

VIA EMAIL
WITHOUT PREJUDICE

Jennifer Meader

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Cell: 416.605.0508 jmeader@tmalaw.ca

July 14, 2024

City of Toronto Legal Services
Planning and Administrative Tribunal Law Section
55 John Street, 26th Floor
Metro Hall
Toronto, ON M5V 3C6

Attention: Jessica Braun, jessica.braun@toronto.ca

Dear Ms. Braun:

Re: WITHOUT PREJUDICE SETTLEMENT OFFER

2405-2417 Lakeshore Boulevard West

Municipal File Nos. 21 235704 WET 03 OZ, 21 236099 WET 03 SB, & 21 246210 WET 03 RH

OLT Case No. OLT-23-000130

We represent 2405 Lakeshore Boulevard Inc. (the "Applicants"), owner of lands municipally known as 2405-2417 Lakeshore Boulevard West, within the City of Toronto ("Subject Lands").

The Applicant submitted an Official Plan Amendment Application ("**OPA**"), a Zoning By-law Amendment Application ("**ZBA**"), and a Draft Plan of Subdivision Application ("**Draft Plan**", and collectively referred to as the "**Applications**". The initial submission for the Applications was to allow for the redevelopment of the Subject Lands with a mixed-use development comprising a ten-storey mid-rise building including a mezzanine floor, connected to a 33-storey tower with an eight-storey base building, with a total of 471 residential units and approximately 345 m² of retail space on the ground floor. The Applications were submitted on November 5, 2021. Well more than a year later, the Applications were appealed to the Ontario Land Tribunal ("**Tribunal**") on the basis of the City's failure to make a decision within the allotted timeframes set out in the Planning Act.

Since appealing, the Applicants have engaged in formal mediation and settlement discussions with City staff. As we understand it, these mediation and settlement discussions have successfully addressed the concerns raised by staff. Consequently, we are writing to make an offer to settle the Applications, as per the terms set out below.

THE SUBJECT LANDS

The Subject Lands are located on the east side of Lakeshore Boulevard West, between Superior Avenue and Primrose Avenue. The portion of the Subject Lands municipally known as 2413-2415 Lakeshore Boulevard West were acquired by the Applicants after the Applications were appealed to the Tribunal. The property has a varying depth which ranges from 60.96 metres to 141.68 metres and comprises an overall area of 4,978 square metres (0.5 hectares). The Subject Lands are irregular in shape and benefit from having approximately 53.23 metres of frontage on Lakeshore Boulevard West, in addition to considerable frontage along both Amos Waites Park and the Mimico Waterfront Trail.

The Subject Lands are located approximately 750 metres southeast of the Mimico Go Transit Station, approximately 1.25 kilometres southwest of the planned Parklawn TTC/GO Transit Hub, and approximately 600 metres southwest of the Humber Bay Shores/Former Motel Strip node, and are comprised of an assembly of five parcels, one of which was acquired after the appeal was filed.

The Subject Lands' five parcels are occupied by six existing buildings which exhibit a variety of forms and uses. The northernmost parcel, at 2405 Lakeshore Boulevard West, is occupied by a four-storey brick and glass medical office building containing a variety of professional office uses. The remaining buildings vary in height and contain a mix of residential and non-residential uses.

THE REVISED DEVELOPMENT PROPOSAL

As a result of mediation, the Applicant's revised proposal consists of:

- A six-storey podium along Lakeshore Boulevard West, a nine-storey mid-rise component facing
 onto Lakeshore, with an eight-storey podium separating the nine-storey component from a 34storey tower, and a seven-storey podium, which steps down to six storeys at the rear of the
 building facing towards the Lake.
- A total of 35,000 m² of residential floor area (approximately 555 units), and a total of 368 m² of retail floor area.
- The conveyance of a 13.16-metre-wide right-of-way along the north portion of the Subject Lands for a length of approximately 60.9 metres, connecting with Lakeshore Boulevard West ("Conveyance 1").
- The conveyance of an 8.0-metre-wide right-of-way along the north-easterly portion of the Subject Lands, north of the seven-storey component of the proposed building, for a length of approximately 61.76 metres (eastern boundary) and 48.82 metres (western boundary) and which will include a 2.0-metre underground encumbrance within the right-of-way to accommodate the underground parking garage ("Conveyance 2").
- Indoor amenity space provided at a rate of 2.0 m²/unit; outdoor amenity space provided at a rate of 2.0 m²/unit, for a total amenity space rate of 4.0 m²/unit.

JENNIFER J MEADER, PROFESSIONAL CORPORATION TURKSTRA MAZZA ASSOCIATES

TERMS OF SETTLEMENT

The terms of this without prejudice settlement offer are as follows:

- 1. The built form will be based on the conceptual plan and section drawings enclosed, which would be implemented through the resulting OPA, ZBA and Draft Plan.
- 2. Building heights will be regulated solely through the ZBA and the OPA will acknowledge this.
- The tower component will be set back between a minimum 44.5 metres (to the north facade) and 46.1 metres (to the south facade) as measured from west lot line of the Subject Lands (Lakeshore Boulevard).
- A minimum separation distance of 13.65-metres will be provided from the north facade of the tower component to the centreline of the adjacent 16.5-metre-wide right-of-way of future Street A.
- 5. The building height shall not exceed 34 storeys and 103.0 meters, exclusive of an 8-metre mechanical penthouse.
- 6. The timing and details of Conveyances 1 and 2 will be addressed through conditions of the Draft Plan approval and a future Subdivision Agreement.
- 7. The Applicant will secure the replacement of a total of 27 rental dwelling units comprised of 22 existing rental dwelling units in the building at 2407 Lake Shore Boulevard West, four rental dwelling units in the building at 2409 Lake Shore Boulevard West and one existing rental dwelling unit in the building at 2413-2415 Lake Shore Boulevard West, in accordance with Chapter 667 of the Toronto Municipal Code. The Applicant will not be responsible for replacing any rooming house floor area, as no such uses have existed on the Subject Lands since the Applicant has owned them.
- 8. The City will work cooperatively and in good faith with the Applicants towards having the OPA and ZBA presented to the Tribunal at the earliest available date that is mutually agreeable to all parties and the Tribunal, but no later than October 11, 2024.

Accordingly, we are requesting that City Council accept this settlement offer. Only upon acceptance can it be released publicly and otherwise shall remain confidential and without prejudice.

Yours truly,

Jennifer Meader

Jennife Header

AZ001

AZ002

AZ206

AZ207

AZ003 **GFA Diagrams** AZ005 Toronto Green Standards AZ101 AZ201 Level P2 - Underground Parking AZ202 Level P1 - Underground Parking AZ203 Level 1 - Ground Floor AZ204 Level 2 - Floor Plan Level 3 to 6 - Typical Podium Floor Plan

Level 7 - Floor Plan

Level 8 - Floor Plan AZ208 Level 9 - Podium & Typical Tower Floor Plan (9 to 34) AZ209 Level 10 - Typical Tower Floor Plan (10 to 34) AZ210 MPH Floor Plan AZ211 Roof Plan

AZ401 Building Elevations - South AZ402 Building Elevations - West AZ501 Building Sections East - West **Building Sections North-South**

2405 LAKESHORE

2405 LAKESHORE BOULEVARD WEST, TORONTO, ON

LIST OF CONSULTANTS

Planning
Bousfields Inc.
3 Church Street, Suite 200 Toronto, ON M5E 1M2 Phone: 416 947 9744 Email: bousfields@bousfields.ca

Civil, Hydrogeological, Geotechnical, ESA 500 - 119 Spadina Avenue Toronto, ON M5V 2L1

Energy, Wind Study RWDI 625 Queen Street West, Toronto, ON M5V 2B7 Phone: 647 475 1048

Phone: 416 260 1560

Architecture Sweeny &Co Architects Inc. 134 Peter Street, Suite 1601 Toronto, ON M5V 2H2 Phone: (416) 971-6252 Email: info@sweenyandco.com

Transportation
LEA Consulting
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Toronto, ON M5G 1T6
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Heritage, Archaeological

