

**June 10 Submission of Questions for Cross Examination of the City of Ottawa's Motion to Dismiss Appeals, and the Developer's concurrence. Romola V. Thumbadoo/Trebilcock**

**PRELIMINARY COMMENTS**

**PLEASE NOTE THAT I ATTACH OUR PREVIOUSLY SUBMITTED REMARKS FOR THE PRE HEARING CONFERENCE OF JUNE 3 – 5, since at that time we was under the impression that we were required to present our issues for the organization of the Hearing proper; in addition, we addressed the City of Ottawa's motion to dismiss our appeals, and the submission of the respondent in that document. This document is relevant to the cross-examination.**

**Since the OMB Board Member ordered my engagement in this cross-examination of the submissions noted above, I present the following questions.**

**However, I still retain the right to assert that I view this as an erroneous order of events, since I and others paid for a review of the City's decisions on rezoning and planning to the designated oversight body, and its guidelines, cited in my note of June 4, 2015, confirm my understandings that at the initial stages, appellants are required to present their issues. The requirement to address the Motion to Dismiss narrows the scope to the priorities of the parties we are challenging.**

**Notwithstanding the above, I present the following questions for cross-examination of the testimonials of John Smit, (JS) with the City of Ottawa; Miguel Trembley (MT), and Jeff Westeinde (JW), with Windmill Green Fund LPV.**

**Please do not consider this preamble and these questions frivolous.**

**Preamble**

Since the Oka and the Ipperwash crises, Indigenous, cultural, heritage and land issues have become the central internal issues in dire need of public and political resolution; it is no longer business as usual as in the colonization and post-colonial era – the public at large are now much more aware of Indigenous rights and injustices. Elder William Commanda participated in three key National events that raised the profile of Indigenous issues in the Capital City: the 1968/69 discussions of the White Paper with then Prime Minister Trudeau; the 1987 Constitutional Talks hosted by Prime Minister Mulroney; and the 1996 Release of the Report of the Royal Commission on Aboriginal Peoples (RCAP). The RCAP flowed out of Aboriginal justice inquiries in every province and territory that acknowledged the systemic and overt racism Indigenous Peoples were subjected to throughout the Justice system; the recent Report of the United Nations Special Rapporteur for the United Nations Declaration on the Rights of Indigenous Peoples exposes Canada's unjust treatment of First Peoples on the international stage. The Conclusion of the Truth and Reconciliation Commission's work in the Capital City on June 3, 2015, the date of the OMB hearing underlines the desperate need for a just

resolution of the issues; it is ironic that we were embroiled in such hostile deliberations at the same moment at the OMB Prehearing Conference. It is also ironic that the UNESCO Annual General Meeting in the National Capital Region at precisely the same moment of this OMB hearing was addressing the theme “Nurturing Culture(s) to Bridge Divides: So What? Now What?”

Late Algonquin Elder saw the deepening of the divide between the First Peoples and “Canadians” and the growing global peace and environmental challenges decades before others, and he launched into an accelerated outreach effort to transform relations; much of this work happened in the Sacred Chaudiere Site area, and it engaged both Indigenous and non-Indigenous peoples of all ranks and backgrounds – it filled many people’s minds and hearts with hope for the future. He entrenched a continuation of this energy of reconciliation in his vision for Asinabka, at the Sacred Chaudiere Site, and he presented it to multiple levels of leadership, including to the City of Ottawa. The City of Ottawa itself endorsed this work formally in November 2010.

I and many others believe that the Capital City, which has a more distinct responsibility than all other cities on all national and international issues, is obliged to be aware of and to take matters such as the ones raised here into serious consideration in all its Planning decisions.

## **SECTION 1**

### **JS Questions for John Smit, City of Ottawa**

#### **At Tab B.1 and 81**

I note you have been employed by the City of Ottawa since 2009. At Tab B 81 you state that *“The matter of having the islands developed to reflect the late Elder William Commanda’s vision is a matter that in my view falls outside what the City can mandate when giving consideration to privately initiated development projects.”*

**Question 1.** Are you aware that on November 19, 2010, Council endorsed William Commanda’s Vision for the Sacred Chaudiere Site (Community and Protective Services Committee Report 60)? Please refer to the Attachment below and append to the Cross

COMMUNITY AND PROTECTIVE  
SERVICES COMMITTEE  
REPORT 60  
19 NOVEMBER 2010

13

COMITÉ DES SERVICES  
COMMUNAUTAIRES ET DE PROTECTION  
RAPPORT 60  
LE 19 NOVEMBRE 2010



## A REPORT ON THE VISION FOR THE ASINABKA NATIONAL INDIGENOUS CENTRE

A CIRCLE OF ALL NATIONS REPORT

PRESENTED BY  
WILLIAM COMMANDA, OC  
Algonquin Elder

FEBRUARY 14, 2010

**Please note** that this report primarily reflects the positions and perspectives developed and negotiated by Elder William Commanda, following years of consultation with Algonquins and others, but its release does not imply any official government endorsement of the project at this time.

[www.asinabka.com](http://www.asinabka.com)  
[www.circleofallnations.ca](http://www.circleofallnations.ca)  
<http://web.mac.com/circleofallnations>  
[circleofallnations@sympatico.ca](mailto:circleofallnations@sympatico.ca)

Information on the Asinabka/Victoria Island/Chaudière Site  
Archival Information on William Commanda's work  
Information on recent general Circle of All Nations Work  
Email  
231 Pitobig Mikan, Kitigan Zibi Anishinabeg, Maniwaki,  
Quebec, J9E 3B1  
506 Stratas Court, Kanata, Ontario, K2L 3K7  
613-599-8385; 819-449-2668

At Tab B 2; 29 - 40

Question 2 a. In view of your responsibilities for the Capital City's heritage planning program, can you tell us what you know of mandates of the Charter of Human Rights and Freedoms and its provisions with respect to Aboriginal Peoples, the Universal Declaration on the Rights of Indigenous Peoples and the prescriptions of the Provincial Policy Statement on the heritage and culture of Indigenous Peoples?

Question 2 b Are you aware of the City of Ottawa's own partnership in an "Inclusive Urban Governance" Research project Initiated in November 2011, addressing such issues as Aboriginal relations, inequities, diversity?

Question 2 c In the context of heritage, culture and Indigenous Peoples, are you aware that the Capital City is part of the traditional territory of the Algonquins of the Ottawa River Watershed, and UNESCO mandates particularly address heritage sites of Indigenous Peoples?

