassador and Permanent Delegate of Canada to UNESCO
Christina Komorski, Deputy Director for Specialized Agencies, United Nations Division,
Global Affairs Canada
Sébastien Goupil, Secretary-General, Canadian Commission for UNESCO
Regina Durighello, Director of Advisory and Monitoring Unit, ICOMOS International
Jewel Cunningham, Executive Director, Ontario and Waterways, Parks Canada Agency
David Britton, Director, Ontario Waterways, Parks Canada Agency

Annex 1: List of Third Party Heritage Impact and Visual Impact Assessments

- (1) Cultural Heritage Impact Statement Addendum April 2019 (Château Laurier)
- (2) Cultural Heritage Impact Statement Addendum February 2019 (Château Laurier)
- (3) Cultural Heritage Impact Statement May 2018 (Château Laurier)
- (4) Urban Design Review Panel March 2019 (Château Laurier)
- (5) Architectural Design Brief text (Château Laurier)
- (6) Heritage Memo 2018 (Château Laurier)
- (7) Cultural Heritage Impact Statement from Original 2016 Proposal (Château Laurier)
- (8) Appendix A Heritage Inventory and Context Review (Château Laurier)
- (9) View from Ottawa River (Château Laurier)
- (11) View from Rideau Canal Locks (Château Laurier)
- (12) View from War Memorial (Château Laurier)
- (13) Views from Mackenzie Avenue (Château Laurier)
- (14) Views from North and West (Château Laurier)
- (15) Addendum to Heritage Impact Statement (Rideau Marina)
- (16) Addendum to Planning Rationale (Rideau Marina)
- (17) Rideau Marina Final Heritage Impact Study 27 October 2010 (Rideau Marina)
- (18) EVOQ Peer Review of Cultural Heritage Impact Statement (Rideau Marina)
- (19) A11 – KEY PLAN (Rideau Marina)
- (20) A13 – BELLE ISLAND (Rideau Marina)
- (21) A14 – BELLE ISLAND (Rideau Marina)
- (22) A15 – BELLE FAIRWAYS (Rideau Marina)
- (23) A17 – BELLE FAIRWAYS (Rideau Marina)
- (24) A18 – JOHN COUNTER (Rideau Marina)
- (25) A20 – JOHN COUNTER (Rideau Marina)