



\*Aaron Platt Professional Corporation

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## **CONFIDENTIAL & WITHOUT PREJUDICE**

November 30, 2023

VIA EMAIL (<u>Mark.Crawford@toronto.ca</u> & <u>Uttra.Gautam@toronto.ca</u>)

City of Toronto Legal Services Metro Hall, 26<sup>th</sup> Floor 55 John Street Toronto ON M5V 3C6

Attention: Mark Crawford, Counsel &

Uttra Gautam, Counsel

Dear Sir:

RE: Confidential & Without Prejudice Settlement Offer

OLT File No.: OLT-22-004109

Subject Lands: 699-711 Lawrence Avenue West (the "Subject Lands")

Applicant/Appellant: Midtown West Residences Ltd.

City File No.: 22 110042 NNY 08 OZ

As you are aware, we are counsel to Midtown West Residences Ltd. ("Midtown"), the registered owner ("Owner") of 699-711 Lawrence Avenue West and the Applicant/Appellant in respect of the above-noted application for a Zoning By-law amendment (the "Application").

After considerable effort, and a productive Tribunal-led mediation held on September 13 and 28, 2023, we are pleased to transmit this letter to you outlining the terms of Midtown's offer to settle its appeal before the Ontario Land Tribunal (the "**Tribunal**") of the Application (the "**Appeal**").

As a result of the mediation process, our client made several revisions to the mixed-use residential building contemplated by the Application (the "**Proposal**") as more particularly identified in Schedule "A" to this letter.

The proposed revisions include significant changes to the built form design of the Proposal including the removal of balconies from the second and third storey of the residential component of the Proposal. The number of residential storeys was reduced from forty (40) to thirty-eight (38). Additionally, setbacks at grade were increased from the south and west property lines; and significant stepbacks from the podium and southern property line to the residential tower were realized on all faces of the Proposal.

Additionally, per the discussion at mediation and at the request of the City of Toronto ("City"), Midtown is prepared to accept a holding provision with respect to the Zoning By-law amendment related to any required improvements to the municipal infrastructure and provision of an updated Functional Servicing Report.

On the basis of the revised form of the Proposal, we are pleased to confirm that our client is prepared to settle its Appeal in accordance with the following terms:





- 1. The parties will agree to jointly request that the Tribunal:
  - a. Approve the proposed Zoning By-law Amendment, with the inclusion of a holding provision, in a form that is satisfactory to the City (as more particularly noted below), to permit the Proposal based on the revised architectural plans prepared by CORE Architects Inc., dated November 9, 2023, enclosed herewith (the "Revised Plans");
  - b. Withhold its final Order approving the Zoning By-law Amendment to permit the Proposal to be withheld until the Tribunal receives confirmation from the City Solicitor that:
    - i. the Owner has satisfactorily addressed matters related to Transportation Services and Engineering and Construction Services as outlined in the City's Engineering and Construction Services Memorandum, dated April 21, 2022; and provided updated technical reports and studies related to transportation matters, if required, to the satisfaction of the General Manager, Transportation Services and Chief Engineer and Executive Director, Engineering and Construction Services;
    - the Owner has addressed all outstanding issues raised by Urban Forestry, Tree Protection and Plan Review as they relate to the Application, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor;
    - iii. the Owner has provided written confirmation that the final design plans provide space within the Proposal for installation of maintenance access holes and sampling ports on the private side, as close to the property line as possible, for both the storm and sanitary service connections, in accordance with the Sewers By-law Chapter 681.10;
    - iv. the Owner has submitted architectural plans reflecting the Proposal as approved in whole or in part, to the satisfaction of the Chief Planner and Executive Director, City Planning;
    - v. the Owner has submitted a Rental Housing Demolition and Conversion Declaration of Use and Screening Form; and confirmed in writing that if there are any affected rental housing units and/or dwelling rooms with existing tenants, that the Owner has submitted a tenant relocation and assistance plan to the satisfaction of the Chief Planner and Executive Director, City Planning, and the City Solicitor in accordance with Official Plan Policy 3.2.1.12;
    - vi. if applicable, the Owner has provided written confirmation that where a Rental Housing Demolition Application is necessary, that City Council, or the Chief Planner and Executive Director, City Planning where authorized to do so, has authorized the Rental Housing Demolition Application under Chapter 667 of the Toronto Municipal Code pursuant to Section 111 of the City of Toronto Act, 2006;





