

Section III – Items for Information of the Board of Directors

TO: Chair and Members of the Board of Directors
Friday, November 22, 2024 Meeting

FROM: Sameer Dhalla, Director, Development and Engineering Services

**RE: PORT LANDS FLOOD PROTECTION AND ENABLING
INFRASTRUCTURE PROJECT UPDATE**

KEY ISSUE

A progress update on the Port Lands Flood Protection and Enabling Infrastructure Project and the associated Broadview and Eastern Flood Protection Project.

RECOMMENDATION

THAT the update on progress on the Port Lands Flood Protection and Enabling Infrastructure Project and the Broadview Eastern Flood Protection Project, be received.

BACKGROUND

The Toronto Port Lands Flood Protection and Enabling Infrastructure Project is one of the most ambitious and large-scale urban environmental remediation and flood protection efforts in North America. Its primary goal is to flood protect and transform a 290-hectare area of waterfront at the mouth of the Don River, where flood risk and industrial pollution have historically impeded development. The Project, along with the associated Broadview Eastern Flood Protection Project is at the forefront of comprehensive urban remediation and flood resilience efforts, with an impact expected to enhance Toronto's environmental, economic, and social landscapes for decades.

Historically, approximately 290 hectares of the Port Lands, East Harbour and South Riverdale at the mouth of the Don River at Lake Ontario in the City of Toronto were vulnerable to flooding under a Regulatory flood event (a Hurricane Hazel-scale storm). In 2004, Toronto and Region Conservation Authority (TRCA) and the Toronto Waterfront Revitalization Corporation (now Waterfront Toronto) initiated the Don Mouth Naturalization and Port Lands Flood Protection Project Environmental

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Assessment (DMNP EA) to explore opportunities to provide Regulatory flood protection, establish a naturalized river mouth, and facilitate redevelopment of the Port Lands (map provided in presentation).

Related to the DMNP EA, the Broadview and Eastern Flood Protection EA (BEFP EA) was a collaborative effort with the City of Toronto, Waterfront Toronto, and TRCA as co-proponents, and part of a larger flood protection initiative which includes the Lower Don River West Remedial Flood Protection project. The Lower Don West project was completed in 2012 and protects the West Don Lands neighbourhoods and parts of downtown Toronto. The BEFP EA Preferred Alternative, identified in 2021, is the final component of flood protection in the Lower Don area of Toronto. The Preferred Alternative is a flood protection landform to be constructed parallel to the east side of the Don Valley Parkway and Don River, south of Eastern Avenue (map in presentation).

Waterfront Toronto and TRCA staff requested approvals and provided updates to the Board for both EA projects over the course of planning and implementation at previous meetings:

At Authority Meeting #3/15, on March 27, 2015, Resolution #A38/15 provided staff direction to work in conjunction with the City of Toronto, Waterfront Toronto, Toronto Port Lands Company (now CreateTO), and others to further develop project schedules, budgets, and the planning approach for preliminary design and due diligence studies related to the Lower Don Lands, and the Don Mouth Naturalization and Port Lands Flood Protection Project.

At Authority Meeting #7/16, held on September 23, 2016, staff provided an update on the status of funding to proceed with detailed design and construction. The report included information on the Port Lands Flood Protection and Enabling Infrastructure (PLFPEI) Due Diligence Report which was completed to provide greater certainty on the costs, risks, scheduling and implementation strategy associated with the proposal to naturalize the mouth of the Don River and provide flood protection to the area.

At Authority Meeting #5/17, held on June 23, 2017, a staff update was received on the Eastern and Broadview Flood Protection EA (thereafter referred to as the Broadview and Eastern Flood Protection Project) and

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Resolution #A104/17 was passed directing staff to update the Board on the Stage 1 Due Diligence Study upon completion.

At Authority Meeting #7/17, held on September 22, 2017, the Board approved staff to award Contract #10005518 for professional consulting services related to the planning and management for the Broadview and Eastern Flood Protection Due Diligence and Municipal Class EA.

At Authority Meeting #5/19, held on May 24, 2019, the Board received an update under resolution #A87/19 from Waterfront Toronto on detailed design and permit review and early site preparation activities which commenced in 2018 in advance of excavation and construction. Also at this meeting, an update on the Broadview and Eastern Flood Protection Project Stage 1 Due Diligence phase was received and Resolution #A88/19 was passed directing staff to update the Authority with the results of the Stage – 2 Class EA phase of the Project.

On March 13, 2020, at Executive Meeting #1/20, the Executive Committee granted approval under resolution #B8/20 of the permit for Waterfront Toronto's proposed works to build the structures which form the new Don River valley and adjacent wetlands.

At the Board of Directors meeting held on 30 April 2021, an update on staff progress on the Port Lands Flood Protection and Enabling Infrastructure Project and the Broadview Eastern Flood Protection Project EA, accompanied by a presentation by Waterfront Toronto, were received under resolution #A78/21. At that meeting, a related closed session report was also considered by the Board.

