

120 **M. CAMPBELL STUART :**

Bonsoir et merci beaucoup à la commission pour l'opportunité de vous adresser. Je représente les Amis de Parc Meadowbrook et vu du fait que je n'ai que 10, 15 minutes pour m'exprimer, if you're okay, I'll do it in English. If I had half an hour I'd do it in French.

125 **LA PRÉSIDENTE :**

Yes.

130 **M. CAMPBELL STUART :**

If you want to give a half an hour, that's good too.

135 **LA PRÉSIDENTE :**

No. Well, we're not able to do that. Sorry.

140 **M. CAMPBELL STUART :**

Okay. Les Amis de Parc Meadowbrook is an organization that's worked for many, many years, 25, 26 years for the preservation of Meadowbrook and to turn it into an urban park and accessible and free to everybody on the Island.

145 We feel that the problems and there are huge problems with the environmental treatment of the Island and its territory most notably what I would call libre-service which is paid toward environmental protection, the protection of biodiversity and green spaces where as every time we turn around we see that it's been destroyed whether it's a proposal to do it in L'Anse-à-l'Orme and Pierrefonds-Ouest or with the Parc Jean-Drapeau or with Techno Park and everywhere private interest are, I would characterized it as assaulting the public good, the public good being the need to preserve what very little is left of our green spaces for our children.

150 The memorandum that you have in front of you from Les Amis du Parc Meadowbrook is not terribly original in the sense that relies basically on three studies. One of which is the "Évaluation écologique de l'ouest du territoire de Pierrefonds-Roxboro" which was put together for the David Suzuki Foundation by some researchers at the Université du Québec en Outaouais.

And I believe Marie-Ève Roy, perhaps, from that group is actually going be making a presentation.

160 This along with the companion study, which is the impact of the Cap-Nature Real Estate
Project in Pierrefonds-Ouest on ecological connectivity or what I might call a connectivity report.
The two of those together make a very, very powerful argument for how precious these lands are
not just the wetlands but the meadows and the biodiversity and the size of the available space,
165 which in and of itself, is a very important aspect.

165 And I wouldn't want to go through it and say, okay, well this is what has to be done based on
the science. Well actually that's exactly what I'm doing but I'm not here to be the scientist but I do
take it as the fact that this is a very good report.

170 And this actually may be something new to the Commission. I believe it was on Tuesday, at
the Municipal Council Meeting, a document was tabled from the Secretariat of the Convention on
Biodiversity. It was a letter from Braulio Ferreira de Souza Dias who is the Executive Secretary
addressed to the Mayor of Montreal.

175 And I'll briefly read to you what he had to say about these studies that I just mentioned.

Finally I would like to take this opportunity to draw your attention to the report from the David
Suzuki Foundation on Biodiversity in Montreal's Borough Pierrefonds-Roxboro as attached.

180 Given the rigour of the study and the compelling evidence it presents regarding both the rich
biodiversity of the area and the presence of threatened species such as the bubble-ink, I believe it
could serve as a very valuable input to the decision making process regarding development
options for the area of Montreal.

185 This letter was written on the 8th of February of this year to the Mayor of Montreal. I mean it's
only just now been made public but I think it's an extremely important document and I thought to
give you a copy of it because basically the CBD which never gets involved, was so impressed with
this study and so concerned about the scale of the destruction which is coming to this part of the
world, if it's not stopped, that they actually went out of their way to make a statement like this,
190 which is extraordinary and I think it's worth tabling here.

195 The second study which I brought to your attention too, is a study from the CRE-Montréal
which is "Analyse du potentiel de développement résidentiel dans l'arrondissement de Pierrefonds-
Roxboro" and rather than looking at it from a point of view of biodiversity, it looks at it from practical
point of view how is the City and the borough going to comply with the principles laid down in the
PMAD which the City of Montreal itself has endorsed which is a) to preserve biodiversity and leave
that alone, have hopefully reached in the case of the City of the territory of the Island of Montreal

reached a 10% point but also to do the companion work which is to densify and to build on areas that make sense to build on.

