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July 30, 2024

**Ms. Janine Mastronardi**

Planner  
3295 Meloche Road  
Amherstburg, ON  
N9V 2Y8

Dear Ms. Janine Mastronardi:

RE: Application for Minor Variance A-29-24 19 LEVERGOOD LANE  
ARN 372951000008700; PIN: 705730362  
Applicant: EL-KADRI MOHAMMED

The Town of Amherstburg has received Application for Minor Variance A-29-24 for the above noted subject property. The applicants are requesting relief from Zoning By-law 1999-52, as amended, Section 6(3)(d) which requires a minimum interior side yard setback of 1.5 m (4.92 ft) in a Residential Type 1A (R1A) Zone. The applicant has constructed a 56" x 116" platform which is proposed to have stairs added going down to the front of the property to be used as an exterior access to the attic of the existing dwelling. The southwest corner of the platform encroaches (2.7 ft) into the required interior side yard resulting in a 0.68 (2.22 ft) setback. Therefore, the amount of relief requested is 0.82 m (2.2 ft) in interior side yard setback for the platform accessing the attic.

The subject property is designated Low Density Residential in the Town's Official Plan and zoned Residential Type 1A (R1A) Zone in the Town's Zoning By-law.

The following is provided as a result of our review of Application for Minor Variance A-29-24.

**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 Regulation under the *Conservation Authorities Act* (Ontario Regulation No. 41/24). The parcel falls within the regulated area of Lake Erie. The property owner will be required to obtain a Permit 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*.



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**FINAL RECOMMENDATION**

Our office requests a **deferral** on A-29-24 until we have had time to review the works in more detail with the applicant.

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

Sincerely,



Alicia Good  
*Watershed Planner*  
/ag

