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October 03, 2023

Ian Search

Corporation of the Municipality of Lakeshore
Development Services, Planning Division
419 Notre Dame Street
Belle River, ON N0R 1A0

Dear Mr. Ian Search:

RE: Application for Minor Variance A-32-2023 1610 COUNTY 22 RD

ARN 375118000008000; PIN: 750340085

Applicant: MINDORFF CHRISTOPHER THOMAS

The Municipality of Lakeshore has received Minor Variance A-32-2023 for the subject property.

Our office understands that on April 12, 2023, the Committee of Adjustment granted relief from the Zoning By-law to permit the construction of a building addition to the existing accessory structure. The existing accessory structure had a gross floor area of 111.48m², and the building addition added an additional 55.74m² of floor area. Therefore, the granted relief was to permit an accessory building with a gross floor area of 167.48m².

Our office understands that the original design of the building addition included a roof with dormers. The maximum permitted height of an accessory building in the R1 zone is 5 metres. The applicant did not seek relief from the Zoning By-law to permit an increase in height as part of their original minor variance application, file A-07-2023.

During construction the applicant made changes to their design of the building addition by eliminating the dormers and changing the pitch of the roof. As a result, the applicant now requires relief for the height of the building addition. They also require another relief for the increased gross floor area of the overall building. The building addition has the same building footprint of 55.75m² as originally designed, but the increased height results in a two-story structure. Gross floor area includes the total floor area in a building at the level of each story.

We understand that based on the foregoing, the applicants are now seeking reliefs from the Lakeshore Zoning By-law for an accessory structure:

-Section 6.5 a) ix) to permit an accessory structure to have a maximum gross floor area of 223m², whereas the by-law permits a maximum gross floor area of 55m² in an R1 Zone;

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-Section 6.5 a) xi) to permit an accessory structure to have a maximum height of 6.55m, whereas the by-law states that an accessory structure shall not exceed 5m in height unless within an Agricultural Zone.

The accessory structure is proposed for the storage of personal belongings.

The following is provided as a result of our review of Application for Minor Variance A-32-2023.

NATURAL HAZARDS AND REGULATORY RESPONSIBILITIES UNDER THE CONSERVATION AUTHORITIES ACT, O. REG 686/21, PPS

The following comments reflect ERCA's role in protecting people and property from the threats of natural hazards and regulating development hazards lands under Section 28 of the *Conservation Authorities Act*.

The above noted lands are subject to our Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation under the *Conservation Authorities Act* (Ontario Regulation No. 158/06). The parcel falls within the regulated area of the Lake St. Clair.

ERCA has issued permit #198-23 for this development.

We note that this development is not consistent with the permit that was issued as indicated in the minor variance circulation. ERCA has not been provided with the opportunity to review the new scope and scale of works and has concerns that they may not be permissible.

FINAL RECOMMENDATION

Our office recommends deferral of Minor Variance A-32-2023.

If you have any questions or require any additional information, please contact the undersigned.

Sincerely,



Alicia Good

Watershed Planner

/ag

