
APPLICATION GUIDE FOR MINOR VARIANCES

A Minor Variance is required if a owner of land wishes to deviate slightly from the standards set out in the zoning by-law or wishes to alter a legal non-conforming use or building location. Planning Board staff can assist you in determining whether you proposed change may qualify as a Minor Variance.

WHAT IS AN OFFICIAL PLAN?

Official plans are local land use planning documents adopted by a local land use approval authority and approved by the Province. They reflect provincial and local planning issues that guide development within our communities. Your proposed amendment must conform to the requirements of the Sault North Official Plan be consistent with the Provincial Policy Statement (under Section 3 of the Planning Act), and fulfill all other requirements of the Zoning By-Law that are not being considered for amendment and other relevant local and Provincial Agencies.

WHAT HAPPENS AFTER I SUBMIT MY APPLICATION?

An application will not be accepted as complete unless all legislated requirements have been met and will not be processed until all necessary information and **application fee of \$500** has been received.

The fee can be paid by cash, cheque or money order payable to the Sault Ste. Marie North Planning Board or by an Electronic Funds Transfer using the email address billing@ssmnpb.ca.

It is your responsibility to provide a complete and accurate application. You must answer all questions as completely as possible and provide a sketch and key map that are clear and accurate. You must also submit a complete legal description including a photocopy of your deed or reference plan. The legal description may be a metes and bounds description, a reference plan which has been deposited in the local Registry Office or Land Titles Office, or if it is a Registered Plan Number and Lot Number.

The applicant may be required to obtain certain technical reports or agency comments prior to an application being considered complete. Applications on Provincial highways require pre-consultation comments from the Ministry of Transportation. Except in the rare circumstances, all applications are circulated to Algoma Public Health. The Sault Ste Marie North Planning Board is not responsible for any potential fees that may be required to obtain agency comments.

The Minor Variance application process is a public process. Applications will be circulated to public agencies for comment. Notice of the hearing will be circulated to neighboring property owners and a public notice sign must be posted on the subject property. All parties are given the opportunity to provide written comment or attend the hearing, either in support or opposition of the application, or to appeal a subsequent decision of the Planning Board. The comments and opinions submitted on an application, including the name and address on the submission, become part of the public record and may be viewed by the general public.

The owner, applicant, or authorized agent must attend the public hearing. It is in the applicant's best interest to ensure they are represented at the hearing. Failure to attend could result in the Planning Board making a



decision in your absence or deferring your application. A deferral fee will apply to deferred applications or applications requiring re-circulation for failure to attend the hearing.

If the Planning Board decides to approve the application, there may also be conditions stipulated that must be followed in order for the By-Law to take effect. The applicant, or any person or public body can appeal the decision and any or all of the conditions to the Ontario Land Tribunal within 20 days after the giving of notice of decision.

If the Planning Board proposes not to approve the application, the Planning Board will send a notice giving the reasons for the proposed refusal. The applicant or any person and or public body has up to 20 days after the giving of notice to appeal the decision to the Ontario Land Tribunal. If at the end of 20 days there is no appeal, the refusal decision becomes final.

Note: Applications that are incomplete will be returned.

Do not return this instruction sheet with completed application.



**APPLICATION FOR MINOR VARIANCE
SECTION 45 OF THE PLANNING ACT, R.S.O. 1990**

OFFICE USE	
File Number: _____	Date Received: _____
Cross Reference: _____	Hearing Date: _____
Pre-application Consultation: _____	Payment Ref: _____
1. APPLICATION INFORMATION	
Registered Owner(s) of Subject Land: (Note: A Landowner's Authorization Form is required if the applicant is not the owner.)	
Name of Registered Owner(s): 	
Mailing Address:	Home Phone
	Other Phone:
	Email:
Authorized Agent Information ***Person who is to be contacted if different from the landowner – Landowner Authorization Form will be required on file.	
Landowner Authorization Form Required? Yes No	If Yes, is form attached? Yes No
Name of Authorized Agent(s): 	
Authorized Agent Address:	Authorized Agent Home Phone:
	Authorized Agent Other Phone:
	Authorized Agent Email:

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2. LOCATION OF SUBJECT LAND

Roll Number:	Geographic Township	
911 Address /Civic Address (If assigned):		
Legal Description:		
Are there any easements or restrictive covenants affecting the subject land? YES NO If Yes, describe the easement or covenant and its effect:		
Date of acquisition of subject lands:		
Are there any mortgages, charges, or encumbrances in respect to the subject land? YES NO If Yes, list the type of encumbrance, and the holder's name and address		
<u>Mortgage/ Encumbrance</u>	<u>Holder's Name</u>	<u>Holder's Address</u>

