

The Corporation of The Municipality of Hastings Highlands

Bylaw 2026-005

A Bylaw to Formally Adopt Policies and Procedures for the Sale of Shore Road Allowances and Road Allowances within the Municipality of Hastings Highlands

Whereas the *Municipal Act, 2001* is the governing legislation that requires a municipality to adopt and maintain policies with respect to its sale and other disposition of land; and

Whereas the Council of the Corporation of The Municipality of Hastings Highlands deems it expedient to enact a Bylaw establishing and requiring a policy with respect to the sale and disposition of Shore Road Allowances and Road Allowances.

Now Therefore the Council of the Corporation of the Municipality of Hastings Highlands Enacts as follows:

1. **That** this policy will provide guidance to both Council and Staff and provide a basis for decision-making relating to the closure and conveyance of Shore Road Allowances (SRA) and Road Allowances (RA) within the Municipality of Hastings Highlands;
2. **That** the Policies and Procedures for the Sale of Shore Road Allowances and Road Allowances within the Municipality of Hastings Highlands as set out in Schedule 'A' attached hereto and forming part of this Bylaw are hereby established and adopted by the Council of the Corporation of the Municipality of Hastings Highlands;
3. If any court of competent jurisdiction finds that any of the provisions of this Bylaw are ultra vires the jurisdiction of Council, or are invalid for any reason, such provision shall be deemed to be severable and shall not invalidate any of the other provisions of the Bylaw, which shall remain in full force and effect.
4. **That** this Bylaw shall be known as the "Policy on the Closure and Sale of Shore Road Allowances and Road Allowances";
5. **That** the Mayor and Municipal Clerk be and are hereby authorized to sign this Bylaw and affix the corporate seal thereto;
6. **That** all former bylaws to establish procedures for the closure and sale of shore road allowances and road allowances, including Bylaw 2018-127, as amended, are hereby repealed; and
7. **That** this Bylaw shall come into effect on the day of passing.

Read a first time on the 28th of January, 2026.

Enacted and Passed in Council this 18th day of March, 2026.



Tony Fitzgerald, Mayor



Suzanne Huschilt, Municipal Clerk



Schedule 'A' to Bylaw 2026-005

Municipality of Hastings Highlands- Corporate Policies and Procedures			
DEPARTMENT: Planning			POLICY #:
POLICY: Closure and Sale of Shore Road Allowances and Road Allowances			
DATE: March 18, 2026	REV. DATE:	COVERAGE: Municipality of Hastings Highlands	PAGE #: 1-15

1. Purpose

- 1.1 To provide a procedure for the closure and conveyance of Shore Road Allowances (SRA) and Road Allowances (RA) within the Municipality of Hastings Highlands.

2. Policy Statement

- 2.1 The Municipality of Hastings Highlands will consider application for the closure and conveyance of certain Shore Road Allowances and Road Allowances within the Municipality to abutting owners. All closures are at the discretion of the Municipality of Hastings Highlands.

3. Objectives

- 3.1 The following are the objectives of this Policy:
 - i. To provide a clear, consistent, transparent, and fair process and procedures for the closure and conveyance of SRA and RA;
 - ii. To establish provisions and criteria for reviewing, approving, and refusing Applications for the closure and conveyance of SRA and RA; and
 - iii. To ensure appropriate notification to and consultation with the abutting neighbouring property owners, Municipal Departments, the public, and applicable agencies for the closure and conveyance of SRA and RA.

4. Definitions

- 4.1 In this policy, the following words have the following meanings:
 - i. **“Act”** shall mean the *Municipal Act, 2001*, S.O. 2001, ch. 25, as amended.

