

**Subject:- Opposition to applications for minor variance # A-2023-0396  
and B-2023-0031**

To whomsoever it may concern,

Please note that this letter is to formally oppose the proposed applications for minor variances highlighted above, proposed by the applicant .

**My opposition is based on Sub-section 45(I) of the Planning Act (PA) which sets out four statutory tests which must be considered by the Committee of Adjustment and satisfied by the applicant, before an Application for zoning variance can succeed.**

**If the Application fails any one of the Four Tests, while passing the other three, then the Application must fail.**

**The Tests are as follows-**

**1.Is the Variance Minor**

**This variance is most definitely not Minor.**

**The numbers involved are too large for this to be considered minor.**

The application requests the following changes-

To permit interior side yard/west side setback of 3.72 metres, by law permits 7.5 metres. Reduction proposed in set back is more than half.

Interior side yard setback reduced to 2 metres, by law allows- 7.6 metres.  
Reduction by 2/3rds or 5.6 metres!

Lot width allowed by the law is 45 metres, the applicant is seeking a reduction to 20.79 metres, again reduction to less than half of what the by law allows??

**Secondly**, the impact on the local community, especially with regards to my property and my loss of light, privacy, views, etc. (will address later) is also too large for this to be considered minor. The proposed amendments do not follow the character and nature of other lots and build proportions in the neighbourhood. **The application fails the first test.**

**2. Would the granting of the variance result in a development that would be desirable for the appropriate development or use of the applicant's land or building?**

I believe this application fails this test as well. The application violates the character of the neighbourhood, all Houses in the vicinity of this parcel of land have a frontage of 100 feet or more. Reducing the frontage to 20.79 metres/68 feet will dramatically alter the character of the neighbourhood and negatively impact the light, privacy, views of my property.

The applicant needs to present studies that will show that the mass, bulk and height of the proposed developments with respect to other houses in the area. How proportionate is the built area on the severed parcel of land compared to existing properties in the Neighbourhood? Studies have to be shown to measure the impact of this development on the privacy, light, views and peace of neighbouring properties like mine.

If the desire is for two smaller dwellings than there are more than 50 listings on MLS for smaller properties in a variety of price ranges in this area. Why sever this parcel of land and make these severe variations? Just buy one of the readily available smaller properties in the subdivisions close by?

**Severing the land and development of two smaller dwellings and adjusting setbacks will harm the community's existing property's' character privacy light and views and is not appropriate use of this land.**

**3. Does the variance requested maintain the general intent and purpose of the zoning by law?**

The proposed severing of land and proposed adjustments in lot size/ frontage and setbacks, violate the very purpose of the zoning by laws.

This variation if approved will result in a development which is not compatible with the existing neighbourhood with respect to size and setbacks, is insensitive to issues such as privacy, scale, spacing and detrimental to the streetscape and character of the neighbourhood. It should not pass this third test.

Please note other lot sizes of the neighbourhood.

**4.Does the variance requested maintain the general intent and purpose of the Official Plan (OP)?**

I do not believe that this variance is in conformity with the Official plan of the city of Brampton implemented in 2023.

2.2.7.4- talks about compatibility of new builds with existing neighbourhood

3.1.1.9- talks about compatible development and sensitive integration

Schedule 6A shows the area of the new build/ our neighbourhood as a Natural heritage System.

**This application with the reduced setbacks and severance proposals is neither compatible or sensitive to the existing houses and character of the neighbourhood. And does not help the natural heritage system of the area.**

I urge the Committee of adjustment to consider these points carefully and make a just and judicious decision which conforms with the Planning Act and the Official Plan of the City of Brampton.

Sincerely,

Dr Tushar Mahendra

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