

## TOWNSHIP OF WOLLASTON



### SHORE ROAD ALLOWANCE/ROAD ALLOWANCE POLICY

#### **Summary:**

Generally speaking, road allowances in Wollaston Township are 66 feet wide and occur along every second concession (east/west) and every fifth lot line (north/south) and are owned by the Township. East/west road allowances lead away from the Old Hastings Road at intervals of every tenth lot (Hastings Road lots are only 50 acres) in order to match up with the concession line road allowances. In most cases, where these road allowances meet lakes & rivers, a shore road allowance exists also.

#### **Shore Road Allowances (SRA)**

Shore Road Allowances do not exist on every body of water and, where they do exist, they are usually described as being 66' from original water's edge.

They should be deemed to be under the control of the abutting land owner.

The municipality should retain actual ownership of SRA in order to have the ability to regulate the use of the SRA.

The municipality should have the ability to regulate the cutting of natural vegetation near the shorelines if possible.

Sale of SRA should only be to abutting landowner, only in cases of existing dwelling/structures encroaching, at the discretion of council on a case-by-case basis.

Where sale of SRA is approved, it will be limited to an envelope of property around that part of a principal building (not a shed) that is encroaching.

#### **Road Allowances (RA)**

Concession and lot line road allowances are probably less sensitive but still require regulation – especially those leading to water as they have often become public access points.

Wollaston has been fairly accommodating to those wanting to open roadways and trails on unopened road allowances and should continue this practice.

The onus should be on those requesting to open road allowances to stay within the bounds of the road allowances.

The Township should be compensated for market value of any worthwhile timber cut from a road allowance.

Council will not be responsible for the maintenance of a privately opened road allowance.

Council shall request comment on the application from the Wollaston Roads Superintendent.

Upon receipt of application, abutting land owners will be notified by the Township and have 20 days to comment on the application before permission is actually granted.

TOWNSHIP OF WOLLASTON



APPLICATION & PROCEDURE TO CLOSE & CONVEY  
SHORE ROAD ALLOWANCE/ROAD ALLOWANCE

According to the Wollaston Township Shore Road Allowance/Road Allowance policy, a person may apply to the Township to purchase the shore road allowance or road allowance immediately abutting their property. Council will review each application on a case-by-case basis.

The following steps are required to be taken by the property owner:

1. Review the policy.
2. Complete this form & attach a sketch and/or survey.
3. Submit the application to the Township for consideration; Council may request the applicant to appear at a Council meeting to make the request in person
4. Abutting landowners will be notified by the Township and have 20 days to comment on the application before permission is actually granted. If approved, the cost of the 10' envelope shall be \$1,000.00 for the first 100 linear feet (or less) at \$10.00 per linear foot thereafter, plus all legal and survey costs and other related expenses involved in the road (shore road) allowance closing and sale.

**NAME:** \_\_\_\_\_

**MAILING ADDRESS:** \_\_\_\_\_

\_\_\_\_\_

**PHONE:** \_\_\_\_\_

**EMAIL:** \_\_\_\_\_

**CIVIC ADDRESS OF PROPERTY:** \_\_\_\_\_

\_\_\_\_\_

**ROLL # OF PROPERTY** \_\_\_\_\_

**I/WE** \_\_\_\_\_ being the registered owner(s) of the lands described above, hereby apply to have the original shore road allowance/road allowance abutting said property closed and sold to me(us) and hereby make oath and say as follows:

1. **I/We** confirm that **I/We** have read and understand the contents of the Corporation of the Township of Wollaston Shore Road Allowance/Road Allowance Policy and Procedures and agree to abide by the same.
2. **I/We** acknowledge that, if this application to the Township of Wollaston is accepted, **I/We** will be responsible for all legal and survey costs and other related expenses involved in

the road closing and will be obliged to pay to the Municipality the rate per linear foot plus HST as established by Council.

3. **I/We** confirm that access to no other property will be denied by virtue of the said road closing.
4. **I/We** acknowledge that any approval that may be given to this application by the Township of Wollaston is subject to all other approvals being obtained for all other statutory bodies, failing which this application cannot be approved.
5. **I/We** acknowledge that the Municipal Staff or Members of Council for Wollaston Township may wish to visit this site for the purposes of reviewing this application and **I/We** have no objection to their attendance on the property for this reason.
6. **I/We** declare all statements contained in this application to be true and 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.

For the purposes of the Freedom of Information and Protection of Privacy Act, I 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 Planning Act for the purposes of processing this Application.

**Date:** \_\_\_\_\_

**Signature of Owner or Authorized Agent:** \_\_\_\_\_

As of March, 2009, the Ministry of Natural Resources (MNR) has authorized the municipality to sell those parts of road allowance which are covered by water. Municipalities have clear authority in this area and may either choose to retain ownership of such submerged road allowances, transfer ownership to another agency such as MNR, or convey the submerged portion to the backshore property owner. Note that this authority is conditional on the municipality requesting a consent letter from the MNR field office, consenting to the municipal conveyance of submerged road allowances. (See MNR Policy PL 4.11.07 section 2.2.3 Submerged Road Allowances pertaining to section 43 of the Municipal Act, 2001, requiring municipalities to seek the consent of MNR prior to conveying submerged portions of road allowances)