

Appendix D

**BONDY
RILEY
KOSKI_{LLP}**

Barristers, Solicitors & Notaries

Richard J. Bondy, B.A., LL.B. (1930-2014)
Christine A. Riley, B.A., LL.B.
Gerald W. Koski, B.A., LL.B.

Suite 310
176 University Avenue West
Windsor, Ontario
Canada N9A 5P1
Telephone (519) 258-1641
Facsimile (519) 258-1725

Via E-mail rbrown@kingsville.ca

May 10, 2017

**THE CORPORATION OF
THE TOWN OF KINGSVILLE**
2021 Division Road North
Kingsville, ON N9Y 2Y9

Attention: Mr. Robert Brown, Manager, Planning and Development Services

Dear Sir:

**RE: Kingsville OMB – 1646322 Ontario Limited (Valente) Appeal
Draft Plan of Subdivision – County Approval
Our File No.: 7570-008**

I wish to advise that I have been working with Bill King at the County of Essex to try to bring some finality to the final details required to be completed based on the Decision given by the Ontario Municipal Board on September 16, 2015.

I have had an opportunity to review the letter to you dated May 3, 2017 from Mr. King, in which he is proposing the approval of a formal draft plan of subdivision based on the Concept Plan that was approved by the Board. I wish to confirm that I have reviewed the draft plan of subdivision Mr. King proposes to approve, and I have compared it to the Concept Plan approved by the Board. It is my opinion that the draft plan of subdivision does in fact reflect the proposed lot pattern that has been approved by the Board.

I also agree with Mr. King that in order for him to make the necessary change to condition number 1 of the Conditions of Draft Plan Approval, it is not necessary for the County or the Town to hold a public meeting. However, I also agree that in the event the developer wishes to change the lot pattern that has been approved by the Board, the full public meeting and appeal process under Section 51 of the *Planning Act* will be invoked.

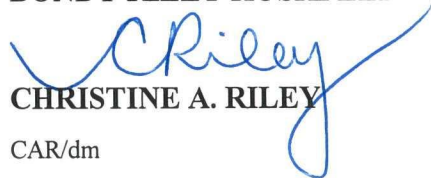
It is therefore my opinion that it would be appropriate for Council to pass the Resolution that has been requested by Mr. King, in which the Town acknowledges that the amended draft plan of subdivision submitted to the County of Essex for approval accurately reflects the Concept Plan that was approved the Ontario Municipal Board, and further that Council endorses the proposed change to the draft plan conditions.

Kingsville OMB – Valente
May 10, 2017
Our File: 7570-008
Page 2 of 2

Should you or Council have any questions with regard to this matter, kindly do not hesitate to contact me.

Yours truly,

BONDY RILEY KOSKI LLP


CHRISTINE A. RILEY

CAR/dm

CC: Bill King, County of Essex via e-mail