A NEW RIVER INNOVATION CHALLENGE BRIEF

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Introduction

Waterfront Toronto's Port Lands Flood Protection (PLFP) project will protect 240 hectares of downtown Toronto from flooding by transforming the existing mouth of the Don River into a natural and ecologically functioning river channel. Through this project, we will generate a wealth of data about the new river mouth and the natural systems that support it.

This challenge invites data scientists and designers to develop creative, compelling and innovative ways to interpret and communicate this scientific information to the public. Our intent is to leverage our partnerships and the data we generate to foster innovation in science communication. The outcome will be to stimulate interest and knowledge about how natural systems function, and the benefits they bring to urban systems; to share this information with the people who will use and enjoy the river valley; and to encourage stewardship of the river's water, wildlife and habitats.

Background & Context

Waterfront Toronto

Waterfront Toronto was established by the Government of Canada, the Province of Ontario and the City of Toronto in 2001 to lead and oversee the renewal of Toronto's Waterfront. As public advocates and stewards of Toronto's waterfront revitalization, our mandate is to transform our city's waterfront by creating extraordinary new places to live, work, learn and play.

The Port Lands Flood Protection Project is the largest urban renewal project currently underway in North America and one of the largest waterfront redevelopment initiatives in the world. Waterfront Toronto is delivering a leading-edge city-building model that seeks to place Toronto at the forefront of global cities in the 21st century.

Waterfront Toronto's vision includes transforming the waterfront into beautiful and sustainable communities, fostering economic growth in innovation-based industries and ultimately redefining how Toronto, Ontario and Canada are perceived by the world. It is guided by our Resilience and Innovation Framework for Sustainability, which outlines a set of values to guide revitalization efforts:

> **Climate Positive**: Waterfront Toronto's projects and initiatives support the development of low carbon communities with an aspiration to reduce greenhouse gas emissions below zero.

Inclusive Resilience: Toronto's waterfront is a dynamic, adaptive and flexible environment with the ability to respond to technical, social and environmental changes.

Intelligent & Connected: Technologies are used to support community needs and improve quality of life.

Human Experience-Driven: Waterfront communities are healthy, safe, just, active, multi-generational, human scale and accessible. Design excellence enriches the human experience.

Biophilic: The waterfront is a place where people learn from and are inspired by nature.

Project Context

For thousands of years, the mouth of the Don River was a fertile wetland, fishing ground and important gathering place for Indigenous people who lived in the region. In the early 1900s, Toronto filled in the wetland now known as the Port Lands to make space for growing industry—and redirected the Don River with an unnatural ninety-degree turn down the Keating Channel. At about 356 hectares (880 acres) this extensive, underutilized area on Toronto's eastern waterfront presents an unprecedented opportunity to revitalize this massive brownfield site into new communities on prime waterfront land. However, about 290 hectares (715 acres) of the area are currently at risk of flooding from the Don River watershed and as a result flood protection is required before any redevelopment can occur.

A new mouth for the Don River will be created by excavating a new channel, as well as a green spillway to help accommodate any overflow. PLFP will result in two new outlets for the river into Lake Ontario, new parks and green space along the river and inner harbour, four new bridges and new public roads throughout the area. It will also enhance habitat for natural species and will re-establish wetlands and aquatic habitat in the area, which provide social and environmental benefits and naturally moderate the effects of flooding and erosion.

In June 2017, the three levels of government announced $1.25 billion in funding for Waterfront Toronto to naturalize the mouth of the Don River, provide flood protection and lay the groundwork for new communities. Michael Van Valkenburgh and Associates (MVVA) has been retained as the lead designer for this project. Construction began in 2018 and will be complete in 2024.

For more detail about the Port Lands Flood Protection Project please visit: https://portlandsto.ca/

For more detail about the History of the Port Lands please visit: https://portlandsto.ca/history-of-the-port-lands/

Challenge Description and Goals

Challenge Description

As part of the Don Mouth Naturalization and Port Lands Flood Protection Environmental Assessment (a provincial assessment process to evaluate potential environmental effects ahead of major infrastructure projects), Waterfront Toronto along with Toronto Region Conservation Authority (TRCA) and its partners have been gathering scientific data to measure the performance of PLFP. A comprehensive monitoring program has been in place since the pre-design stage and will continue throughout construction and after the project has been completed.

