DA TORONTO

REPORT FOR ACTION

Don River and Central Waterfront Accelerated Plan

Date: June 13, 2019 To: Infrastructure and Environment Committee From: Deputy City Manager, Infrastructure and Development Services Wards: Wards 10, 11, 13, 14, 15, 16, 17, 19, 20, 21

SUMMARY

This report, as requested at the April 2, 2019 Infrastructure and Environment Committee, provides an accelerated implementation plan for the Don River and Central Waterfront Project (DR&CW), a key project as part of the City's Wet Weather Flow Master Plan (WWFMP), and potential options for intergovernmental funding under federal and provincial infrastructure programs which, upon application and approval, could assist the City to fund the acceleration of the DR&CW.

The DR&CW is the largest combined sewer overflow control project in Canada. The current cost for the DR&CW is \$2.5 billion and is planned to be implemented in phases over 25 years with construction completion of all project phases and components projected for 2038. Toronto Water's approved 2019-2028 Capital Budget and Plan allocates \$1.022 billion for the DR&CW.

The accelerated plan provided in this report would have the DR&CW construction completed by 2030, eight years sooner than the original plan, requiring an estimated \$1.051 billion in additional capital funding within the current 10 year capital plan, and an additional \$181.8 million beyond the 2019-2028 Toronto Water Capital Plan for a total DR&CW cost of \$2.35 billion.

Approved by City Council in 2011, the DR&CW is an integrated wet weather flow management system to capture, store, and transport and treat combined sewer overflows (CSOs) and stormwater discharges from all combined sewer outfalls to the Lower Don River, Taylor-Massey Creek and Toronto's Inner Harbour. The preliminary design for the DR&CW was completed in 2015 and construction of the first phase, the Lower Don Tunnel/Coxwell Bypass began in 2018.

The accelerated plan proposes engineering design and construction for future project phases and components on the following prioritized basis: 1) Inner Harbour West Tunnel and outfall connections; 2) offline storage tanks; and, 3) Taylor-Massey Creek Tunnel, in order to complete construction of all project components in 2030 at the earliest. An expedited delivery schedule and details are outlined in this report.

The key benefit of the accelerated plan is achieving DR&CW water quality improvements in the Don River and central waterfront in approximately 10 years' time. This will be a major step towards delisting Toronto's waterfront as a polluted Area of Concern in the Great Lakes Basin and supports the Canada and Ontario efforts to clean-up the Great Lakes under the Canada-U.S. Great Lakes Water Quality Agreement (GLWQA) and Toronto Remedial Action Plan (RAP). The DR&CW accelerated plan (DR&CW-AP) would also provide for more effective use of constructed infrastructure and improve sewer capacity to service development in Toronto's downtown and along the central waterfront. In addition, the project's acceleration provides considerable implementation efficiencies for future project phases.

At this time, based on an assessment of existing intergovernmental funding programs and eligibility criteria, including completion timelines both at the federal and provincial level, there is limited opportunity to secure intergovernmental funding or financing for the DR&CW. City staff will continue to seek opportunities to secure intergovernmental funds to accelerate of DR&CW.

RECOMMENDATIONS

The Deputy City Manager, Infrastructure and Development Services recommends that:

1. City Council authorize the City Manager in consultation with the Chief Financial Officer and Treasurer, to apply for intergovernmental funding which would support the acceleration of the Don River & Central Waterfront project.

2. City Council grant approval to receive the funds, if any, contemplated by Recommendation 1 above.

FINANCIAL IMPACT

The accelerated plan provided in this report would have the DR&CW completed by 2030, eight years sooner than the original plan, requiring an estimated \$1.051 billion in additional capital funding within the current 10 year capital plan, and an additional \$181.8 million beyond the 2019-2028 Toronto Water Capital Plan for a total DR&CW cost of \$2.35 billion. Table 2 provides additional funding details.

