

31 May 2023

Without Prejudice

Delivered via E-mail

Mark Crawford / Uttra Gautam
City of Toronto, Legal Services
55 John Street, Metro Hall, 26th Floor
Toronto, ON M5V 3C6

Dear Mr Crawford and Ms Gautam:

Re: Settlement Offer
1466 and 1500 Bayview Avenue, City of Toronto
Planning Application Nos. 20 210394 NNY 15 OZ & 20 210395 NNY 15 SA
& Site-Specific Appeal of the Midtown Villages Zoning By-law (595-2022)
OLT Case No. OLT-22-004285

We represent 1500 Bayview Limited and BHL Properties Ltd. (together referred to herein as “Medallion”), which are the registered owners of the properties municipally known as 1466-1500 Bayview Avenue in the City of Toronto (the “Site”). Medallion is the applicant / appellant in respect of the proposed redevelopment of the Site, which is the subject of the above-noted zoning and site plan applications (the “Development Applications”) and related appeals (the “Development Appeals”).

Medallion has also appealed the City-initiated Midtown Zoning By-law 595-2022 (the “Midtown Villages ZBL”) as it applies to the Site (the “Midtown Appeal”), which was part of OLT Case Number OLT-22-004174. The Midtown Appeal has now been consolidated with the Development Appeals within this proceeding (OLT-22-004285).

We write on behalf of our client to present the City with an offer to settle both the Development Appeals and the Midtown Appeal. This settlement offer remains open until the end of the City Council meeting scheduled to commence on 14 June 2023.

Background

Development Applications

The Site is located on the west side of Bayview Avenue immediately north of Davisville Avenue and is 0.35 hectares in size. Currently, the Site contains a 1-storey grocery store (Valu-mart), surface parking lot, and a 1-storey greenhouse (Davenport Garden Centre).

Johanna R. Shapira Direct: (416) 203-5631 jshapira@woodbull.ca

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In October 2020, Medallion applied to redevelop the Site with a 9-storey mixed-use building containing at grade retail space of approximately 1,660 square metres and 156 rental residential units above, for a total gross floor area of approximately 14,942 square metres (the “Original Proposal”). The Original Proposal had an approximate floor space index (“FSI”) of 4.31.

To facilitate the Original Proposal, Medallion proposed amendments to Zoning By-law 569-2013 and Zoning By-law 438-86 to increase the permitted height and density and to revise other development standards (such as setbacks, parking, amenity space) that currently apply to the Site. Medallion also applied for site plan approval to permit the redevelopment. The Development Applications were deemed complete by notice dated 25 November 2020.

Community consultation meetings regarding the Development Applications were held starting in the spring of 2021. Based on the feedback received at the meetings and from the City and various agencies, in January 2022, Medallion made a resubmission to propose a height reduction from 9 storeys to 8 storeys and the provision of the laneway at the rear of the Site as a public laneway (totalling 668 square metres). The FSI was consequently reduced to approximately 4.01 (4.96 with the conveyance of the laneway). Other features of the resubmission included:

- Decrease protrusion into the rear angular plane
- Increased setbacks from Davisville Avenue and at the retail entrance
- Increased setback along Bayview Avenue proximate to the corner to increase pedestrian flow
- Increase mechanical penthouse set back to 5.5 metres from south to reduce massing
- Add additional indoor and outdoor amenity space
- Saving trees along west lot line and allowing for conveyance per City request
- A reduction of underground parking to accommodate a public laneway

In May 2022, our client filed responses to engineering matters.

Thereafter, from May to July 2022, Medallion and the City engaged in without prejudice discussions which resulted in Medallion making further changes to its proposal. Regrettably, the proposed modifications resulted in additional requests from the City that were not resolvable, and Medallion consequently appealed the Development Applications to the Ontario Land Tribunal (the “Tribunal”) for lack of decision (defined above as the “Development Appeals”).

Further without prejudice discussions about outstanding City concerns have now occurred between our client and the City following the release of staff’s Appeal Report dated 1 February 2023. This offer to settle is intended to reflect those discussions.

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The Midtown Villages ZBL

As noted above, Medallion’s redevelopment proposal requires amendments to Zoning By-law 569-2013 and Zoning By-law 438-86 to amend certain standards that apply to Site. Following the submission of the Development Applications, the City-initiated the Midtown Zoning Review, which included a review of existing zoning for the Site. The Midtown Zoning Review culminated in the enactment in Zoning By-law 595-2022 (defined above as the “Midtown Villages ZBL”). Medallion appealed the Midtown Villages ZBL to the Tribunal on a site-specific basis (defined above as the “Midtown Appeal”).

At the first Case Management Conference (“CMC”) for the appeals of the Midtown Villages ZBL on 24 January 2023, upon the joint request of Medallion and the City, the Tribunal carved out Medallion’s site-specific appeal from that proceeding (OLT-22-004174). At the CMC held on 23 February 2023 for the Development Appeals, the Tribunal consolidated the Midtown Appeal with the Development Appeals (OLT-22-004285). As a result of this consolidation, the within proceeding deals with both the Development Appeals and the Midtown Appeal.

The within settlement offer is intended to resolve both the Development Appeals and the Midtown Appeal.

Settlement Offer

Our client proposes to construct a new purpose-built rental building on the Site as shown conceptually in the drawings attached as Attachment “A” (collectively the “Plans”). Features of the proposal are outlined below, and together with the Plans, shall be referred to in this letter as the “Settlement Offer”:

- A new 8-storey purpose-built rental building containing 154 residential dwelling units and approximately 1,590 square metres of retail uses at grade, for an FSI of 3.98. The owner endeavours to try to incorporate a new grocery store and associated uses in the retail space of the new building. Only a grocery store, which may include the sale of wine, spirits and beer, will be greater than 1,200 square metres in size;
- A total approximate gross floor area of approximately 13,768 square metres;
- The exterior frontage of the ground floor along Bayview Avenue will be designed for retail stores and service uses with frequent entrances and architectural detailing, and generally appearing to be five to ten metres in width, in accordance with the Plans. The ground floor retail-commercial space can be configured to facilitate individual retail stores that are a minimum depth of generally 15 metres along the Bayview Avenue frontage of the building where possible, in accordance with the Plans;

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- A total of approximately 622 square metres of amenity space, or 4.0 square metres per unit, comprised of approximately 374 square metres of indoor amenity (approximately 2.4 square metres per unit) and 248 square metres of outdoor amenity;
- A minimum of 10.4% of the units will be three bedroom and 33% will be two-bedroom;
- The mechanical penthouse and the 8th floor will be shifted to the north, bringing the building generally within a 45-degree angular plane taken at 80% of the Bayview Avenue right-of-way width in accordance with the Plans;
- An extended cut-out space at the ground floor facing Bayview Avenue, near the north lot line, which creates additional space for active and vibrant street-oriented functions such as patio seating and spillover area, in accordance with the Plans;
- Raised planters along Bayview Avenue will be removed to provide more room for pedestrian movement. A curb-to-building-face setback of approximately 6 metres along Bayview Avenue and approximately 6 metres along Davisville Avenue will be provided in accordance with the Plans;
- The soil volume to be increased by connecting the soil cells along Bayview Avenue in accordance with the Plans;
- A 6.0-metre corner rounding from a spot elevation grade to a height of approximately 4.5 metres, with appropriate sightlines, at the southeast corner of the Site, adjacent to the intersection of Davisville Avenue and Bayview Avenue, will be provided through an easement, to the satisfaction of the General Manager, Transportation Services;
- A private driveway with a minimum width of 6 metres will be provided on the rear portion of the Site, in the location and configuration shown on the Plans. The private driveway is to be constructed to a standard to the satisfaction of Transportation Services during Site Plan Control process and be the subject of a surface easement to allow vehicular and pedestrian public access; and
- Signage, gate, or other measures will be provided for the period before the laneway system connects to Millwood Road preventing public access to portions of the private driveway immediately north of the ground level parking ramp, to the satisfaction of General Manager, Transportation Services.

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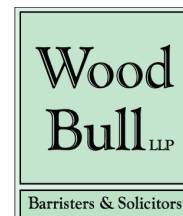
Implementation

Medallion will not oppose a City request to the Tribunal, if any, that the Tribunal withhold the issuance of its final order on the zoning by-law and site plan implementing the Settlement Offer until such time as the Tribunal has been advised that:

1. the final form and content of the draft Zoning By-law amendment and Site Plan approval are to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor;
2. the owner has submitted the final form of the architectural plans, landscape plans, completed Toronto Green Standards documents, Travel Demand Management Plan, servicing plans, reports, and studies, reflecting the proposal as approved in whole or in part, forming the Site Plan approval to the satisfaction of the Chief Planner and Executive Director, City Planning, and the General Manager, Transportation Services and Chief Engineer and Executive Director, Engineering and Construction Services;
3. the owner has submitted to the Chief Engineer & Executive Director of Engineering and Construction Services for review and acceptance, a Functional Servicing Report to determine the storm water runoff, sanitary flow and water supply demand resulting from this development and whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposed development;
4. the owner has submitted the final form of the plans including a functional loading space and vehicle movement diagram to the satisfaction of the General Manager, Transportation Services;
5. the owner has made satisfactory arrangements for the construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support the development as identified in the accepted Functional Servicing and Stormwater Management Reports accepted by the Chief Engineer and Executive Director of Engineering & Construction Services; and
6. the owner has withdrawn its appeal of the Midtown Villages ZBL.

Conclusion

We trust that you will forward this Settlement Offer to City Council for its review and consideration at its meeting commencing on 14 June 2023.



31 May 2023

Medallion is very appreciative of the City staff efforts in this matter and hope that City Council will accept this offer. We look forward to receiving a response.

Please do not hesitate to contact the undersigned if you have any questions.

Yours very truly,

Wood Bull LLP

Johanna R. Shapira

JRS

c. Client

Encl.

Attachment "A"



Quadrangle Architects Limited
901 King Street West, Suite 701 Toronto, ON M5V 3H5
t 416 598 1240 www.quadrangle.ca

1500 Bayview

Bayview Davisville
Toronto, Ontario
for
Medallion Properties Inc.

