

## **159 and 161-181 Mulock Avenue and 6 Lloyd Avenue – Zoning By-law Amendment Application – Appeal Report**

Date: August 30, 2023

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Ward: 5 - York South-Weston

**Planning Application Number:** 19 239452 WET 05 OZ

**Related Application Number:** 21 176811 WET 05 SA

### **SUMMARY**

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On July 14, 2021, City Council conditionally approved a Zoning By-law Amendment to permit two residential buildings with heights of 15 and 17 storeys, containing 535 dwelling units, one office building with a height of eight storeys and an 868 square metre public park at 159 and 161-181 Mulock Avenue and 6 Lloyd Avenue.

On November 4, 2022, the applicant appealed the Zoning By-law Amendment application to the Ontario Land Tribunal (OLT) citing City Council's failure to make a decision on the application within the time period prescribed under the *Planning Act*. Two Case Management Conferences were held on February 16, 2023 and June 1, 2023 (OLT Case No. OLT-22-004660). The OLT hearing date has not been scheduled.

On May 19, 2023, the City received a With Prejudice revised proposal for two residential buildings with heights of 44 and 31 storeys containing 1102 dwelling units, one office building with a height of eight storeys and an 842 square metre public park on the southwest portion of the site.

This report recommends that Council direct the City Solicitor, together with appropriate City staff, to attend the OLT hearing to oppose the proposal in its current form and continue discussions with the applicant to resolve outstanding issues.

### **RECOMMENDATIONS**

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The Director, Community Planning, Etobicoke York District recommends that:

1. City Council direct the City Solicitor and appropriate City staff to attend the Ontario Land Tribunal in opposition to the current Zoning By-law Amendment application appeal for 159 and 161-181 Mulock Avenue and 6 Lloyd Avenue, and to continue discussions with the applicant in an attempt to resolve outstanding issues.

2. In the event that the Ontario Land Tribunal allows the appeals, in whole or in part, City Council authorize the City Solicitor to request that the issuance of any final Order(s) be withheld until such time as the City Solicitor advises that:

a. The form and content of the Zoning By-law Amendment is satisfactory to the Chief Planner and Executive Director, City Planning and the City Solicitor;

b. The owner has submitted a revised Functional Servicing and Stormwater Management Report to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, and such report shall determine the stormwater run-off, sanitary flow and water supply demand resulting from the development and whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposed development and/or any upgrades that may be required;

c. The owner has submitted a revised Hydrological Review Report, Servicing Report Groundwater Summary Form and Hydrological Review Summary Form to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;

d. The owner has provided a revised Pedestrian Wind Study, such report to be reviewed with recommendations implemented as part of the Zoning By-law and/or secured in a development agreement to the satisfaction of the Chief Planner and Executive Director, City Planning;

e. The owner has submitted revised drawings illustrating the conveyance of lands required by the General Manager, Transportation Services and the Chief Planner and Executive Director, City Planning;

f. The owner has submitted revised Noise and Vibration Feasibility Study and a Rail Safety Study, to be peer reviewed by consultants retained by the City at the owner's expense, to the satisfaction of the Chief Planner and Executive Director, City Planning;

g. The owner shall, at the owner's own expense, initiate the Metrolinx Deviation Process with Metrolinx and Metrolinx's Technical Advisor AECOM, and the owner has submitted requested information and makes required revisions noted in correspondence, dated July 17, 2023, from Metrolinx, to the satisfaction of the Manager, Technical Review, Metrolinx;

h. The owner has submitted a revised Transportation Impact Study including all requested revisions to the satisfaction of the General Manager, Transportation Services;

i. The owner makes satisfactory arrangements with Engineering and Construction Services and enters into the appropriate agreement with the City for the design and construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support this development, according to the Functional Servicing Report accepted by the Chief Engineer and Executive Director, Engineering and Construction Services and Traffic Impact Study accepted by the General Manager, Transportation Services;

j. The owner has addressed all outstanding issues raised by Urban Forestry noted in correspondence, dated July 6, 2023, including the need for an updated Arborist Report and Landscape Plan, to the satisfaction of the General Manager of Parks, Forestry and Recreation; and

k. The owner has made revisions to meet the Toronto Green Standard requirements to the satisfaction of the Chief Planner and Executive Director, City Planning.

3. Should it be determined that upgrades are required to the infrastructure to support the development according to the accepted Functional Servicing Report and/or the Transportation Impact Study, City Council direct the City Solicitor and appropriate City staff to request that the Holding Provision be included in the final form of the site-specific Zoning By-law Amendment, and the Holding Provision not to be lifted until such time as the owner has made satisfactory arrangements, including entering into appropriate agreement(s) with the City for the design and construction of any improvements to the municipal infrastructure and the provision of financial securities to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and General Manager, Transportation Services.

## **FINANCIAL IMPACT**

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The City Planning Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

## **DECISION HISTORY**

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On December 16-18, 2013, City Council adopted Official Plan Amendment (OPA) 231 which redesignated the northern two-thirds of the site to a *Mixed Use Areas* designation to allow for residential uses while retaining the southern one-third of the site for employment uses and by redesignating this portion of land to *General Employment Areas*. OPA No. 231 introduced Site and Area Specific (SASP) 447 for the lands to provide specific policies for residential and commercial development on the site. OPA No. 231 is found [here](#). OPA 231 was appealed by the former owner as it relates to the subject property.

On February 2, 3 and 5, 2021, City Council adopted a Without Prejudice offer to settle the site specific appeal on this site. The decision of City Council is found [here](#). On April 8, 2021, the Local Planning Appeal Tribunal (Ontario Land Tribunal) issued its Order approving revision to SASP 447 for the subject site.

On July 14, 2021, City Council conditionally approved a Final Report from the Director, Community Planning, Etobicoke York District (Item EY25.2), which recommended approval of the application to amend the Zoning By-law to permit two residential buildings with heights of 17 and 15 storeys, containing 535 dwelling units, one office building with a height of eight storeys and an 868 square metre public park at 159 and 161-181 Mulock Avenue and 6 Lloyd Avenue. The decision of City Council can be found [here](#). Although conditionally approved, the Bill was never enacted by City Council because the conditions for the issuance of the Bill were not fulfilled.

## **THE SITE**

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### **Description**

The site is in the northeast corner of Lloyd Avenue and Mulock Avenue, southeast of St. Clair Avenue West and Keele Street. The property is bound by Metrolinx Kitchener GO Transit line corridor to the east, St. Clair Avenue West to the north, Lloyd Avenue to the south and Mulock Avenue to the west. The site is vacant and triangular with a lot area of approximately 10,602 square metres. The site was previously occupied by a three-storey building (Benjamin Moore paint facility) as well as residential dwellings that had frontage on Mulock Avenue.

The site has an existing retaining wall along the northern boundary of the site abutting St. Clair Avenue West which slopes down under the adjacent rail overpass. Access to the site from St. Clair Avenue West is currently provided via a pedestrian staircase located at the north end of Mulock Avenue (see Attachment 1: Location Map).