Current monitoring objectives include data collected around the following categories (as laid out in the Environmental Assessment):

Biophysical Component	Environmental Performance Monitoring Requirements
Aquatic Habitat and Species	1. Identify trends of aquatic habitat and species targets through post-establishment 2. Evaluate aquatic habitat and species against intended modelled outcomes and historical conditions
Wetland Function	1. Evaluate wetland function against intended modelled outcomes
River Form and Function	1. Observe impact of major flow events on river form and the effectiveness of river management features 2. Observe major flow events to evaluate effectiveness of flood protection measures
Terrestrial Habitat and Species	1. Evaluate the trajectory of newly created terrestrial habitat against intended outcomes
Surface and Groundwater Quality	1. Evaluate the effectiveness of on-site stormwater controls 2. Observe the effectiveness of contaminated groundwater isolation measures
Flow and Precipitation	1. Document changes in flow and participation patterns over time to inform the need for management adjustments

For more detail about the Environmental Assessment please visit: https://trca.ca/conservation/green-infrastructure/don-mouth-naturalization-port-lands-flood-protection-project/don-mouth-environmental-assessment/

Please see Appendix A for further details regarding the data collected as part of PLFP.

After its completion in 2024, PLFP will leave an engineered ecological system legacy to many generations of Torontonians. Lined with wetlands, aquatic habitat, and lush new parks, this infrastructure project will deliver:

- 1,000 m river channel
- 9.8 ha. of created wetlands
- 25 ha of publicly accessible greenspace
- 23.6 ha. of permanent and ephemeral fish habitat

This challenge asks: How do we collect, interpret and share environmental data from these new ecosystems to educate visitors and motivate conservation behavior in the wider community?

Waterfront Toronto is inviting innovators to identify and/or originate new ways of creating wider public knowledge of conservation science generated by PLFP. The outcome could result in either a physical or a digital platform.

The submitted ideas should aim to collect, reveal and decode scientific data in compelling and appealing ways in order to educate citizens about nature and encourage stewardship and sustainable development. This can be done through innovations in environmental data collection platforms/methods/instruments as well as data interpretation and representation.

Who can participate?
This challenge encourages multi-disciplinary collaboration and is open to a wide variety of experts including designers, scientists, engineers, computer scientists and others from private, public or nonprofit sectors. We encourage corporate applicants to consider opportunities to include students or young professionals on their team.

Waterfront Toronto and TRCA staff are ineligible to participate. Individual or corporate applicants who have previously or are currently employed by Waterfront Toronto are invited to participate in this challenge however they are ineligible to receive prize money.

Individuals who are contest officials, contest judges, contest staff, contest advisors, or in any position of authority in any other companies or institutions that assist entrants, or in any other position of conflict with other entrants, are ineligible to receive prize money.

Waterfront Toronto is committed to representing the diversity of Toronto and encourages diverse and multidisciplinary teams.

Challenge Goals

We are looking for ideas that support the following objectives:

- **Contributes to the Scientific Body of Knowledge:** the design collects and conveys information in a way that contributes to the body of knowledge regarding urban natural environment systems.
- **Promotes Environmental Stewardship:** the design supports individuals learning about the impact of their actions on the environment and promotes conservation behavior. Change theory is logical and well supported by research.
- **Compelling Experience/ Design Excellence**: the user experience is of excellent graphical, interactive or physical quality and is engaging, persuasive and simple.
- **Accessible:** the resulting platform is designed to be physically and digitally barrier-free. Designs are encouraged that, through new technologies or data collection/management/representation, will make the roads, parks, public spaces and neighbourhoods in the Port Lands more accessible to people of diverse mental and physical abilities.
- **Data & Privacy**: the submission considers how data is used, and (where the platform collects new data) how the data is made available for use by others. Where the design uses data about individuals or groups of people, any relevant privacy protections are explicitly described.
- **Reduced Environmental Footprint**: designs incorporate sustainability considerations, including source of materials, energy use, and physical impact on environment.
- **Feasible Implementation**: the design is technically feasible and reasonably implementable/scalable.

