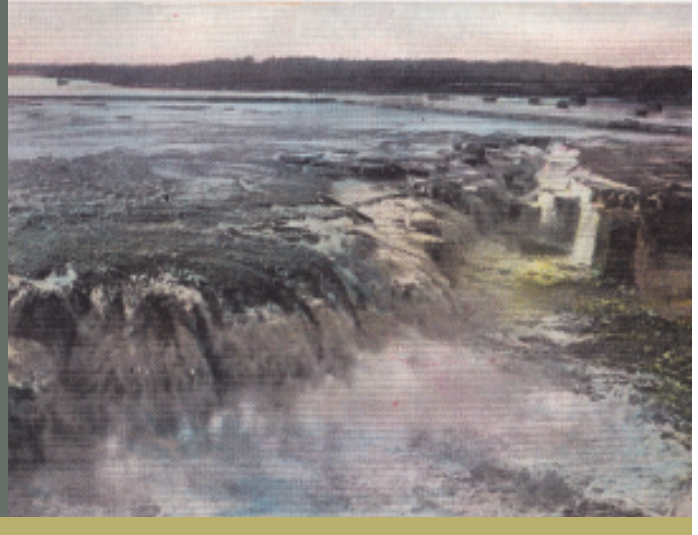


10 REASONS

to oppose Dream Corp./ Windmill's mega-project at Chaudière Falls



1. The Chaudière Falls is a sacred site for Indigenous peoples, and unceded Algonquin land.

Just upriver from, and within view of Canada's Parliament buildings, Chaudière Falls and its surrounding islands have been a sacred site and meeting place for Indigenous peoples for thousands of years. The falls are called Akikpautik, which refers to the bowl of a sacred pipe. Its constant spray of smoke-like mist took the prayers of the people to the Creator.

When Samuel de Champlain travelled this part of the Ottawa River in 1613, he witnessed Indigenous people in ceremony at the falls and wrote about it in his journal.

It is on unceded Algonquin land, and important to other surviving Indigenous peoples including Mohawk, Odawa, Anishinaabeg, and the Cree. They met and traded here, from time immemorial.

Second only to Niagara Falls, the stunning beauty of this special waterfall is currently hidden under a ring dam. It is there, waiting for us to restore it to its natural state.

2. An Indigenous vision exists for the sacred site. It's called Asinabka.

For 30 years, the late Algonquin elder William Commanda called for the creation of a welcoming place for all nations on the three islands adjoining the Chaudière Falls, and the freeing of the sacred water from the ring dam's industrial past. He envisioned a place of reconciliation for First Peoples, the English, the French, and all others, in the heart of the nation's capital.

The elder's vision (www.asinabka.com/geninfo.htm) includes specific plans for Chaudière Island [an ecological park beside the freed falls and an historical interpretation centre], Albert Island [a powwow ground and park], and Victoria Island [an Indigenous peace and cultural centre].

For decades, many citizens, their leaders, and groups on both sides of the Ottawa River have supported this vision, and different levels of government have endorsed it.

When Jean Chretien was Prime Minister and Jean Pigott was head of the National Capital Commission (NCC), the federal government commissioned world-renowned architect Douglas Cardinal to create a design for what the area could look like based on William Commanda's vision. This design flows with and enhances the beauty of the islands and the water, and reflects Indigenous principles like fluidity using his trademark architectural lines.

3. Two legal challenges are happening right now related to Chaudière Falls and the islands.

In 2014, Windmill Development Group unexpectedly announced plans to develop the site with condos and retail space. In spite of a public outcry, city council voted to rezone the land in support of that development. The rezoning would allow for taller buildings and even greater density than what early drawings from the company have shown. This is a mega-project. In February 2015, Windmill joined forces with Toronto's \$15 billion real estate giant, Dream Corp. so it could

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fund the project. During the 15 years it will take to finish this proposed development, pressure will increase to build to the max.

There are five appeals to the Ontario Municipal Board (OMB). As well, an Indigenous Statement of Claim was filed with the Ontario Superior Court of Justice in November 2014.