Question 2 d Are you aware of Late Algonquin Elder William Commanda's relevance to the City of Ottawa? Are you aware that City of Ottawa initiated its earliest cultural revitalization work with Aboriginal Peoples in consultation with him? Are you aware, for example, that in 2006, the City presented him with the Key to the City in major public event hosted by the City itself, then Mayor Chiarelli)? That he presided over a ceremony to plant a Tree of Peace at the City of Ottawa? That City Police Service honoured him and that he presided over the investiture of Police Chief Vern White and that he presided over and blessed many City of Ottawa activities? That he endorsed the City's Multifaith Committee's work? That the City of Ottawa endorsed his Vision for the Indigenous Centre during the time of Mayor O'Brien? That the City lowered its flag to half mast at his death in August 2011 (Mayor Watson)? That Steve Karanikollas, Councillors Assistant attested to the relevance of Elder Commanda's impact on the City over the past two decades in 2013? And that his continued relevance to the City is noted in the current mayor's 2014 Declaration of a Day of Reconciliation in the name of William Commanda and President Nelson Mandela (Mayor Watson)? Are you aware that the Canadian Tribute to Human Rights Board formally states on its brochure that it is dedicated to "the memory of Chief William Commanda, OC, Keeper of the Sacred Wampum Belts, and that the Algonquin Kitigan Zibi Anisnabe Council supports our initiative to honour Elder Commanda's vision and his significant contributions to the Human Rights Monument"? That Mayor Watson attended the William Commanda Circle of All Nations event of March 2014 profiling the Vision for the Indigenous Centre, and celebrating the birthday of world renowned Indigenous Architect and creator of the conceptual designs, Douglas Cardinal?

Are you aware that William Commanda served as Honorary Chair to the Ottawa River Heritage Designation Committee? Are you aware that he was presented with Honorary Doctorate Degrees by the Universities of Ottawa/Quebec Outaouais, and that he was

appointed Officer of the Order of Canada? Are you aware of the historical importance of this Indigenous Leader with direct family ties to the Chaudiere Site?

**Question 2 e. Have you taken the Greber Plan in to consideration in Planning recommendations; To what extent are you aware of its influence and its mandate of the National Capital Act, brought into law following the publication of this Plan in 1950?** – we note that this National Capital Act governs the use of public land in the region, and that the Greber plan has shaped development within the national capital since its inception; of particular interest is the statement that:

The most effective improvement will be the central park at the Chaudiere Falls. The time will come when the heavy and obnoxious industries, now occupying the islands, peninsula and the rocks, from which the falls originally receded, will finally move to more appropriate sites, for their normal development, and more economical operation. The Master Plan is a long range program based upon which the Capital will grow: urban planning demands resolute perseverance, and the Falls will always remain *the main feature of Ottawa's natural setting*.

Please note that we intend to produce the 1950s Special Edition of the Citizen Newspaper, which is focused on the Greber Plan, the National Capital Commission and the National Capital Region, and the Sacred Chaudiere Site at the OMB Hearing scheduled for August 17 – 19, 2015.

With respect to consultation we note that Windmill Green Fund LPV states on B Page 5 that more than 800 people attended (later reported as over 900 at Tab C 3.1) their December 11, 2013 public consultation, with Claudette Commanda, granddaughter of Grandfather William Commanda in attendance; I contend that merely the use of the Commanda name and the focus on the Sacred Chaudiere Site drew the vast majority of the public there – both William Commanda and his work at the site have drawn the attention of people of all levels, and from the area, as well as nationally and internationally (see [www.asinabka.com](http://www.asinabka.com) and [www.circleofallnations.ca](http://www.circleofallnations.ca) websites). Further, we understand from other records that perhaps a mere 200 people attend the June 24 2014 public meeting on the development and some thirty-seven people offered comments – this is actually indicative of the drop in interest and the mounting discontent. This was apparent at the October 2, 2014 City of Ottawa Planning Committee Meeting, when over 100 people were in attendance, and over 70 presented written submissions in support of William Commanda's plans and against the Windmill development plans. By comparison, there were three delegations in support of the proposed development, and we understand one was called in at the last minute. In view of the City's immediate decision to affirm the rezoning, several parties (who could afford the filing fee) appealed this decision, supporting William Commanda's *Circle of All Nations* at large.

**Question 2 f Did you verify details regarding the 800 or was it 900 people who attended the Windmill consultations? What are the implications of the much reduced attendance (200?) at the City of Ottawa's event on June 24, 2015?**

**Question 2 g Are you aware that the intensification of private development interests (1200 condominiums and 2995 underground parking spaces) were not revealed in the Windmill public consultation of December 2013, and that the consultation was thus misrepresentative?**

In our June 1 2015 Submission to the OMB, we note that the Ottawa River Watershed remains the unceded, unsurrendered and unconquered traditional territory of the Algonquins of the Watershed, inclusive of the reserve communities on both the Ontario and Quebec sides of the river, and, (as partially acknowledged by the Ontario land claim discussions, initiated in 1992 and later formalized with repeated, publicly contested membership concerns, in the Algonquins of Ontario group formalized in 2004-2006), on- and off; reserve communities in Ontario, and in land based communities in Quebec.

While land issues remain chaotic, all Algonquins have come together to affirm the William Commanda vision for the heart of the territory, at the Sacred Chaudiere Falls – from both on- and off-reserve, status and non-status, Metis, and countless others not formally identified as Algonquin, but with definite family links – these threads are now formally acknowledged and documented in the work of Lynn Gehl, Claude Hebert, Jean Guy Paquin, the documentary The Invisible Nation, Ottawa Heritage River Documentation, William Commanda’s archives and oral history; Further, there is the larger linkage with the broad Algonquin family of 84 nations spread across North America that Elder Commanda drew attention to regularly. These folk, as well as countless other First Nations, Inuit and Metis, and non-Indigenous peoples, have co-created and affirmed William Commanda’s fully inclusive vision at the Sacred Chaudiere Site, and this is included in the City of Ottawa’s own records, and also shared with other levels of government by the City itself. It is also included in the written submission to appeal the City of Ottawa’s decisions.

In our opinion, the Sacred Chaudiere Site is incontestably the most significant resource in the country, for a multiplicity of reasons, and the City’s rezoning and planning decisions, and further its lack of capacity to engage in advancing Elder Commanda’s vision, is challenged.

