

April 8th, 2021

Regional Council
C/O Kathryn Lockyer
Regional Clerk and Director of Clerks
Region of Peel
10 Peel Centre Drive
Brampton, ON, L6T 4B9

Dear Kathryn,

**Re: Development Charge Complaint - Section 20(1) of the Development Charges Act, 1997
21T-16004 - Mayfield Developments Inc. Stage 1
12259 Chinguacousy Road
Mayfield West Phase 2 Community, Town of Caledon**

We are writing to you further to the letters that we submitted to the Town via email on February 1st and to the Region via email on January 21st, 2021 regarding Mattamy/Mayfield Developments Inc.'s efforts to make payment of the development charges associated with our Stage 1 development within Mayfield West Phase 2, Town File No. 21T-16004 and Region File No. 21T-16004C.

As part of finalizing our model home permits for 5 model homes for this development, we were required to pay an amount for Town and Region development charges for these lots that we believe were incorrectly determined/charged in error.

The incorrectly determined/error in application is detailed in our email from January 21st, 2021 and letter dated February 1, 2021, can be summarized as the result of a delay in approvals relating to the Town's inability to process our subdivision agreement within an extended period of time. The end result was we were required to pay for each of the 5 lots at the rate under the new Region DC by-law 77-2020 that came into effect on January 22nd, 2021 (\$60,093.31 per single detached unit) as opposed to the Region's hard DC rate prior January 22nd (\$53,083.06 per single detached unit) as we would have paid under if not for the delay triggered by the Town.

In order to proceed with the construction of our model homes, we made this payment under protest on February 1st, reserving all of our legal rights.

Please accept this letter as our formal Development Charge Complaint on this matter.

Yours truly,



David Albanese
Director, Land Development
Mattamy Homes – Greater Toronto East Division

Copy via email: John Hardcastle, Region of Peel
Glendon Turner, Town of Caledon

February 1st, 2021

Glendon Turner, CPA CMA
Senior Financial Analyst, Development
Finance Department
Town of Caledon

Dear Glendon,

**Re: 21T-16004 - Mayfield Developments Inc. Stage 1
12259 Chinguacousy Road
Mayfield West Phase 2 Community, Town of Caledon**

We are writing to you further to the letter that we submitted to the Region via email on January 21st, 2021 regarding Mattamy/Mayfield Developments Inc.'s efforts to make payment of the development charges associated with our Stage 1 development within Mayfield West Phase 2, Town File No. 21T-16004 and Region File No. 21T-16004C.

As part of finalizing our model home permits for 5 model homes for this development, we are required to pay the full amount of Town and Region development charges owed for these lots.

For the reasons set out in our email, we object to the amount of the Region of Peel Hard Services DC that we are required to pay for each of the 5 lots as we are being charged the rate under the new Region DC by-law 77-2020 that came into effect on January 22nd, 2021 as opposed to the Region's hard DC rate prior January 22nd. However, in order to proceed with the construction of our model homes, we are required to make this payment.

Please note that we are making the payment under protest and are reserving all of our legal rights.

Yours truly,



David Albanese
Senior Land Development Manager
Mattamy Homes – Greater Toronto East Division Office

Copy via email: Larissa Svirplys-Howe, Region of Peel

January 21st, 2021

Larissa Svirplys-Howe, MSc, MCIP, RPP
Manager Development Services
Public Works, Region of Peel
10 Peel Centre Drive, Suite A, 6th Floor
Brampton, ON, L6T 4B9

Dear Larissa,

Re: 21T-16004 - Mayfield Developments Inc. Stage 1
12259 Chinguacousy Road
Mayfield West Phase 2 Community, Town of Caledon

We are writing to you further to Mattamy/Mayfield Developments Inc.'s efforts to make payment of the development charges associated with our Stage 1 development within Mayfield West Phase 2, Region File No. 21T-16004 (the "Development").

As you are aware, we have made requests of the Region that Mattamy/Mayfield Developments Inc. be permitted to make payment of our development charges owing as part of the Development. We have been notified by Region staff that the payment of Regional development charges for hard services will only be accepted just before our subdivision agreement is ready to be executed by the Region, as they would be in the ordinary course. The issue is, however, that the subdivision agreement has been delayed, at no fault of Mattamy/Mayfield and it is, on its face, not fair that the completion of the subdivision agreement be delayed by government, with the end result being a benefit to the government from such delay.

We initiated the subdivision agreement process back in April of 2020 and subsequently received confirmation that the Town's legal staff had started working on the agreement on May 1st 2020. We believe we allowed for ample time to have the subdivision agreement ready for execution well in advance of the Region's new DC by-law and DC increase coming into effect this Friday. We did receive a without prejudice draft of the agreement from the Town in early October and provided our comments on the agreement back to the Town on October 9th. However, despite our consistent follow up, we still await the executable version of the subdivision agreement. We did receive the Region's comments on the agreement on December 17th but continue to wait for a response from the Town on our comments from October 9th.

After significant delay, we understand that our subdivision agreement is currently being finalized, but will not be provided today. However, given that the delay in the subdivision agreement is as a result of the public sector, and not Mattamy/Mayfield, we believe that we should be able to pay the Regional development charges for hard services for our plan of subdivision today in advance of the new Region development charge by-law and rates coming into effect tomorrow. We understand that the subdivision agreement will be ready for execution in the very near future and we feel that allowing us to make the payment today is consistent with the Region's standard practice that requires the payment of the development charges before the Region will execute the subdivision agreement.

In summary, we are requesting that the Region accept payment of the DCs at this time. We believe such a result is fair to both parties. As you know, we have requested the electronic payment details from the Region but have not been provided with this information. Mattamy/Mayfield Developments Inc. is ready, willing and able to make the DC payment to the Region today and will do so immediately upon receipt of such electronic payment details. We remind the Region that they have the authority, pursuant to both the *Development Charges Act* and both of their Development Charges By-laws, to accept payment on a date other than that otherwise set out in the by-laws, provided that an agreement is entered into. Mattamy/Mayfield are prepared to enter into such an agreement on the standard terms.

Should the Region continue to refuse to accept such payment and take advantage of the public sector delay in processing our site plan agreement, Mattamy/Mayfield will retain all legal rights and remedies available to them to resolve this matter.

Yours truly,



David Albanese
Senior Land Development Manager
Mattamy Homes – Greater Toronto East Division Office

Copy via email: John Hardcastle, Maggie Wang, Stephanie Nagel