### **Surrounding Uses**

The lands are in an area characterized by a mix of low-rise industrial, commercial and residential uses. The surrounding land uses include:

North: Directly across St. Clair Avenue West along the rail corridor is the proposed St. Clair-Old Weston Station and to the northwest is a three-storey townhouse development.

South: Directly across Lloyd Avenue is a mix of low-rise residential dwellings, office and industrial.

East: Adjacent to the lands is the Metrolinx Kitchener GO Transit line. Further east of this railway corridor is a mix of low-rise industrial, commercial and residential uses.

West: Directly across Mulock Avenue are semi-detached dwellings, auto body repair uses and a parkette.

## **THE APPLICATION**

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### **Proposed Use**

The revised proposal includes two residential towers, one office building with a height of eight storeys and an 842 square metre public park on the southwest portion of the site.

### **Height and Massing**

The proposed development consists of two residential towers with 44 storeys (126 metres (excluding the height of mechanical penthouse (MPH)) and 31 storeys (96.75 metres excluding the MPH) and an eight-storey office building (31.5 metres excluding the MPH) are proposed.

The northern portion of the development would front onto St. Clair Avenue West and Mulock Avenue with a streetwall height of four storeys and have setbacks from the fifth to 10th levels as well as a further setbacks on the 12th level up to a 44-storey tower. The street level, fronting St. Clair Avenue West, will contain the retail uses and the ground floor would be for commercial uses. The south tower would be located centrally on the site with a total height of 31 storeys and the office building would front onto Lloyd Avenue and Mulock Avenue with a total height of eight storeys. In addition, the new public park would have frontage on Lloyd Avenue as well as Mulock Avenue. The separation distances between the south residential tower and the office building would be 17.5 metres at the closest point at the east end of the building, widening to the west, and 21 to 25 metres between the north and south residential towers.

### **Density (Floor Space Index)**

The revised proposal has a density of 9.45 times the area of the lot.

### **Unit Breakdown**

The revised proposal includes 1102 dwelling units comprised of 67 studios (6%); 753 one-bedroom (68.3%); 175 two-bedroom (15.9%); and 107 three-bedroom (9.7%) units.

### **Access, Parking, and Loading**

Vehicular access to the site would be from a six-metre-wide private driveway from Lloyd Avenue.

The revised proposal would provide 287 resident and visitor parking spaces, 66 commercial and office parking spaces and five car-share parking spaces. A total of 1110 bicycle parking spaces are proposed (999 long-term spaces and 111 short-term spaces) for the residential buildings. A total of 32 bicycle parking spaces (14 long-term spaces and 18 short-term spaces) would be provided for the office building.

The loading area for the north and south buildings would be accessed from the private driveway. There are five loading bays proposed (one Type G, one Type B and three Type C) accessible from the common access off Lloyd Avenue.

### **Parkland Dedication**

The revised proposal includes an 842 square metre on-site parkland dedication on the southwest corner of the site.

### **Amenity Space**

The revised proposal would contain 2168 square metres (1.96 square metres per unit) of indoor amenity space located on multiple levels and 2204 square metres (two square metres per unit) of outdoor amenity.

### **Additional Information**

See Attachments 1-6 of this report for a Location Map, Application Data Sheet, Site Plan and Elevations. The Application Data Sheet contains additional details on the proposal including site area and dimensions; floor area; unit breakdowns; and parking counts. See also Attachments 7-9 for the Protected Major Transit Station Area (PMTSA) Boundary Map (SASP 630), the Official Plan Land Use Map, and the Zoning By-law Map. All plans and reports submitted as part of the applications can be found on the City's Application Information Centre at the following [link](#).

### **Reasons for Application**

An amendment to the city-wide Zoning By-law 569-2013 is required to permit the heights and performance standards for the proposed development.

### **Site Plan Control**

The proposal is subject to Site Plan Control. The Site Plan Control application (21 176811 WET 05 SA) was submitted by the applicant previously. The Site Plan Control application is based on the previously conditionally approved zoning. If approved by the OLT, a revised Site Plan Control application would be required.

## **POLICY CONSIDERATIONS**

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### **Provincial Land-use Policies**

All decisions of City Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement (PPS), and shall conform to provincial plans.

## Official Plan

The site is designated as *Mixed Use Areas* and *Parks and Open Space Areas* on Map 17 - Land Use Plan. The northern portion of the site is identified as *Avenue* along the St. Clair Avenue West frontage. Official Plan policies may be found [here](#).

The Keele-St. Clair Secondary Plan (OPA 537) was adopted by City Council on July 19-22, 2022 and is awaiting approval by the Ministry of Municipal Affairs and Housing. The Secondary Plan maintains this site as *Mixed Use Areas* and *Parks and Open Space Areas*.

The vision for this Secondary Plan is centred on creating a new mixed-use complete community centred around the planned St. Clair-Old Weston GO Transit Station with public realm being the focal organizing element for all development. The St. Clair-Old Weston GO Transit Station is the most critical piece of public infrastructure required to ensure the success of the planned new community and the recommended land use conversions and increases in height and density within the Secondary Plan are based on the planned delivery of this higher order transit.

The Secondary Plan is organized into areas with common existing and/or planned built form contexts identified on Map 2 - Structure Plan. This site is identified as being within the St. Clair Main Street and the Station South areas.

Development in the St. Clair Main Street will:

- a. Have predominantly active, non-residential uses at grade with direct pedestrian entrances fronting onto the public sidewalk along St. Clair Avenue West;
- b. Avoid new and replace existing retaining walls, wherever feasible, by lining street frontages with active uses and ground floor entrances that are flush with sidewalk grades;
- c. Provide building setbacks that support generous public sidewalks, street tree planting with required soil volumes, and pedestrian amenities along St. Clair Avenue West;
- d. Provide a pedestrian-scale streetwall up to five storeys in height along St. Clair Avenue West; and
- e. Have a mid-rise built form with heights generally between five and 10 storeys along St. Clair Avenue West. On deep lots, tall buildings may be permitted provided the towers are set back generously from St. Clair Avenue West to maintain a mid-rise scale along the Avenue.

Development in the Station South will:

- a. Provide for a variety of building types and heights, with maximum tall building heights of approximately 35 storeys;
- b. Provide a pedestrian-scale streetwall of approximately three to six storeys in height with good street proportion and variation in base building massing, materials and articulation;
- c. Avoid new and replace existing retaining walls, wherever feasible, by lining street frontages with active uses and ground floor entrances that are flush with sidewalk grades; and

d. Provide building setbacks that support generous public sidewalks, street tree planting with required soil volumes, and pedestrian amenities.

The Public Realm Plan identifies a new on-site park at the northeast corner of Lloyd Avenue and Mulock Avenue intersection.

SASP 630 delineates a PMTSA around St. Clair-Old Weston GO Transit Station which includes this site. SASP 630 provides the minimum density target of 200 residents and jobs combined per hectare for this area and a minimum Floor Space Index (FSI) of 2.0 for this site.