528 Bathurst Street Toronto, ON M5S 2P9 Phone: 416 966 1069Email: info@asiheritage.ca

ISSUED FOR ZBA: 2024-07-12



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PROJ. NAME 2405 Lakeshore

2405 Lakeshore Boulevard West, Toronto, ON

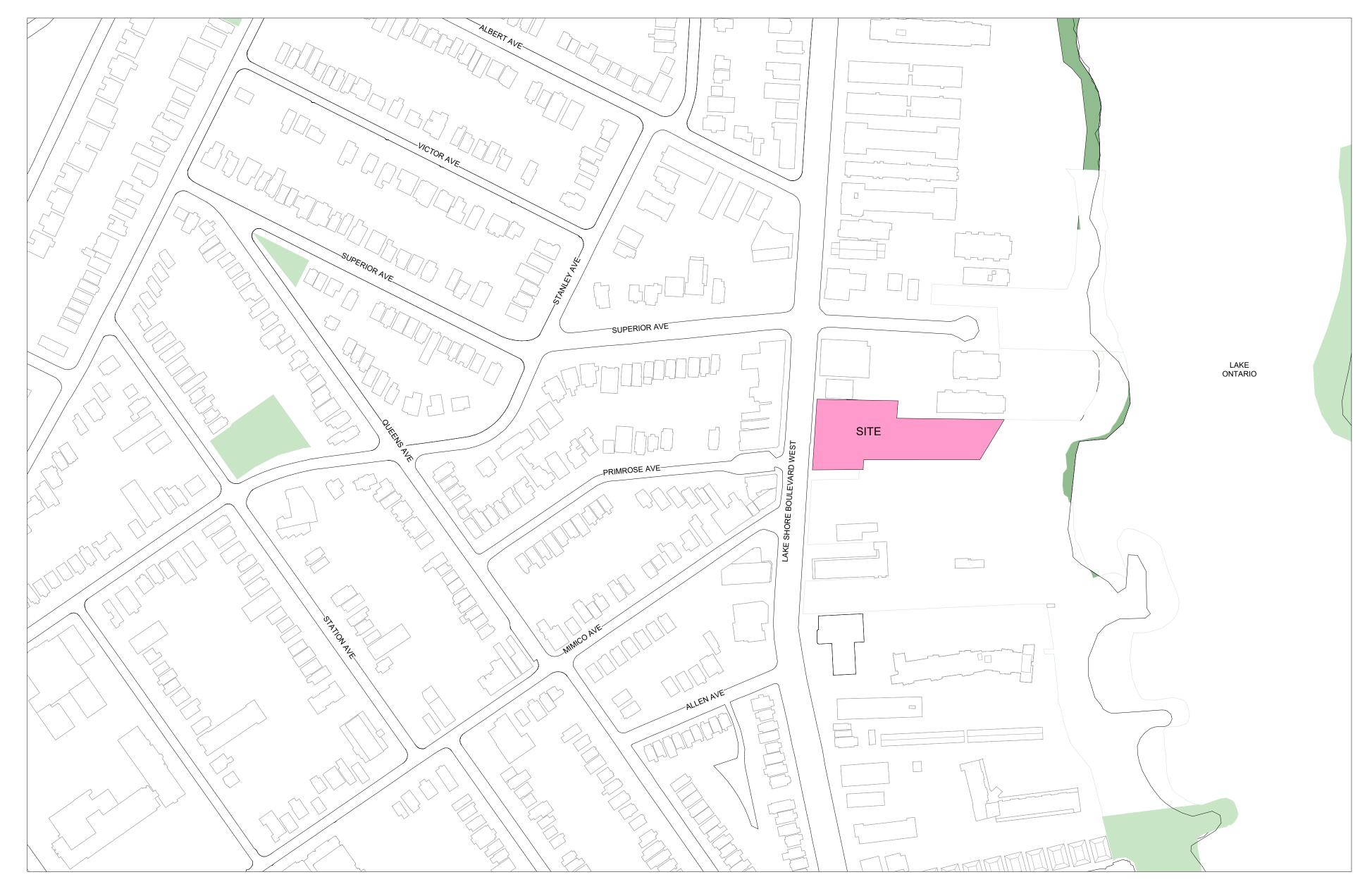
OWNER Winzen Group of Companies

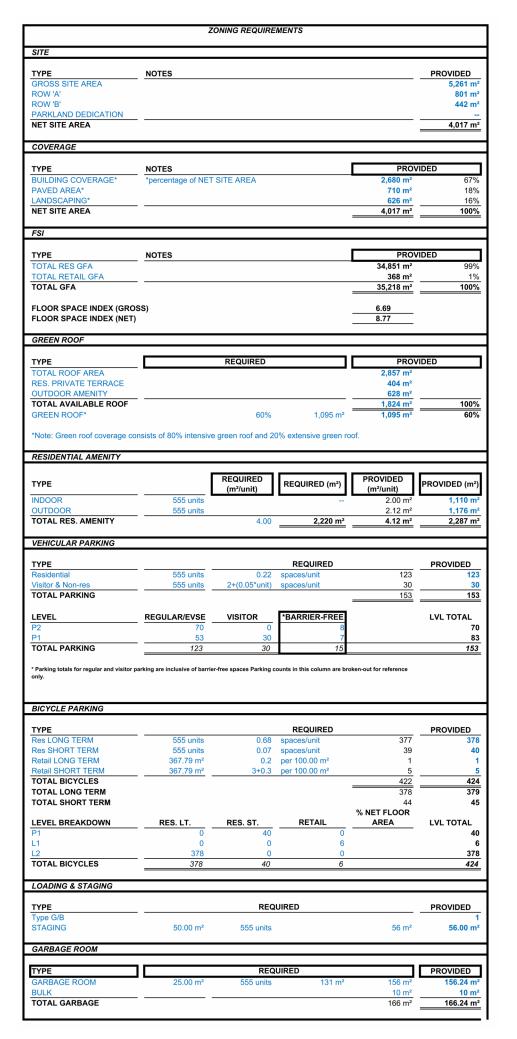
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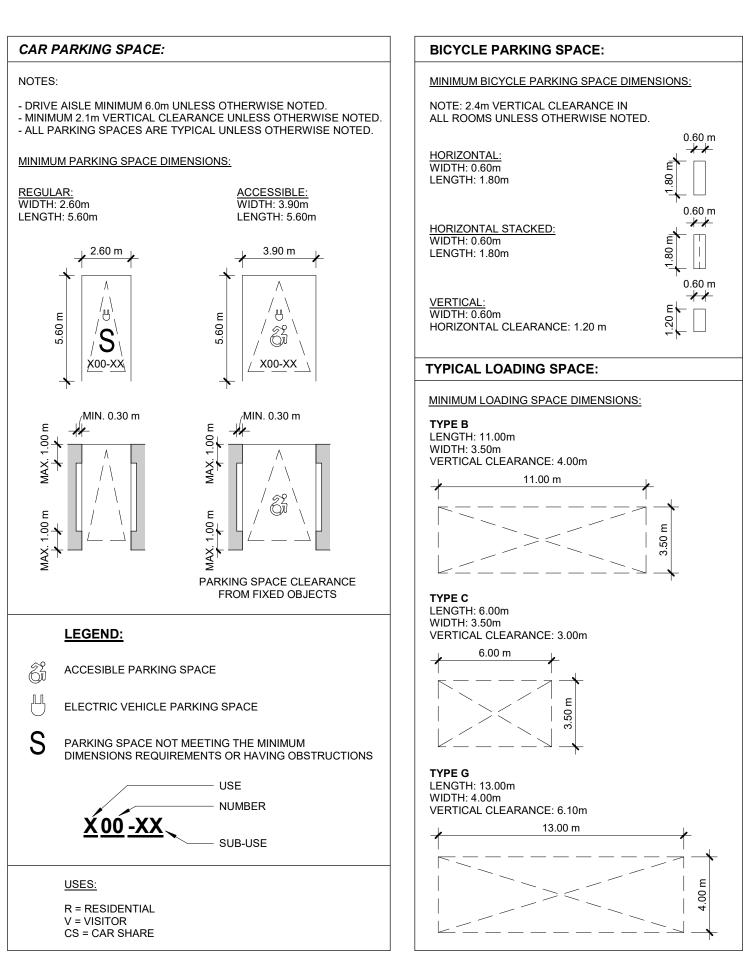
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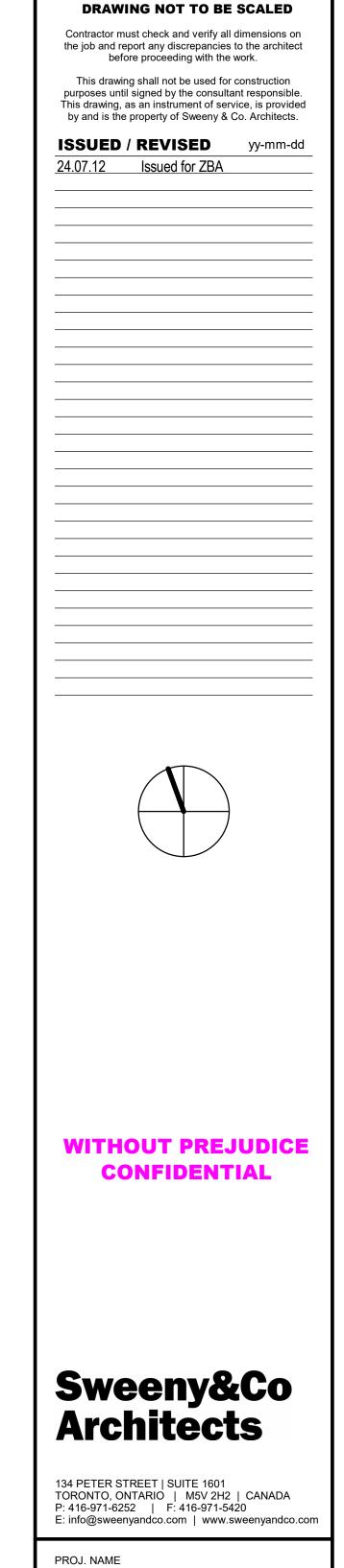
	TFA					GFA	(City of Toronto Zon	ing By-law 569-20)13)						TOT	TAL RESIDE	NTIAL U	NIT COUNT	
	_		RESIDE	NTIAL	RETA	\IL	GFA TO	OTAL	INDOOR A	AMENITY	OUTDOOF	RAMENITY							<u> </u>
ABOVE GRADE	Area m²	Area SF	Area m²	Area SF	Area m²	Area SF	Area m²	Area SF	Area m²	Area SF	Area m²	Area SF		BACH	1BD 1	BD+D 2BD	2BD+D	3BD TH	TOTAL
PODIUM													1			•		•	
Level 01	2,675.05 m²	28,794 SF	1,467.26 m ²	15,793 SF	367.79 m ²	3,959 SF	1,835.04 m²	19,752 SF	721.31 m ²	7,764 SF	547.91 m ²	5,898 SF	1	-	-			-	10 10
Level 02	1,496.38 m²	16,107 SF	687.05 m²	7,395 SF			687.05 m²	7,395 SF					1	-	-			-	-
Level 03	2,627.72 m²	28,285 SF	2,511.69 m ²	27,036 SF			2,511.69 m ²	27,036 SF					1	1	32	- 8	3 -	2	- 43
Level 4 to 6	7,883.16 m²	84,854 SF	7,535.07 m²	81,107 SF			7,535.07 m²	81,107 SF					1	3	96	- 24	! -	6	- 129
Level 07	2,403.32 m²	25,869 SF	2,291.34 m²	24,664 SF			2,291.34 m ²	24,664 SF					1	-	28	- 9	9 -	2	- 39
Level 08	1,737.32 m²	18,700 SF	1,232.72 m²	13,269 SF			1,232.72 m²	13,269 SF	389.11 m²	4,188 SF	628.35 m²	6,764 SF	1	-	8	- g	9 -	5	- 22
Level 9 (2nd storey)	571.95 m²	6,156 SF	550.92 m²	5,930 SF			550.92 m ²	5,930 SF					1	-	-			-1	-
SUBTOTAL	19,394.90 m²	208,765 SF	16,276.04 m²	175,194 SF	367.79 m²	3,959 SF	16,643.83 m²	179,153 SF	1,110.42 m²	11,952 SF	1,176.26 m²	12,661 SF	1	4	164	- 50	-	15 1	0 243
TOWER	1		•			•	•						1			•		•	
Level 09	785.07 m²	8,450 SF	714.41 m²	7,690 SF			714.41 m²	7,690 SF					1	1	7	- 2	2 -	2	- 12
Level 10	785.07 m²	8,450 SF	714.41 m²	7,690 SF			714.41 m²	7,690 SF					1	1	7	- 2	2 -	2	- 12
Level 11-34	18,841.71 m²	202,810 SF	17,145.73 m²	184,555 SF			17,145.73 m²	184,555 SF					1	24	168	- 48	-	48	- 288
Mech. Penthouse	606.20 m²	6,525 SF											1	-	-			-	-
SUBTOTAL	21,018.06 m²	226,236 SF	18,574.55 m²	199,935 SF			18,574.55 m²	199,935 SF					1	26	182	- 52	-	52	- 312
													1	8.3%	58%	17%	,	17%	
ABOVEGRADE TOTAL	40,412.96 m²	435,001 SF	34,850.59 m²	375,129 SF	367.79 m²	3,959 SF	35,218.38 m²	379,087 SF	1,110.42 m²	11,952 SF	1,176.26 m²	12,661 SF		30	346	- 102	-	67 1	0 555
GRAND TOTAL	47,369.04 m²	509,876 SF	34,850.59 m ²	375,129 SF	367.79 m²	3,959 SF	35,218.38 m ²	379,087 SF	1,110.42 m²	11,952 SF	1,176.26 m²	12,661 SF		30	346	1	02	77	
	TFA		RESIDE	NTIAL	RETA	\IL	GFA TO	OTAL	INDOOR A	AMENITY	OUTDOOF	RAMENITY		5%	62.3%	6 1	8%	14%	
													AVG. UNIT SIZE PER	35.87 m²	47.80 m²	65.45 m		85.62 m ² 90.83	m²
*** Areas in square feet are for referer	nce only.												TYPE	386 SF	515 SF	704 SF	F	922 SF 978	SF

^{***} Areas in square feet are for reference only.









