



HCF's 2010 Top Ten Most Endangered Places List

The Heritage Canada Foundation released its sixth annual Top Ten Most Endangered Places List on August 11, 2010.

The selection—presented here from the West to East Coast—was compiled from the results of HCF's call for nominations as well as those stories and news items followed throughout the year.

Vancouver Schools - Kitsilano Senior Secondary (2550 West 10th Avenue), Vancouver, B.C.—SEISMIC SHAKEDOWN

Historic Kitsilano Senior Secondary School faces demolition at the hands of an opportunistic school board using provincial seismic upgrade funding for building replacement. Kitsilano's school is emblematic of dozens of older Vancouver schools facing a similar fate.



Why it matters

Vancouver's historic schools are neighbourhood landmarks which represent a variety of architectural styles and development periods. Located at the heart of each neighbourhood, they are, in many cases, the largest, most significant and meaningful heritage landmarks in these communities. Opened in 1926, Kitsilano Senior Secondary was built on an impressive scale that demonstrated the high value placed on public education. Designed by Vancouver School Board (VSB) staff architect Frank A. A. Burns in the Collegiate Gothic style, the school was naturally lit with large operable windows and features grand stairways and entries, high ceilings and broad hallways. A Modernist-style addition was erected in 1958.

Why it's endangered

Since 2005, the British Columbia Ministry of Education's Seismic Mitigation Program (SMP) has provided a pool of money to ensure that school environments are made safer from earthquake damage. The Ministry applies a funding formula that limits the cost of a seismic

retrofit to 70% of the cost of constructing a new school, giving unfair advantage to new schools which usually provide significantly less square footage per student compared with historic schools.



Photo : Derek Von Essen

The intent of this funding is being distorted by the VSB which is taking this opportunity to build new, rather than upgrade existing schools. The board has stated that heritage is not high on its list of priorities, as it has already demonstrated by sending Sir Charles Dickens School to the landfill in 2008 using SMP funds.

There has been minimal neighbourhood consultation to date on renewal plans for Kitsilano Senior Secondary. In February 2010, the VSB released its preferred concept design for the school at a public open house. This concept would retain only the front and side façades and send the rest of the interior and the 1950s addition to the landfill.

Vancouver heritage groups point out that the VSB has yet to develop a comprehensive plan for seismic upgrade of their portfolio of schools. There appears to be a different set of rules for each individual school, rather than a coordinated approach. The VSB also refuses to recognize alternative methods of achieving seismic compliance. In other parts of BC, schools have been sequentially emptied and seismically upgraded, resulting in minimal disruption to students and no demolition.

Where things stand

Vancouver's historic schools are in peril. On July 5th the Vancouver School Board unanimously approved a plan for demolition of Kitsilano Senior Secondary in its entirety, save for the 10th Avenue façade and selected windows, doors and hand railings. The provincial government and the City of Vancouver must approve this option. Heritage Vancouver and others have come out strongly against it. If the province grants approval in the fall of 2010, construction could begin by mid-2012, with a completion date by the end of 2016.

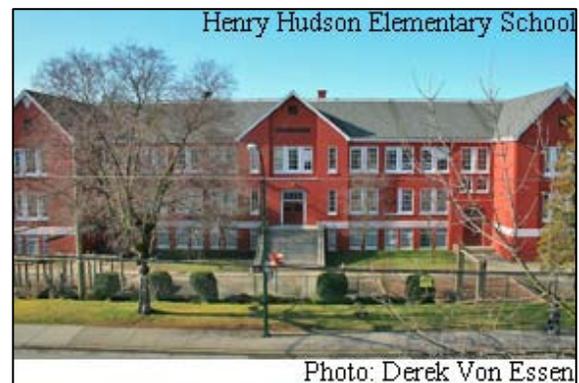
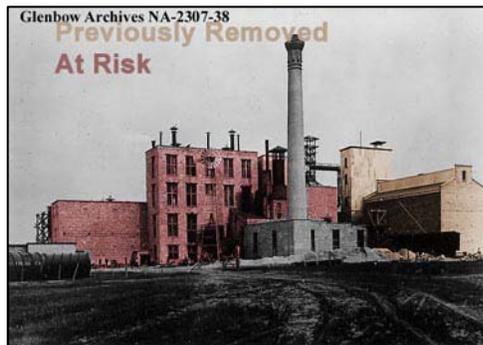


Photo: Derek Von Essen

This site was nominated by Heritage Vancouver.

