

**Toronto
Port
Authority**



**Administration
Portuaire
de Toronto**

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September 12, 2013

Mr. Craig Scott, M.P.
Toronto-Danforth
House of Commons
Ottawa, Ontario
K1A 0A6

Councillor Paula Fletcher
City of Toronto
Toronto City Hall
100 Queen Street West, 2nd Floor
Toronto, ON
M5H 2N2

Dear Mr. Scott and Councillor Fletcher:

Re: Cherry Street bridge

Thank you for your letter dated September 3, 2013 regarding the above-noted subject, and for Ms. Fletcher's question on the matter at the recent 2013 Toronto Port Authority ("TPA") Annual General Meeting. For ease of reference, I'll address each of the key points of your letter in order:

"TPA must honour the aspirations of the residents of Toronto for a vibrant, shared, accessible waterfront."

As has been clear for years, the bridge in question is reaching the end of its useful life. Although the TPA supports the notion of a "vibrant, shared, accessible waterfront", it has no mandate or funding to bring life to that "aspiration"; that is the clear domain of Waterfront Toronto.

During the 1920s, when this bridge was conceived and designed, the Harbour Commissioners of the day did not plan for this generation of Torontonians to expect a lift bridge that was built to serve the City's shipping and port-related industries to become a throughway for the vibrant residential community Ms. Fletcher referred to at our AGM last week. It was not designed in the 1920s to serve a high traffic route in the 2020s.

More importantly, as you may know, the bridge has not been the TPA's responsibility for the past decade.

The City of Toronto took responsibility for rebuilding this bridge via the June 26, 2003 Structured Settlement Agreement executed by the City, TPA and TEDCO. In that legal agreement, the City undertook to take over one-third of the capital expenditures required to maintain or replace this bridge, with the remaining two-thirds coming from Toronto Waterfront Revitalization Corp. at the City's request. To date, the City has not taken up this cause, nor has it contributed financially as per its 2003 agreement. We would appreciate any help you could provide that would have the City finally fulfill its longstanding contractual responsibilities in this regard.

This point was previously made by TPA CEO Geoff Wilson in a letter to City Manager Joe Pennachetti on November 23, 2012. In that letter we asked 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...."

I also wrote to Mayor Rob Ford on the matter on April 9, 2013.¹

As our CEO Geoff Wilson advised at this year's AGM, in 2012 the TPA undertook to temporarily preserve the utility of the 1931 lift bridge, despite the fact that the initiative fell to the City and the associated costs are the City's – and not the TPA's – to bear. We undertook these repairs both as a good neighbour and to ensure the shipping community can access the industries to the east of the bridge that rely on access to the Great Lakes and beyond. The TPA has spent \$2 million of its own finite resources, which we raise from Port users and not taxpayers² or other non-industrial bridge users, to i) preserve essential marine access to the Ship Channel, and ii) maintain an alternative vehicle access route to the Port Lands, including the TPA's 51/52 marine terminal and the IMPT.

Although we understand the frustration of motorists as a result of the Cherry Bridge lane reduction, it seems unfair to ask the shipping industry to spend an additional million dollars on the City's bridge so that this 1931 bridge can operate as a two-way thoroughfare purely for the additional convenience of Toronto motorists – when those same motorists are already used to a one-lane City-owned bridge at Unwin courtesy of prior decisions of the City itself. If the City believes this area requires improved recreational access, it – or Waterfront Toronto – has the resources and responsibility to bring that about at either Unwin or Cherry Street, or both.

To ask the TPA to do more on Cherry Street than the City is prepared to do on Unwin – even if the Cherry Bridge was the TPA's responsibility, which it is not according to the City's own 2003 Structured Settlement Agreement – is disappointing.

"Therefore, we request not only that the reconstruction of the bridge be completed in a timely manner but also that the bridge be maintained as a two-lane bridge as it had been prior to the repairs."

¹ [http://www.torontoport.com/getattachment/bb8dc40c-ccb5-4b24-8e27-b0ed7739669e/Letter-to-Mayor-Rob-Ford-\(2\).aspx](http://www.torontoport.com/getattachment/bb8dc40c-ccb5-4b24-8e27-b0ed7739669e/Letter-to-Mayor-Rob-Ford-(2).aspx)

² By law, the TPA has no taxation authority

As Mr. Wilson advised in response to your question at the AGM, our near term goal is to get the bridge open again to vehicle traffic. We hope to have news on that front within a few days, and a successful test lift has already taken place. The challenges associated with fixing an 80+ year old bridge cannot be overstated, and we very much regret the delays.

The cost to restore the bridge to a dual lane function is beyond the TPA's 2013 budget plan, although we would definitely direct the repair contractor to carry on with its work with that goal in mind should the City decide to live up to its 2003 agreement and fund these costs.

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Please accept our thanks for your interest in our activities. We hope that this information helps you effectively advocate for your constituents. I would be pleased to join you for a tour of the bridge, should that be of interest. The TPA Board of Directors will ensure that our team is ready to help City staff undertake the letter and spirit of the City's obligations of the 2003 Structured Settlement Agreement. I do hope that you can assist in making that come to pass for the benefit of your constituents and all waterfront patrons.

Respectfully,



Mark McQueen
Chairman

cc: The Hon. Lisa Raitt, P.C., M.P.
Minister of Transport

The Hon. Glen Murray, MPP
Minister of Transportation

Mayor Rob Ford

Councillor Frank Di Giorgio
Budget Chief

Councillor Denzil Minnan-Wong
Chair, Public Works and Infrastructure Committee

Joseph Pennachetti
City Manager