



Air photo of site of proposed Memorial to Victims of Communism (Judicial Precinct)

OTTAWA'S MEMORIAL TO VICTIMS OF COMMUNISM : HOW CAN A \$16.0M TO \$30.0M GIFT OF PUBLIC LAND BE JUSTIFIED?

Open letter #3 to Prime Minister Stephen Harper: February 20, 2015

Dear Prime Minister Harper,

I hope that your staff have been brave enough to share with you the escalating public outcry against your choice of a site in Canada's Judicial Precinct for the proposed Victims of Communism Memorial. As you know, this site was reserved for a public building to complete the "Judicial Triad" in the Government's Long Term Vision and Plan for the Parliamentary and Judicial Precincts. Locating a landscaped memorial on this site is inappropriate and squanders this inspirational vision and plan.

A broad selection of respected Canadians such as Chief Justice Beverley McLachlin, Ottawa Mayor Jim Watson, the Royal Architectural Institute of Canada, the Ontario Association of Architects, the Council of Canadians, the editorial boards of the Ottawa Citizen, Globe and Mail, Toronto Star, National Post, and Canadian Architect, as well as leading columnists like Jeffrey Simpson, John Geddes, Roy MacGregor (and the National Capital Commission's Design Committee) have unanimously advised you to choose another more appropriate site in Canada's Capital for this memorial.

If this generous advice won't deter you from your site selection, then please obtain advice from the Hon. Diane Finley Minister Public Works Government Services Canada on the undisclosed true financial cost of the Federal financial contribution, starting with the value of the public land in the Judicial Precinct to be donated for this memorial?

Once you receive this advice from Minister Finley, your reputed fiscal prudence and interest in "economy and efficiency" will certainly lead you to seek a less costly site for this memorial. The Ministry of Canadian Heritage has indicated that the Federal Government contribution will be \$4.0M including an allowance of \$1.0M for the land. This allowance is grossly underestimated. Here are the facts.

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An analysis by respected independent real estate brokers and developers familiar with the Ottawa real estate market has conservatively estimated the Fair Market Value (FMV) of this unique 5,000 M2 Judicial Precinct parcel of land to be between **\$16.0 M** and **\$30.0 M**. When Minister Finley's asks the Public Works Real Property Branch to report back, they will undoubtedly validate this estimate. As you know, the site's real estate value is created by virtue of its approved purpose for a major building, not a park. The proposed Federal Court Building intended for the site was to be 9 stories in height with a gross building area of 35,000 M2. Imagine trying to acquire an equivalent site in downtown Ottawa to satisfy the Government's office space needs for anything less than the Fair Market Value.

When you add the most conservative estimate of the land value (**\$16.0M**) to the government's announced **\$3.0M** capital cost contribution (originally **\$1.5M**) plus the design competition administration cost (undisclosed) plus contingencies (undisclosed), plus the maintenance and life cycle costs in perpetuity by PWGSC (undisclosed), the Victims of Communism Memorial project in the Judicial Precinct will cost the Canadian taxpayer at least **\$20.0M** to **\$25.0M**.

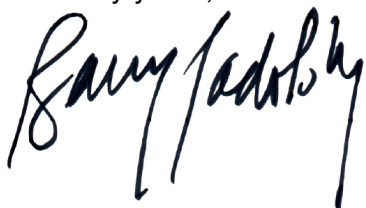
I am certain that, Minister Diane Finley, Minister of Canadian Heritage Shelly Glover and, of course Minister of Defence and Multiculturalism, Jason Kenney, could not have given due regard to the full public cost of the Victims of Communism Memorial project when they supported the Judicial Precinct site. Consider this. If the Memorial is constructed on the Judicial Precinct, will the federal contribution to this private memorial not be deserving of an audit by Canada's Auditor General? As you know, the Auditor General Act authorizes the Auditor General to examine and report to Parliament on instances where money has been spent "without due regard for economy or efficiency" (Section 7.2) "Who needs the Auditor General's examination?"

With your undergraduate and graduate degrees in economics (University of Calgary) and your commitment to balancing the Federal Budget I am certain that once Minister Finley reports to you on the full cost to the Canadian taxpayer of locating the memorial in the Judicial Precinct site, you will direct your colleagues to find a more appropriate less costly site.

The park offered by the NCC called the Garden of the Provinces 300 M west on Wellington is an appropriate site in waiting. It has the merit of being a visually prominent site on "Confederation Boulevard". If you are determined to proceed with this memorial and its space consuming design, the GOP site is available now and of significantly less real estate value.

I hope that you will give serious consideration to the financial benefits, if not the symbolic benefits of conserving the Judicial Precinct site for its original destiny as outlined in the Government's Parliamentary and Judicial Precinct Long Term Vision and Plan.

Sincerely yours,



Barry Padolsky B. Arch., M. Sc. (Urban Design), OAA, FRAIC, CAHP, RCA

Cc: Ministers Finley, Glover, Kenney, Poilievre, NCC CEO Mark Kristmanson, Mayor Jim Watson, RAIC Executive Director Ian Chodikoff, OAA President Toon Dreessen