
MEMO TO THE COMMITTEE OF ADJUSTMENT

October 25th, 2024

Attn: Committee of Adjustment Members Sitting at the October 30th 2024 Hearing (Peter Forsberg, Deborah Coon-Petersen, Kim Willis)

**Re: Change of Condition Request
1985 Hodgkins Road, West Lincoln Ontario
Surplus Farm Dwelling Severance Application B08/2024WL –TeBrake
(Agent – Jeremy Brown, Niagara Planning Consultants)**

Please be advised the subject application being B08/2024WL is requesting a change of conditions pursuant to Subsection 53(23) of the *Planning Act* to remove condition 6 regarding the accessory building ('barn' on the survey sketch) being demolished to the satisfaction of the Township's Planning and Building Departments. The applicants would like to keep the accessory building with the severed residential parcel. The building would be shifted 10 feet (3.1 metres) rearwards off of the Township's road allowance and shifted 3.5 feet (1 metre) to the right. Condition 6 is provided below:

6. That the accessory building shown on the survey sketch provided as "Barn" located in front of the dwelling, be demolished to the satisfaction of the Township's Planning and Building Department.

Planning Staff attended a site visit on October 8th, 2024 with a barn expert. The barn is estimated at 100+ years old. The barn appears structurally in good shape and contains the electrical panel for the house. The Applicants now wish to retain and relocate the barn approximately 10 feet rearwards and 3.5 feet to the right, off of the Township right of way.

Planning has done a review of this change of condition and support the change of condition based on the condition of the building and the relocation off of the Township's road allowance.

Recommendation:

1. That the Committee of Adjustment approves the condition change to remove condition 6 and replace it with the following condition:

6. *That the building be moved onto Parcel 1 off of the Township's road allowance and obtain the necessary variance or zoning bylaw amendment to address the zoning deficiencies.*
2. That Condition 10 be amended;
 10. *That all conditions of approval be fulfilled within a period of two years after the giving of the Notice of Decision of the Committee of Adjustment **[of the change of condition]**, pursuant to Subsection 53(41) of the Planning Act, failing which this consent shall be deemed to be refused.*
3. That it is the Committee of Adjustment's opinion that the condition change is minor and no additional notice is required.