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And this part of the world does not make sense to build on from that perspective. If we want TOD's this is not the place. If we want to build close to transport so that we don't make all of our construction going forward, car dependant, this is not the place to build.

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And the CRE does a very job and I know that Emmanuel Rondia is also already given his presentation on behalf of the CRE-Montréal.

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There are recommendations to where this could be put. So land swaps are possible, land swaps are necessary. There's lots of brown field on the Island of Montreal that we should be renaturalizing if that's the right term and allowing people to build on that and we should be saving what we have.

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The final study, so we have the environmental, we have the urban planning and the third study which is one which is produced for L'Anse-à-l'Orme by Joshua Johnson who is a lecturer at the Université du Québec à Montréal. This study is a study of whether or not it make sense from a financial point of view, from a fiscal perspective whether the tax payers of Pierrefonds-Ouest and Montreal, whether they are well served by frankly the Agglomeration. Whether those people are well served by this. And again, it turns out that it's not, private interests are going to cost this city money.

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It costs money to build infrastructure where there was none before, where in contrast one could build close to the existing infrastructure. One does not have to build on an ecoterritory in order to provide housing.

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So, again, I recommend the third study to you and I think that the three of them together really do provide a complete answer to all the issues whether it is preserving biodiversity, whether it's having the City of Montreal actually act in accordance with its own principles for urban planning and sustainable development and whether or not it's a good deal for the tax payers in each case it points in the opposite direction from what the City of Montreal apparently wishes to do in destroying this area.

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There are four recommendations that we would like to make. One of them is that the PPU proposed for Pierrefonds-Ouest as well as proposed development the Column Place be abandoned, just simply don't do it.

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Number 2, that all the L'Anse-à-l'Orme Corridor which is located in the borough of Pierrefonds-Ouest be protected from development and its affectation or zoning, however you want

to put it, designation be changed to recreational and that same redesignation be implemented for the rest of the corridor based in other boroughs and elsewhere in the Agglomeration.

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The recommendation number 3 is the City of Montreal, the borough of Pierrefonds-Roxboro negotiating conclude land exchanges with the developers proposing to build on Pierrefond-Ouest. There's no reason why the developers should be totally out of pocket. They made a speculation when they should be allowed to speculate elsewhere.

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Our recommendation number 4, this is, is I guess a little delicate. There has been some suggestions and I certainly believe that this is the case that the City of Montreal might have been a little unfair in the way that it put together the mandate for the OCPM, I understand perfectly well that you are executing the mandate you're given, you are not there to decide but you do have a power to recommend and I suggest that you consider recommending that in cases like this in the future where the question of whether or not any building should be done at all on sensitive ecologically valuable land, that the first question to answer, the first question to be considered is whether or not building on it should be allowed at all.

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And then if the recommendation is or it has an alternative or as a secondary matter on the question of the building, then the analysis of making the plan to build on it better that can then be dealt with.

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But I think it's extremely important that in this day and age, where we are very aware of how little we have left, that the recommendations that or rather the request for hearings which are given to the OCPM allow the OCPM to actually hear and consider what everybody or not everybody but I think you probably seen from the vast majority of the presentations being made and including the 18,000 plus people who have signed the petition that their point of view be given a proper hearing. And so I would ask you to recommend that it be a two-step process in the future first one do we conserve or don't we?

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And then, if we decide or if there's a decision to go ahead with the building on the land that that be a secondary question.

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I would like to add if I could another request. It's not one of the recommendations that there are formerly given in my presentation but the, and I think this has been mentioned as well before, but the borough of l'Île Bizard à Ste-Geneviève on the 6th of June 2016 passed a resolution requesting that the OCPM be given the mandate to investigate turning the whole of the L'Anse-à-l'Orme corridor into a Réserve de biodiversité et de protection contre les gaz à effet de serre visant la connectivité des espaces naturels et vers des arrondissements de l'Île Bizard, Ste-Geneviève, Pierrefonds-Roxboro et la ville de Ste-Anne-de-Bellevue.