## **Zoning**

The site is zoned Industrial District I4 D7 under the former City of Toronto Zoning By-law 438-86. Permitted uses are allowed at a density of up to seven times the area of the lot and with no height limit. Residential uses are not permitted in the Industrial District I4 D7 Zone.

The site is also zoned Employment Heavy Industrial Zone (EH7.0) under city-wide Zoning By-law 569-2013. This zone permits non-residential uses to a density of 7.0 times the area of the lot. Zoning By-law 569-2013 can be found [here](#). See Attachment 9 of this report for Zoning Map.

## **Design Guidelines**

The following design guidelines and standards are relevant in the consideration of this proposal:

- St. Clair Avenue West between Keele Street and Glenholme Avenue Urban Design Guidelines;
- Tall Building Design Guidelines;
- Avenues and Mid-Rise Buildings Performance Standards and Addendum;
- Growing Up: Planning for Children in New Vertical Communities;
- Retail Design Manual; and
- Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings.

Design guidelines can be found [here](#).

## **Toronto Green Standard**

The Toronto Green Standard (TGS) is a set of performance measures for green development. Applications for Zoning By-law Amendments and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. The TGS can be found [here](#).

## **COMMUNITY CONSULTATION**

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No community consultation was hosted by the City for this revised proposal.

A community consultation meeting for the previous proposal adopted by Council was held on March 4, 2020. At that meeting members of the public inquired about the timing of the development; the number and tenure of the residential units (including the affordable units); the consideration/desire for community space as well as public parking spaces within the building; concerns regarding the condition of the site, with the desire to see the elimination of the dumping from occurring and re-fencing the area so that the site would be well maintained; concerns regarding the existing conditions at the intersection of Lloyd Avenue and Mulock Avenue; and concerns that the potential increase in the number of cars would result in more street parking and exacerbate intersection issues at Lloyd Avenue and Mulock Avenue.

## **COMMENTS**

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### **Provincial Framework**

The proposal has been reviewed against the relevant matters of provincial interest set out in the *Planning Act*, Provincial Policy Statement ("PPS"), Growth Plan and Official Plan and Keele-St Clair Secondary Plan policies, planning studies and design guidelines.

The application in its current form is inconsistent with the PPS (2020) and does not conform to the Growth Plan (2020) in achieving policy objectives of complete communities, appropriate development standards, appropriate infrastructure to support growth, and a safe and vibrant public realm.

### **Land Use**

The revised proposal was reviewed against Official Plan and Keele-St Clair Secondary Plan land use policies and the proposal would conform to the policies related to land use.

### **Public Realm and Built Form**

The revised proposal was reviewed against the Official Plan and the Keele-St Clair Secondary Plan built form policies and as currently proposed, the proposal does not demonstrate that the site can appropriately accommodate the proposed built form.

The Official Plan and Secondary Plan policies promote mixed-use areas to take advantage of nearby transit and explore opportunities for direct and safe active transportation connections to higher order transit facilities. The site is located abutting the planned higher order transit rail corridor and nearby station platform; however, pedestrian access is indirect, constrained by grade changes and longer walking distances to street crossings and station entrances. Although an opportunity may exist to improve connectivity from the site to the planned GO station, no direct connection is currently proposed.

### *Height and Massing*

The northern portion of the site is within the St. Clair Main Street area, which is intended to function as the primary mid-rise mixed use main street for the Keele-St Clair area. Tall buildings with a maximum height of 25 storeys may be permitted at the corners of the intersection of Keele Street and Weston Road. The revised proposal is showing a mid-rise built form along St. Clair Avenue West, which is appropriately scaled to the Avenue and planned main street. The southern portion of the site within the Station South area is intended to provide for a variety of building types and heights, with maximum tall building heights of approximately 35 storeys. The revised proposal is showing buildings 44, 31 and eight storeys high. The height of the north tower within the revised proposal exceeds the maximum height provided for in this area of the Secondary Plan and competes with the prominence of the planned height peak at the Station Centre.

### *Transition in Scale*

Policy 8.5 of the Secondary Plan requires tall buildings to maintain a minimum tower setback, generally equal to or greater than the total height of the building, from lands designated *Neighbourhoods*. The revised proposal does not provide appropriate transition in scale as required by the Secondary Plan and Official Plan.

### *Separation Distance*

The revised proposal provides a separation distance of 21 to 25 metres between the 44-storey and 31-storey proposed towers. The Official Plan requires adequate separation between towers and the Tall Building Design Guidelines would require a minimum separation distance of 25 metres to ensure access to sunlight, sky views and to mitigate potential privacy and overlooking concerns. The proposed separation distance is not sufficient.

### **Sun, Shadow and Wind**

The Sun and Shadow Study prepared by RAW Design Inc., dated May 12, 2023, demonstrates that the proposed development would cast shadow on the proposed park in the morning during the spring and fall equinoxes and would cast shadow on existing and planned public streets throughout the day. The proposed rooftop outdoor amenity area, particularly on the east, experiences extensive shadow impacts throughout the day during all times of the year. Adjustments to the proposed amenity location, building placement, heights and massing are required to improve sunlight access.

An updated Pedestrian Level Wind Study was not submitted with this revised proposal. For the previous proposal, a Pedestrian Level Wind Study concluded that there would be increased wind speeds. Mitigation measures proposed included tower setbacks, corner articulation, and soft and hard landscaping features to help moderate downwashing wind effects caused by the tall building. The new proposal is significantly taller than the previous one. An updated Pedestrian Level Wind Study is required that identifies all of the possible challenges along with possible mitigation strategies.

## **Amenity Areas**

The revised proposal has located most of the outdoor amenity area east of the towers along the rail track. This area is under shadow for a major part of the day. Policy 3.1.2.11 of the Official Plan indicates amenity spaces are encouraged to be high quality and well designed. Official Plan Policy 3.1.2.13 directs outdoor amenity space to be located in places that have access to consistent sunlight through equinoxes and spaces with comfortable conditions for activities. In addition, the Pet Friendly Guidelines indicate 10 percent of amenity space should be allocated as pet friendly spaces, including pet relief areas, wash stations and off-leash areas. Revisions would be needed to the location and programming of the outdoor amenity.

## **Housing**

The revised proposal is not providing the recommended minimum 10 percent three bedroom units. There is also insufficient information regarding unit sizes to understand if they are meeting the recommendations of the Growing Up Guidelines.

## **Transportation Services**

The revised proposal represents a significant increase in the number of dwelling units and a significant increase in the non-residential gross floor area. An updated Transportation Impact Study was not provided. Transportation Services requires the submission of an acceptable Transportation Impact Study to properly assess the transportation-related impacts of the increased development scope of the revised development proposal. All required information should be provided prior to approval of a Zoning By-law Amendment application for this site. As such, in the event that the application is approved in principle, the City will request that the OLT withhold its final Order until such time as the City advises that the owner has addressed all issues identified by Transportation Services to the satisfaction of the General Manager, Transportation Services.