**Question 2 g Did your analysis take all these critical matters into consideration, including comparing the 37 comments noted on Tab B 40 with the letters in support of William Commanda’s vision?**

**At Tab B. 4**

**Question 3. Are you aware that Elder Commanda decried the contaminated “Brownfield” nature of the Sacred Chaudiere Site publicly in 1987 at the First Ministers Constitutional Conference hosted by former Prime Minister Mulroney here in Ottawa? And on Victoria Island itself in 1996 with the release of the report of the Royal Commission on Aboriginal Peoples? and with his Waterlife Workshop concerning the deplorable condition of the Ottawa River? And that thereafter, the City of Ottawa was fined \$50,000 for sewage in the river and that this funded**

**Ottawa Riverkeepers, participants in his conference? And that he hosted Sustainable Relations workshops and Paddle for Peace events and gatherings on Victoria Island (and in Maniwaki) over several years, to raise awareness of these environmental issues?**

**At Tab B 5 and 6 and 81**

In view of our specific questioning of ownership issues in our appeal of the City's rezoning and planning decision (September 29, and November 10, 2014) as follows:

On September 29 I questioned

1. the lack of clarity in the phrase "under private ownership or use"; and
2. the inadequacy of the consultation with Algonquins, Inuit and First Nations, and public at large;
3. this latter particularly in view of Elder Commanda's impact on the City of Ottawa over the past two decades, inclusive of his receipt of the Key to the City in 2006, the November 2010 City of Ottawa endorsement of his Vision for the Indigenous complex at the Sacred Chaudiere Site; and affirmed in my presence by Steve Karanikollas, Councillors Assistant, in 2013.

On November 10, I question "under private ownership or use" – and asked, "Does the City of Ottawa not have a responsibility to secure irrefutable evidence in a case that is being challenged?"

I note your comments at Tab B 6, and I contend that they reveal a shocking absence of due diligence: "*Windmill Green Fund LPV Corporation (Windmill Developments) acquired the land from Domtar Corporation; Windmill further entered into negotiations with the Federal Department of Public Works and Government Services Canada (PWGSC) to transfer to Windmill small portions of land on Chaudiere Island owned by PWGSC that I understand were subject to a perpetual lease for PWGSC to Domtar*". Further, at Tab B 51, you state and discuss "*Lands that are privately held or owned. The subject lands have been held in private ownership for over 100 years with small areas owned by the PWGSC, but with perpetual lease agreements in place that I am led to understand provide for their perpetual use by private interests. From a land use planning perspective, I am therefore of the view that the recognitions and affirmations provided by section 35 of the Constitution Act do not apply within the framework of the PPS 2014*".

You note at **Tab B 81** that we are appealing the City's Rezoning and Planning decisions in part because of ownership issues in this (highly contested) public site. ***Our*** further investigations reveal that the ownership issues at the site are mired in even more misrepresentation. It would seem that the City of Ottawa would want to have some clarity on this matter before making drastic rezoning and planning changes, particular given the challenges of Indigenous rights to title and land.

**Question 4. Can you please clarify the land ownership status at this most significant historical and highly contested central Indigenous site in of the Capital City in the context of rezoning the same from public to private status? Do you maintain that the Capital City has no public responsibilities in this regard?**

**At Tab B. 7 and 8**

Please note that in our June 1, 2015 Submission to the OMB we state the following:

Romola V. Thumbadoo (Trebilcock) June 10, 2015 OMB Cross Examination



“We are especially concerned with the implications of the following statement at **Tab B 8**: *The proposal for the Chaudiere and Albert Islands is part of a larger mixed use development proposed by Windmill for all of the former Domtar lands that would straddle the Ontario and Quebec border along the Ottawa River with the Chaudiere and Albert Islands being located within the City of Ottawa and the mainland portion of the project being located within the City of Gatineau. A Master Plan report was developed by Windmill for the overall development and shows how the PWGSC lands, if transferred from Windmill, and the Ottawa Energy Corporation land would be integrated into the overall development. The proposed development however is not dependent on the PWGSC Canada lands being transferred to Windmill. Windmill’s master plan report is found at Exhibit 4.*

**Question 5 a. Is the ultimate end the control of the water/energy resources at the Chaudieres by Windmill Green Fund LPV? This plus the determination to secure Fee Simple rights at the site, as noted in the Windmill Green Fund PLV submission, has grave implications for the privatization and control of water resources, not just from a First Peoples perspective, but also with respect to the public interests of the City of Ottawa;** we note that at Tab C 9 and 4, Windmill writes about converting two perpetual leases with Public Works and Government Services to fee simple lands. Further, with the international partnerships that Windmill Green Fund PLV announces, the global corporate exploitation of Canadian waters becomes more apparent.

Environmental scientists and political scientists point to global WATER WARS being the challenge of the upcoming century; and the average citizen already knows this is a critical issue. It was not without prescience that William Commanda demarcated the Sacred Chaudiere Site as a place to regenerate the global prayer and respect for PEACE.

At Tab B 7 you state that the Ottawa Energy Corporation “is to be retained for the foreseeable future”, and in 8 you state that “PWGSC lands, if transferred from PWGSC to Windmill, and the Ottawa Energy Corporation lands would be integrated into the overall development”.

**Question 5 b. As a City Planner and public servant, would this not be of particular concern to you? The City in 2014 invested \$43 million taxpayer dollars to acquire Ottawa Energy Corporation from Domtar; What are the implications of this “proposed development”? Does the public asset get acquired by Windmill?**

NOTE that the documentation in the Windmill’s own submission notes that, since 2007, the site has not been utilized while the owners have been attempting to sell (B. 9); Tab C, indicates that Windmill Development Group controls Windmill Green Fund LP-V (“Windmill”) the *owners* of the land at 3 and 4 Booth (at Tab A1); and Tab C B 3 and 4 indicates that Windmill contacted the *owner* of the Lands, Domtar, in 2012, to take over the *perpetual lease*. In its sale promotional materials, however, Windmill notes *over 5 years of planning* (already submitted to the OMB).

**Question 5 c. What can you clarify regarding the corporate players – that is, who is Windmill and who is Domtar? What are the implications regarding Energy Ottawa acquisition? Does Domtar sell the Corporation for \$43 million and then set in motion actions to reacquire it?**

AGAIN, please do not think these are frivolous questions; they link also to our other questions about misinformation regarding Decontamination and use of public funds.

With respect to Planning, attached to your affidavit as Exhibit “13” is a copy of the staff-initiated draft Official Plan Amendment.” There are several references to this “staff-initiated” work, re: the Central Area Secondary Plan (OPA). It is noted that Tab B H. 51, Summary of Professional Planning Opinion deems OPA 143 appropriate and in the public interest.