Calgary Brewing and Malting Co., 1891-15th Street SE, Calgary, Alta.— BREWING FOR A FIGHT

A demolition permit is being sought for four of the oldest buildings at the Calgary Brewing and Malting Co., Alberta’s first brewery. With the property deteriorating, no redevelopment plan in place, and the required provincial Historic Resource Impact Assessment nowhere to be seen, the outcome remains uncertain.



Why it matters

Operating as a brewery since 1893, the Calgary Brewing and Malting Co. has a deep connection to its Inglewood neighbourhood (formerly Brewery Flats), and to the people of Calgary and Alberta. Associations with the “Calgary Beer” brand and the legacy of the Cross family make this place an important industrial and cultural heritage site in Alberta.

Founded by A. E. Cross, a modern industrialist and one of Calgary’s most prominent early citizens, the enterprise grew quickly with the construction of new buildings and the acquisition of smaller breweries and hotels. In 1910 the complex became the first industrial user of natural gas in Western Canada. In order to stay in operation during Prohibition, the company introduced soft drinks and aerated water into its product line. The brewery operated until 1994. Today, it is only partly occupied.

Why it’s endangered

In May 2009, the current owner (an Alberta-based numbered company) applied for a demolition permit for a series of connected historic buildings at the heart of the Calgary Brewing and Malting Co. site, without the prior knowledge of the surrounding community of Inglewood or the city’s heritage authorities. The buildings in question, the **1892 Brew House and Ale Cellars, 1903 Storage Cellars, 1905 Brew House and 1905 Racking Room Storage** are all vacant. Although several buildings on the site are maintained and used for other purposes, several have fallen into extreme disrepair. To date, there has been no move to rehabilitate the site to more active use, and no redevelopment plan made public.

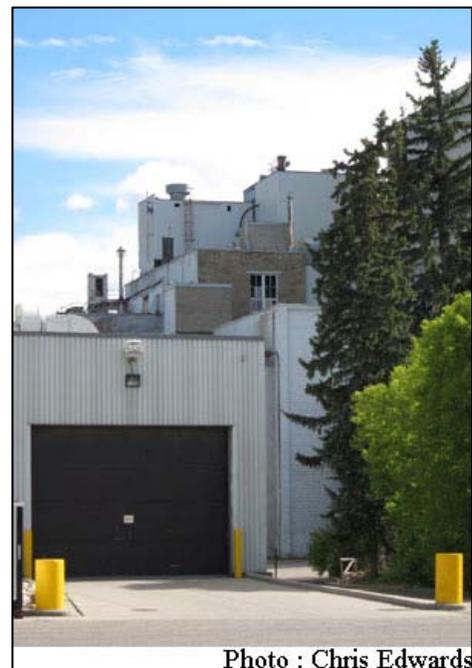


Photo : Chris Edwards

Where things stand

Heritage organizations in Calgary—the Inglewood Community Association, the Calgary Heritage Authority, the Chinook County Historical Society, the Calgary Heritage Initiative Society and the Community Heritage Roundtable—have launched a campaign directed at municipal and provincial decision makers calling for the Calgary Brewing and Malting Co.’s designation as a Provincial Historic Resource, and the retention and integration of its heritage structures into any new development. Despite this initiative, the Historic Resource Impact Assessment (HRIA), ordered by the provincial government in June 2009, has only recently been assigned to a consultant. Neither the province nor the owner can move forward until the HRIA is completed at which time it will be up to the province to decide whether to designate all or part of the site. Meanwhile the buildings continue to deteriorate.

The Calgary Brewing and Malting Company was a significant piece of the economic and social fabric of the city. Retaining and integrating the historic buildings into new development would add economic value to the site. Supporters are encouraging the province to consider the group of buildings as a whole, not as individual structures. Tearing them down would end an important legacy left by one of the founders of Calgary.

The Calgary Brewing and Malting Company was nominated by the Calgary Heritage Initiative.

Warehouse District, Winnipeg, Man.—SUCCUMBING TO PARKING LOTS AND MEGAPROJECTS.



Unchecked demolition and unsympathetic replacement buildings are diminishing a turn-of-the-century concentration of buildings unrivalled in Canada.

