



THE TORONTO AND REGION CONSERVATION AUTHORITY

Authority Meeting #2/05

Chair: Dick O'Brien
Vice Chair: Gerri Lynn O'Connor
Members:

**March 11, 2005
10:00 A.M.**

SOUTH THEATRE, BLACK CREEK PIONEER VILLAGE

AGENDA

1. **MINUTES OF ANNUAL MEETING #1/05, HELD ON FEBRUARY 25, 2005** **Pages**
(Enclosed herewith on White)
2. **BUSINESS ARISING FROM THE MINUTES**
3. **DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**
4. **DELEGATIONS**
5. **PRESENTATIONS**
 - 5.1 A presentation by Dick O'Brien, Chair, Toronto and Region Conservation Authority, in regards to appreciation of Ron Christie's work as Chair of the Rouge Park Alliance and acknowledgement of Gord Weedon's new role with the Alliance.
6. **CORRESPONDENCE**
7. **SECTION I - ITEMS FOR AUTHORITY ACTION**
 - 7.1 **LOWER DON RIVER WEST REMEDIAL FLOOD PROTECTION PROJECT** 10-15
8. **CONSIDERATION OF REPORTS OF THE EXECUTIVE COMMITTEE MEETING #1/05, HELD ON MARCH 4, 2005**

Refer to pages printed on **PINK**

9. CONSIDERATION OF REPORTS OF THE BUSINESS EXCELLENCE ADVISORY BOARD MEETING #1/05, HELD ON MARCH 4, 2005

Refer to pages printed on **YELLOW**

10. NEW BUSINESS

NEXT MEETING OF THE AUTHORITY #3/05 TO BE HELD ON APRIL 29, 2005 AT 10:00 A.M.
IN THE SOUTH THEATRE, BLACK CREEK PIONEER VILLAGE

Brian Denney
Chief Administrative Officer

/af

**8. CONSIDERATION OF REPORTS OF THE EXECUTIVE COMMITTEE MEETING
#1/05, HELD ON MARCH 4, 2005**

Refer to pages printed on **PINK**

SECTION I - ITEMS FOR AUTHORITY ACTION

- 8.1 NATURAL HERITAGE LANDS PROTECTION AND ACQUISITION PROJECT
2001-2005**
Flood Plain and Conservation Component / Duffins Creek Watershed
Tensilkote Limited (Pleasure Valley) and the Estate of Robert Kendall McConnell
CFN 32424 7-11
- 8.2 THE EARTH RANGERS FOUNDATION LEASE WITH TORONTO AND
REGION CONSERVATION AUTHORITY**
CFN 31514
Request for Extension to Lease Payment Provisions 12-13
- 8.3 POTABLE WATER TESTING PROCEDURES AND PROTOCOLS FOR THE
TORONTO AND REGION CONSERVATION AUTHORITY'S RENTAL
RESIDENTIAL PROPERTIES** 14-16
- 8.4 STREAM FLOW MONITORING WITHIN THE TORONTO AND REGION
CONSERVATION AUTHORITY'S REGIONAL MONITORING NETWORK
PROGRAM** 17-18
- 8.5 LITTLE ROUGE CORRIDOR MANAGEMENT STUDY CONSULTANT
SELECTION** 19-21
- 8.6 THE LIVING CITY - COMMUNITY TRANSFORMATION PARTNERSHIP**
Proposal for Consulting Services 22-25
- 8.7 WESTERN BEACHES WATERCOURSE FACILITY**
Contract Services for Construction and Project Management 77-81

SECTION II - ITEMS FOR EXECUTIVE ACTION

- 8.8 APPLICATIONS FOR PERMITS PURSUANT TO ONTARIO REGULATION 158**
Fill, Construction & Alteration to Waterway.

