



The Mining and Lands Commissioner
In the matter of The CONSERVATION AUTHORITIES Act

AND IN THE MATTER OF

An appeal against the refusal to issue permission to erect a maintenance building on the premises municipally known as 349 Erie Avenue in the City of Brantford in the County of Brant.

B E T W E E N :

THE BRANT COUNTY BOARD OF EDUCATION

Appellant

- and -

GRAND RIVER CONSERVATION AUTHORITY

Respondent

O R D E R

This matter coming on for hearing on the 10th day of December, 1975 and the 29th day of January, 1976 at Brantford in the presence of counsel for all parties, upon hearing the evidence adduced and what was alleged by counsel aforesaid and the appellant appearing to have complied with the requirements of the reasons for judgment dated the 1st day of March, 1976 by filing with this tribunal an executed copy of an agreement between the parties dated the 30th day of June, 1977, and hereinafter referred to as "the agreement":

1. IT IS ORDERED that the appeal of the appellant be and is hereby allowed and that the appellant be and is hereby granted permission under section 4 of Ontario Regulation 356/74 to construct a maintenance building consisting of offices, workshops and a storage garage on part of Lot 10 in the Eagles Nest Tract in the City of Brantford in the County of Brant more particularly described

as follows:

ALL AND SINGULAR that certain parcel or tract of land and premises situate lying and being in the City of Brantford in the County of Brant, in the Province of Ontario being composed of part of Lot 10 in the Eagles Nest Tract in said City and which all bearings being astronomic and referred to those shown on Registered Plan 807, may be more particularly described as follows; COMMENCING at a point in the western boundary of Erie Avenue distant 770.98 feet measured northerly thereon from its intersection with the northern boundary of Birkett Lane;
THENCE North 19 degrees 56 minutes West along said western boundary 421.4 feet;
THENCE South 81 degrees 37 minutes West 470.5 feet;
THENCE South 19 degrees 56 minutes East parallel with said western boundary of Erie Avenue 126.77 feet;
THENCE South 81 degrees 48 minutes West 364.54 feet;
THENCE South 8 degrees 18 minutes East 381 feet;
THENCE North 81 degrees 48 minutes East 443 feet;
THENCE North 19 degrees 56 minutes West parallel with said western boundary 94.5 feet;
THENCE North 81 degrees 37 minutes East 470.5 feet to the place of beginning,

in accordance with the plans attached as Schedules A, B and C to the agreement and subject to the provisions of the agreement and subject to the following conditions:

- (1) All heating and electrical services shall be installed above the elevation of 657 feet above sea level.
- (2) No residential or sleeping accomodation shall be constructed in the maintenance building.

2. AND IT IS FURTHER ORDERED that there shall be no costs payable by either of the parties to this matter.

DATED this 5th day of July, 1977.

Original signed by G.H. Ferguson

MINING AND LANDS COMMISSIONER.