Why it matters

Winnipeg’s warehouse district, which includes the renowned Exchange District National Historic Site (NHS) of Canada, is arguably the finest, most intact and extensive turn-of-the-century downtown area in all of Canada. It is distinguished by the integrity of

its streetscapes and its vernacular structures as well as its larger and more architecturally exceptional buildings. The heritage value of the warehouse district to the north of the Exchange District NHS is often overlooked and less diligently protected.

Why it's endangered

While some heritage buildings in the district have been successfully restored in recent years—the Union Bank Tower (500-504 Main Street) and Kelly House (88 Adelaide Street)—the list of demolitions is growing. City Council and Historical Buildings Committee decisions have undermined the effectiveness of heritage building protection and set dangerous precedents for future development. Taken together, they demonstrate an alarming decline in civic will that threatens the long-term viability of this large and exceptional heritage district:



Photo : Clark McCaw

- In June 2010, Sport Manitoba demolished the 1884 and 1906 sections of the three-part Smart Bag Company Building (145/147 Pacific Avenue) for a sports field house, taking advantage of a surprisingly low-grade heritage status.
- Two buildings in the middle of the Exchange District NHS have received Council approval for demolition to make way for parking lots:
 - In July 2009, Council rejected a bid to designate the 1920 Grain Exchange Annex (at 153 Lombard Avenue in the heart of the Exchange District NHS), paving the way for its replacement with a parkade.
 - The Albert Street Business Block (38-44 ½ Albert Street), which includes the



Photo : Clark McCaw

oldest house in downtown Winnipeg (built in 1877), has temporarily retained its heritage status, but Council has agreed to rescind it if solid plans for a new building on the site come forward.

- In May 2008, the City development agency CentreVenture demolished the heritage designated Epic Theatre (1913)—Canada's first purpose-built movie theatre west of Montreal—along with five other historic buildings,

including two on the Historical Buildings Inventory: the Starland Theatre (a 1909 vaudeville house) and the Club Hotel (652 Main Street). The entire block was cleared away for a street front parkade and institutional building which do not respect the remaining streetscape and have diminished the heritage character of the site.

Where Things Stand

As parking and development pressures increase in the downtown, the integrity and significance of the Exchange District NHS and the larger warehouse district that surrounds it will continue to be eroded if current trends remain unchecked. Many historic late 19th century buildings in the Chinatown area, for example, are essentially being demolished by neglect.

Lansdowne Park, Ottawa, Ont.— A PUBLIC LEGACY SOLD SHORT

Ottawa city council has voted to proceed with a controversial redevelopment plan for Lansdowne Park, a publicly owned urban park adjacent to the Rideau Canal UNESCO World Heritage Site in central Ottawa.

At issue are the unconventional sole-sourced procurement approach that effectively short-circuited the normal open and competitive process that a site of this complexity and history arguably warrants, and the transference of approximately 25 percent of the site to private developers for a mixed-use residential/commercial/retail complex that is incompatible with the history and heritage of the 142-year-old park.

The proposal leaves many important financial and urban planning questions unanswered, and puts the future of at least one of the park's two designated heritage buildings at risk.

Why it matters

Lansdowne Park is a municipally-owned 37-acre public space in the heart of Canada's capital, with a prime location next to the Rideau Canal UNESCO World Heritage Site. Arguably the most important publicly-owned open space in the central part of the city, it contains two designated heritage buildings—the Aberdeen Pavilion National Historic Site (1898) and the Horticulture Building (1914)—as well as an aging football stadium connected to a large arena/exhibition space (the Civic Centre).



Photo : Rob Huntley

Since 1868, Lansdowne Park has been host to major cultural, entertainment and sporting events. Residents and visitors alike attended provincial and national agricultural and industrial exhibitions there. The roster of events later expanded to include sporting and recreational activities—CFL football, OHL hockey, local soccer and curling—and social and cultural events ranging from craft sales and farmers markets to trade shows and rock concerts.

Why it's endangered

Lansdowne Park has fallen into disrepair over the past few decades and is in need of revitalization.

In June 2010, city council voted to proceed with the unsolicited and controversial redevelopment plan in partnership with the Ottawa Sports & Entertainment Group (OSEG). This decision will see the transfer of approximately 25 percent of the public park space to OSEG for private development.

At issue is the introduction of some 300,000 square feet of mixed-use commercial/retail development and high-density residential buildings as tall as twelve storeys that are incompatible with the history and heritage of the 142-year-old park.

