SHERMAN · BROWN · DRYER · KAROL
BARRISTERS & SOLICITORS

July 10, 2007

Our File No.: 00-1089

Ms. Crystal Greer, City Clerk
City of Mississauga, Clerk's Department
300 City Centre Drive
Mississauga, ON L5B 3C1

Dear Madam:

Re: NOTICE OF APPEAL of the City of Mississauga Council's Decision Approving By-law No. 0225-2007 to adopt a new Zoning By-law for the City of Mississauga, pursuant to Section 34(19) of the Planning Act, with respect to the property municipally known as 4390 MISSISSAUGA ROAD, in the City of Mississauga

We are the solicitors for Dunpar Developments Inc., the owner of the property municipally known as 4390 Mississauga Road.

Our client's have current applications which propose to rezone their lands, which proposed amendments relate to the existing "in-force" zoning. In order to avoid our client having to seek site specific exceptions to the new Zoning By-law 0225-2007, our client is filing the within appeal, in the hopes that any of the resulting site specific provisions would be recognized by the new By-law.

As a result, we hereby appeal Council's passage of Zoning By-law 0225-2007 in accordance with Section 34(19) of the Planning Act. Enclosed herewith please find the OMB appeal form and one cheque for $125.00, made payable to the Minister of Finance, being the requisite appeal filling fee for the Zoning By-law Amendment appeal. Should you have any questions or require any additional information, please do not hesitate to contact the undersigned, or Mr. Paul Barron, Planner in our office.

Yours very truly,

Adam J. Brown

cc: Mr. Tom Giancos
Mr. Peter Smith

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SHERMAN · BROWN · DRYER · KAROL
PRACTISING IN ASSOCIATION
5075 YONGE STREET · SUITE 900 · TORONTO, ONTARIO · M2N 6C6 · TELEPHONE: (416) 222-0344 · FACSIMILE: (416) 222-3091
THE INDIVIDUAL LAWYERS NAMED ABOVE PRACTICE IN ASSOCIATION WITH ADAM J. BROWN PROFESSIONAL CORPORATION

Ontario Municipal Board
Commission des affaires municipales de l'Ontario
655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5
TEL: (416) 326-6800 or Toll Free: 1-866-887-8820
FAX: (416) 326-5370
www.omb.gov.on.ca

APPELLANT FORM (A1)

PLANNING ACT

(SUBMIT TO MUNICIPALITY/APPROVAL AUTHORITY)

Instructions:

- **Complete one form for each type of appeal you are filing.**
- **A filing fee of $125 is required for each type of appeal you are filing. To view the Fee Schedule, visit the Board's website.**
- **The filing fee must be paid by certified cheque or money order, in Canadian funds, payable to the Minister of Finance.**
- **Do not send cash.**
- **Submit your completed appeal form(s) and filing fee(s) to either the Approval Authority or Municipality, as applicable, by the required filing deadline. The Approval Authority/Municipality will forward your appeal(s) and fee(s) to the Ontario Municipal Board.**
- **Please print clearly throughout the appeal form.**
- **The *Planning Act* and the *Ontario Municipal Board Act* are available at www.omb.gov.on.ca.**

Receipt Number (OMB Office Use Only):

Date Stamp - Appeal Received by Municipality

Part 1: Appeal Type (Please check only one box)

SUBJECT OF APPEAL	TYPE OF APPEAL	*PLANNING ACT* REFERENCE (SECTION)
Minor Variance	☐ Appeal a decision	*45(12)*
Consent	☐ Appeal a decision	*53(19)*
	☐ Appeal changed conditions	*53(27)*
	☐ Failed to make a decision on the application within 90 days	*53(14)*
Zoning By-law	X Appeal the passing of a Zoning By-law	*34(19)*
Interim Control By-law	☐ Appeal the passing of an Interim Control By-law	*38(4)*
Official Plan or Official Plan Amendment	☐ Appeal a decision	*17(24) or 17(36)*
	☐ Failed to make a decision on the application within 180 days	*17(40)*
	☐ Application for an amendment to the Official Plan – refused by the municipality	*22(7)*
	☐ Application for an amendment to the Official Plan – failed to make a decision on the application within 180 days	*22(7)*
Subdivision	☐ Appeal a decision	*51(39)*
	☐ Appeal conditions imposed	*51(43) or 51(48)*
	☐ Failed to make a decision on the application within 180 days	*51(34)*

