

**Toronto
Port
Authority**



**Administration
Portuaire
de Toronto**

April 5, 2013

SENT BY ELECTRONIC MAIL

Mr. John Livey,
Deputy City Manager, City of Toronto
11th Floor, East Tower, City Hall
100 Queen Street West
Toronto, Ontario M5H 2N2

Dear John:

260-S-1

Re: Ship Channel/Cherry Street Bridge

This is further to my letter to Joe Pennachetti dated November 23, 2012 formally requesting that the City create and lead a Task Force comprised of appropriate representatives of the City, TWRC, TPLC and TPA to finalize the funding by the City and TWRC of the capital expenditures required to repair and maintain the Cherry Street Bridge, as previously agreed by the City in its 2003 Structured Settlement Agreement with TPA.

I have not received a reply to that letter, other than the sentence in your March 20, 2013 letter to me (responding to Mark McQueen's letter to the Mayor dated February 13, 2013) stating "Finally, the TPA must rehabilitate the Cherry Street Bridge over the Ship Channel to restore two-way traffic operations".

TPA does not have an obligation to repair and maintain the Cherry Street Bridge. On the contrary, the City acknowledged in the 2003 Structured Settlement Agreement that responsibility for such repair and maintenance properly rests with the City and TWRC; the only uncertainty then being timing.

The time for such repairs is now. TPA is doing more than its part by spending more than \$2 million to allow for the continued, albeit limited, operation of the Bridge. We are doing so now, 10 years after the City agreed that future Bridge repairs were not TPA's responsibility, because the City and TWRC have refused to honour their commitment to us and, without a \$2 million expenditure now, the Bridge would have to remain permanently out of use to all vehicles, pedestrians and cyclists.

The City and TPA are working effectively together as partners in several key areas, such as the recent macro agreements and, importantly, the incorporation of the City's water and sewer mains replacement project into the BBTCA pedestrian tunnel project. We are pleased to see that such agreements have resulted in significant cost savings to the City; an estimated \$10 million under the mains project alone. We are committed to ensuring that fair and equitable solutions in line with existing obligations are in place for the benefit of the public.

However, as a courtesy, kindly note as indicated in my November 23rd letter, that, unless further repairs to the Bridge stringers on the northbound lane are paid for by the City and/or TWRC, vehicle access will be limited to one lane. We will be so advising the various port lands users.

Yours truly,

TORONTO PORT AUTHORITY


Geoffrey A. Wilson
President and Chief Executive Officer

c.c. Joseph P. Pennachetti, City Manager, City of Toronto
John Campbell, President & CEO, TWRC
Michael Kraljevic, President & CEO, TPLC
Alan Paul, Vice President & CFO, TPA
Ken Lundy, Director of Infrastructure, Planning and Environment, TPA
Angus Armstrong, Harbour Master and Chief of Security, TPA
Mark Richardson, Vice President & General Counsel, TPA