
DATE: June 24, 2009

SUBJECT: **ENCROACHMENT AGREEMENT
REGIONAL ROAD 4 (DIXIE ROAD)
OWNERS: GARY MORNINGSTAR, DAVID THORNELOE, WILLEMEN
BAKKER, RICHARD THORNER, JESSICA BAUGNIET
CITY OF MISSISSAUGA, WARD 1**

FROM: R. Kent Gillespie, Commissioner of Employee and Business Services
Dan Labrecque, Commissioner of Environment, Transportation and Planning
Services

RECOMMENDATION

That the Encroachment on Regional Road 4 (Dixie Road) located in the vicinity of the northwest corner of Dixie Road and Kendall Road, being fifteen asphalt parking spaces and concrete curbs on the property municipally known as 2200 Dixie Road in the City of Mississauga be permitted in accordance with the terms and conditions in the Encroachment Agreement dated June 24, 2009 between The Regional Municipality of Peel and Gary Morningstar, David Thorneloe, Willemien Bakker, Richard Thorner and Jessica Baugnet;

And further, that the necessary by-law be presented to Regional Council for enactment.

REPORT HIGHLIGHTS

- Regional Council approval is required to enter into an Encroachment Agreement between The Regional Municipality of Peel and Gary Morningstar, David Thorneloe, Willemien Bakker, Richard Thorner, and Jessica Baugnet to permit fifteen asphalt parking spaces and concrete curbs within the widened limits of Dixie Road.

DISCUSSION

Gary Morningstar, David Thorneloe, Willemien Bakker, Richard Thorner and Jessica Baugnet are the Owners of the property known municipally as 2200 Dixie Road in the City of Mississauga being located on the northwest corner of Dixie Road and Kendall Road as shown on the attached Appendix I. Each of the five Owners retains a twenty per cent interest in the firm, Dixie Road Medical Associates.

City of Mississauga Zoning By-law 0225-2007 permits a maximum of four physicians to practice on this site and requires that all parking be provided wholly on site. The Owners requested and have received minor variance approval to now permit six full time physicians to practice at this location. The minor variance also permits partial off site parking within the widened limits of

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Dixie Road. The Owners are now requesting approval from the Region to permit the fifteen asphalt parking spaces and concrete curbs within the widened limits of Dixie Road.

The term of the Encroachment Agreement is for five years commencing on April 1, 2009 and terminating on March 31, 2014. The term of the Encroachment Agreement coincides with the term of the minor variance. The Owners have agreed to pay an application fee of \$500.00 plus GST, the registration fee of \$70.50 and an annual fee of \$300.00 plus GST.

The Owners will be responsible for all maintenance costs associated with the encroachments and the Agreement can be terminated by either party upon sixty days written notice.

The Environment, Transportation and Planning Services Department have given their approval and have no objections to the encroachments at this location.



R. Kent Gillespie
Commissioner of Employee
and Business Services



Dan Labrecque
Commissioner of Environment,
Transportation and Planning Services

Approved for Submission:



D. Szwarc, Chief Administrative Officer

*For further information regarding this report, please contact
Gayle Gorman, Manager of Real Estate at extension 7624 or via email at
gayle.gorman@peelregion.ca*


Authored By: M. Turner/de

c. Legislative Services

 P. O'Connor, Regional Solicitor and Director of Legal and Risk Management

D. Albanese, Director of Transportation

S. Hall, Director of Real Property Asset Management

 G. Gorman, Manager of Real Estate

ENC-08160.00
Attachment

APPENDIX I

June 24, 2009

ENCROACHMENT AGREEMENT
REGIONAL ROAD 4 (DIXIE ROAD)

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