

Objection to Minor Bylaw Variance

In reference to Agenda Item #: **5.1 A 2025-005 - 42 Hillcrest Lane** scheduled by the Committee of Adjustment for the City of Kitchener at 10:00 am on Tuesday, February 18, 2025, we, William and Maria Brown, the owners of the property at _____, would like to submit an objection for denial or postponement of the application for the minor bylaw variance made by the owners of 42 Hillcrest Lane (since 2016). At this time, we are unaware of the scope of the property improvement work for which the applicants are submitting their request for the minor bylaw variance.

As the owners of the property _____ to the applicant's property, we only learned of the application on Friday, February 7, 2025 as we have been out of the country since January 8, 2025. We are not scheduled to return to Kitchener until Wednesday, February 19, 2025. As an interested party, we believe it would be prudent to, at the very least, delay the acceptance or approval of the minor bylaw variance as we are currently unable to attend the Committee of Adjustment meeting as scheduled.

In the interest of full disclosure, as of September, 2024, there is a civil matter before the courts involving the owners of 42 Hillcrest Lane and ourselves, the owners of _____. This includes matters in relation to the setback area of the two properties as well as other civil issues that have arisen along other areas of the property line. For reference, photographic views of the approach, arrival, and departure from the roadway of both properties has been provided and appended to this document.

On the surface, we do not vehemently oppose the approval of the minor bylaw variance. However, we do not believe it is appropriate that the approval be granted at this time due to our lack of knowledge as to the scope of the property improvements being performed by the applicants, the current civil matter before the courts, and previous experiences we've encountered with the applicants. We do however, object to the current application and request an adjournment in the minor bylaw variance application until such time as current litigation has been settled.

We fully understand the need or desire of the applicants making this request for a minor bylaw variance and are aware that the applicants also have the option to widen their driveway from the north side of their current driveway. We remain open to a cooperative and collaborative effort with the applicants toward resolution of the current issues related to the setback area, yet feel obligated to submit an objection to the application at this time.

Signed this day, February 14, 2025:

William Alfred Brown (Owner)

Maria Brown (Owner)

Front property roadway view of 42 (left) & 40 (right) Hillcrest Lane



Approach to properties of 42 (left) & 40 (right) Hillcrest Lane



Arrival at 42 Hillcrest Lane



Departure from properties of 42 (left) & 40 (right) Hillcrest Lane

