

**Municipal Corporation of  
The Township of Killaloe, Hagarty and Richards**

**By-law # 36-2002**

**Being a by-law to establish policies and procedures for the closure of shoreline road allowances.**

WHEREAS authority is granted under the Municipal Act for closing or altering a highway;

AND WHEREAS the Township of Killaloe, Hagarty and Richards deems it necessary to set forth its policies and administration procedures in the closing and disposition of Shoreline Road Allowances;

NOW THEREFORE the Municipal Corporation of the Township of Killaloe, Hagarty and Richards enacts as follows:

1. The selling price of the land shall be \$5.00 per linear foot, plus GST.
2. A non-refundable administration fee of \$250.00 shall accompany the application.
3. The applicant shall be responsible for engaging his/her own surveyor and solicitor.
4. The applicant shall be responsible for having the shoreline road allowance surveyed by a qualified Ontario Land Surveyor.
5. The municipality upon conveying to the abutting landowner the shoreline road allowance in no way represents to the applicant as to the use which can be made of the shoreline road allowance, i.e. building permits, etc.
6. All applications for shoreline road allowance closure must conform to the requirements of the appropriate approval authorities.
7. Approval and implementing by-laws shall be passed pursuant to the Municipal Act.
8. This by-law repeals by-law 16-2000 of the former Township of Hagarty & Richards.
9. This by-law shall come into force and take effect upon final reading thereof.

The policy and procedures for the purchase of shoreline road allowance are outlined in Schedule "A" attached hereto and forming part of this by-law.

Read a first and second time this      day of                                  2002.

Read a third time and finally passed this      day of                                  , 2002.

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Reeve

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CAO/Clerk-Treasurer

## **Schedule “A”**

### **Policy and Procedure For Closing Shoreline Road Allowance**

1. Applicants shall complete the application for shoreline road allowance closing.
2. The application shall contain a sketch with all particulars of the shoreline road allowance closing, including all other roads in the area and other shoreline road allowance closings and show clearly the location of all buildings on the property. The sketch must indicate with reasonable accuracy the lot lines, dimensions and present access to the property.
3. A copy of the registered deed for the property you currently own which abuts the shoreline road allowance you wish to purchase, shall accompany the application.
4. A cheque in the amount of \$250.00, made payable to the township, shall accompany the application.
5. The applicant shall attach a Reference Plan of the property he/she wishes to purchase from the township.
6. The municipality shall begin the process by notifying the County of Renfrew, by registered mail or in person, of the intent of the township to close the road allowance. The County of Renfrew will have 60 days in which to review the information and notify the Municipality of its decision.
7. The municipality shall request statements from the Ministry of Transportation, Bell Canada, Ontario Hydro, Ministry of Natural Resources and Public Works & Government Services, Ontario Region, regarding their interests in the land.
8. Upon receipt of the reference plan, the municipality shall prepare a by-law and required notices, for closure of the road allowance.
9. Once the municipality has been notified by the County that they will not object to the closure, and once the 60 day period referred to in Section #6, has passed, the municipality shall publish the required notice of the municipality's intent to close the road allowance in a local newspaper for four consecutive weeks. In addition, notification of the proposed closure shall be posted in six public places. Notices of the proposed closure shall also be sent to the applicant and the abutting property owners. The by-law for the proposed closure shall be taken to council for first and second reading.
10. After the four week notice period has expired, the Council shall hold a Public Meeting, at which time Council will hear any person who claims that their land will be prejudicially affected by the by-law and who has applied to be heard.
11. The by-law is then taken to a regular council meeting for third and final reading.
12. Once the by-law has been passed, the township's solicitor will be asked to prepare the deed for the conveyance of the road allowance from the municipality to the applicant, in the name or names as they appear on the deed to the abutting property, and to register same.
13. All provisions of the agreement between the municipality and the applicant must be satisfied before the transaction is concluded. Prior to the issuance of a deed, all outstanding costs must be paid to the township by the applicant.

**Application for Closure of Shoreline Road Allowance**

**Township of Killaloe, Hagarty and Richards**

1. Name of Property Owner(s)(Applicant):

\_\_\_\_\_

\_\_\_\_\_

Telephone Number: Home \_\_\_\_\_ Work \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

911 Address of property presently owned by Applicant(s):

\_\_\_\_\_

2. Description of land presently owned by the Applicant(s):

Lot(s) No. \_\_\_\_\_ Concession No. (Plan) \_\_\_\_\_

Frontage: \_\_\_\_\_ Depth: \_\_\_\_\_

Area: \_\_\_\_\_

**Please attach copy of deed.**

3. Is the shoreline road allowance to be closed serving as access for other properties?

Yes: \_\_\_\_\_ No: \_\_\_\_\_

If yes, attach:

- (a) Letter of release from affected owners agreeing to an alternate access which must be provided by the applicant(s).
- (b) A description of the alternate access.

**Application for Closure of Shoreline Road Allowance**

**Township of Killaloe, Hagarty and Richards**

I hereby offer to purchase from the Municipality of the Township of Hagarty and Richards the shoreline road allowance described in my application hereto attached.

The purchase price shall be \$5.00 per linear foot, plus GST.

I/We acknowledge that the transfer of these lands are conditional upon the closure of the shoreline road allowance.

I/We acknowledge and understand that the boundaries shown on the sketch hereto attached and forming part of this application, are tentative boundaries, and I understand that the final boundaries shall be determined by a certified Ontario Land Surveyor.

I/We hereby agree to pay all legal, administrative and survey costs associated with the closure and disposition of the shoreline road allowance herein applied for.

A non-refundable administration fee of \$250.00 is enclosed herewith.

I/We, \_\_\_\_\_ of the \_\_\_\_\_  
(applicant(s)) (city, town, township)

of \_\_\_\_\_ in the County/District/Regional

Municipality of \_\_\_\_\_, solemnly declare that all the

statements contained in this application are true, and I/we make this solemn declaration

conscientiously believing it to be true, and knowing that it is of the same force and effect

as if made under oath and by virtue of the Canada Evidence Act.

DECLARED before me at the \_\_\_\_\_ ) \_\_\_\_\_  
Applicant

of \_\_\_\_\_ in the \_\_\_\_\_ ) \_\_\_\_\_  
Applicant

of \_\_\_\_\_ this \_\_\_\_\_ day of

\_\_\_\_\_, 20 .

\_\_\_\_\_  
Witness