- vii. the Owner has submitted an updated and completed Toronto Green Standards (TGS) Checklist and Statistics Template, to the satisfaction of the Chief Planner and Executive Director, City Planning;
- viii. the final form and content of the Zoning By-law Amendment is to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning and such by-law amendment shall include the use of a holding symbol ("H") which restricts the uses of the Subject Lands to uses, buildings and structures in existence on the date of passage of the Zoning By-law Amendment until the following conditions are satisfied:
  - the Owner has submitted a revised Functional Servicing Report, which includes the determination of storm water runoff, sanitary flow and water supply demand resulting from the Proposal, and whether there is adequate capacity in the existing municipal infrastructure to accommodate the Proposal, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services:
  - 2. the Owner has made satisfactory arrangements with Engineering and Construction Services to enter 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 the Proposal, according to the accepted Functional Servicing Report accepted by the Chief Engineer and Executive Director of Engineering and Construction Services; and
  - 3. the Owner has provided financial securities for any upgrades or required improvements to the existing municipal infrastructure identified in the acceptable Functional Servicing Report and Stormwater Management Report, to support the Proposal, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, and General Manager, Toronto Water, where it has been determined that improvements or upgrades are required to support the Proposal. In requiring any off-site municipal infrastructure upgrades, the owner is to make satisfactory arrangements with Engineering & Construction Services for Work on the City's Right-of-Way.

Provided that, if the City and Owner cannot agree on the resolution of any of the conditions contained in paragraph 1.b., above, the parties acknowledge and agree that the Tribunal may be spoken to resolve any such disagreement.

For ease of reference, a summary table outlining key differences between our client's settlement proposal and the plans that were originally submitted in support of its application is attached hereto as Schedule "A".

This offer to settle will expire upon the conclusion of the meeting of Council for the City of Toronto scheduled to commence on Wednesday, December 13, 2023.



I trust this is satisfactory, however, should you have any questions please don't hesitate to contact me.

Yours truly,

**LOOPSTRA NIXON LLP** 

Per: Aaron Platt AIP/ras

Enclosures as above



## **SCHEDULE "A"**

	C	Original Submission		ithout Prejudice evised Proposal	
Number of Residential Storeys		40		38	
Height		126.16 m		122.56 m	
		+ 5.5 m mech PH	+	6 m mech PH	
Unit Mix	Studio:	46	Studio:	128	
	1-bed:	226	1-bed:	162	
	2-bed:	52	2-bed:	59	
	3-bed:	36	3-bed:	39	
GFA		22,910 m <sup>2</sup>	22980.62 m <sup>2</sup>		
Amenity Area Provided*	Indoor:	669.98 m <sup>2</sup> (720 m <sup>2</sup> )	<sup>2</sup> ) Indoor: 587.75 m <sup>2</sup> (776		
	Outdoor	785.12 m <sup>2</sup> ( 720 m <sup>2</sup> )	Outdoor:	846.56 m <sup>2</sup> (776 m <sup>2</sup> )	
*By-law standard in parenthesis	Total:	1455.10 m <sup>2</sup> ( 1440 m <sup>2</sup> )	Total: 1434.31 m <sup>2</sup> (1552		
Parking Spaces	Residen	t: 99	Resident:	118	
	Visitor:	36	Visitor:	6	
Bicycle Parking Spaces	Long-ter	rm: 325	Long-term:	351	
	Short-te	rm: 76	Short-term	: 43	
Setbacks At Grade	North:	1.5 m	North:	1.5 m	
	East:	0 m	East:	0 m	
	South:	5.5 m	South:	7.5 m	
	West:	0 m	West:	5.5 m	
Stepbacks	North:	1.5 m @ Podium	North:	1.5 m @ Podium	
		3 M @ Tower		3 M @Ground To	
GL = Grid Line	East:	0 M @ Podium		3 <sup>rd</sup> GI 1 - 3	
		12.5 M @ Tower		3 M @ Tower	
	South:	5.5 M @ GI 1 – 4 Podium	East:	0 M @ Podium	
		7.5 M @ GI 4 – 9 Podium		12.5 M @ Tower	
		12.5 M @ Tower	South:	7.5 M @ Podium	
	West:	0 M @ Podium		12.5 M @ Tower	
		2.5 M @ Tower	West:	5.5 M @ Podium	
				8.5 M @ Tower	
			20m radius	from tower to south west roperty.	