No additional funding is required for the 2019 Capital Budget for Toronto Water. Future year funding will be requested, as required, during the 2020 Budget Process.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

On June 6, 2019, Executive Committee adopted with amendments EX6.4 – Federal Disaster Mitigation and Adaptation Fund (DMAF) – Update. This report provides an update on the DMAF program and seeks City Council approval for the Mayor to execute contribution agreements for projects that are successful in receiving Disaster Mitigation and Adaptation Fund funding.

http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.EX6.4

At its meeting on April 16 and 17, 2019, City Council adopted recommendations in a report titled "Ashbridges Bay Treatment Plant Landform Project," which authorized the General Manager, Toronto Water to proceed with the construction of the Ashbridges Bay Treatment Plant Landform, and to negotiate, enter into and execute agreements as may be necessary with the TRCA, for construction of the landform. http://app.toronto.ca/tmmis/viewAgendaltemHistory.do?item=2019.IE3.5

At its meeting on April 2, 2019, the Infrastructure and Environment Committee directed the General Manager, Toronto Water to report in the 2nd quarter of 2019 on a plan to accelerate the City's WWFMP to eliminate wastewater from Toronto's waterways, including Lake Ontario, and outline a range of federal and provincial infrastructure programs, which would upon application, assist Toronto with funding the accelerated WWFMP.

http://app.toronto.ca/tmmis/viewAgendaltemHistory.do?item=2019.IE3.8

At its meeting on February 27, 2018, the Public Works and Infrastructure Committee granted authority to award Contract 17ECS-MI-04DC, Tender Call 221-2017, for the construction of the Coxwell Bypass Tunnel to North Constructors ULC, having submitted the lowest compliant bid and meeting the specifications in conformance with the Tender requirements.

http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.PW27.2

At its meeting on May 9, 2017, the Public Works and Infrastructure Committee received the report "2017 WWFMP Implementation Status Update" for information. The report highlighted implementation priorities over the next 5 to 10 years of the WWFMP's 25 year implementation plan, including the DR&CW as the most significant water quality improvement project in the City.

http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PW21.6

At its meeting of March 4, 2014, the Public Works and Infrastructure Committee granted authority to the Executive Director, Engineering and Construction Services, to negotiate and enter into agreements with Black and Veatch Canada Company, being the highest overall scoring proponent meeting the requirements of Request For Proposal No. 9117-13-7210, to provide contracted professional engineering services for the Design and Construction Administration of the Wet Weather Flow System to Control CSO Discharges to the Don River and Central Waterfront.

http://app.toronto.ca/tmmis/viewAgendaltemHistory.do?item=2014.PW29.5

At its meeting on September 21 and 22, 2011, City Council adopted the recommendations in a staff report titled "Wet Weather Flow Master Plan and Basement

Flooding Protection Program Update" that directed the General Manager, Toronto Water to finalize and submit the Environmental Assessment Study Report for the DR&CW to the Ontario Ministry of the Environment for the required 30 day public review period under the Municipal Class Environmental Assessment process. http://app.toronto.ca/tmmis/viewAgendaltemHistory.do?item=2011.PW7.6

At its meeting on September 22 – 25, 2003, City Council adopted the "Wet Weather Flow Management Master Plan and Wet Weather Flow Management Policy". <u>http://www.toronto.ca/legdocs/2003/agendas/council/cc030922/pof9rpt/cl042.pdf</u>

COMMENTS

The DR&CW is planned to be implemented in phases over a 25 year period with a projected completion date of 2038. It is a large scale complex project (see Attachment 3 for more details on the DR&CW) and has a current estimated cost of approximately \$2.5 billion.

Key Factors in the Development of the DR&CW Acceleration Plan

Toronto Water and Engineering & Construction Services reviewed the current implementation schedule for all phases and components of the DR&CW (including those currently outside the approved Toronto Water 10 Year Capital Plan) to identify opportunities for acceleration, determine a feasible timeframe for completing specific project components, and to identify the benefits and implications of these accelerations.

The development of the accelerated plan considered the following key factors:

- Project interdependencies construction timing of critical phases and components of the DR&CW including the completion of the Ashbridges Bay Landform, the Ashbridges Bay Treatment Plant (ABTP) Outfall and the Integrated Pumping Station projects (which are underway and not subject to acceleration);
- Delivery feasibility capacity of the engineering consulting and construction industry; time required for procurement and tendering for engineering (design) work and construction, as well as permit, regulatory and other approval; and,
- Capital budget implications and staff resource requirements.