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280 The whole of the L'Anse-à-l'Orme corridor, I would ask that, I know this is filed, I know the request was made, I don't think any responses have been given by the OCPM. I don't know enough about the procedures to know whether or not, I do know that the boroughs do have the right to request this but I don't know the procedures for actually deciding whether or not to do it but there again I think that the companion piece to first decide whether or not you want to build on it, the companion piece to that would be let's decide whether or not it should be turned into a reserve whether the OCPM might have a role to play in that.

285 I used to be the mayor of Montreal-West from 2006 to 2010. And I bring that up because it occurred to me the other night with the start just what the scale is of what's being proposed in Pierrefonds-Ouest.

290 Montreal-West that I know intimately and I'm sure everybody in this room has been there at one time, at one or two times, it's not a big town, it has 5,300 people, it has 1,900 doors and it has a 140 hectares.

295 What's being proposed here is 15,000 people, 5,500 homes, and a 185 hectares doubled up. So I bring that up only because the scale of the thing is staggering. Montreal-West is a small city but it's not that tiny.

300 The scale of the destruction which is going to be visited on this last great green space on the Island of Montreal is literally unprecedented and I don't think it make any sense to do it. I might as a companion to that, suggest that there is being some interesting terminology being used. It is no longer part of the Cap-Nature blurb video that you will be able to find if you click on their website. But it used to be that the video bragged about building on a ecoterritory literally, bragging about building on an ecoterritory.

305 Now, I understand the legal ramifications of being an ecoterritory. They're perhaps not as drastic as everybody might thing. Nonetheless, building on an ecoterritory as a tool for marketing your plan is striking.

310 And while we're on the topic of on the ecoterritory, I know that the City of Montreal has on numerous occasions rather, I don't know what the right term would be, but has on a number of occasions when asked why they are allowing building on an ecoterritory have responded well this isn't an ecoterritory.

315 But the truth is what happened which is not conscionable. Is that before the schéma d'aménagement was proposed and adopted. The City of Montreal changed the boundaries of the ecoterritory to exclude what was going to be built on so that they could properly say that it was no longer be built on an ecoterritory. That's called gerrymandering and I don't think that it's

320 appropriate, I don't think it's transparent, I have no idea how they managed to do that and if you read the schéma d'aménagement, it talks about the reasons why that was done, was in order to be consistent with existing ecological boundaries which is, I'm not gobble the youp.

The City of Montreal has not played straight on this I'm afraid and I realized that can't be part of your recommendations, but I just wanted to point that out.

325 Also, David Cliche, the lobbyist for the developers in this has said in The Gazette article on the 10th or the 9th that: Well look you know if the City wants to take this and turn it into a park then they are going to buy it, they are going to have to buy it at market rates. And they don't really have the rights to do this anyway.

330 There's so many falseness in that that I would really very much like to take a couple of minutes just to cover off a few of them. One of them is that there's this notion floating around which is propagated certainly by developers and by their lawyers when they get around to Plan B which is to sue the City to go away.

335 There's this theory going around that if the City of Montreal or any other municipality acts in the public interest by preserving land which is ecologically sensitive on the grounds that it is ecologically sensitive or it is a question of safety, if the City of Montreal decides to change its zoning or the affectation to protect it on either of those grounds or in the public good that that is a disguised expropriation and it's a jackpot for the developers.

340 Nothing could be further from the truth, I have the Authoritative you probably don't want to hear them or see them right now, but I do have the judgements which go exactly the other way on that. One of them is the Municipality of Abitibi against Abitiba from 1993 and Beaudoin had the following and only got a small amount of it. He says: « L'intention législative générale est donc
345 claire, d'une part on veut instaurer une politique générale de protection des rives des lacs et cours d'eau à l'échelle de l'ensemble des territoires québécois. La protection de l'environnement est désormais considérée ne relevant pas de l'ordre privé de l'approximation et du bon vouloir des propriétaires et usagers mais devient un projet collectif appuyé par une législation et une réglementation civile, administrative et pénale, symbole de caractère d'intérêt d'ordre public
350 qu'elle revient. »

And it goes on to say : « Il n'y a pas non plus en l'espèce expropriation déguisée. Certes, pour le propriétaire, le fait de se conformer à la réglementation visant à protéger l'environnement est une charge supplémentaire et lui occasionne des tracas et des dépenses additionnelles. C'est
355 là simplement la rançon de tout propriétaire individuel doit payer pour la protection générale et collective de la nature. La complexification de l'exercice du droit de propriété individuelle pour cette raison ne saurait constituer une expropriation déguisée, non plus d'ailleurs qu'une règle d'option

consécutives de la valeur commerciale de la propriété. Nous ne sommes pas devant une situation », and then he goes on to speak about the particular case.