## **Road Widening**

To satisfy the Official Plan requirement of a 30-metre right-of-way for this segment of St. Clair Avenue West, a 4.94-metre road widening dedication along the St. Clair Avenue West frontage of the site is required to be conveyed to the City.

The revised proposal also incorporates a conveyance of 9.7 metres along the St. Clair Avenue West frontage, a 14.3-metre conveyance and an additional 5.02-metre easement at the northeast corner of the St Clair Avenue West frontage are also proposed. These proposed conveyances are required as improvements outlined in the St. Clair Avenue West Transportation Master Plan.

Further, the applicant is proposing a conveyance along the Mulock Avenue frontage for the purpose of a cul-de-sac to be located at the north limits of Mulock Avenue. This cul-de-sac is designed with a 10.7-metre turning radius. Transportation Services needs to examine this cul-de-sac through the revised Transportation Impact Study.

## **Servicing and Stormwater Management**

No updated Functional Servicing, Stormwater Management Report, Hydrological Review Report, Servicing Report Groundwater Summary Form and Hydrological Review Summary Form were submitted for the review of the revised proposal. As such, in the event that the application is approved in principle, the City will request that the OLT withhold its final Order until such time as the City advises that outstanding servicing issues are addressed to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

## **Noise and Vibration**

No updated Noise and Vibration Studies were submitted in support of the revised proposal. As such, in the event that the application is approved in principle, the City will request that the OLT withhold its final Order until such time as the City advises that Noise and Vibration Studies on the revised proposal have been peer reviewed by the City's peer reviewer (to be paid for by the applicant), and any required revisions resulting for these studies have been made to the proposal to the satisfaction of the Chief Planner and Executive Director, City Planning.

## **Rail Safety**

No updated Rail Safety Study was submitted in support of the revised proposal. As such in the event that the application is approved in principle, the City will request that the OLT withhold its final Order until such time as Metrolinx and the City advise that a Rail and Safety Study on the revised proposal has been peer reviewed by Metrolinx's and the City's peer reviewer (to be paid for by the applicant), and any required revisions resulting for the peer review studies are to be made to the proposal all to the satisfaction of the Chief Planner and Executive Director, City Planning. Further, in correspondence, dated July 17, 2023, Metrolinx requires additional technical details that the applicant must include in the architectural drawings and the requisite studies.

## **Open Space/Parkland**

This revised proposal would be subject to a cap of 10% parkland dedication of the development site applied to the residential use while the non-residential use would be subject to a 2% parkland dedication. The applicant would be required to satisfy this parkland dedication requirement through an on-site dedication. In total, the parkland dedication requirement would be 880 square metres.

The revised proposal includes an on-site parkland dedication (new public park) of 842 square metres to be located at the northeast corner of Lloyd Avenue and Mulock Avenue. Parks Development staff have determined that the size, shape and location of the proposed park is not acceptable as proposed.

To satisfy the parkland dedication requirements, the applicant would need to increase the size of proposed parkland to at least 880 square metres; revise architectural plans to illustrate that there is a five-metre setback between the proposed park boundary and

any adjacent building face; and relocate the proposed pedestrian clearway outside the park area.

### **Tree Preservation**

An updated arborist report was not received for this proposal. In correspondence dated July 6, 2023, from Urban Forestry noted an updated arborist report would be required along with other requirements for this application. As such, in the event that the application is approved in principle, the City will request that the OLT withhold its final Order until such time as the City advises that an updated arborist report which reflects the revised proposal and has made any required revisions to the satisfaction of Parks, Forestry and Recreation.

### **Toronto Green Standard**

The applicant is required to meet Tier 1 of the TGS Version 3. Performance measures for the Tier 1 development features would be secured through the Zoning By-law process by ensuring there is adequate vehicle parking and cycling infrastructure on the site, required soil volume for new trees alongside provision for the storage and collection of recycling and organic waste.

Other applicable TGS performance measures would be secured through the Site Plan Control review process, should this application be approved.

In the event that the application is approved in principle, the City will request that the OLT withhold its final Order until such time as the City advises that revisions have been made to the revised proposal that secure the requirements of the TGS to the satisfaction of the Chief Planner and Executive Director, City Planning.

### **School Boards**

Toronto District School Board (TDSB) advised that, at present, there is insufficient space in local schools to accommodate students resulting from this development. Toronto Catholic District School Board (TCDSB) has advised that projections for local area schools surrounding this development proposal remain consistent and should be able to accommodate new students resulting from the development. Both the TDSB and TCDSB will require notice signs be erected on the site and clauses be included in any purchase or condominium agreements.

### **Further Issues**

City Planning continues to receive additional information regarding these applications as a result of ongoing review by City commenting divisions, materials submitted in support of the proposal and through deputation made by members of the public to Community Council. Staff may also be required to evaluate supplementary or revised plans and supporting materials submitted by the applicant after the date of this report.

## **CONCLUSION**

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The height, scale and massing of the revised proposal is not in keeping with the planned context, does not minimize the negative impact on the public realm and surrounding properties, and there is insufficient information to confirm conformity to various other policy objectives. The revised proposal in its current form does not represent good planning and is not in the public interest.

This report recommends that Council directs the City Solicitor, with appropriate staff, to attend the OLT in oppose the revised application and to continue discussions with the applicant in an attempt to resolve outstanding issues.

## **CONTACT**

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E-mail: prabhat.dahal@toronto.ca

