

KARRY & LABA

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August 18 2017

Town of Kingsville
2021 Division Road North
Kingsville ON N9Y 2Y9

*Sent via email transmission only to
jastrologo@kingsville.ca*

ATTENTION: MS. JENNIFER ASTROLOGO -
Director of Corporate Services/Clerk

Dear Madam:

**RE: OUR CLIENT: 1147160 ONTARIO LIMITED
AMENDMENTS TO DEVELOPMENT AGREEMENT**

As you are aware, I am the solicitor for 1147160 Ontario Limited, which is a party to the Amended Development Agreement for the Mettawas Lane development dated March 2017.

Our client seeks a 60 - 90 day extension of the date for its completion of the outstanding work at the Mettawas Lane development. Specifically, our client seeks an extension of the September 1, 2017 date detailed in paragraphs 4 and 5 of the Amended Development Agreement to November 1, 2017, at the earliest.

Our client has satisfied paragraph 3 of the Amended Development Agreement and has paid to the Town of Kingsville the sum of \$11,130.00 towards the sidewalk installation along Park Street.

A geotechnical evaluation of the pavement on Mettawas Lane has been carried out by CT Soil and Materials Inc. and a report obtained verifying the condition of the existing pavement structure along Mettawas Lane. The report confirms that the pavement structure generally satisfies the requirements to proceed with the installation of the 2nd asphalt coat overlay. The areas which require saw-cut, removal and replacement are relatively minor and a meeting is being arranged between the representatives of our client, CT Soil Engineers and Municipal Services to identify and mark out those areas.

The report was made necessary, as the engineering report obtained by the town in 2016 had suggested that much of the pavement was required to be removed and replaced. This 2016 report, however, was prepared without any geotechnical testing of the pavement structure.

Our client is in the process of obtaining contractor quotes for the curb repairs and fencing and it is expected that this work will commence prior to August 31, 2017 and will be completed within 30 days thereof.

The quotes for the asphalt repairs and installation of 2nd asphalt coat cannot be obtained until after the site meeting with Municipal Services.

It should be noted that our client has heard from a number of residents of Mettawas Lane and each has indicated that they do not wish to have the asphalt work on Mettawas Lane carried out before the town commences its re-paving of Park Street. We are given to understand that the re-paving of Park Street is now not scheduled to begin until some time in November, 2017.

No prejudice would be suffered by the town or the Mettawas Lane residents in the granting of the extension and as noted above, many of the residents have themselves requested a delay in the work.

Yours very truly,

KARRY & LABA



MICHAEL LABA

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cc 1147160 Ontario Limited