Benefits of the DR&CW Accelerated Plan

The key benefit of the accelerated plan is the achievement of the project's significant environmental and infrastructure improvements, identified in the Attachment 3 of this report, eight years earlier than the earliest possible forecasted completion year of 2038 under the current implementation plan. While the request at the April 2 Infrastructure and Environment Committee was to accelerate the project by ten (10) years, this is not feasible due to the complexity of the construction, and construction sequencing of the Landform and High Rate Treatment facility and the Integrated Pumping Station key infrastructure projects that will receive CSOs at the ABTP.

The accelerated plan also provides efficiencies for the project's implementation:

• More effective use of constructed infrastructure under the accelerated plan, e.g., the High Rate Treatment Facility at ABTP would treat CSOs collected by the Integrated

Pumping Station for all three tunnels by 2030, while under the current plan, the Inner Harbour Tunnel would not be completed until 2038, at the earliest;

- Mitigate risk in relation to land use requirements with phases currently planned for long-term implementation; and,
- Mitigate risk of potential conflicts with future projects and development along the waterfront.

Accelerating the DR&CW also modifies and improves upon the project's current implementation schedule:

- Design and construction of future project phases are undertaken in parallel rather than sequentially;
- Reorganization and acceleration of project phases (on a prioritized basis) to provide the greatest contributions to the project's environmental and other benefits, e.g., capacity to service growth; and,
- Acceleration of construction delivery of certain project phases and components to the greatest extent feasible (taking into account the key factors previously noted).

DR&CW Accelerated Plan

Below are the key projects that would be accelerated. (Attachments 1 and 2 of the report provides two maps: Attachment 1 includes the DR&CW project components and proposed acceleration schedule; and, Attachment 2 includes just the project components.)

- Inner Harbour West (IHW) Tunnel and connections (Phase 4) accelerate the schedule for IHW Tunnel and outfall connections to complete construction in 2030, eight years ahead of the forecasted completion year of 2038.
 - **Rationale**: Intercepts CSOs and stormwater discharges directly to Toronto's Inner Harbour and improves sewer capacity to service development without increasing CSOs to complete the integrated wet weather flow tunnel system by 2030;
- Offline Storage Tanks (Phase 3) accelerate the schedule for six offline storage tanks to complete construction in 2030, eight years ahead of the forecasted completion year of 2038.
 - **Rationale:** Capture and store CSOs and stormwater discharges from remote outfall locations to the Don River, and improve capacity of the Don Sanitary Trunk System to service growth; and,
- **Taylor-Massey Creek Tunnel and Connections (Phase 2)** accelerate the schedule for the Taylor-Massey Creek Tunnel and Outfall Connections to complete construction in 2029, two years ahead of the forecasted completion year of 2031.
 - **Rationale:** Intercept CSOs and stormwater discharges from combined sewer outfalls to Taylor-Massey Creek and contribute to the overall improvement of water quality in the Don River and Inner Harbour.

Below are the components that cannot be included in the accelerated plan due to construction sequencing:

- Lower Don Tunnel/Coxwell Bypass Outfall Connections (Toronto's 2019-2028 Capital Plan), these outfall connections have been accelerated with construction planned from 2024 to 2030.
- Wet Weather Flow High-Rate Treatment (HRT) Facility and Force main the HRT was identified in the DR&CW EA (2012) for implementation in years 15 to 25 of the DR&CW. The HRT will be built on Ashbridges Bay Landform (planned for construction 2019-2025) and therefore cannot be constructed until the Landform is completed; and,
- **Real Time Control System (Mid-Toronto Interceptor)** implementation planned from 2022 to 2026.

While the accelerated schedules for the DR&CW components identified above are considered feasible, the forecasted completion years may be impacted by unforeseen construction issues including tendering causing delays. Table 1 below presents the forecasted accelerated timelines.

