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May 7, 2025

Our File No.: 243520 and 243521

DELIVERED BY EMAIL

City of Toronto
Metro Hall, 26th Floor
55 John Street
Toronto, ON M5V 3C6

Attention: Laura Bisset and Simona Messina, Legal Services

Dear Ms. Bisset and Ms. Messina,

Re: Without Prejudice: Settlement Proposal
Application Nos: 23 164435 NNY 08 OZ, 21 203753 NNY 08, 23 164446 NNY 08 and
24 113657 NNY 08 OZ (21 131792 NNY 08 OZ)
Appeal of Official Plan, Zoning By-law Amendment
OLT File Nos.: OLT-24-000780 – 000783 and OLT-24-001007-001010
3140 – 3170 Dufferin Street and 60-68 Apex Road and 3180 Dufferin Street
(Revised Applications)

We are solicitors for RM Dufferin Plaza Inc., an entity that is jointly owned by RioCan Real Estate Investment Trust (“**RioCan**”) and Innovo Group (“**Innov**”) (collectively the “**Dufferin Plaza Applicant**”) and 1583796 Ontario Inc., an entity that is jointly owned RioCan and Woodbourne Canada Management Inc., (“**Woodbourne**”) (collectively the “**3180 Dufferin Applicant**”) the owners of the properties municipally known as 3140 – 3170 Dufferin Street and 60-68 Apex Road (“**Dufferin Plaza**”) and 3180 Dufferin Street (“**3180 Dufferin**” and collectively the “**Dufferin Properties**”) in the City of Toronto (the “**City**”).

The Dufferin Plaza Applicant and the 3180 Dufferin Applicant have appealed their site-specific applications to amend the City Official Plan, Zoning By-law 569-2013 (the “**OPA and ZBA Applications**”) and for Draft Plan of Subdivision (“**PoS Application**”) and Site Plan Control (the “**SPA Applications**”) for both Dufferin Plaza and for 3180 Dufferin to the Ontario Land Tribunal (the “**OLT**”).

The OPA and ZBA Applications were the subject of a productive mediation process with participation from the Dufferin Plaza Applicant, the 3180 Dufferin Applicant, Duff Real Estate Holdings Inc. (the owner of the neighbouring property at 3130 Dufferin, known as “**Duff**”), and the City.

In accordance with the productive mediation, we are hereby writing to provide the City with this without prejudice Settlement Offer from both the Dufferin Plaza Applicant and the 3180 Dufferin Applicant (the “**Dufferin Settlement Offer**”), which revises the OPA and ZBA Applications.

We ask you to submit this offer to City Council on May 21, 2025. Our clients greatly appreciate the efforts of City staff and the representatives of Duff in achieving this proposed settlement.

Background:

Dufferin Plaza is a large and rectangular-shaped parcel of land with an area of approximately 1.54 hectares, located at the northwest corner of Dufferin Street and Apex Road. The Site is currently occupied by a one-storey, multiple unit, retail plaza known as “Dufferin Plaza” containing a variety of retail, personal service financial institution and restaurant tenants. The plaza is surrounded by surface parking and loading areas with minimal landscaping.

3180 Dufferin is also a large and rectangular shaped parcel of land and has an area of approximately 1.63 hectares. 3180 Dufferin is located at the southwest corner of Dufferin Street and Samor Road. The Site is currently occupied by two one- to two-storey commercial buildings and associated surface parking areas that were formerly used as the Dean Myers Chevrolet Buick GMC Corvette automobile dealership complex.

The Dufferin Properties together form a larger block that is bounded by Dufferin Street to the east, Apex Road to the south, Samor Road the north and the existing employment lands to the west. This larger combined block is known as “Block 7” in the Dufferin Street Secondary Plan (the “**DSSP**”) with Dufferin Plaza forming the south half of Block 7 and 3180 Dufferin forming the north half of Block 7. Although each property is a separate land assembly, the design of the Dufferin Plaza development and the 3180 Dufferin development have been adapted through the application and mediation process to provide a synergy between the properties to deliver a combined park, an aligned north-south public street and a combined open space including a multi-use path and complementary built form development schemes.

