



Development Planning Department
The City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
Canada L6A 1T1
Tel (905) 832-2281

September 3, 2008

Lloyd Russell, Commissioner of Finance and Treasurer
Regional Municipality of York
17250 Yonge Street
Newmarket, ON
L4K 0A4

Re: Crystal Corporate Centre Inc.
Site Plan Application File: DA.07.070
8760 Jane Street, southwest corner of Jane Street and Gensal gate. Block 59 on Plan 65M-2854 and Part of Lot 12, Concession 5, City of Vaughan

The Vaughan Development Planning Department has been asked by your Department to respond to correspondence received by the Region of York from both Crystal Corporate Centre Inc. dated June 24, 2008 and their Legal Counsel dated July 3, 2008. More specifically, the Region of York has asked the Development Planning Department to look into allegations by the Owner that delays caused by City of Vaughan Staff in the overall processing of the above-noted Site Plan Application has unduly resulted in the application being delayed, and subsequently subject to new Regional Development Charges that took effect on June 18, 2008.

This letter dated September 3, 2008 replaces the letter of August 18, 2008. The August 18, 2008 letter contained typographical errors with respect to certain dates which have been corrected, and secondly, this letter provides further information pertaining to the issuance of building permits. Please disregard the letter of August 18, 2008.

Attached to this letter is a "Chronology of Events" prepared by my staff and based on information within our file. As noted, the Application was received by the Development Planning Department on September 4, 2007 and not in August as stated by the owner and their legal counsel in their respective letters to the Region of York. The original submission was taken to our Site Plan Review Team (SPRT) meeting on September 26, 2007 where preliminary comments were received by the Development Planning Department and provided to the EMC Group, the registered agent on the file on September 28, 2007. A full Site Plan submission was not received by my staff until November 27, 2007, nearly two (2) months after the SPRT comments were provided to them.

The letters received by the Region of York from the Owner and their Legal Counsel regarding the appeal of Regional Development Charges make reference to a submission to Engineering on January 21, 2008, and subsequently comments being lost by the planner resulting in unnecessary delay. The Development Planning Department has no record of any submission being made to Engineering on January 21, 2008 and in fact has comments from our Engineering Department dated January 24, 2008, which were based on the information provided in the first full submission (circulated on December 11, 2007).

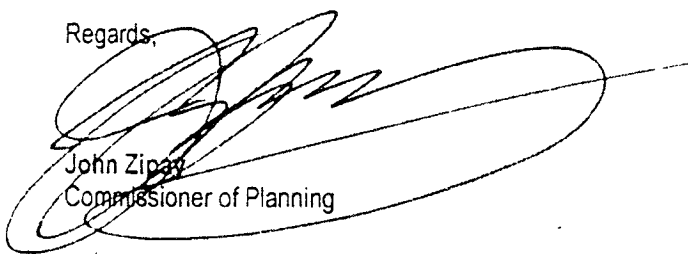
Staff circulated the application on December 11, 2007 with a requested deadline for comments on January 11, 2008. All of the comments with the exception of York Region were received by the Development Planning Department on or before January 30, 2008. On February 8, 2008, staff received a copy of a fax between the EMC Group and the owner with a proposition from the Region of York indicating the Region was satisfied with an access onto Jane Street provided the access operated in a right-in, right-out movement and that the existing traffic median be extended 140m south on Jane Street. Formal comments were received from the Region of York on March 14, 2008 in this regard.

The agent for the application did not submit revised plans until April 24, 2008, six (6) weeks after comments from York Region were received and three (3) months after comments from City of Vaughan staff were received.

As seen from the "chronology of events", and given the delay in the applicants' response to comments as indicated above, and with no record of submission to the Engineering Department on January 21, 2008, I can only conclude that the allegations of the application being delayed by City Staff are unfounded and incorrect. It is my opinion that my staff and City of Vaughan Staff in other departments displayed a reasonable, customary, and timely response to all submissions made by the owner and their agent.

If you have any questions, please feel free to call me at (905) 832-8585 ext. 8445.