3. PROPERTY USE

Official Plan Designation of the Property:			
DIMENSIONS OF SUBJECT LAND			
Area:	Frontage:	Depth:	
PRESENT USE(S) OF SUBJECT LAND:			
Residential	Mobile Home Park	Seasonal Residential	Local Commercial
General Commercial	Highway Commercial	Resort Commercial	Institutional
Industrial	Forest Management	Aggregate Extraction	Mineral Extraction
Agricultural	Home Base Business	Waste Management	Conservation
Kennel	Open Spaces	Vacant	Remote Development
Other (explain):			
Past uses of property (Include uses that may result in health, safety, or environmental risks)			

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LIST ANY EXISTING BUILDINGS OR STRUCTURES ON THE LAND:

Type of Building or Structure	Indicate All Yard Setbacks				Building Dimensions		Year of Construction
	Front	Back	Side	Side	Floor Area	Height	

PROPOSED USE(S) OF SUBJECT LAND:

Residential	Mobile Home Park	Seasonal Residential	Local Commercial
General Commercial	Highway Commercial	Resort Commercial	Institutional
Industrial	Forest Management	Aggregate Extraction	Mineral Extraction
Agricultural	Home Base Business	Waste Management	Conservation
Kennel	Open Spaces	Vacant	Remote Development

Other (explain):

LIST ANY PROPOSED BUILDINGS OR STRUCTURES ON THE LAND

Type of Building or Structure	Indicate All Yard Setbacks				Building Dimensions		Year of Construction
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4. PURPOSE OF APPLICATION

PRESENT ZONING ON THE PROPERTY:

Urban Residential (R1)	Rural Residential (RR)	Seasonal Residential (SR)	Waste Disposal (WD)
General Industrial (MI)	Institutional (I)	Open Space (OS)	Rural (RU)
General Commercial (CG)	Resort Commercial (CR)	Environmental Protection (EP)	Mobile Home Park (RMP)

What is type of variance being requested? (e.g. request to change setback distances, change or addition of a permitted use)

Reason for variance request:

Has the property or any portion been the subject of a previous zoning or variance amendment application?

Yes No Unknown

If Yes, quote file number.

5. TYPES OF SERVICING INFORMATION

Water Supply and Sewage Disposal

Select the appropriate type of servicing from **Table B.** (A certificate of approval from Algoma Public Health or the Ministry of the Environment must be submitted during the application process).

TYPE OF WATER SUPPLY		TYPE OF SEWAGE DISPOSAL	
Privately owned and operated individual well	Privately owned and operated communal well	Privately owned and operated individual septic system	Privately owned and operated communal septic system
Lake	Other water body		
Other		Privy	Other

PROPOSED WASTE DISPOSAL

Garbage disposal available? Yes No

Garbage Collection Crown Landfill Other _____

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TABLE B		
Type of Servicing		Reports/Information Needed
Sewage Disposal	a) Privately owned and operated individual septic system	If the requested change would permit development with more than 4,500 litres of effluent would be produced per day as a result of the development being completed, a servicing options report and a hydrogeological report may be needed along with approval from the Ministry of Environment. If proposal would produce effluent less than 4,500 litres per day, a hydrogeological report may be needed. A pre-development report from Algoma Public Health must be submitted.
	b) Privately owned and operated communal septic system	If the requested change would permit development more than 4,500 litres of effluent would be produced per day as a result of the development being completed, a servicing options report and a hydrogeological report may be needed along with approval from the Ministry of Environment. If proposal would produce effluent less than 4,500 litres per day, a hydrogeological report may be needed. A pre-development report from Algoma Public Health must be submitted.
	c) Privy	Provide details on location and size of out-houses.
	d) Other	Please Describe
Water Supply	a) Privately owned and operated individual well	Development on communal or individual well system may need a servicing options report and a hydrogeological report. Non-residential development on communal well system may need a hydrogeological report.
	b) Privately owned and operated communal well	Development on communal or individual well system may need a servicing options report and a hydrogeological report.
	c) Lake	A Permit to Take Water may be required. Contact your regional Municipal Services Office and the Ministry of the Environment and Climate Change office for guidance.
	d) Other water body	Please describe
	e) Other Means	Please describe

6. ACCESS

Provincial Highway	Public Road maintained by the Ministry of Transportation	Public Road maintained by a Local Roads Board or Statute Labour Board
50/50 Agreement Road	Private Road	Resource Access Road
Rail Only	Water Access Only	Right-of-way
Other:		
If access is by private or right of way indicate:		
Who is the Owner of land or road?		
Who is responsible for maintenance?		
Is the maintenance seasonal or year-round?		

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7. COMPLIANCE WITH PROVINCIAL POLICY STATEMENT

Are any of the following uses or features on the subject land or within 500 m (1640 ft) unless otherwise specified?

Please check the appropriate boxes.