Part 2: Location Information

4390 Mississauga Road
Address and/or Legal Description of property subject to the appeal:

Municipality: City of Mississauga

Part 3: Appellant Information

First Name: _____ Last Name: _____

Dunpar Developments Inc. c/o Sherman Brown Dryer Karol
Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation)

Professional Title (if applicable): Solicitor of Record

E-mail Address: _____
By providing an e-mail address you agree to receive communications from the OMB by e-mail.

Daytime Telephone #: 416-222-0344 Alternate Telephone #: _____

Fax #: 416-222-3091

Mailing Address: 5075 Yonge Street (Street Address) | Suite 900 (Apt/Suite/Unit#) | Toronto (City/Town)

Ontario (Province) | (Country (if not Canada)) | M2N 6C6 (Postal Code)

Signature of Appellant: _____ Date: July 10, 2007

Please note: You must notify the Ontario Municipal Board of any change of address or telephone number in writing. Please quote your OMB Reference Number(s) after they have been assigned.

Personal information requested on this form is collected under the provisions of the *Planning Act,* R.S.O. 1990, c. P. 13, as amended, and the *Ontario Municipal Board Act*, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal may become available to the public.

Part 4: Representative Information (if applicable)

I hereby authorize the named company and/or individual(s) to represent me:

First Name: _____ Last Name: _____

Company Name: _____

Professional Title: _____

E-mail Address: _____
By providing an e-mail address you agree to receive communications from the OMB by e-mail.

Daytime Telephone #: _____ Alternate Telephone #: _____

Fax #: _____

Mailing Address: _____
Street Address | Apt/Suite/Unit# | City/Town

_____
Province | Country (if not Canada) | Postal Code

Signature of Appellant: _____ Date: _____
(see over)

Please note: If you are representing the appellant and are NOT a solicitor, please confirm that you have written authorization, as required by the Board's Rules of Practice and Procedure, to act on behalf of the appellant. Please confirm this by checking the box below.

☐ I certify that I have written authorization from the appellant to act as a representative with respect to this appeal on his or her behalf and I understand that I may be asked to produce this authorization at any time.

Part 5: Appeal Specific Information

1. Provide specific information about what you are appealing. For example: Municipal File Number(s), By-law Number(s), Official Plan Number(s) or Subdivision Number(s):

(Please Print)

By-law No. 0225-2007

2. Outline the nature of your appeal and the reasons for your appeal. Be specific and provide land-use planning reasons (for example: the specific provisions, sections and/or policies of the Official Plan or By-law which are the subject of your appeal - if applicable). **If more space is required please continue in Part 8 or attach a separate page.

(Please Print)

Please refer to cover letter

Part 6: Related Matters (if known)

Are there other appeals not yet filed with the Municipality? YES ☐ NO X

Are there other planning matters related to this appeal? YES X NO ☐

If yes, please provide OMB Reference Number(s) and/or Municipal File Number(s) in the box below:

(Please Print)

PL070455

Part 7: Scheduling Information

How many days do you estimate are needed for hearing this appeal? ☐ half day X 1 day ☐ 2 days ☐ 3 days ☐ 4 days ☐ 1 week ☐ More than 1 week – please specify number of days: _____

How many witnesses do you expect to have at the hearing? One

Describe witness(es)' area of expertise: Urban Planner

Do you believe this matter would benefit from mediation? YES ☐ NO X

Do you believe this matter would benefit from a Prehearing Conference? YES ☐ NO X

If yes, why?_____

Part 8: Other Applicable Information **Attach a separate page if more space is required.

Please refer to cover letter

Part 9: Required Fee

Total Fee Submitted: $ 125.00

Payment Method: X Certified cheque * ☐ Money Order

- The payment must be in Canadian funds, **payable to the Minister of Finance.**
- **Do not send cash.**

*Or Solicitor's general or trust account cheque.