Project No. 18063
Date May 26 2023
Issued for Issued for City Negotiation

ARCHITECTURAL DRAWINGS

A000.S	A000.S	Cover Page
A100.S	A100.S	Statistics
A100.S	A101.S	Site Plan
A100.S	A102.S	Parking Study P2/P1 Underground
A200.S	A201.S	Ground Floor Plan
A200.S	A202.S	Floor 2 Plan
A200.S	A203.S	Plans of Level 3 and 4
A200.S	A204.S	Plans of Level 5 and 6
A200.S	A205.S	Plans of Level 7 and 8
A200.S	A206.S	Plans of Mechanical Penthouse and Roof
A400.S	A401.S	Building Elevations
A400.S	A402.S	Building Elevations
A450.S	A451.S	Building Sections
A450.S	A452.S	Building Sections
A450.S	A453.S	Building Sections

PLANNING CONSULTANT INTERIOR DESIGN

Bousfields Inc.
3 Church Street, Suite 200
Toronto, ON M5E 1M2
416 947 9744

LANDSCAPE ARCHITECT STRUCTURAL ENGINEER

PMA Landscape Architects
Ltd.
359 Keele St.
Toronto, ON, M6P 2K6
416-239-9818

K.O. & Partners Ltd.
333 Denison Street, Unit
15
Markham, ON L3R 2Z4
905-940-9811

MECHANICAL & ELECTRICAL
ENGINEER

TRACE ENGINEERING
LTD.
505 Consumers Road,
Suite 904
Toronto, ON M2J 4V8
(416) 391-2633

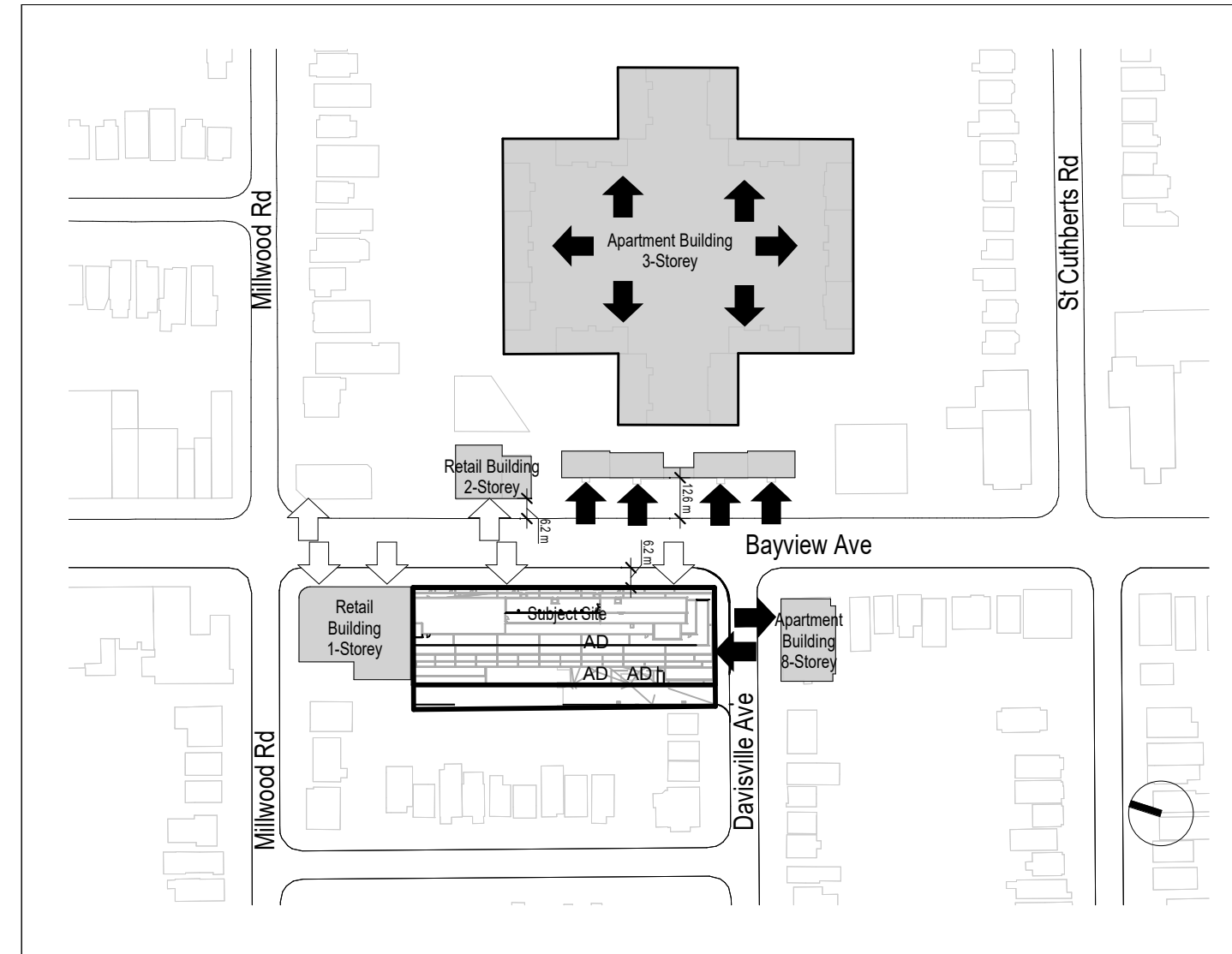
TRANSPORTATION & SITE
SERVICING CONSULTANT

LEA Consulting Ltd.
625 Cochrane Drive, 9th Floor
Markham, ON L3R 9R9
905 470 0015

All Plans are
Without
Prejudice



1 Context Plan
SCALE: NTS
A101.S



4 Key Plan
SCALE: 1:2000
A101.S

PLAN OF SURVEY
SHOWING TOPOGRAPHICAL INFORMATION OF
LOTS 146, 147, 148 AND
PART OF LOTS 143, 144,
145 AND 149
REGISTERED PLAN 590E
CITY OF TORONTO

SCALE 1:200
KRCMAR SURVEYORS LTD. 2019

METRIC: DISTANCES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

BEARING
BEARINGS SHOWN HEREON ARE ASTROMOMIC AND ARE REFERRED TO THE WESTERLY LIMIT OF BAYVIEW AVENUE, AS SHOWN ON PLAN RS-647 HAVING A BEARING OF N15°34'40"W

ELEVATION
ELEVATIONS SHOWN HEREON ARE GEODETIC AND ARE RELATED TO CITY OF TORONTO BENCH MARK NO. CMA53001 HAVING AN ELEVATION OF 149.222 METRES

NOTES
ALL FOUND MONUMENTS ARE BY KRCMAR SURVEYORS LTD. (1370). UNLESS OTHERWISE NOTED.
ALL PLANTED MONUMENTS ARE IRON BARS (IB) UNLESS OTHERWISE NOTED.

NOTE:
NO SURVEY MONUMENT WAS SET OR LOCATED AT THE NORTHWEST CORNER OF THE SUBJECT LANDS AS THIS PORTION OF THE PROPERTY IS INACCESSIBLE.

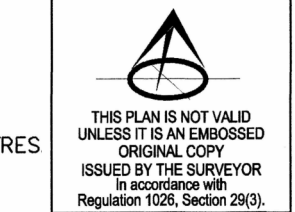
MUNICIPAL ADDRESS
No. 1500 BAYVIEW AVENUE, TORONTO

SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT, THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 17th DAY OF AUGUST, 2019

DATE AUGUST 28, 2019
S.N. RAMSAMOOJ
ONTARIO LAND SURVEYOR

ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
2100477

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PLAN AVAILABLE AT www.ProtectYourBoundaries.ca
FIELD: S.M. : DRAWN: S.D./m : CHECKED: S.N.R. : JOB NO: 12-086
DWG NAME: 12-086BT01 : PLOT INFO: 13.22.20/AUG/2019 : WORK ORDER NO: 32198
1137 Centre Street, Thornhill, ON L4J 3M6 905.738.0053 F.905.738.9221 www.krcmar.ca

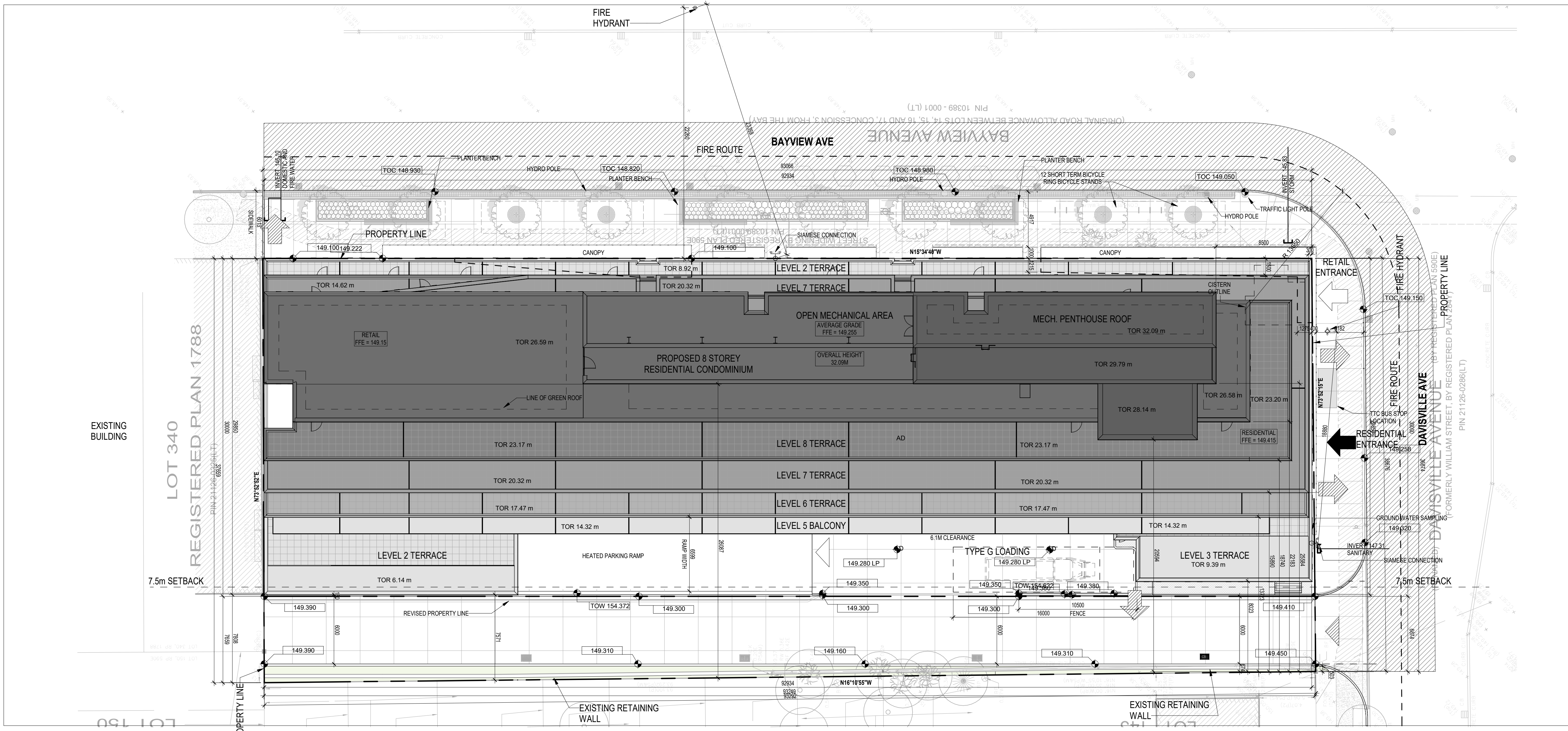


KRCMAR

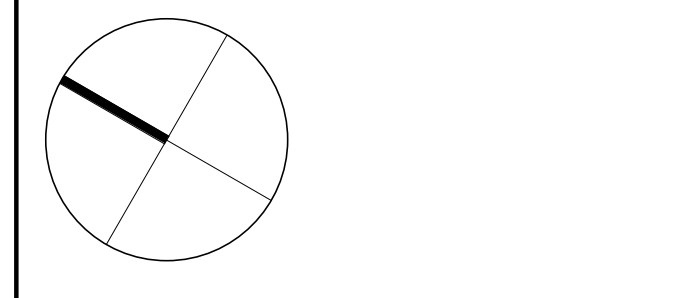
LEGEND

- PROPERTY LINE
- - - LINE OF UNDER GROUND GARAGE BELOW
- ➔ MAIN BUILDING ENTRANCE
- ➔ RETAIL ENTRANCE
- ➔ EXIT
- ➔ VEHICLE ENTRANCE / EXIT
- ▭ TYPE 'G' LOADING SPACE
- ⊙ FIRE HYDRANT
- ⊙ SIAMESE CONNECTION
- ⊙ MANHOLE COVER
- ⊙ AREA DRAIN
- ⊙ CATCH BASIN
- ⊙ EXISTING LIGHT
- ⊙ F.F.E. FINISH FLOOR ELEVATION
- ⊙ EXISTING ELEVATION
- ⊙ PROPOSED ELEVATION
- ⊙ TOP OF ROOF
- ▭ BUILDING ENVELOPE
- ▨ FIRE ACCESS ROUTE HEAVY DUTY PAVING. ASSEMBLY TO BE DESIGNED TO MEET THE LOADS IMPOSED BY FIRE FIGHTING EQUIPMENT.