Regards,



John Zipay
Commissioner of Planning

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Attachments:

1. Chronology of Events
2. Letter from Joe Tersigni, representing Crystal Corporate Centre Inc.
3. Letter from Domenic Presta, C.S. Bianchi Presta LLP, Legal Counsel for Crystal Corporate

Copy:

- Clayton Harris, Commissioner of Finance/Deputy City Manager
- Grant Uyeyama, Senior Manager of Development Planning (LOG #135/08)
- Ferruccio Castellarin, Director of Reserves & Investments
- Ryan Mino, Development Planning Department

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Crystal Corporate Centre Inc.
(DA.07.070)

Chronology of Events

- Aug 24, 2007 – Minor Variance Application received by the Committee of Adjustment for variances to building height, parking and rear yard setback
- Sept 4, 2007 - Preliminary SPRT Site Development Application DA.07.070 received by the City of Vaughan Development Planning Department
- Sept 7, 2007 – Notice for SPRT (Site Plan Review Team) meeting sent to Building Standards, Engineering and Public Works Department
- Sept 13, 2007 – Preliminary SPRT comments received from Parks Department (no objections)
- Sept 18, 2007 – Preliminary comments received from the Building Standards Department – Zoning Section (building height, rear yard setback, parking and loading space provisions do not comply with the Zoning By-law)
- Sept 25, 2007 – Preliminary SPRT comments received from Urban Design (general comments related to urban design)
- Sept 26, 2007 - SPRT Meeting
- Sept 28, 2007 – SPRT comments from the Engineering Department (site servicing and grading plan, storm water management report, allocation, site screening questionnaire and traffic impact study required from applicant for Engineering Review)
- Sept 28, 2007 – General comments from SPRT meeting provided by Development Planning Department to consultant (EMC Group) (comments pertain to screening of roof top mechanical, up-to-date parcel abstract, internal garbage rooms, waste designs collection manual requirements, premature committee of adjustment application, parking study required)
- Nov 6, 2007 – York Region advised applicant that no access from Jane Street would be permitted and access to site must be from signalized intersection and Gensal Gate only
- Nov 27, 2007 - Full Site Development Application for proposed development received by City of Vaughan Development Planning Department
- Dec 11, 2007 - Application circulated to internal City Departments and external agencies by the Development Planning Department. (Deadline for comments January 11, 2008 to account for Holiday closure)

- Dec 14, 2007 - Comments received from Building Standards Department – Building Code
- Dec 19, 2007 - Powerstream comments (Standard comments)
- Dec 19, 2007 - Comments from Real Estate (Cash-in-lieu required)
- Dec 20, 2007 - Comments from Public Works (Waste Collections comments)
- Jan 2, 2008 - Comments from Urban Design (high quality pedestrian network required and updated landscape cost estimate)
- Jan 7, 2008 - Comments from Building Standards Department – Zoning (parking, height, rear yard setback and loading space deficiencies) A352/07 Variance Application on hold
- Jan 7, 2008 - Comments from Canada Post (standard comments)
- Jan 8, 2008 - Comments from Finance (any outstanding taxes and development charges are required)
- Jan 24, 2008 - Comments from Vaughan Engineering (redlined plans and stormwater report attached with comments and remove 0.3m reserve for access)
- Jan 24, 2008 - Engineering Comments sent to EMC Group via email
- Jan 28, 2008 - Engineering (Transportation) comments (review of Traffic Impact Study, need updated projected traffic volumes, and does not support access onto Jane Street as per Region of York comments from Robert Partridge)
- Jan 30, 2008 - Comments from Development Planning Department (no external garbage areas, must be internal to the building) sent to EMC Group on this day
- Feb 3, 2008 - Copy of memo between from EMC Group and Owner received by the Development Planning Department indicating that the Region of York is amenable to an access onto Jane Street, provided existing median is extended and access utilizes a right in-right out movement only.
- Mar 14, 2008 - Comments from Region of York Transportation and Works Department (ok with right-in right out access onto Jane St with an extension to the centre median, review fees applicable, Letter of Credit and Certificate of Insurance required, plans and drawings required)
- April 24, 2008 - Second submission addressing all previous comments submitted by EMC Group
- April 28, 2008 - Revised submission circulated to Urban Design, Engineering, Building Standards, and Region of York (Deadline for comments May 12, 2008)