699-711 LAWRENCE AVE. W.

	03	ISSUED FOR CITY REVIEW	09 NOVEMBER 2022		
	02	ISSUED FOR SITE PLAN APPROVAL	25 APRIL 2022		
	01	ISSUED FOR REZONING	16 DECEMBER 2021		
	No.	Revisions	Date		
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ISSUED FOR CITY REVIEW 09 NOVEMBER 2023



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Checked	Date 18 AUG 2023
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09 NOVEMBER 2022

16 DECEMBER 2021

25 APRIL 2022

Date

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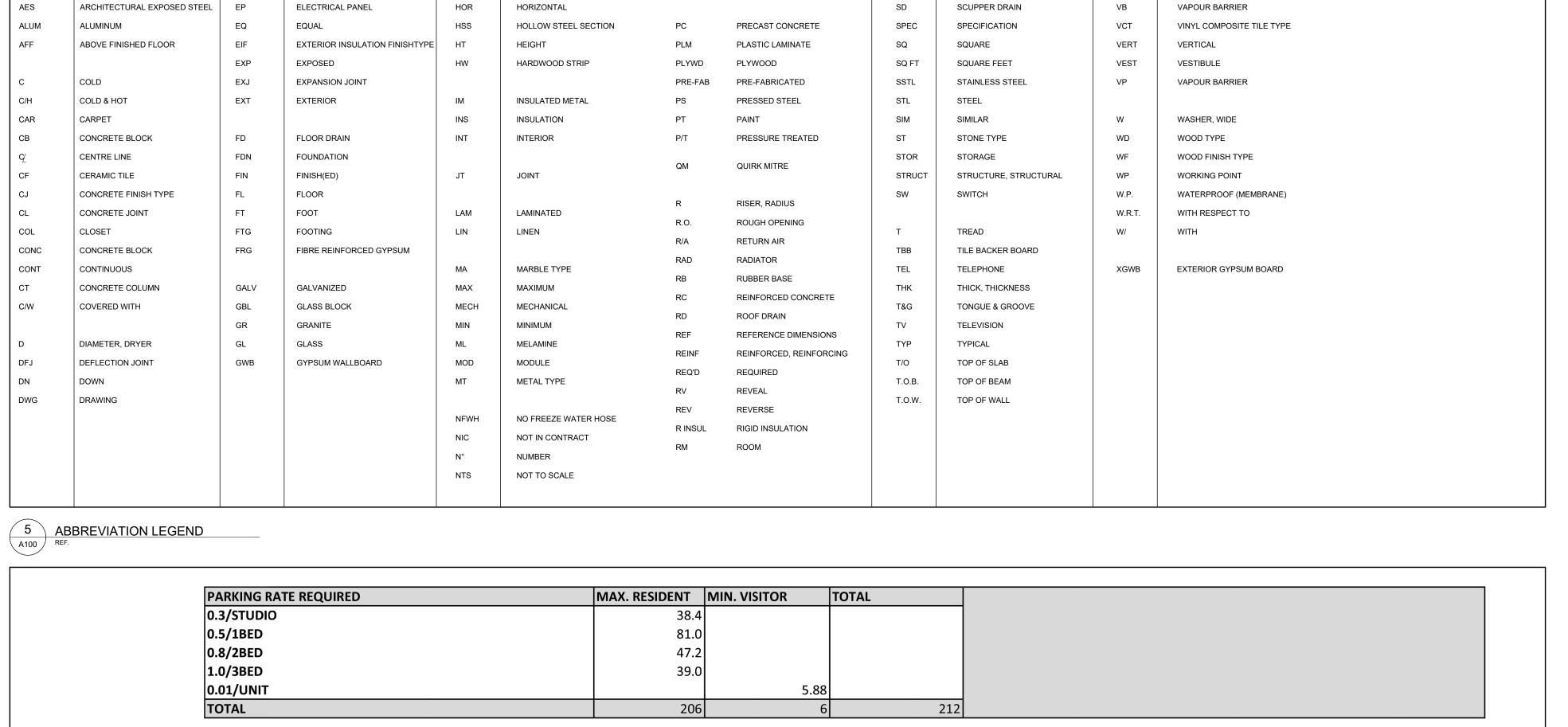
699-711

LAWRENCE AVE. W.