Date	No.	Description
REVISION RECORD		
Sep 24 2020		Rezoning & SPA Application
May 26 2023		Issued for City Negotiation
Dec 17 2021		Rezoning & SPA Resubmission
ISSUE RECORD		



3 Site Plan
SCALE: 1:200
A101.S



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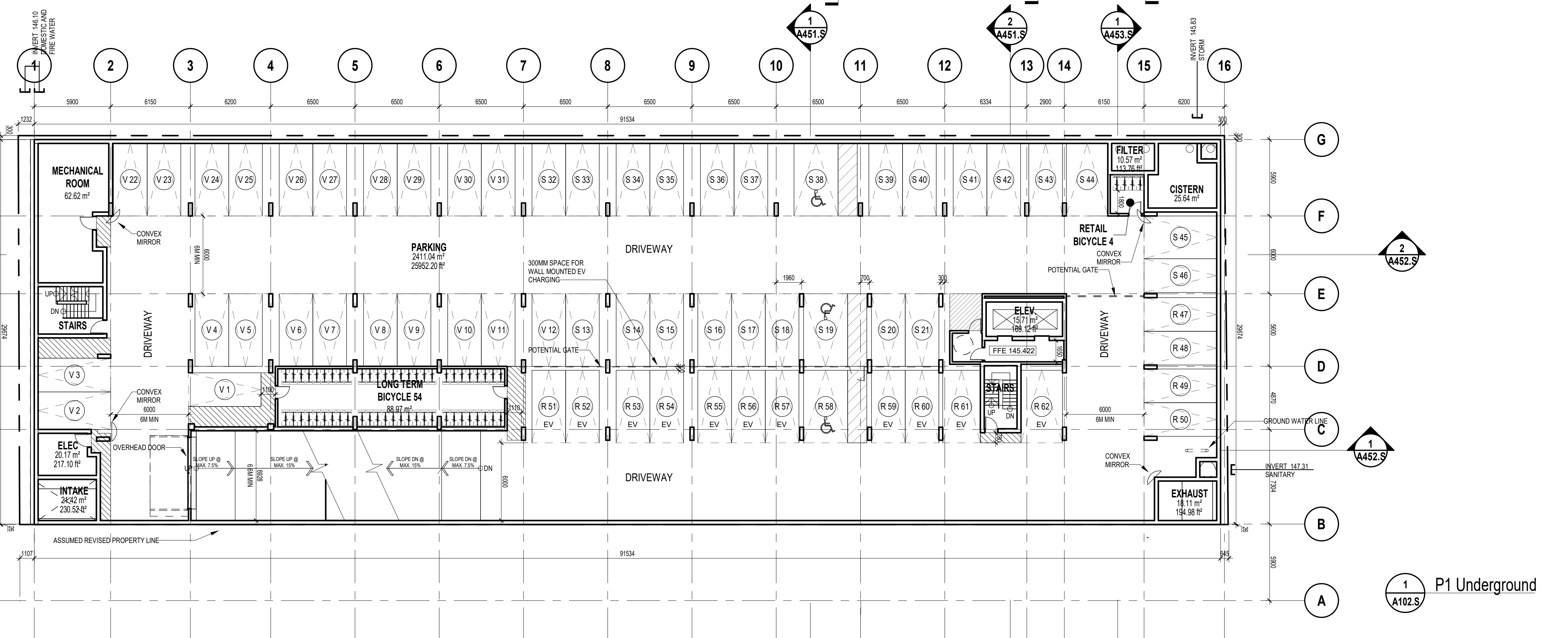
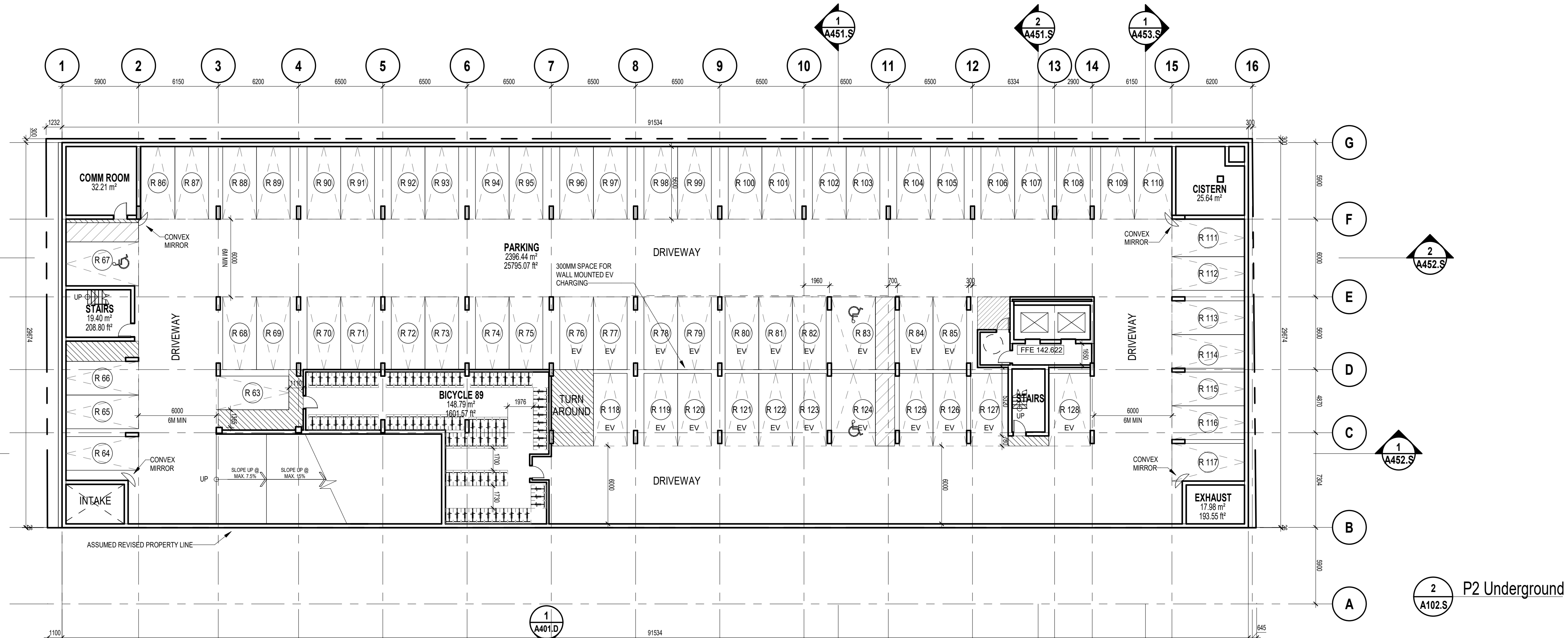
Quadrangle Architects Limited
901 King Street West, Suite 701 Toronto, ON M5V 3H5
t 416 598 1240 www.quadrangle.ca

Bayview Davisville
Toronto, Ontario
for
Medallion Properties Inc.

18063 1:200 JS OA
PROJECT SCALE DRAWN REVIEWED

Site Plan
A101.S

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PARKING NOTES:

- MINIMUM PARKING SPACE SIZES (UNLESS OTHERWISE NOTED):
 2500mm WIDE X 5600mm LONG (NO SIDES OBSTRUCTED)
 2300mm WIDE X 5600mm LONG (ONE SIDE OBSTRUCTED)
 3200mm WIDE X 5600mm LONG (TWO SIDES OBSTRUCTED)
- MAINTAIN MINIMUM DRIVE AISLE WIDTH OF 6000mm UNLESS OTHERWISE NOTED.
- MAINTAIN MINIMUM HEADROOM CLEARANCE OF 2100mm THROUGHOUT.

PARKING LEGEND:

(S) PARKING SPACE

S=COMMERCIAL PARKING
 R=RESIDENTIAL PARKING
 V=VISITOR PARKING
 E=EXISTING PARKING
 EV = ELECTRIC VEHICLE

2500 2000 2800
 0095 0095 0095
 3900 3400 2400
 0095 0095 0095

TYPICAL ONE SIDE OBSTRUCTED PARALLEL PARKING

ACCESSIBLE ACCESSIBLE VISITOR - TYPE A ACCESSIBLE VISITOR - TYPE B

BICYCLE STORAGE (FLOOR MOUNTED)
 BICYCLE STORAGE (WALL MOUNTED)
 BICYCLE STORAGE (STACKED FLOOR MOUNTED)

Date: No. Description

REVISION RECORD	
1	A452.S
2	A102.S

ISSUE RECORD	
1	A451.S
2	A453.S
1	A453.S
2	A452.S
1	A452.S

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18063 1:200 JS OA
 PROJECT SCALE DRAWN REVIEWED

Parking Study P2/P1
 Underground
A102.S

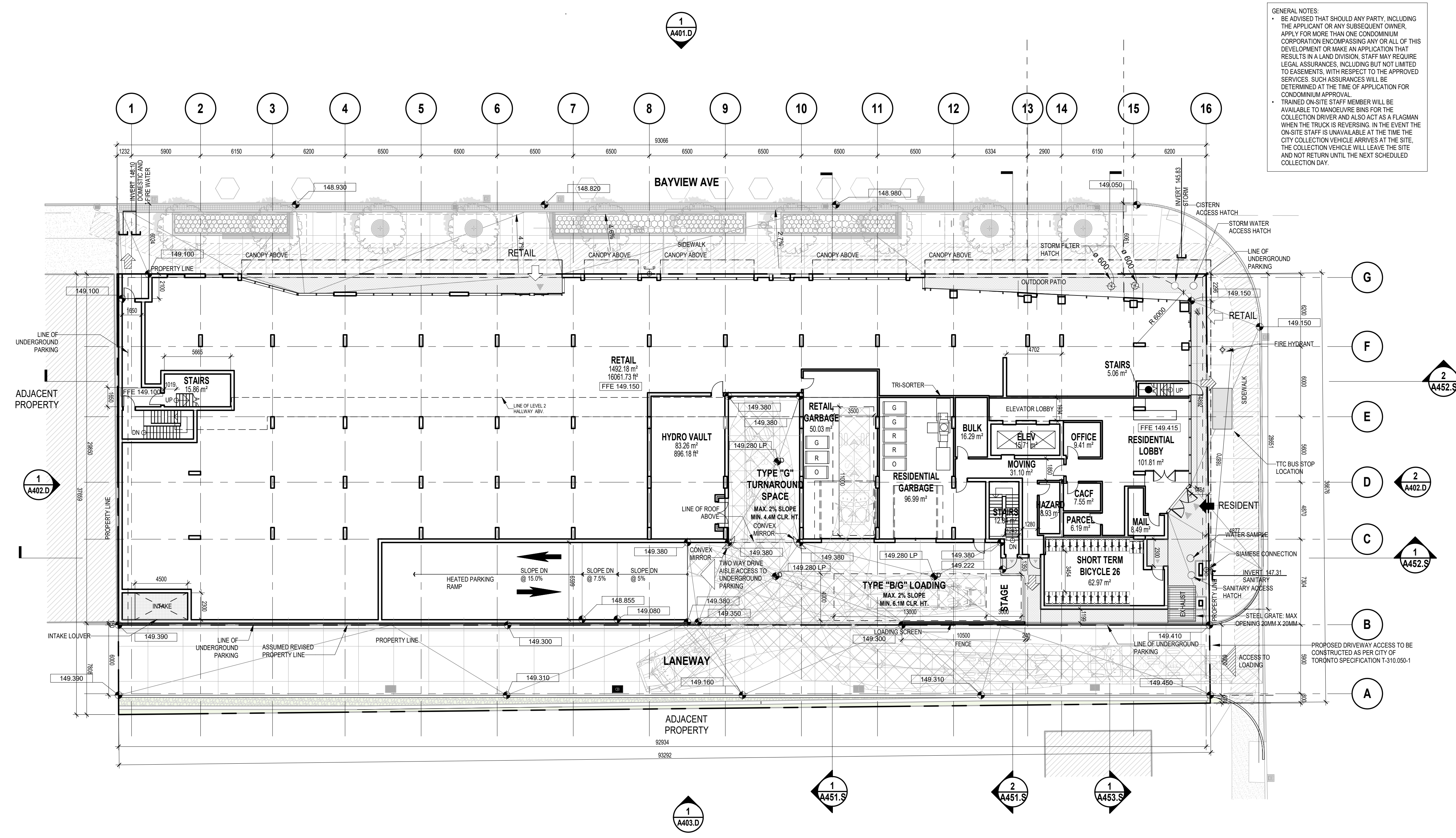
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1 Ground Floor
A201.S SCALE: 1:200