- ii. **“Agent”** shall mean a person or persons who have been authorized by the Applicant, in writing, to act on their behalf.
- iii. **“Applicant”** shall mean the person or persons who submit an Application to purchase a Shore Road Allowance or Road Allowance.
- iv. **“Council”** shall mean the Council of the Corporation of the Municipality of Hastings Highlands.
- v. **“Development”** shall mean the construction, erection, or placing of a building or structure of any kind or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof, and includes such related activities as site grading and the placing or dumping of fill and/or any other operations that disrupt the natural environment in, on, over or under land or water.
- vi. **“Forced Road”** shall mean a “trespass road” which is a publicly used road that crosses private property and to which the Municipality does not have the legal title to the soil and freehold, but is nevertheless the legal owner of the forced road by operation of the *Municipal Act*.
- vii. **“Highway”** shall mean “highway” as defined in the *Highway Traffic Act*, R.S.O. 1990, c. H.8.
- viii. **“Municipal Planner”** shall mean the employee of the Municipality who is responsible for administering land use planning legislation, policies, bylaws, procedures, and standards for the Municipality. In the event that the Municipal Planner is not able to carry out the role and responsibilities of the Municipal Planner, the Chief Administrative Officer (CAO) shall, at their discretion, determine an employee or representative to act on behalf of the Municipal Planner as a designate.
- ix. **“Municipal solicitor”** shall mean the legal representative for the Municipality.
- x. **“Municipality”** shall mean the Corporation of the Municipality of Hastings Highlands.
- xi. **“Road Allowance” or “RA”** shall mean an allowance for a road as set out on the Original Crown Survey or on a registered plan of subdivision. Road allowances are commonly 66 feet wide (or one chain length) and often divide lots and concessions within a geographic township or between townships. Road Allowances may also be dedicated or shown on a registered plan of subdivision.
- xii. **“Shore Road Allowance” or “SRA”** shall mean an allowance for a road as set out on the Original Crown Survey or on a registered plan of subdivision along the shore of a lake or river. Shore Road Allowances are commonly 66

feet wide (or one chain length) but may also include additional lands where there has been accretion or the SRA may include less land if there has been erosion.

- xiii. **“Site alteration”** shall mean activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.
- xiv. **“User Fees and Service Charges Bylaw”** shall mean the User Fees and Service Charges Bylaw enacted by Council, as amended.

5. General Provisions

- 5.1 Development and site alteration is not permitted on a Shore Road Allowance (SRA) or a Road Allowance (RA) without first acquiring the SRA or RA.
 - i. Notwithstanding the above, an exemption to permit development or site alteration on a Shore Road Allowance or a Road Allowance may occur in accordance with applicable policies, bylaws, procedures, and standards.
- 5.2 The Applicant is responsible for preparing the Application and submitting the required documentation, paying all administrative, legal, surveying, advertising and land acquisition costs involved with the closure and conveyance of a Shore Road or Road Allowance. In the event that an applicant fails to pay the costs incurred within six (6) months of Council passing the applicable bylaw, all outstanding costs will be added to the tax roll and collected, in the same manner as taxes pursuant to Section 398 of the Act.
- 5.3 The land acquisition costs are calculated by cost per linear metres established by the User Fees and Service Charges Bylaw, as amended.
- 5.4 The Municipality will not become involved in any boundary line disputes between abutting owners and any Application shall be held in abeyance until such time as the dispute is resolved to the satisfaction of the Municipality.
- 5.5 If a building or buildings are located on RA or SRA, Council may, in its discretion, close and sell only a portion of the land being a three metre (3m) envelope around the building or buildings in accordance with any applicable legislation, policies, or bylaws.
- 5.6 The Municipality shall require all existing encroachments from an abutting property (other than the Applicant) be removed or re-located prior to the transfer of a Shore Road or Road Allowance to provide unencumbered title to the Applicant.

6. Shore Road Allowance (SRA) Provisions

- 6.1 Applicants must own property directly abutting the SRA.