Toronto, Ontario

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INFO@COREARCHITECTS.COM WWW.COREARCHITECTS.COM



0/C ON CENTRE

HOLLOW METAL

OUTSIDE DIAMETER

U/S

SUPPLY AIR

SEALED CONCRETE

		•	6 212		
PARKING PROVIDED	RESIDENT	VISITOR	TOTAL	MIN. REQUIRED ACCESSIBLE	PROVIDED ACCESSIBLE
P-1 TO P-5		118	6 124	9	9
		l	Jan. 200	<b></b>	
BIKE PARKING REQUIRED		LONG TERM	SHORT TERM	TOTAL	
RESIDENTIAL	0.9/UNIT	349		350	
VISITOR	0.1/UNIT		38.8	39	
RETAIL			1	<b>↓</b> 5	
TOTAL		350	.2 42.8	394	
BIKE PARKING PROVIDED		LONG TERM	SHORT TERM	TOTAL	
P-1		35		350	
GROUND			1 43		
TOTAL		35			
IOIAL		35	7.4	7	

699-711 LAWRENCE AVE WEST						
SITE AREA	1,829.31 SQ. M.	ZONING		CR1.0(C1.0L R1.0)SS3 (X2620)		
	19,691 SQ. FT.			CITY OF TORONTO BY LAW 569-2013		
PROGRAM	RESIDENTIAL (GROUP C), GROUND LEVEL TO LEVEL 38	RETAIL (GROUP E), GROUND LEV	/FI	ent et renente et ent ses est		
GROSS FLOOR AREA	PROPOSED	SQ. M.		SQ. FT.		
31.033 1 20 3 11 7 11 2 11 2 11 2 11 2 11 2 11 2 11	RESIDENTIAL ABOVE GRADE GFA =	22,616.62				
	RESIDENTIAL BELOW GRADE GFA =	208.39		243,443 1,795		
	RETAIL + RETAIL GARBAGE(GROUND)=	155.61		1,675		
	TOTAL =	22,980.62		246,913		
NO. DWELLING UNITS	STUDIO 1BED/1BED+DEN	2BED/2BED+DEN	3BED	TOTAL		
	128 UNITS 162 UNITS	59 UNITS	39 UNITS	388 UNITS		
	REQUIRED	PROPOSED				
FLOOR SPACE INDEX	N/A (REFER TO ZONING BY-LAW 569-2013)	12.45				
HEIGHT	SEE SCHEDULE (CR1.0; R1.0)SS3 (X2620)	128.56m TO ROOF OF MPH				
	DOWNSVIEW AIRPORT HAZARD MAP - MAX STRUCTURE HEIGHT 60.96m					
SETBACKS	SEE SCHEDULE (CR1.0; R1.0)SS3 (X2620)	SEE DRAWINGS				
LOADING	N/A (REFER TO ZONING BY-LAW 569-2013)	1 TYPE G LOADING SPACE				
OFF-STREET LOADING PASSENGER	N/A (REFER TO ZONING BY-LAW 569-2013)	N/A				
PERCENTAGE OF GROUND FLOOR AS RETAIL/COMMERCIAL	N/A (REFER TO ZONING BY-LAW 569-2013)	14.07%				
AMENITY SPACE	INTERIOR: 2 SQ. M./UNIT	INTERIOR AMENITY GROUND: 121.09 SQ M.				
	2 SQ. M. X 388 = 776 SQ. M.		LEVEL 7:	466.66 SQ M.		
	· · · · · · · · · · · · · · · · · · ·	TOTAL INTERIOR AMENITY		587.75 SQ M.		
	EXTERIOR: 2 SQ. M./UNIT	EXTERIOR AMENITY	GROUND:	276.08 SQ M.		
	2 SQ. M. X 388 = 776 SQ. M.		LEVEL 7:	570.48 SQ M.		
		TOTAL EXTERIOR AMENITY		846.56 SQ M.		
RESIDENTIAL PARKING	STUDIO (0.3 PARKING SPACE PER UNIT)		,			
	0.3 X 128 UNITS = 38.4					
	1BED/ 1BED+DEN (0.5 PARKING SPACE PER UNIT)	TOTAL OF 118 PARKING SPACES	TOTAL OF 118 PARKING SPACES PROVIDED AT P-2 TO P-5 PARKING LEVELS			
	0.5 X 162 UNITS = 81.0	OF WHICH 8 ACCESSIBLE PARKIN	IG SPACES PROVIDED AT P-2 AN	ND P-5		
	2BED/ 2BED+DEN (0.8 PARKING SPACE PER UNIT)		or which checks but in many or house the visus in a finite series in a			
	0.8 X 59 UNITS = 47.2					
	3BED (1.0 PARKING SPACE PER UNIT)					
	1.0 X 39 UNITS = 39.0					
	TOTAL PARKING SPACES = 206 PARKING SPACES					
VISITOR PARKING	0.01 PARKING PER UNIT + 2	TOTAL OF 6 PARKING SPACES PROVIDED AT P-1 PARKING LEVELS				
	0.01 X 388 UNITS = 4 + 2	OF WHICH 1 ACCESSIBLE PARKIN	IG SPACES PROVIDED AT P-1			
	TOTAL PARKING SPACES = 6 PARKING SPACES	S. T. I.S. I. AGESSIBE I ARRIVES I AGES I ROVIDED ATT I				
RESIDENTIAL LONG TERM BICYCLE PARKING	0.9 BIKE PARKING PER UNIT AS PER ZONING BY LAW	350 RESIDENTIAL BIKE PARKING	SPACES PROVIDED AT P-1 PARK	KING LEVEL		
	0.9 X 388 UNITS = 350	3 REPAIR BIKE STATIONS AT P-1 I	PARKING LEVEL			
RETAIL LONG TERM PARKING	RETAIL 142m2	1 RETAIL BIKE PARKING SPACES F	<del></del>			
	0.2 SPACES / 100m2 = 1					
RESIDENTIAL SHORT TERM BICYCLE PARKING	0.1 BIKE PARKING PER UNIT AS PER ZONING BY LAW	39 RESIDENTIAL SHORT TERM BI	KE PARKING SPACES PROVIDED	AT GROUND LEVEL		
	0.1 X 388 UNITS = 39	4 RETAIL SHORT TERM BIKE PARI				
		<b></b>				

