



23 July 2007

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

Attention: Mr. Lloyd Russell

Re: Payment of Regional Development Charges -- Harvest Hills Subdivision

Dear Mr. Russell:

The letter is in response to your correspondence of July 10th, 2007, regarding development charge payments for the above noted plan of subdivision. Minto Communities (Toronto) Inc. (MCTI) and Harvest Hills Development Corporation (HHDC) maintain that our submission meets the intent of the Region's criteria for payment of development charges at the rates, which were in place prior to the Region's DC by-law enacted as of June 18th, 2007. We respectfully request that you reconsider your decision based on our submission and the additional information outlined below.

MCTI and HHDC have been working towards final approvals for this plan of subdivision and anticipated that registration of the plan would have been completed prior to the June 2007. A Topsoil Stripping and Earthworks Agreement and a Pre-servicing Agreement were entered into between MCTI and HHDC and the Town in May 2006. Site servicing is near completion resulting in an investment in excess of \$12 million for servicing construction costs.

As the Region is aware, the provision of water to service this development has been a significant obstacle. Discussions and negotiations between the Town of East Gwillimbury and the Town of Newmarket, with the involvement by Regional staff, have taken place over the past several months. While we appreciate the complexities of these discussions and the efforts being made, delays in securing water through the required inter-municipal agreement served to delay the entering into of a Subdivision Agreement with the Town of East Gwillimbury and completion of the registration process. Such negotiations were outside the purview of our control.

Further to the recent completion of the inter-municipal agreement for water servicing, we anticipate no other remaining delays associated with the Harvest Hills subdivision. We are actively pursuing the required clearances of the draft plan conditions and registration of Phase 1 of this plan of subdivision as soon as possible.

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It is our solicitor's opinion that Section 26 (2) in the Development Charges Act imparts the ability to pay development charges immediately upon the parties entering into a Subdivision Agreement. The Subdivision Agreement between the Town of East Gwillimbury, MCTI and HHDC was executed and entered into on June 15th 2007.

We acknowledge that your July 10th, 2007, correspondence identified that a properly signed and dated final plan was outstanding. As previously noted, significant site servicing has been underway for several months. Unfortunately, this resulted in a number of monument bars requiring reinstatement. As soon as this issue was discovered, the surveyor was given instructions to reinstate the monuments and complete the properly signed M-Plan, which was submitted on June 27th, 2007. All other requirements were met prior to the June 15th deadline.

Based on all of the reasons noted above it is our position that the Region of York should reconsider the merits of our submission and allow Phase 1 development charges to be paid at the prevailing rate prior to June 18th, 2007.

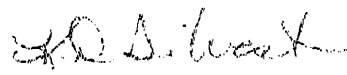
Your time and attention to this matter are greatly appreciated. Should you have any questions or concerns, please contact me at your earliest convenience.

Yours truly,

MINTO COMMUNITIES (TORONTO) INC.

HARVEST HILLS DEVELOPMENT CORPORATION


Vince Santino
/vs


Kathy DiSilvestro

cc.

Bruce Macgregor, CAO, Regional Municipality of York
Bryan Tuckey, Regional Planning
Joy Hulton, Regional Legal
Tony Haddad, Regional Finance
Heather Konefat, Regional Planning
Robert Miller, Regional Legal
Tom Webster, CAO, Town of East Gwillimbury
Don Sinclair, Manager of Community Development, Town of East Gwillimbury