The OPA and ZBA Applications submitted proposed to permit the redevelopment of:

- Dufferin Plaza with new residential/mixed-use buildings containing three towers of 22, 24 and 26 storeys (approximately 77.9, 84.4 and 90.6 metres, including mechanical penthouse), in addition to a new public park and a new public and private street network (the “**Dufferin Plaza Development**”); and
- 3180 Dufferin with new residential/mixed-use buildings containing four towers of 18, 20, 23 and 25 storeys (64.0, 69.9, 80.0 and 85.9 metres including mechanical penthouse), in

addition to a new public park, a privately-owned publicly accessible open space (“POPS”) and a new public and private street network (the “**3180 Dufferin Development**”).

On July 19, 2024, the Dufferin Plaza Applicants appealed the Dufferin Plaza OPA and ZBA Applications and the Dufferin Plaza PoS and SPA Applications to the Tribunal for the failure of the City to make a decision within the statutory timelines. Similarly, on September 23, 2024, the 3180 Dufferin Applicants appealed the 3180 Dufferin OPA and ZBA Applications and the 3180 Dufferin PoS and SPA Applications to the Tribunal for the failure of the City to make a decision within the statutory timelines. The PoS and SPA Applications for Dufferin Plaza and 3180 Dufferin were not directly subject of the mediation process although key matters were discussed to begin resolving some items related to the implementation of the OPA and ZBA Applications.

The Revised Dufferin Plaza and 3180 Dufferin Developments:

The first phase of the mediation dealt with the proposed built form for the entirety of the larger block looking at the development of the block as a whole. The subsequent mediation sessions were focused on ensuring that the development of the component parcels of each of the Dufferin Plaza Development and 3180 Dufferin Developments could proceed on a phased basis. This included working with City Staff to investigate and establish the conditions and requirements that would allow the implementation of the OPA and ZBA Applications on a phased basis and putting in place the framework for matters that will be dealt with further to the future PoS and Site Plan processes.

Overall, these mediation sessions were productive and resulted in development options for each of Dufferin Plaza and 3180 Dufferin and would revise the OPA and ZBA to permit the redevelopment of:

- Dufferin Plaza with new residential/mixed-use buildings containing four towers of 16, 17, 22 and 31 storeys, in addition to approximately half of a new public park in a location that allows for a combined park block with 3180 Dufferin, approximately half of a new public north/south street and approximately half of a new east/west open space including a multi-use trail connection to be shared with 3180 Dufferin;
- 3180 Dufferin with new residential/mixed-use buildings containing four towers of 15, 17, 30 and 31 storeys in addition to approximately half of a new public park, in a location that allows for a combined park block with Dufferin Plaza, approximately half of a new public north/south street and approximately half of a new east/west open space including a multi-use trail connection to be shared with Dufferin Plaza,

In order to address the concerns raised by Duff in regard to the alignment of the proposed public street on the Duff property to the south of Dufferin Plaza, the parties are proposing that the alignment of the proposed north/south street on Dufferin Plaza allows for a maximum off-set of

up to 0.5 metres to the alignment of the planned public street proposed for the Duff property with this requirement to be reflected in the proposed OPA for Dufferin Plaza.

In addition, the mediation addressed the potential phasing of the development of both Dufferin Plaza and 3180 Dufferin including a proposed cul-de-sac design, and temporary open space for each half of the block should it be the case that either development was to proceed before the other.

Further to the mediation, we are writing to provide the City with a Without Prejudice Settlement Offer from the Dufferin Plaza Applicant and the 3180 Dufferin Applicant that would revise the OPA and ZBA Applications.

We ask you to submit this without prejudice settlement offer to City Council on May 21, 2025. If the required City Staff reports are approved and accepted on that date, then the Dufferin Plaza Applicant and the 3180 Dufferin Applicant, Duff, and the City would jointly support the settlement at an OLT settlement hearing of the revised OPA and ZBA Applications.

The Dufferin Settlement Offer and the associated Settlement Plans and Revised Materials and Reports attached as Appendix “A”, “B” “C” “D” and “E” to this confidential attachment respectively and can be summarized as follows:

Revised Dufferin Plaza and 3180 Dufferin Developments:

- the height of the mixed-use buildings on the Dufferin Plaza lands will be revised to permit four towers of 16, 17, 22 and 31 storeys respectively;
- the height of the mixed-use buildings on the 3180 Dufferin lands will be revised to permit four towers of 15, 17, 30 and 31 storeys respectively;
- there will be modifications to the form of the buildings to achieve a built form that is satisfactory to City Planning Staff including:
 - o Dufferin Plaza will incorporate:
 - a building mass contained within the 45 degree angular plane measured at a height of 80% of Right-of-Way width from Dufferin Street;
 - a maximum 5-storey podium fronting on Dufferin Street;
 - a minimum 5.0-metre setback from Dufferin Street both above and below grade;
 - a maximum 5 storey podium fronting on Apex Road for Block 1; and a maximum 4 storey podium fronting on Apex Road for Block 2;
 - a minimum 5.0-metre setback from Apex Road for Block 1 above grade only and a minimum of 4.0-metre setback from Apex Road for Block 2 above grade only;
 - a maximum 4 storey podium fronting on new north-south street;

- a minimum setback of 3.0 metres from the new north-south street above grade only;
 - a minimum tower separation of 25 metres between all towers;
 - a minimum 3.0 metre tower setback from Apex Road, new north-south public street, the proposed public park, and the new east west open space; and
 - a maximum 4 storey podium fronting on the proposed public park;
 - a minimum setback of 5.0 metres from the proposed public park;
- o 3180 Dufferin will incorporate:
 - a building mass contained within the 45 degree angular plane measured at a height of 80% of Right-of-Way width from Dufferin Street;
 - a maximum 5-storey podium fronting on Dufferin Street;
 - a minimum 5.0-metre setback from Dufferin Street both above and below grade;
 - a maximum 5 storey podium fronting on Samor Road for Block 3; and a maximum 4 storey podium fronting on Samor Road for Block 4;
 - a minimum 5.0-metre setback from Samor Road above grade only;
 - a maximum 4 storey podium fronting on new north-south street;
 - a minimum setback of 3.0 metres from the new north-south street above grade only;
 - a minimum tower separation of 25 metres between all towers; and
 - a minimum 3.0 metre tower setback from Apex Road, new north-south public street, the proposed public park, and the new east west open space;
 - a maximum 4 storey podium fronting on the proposed public park;
 - a minimum setback of 5.0 metres from the proposed public park;
- onsite open space with a minimum width of 19.0 metres incorporating a multi-use trail located at the abutting property lines of 3180 Dufferin and Dufferin Plaza of approximately:
 - o 469 square metres on 3180; and
 - o 469 square metres on Dufferin Plaza
- onsite public parks located at the abutting properties lines of 3180 Dufferin and Dufferin Plaza of approximately:
 - o 1449 square metres on 3180 Dufferin, representing an approximate 10% parkland conveyance; and
 - o 1364 square metres on Dufferin Plaza, representing an approximate 10% parkland conveyance;
- the overall FSI density of the development on each of 3180 Dufferin and Dufferin Plaza will be 5.0 FSI for each property.



As noted above, this Without Prejudice settlement offer will remain open until the end of the City Council meeting scheduled to commence on May 21, 2025, at which point this offer should be considered as withdrawn if not accepted by City Council. unless otherwise indicated.

We would be pleased to submit any further information as required.

Yours truly,

Goodmans LLP

A handwritten signature in blue ink, appearing to read "AB", followed by a long horizontal line.

Anne Benedetti

cc. Melissa Bruzzese, RioCan

**APPENDIX “A”
To the Dufferin Settlement Offer Letter**

Support at the Ontario Land Tribunal (“OLT”):

- 1.1** The 3180 Dufferin Applicant, the Dufferin Plaza Applicant and the City (the “**Parties**”) each agree,
- (a) to jointly support a settlement (the “**Settlement**”) at the OLT Hearing of the 3180 Dufferin and the Dufferin Plaza official plan, and zoning applications as revised, that would allow for their resolution upon the terms and conditions set out in the Dufferin Settlement Offer, and
 - (b) to that end, any Party may file the Dufferin Settlement Offer at the OLT Hearing.

Site Specific OPAs, and Zoning Amendments

- 1.2** The Parties each agree to request the Tribunal approve revised official plan amendments, to permit the redevelopment generally in accordance with the drawings attached as Appendix “B” to the Dufferin Settlement Offer Letter with the language of the official plan amendment(s) to incorporate the appropriate provisions that are in keeping with the Settlement and appropriate for the development of 3180 Dufferin and Dufferin Plaza.
- 1.3** The Parties each agree to request the Tribunal approve zoning by-law amendments to permit the redevelopment substantially in accordance with the drawings attached as Appendix “B” to the Dufferin Settlement Offer Letter.