	11.0 × 33 011113 33.0	
	TOTAL PARKING SPACES = 206 PARKING SPACES	
VISITOR PARKING	0.01 PARKING PER UNIT + 2	TOTAL OF 6 PARKING SPACES PROVIDED AT P-1 PARKING LEVELS
	0.01 X 388 UNITS = 4 + 2	OF WHICH 1 ACCESSIBLE PARKING SPACES PROVIDED AT P-1
	TOTAL PARKING SPACES = 6 PARKING SPACES	
RESIDENTIAL LONG TERM BICYCLE PARKING	0.9 BIKE PARKING PER UNIT AS PER ZONING BY LAW	350 RESIDENTIAL BIKE PARKING SPACES PROVIDED AT P-1 PARKING LEVEL
	0.9 X 388 UNITS = 350	3 REPAIR BIKE STATIONS AT P-1 PARKING LEVEL
RETAIL LONG TERM PARKING	RETAIL 142m2	1 RETAIL BIKE PARKING SPACES PROVIDED AT GROUND LEVEL
	0.2 SPACES / 100m2 = 1	
RESIDENTIAL SHORT TERM BICYCLE PARKING	0.1 BIKE PARKING PER UNIT AS PER ZONING BY LAW	39 RESIDENTIAL SHORT TERM BIKE PARKING SPACES PROVIDED AT GROUND LEVEL
	0.1 X 388 UNITS = 39	4 RETAIL SHORT TERM BIKE PARKING SPACES PROVIDED AT GROUND LEVEL
RETAIL SHORT TERM BICYCLE PARKING	3 PLUS 0.3 SPACES / 100m2	TOTAL OF 43 SHORT TERM SPACES PROVIDED
	TOTAL 4 SPACES	

(2)	STATISTICS SUMMARY
A100	REF.