- 6.2 The Municipality will only convey to the adjacent landowner the portion of the SRA above the controlled or normal high water mark. Flooded land or land covered by water will not be sold.
- i. Notwithstanding the above, Council may consider Applications to close and convey flooded land or land covered by water in situations where there is a two-storey boathouse and the applicant has already purchased the Crown land under such boathouse from the Ontario Ministry of Natural Resources (MNR), instead of having a Crown Lease.
- 6.3 The portion of land between the SRA and the property owner's lot that is owned by the Crown, if any, must be purchased through the Ontario Ministry of Natural Resources (MNR) prior to proceeding with the Municipal SRA purchase. The existence of Crown land may be documented in a previous Survey of the land or will become evident at the time the Reference Plan is prepared.
- 6.4 Applications will not be approved if it is deemed:
- i. To have a negative impact on neighbouring owners of land; or
 - ii. Other landowners may be deprived of access to their property; or
 - iii. To prevent access to a public waterfront residential use, such as a known public swimming location or public communal dock; or
 - iv. Closure will result in conflicts with legislation, bylaw, policies, procedures and standards.
- 6.5 Generally, the portion of SRA to be closed and conveyed will be determined by straight lot line extensions. As a result of the irregular nature of the shoreline, deviations from the straight extension of existing lot lines may be considered and may be required by the Municipality in certain cases.
- 6.6 The Application shall be to close and purchase the SRA along the entire frontage of the Applicant's property. Applications for closure of portions other than the entire SRA will only be considered at the discretion of Council and are subject to the following criteria:
- i. Owners are required to have an excess of 1,000 linear feet of shoreline frontage;
 - ii. 500 feet is the minimum partial closure; and
 - iii. The 500 foot portion of SRA consists of a continuous non-interrupted measurement.
- 6.7 Where there is a Forced Road running through the Applicant's property or where there is portion of the applicant's property within 33 feet from the

centreline of a highway, the Municipality reserves the right to request a transfer of title to the Forced Road (hereinafter called "Road Transfer) or a transfer of a portion of the Applicant's property within 33 feet from the centreline of a highway (hereinafter called "Road Widening") in accordance with the Municipality's applicable Road Transfer and Road Widening Policy, as amended. The Road Transfer and Road Widening is a condition of selling the SRA.

7. Road Allowance (RA) Provisions

- 7.1 The Municipality may close and convey RA when all of the following criteria is met:
- i. A comparable or better parcel of land located in the vicinity is provided in exchange, if required by Council;
 - ii. There is no current use, authorized by the Municipality, or potential anticipated future use of the RA (such as a trail or public recreation use) or the RA is not capable of being used for the benefit of the public;
 - iii. Other land owners will not be deprived of the sole vehicular access to their property;
 - iv. Applicants must own property directly abutting the RA and the portion of the RA to be purchased does not extend beyond the Applicant's property lot line that abuts the portion of the RA;
 - v. All of the adjoining owners to the portion of the RA being closed and conveyed, that are not the applicants, shall consent to the closure and sale of the RA, unless an exemption under Section 9.3 is deemed appropriate;
 - vi. The RA may not be closed when it abuts or provides access to significant fish spawning areas, wildlife habitat, steep slopes, or other environmentally significant features as identified by the Ministry of Natural Resources, is zoned the Environmental Protection (EP) or Environmental Protection Wetlands (EPW) Zone in the Comprehensive Zoning Bylaw, or contains significant historical, cultural, or recreational features;
 - vii. The closure will not conflict with applicable legislation, the County of Hastings Official Plan, and Municipal policies, bylaws, procedures, and standards; and
 - viii. The RA does not lead to or abuts a waterbody.
- 7.2 Notwithstanding Section 7.1 viii. above, a RA that leads to water may be granted an exemption where an alternate, suitable and sufficient access, with the same or better water frontage is demonstrated elsewhere by the

Applicant(s) to the satisfaction of the Municipality in order that public access and emergency services is maintained to the shoreline.

- i. The Municipal Planner, or designate, will deem whether an exemption is granted to close and convey an RA that leads to water, where:
- ii. Notwithstanding Section 7.2 i. above, Council shall retain all powers and authority to deem an exemption for a RA that leads to water, where:
 - a. The Municipal Planner, or designate, at their discretion refers the matter to Council; or
 - b. The Applicant requests in writing that the matter be referred to Council.