Competition Categories

Designs and ideas can engage with one or more of the following areas of study:

- Water – flooding, hydrology, stormwater, water quality
- Terrestrial ecosystem – plants and animals above the water line
- Aquatic ecosystem – fish and plants under water
- Environmental change –lake levels, average temperature, etc
- Human Ecology – waste, transportation, carbon footprint, impact on the natural environment

Data and Privacy Considerations

Projects can leverage data from TRCA's data portal and potentially other third-party sources to generate ideas that can combine the physical environment with data that they generate to interpret and communicate scientific learnings to the public. Project teams will need to demonstrate their commitment to responsibly manage data through its lifecycle with security and privacy considerations addressed.

Appendix C provides detailed guidance on data and privacy considerations.

Waterfront Toronto collects information solely for the purposes of the A New River Innovation Challenge. Any data and/or private information is collected, used and shared by Waterfront Toronto or their contest partners is in accordance with the *Personal Information Protection and Electronic Documents Act*, S.C. 2000, c. 5 (PIPEDA).

Challenge Timeline

Challenge Kickoff

Challenge Brief is released on March 1st, 2021.

Question Deadline

All questions to be submitted by 11:59pm on March 25, 2021 to innovationchallenge@waterfrontoronto.ca.
Responses to all questions will be posted on the project website by April 9, 2021.

Challenge Deadline

All submissions must be received by Waterfront Toronto by 11:59pm on May 7, 2021 through submission to
innovationchallenge@waterfrontoronto.ca for consideration by our selection panel.

Review and Selection Process

Submissions will be evaluated by a panel of expert judges who will select the top three submissions. Each team
whose submission is selected will receive a $10,000 award.

The selection panel will identify one of the top three submissions to move forward with further development and
potential integration in the PLFP project. **Waterfront Toronto will offer the selected design team an honorarium of
$30,000 to further advance their design.**

Winners will be announced by end of May. Selected winners will be notified via email and will be announced on our
website: https://portlandsto.ca/a-new-river-innovation-challenge/

Design Development

Waterfront Toronto staff and the selected winning team will work together to advance the winning design. Project
team will be expected to present a progress update to Waterfront Toronto six months from the date the
honorarium is awarded.

Challenge Submission Instructions

Submission Requirements

Please submit designs to innovationchallenge@waterfrontoronto.ca before 11:59pm on May 7, 2021. We cannot
accept submissions after the deadline.

The email subject line should contain the following title: *A New River Innovation Challenge Submission*.

Please ensure that your submission includes all the items outlined under 'Submission Content', below. To facilitate
evaluation, organize the content in your submission in the same order as they are outlined.

Successful submissions will receive a receipt message. If you do not receive this message, please reach out to
innovationchallenge@waterfrontoronto.ca.

Submission Format

Submissions should be a PDF formatted on 8.5" x 11" size paper and no longer than 20 pages, single-sided. In
addition to the 20 pages, you may include appendices that may consist of CVs and promotional literature. Please use
a font no smaller than 10-point.

Submission Content

Aim to provide relevant, concise, and compelling information about the following:

1. Summary

Submit a one-page summary of the submission, including a name for your project.

2. Project Team

Submit materials that highlight the unique strengths, talents, and breadth of knowledge and experience of each team member. Submission must include:

- An outline of the proposed *team structure*, identifying the names of all participating team members and their specific roles. A team lead and contact information should be clearly identified.
- An organization chart illustrating the proposed *roles and responsibilities of key team members* working on the project. Please identify if any team members are students on the chart.
- A brief description highlighting the *qualifications and experience of the key team members.* Curricula vitae indicating professional affiliations can be included as an appendix. If applicable, specify any team members that have previously or are currently under contract with Waterfront Toronto.

