

Pedestrian Bridge – 30 Bond Street

Date:	March 30, 2009
To:	Toronto and East York Community Council
From:	Manager, Right of Way Management, Transportation Services Toronto and East York District
Wards:	Toronto Centre-Rosedale – Ward 27
Reference Number:	Te09050te.row

SUMMARY

Transportation Services has assessed a request from the agent of St Michael's Hospital to construct an overhead enclosed pedestrian bridge which will encroach within the public right of way spanning Shuter Street and linking the existing St Michael's Hospital building at 30 Bond Street to the Li Ka Shing Knowledge Institute building, 209 Victoria Street.

Given the proposed bridge will not impact negatively on the public right of way and clearances, Transportation Services recommends approval of the encroachment.

RECOMMENDATIONS

Transportation Services recommends that City Council:

1. approve the request to construct an overhead enclosed pedestrian bridge crossing Shuter Street and connecting the existing St Michael's Hospital building at 30 Bond Street with the Li Ka Shing Knowledge Institute building at 209 Victoria Street which will encroach within the public right of way, subject to the property owner entering into an encroachment agreement with the City of Toronto, agreeing to but not limited to the following:
 - a. indemnify the City from and against all actions, suits, claims or demands and from all loss, cost, damages and expenses that may result from such permission granted and providing an insurance policy for such liability for the life time of the Agreement in a form as approved by the Deputy City Manager and Chief Financial Officer and in an amount not less than

\$2,000,000 or such greater amount as the Deputy City Manager and Chief Financial Officer may require;

- b. obtain approval for associated work on private property from Toronto Building;
 - c. design and construct the bridge to comply with the Canadian Highway Bridge Design Code (CAN/CAS) for highway loading purposes, as amended, superseded or replaced from time to time, including allowance for impact factors;
 - d. provide “as constructed” drawings within 90 days of completing the construction of the pedestrian bridge;
 - e. pay an annual fee for the encroaching pedestrian bridge within the public right of way in keeping with the provisions of the former City of Toronto Municipal Code Chapter 313, Streets and Sidewalks;
 - f. limit the life of the Agreement to the removal of the encroachment or the date of the demolition of the building at 30 Bond Street and/or 209 Victoria Street, whichever is less;
 - g. pay for the costs of preparing and registration of the Agreement on title;
 - h. obtain clearances and/or sign offs from all effected public utilities within the proposed area of construction and satisfy any requirements they may have; and
 - i. accept such additional conditions as the City Solicitor or the General Manager of Transportation Services may deem necessary in the interest of the City;
- 2. direct Legal Services and/or the General Manager of Transportation Services to extend the Encroachment to the new owner, in the event of sale or transfer of the property abutting the encroachments, subject to the approval of the General Manager of Transportation Services; and
 - 3. request Legal Services to prepare, execute and register the Agreement on title.

Financial Impact

There is no financial impact to the City as a result of this report.

ISSUE BACKGROUND

The agent on behalf of St Michael’s Hospital has submitted an application requesting permission to install a 3rd floor enclosed pedestrian bridge spanning Shuter Street and connecting the existing St. Michael’s Hospital building at 30 Bond Street to the new Li

Ka Shing Knowledge Institute building at 209 Victoria Street, which is currently under construction. In adherence with the Canadian Highway Bridge Design Code (CAN/CAS) which requires a minimum vertical clearance of 5.3 m from the existing roadway, the bridge will provide a vertical clearance of approximately 8.91 m above the existing grade of Shuter Street for a span of approximately 20.1 m to connect the two buildings.

St Michael's Hospital feels that the construction of the pedestrian bridge, through providing a physical connection of these two buildings, will help to ensure that the medical elements (Li Ka Shing – research and education, and the Hospital – clinical work) will function efficiently.

Given the nature of this application, the agent is required to obtain clearances and/or sign offs from all utilities that may be affected by the proposed pedestrian bridge. To date, we have not received utility clearances and/or sign offs.

For the information of Toronto and East York Council, the former City Council, at its meeting of May 28 and 29, 1990, adopted a general policy prohibiting the construction of overhead structures and pedestrian bridges over the public right of way, except for site specific locations where Council may approve of such structures on the recommendations of the General Manager of Transportation Services and City Planning providing appropriate justification and subject to the bridge being accessible to people with disabilities.

The City Planning Division, Toronto and East York District, has pre-approved the Site Plan Application which proposes the construction of the above-grade enclosed pedestrian bridge connecting the Li Ka Shing Knowledge Institute and St. Michael's Hospital, subject to the owners satisfying the pre-approved conditions. One of these conditions requires the owner to enter into an agreement with the City for the encroachment of the proposed above-grade enclosed pedestrian bridge which will encroach within the public right of way spanning Shuter Street.

COMMENTS

Applicable regulation

As there are no provisions within the former City of Toronto Municipal Code Chapter 313, Streets and Sidewalks, to allow for the installation of pedestrian bridge, we are required to report to City Council on this matter.

Reasons for approval

Transportation Services has reviewed the request and determined that the construction and maintenance of the pedestrian bridge will not impact negatively on the public right of way, subject to the owners entering into an encroachment agreement. In addition, City Planning has no objection to the request.

Details of the encroachment are on file with Transportation Services.

Photos of the property are shown on Appendix 'A' and on Appendix 'B' we have provided a marked up property data map denoting the location of the proposed bridge.

CONTACT

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SIGNATURE

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ATTACHMENTS

Appendix 'A' – photos

Appendix 'B' – property data map

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