8. Pre-consultation

8.1 Prior to the submission of an Application, the Applicant shall consult with the Municipality by providing the following:

- i. Information and material submitted on or with the applicable Pre-Consultation Form, as amended, to the satisfaction of the Municipal Planner
- ii. A comprehensive site plan of the Applicant's property clearly indicating with reasonable accuracy the following:
 - a. The location of the SRA and/or RA;
 - b. Lot lines and dimensions;
 - c. The location and measurements of all existing buildings/structures (including docks, boathouses, accessory buildings and septic system) on the Applicant's property and on the SRA or RA;
 - d. The location and measurements of all existing structures on the Municipality's property;
 - e. The distance from the structures to the abutting lot lines and from the shoreline;
 - f. The location of all hydro and utility infrastructure, including utility poles and aboveground lines on the Applicant's property and on the SRA or RA; and
 - g. Vegetation, driveways and paths on the Applicant's property and on the SRA or RA.

8.2 The Pre-Consultation process will provide an opportunity for the Applicant or Agent to propose their SRA or RA Application prior to the submission in order

for Municipal staff to review if there are any concerns or obvious impediments to the SRA or RA Application. It will also provide an Applicant an opportunity to receive instructions on how to proceed with a SRA or RA Application, if deemed appropriate. Municipal staff should provide their review in writing to the Applicant or Agent, with instructions on submitting a complete Application and the procedures for the SRA or RA Application.

- 8.3 The Municipal Planner may consult with Municipal Departments, other persons, or agencies as deemed necessary in their review of the Pre-Consultation Form and comprehensive site plan.
- 8.4 A site visit of the abutting property and SRA or RA may be conducted if deemed necessary by the Municipal Planner. The owner of the property shall provide Consent to Enter the Property, by email or in writing, in a form satisfactory to the Municipality if Municipal staff will need to enter onto the Applicant's property.

9. Application

- 9.1 After the Pre-Consultation has been conducted and reviewed by the Municipal staff, the Application shall be submitted by the Applicant or Agent to the Municipality accompanied by the following:
 - i. The prescribed Application form as prescribed and provided by the Municipal Planner which may be amended from time to time;
 - ii. The Application fee, as per the current User Fees and Service Charges Bylaw;
 - iii. The Applicant will need to hire an Ontario Land Surveyor, at their own expense, to prepare and provide a full-scale Preliminary Reference Plan of the subject SRA or RA and/or Report, in PDF format, at minimum, as part of the Application, showing:
 - a. all structures on the Applicant's property, including the septic tank and bed.
 - b. all encroachments on the SRA or RA;
 - c. any dry land portions of the SRA as a Part or Parts on the Plan;
 - d. any flooded portions of the SRA as a Part or Parts on the Plan;
 - e. any utilities on the SRA or RA as a Part or Parts on the Plan;
 - f. the location of any easements on the SRA or RA; and
 - g. any portion of the Applicant's lands within 33 feet of the centreline of a Municipal highway, and any forced road within the property, be

described as a Part or Parts on the Plan for a Road Transfer or Road Widening.

- iv. Agent Authorization Form, if the Applicant has engaged the services of an Agent to act on their behalf;
- v. Signed acknowledgement that the Applicant will be paying for all legal, administrative, surveying, advertising and land acquisition costs, including any deposits that may be necessary with any parties, including the Municipal solicitor, for the processing of the Application.
- vi. Signed Consent to Enter Property where the Applicant consents to Municipal staff entering onto their property as part of this Application process;
- vii. A copy of the Parcel Register, Transfer or Deed for the Applicant's property;
- viii. All information and material, including reports and studies, required by the Municipal Planner.