The NCC gave conditional approval for the rezoning in January 2015, pending fulfillment of its Constitutional obligation to consult with Indigenous groups and First Nations. There is no information that those consultations have occurred, nor has the NCC announced when they will occur.

4. The three islands are currently zoned for parkland and open space — not for more condos and retail outlets.

A public vision for the site dates back to 1936 when the Parisian urban planner Jacques Gréber called the falls the most important natural feature in Ottawa and said the islands could become Ottawa's equivalent to New York's Central Park. This vision was in the National Capital Plan as early as 1950. Former NCC Chair Jean Pigott called Chaudière Island "a national treasure." In 1998 the City of Ottawa endorsed the public vision and zoned the three islands for parkland and open space. The city reaffirmed this position in 2010.

Over the years, several Prime Ministers, Cabinet Ministers, Chairs of the NCC, City of Ottawa Mayors and council members have supported the vision for the site. This consensus spans more than half a century. Why continue the history of breaking promises to First Nations?

5. Claims of private ownership of the islands have not been proven.

In the 1880s, the federal government divided the area around the Chaudière Falls into 60 hydraulic leases, which were issued to businesses so they could harness the waters for industry such as lumber, pulp and paper, and hydro-electric generation. The E.B. Eddy Company was one

of these companies. The company was owned for 20 years by the businessman R.B. Bennett (also the 11th Prime Minister of Canada). It is unclear when, how or if these leases were ever formally converted to private property as the islands were not included in land surveys of the period.

By 1965, all of the hydraulic leases were concentrated in the hands of E.B. Eddy (which controlled the ring dam), Ottawa Hydro, and Gatineau Power. Today, Public Works and Government Services Canada is still the landlord of Crown-owned lands on this site.

In 1998, Domtar purchased the E.B. Eddy Company and all of its interests, including the hydraulic leases. There are questions about whether Domtar actually holds a deed or if E.B. Eddy was simply given use of the land, and the right to sell it, through an understanding with government.

In 2014 Windmill Development Group signed a conditional agreement to purchase Domtar's interests, subject to successful rezoning of the site. Until the OMB decides on appeals launched by 5 individuals, the current zoning as parkland remains in effect.

6. The industrial era has ended.

In 2007, Domtar closed its mills, ending industrial use of the islands. That's when the industrial leases should have become null and void, and the federal government should have determined new uses for the greater public good.

Instead, it quietly gave control of the ring dam to Energy Ottawa, without any public announcement or consultations. The NCC, under Conservative Cabinet Minister John Baird, chose to ignore Gréber's vision, the official plan for the capital, and William Commanda's Asinabka vision.

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7. There are better options for clean-up (remediation) of the islands.

The assertion justifying commercial development of the site is that the federal government cannot afford to remediate it, and that only the private sector will make this investment. The estimates provided by Dream/Windmill for remediation range from \$125 to \$185 million. Is this the real cost? Is this the only viable option?

The cost of remediation depends on the type, amount and exact location of contaminants, and intended uses of the land. For example, to accommodate residential structures on Lebreton Flats, where there had been mixed "dirty" industries, health regulations require that the land be scraped down to bedrock over the entire construction surface.

Not every contaminated site requires the same level of remediation. Even heavily contaminated lands on Parliament Hill, such as the open space west of the West Block, have not been remediated to the standards needed for a residential development such as that proposed by Dream/Windmill. They are simply covered in vegetation.

Chaudière, Albert and Victoria Islands are relatively small areas that were used by lumber and pulp and paper mills. It is unclear if the contaminants that remain on the land still threaten the river ecosystem, if left undisturbed. The Asinabka vision of establishing mostly open space would invoke a different set of health and safety requirements, with potentially much lower remediation costs.

This different land use completely reframes what is possible on the Chaudière site and what it would cost to remediate. Who will champion a cheaper, and a greener option? The benefits (including economic benefits) to all Canadians of bringing back Ottawa's premiere tourist attraction (the Falls) are significant and merit serious public debate and consideration.

8. "Green" has different shades of "good."