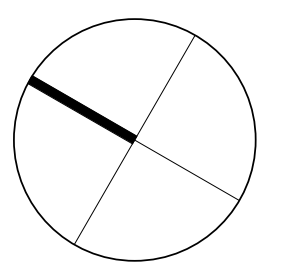


GENERAL NOTES:
• BE ADVISED THAT SHOULD ANY PARTY, INCLUDING THE APPLICANT OR ANY SUBSEQUENT OWNER, APPLY FOR MORE THAN ONE CONDOMINIUM CORPORATION ENCOMPASSING ANY OR ALL OF THIS DEVELOPMENT OR MAKE AN APPLICATION THAT RESULTS IN A LAND DIVISION, STAFF MAY REQUIRE LEGAL ASSURANCES, INCLUDING BUT NOT LIMITED TO EASEMENTS, WITH RESPECT TO THE APPROVED SERVICES. SUCH ASSURANCES WILL BE DETERMINED AT THE TIME OF APPLICATION FOR CONDOMINIUM APPROVAL.
• TRAINED ON-SITE STAFF MEMBER WILL BE AVAILABLE TO MANOEUVRE BINS FOR THE COLLECTION DRIVER AND ALSO ACT AS A FLAGMAN WHEN THE TRUCK IS REVERSING. IN THE EVENT THE ON-SITE STAFF IS UNAVAILABLE AT THE TIME THE CITY COLLECTION VEHICLE ARRIVES AT THE SITE, THE COLLECTION VEHICLE WILL LEAVE THE SITE AND NOT RETURN UNTIL THE NEXT SCHEDULED COLLECTION DAY.

LEGEND

- PROPERTY LINE
- - - LINE OF UNDERGROUND GARAGE BELOW
- ➔ MAIN BUILDING ENTRANCE
- ➔ RETAIL ENTRANCE
- ➔ EXIT
- ➔ VEHICLE ENTRANCE / EXIT
- ▨ TYPE "G" LOADING SPACE
- ⬢ FIRE HYDRANT
- ⊕ SIAMESE CONNECTION
- MANHOLE COVER
- F.F.E. FINISH FLOOR ELEVATION
- ⊞ BICYCLE STORAGE (FLOOR MOUNTED)
- ⊞ BICYCLE STORAGE (WALL MOUNTED)
- ⊞ BICYCLE STORAGE (STACKED FLOOR MOUNTED)

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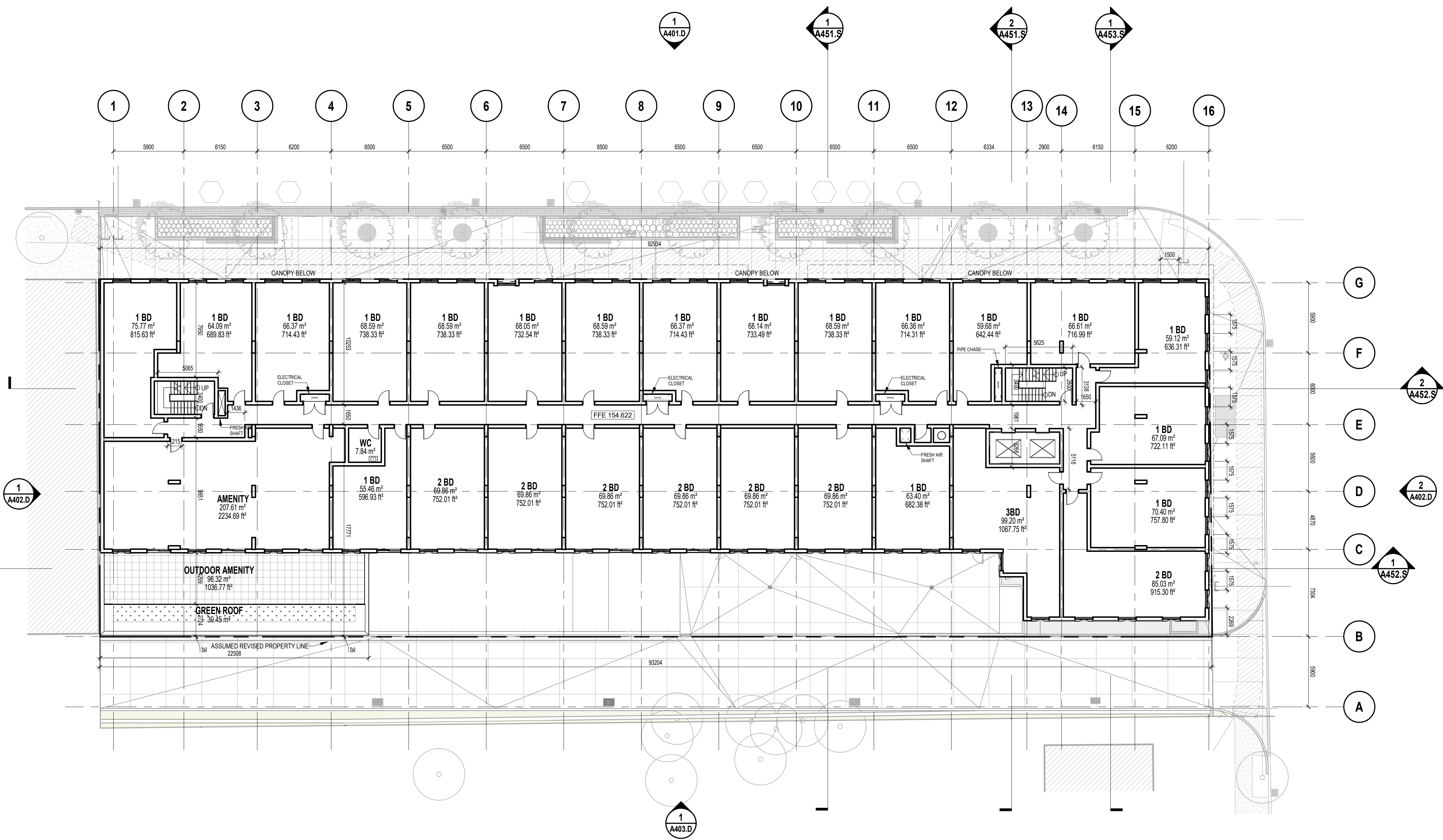
Bayview Davisville
Toronto, Ontario
for
Medallion Properties Inc.

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PROJECT SCALE DRAWN REVIEWED

Ground Floor Plan
A201.S

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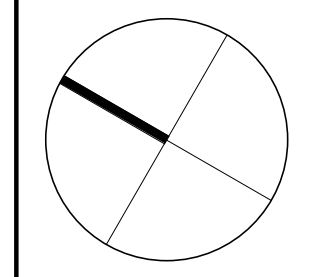
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Date	No.	Description
REVISION RECORD		

Sep 24 2020	Rezoning & SPA Application
Dec 17 2021	Rezoning & SPA Resubmission

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Bayview Davisville
 Toronto, Ontario
 for
 Medallion Properties Inc.

