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January 11, 2023

Mr. Ian Rawlings

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

Dear Mr. Ian Rawlings:

RE: Application for Minor Variance A-47-2022 200 RAFIH CRES
ARN 375120000012421; PIN: 750020578
Applicant: Attila & Alina Sherman

The Municipality of Lakeshore has received an Application for Minor Variance for the subject property. The applicants are applying to legalize a deck built within the rear yard. The following is provided as a result of our review of Application for Minor Variance A-47-2022.

DELEGATED RESPONSIBILITY TO REPRESENT THE PROVINCIAL INTEREST IN NATURAL HAZARDS (PPS) AND REGULATORY RESPONSIBILITIES OF THE CONSERVATION AUTHORITIES ACT

The following comments reflect our role as representing the provincial interest in natural hazards as outlined by Section 3.1 of the Provincial Policy Statement of the *Planning Act* as well as our regulatory role as defined by 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 Lake St. Clair. Typically, the property owner would be required to obtain a Permit and/or Clearance from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the *Conservation Authorities Act*.

However, based on our review of the drawings provided and aerial photography, the works proposed in Application for Minor Variance A-47-2022 do not require a permit from this office as it meets the definition of "works exempt from obtaining approvals" in the attached memo sent to municipalities on October 23, 2020.

Mr. Ian Rawlings
January 11, 2023

FINAL RECOMMENDATION

ERCA has no objection to Application for Minor Variance A-47-2022.

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

Sincerely,



Kathleen Schnekenburger
Resource Planner
/ks



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October 22, 2020

To: Essex Region Conservation Authority (ERCA) Member Municipalities

Re: Types of Activities Exempt from Obtaining ERCA Approval

Dear Sir/Ma'am:

In an effort to improve efficiency and in keeping with the intent of Section 28 of the *Conservation Authorities Act* and O. Reg 158/06, Development, Interference with Wetlands and Alteration to Shorelines and Watercourses, the below activities will be exempt from obtaining an approval from ERCA on **inland properties**, provided that all of the requirements outlined below are met.

"Inland properties" are properties not abutting a lake, river, stream, municipal drain or any other watercourse in any way.

Decks

- Wooden or composite decks, without walls, roofs, or sides on inland properties DO NOT require an ERCA approval.
- Wooden or composite decks without walls that are constructed under an existing covered area, where the structure has received a previous approval from ERCA DO NOT require an additional ERCA approval (i.e. the dwelling received an ERCA approval and the landowner is now proposing to construct a wooden deck under the covered porch that was previously approved by this office).

Placement and Grading of Fill for In-ground/On-ground/Above-ground Pools

- The placement and grading of fill for any in-ground, on-ground, or above-ground pools on inland properties DO NOT require an ERCA approval.

The above does not include any additional activities (i.e. covered porches, shade structures, gazebos, raised concrete decks, pool houses, etc.) aside from those listed above. Prior to any development or construction, all other regulated activities will be required to obtain appropriate permits/approvals from this office.

These exemptions are to take effect immediately, and we ask that you amend your processes to reflect these changes. Any Applications for Permit for the above works that this office has received prior to today will be reviewed by ERCA Staff accordingly and the approvals and/or clearances will be sent out as per the previous processes.

October 22, 2020

If further information or clarification is required, please do not hesitate to contact this office.

Yours Truly,



Tim Byrne
Interim General Manager/Secretary Treasurer
/ag