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## APPLICATION GUIDE FOR CONSENTS

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These tips are intended as a guide to help you decide if your proposed lot might qualify for a severance through the consent application process. There are other factors which may be considered in assessing your application for consent.

### WHAT IS AN OFFICIAL PLAN?

Official plans are local land use planning documents adopted by a local planning authority and approved by the province. They reflect provincial and local planning issues and, among other things, establish policies for lot creation.

Your proposed lot(s) must conform to the requirements of the Sault North Official Plan and be consistent with the Provincial Policy Statement (under Section 3 of the *Planning Act*).

### WHAT IS A ZONING BY-LAW?

Local zoning by-laws exist in your area. They set out specific requirements for new development (e.g. minimum lot size, frontage, acceptable access, etc.). Your proposed new lot must conform to any zoning controls. SSMNPB staff can help you interpret the Sault North Official plan and Zoning By-law 1999-01.

### IS CONSENT THE WAY TO GO?

Generally, the creation of new lots by consent may be considered where:

- only one or two lots are proposed;
- both the new lot and the retained portions are over two (2) acres in size;
- no more than two lots have been severed from the parcel since 1999, when the current Sault Ste. Marie North Planning Area Official Plan was adopted; and

the new and remaining lot will have direct access to an existing publicly-owned and maintained road. The consent process can also be used for other purposes, such as for lot additions (adding a piece of property to an adjacent parcel), creating an easement or right of way, or establishing a lease agreement longer than a period of twenty-one years.

### WHERE CAN NEW LOTS BE CREATED?

Lot creation can be considered in all parts of the Planning Area as long as the proposed new lots would comply with the Official Plan and Zoning By-law. All new lots must be suitable for their intended use. For example, new lots must be large enough to accommodate the proposed building and all servicing requirements.

### WHERE CAN'T NEW LOTS BE CREATED?

Generally, lots cannot be created on provincially significant wetlands, prime agricultural lands, lands containing mineral aggregate resources, hazardous lands such as steep slopes and areas susceptible to flooding or where fish or wildlife habitats will be disturbed.

New lots cannot be created where they are not compatible with surrounding land uses. For example, a new lot for a house probably would not be permitted next door to a factory or a waste disposal site.

### WHAT KIND OF ACCESS DO NEW LOTS NEED?

Any new lot must provide safe, long-term access for all vehicles, including service and emergency vehicles. Generally, this means that lots should be located on publicly-owned roads which are maintained year-round.

### WHAT KIND OF SERVICES DO NEW LOTS NEED?

In general, a new lot must be acceptable for the installation of a septic tank and tile bed system and wells. Lake water for cottage lots may be permitted, subject to the approval of the relevant public authority.

## WHAT HAPPENS TO MY APPLICATION AFTER I SUBMIT IT FOR APPROVAL?

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 **\$1000** (plus \$500 for an additional lot) 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](mailto:billing@ssmnpb.ca)**.

**It is your responsibility to provide a complete and accurate application.** All questions must be answered as completely as possible with a clear and accurate sketch and key map provided. 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 in the case of Registered Plan, the Registered Plan Number and Lot Number.

The applicant may be required to obtain certain technical reports prior to an application being considered complete. Applications on provincial highways require pre-consultation comments from the Ministry of Transportation. All applications are circulated to Algoma Public Health as the public authority legislated to approve septic systems. The Sault Ste Marie North Planning Board is not responsible for any potential fees that may be required to obtain any comments.

The consent 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.

Generally, the notice, circulation, site visit and a decision on a consent request will be done in 90 days from the receipt of a complete application.

If the Planning Board decides to approve the application, there will be conditions stipulated and these conditions must be fulfilled prior to granting the consent. The applicant has two (2) years to fulfil these conditions, otherwise the application is deemed to be refused. 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.



## APPLICATION FOR CONSENT UNDER SECTION 53 OF THE PLANNING ACT

OFFICE USE	
File Number: _____	Date Received: _____
Cross Reference: _____	Hearing Date: _____
Pre-application Consultation: _____	Payment Ref: _____
<b>1. APPLICATION INFORMATION</b>	
Registered Owner(s) of Subject Land: (Note: An Landowner's authorization is required if the applicant is not the owner.)	
Name of Registered Owner(s):	
Mailing Address:	Home Phone
	Other Phone:
	Email:
<b>Authorized Agent Information</b> ***Person who is to be contacted if different from the landowner – Landowner Authorization Form will be required on file.	
Authorized Agent 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:

## APPLICATION FOR CONSENT UNDER SECTION 53 OF THE PLANNING ACT

### 2. LOCATION OF SUBJECT LAND

Roll Number:	Current Zoning	
911 Address /Civic Address (If assigned):	Geographic Township	
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. PURPOSE OF APPLICATION

#### TYPE AND PURPOSE TRANSACTION

Transfer:	Creation of a new Lot	Addition to a Lot	An Easement	Other
Other:	A Charge	A Lease	A Correction of Title	
What is the purpose for which the proposed lots are to be used?				
Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:				
If a lot addition, identify the lands to which the parcel will be added.				