18063 1:200 JS OA
 PROJECT SCALE DRAWN REVIEWED

Floor 2 Plan

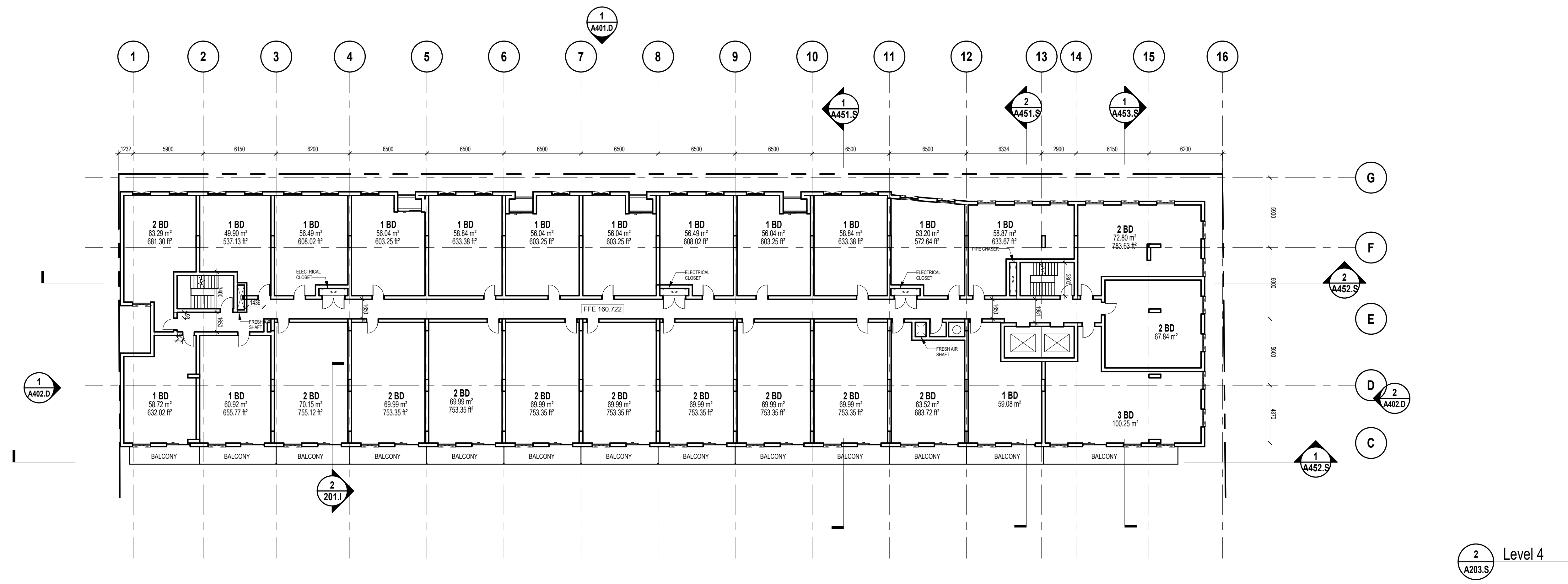
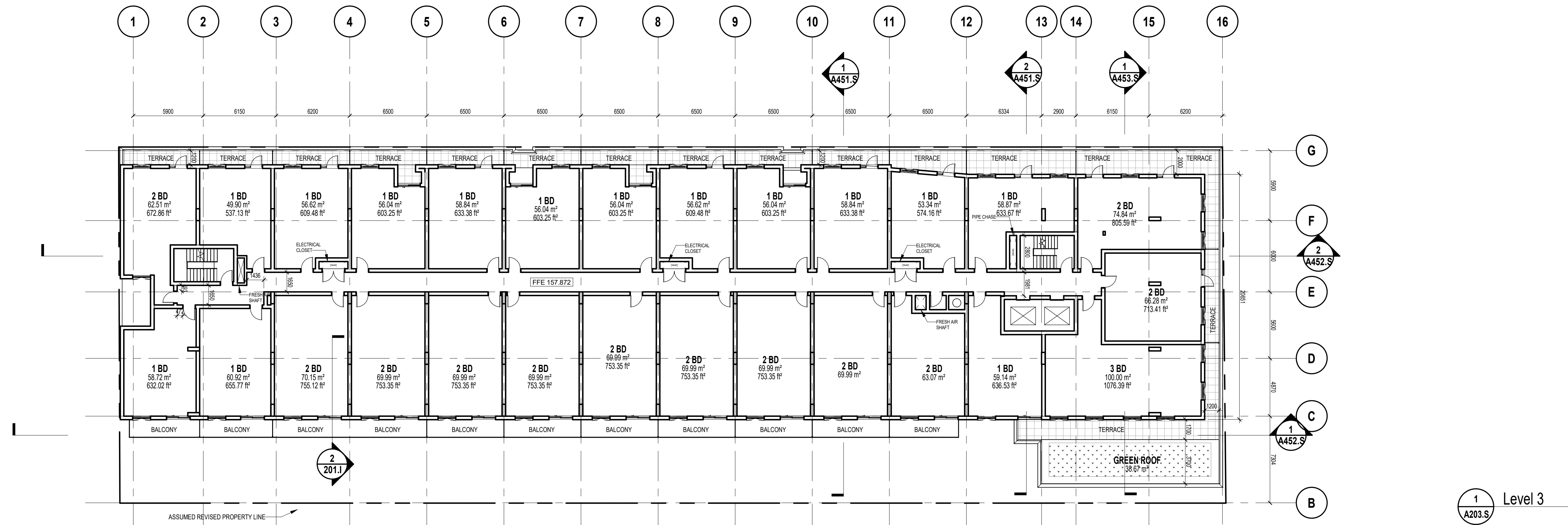
A202.S

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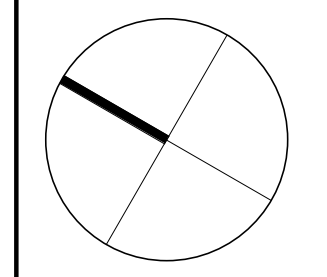
1 Level 2 Plan
 A202.S SCALE: 1:200

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Date	No.	Description
REVISION RECORD		
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Bayview Davisville
 Toronto, Ontario
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 Medallion Properties Inc.

18063 1:200 JS OA
 PROJECT SCALE DRAWN REVIEWED

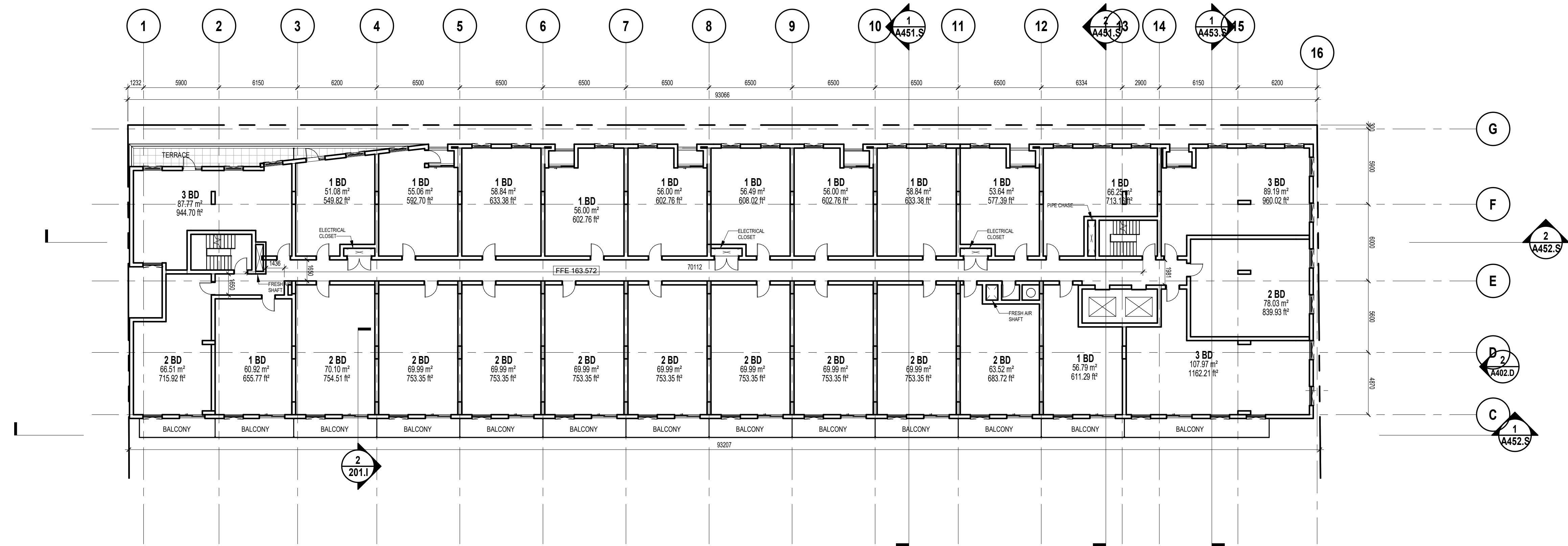
Plans of Level 3 and 4

A203.S

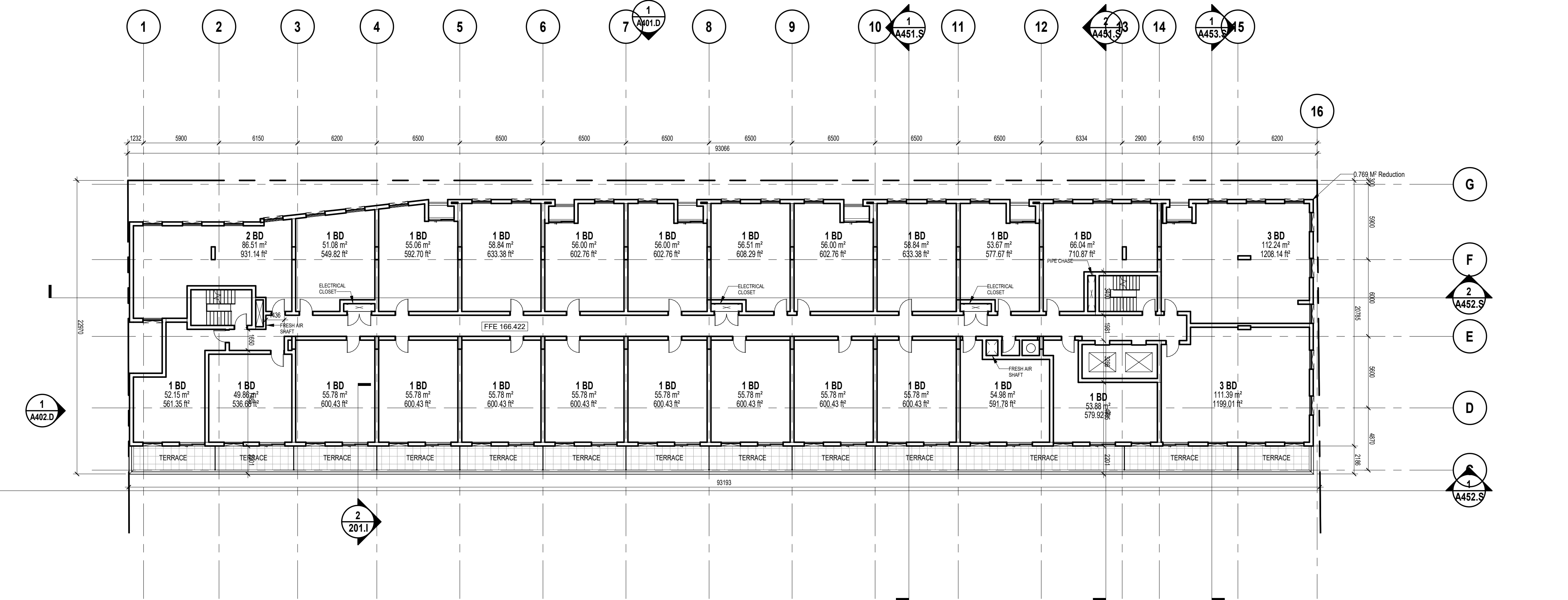
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1 A204.S Level 5

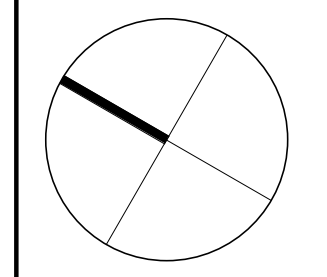


2 A204.S Level 6 Plan

Date	No.	Description
Sep 24 2020		Rezoning & SPA Application
Dec 17 2021		Rezoning & SPA Resubmission

REVISION RECORD

ISSUE RECORD



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Bayview Davisville
 Toronto, Ontario
 for
 Medallion Properties Inc.

