

4 May 2010

Sent via E-mail

Mr. Lloyd Russell
Commissioner of Finance and Treasurer
York Region
17250 Yonge Street
Newmarket, Ontario
L3Y 6Z1

Dear Mr. Russell:

Re: Draft 2010 Development Charge By-law Amendment Background Study

We are writing on behalf of our clients, SmartCentres Inc. and Calloway REIT, the developers and/or owners of a number of properties in York Region (the "Region"). Our clients' landholdings in York Region include existing or planned retail and mixed use centres in the Town of Aurora, the Town of Markham, the Town of Richmond Hill, the City of Vaughan and the Town of Whitchurch-Stouffville.

Our clients have serious concerns regarding York Region's Draft 2010 Development Charge By-law Amendment Background Study, dated 21 April 2010 (the "2010 DC Background Study") and proposed development charges by-law amending By-law No. DC-0007-2007-040 (the "proposed DC By-law"). A preliminary review of the 2010 DC Background Study suggests that the Region is proposing a significant increase to the non-residential charge and a further differentiation in the non-residential charge as between retail development on the one hand and industrial, office and institutional development on the other. The increase in the non-residential charge would place a significant burden on commercial development in York Region.

On behalf of our clients we request the Region to delay any further consideration of the 2010 DC Background Study to permit our clients and their consultants appropriate time to review the 2010 DC Background Study and the methodology used in the 2010 DC Background Study and to engage in discussions with staff regarding the 2010 DC Background Study and the proposed DC By-law.

We trust that our clients' concerns and these submissions will be presented to the Finance and Administration Committee at the meeting of the Committee scheduled for 6 May 2010.

4 May 2010

We look forward to working with staff to address our clients' concerns regarding the 2010 DC Background Study and proposed DC By-law. We also request notice of any future meetings, staff reports, Committee and Council resolutions and decisions, and any other materials regarding the 2010 DC Background Study and proposed DC By-law.

Yours very truly,

Wood Bull LLP

for *Sharnini Mahadevan*
Dennis H. Wood

- c. Mr. Denis Kelly, Regional Clerk
Mr. Brad Keast, SmartCentres Inc.
Ms. Danniell Chin, BILD