2405 Lakeshore 2405 Lakeshore Boulevard West, Toronto, ON

Winzen Group of Companies

DWG TITLE Context Plan & Project

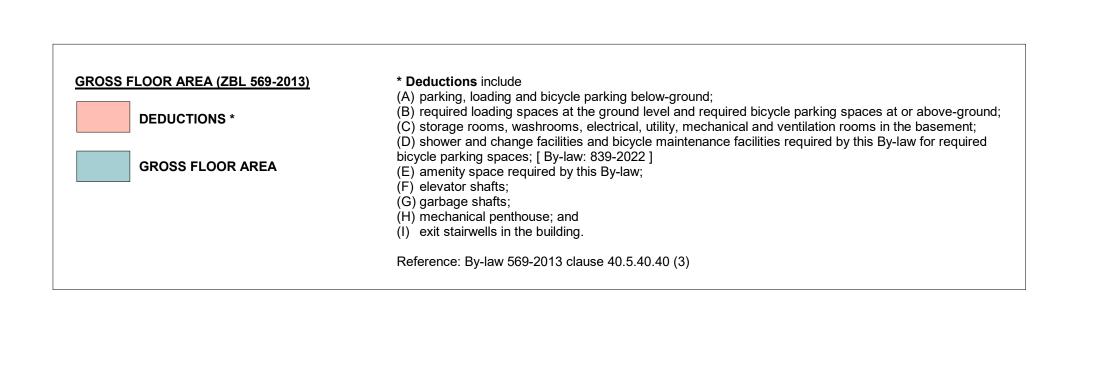
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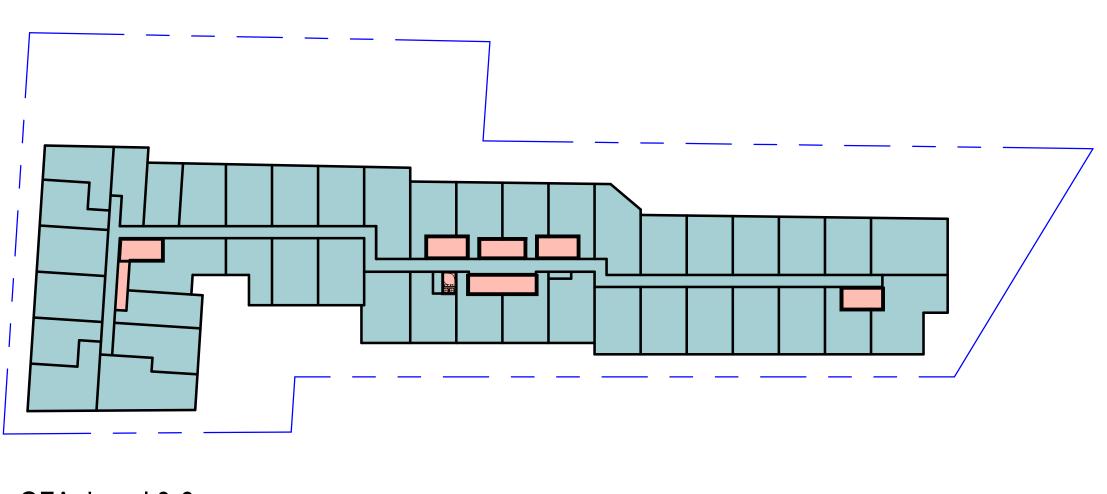
PROJ. No.: 1811

Statistics

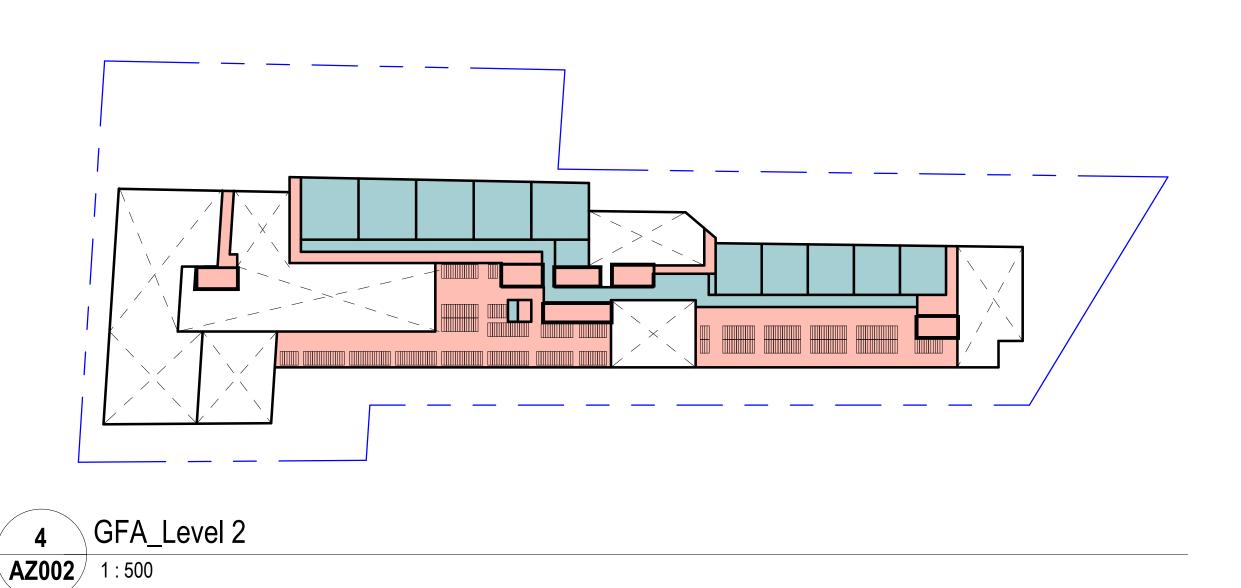
AZ001

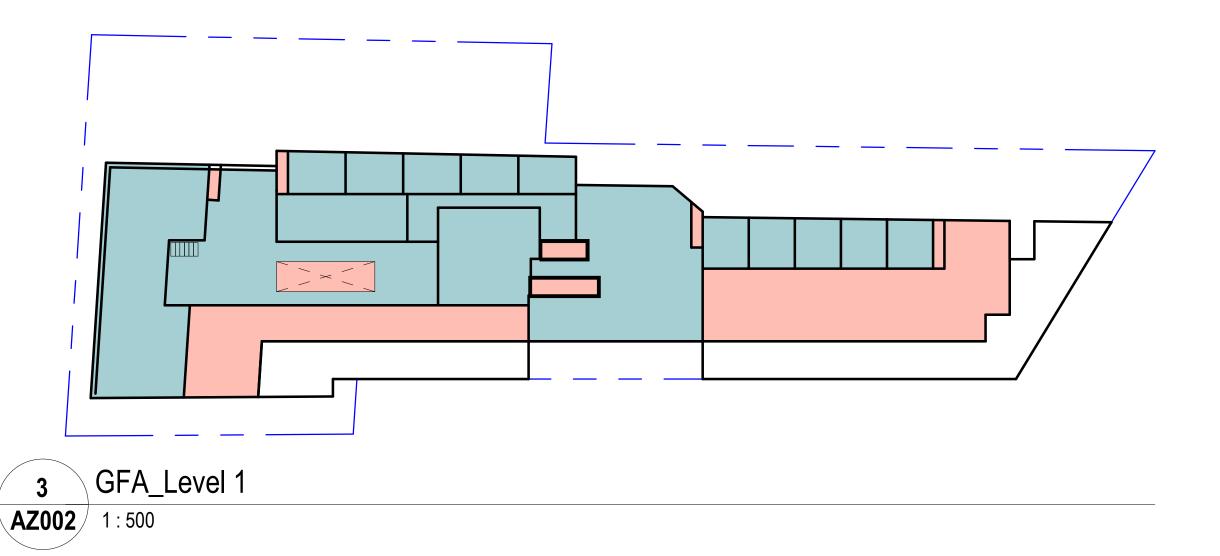
Context Plan **AZ001** 1 : 2000

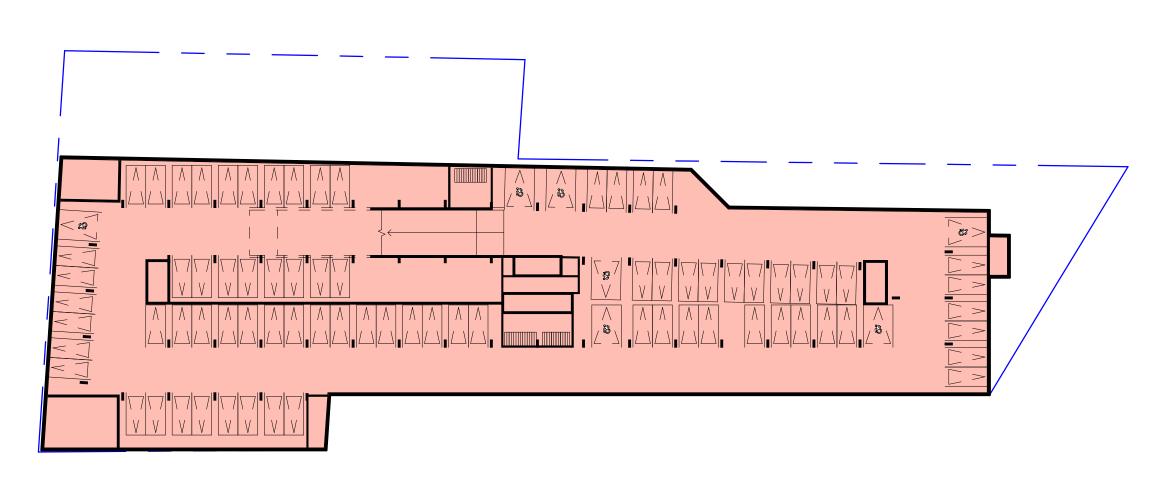




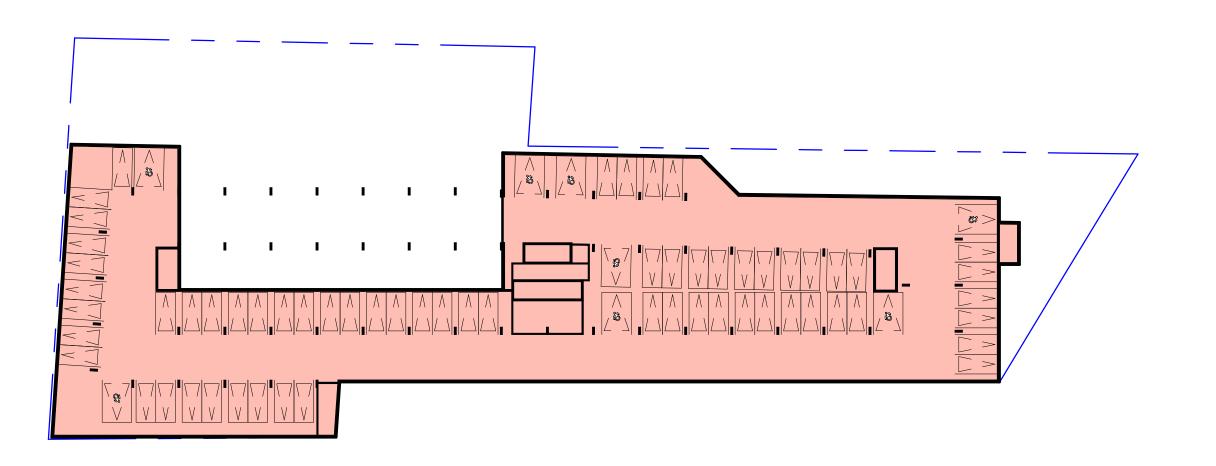








2 GFA_Level -1 AZ002 1:500



1 GFA_Level -2 AZ002 1:500

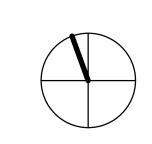
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PROJ. NAME

