

**NOTICE OF APPLICATION  
FOR CONSENT  
PURSUANT TO SECTION 53(5)(a) OF THE PLANNING ACT,  
R.S.O. 1990, CHAPTER P.13**

Respecting an application for consent by Daniel Hill & Richard and Nancy Wepler  
to the Sudbury East Planning Board  
Part of Lot 3, Concession 2  
in the Township of Cosby  
now in the Municipality of French River  
Territorial District of Sudbury  
Parcel 984 Sudbury East Section  
(Roll No. 5201-020-000-088-00)  
(SEPB File No. B/20/17/FR)

**THE PURPOSE AND EFFECT** of the application is to sever approximately 31.5 hectares from the subject property (known Municipally as 409 Mayer Road) and add such lands to the adjacent parcel to the west (known Municipally as 451 Mayer Road) to provide additional rural lands.

**TAKE NOTICE THAT** the Sudbury East Planning Board will analyze and discuss Application B/20/17/FR at its meeting on **October 12<sup>th</sup>, 2017 at 5:30 p.m. at the Sudbury East Planning Board Office, 39 Lafontaine Street, Unit 4, Warren, Ontario.**

**IF YOU WISH TO BE NOTIFIED OF THE DECISION** of the Sudbury East Planning Board in respect of the proposed consent, you must make a written request to the **Sudbury East Planning Board, 39 Lafontaine Street, Unit 4, P.O. Box 250, Warren, Ontario, P0H 2N0.**

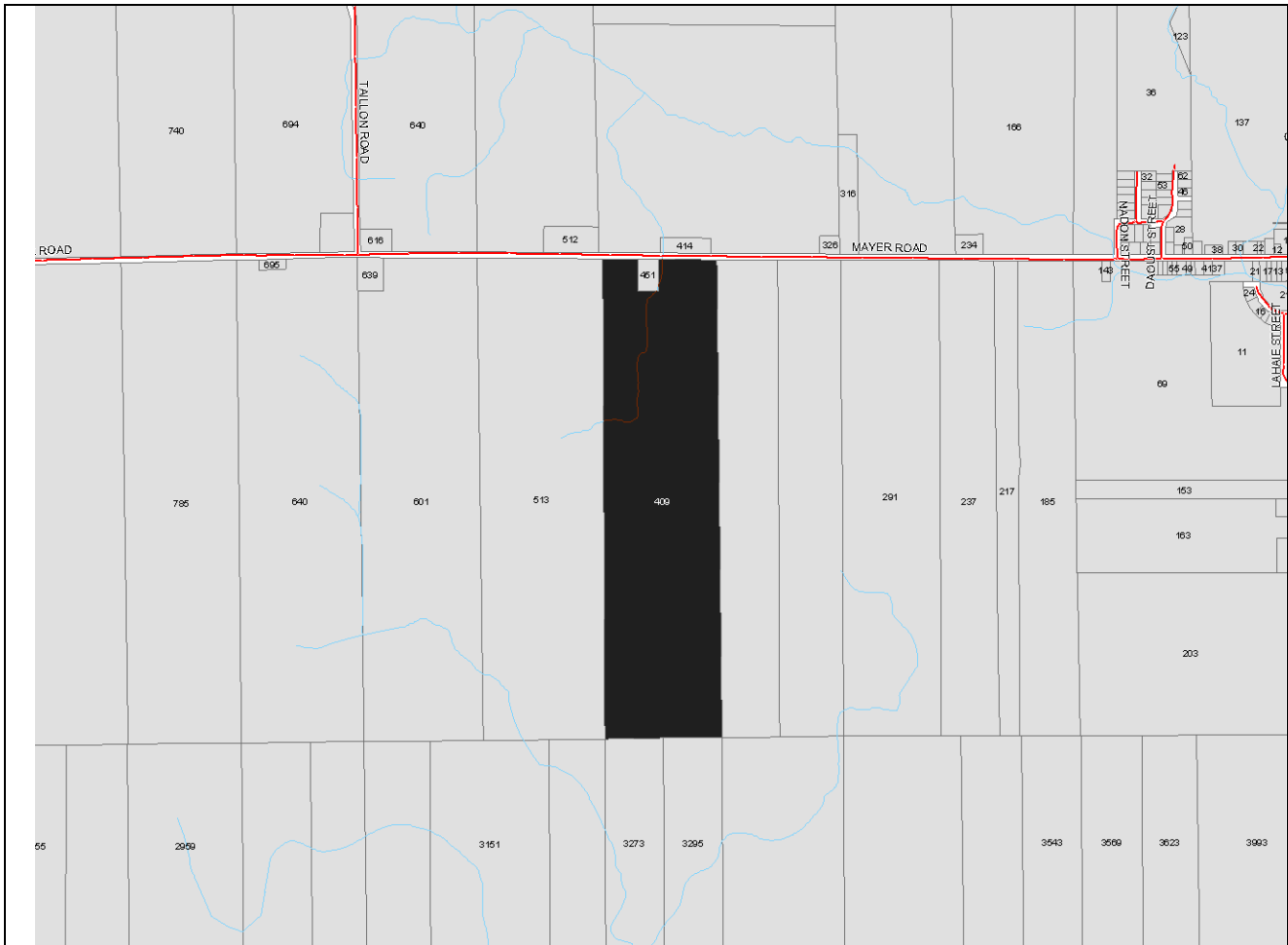
**IF A PERSON OR PUBLIC BODY THAT FILES AN APPEAL** of a decision of the Sudbury East Planning Board in respect of the proposed consent does not make written submissions to the Sudbury East Planning Board before it gives or refuses to give a provisional consent, the Ontario Municipal Board may dismiss the appeal.