- May 11, 2008 - Comments received from Building Standards Department (height, rear yard setback, parking and loading space deficiencies)
- May 14, 2008 - Waste Management Collection Design received by Development Planning Department
- May 15, 2008 - Waste Management Collection Design sent to Public works for review
- May 16, 2008 - Comments from Urban Design (revise landscape cost estimate, provide permeable pavers, provide sheltered bicycle rack, revised pedestrian network using revised sketch, tree preservation plan, finishing material samples, and photometric lighting plan required)
- May 26, 2008 - Building Standards and Urban Design Comments sent to EMC Group
- May 30, 2008 - Revised Site Plan submitted to Development Planning Department by EMC Group
- Jun 03, 2008 - Draft Reference Plan, Hydro Distribution System, Area Lighting Plan, Electrical Schematic Plan and Photometric Data Submitted by EMC Group
- Jun 03, 2008 - Approval from Vaughan Engineering (Transportation) Department
- Jun 04, 2008 - Engineering Department Comments (small changes required)
- Jun 04, 2008 - York Region approval of Traffic Study
- Jun 04, 2008 - Revised Landscape Cost Estimate submitted to Development Planning Department
- Jun 04, 2008 - Revised Landscape Plan submitted to Development Planning Department
- Jun 10, 2008 - Revised Site Servicing and Grading Plan and rolled full size colour drawings submitted
- Jun 11, 2008 - Elevations for Council (not renderings) submitted by EMC Group
- Jun 13, 2008 - Revised Landscape Plan submitted
- Jun 16, 2008 - Staff Report for the development considered by Committee of the Whole. Recommendation of Approval adopted by Vaughan Council on June 23, 2008
- Jun 18, 2008 - Regional Development Charges Increase
- Jun 19, 2008 - Minor Variance Application (A352/07) approved by Committee of Adjustment for reduction in rear yard setback, required loading spaces

and parking, and an increase in the building height); subject to 20 day appeal period

- Jun 24, 2008 - Region of York final conditions (not approval)
- Jun 25, 2008 - Engineering Approved Drawings
- Jun 26, 2008 - Urban Design Approval
- Jun 27, 2008 - Draft Site Plan Agreement Circulated to Internal City Departments
(Deadline for comments: **JUNE 27, 2008**)
- Jun 27, 2008 - Region of York Approval
- Jun 27, 2008 - Letter of Credit, Certificate of Insurance and Registration Fees received by the City, including 10 copies of the Agreement signed by the owner. All copies of the agreement given to the owner for owner and Region of York signature
- Jun 30, 2008 - Letter to Building Standards Department from Commissioner of Planning authorizing the release of a "conditional foundation permit"
- Jun 30, 2008 - Building Permit 08-3368 for Building 'A' (2,530 m² net of demolition) was issued. All development charges paid at rate in effect at time of building permit issuance (Regional Development Charges \$202,194.67)

Building Permits for Building 'B' and 'C' were not issued as the applicant decided to revise drawings in order to remove basements
- July 1, 2008 - City of Vaughan Development Charges Increase
- July 11, 2008 - 9 Copies of Site Plan Agreement Signed by owner and Region of York
- July 14, 2008 - Site Plan Agreement sent to Clerks for Mayors Signature
- July 22, 2008 - Site Plan Agreement sent to Legal for registration on title
- Aug 8, 2008 - Building Permit 08-3369 for Building 'B' (1,547m²) and Building Permit 08-0370 for Building 'C' (2,974.5m²) were issued. All development charges paid at the rate in effect at the time of building permit issuance (Regional Development Charge, Building 'B' \$123,642.35, Regional Development Charge, Building 'C' \$237,697.89)