

August 21, 2020

Patricia Cho, BA., MSc. (Planning)  
Planner/Secretary-Treasurer (Committee of Adjustment)  
Planning and Building Services  
395 Mulock Drive  
Newmarket, ON  
L3Y 4X7

**RE: CONSENT CONDITION MODIFICATION  
175 DEERFIELD ROAD  
NEWMARKET, ON  
OUR FILE 1677E**

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Further to your discussions with our client's in-house solicitor, Natalie Reisman Breger, we are writing to request a modification to the conditions for Committee of Adjustment Decision D10-B01-20 which was granted on June 17, 2020.

As discussed with Ms. Reisman Breger, the intent of the severance application was to separate the Phase 2 (Parcel A) and Phase 3 (Parcel B) lands. While the intent of the application was achieved, a technical matter has arisen in terms of the ultimate transactional arrangements in that the Certificate of Official would require the Phase 2 lands to be the "severed" parcel whereas from a transactional perspective the Phase 3 lands need to be the "severed" parcel. Unfortunately this was only brought to our attention after the decision was issued and as our clients transactional lawyers perfected the consent documents.

We would therefore respectfully request that Committee modify the conditions such that Parcel B can be conveyed. The intent of the application does not change, it is simply a matter of which parcel is ultimately conveyed.

Should you require any further information, please do not hesitate to call.

Thank you,

**MHBC**



David A. McKay, MSc, MLAI, MCIP, RPP  
Vice President & Partner

cc: clients