

## LOCAL NEWS

# 'This whole community is based on an environmentally sustainable model'

### Findlay Creek builder fires back at critics

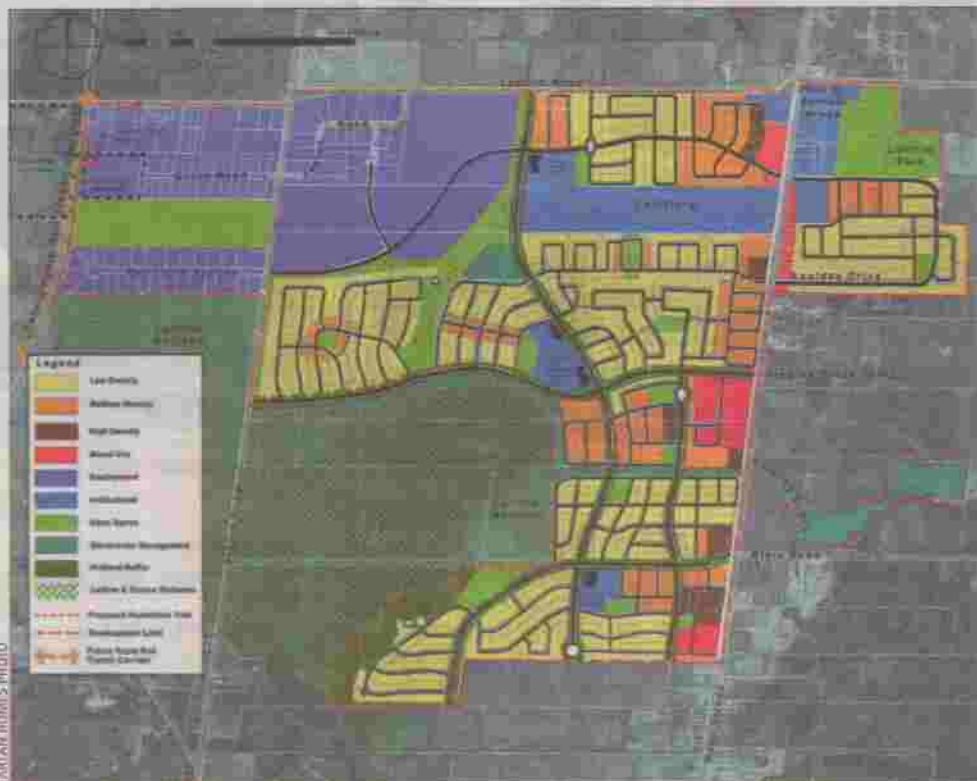
BY SHEENA BOLTON  
sbolton@thenewsemc.ca

Tartan Homes' vice-president says the longstanding debate over the Findlay Creek development's impacts on the Leitrim Wetlands is a tempest in a teapot since no building is planned on any ecologically sensitive ground.

"There is no construction going on in the wetlands," said Pierre Dufresne. "We believe, and we have many reasons why we believe, that none of the Leitrim Wetland is being encroached on by development and there is no intent or ability to encroach those lands."

Mr. Dufresne was responding to an article on the issue in last week's EMC, having been unable to respond before deadline.

"When I read this article I wasn't alarmed because we have been faced with these types of dialogue, discussion, accusations and what have you by the same number of people for the last 15 years now," he said. "I think it's important that we continue to try and set the record straight. It's been acknowledged that certain things have been happening within this community, that certain decisions have been made — environmental, technical, policy wise, politically — and have been made for 15 years and have been reinforced time and time again, through decisions, approval processes, studies. I don't think there is a project in the country that would have undergone the amount



Tartan Homes VP Pierre Dufresne says environmental groups concerned about the impact of Findlay Creek phase two on the Leitrim Wetlands are missing the ecological sensitivity of Tartan's plan.

ity on developer approvals that they ended up handing down to the municipality at the time," said Mr. Dufresne. "When we went through the approvals process we were unaware of the importance and the integrity of this feature and when we went to study it we realized, 'well wait a second. It's much more of an environmental asset and it does deserve to be retained as such for a whole bunch of reasons.'"

The company started to research the wetland 16 years ago and decided to keep the wetland undeveloped because it was "the

from urban to wetland. This first occurred in the '97 regional plan and every since then has been approved. It was interesting to note there were no appeals to that. If anyone had real concerns the wetland would be expanded beyond that they had the ability to appeal the plan."