**ADDITIONAL INFORMATION** is available for public review or a written copy of this Notice can be obtained Monday to Friday (8:30 a.m. to 4:00 p.m.) at the Sudbury East Planning Board Office.

Dated at Warren, this 25<sup>th</sup> day of September, 2017.

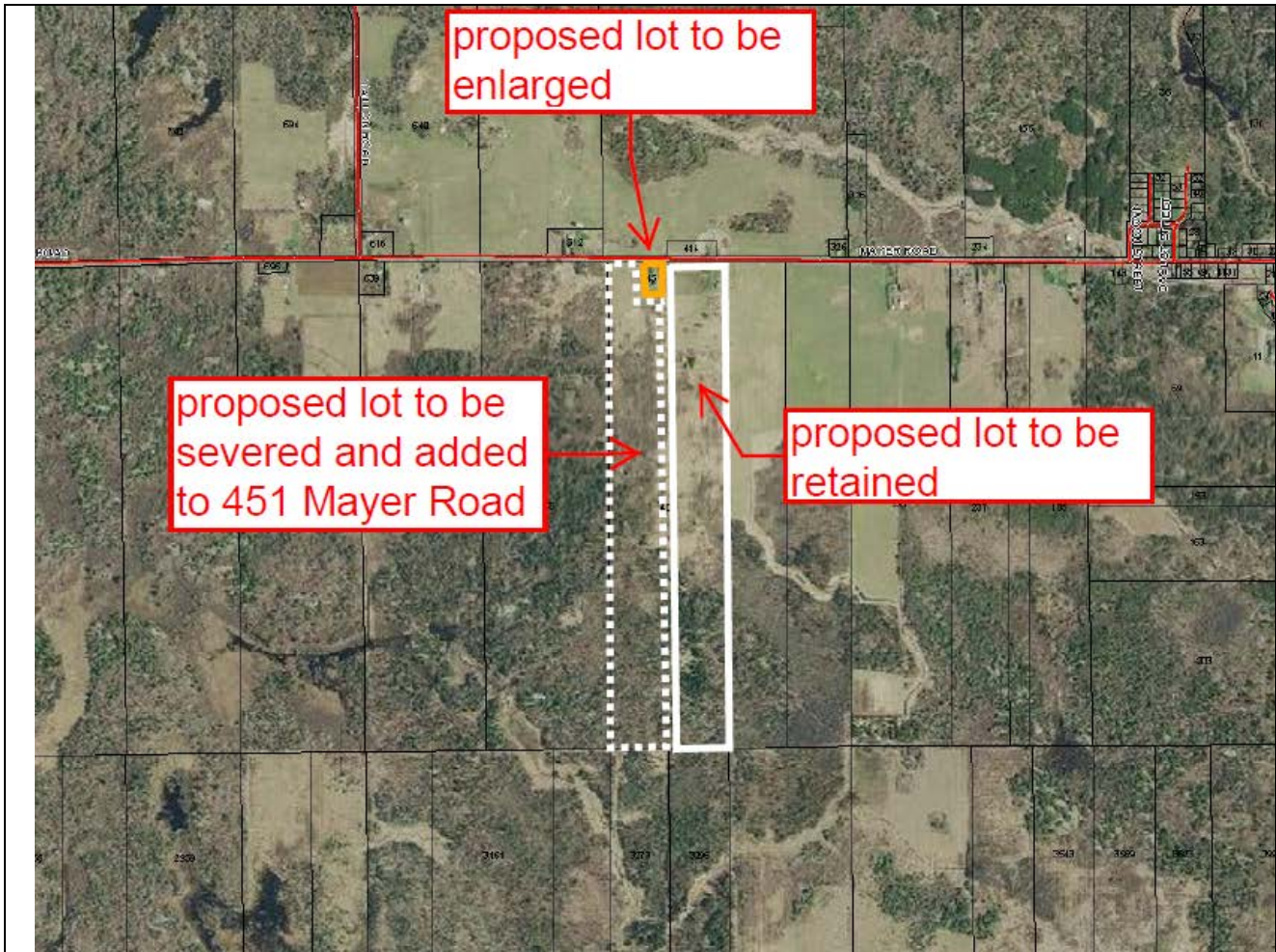
Matthew Dumont, MCIP, RPP  
Secretary-Treasurer