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## 4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

### LOT DESCRIPTION (ENSURE TO INCLUDE UNITS IN METERS)

	SEVERED (1)	SEVERED (2) or Proposed Easement/Right of Way	RETAINED
Frontage			
Depth			
Area			

### USE OF PROPERTY

	SEVERED (1)	SEVERED (2) or Proposed Easement/Right of Way	RETAINED
Existing use(s)			
Proposed use(s)			
Current Zoning Designation			

### BUILDINGS OR STRUCTURES

	SEVERED (1)	SEVERED (2) or Proposed Easement/Right of Way	RETAINED
Existing Building(s) (Description, size and year of construction)			
Proposed Buildings			

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ACCESS			
TYPE OF ACCESS TO THE RETAINED LANDS		TYPE OF ACCESS TO THE SEVERED LANDS	
<div style="display: flex; justify-content: space-between;"> <div>Provincial Highway</div> <div>Road Maintained by Local Roads Board</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div>Private Road</div> <div>Right-of-Way</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div>Other: _____</div> <div></div> </div>	<div style="display: flex; justify-content: space-between;"> <div>Provincial Highway</div> <div>Road Maintained by Local Roads Board</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div>Private Road</div> <div>Right-of-Way</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div>Other: _____</div> <div></div> </div>		
<b>Is water access only proposed?</b> <div style="display: flex; justify-content: space-around; width: 100%;"> <span>Yes</span> <span>No</span> </div>			
<p><b>IF YES</b>, on a separate page, describe i) the parking and ii) docking facilities to be used and the approximate distance of these facilities from the subject land and the nearest public road access.</p> <p style="margin-left: 40px;">Attached</p> <p>You may be required to provide a letter from the owner(s) of a commercially operated parking and docking facility indicating that capacity is available to accommodate your specific proposal.</p>			
SERVICING			
<p><b>Water Supply and Sewage Disposal</b></p> <p>Select the appropriate type of servicing from <b>Table B</b>. (A certificate of approval from Algoma Public Health or the Ministry of the Environment must be submitted during the application process).</p>			
TYPE OF WATER SUPPLY TO THE RETAINED LANDS		TYPE OF WATER SUPPLY TO THE SEVERED LANDS	
<div style="display: flex; justify-content: space-between;"> <div>Privately owned and operated individual well</div> <div>Privately owned and operated communal well</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div>Lake</div> <div>Other water body</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div>Other: _____</div> <div></div> </div>	<div style="display: flex; justify-content: space-between;"> <div>Privately owned and operated individual well</div> <div>Privately owned and operated communal well</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div>Lake</div> <div>Other water body</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div>Other: _____</div> <div></div> </div>		
TYPE OF SEWAGE DISPOSAL PROPOSED TO THE RETAINED LANDS		TYPE OF SEWAGE DISPOSAL PROPOSED TO THE SEVERED LANDS	
<div style="display: flex; justify-content: space-between;"> <div>Privately owned and operated individual septic system</div> <div>Privately owned and operated communal septic system</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div>Privy</div> <div>Other</div> </div>	<div style="display: flex; justify-content: space-between;"> <div>Privately owned and operated individual septic system</div> <div>Privately owned and operated communal septic system</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div>Privy</div> <div>Other</div> </div>		
PROPOSED WASTE DISPOSAL			
<b>Garbage disposal available?</b> <div style="display: flex; justify-content: space-around; width: 100%;"> <span>Yes</span> <span>No</span> </div>			
<div style="display: flex; justify-content: space-between;"> <div>Garbage Collection</div> <div>Crown Landfill</div> <div>Other: _____</div> </div>			

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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

## 5. SURROUNDING LAND USES

**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)							
Sewage treatment plant or waste stabilization plant							
Provincially significant or unevaluated wetlands							
Sensitive surface water features and/or sensitive groundwater features							
Fish Habitat							

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## 5. SURROUNDING LAND USES (Continued)

Use or Feature	On subject land?			Within 500 meters of subject land			Approximate distance?
	Yes	No	Unknown	Yes	No	Unknown	(In Meters)
Significant wildlife habitat							
Significant Habitat of Endangered or Threatened Species							
Significant Area of Natural and Scientific Interest							
Flood Plain							
Erosion Hazards							
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							
Crown Land							

## 6. PREVIOUS APPLICATIONS FOR THE SUBJECT LAND

has there been an industrial use(s) on the site?	Yes	No	Unknown
If Yes, what was the nature and type of industrial use(s)?			
Has there been a commercial use(s) on the site?	Yes	No	Unknown
If Yes, what was the nature and type of commercial use(s)?			
Has fill been brought to and used on the site (other than fill to accommodate septic systems or residential landscaping)?	Yes	No	Unknown
Has there been commercial petroleum or fuel storage on the site, underground fuel storage, or has the site ever been used for a gas station?	Yes	No	Unknown



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**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					

### 7. OTHER INFORMATION

**Is there any other information that you think may be useful to the Board or other agencies in reviewing this application? If so, explain below or attach a separate page.**

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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.

## APPLICATION FOR CONSENT UNDER SECTION 53 OF THE PLANNING ACT

### 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:

- ☐ Complete application forms
- ☐ Required fee, payable through cash, cheque money order and EFT (email is [billing@ssmnpb.ca](mailto:billing@ssmnpb.ca))
- ☐ If required, Landowner's Authorization Form attached
- ☐ Required sketch
- ☐ Attached copy of your deed

### FURTHER INFORMATION

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

<b>Algoma Power Inc.</b> 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.	<b>MTO - Highway Corridor Management</b> <a href="https://www.hcms.mto.gov.on.ca/">https://www.hcms.mto.gov.on.ca/</a>  All new access points to a Provincial Highway require approval of the Ministry of Transportation Corridor Manager.	<b>Algoma Public Health</b> 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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