

Rouge National Urban Park Study  
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**Dear Impact Assessment Agency and Parks Canada:**

Thank you for the leadership of the Minister of Environment and Climate Change Canada, the Field Superintendent of Rouge National Urban Park (RNUP), Parks Canada's CEO, and the Impact Assessment Agency of Canada (IAAC) regarding the initiation of the RNUP Study to:

*"understand the potential effects, including cumulative effects, of past, ongoing, and potential future nearby development projects on the integrity of the Rouge National Urban Park and its management objectives".*

FRW supports the potential effects identified in the draft TOR and we provide additional recommendations which we hope you will incorporate in the RNUP Study Terms of Reference.

**Public Policy Context:**

Since 1990, Ontario Governments, of three different parties, addressed the interests of millions of Greater Toronto Area (GTA) residents by creating:

- Rouge Park and Rouge Park North Management Plans;
- the Duffins Rouge Agricultural Preserve;
- the Oak Ridges Moraine Conservation Plan;
- the Draft Federal Green Space Preserve Plan;
- the Greenbelt Plan;
- Watershed and Source Water Protection Plans;
- Toronto "Area of Concern" Remedial Action Plans (Great Lakes Water Quality Agreement);
- Rouge National Urban Park.

These public interest plans were legislated to:

- protect public health by reducing water and air pollution, and flooding and erosion.
- combat the escalating economic and human costs of climate change.
- improve the health of our watersheds, Great Lakes, and drinking water sources.
- protect biodiversity, fish and wildlife habitat, habitat for species risk and green space.
- curb urban sprawl to control infrastructure costs, taxes and traffic congestion.

**FRW Patrons**

Lois James, "Save the Rouge" founding member and Order of Canada Recipient

Hon. Raymond Cho, MPP Scarborough North

Hon. Gerry Phillips, former MPP Scarborough Agincourt

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Joyce Trimmer, former Mayor of Scarborough, posthumous

Derek Lee, former MP Scarborough Rouge River

Rathika Sitsabaiesan, former MP Scarborough Rouge River

Paul Harpley, "Save the Rouge" founding member

Bobbi Hunter, founding member of Greenpeace Executive

Unfortunately, the Ontario Government is undermining these longstanding public interest laws and plans by removing lands from Ontario's Greenbelt, including three parcels upstream from RNUP and the Duffins Rouge Agricultural Preserve beside RNUP. The removal of these lands from the Greenbelt undermines Greenbelt section 3.2.7 which states:

"Ontario will work collaboratively with Parks Canada, municipalities and other relevant agencies and organizations to ensure ecological integrity is the first management priority for the Rouge National Urban Park while also supporting ongoing agricultural activities and sustainable farming practices. Planning of surrounding lands outside of the Rouge National Urban Park should be undertaken in a manner that considers the interface with RNUP and supports the vision and the ecological and other functions of the Park."

Greenbelt land removals are favourable to influential developers, however, they will not address the GTA's housing affordability problems. Ontario's 2022 Housing Affordability Task Force found No Need to sacrifice environmental protection or the Greenbelt to address the housing crisis. On page 10 of its report, the Housing Affordability Task Force states:

*"a shortage of land isn't the cause of the [housing] problem."*

### **FRW Recommendations Regarding the RNUP Study Terms of Reference (TOR)**

#### **1. RNUP Study Should Specifically Reference "Ecological Integrity", RNUP Act 6(1)**

The purpose of the study outlined in the announcement of the Minister of Environment and Climate Change and TOR appears sufficiently encompassing, however, it must explicitly reference "ecological integrity" pursuant to the *RNUP Act* which states:

*6 (1) Maintenance or restoration of ecological integrity, through the protection of natural resources and natural processes, must be the first priority of the Minister when considering all aspects of the management of the Park.*

#### **2. RNUP Study Area Should Include Rouge, Duffins and Petticoat Watersheds**

The Provincial Greenbelt removal lands (upstream and adjacent), and the federal North Pickering Airport holding lands and their Greenbelt Natural System overlay, should be assessed for potential effects, to avoid the appearance or reality of federal favouritism or partisanship.

The RNUP Study Area should include more than just "adjacent lands". To be scientific and address ecological integrity, the study should include the Rouge, Petticoat and Duffins Watersheds. These watersheds are inter-connected by underground aquifers draining southward from the Oak Ridges Moraine to streams which flow through RNUP and into Lake Ontario within, and adjacent to, Toronto's Great Lakes Water Quality Agreement "Area of Concern" and "Remedial Action Plan".

### 3. Examine DRAP Land Sale for Corruption

To avoid the corruption of our democratic elections and decision-making processes, the devious DRAP scheme needs investigation by a federal agency (RCMP?). The 1999/2000 sale of the DRAP lands was managed by the Ontario Realty Corporation, an Ontario Government Agency. Subsequently, the ORC was the subject of a four-year OPP investigation and a forensic audit. A Jan. 25, 2006 Toronto Star article highlighted alleged corruption and stated:

*"The (ORC) agency is also suing more than 40 individuals and parties for \$47 million, alleging bid rigging, conspiracy, bribery and fraud in connection with contracts and questionable land deals."*

Ontario's investigation of the ORC only scratched the surface. With respect to the DRAP development scheme, there is evidence of improper (illegal?) developer / speculator involvement with civil servants, election campaigns and elected officials. Suspicious/illegal campaign contributions and activities occurred before the 2003 Provincial election. Provincial election donations in 2021 also warrant further scrutiny in light of the removal of the DRAP and other lands from the Greenbelt.