ABBREVIATION LEGEND

ALUM

AREA DRAIN

ABOVE FINISHED FLOOR

CONCRETE BLOCK

CONCRETE FINISH TYPE

CONCRETE BLOCK

CONCRETE COLUMN

COVERED WITH

DIAMETER, DRYER

CONTINUOUS

CENTRE LINE

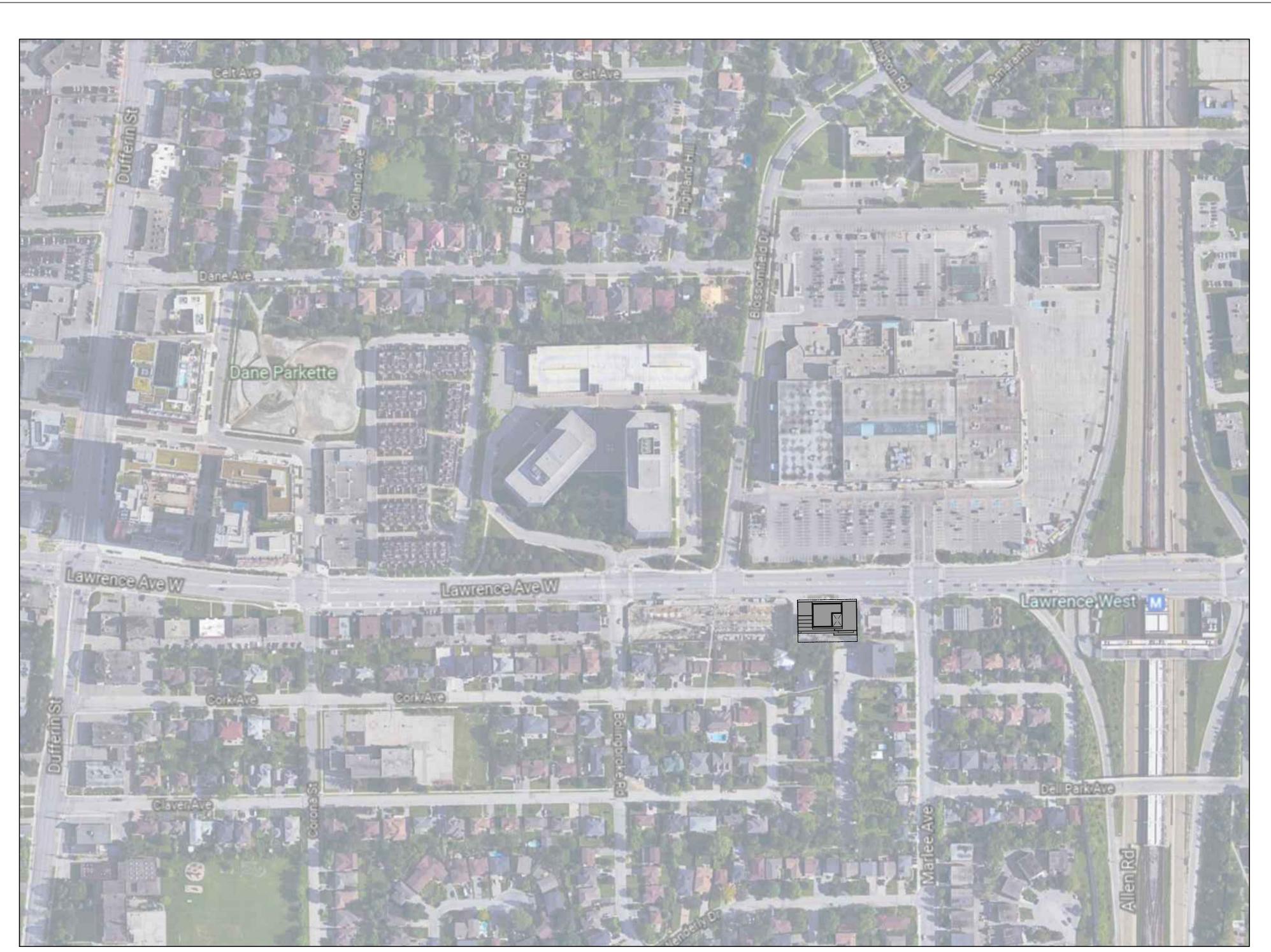
ARCHITECTURAL CONCRETE TYPE | EL

ELEVATION

ELECTRICAL

EDGE OF SLAB

ARCHITECTU	RAL DRAWING LIST				
DRAWING NO.	TITLE	CONSULTANT	DRAWING NO.	TITLE	CONSULTANT
SCHEDULES		•			
A001 TITLE PAGE		CORE	ELEVATIONS AND SECTION	NS	
A100 PROJECT STATIST	TICS	CORE	A400 EAST ELEVATION		CORE
A102 SURVEY PLAN		ACCULINE INC	A401 NORTH ELEVATION		CORE
A103 SITE PLAN		CORE	A402 WEST ELEVATION		CORE
			A403 SOUTH ELEVATION		CORE
PLANS			A410 BUILDING SECTION	1	CORE
A200 P-5 PARKING LEVE	EL	CORE	A411 BUILDING SECTION	2	CORE
A201 P-4 PARKING LEVE	EL	CORE			
A202 P-3 PARKING LEVE	EL	CORE			
A203 P-2 PARKING LEVE	EL	CORE			
A204 P-1 PARKING LEVE	EL	CORE			
A205 GROUND LEVEL		CORE			
A206 LEVEL 02		CORE			
A207 LEVEL 03		CORE			
A208 LEVELS 04 - 06		CORE			
A209 LEVEL 07		CORE			
A210 LEVELS 08 - 38		CORE			
A211 LEVEL MECH. PH.		CORE			
A212 ROOF PLAN		CORE			



6	CONTEXT PLAN
A100	REF.

LEVELS (ABOVE GRADE)	Floo	r Plate	Plate No. of Floors		GCA		GFA	
	ft <sup>2</sup>	$m^2$		ft <sup>2</sup>	$m^2$	ft <sup>2</sup>	$m^2$	
GROUND	11,899	1,105.49	1	11,899	1,105.49	5,903	548.36	
LEVEL 2	11,503	1,068.62	1	11,503	1,068.62	10,764	1,000.01	
LEVEL 3	12,379	1,150.06	1	12,379	1,150.06	11,641	1,081.45	
LEVEL 4	12,546	1,165.59	1	12,546	1,165.59	11,808	1,096.98	
