

Railway Viaduct Along Toronto's Water Front.

After protracted negotiations, the Toronto viaduct question entered recently on what is probably its final stage prior to construction, when a draft agreement to be entered into between the city of Toronto, the Toronto Harbor Commissioners, and the Canadian Pacific and Grand Trunk Railway Companies was submitted to the City Council and approved. In submitting the agreement for consideration, G. R. Geary, Corporation Counsel, and R. C. Harris, Commissioner of Works, gave a history of the circumstances leading to its preparation, and pointed out its principal features, as follows:—

"In June, 1909, by order 7200 the Board of Railway Commissioners for Canada ordered a viaduct to be built from a point west of John St. to a point at or near Berkeley St., from the point at or near Berkeley St. on the C.P.R. right of way to Queen St., and from the same point on the Grand Trunk Railway right of way to Logan Avenue. The order, together with the plan incorporated therein, provided for the dimensions and details of construction and for the existence of three tracks on either side of the viaduct east of Church St., and the city was ordered to pay to the railway companies

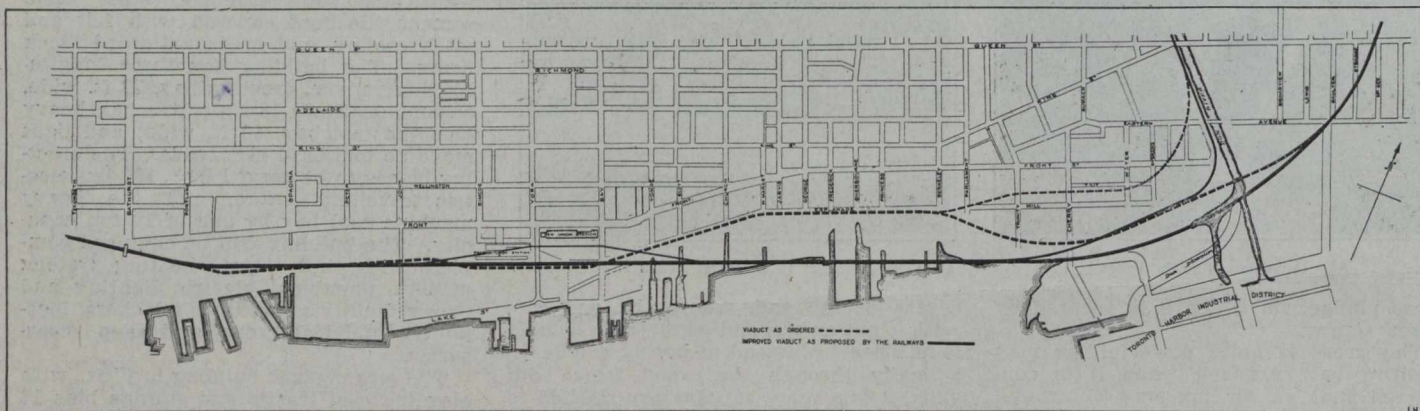
was fixed at one-third of the cost of the viaduct, as ordered by order 7200, together with such compensation (if any) as the city may be called upon to pay to the C.P.R. for lands taken for opening York St., or consequential injury or damages to the company's facilities by reason of the opening of the said street.

"In the meantime, and extending from the issue of the order in 1909, to the final judgment of the Privy Council, May 10, 1911, the question of the jurisdiction of the Railway Board to make its original order, and its right in law so to do, were taken before the Courts; but the contention of the city was finally upheld, and judgment given that the Board had jurisdiction to make the order.

"Closely allied with the construction of the viaduct is, of course, the question of the new union station. The Board ordered that plans of a new union station be submitted, and these were submitted—one by the Toronto Board of Trade, providing for a stub or terminal union station, and one by the G.T.R., providing for a station of the ordinary type, but with improvements. The plans were thoroughly discussed, and all parties interested were heard, and the Board finally by order 17034, July 18, 1912, ap-

gation into the merits of the scheme suggested by the railways. This marks the inception of the present scheme. Plans were drawn and submitted to the engineers for all parties, terms of a proposed agreement became the subject of discussion between all parties, and finally an agreement was prepared, which is before you for adoption. The plan accompanying the agreement fixes the new location of the viaduct. This agreement covers the whole situation as fully as can be. It has been arrived at after being given careful consideration, has been settled by and is approved by the Chairman of the Board.