The proposed development will infringe on the protected view planes to the Aberdeen Pavilion NHS, as identified in its heritage conservation easement, and require the dismantling and relocation of the municipally designated Horticulture Building to make way for residential parking, despite one of its important heritage character-defining elements being its physical relationship to the adjacent Aberdeen Pavilion.

Where things stand

The Lansdowne Park redevelopment plan is highly controversial. Citizens, local organizations and elected officials have spoken out against the transfer of parts of the park for private commercial and retail development, and raised concerns about financial viability and potential impact on adjacent businesses. Every effort is being made by the local heritage group, Heritage Ottawa, to work with the city on behalf of Lansdowne Park's heritage attributes, but the group has not been formally consulted. To date, cultural heritage impact statements, required by Provincial Policy Statement, have yet to be written for either designated heritage building.

Lansdowne Park was nominated by the Glebe Community Association

Porter/McKinley Block, 1 Main St West, Ridgetown, Chatham-Kent, Ont.—A CASE OF DEMOLITION BY NEGLECT

This designated privately owned heritage building—home to one of the last remaining intact opera houses in Ontario—is decaying due to years of neglect. Unchecked water infiltration could soon begin to compromise the late 19th-century building's structure.

A solid structure that anchors a corner of the downtown, the building is a potential asset to the revitalization efforts underway in this rural town. But with owners intent on selling without investing in repairs, and property standards not being enforced, the building's future is at risk.

Why it matters

Built in 1878, this magnificent commercial building anchors a prominent corner of Ridgetown's Main Street. The brick exterior and detailed cornice remain largely intact as does the interior of the two upper floors, which are vacant.

The third floor is home to one of the last remaining opera houses in Ontario. This rare and significant architectural survivor features its original high ceilings and double-curved corners that were instrumental in projecting rich operatic sounds. The stage, drops, woodwork and paint remain; only the seating has been removed.

The building is designated under the *Ontario Heritage Act*.

Why it's endangered

Privately owned by a Michigan-based couple, the Porter/McKinley Block has been for sale for some time.

Although structurally sound, it has fallen into disrepair from years of neglect. A leading heritage restoration consultant has urged roof replacement within the year. Currently, plastic

sheeting on the third floor is temporarily preventing water seeping deeper into the building. Rubble and plaster are covering sections of the floor.

The owners are set on selling and unwilling to invest in repairs, and the municipality is not imposing the maintenance of property standards.

Where it stands

Heritage advocates have had the roof examined by a leading roof restoration firm and an application has been made to the Architectural Conservancy of Ontario's Heritage Works Program for assistance with further architectural analysis. A business plan is under development to form a not-for-profit organization to fundraise and purchase the building. But these initiatives will take time and money—limited commodities in the case of the Porter/McKinley Block. The



Photo : Sean Marshall

municipality needs to do more than mount a heritage plaque on the building; it needs to start enforcing property standards.

The Porter/McKinley Block was nominated by Heritage Chatham-Kent.

Views of Legislative Assembly of Ontario Building, Queen’s Park, Toronto, Ont.--ERASING AN ICONIC SILHOUETTE

Historic views of the Legislative Assembly of Ontario Building will be permanently disfigured if a massive precedent-setting condo tower project is allowed to proceed.

Why it matters

Public views of Queen’s Park and the Legislative Assembly of Ontario Building (LAOB) are the result of over 180 years of careful planning, design, and landscaping to establish a ceremonial and monumental setting for the site of Ontario’s provincial government. Among legislative precincts in Canada, the setting of Ontario’s Legislative building is the most carefully planned. The Province of Canada appropriated the land at the apex of University Avenue in 1853 and opened the current Legislative Building in 1893. It is an excellent example of a legislative precinct that fully capitalized on its position within a picturesque setting and at the head of a major thoroughfare in an urban city.



Why it’s endangered

In May 2010, the Ontario Municipal Board (OMB) ruled in favour of a condo project in Yorkville by Menkes Developments Ltd. that would see the construction of two towers – 133 and 127 metres respectively – on the Four Seasons Hotel property at 21 Avenue Road, directly north of the LAOB building. If erected, these tall towers would thrust above the roofline of the LAOB and disrupt its iconic silhouette, a key element

of its architectural significance when viewed from the south along University Avenue.

