

SCHEDULE "A" TO BY-LAW #33-2010

CORPORATION OF THE TOWNSHIP OF ARMOUR

**PROCEDURES AND APPLICATION FOR
ORIGINAL SHORE ROAD ALLOWANCE CLOSING
AND
ORIGINAL ROAD ALLOWANCE CLOSING**

GENERAL POLICY

Council will consider applications to stop up, close, and convey road allowances and shore road allowances on a case-by-case basis. It is the policy of the Township of Armour that all associated legal, survey, and administrative costs shall be borne by the applicant. Additionally, a successful sale will require the applicant to pay the applicable purchase price for the land.

As part of the application process, Council shall consider any comments received respecting the proposed sale prior to rendering a decision to sell or retain the lands. Should council in its discretion, decide to retain the lands, any expenses incurred to that date remain the responsibility of the applicant.

Council will not sell land adjacent to a Type 1 Fish Habitat, as identified on Provincial Fish Habitat Classification Maps.

PRE-CONSULTATION:

It is recommended that all proponents consult with the municipality prior to making application to purchase any road or shore road allowance.

ANTICIPATED EXPENSES:

For the convenience of potential applicants, the following is an estimate of possible costs associated with the closing and purchase of road allowances and shore road allowances. It must be understood that each case is unique, and associated costs are subjective.

The following are fixed costs:

Administration Fee	\$ 400.00
Minimum Deposit	\$2,000.00
Cost of Land	\$.25 per square foot

The following are estimated costs:

Advertising & Circulation	\$ 400.00
Legal Costs	\$ 900.00
Survey Costs	Obtain estimate from OLS
Cost to register title documents	\$ 200.00

TIMING:

Timing is subject to many variables, such as dates of council meetings, availability of a surveyor, weather and seasonal conditions, media publication dates, municipal staff scheduling, lawyers availability, etc. Since times can vary significantly, applicants should allow 12 to 18 months from beginning to end of the process.

PROCEDURES:

The following steps outline the general process to be followed when applying to close purchase road allowances or shore road allowances.

1. Pre-consultation with municipality, as required.
2. Application to be completed by applicant or agent, and submitted without fee. Staff shall refer to fish habitat classification maps to determine if application can proceed.
3. Council will consider the application at a regular council meeting, and offer approval in principle, or decline support. Written consent from affected neighbours may be requested by Council before proceeding.
4. If approved in principle, the deposit must be received in order to proceed.
5. Applicant shall submit a Draft Surveyor's Reference Plan, prepared by an Ontario Land Surveyor, for approval by the municipality. Where necessary, the municipality may request that the property owner convey to the municipality, all or a portion of any municipal road which may deviate onto the applicant's property.
6. Once the draft survey has been approved by the municipality, it shall be deposited in the Land Registry office. Once deposited 8 copies shall be provided to the municipality.
7. A date and time for Council to consider the by-law to stop up, close, and convey the road/shore road allowance shall be established, and notice shall be provided as per the Township of Armour Notice Policy for Permanently Closing a Highway, and its Policy for the Sale or Other Disposition of Municipal Land.
8. Notice shall also be circulated to all required agencies, the property owner and/or owner's agent(s), and any parties who have expressed written interest in receiving notice.
9. The By-Law shall be read at the meeting as indicated in the notice. Council shall give due consideration to any comments that may be presented, and decide whether or not to pass the By-law.
10. The applicant shall be required to pay the cost of land, as calculated, as well as any expenses which remain unpaid.
11. Upon the applicant's settlement of all financial obligations with the municipality, the municipality shall have the title documents prepared and registered. The solicitor for the applicant shall be required to confirm that at the time of registration of the transfer, the Transferee(s) is/are the same as the registered owner(s) of the abutting land.
12. Once registered, the transaction is rendered complete, and the file shall be closed.

SCHEDULE "B" TO BY-LAW #33-2010

TOWNSHIP OF ARMOUR

APPLICATION TO CLOSE AND PURCHASE

- Road Allowance
- Shore Road Allowance
Name of Lake _____

Name: _____ Date: _____

Civic Address: _____ Roll # _____

Legal Description of Property: _____

Road Access: _____

Phone:(Home) _____ (Cell) _____ (Other) _____

E-Mail Address: _____

Mailing Address: _____

1. I/We hereby apply to the Corporation of the Township of Armour for the closing and conveying of that portion of the original road or shore road allowance abutting my property, and have the same transferred to the name(s) indicated below.
2. I/We agree to pay all costs associated with the above transaction, as established by the Township of Armour Policy and Procedures.
3. Submitted herewith is the deposit in the amount of \$2,000.00.

Signature of Property Owner

Date

Signature of Property Owner

Date

Name to Appear on Deed & Date of Birth

Name to Appear on Deed & Date of Birth