Table 1: Achievement of DR&CW Project Benefits - Current and AcceleratedSchedule (Schedule for construction years beyond 2028 is forecasted and is notfunded in the Toronto Water 2019-2028 Capital Plan)

Project Components to be Constructed	Project Outcome	Current Schedule for Construction Completion	Accelerated Schedule	
Lower Don Tunnel/Coxwell Bypass One offline storage tank	Provide redundancy and safe operation for the Coxwell STS and North Toronto STS	2024	2024	
Real Time Control on Mid-Toronto Interceptor System	Better management of flows to minimize CSO volumes and maximize existing storage and treatment capacities.	2025	2026*	
Lower Don Tunnel/Coxwell Bypass outfall connections	Intercept and treat CSOs from combined sewer outfalls along the Lower Don River and eastern waterfront (Mouth of the Don to Ashbridges Bay)	2029	2029	
High-Rate Treatment Facility and force main	Treat wet weather flow collected by the Coxwell, Taylor Massey Creek and Inner Harbour West tunnels	2029	2030**	
Taylor-Massey Creek Tunnel and outfall connections	Intercept and treat CSOs from combined sewer outfalls along Taylor-Massey Creek	2031	2029	

Project Components to be Constructed	Project Outcome	Current Schedule for Construction Completion	Accelerated Schedule	
Inner Harbour West Tunnel and outfall connections	Intercept and treat CSOs from combined sewer outfalls along the Inner Harbour	2038	2029	
Six offline storage tanks	Intercept and store CSOs from combined sewer outfalls at remote locations along the Don River system	2038	2030	
All Project Components	Significant reduction of CSOs to the Don River and central waterfront, significant water quality improvements and improved sewer capacity to service growth	2038	2030	

* The change is due to an update to the expected duration with no impact to the acceleration plan. ** The change is related to the anticipated commissioning of the whole system while the current schedule anticipates partial treatment.

DR&CW Accelerated Plan Implications

The accelerated plan for the DR&CW has capital cost implications for Toronto Water and staff resource implications for Engineering and Construction Services.

As presented in Table 2, the approved Toronto Water 2019 Capital Budget and 2020-2028 Capital Plan allocates \$1.022 billion for the DR&CW. An estimated \$1.051 billion in additional capital funding would be required in the 10 year capital plan to fund the DR&CW accelerated plan (DR&CW-AP) as presented in this report. An additional \$181.8 million would be required in the post-2028 Toronto Water Capital Plan.

Table 2 presents the difference in capital costs for the DR&CW current implementation plan (based on the approved 2019-2028 Toronto Water Capital Plan) and estimated capital costs under the accelerated plan. The capital cost estimate for the accelerated plan components is based on updated cost estimates and considers cost escalations. (It does not include easement and permit costs.)

 Table 2: Capital Cost Estimates for DR&CW - Approved 2019-2028 Toronto Water

 Capital Plan and Estimated Costs for the Accelerated Plan

(\$ M)	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	Total 2019- 2028*
2019-2028 Approved TW Capital Plan	90.2	58.7	75.4	104.1	79.6	54.7	61.2	109.4	216.7	172.5	1,022.5
Accelerated Plan	90.2	59.2	81.4	140.6	159.3	258.3	287.7	358.6	368.8	269.7	2,073.8
Additional funding required to support Accelerated Plan	0	0.4	6.1	36.5	79.7	203.6	226.5	249.2	152.1	97.3	1,051.4

* In order to complete the DR&CW-AP, an additional \$181.8 million would be required beyond 2019-2028 Toronto Water Capital Plan.

Toronto Water's operating costs associated with the new DR&CW infrastructure will be determined closer to operationalization. Capital cost estimates for the accelerated plan includes funding for new temporary full-time equivalents (FTEs) in Engineering and Construction Services and other City divisions in the following years:

- 2020: 2 new Senior Engineers, 1 Public Consultation Unit, Senior Public Consultation Coordinator (PPF&A), 1 Property Officer (Real Estate Services)
- 2021: 3 new Engineer/Project Manager,
- 2022: 1 new Engineer/Project Manager
- 2023: 1 new Senior Engineer, 4 new Engineer/Project Manager

The above staff positions are required for project management, procurement, design review, public consultation, easement and permit acquisition and construction management work to deliver the project's accelerated components.

