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March 10, 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/03/2023 2954 COUNTY RD 42  
ARN 375159000006501; PIN: 750510086  
Applicant: Johannes & Susan Lenders

The Municipality of Lakeshore has received an Application for Minor Variance for the subject property. The applicants are proposing to construct an accessory structure within the rear yard located 7.16 m from the rear lot line, 4.4 m from the eastern interior lot line, and is 6.1 m from an enclosed municipal drain. The proposed accessory structure will have a gross floor area of approximately 80 m<sup>2</sup>. Therefore, the applicants are seeking the following relief from the Lakeshore Zoning By-law 2-2012, Section 6.34 c) ii) to permit a setback of 6.1 meters between an accessory structure and the centreline of a covered municipal drain, whereas the by-law requires a minimum setback of 8.0 m between any building or structure from the centreline of a covered municipal drain. The following is provided as a result of our review of Application for Minor Variance A/03/2023.

**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 partially falls within the regulated area of the Beaulieu-leboeuf Drain. The property owner will 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*.

The above mentioned drain is a municipal drain that falls under the jurisdiction of the Municipality of Lakeshore. The municipal drain typically has an unregistered working space in which the municipality has the right to use to maintain or repair the drain. In addition, it is the owner's

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responsibility to obtain all necessary permits and/or clearances from the Municipality of Lakeshore for any works to the drains. All inquiries regarding *Drainage Act* approvals should be made with the Drainage Superintendent of the Municipality of Lakeshore.

We note that an ERCA Clearance has been issued for the proposed pole barn.

**FINAL RECOMMENDATION**

An ERCA Clearance has been issued for the proposed pole barn. ERCA has no objection to the Application for Minor Variance A/03/2023.

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

Sincerely,



Kathleen Schnekenburger  
*Resource Planner*  
/ks