"On the question of cost, the outstanding feature of the agreement is, that the city's share of what, for convenience sake, we may call the new viaduct, is limited to an amount which is one third of the cost which it had to pay under the old viaduct order. There are, in addition, certain items of work which were to be done in connection with the old viaduct, but which were not included in the order and plan of 1909. The cost, then, to the city is one third of the cost (composed of physical cost and damage) which the old viaduct would have caused, the city's share under the York St. pronouncement, when made, and the items just above referred to, which the Board may consider as part of the old viaduct cost.



The Viaduct to be Built Along Toronto's Water Front.

one-third of the cost:—1. Of the viaduct, the elevation of the C.P.R. coach yards and the G.T.R. Don sorting yards, and the elevation of the tracks from Berkeley St. to Queen St. and Logan Ave. respectively, excepting rails and track laying; 2. Of the erection of bridges at Eastern Ave., John St. and Spadina Ave.; 3. Of the substructure for the elevation of necessary tracks and platforms consequent upon the increased elevation of the proposed new union station.

"On a revision of the plan, York St. was shown to be closed, and an application was then made by the city, and the Board issued order 16019, Feb. 22, 1912, amending the plan by showing York St. open to Lake St., and that a subway the full width of the street be provided through the elevated portion of the railway lines and tracks, and declaring that the question of compensation to be made to the C.P.R. for the lands taken, or consequential injury or damages to its facilities by reason of the opening of the said street, be reserved for further consideration. It will be seen, therefore, that the question of the opening of York St.—which had been closed many years before by agreement of the city—involves substantial questions of compensation, which are not part of the original viaduct order, and have yet to be decided upon. The cost, then, of the old order, as amended,

proved of the plan submitted by the G.T.R., and ordered immediate construction. This plan was slightly modified on a subsequent application, but in its essential principles remains intact.

"All matters, apparently, being settled, the city pressed hard and constantly for the commencement of the work. One appeal remained open to the protesting companies—the appeal provided by sect. 56 of the Railway Act to the Governor-General in Council. The city having applied to the Railway Board at its sittings in Toronto, held on Sept. 26, 1912, for a peremptory order for commencement of the work, all parties were heard in regard to the matter, and the railways finally declared that they would at once take an appeal to the Governor General in Council. A strong attempt was made to set aside the Board's order for a viaduct, the alternative proposed being that of bridges, connecting, generally speaking, Front St. with the water front. As the argument developed, it was recognized by the railways that they could not succeed on this ground, and that bridges would never be substituted for a viaduct, and they offered, as an alternative, a proposal that a different situation for a viaduct be considered. Judgment was reserved, but the Chairman of the Board of Railway Commissioners, on the same day, instituted proceedings for an investi-

"The outstanding feature as to the location of the viaduct is that it is to be built considerably to the south of the existing rights of way of the railways upon which the old viaduct was to be built. This means that, despite construction, business can be carried on as usual. The importance to the city of this arrangement will be readily seen when you realize that so great was the congestion of freight, owing to lack of accommodation in Toronto, that there was a blocking back even as far as the yards in Fort Erie and Buffalo; so great that for many weeks last year there was an embargo on freight shipped from the United States to Toronto. This caused very great disturbance of business conditions here, and how much greater would have been that disturbance can be readily realized if you contemplate the partial and, for some periods, practically total disruption of terminal facilities in Toronto extending over three years.

"Since the original viaduct order, the Toronto Harbor Commissioners have acquired the city's interests along the water front, and have engaged in the preparation of and brought to complete form plans for a great development in Ashbridge's Bay and along the water front of Toronto Bay. Naturally, being so vitally interested, the Commissioners were represented throughout these negotiations,