The Speaker of the Ontario Legislature, City Planning staff and heritage groups have all vigorously opposed the development. Prior to the OMB decision, the Ontario government’s Ministry of Municipal Affairs could have declared a “provincial interest” in the integrity of the LAOB views, thus overriding any OMB ruling.

Heritage critics pointed to comparable jurisdictions which have put in place protection for the viewplanes for their significant buildings. Beginning in 1989, the City of Ottawa established key viewpoints for important national symbols and put in place height control planes and density controls.

Both the city and the province had commissioned a detailed consultant's study confirming the delicate historic quality of the Queen's Park vista, and while the City of Toronto's current Official Plan of 2006 acknowledges that significant public views require protection and management. However, policies addressing protection of Queen's Park's setting and significant views provided in the 1993 version of the Official Plan are no longer present. This policy content was inexplicably removed in the late 1990s when the former boroughs of Metro Toronto were amalgamated into the City of Toronto.

Where Things Stand

Ontario's Minister of Culture, Michael Chan, has said that the government will not fight the controversial OMB decision. In June 2010, Ontario MPP Rosario Marchese tabled Bill 95, *An Act to prohibit the construction of certain buildings north of the Legislative Building at Queen's Park*. This private member's bill would prohibit construction of any structure that would be visible above the roof of the LAOB when viewed from the intersection of Queens Street West and University Avenue. Passage of the bill would void the May 2010 OMB decision. Debate on this bill comes before the legislature in fall 2010. This may be the last opportunity to save iconic views to Queen's Park.

Redpath Mansion, 3457 Avenue du Musée, Montréal, Qué.— RISK OF BITTER END FOR SUGAR MAGNATE'S HISTORIC HOME

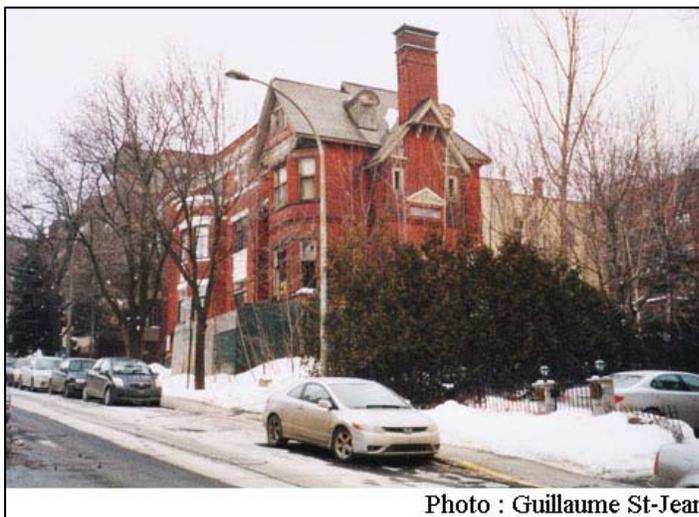


Photo : Guillaume St-Jean

Brought back from the brink of demolition twice, what remains of the Redpath Mansion—a rare vestige of the fabled Square Mile—is hovering on the brink of collapse.

Why it Matters

Designed by architect Sir Andrew Taylor, a proponent of the architectural trends imported into late Victorian Montréal, and built in 1886, the Redpath Mansion is a rare vestige of Montréal's fabled Square Mile where Canada's business elite lived in remarkable

mansions. It was built for the Redpaths, wealthy industrialists, builders of the Lachine Canal and founders of the sugar refinery that bears their name. The Redpath Mansion reflects the power and influence of Anglophone business interests in French Canada. Once the Depression hit in the 1930s, the Redpaths and other families abandoned the Square Mile area for other parts of Montréal and Canada, and their stately homes gradually gave way to commercial buildings.

Why it's Endangered

The Redpath Mansion has sat vacant for several decades and is in severe disrepair. Part of the building was demolished in 1986 before Heritage Montréal and Save Montreal succeeded in obtaining an injunction. Despite an out-of-court settlement between the parties, the owner still has hopes of demolishing the building to make way for a high-rise, and has left the remainder of the building open to the elements ever since.

Where it Stands

Since the partial demolition over 20 years ago, Heritage Montréal has continued to remind municipal authorities of the need to preserve the house and to find a way to integrate it into a development project that would respect the heritage and the urban pattern of the Square Mile. In 2002, Heritage Montreal intervened at a meeting with the arbitration commission of the City of Montréal to prevent a demolition permit from being issued, but the City has shown little interest in enforcing its maintenance and repair since. The non-profit organization has also proposed that the site and pieces of the house be integrated into a pedestrian path that would link Mount Royal to Sherbrooke Street, where the Montreal Museum of Fine Arts hopes to design a sculpture garden as part of its Canadian art pavilion project.