3. Project Description

Submit materials that provide a clear and concise overview of your proposal. Submission must include:

- A detailed *approach and methodology* and the audience that this project hopes to reach if the project is developed. Include the *study subject* and what kind of *data set(s)* will be analyzed or generated. Appendix A provides examples of the types of data that are currently collected as part of PLFP and could be leveraged for this project.
- A statement on how your proposal contributes to *the scientific body of knowledge* and *environmental stewardship* of the future new river and Port Lands area.
- A brief impact assessment of the *environmental footprint* of your proposed design.
- An overview of the *accessibility principles* included in your design and their implementation.
- Please describe if your submission falls in one or more of the competition categories listed on page 4.
- A section that explains the *relationship of your project with the future landscape*, river and parks.

We encourage teams to include images, diagrams, and precedents that might strengthen their submissions.

4. Data Privacy Statement

Submit a preliminary data management plan for your proposal. Submission must include:

- The *ways in which any data being leveraged has been collected, stored and used* in a manner compliant with the *Personal Information Protection and Electronic Documents Act* (PIPEDA) and other relevant municipal, provincial or federal privacy regimes.
- *Types and methods of data collection, generation, analysis, storage, and transmission*, and plans for re-use, re-distribution, derivative production, archiving, and preservation that reflects the entire data lifecycle in project design.
- Efforts made to *integrate security and privacy considerations* into project design.
- *Identification of risks* and development of appropriate mitigation strategies.

Waterfront Toronto values and respects your privacy. Any submissions and/or private information is collected, stored, used and shared by Waterfront Toronto or their contest partners is in accordance with the *Personal Information Protection and Electronic Documents Act*, S.C. 2000, c. 5 (PIPEDA). Any questions regarding the collection or use of information contact innovationchallenge@waterfrontoronto.ca.

5.   Steps to Implementation and Schedule

Provide a description of the process and timing of bringing the proposed design to a final product. Submission must include:

- A timeline (a Gantt chart is not required but could be submitted).
- A description of each of the steps to implementation.

6.   Cost Estimate

Include a high-level one-page estimate of the costs to develop the idea into a final product. The estimate should also allocate a percentage towards contingency.

Questions?

You can submit questions via email to innovationchallenge@waterfrontoronto.ca by March 25, 2021. We will publish all responses to the questions submitted to us on the project website by April 9, 2021.

Please refer to Appendix B to learn more about Contest Rules.

Evaluation, Selection and Award Process

Evaluation Criteria

The submissions will be evaluated according to the following criteria and associated weightings. Note that the criteria reflect the submission requirements set out on page 5– Submission Content.

Project Team	
Team Structure *(See Submission Requirements)*	5 points
Team Qualifications *(See Submission Requirements)*	5 points
Project Description	
Approach & Methodology *(See Submission Requirements)*	10 points
Contributes to the Scientific Body of Knowledge *(See Competition Goals)*	5 points
Promotes Environmental Stewardship *(See Competition Goals)*	5 points
Compelling Experience/Design Excellence *(See Competition Goals)*	5 points
Accessibility Principles & Implementation *(See Competition Goals)*	5 points
Data & Privacy Protections *(See Competition Goals)*	5 points
Reduced Environmental Footprint *(See Competition Goals)*	5 points
Steps to Implementation & Cost	
Feasibility of Implementation *(See Competition Goals)*	20 points
Cost Estimate *(See Submission Requirements)*	20 points
Background and Context	
Relationship to the future landscape, river and parks *(See Background & Context)*	10 points
Total Score	**100 points**

Waterfront Toronto and its partners look forward to receiving your ideas and thank you for your participation in the challenge.

Challenge Partners

Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority (TRCA) works with its partners to ensure that Toronto and Region is built upon a natural foundation of healthy rivers and shorelines, greenspace and biodiversity, and sustainable communities. With more than 60 years of practical experience in protecting the environment, educating young people, and creating resilient communities, TRCA works with government, businesses, local organizations and individuals to build a greener, cleaner, healthier place to live.