LEVEL 5	12,546	1,165.59	1	12,546	1,165.59	11,808	1,096.98	
LEVEL 6	12,546	1,165.59	1	12,546	1,165.59	11,808	1,096.98	
LEVEL 7	6,232	579.00	1	6,232	579.00	736	68.39	
LEVELS 8-38	6,232	579.00	31	193,201	17,949.00	178,536	16,586.55	
Mechanical PH	4,979	462.54	1	4,979	462.54	440	40.92	
TOTAL RESIDENTIAL			38	277,832	25,811.48	243,443	22,616.62	
TOTAL RETAIL + RETAIL GARBAGE (GROUND)	1,675	155.61	1	1,675	155.50	1,675	155.62	
TOTAL RESIDENTIAL + RETAIL				279,507	25,966.98	245,118	22,772.23	

PARKING BELOW GRADE	Floor Plate		Floor Plate No. of Floors		GCA		GFA	
	ft²	m²		ft²	m²	ft²	m²	
P-5	7,663	711.93	1	7,663	711.93	451	41.91	
P-4	18,376	1,707.18	1	18,376	1,707.18	448	41.62	
P-3	18,376	1,707.18	1	18,376	1,707.18	448	41.62	
P-2	18,376	1,707.18	1	18,376	1,707.18	448	41.62	
P-1	18,285	1,698.76	1	18,285	1,698.76	448	41.62	
TOTAL BELOW GRADE				62,700	7,532.23	1,795	208.39	

TOTAL INDOOR AMENITY REQUIRED	2 m2 / UNIT	776 TOTAL OUTDOOR AMENITY REQUIRED	2 m2 / UNIT	776	
TOTAL INDOOR AMENITY PROVIDED		587.75 TOTAL OUTDOOR AMENITY PROVIDED		846.56	

UNITS	STUDIO	1BED	1BED+D	2BED	2BED+D	3BED	TOTAL
	(355-419 SF)	(420-650 SF)	(651-750 SF)	(751-800 SF)	(801-900 SF)	(900 SF+)	
LEVEL 2		3	4	2	4	1	14
LEVEL 3	1	2	5	1	6	1	16
LEVEL 4	1	2	6	0	5	2	16
LEVEL 5	1	2	6	0	5	2	16
LEVEL 6	1	2	6	0	5	2	16
LEVEL 7 (Amenity)							0
LEVELS 8-38 (31 FLOORS)	124	93	31	31	0	31	310
TOTAL	128	104	58	34	25	39	388
PERCENTAGE	33%	27%	15%	9%	6%	10%	100%