18063 1:200 JS OA
 PROJECT SCALE DRAWN REVIEWED

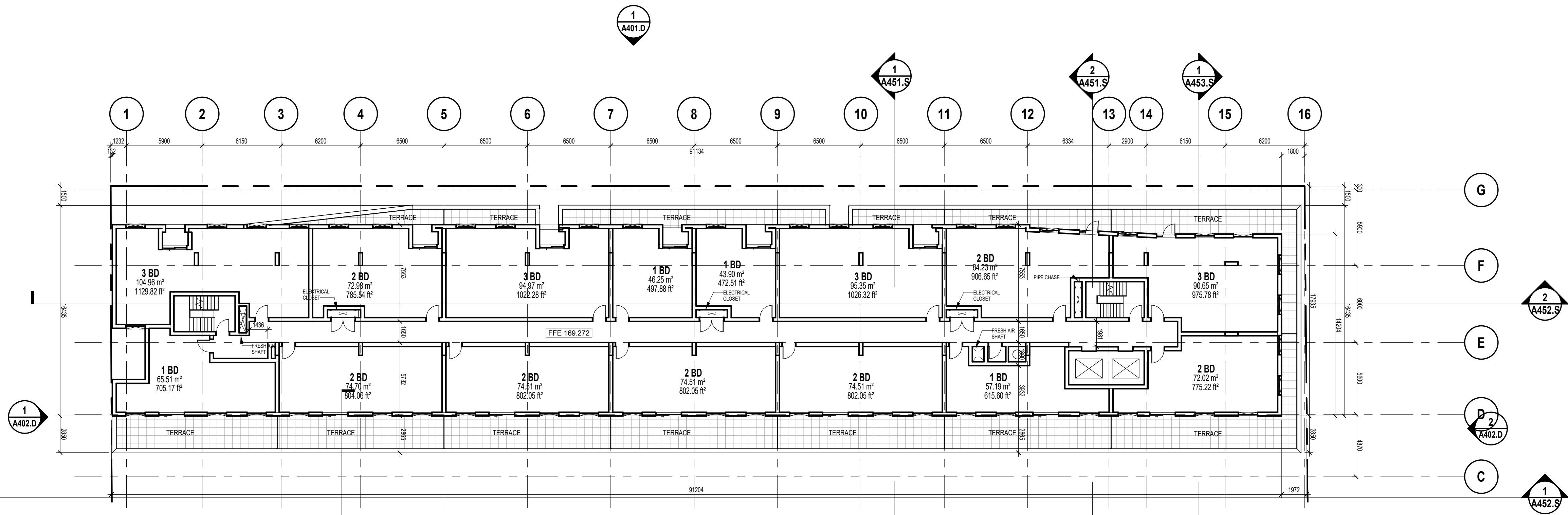
Plans of Level 5 and 6

A204.S

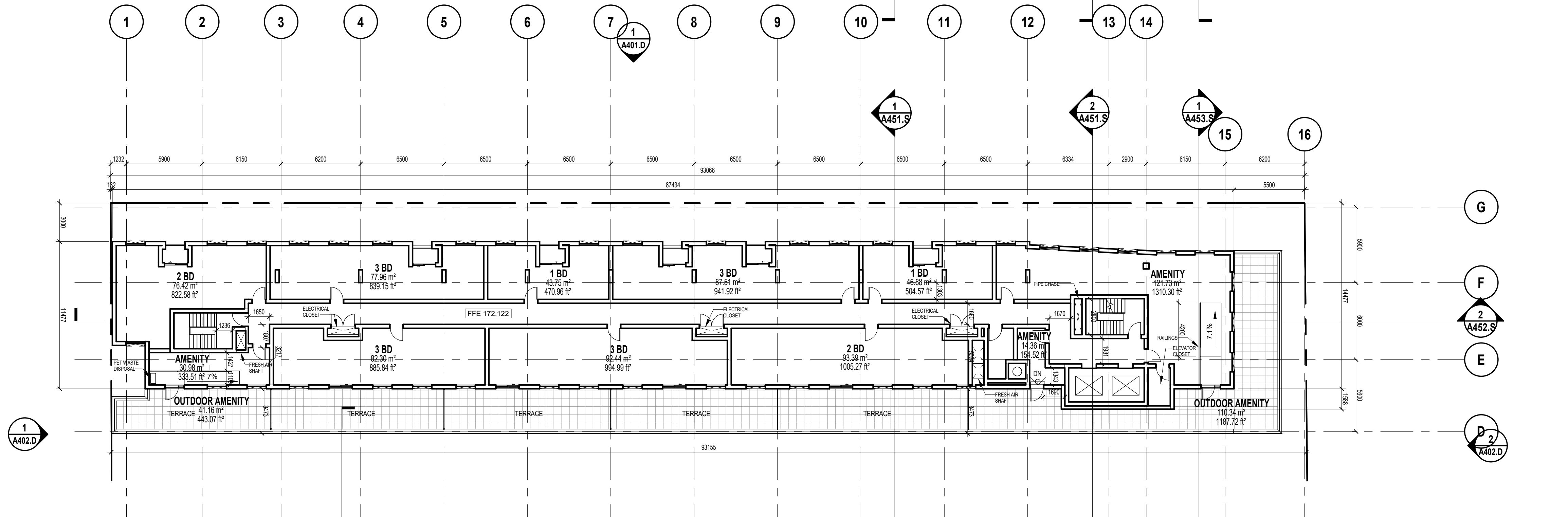
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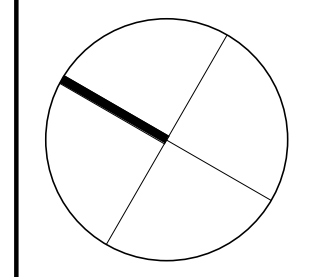


1 Level 7 Plan
A205.S



2 Level 8 Plan
A205.S

Date	No.	Description
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Sep 24 2020		Rezoning & SPA Application
May 26 2023		Issued for City Negotiation
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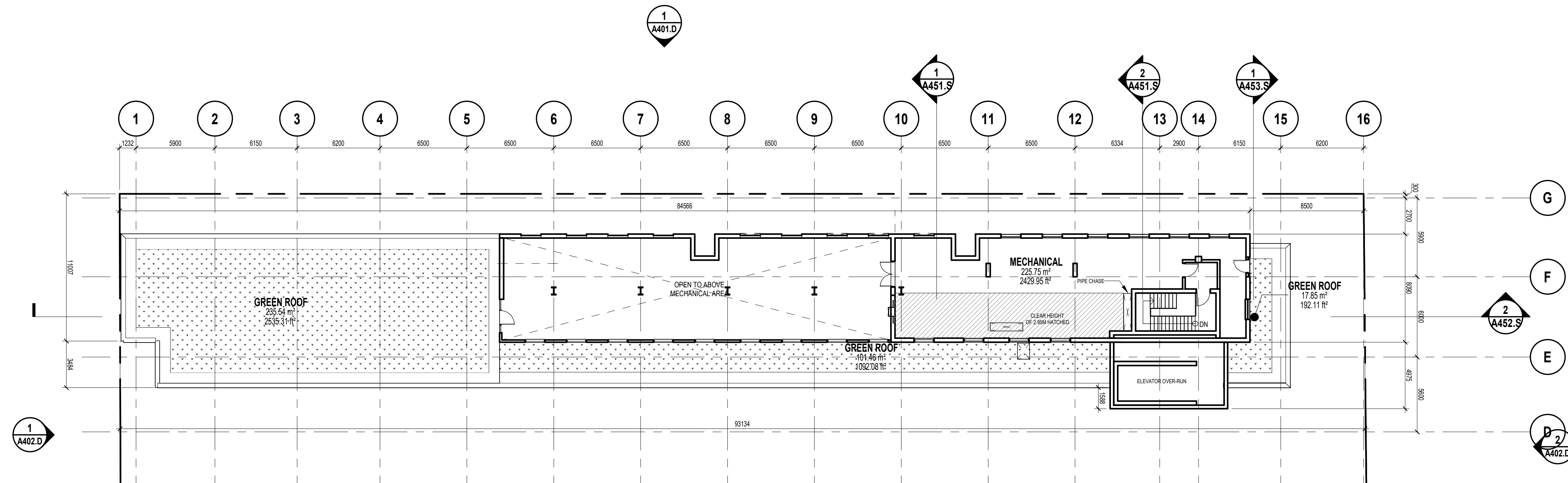
Bayview Davisville
Toronto, Ontario
for
Medallion Properties Inc.

18063 1:200 JS OA
PROJECT SCALE DRAWN REVIEWED

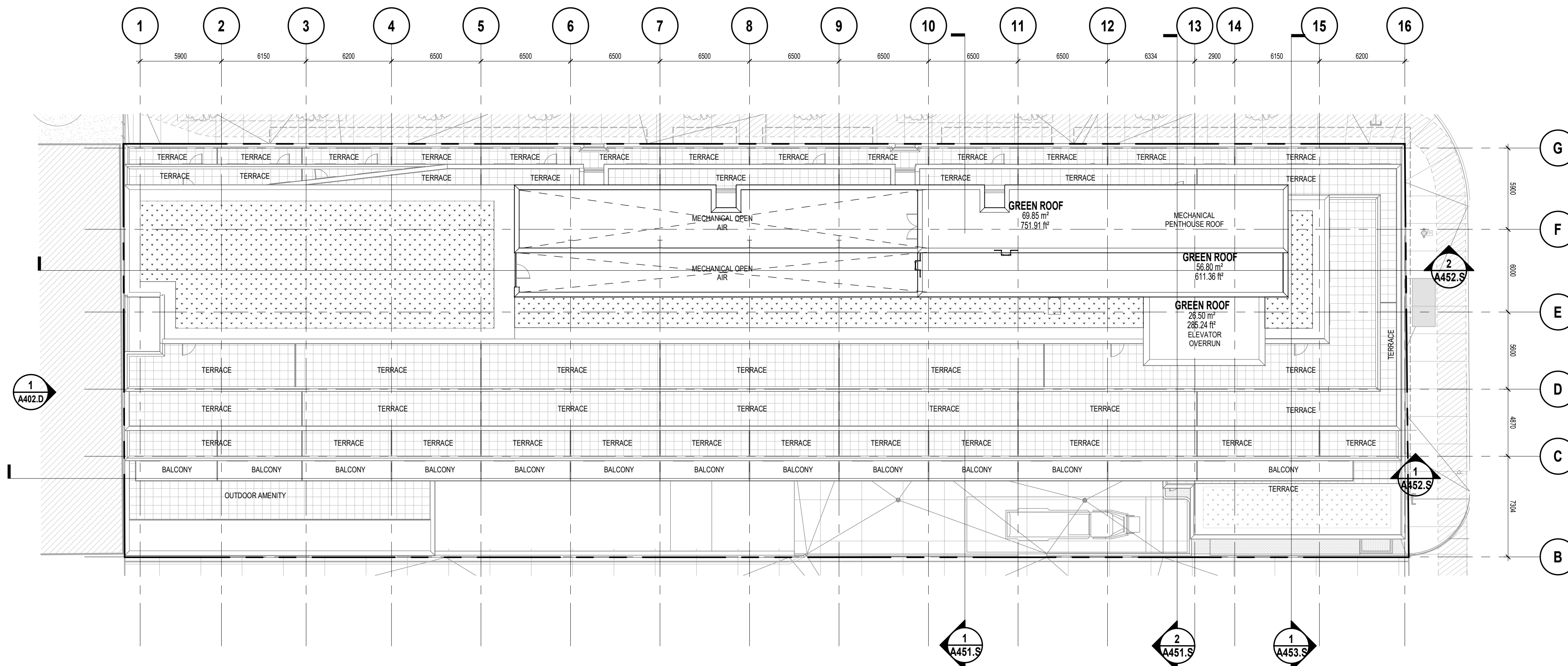
Plans of Level 7 and 8

A205.S

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1 Level Mechanical Plan
A206.S

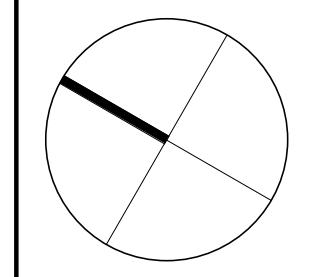


2 Roof
A206.S

Date	No.	Description
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Plans of Mechanical Penthouse
 and Roof

A206.S

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1 East Elevation
A401.S SCALE: 1 : 200

LEGEND:

- B1 BRICK - LIGHT
- B2 HOLLOW BRICK - DARK
- C1 CONCRETE COLUMN
- C2 PRECAST CONCRETE
- D1 OVERHEAD METAL DOOR
- M1 ALUM CLADDING SYSTEM - DEEP YELLOW
- R1 RAILING - GLASS
- W1 WINDOW SYSTEM - VISION GLASS
- W2 WINDOW SYSTEM - VISION GLASS RES. (BIRD PROTECTION)
- W3 WINDOW SYSTEM - VISION GLASS RETAIL (BIRD PROTECTION)
- W4 WINDOW SYSTEM - METAL SPANDREL PANEL
- W5 WINDOW SYSTEM - GLASS SPANDREL PANEL