It is noted that the LeBreton Flats have been “cleared” but there is no cohesive development plan evident there yet. Given the City’s recent tremendous acceleration in the intensification high-rise development, it may be inferred that the amendment to the Planning Act would accommodate increased mixed use, commercial, office space, and condominium development. That too would create all the more reason to maintain the Open Space zoning of the Islands. **At Tab B 5 6**, you note that this area is the “last downtown water front area that can be redeveloped to provide for public access to the Ottawa River.” This is already designated for Parks and Open Space.

**Question 5 d. What are the implications of these repeated statements regarding staff initiated amendments? Did the City err in judgment with respect to planning; should it have not bothered to go that route? Was it intending to safe guard something? As per discussion about LeBreton Flats, are the additional reasons for the Planning amendment? Are there other items that should be disclosed during this OMB hearing?**

## SECTION 2

### **MT Questions for Miguel Tremblay, Windmill Green Fund LPV**

*At Tab B, K 102, you state that “The matter of the ownership of the Lands has been raised by some of the Appellants as a basis for refusal of the Applications. It has been my planning experience that any person or entity can apply to rezone or re-designate lands and that such applications need not be made by the owner of the lands himself or herself. Equally, the City is entitled to rezone or re-designate any lands within the City of Ottawa on its own volition, regardless of whether the owner consents.*

**Question 1 a. Can you tell us what you know of mandates of the Charter of Human Rights and Freedoms and its provisions with respect to Aboriginal Peoples, the Universal Declaration on the Rights of Indigenous Peoples and the prescriptions of the Provincial Policy Statement on the heritage and culture of Indigenous Peoples?**

**Question 1 b Can you please comment on your awareness and opinion on each of the points we raise on land ownership issues – as you know, a serious reason for our challenge of the City’s rezoning decisions pertains to land ownership issues on “crown land” and unceded, unsurrendered Algonquin Territory.**

Again, can you please comment on your awareness and opinion on the following critical points?:

1. First, we note that even before Canada, Ontario or Quebec were created, the establishment of reserves for the Algonquins at Golden Lake, Temiscaming and River Desert (Kitigan Zibi) serve as acknowledgement that the Ottawa River Watershed is the territorial homeland of the Algonquins. Historical colonial practices have proved to be divisively destructive and this is reflected in the land struggles. However, Late Algonquin Elder William Commanda, on whose behalf we pursue this challenge, drew all Algonquins together in consensus about the future development of the Sacred Chaudiere Site (note Circle of All Nations/Asinabka documentation).
2. We note the decades plus public history of contentious land negotiations and contested membership challenges and disengagement by the federal government in the Algonquins of Ontario negotiations. Algonquin communities from Quebec and non-Status communities have also asserted land interests. They all need to be engaged in decisions pertaining to this verified ancient sacred ancestral gathering place.
3. The crown land “ownership” issues in this area are mired in confusion.
4. The documentation from Windmill Green Fund LPV notes in their Submission

- that, since 2007, the site has not been utilized while the owners have been attempting to sell (Tab B C. 9).
5. Tab C A.1 indicates that Windmill Development Group controls Windmill Green Fund LPV (“Windmill”) the *owners* of the land at 3 and 4 Booth; and Tab C B. 3 and 4 indicates that Windmill contacted the *owner* of the Lands, Domtar, in 2012, to take over the *perpetual lease*. Who is Windmill Green Fund LPV and Domtar? It would be useful to have some clarity on this matter.
  6. In its sales advertisements, with launch scheduled for May 30, 2015 (prior to the OMB Prehearing Conference), already posted on Facebook for several weeks, Windmill notes *over 5 years of planning*. At Tab C B. 3 it is stated that “In 2012, upon reading an article in the Ottawa Citizen, Windmill learned that Canada’s Treasury Board had turned down a National Capital Commission (“NCC”) request to purchase the Lands”.
  7. Further, at Tab C B. 4, we note “Windmill contacted the owner of the Lands, Domtar, shortly thereafter to begin negotiations to secure the Lands and to take over the perpetual lease that provides private property usage rights with minor exceptions over a portion of the Lands (equivalent to approximately 7 % of the Lands) owned by the Canadian government (the “Lease”). The Lease is assignable. Attached as Exhibit ‘1’ to this my Affidavit is an extract from the Lease demonstrating that it is assignable”. We are of the understanding (via F. Jette, Domtar, 2007), that Domtar holds a lease in perpetuity, renewable every 20 years, for \$100 a year.
  8. At Tab C 2 p. 9, Windmill identifies “two perpetual leases with Public Works and Government Services Canada on our property which we are in the process of converting to fee simple lands. While the NCC has taken the lead on this process we think it makes sense for us to review this directly with the Algonquins of Ontario”.
  9. In Tab C 4. p. 15, Windmill discusses the *Conversion of two perpetual leases with Public Works and Government Services to fee simple lands*.
  10. Fee Simple, according to Wikipedia, states: a permanent and absolute tenure of an estate in land with freedom to dispose of it at will, especially in full **fee simple absolute** a free tenure, which is the main type of land ownership. Further: the greatest possible estate in land, wherein the owner has the right to use it, exclusively possess it, commit waste upon it, dispose of it by deed or will, and take its fruits. A fee simple represents absolute ownership of land, and therefore the owner may do whatever he or she chooses with the land. If an owner of a fee simple dies intestate, the land will descend to the heirs.
  11. We contend that the land issues here are not only mired in confusion, but subterfuge.