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Lastly on that topic if it were to be allowed or one word to suggest that the City of Montreal by protecting this area somehow was to be said to be responsible for buying it out, well then the answer to that is yes buy it out at market rates. And market rates for Mr. Grilli's property is \$26,000,000. I think this is worth pointing out. That's what he paid for it. This is speculative and if he wants to have market rates then he's described his own market rates which is \$26,000,000 for this land.

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LA PRÉSIDENTE :

Mr. Stuart.

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M. CAMPBELL STUART :

Yes.

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LA PRÉSIDENTE :

Si on veut avoir le temps d'échanger avec vous.

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M. CAMPBELL STUART :

Oui, certainement.

LA PRÉSIDENTE :

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Oui.

M. CAMPBELL STUART :

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Oui.

LA PRÉSIDENTE :

C'est que le temps passe aussi.

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M. CAMPBELL STUART :

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Oui, and I'm doing in English too. Okay. My last comments are this. The developers have refused the access to scientists to come and look at the land.

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The wetlands, the developer has claimed that there are only two and I can show you a map that there aren't only two wetlands in the area, there are 57 of them.

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As I've said the developers brag about building on an ecoterritory and as I mentioned, we've had the City of Montreal collude in changing the boundaries of the ecoterritory to suit the developer.

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None of these things are transparent, none of these things are particularly honest and none of these things are anything really but politic and private game. At the end of the day, what we're dealing with here is a question to the public good not just for today but for the future.

We build on this has been said so many times, we build on this, it's gone. Who recoups the benefits certainly not the public. It's private game, this is speculative, not everybody is a winner when they speculate, that's it.

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Thank you.

LA PRÉSIDENTE :

Alors merci. On va vous poser quelques questions.

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LE COMMISSAIRE WOLFE :

Mr. Stuart, in your brief, you talked about the Rouge National Urban Park in Toronto.

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M. CAMPBELL STUART :

Yes.

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LE COMMISSAIRE WOLFE :

I don't know how much you know about it for example how was Federal Recognition obtained and presumably it's a Federal National Park so there's I guess primarily it's federal funds, what can you tell us about that?

M. CAMPBELL STUART :

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Not very much at all, I only gave it as example of what political will can do but I can give you the guidance on how there might be – I would be very happy to do some research and provide it as follow up if you like.

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LE COMMISSAIRE WOLFE :

Sure.

M. CAMPBELL STUART :

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Okay. So the questions to be answered would be exactly what?

LE COMMISSAIRE WOLFE :

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Well how did the people in Toronto go about making an urban green space a national park and how was the Federal Recognition, what was the process for Federal Recognition? And I guess also funding, I presume, there was also funding from Government of Ontario so the higher levels of government.

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M. CAMPBELL STEWART :

Great.

LA COMMISSAIRE RAPHAËL :

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Vous parlez à la page 7 de la création d'un parc nature ouvert et accessible.

M. CAMPBELL STUART :

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Oui.

LA COMMISSAIRE RAPHAËL :

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Qu'est-ce que vous entendez par là s'il vous plait?

M. CAMPBELL STUART :

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Ouvert, ça veut dire que tout le monde peut y accéder. Comme on a eu la même situation avec Meadowbrook, qui est actuellement un terrain de golf privé, on aimerait et pour Meadowbrook et pour l'Anse-à-l'Orme que ça devient ouvert au public.