Built Form and Urban Design Matters:

- 1.4** The Parties each agree that the zoning by-law amendment(s) will incorporate the following built form and urban design matters substantially as shown on the drawings attached as Appendix “B” to the Dufferin Settlement Offer Letter:
- (a) minimum base building setbacks and stepbacks as substantially shown on the drawing attached as Appendix “B” to the Dufferin Settlement Offer Letter, with the Dufferin Street setbacks, above and below grade, taken from the post-widening Dufferin Street property line;
 - (b) metric heights of buildings and base buildings substantially as shown on the drawings attached as Appendix “B” to the Dufferin Settlement Offer Letter;
 - (c) amenity spaces rates of 1.5 square metres per unit of indoor amenity space and 2.0 square metres per unit for outdoor amenity space for both 3180 Dufferin and Dufferin Plaza;

- (d) the dwelling unit mix will be provided in accordance with the City of Toronto Growing Up Urban Design Guidelines, 2020;
- (e) maximum tower floorplates of 750 square metres substantially as shown on the drawings attached as Appendix “B” to the Dufferin Settlement Offer Letter; and
- (f) a minimum of 25 metres of tower separation between towers substantially as shown on the drawings attached as Appendix “B” to the Dufferin Settlement Offer Letter.

Parkland:

1.5 The Parties each agree that the following parkland related matters will be provided to support the redevelopment of 3180 Dufferin and Dufferin Plaza, and will be reflected in the official plan amendment and zoning by-law amendment and other directions where appropriate:

- (a) onsite public parkland dedications located at the abutting properties lines of 3180 Dufferin and Dufferin Plaza to create one contiguous park having the following approximate minimum sizes, to the satisfaction of the General Manager, Parks and Recreation and the City Solicitor:
 - (i) 1,412.7 square metres on 3180 Dufferin; and
 - (ii) 1,327.9 square metres on Dufferin Plaza;
- (b) onsite public parks to be conveyed prior to the issuance of the first above-grade building permit for any building on the corresponding development site or the registration of the plan of subdivision that the parkland is associated with, whichever is later, free and clear, above and below grade, of all easements, encumbrances, and encroachments, with the exception of permitted tie-backs in an acceptable environmental condition;
- (c) onsite public parks to have a combined frontage on the new public north/south street of approximately 36.2 metres;
- (d) a 5-metre setback is provided between the parkland boundaries and any building face abutting the onsite public parks;
- (e) acceptance of the onsite public park conveyances be subject to the results of the peer-reviewed land use compatibility study in accordance with the applicable Ontario Environmental Land Use Planning Guideline D-6 Compatibility Between Industrial Facilities requirements to the satisfaction of the General Manager, Parks and Recreation;
 - (i) should portions of the onsite public parklands not be deemed acceptable according to the results of the peer-reviewed land use compatibility study, the residual parkland requirement will be satisfied

by a payment of cash-in-lieu made prior to the issuance of the first above-grade building permit for any building on the corresponding development site that the parkland is associated with;

- (f) in the event that the owners elect to design and construct Above Base Park Improvements for both portions of the proposed parkland, the Above Base Park design is to occur as a single process for both portions of the parkland before delivery of the portion of the parkland that is conveyed first, with each owner being responsible for construction on their respective portion, and each owner receiving a development charge credit for its portion of the Above Base Park Improvements;
- (g) the above base parkland-related matters outlined herein will be secured in the applicable registered subdivision agreement;

Open Space, and Landscaping:

1.6 The Parties each agree that the following open space, and landscaping related matters will be incorporated to support the redevelopment of 3180 Dufferin and Dufferin Plaza and reflected in the official plan amendment and zoning by-law amendment and other directions where appropriate:

- (a) onsite open space with a minimum width of 19.0 metres incorporating a multi-use trail located at the abutting property lines of 3180 Dufferin and Dufferin Plaza of approximately:
 - (i) 469 square metres on 3180 Dufferin; and
 - (ii) 469 square metres on Dufferin Plaza

with patio encroachments into the open space by a maximum of 2.5 metres as generally illustrated on the plans attached as Appendix “B” and “C” respectively to the Dufferin Settlement Offer Letter

- (b) the trees on and surrounding the development will be generally as illustrated on the landscape and soil volume plans attached as Appendix “B” and “C” respectively to the Dufferin Settlement Offer Letter;
- (c) the soil volumes for the development will be generally as illustrated on landscape and soil volume plans attached as Appendix “B” and “C” respectively to the Dufferin Settlement Offer Letter.