9.2 In addition to Section 9.1 above, an Application to close and convey a SRA shall require the following:

- i. If the proposed lot line extension for the SRA is not a straight lot-line extension or is in front of the abutting landowner's property, then a Signed and witnessed Consent of Abutting Landowner and Lot Line Extension Authorization, in the form prescribed by the Municipal Planner, from the abutting landowners to the SRA that do not own the SRA shall be required.
- ii. A Preliminary Reference Plan (as explained above) that is signed by all abutting owners of neighbouring properties is required if the proposed lot line extension for the SRA is not a straight lot-line extension or is in front of the abutting landowner's property.
- iii. Notwithstanding 9.2 i) and ii) above, in the event that the abutting neighbouring property owner's SRA is closed and conveyed to that same neighbouring property owner, that neighbouring owner's consent is not required if the proposed lot line is not diverging from the existing lot line(s). Notice is still required to be provided to the neighbouring property owner in order to notify them of the proposed closure and conveyance of the SRA. For greater clarity, in the event that an abutting property owner's SRA is closed and conveyed to the abutting property owner, the following is not required from the said abutting property owner:
 - a. Consent of Abutting Landowner and Lot Line Extension Authorization form; and
 - b. Signed Preliminary Reference Plan.

- iv. Notwithstanding 9.2 i) and ii) above, in the event of a disagreement between abutting property owners over the location of the boundary line extension or should abutting property owner(s) provide in writing that they are unable or unwilling to consent to the proposed boundary line extension or where the abutting property owner is land owned by the Municipality or the Crown, Council may, at its sole discretion, close and convey to the Applicant the portion of the SRA abutting the Applicant's land as deemed advisable in the interest of good planning and subject to applicable legislation, policies, policies, standards, and procedures; and if approved by Council, the Application may proceed without the written consent, signed Preliminary Reference Plan or approval of the abutting property owner who is unwilling or unable to consent to the proposed boundary line extension.

9.3 In addition to Section 9.1 above, an Application to close and convey a RA shall require the following:

- i. Signed and witnessed Letter of Agreement, in the form prescribed by the Municipal Planner, to the closure and transfer of the RA.
- ii. A written rationale by the Applicant that details the reason the RA is being requested and the reason that the Municipality should consider it.
- iii. A Preliminary Reference Plan (as explained above) that is signed by all owners of land that abut the portion of the RA to be closed and conveyed.
- iv. Notwithstanding the above, in the event of a disagreement between abutting property owners over the location of the boundary line extension or should abutting property owner(s) be unable or unwilling to consent to the proposed closure and conveyance of the RA or where the abutting property owner is Crown land, Council may, at its sole discretion, close and convey to the Applicant the portion of the RA to access the applicant's land as deemed advisable in the interest of good planning, including:
 - a. the status and use of the RA,
 - b. the proposed length to be closed and conveyed,
 - c. the reason for adjoining owners being unable or unwilling to consent to the proposed closure and conveyance (if any given),
 - d. alternatives have been considered, including only closing and conveying only half of the RA from the centreline of the RA, and
 - e. in accordance with the criteria of Section 7.1 above, excluding Section 7.1 v. of this Bylaw.

10. Deeming Application Complete

- 10.1 The Application shall be reviewed to determine any obvious obstacles affecting the normal procedure of sale.
- 10.2 A site visit of the abutting property and SRA or RA may be conducted if deemed necessary by the Municipal Planner.
- 10.3 Prior to making a decision on any Application, the Municipal Planner shall consult with such other persons or agencies as they consider necessary.
- 10.4 The Municipal Planner, or designate, shall have the authority to:
- i. Deem an Application complete after determining there are no obvious obstacles or concerns affecting the Application and the Application meets the intent of this Policy;
 - ii. Refuse an Application because the Application does not meet the intent and requirements of this Policy; or
 - iii. Require additional information and material prior to deeming the Application complete or refusing the Application.
- 10.5 Notwithstanding the above, Council shall retain all powers and authority for deeming the Application complete in order to proceed with the completion of the sale, refusing an Application, or requiring more information and material, where:
- i. The Municipal Planner, or designate, at their discretion refers the matter to Council; or
 - ii. The Applicant requests in writing that the matter be referred to Council.
- 10.6 The Municipality shall notify the Applicant, in writing, that the Application has been deemed complete or incomplete and, if applicable, the necessary requirements to proceed with the Application.