12. But NOTE, they were not mired in confusion for William Commanda.
13. The one principle governing his life was that he was firmly planted on his Mother Earth, and he stated repeatedly that only a fool would sell his Mother. Many Indigenous and non-Indigenous began to really understand this, and we see today this as the energy resistant to the Windmill plans.
14. Further, with respect to land claims, he stated quite simply that he had nothing to claim – he was “at home” here. With respect to the Sacred Chaudiere Site, this is especially true. His direct family of shaman and leaders, identified as such going back to 1760, before the Royal Proclamation of 1763, occupied Commandant Lake, now Lac Papineau; the river emerging from the lake was Kinoge, and it was the Kinoge people who challenged Philomon Wright in 1802 for cutting down their sugar bushes at the Chaudiere; he told them that their ancestors had made such an agreement; they considered this such a monstrous statement, a *loup garou*, whose energy could only be transformed to friendship by a sacred ceremony; Philomen Wright’s daughter describes this in her True Story based on her father’s records in the book, *The White Chief*. The Commandants were the shaman leaders, the *Jessakids*, in the 1760s, and 1800s; and in the 1990s and till 2011, their direct descendent, William Commanda, reaffirmed the overture of friendship and sharing at his family’s ancestral spiritual lands at the Sacred Chaudiere Site. The most senior representative of the family, Mary Daisy Commanda Jacko, asserts the same indelible connection with her ancestral lands, as do countless others, and there is no way that William Commanda’s fully inclusive vision for the Sacred Chaudiere Site, (consistent also with general land planning priorities in the capital city, consistent also with the Greber Report, and consistent with the voice of many other “Canadian” federal and capital city leaders over the years), can be misconstrued (documentation available).
15. As such, the Indigenous and non-Indigenous friends and supporters of William Commanda’s vision have no option but to contest and challenge the decisions of the City of Ottawa, and the aspirations of Windmill Green Fund LPV.
16. Note further that in 2007, Late Algonquin Elder William Commanda contested the Domtar plan for expansion of the Hydro Electric Plant at the Chaudiere, and the twenty-year extensions of the *perpetual lease of Crown Land* (originally authorized by Act of Parliament for the development of the nation).
17. In May 2009, William Commanda wrote to the Queen and the Governor General regarding his vision for the Sacred Chaudiere Site.
18. Note also that "over five years ago", in February 2010, Elder Commanda released his comprehensive vision for the Sacred Chaudiere Site publicly, including to the federal government.

19. And note further that in November 2010, City of Ottawa endorsed this plan officially.
20. Finally, with the post 2012 acceleration of development efforts of Windmill, note also that a citizens' advisory group of the Conservative Party, POGG (Peace Order and Good Government), was examining the work of William Commanda and that they presented a report on the file to then Minister of Foreign Affairs, and also responsible for the National Capital Commission, Hon. Min. John Baird, in November 2013: that is, the federal government. A further acceleration in Windmill activity commences in December 2013. ([www.asinabka.com](http://www.asinabka.com))
21. On 7 July, 2014, a Memorandum of Understanding is signed between the NCC, Windmill and Domtar.
22. We also contend that land ownership and development plans at this site are of critical importance to its geological integrity, post Wisconsin Ice Age occupation of the land by Paleo Indians, Algonquin history, UNESCO cultural/heritage issues, the Nation's historical development, and contemporary public interest in the fully inclusive Commanda vision for public space and activities at *his* unceded, unsurrendered and unconquered ancestral lands, and that the City of Ottawa's decision to rezone to permit privatization and intense condominium development is irresponsible and highly contentious from multiple levels.
23. In addition to the documentation of the Ottawa River Heritage Committee on the unique geological features of the Ottawa River, we have available our own discussions of its importance to Indigenous peoples inclusive of direct land-based exploration with William Commanda – the Chaudiere is one of three particularly significant geological features of this Grand River that featured like no other in the history of Canada.

**Re Tab B C 10** You note here that there is no direct access to the Chaudiere Falls from the Windmill lands or from the Proposed Development.

**Question 2. Why is Windmill advertising its provision of access to the Waterfalls?**

**Re Tab B D 17**

**Question 3 How does the intensification of private development interest (1200 condominiums and 2995 underground parking spaces) contribute to the prioritization of pedestrians and cyclists in this busy and critically important inter-provincial bridge?**

**Re Tab B E 22**

**Question 4 Was it 800 or 900 hundred people who participated in the December 2013 consultation? Are you aware that the Windmill plan is in direct conflict with the William Commanda plan? It is noted that you make mention of his name here.**

**Re Tab B E 30 and 69 and J**

Please reference our commentary at Point 7 regarding the inadequacy of consultation in our June 1 OMB Prehearing Conference Submission (attachment). With respect to the Algonquins of Ontario, I note their repeated reference to the Grandfather Commanda vision.

**Question 5. To what extent did you take this into consideration in your preparation? Did you refer to the November 2010 City of Ottawa’s endorsement of Elder Commanda’s Vision?**

**Question 6. It is noted that the Letter of Intent you refer to in point 69 is signed with the Algonquins of Pikwakanagan and not Algonquins of Ontario. Was there any pressure placed or incentives offered to lead to this group to engage alone in this “Intent”? It is noted that the contentious land claim negotiations have created huge financial burdens of the community.**

**Question 7. What do you understand from the statement at Tab C 3.2: “Kitiganzibi - Windmill has had difficulty engaging in any consistent manner with Kitiganzibi throughout the past two years” in the Windmill submission of May 2015? Does this imply adequate consultation?**

**Re: Tab B I i 64 and 65**

**Question 8. Can you please provide us with details about the findings of the Stage I Archaeological Assessment? Are you aware of the archaeological findings of the summer of 2014 at Jacques Cartier Blvd on the Ottawa River, indicative of articles dating back to 2500 and 6000 years ago, and affirming the regular use of the cross road junction of the Ottawa, the Chaudiere, the Rideau and the Gatineau as ceremonial, cultural heritage site? Are you aware of its significance as a post-Wisconsin Ice Age site of global/human significance? In view of these critically important findings (note that in other previously presented correspondence on this file, we have highlighted documents that show that UNESCO has elevated protection of Indigenous/sacred/cultural/heritage sites) should not this issue be given critical attention in this rezoning and massive development plan for “European Malls” and “Little Amsterdams”?**

**Question 9 To what extent are you aware of the unique geological features of the Ottawa River: are you aware, for example, that it is the only river in Canada that spans 4 periods of rock creation in the formation of the Earth’s lithosphere, and that the most ancient mountains emerged here (and in eastern Brazil)? Are you aware that the Ancient People were aware of geological history, the different types of rocks that are featured prominently in the Ottawa River Watershed – eg Spirit Rock in Temiscaming, Ouiseau Rock as the water descends from the north and then**

turns east, and, the one of great relevance to this file, the Chaudiere Rocks, Karsts and Black holes?

**Question 10** **To what extent are you aware that the Sacred Chaudiere Site is a significant part of migratory route of the most unique and mysterious American Eel, slated for the endangered species list because its extreme decimation by habitat decline, hydroelectric plants and turbines, and commercial exploitation: and that inspired by William Commanda's lead, Indigenous peoples and other scientists/biologists and policy makers have contributed to putting in on the National Agenda, with implications for ongoing operations of dams? Are you aware that a formal report on the plight of the American Eel was released on June 3, 2015?**

**At Tab B.B 6**, you state, regarding the Affidavit of John Smit, for the City of Ottawa, "I accept as correct the facts as laid out and I adopt his opinions as my own" (Miguel Tremblay, Planner for Windmill).

