



**Kagan
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LAWYERS

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File: 13179

November 29, 2013

By Overnight Courier

Mr. Andrew Brouwer, Director, Legislative Services, Town Clerk
395 Mulock Drive
Newmarket, Ontario
L3Y 4X7

CORPORATE SERVICES		
INCOMING MAIL	REF'D. TO	COPY TO
NOV 29 2013		

Dear Mr. Brouwer:

**Re: Appeal by Main Street Clock Inc.
Appeal pursuant to section 41(4) of the Ontario Heritage Act, R.S.O. 1990, as amended
Lower Main Street South Heritage Conservation District By-law (2013-51)**

We are the solicitors for Main Street Clock Inc. On August 23, 2013 our clients filed a rezoning application to redevelop the lands known municipally as 180-194 Main Street, Newmarket. By letter dated September 11, 2013, it was deemed complete.

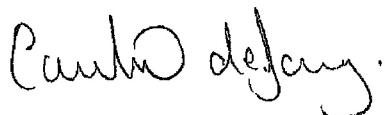
At the time of the filing of the rezoning application none of the above-noted properties were included within a Heritage Conservation District (pursuant to Part V of the Ontario Heritage Act). Approximately six (6) weeks later the Town enacted By-law 2013-51. To the extent that By-law 2013-51 creates any additional burden (procedural or substantive) to the redevelopment of our clients lands, our clients object and hereby appeal By-law 2013-51 to the Ontario Municipal Board. Our clients take the position that their redevelopment should be judged against the policy regime in place at the time of their application and that their redevelopment application should not be subject to Part V of the Ontario Heritage Act. Accordingly, our client hereby appeals By-law 2013-51 insofar as it applies to the proposed development.

In support of this appeal please find enclosed the following:

1. Our firm cheque in the amount of \$125 made payable to The Minister of Finance, Ontario, representing the filing fee; and
2. Our firm cheque in the amount of \$150 made payable to the Town of Newmarket for the Town's processing fee.

Thank you for your kind consideration of this matter.

Yours very truly,

A handwritten signature in cursive script, appearing to read "Ira T. Kagan".

Ira T. Kagan
Enclos.

cc. Clients