TRCA is one of 36 conservation authorities in Ontario. Its jurisdiction includes Canada's largest urban centre, nine watersheds and the Lake Ontario shoreline from Mississauga to Ajax. Working with the regional municipalities of York, Durham, Peel, the City of Toronto, TRCA protects and restores the natural environment and the fundamental ecological services that our environment provides.

RBC Tech for Nature Grant

This competition is made possible through RBC's Tech for Nature Grant Program. The Tech for Nature Grant Program brings together charitable organizations and technology experts to build multi-partner coalitions to address and help solve our shared environmental challenges.

Appendix A: PLFP Data Collection

To meet the Environmental Performance monitoring requirements as part of the project's Environmental Assessment, Waterfront Toronto and TRCA have established a monitoring program to collect environmental performance date throughout the construction and eventual operation of the new river.

A variety of data in the Don River Watershed and Lake Ontario. Data is collected for both long-term monitoring and specific to the Don Mouth Naturalized Project (DMNP)/PLFP project monitoring. Some data is discrete (point-in-time) while other data is continuous; some data is further processed and / or modelled. Examples of natural environment datasets available from TRCA include fish, terrestrial flora and fauna. The below table outlines some of the data that is currently collected as part of the Environmental Assessment.

Dataset	Description	Data Type	Comments
Fish	Fish sampling is conducted at least once per year using boat electrofishing. The species of fish caught as well as their weight are recorded. Typically, samples are conducted along a standardized for 1000 seconds. Several transects are located around the DMNP/PLPF site including in the Keating Channel.	Discrete; Excel	Metrics such as the Index of Biotic Integrity (IBI) which is an ecosystem health indicator can be calculated from this data. Other possible metrics include: %native species, %invasive species, %cold/cool/warm water species, % based trophic levels, etc.
Water Temperature	Continuous water temperature data is collected at several locations in the Keating Channel and Lower Don River	Continuous; Excel	Water temperatures are usually recorded every 15 minutes from spring through fall.
Water Quality	Continuous water quality data in the Keating Channel – includes: dissolved oxygen, turbidity, water temperature, pH, conductivity.	Continuous, Excel	Note: No data in 2020. Only one location currently (Keating Channel) but another location will be added in the new river mouth when it opens. Measurements are recorded every 15 to 30 minutes
Stream Flow	Continuous water level and discharge data.	Continuous, Excel	. Current stream flow station located at Dundas Street. See: www.trcagauging.ca
Ecological Land Classification (ELC)	ELC defines ecological units on the basis of bedrock, climate (temperature, precipitation), physiography (soils, slope, aspect) and corresponding vegetation.	Discrete; GIS shapefiles	Additional data is available for the PLFP area before the project started as well as the communities that the project is being designed to have in the future. Future monitoring will provide additional data.
Flora & Fauna	Point location for flora (plants) & fauna (animals) – includes date, GPS coordinates, TRCA L-rankings	Discrete; GIS shapefiles	Locations and dates of terrestrial plant and animal species are recorded. L-ranks is a system of species sensitivity. See: https://trca.ca/news/species-spotlight-how-trca-ranks-flora-and-fauna/

For examples of the above types of data, please visit https://data.trca.ca to download examples by dataset area. If additional data is desired or there are questions about the data available, please send your questions/requests to innovationchallenge@waterfrontoronto.ca by March 25, 2021.

Please note the above table is not an exhaustive list. For more details on the monitoring program of Don Mouth Naturalization and Port Lands Flood Protection Environmental Assessment, please see the following sections of the Environmental Assessment:

- Chapter 8: https://trca.ca/conservation/green-infrastructure/don-mouth-naturalization-port-lands-flood-protection-project/don-mouth-environmental-assessment/
- Chapter 3: https://s3-ca-central-1.amazonaws.com/trcaca/app/uploads/2018/10/17173844/Chapter-3.pdf
- Appendix M: https://s3-ca-central-1.amazonaws.com/trcaca/app/uploads/2018/10/17173847/AppM.pdf

Appendix B: Contest Rules

1. Contest Purpose
The Contest invites data scientists and designers to develop creative, compelling and innovative ways to interpret and communicate this scientific information to the public.

