



September 15, 2020

Office of the City Clerk
City of Vaughan
Vaughan, ON L6A 1T1
Attn: Members of City Council

Dear Mr. Mayor and Members of Committee:

Re: Item 3: Committee of the Whole (Public Meeting), September 15, 2020
Calloway Reit (400 and 7) Inc.
Official Plan Amendment File OP.19.012
Zoning By-law Amendment File Z.19.036
137 Chrislea Road, 57 and 101 Northview Boulevard,
Vicinity of Highway 7 and Highway 400

We act as legal Counsel to 2159645 Ontario Inc. ("215"). 215 is the developer/builder of the mixed-use development constructed and occupied at the northeast corner of Weston Road and Highway 7. This development comprises two high-rise residential condominium towers, an office tower and an integrated multi-level retail complex.

215 shares a property line along the western edge of the Calloway REIT (400 and 7) Inc. ("Calloway") site. Along that property line is a partially constructed joint access road which has never been completed to achieve an agreed to and approved interim functioning roadway to serve both sites. This property line is also the location for an agreed to permanent functioning roadway.

We are writing to bring this outstanding situation to the attention of staff, Committee and Council in considering the review and processing of the current Calloway application.

Calloway today is proposing significant development on its lands which include this joint access roadway and yet no effort has been made to address this important joint access issue.

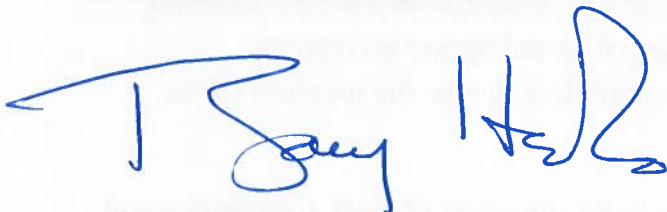
There is a 2012 Agreement already in place that speaks to the issue of sharing access between the two properties. The 2012 Agreement addresses the need for an Interim Access Plan and a possible Permanent Access Plan. Our clients have been attempting for years to seek the cooperation of Calloway to permit the Interim Access Plan to be constructed. The Interim Access Plan is in accordance with the 2012 Agreement and has been approved by the MTO, the Region of York and the City of Vaughan.

In the proposal by Calloway to the City, neither the Interim Access Plan or Permanent Access Plan are shown. Instead, the existing access arrangement is shown, which is neither in accordance with the 2012 Agreement or a safe and orderly operational plan. Residents and tenants in the 215 property have communicated concerns that the common roadway has not been completed to date despite the fact that the building was occupied more than two years ago. All of this exists today due to Calloway's refusal to comply with the 2012 Agreement to allow direct access from the northbound lane into the entrances of the 215 property.

Given the increased traffic that will result from this proposed development, the need for Calloway to honour the 2012 Agreement such that 215 can finalize the construction of the north-south road separating our two properties in accordance with the plans that have been approved by the MTO, the Region of York and the City of Vaughan is even more important.

Unless the 2012 Agreement is honoured immediately by Calloway and the road constructed by the end of the year in accordance with the approvals above, 215 cannot support the Calloway proposal.

All respectfully submitted,
HOROSKO PLANNING LAW



Barry A. Horosko, BES, JD.
cc. 2159645 Ontario Inc.