Intergovernmental Funding Opportunities to Support the DR&CW Accelerated Plan

The DR&CW environmental and infrastructure outcomes and benefits align with the objectives of several intergovernmental funding programs, which are outlined in this section. These infrastructure programs, upon application, when possible, and subsequent approval, could assist the City with funding the DR&CW-AP. Other options for financing the DR&CW-AP are also presented for consideration.

 The Government of Canada has prioritized infrastructure investment in their recent budgets. Through the Investing in Canada Plan <u>https://www.infrastructure.gc.ca/plan/icp-publication-pic-eng.html</u>, the federal government is investing over \$180 billion over 12 years to build infrastructure in communities across Canada.

• The Government of Ontario's most recent infrastructure fiscal plan forecasts \$144 billion in infrastructure investments across Ontario over the next 10 years http://budget.ontario.ca/2019/brief.html.

Government of Canada Infrastructure Funding and Financing Programs

The Investing in Canada Plan includes \$26.9 billion for green infrastructure across the country through a series of programs. Major programs under the green infrastructure stream that could provide funding and financing opportunities for the DR&CW-AP are presented in Table 3.

Program Name and Details	Applicability for Funding
 Investing in Canada Infrastructure Plan (ICIP) -	 Funding opportunity in future years. DR&CW components (e.g., High-Rate
Green Infrastructure Stream \$9.2 billion in federal funding over 10 years (2017-18 to	Treatment facility) may be eligible for funding
2027-28) for green infrastructure projects across the	under the Environmental Quality sub-stream,
country. ICIP – green infrastructure funding requires	which funds upgrades to water and
projects to be substantially complete by March 31,	wastewater infrastructure that will result in
2027. Funding is delivered through Integrated Bilateral	increased capacity to treat and manage
Agreements (IBAs) with the Provinces. The IBA	wastewater. The Province has yet to open intake for
includes a requirement of a minimum 33% matching	project proposals under the Green
contribution from provincial governments for municipal	Infrastructure stream. Through Ontario's 2019 Budget, the
projects. The federal government will contribute up to	Province has noted its intentions to allocate
40% of eligible project costs with municipalities funding	this funding in its entirety towards its subway
the remainder. Ontario is allocated \$2.8 billion under the Green	projects. The current accelerated schedule for the
Infrastructure Stream, of which \$2.2 billion has yet to	DR&CW forecasts completion in 2030.
be allocated. Under the IBA, Ontario is solely	Unless the Government of Canada extends
responsible for selecting and prioritizing projects for	the completion deadline, the DR&CW project
federal approval in consultation with municipalities.	is not be eligible for ICIP funding.

Table 3: Investing in Canada Plan - Major Programs (Green Infrastructure)

Program Name and Details	Applicability for Funding
Canada Infrastructure Bank (CIB) CIB is a federal Crown Corporation that works with provincial, territorial, municipal, federal, Indigenous, and private sector investor partners to build infrastructure across Canada. Available financial instruments include loans at a favourable rate to deliver federal support for projects and make them commercially viable. \$5 billion from the Investing in Canada Plan is allocated for CIB investments in green infrastructure projects in green infrastructure	Eligible projects must align with Government of Canada priorities and must have the ability to generate revenue to attract private sector investors and achieve a high degree of long-term risk transfer to the private sector typically achieved through procurement in a P3 spectrum. Procurement decisions will occur in due time, with consideration for cost, funding, and financing charges. DR&CW-AP aligns with objectives of Investing in Canada Plan and federal
projects including those that deliver clean air and safe water systems.	government's priorities for green infrastructure.
Disaster Mitigation and Adaptation Fund (DMAF)	Opportunity to apply for funding in future years (next application intake is potentially Fall 2019).
 \$2 billion nationally in federal funding over 10 years (to 2028) for large-scale infrastructure projects to help communities better manage the risks of disasters triggered by natural hazards. Projects must be complete by March 31, 2028. Federal cost sharing with municipalities is up to 40%. 	The DR&CW-AP will reduce environmental impacts of extreme weather events on Toronto's environment by significantly reducing CSO discharges to the Don River and Central Waterfront, which occur in greater volumes during severe rainfall events.
Eligible projects include public infrastructure to reduce socio-economic, environmental and cultural impacts of extreme weather events. Projects must meet national significance criteria and a minimum \$20 million in eligible expenditures.	DMAF funding program requires projects to be complete by March 31, 2028. The current accelerated schedule for the DR&CW forecasts completion in 2030. Unless the Government of Canada extends the completion deadline, the DR&CW project is not be eligible for DMAF funding.