Transportation- Related Matters:

1.7 The Parties each agree that the following transportation related matters will be incorporated to support the redevelopment of the Subject Site and reflected in the official plan amendment and zoning by-law amendment and other directions where appropriate:

- (a) The proposed north – south public road will have a minimum right -of -way width of 20.0 metres, substantially as shown on the drawings attached as Appendix “B” to the Dufferin Settlement Offer Letter
- (b) Parking at the following rates for the development:
 - (i) a minimum of 0.30 residential occupant parking spaces for each dwelling unit;
 - (ii) a minimum 2.0 parking spaces plus 0.05 parking spaces per dwelling unit for residential visitors;
 - (iii) no minimum for retail parking;
 - (iv) a minimum of 1 space per 100 square metres of gross floor area for a grocery store; and
 - (i) a minimum of twenty (20) of the total parking supply for each of 3180 Dufferin and Dufferin Plaza will be accessible parking spaces.
- (c) Loading at the following rates for the development
 - (i) For retail gross floor area of 500 m² – 1,999m², a shared Type B and Type G loading space will be required;
 - (ii) For grocery gross floor area of 500 m² – 1,999 m², a dedicated Type B loading space will be required and WB-20 trucks will be prohibited from accessing the site.
- (d) Pick Up and Drop Off:
 - (i) Pick up and drop off areas generally as shown on the drawings attached as Appendix “B” respectively to the Dufferin Settlement Offer;
 - (ii) Pick Up and Drop Off (“PUDO”) spaces provided at the 95th percentile demand based on a rate of 0.0064 spaces per unit calculated on a per block basis subject to standard rounding rules; and
 - (iii) A minimum number of PUDO spaces will be provided at-grade within each block regardless of any changes to the number of units as follows:
 - (A) Block 1 – 2 PUDO spaces
 - (B) Block 2 – 3 PUDO spaces
 - (C) Block 3 – 2 PUDO spaces
 - (D) Block 4 – 4 PUDO spaces;
 - (iv) PUDO spaces will be publicly accessible and will have elevator access to the lobby.

- (v) The difference between the fixed number of at-grade PUDO parking spaces and the 95th percentile PUDO demand (0.0064 spaces per unit) may be accommodated underground, subject to the submission of appropriate Transportation Demand Management (TDM) measures to the satisfaction of both Transportation Review and Transportation Planning, as well as, through the Site Plan Control approval process, an acceptable PUDO Management Plan to the satisfaction of Transportation Review. If the proposed TDM measures and PUDO Management Plan are not deemed satisfactory, the full 95th percentile PUDO demand must be accommodated at grade.
- (e) The Parties agree that the intent of the TIS addendum (noted in paragraph 1.10 b.v.) is to provide an update on the transportation related changes resulting from the proposal included herein. The TIS addendum is not intended to re-test the fundamental principles of the 3180 Dufferin and Dufferin Plaza development as set out herein including but not limited to the level of density, its deployment across the site, road network, property requirements, and broader transportation network improvements taking into consideration planning already completed by the City as part of the Dufferin Street Secondary Plan.

Procedural Matters

- 1.8** The Parties agree to request that the Tribunal adjourn the appeals related to the Plan of Subdivision Applications and Site Plan Control Applications be adjourned *sine die* to allow for consensual resolution of remaining issues with these applications;
- 1.9** The Parties also agree to request the Tribunal withhold its order(s) approving the official plan amendment(s) until the Tribunal is advised by legal counsel for the City that:
 - (a) the final form of the official plan amendment(s) is acceptable to the City Solicitor.
- 1.10** The Parties also agree to request the Tribunal withhold its order(s) approving the zoning by-law(s) until the Tribunal is advised by legal counsel for the City that:
 - (a) the final form of the separate zoning by-laws applicable to each of 3180 Dufferin and Dufferin Plaza is acceptable to the City Solicitor;
 - (b) the final form of the separate zoning by-laws applicable to each of 3180 Dufferin and Dufferin Plaza shall include an (H) holding symbol until such time as:
 - (i) the owner has satisfactorily addressed all matters contained in the Engineering and Construction Services Memorandum dated May 7, 2024, applicable to the property in question and any issues raised by Engineering and Construction Services, arising from the ongoing