Approximately 40 permits have been issued to date for this project including the following major permits:

- Permit C-200273 (CFN 62381) at Executive Committee meeting held on March 13, 2020, for the construction of the new Don River channel and associated valley, approved under resolution #B8/20.
- Permit C-211035 (CFN 65394) at Executive Committee meeting held on September 10, 2021, for the reconstruction of the Lake Shore Boulevard bridge over the Don River, widening of Lake Shore Boulevard (Don Roadway to Carlaw Avenue), relocation of the existing rail spur line, removal of the Gardiner Logan ramps and

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construction of the associated public realm, approved under resolution #B87/21.

- Permit C-211222 (CFN 64532) at Executive Committee meeting held on October 8, 2021, for the construction of the interim Sediment and Debris Management Area (SDMA) located on the west side of the Don River, approved under resolution #B96/21.
- Permit C-220858 (CFN 64901) at Executive Committee meeting held on June 10, 2022 for the construction of a flood protection landform along the redeveloped Don Roadway (Lakeshore Boulevard East to just south of Commissioners Street), approved under resolution #B59/22.

A major milestone was reached with connection of the new Don River mouth to Lake Ontario in 2024. Waterfront Toronto expects the new Don River to be fully operational by January 2025, with parks open to the public in June 2025. As the Port Lands Flood Protection Enabling Infrastructure works near substantial completion, staff are working closely with Waterfront Toronto and the City of Toronto on the upcoming transfer of ownership to the City, as well as the long-term operations, maintenance, and surveillance (OMS) activities for the future river and valley lands and flood infrastructure features.

Detailed design for the full Broadview Eastern Flood Protection Landform is at the 60% stage, with 90% design expected for November 2024, and construction planned to commence in 2025, subject to handover of the BMW property for start of construction. The BEFP substantial completion date remains December 2027.

RATIONALE

Providing flood protection for the Port Lands was identified as a TRCA priority in the 1980s. TRCA's interest in naturalizing the Don River mouth has been a shared priority with the City of Toronto and the broader community as identified by the Task Force to Bring Back the Don's report "Taking Back the Don" in 1991. The 1992 "Regeneration: Royal Commission on the Future of the Toronto Waterfront" report also outlined the federal interest in the Lower Don, and provincial support aligned with these initiatives when all three levels of government jointly established the Toronto Waterfront Revitalization Corporation in 2001. As such, the current detailed design and implementation of Waterfront Toronto's 23 enabling infrastructure sub-projects of the PLFPEI is the culmination of close to 40

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years of consultation and planning, with TRCA at the forefront throughout the process.

Central to the Port Lands project, naturalizing the mouth of the Don River will not only facilitate flood protection for more than 240 hectares of land, but will also result in the creation of over 1,000 metres of new river channel and establish and enhance 30 hectares of new aquatic, wetland, and terrestrial habitat in the river valley. New parks and public realm features on lands outside the floodplain will comprise an additional 16 hectares of public greenspace. Together with the Broadview Eastern Flood Protection Landform, these works will unlock the development potential of this prime waterfront area by transforming the underutilized, post-industrial site into a vibrant, mixed-use, sustainable community which will support Toronto's growth and economic competitiveness.

TRCA has a significant stake in the Port Lands project due to our role as co-proponent of the original DMNP EA and BEFP EA. TRCA also has a legislated responsibility to issue permits under the *Conservation Authorities Act (2024)*, and to monitor compliance with the conditions of the DMNP EA. Additional interests also include flood mitigation, erosion control structures to control water flow and manage sediment/debris, and management of the ecology and natural asset infrastructure.

Relationship to TRCA's 2023-2034 Strategic Plan

This report supports the following Pillar and Outcome set forth in TRCA's 2023-2034 Strategic Plan:

Pillar 4 Service Excellence:

4.3 Responsive relationships and a trusted brand with a reputation for excellence

FINANCIAL DETAILS

The current delivery agreement between TRCA and Waterfront Toronto for the Port Lands Flood Protection Enabling Infrastructure Project is in effect until March 31, 2025, for the sum of \$8,088,282, under account 191-20.

The current delivery agreement between TRCA and the City of Toronto for the Broadview Eastern FPL is in effect until December 31, 2024, for the sum of \$314,000 under account 191-76.

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DETAILS OF WORK TO BE DONE

Through TRCA's fee for service delivery agreement, staff provided a variety of technical support services and expertise to Waterfront Toronto during the detailed design and construction phases. As the Port Lands reaches substantial completion and handover to the City of Toronto is planned to begin in 2025, staff continue to provide technical support to Waterfront Toronto and the City of Toronto for inspections of various assets as they are completed, to provide assurance to the City that the assets are ready for acceptance.

Infrastructure Planning and Permits staff continue to work with Waterfront Toronto to identify permit requirements under Ontario Regulation 41/24 based on the current permit approval processes.

TRCA also conducts environmental monitoring and completes annual EA compliance reports to the provincial Ministry of the Environment, Conservation and Parks, in partnership with Waterfront Toronto and in consultation with the City of Toronto, the other DMNP EA co-proponents. Staff developed a post-construction EA compliance monitoring plan which will be supported by a new delivery agreement with Waterfront Toronto for 2025 until the end of the 5-year EA compliance monitoring period in 2029.

Staff also developed annual operations and maintenance plans for the long-term management of the Port Lands river valley and the future Sediment and Debris Management Area in collaboration with the City of Toronto for activities commencing 2025.

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