## **SIGNATURE**

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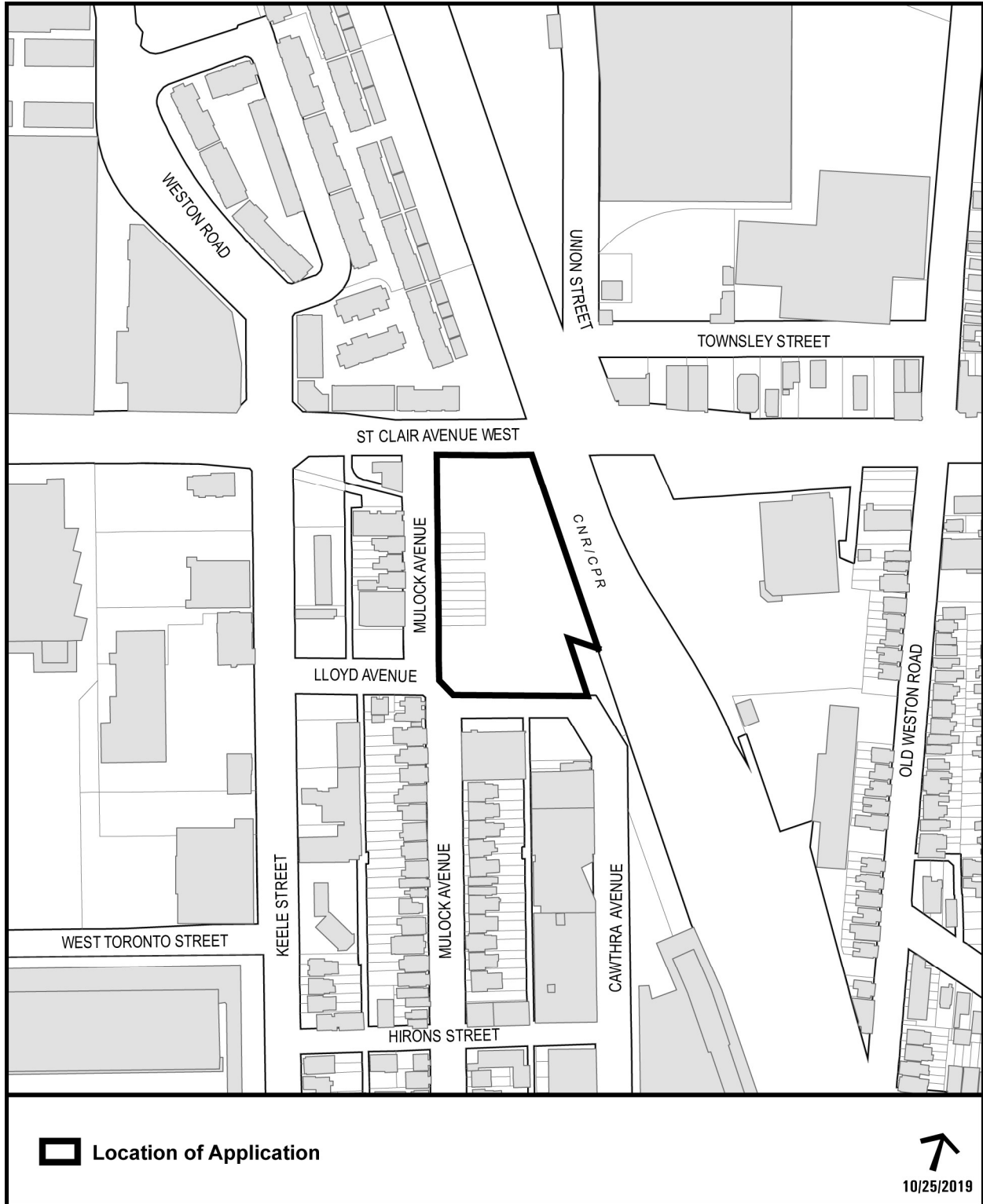
Michael Mizzi, MCIP, RPP  
Director, Community Planning  
Etobicoke York District

## **ATTACHMENTS**

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Attachment 1: Location Map  
Attachment 2: Application Data Sheet  
Attachment 3: Site Plan  
Attachment 4: South Elevation  
Attachment 5: East Elevation  
Attachment 6: North Elevation  
Attachment 7: Protected Major Transit Station Area (PMTSA) Boundary Map (SASP 630)  
Attachment 8: Official Plan Land Use Map  
Attachment 9: Existing Zoning By-law Map

Attachment 1: Location Map



## Attachment 2: Application Data Sheet

Municipal Address: 159 & 161-181 Mullock Avenue and 6 Lloyd Avenue Date Received: October 22, 2019 and revised May 19, 023

Application Number: 19 239452 WET 05 OZ

Application Type: Rezoning

Project Description: The applicant has submitted a revised proposal for consideration It is different than the rezoning application that was reviewed and endorsed by City Council on July 14, 2021. The revised proposal seeks an approval to develop two residential towers with heights of 44 and 31 storeys, one eight-storey office building and an 842 square metre public park on the southwest portion of the site.

|   |       |           |   |
|---|-------|-----------|---|
| Applicant   | Agent | Architect | Owner   |
| Daniel Artenosi,<br>Suite 1101, 5255<br>Yonge Street,<br>Toronto, Ontario |       |           | Berkley Carlyle<br>(Junction) Inc.,<br>Suite 200, 476<br>Richmond Street<br>West, Toronto,<br>Ontario |

### EXISTING PLANNING CONTROLS

|                            |   |   |
|----------------------------|---|---|
| Official Plan Designation: | Mixed-Use<br>Areas and Parks<br>and Open Space<br>Areas | Site Specific Provision:<br>SASP 447 and SASP 537 |
| Zoning:                    | I4 D7 EH 7.0  | Heritage Designation: No                          |
| Height Limit (m):          |   | Site Plan Control Area: Yes                       |

### PROJECT INFORMATION

|                             |          |               |           |            |                |
|-----------------------------|----------|---------------|-----------|------------|----------------|
| Site Area (sq m):           | 10,728   | Frontage (m): | 55 and 80 | Depth (m): | 118 and<br>129 |
| Building Data               | Existing | Retained      | Proposed  | Total      |                |
| Ground Floor Area (sq m):   |          |               | 6,540     | 6,540      |                |
| Residential GFA (sq m):     |          |               | 66,405    | 66,405     |                |
| Non-Residential GFA (sq m): |          |               | 9,572     | 9,572      |                |
| Total GFA (sq m):           |          |               | 75,977    | 75,977     |                |
| Height - Storeys:           |          |               | 44        | 44         |                |
| Height: 126 metres          |          |               |           |            |                |



Lot Coverage Ratio ( % ): 60.96 Floor Space Index: 9.45

Floor Area Breakdown Above Grade (sq m) Below Grade (sq m)  
 Residential GFA: 66,405  
 Retail GFA: 1,101  
 Office GFA: 8,327  
 Industrial GFA:  
 Institutional/Other GFA: 144

| Residential Units by Tenure | Existing | Retained | Proposed | Total |
|-----------------------------|----------|----------|----------|-------|
| Rental:                     |          |          |          |       |
| Freehold:                   |          |          |          |       |
| Condominium:                |          |          | 1,102    | 1,102 |
| Other:                      |          |          |          |       |
| Total Units:                |          |          | 1,102    | 1,102 |

Total Residential Units by Size

| Rooms        | Studio | 1 Bedroom | 2 Bedroom | 3+ Bedroom |
|--------------|--------|-----------|-----------|------------|
| Retained:    |        |           |           |            |
| Proposed:    | 67     | 753       | 175       | 107        |
| Total Units: | 67     | 753       | 175       | 107        |

