

Municipality of Highlands East

Application for the Closure and Purchase of an Original Shore Road Allowance

Information Sheet for Applicants

1. Completion of Application

The attached application form is to be completed and submitted to the Highlands East Planning Department. In all cases, please ensure that you keep a copy for your files. The applicant is advised to approach the Planning Department for policy information before making a formal application. Every application must be complete. All applicable information requested on the application form must be provided before the application will be considered by Council.

2. Authorization of Agent

The application should be completed by the property owner or his authorized agent. Where the application is being submitted by an agent, the written authorization of the owner is required. Section "3" of the application is provided for this purpose.

3. Application Fee and Planning Services Acknowledgment

Each application shall be accompanied by payment (cash, e-transfer, a cheque) made payable to the Municipality of Highlands East, in accordance with the Municipality's Fees and Charges By-law and shall be accompanied by one signed, witnessed and dated copy of the attached "Planning Services Acknowledgment".

4. Plans Required

Each application shall be accompanied by two (2) hardcopies and one (1) digital copy of a plan showing:

- (a) The boundaries and dimensions of the property.
- (b) The accurate location, size and type of all proposed and existing buildings and structures on the property.
- (c) The distance (setbacks) from side, rear and front lot lines of all existing or proposed buildings.
- (d) The location, width and names of all roads within or abutting the property, indicating whether they are public traveled roads, private roads or rights of way or unopened road allowances. The location and number of parking and loading spaces, ingress, egress and direction of traffic.
- (e) The location of all natural and artificial features on the property (i.e. railways, wells, septic tanks, drainage ditches, watercourses, slopes, swamps, wooded areas), the location of any of these features on adjacent lands which may affect the proposal, and any proposed changes to the land, such as grading, blasting, planting or channelization.
- (f) The location and nature of any restrictive covenant or easement affecting the property.

Note: A plan of survey prepared by an Ontario Land Surveyor is not required for submission with the application, however a plan of survey, produced in compliance with the Shore Road Allowance Closure and Disposition policy in force, is required prior to closure and conveyance of the Shore Road Allowance. Delay in providing this plan will delay the processing, review and closure of the shore road allowance.



Application for Closure and Purchase of an Original Shore Road Allowance

The undersigned hereby applies to the Municipality of Highlands East for the closure and purchase of an allowance for road herein.

1. Property Owner Information

Registered Owner's Name: _____

Mailing Address: _____

Telephone Number: _____

E-mail Address: _____

Would you prefer to receive notices via email or by mail? Email Mail

Date Property Was Acquired by Property Owner: _____

2. Agent Information (if required)

Agent's Name: _____

Mailing Address: _____

Telephone Number: _____

E-mail Address: _____

Would you prefer to receive notices via email or by mail? Email Mail

Where is correspondence to be directed? Agent Property Owner

(a) Reason for Request: _____

(b) Lake Name: _____

(c) Civic Address (911 Address if assigned): _____

(d) Tax Roll Number: 46 – 01-_____-000 - _____

(e) Legal Description of the Applicant's Land Abutting the Shore Road Allowance:

Lot: _____ Concession: _____ Geographic Township/Ward: _____

Lot: _____ Registered Plan: _____ Geographic Township/Ward: _____

(f) If the Council of the Corporation consents to the closing of the allowance, will any person(s) be deprived of a means of ingress and egress to and from his land or place of residence?

- (g) If so, a written authorization from the person(s) so affected is required to be submitted with the application.
- (h) The Municipality may only stop up, close and convey to the adjacent property owner that portion of the allowance which lies above the high water mark.
- (i) Applicants will be responsible for all legal, survey, advertising and administrative costs in addition to the actual purchase price of the land.

