



PRESS RELEASE
For immediate release

DEVELOPER TRIES TO BLEED MONTREAL TAXPAYERS OF OVER \$44 MILLION

MONTREAL, February 24, 2014 – Property developer Groupe Pacific is trying to bilk taxpayers out of over \$44 Million by suing the City of Montreal. Considering the City's refusal to grant building permits, the developer has filed, through a wholly-owned subsidiary, a lawsuit offering to transfer the Lachine portion of Meadowbrook to the City of Montreal for this astronomical amount.

Filed last September 11th, the lawsuit alleges that Groupe Pacific was unfairly treated when its requests for building permits were turned down by Montreal and the Borough of Lachine. Over the years, the City has repeatedly stated it refused to invest the millions of dollars in infrastructure for this unserved land. The developer now demands that the City pay the developer \$43.2 Million, with additional damages of over \$850,000, plus interest, in exchange for the transfer of only that half of Meadowbrook which is located in Lachine. The lawsuit does not indicate where the \$43.2 Million figure comes from.

This is in addition to the \$20 Million lawsuit Groupe Pacific already has against the City of Côte St-Luc, contesting its preservation of the northern half of Meadowbrook when it was rezoned from residential to recreational in 2000.

The truth is that Groupe Pacific's case against the City of Montreal is without foundation. After years of studies and reports, everyone now agrees that it is not safe or desirable to build housing so close to a rail yard. This lawsuit is simply being used as leverage to get paid for land that is not and never was suitable for development.

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Notre mission: Empêcher le développement de Meadowbrook et le transformer en Parc Meadowbrook, un nouveau parc nature de 57 hectares, ouvert et accessible à tous les résidents de l'île de Montréal et relié par une trame verte à un réseau de parcs dont, notamment, la falaise Saint-Jacques.

Our Mission: To protect Meadowbrook from development and transform it into Meadowbrook Park, a new 57-hectare nature park open and accessible to all Montreal Islanders and connected through a greenway to a network of parks including the falaise Saint-Jacques.

Groupe Pacific acquired all of Meadowbrook for only \$3 Million in 2006, knowing perfectly well that it could never be developed (see the attached chronology of events). After years of illegal lobbying failed to convince the City to allow development, Groupe Pacific is trying another tactic, suing the City for an astronomical sum that is totally disproportionate with its value. Les Amis de Meadowbrook, an Island-wide citizens' movement that has been fighting development of Meadowbrook for 25 years, finds this utterly deplorable. This lawsuit is not just an unwarranted attack on Montreal, it is an attack on all of us as citizens and taxpayers. This is pure speculation on land which the developer knows cannot be developed.

Les Amis de Meadowbrook applauds the City and the Agglomeration for preserving Meadowbrook, and encourages the City to stand firm against this unfounded claim.

Groupe Pacific cannot claim that it has been treated unfairly. It acquired land that it knew was unbuildable for \$3 Million, and now it is using this lawsuit to try and intimidate the City into giving it exorbitant amounts of public money. Meadowbrook is worth what Groupe Pacific got it for - \$3 Million, and any possible acquisition by the City should be based on this number. In addition, any claim that Groupe Pacific may have for costs associated with its lobbying efforts is also entirely specious, given the fact that this lobbying was done illegally behind closed doors, without the mandatory lobbyist registrations.

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SOURCE: Les Amis de Meadowbrook

For further information, or to arrange interviews, please contact:

Mr. Campbell Stuart

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Website: www.lesamisdemeadowbrook.org

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CHRONOLOGY OF EVENTS

Here is a chronology of events leading up to this lawsuit:

2003: The Mayor of Montreal, Gérald Tremblay, announces publicly that he would preserve Meadowbrook from development.

2004: The Office de Consultation Publique de Montréal recommends, after public hearings, that Meadowbrook become an eco-territory.

Phyllis Lambert states publicly that "A proposal to build 1,200 houses on Meadowbrook is a proposal to build 1,200 coffins" given the danger of disaster from the neighbouring railway marshalling yards.