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Building Elevations

A401.S

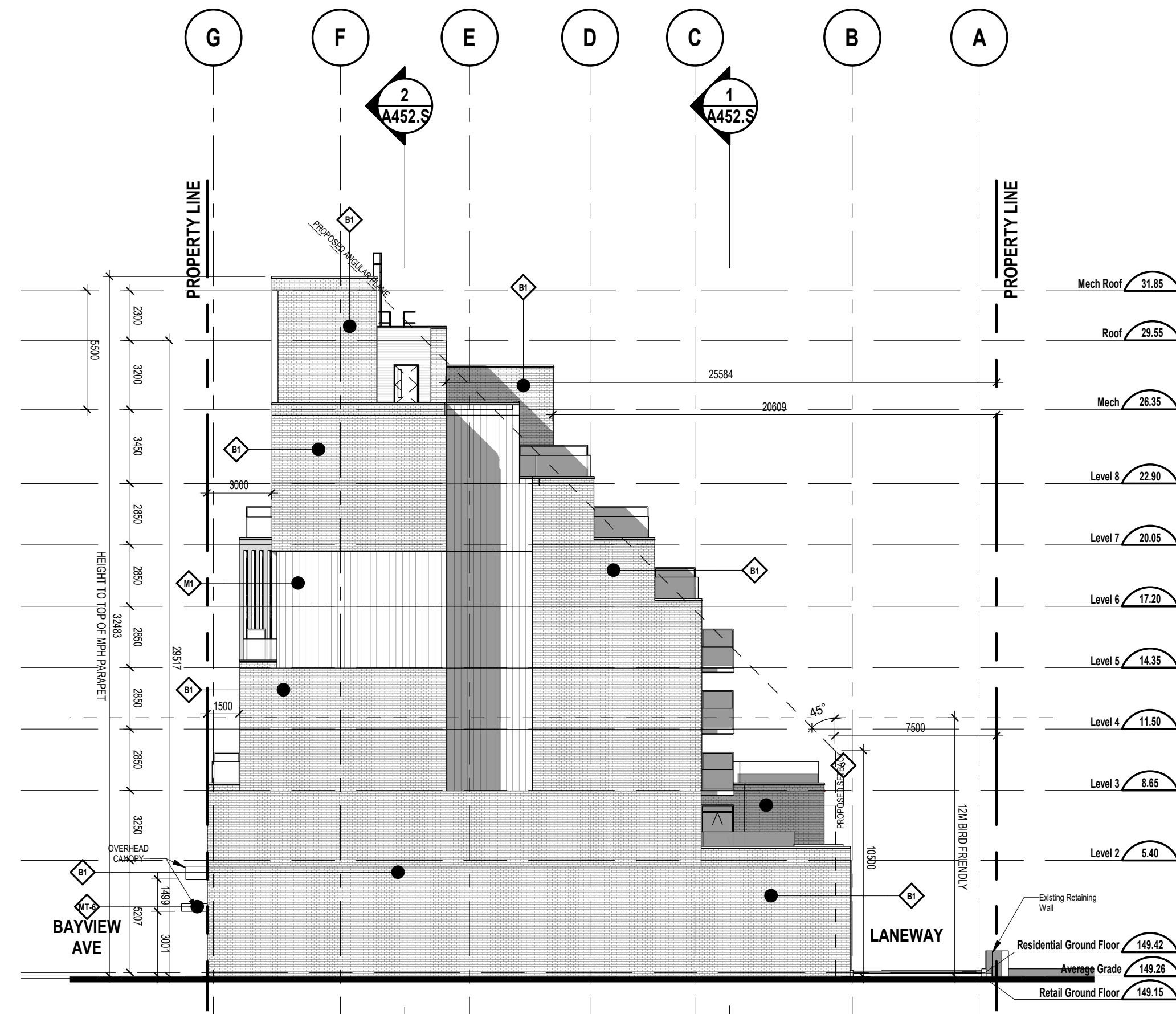
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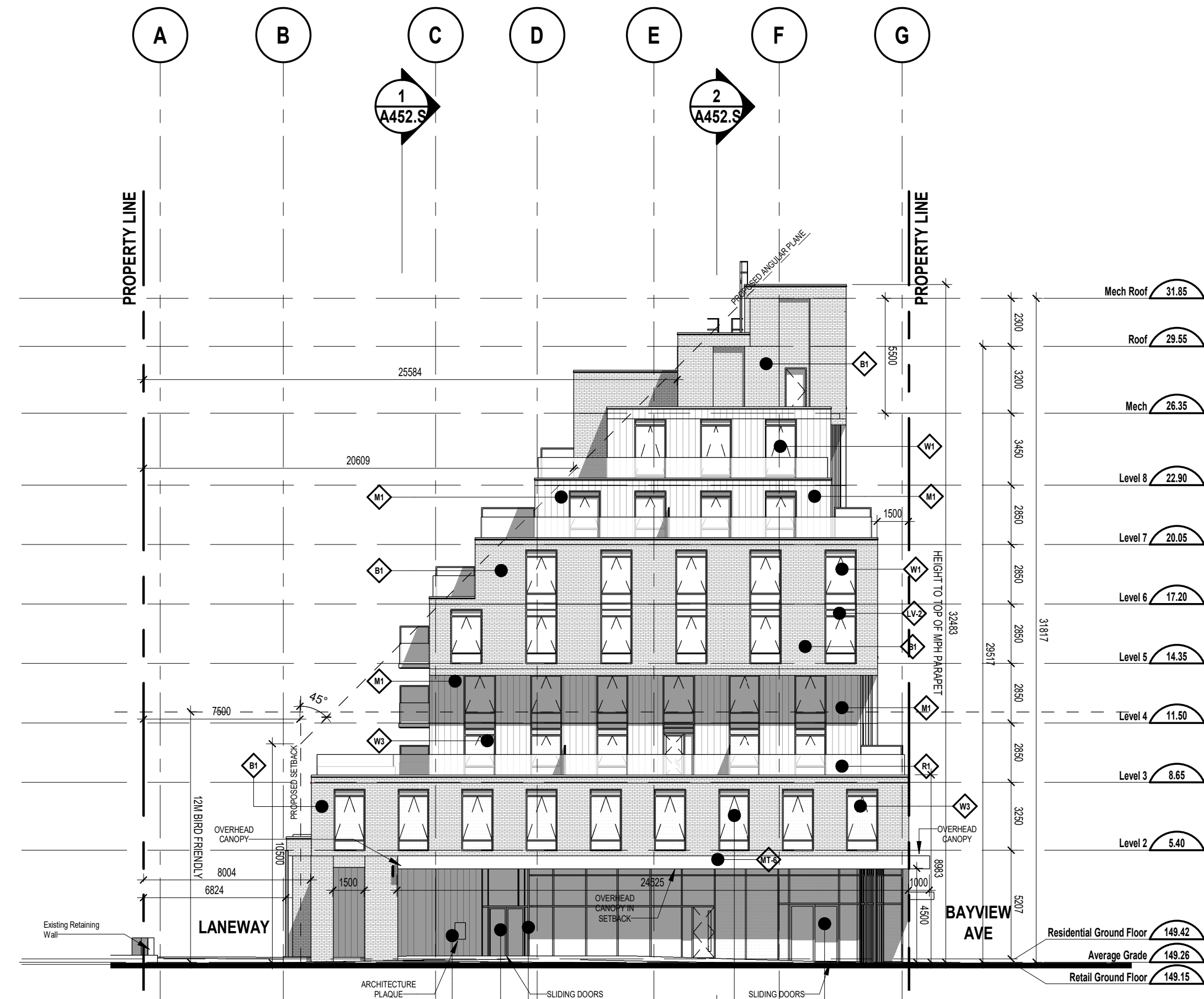
2 West Elevation
A401.S SCALE: 1 : 200

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1 North Elevation
SCALE: 1:200



2 South Elevation
SCALE: 1:200

LEGEND:

- B1 BRICK - LIGHT
- B2 HOLLOW BRICK - DARK
- C1 CONCRETE COLUMN
- C2 PRECAST CONCRETE
- D1 OVERHEAD METAL DOOR
- M1 ALUM CLADDING SYSTEM - DEEP YELLOW
- R1 RAILING - GLASS
- W1 WINDOW SYSTEM - VISION GLASS
- W2 WINDOW SYSTEM - VISION GLASS RES. (BIRD PROTECTION)
- W3 WINDOW SYSTEM - VISION GLASS RETAIL (BIRD PROTECTION)
- W4 WINDOW SYSTEM - METAL SPANDREL PANEL
- W5 WINDOW SYSTEM - GLASS SPANDREL PANEL