2. Deeming Bylaw Caution:

Please fill out this section if your lot is described as a lot on a plan of subdivision:

I/We, _____, being the registered owners of Lot _____, Registered Plan _____ in the Geographic Township of _____ acknowledge that in order to add the subject road allowance to our property the Municipality must pass a by-law pursuant to section 50(4) of the Planning Act. I/we understand that I/we must now take care how we register adjoining parcels which we own as they may merge with Lot _____, Registered Plan _____. I/we consent to the passage of said by-law. I/we understand and agree to pay the \$200.00 non-refundable administration fee for the Deeming By-law.

WITNESSED BY:

 Owner's Signature

 Owner's Signature

DATE: _____, 20____

3. Authorized Agent(s):

If the applicant is not the owner(s) of the land that is subject of this application, the owner(s) must complete the following or a similar authorization:

I/We, _____, am/are the registered owner(s) of the lands subject of this application and I/we hereby authorize _____ to prepare and submit this application on my/our behalf and, for the purposes of the Municipal Freedom of Information and Protection of Privacy Act, to provide any of my/our personal information that will be included in this application or collected during the processing of the application.

Date: _____

Owner(s) Signature: _____

4. Consent of the Owner(s):

I/We, _____, are the registered owner(s) of the lands subject of this application and, for the purposes of the Municipal Freedom of Information and Protection of Privacy Act, I/we hereby authorize and consent to the use by, or the disclosure to any person or public body of any personal information that is collected under the authority of the Municipal Act for the purposes of processing this application. I/we also authorize and consent to representatives of Council, committee members, municipal staff and/or any consultant/professional employed by the municipality for the purpose of processing this application, entering upon the lands subject of this application for the purpose of conducting any site inspections as may be necessary to assist in the evaluation of this application.

Date: _____ Owner(s) Signature: _____

5. Affidavit:

Either the registered owners or the authorized agent must sign the following affidavit in front of a commissioner for oaths in Ontario or a notary public.

I / We, _____ of the Municipality / Town / City of _____ in the County / District / Region of _____ solemnly declare that all of the above 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 under oath, and by virtue of the "Canada Evidence Act".

Declared before me at:

The _____
of _____
in the _____
of _____
this _____ day of _____, 20__.

Signature of Registered Owner or Authorized Agent

Signature of Registered Owner or Authorized Agent

Signature of the Commissioner

Planning Services Acknowledgement

The filing of this application is considered as an undertaking by the registered owner(s) to accept all terms and conditions as set forth herein:

Applicant’s Responsibility:

- 1. The Applicant agrees to provide the Municipality with the following:
 - (a) Any information in the Applicant’s possession concerning all planning matters with respect to this application.
 - (b) All surveys, drawings, sketches or plans as required for processing of this application.
 - (c) The required application fee.
- 2. The applicant acknowledges that they have read and understand the Municipality’s current Policy to Govern the Closure and Conveyance of Original Shore Road Allowances for the Municipality of Highlands East.
- 3. The applicant acknowledges that they are responsible for the payment of all legal fees and disbursements incurred in the processing of this application.
- 4. The applicant acknowledges that they are responsible for the payment of all fees and disbursements incurred by the Municipality, should the services of an engineer, surveyor, solicitor or other professional be required for the processing of this application.
- 5. The applicant acknowledges that shoreline structures that have been constructed in contravention of the Zoning Bylaw or Ontario Building Code may be required to be removed or brought into compliance prior to the final closure and conveyance of the original shore road allowance. Application to amend the zoning bylaw and site plan agreement may be required to bring buildings on the property into compliance.

Municipality’s Responsibility:

- 6. The Municipality agrees to process the application in accordance with the provision of the Municipal Act, 2001.

Site Visits:

- 7. The Applicant acknowledges that Municipal staff, Councillors or Committee members may be required to visit the property which is the subject of this application in order to process this application. The Applicant consents to site visits as may be required.
- 8. The Applicant acknowledges that the processing of this application may require the taking of pictures, of the subject property. The Applicant consents to such pictures as may be required.

WITNESSED BY:

Owner’s Signature

Owner’s Signature

DATE: _____, 20__