3	GCA/GFA CHART AND UNIT DISTRIBUTION
A101	REF.

18 AUG 2023

PROJECT STATISTICS

03 ISSUED FOR CITY REVIEW

ISSUED FOR REZONING

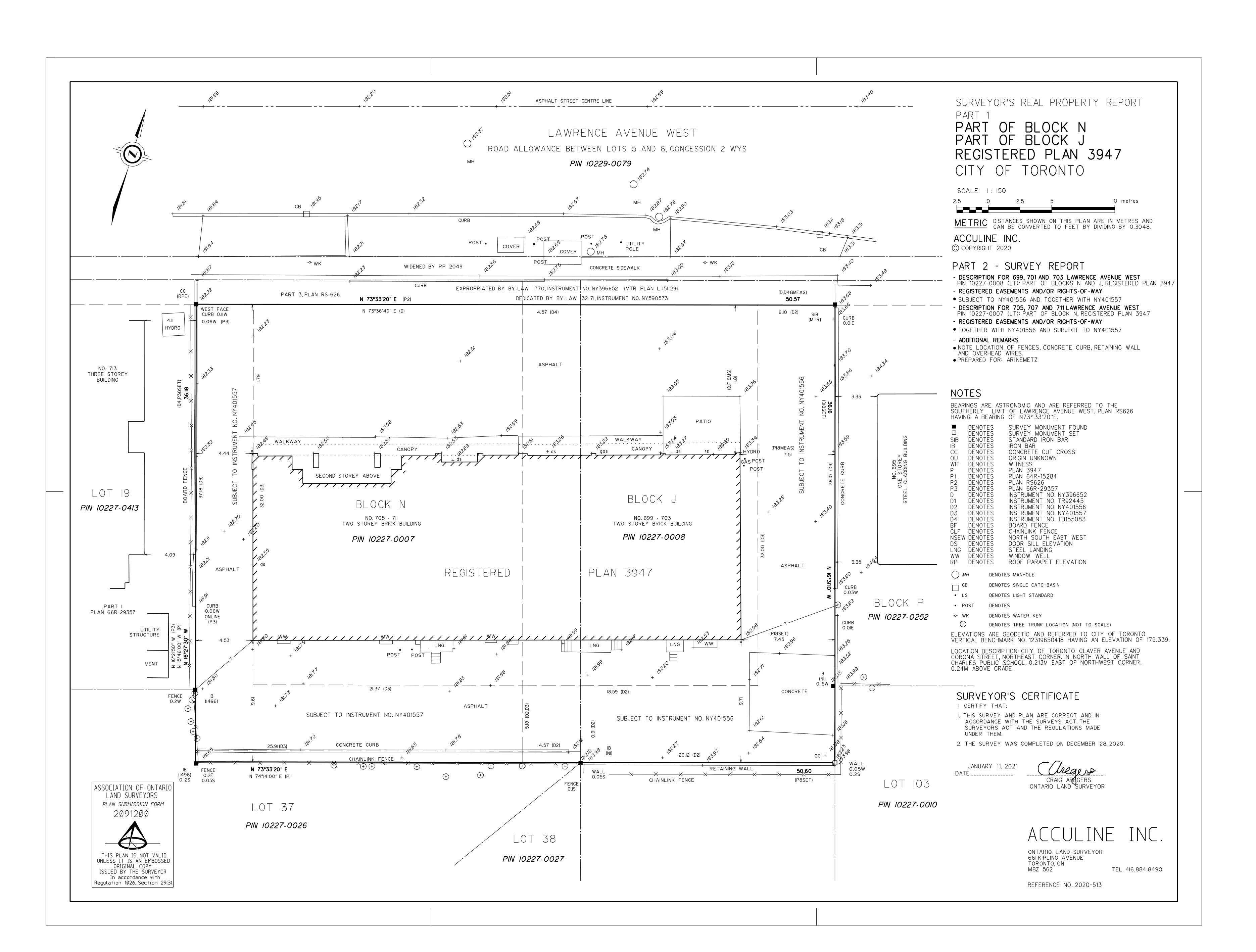
WRITTEN PERMISSION."

No. Revisions

02 ISSUED FOR SITE PLAN APPROVAL

21-119

Drawing No. A100



03 ISSUED FOR CITY REVIEW
09 NOVEMBER 2022
02 ISSUED FOR SITE PLAN APPROVAL
25 APRIL 2022
01 ISSUED FOR REZONING
16 DECEMBER 2021
No. Revisions
Date

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699-711
LAWRENCE AVE. W.
Toronto, Ontario

Drawn Scale
ACCULINE Inc. NTS

Checked Date
18 AUG 2023

SURVEY PLAN

Project No.

21-119

Drawing N

A102