The submission for motion of dismissal of the appeals makes reference to **Decontamination**.

We fail to see the relevance of \$100 million for decontamination, in the context of privatization, condominium development and capital/commercial planning and rezoning and planning amendments.

**Question 11** **Further, is Domtar accepting full responsibility for the site contamination? Is it being held accountable for site contamination? Is it expending its own funds to undertake the remedial work on the brownfield site it created? What are the implications of recent (April 5, 2015) announcement regarding the federal, provincial and city allocation of \$195 million dollars to Ottawa River Cleanup? Are these funds being accessed in the potential Brownfield reclamation? Is Windmill Green Fund LPV investing its own dollars on decontamination, or are the taxpayers paying for the Domtar Corporation's destructive environmental practices? How can this possibly be presented as an argument in favour of the developer?**

**Question 12** **Can you comment on the additional report that was delivered the day before the OMB hearing – a thin document with 2 tabs (Please excuse me, I omitted to bring it with me on my travels and do not have the full reference); Tab B discusses the urgent need approve the rezoning so that Windmill can undertake Brownfield work at the Islands and access City of Ottawa tax rebates before any changes to the program. Again, I query the sequence of (1) Domtar's years of site contamination, and (2) accountability; (3) the confusing unclear identity of Windmill and Windmill Green Fund LPV and linkage with Domtar; and (4) the pressure to push the rezoning and the pivotal shift planning changes through to enable the corporation to access tax payer dollars in tax rebates. Is this not wrong? What light can you throw on this?**



### SECTION 3

#### JW Questions for Jeff Westeinde

**At Tab C. A 1** You state that you are “Executive Chairman and co-creator of Windmill Development Group Ltd., which controls Windmill Green Fund LP-V (“Windmill”), the owners of the lands at 3 and 4 Booth Street, the former E. B Eddy lands (the “Lands”) under agreement of Purchase and Sale and Assignment of Lease.”

**Question 1 Can you please clarify this statement? Documentation elsewhere (TAB C B 3 and 4) identifies Domtar as the Owner of the lands, and Domtar itself has formally involved itself in the OMB appeal process. Is Domtar partner/player/lead in the Windmill Green Fund LP-V? How long have you been acquainted with/engaged Domtar Corporation?**

**At Tab B. 3** You state that “In 2012, upon reading an article in the Ottawa Citizen, Windmill learned that Canada’s Treasury Board had turned down a National Capital Commission (“NCC”) request to purchase the Lands. .. Windmill contacted the owner of the Lands, Domtar, shortly thereafter to begin negotiations to secure the Lands and to take over the perpetual lease that provides private property usage rights with minor exceptions over a portion of the Lands (equivalent to approximately 7% of the Lands) owned by the Canadian government (the “Lease”). The Lease is assignable. Attached as Exhibit “1” to this my Affidavit is an extract from the Lease demonstrating that it is assignable.”

On May 27, 2015, in view of Face Book and other posts regarding the launch of the “Zibi” sales office, I wrote to the OMB, for clarification about whether the OMB appeal proceedings would be impeded by this activity. In this excerpt of my communications, you will note that I reassert that clarity on Land Ownership issues are critical (noted in September and November 2014 also in the context of this appeal).

c. We contend that land ownership issues are critical in this case, and lands at the Sacred Chaudiere Site have been publicly and formally associated with the work of William Commanda since the late nineties, and in particular, since 2006, after his presentation with the Key to the City on Victoria Island.

The documentation from Windmill notes that, since 2007, the site has not been utilized while the owners have been attempting to sell (B.9); Tab C, indicates that Windmill Development Group controls Windmill Green Fund LP-V (“Windmill”) the *owners* of the land at 3 and 4 Booth (at Tab A1); and Tab C B 3 and 4 indicates that Windmill contacted the *owner* of the Lands, Domtar, in 2012, to take over the *perpetual lease*. On the Attachment #1, below, however, Windmill notes *over 5 years of planning*. I note that in 2007, Late Algonquin Elder William Commanda contested the Domtar plan for expansion of the Hydro Electric Plant at the Chaudiere, and the twenty year extensions of the *perpetual lease of Crown Lands* (originally for the development of the nation); note also that "over five years ago", in February 2010, Elder Commanda released his comprehensive vision for the Sacred Chaudiere Site publicly, including to

the federal government, and that in November 2010, City of Ottawa endorsed this plan officially. Finally, with the post 2012 acceleration of development efforts of Windmill, I note also that the Citizens Advisory Group of the Conservative Party, POGG, was examining the work of William Commanda and that they presented a report on the file to then Minister of Foreign Affairs, and also responsible for the National Capital Commission, Hon. Min. John Baird, in November 2013.

**Question 2 Can you clarify when you became involved with the Sacred Chaudiere Site? Was it in in 2012? Was it five years ago (Spring 2010, coincidental with William Commanda’s public launch of his Comprehensive Vision for the Sacred Chaudiere Site?**

**Question 3 You have mentioned to me that Domtar “owns” 37 acres of land on the Chaudiere and Albert Islands. Have you seen documentation to this effect? Can you share this for the record?**

**At Tab C C 19**, We note your support of the City of Ottawa’s Submission to Dismiss our Appeal.

While we are on the subject of ownership issues, may I commence by saying that the vast majority of our challenge of issues (ownership, consultation, decontamination etc.) emerges from the Submissions of the Motion to Dismiss our appeals, by the City of Ottawa and the Respondent, yourselves. However, quite separately, information obtained via Access to Privacy regarding a National Capital Commission/Domtar/Windmill Memorandum of Understanding, referenced in City of Ottawa Documentation **at Tab B. E. 20**, was sent to us and the gist of the material noted in our June 1, 2015 OMB Submission, is as follows:

RE: MEMORANDUM OF UNDERSTANDING BETWEEN THE NCC< WINDMILL AND DOMTAR: We note at Tab B. E. 20, discussion of the National Capital Commission – apparently, on December 11, 2013, “Although the NCC is not an approval authority for the development, Windmill granted it a role in the process”; we learn further that the NCC also owns a small portion of the land on the Gatineau side of the Islands. On November 7, 2014, via an *Access to Information Act* request, (not ours) a Memorandum of Understanding between the NCC, Windmill and Domtar dated 7 July, 2014, was secured; many pages are blanked out; what remains of interest are the (placed) page 5, re Article 2 – Aboriginal Consultations – 2.1 The conveyance of real property interests in all or any part of the Subject Lands by the NCC may be considered a Crown conduct that triggers the duty to consult aboriginal groups; 2.2 Any consultations must be conducted with the appropriate Aboriginal Groups, including without limitations, the Algonquins of Ontario, and the Algonquin Anishinabeg Nation Tribal Council; 2.3 Windmill has already met with the aboriginal groups referred to in section 2.2 to discuss the Project and its impact on the Subject Lands. Sections 2.4 and 2.5 are blanked out.