The Dream/Windmill story rests on a simplistic premise—that because Windmill is a "green" company, everything it does is "good," including converting public parkland and previous industrial lands into high-rise, expensive condos and commercial space that will claim a premium price, too.

Windmill Group's original claim that its development would allow the public access to "the waterfall" was misleading. In fact, the public viewing platform that will allow viewing of the ring dam by the public is on public land and being paid for by the municipal government and its energy utility. This initiative does not allow anyone to see the Falls in its natural state, and the viewing platform is not something the company can take credit for!

Permanent residential and commercial uses of island ecosystems point to huge and future public investments to resolve transportation and waste challenges. These come with significant environmental costs. Despite support for the project from some environmental groups, it is not obvious there will be any direct benefit to the ecology and environment of the Ottawa River from 1,200 condos, 17,000 sq. metres of offices, 4,800 sq. metres of retail space and a hotel. And who within government will monitor whether the original plans stay "green" during 15 years of this mega-project's construction?

9. Algonquin/Anishinaabeg people have filed a lawsuit to assert claim to the land.

Stacy Amikwabi (on behalf of the Amikwabi Nation of the Algonquin/Nipissing Nation), 3 other Algonquin/Anishinaabeg groups, and an Algonquin hunting party have filed a unified Statement of Claim in the Ontario Superior Court of Justice. This is a step by Indigenous peoples to reclaim rights to land taken from them during Canada's colonial past.

The Royal Proclamation of 1763 prohibited the settlement of Indigenous lands unless they were first ceded to, or purchased by, the Crown. This didn't happen in the Ottawa Valley. The Algonquin people never signed a treaty as Indigenous peoples have in other parts of Canada. They were simply pushed aside and have been petitioning the government for their rights ever since. This is a national shame.

This year marks the report of the Truth and Reconciliation Commission. As many Indigenous people say, reconciliation starts with restitution, in other words, returning land. The report also calls for a legally binding (not only aspirational) interpretation of the United Nations Declaration on the Rights of Indigenous People (UNDRIP). Articles 25, 28 and 29 pertain to the dispute over these lands.

10. Dream/Windmill rebranded their proposed development from “The Isles” to the Algonquin word “Zibi.” Was this a bid to deflect opposition?

For its first year, the Windmill project was called The Isles and the branding was European chic.

Dream/Windmill announced its new brand in February 2015 — “Zibi,” the Algonquin word for river. Was this marketing move in response to mounting Indigenous opposition and legal action? The corporation consulted with people close to William Commanda’s vision, who said no to the development. They consulted with Douglas Cardinal, who also said no. They approached the Algonquin community of Kitigan Zibi, which declined to participate in the Zibi launch. Gilbert Whiteduck, then-Chief of Kitigan Zibi, publicly stated his opposition to the condo project and called the use of the name Zibi an appropriation of his language. “No” was not what Dream/Windmill wanted to hear, but they rebranded anyway.

The Zibi brand is now appearing around Ottawa, on orange bicycles locked to city bike racks, on trees being given away on Earth Day, on bus shelters, and in online ads on people’s mobile devices.

Free, prior and informed consent is the international standard for negotiating with Indigenous communities. It was clearly not achieved in this case, and is only now being manufactured through intense lobbying after the fact.

Windmill calls itself a friend of the Algonquin, and claims it is making history with this friendship. In reality, this story may be repeating what happened in the 1800s when governments simply rubber-stamped the transfer of Indigenous lands to private hands. In our time, this is no longer acceptable.

What can you do?

- Visit freethefalls.ca to
 - Donate to the legal appeals
 - Sign an online petition to Free the Falls
 - Subscribe to updates
- Write letters to the Prime Minister, the Chair of the NCC, the Premiers of Ontario and Quebec, and the mayors of Ottawa and Gatineau. Find out what your city councillors and the candidates for M.P. in Ottawa Centre in the upcoming federal election are saying about publicly funded support for an Indigenous presence on public lands.
- Say “no thanks” to participating in the events happening on the islands — and let the organizers know why.
- Spread the word.

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Douglas Cardinal, shown here with a ceremonial pipe, has spoken publicly of the spiritual significance of Chaudière Falls.