2. Contest Period
The Contest will open at 12pm on March 1st, 2021 and will close on 11:59 pm and May 7, 2021.

3. How to Enter
Please refer to the "Challenge Submission Instructions" of " A New River Innovation Challenge" brief for details on how to enter the challenge. You must provide the required information accurately, and accept the terms and conditions displayed as part of the registration process.

4. Eligibility – Entrants
You may only enter the Contest if you meet one of the two criteria:

You are an individual and, at the time of entry:

(a) you are a legal resident of Canada (excluding Quebec), and

(b) you are at least the age of majority in the province where you reside.

OR

You are a company which was incorporated in Canada, and the person who agrees to these terms on your behalf has the legal authority to do so.

Waterfront Toronto and TRCA employees and their immediate families (i.e., their spouses, siblings, children, spouses' parents, and the spouses of any of those individuals) and their household members (related or not), and anyone otherwise connected with the Contest, are not eligible to enter the Contest.

Waterfront Toronto may at any time in its sole discretion disqualify any entrant who: does not meet the Contest's eligibility criteria, fails to comply with these rules, attempts to enter the Contest in any manner or through any means other than as described in these rules, attempts to disrupt the Contest or attempts to circumvent any of these rules.

5. Your Submission
The Submission you develop in connection with the Contest must meet all of the following criteria:

- It must not contain, depict or refer to any crude, vulgar, obscene, sexually explicit, disparaging, discriminatory, offensive, illegal or otherwise unsuitable language, activity or other content (all as determined by Waterfront Toronto in its sole discretion).

- It must not contain, depict or refer to any content which disparages or refers negatively to Waterfront Toronto, the Contest, or any other person or entity (all as determined by Waterfront Toronto in its sole discretion).

- It must not conflict with any of Waterfront Toronto's core values, or otherwise be objectionable to Waterfront Toronto (as determined by Waterfront Toronto in its sole discretion).

- It must not contain any content that violates any law or any third party's rights (including privacy, personality and intellectual property rights).

- It must not have been submitted to any other website or contest.

- It must meet all other guidelines and criteria listed on A New River Innovation Challenge Brief.

- Waterfront Toronto may disqualify any Submission if Waterfront Toronto determines (in its sole discretion) that the Submission does not comply with the above requirements or otherwise with these rules.

6.   Your Additional Representations and Warranties

By submitting a Submission to Waterfront Toronto, you represent and warrant that:

a)   you are the original creator of the Submission;

b)   you are the sole owner of the copyright, trademark, and/or patent and all other rights in the Submission;

c)   Waterfront Toronto will not infringe or violate any third party's intellectual property, privacy, personality or other rights when Waterfront Toronto copies, displays, edits, modifies, transmits or otherwise uses that Submission in connection with the Contest or the publication the Contest or any future Waterfront Toronto event; and,

d)   the Submission meets all of the eligibility requirements set out in these rules.

7.   Voting and Judging Process

The judges will select the winners in their sole discretion on or before end of May 2021, based on the criteria described on "A New River Innovation Challenge" brief. Decisions of the judges will be final and binding.

8. Winners

In order for an entrant to be declared a Contest winner and be eligible for a prize, he or she must have complied with, and remain in compliance with, these rules, and must sign and deliver to Waterfront Toronto (within 14] days after Waterfront Toronto' request a standard declaration and release form, which will include: a declaration of the entrant's compliance with these rules, an acceptance of the prize as awarded, a publicity release, a liability release, and any other documentation that Waterfront Toronto may require.

Waterfront Toronto may request valid proof of identity, residency, age and other relevant documentation, and Waterfront Toronto may disqualify an entrant if Waterfront Toronto determines (in its sole discretion) that the provided proof is not sufficient.

If the prize notification is returned as undeliverable or if a selected entrant does not comply with all of the above requirements within the above time frames, or does not otherwise comply with these rules, Waterfront Toronto may disqualify the finalist, and the Contest judges will select a replacement finalist.