Parking and Loading

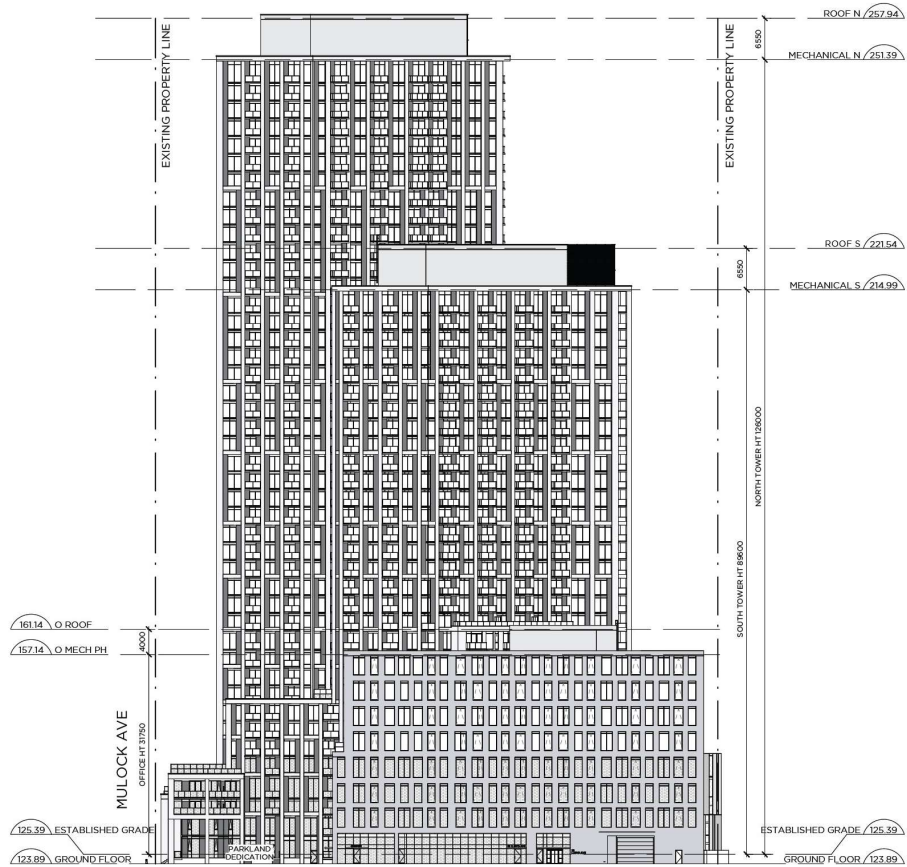
Parking Spaces: 373 Bicycle Parking Spaces: 1,134 Loading Docks: 5

CONTACT:

Prabhat Dahal, Senior Planner  
 416-338-7483  
 E-mail: Prabhat.Dahal@toronto.ca

