

**Environment and Land Tribunals
Ontario**

Ontario Municipal Board

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**Tribunaux de l'environnement et de
l'aménagement du territoire Ontario**

Commission des affaires municipales
de L'Ontario

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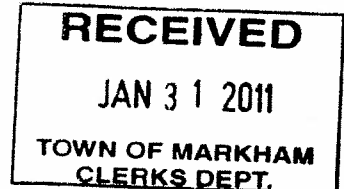


VIA EMAIL & REGULAR MAIL

January 28, 2011

Ms. Kimberley Kitteringham, Clerk
Town of Markham
101 Town Centre Boulevard
Markham, Ontario L3R 9W3

Dear Ms. Kitteringham:



*Copy: Legal
Scott Haslip*

**RE: OMB Case & File No. PL110010
Town of Markham File No. ZA 08 106754
Zoning By-law No. 2010-205
Zoning By-law Amendment Application by H & W Development Corporation
Appeal under Subsection 34(19) of the Planning Act by Aryeh Construction Limited
East side of South Town Centre Boulevard between Clegg Road and
Cedarland Drive
Town of Markham**

Subsection 34(23.1) of the *Planning Act* provides;

(23.1) If all appeals to the Municipal Board under subsection (19) are withdrawn and the time for appealing has expired, the secretary of the Board shall notify the clerk of the municipality and the decision of the council is final and binding.

I am writing to advise that the appeal by Aryeh Construction Limited was withdrawn by letter dated January 17, 2011.

There are no outstanding appeals in this matter, and the above noted OMB case and file is now closed.

Yours truly,

Patricia Hennessy
for

Patrick Hennessy
SECRETARY

c: Ms. Catharine Conrad, Solicitor, Town of Markham
Ms. Catharine Lyons, Goodmans, LLP
Mr. Ian Andres, Goodmans, LLP
Ms. Lynda Townsend, Townsend & Associates
Mr. Robert Doumani, Aird & Berlis, LLP