- technical review of the studies listed in (ii), as they relate to the subject applications, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
- (ii) the owner has submitted or updated, as the case may be, the following reports to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services: Functional Servicing Report applicable to the property in question to demonstrate adequate capacity in the storm and wastewater system and to identify any required improvements to accommodate the development of the lands, Phase Two Environmental Site Assessment Report, Hydrological Review Summary, Hydrogeological Investigation, Preliminary Geotechnical Investigation, Servicing Report Groundwater Summary, and Functional Servicing & Stage 1 Stormwater Management Report
 - (iii) Where improvements to the municipal sewer and/or water system are recommended in the revised Functional Servicing Report as accepted by the Chief Engineer and Executive Director, Engineering and Construction Services, applicable to the property in question, the Owner has entered into a financially secured agreement with the City to secure the construction of the required improvements.
 - (iv) the Owner has obtained draft approval of a Draft Plan of Subdivision applicable to the property in question [INSERT ALL LANDS SHOWN ON DIAGRAM 1 OF BY-LAW [xxx] under subsections 51(31) or 51(56) of the Planning Act satisfactory to the Executive Director, Development Review and the City Solicitor.
 - (v) the Owner has submitted an addendum to the Transportation Impact Study (TIS) for the applicable property in question to the satisfaction of the Executive Director Development Review in consultation with the Manager of Transportation Review North York District, that
 - (A) provides traffic analysis for the ultimate condition with the statistics for each proposed development in accordance with the applicable zoning by-law, taking into account the removal of the east-west road and the relocation of the block driveways;
 - (B) satisfactorily addresses all relevant matters contained in the Transportation Review comments provided in the memoranda dated August 2024 for 3180 Dufferin and May 2024 for Dufferin Plaza, except to the extent that they have otherwise been modified in the site specific zoning by-law, reflective of the revised proposal;
 - (c) the owner has submitted an updated Land Use Compatibility and Mitigation Study for peer review applicable to the property in question and any required

mitigation measures have been secured as necessary, all at the owner's sole expense, and all to the satisfaction of the Executive Director, Development Review;

- (d) the Owner has submitted an updated Wind Study to the satisfaction of the Executive Director, Development Review; and if necessary, the proposed Zoning By-law Amendment has been revised to address built form changes to mitigate unacceptable wind impacts that cannot mitigated by way of matters secured through the Site Plan Control approval process; and
- (e) the owner has provided an updated Transportation Demand Management Plan applicable to the property in question to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, and the General Manager, Transportation Services;

Phasing Related Matters:

1.11 Should the development of 3180 Dufferin and Dufferin Plaza be phased such that the entire open space incorporating a multi-use trail proposed on both the 3180 Dufferin and Dufferin Plaza properties cannot be constructed at the same time:

- (a) Should 3180 Dufferin Block 3 proceed to develop prior to Dufferin Plaza Block 1, 3180 Dufferin Block 3 will be permitted to provide a temporary open space as generally illustrated on the plans attached as Appendix "D" to the Dufferin Settlement Offer Letter until such time as Dufferin Plaza Block 1 moves forward with development; or
- (b) Should Dufferin Plaza Block 1 proceed to develop prior to 3180 Dufferin Block 3, Dufferin Plaza Block 1 will be permitted to provide a temporary open space as generally illustrated on the plans attached as Appendix "D" to the Dufferin Settlement Offer Letter; until such time as 3180 Block 3 moves forward with development.

1.12 Should the development of 3180 Dufferin and Dufferin Plaza be phased such that the proposed north south public road is not provided as one continuous road spanning both 3180 Dufferin and Dufferin Plaza:

- (a) Should 3180 Dufferin proceed to develop prior to Dufferin Plaza, 3180 Dufferin will be permitted to provide a temporary cul de sac as illustrated on the plans attached as Appendix "E" to the Dufferin Settlement Offer Letter until such time as Dufferin Plaza moves forward with development; or
- (b) Should Dufferin Plaza proceed to develop prior to 3180 Dufferin, Dufferin Plaza will be permitted to provide a temporary cul de sac as illustrated plans attached as Appendix "E" to the Dufferin Settlement Offer Letter; until such time as 3180 Dufferin moves forward with development.



APPENDIX "B"
To the Dufferin Settlement Offer Letter



APPENDIX "C"
To the Dufferin Settlement Offer Letter



APPENDIX "D"
To the Dufferin Settlement Offer Letter



APPENDIX "E"
To the Dufferin Settlement Offer Letter

1403-7020-8788