



**STAFF REPORT
ACTION REQUIRED
Confidential Attachment**

**Demolition Control Applications – 60 Rowena Drive
(5 Avonwick Gate)**

Date:	October 8, 2009
To:	North York Community Council
From:	City Solicitor
Wards:	Ward 34 – Don Valley East
Reason for Confidential Information:	This report is about litigation or potential litigation that affects the City or one of its agencies, boards, and commissions. This report contains advice or communications that are subject to solicitor-client privilege.
Reference Number:	2009 NY 019 o9 114690 DEM 00DM

SUMMARY

North York Community Council, at its meeting of October 13, 2009 will be dealing with a report dated September 28, 2009 from the Director and Deputy Chief Building Official with respect to an application to demolish residential buildings at 60 Rowena Drive (5 Avonwick Gate). The application is required under chapter 363 of the Toronto Municipal Code and section 33 of the *Planning Act*.

As the subject property has been designated under the *Ontario Heritage Act* City Council has previously dealt with a report for consent to demolish the designated buildings and decided to refuse to consent to the demolition.

The purpose of this report is to provide the Community Council with legal advice related to its decision on the application to demolish the buildings pursuant to Chapter 363 of the Toronto Municipal Code and section 33 of the *Planning Act*.

RECOMMENDATIONS

It is recommended that:

1. North York Community Council receive the confidential legal advice set out in Attachment 1; and
2. The information contained in Attachment 1 remains confidential.

FINANCIAL IMPACT

These recommendations have no financial impact.

DECISION HISTORY

This report was requested by the Chair of the North York Community Council to accompany the report of the Director and Deputy Chief Building Official.

ISSUE BACKGROUND

This report supplements the report of the Director and Deputy Chief Building Official.

COMMENTS

60 Rowena (5 Avonwick Gate) includes buildings which were designated under the *Ontario Heritage Act*. The owner, the Toronto District Separate School Board, has made application to demolish the buildings which it may only do with the consent of City Council. The buildings are also residential buildings and subject to demolition control under Chapter 363 of the Toronto Municipal Code and section 33 of the *Planning Act*.

CONTACT

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SIGNATURE

Anna Kinastowski
City Solicitor

ATTACHMENTS

Attachment 1 – Confidential Information