

Municipality of Dysart et al Procedure to Purchase Road Allowance

1. The applicant submits an application (with required application fees totalling **\$1,550.00**, site plan, and necessary authorizations) to the Municipality.
2. The application is presented to Council for preliminary consideration.
3. The application is approved/rejected by Council.
4. If the application is for the purchase of an **original road allowance or a road allowance on a registered plan of subdivision**, and it has been approved by Council in Step 3, an appraisal is required to set the purchase price of the lands. The applicant submits a **deposit of \$2500.00** towards the cost of the appraisal. The Municipality arranges for the appraisal and establishes the purchase price of the lands. The preparation of the preliminary plan may be requested prior to the appraisal. This step does not apply to a shoreline road allowance. The purchase price of the shoreline road allowance is set by standard policy as outlined below.
5. If the application is for the purchase of an **original road allowance or a road allowance on a registered plan of subdivision**, one-half of the road allowance is offered to the abutting land owner (if not involved in the initial application). The abutting land owner advises the Municipality in writing if they wish to exercise their option to purchase the abutting half of the road allowance. If this owner decides not to purchase their half of the road allowance, all of the road allowance may be offered to the original applicant. This does not apply in the case of a shoreline road allowance as the Crown is the second abutting land owner.
6. If the application is approved by Council in Step 3, the applicant contacts an Ontario Land Surveyor and arranges for the preparation of the preliminary plan. The applicant submits two (2) hardcopies and one (1) digital copy of the preliminary plan to the Municipality.
7. The Municipality will provide notice of the pending road closing. This will include written notification to the neighbouring property owners for both shoreline and original road allowances and an advertisement in the local newspaper for original road allowances only.
8. The Municipality obtains the necessary approvals and notifies the affected parties such as County Council, the Department of Public Works, Bell Canada, and Hydro One.
9. If there are buildings located on the road allowance, while the Municipality is conducting the required notification, the land owner may be required to arrange for the following inspections:

- An inspection of the buildings by the Municipal Building Inspector; and
- An inspection of the individual onsite sewage service system.

A written report must be submitted to the Municipality prior to the passing of the road closing by-law.

The Municipality may require removal of buildings and upgrading of the septic system prior to completing the conveyance. **Accessory buildings in particular will be closely scrutinized. Council may require their removal prior to conveying the road allowance.**

10. If there are no legitimate objections, the By-law is enacted by Council. Please note that if the road allowance is to be joined in title to a lot on a plan of subdivision, a deeming by-law is required pursuant to Section 50(4) of the Planning Act, R.S.O. 1990,C.P.13.
11. The Municipality arranges for the preparation and registration of the deeds; and the collection of the balance of the costs.

Costs Associated with the Purchase of Municipal Road Allowances

- ❖ Questions concerning the purchase of Municipal Road Allowances should be directed to the Municipal Planning and Land Information Department at (705) 457-1740.
- ❖ The applicant is responsible for all costs incurred by the Municipality. The costs set out below are estimates only and are provided for information purposes only. The application will not be accepted without payment of the required application fees. If the application is for the purchase of an original road allowance, it will not proceed beyond Step 3 without the payment of the required appraisal deposit.
- ❖ The applicant is responsible for making all arrangements for the survey with an Ontario Land Surveyor. All costs associated with the survey are to be paid directly to the surveyor.
- ❖ Considerable savings may be realized if abutting owners apply jointly. The advertising fee and administration fee would be a shared cost. Road allowances being closed by a joint application are to be shown on one reference plan of survey.
- ❖ With respect to the conveyance of a shoreline road allowance, the dry land portion of the allowance is conveyed to the abutting land owners. The flooded portion of the allowance will remain in public ownership.

Applicable Fees:

Road Closing Application Deposit <ul style="list-style-type: none"> • Non-Refundable Municipal Administration Fee • Legal Deposit 	\$1,550.00 \$800.00 \$750.00
Purchase Price <ul style="list-style-type: none"> • Shoreline Road Allowance • Original Road Allowance • Road Allowance on a Registered Plan of Subdivision • Buildings on Road Allowance 	\$4,000.00 for first 150 feet of water frontage; plus \$16.00 per foot of frontage thereafter Set by appraisal Set by appraisal \$300.00 for each building
Legal Fees	As billed by the Lawyer
Advertising	If applicable (original road allowance or road allowance on registered plan of subdivision) - as billed by The Echo
Survey Costs	As billed by the Surveyor (applicant to arrange)
Appraisal – Original Road Allowances and Road Allowances on a Registered Plan of Subdivision	As billed by Appraiser
Appraisal Deposit – Original Road Allowances and Road Allowances on a Registered Plan of Subdivision	\$2,500.00
Deeming By-law	\$200.00 Non-refundable administration fee for each deeming by-law required to complete the conveyance of a road allowance.