



Report Committee of Adjustment

Filing Date: January 10, 2023
Hearing Date: February 14, 2023

File: A-2023-0010

**Owner/
Applicant:** MIHIR PALANPURWALA

Address: 9 Blackmere Circle

Ward: WARD 3

Contact: Megan Fernandes, Planning Technician

Recommendations:

That application A-2023-0010 is supportable in part, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
 2. That the permitted oversized vehicle be limited to the detailed vehicle information which is for a white Mercedes "Sprinter Van" model, measuring approximately 6.96 meters in length, 2.02 meters in width and 2.68 meters in height. C;
 3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
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Background:

Existing Zoning:

The property is zoned 'Residential 1 C Special Section 2572 (R1C-2572)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit the parking of an oversized motor vehicle whereas the By-law prohibits the parking of oversized motor vehicles;
2. To permit an accessory structure with a 0.45 metre (1.48 feet) setback to the rear property line whereas the By-law requires accessory structures to be setback a minimum of 0.6 metres (1.97 feet) from all lot lines.

Current Situation:

1. Maintains the General Intent and Purpose of the Official Plan

The property is designated 'Residential' in the Official Plan and 'Low-Medium Density Residential' in the Fletchers Creek South (Area 24). The proposed extent and nature of the variances are not considered to have significant impacts within the context of the Official Plan policies. Although the oversized vehicle will be parked in the driveway of a residential property, the property will continue to remain a residential use as intended by the Official Plan. Subject to the recommended conditions of approval, the proposed variances are considered to maintain the general intent and purpose of the Official Plan.

2. Maintains the General Intent and Purpose of the Zoning By-law

Variance 1 is requested to permit the parking of an oversized motor vehicle whereas the By-law prohibits the parking of oversized motor vehicles. The Zoning By-law defines an Oversized Motor Vehicle as any vehicle that is more than 2.6 metres (8.5 feet) high or greater than 6.7 metres (22 feet) in length. The intent of the by-law in restricting the size of a motor vehicle is to discourage the parking of commercial motor vehicles that are larger than the conventional pick-up trucks, SUVs or vans. Further, it is to ensure that parking is still available for a personal use vehicle and to ensure that surrounding residents do not experience negative visual or auditory impacts relating to a large vehicle.

The subject property is a corner lot located along Blackmere Circle and features a double car garage with a legal non-conforming driveway measuring approximately 7.46m (24.47 ft). The owner has identified the vehicle as a white Mercedes Sprinter Van and has provided the manufacturers dimensions of the vehicle as: Length – 6.96m (22.83 ft.); Height – 2.68m (8.79 ft.); and Width – 2.02m (6.64 ft.). In relation to the Zoning By-law the vehicle is greater by approximately 0.08m in height and 0.26m (0.85 ft.) in length. While the driveway is occupied by the oversized motor vehicle, there is sufficient space for the owner to park an additional car and maintain the required minimum of 2 parking spaces for a detached residential dwelling. Additionally, staff are satisfied with the vehicle information provided by the applicant and have no concerns relating to negative visual or auditory impacts with the vehicle. A condition is recommended that the approval be limited to the oversized vehicle dimensions as identified in Appendix B and C. Subject to the recommended conditions of approval, Variance 1 is considered to maintain the general intent and purpose of the Zoning By-law.

Variance 2 is requested to permit an accessory structure (storage shed) with a 0.45 metre (1.48 feet) setback to the rear property line whereas the By-law requires accessory structures to be setback a minimum of 0.6 metres (1.97 feet) from all lot lines. The intent of the By-law in requiring a setback for

an accessory structure from the rear property lines is to ensure that sufficient space is provided for drainage and maintenance of the structure.

The existing shed does not impact access to the rear yard and adequate space is provided for maintenance of the shed. City of Brampton engineering staff reviewed the proposed development and were satisfied that the existing shed is constructed and located in such a way that it does not appear to create any runoff onto neighbouring properties as the shed's roof appears to direct runoff onto the subject property. The structure maintains all other Zoning By-law requirements. Variance 2 is considered to maintain the general intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

Variance 1 relates to the parking of an oversized vehicle. A condition of approval is recommended that the approval be limited to the length, width and height of the 'Sprinter Van' vehicle information provided in Appendix B and C. Subject to the recommended conditions of approval, variance 1 is considered to be desirable for the appropriate development of the land.

Variance 2 is requested to bring into compliance an existing accessory structure (shed) the rear yard of the property. The location of the accessory structures will not impeded the sightlines of the neighboring properties or detract from the amount of amenity space to serve the dwelling, provided that the structure is limited to size and location as shown on the sketch attached to the Public Notice, as per the recommended conditions of approval. The variances are considered desirable for the appropriate development of the land.

4. Minor in Nature

The requested variance to permit the parking of an oversized motor vehicle is not considered to generate on-site or off-site negative impacts to the property. Variance 1 is deemed minor in nature. The requested variance for the existing accessory structure (shed) in the rear yard is not anticipated to impose any negative impacts on the property or any of the surrounding properties. Variances 2 is deemed minor in nature.

