



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

151 and 161-181 Mulock Avenue and 6 Lloyd Avenue – Ontario Land Tribunal Hearing – Request for Directions

Date: November 4, 2025

To: City Council

From: City Solicitor

Wards: Ward 5 - York-South-Weston

REASON FOR CONFIDENTIAL INFORMATION

This report contains advice or communications that are subject to solicitor-client privilege. This report contains information regarding potential litigation.

SUMMARY

On December 16, 17 and 18 2013 City Council adopted Official Plan Amendment 231 ("OPA 231") as part of the Municipal Comprehensive Review. OPA 231 designated parts of 151 and 161-181 Mulock Avenue and 6 Lloyd Avenue (the "Site") from Employment Areas to Mixed Use Areas and designated the southern portion of the site General Employment Area. OPA 231 also introduced Site and Area Specific Policy 447 ("SASP 447") which provided site specific policies for residential and commercial development on the Site. OPA 231 was approved by the Minister of Municipal Affairs and Housing, with modifications on July 9, 2014.

In 2014, the City received a Zoning By-law Amendment application for the Site to permit the construction of a mixed-use development consisting of two residential towers of fifteen and eighteen storeys and one four storey office building.

The applicant appealed City Council's neglect or failure to make a decision on its application for the Zoning By-law Amendment to the Ontario Land Tribunal (the "OLT") on November 4, 2022.

On April 17th and 18th, 2024, City Council approved a settlement on the Site to permit the construction of a mixed-use development of two residential towers and a free-standing office building.

On July 18, 2024, the OLT approved the settlement subject to the satisfaction of certain pre-conditions by the applicant which remain outstanding.

On October 28, 2025 the City received a with prejudice settlement offer of an outstanding appeal to OPA 231 by the applicant with respect to the Site. The City Solicitor requires further directions with respect to that settlement offer on this site-specific appeal of OPA 231.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council adopt the recommendations contained in Confidential Attachment 1 to this report from the City Solicitor.
2. City Council authorize the public release of the confidential recommendations contained in Confidential Attachment 1 to this report from the City Solicitor, if adopted by City Council.
3. City Council direct that all other information contained in Confidential Attachment 1 to this report from the City Solicitor is to remain confidential at the discretion of the City Solicitor, as it contains advice which is subject to solicitor-client privilege.

FINANCIAL IMPACT

There is no financial impact arising from the adoption of the Confidential Recommendations beyond what has already been approved in the current year's budget.

DECISION HISTORY

On October 28, 2025 the City received a with prejudice settlement offer of an outstanding appeal to OPA 231 by the applicant with respect to the subject site. The purpose of the settlement offer is to facilitate the conversion of the free-standing office component of the proposal that is approved on the Site to residential uses which are proposed by the applicant to be affordable rental units (the "Settlement Offer"). The Settlement Offer contains a draft official plan amendment to permit the conversion of non-residential uses to residential uses. The proposed settlement of the official plan amendment is attached as Public Attachment "1". The draft official plan amendment is attached as Public Appendix "A".

The outstanding appeal is that of OPA 231 and SASP 447. OPA 231 designated a portion of the subject lands from employment area to mixed use. SASP 447 provides

specific policies for residential and commercial development on the subject lands. The link to City Council's decision on OPA 231 and SASP 447 can be found here:

<https://secure.toronto.ca/council/agenda-item.do?item=2013.PG28.2>

159 and 161-181 Mulock Avenue and 6 Lloyd Avenue – Approval History:

On May 29, 2014, the Planning and Growth Management Committee recommended that City Council direct staff to submit the Final Report for the proposed amendment to OPA 231, which would introduce a Site and Area Specific Policy, once the applicant had provided all outstanding materials required to complete the application. City Council adopted this recommendation on June 10, 2014.

On February 18, 2015, Etobicoke York Community Council considered a Final Report dated January 8, 2015, from the Director, Community Planning, Etobicoke York District (Item EY4.3), which recommended refusal of the application to amend the Official Plan by redesignating the northern two-thirds of the lands from Employment Areas to Mixed Use Areas and creating a new SASP over the entire Site to permit residential uses and commercial/office uses. It should be noted that the proposal also included the southern one-third of the site remaining designated Employment Areas.

