

File No. CA 001-95

B. Goodman )  
Deputy Mining and Lands Commissioner )

Monday, the 25th day  
of March, 1996.

**THE CONSERVATION AUTHORITIES ACT**

**IN THE MATTER OF**

An appeal to the Minister under subsection 28(5) of the **Conservation Authorities Act** against the refusal to grant permission for the construction of a single family dwelling on Lot 192, Registered Plan 759, Town of Innisfil.

**B E T W E E N :**

JOYCE ALLERTON

Appellant

- and -

LAKE SIMCOE REGION CONSERVATION AUTHORITY

Respondent

**ORDER**

**WHEREAS** this appeal was received by this tribunal on the 8th day of February, 1995;

**AND WHEREAS** a consent to grant this appeal without costs and with conditions, dated the 21st day of March, 1996, was executed and filed by Mr. Marvin Geist, counsel for the Appellant;

**AND WHEREAS** a consent to grant this appeal without costs and with conditions, dated the 18th day of March, 1996, was executed and filed by Mr. Kenneth C. Hill, counsel for the Respondent;

1. **THIS TRIBUNAL ORDERS** that the Appellant submit a site plan satisfactory to the Respondent, showing the location and dimensions of all fill and construction proposed on the property.

2. **THIS TRIBUNAL FURTHER ORDERS** that the Appellant submit construction plans satisfactory to the Respondent, showing all openings and finished floor to be a minimum elevation of 219.6 metres above sea level.

3. **THIS TRIBUNAL FURTHER ORDERS** that the Appellant submit grading plans satisfactory to the Respondent, permitting fill to remain on site or to be deposited solely for the purpose of raising a reasonable building envelope to a level consistent with the elevation of adjoining properties, and showing that the elevation of the remainder of the property will be unchanged.

4. **THIS TRIBUNAL FURTHER ORDERS** that the Appellant register the agreement on title, indicating that the lot is within a flood plain and that the Appellant has accepted all liability for damages from flooding.

5. **THIS TRIBUNAL FURTHER ORDERS** that this appeal is granted.

6. **THIS TRIBUNAL FURTHER ORDERS** that no costs shall be payable by either party to this appeal.

**DATED** this 25th day of March, 1996.

Original signed by B. Goodman

B. Goodman  
DEPUTY MINING AND LANDS COMMISSIONER