A federal agency should review the OPP investigation and forensic audit of the ORC and follow the money and people at the core of this matter, including: major DRAP land owner (Silvio De Gasperis, TACC) and his associates; former ORC staff such as Tony Miele and Ken Rovinelli; and current Ontario elected officials. The head of the ORC during the DRAP land sales, Tony Miele, became the head of the Ontario PC Party's Fundraising, before the 2021 election. Another senior ORC official in 1999, Ken Rovinelli, became Vice President of Planning & Government Relations for TACC, Silvio De Gasperis' development company.

In 2005, Premier McGuinty included the DRAP lands in the newly created Greenbelt and his government passed the *Duffins Rouge Agricultural Preserve Act*. DRAP land speculator Silvio De Gasperis (TACC) took the province to court. In 2007, a panel of three Ontario Divisional Court Judges dismissed the case, awarded \$702,000 in costs against Mr. De Gasperis, and agreed with the characterization of Mr. De Gasperis' conduct as:

***"reprehensible, scandalous ... outrageous"***

To avoid scandalous, and in all probability illegal, interference with our democratic processes, and adverse environmental, economic and social consequences, the DRAP scheme needs thorough federal and provincial scrutiny. Shining a light on the DRAP scandal is necessary to protect the integrity of government decisions and election laws.

#### 4. Examine First Nations' Consultation and Assess Archeology and Land Claims

The Ontario Realty Corporation, which sold that DRAP lands in 1999/2000, lost a court case in 2004 regarding another Ontario Government land sale beside RNUP. A Globe and Mail article published on May 18, 2004, stated:

*"a judge condemned the ORC's decision to allow a cemetery development on an ancient aboriginal burial site.... Ontario Superior Court, Mr. Justice Sunny Ng ruled that the Ontario government had neglected its fiduciary responsibility to aboriginal people by not consulting them before the sale."*

A careful Archeological Assessment of the DRAP lands would likely reveal First Nation Villages, Burial Sites and Artifacts, which could be adversely affected by development. Did the Ontario Government adequately consult with First Nations before the DRAP land sale?

#### 5. Accelerate Implementation of "Due Diligence" Watershed , Park and Greenbelt Plans

Based on decades of monitoring, experience and science-based modeling, GTA scientists, residents and the Toronto and Region Conservation Authority (TRCA), found that the spread of urban growth into the mid-reach and headwater areas of GTA rivers was harming human and watershed health and increasing public liabilities by:

- A. Causing increasingly costly damages to downstream communities and infra-structure due to the additional pollution, flooding and erosion caused by upstream development/ paving.
- B. Harming water quality, drinking water sources, lakes and rivers, and fish and wildlife habitat, contrary to the *Ontario Water Resources Act, Lakes and Rivers Improvement Act, Federal Fisheries Act* and Great Lakes Water Quality Agreement.
- C. Increasing taxes due to the costs of sprawling / inefficient urban infrastructure.
- D. Increasing traffic congestion and accidents due to the funnelling of too much traffic onto GTA roads which are already above their safe maximum capacity.
- E. Harming habitat for species at risk and biodiversity, contrary to Ontario and Canada Species at Risk laws, and laws for the protection of Fish and Wildlife, and Migratory Birds.

By utilizing science-based land-use and watershed planning tools, the TRCA found that further expansion of urban growth in GTA Watersheds could only address "due diligence", if it was accompanied by **substantial increases in forest and wetland protection and restoration.**

In 2018, the Insurance Bureau of Canada (IBC) sponsored a Report entitled "Combatting Canada's Rising Flood Costs" which confirmed this TRCA finding. This report noted:

- Flooding & losses from extreme weather events quadrupled in 9 years;
- Restoration of forests & wetlands cost-effectively reduces flooding risks and losses;
- **"Restoration projects are not being made at the scale and rate necessary ... a significant omission .. when Canada has committed to combating climate change..."** (p. 43)

Dr. Mandrak, a former federal scientist and a University of Toronto professor wrote the following in an October 2018 letter to Minister McKenna:

*"Environment Canada's recommendations for more than 60% forest and wetland cover were largely incorporated within existing [Ontario] Rouge Park, Watershed and Federal Green Space Master Plans ... The timely implementation of these existing conservation recommendations and plans is essential to address federal mandates under the RNUP Act, Great Lakes Water Quality Agreement, Paris Climate Change Accord, and ... Convention on Biodiversity."*

Contrary to these federal laws and public mandates , the 2019 RNUP Management Plan refers to the avoidance of the 2,000 hectares of forest and wetland restoration required by science-based, due diligence, remedial action plans for RNUP and its watersheds . Since 2008, forest and wetland cover has increased by less than 1% in the Rouge Watershed while upstream urban development has rapidly expanded.