On March 31, 2015, City Council deferred consideration until the May 5 and 6, 2015, City Council meeting whereby a Supplementary Report dated May 5, 2015, from the Director, Community Planning, Etobicoke York District (Item EY4.3) was also considered, which recommended that City Council request that the application be revised to conform with SASP 447 as approved by City Council at its meeting of December 18, 2013, with respect to building heights and setbacks. City Council adopted this recommendation.

A copy of the Final Report and the Supplementary Report as well as the decision history can be found here:

[Agenda Item History - 2015.EY4.3](#)

The proposed settlement would revise SASP 447 to allow residential uses on the entirety of the subject site with the exception of the new public park - the park would remain designated Parks and Open Spaces. The SASP would also be modified with a new policy allowing an alternative to the minimum 3500 square meters of office space. The amended policy would permit affordable housing along with a new daycare with a maximum gross floor area of five hundred square meters. An additional policy would require that the office space or affordable housing alternative be developed prior to or concurrently with any residential development on the subject lands. The revised OPA would also require that the building height, building envelope and land uses for the developable portion of the lands would be determined based on the implementing zoning by-law amendment.

In 2014, the City received a Zoning By-law Amendment application to permit a mixed use development of consisting of two residential towers of fifteen and eighteen storeys and one four storey office building. The Preliminary Report can be found at:

[Agenda Item History - 2014.PG33.9 \(toronto.ca\)](#)

A Request for Direction Report on the application was adopted by City Council on July 14, 2021 approving a revised proposal of a mixed use proposal on the subject site. The Request for Direction Report can be found at:
<https://secure.toronto.ca/council/agenda-item.do?item=2021.EY25.2>

The applicant subsequently submitted a revised proposal with increased height and density than the proposal approved by Council in EY25.2, above. The pre-conditions for the issuance of the Bills for the July 14, 2021 approval were not satisfied.

On November 4, 2022 the applicant appealed City Council's neglect or failure to make a decision on the Zoning By-law Amendment to the OLT. The OLT held the first Case Management Conference on February 16, 2023.

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. The proposed buildings would result in a gross floor area of 43,745 square metres consisting of 66,405 square metres for residential use, resulting in 1102 dwelling units, and 9,572 square metres for non-residential uses. A Floor Space Index of 9.45 times the area of the lot was proposed.

On October 11, 2023 City Council adopted an Appeal Report directing the City Solicitor and appropriate City staff to oppose the revised proposal. The Appeal Report can be found here:
<https://secure.toronto.ca/council/agenda-item.do?item=2023.EY7.6>

On April 17th and 18th, 2024, City Council approved a settlement on the Site to permit the construction of a mixed-use development of two residential towers and a free-standing office building. The link to Council's decision can be found here:
<https://secure.toronto.ca/council/agenda-item.do?item=2024.CC17.5>

On July 18, 2024, the Ontario Land Tribunal approved the settlement subject to the satisfaction of certain pre-conditions by the applicant which remain outstanding.

COMMENTS

The Site is within the Keele-St. Clair Secondary Plan area. On August 15, 2025, the Minister of Municipal Affairs and Housing approved the Keele-St. Clair Secondary Plan ("OPA 537"), which was adopted by City Council on July 19 to 22, 2022. OPA 537 includes SASP 630, for the St. Clair – Old Weston Protected Major Transit Station Area.

The Settlement Offer including the revised Site and Area Specific Policy 447 (SASP 447), permits residential uses across Area A and B, excluding Area C, which will remain under the Parks and Open Spaces designation; a minimum of 3,500 square metres of commercial and office uses would continue to be required in Area B. A 500 square metre private daycare facility would also be required in either Area A or B.

The Settlement Offer would permit the replacement of the required commercial office gross floor area of 3,500 square metres with a minimum of 25 percent (875 square metres) affordable housing secured for a term of 99 years.

The Settlement Offer proposes that either the office space or its affordable housing alternative, along with the daycare, be constructed prior to, or concurrently with any residential development. The Settlement Offer also proposes that compatibility studies are required, to the satisfaction of the Executive Director, Development Review, prior to the introduction of a zoning by-law that permits addition residential uses.

The City Solicitor requires further instructions on this matter. This report is about ongoing litigation before the OLT and contains advice or communications that are subject to solicitor-client privilege.

CONTACT

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SIGNATURE

Wendy Walberg
City Solicitor

ATTACHMENTS

1. Public Attachment "1" - With Prejudice Settlement Offer from Overland LLP, dated October 28, 2025
2. Public Appendix "A" - Draft Official Plan Amendment
3. Confidential Attachment 1 - Confidential Information