Use or Feature	On subject land?			Within 500 meters of subject land			Approximate distance?
	Yes	No	Unknown	Yes	No	Unknown	(In Meters)
Cultural heritage or archaeological resources							
Agricultural operation, including livestock facility or stockyard							
Landfill/ Dump Site (open or closed)							
Provincially significant wetlands							
Unevaluated wetland							
Sensitive surface water features and/or sensitive groundwater features							
Fish Habitat							
Significant wildlife habitat							
Significant habitat of Endangered or Threatened Species							
Significant Area of Natural and Scientific Interest							
Flood Plain/Erosion Hazard/Steep Slope							
Rehabilitated or an abandoned mine site or mine hazards or former mining operations							
An operating mine site or a non-operating mine site within 1000 m of the subject land							
Mineral aggregate operation (pit or quarry)							
Provincial highway							
Active railway line							
Electricity generating station, hydro transformer, railway yard, etc.							
Utility corridor							
Contaminated site							

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8. PREVIOUS/ONGOING APPLICATIONS FOR THE SUBJECT LAND

If known, have these lands been subject to any of the following development application:

Application Type:	Yes	No	Unknown	File No.	Status
Minor Variance					
Zoning Amendment					
Official Plan Amendment					
Deeming By-law					
Site Plan Agreement					
Plan of Subdivision/ Condominium					
Severance/ Consent					
Letter of Conformity / Building Permit					

9. OTHER INFORMATION

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AFFIDAVIT OR SWORN DECLARATION

I, _____ of (city/Township) _____ in the
(Province/Territory) of _____ make oath and say (or solemnly declare) that the information
contained in this application is true and that the information contained in the documents that accompany this application
is true.

Date

Signature of Registered Owner(s)

CONSENT OF OWNER(S) TO THE USE AND DISCLOSURE OF PERSONAL INFORMATION

I/We _____, am/are the owner(s) of the land that is the subject of
this application and for the purposes of the *Municipal Freedom of Information and Protection of Privacy Act*, I authorize
and consent to the use by or the disclosure to any person or public body of any personal information that is collected
under the authority of the *Planning Act* for the purposes of processing this application.

Date

Signature of Registered Owner(s) or Authorized Agent

PERMISSION TO ENTER

I/We hereby authorize the members of the staff of the Sault Ste. Marie North Planning Board to enter upon the subject
lands and premises for the limited purpose of evaluating the merits of this application.

Date

Signature of Registered Owner(s) or Authorized Agent

***The Planning Board will assign a File Number for complete applications and this should be used in all communications.

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APPLICATION SKETCH REQUIREMENTS

The Planning Act Requires that Sketches, Drawings, or surveys show the following information. All measurements must be shown in metric (metres) and drawn to scale. If deficiencies be found , you may be required to re-apply. Applicants are required at least one copy of the sketch reduced to letter size (8.5 inches x 11 inches), and the sketch must contain all of the following information:

- ☐ The boundaries of the subject land, with dimensions indicated.
- ☐ The boundaries of all of the lands adjacent to the subject land that is owned by the applicant or in which the applicant has an interest (may be a small key plan)
- ☐ The location of any land previously severed from the subject property.
- ☐ The size, location, and type of all existing and proposed buildings, structures or additions on the subject land, measured from the front, rear and side lot lines.
- ☐ The location, width and name of any roads within or highways abutting the subject land, indication whether they are public-owned and maintained travelled roads or private right-of-way and the location of the nearest public road /public access point.
- ☐ The location and nature of any easements, right-of-way and/or restrictive covenants affecting the subject land.
- ☐ The location of any natural or artificial features on the subject land and on land adjacent to the subject land.(e.g. trees, roads, watercourses, river or streams banks, wetlands, wooded areas, drainage ditches, wells, septic tanks, buildings, and railways).
- ☐ The current uses on land that is adjacent to the subject land.

For certain applications where it is determined that a sketch will not adequately provide the information required, the Planning Board may request that a site plan or survey be completed by a qualified professional as a part of a complete application.

APPLICANT'S CHECKLIST, REQUIRED INFORMATION:

- | | |
|----------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| <input type="checkbox"/> Complete application forms | <input type="checkbox"/> If required, Landowner's Authorization Form attached |
| <input type="checkbox"/> Required fee, payable through cash, cheque money order and EFT (email is billing@ssmnpb.ca) | <input type="checkbox"/> Required sketch |
| | <input type="checkbox"/> Attached copy of your deed |

FURTHER INFORMATION

Also check for other approvals and restrictions that may influence building locations on your property.

Algoma Power Inc. Customer Service 2 Sackville Road Sault Ste. Marie, Ont., P6B 6J6 (705)256-3850 or 1-877-457-7378 Buildings must be setback the proper safe distances for power lines on or near your property. Contact for further information.	MTO - Highway Corridor Management https://www.hcms.mto.gov.on.ca/ All new access points to a Provincial Highway require approval of the Ministry of Transportation Corridor Manager.	Algoma Public Health 294 Willow Avenue Sault Ste. Marie, ON, P6B 0A9 (705) 942-4646 Algoma Public Health is the principal authority for the enforcement of the Ontario Building Code & Act as they relate to private on-site sewage systems in all areas within the District of Algoma.
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