2405 Lakeshore

2405 Lakeshore Boulevard West, Toronto, ON

OWNER
Winzen Group of Companies

DWG TITLE

GFA Diagrams

DATE: 24.07.12

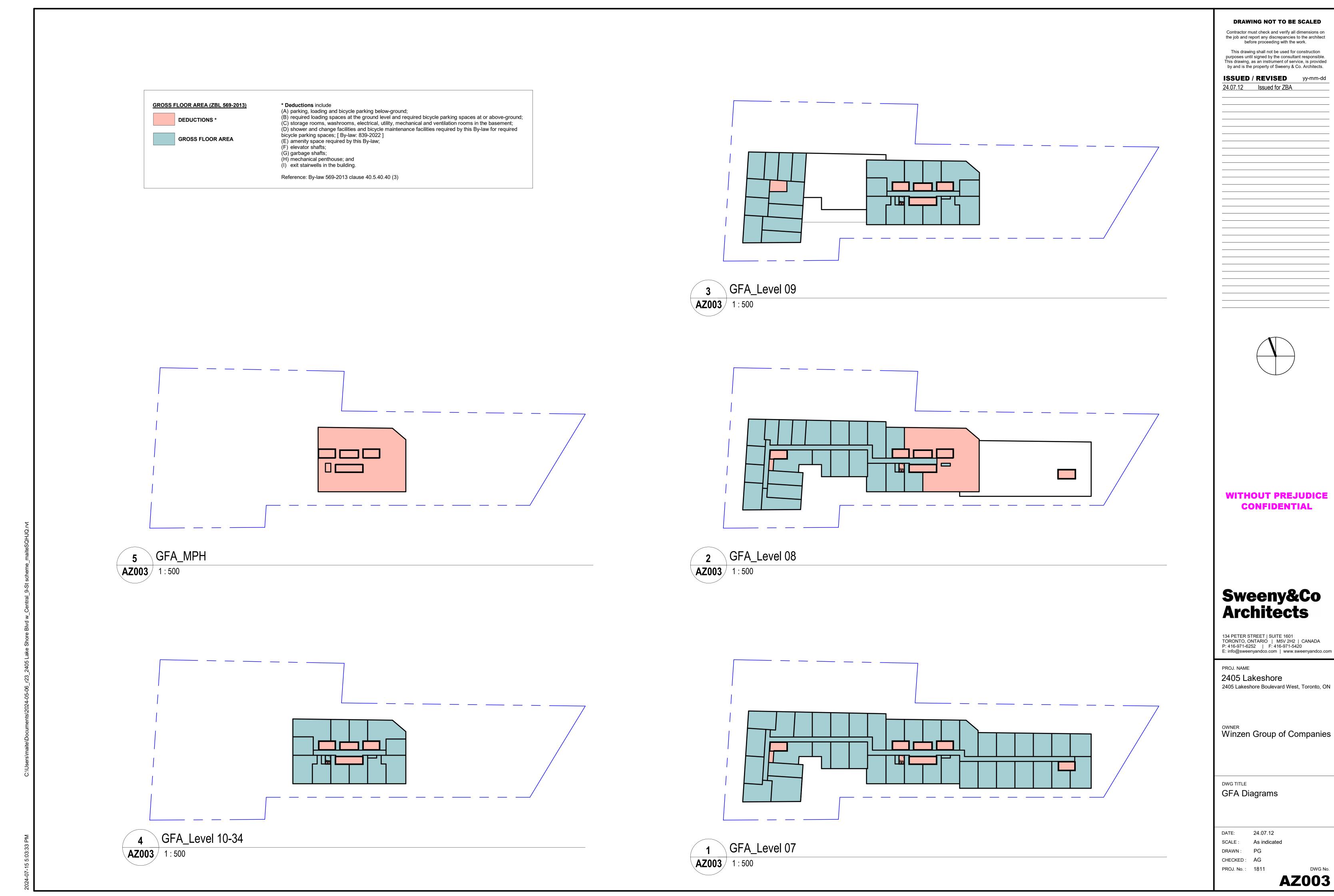
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DRAWN: PG

CHECKED: AG

PROJ. No. : 1811 DWG No. **AZ002**

2024-07-15 5:03:33 PM



Statistics Template – Toronto Green Standard Version 4.0

Mid to High Rise Residential and all New Non-Residential Development

The Toronto Green Standard Version 4.0 Statistics Template is submitted with Site Plan Control Applications and stand-alone Zoning Bylaw Amendment applications. Complete the table and copy it directly onto the Site Plan submitted as part of the application.

For Zoning Bylaw Amendment applications: complete General Project Description and Section 1.

For Site Plan Control applications: complete General Project Description, Section 1 and Section 2.

For further information, please visit www.toronto.ca/greendevelopment

General Project Description	Proposed
Total Gross Floor Area	35,218.38 m2
Breakdown of project components (m²):	
Residential	34,850.59 m2
Retail	367.79 m2
Commercial	
Industrial	
Institutional/Other	
Total number of residential units	555

Section 1: For Stand Alone Zoning Bylaw Amendment Applications and Site Plan Control Applications

Low Emissions Transportation	Required	Proposed	Proposed %
Number of Parking Spaces		153	
Number of EV Parking Spaces (Residential)		0	
Number of EV Parking Spaces (non-residential)		0	
Cycling Infrastructure	Required	Proposed	Proposed %
Number of long-term bicycle parking spaces (all-uses)	422	424	100%
	422	424	100%
Number of long-term bicycle parking spaces (all-uses) Number of long-term bicycle parking located on: a) first storey of building	422	6	100%
Number of long-term bicycle parking located on:	422		100%



c) first level below-ground

d) second level below-ground

e) other levels below-ground



40



Statistics Template – Toronto Green Standard Version 4.0 Mid to High Rise Residential and all New Non-Residential Development

Cycling Infrastructure	Required	Proposed	Proposed %
Number of short-term bicycle parking spaces	39	40	100%
Number of shower and change facilities (non-residential)	N/A		
Tree Canopy	Required	Proposed	Proposed %

Tree Canopy	Required	Proposed	Proposed %
Total Soil Volume (40% of the site area ÷ 66 m2 x 30 m³)	957	957	100%
Soil volume provided within the site area (m³)		TDB	TDB
Soil Volume provided within the public boulevard (m³)		TDB	TDB

Section 2: For Site Plan Control Applications

Cycling Infrastructure	Required	Proposed	Proposed %
Number of short-term bicycle parking spaces (all uses) at-grade or on first level below grade	N/A		
Number of publicly accessible bicycle parking spaces	N/A		
Number of energized outlets for electric bicycles	N/A		

Tree Canopy	Required	Proposed	Proposed %
Total site area (m²)	N/A		
Total Soil Volume (40% of the site area ÷ 66 m² x 30 m³)	N/A		
Total number of trees planted	N/A		
Number of surface parking spaces (if applicable)	N/A		
Number of shade trees located in surface parking area	N/A		

Landscaping & Biodiversity	Required	Proposed	Proposed %
Total non-roof hardscape area (m²)	N/A		
otal non-roof hardscape area treated for Urban Heat Island minimum residential 75% or non-residential 50%) (m²)	N/A		
Area of non-roof hardscape treated with: (indicate m²)	N/A		
a) high-albedo surface material	N/A		
b) open-grid pavement	N/A		
c) shade from tree canopy	N/A		

Page **2** of **3**

Interpretation of the control

Statistics Template – Toronto Green Standard Version 4.0 Mid to High Rise Residential and all New Non-Residential Development

Landscaping & Biodiversity	Required	Proposed	Proposed %
d) shade from high-albedo structures	N/A		
e) shade from energy generation structures	N/A		
Percentage of Lot Area as Soft Landscaping (non-residential only)	N/A		
Total number of plants	N/A		
Total number of native plants and % of total plants	N/A		
Available Roof Space (m²)	N/A		
Available Roof Space provided as Green Roof (m²)	N/A		
Available Roof Space provided as Cool Roof (m²)	N/A		
Available Roof Space provided as Solar Panels (m²)	N/A		

Bird Collision Deterrence	Required	Proposed	Proposed %
Total area of glazing of all elevations within 16m above grade	N/A		
Total area of treated glazing (minimum 85% of total area of glazing within 16m above grade) (m²)	N/A		
Percentage of glazing within 16m above grade treated with:	N/A		
a) Visual markers	N/A		
b) non-reflective glass	N/A		
c) Building integrated structures	N/A		

Page **3** of **3**

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PROJ. NAME 2405 Lakeshore 2405 Lakeshore Boulevard West, Toronto, ON