The “Company Houses” of Industrial Cape Breton, N.S.—DISAPPEARING HERITAGE



The once prolific workers cottages, known as “company houses,” that dotted the landscape of industrial Cape Breton are beginning to disappear due to abandonment and neglect. Despite their historic and cultural significance none have been given a municipal or provincial designation.

Why they matter

Built between 1850 and 1920, the Cape Breton “company houses,” by large mining and steel companies to house workers and in some cases managers, the Cape Breton “company houses” form part of the region’s distinctive visual identity. They can be found in the former industrial communities of Sydney, Glace Bay,

Dominion, New Waterford, North Sydney, Donkin and Sydney Mines, as well as the town of Inverness (on the west side of the island).

The company houses (prominent in Canadian cinema and literature) evoke the colourful—and occasionally painful—stories of Cape Breton’s social history, labour-movement roots, and tight-knit, multicultural neighbourhoods where cooperatives and credit unions were pioneered. When someone from Glace Bay says, “I’m from Number 2” or “I’m from The Hub,” they are referring to particular districts of company houses close to coal mines.

By the 1940s, most of the company houses had been sold to miners and steelworkers. Those that survive are small (between 700 and 1,000 square feet), Gothic Revival-style duplexes, and some singles. There is one remaining intact long-row in Sydney Mines that dates from the 1840s. The unpretentious dwellings are reminders of the tenacity and hard work of their residents.

Why they’re endangered

The greatest threat is neglect. With the coal mines and steel plant closed, the region’s overall population is in decline. Many of the houses are vacant. Vandalism and arson are a major concern for the authorities. Problems of abandonment and neglect are made worse as homeowners gravitate towards the suburbs, resulting in the decline of older urban neighbourhoods.



Photo : Tom Urbaniak

Although more than 1,500 units remain, the number is rapidly declining. Despite their importance to the industrial and social history of the region, not one company house—or district of company houses—has been given a municipal or provincial heritage designation.

Where Things Stand

Advocates for their preservation are looking at opportunities for connecting company houses with the need to provide affordable and assisted housing in the region. An example is the HomeMatch program that links salvageable vacant buildings with agencies serving people at risk of homelessness. Although there is no comprehensive reuse or renovation plan for company houses, a five-year business plan, soon to be completed for the region’s recently established Affordable Housing Renovation Partnership, will hopefully address the issues associated with the company houses.

St. Philip's Anglican Church, 20 Coady's Road, Portugal Cove-St. Philip's, NL—IN NEED OF SALVATION

Vandals brutalized the 115-year old St. Philip's Anglican Church by ripping off its steeple after the Town of Portugal Cove-St. Philip's refused the Diocese's application for a demolition permit. After Council designated the church a Municipal Heritage Structure, a parishioner allegedly attempted to destroy its pews. The volunteer group The Church By The Sea Inc. and the town council are working to find a solution that would save the historic church, but they are up against an intransigent church authority.

Why it matters

Once seen as the centre of the community, St. Philip's Anglican Church was built in 1894 on the foundation of the original 1848 structure. Known as the Church By The Sea, it is the oldest surviving church building in the town of Portugal Cove-St. Philip's. Built in a simple Gothic Revival style, it is set high on a bluff overlooking the sea and has been a beacon to mariners for years. Community ancestors built the church where generations were christened, confirmed, married and buried. The oldest headstone in the adjacent cemetery dates to 1801.



Photo : Town of Portugal Cove - St. Philips

Why it's endangered

Closed since the construction of a larger church nearby in 2003, the old church has been used to store recyclables. Although still structurally sound, it is beginning to deteriorate from neglect; the furnace has been disconnected and the roof is in need of repair. Last March, town council rejected an application by the Diocese to demolish. The following day, the church was brutally vandalized. The steeple was sawn through and pulled down. The town quickly responded by designating the church a Municipal Heritage Structure at an emergency meeting, posting security at the site and requesting a temporary injunction to prevent further demolition. Just days later, residents of Portugal Cove-St. Philip's witnessed a parishioner loading church pews into a truck and trailer. The man was allegedly following instructions from parish officials to cut them into shelving for the new church.

