

ISSUE DATE:

**June 05, 2008**



PL080081

Ontario  
Ontario Municipal Board  
Commission des affaires municipales de l'Ontario

IN THE MATTER OF subsection 45(12) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant: Volkan Osmanagaoglu  
Subject: Minor Variance  
Property Address/Description: 167 Queen Street South  
Municipality: City of Mississauga  
Variance from By-law: 0225-2007  
OMB Case No.: PL080081  
OMB File No.: PL080081  
Municipal File No.: A-464/07

**APPEARANCES:**

**Parties**

Volkan Osmanagaoglu  
City of Mississauga

**Counsel**

Mike Mancini  
Robert Swayze

**DECISION DELIVERED BY R. ROSSI AND ORDER OF THE BOARD**

Volkan Osmanagaoglu is seeking relief from the provisions of Zoning By-law No. 0225-2007, as amended, to permit an English-language school for foreign students' use on the second floor of an existing building which was designed for office use. The by-law requires 5 parking spaces per 100 square metres whereas the Applicant seeks to permit 3.2 parking spaces per 100 square metres.

The Applicant represented himself. Robert Swayze represented the City of Mississauga. Mr. Swayze advised the Board that the Parties have reached a settlement in the case at hand. He advised the Board that the original application was turned down because the Applicant had not provided a parking study. Since that time, a parking study has been provided and City Planner T. Kerr gave evidence that the City is satisfied that there is no need for extra parking spaces on the subject site.

The agreement on consent is accompanied by two conditions that are appended to this Order as Attachment "1": first, that the minor variance is granted specifically for this Applicant (Ermine Osmanagaoglu Investment Inc. and Village English Ltd.) for the

sole purpose of operating an English language training facility for foreign students and only as long as Village English Ltd. remains a tenant of the subject property; and second, that the Board accepts the parking utilization study as submitted.

Mr. Swayze added that the foreign students who will attend the language classes will be staying in Canada on six-month visitors visas and this factor assisted in the City's subsequent support of the minor variance for parking.

As the Parties are in agreement, and having considered the planning and documentary evidence before it, the Board allows the appeal on consent and authorizes the minor variance for parking.

So orders the Board.

"R. Rossi"

R. ROSSI  
MEMBER

# ATTACHMENT "1"

## Consent Conditions

1. The parties consent to the Ontario Municipal Board granting a minor variance to the Applicant permitting the establishment of a commercial school use on the subject property providing 3.2 parking spaces per 100 square metres whereas By-law 0225-2007, as amended, requires a minimum of 5 spaces per 100 square metres.
2. The minor variance shall be specifically granted to the applicants Emine Osmanagauglu Investment Inc. and Village English Ltd. for the sole purpose of operating an English language training facility for foreign students and only as long as Village English Ltd remains a tenant of the subject property.
3. The Parties consent to the Ontario Municipal Board's acceptance of the parking utilization study performed by the Applicant's planner Mr. Sasha Milenov and further agree that the relief for parking be accepted without any payment for this specific use under the payment in lieu of parking (PIL) program under the Mississauga City Plan.