

October 25, 2012

Ms Renée Poliquin
coordonnatrice du secrétariat de la commission
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Dear Ms Poliquin,

RE: My concerns regarding the redevelopment of rue Jacques-Cartier and my property at 1191, rue Jacques Cartier, Gatineau, QC

The City promised to enhance our quality of life with this project. Based on its plan, it seems it was designed to eradicate our residents' lifestyle in favour of high rise developments and motor boating.

As such, I formally ask you not to diminish my quality of life by taking away my current access rights over the former land of my neighbour, Paul Charette, and other City land I use for launching my rowing shells, canoes, kayaks, and for privately entertaining my clients and friends on my dock. I fear I won't be able to enjoy using the river as I have and for the purpose I originally moved here. I request that the City grant me a servitude on title, that protects my aboriginal and current property rights to the waterfront in the manner I have become accustomed to since I have lived on rue Jacques-Cartier.

Historically, our community has had unfettered access to the river. Many residents moved here or continued to live here to enjoy accessing the river for non-motorized boating, since the Gastineau brothers established a fur trading post here in the late 1600s. Since then, people have accessed the river for business and pleasure, including fishing, logging, and pleasure. To enhance our right to access the river, we need the City to work with our residents to design a plan in which we may continue to safely launch our boats and enjoy the river, in the manner we traditionally have practiced.

Since the 1960s, with the filling in of La Baie with garbage that stopped our residents from hunting and fishing there, the burial of our beaches with landfill from downtown Hull, the forced removal of many of our docks, the rezoning of our properties to disallow new construction of single family dwellings in favour of interests of large developers for apartment buildings, and incremental expropriation of our waterfront lands at various stages; it seems certain that this project is another attempt to erode the culture and lifestyle of our residents. As such, I am against this project unless:

- 1) I may be legally assured that my right to safely access the river in the manner I have become accustomed to is protected by a servitude on title or some other legally binding agreement that allows for my dock and boat launch for non-motorized watercraft.
- 2) My section of the street between Saint Louis and Prince Albert be rezoned to allow property owners to build single family dwellings, according to the highest and best use dictated by the market and not by one or two large apartment building developers.
- 3) The few residents who currently have dock licenses are allowed to retain these licenses for private use.
- 4) No new halte nautiques or marinas are allowed to be developed.
- 5) And, the City allows for a new community boathouse for non-motorized watercraft.

My Request for a Servitude:

Since 1969, owners of my property at 1191 rue Jacques-Cartier have had use of the river directly in front of their property for docks, launching boats, picnics, and recreation. After I bought my property in 2006, I have been using the land in front of my house to launch my non-motorized boats (touring rowing shell, canoes, and kayaks) on a boat ramp and to moor my private dock. I would like the City to grant me a servitude over this land that will guarantee my access of the river. I need for a servitude to allow me to keep a private dock, designed to be low to the water, so that I may launch my rowing shells, canoes, and kayaks from my property. Without such a guarantee on title or some other binding guarantee, I fear that future City decisions will forever remove my water access and I will have to move from this area.

As an aboriginal Canadian, it is part of my family's culture to access water for rowing and canoeing. A dock is important for this purpose. It is critical to the expression of my aboriginal identity to have safe access to the river for rowing, canoeing, and kayaking, as my ancestors always have in this area. For example, my great-grandfather, Charles Gilmore Gaudaur and his brother, Jacob Gill Gaudaur, were perhaps Canada's greatest aboriginal sports figures in the 1800s and early 1900s, as professional rowers. Together, they won international professional rowing competitions. Charles won the Championship of America in 1902 for the 1 mile race. Jacob was the World Rowing Champion from 1896 to 1901. He still owns a World Record he earned against celebrated, Canadian rower Ned Hanlan for the American Championship, in Austin, Texas, 1894, with a world record time of 19 minutes, 1.5 seconds, for 3 miles with a turn. The two brothers were raised on water and made their livelihoods on it. Since then, each of my ancestors has retained rowing and canoeing traditions, either recreationally or as guides. Like my grandfather, great-grandfather, and their ancestors; I guide people by canoe and rowing shell from my dock in front of my house as well and earn a modest income from these activities.

Unfortunately, if the City provides a public dock according to their current plan, there will no guarantee I may be able to launch from it, that it will be designed to accommodate rowing shells (they need to be low to the water), and that I will have the authority to ask any member of the public to vacate the dock while I launch or return. This is safety concern, because if I cannot be assured of unrestricted access to a

private dock, I will not be assured my right to safe return from rowing or canoeing during storms, cold weather, or when tired from water sports. I also would like to retain the right to privately entertain my friends on my current dock and for my guiding work; much like the City is providing motor boat owners the right to private use of docks in any new halte nautique or motor boat berth.

Over the past few years, I have raised my concern and City staff have assured me that they would do their best to design a dock for rowing shells, however, without a binding agreement, I fear that the oral promises of City staff may not be upheld over time or forgotten.

In addition to this request for a servitude, I ask the following regarding zoning, dock licenses, development of new haltes nautiques and marinas, as well as my calling for a new community boathouse to enhance or maintain our lifestyle, not damage it.