CITY OF TORONTO (ETOBICOKE YORK COMMUNITY COUNCIL AREA)

- 8.8.1 ROBERT AND GLORIA FULFORD**
To place fill within a regulated area on Lot 47, Plan 2388, (85
Riverside Drive), in the City of Toronto (Etobicoke York Community
Council Area), Humber River Watershed as located on the property
owned by Robert and Gloria Fulford. 26-28

- 8.8.2 CHIA SING HO**
To place fill within a regulated area on Lot 3, Concession 2 FTB, Lot 11, Plan 2313, (88 Baby Point Road), in the City of Toronto (Etobicoke York Community Council Area), Humber River Watershed as located on the property owned by Chia Sing Ho. 28-29

CITY OF TORONTO (NORTH YORK COMMUNITY COUNCIL AREA)

- 8.8.3 DANIELS MIDTOWN CORPORATION**
To place fill within a regulated area on Part Lot 3, Block 2, Plan 66M-2405, (50 Kilgour Road), in the City of Toronto (North York Community Council Area), Don River Watershed as located on the property owned by Daniels Midtown Corporation. 29-31

- 8.8.4 LAWRENCE SCOTT AND JANE PICKUP**
To place fill within a regulated area on Part Lot 40, 47, Plan M-275, (138 Riverview Drive), in the City of Toronto (North York Community Council Area), Don River Watershed as located on the property owned by Lawrence Scott and Jane Pickup. 31-33

CITY OF VAUGHAN

- 8.8.5 CITY OF VAUGHAN**
To place fill within a regulated area on Lot 29, 30, 31, Concession 9 and 10, (Huntington Road between Langstaff Road and Kirby Road), in the City of Vaughan, Humber River Watershed as located on the property owned by City of Vaughan. 33-35

- 8.8.6 STELLTACC PROPERTIES INC.**
To place fill within a regulated area on Lot 11, Concession 8, north of Langstaff Road and east of Martin Grove Road, in the City of Vaughan, Humber River Watershed as located on the property owned by Stelltacc Properties Inc. 35-37

TOWN OF MARKHAM

- 8.8.7 BOX GROVE HILL DEVELOPMENT INC.**
To alter a waterway, place fill within a regulated area on Lot 6, Concession 9, (9th Line and 14th Avenue), in the Town of Markham, Rouge River Watershed as located on the property owned by Parkview Golf Course. 37-39

THE FOLLOWING PERMIT APPLICATIONS WERE ERRATA ITEMS:

CITY OF BRAMPTON

8.8.8 ALTERRA-FINER (BRAMPTON) LIMITED

To construct in a flood plain, place fill within a regulated area on Part Lot 6, Concession 2, (11 George Street North), in the City of Brampton, Etobicoke Creek Watershed as located on the property owned by 1064984 Ontario Limited 40-41

8.8.9 BELL CANADA

To construct in a flood plain, place fill within a regulated area along Humberwest Parkway, south of Castlemore Road, east of Airport Road, in the City of Brampton, Humber River Watershed as located on the property owned by Bell Canada. 41-43

8.8.10 CITY OF BRAMPTON

To construct in a flood plain, place fill within a regulated within Hilldale Park, in the City of Brampton, Etobicoke Creek Watershed as located on the property owned by the City of Brampton. 43-44

8.8.11 MARKET SQUARE (BRAMPTON) INC.

To construct in a flood plain, place fill within a regulated area on Lot 2, 3, Plan BR 2, (24 Queen Street East), in the City of Brampton, Etobicoke Creek Watershed as located on the property owned by Market Square (Brampton) Inc. 45-46

CITY OF MISSISSAUGA

WITHDRAWN

8.8.12 THE REGIONAL MUNICIPALITY OF PEEL

To alter a waterway, construct in a flood plain, place fill within a regulated area on Dixie Road and Derry Road, in the City of Mississauga, Etobicoke Creek Watershed as located on the property owned by The Regional Municipality of Peel. 46-48

CITY OF TORONTO (ETOBICOKE YORK COMMUNITY COUNCIL AREA)

8.8.13 CITY OF TORONTO

To construct in a flood plain, place fill within a regulated area on Block E, M, Plan M-688, Part Block H, Plan M-688, (North end of Deanlea Court), in the City of Toronto (Etobicoke York Community Council Area), Humber River Watershed as located on the property owned by City of Toronto. 48-50

- 8.8.14 VICTOR FERREIRA**
To construct in a flood plain on Lot 85, 86, Plan 1956, (4 Garrow Avenue), in the City of Toronto (Etobicoke York Community Council Area), Humber River Watershed as located on the property owned by Victor Ferreira. 50-51