Province of Ontario Infrastructure Funding and Financing Programs

At this time, there are no existing provincial-only funding programs that could support the advancement of the DR&CW program. Another opportunity for financing the DR&CW-AP is through financing options provided by the Province of Ontario. Infrastructure Ontario (IO) Loan Program provides long-term financing to municipalities for capital investments including water, wastewater and sewage infrastructure.

Types of Financing Available

Long-term - IO purchases a debenture from the client up to the approved amount of the loan as per a Financing Agreement. Interest rate is fixed for entire term of loan; and,

• Short-term or Construction Financing - financing available during construction period of an approved project based on incurred costs.

The DR&CW-AP could be eligible for financing under the IO Loan Program as a capital investment project for wastewater infrastructure and there would be flexibility for long-term or short-term financing to fund costs (or a portion thereof) required for DR&CW acceleration within the 10 year Toronto Water Capital Plan. Council approval would be required to apply to the IO Loan Program.

While an IO Loan could be advantageous in funding the DR&CW-AP at a lower than market interest rate, further assessment is required in order to determine the suitability of this option for the DR&CW-AP and advantages and disadvantages (e.g. interest rates compared to other financing options and impacts on the City's debt service ratio) compared to other funding options.

City of Toronto Green Debenture Program

Another option for consideration to finance the DR&CW-AP is the City's Green Debenture Program. This program was established by the City to help finance City transit and other capital projects that contribute to environmental sustainability objectives, including:

- mitigation and adaptation to the effects of climate change
- abatement and avoidance of GHG emissions
- resource recovery and a hierarchical approach to waste management, and
- air, water and soil pollution prevention and control.

The DR&CW-AP aligns with the water pollution prevention and control objectives for the Green Debenture Program and could be considered for a future bond issue to provide funding required for accelerating DR&CW components within the Toronto Water 10 Year Capital Plan.

One of the advantages of the Green Debenture Program is that it leverages the City's low interest rate, which can provide considerable financing advantages especially for large capital projects like the DR&CW. Similar to other financing options, the City would need to consider the impact on the City's debt service ratio. City Council approvals would be required with respect to: 1) accelerating DR&CW components into the Toronto Water 10 Year Capital Plan); and, 2) authority to issue debt.

Conclusions & Next Steps

Toronto Water is investing \$1.022 billion in capital funding to implement the DR&CW in the 10 year plan to improve the City's sewer infrastructure and achieve significant water quality improvements in the Don River and Central Waterfront. The ultimate benefits of the DR&CW will be achieved when the project is fully implemented, which is currently forecast for 2038 based on the current project implementation plan. This report presents a feasible plan to accelerate the DR&CW completion by 2030.

At this time, based on an assessment of existing intergovernmental funding programs and eligibility criteria, including completion timelines both at the federal and provincial level, there are limited opportunities to secure intergovernmental funding for the DR&CW-AP. City staff will continue to seek opportunities to secure intergovernmental funding to accelerate of DR&CW.

Should intergovernmental funding and/or financing be secured for the DR&CW-AP, it would help advance the construction schedule by eight years to achieve considerable environmental, infrastructure and other benefits of the project. If no intergovernmental funding is secured the current DR&CW schedule will continue with project completion in 2038.

The Strategic and Corporate Policy (S&CP) Division coordinates multiple intergovernmental infrastructure funding opportunities with support from key divisions including Financial Planning, Corporate Finance and Accounting Services. Subject to City Council approval, Toronto Water will work closely with S&CP and key divisions to identify and apply for intergovernmental funding opportunities where the DR&CW-AP meets program eligibility criteria.

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SIGNATURE

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ATTACHMENTS

- 1. DR&CW Project Components Proposed Accelerated Plan
- 2. Don River and Central Waterfront Project Components
- 3. Background Don River and Central Waterfront Project