Winzen Group of Companies

Toronto Green Standards

24.07.12 SCALE: DRAWN: CHECKED: AG

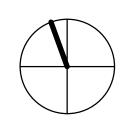
PROJ. No.: 1811

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PROJ. NAME

2405 Lakeshore

2405 Lakeshore Boulevard West, Toronto, ON

Winzen Group of Companies

DWG TITLE Site Plan

DATE: 24.07.12

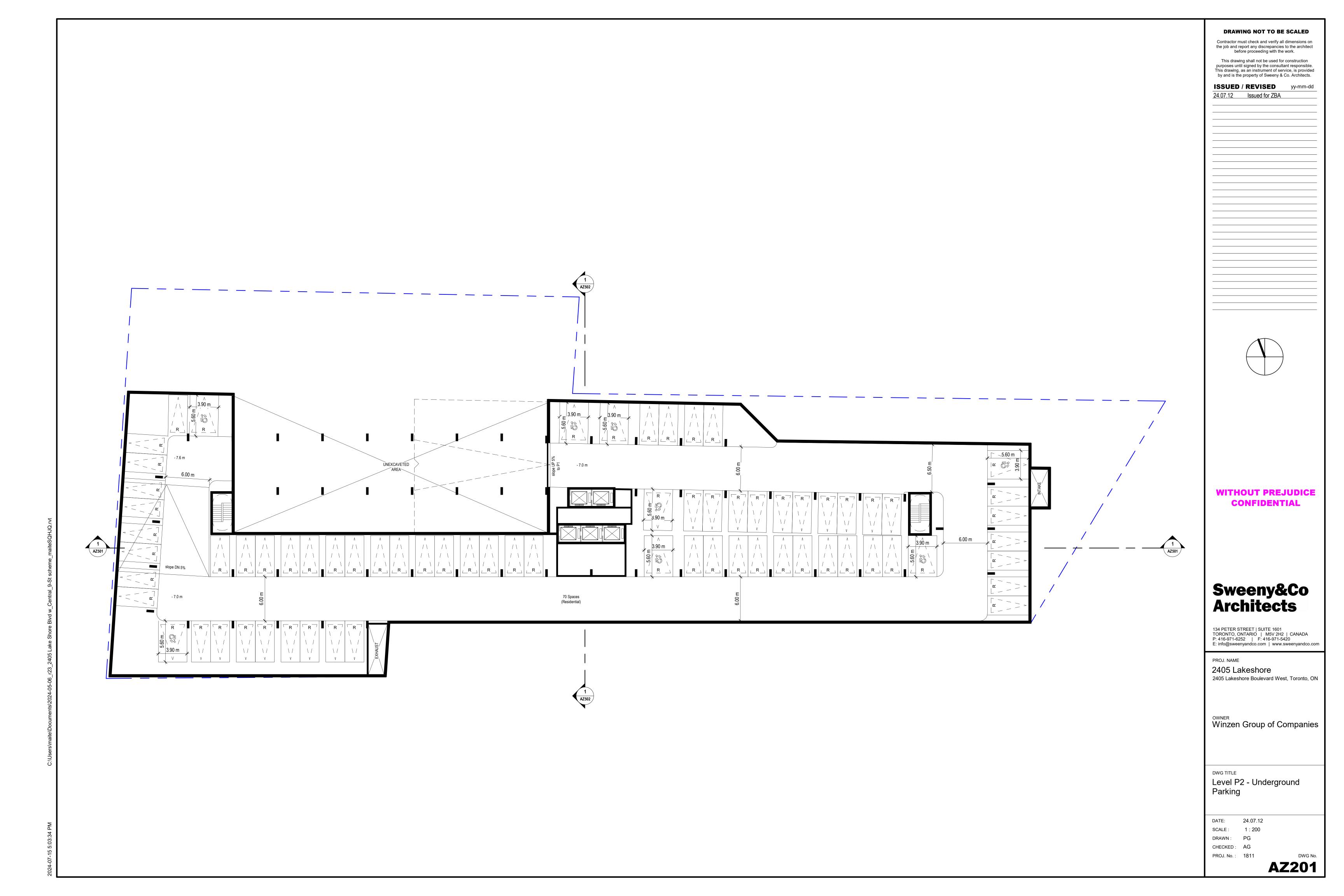