For the southern half of RNUP, the unanimously approved 2008 Rouge Park Natural Heritage Action Plan required 694 hectares of forest and wetland restoration to achieve 60% forest and wetland cover by 2016. As of 2023, less than half of this restoration has been completed. For most of the northern half of RNUP, the 2003 Draft Federal Green Space Lands Strategy delineated an increase in forest cover to more than 52%. Twenty years later, forest cover is still less than 20% on federal public lands in RNUP's northern half.

To respect Canada's commitments to combat climate change, flooding and biodiversity loss, the RNUP Study should assess ways to accelerate forest and wetland protection and restoration in RNUP and the Rouge, Petticoat and Duffins Watersheds.

## **7. Assess Surface and Groundwater Flows and Water Budgets**

A core RNUP feature, the Little Rouge River, is in danger of running dry in the summer due to:

- large scale loss of runoff and groundwater due to their leakage into the YD Sanitary Sewer.
- large-scale groundwater removal by growing towns in York and Durham.
- increased peak runoff and reduced groundwater recharge in urban and agricultural areas.
- inadequate forest/wetland cover to store/release surface and groundwater in dry periods.

- loss of 50% of stream base flow due to legal and illegal surface and groundwater removals by residents and businesses for irrigation, particularly sod farms.
- increasing temperatures, evaporation and drought periods due to climate change.

To avoid losing the core features of RNUP, the Study needs to address these issues. York Region has taken some good steps to reduce water losses to the YDSS, however, much more needs to be done to avoid serious harm to streams, water resources and fish habitat.

## 8. Assess Rouge, Petticoat and Duffins Habitat Supply, Ecological Connections and Roads

RNUP's remarkable biological diversity and its many species-at-risk are threatened by the slow pace of ecological restoration and the effects of invasive species, road mortality, agricultural pesticides, surrounding development, and other stressors.

A TRCA Rouge Watershed Habitat Analysis ranked most of the habitat in RNUP north of Steeles as fair to poor in quality:

*"Overall, the current quantity, distribution and quality of natural cover are insufficient to support existing Rouge Watershed communities and species in the long term." (Page 39)*

Significant and timely habitat and corridor restoration will be required to restore and sustain native biodiversity and natural processes, promote the recovery of species-at-risk, and mitigate unnatural stressors - key elements of ecological integrity.

In terms of ecological corridors, Ontario's Greenbelt Plan section 3.2.7 and the Rouge North Management Plan state:

*"This Plan identifies a 600 metre wide corridor for the Little Rouge River as the main ecological corridor between Lake Ontario and the southerly boundary of the ORMCP. It also includes several other Rouge River tributaries".*

*"The overriding goal in creating the Little Rouge Creek Corridor is to establish a viable terrestrial corridor with interior forest habitat conditions."*

Unfortunately, the 2019 RNUP Plan ignores this "main ecological corridor". The RNUP Study should identify ways to accelerate the restoration of forest and wetland habitat in RNUP, particularly within the Little Rouge and Greenbelt "**main ecological corridor**".

A Road Mortality Study by the Toronto Zoo documents the daily wildlife slaughter on roads within and surrounding RNUP. The development of the DRAP next to RNUP and the development of other upstream Greenbelt lands will increase the risk to many species, including species at risk turtles and human park visitors. The DRAP contains vital Rouge Duffins Wildlife /Ecological Corridors, and potential public trail corridors, that need to be protected and restored.

The RNUP should accelerate the work of Parks Canada and Municipalities to:

- develop traffic control measures within and surrounding RNUP, particularly at night and during peak wildlife migration periods.
- retain one lane bridges to slow traffic through the park and avoid heavy truck use.
- install wide span bridges along Steeles to facilitate floodwater and wildlife movement.
- facilitate safe movement of wildlife and people by installing large culverts and funnel fencing along roads at regular intervals, intermittent streams and known wildlife and people crossings.

## Conclusion

We hope that you will incorporate FRW's recommendations into the RNUP Study Terms of Reference. FRW has substantial supporting documentation for the points made within this letter and we will share that documentation as the RNUP Study evolves.

Friends of the Rouge Watershed has more than three decades of scientific, community and public policy experience regarding land-use, watershed and natural heritage system planning within, and surrounding, Rouge Park. FRW has participated in hundreds of scientific studies, public meetings and environmental assessments since 1986. I was also a Vice Chair with Ontario's Environmental Assessment Board between 1990 and 1996 and an adjudicator with several other environmental tribunals.

More affordable homes can be built expeditiously by increasing development densities, particularly near transit nodes and road corridors, and increasing the number of residential units allowed on a single lot. As Ontario's 2022 Housing Affordability Task Force found, there is No Need to sacrifice Greenbelt lands or environmental planning and protection standards.

We look forward to working with you and all stakeholders to create a RNUP Study which furthers the ecological integrity priority of the RNUP Act and addresses the Climate and Biodiversity Crises which threaten the habitability of our planet.

Sincerely

<original signed by>

Jim Robb  
for Friends of the Rouge Watershed

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