2006: After 17 years of unsuccessful attempts to develop Meadowbrook by CP Rail and its successors, Groupe Pacific acquires the 57 tree-lined hectares of Meadowbrook for only \$3 Million, less than a third of its municipal value, reflecting the fact that it cannot be developed. The property's total municipal evaluation (CSL and Lachine side) at the time was \$10.6 Million.

Groupe Pacific hires Suzanne Deschamps, formerly the head of La Société d'habitation et de développement de Montréal, to head up its lobbying efforts with the City. Neither Groupe Pacific nor Deschamps register as lobbyists as required by law.

2007: The Federation of Canadian Municipalities and the Railway Association of Canada issue a joint recommendation that no residences be constructed within 300 meters of railway marshalling yards. Meadowbrook sits entirely within 300 meters of the CP marshalling yards, the largest in Eastern Canada.

2009: The Agglomération's Labrecque Commission recommends, after public hearings, that Meadowbrook be preserved from development and turned into a nature park.

2010: The City of Montreal categorically turns down Groupe Pacific's development proposal based on the high costs of public infrastructure including roads, water, sewer and access infrastructure (underpass or overpass) to the Lachine side.

Groupe Pacific obtains a \$177,000 grant from the federal government to promote its development project, which it continues to do publicly despite the refusal from the City. The developer misrepresents the City's position to the funding agency and also falsely declares that it is registered as a lobbyist. The granting agency has been formally asked to have the developer return this money.

2012 CP Rail states that it does not want development on Meadowbrook because of its proximity to the railway's marshalling yards (see CP letter).

2013 The Lobbying Commissioner of Quebec rules that Groupe Pacific and Suzanne Deschamps had been illegally lobbying the City and others. Even after this ruling, Groupe Pacific and Suzanne Deschamps refused to disclose the fact that Deschamps was lobbying former colleagues in Montreal until ordered to do so by the Commissioner.

L'Agence métropolitaine de transport states that it does not want development on Meadowbrook because of the land's proximity to the AMT's new maintenance facility in the Sortin yards (see AMT letter).

In the wake of the Lac Mégantic disaster, the Municipal Council and the Agglomeration Council of the City of Montreal each adopt, by unanimous vote, resolutions calling for the integration of the 300 meter safety setbacks from the CP rail yards into the City's new Urban Plan.



Montréal, le 10 mai 2013

Madame Josée Duplessis
Conseillère
Ville de Montréal – District de DeLorimier
Membre du Comité exécutif, responsable du développement durable
Par courriel : joseeduplessis@ville.montreal.qc.ca

Objet : Projet de développement résidentiel - secteur cours Sortin/centre d'entretien Lachine
N.Réf/1.14.20

Madame Duplessis,

Chère Josée,

Pour faire suite à votre lettre du 8 mai dernier, je souhaite par la présente vous donner la position de l'Agence métropolitaine de transport (AMT) concernant le projet de développement résidentiel dans le secteur Meadowbrook, situé à proximité de notre centre d'entretien Lachine et de la cour Sortin du Canadien Pacifique (CP).


Pour l'AMT, il va de soi que l'implantation d'un projet de développement résidentiel à proximité d'un centre d'entretien et d'une cour de triage ferroviaire risque de favoriser le développement de problématiques de cohabitation, liées aux nuisances sonores, entre les futurs résidents et les activités ferroviaires. Nous ne prônons donc pas ce genre de développement résidentiel dans un rayon aussi rapproché de nos installations ferroviaires. Cela dit, advenant que la Ville de Montréal choisisse de modifier le zonage et de donner les autorisations pour aller de l'avant avec le projet du secteur Meadowbrook, nous recommandons fortement que des clauses liées aux impacts sonores par le promoteur soient incluses dans les contrats liant ce dernier et les futurs acheteurs ainsi que l'instauration de mesures d'atténuation, afin que ceux-ci fassent un choix en toute connaissance de cause.

