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SHORE ROAD ALLOWANCE CLOSURE APPLICATION AND SALE POLICY FOR ABUTTING OWNERS

INTRODUCTION:

The Corporation of the Township of South Algonquin (the “Municipality”) came into existence on June 1, 1998 and since that date the closure and sale of any portion of shore road allowance within its boundaries are completed by the Municipality.

This memorandum sets out the policies and procedures the Municipality intends to follow in evaluating and processing applications from owners for the closure and sale of the shore road allowance abutting their property.

POLICIES:

Each application for the closure and sale of abutting shore road allowance will be considered individually on its merits. In deciding whether or not to approve any particular application the Municipality will have regard for and be guided by the following policies:

1. No portion of shore road allowance will be closed if:
 - (a) it is part of a flood plan (if there is an existing building on it, consideration may be given to closing and selling to the owner that portion of the shore road allowance actually occupied by the building);
 - (b) it is used for road or pedestrian access to an adjacent property or properties (unless an alternate, suitable access approved by the owners of the affected properties and is acceptable to the Municipality);
 - (c) it is below the ordinary high water mark (flooded land will not be closed or sold);
 - (d) it includes a portage trail;
 - (e) it is regarded as having historic or cultural value; or
 - (f) it has been identified as required Municipal recreational purposes.
2. Unopened road allowances leading to water (as opposed to shore road allowances) will not be closed unless it is demonstrated there is suitable nearby access to the water body. This alternative access to the water body will be the responsibility of the applicant.

3. Portions of shore road allowance will be closed only on application of and will be sold only to the owner or owners of the abutting land (the "Applicant").
4. The Applicant must receive written consent from adjacent neighbours on either side of their property, and the neighbours must ultimately agree with the location of the surveyed lines defining the portion of shore road allowance to be closed and sold. (The Municipality will not become involved in or resolve any 'disputes', and will generally decline to process or to continue to process the applications of owners involved in any such 'dispute').
5. Unless an alternative location has been agreed upon between the Applicant and the Applicant's neighbours, the surveyed lines across the shore road allowance should be drawn perpendicular to the water's edge.
6. The applicant shall be responsible for the survey, all administrative and legal costs including legal fees and disbursements of the Municipality's solicitor, the Municipality's application fees, administrative costs, and advertising costs as outline in the current Schedule of Fees By-Law.
7. The Municipality will charge frontage fees as outlined in the current Schedule of Fees By-law. This calculation is measured from the portion of the shore road allowance in the current survey.
8. No application for closure and sale will be accepted or processed unless all property taxes are paid up-to-date.



Application
(for the closure and purchase of shore road allowances)

Applicant Information

Name(s) of Applicant(s) _____

Address and Phone# _____

Name and Address of Authorized Agent _____

Tel No: _____ Fax No: _____

Property Information

(Part of) Lot: _____ Con./Plan: _____

Township: _____ Lake or River: _____

Roll No.(from Tax Bill) _____

Shore Road Allowance Information

Is it used for access to yours or other properties YES _____ NO _____

Are there any Bell Canada/Ontario Hydro
installation on the 66ft. shore allowance YES _____ NO _____

Enclosures:

1. Copy of title document (Deed, Transfer, Patent, Certificate of Ownership)
2. Sketch of property (or copy of survey) showing location of building(s)
3. Signed consent of neighbour(s)
4. Non-refundable \$100.00 deposit by cheque, money-order or bank draft payable to "Township of South Algonquin"

All of the foregoing must ordinarily accompany an Application; if any are not enclosed, please explain why. _____

The undersigned owner(s) hereby confirms/acknowledges that he/she has read the Municipality's Policies concerning the closure and sale of the shoreline road allowance and understands that the filling fee in the amount of \$100.00 is non-refundable and hereby applies for closure and sale to the undersigned of the portion of shoreline road allowance described herein and illustrated on the sketch/plan enclosed.

Signed this _____ day of _____,

Owner Signature _____, Owner Signature _____.

Applicant's Consent (Freedom of Information):

I/We _____ and _____
Name of Owner(s) *Name of Owner(s)*

of the Township of South Algonquin in the District of Nipissing hereby provide my (our) consent, in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, that the information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, as well as commenting letters, reports and advertisements issued by the municipality and other review agencies will be part of the public record and will also be available to the general public.

Signature of Owner(s) _____ *Date* _____

Signature of Owner(s) _____ *Date* _____