CITY OF TORONTO (NORTH YORK COMMUNITY COUNCIL AREA)

- 8.8.15 JASON DEZWIREK**
To construct in a flood plain on Lot 15, Plan M-453, (18 Brookfield Road), in the City of Toronto (North York Community Council Area), Don River Watershed as located on the property owned by Jason Dezwirek. 51-52

CITY OF TORONTO (SCARBOROUGH COMMUNITY COUNCIL AREA)

- 8.8.16 CITY OF TORONTO**
To alter a waterway, construct in a flood plain on (Markham Road over Highland Creek), in the City of Toronto (Scarborough Community Council Area), Highland Creek Watershed as located on the property owned by City of Toronto. 52-54

- 8.8.17 SCARBOROUGH CHINESE BAPTIST CHURCH**
To alter a waterway on Lot 28, Concession 4 Lot 30, Plan 9828, (3223 Kennedy Road), in the City of Toronto (Scarborough Community Council Area), Highland Creek Watershed as located on the property owned by Scarborough Chinese Baptist Church. 54-56

CITY OF VAUGHAN

- 8.8.18 FRANCES KOTH**
To place fill within a regulated area on Part Lot 23, Concession 8; Lot 12, Plan M-1581, (11 Valleyview Court), in the City of Vaughan, Humber River Watershed as located on the property owned by Frances Koth. 56-58

- 8.8.19 LEONELLA PAGLIA**
To place fill within a regulated area on Lot 9, Plan 65M-2928, (81 Forest Heights Boulevard), in the City of Vaughan, Humber River Watershed as located on the property owned by Leonella Paglia. 58-59

TOWN OF MARKHAM

- 8.8.20 NEAMSBY INVESTMENTS INC.**
To alter a waterway (Downtown Markham), in the Town of Markham, Rouge River Watershed as located on the property owned by Neamsby Investments Inc.. 60-61

PERMIT APPLICATION 8.8.21 IS A MINOR WORKS ITEM

Approvals of minor works are implemented by Development Services Section staff and are received monthly by the Executive Committee. The permit of minor works is subject to authorization by the Manager of Development Services and signed by an appointed enforcement officer. All minor works are located within a Fill Regulated Area, outside of the floodplain and in the opinion of staff do not affect the control of flooding, erosion, dynamic beaches, pollution or the conservation of land.

CITY OF TORONTO (ETOBICOKE YORK COMMUNITY COUNCIL AREA)

8.8.21 WADE AND THOMPSON DOBBIN

To place fill within a regulated area on Lot 216, Plan M-356, (35 Riverside Crescent), in the City of Toronto (Etobicoke York Community Council Area), Humber River Watershed as located on the property owned by Wade and Thompson Dobbin.

CFN: 36104 - Application #: 014/05/TOR

Report Prepared by: Annemarie Sanchez, extension 5284

For information contact: Steve Heuchert, extension 5311

Date: January 12, 2005

NEW PERMIT

TOWN OF WHITCHURCH-STOUFFVILLE

8.8.22 MATTAMY HOMES

To alter a waterway, place fill within a regulated area on (southwest of Stouffville Road and 9th Line), in the Town of Whitchurch-Stouffville, Rouge River Watershed as located on the property owned by Mattamy Homes. 85-86

8.9 WILD WATER KINGDOM LTD.

Request for deferral of lease payments 62

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West of Gorewood Drive and North of Hwy #407, City of Brampton 63-66

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9. CONSIDERATION OF REPORTS OF THE BUSINESS EXCELLENCE ADVISORY BOARD MEETING #1/05, HELD ON MARCH 4, 2005

Refer to pages printed on YELLOW

SECTION I - ITEMS FOR AUTHORITY ACTION

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TO: Chair and Members of the Authority
Meeting #2/05, March 11, 2005

FROM: Adele Freeman, Director, Watershed Management

RE: LOWER DON RIVER WEST REMEDIAL FLOOD PROTECTION PROJECT

KEY ISSUE

Consultant team selection for the detailed design and implementation for Component I of the Lower Don River West Remedial Flood Protection Project. Direction for the signing officers to confirm the successful consultant team and authorize the commencement of work.