9. Prizes

Prizes will be awarded to the finalists (as chosen by the Contest judges) as follows:

All prizes must be accepted as awarded (with no substitutions), and may not be sold, transferred, or converted to other currency. The winner(s) will be solely responsible for all travel and other costs associated with obtaining or redeeming the prize(s), and

Waterfront Toronto will make reasonable efforts to deliver prizes to the addresses/accounts provided by entrants. However, Waterfront Toronto cannot guarantee that any prizes returned to Waterfront Toronto due to non-delivery at the provided address will be re-sent to the prizewinner.

10. Cancellation

If for any reason Waterfront Toronto cannot run the Contest as planned (including as a result of bugs, tampering, unauthorized intervention, fraud, technical failures, infection by computer virus or any other cause that corrupts, impairs or affects the administration, security, fairness, integrity, or proper conduct of this Contest), Waterfront Toronto may cancel, modify, extend or suspend the Contest. In that event, Waterfront Toronto may award prizes at random from among the eligible entries received up to the time of the impairment, or award no prizes.

Waterfront Toronto may also disqualify any individual who tampers with or in any way corrupts the entry or voting process, or who attempts to undermine the legitimate operation of the Contest by cheating, hacking, deception, or other unfair practices, or by attempting to annoy, abuse, threaten or harass any other entrants or Waterfront Toronto representatives.

11. Licence from all Entrants to Waterfront Toronto

You will retain the intellectual property rights in your Submission. However, you hereby grant to Waterfront Toronto the unrestricted, royalty-free, perpetual, irrevocable, worldwide, sublicensable, assignable, licence (but not the obligation) to reproduce, communicate, modify, display, transmit, publicly perform, make derivative works from, and otherwise use your Submission (in whole or in part) without any fee or other form of compensation, and without further notification or permission, for the following purposes:

a)   administering the Contest;

b)   identifying you by name as the creator of the Submission;

c)   displaying the winning entries in the Contest; and,

d)   advertising in any media, including to advertise the Contest, and future Contests

12. Publicity

Except where otherwise prohibited by law, participation in the Contest constitutes a winner's consent to Waterfront Toronto's use of the winner's name, municipality of residence and photograph for promotional purposes without further notification, permission, payment or consideration.

13. DISCLAIMERS, LIABILITY AND INDEMNIFICATION

WATERFRONT TORONTO DOES NOT ACCEPT LIABILITY FOR ANY LOSS OR DAMAGE OF ANY SUBMISSION OR FOR ANY OTHER LOSS OR DAMAGE RESULTING DIRECTLY OR INDIRECTLY FROM YOUR PARTICIPATION IN THE CONTEST OR YOUR RECEIPT, USE OR REDEMPTION OF ANY PRIZE(S), OR YOUR INABILITY TO RECEIVE, USE OR REDEEM ANY PRIZE(S).

WATERFRONT TORONTO IS NOT RESPONSIBLE FOR: (1) INCORRECT OR INACCURATE TRANSCRIPTION OF ENTRY INFORMATION OR LATE, LOST, INCOMPLETE, MISDIRECTED ENTRIES, OR ENTRIES RECEIVED THROUGH IMPERMISSIBLE OR ILLEGITIMATE CHANNELS; (2) TECHNICAL FAILURES OF ANY KIND, INCLUDING THE MALFUNCTIONING OF ANY TELEPHONE, COMPUTER, NETWORK, HARDWARE OR SOFTWARE; (3) THE UNAVAILABILITY OR INACCESSIBILITY OF ANY SERVICE; (4) UNAUTHORIZED HUMAN INTERVENTION IN ANY PART OF THE ENTRY PROCESS OR THE CONTEST; (5) ELECTRONIC OR HUMAN ERROR WHICH MAY OCCUR IN THE ADMINISTRATION OF THE CONTEST OR THE PROCESSING OF ENTRIES; OR (6) ANY INJURY OR DAMAGE TO PERSONS OR PROPERTY, INCLUDING YOUR COMPUTER, WHICH MAY BE CAUSED, DIRECTLY OR INDIRECTLY, IN WHOLE OR IN PART, FROM YOUR PARTICIPATION IN THE CONTEST OR FROM DOWNLOADING OR USING ANY MATERIAL PROVIDED BY WATERFRONT TORONTO.