Currently Tartan is in the process of conveying these lands to the South Nation Conservation Authority, for their ensured protection.

Another issue Mr. Dufresne wanted to clarify was about the pumping of water that happened from Sep-

responsibility in protecting the wetland and improving fish habitat, which is something we are mandated to do since we have an impact on fish habitat. So we go out and build to make the creek better. There are ditches built through the property that have to be filled to allow development to proceed. So what we are doing is rebuilding those ditches in a way that's beneficial to fish habitat."

Findlay Creek Village will be built as planned because the companies have all the environmental and engineering approvals needed,

of scrutiny and study this project did at the federal level, at the provincial level and at the municipal level and at the public level."

For the past 15 years groups like The Friends of Leitrim Wetland have been trying to stop construction adjacent to the wetland, which is located between Bank St. and Albion Rd., just south of Leitrim Rd.

"The wetland had been approved by the city and the former region in their official plans for development (in 1988) and by the province with their author-

right thing to do."

"We entered into a consultation process a long time ago with any federal department that was interested," he added. "The provincial departments interested, the conservation authority and about 20 members of the public who are interested in this issue. Through several year process of consultation, a huge amount, and technical study and review of those technical studies we were able to determine that there would be a wetland to be set aside. We have allowed these lands to be re-designated

tember to October. During this time more water was pumped from the site on a daily basis than the 50,000 litres provincial regulations allow.

"Fifty thousand sounds like a huge amount but apparently it's not; it's a very insignificant amount and, in fact, we do have permits to take water on every single one of our projects whether we have to or not, because it's not a very large amount," he said. "In this situation we were constructing a buffer area between (the wetland and Albion Rd.). Part of our

said Mr. Dufresne.

"We've spent a huge amount of effort, time and resources ensuring this wetland is protected and we are dedicated and committed to doing that and we have been doing that for 15 years. Even though we have legal rights to be developed, we decided to set them aside. So it's almost disheartening to read comments that we are going to be damaging it or doing anything intentionally to damage it. I mean, this whole community is based on an environmentally sustainable model."

## Environmental groups taking legal action on Findlay Creek

BY STEVE FOUCARD  
sfoucard@thenewsinc.ca

Three local conservation groups have filed a lawsuit in provincial court to overturn an Ontario Municipal Board (OMB) ruling that would allow construction of the second phase of Findlay Creek.

In a joint announcement issued last Monday, the Greenspace Alliance of Canada's Capital, Friends of Leitrim and Ecojustice — formerly the Sierra Legal Defence Fund — said they would be seeking a judicial review of the OMB's decision.

The suit targets both the builders

behind Findlay Creek and the City of Ottawa.

The groups say phase two of the development threatens about one-quarter of 313-hectares of the Leitrim wetlands and the wildlife living within them; including more than 600 plant species, some 90 bird species and trees as old as 250 years.

"Recent evidence obtained by the appellants has confirmed that, if this area is drained for development, the whole wetland would very likely be severely damaged or even destroyed," said the joint statement. "(We) also have re-

ceived an expert report that the area is potential habitat for Blanding's Turtles, a threatened species under both federal and provincial legislation."

The lawsuit alleges "the OMB violated the rules of natural justice and procedural fairness when it dismissed the appeals without an opportunity for the appellants to present their evidence before the Board."

"The basic principles of fairness require that participants have a meaningful opportunity to be heard," said Linda McCaffrey, Director of the Ecojustice Environmental Law Clinic at the

— Please see LAWSUIT on page 8

### LAWSUIT

Continued from page 3

University of Ottawa. "In this case, the OMB violated these principles by allowing Findlay Creek Properties to withhold key evidence from the groups about water levels in the wetland. Simply put, our clients deserve a fair hearing."

"Residents of Ottawa should be outraged that this project is getting the green light," said Sol Shuster for the Friends of Leitrim Wetland. "Not only does provincial policy expressly prohibit any development on provincially significant wetlands, it is absurd to allow destruction of an ecological gem like this 9,000 year old wetland."

Pierre Dufresne, Vice-President of Tartan Land Corporation, said last week that he appreciates the concerns but "none of the Leitrim Wetland is being encroached by development."

Environmental groups have petitioned federal and provincial officials on the issue five times, he added, to no avail.

"I just wonder, if they had any credibility, if somebody would have stopped us by now."