



The Corporation of
THE TOWNSHIP of CARLING

2 West Carling Bay Road, Nobel, ON P0G 1G0

Email: planning@carling.ca

Phone: 705-342-5856 • Fax: 705-342-9527

**APPLICATION TO CLOSE AND CONVEY
ROAD ALLOWANCE OR SHORE ROAD ALLOWANCES**

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

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

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

- 1 Completion and filing of Application by the Applicant.
- 2 Consideration of Application by Council, and if approved
- 3 Applicant to order Surveyor's Reference Plan
 - (a) Draft Reference Plan to be sent to the Municipality for consideration.
 - (b) Send notices; obtain approvals from abutting property owners.
 - (c) If approved, Plan to be registered in Registry Office in Parry Sound.
- 4 Engaging of Municipal Solicitor to:
 - (a) Do subsearches of ownership in Land Registry Office.
 - (b) Obtain clearances from Hydro One, Bell Canada, Public Works Canada the Ministry of Transportation.
 - (c) Prepare a By-law.
 - (d) Prepare notices for posting and public advertising.
- 5 Council meeting to hear objections.
 - (a) If no objections, passage of by-law.
- 6 Preparation of Deeds
 - (a) Subsearch before registration.
 - (b) Payment of costs.
 - (c) Registration of deeds.
- 7 Closing of File.

EXPENSES:

While it is not possible to anticipate exactly the expenses involved, the following is submitted as a guideline.

Expenses will vary with the complexity of the shore road allowance closing.

1	Application Fee	\$2 000.00 plus \$250.00 for each additional application in a joint or group application.
2	Cost of Shore Road Allowance	\$5.00 per square metre
3	Cost of Road Allowance or Open Concession fronting on water.	\$5 per square metre or \$10.00 per square metre if there is a potential for land division.
4	Cost of Road Allowance or Open Concession not fronting on water.	\$2.50 per square metre or \$5.00 per square metre if there is a potential for land division.
Legal Fees are the responsibility of the Applicant. Estimate per lot, single application \$2,500.00 Estimate per lot, group application \$2,000.00		

The applicant must also consider the cost of the preparation of a Reference Plan and Registration. 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 nine to twelve months. One of the keys to this is the speed at which the Applicant delivers to the Township 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 extend to the water's edge will be requested.

PLEASE NOTE: Building and zoning regulations are NOT affected by the purchase of shore allowance. Building in the front yard is not a permitted use and no construction can take place unless it complies with Restricted Area By-law No. C500-2011.

APPLICATION TO CLOSE AND CONVEY ROAD ALLOWANCES

The undersigned hereby makes application to the Township of Carling for a closing on the unopened shore road allowance in front of the property of the undersigned, the particulars of which are as follows:

1. Name in Full of Applicant (s)

Name _____ Birthdate (DD/MM/YY) _____

Name _____ Birthdate (DD/MM/YY) _____

2. Address(es) of Applicant(s):

3. Telephone No.

Applicant 1:(Residence) _____ (Work) _____

Applicant 2:(Residence) _____ (Work) _____

4. Occupation(s)

Applicant 1: _____ Applicant 2: _____

5. Full details of the manner in which the land of the applicant is registered

(forward copy of deed)

6. Roll Number: _____

Street Address: _____

Property Description: _____ (Lot, Concession, Plan)

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.

All structure locations must be shown.

Note: This is NOT an Ontario Land Surveyor's Plan at this point, but **MUST** be in sufficient detail to determine what land the application refers to and where the lot lines are proposed to project.

7. Are there any mortgages against your property?

No _____ Yes _____ **(forward copy of mortgage)**

I/WE ACKNOWLEDGE that I/We have read the explanation associated with the Township of Carling's Application to Close and Convey Road Allowances and submit an application fee in the amount of \$2000.00 for consideration of this application by Council.

I/WE FURTHER AGREE that on approval in principle by the Municipality, we shall forward to the Township of Carling 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.

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 Carling Township Council.

Dated at _____ this the ____ day of _____, 20____
(day) (month)

Signed: _____

Witness: _____

Please address correspondence to: _____

Personal Solicitor: Name: _____

Address: _____

Phone No. _____

Please submit the following documentation with your application:

_____ A copy of your deed

_____ Diagram of your property

_____ A copy of your mortgage (if applicable) (as referred to in Application Form # 7)

_____ Detailed directions to your property