Re-zoning to allow for single family dwellings

According to City staff, an effort to rezone our eastern street section was undertaken by a private developer of apartment buildings, to prevent our residents from developing our own land with single family dwellings. It may also have been a ploy by the City to depress property values, so it may expropriate waterfront lands more cheaply. My property and others are zoned only to allow new construction of multi-unit buildings between 4 and 8 storeys high. Existing houses can only be renovated. The results are vacant lots sitting idle for years, old dilapidated houses, backyard scrap businesses, and houses that are out of character from what you may expect, compared to other waterfront neighbourhoods.

The current zoning means that if someone's house fell down, became condemned from disrepair, or was washed away by flood, they would not be allowed to rebuild. It also means any upgrades to houses have to be done on the foot print of the existing house, which prevents them from expanding or repositioning the house to better make use of the lot and maximize their property value. Some existing houses are built near property lines, so if they cannot be moved at all. This has resulted in some lots remaining vacant for years. Property owners cannot build new houses. They cannot sell their vacant properties for prices they could if they were allowed to build single family dwellings. The likely buyers of vacant lots and houses that should be replaced with modern ones are apartment building developers. Because there have been very few if any apartment buildings constructed in Gatineau over the past 30 years, it is unlikely there is much of a market for these either. The result is that property values are suppressed, so that developers can cheaply buy up properties on speculation, that they may one day construct large apartment buildings. This practice has also allowed the City of Gatineau to expropriate our waterfront lands as cheaply as possible, which it is currently doing.

I ask the province to demand that the City rezone our street to allow for the new construction of single family dwellings on all our properties and stop their unfair and unreasonable practice of suppressing our property values in this manner. This would allow for our property values to increase according to fair market conditions, where buildings would be developed according to their economic highest and best

use. It would allow for a neighbourhood to grow according to market demands and replace older homes with those more appropriate. New zoning should allow vacant lots, condemned houses, and tiny cottages to be replaced with the kinds of structures normally associated with prime waterfront locations. This would allow the neighbourhood to develop and not deteriorate further. I ask the province and the City to allow the open market decide how we are to develop our area, not just a few developers. Please rezone our area to allow all alternative forms of residential development to be possible, single family dwellings, townhouses, duplexes, tri-plexes, in addition to multi-unit development if they indeed are economically feasible.

Allow current private dock licenses to be renewed

The City forced the removal of our residents' docks in 2005, as a way to clean up the area and remove navigational hazards. Since then, they have allowed any interested residents the right to license a dock for their property, as long as they conformed to a certain standard. Currently, there are only a few docks, perhaps no more than 6 along our street that are licensed in this way. Aside from these docks, there seems to be little need for private docks and that the original problem of unmanaged docks that were navigational hazards because they were in poor repair or drifting away is now non-existent. As an alternative to halte nautiques, private docks are less of a navigational hazard. Unlike halte nautiques they don't extend into the river as far, interfere with currents the same way, or deflect waves. They are cheaper for the City to manage than public docks. And, they are better maintained than public docks, as owners constantly clean-up around them when the public throw their garbage on and around them. Would the province ask the City to allow current holders of dock licenses the opportunity to renew their licenses until they no longer need them?

Stop the development of new halte nautiques and marinas

These are a navigational hazard as they extend much further into the river than our smaller private docks, contribute to pollution when boats dump oil and sewage, and are not needed by many of our residents. They bring more traffic to the area, people who create noise and leave litter, and disturb our peaceful existence. It is ironic that the City forced the removal of private docks that extended no further into the river than 20 to 40 feet, whereas these halte nautiques extend hundreds of feet and are an eyesore for many here. It seems clear that the City is developing motor boat facilities to appeal to high rise condominium developers who mistakenly believe they can attract people with combined facilities within their projects. If our neighbourhood truly wanted motor boat docks, current residents would have bought a \$30 dock license from the city years ago on their own. As it is, only a few bought dock licenses and had them installed. The City is inventing a need that is not there, without serving the needs of the

majority along the street who prefer non-motorized boating. We don't need any new halte nautique or expansions of current ones.

Allow for the development of a new community boathouse for canoes, rowing shells, and kayaks

There is no facility to support healthier recreational uses of the river for non-motorized boaters. Zoning bylaws forbid them. Would the province demand from the City that it change its zoning and work with its residents and local clubs to develop a home for rowers, canoers, kayakers, and sailors? The City of Ottawa side of the river has always had their boathouses and it is time that the City of Gatineau stop promoting motor boating on the river, when there are healthier uses of the river by non-motorized boaters to enjoy fitness, the environment, and a traditional sport for this area.

If the Province could help me address these concerns with the City, I would be greatly appreciative. Also I would be pleased to help negotiate a solution, so I may truly agree that this development is of real benefit to local residents without removing our current rights and uses. As it stands now, I am against the project in its current design, as it will stop me from using the waterfront safely to maintain my healthy lifestyle according to my aboriginal culture, harm my property values with zoning bylaws that restrict development to high rises only, and it will promote even more motor boats on the river, with no planned facilities (e.g. community boathouse) for the healthier forms of canoeing, kayaking, rowing, and sailing that are more common among our current residents. Make no mistake; this plan was designed for high rise developers in mind to lure motor boaters to the area, not its current residents. Please demand that they design it for our needs and desires too.

Sincerely,

John Savage
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