

Schedule "B" to By-Law 2015-16
THE CORPORATION OF THE MUNICIPALITY OF MCDOUGALL
5 BARAGER BOULEVARD, MCDOUGALL, ONTARIO P2A 2W9
(705) 342-5252

APPLICATION TO CLOSE AND CONVEY ROAD ALLOWANCES/SHORE ROAD ALLOWANCES

EXPLANATION: Municipal Council is prepared to consider applications to close and convey unopened road allowances/shore road allowances. This involves a number of legal procedures and expenses, and it is the policy of the Municipal Council that the Applicants for such road closing and conveyances should be responsible for these costs, not the general ratepayer, even in cases where, after some expenditures have been made, valid objections bar the sale.

RATEPAYER OBJECTIONS: In processing a road closing by-law it should be kept in mind that any ratepayer has the opportunity to object to the closing and to appear before Council and make representation.

PROCEDURES: Although the following list of procedures is not exhaustive, it will give the applicant an insight as to the steps which must be considered.

1. **Completion and filing of Application, accompanied by preliminary survey or sketch.**
 - a) To be filed with the Municipal Clerk.
 - b) Preliminary application fee - \$35.00.
2. **Consideration of Application by Council, and if approved.**
3. **Applicant to order Surveyors Reference Plan.**
 - a) Draft Reference Plan to be sent to the Municipality for consideration, if it was not submitted with preliminary application.
 - b) If approved, Plan to be registered in Registry Office in Parry Sound.
 - c) Administration Fee - \$250.00 (to be paid in advance).
4. **Engaging of Municipal Solicitor to:**
 - a) Obtain clearances from Federal Government, Ontario Hydro, and Bell Canada.
 - b) Do sub-searches- or ownership in Registry Office.
 - c) Prepare a bylaw.
 - d) Prepare notices.
5. **Council meeting to hear objections.**
 - a) If no objections, passage of Bylaw.
6. **Preparation of final invoice.**
7. **Preparation of Deeds.**
 - a) Sub-search before registration.
 - b) Registration of deeds.
8. **Closing of file.**

EXPENSES: While it is not possible to anticipate the exact costs involved, the following is submitted as a guideline. Expenses will vary with the complexity of the shore road allowance closing.

INITIAL APPLICATION FEE: (Per single application) \$ 35.00
An additional charge of \$15.00 for each additional application in a group, to a maximum of ten.

DEPOSIT ON EXPENSES: \$550.00

ADMINISTRATION FEE: (Non refundable) \$250.00

ADVERTISING: \$750.00

PURCHASE PRICE: Calculated @ \$50.00 per frontage meter on inland shore road allowance closing's and @ \$75.00 per frontage meter on Georgian Bay shore road allowance closing's. On road allowance closing, a fair market value will be obtained by an appraiser having a minimum Canadian Residential Appraiser (CRA) designation.

LEGAL & REGISTRATION FEES:

Estimated per lot (single application)	\$1,400.00
Each additional closing in an application	\$400.00
(Group fees totaled and divided evenly amongst applicants)	

The applicant must also consider the cost of the preparation of a Reference Plan. Estimates should be obtained from an Ontario Land Surveyor.

COMMENT

From the commencement of the Application until the registration of the deed could involve a period of **approximately nine to twelve months**. One of the keys to this is the speed at which the Applicant delivers to the Municipality the required information. The largest single item is the survey, which cannot be finalized until Council sees and approves the proposed division lines. Council recognizes that a division line requested by one party could interfere with the adjacent neighbour. Approval of the abutting owner as to where the lot lines extent to the water's edge, will be required.

In the event the applicant fails to receive the signature of the abutting property owners, the proceeding of the application will be at the discretion of Council.

Several consecutive shore road allowance closings may be dealt with in one by-law. One reference plan may be used in this case, thereby reducing each individual's cost. Before Council can finally enact a by-law, a notice must be published in a local paper, on the Municipal Web Site, and in the Municipal Office for four (4) consecutive weeks.