The other item of interest (other than the blanked out sections) addresses Public Announcements (Article 5) wherein in Section 5.2 states, “With respect to any public announcements about this MOU, the Parties agree to cooperate reasonably and in good faith in order to coordinate each Party’s public communications of this MOU, but in no event shall one party make any public announcement of the MOU without giving the other parties at least fifteen (15) business days’ written notice of that party’s intention to make such a public announcement.”

**Question 4 Can you please comment on this item? Are you aware that William Commanda's direct ancestral family/community from Lac Commandant (Lac Papineau) engaged with Philomon Wright regarding land rights and responsibilities at this precise Sacred Chaudiere Site?**

At Tab C 2 p. 9, Windmill identifies “two perpetual leases with Public Works and Government Services Canada on our property which we are in the process of converting to fee simple lands.

**Question 5 Can you please provide details on the TWO leases and clarify any further?**

At Tab C C 19, We note your support of the City of Ottawa's Submission to Dismiss our Appeal.

We are especially concerned with the implications of the following statement in the City of Ottawa's Submission, **at Tab B 8:** *The proposal for the Chaudiere and Albert Islands is part of a larger mixed use development proposed by Windmill for all of the former Domtar lands that would straddle the Ontario and Quebec border along the Ottawa River with the Chaudiere and Albert Islands being located within the City of Ottawa and the mainland portion of the project being located within the City of Gatineau. A Master Plan report was developed by Windmill for the overall development and shows how the PWGSC lands, if transferred from Windmill, and the Ottawa Energy Corporation land would be integrated into the overall development. The proposed development however is not dependent on the PWGSC Canada lands being transferred to Windmill. Windmill's master plan report is found at Exhibit 4.*

Environmental scientists and political scientists point to global WATER WARS being the challenge of the upcoming century; and the average citizen already knows this is a critical issue. It was not without prescience that William Commanda demarcated the Sacred Chaudiere Site as a place to regenerate the global prayer and respect for PEACE.

**Question 6 - Is the ultimate end the control of the water/energy resources at the Chaudieres by Windmill Green Fund LPV?** This plus the determination to secure Fee Simple rights at the site, and noted in the Windmill Green Fund LPV submission, has grave implications for the privatization and control of water resources, not just from a First Peoples perspective, but also with respect to the public interests of the City of Ottawa; we note that at Tab C 9 and 4, Windmill writes about converting two perpetual leases with Public Works and Government Services to fee simple lands. Further, with the international partnerships that Windmill Green Fund PLV announces, the global corporate exploitation of Canadian waters becomes more apparent.

**In this context our request for clarification of the links with Domtar are critical – In 2007, Elder William Commanda challenged Domtar's plans to expand hydro electric power development at the Sacred Chaudiere Site.**

At Tab C C you discuss engagement with Algonquins and others. At Tab C C 9 you mention consultation with The Ottawa Riverkeeper – in 2013 Ottawa Riverkeeper made a public statement in support of your development plan – before any consultation with Indigenous Peoples and others actively engaged in William Commanda’s comprehensive and documented vision for the site. At Tab C C 11, you mention consultation and guidance from the City of Ottawa. At Tabs C 2 and 3 you list some consultation details.

The adequacy and nature of your consultation remains of serious concern to us, and identified as such in our appeal documentations. We intend to file other materials that document these concerns further during the OMB Hearing; still, I must reiterate as we did on June 1, 2015 that we view the inclusion of people’s identities, both Algonquin and non-Indigenous, with distaste and regret.

**Question 7 Can you please comment on the following excerpt on Consultations from out June 1, OMB Prehearing Conference Submission (attached), particularly with reference to correspondence not detailed in the submission?**

**From June 1 OMB Submission 7. First Nations Consultation – Rebuttal**

NOTE: We regret the inclusion of people in this section of the submission, but we are obliged to follow Windmill’s lead here. We fully respect the rights of individuals and groups to make their own analyses, judgments, choices, and decisions; but we are adamant that no proper consultation has been undertaken, with First Peoples or the public at large, and we do not believe the views of the Windmill partners is at all consistent with William Commanda’s, and we are obliged to affirm the position of William Commanda.

Since the time of the Royal Proclamation of 1763, multilevel legislation, mandates, obligations, principles and guidelines govern relationships and negotiations with First Peoples on land matters; in addition to the United Nations Declaration on the Rights of Indigenous Peoples sets a framework that Canada eventually signed onto in 2007. In addition to the duty to consult, there are also obligations for moral and ethical standards of conduct and engagement with First Peoples.

In Tab B J.ii.92 the City’s responsibility to Indigenous Peoples, particularly with respect to waterways and islands, as noted in the Official Plan (Subsection 4.6.3) is formally acknowledged.

We believe that the consultation cited is inadequate and contentious, particularly in such a high profile and critically important site, of relevance to First Peoples and the country and international community at large.

In Tab 3, regarding consultation and engagement, it is noted that “Windmill first reached out to the AOO in late July 2013 to set up a meeting with the Algonquins of Ontario (AOO) Council. There has been significant contact with AOO staff throughout the project to date, however we have only detailed correspondence /contact of significance below for your information” (Tab C 3.1); and re “Kitiganzibi - Windmill has had difficulty engaging in any consistent manner with Kitiganzibi throughout the past two years. We have listed below our correspondence and attempts at engagement with Kitiganzibi.” (Tab C 3. 2).

The documentation in the submission, in our opinion, may be viewed as pressure and also possibly harassment. The engagement of a few voices in social media promotion demonstrates conflict of interest issues as well, and we have examples to elaborate upon as required. We also contend that

the consultation and engagement may very legitimately be viewed totally inadequate with respect to Algonquins on- and off- the reserves in the Ottawa River Watershed, and inadequate with respect to First Nations, Metis and Inuit (critical partners in the Indigenous Centre at Victoria Island plan), and close to non-existent with the public at large, and with the *Circle of All Nations*, key players engaged in animating the site over the past two decades.

