



STAFF REPORT ACTION REQUIRED

MacLennan Avenue Pedestrian Bridge over CPR Tracks, Structure Rehabilitation, Contract No. 08FS-18S – Agreement with CPR

Date:	January 24, 2008
To:	Public Works and Infrastructure Committee
From:	Executive Director, Technical Services
Wards:	Ward 27, Toronto Centre - Rosedale
Reference Number:	P:\2008\Cluster B\Terc\PW012.doc (AFS# 6893)

SUMMARY

The purpose of this report is to request authority to enter into an agreement with the Canadian Pacific Railway Company allowing the City's contractor(s) to perform work on railway property for the reconstruction of the MacLennan Avenue Pedestrian Bridge.

RECOMMENDATIONS

The Executive Director of Technical Services recommends that:

1. the City of Toronto enter into an agreement with the Canadian Pacific Railway Company on terms and conditions satisfactory to the Executive Director of Technical Services and in a form satisfactory to the City Solicitor allowing the City's contractor(s) to perform work on railway property for the reconstruction of the MacLennan Avenue Pedestrian Bridge at the City's expense, and that authority be granted to the Executive Director of Technical Services to execute this agreement; and
2. the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

The recommendations will have no financial impact beyond what has already been approved in the current year's budget.

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

ISSUE BACKGROUND

As part of the 2008 Capital Works Programme, the City intends to reconstruct the MacLennan Avenue Pedestrian Bridge over the Canadian Pacific Railway Company (CP) tracks, located east of Mt. Pleasant Road and south of St. Clair Avenue.

In 1949, the City applied to The Board of Transport Commissioners for Canada for approval under the Railway Act, 1919 for authority to construct a pedestrian bridge over the CP railway tracks at MacLennan Avenue. Subsequently, an order no. 73167 was issued by The Board of Transport Commissioners for Canada authorizing the City to construct and maintain a pedestrian bridge over the CP railway tracks at MacLennan Avenue. The original two-span steel truss pedestrian bridge was built circa 1949 with the ramp, at the south end of the bridge, supported on steel structure and the sidewalk on grade at the north end of the bridge. One span crosses the CP railway tracks, North Toronto Sub., at Mile 1.46, while the other span crosses Carstowe Road.

In 1974, order no. R-19175 was issued by the Railway Transport Committee authorizing the City to re-construct and maintain the existing MacLennan Avenue Pedestrian bridge. The bridge was rehabilitated in 1974 including replacement of the old truss with precast concrete girders and replacement of the deck on the bridge and the ramp with precast, prestressed deck slabs

The deck on the bridge and the ramp was again replaced with cast-in-place reinforced concrete deck in 1991.

COMMENTS

The condition of the existing MacLennan Avenue Pedestrian Bridge warrants a complete replacement of the structure at this time.

In order to perform the required replacement work in 2008, the City's contractor must enter into and work over the CP right-of-way. The City must obtain CP's permission to enter its land for the purpose of reconstructing the bridge. An executed agreement between the City and CP is required before the City's contractors are permitted to work on the railway's property.

Under the proposed agreement with the Canadian Pacific Railway Company, the reconstruction and maintenance of the bridge will be performed at the City's sole

expense. The City would also pay to the Canadian Pacific Railway Company certain incidental costs incurred by the railway as a result of the work being performed on the railway's land, such as costs the railway incurs for supplying flagging or having its consultant review the City's plans for the work.

The agreement will be executed prior to the award of the contract to replace the bridge. Technical Services, in consultation with Legal, has prepared an agreement acceptable to both the City and the Canadian Pacific Railway Company.

The replacement of girders in the span over CP will be done during work blocks where train traffic will be monitored or reduced to facilitate the construction, under the supervision of a CP flagman.

The replacement of the existing bridge with a new bridge does not alter the City's existing obligation to maintain the bridge at its sole cost.

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SIGNATURE

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