

MARKHAM KIRKHAM DEVELOPMENTS INC.

October 29, 2008

Regional Municipality of York
17250 Yonge Street
Newmarket, ON
L3Y 6Z1

Attention: Denis Kelly, Regional Clerk- Corporate Services Department

**Re: NWC Markham Rd. (Hwy. 48) & Kirkham Dr.
Newtown Square Commercial Development
Markham, ON**

Dear Mr. Kelly:

Further to my letter of September 17th, I am writing with regard to the development charges relating to the above project (Region Municipality of York's File SP-M-052-06). Markham Kirkham Developments Inc. requests that this letter be considered at the Finance & Administration Committee on November 6th, 2008.

We are requesting Regional Council's authorization to its Finance Department to accept payment of the development charges for this project based on the rate in effect as of June 18th, 2008 and not at the increased rate after June 18th based on the reason set out below.

This project has been in development (Site Servicing Permit) since October 2007 and as a result of various complications such as numerous site plan and elevation modifications requested by the Town, the site plan agreement has not been executed until very recently.

We had originally submitted a Building Permit application to the Town of Markham on February 6, 2008 for a retail/commercial development on the subject lands; however, due to unforeseen financial circumstances we have not yet obtained our Building Permit.

The increased rate raised the DC's by \$1M, which has severely affected the financial feasibility of this project.

We believe this is a case in which the Region should consider an application for relief from the payment of the increased charges to which Markham Kirkham Developments Inc. will be subject should they be required to pay the new development charges.

I write this letter asking for immediate consideration and grandfathering this application and development from the new development charges. If you require any evidence or information to expand upon this letter, would you please contact the undersigned.

We thank you in advance for your efforts and review of our request letter.

Yours very truly,
MARKHAM KIRKHAM DEVELOPMENTS INC.

A handwritten signature in black ink, appearing to read 'Jonathan Rubin', with a stylized, flowing script.

Jonathan Rubin
Director of Planning & Development
416.739.7758 x 227