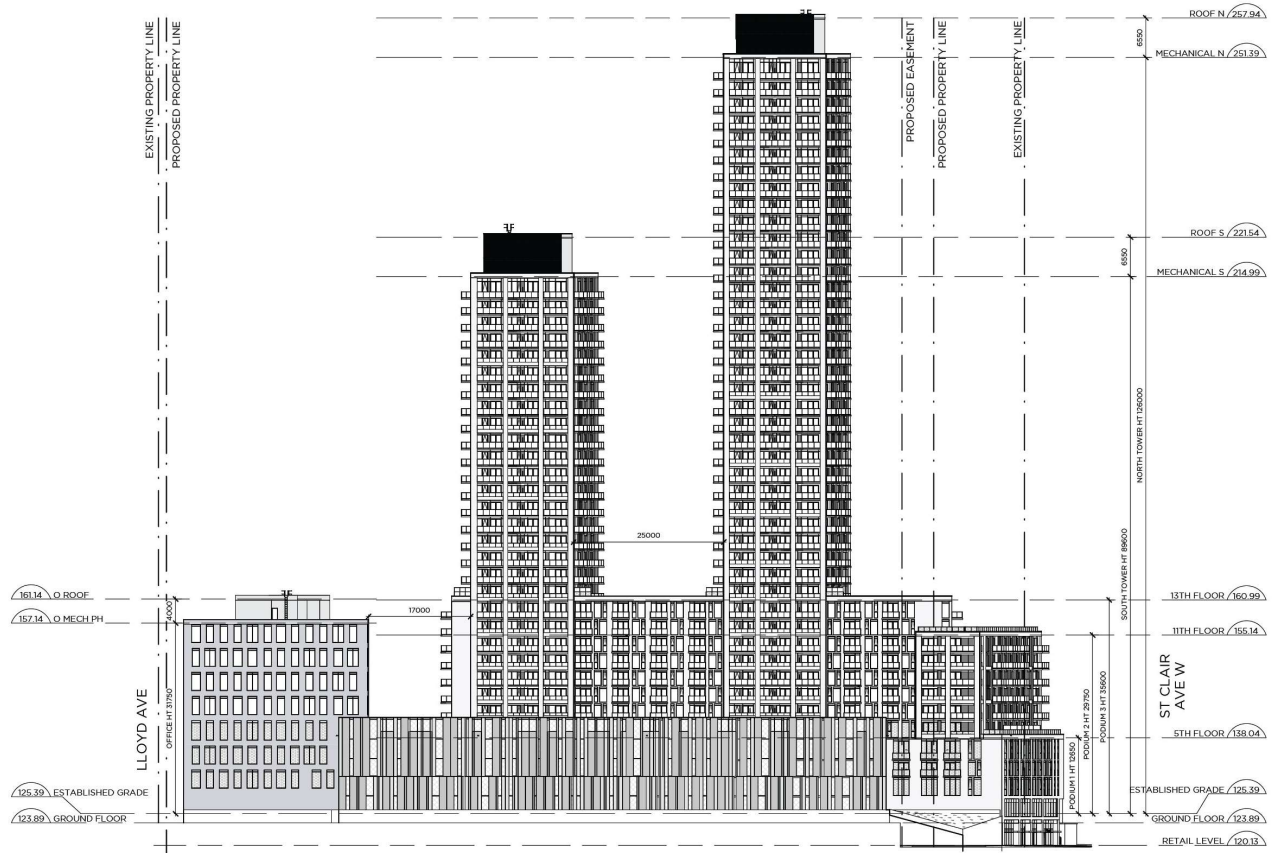


# Attachment 4: South Elevation



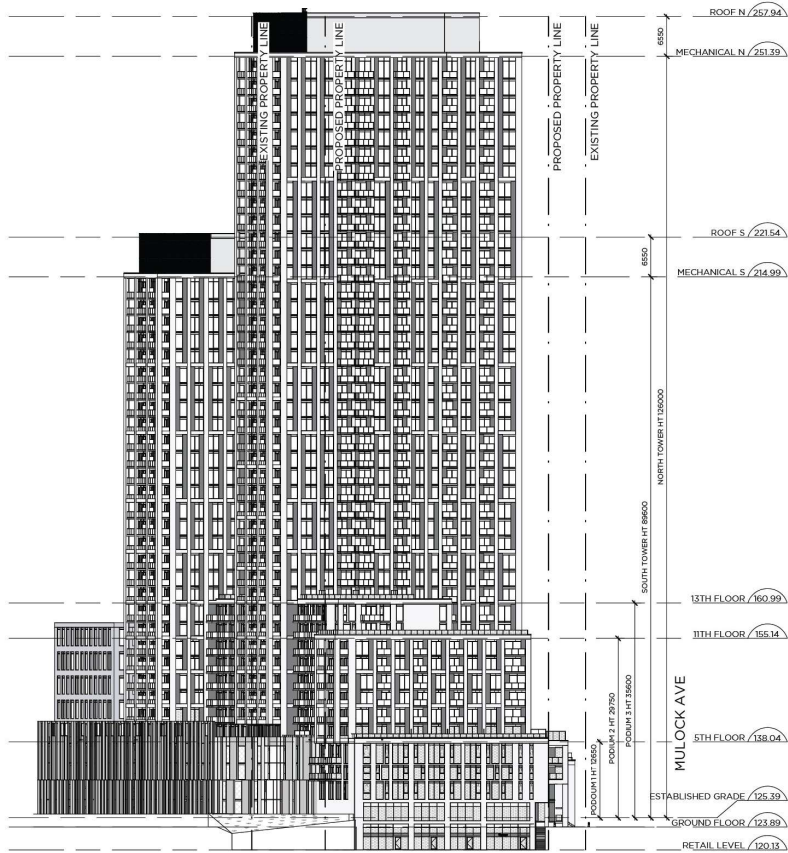
## South Elevation

Attachment 5: East Elevation



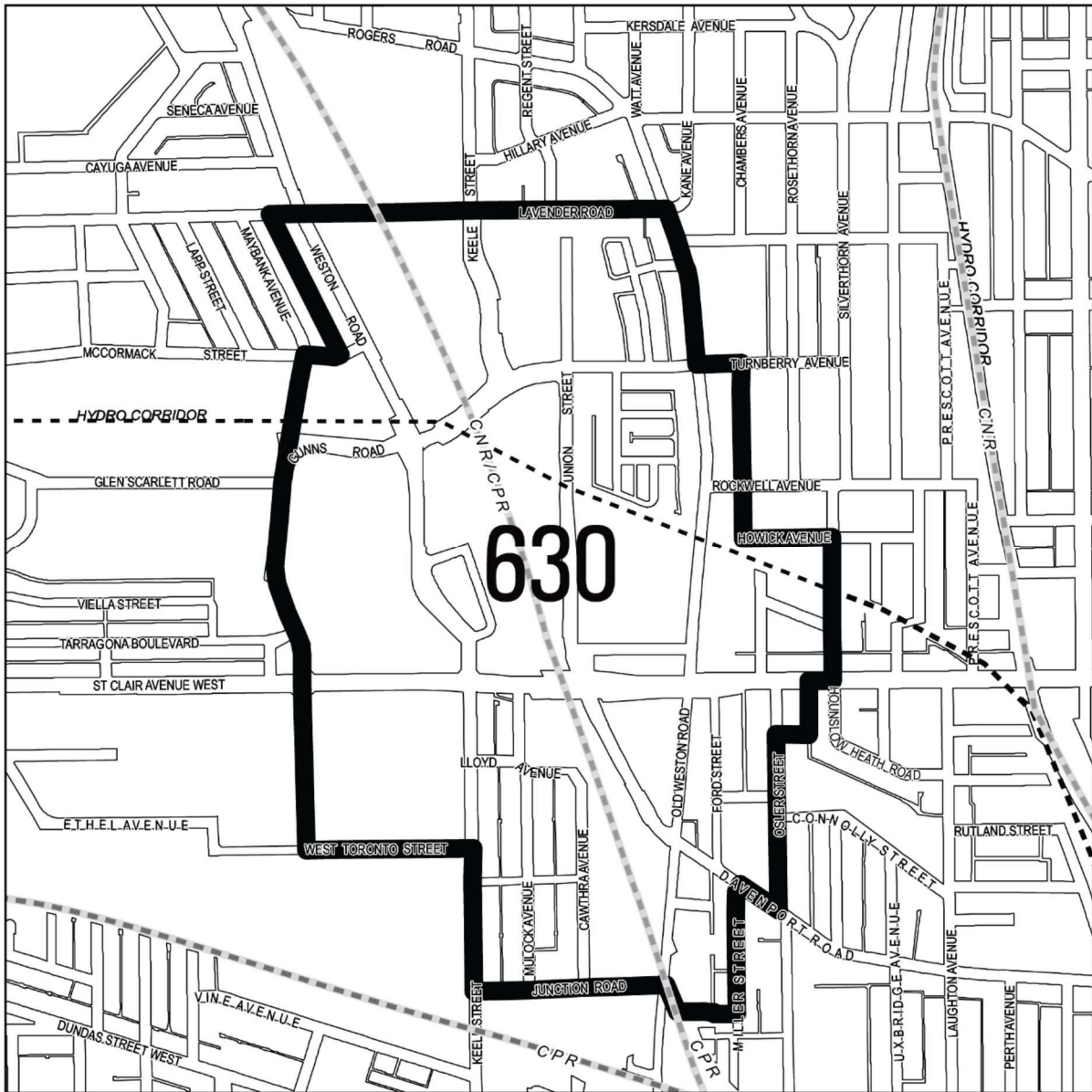
East Elevation

Attachment 6: North Elevation

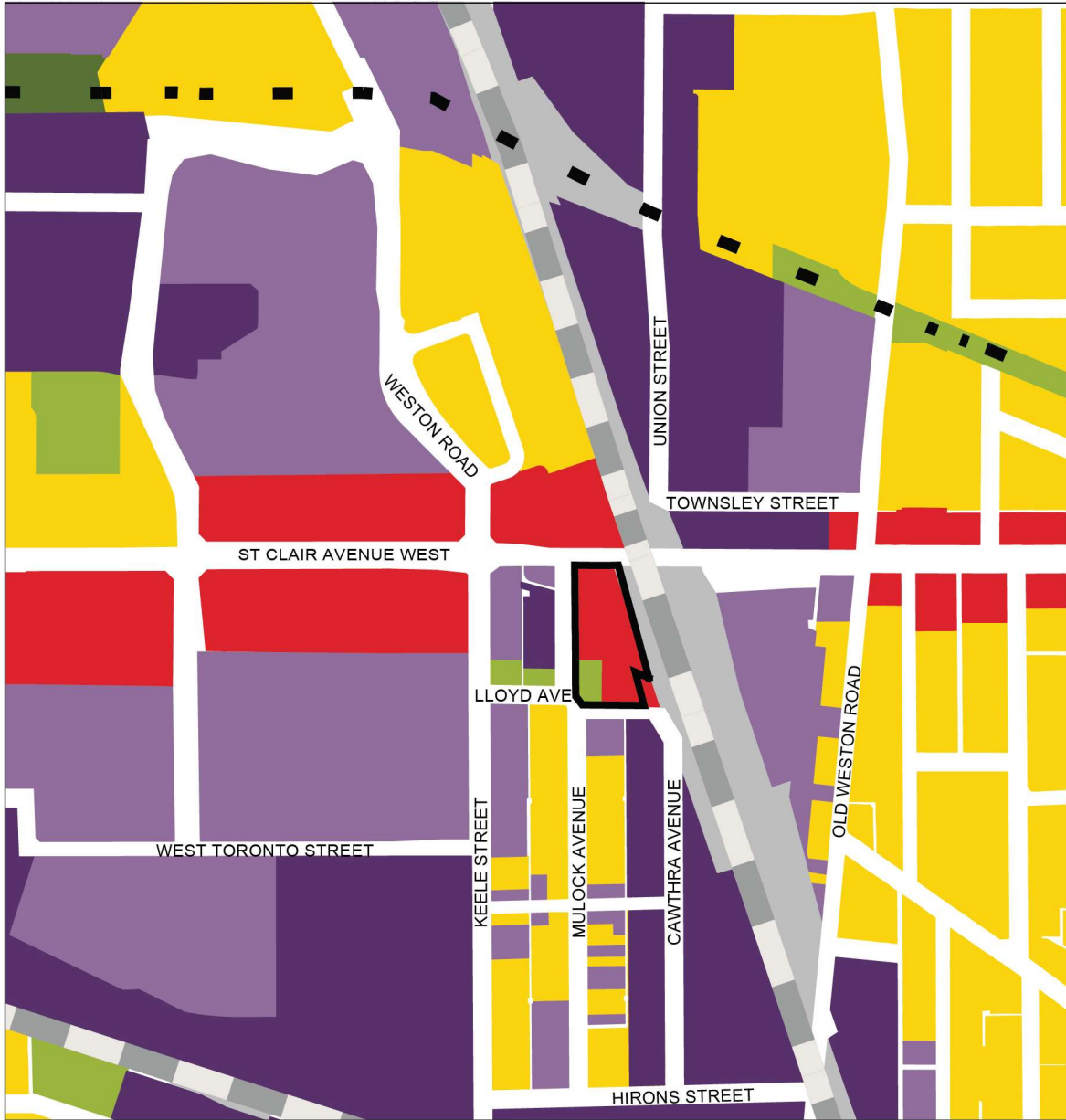


North Elevation

Attachment 7: Protected Major Transit Station Area (PMTSA) Boundary Map (SASP 630)



Attachment 8: Official Plan Land Use Map



Official Plan Land Use Map #17

159 & 161-181 Mulock Avenue and  
6 Lloyd Avenue

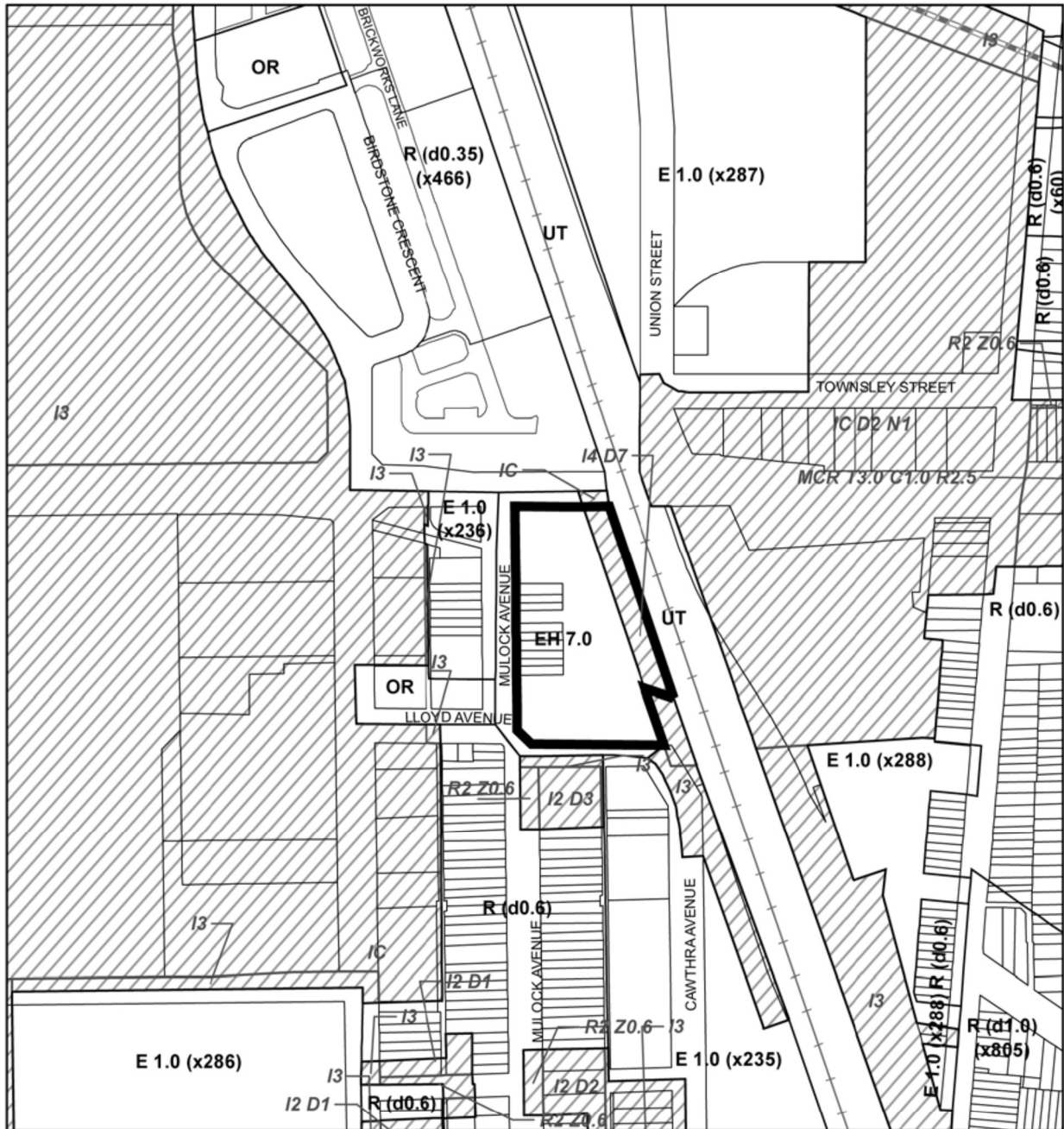
File # 19 239452 WET 05 02

- |                          |               |                          |
|--------------------------|---------------|--------------------------|
| Location of Application  | Natural Areas | General Employment Areas |
| Neighbourhoods           | Parks         | Core Employment Areas    |
| Apartment Neighbourhoods |               |                          |
| Mixed Use Areas          |               |                          |

↑  
Not to Scale  
10/25/2019



Attachment 9: Existing Zoning By-law Map



Zoning By-law 569-2013

159 & 161-181 Mullock Avenue and  
6 Lloyd Avenue

File # 19 239452 WET 05 0Z



Location of Application

- R Residential
- E Employment Industrial
- EH Employment Heavy Industrial
- O Open Space

- OR Open Space Recreation
- UT Utility and Transportation



See Former City of Toronto By-law No. 438-86

- R2 Residential District
- MCR Mixed-Use District
- I2 Industrial District
- I3 Industrial District
- I4 Industrial District
- IC Industrial District



Not to Scale  
Extracted: 05/18/2021