RECOMMENDATION

WHEREAS the Toronto Waterfront Revitalization Corporation (TWRC) and the three levels of government are working closely towards the development of a contribution agreement that covers the sum of approximately 30 million dollars for the delivery of Components 1, 2 and 3 of the Class Environmental Assessment (EA) and Canadian Environmental Assessment Act (CEAA) Screening Report for the Lower Don River West Remedial Flood Protection Project;

WHEREAS Component 1 refers to the detailed design and implementation of the Canadian National Railway (CN) Kingston Line Bridge Extension as outlined in the Class EA and CEAA Screening Report for the Lower Don River West Remedial Flood Protection Project, and the Bala Line Pedestrian Tunnel as identified in the West Don Lands Precinct Plan;

WHEREAS Component 2 refers to the detailed design and implementation of the Flood Protection Landform as outlined in the Class EA and CEAA Screening Report for the Lower Don River West Remedial Flood Protection Project;

WHEREAS Component 3 refers to the detailed design and implementation of the dyke/retaining wall system and the Enbridge Gas utility bridge modifications as outlined in the Class EA and CEAA Screening Report for the Lower Don River West Remedial Flood Protection Project;

WHEREAS the Toronto and Region Conservation Authority (TRCA) has been identified by the TWRC as the recipient agency to undertake the detailed design and implementation of Component 1 of the Lower Don River West Remedial Flood Protection Project;

WHEREAS there is a particular urgency to start the design of Component 1 so as to take advantage of a narrow window of opportunity for construction to occur in 2005 and 2006;

THEREFORE LET IT BE RESOLVED THAT TRCA staff be directed to work with TWRC to finalize the work plan and Delivery Agreement for the Lower Don River West Remedial Flood Protection Project;

THAT the Authority direct the signing officers of the TRCA, subject to authorization by the TWRC and based on the recommendation of the selection committee, to confirm the successful team and commence the work for the design and implementation for Component 1 of the Lower Don River West Remedial Flood Protection Project;

THAT the appropriate TRCA officials be authorized and directed to take any action necessary to implement the design and implementation of Component 1, including the execution of all documentation required;

AND FURTHER THAT staff report back to the Authority identifying any actions taken in this regard.

BACKGROUND

The EA for the Lower Don River West Remedial Flood Protection Project (LDRW Project) is one of two EAs being conducted on behalf of the Toronto Waterfront Revitalization Corporation by TRCA. The object of this EA is to remove the risk of flooding to 210 hectares of land in downtown Toronto, west of the lower Don River, up to the regulatory storm event.

At Authority Meeting #9/04, held on October 29, 2004, Resolution #A296/04 was approved as follows:

THAT staff develop a detailed scope of work, schedule for work, operating budget, phasing plan and monitoring plan that will be required to implement the functional design for the Lower Don River West Remedial Flood Protection Project;

AND FURTHER THAT staff be directed to expedite the required contracts or agreements with the Toronto Waterfront Revitalization Corporation (TWRC) necessary to implement all flood protection components identified under the functional design of the Lower Don River West Remedial Flood Protection Project as per the above scope of work, schedule for work, operating budget, phasing plan and monitoring plan.

The draft Class EA was submitted for public review on January 18, 2005. The mandatory review period for the Class EA ended on Monday February 21, 2005. During the review period, two Part II Order Requests were submitted to the Minister of the Environment. TRCA staff are currently working closely with TWRC, the Ontario Realty Corporation (ORC) and City of Toronto to resolve these Part II Order Requests. The draft CEEA Screening Report for this project has undergone an internal review and will be submitted to federal authorities shortly. The functional design identified in the draft EA for the LDRW Project include the following five elements:

1. A flood protection landform will be built on the west side of the Don River to prevent floodwaters up to the regulatory flood event from flowing westward into downtown Toronto. This landform will have a 40m setback from the Don River top of bank and will extend from the northern side of Canadian National Railway's Kingston Line to the southern side of the Queen Street flyover. The landform will be approximately 3m above grade and will have a 120m wide footprint. This feature represents Component 2 of the LDRW Project.