En ce qui concerne votre deuxième question, je vous confirme que l'AMT a toujours travaillé de façon proactive avec les municipalités limitrophes au centre d'entretien Lachine, soit l'arrondissement Lachine, ainsi que les villes de Côte-Saint-Luc et Montréal-Ouest.

Comme vous le savez, le centre d'entretien Lachine de l'AMT est en construction sur une partie de la cour de triage Sortin du CP que nous avons acquise. Nous y sommes donc en continuité d'usage puisque l'entretien des trains de banlieue est réalisé à cet endroit depuis de nombreuses années. Cela dit, nos nouvelles installations comprendront plusieurs bâtiments où seront réalisées les réparations majeures.

Enfin, rappelons que, tel que discuté et convenu avec les différents paliers gouvernementaux, que ce soit au niveau municipal, provincial ou fédéral, la mission de l'AMT implique de travailler à accroître les services et les activités liés aux trains de banlieue.

Espérant ces informations utiles, je vous prie d'accepter, Madame Duplessis, mes plus sincères salutations.



Pierre-Luc Paquette
Vice-président, Communication et marketing

cc : Louis Machado, vice-président adjoint, Exploitation
Christian Ducharme, directeur de projet, Ingénierie et construction - Centres d'entretien
Mélanie Nadeau, directrice, Affaires publiques



**CANADIAN
PACIFIC**

Communications &
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March 12, 2012

Dida Berku
Councillor, District 3
5801 boul. Cavendish Blvd.,
Côte Saint-Luc, QC H4W 3C3

Re: Meadowbrook development

Dear Ms. Berku,

Pursuant to the letter you have sent us with respect to the development of a portion of the Meadowbrook green space into residential properties, we have reviewed the feasibility of such a project in light of the proximity to CP rail operations and have concluded that the project is not compatible with our operations in the area.

Firstly, the proposed location for a crossing is not feasible due to the high embankment near the bridge carrying CP's Vaudreuil subdivision. This poses a safety risk that cannot be mitigated. Secondly, the road connection would land right in the AMT Sortin yard which is not compatible with the track configurations and operations, also posing a security risk. Both of these elements mean that the proposed project does not meet proximity guidelines, guidelines which are in place to protect not only the security but also the comfort of residents in areas where CP has operations against noise and vibration issues.

Generally speaking, Canadian Pacific does not support the location of any residential development directly adjacent to active rail corridors and yards, which are essentially heavy industrial uses. Although we do our best to be a reasonable neighbour, all operations of active rail corridors and yards create considerable noise and vibration. Residents typically want peace and enjoyment. CP operates 24 hours a day, seven days a week and must have the full flexibility to do so to meet the needs of the economy.

These two realities pressed against each other inevitably lead to conflicts which typically get worse with time. Proximity and safety conflicts also arise when rail/road crossings at grade are created over active railway lands.

When due consideration is not given to these issues, residents there will at a minimum raise complaints about rail operations negatively impacting the use and enjoyment of residential properties or blocking their path while waiting on passing trains. In both scenarios railway operations can also be affected negatively, impacting customers and the economy.

Other significant proximity issues typically arise when residential development encroaches near rail operations, that being an increase in illegal pedestrian trespass on active railway property, putting

people at serious personal risk while doing so. Therefore, in the interests of public safety and security, we also consider these conflicting land uses.

CP works with communities to avoid planning conflicts like these before they arise. Collaborative relationships like these are fundamental to our corporate culture and our operations. Therefore, if a municipality approves a development adjacent to the railway, we believe municipalities should require the adoption of development guidelines that mitigate all of these impacts. The Railway Association of Canada and the Federation of Canadian Municipalities have worked together to create proximity guidelines to address such concerns. However, given that the municipality is not in support of this particular proposal, CP respects and supports this decision.

Regards,

A handwritten signature in black ink that reads "Breanne Feigel". The signature is written in a cursive, flowing style.

Breanne Feigel

Director Public Affairs & Strategic Communications
Canadian Pacific