The Church By The Sea is running out of time.



Photo : Winston Fiander

Where Things Stand

A local non-profit volunteer group, The Church By The Sea Inc, wants to save the deconsecrated building and use it as a local museum. Additional support has come from the Heritage Foundation of Newfoundland and Labrador, the Newfoundland Historic Trust and from provincially and federally elected representatives.

The mayor and council has authorized the group to provide volunteer security for the site to help

prevent future vandalism. The group submitted a 13-page proposal to Rev. Edward Keeping offering to look after the building financially and suggesting sources of funding. A petition also went around town which garnered 600 signatures, 150 of those being from members of the parish.

In April, the Diocese appealed Council's decision to refuse a demolition permit and designate the property a heritage structure to the Municipal Appeals Board.

Stephen Sharpe, president of The Church By The Sea Inc., says the group is prepared to use volunteers with the appropriate skills and equipment to repair and raise the steeple back onto the church tower. In the meantime, the steeple sits where it fell last March.

Council is urging residents to come together for discussions that could lead to a resolution, but to date, despite repeated requests, the Bishop has refused to meet with representatives of The Church By The Sea group.

St. Philip's Anglican Church was nominated by Steven Sharpe of the Church By The Sea Inc.

Canada's Lighthouses—LIGHTS OUT FOR CANADA'S LIGHTHOUSES

Despite the efforts of Senators, Members of Parliament, heritage organizations and volunteer citizens to get the *Heritage Lighthouse Protection Act (HLPA)* in place, many of Canada's heritage lighthouses remain at risk.

The federal Department of Fisheries and Oceans (DFO) has declared surplus virtually all its lighthouses, numbering close to 1,000. This action effectively emasculates the HLPA and shifts the responsibility for lighthouse protection entirely onto local communities.

Why it matters

Lighthouses form an integral part of Canada's identity, culture and history. Most lighthouses are held by DFO, with a few held by Parks Canada Agency.

The Act was needed because the existing *Federal Heritage Building Policy* of 1982 is not binding on federal employees and departments, is not enforced, and does not provide for public input and consultation. As a result, federally owned lighthouses made surplus by automation, or replaced with lights on metal structures, were increasingly at risk. Examples:

- The lighthouse on **Mosher Island, Nova Scotia** was pushed over and burned to the ground when no longer needed by DFO
- The lighthouse at **Seal Island, Nova Scotia** (1830) is the oldest known operating wooden light, but is deteriorating due to lack of maintenance.

The intent of the HLPAs is “to conserve and protect heritage lighthouses”—legislation that elected officials, HCF, the Nova Scotia Lighthouse Preservation Society, and other groups across Canada worked tirelessly to enact for over 10 years.



Photo : Chris Mills

Why they're endangered

The Act allows lighthouses that are declared “surplus to operational requirements” to be designated under the HLPAs only if a person or body submits a written commitment to buy or otherwise acquire them and protect their heritage character in the event that they are designated. This acknowledges the reality that many lighthouses are no longer serving as aids to navigation, as well as the reality that DFO has no interest in continuing to invest in these structures.

However, DFO has now declared surplus not only its inactive lights, but also what appears to be almost all of its active lights, with the total surplus list numbering close to 1,000. DFO's action undermines the intent of an Act of Parliament, as follows:

1. By including active lighthouses in the list of surplus lighthouses, DFO appears to be attempting to circumvent its obligations under the Act. Active lights are by definition fulfilling operational requirements, and therefore should not be designated ‘surplus’.
2. This action by DFO makes designation of almost any lighthouse contingent on an offer to acquire or purchase. The irony is that once an offer to acquire or purchase is accepted and

ownership transferred, designation under the Act would be null and void, because the Act is limited to lighthouses in federal ownership.

3. While many communities may be prepared to make offers to acquire or purchase their local lighthouses, not all lighthouses are easily accessible and maintainable, or surrounded by an active community. Many are complex, remote structures that need regular investment and special equipment. This leaves the fate of these lighthouses, many of them unquestionably iconic and historic, yet excluded from protection under the Act due to DFO's designation of them as surplus.

Where things stand

The Heritage Canada Foundation has written to the Minister of the Environment and the Chair of the Senate Standing Committee on Fisheries and Oceans to bring attention to serious issues that have surfaced with regard to the *Heritage Lighthouse Protection Act*.