

**MOTION****Clarification of Section 37 Funds Related to 1100 Lansdowne Avenue****Moved by: Councillor Palacio****Seconded by: Councillor**  

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**SUMMARY:**

This motion was prepared in consultation with staff from Parks and Recreation, Community Planning and the City Solicitor.

The Davenport Village project is a multi phased development of the former General Electric lands located at 1100 Lansdowne Avenue. The development is to consist of a mix of residential and commercial uses, a public park and mixed use buildings to be completed over 7 phases. The proposed park will be 0.56 hectares in size and will be located within a parkland priority area. The park is to be conveyed as part of Phase 3 of the development.

Currently, Phases 1 and 2 of the development have been completed and a site plan application has been submitted for Phase 3. As well, a subdivision application has been submitted for Phases 3 to 7 of the development lands as required by the Secondary Plan.

Following the approval process for Phase 1, it was intended that for Phase 2 the Parks and Recreation component of the development charges for above base park improvements would be credited towards installation of these improvements by the applicant. The Section 37 Agreement for Phase 2 required the owner to provide a letter of credit to secure this obligation and the owner would not be required to provide this component of its development charge. However, these authorized steps were not taken and the Parks and Recreation component of the owner's development charges were deposited into the parks development charges general fund instead in error.

**RECOMMENDATIONS:**

1. The Etobicoke York Community Council request Staff to report directly to the next meeting of Toronto City Council with recommendations to correct this situation.

November 2008