39 Lafontaine Street, Unit 4, P.O. Box 250 Warren, Ontario P0H 2N0  
Telephone: (705) 967-2174 Fax: (705) 967-2177 Watts: 1-877-540-7372  
[www.sepb.org](http://www.sepb.org)



**KEY MAP**

Consent Application  
 (Dan Hill & Richard and Nancy Wepler)  
 Part of Lot 3, Concession 2  
 in the Township of Cosby  
 now in the Municipality of French River  
 Territorial District of Sudbury  
 Parcel 984 S.E.S.  
 (Roll No. 5201-020-000-088-00)  
 (SEPB File No. B/20/17/FR)



**AERIAL PHOTOGRAPHY**  
Consent Application  
(Dan Hill & Richard and Nancy Wepler)  
Part of Lot 3, Concession 2  
in the Township of Cosby  
now in the Municipality of French River  
Territorial District of Sudbury  
Parcel 984 S.E.S.  
(Roll No. 5201-020-000-088-00)  
(SEPB File No. B/20/17/FR)



**Planning Report:** APPLICATION FOR CONSENT  
**Report To:** SUDBURY EAST PLANNING BOARD  
**Meeting Date:** October 12<sup>th</sup>, 2017  
**Report Date:** September 25<sup>th</sup>, 2017

**Applicant(s)/Owners:** Daniel Hill & Richard & Nancy Wepler  
**Agent/Solicitor:** None  
**File Number:** B/20/17/FR  
**Property Description:** Part of Lot 3, Concession 2  
 in the Township of Cosby  
 now in the Municipality of French River  
 Territorial District of Sudbury  
 Parcel 984 Sudbury East Section  
 (Roll No.5201-020-000-088-00)  
 409 Mayer Road

**APPLICATION:**

The purpose of the Application for Consent is to effect a lot addition. The application will sever approximately 31.5 hectares (known municipally as 409 Mayer Road) and add such lands to an adjacent property to the west (known municipally as 451 Mayer Road). The proposed retained lot is to be approximately 32.0 hectares in lot area with a lot frontage of approximately 198 metres and contains a single-detached dwelling and accessory buildings including a barn and detached garage. The proposed enlarged lot (once severed lot has been added) will have an approximate lot area of 32.2 hectares with a lot frontage of approximately 187.0 metres and presently contains a single-detached dwelling and accessory building including a shed and a detached garage.

**SUBJECT LANDS:**

Lot Dimensions:	<u>Lot Area</u>	<u>Lot Frontage</u>
Severed Lot	31.5 hectares	119.0 metres
Retained Lot	32.0 hectares	198.0 metres
Enlarged Lot	32.2 hectares	187.0 metres

**Access:** Publicly maintained (Municipality of French River) year-round road (Mayer Road).

**Servicing:** Privately owned and operated individual septic system. Privately owned and operated individual well.

**School Busing:** Available.

**Garbage Collection:** Not available.

**Fire Protection:** Available.

**Surrounding Uses:** The lands are located on the north side of Mayer Road, 530 meters west of the Village of Noelville and east of Montee Pilon. The subject lands are surrounded predominately by rural lands with the exception of a few properties which are residential rural.

The Rural Zone requires a minimum lot area of 5.0 hectares and a minimum lot frontage of 100.0 metres. In this instance, both the retained and the enlarged lot will continue to meet the requirements of the zoning by-law and be used as residential lots. However, the benefitting property (451 Mayer Road) from the consent application is presently zoned Residential Rural (RR). In this case, the lands to be severed are presently Rural (RU), therefore creating a split zoning. Split zoning is generally forbidden, however, the severed lands are intended for agriculture purposes and for that reason a rezoning application to change the lands from 'Rural (RU)' to 'Residential Rural (RR)' will not be required. The residential rural zone would limit the permitted uses for the acquired lands.

The proposal involves no new land use or change in land use.

The application, as proposed, complies with the regulation of the Zoning By-law.

#### AGENCY REVIEW

This application was circulated to those agencies that were considered to have an interest in the proposal. The following comments were received:

No Comments were received as of the date this report was written.

