

TITLE: Road Closing Procedures**EFFECTIVE DATE:****AUTHORITY:** Administration Policy**1. PURPOSE:**

- 1.1. To provide a procedure for processing applications to stop up, close and sell road allowances.

2. GENERAL PROVISIONS:

- 2.01 Applications will not be approved if other owners of land are or may be deprived of the sole vehicular access to property or if the closure conflicts with Township by-laws or practices.
- 2.02 Applicants for all road closures pay all costs associated with the legal and survey work required in connection with the closure and sale. The initial application fee includes:
- The administration fee for review of the initial application and creation of the new file;
 - Circulations to various departments;
 - Correspondence with applicant;
 - Preparation of preliminary report to Council;
 - Transfer of file to solicitor with instruction letter;
 - Review of the new reference plan for the subject road allowance;
 - Preparation of resolution and final report; and
 - Presentation of by-law to Council
- 2.03 The Township solicitor will act on behalf of the Township in the closure and sale of all Township roads. All legal fees associated with the sale are the responsibility of the applicant.
- 2.04 The purchase of the portion of the road allowance for rural road closings is calculated at \$6,750 per acre. Urban road closings will have a value assigned by Council and may require a property appraisal. Where a road allowance has the potential to be sold as a standalone building lot, a valuation shall be required.
- 2.05 The Township Solicitor will register the road closing by-law and transfer of land documents on title.
- 2.06 All legal fees are determined by the Township Solicitor and payable to the Township Solicitor at the time of invoicing.
- 2.07 A road closing application will be considered **expired** if it has been inactive for a period of **two years**.

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- 2.08 Applications are available on the Township website and upon request from the Clerk's department.
- 2.09 Although the *Municipal Act*, S.O. 2001 c25 no longer requires that one half of a road allowance that is being closed, be first offered to the adjacent owner(s), the Township wishes to continue the practice of notifying the adjacent owner.
- 2.10 The required by-law will not be given final approval until the **realty taxes** on the applicant's property are current.

3. POLICY:

- 3.01 Application is submitted to the Clerk's Department accompanied by:
- (a) Application fee of \$400.00;
 - (b) Seasonal pictures of road allowance; and
 - (c) A sketch map of the property.
- 3.02 Application is circulated to the Planning Department, Public Works and Building Department for comments.
- 3.03 Once circulations are received by the Clerk's department a report will be prepared, including comments from the various departments, with respect to the road closing for Council's preliminary approval.
- 3.04 The Township will proceed as follows:
- (a) Contact the applicant in writing, requesting the name of their surveyor and establish costs relating to legal and purchase price of land;
 - (b) Provide notice of application to the following:
 - i. County of Oxford, if applicable;
 - ii. Hydro One/Erie Thames Powerlines
 - (c)
 - i. If no objection is received within 20 days from the above-mentioned agencies a Public Meeting shall be scheduled by the Clerk.
 - ii. A public notice will be prepared by the Township and mailed to owners within 120 metres of the subject property and posted on the Township website for two (2) consecutive weeks, prior to consideration of the resolution to declare the land surplus or the conveyance by-law by Council.

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- (d) Prior to the passing of the by-law, Council is required to give anyone requesting a hearing on this matter the opportunity to speak.
- (e) The Clerk's department will forward the executed by-law(s) to the Township Solicitor for preparation of the required documents for registration.
- (f) The Township Solicitor will then:
 - (i) Request fee payment from the applicant for compensation payable to the Municipality, including G.S.T.;
 - (ii) Prepare the Document General, Transfer/Deed of Land and Land Transfer Tax Affidavit;
 - (iii) Obtain a Certificate of Compliance from the Municipality;
 - (iv) Register the Transfer/Deed of Land, Document General with By-law within six months of the execution date of the by-law; and
 - (v) Forward applicable fees and registered documents to the Township
 - (vi) Forward appropriate documents to the applicant.

3.05 Any road closing for which a Certificate of Compliance has been issued by the Clerk is deemed to comply with this policy.

4. ADMINISTRATION:

4.01 Staff and the Township Solicitor who are responsible for processing applications for closing the original road allowances shall follow this policy.

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CIRULATION LIST

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To Government Offices & Agencies reporting on the closing of Original Road Allowances:

Hydro One Networks Inc. (include copy of survey)

Attn: Ms. Cathy Ballah

Real Estate Services

Land Use Planning

P.O. Box 4300

Markham ON L3R 5Z5

Erie Thames Powerlines

P.O. Box 157

Ingersoll ON N5C 3K5

Township of Zorra

Attn: Clerk's Department

274620 27th Line, Box 306

Ingersoll ON N5C 3K5

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APPLICATION FOR CLOSING ORIGINAL ZORRA ROAD ALLOWANCE

AUTHORIZATION TO PURCHASE

The applicant, _____ is the Owner of Part of Lot ____, Con. ____, in the Geographic Township of _____.

I, _____, owner of abutting lands described as Part of Lot ____, Con. ____, in the Township of _____ do hereby consent to _____ purchasing that portion of the Original Road Allowance lying adjacent to his/her property.

Dated this _____ day of _____, 20____.

Witness

Neighbour