

Shallow Structures Agreement Between the City of Toronto and the Toronto Transit Commission (Wards 9, 10, 11 and 12)

(City Council on December 14, 15 and 16, 1999, adopted this Clause, without amendment.)

The Works Committee recommends the adoption of the following report (November 12, 1999) from the Commissioner of Works and Emergency Services:

Purpose:

The purpose of this report is to obtain Council authority to enter into an agreement with the Toronto Transit Commission for the prevention of damage to the new Sheppard Subway structures during future road construction and maintenance activities.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that:

- (1) the City enter into an agreement named Shallow Structures Agreement with the Toronto Transit Commission (TTC); and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Background:

The Sheppard Subway is located along Sheppard Avenue from Yonge Street to Don Mills Road - length of 6.4 km. Three point nine kilometers (3.9 km) of subway was constructed by tunnelling and the remaining 2.5 km by cut and cover (open cut). On April 20, 1994, the former Metro Council approved a budget of \$945 million for the project and subway construction work started in August 1994. The subway is scheduled to open in the year 2002.

In certain locations, the roof of the structure of the Sheppard Subway is designed to be in close proximity to the surface of the City of Toronto roads, due to grade and elevation restrictions.

For example, at the Yonge Street and Sheppard Avenue intersection, the new Sheppard Subway (east-west direction) is being built above the existing north-south Yonge subway tunnel, and therefore, there is only a shallow cover left between the roof of the new subway and the road pavement. Other shallow cover locations include the Leslie Street crossing where the subway is to be kept above the Don River flood levels.

As the shallow covers and close proximity of the Sheppard Subway to the City roads surface may result in potential conflicts during future road construction and maintenance activities, the City and the TTC decided to enter into a Shallow Structures Agreement specifying the critical locations, the steps and procedures to be followed to prevent damage to the Subway, as well as outlining responsibilities and liabilities of both parties.

Some of the highlights of the agreement are given below:

- (i) TTC to provide the City with “As Built” drawings of the shallow subway structures;
- (ii) TTC to install a method of visual warning to alert excavators near the shallow subway structures;
- (iii) the City to show the shallow subway structures on all road plans and to get TTC consent before finalizing and approving any construction/maintenance activity in the vicinity;
- (iv) City and TTC to co-ordinate future construction and maintenance activities of both the roads and the shallow subway structures; and
- (v) indemnification clauses.

City Legal and Works and Emergency Services Departments will finalize review of the agreement with the TTC. The City Clerk and the Commissioner of Works and Emergency Services will execute the final agreement on behalf of the City.

Conclusions:

As the new Sheppard Subway is in close proximity to the City roads surface in certain locations and since there is the potential of damaging the shallow subway structure during future road construction and maintenance activities, the City and the TTC have decided to enter into an agreement outlining procedures, roles, responsibilities and liabilities to be adhered to during construction activities to protect the subway structure.

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