

Site Plan Undertaking

(Homeowner Version)



**City of Mississauga
Planning and Building Department**
300 City Centre Drive, 11th Floor
MISSISSAUGA ON L5B 3C1
Tel.: (905) 896-5511
Fax: (905) 896-5553
Form E2057 (Rev.05/07)

Note: For information regarding fees and charges related to development applications, please refer to the Typical Development Approval Cost Guideline booklet available from the Planning and Building Department

TO: THE CORPORATION OF THE CITY OF MISSISSAUGA: BY ITS DELEGATED AUTHORITY, THE COMMISSIONER OF PLANNING AND BUILDING OR HIS/HER DESIGNATE (the "Commissioner") REGARDING:

REGARDING:

Site Plan File : SP _____

General

Location: _____

Municipal Address of the Lands

Proposed for Development: _____

Brief Legal Description of the

Lands Proposed for Development _____

I/WE _____

the owner/purchaser/lessee (delete inapplicable words) of the above-noted lands (the "Site") hereby acknowledge(s) that site plan approval has been applied for from the Commissioner under the above-noted site plan file reference. As a condition to such approval being granted, (a) I/WE agree to execute and deliver this Site Plan Undertaking to the City's delegated authority for site plan approval, being the Commissioner of Planning and Building or his/her designate as the case may be, and if construction is commenced; (b) I/WE undertake to carry out development of the Site in strict accordance with the various plans approved by the Commissioner and in strict accordance with the conditions imposed by the Commissioner as noted on the approved plans (which includes landscape plans, site plans, elevation drawings and all other plans and drawings approved under the application) and any modifications thereto which may, from time to time, be approved by the Commissioner (the "Approved Plans"); and, (c) I/WE agree to complete and maintain the Site in accordance with the Approved Plans.

I/WE further undertake to be governed by the following terms and conditions:

1. It is understood that the site plan approval is valid for one year from the date the approval is granted and that if a building permit has not been issued during this period, the approval shall lapse and no development of the Site shall be undertaken until a further site plan approval has been granted by the Commissioner.
2. Installation and/or construction of the landscaping works, structures and other elements on the approved plans (the "Site Works") shall be completed within eighteen (18) months from the date of issuance of the building permits relating to this Site (the "Completion Date").
3. It is understood that an irrevocable Letter of Credit in connection with this application is required to be delivered to the Commissioner as security to enable the Commissioner in his/her absolute discretion to provide, maintain or complete any of the Site Works on the Approved Plans where I/WE have failed to do so. The Commissioner may, in his/her absolute discretion, draw upon and use the funds from the irrevocable Letter of Credit delivered in connection with this application in the event any of the Site Works on the Approved Plans have not been or are not being provided or maintained to the Commissioner's satisfaction during the installation and / or construction of the Site Works or in the event any of the Site Works have not been provided or completed by the Completion Date. The Commissioner shall not, however, be obligated to provide, rectify, remediate, maintain or complete the Site Works, or any part of them. The security for this application is in the amount of \$ _____.
4. I/WE hereby irrevocably authorize and consent to the Commissioner, his/her authorized agents, servants or employees, entering upon the Site at any reasonable time to carry out inspections and in its absolute discretion to provide, maintain or complete to the Commissioner's satisfaction any site works which I/WE have not completed or which I/WE have failed to provide, maintain or complete in accordance with the Approved Plans.
5. It is understood that development charges will be payable in keeping with the requirements of the applicable Development Charges By-law of the City and in accordance with such other development charges as may be applicable.
6. It is acknowledged that the Commissioner has no obligation to give site plan approval and if no such approval is given there are remedies available to me/us under the *Planning Act* R.S.O. 1990, c.P.13, as amended.
7. This Undertaking shall be binding upon and shall ensure to the benefit of my/our respective heirs, executors, administrators, successors and assigns.

I/WE understand and acknowledge that this Undertaking shall be considered to be of the same force and effect as an Agreement entered into with the Commissioner under the authority of clause 41(7)(c) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended. Further I/WE understand and acknowledge that in addition to any other remedies that may be pursued by the Commissioner for non-compliance by me/us with this Undertaking, the Commissioner may exercise the powers and authority under s. 446 of the *Municipal Act* 2001, as amended, to enter upon the Site, to provide, maintain and / or complete the Site Works and to recover the City's costs of such action, by among other means, adding the costs to the tax roll and collecting them in the same manner as property taxes.

FOR OFFICE USE ONLY
Dated at _____
Commissioner of Planning and Building or designate as per By-law 0293-2006

Date: Year _____ Month _____ Day _____

Owner _____

(Please print name)

Witness _____

(Please print name)

The personal information on this form is collected under the authority of the *Planning Act*, R.S.O. 1999, c. 13, as amended and will be used in conjunction with the application for Site Plan Approval only. For the purpose of public access to information a limited amount of information will be displayed on the City's web site. Questions about the collection of personal information should be directed to the **Manager, Development Services, Planning and Building Department, 300 City Centre Drive, Mississauga, Ontario L5B 3C1, (905) 896-5511.**