

**NOTICE OF MOTION****Pedestrian Lights – Cabbagetown Business Improvement Area****Moved by: Councillor McConnell** \_\_\_\_\_**Seconded by: Councillor** \_\_\_\_\_**SUMMARY:**

The Cabbagetown Business Improvement Area (BIA), as part of a cost-share project with the City's BIA Office, has proposed the installation of two pedestrian-scale lights within the public boulevard on the north side of Carlton Street, just east of Parliament Street (adjacent to the properties municipally known as 493 Parliament Street and 252 Carleton Street). The proposed lamps to be placed on the free-standing, decorative poles will match the existing pedestrian scale, clamp-on lamps which exist throughout the BIA.

Existing by-law regulations require the Transportation Services Division to obtain the approval of Community Council for such an installation. Due to the upcoming election, the earliest Community Council meeting available for a Transportation Services report will be in 2011. The BIA is hopeful of installing the pedestrian lights by the end of 2010. Cost-share funding for the project is available within the 2010 capital budget of the Economic Development and Culture Division. If approved by the Toronto-East York Community Council, the project will require a permit from the Transportation Services Division.

**RECOMMENDATION:**

1. That Community Council approve the installation of two pedestrian scale lights, entirely within the public right of way on the Carlton Street flank of 493 Parliament Street and adjacent to the frontage of 252 Carlton Street, subject to the Cabbagetown Business Improvement Area entering into an encroachment agreement with the City of Toronto, agreeing to but not limited to the following:
  - a. Maintain the two pedestrian scale lights at their own expense in good repair and condition satisfactory to the General Manager of Transportation Services and will not make any additions or modifications to the encroachment beyond what is allowed under the terms of the Agreement;
  - b. Pay for the costs of preparing and the registration of the agreement on title;

- c. Accept such additional conditions as the City Solicitor or the General Manager of Transportation Services may deem necessary in the interest of the City; and
2. Legal Services be requested to prepare and execute the Encroachment Agreement.

**According to Chapter 27, Council Procedures:**

Fiscal Impact Statement provided	
Should have Fiscal Impact Statement prior to debate Requires two-thirds to waive requirement if Council wishes to debate	N/A
Should be referred to Committee/Community Council Requires two-thirds vote to consider at this meeting	
Motion Recommendations are <b>Urgent – (e.g. Health and Safety)</b>	

\* Deputy City Manager and Chief Financial Officer to advise.

*Members should discuss their Motions with appropriate City staff to ensure the correct information is included.*

**Motions Without Notice:**

**According to Chapter 27, Council Procedures:**

Fiscal Impact Statement provided	
Should have Fiscal Impact Statement prior to debate Requires two-thirds to waive requirement if Council wishes to debate	N/A
Should be referred to the Committee/Community Council Requires two-thirds vote to consider at this meeting	
City Clerk, in consultation with the Chair, agrees that the Motion Recommendations are <b>Urgent – (e.g. Health and Safety)</b>	

\* Deputy City Manager and Chief Financial Officer to advise.