2. A western extension of the existing railway bridge spanning the lower Don River will be constructed to provide additional hydraulic capacity for the Don River to flow under CN's Kingston Line railway embankment. This bridge widening is essential in order to accommodate the increase of instream discharge that would result following the construction of the above mentioned flood protection landform which would prevent the westward movement of floodwater into downtown Toronto during large flood events. This feature represents a key element of Component 1 of the LDRW Project.
3. A low-lying floodwall and dyke system will be constructed on the east side of the Don River, south of CN's Kingston Line, in order to mitigate for the minor increase in flood levels (<10cm depth) to the east of the river that would result from the implementation of the two flood control components identified above. This flood protection component does not remove the risk of flooding to the east of the river; it only ensures that flooding is not aggravated by the above mentioned works.
4. Panels located on a privately-owned utility bridge located near the old Eastern Avenue bridge (north of CN's Kingston Line) will be removed to reduce the level of resistance to flow during large flood events. Removal of these bridge panels represent a minor improvement in the local flow conditions and are not an essential element of the overall flood protection package. Reinforcement of the enclosed Enbridge Gas pipeline would also be required as part of these works. This is the second element identified as part of Component 3 of the LDRW Project.
5. The continuation of dredging activities in the Keating Channel (as determined in the Keating Channel EA, Acres 1983) is a necessary element of the flood protection package. Dredging of the Keating Channel represents an annual maintenance activity funded by the City of Toronto, TRCA and the Toronto Port Authority and does not require additional funding or approvals.

RATIONALE

The TWRC, in conjunction with the three levels of government, has established an aggressive target with a projected occupancy of the first residential building within the West Don Lands for December 2007. TWRC is co-ordinating the implementation of the flood protection works with ORC, TRCA, the City of Toronto and others as required. The TRCA has been requested by the TWRC to undertake a component of the work, including the bridge expansion design and implementation. GO Transit and CN have requested that this bridge expansion be substantially underway in 2005 and completed as early as possible in 2006. With this critical timeline in place, staff are seeking direction for the signing officers of TRCA to confirm the successful consultant team selection and to authorize the commencement of work for the design and implementation for Component 1 of the Lower Don River West Remedial Flood Protection Project and other elements of the West Don Lands Precinct Plan, subject to authorization by the CAO of the TWRC.

TRCA staff anticipate that the Class EA will be finalized by May 2005. To meet the TWRC timelines, TRCA staff posted a Call for Expressions of Interest (Eol) on the BidNavigator website for consulting services to undertake the detailed design and implementation for Component 1 of the Lower Don River West Remedial Flood Protection Project on February 10, 2005. An additional feature not related to the flood protection works involves the construction of a pedestrian tunnel under the Bala Railway Line located just north of the railway bridge expansion of the Kingston Line. This tunnel under the Bala Line would link pedestrian use from the Waterfront Trail/Don River trail system to the future West Don Lands Precinct Community. TWRC has requested TRCA to include this work to enable an efficient work program with CN and GO Transit.

Records supplied on the BidNavigator website indicated that 47 firms received the Call for Eols. The Expressions of Interest closed on February 24, 2005. Eols from three separate consulting teams were received as follows:

1. **Project Lead:** URS Canada Inc..
Sub-Consultants: Dillon Consulting Limited, Acres International Limited, ENVision - the Hough Group, Parish Geomorphic Limited, Golder Associates Inc., J.T. Gregg Associates Limited and J. Otter Engineering Associates Limited.
2. **Project Lead:** Morrison Hershfield Limited.
Sub-Consultants: MacViro Consultants Inc., Golder Associates Inc., Aquafor Beech Limited, Draycott Environmental Inc., and du Toit Allsopp Hillier Architects and Landscape Architects.
3. **Project Lead:** Totten Simms Hubicki Associates Limited.
Sub-Consultants: Earth Tech Canada, Gartner Lee Limited, Thurber Engineering, Montgomery Sisam Architects Limited, Parish Geomorphic Limited and Cumming & Company.

An Eol review team has been established consisting of representatives from the following agencies:

1. TRCA;
2. Canadian National Railway;
3. City of Toronto - Works and Emergency Services;
4. Toronto Waterfront Revitalization Corporation;
5. Hydro One;
6. GO Transit.