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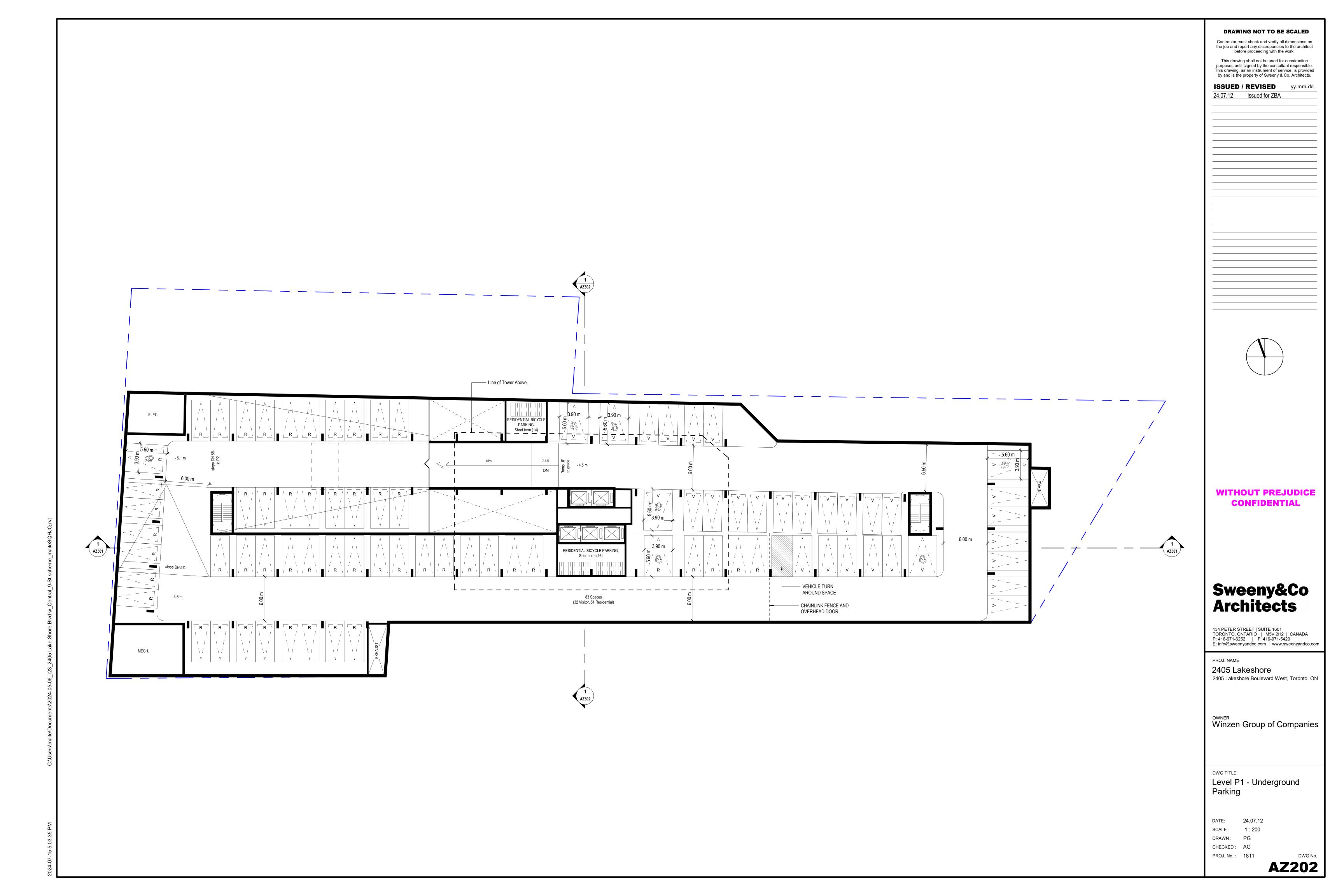
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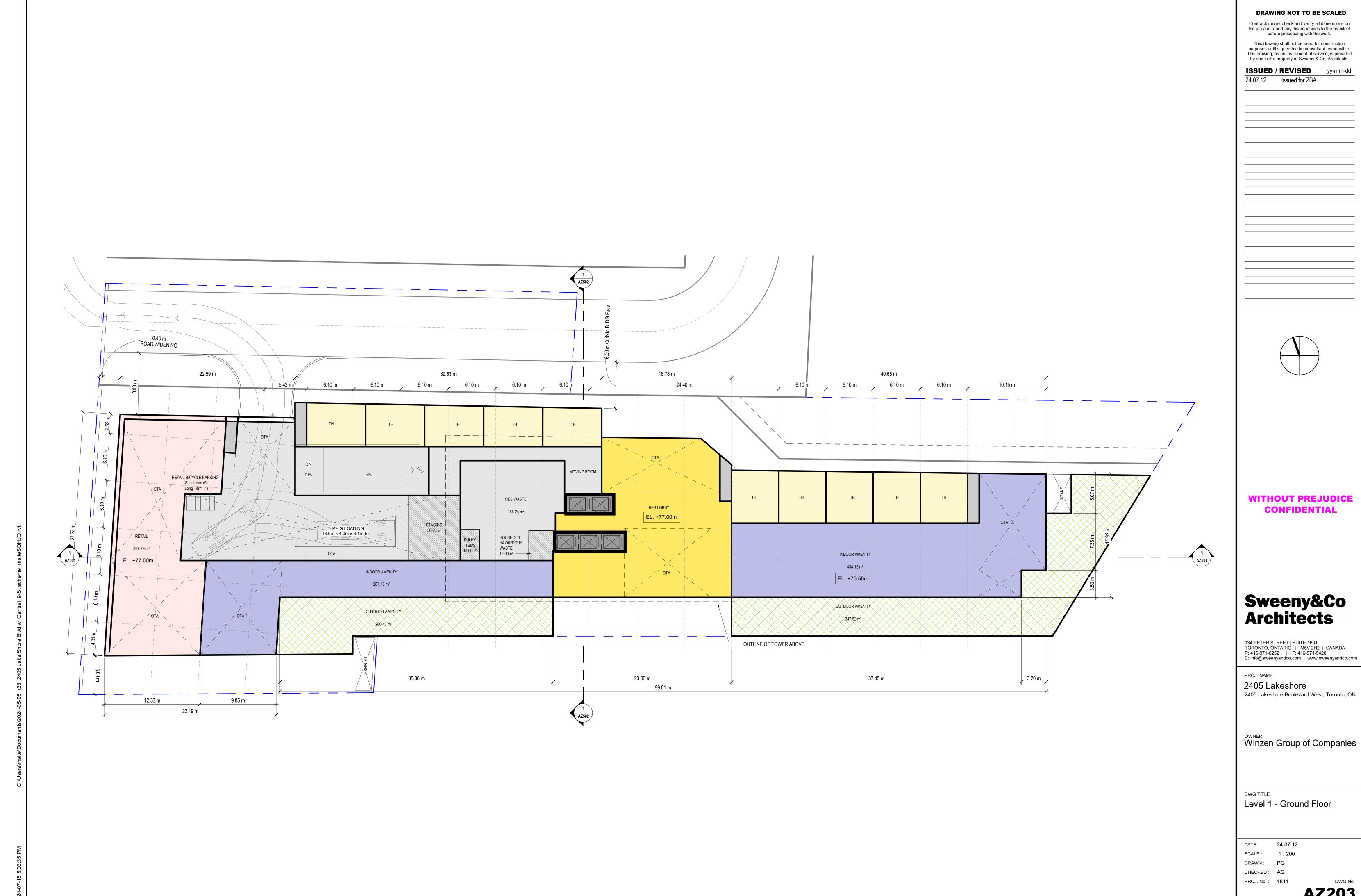
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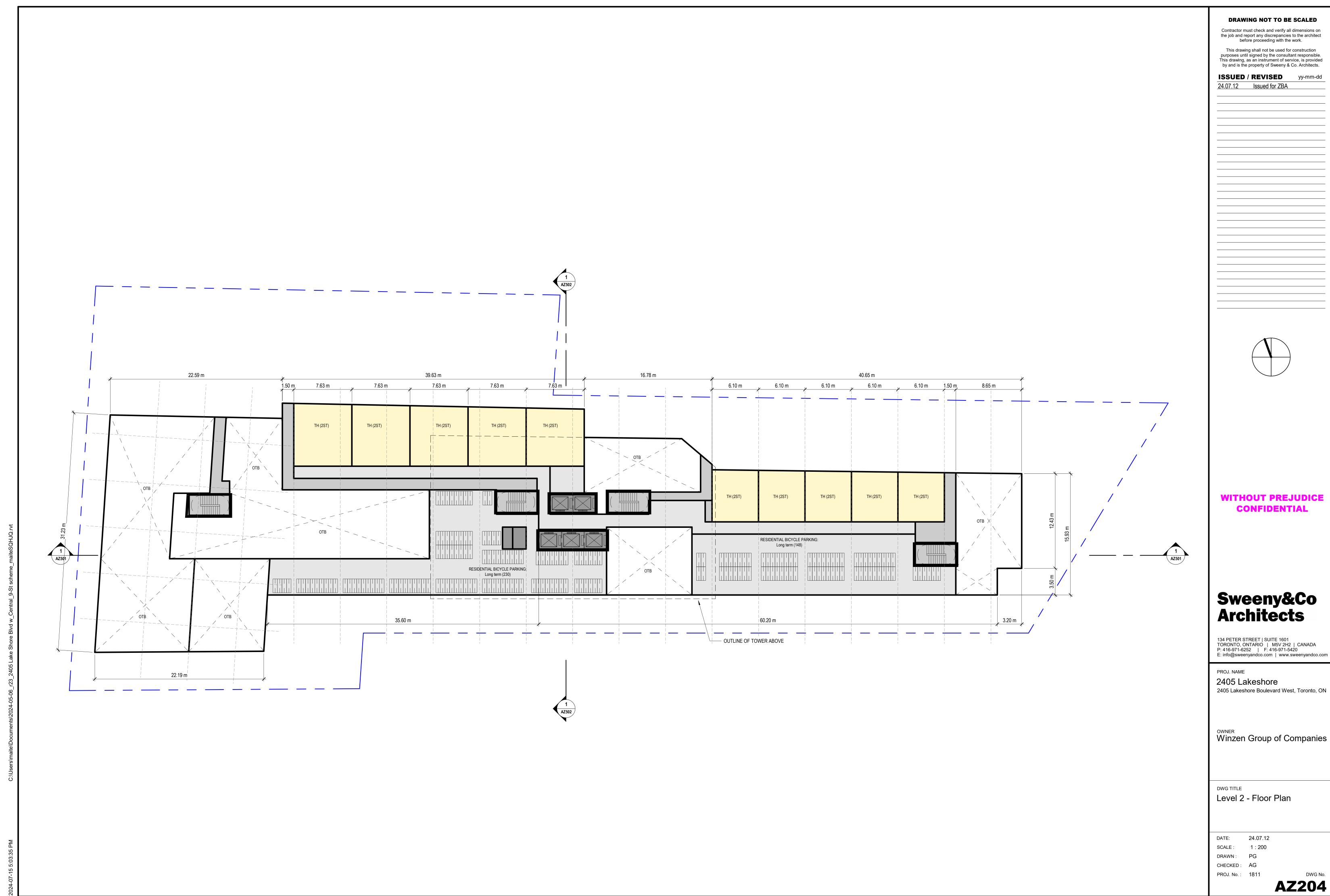
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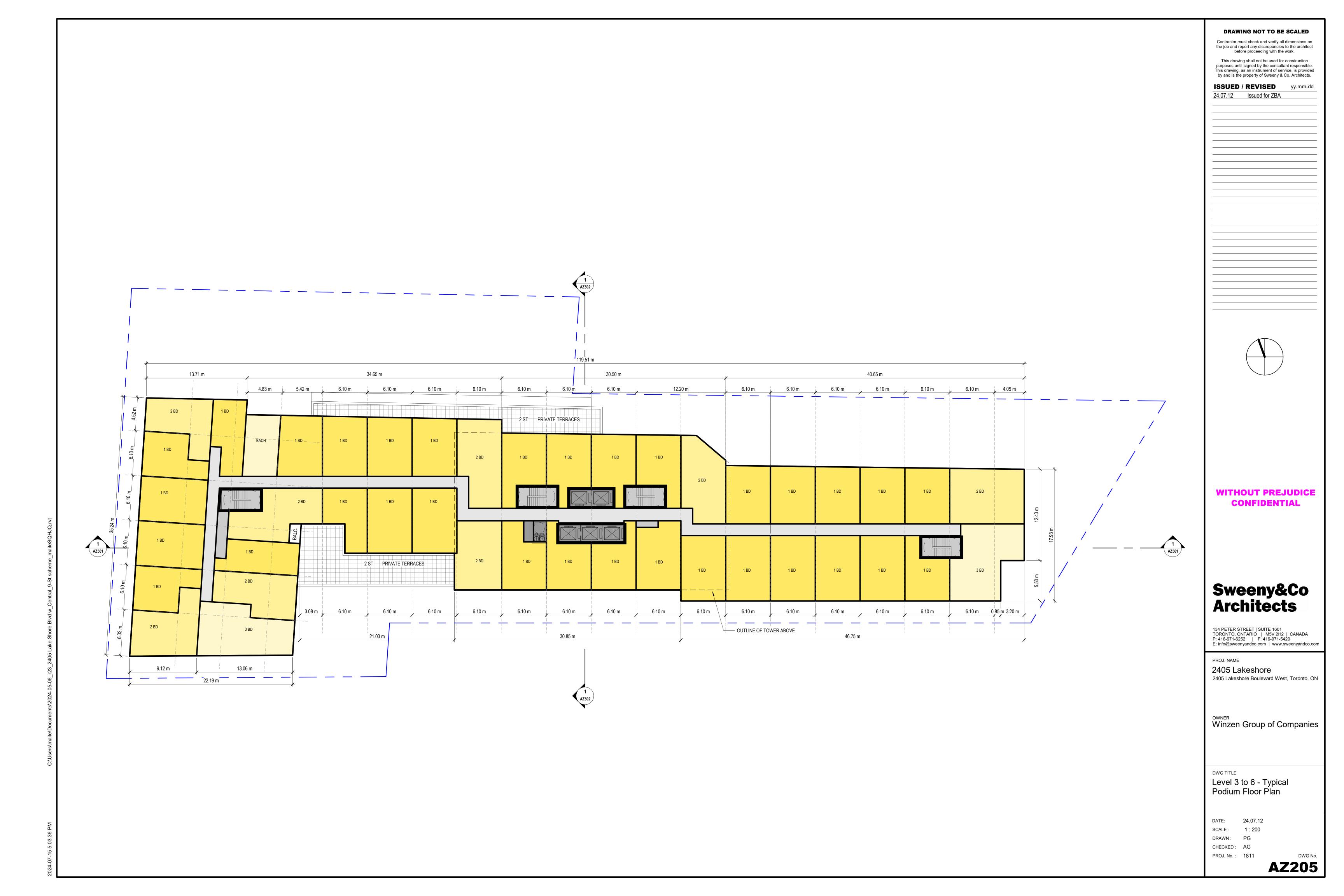
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AZ101