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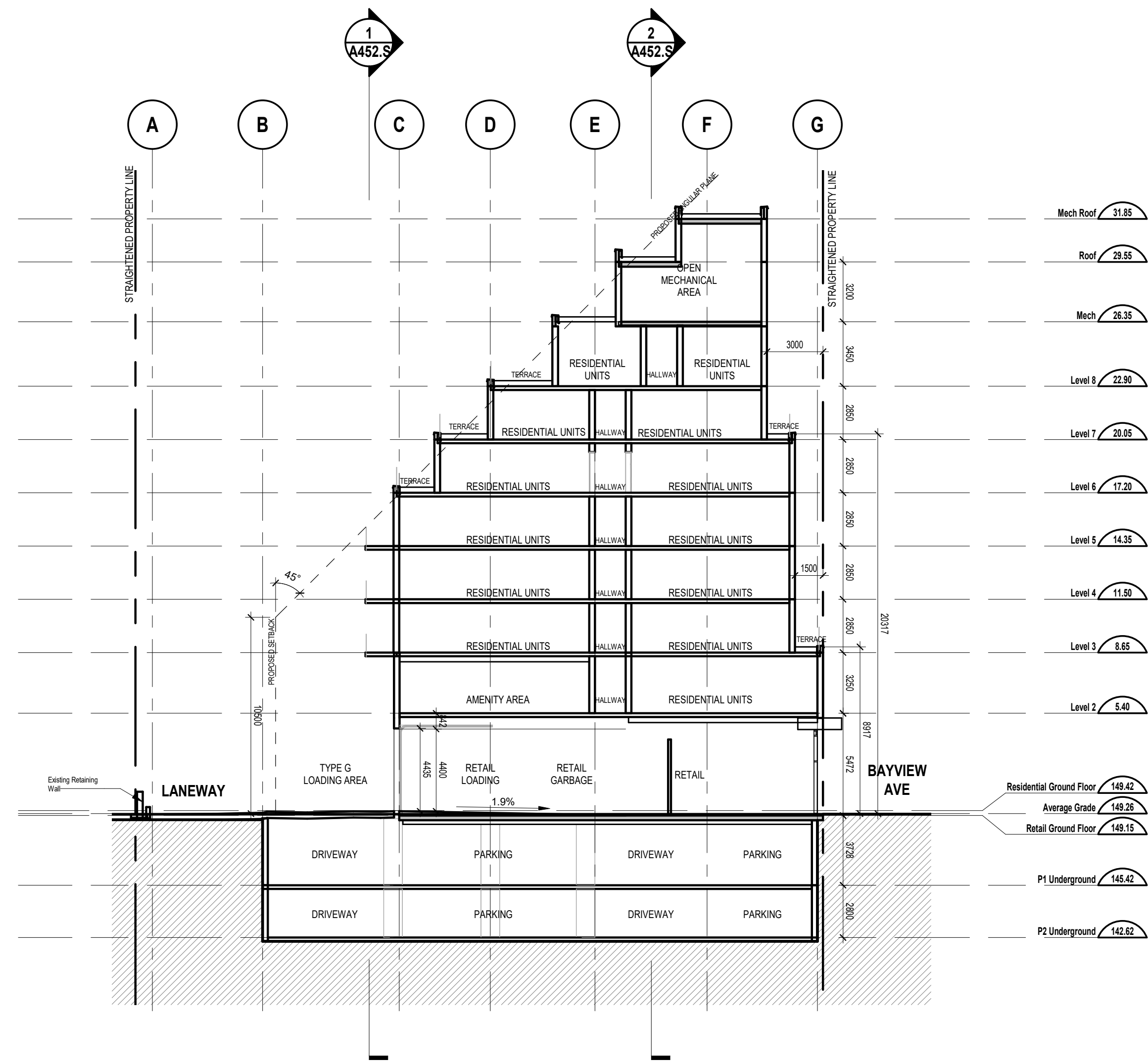
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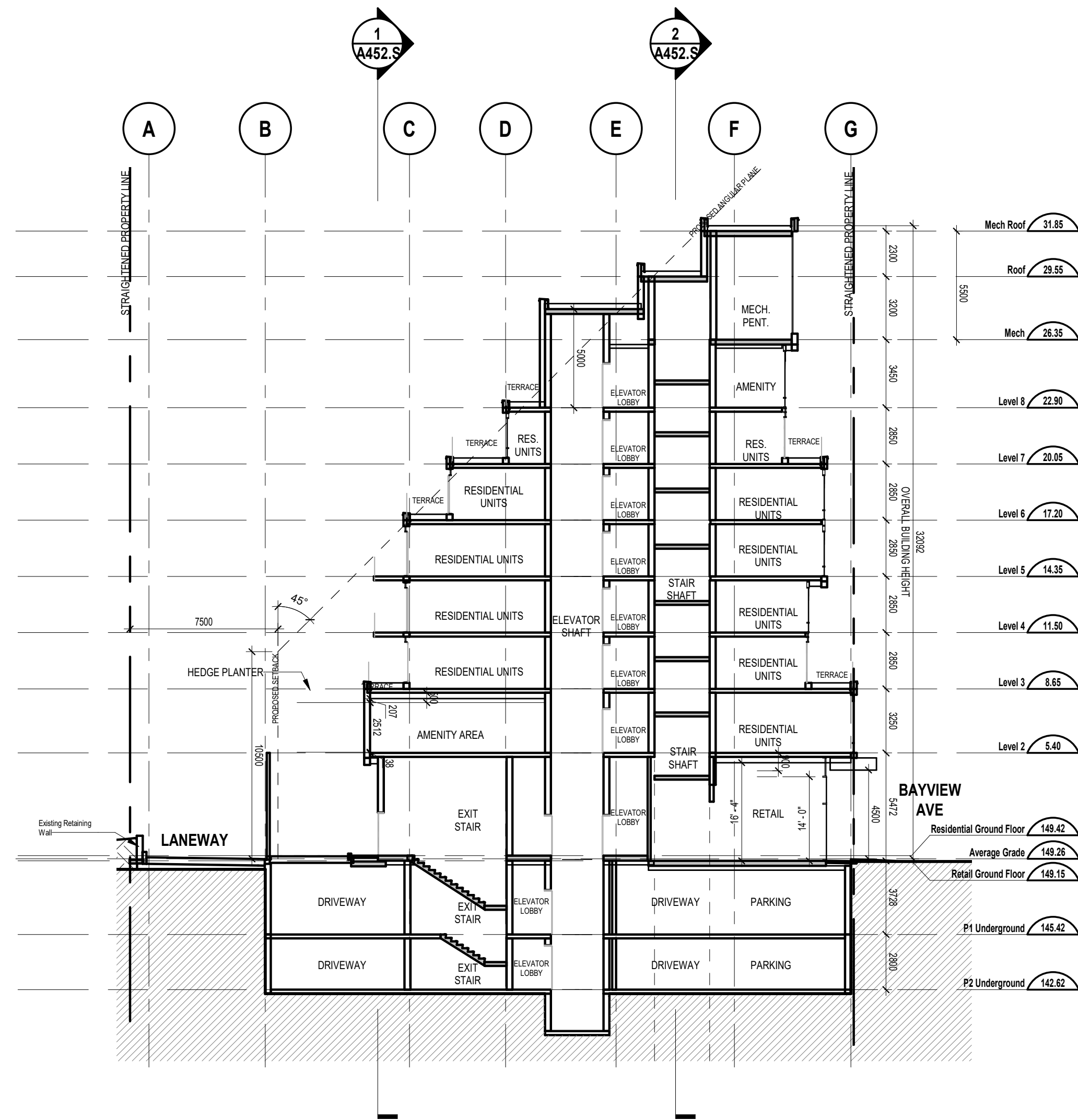
Building Elevations

A402.S

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1 Section @ Loading Turn Around Area
A451.S SCALE: 1:200



2 Section @ Elevator Shaft
A451.S SCALE: 1:200

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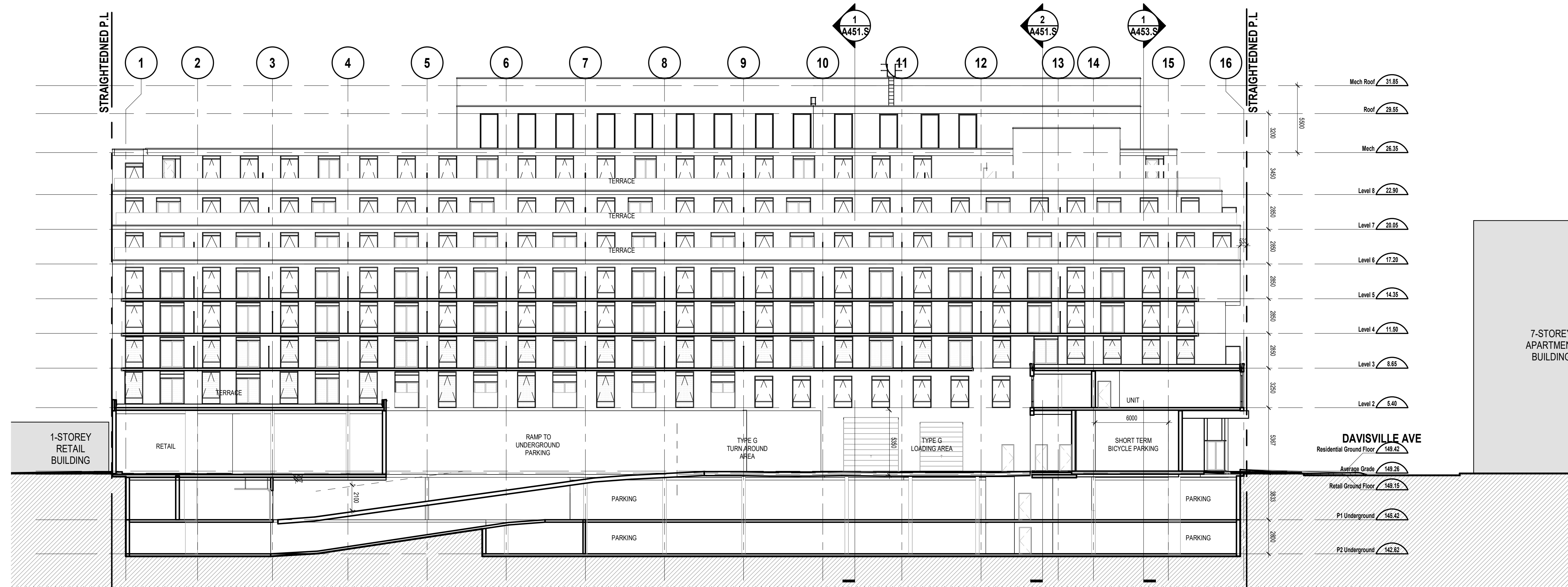
Building Sections

A451.S

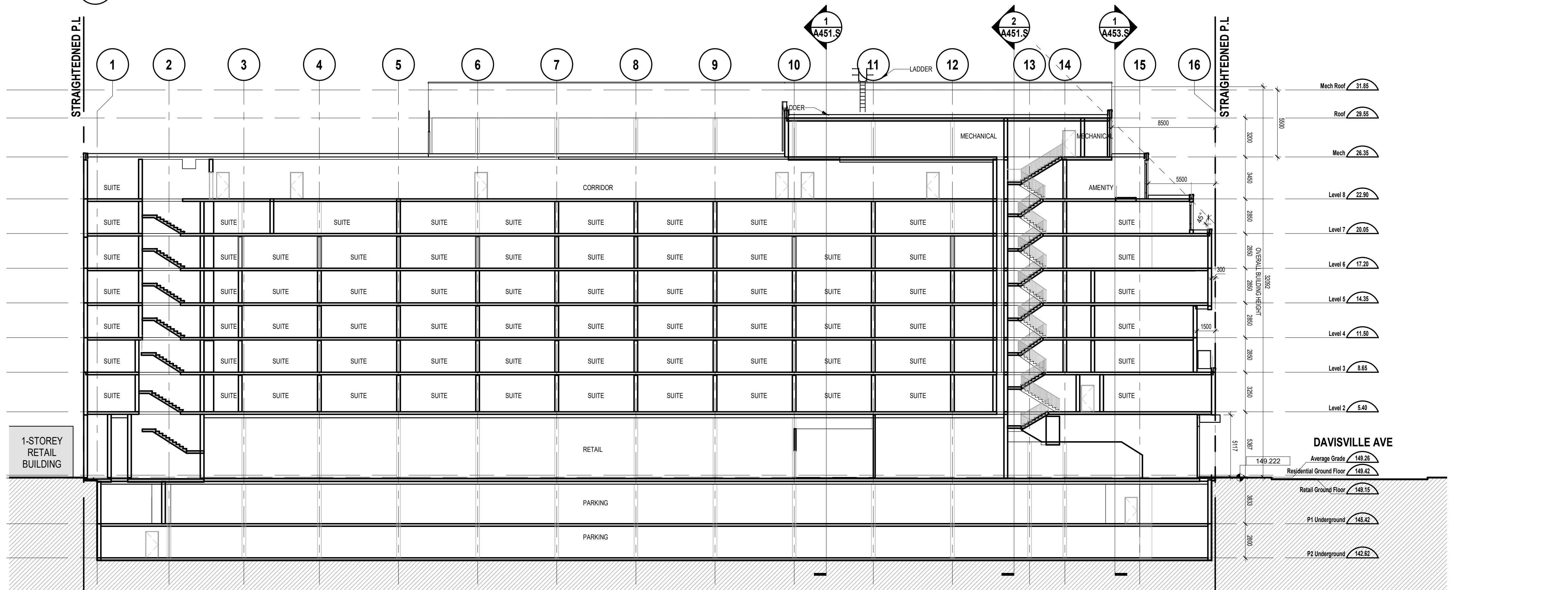
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1 North - South Section @ Underground Parking Ramp
A452.S



2 North - South Section @ Elevator Core
A452.S

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Building Sections

A452.S

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