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Mais ouvert au public, ce n'est pas suffisant, il faut que ce soit accessible aussi. Alors si on voit à long terme, c'est une région qui devrait être un parc nature, mais il faut que ce soit bien aménagé, bien planifié pour que, so that the eager public doesn't destroy it as well as one might suggest could easily be done on the Falaise Saint-Jacques, if you allow the public just to tremple over it. So open and accessible are really two parts of the same thing.

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LA COMMISSAIRE RAPHAËL :

Puis quand vous dites bien aménagé, c'est en lien avec le zonage que vous suggérez récréatif.

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M. CAMPBELL STUART :

Yes.

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LA COMMISSAIRE RAPHAËL :

C'est quoi votre vision d'un parc bien aménagé?

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M. CAMPBELL STUART :

Well, I think what you need to do is make sure that the sensitive parts, well for instance that you build paths so that you can people off the more sensitive areas. You can't allow people to go in and disturb nesting animals whether they're birds or otherwise.

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So there has to be a plan, building a park is no small feat and I don't know whether this could be useful for you but one of the projects that we did do with Les Amis du Parc Meadowbrook, we actually had a charette, we actually had lots of people come and help us and we did produce a master plan for park, for Meadowbrook. It was just one idea among many that could be but that was an attempt to visualize accessibility and open to everybody and what's going to happen there? What happens over the years? How much of it do you manage, I guess is one of the questions.

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LA COMMISSAIRE RAPHAËL :

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Merci.

M. CAMPBELL STEWART :

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Thank you.

LE COMMISSAIRE WOLFE :

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As a former, Mr. Stuart, as a former elected official, you know that so often at municipal level, it's a question of compromise. And what would you think about the idea of having the 5,500 dwellings built but in a cluster, at a higher density so that more of the land could be preserved?

M. CAMPBELL STUART :

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Less destruction is always better. But I think that the answer to that has to be "no". And the reason is that it's sort of some sorts of species of Zeon's paradoxes, you take half and then you take half and then you take half and then you take half, and then you take half. These kinds of compromises will not stop.

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The part that is not built on will be susceptible I think to the same kind of rationale, it's not bad reasoning, it makes, you know, it makes a lot of sense unless one looks at it in the long term and realizes, okay, two things: one is that, we are nowhere near where we're supposed to be on saving the amount of green space fairly small amount of green space comparatively speaking that the City of Montreal has given itself for the island just 10%.

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We don't have any green space left to allow building on or destruction in any way shape or form. Virtually everything is going to have to go towards that 10%.

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The other thing is, again, I think the time, and you're right, I am a politician, compromises the life plot of politics, but it's not the life plot of the environment. And the fight for the environment is a political fight. There is no question at all.

But at the end of the day, it's an all or nothing thing.

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And this is an all or nothing thing. For any number of reasons, one is that we're going to lose it and we're going to lose piecemeal rather than all at once.

560 The other is that, as you can see from the connectivity study, and it stands to reason, as you chop things up, as you cut up the pathways from one wild area to another, as you diminish the available habitat space, you are going to lose progressively more wild life and I suppose to some extent the flora.

565 But we can't afford to lose the big spaces, the one thing that makes them unique is they're big. So with reluctance, I say no, no compromise on this, compromise time has passed.

LE COMMISSAIRE WOLFE:

Thank you.

570 **LA PRÉSIDENTE :**

575 Alors il me reste à vous remercier. Je vous remercie des documents que vous nous avez déjà, on en avait quelques-uns, mais que vous ajoutez à notre compendium et je vous demanderais peut-être de prendre entente avec madame Wells sur les documents puis l'information que vous allez lui communiquer par la suite.

Merci beaucoup, Monsieur.

580 **M. CAMPBELL STUART :**

À vous merci.

LA PRÉSIDENTE :

585 J'inviterais madame Lucia Kowaluk, s'il vous plait.

MME LUCIA KOWALUK :

590 I'll be much briefer because everything that Campbell just said I agree with so I don't have to repeat it.

595 If we thought we had a flood of water a few weeks ago, what on earth would we have if didn't have those wetlands. It would have been double that amount. It's just insane to build and to do anything to destroy those wetlands for all the reasons that Campbell just said. I want to just make a few very specific points.