

**THE CORPORATION OF TOWNSHIP OF CRAMAHE
BY-LAW 09-71**

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

WHEREAS the *Municipal Act, 200, Section 28(2)* gives full jurisdiction over all road allowances to a Municipality;

AND WHEREAS the Township of Cramahe deems it necessary to set forth its policies and administration procedures in the closing and disposition of Road Allowances;

NOW THEREFORE the Corporation of the Township of Cramahe enacts as follows:

DEFINITIONS:

1. "Road Allowance" all road allowances located in the Municipality that were made by the Crown Surveyors, and includes a Shoreline Road Allowance unless otherwise stated.
2. "Abutting Owner" shall mean the owner of lands abutting the road allowance.
3. "Council" shall mean the Corporation of the Township of Cramahe.

POLICIES:

1. Council shall have the final determination on any applications to purchase road allowances.
2. Road allowances or portions of an allowance on or leading to water should be reserved, except where it has no value as a public access and can be traded for other land "In Lieu".
3. The municipality has the right to reserve any portion of a road allowance where council considers it appropriate and in the public interest.
4. The selling price of the road allowance shall be \$1000 per acre, unless otherwise agreed to by council.
5. Cheques in the amounts listed in Schedule 'A', to cover the administration fee, legal fees and advertising costs shall accompany the application.
6. The applicant shall be responsible for engaging his/her own land surveyor, and shall be responsible for having the road allowance surveyed by a qualified Ontario Land Surveyor.
7. The municipality, upon conveying to the abutting landowner the road allowance, in no way represents to the applicant, the use that can be made of the road allowance i.e. building permits, etc.
8. All applicants for road allowance closure must conform to the requirements of the appropriate approval authorities.
9. Approval and implementing by-laws shall be passed pursuant to the *Municipal Act, 2001*, and any amendments thereto.

The procedures for the purchase of a road allowance are outlined in Schedule "A" attached hereto.

This by-law shall come into force and take effect upon final reading thereof.
By-Law 09-21 is hereby repealed

Read a first; second and third time this 2nd day of November 2009.

November 2009.

M Coombs
Mayor, Marc Coombs

Christie Alexander
CAO/Clerk, Christie Alexander

**TOWNSHIP OF CRAMAHE
BY-LAW 09-71**

Schedule "A"

Procedure For Closing A Road Allowance

1. Applicants shall complete the application for road allowance closing.
2. The application shall contain a sketch with all particulars of the road allowance closing, including all other roads in the area and other 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 currently owned by the applicant, who abuts the road allowance he/she wishes to purchase, shall accompany the application.
4. Cheques in the following amounts, made payable to the Township of Cramahe shall accompany the application:
\$312.50 Non-Refundable Administrative Fee,
\$400.00 Non-Refundable Advertising Costs,
\$700.00 On deposit for Legal Fees. Surplus will be refunded.
5. The applicant shall provide a Reference Plan of the property he/she wishes to purchase from the Township of Cramahe.
6. Upon receipt of the Reference Plan, the municipality may prepare a by-law and required notices, for closure of the road allowance.
7. The municipality shall provide notice of the proposed road allowance closure to the Ministry of Transportation, Bell Canada, Hydro One, Ministry of Natural Resources, Public Works, Conservation Authority, County of Northumberland, and abutting municipalities as required.
8. The municipality shall publish the required notice of the municipality's intent to close the road allowance in a local newspaper for four weeks. In addition, notices of the proposed closure shall also be sent to the applicant and to the property owners abutting the applicants' property.
9. 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.
10. The by-law shall then be taken to a regular council meeting for consideration of passage.
11. 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.
12. The Applicant(s) shall pay the cost of the land prior to the issuance of a deed.
13. If applicable, any other property owner of lands abutting the road allowance will be given the opportunity to purchase half the road allowance where it abuts his/her lands. Half the costs outlined in this by-law would then be payable by this property owner.

**TOWNSHIP OF CRAMAHE
BY-LAW 09-71**

Application for Closure of Road Allowance

Township of Cramahe

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 Applicant(s):

Lot(s) No. _____ Concession No. (Plan) _____

Frontage: _____ Depth _____ Area: _____

Please attach a copy of deed.

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

Yes No

If yes, attach the one of the following:

- Letter of release from affected owners agreeing to an alternate access, such as to be provided by the applicant(s).
- A description of the alternate access.

**TOWNSHIP OF CRAMAHE
BY-LAW 09-21**

Offer of Purchase of Road Allowance

Township of Cramahe

I hereby offer to purchase from the Municipality of the Township of Cramahe the road allowance described in my application hereto attached.

The purchaser price shall be \$1000 per acre.

I/We acknowledge that the transfer of these lands is conditional upon the closure of the 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 a qualified Ontario Land Surveyor shall determine the final boundaries.

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

Cheques for the following amounts are enclosed herewith:

\$312.50 Non-Refundable Administrative Fee,
\$400.00 Non-Refundable Advertising Costs,
\$700.00 On deposit for Legal Fees. Surplus will be refunded

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 oath and by
virtue of the Canada Evidence Act.

Witness