



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

151 and 161-181 Mulock Avenue and 6 Lloyd Avenue – Ontario Land Tribunal Hearing – Request for Consent to Review Tribunal Decision

Date: May 8, 2026

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 April 17 and 18, 2024, City Council approved a settlement on a mixed use application at 151 and 161-181 Mulock Avenue and 6 Lloyd Avenue (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 Ontario Land Tribunal approved the settlement subject to the satisfaction of certain pre-conditions by the applicant which remain outstanding (the "Decision").

On November 12 and 13, 2025, City Council adopted a with prejudice settlement offer of an outstanding appeal to OPA 231 by the applicant with respect to the Site (the "Settlement") to permit affordable housing on the previously non-residential component of the Site.

The City Solicitor requires further directions with respect to a review of the Decision that has been requested by the appellant.

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 November 12 and 13, 2025 City Council adopted a with prejudice settlement offer of an outstanding appeal to OPA 231 by the applicant with respect to the subject site (the "Settlement"). The purpose of the Settlement was 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 link to Council's decision can be found here:

<https://secure.toronto.ca/council/agenda-item.do?item=2025.CC34.9>

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](#)

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. A hearing was scheduled for April 22, 2024.

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 17 and 18, 2024, City Council approved a settlement on the subject 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 permitted residential uses on part of the Site, with the exception of the portion of the site 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 permitted 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.

In order to implement the change of use permitted by the Settlement in the applicable zoning by-law Decision, the appellant has requested the Tribunal to review the Decision in accordance with the OLT's Rules of Practice and Procedure.

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 - Review Request from Overland LLP, dated May 5, 2026
2. Public Attachment 2 - Ontario Land Tribunal Decision OLT-22-004660, dated July 18, 2024
3. Confidential Attachment 1 - Confidential Information