We suggest it would also be legitimate for the OMB to examine **other correspondence Windmill has engaged in with Algonquins not “detailed” in the submission.**

With respect to the Windmill discussion regarding Algonquins of Ontario, please note that the Negotiation Representatives repeatedly draw attention back to respecting the integrity of Elder William Commanda’s Vision. In fact the Windmill development plan flies in the face of Elder Commanda’s vision.

In this regard, note that from as early as 1967, Elder Commanda has undertaken animative Indigenous work in Ontario; with respect to Algonquins of Pikwakanagong, note that Elder Commanda hosted a consultation with the Chief Kirby Whiteduck and other representatives at his home in Kitigan Zibi, in advance of the initial 2003 report on the proposal for the Sacred Chaudiere Site; he conducted a Wampum Belt Reading at the Sharbot Lake gathering, inclusive of Non-Status Algonquins in Ontario; he attended an AOO meeting with former Ontario Minister of Aboriginal Affairs (and former) Attorney General Michael Bryant, and asserted the principles of the Three Figure Wampum Belt; and he affirmed his rejection of any ceding, surrendering or selling of the traditional territory of his peoples in another AOO meeting; the invitation for him in to engage in the AOO land negotiations is indicative of the recognition of the relevance of his voice (Photo files are available). He affirmed his refusal to “sell” his Mother the Earth, and he also asserted that he had nothing to “claim” – his position in his homeland was indisputable. Also, repeatedly, his vision for the Sacred Chaudiere Site was clearly stated.

Please note further that the AOO Algonquin Treaty Negotiations have been fraught with challenges, published academic criticism, unresolved membership and genealogical issues, and, and in view of the multiple contentious issues, including also federal withdrawal from the table, cross-provincial border issues, and the implications of the Supreme Court decision on Tsilhqo’tin land title case, Windmill’s intervention with the AOOs can not be accepted as adequate consultation. As such, the 2 April 2015 Letter of Intent signed with The Algonquins of Pikwakanagan First Nation, (and not AOO, indicative of continued fractious divisions) and Windmill Development Group Ltd is not a conclusive statement of Algonquin engagement, and disturbing in its appropriation of the Sacred Wampum heritage and language of Elder Commanda.

The Windmill Green Fund LPV submission notes consultation with Kitigan Zibi Anishinabeg. In the first instance, this reflects acknowledgement that the Sacred Chaudiere Site (as indeed all of the Ottawa River Watershed) is relevant and important to all Algonquins, including those on the Quebec side of the river; William Commanda made that visible in a significant public moment, when he was presented with the Key to the City of Ottawa in 2006 at Victoria Island and noted that *The City of Ottawa was acknowledging someone from the City of Maniwaki, the Province of Ontario was reaching out to the Province of Quebec, and the National Capital Region, representing the entire country, was opening its heart to someone seen generally as belonging within the confines of the reserve of Kitigan Zibi Anishinabeg.*

The admitted “difficulty engaging in any consistent manner” is the statement/admission that leads me to the identification of pressure and possible harassment. William Commanda’s niece, Mary Daisy Commanda Jacko, one of our party, participated in the Windmill meeting in Kitigan Zibi on December 22, 2014; she describes the Windmill presentation as indicative of a “done deal”: she stated publicly, *It sounds like you have decided everything*; and community participants clapped in agreement with her assertion. William Commanda’s daughter, Evelyn Dewache Commanda, one of our party, reiterated the same during a December 22, 2015 meeting with the Windmill Green Fund LPV in her home; note that this meeting is not discussed in Tab B 3. 5; further she was

expecting serious consultation to follow the initial contact. Also, both women recall most clearly the discussion about the brownfield remedial work – as pointed out in Number 4 above on Decontamination, this is not only duplicitous, but disturbing in its unbalanced presentation and dismissal of serious engagement with Indigenous Peoples; neither women realized the intense condominium development, privatization and commercialization of the Sacred Site that was planned; (at this point we might add that the condo plans were not revealed in the Windmill public consultation of December 2013.)

The press releases of May 22, 2015, indicative of signing of agreements with Algonquins, and the announcement the Launch of the Zibi Sales Office on May 30, 2015 (this in advance of the OMB Prehearing Conference of June 3 – 5, 2015) begs the question for clarity and transparency on the matter of consultation (and respect for the OMB proceedings).

In this regard, it is also asserted that none of the Algonquins identified as Windmill partners have engaged substantively in the *Circle of All Nations* work of Elder William Commanda, hence they have no comprehensive understanding of the scope and global implications of his vision and partnerships. In fact, they maybe viewed as deliberately countermanding his lifetime of publicly recognized and honoured work.

Finally, it is entirely disrespectful to appropriate elements of his vision, language, sacred heritage to advance the Windmill Green Fund LPV project, and we challenge this strongly.

Next we note that Windmill Green Fund LPV states on B Page 5 that more than 800 people attended (later reported as over 900 at Tab C 3.1) their December 11, 2013 public consultation, with Claudette Commanda, granddaughter of Grandfather William Commanda in attendance; I contend that merely the use of the Commanda name and the focus on the Sacred Chaudiere Site drew the vast majority of the public there – both William Commanda and his work at the site have drawn the attention of people of all levels, and from the area, as well as nationally and internationally (see [www.asinabka.com](http://www.asinabka.com) and [www.circleofallnations.ca](http://www.circleofallnations.ca) websites). Further, we understand from other records that perhaps a mere 200 people attend the June 24 2014 public meeting on the development and some thirty-seven people offered comments – this is actually indicative of the drop in interest and the mounting discontent. This was apparent at the October 2, 2014 City of Ottawa Planning Committee Meeting, when over 100 people were in attendance, and over 70 presented written submissions in support of William Commanda's plans and against the Windmill development plans. By comparison, there were three delegations in support of the proposed development, and we understand one was called in at the last minute. In view of the City's immediate decision to affirm the rezoning, several parties (who could afford the filing fee) appealed this decision, supporting William Commanda's *Circle of All Nations* at large.

## CONCLUDING REMARKS

We regret being embroiled in this acrimonious process. We note again that this detailed cross examination was formally required of us. We trust we shall have the opportunity to reflect on the larger peace building components of the William Commanda vision for the Sacred Chaudiere Site during the OMB Hearing proper; and particularly in view of the upcoming June 11 8<sup>th</sup> year anniversary of the Canadian Apology to First Peoples, that we have an opportunity to launch a prayer for reconciliation, justice, respect and responsibility, consistent with Grandfather Commanda's perpetual prayer, *Ginawaydaganuc – We are all connected, to Mother Earth and to each other.*

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