Respectfully Submitted,

Megan Fernandes

Megan Fernandes, Planning Technician

Appendix A – Site Visit Photos



Appendix B – Owner Photos of Oversized Vehicle



Fernandes, Megan

From: mihir palanpurwala <mihirnimi@yahoo.com>
Sent: 2023/02/23 10:17 AM
To: Fernandes, Megan
Subject: [EXTERNAL]Re: A-2023-0010 - 9 Blackmere Circle Minor Variance Application

Caution: This email originated from outside the organization. Do not click links or open attachments that you do not trust or are not expecting.

Good Morning Megan

please see attached herewith is the link to the specs and dimensions for the vehicle in the question

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- 1. HOME
- 2. MERCEDES-BENZ
- 3. SPRINTER
- 4. SPECS

2016 MERCEDES-BENZ SPRINTER RWD 2500 170" FEATURES AND SPECS

YEAR

[2016 V]

STYLE, CONFIGURATION, ENGINE OPTIONS

[MERCEDES-BENZ SPRINTER V]

TRIM

[SPRINTER CREW VANS RWD 2500 170 V]

OVERVIEW

SPRINTER CREW VANS RWD 2500 170" PACKAGE INCLUDES

PRICE STARTING AT

\$45,425



VEHICLE

DRIVETRAIN

REAR WHEEL DRIVE

ENGINE

ENGINE ORDER CODE

MG3

ENGINE TYPE AND REQUIRED FUEL

INTERCOOLED TURBO DIESEL I-4

DISPLACEMENT (LITERS/CUBIC INCHES)

2.1 L/131

FUEL SYSTEM

DIESEL DIRECT INJECTION

MAXIMUM HORSEPOWER @ RPM

161 @ 3800

MAXIMUM TORQUE @ RPM

265 @ 1400

COOLING SYSTEM CAPACITY (QUARTS)

NA

ENGINE OIL COOLER

NONE

EXTERIOR DIMENSIONS

WHEELBASE (INCHES)

170.3

LENGTH (INCHES)

274.1

WIDTH, WITHOUT MIRRORS (INCHES)

79.7

HEIGHT (INCHES)

105.5

REAR DOOR OPENING HEIGHT (INCHES)

NA

REAR DOOR OPENING WIDTH (INCHES)

NA

BODY LENGTH

0.00

GROUND CLEARANCE, FRONT

NA

INTERIOR DIMENSIONS

PASSENGER / SEATING CAPACITY

5

FRONT HEAD ROOM (INCHES)

NA

FRONT LEG ROOM (INCHES)

NA

FRONT SHOULDER ROOM (INCHES)

NA

FRONT HIP ROOM (INCHES)

NA

SECOND ROW HEAD ROOM (INCHES)

NA

SECOND ROW LEG ROOM (INCHES)

NA

SECOND ROW SHOULDER ROOM (INCHES)

NA

SECOND ROW HIP ROOM (INCHES)

NA

CARGO AREA DIMENSIONS

CARGO SPACE/AREA LENGTH @ FLOOR TO CONSOLE

NA

CARGO SPACE/AREA LENGTH BEHIND FIRST ROW (INCHES)

178.2

CARGO SPACE/AREA WIDTH AT BELTLINE (INCHES)

70.1

CARGO BED WIDTH AT FLOOR (INCHES)

NA

CARGO BED WIDTH BETWEEN WHEELHOUSINGS (INCHES)

53.1

CARGO BED HEIGHT (INCHES)

75.4

CARGO SPACE/AREA (CUBIC FEET)

367.5

WHEELS AND TIRES

FRONT WHEEL SIZE (INCHES)

16 X 6.5

FRONT WHEEL MATERIAL

STEEL

FRONT TIRE SIZE

LT245/75R16

REAR WHEEL SIZE (INCHES)

16 X 6.5

REAR WHEEL MATERIAL

STEEL

REAR TIRE SIZE

LT245/75R16

SPARE WHEEL SIZE (INCHES)

FULL-SIZE

SPARE WHEEL MATERIAL

STEEL

SPARE TIRE SIZE

MERCEDES-BENZ SPRINTER SPECS FOR OTHER MODEL YEARS

- [2023 MERCEDES-BENZ SPRINTER](#)
- [2022 MERCEDES-BENZ SPRINTER](#)
- [2021 MERCEDES-BENZ SPRINTER](#)
- [2020 MERCEDES-BENZ SPRINTER](#)
- [2019 MERCEDES-BENZ SPRINTER](#)
- [2018 MERCEDES-BENZ SPRINTER](#)
- [2017 MERCEDES-BENZ SPRINTER](#)
- [2015 MERCEDES-BENZ SPRINTER](#)
- [2014 MERCEDES-BENZ SPRINTER](#)
- [2013 MERCEDES-BENZ SPRINTER](#)
- [2012 MERCEDES-BENZ SPRINTER](#)
- [2011 MERCEDES-BENZ SPRINTER](#)
- [2010 MERCEDES-BENZ SPRINTER](#)

the dimensions are in inches, i have converted is hereunder in meters for your convivence

Exterior dimensions:

length: 274.1 inches = 6.962 mt.

width: 79.7 inches = 2.024 mt.

height: 105.5 inches = 2.679 mt.

also attached herewith is the photograph of the vehicle as required