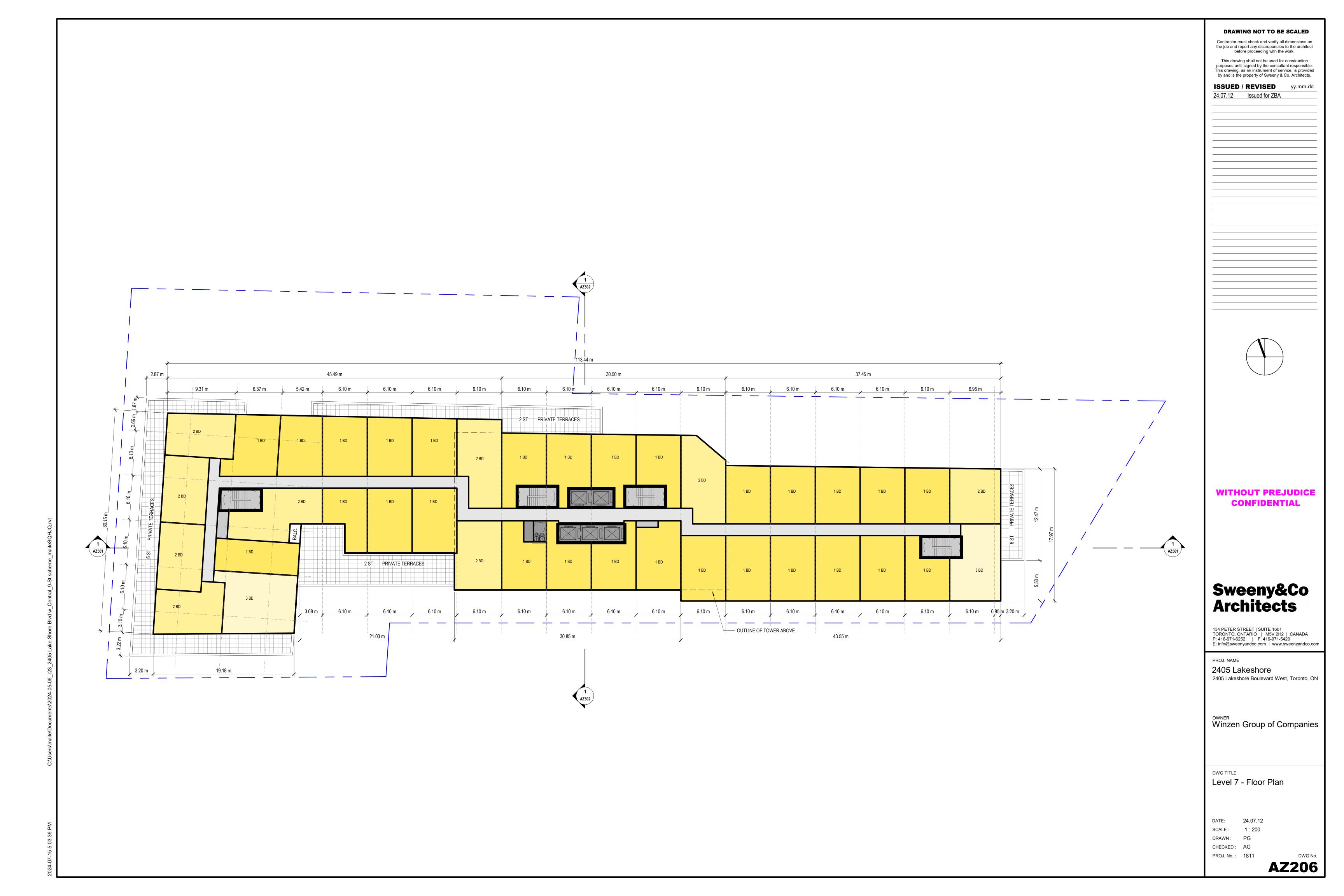


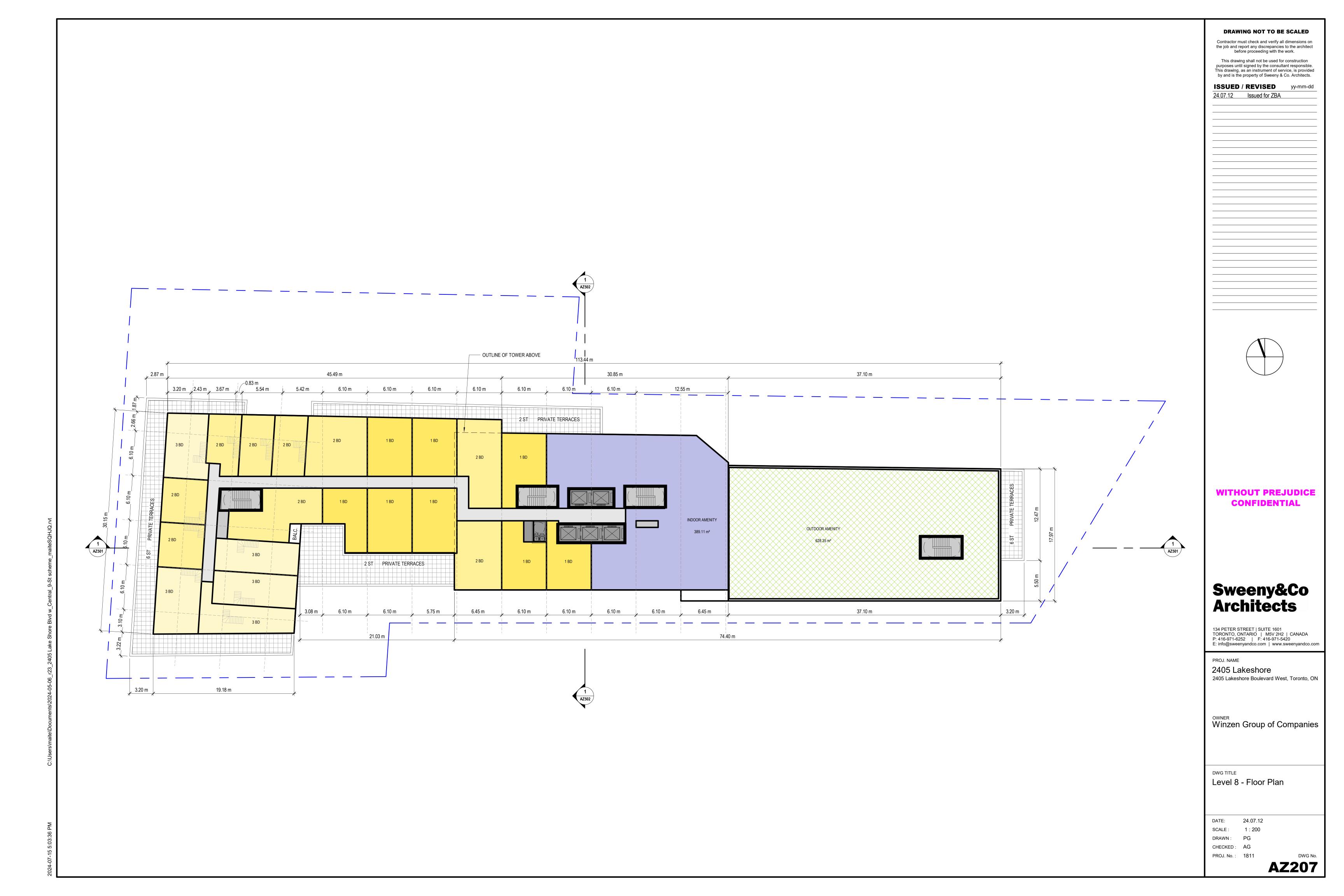


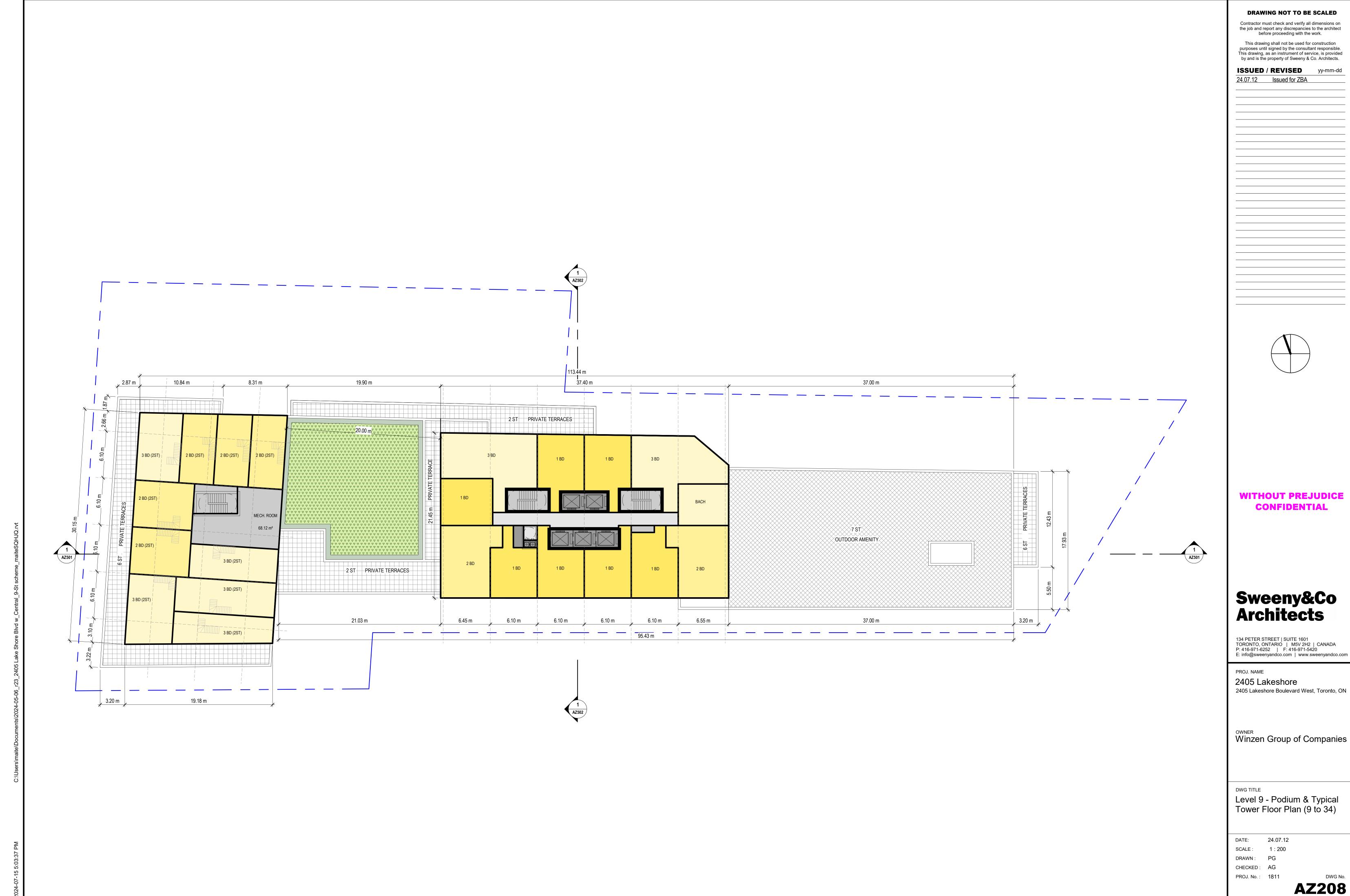


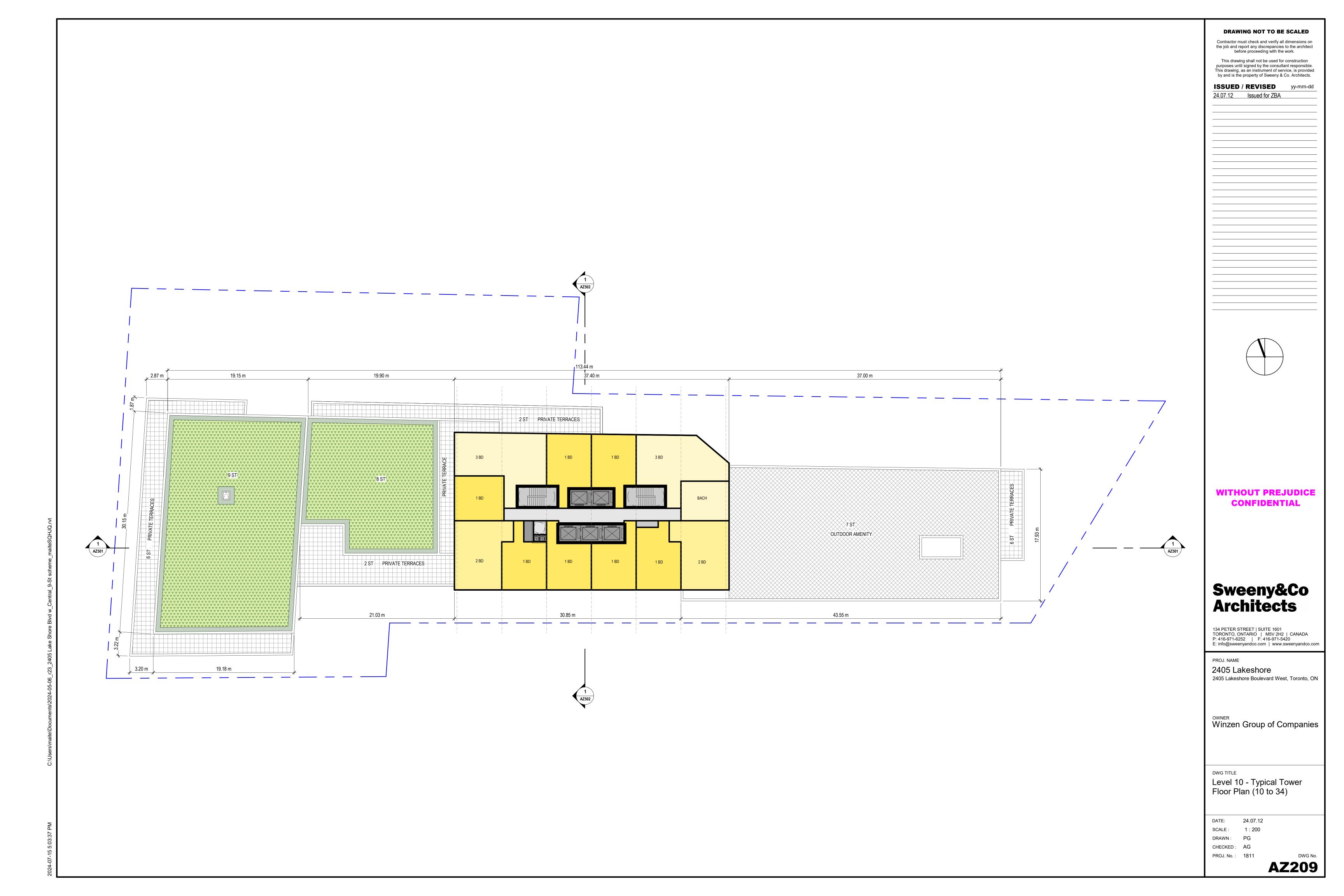


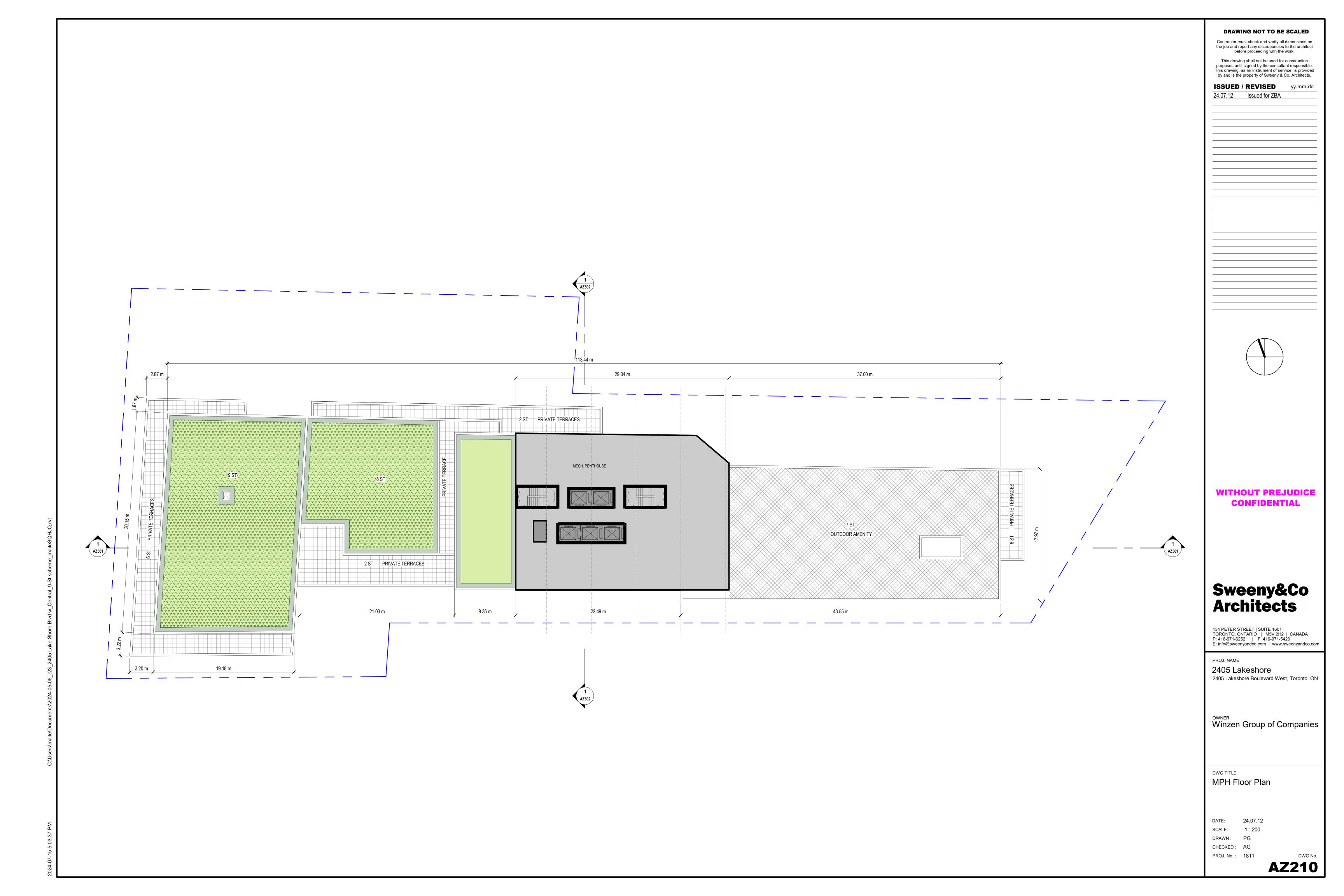












ROOF LEGEND:

EXTENSIVE GREEN ROOF

INTENSIVE GREEN ROOF

MAINTENANCE STRIP

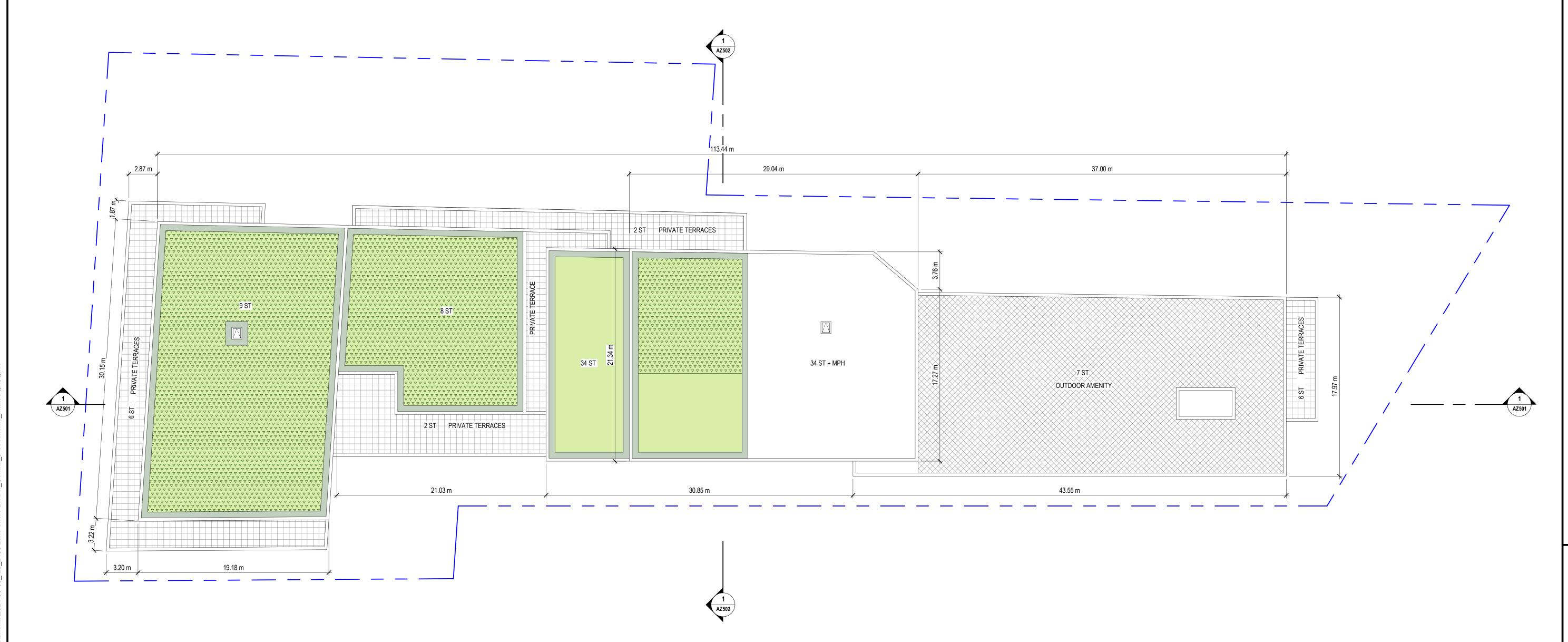
OUTDOOR AMENITY

TERRACE

MECH

City Planning Division		Green Roof Statistics
Green Roof Statistics - Building A		Proposed
Gross Floor Area, as defined in Green Roof Bylaw (m2		0.0
Total Roof Area (m2)		2,856.6
Area of Residential Private Terraces (m2)		403.8
Rooftop Outdoor Amenity Space, if in a Residentia	al Building (m2)	628.4
Area of Renewable Energy Devices (m2)		0.0
Tower (s)Roof Area with floor plate less than 750	m2	0.0
Total Available Roof Space (m2)		1,824.5
Green Roof Coverage	Required	Proposed
Coverage of Available Roof Space (m2)	1,094.7	1,095.0
Coverage of Available Roof Space (%)	60%	60%

*Note: Green roof coverage consists of 80% intensive green roof and 20% extensive green roof.



WITHOUT PREJUDICE

CONFIDENTIAL

DRAWING NOT TO BE SCALED

Contractor must check and verify all dimensions on the job and report any discrepancies to the architect before proceeding with the work.

This drawing shall not be used for construction purposes until signed by the consultant responsible. This drawing, as an instrument of service, is provided by and is the property of Sweeny & Co. Architects.

ISSUED / REVISED yy-mm-dd

24.07.12 Issued for ZBA

Sweeny&Co Architects

134 PETER STREET | SUITE 1601 TORONTO, ONTARIO | M5V 2H2 | CANADA P: 416-971-6252 | F: 416-971-5420 E: info@sweenyandco.com | www.sweenyandco.com

PROJ. NAME

2405 Lakeshore

2405 Lakeshore Boulevard West, Toronto, ON

OWNER Winzen Group of Companies

DWG TITLE
Roof Plan

DATE: 24.07.12

SCALE: As indicated

DRAWN: PG

CHECKED: AG

PROJ. No.: 1811

DWG No.

Top of MPH Level 34 Level 33 Level 32 Level 31 Level 30 Level 29 Level 28 Level 27 Level 26 Level 25 Level 24 Level 23 Level 22 Level 21 Level 20 Level 19 Level 18 Level 17 Level 16 Level 15 Level 14 Level 13 Level 12 Level 11 Level 10 Level 09 Level 08 Level 07 Level 06 Level 05 Level 04 Level 03 Level 02 Level 01 77000 Building Elevation - South **AZ401** 1:300

DRAWING NOT TO BE SCALED

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PROJ. NAME

2405 Lakeshore

2405 Lakeshore Boulevard West, Toronto, ON

OWNER
Winzen Group of Companies

DWG TITLE

Building Elevations - South

DATE: 24.07.12
SCALE: 1:300
DRAWN: MM
CHECKED: AG

PROJ. No. : 1811

WITHOUT PREJUDICE CONFIDENTIAL

DRAWING NOT TO BE SCALED

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ISSUED / REVISED yy-mm-dd

24.07.12 Issued for ZBA

Sweeny&Co Architects

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PROJ. NAME

2405 Lakeshore

2405 Lakeshore Boulevard West, Toronto, ON

Winzen Group of Companies

DWG TITLE

Building Elevations - West

DATE: 24.07.12

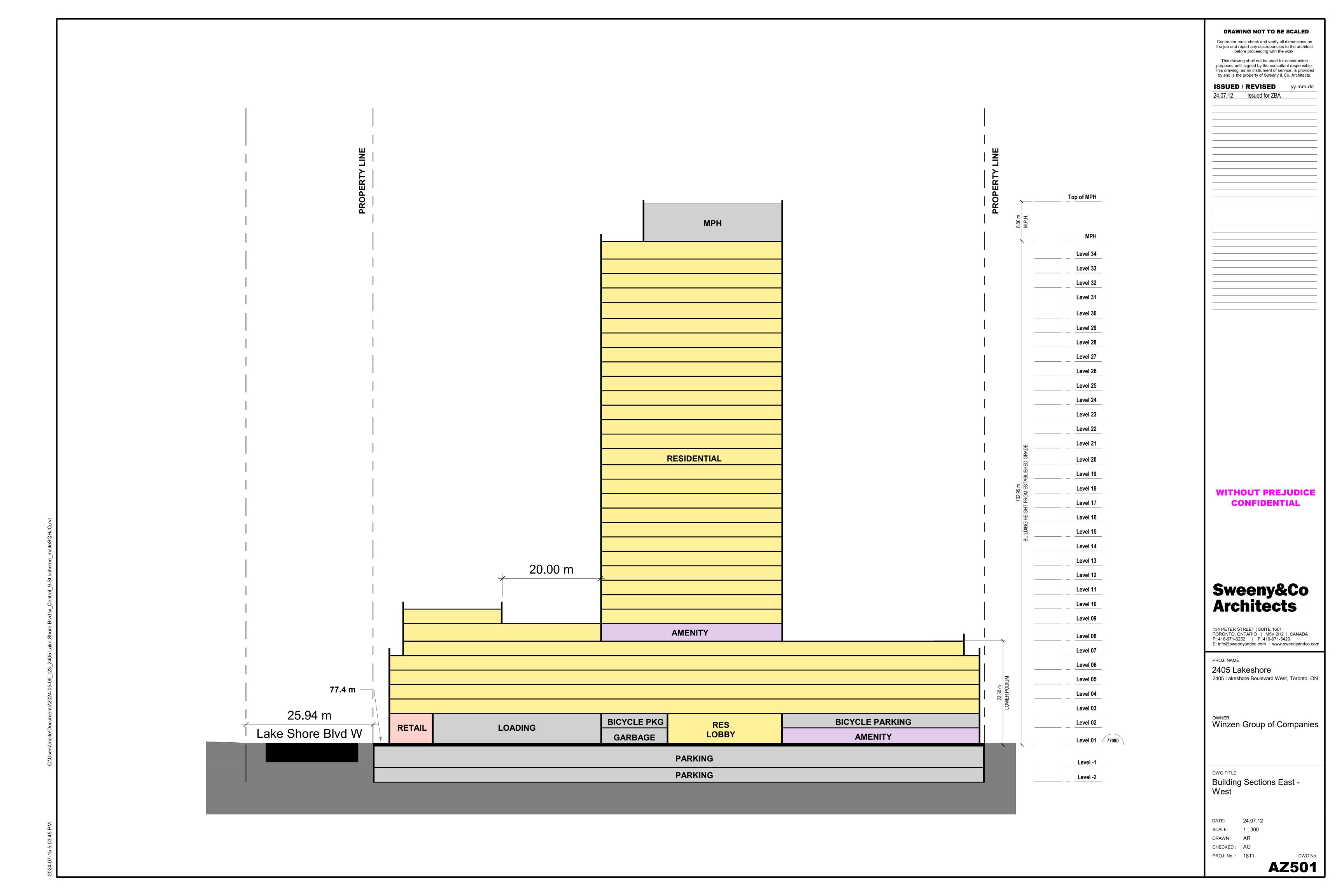
SCALE: 1:300

DRAWN: MM

CHECKED: AG

PROJ. No.: 1811 DWG No. **AZ402**

2 Building Elevation - West AZ402 1:300



DRAWING NOT TO BE SCALED Contractor must check and verify all dimensions on the job and report any discrepancies to the architect before proceeding with the work. This drawing shall not be used for construction purposes until signed by the consultant responsible. This drawing, as an instrument of service, is provided by and is the property of Sweeny & Co. Architects. ISSUED / REVISED yy-mm-dd 24.07.12 Issued for ZBA Top of MPH MPH Level 34 Level 33 Level 32 Level 31 Level 30 Level 29 Level 28 Level 27 Level 26 Level 25 Level 24 Level 23 Level 22 Level 21 RESIDENTIAL Level 20 Level 19 Level 18 Level 17 WITHOUT PREJUDICE Level 16 CONFIDENTIAL Level 15 Level 14 Level 13 Level 12 Level 11 Sweeny&Co Architects Level 10 Level 09 **AMENITY** Level 08 134 PETER STREET | SUITE 1601 TORONTO, ONTARIO | M5V 2H2 | CANADA P: 416-971-6252 | F: 416-971-5420 E: info@sweenyandco.com | www.sweenyandco.com Level 07 Level 06 PROJ. NAME Level 05 2405 Lakeshore Level 04 2405 Lakeshore Boulevard West, Toronto, ON Level 03 Level 02 RES LOBBY Winzen Group of Companies Level 01 77000 **PARKING** Level -1 **PARKING** Level -2 DWG TITLE Building Sections North-South 24.07.12 SCALE: 1:300 DRAWN: CHECKED: AG PROJ. No.: 1811