WATERFRONT TORONTO WILL NOT BE LIABLE TO YOU FOR ANY INDIRECT, SPECIAL, CONSEQUENTIAL, OR PUNITIVE DAMAGES IN CONNECTION WITH THE CONTEST OR THESE RULES.

YOU HEREBY RELEASE AND AGREE TO INDEMNIFY AND HOLD HARMLESS WATERFRONT TORONTO AND ITS EMPLOYEES, DIRECTORS, OFFICERS, AFFILIATES, AGENTS, JUDGES AND ADVERTISING AND PROMOTIONAL AGENCIES FROM ANY AND ALL DAMAGES, INJURIES, CLAIMS, CAUSES OF ACTIONS, LIABILITY OR LOSSES OF ANY KIND (INCLUDING ACTUAL LEGAL FEES AND EXPENSES), KNOWN OR UNKNOWN, ABSOLUTE OR CONTINGENT, NOW OR IN THE FUTURE ARISING FROM OR RELATED TO: (A) YOUR FAILURE TO COMPLY WITH ANY OF THESE RULES; (B) ANY MISREPRESENTATION YOU MAKE UNDER THESE RULES OR OTHERWISE TO WATERFRONT TORONTO;(C)YOUR PARTICIPATION IN THE CONTEST; OR (D) YOUR RECEIPT, USE OR REDEMPTION OF ANY PRIZE, OR YOUR INABILITY TO RECEIVE, USE OR REDEEM ANY PRIZE.

14.   Personal Information Consent

You consent to Waterfront Toronto using and disclosing your personal information (or if you are a corporation, you consent on behalf of all individuals whose personal information is included in the Submission) for the purposes of administering the Contest; advertising the Contest and any future Contests and any of Waterfront Toronto' products and services; and for the other purposes described in these rules.

15.   Disputes

All disputes, claims and causes of action arising out of or connected with the Contest, prizes or these rules will be resolved individually, without resort to any form of class action, and exclusively by the appropriate court of the Province of Ontario, Canada.

Appendix C: Data Privacy Guidance

Privacy Brief

There are several laws in Canada that relate to privacy rights. The information that you submit to this competition is protected by these privacy laws. Enforcement of these laws is handled by various government organizations and agencies. For more information, visit Summary of Privacy Laws in Canada by the Office of the Privacy Commissioner of Canada.

Privacy Laws

For your convenience, the following section contains a list of privacy laws related to this competition and contacts that you can consult in determining the privacy considerations and impact of your proposed project.

Federal Privacy Laws, Authority and Guides

Oversight authority: Office of the Privacy Commissioner of Canada (T: 819-994-5444)

- Canada's federal privacy laws are the *Privacy Act* and the *Personal Information Protection and Electronic Documents Act* (PIPEDA):
    - The Privacy Act applies to federal government institutions. It applies to all of the personal information that the federal government collects, uses, and discloses.
    - PIPEDA applies to private sector organizations in all provinces and territories other than Quebec, Alberta and British Columbia, where there are substantially similar provincial private sector privacy laws.

Guidance:

- Privacy toolkit for Business

Ontario Privacy Laws, Authority and Guides

Oversight Authority: Information and Privacy Commissioner of Ontario (T: 416-326-3333)

- Ontario's provincial privacy laws are the *Freedom of Information and Protection of Privacy Act* (FIPPA) and the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA):Freedom of Information and Protection of Privacy Act, Ontario's provincial public sector privacy law, applies provincial government institutions and other institutions
- Municipal Freedom of Information and Protection of Privacy Act, Ontario's municipal public sector privacy law

Guidance:

- Planning for Success: Privacy Impact Assessment Guide
- Open Government
- De-identification Guidelines for Structured Data