#### PUBLIC CONSULTATION

Notice of the consent application was sent to surrounding property owners on September 27<sup>th</sup>, 2017, in accordance with the requirements of the Planning Act, R.S.O. 1990, Chapter P.13 and its Regulations (O.REG. 197/96) thereto. As of the writing of this report, no comments or concerns had been received from neighbouring property owners.

#### MATTERS UNDER SECTION 51(24) OF THE PLANNING ACT

Those matters under Section 51(24) have been reviewed and considered; there is no adverse effect expected from the proposed consent with respect to the listed criteria.

#### RECOMMENDATION:

Whereas the application for consent is consistent with the 2014 Provincial Policy Statement, complies with the Official Plan for the Sudbury East Planning Area, and the subject property is appropriately zoned, we are of the opinion that the application is acceptable from a planning perspective, and should be granted, subject to the appended conditions.

Respectfully submitted,



Matthew Dumont, MCIP, RPP  
Director of Planning

**SUDBURY EAST PLANNING BOARD  
CONSENT-IN-PRINCIPLE - CONDITIONS**

**Planning Board Date of Decision:** October 12<sup>th</sup>, 2017  
**Date of Notice of Decision:** \*\*\*  
**Last Date of Appeal:** \*\*\*

**Applicants(s):** Daniel Hill & Richard and Nancy Wepler  
**Owner(s):** same as above  
**Agent/Solicitor:** none  
**File Number:** B/20/17/FR  
**Property Description:** Part of Lot 3, Concession 2  
in the Township of Cosby  
now in the Municipality of French River  
Territorial District of Sudbury  
Parcel 984 Sudbury East Section  
(Roll No. 5201-020-000-088-00)

The Sudbury East Planning Board's conditions to the granting of consent for this transaction, **SEPB File No. B/20/17/FR**, which must be fulfilled within one year from the date of this letter, are set out below. These conditions must be fulfilled prior to the granting of consent.

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**CONDITIONS:**

1. This approval applies to a lot addition of approximately 31.5 hectares in area with approximately 119 metres of lot frontage, as applied for on Part of Lot 3, Concession 2, in the Township of Cosby, now in the Municipality of French River, Territorial District of Sudbury, (Parcel 984 Sudbury East Section).
2. Prior to the granting of Final Consent through the provision of the Certificate of the Official a fee of \$200.00 must be paid to the Sudbury East Planning Board.
3. The following documents shall be provided for the transaction described in Condition 1:
  - a) the original executed Transfer/Deed of Land Form, a duplicate original, and one photocopy for our records;
  - b) a Schedule to the Transfer/Deed of Land Form on which is set out the entire legal description of the parcel(s) in question. This Schedule must also contain the names of the parties indicated on Page 1 of the Transfer/Deed of Land Form; and
  - c) a reference plan of survey (***a paper copy and an electronic copy***), which bears the Land Registry Office registration number and signature as evidence of its deposit therein, illustrating the parcel(s) to which the consent approval relates.
4. The parcel intended to be severed be conveyed to the abutting landowner to the immediate **west** and be consolidated with said owner's existing property. Any additional transaction with regard to the parcel severed will have to comply with Subsections 3 and 5, of Section 50 of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.

5. Where it is determined on drafting a reference plan of survey that an existing public road traverses the subject lands to which the consent approval applies (severed and/or retained lands), that portion of such road which traverses the subject lands shall be laid out on the final reference plan of survey and shall be transferred to the appropriate authority. The cost of any survey shall be borne by the applicant.

**NOTES:**

The following notes are for the applicant's information:

1. The required Transfer/Deed of Land Form and Schedule shall contain a complete and accurate legal description. The Planning Board's certificate of consent will be affixed to the completed Schedule page. For this reason, the names of the parties also must be set out on the Schedule page, so that the consent may be properly related to the intended conveyance.

Inaccuracies or omissions with regard to the legal description in the Transfer/Deed of Land Form, the Schedule page, or the reference plan of survey, will result in the documents being returned without consent.

2. ***It is the applicant's and/or agent's responsibility to fulfill the conditions of consent approval pursuant to Section 53(41) of the Planning Act, R.S.O. 1990, Chapter P.13 within one year of the date that the Notice of Decision to grant Provisional Consent was given pursuant to Section 53(17) of the Planning Act. The Planning Board will issue no further notice or warning of the expiration of the one-year period.***

If the conditions to consent approval are not fulfilled within one year of the date of the Notice of Decision and the applicant is still interested in pursuing the proposal, a new application will be required. New applications must be accompanied by a fee.

3. Because this consent application is for a lot addition, Subsection (3) or (5) of Section 50 of the Planning Act, R.S.O. 1990, Chapter P.13, shall apply to any subsequent conveyance or transaction. This will be set out in the Certificate on the Transfer/Deed of Land Form upon endorsement by the Planning Board.