Staff at TRCA provided an EoI Evaluation Form that standardized the review process. It is anticipated that each of the three consulting teams will receive a Request for Proposal (RFP) around Wednesday March 9, 2005 subject to a positive evaluation of the EoI by the review team. The three consulting teams will have three weeks to submit their proposals with a closing date early in April 2005. The proposals will be evaluated immediately by the established review team and the consulting team will be selected. It is recommended that the Authority authorize the signing officers to act immediately to engage the consulting team, through a letter authorizing the commencement of work, based upon written direction from the TWRC to do so. Concurrently, TWRC and TRCA staff will be developing the Eligible Recipient Agreement identifying TRCA as the implementation agency. TRCA will include in the Eligible Recipient Agreement all costs associated with the work.

Specific Work Activities Related to Component 1 of the LDRW Project

Component 1 of the LDRW Project includes all activities related to the development of detailed designs, procurement of permits and authorizations, consultation, contractor tendering, construction supervision, contract administration, and post construction monitoring and inspection of the new railway bridge span and the Bala pedestrian tunnel.

This contract presents the requirements for implementing all aspects of Component 1 for the Lower Don River West Remedial Flood Protection Project, including:

1. development of detailed designs and construction schedules for the new bridge span beneath the CN railway embankment as per the functional design for the LDRW Project, and (if authorized) as per the functional design for the proposed pedestrian tunnel under the Bala Line, in consultation with the TRCA, TWRC, City of Toronto, Canadian National Railway, GO Transit, Hydro One, 360 Networks and any other necessary stakeholders;
2. development of a design for a temporary track diversion to allow the two mainline tracks (northern tracks) to be diverted to the two south service tracks for a period of time to allow construction of the north portion of the bridge (this step may not be required or a consultant team led by CN may be assigned to develop these track relocation designs);
3. coordinate, and as necessary, design all supports and/or relocation of existing utilities, including advertising billboards located within the area;
4. conduct all remaining hydrogeological, geotechnical and geoenvironmental studies that will be required to develop and finalize the detailed designs for the bridge component under the CN Kingston Line and pedestrian tunnel under the Bala Line;
5. conduct final hydraulic modeling and analysis of the bridge span detailed design to ensure sufficient hydraulic capacity is provided under the railway embankment using HEC-RAS;
6. assist TRCA with coordinating and leading additional stakeholder and public consultation meetings;
7. obtain all appropriate approvals and permits for construction of the bridge and other components;
8. participate in the contractor tendering and selection process for the bridge component;
9. inspect and administer construction on behalf of CN and/or TRCA; and
10. follow through with all post construction monitoring and inspection activities as per the requirements under CEAA and the Class EA in concert with TRCA staff.

Key components pertaining to the design and construction of this bridge span include the:

1. development of a design for a temporary track protection system (design for shoring works);
2. transformation of the existing western abutment into a bridge pier;
3. construction of a new bridge abutment located on the new western bank of the Don River;
4. construction of new conduits and hydro manholes to the west of the new bridge abutment to allow for the relocation of existing underground HydroOne hydrolines - the existing overhead Hydro One lines will require protection or relocation;
5. creation of a new section of river channel between the new and previous bridge abutments that provides an increase in fish habitat and a stable, more naturalized riverbank;
6. development of an attractive pedestrian walkway fixed or built into the new bridge abutment that is not subjected to frequent flooding; and
7. construction of a bridge span that can accommodate 5 rail lines (2 mainlines and 3 service lines - of which one of the service lines will be transformed into a mainline in 2006), and any necessary switching, fibre optic lines and other utilities.

Specific Work Activities Related to Component 3 of the LDRW Project

In addition, TWRC has requested as of the date of this report, that all activities related to the development of detailed designs, procurement of permits and authorization, and consultation facilitation for the retaining wall and dykes system to the south of CN's Kingston Line along the east bank of the river be included in the scope of this contract.

DETAILS OF WORK TO BE DONE

Review of the RFP and selection of consultants.

FINANCIAL DETAILS

Negotiation of an Eligible Recipient Agreement with the TWRC on a full cost recovery basis. This agreement will cover the design and construction costs.

Report prepared by: Ken Dion, extension 5230

For Information contact: Adele Freeman, extension 5238

Ken Dion, extension 5230

Date: February 16, 2005