**THE CORPORATION OF THE MUNICIPALITY OF MCDOUGALL
5 BARAGER BOULEVARD, MCDOUGALL, ONTARIO P2A 2W9
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**APPLICATION TO CLOSE AND CONVEY ROAD ALLOWANCES/SHORE ROAD
ALLOWANCES**

The undersigned hereby files with the Municipality a deposit in the amount of \$35.00 and hereby makes application for a closing on the unopened shore road allowance/road allowance in front of the property of the undersigned, the particulars of which are as follows:

1. Name in full of Applicant(s):

Owner 1: _____ Birthdate: _____
DD/MM/YY
Owner 2: _____ Birthdate: _____
DD/MM/YY

2. Address of Applicant(s):

Owner 1: _____
Owner 2: _____

3. Telephone: Owner 1: _____ Owner 2: _____

**4. Full details of the manner in which the land of the applicant is registered.
(Forward copy of deed).**

5. Description of Lot and Plan where located:

Include a diagram showing the boundaries of the shoreline allowance that will be in effect after the conveyance and the boundaries of adjacent property owned by others. Structure locations must be shown. This may be a draft survey plan prepared by a surveyor or a sketch in sufficient detail to determine what lane the application refers to and where the lot lines are to project. DO NOT REGISTER any draft survey plan prior to Council's approval.

6. Are there any mortgages against your property?

If so, forward copy of mortgage. _____

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I/WE ACKNOWLEDGE that I/we have read the explanation associated with the Municipality of McDougall's Application to Close and Convey Road Allowances/Shore Road Allowances, and submit the application fee in the amount of \$35.00 for consideration of this application by Council.

I/WE FURTHER AGREE that on approval in principle by the Municipality, we shall forward to the Municipality the deposits requested by the Clerk, and to pay any balance or outstanding sums owing to the Municipality prior to the delivery of the deed to me/us.

I/WE ALSO UNDERTAKE to order a survey and to make sure that the survey is not registered until the proposed division lines have been approved by Municipal Council.

Dated at _____ this _____ day of _____ 20____

Signed: _____

Witness: _____

Please address correspondence to: _____

OR to my personal solicitor:

Name: _____

Address: _____

Telephone: () _____

THE CORPORATION OF THE TOWNSHIP OF MCDUGALL

CONSENT TO PROPERTY LINE EXTENSIONS

ON PROPOSED SHORE ROAD ALLOWANCE CLOSINGS

THE UNDERSIGNED, being abutting property owners to the Applicants to the Municipality of McDougall to close a Shore Road Allowance in front of their lands, hereby consent to the proposed extension of the lot lines across the said Road Allowance to be closed, as set out in a draft plan prepared by _____ Ontario Land Surveyor, and dated the _____ day of _____, 20__.

Dated this _____ day of _____, 20__.

Owners of Property
North/East

Owners of Property
South/West

Name and Signature of Owners

Name and Signatures of Owners

**CONSENT TO PROPERTY LINE EXTENSIONS
ON PROPOSED ROAD ALLOWANCE CLOSINGS**

THE UNDERSIGNED, being abutting property owners to the Applicants to the Municipality of McDougall to close a Road Allowance, hereby consent to the proposed lot lines of the said Road Allowance to be closed, as set out in a draft plan prepared by _____ Ontario Land Surveyor, and dated the _____ day of _____, 20__.

Dated this _____ day of _____, 20__.

Owners of Property
Abutting the Road Allowance

Owners of Property
Abutting the Road Allowance

Name and Signatures of Owners

Name and Signatures of Owners

FREEDOM OF INFORMATION AND PRIVACY

The applicant acknowledges that the Municipality of McDougall considers the applications forms and all supporting materials, including studies and drawings, filed with this application to be public information and to form part of the public record. With filing of an application, the applicant consents to the Municipality photocopying and releasing the application and any supporting material either for its own use in processing the application or at the request of a third party, without further notification to or permission from the applicant. The applicant also hereby states that it has authority to bind its consultants to the terms of the acknowledgement.

Signature of Owner 1

Date

Signature of Owner 2

Date

Signature of Witness

Date