11. Notice of Complete Application

- 11.1 A Notice of Complete Application shall be provided to any persons or agencies deemed necessary by the Municipal Planner, including, but not necessarily limited to:
- i. Ontario Ministry of Natural Resources (MNR)
 - ii. Hydro One
 - iii. Bell Canada
 - iv. The abutting property owners on either side of the Applicant's property.

11.2 A Notice of Complete Application may be given by personal service, ordinary mail, fax or email to such persons or agencies.

11.3 A Notice of Complete Application shall include, at minimum, a description of the Applicant's property, the Preliminary Reference Plan for review, the contact information for the Planning Department, and include a statement that comments or concerns should be provided to the Municipal Planner, in writing or by email, within 30 days of the date of the Notice of Complete Application.

12. Reference Plan

12.1 The Municipal Planner is delegated authority to deem the Preliminary Reference Plan as satisfactory to the Municipality's needs.

- i. For clarity, the Preliminary Reference Plan is satisfactory if it meets the intent and criteria of this Policy.
- ii. Consideration should be given to any comments from any persons or agencies provided as part of the Notice of Complete Application and for Conditions that may be relevant as described in Section 13 below. The Municipal Planner should wait until either comments are received from all respective persons and agencies supporting the Application or 30 days from the date of the Notice of Complete Application before deeming the Preliminary Reference Plan as satisfactory to the Municipality's needs.
- iii. In the event that the Preliminary Reference Plan contains any encroachments, all existing encroachments from an abutting property (other than the Applicant) shall be removed or re-located prior to the Preliminary Reference Plan being deemed satisfactory.
- iv. The Municipal Planner is authorized to review the Preliminary Reference Plan and to approve, deny, or require amendments to a Preliminary Reference Plan.

12.2 The Municipal Planner shall provide their decision in writing to the Applicant.

12.3 The Municipal Planner will notify the Applicant when the Preliminary Reference Plan is satisfactory and will advise the Applicant to instruct their Ontario Land Surveyor to register the Reference Plan.

12.4 The Applicant is responsible for ensuring that the Municipality receives a copy of the registered Reference Plan in the format(s) and number of copies deemed necessary by the Municipal Planner.

13. Conditions

13.1 Crown Land

- i. The portion of land between the SRA and the property owner's lot that is owned by the Crown, if any, must be purchased through the Ontario Ministry of Natural Resources (MNR) prior to proceeding with the Municipal SRA Application.

13.2 Utility Easement

- i. A utility easement may be deemed necessary due to utility infrastructure located on the SRA or RA.
- ii. Any costs associated with registering the utility easement will be borne by the Applicant.
- iii. Closure and conveyance of the SRA or RA shall not be completed until the necessary utility easement has been registered accordingly.

13.3 Road Transfer or Road Widening

- i. Closure and conveyance of the SRA or RA shall not be completed until the necessary Road Transfer or Road Widening has been registered accordingly.

13.4 Deeming Bylaw

- i. Lots that are created through a plan of subdivision cannot merge legally with the SRA or RA due to an exception under Section 50(5) of the *Planning Act*. Section 50(4) of the *Planning Act* permits municipalities to pass a bylaw to deem lots to no longer be within a plan of subdivision so that they may merge with abutting land ("Deeming Bylaw"). In order to permit a lot on a plan of subdivision to merge with the shore road allowance and complete the conveyance of land, a Deeming Bylaw must be passed by the Council and registered as part of the purchase of the SRA or RA.
- ii. Care should be given by landowners if they have abutting properties in the same names, as a deeming bylaw could create an inadvertent merge on title.
- iii. The Municipality will rely on the Municipal solicitor to advise of the need for a Deeming Bylaw.
- iv. The Deeming Bylaw will be required prior to the final closure and sale of the SRA or RA, subject to the applicable fee in the User Fees and Service Charges Bylaw. Any costs associated with the Deeming Bylaw and the registration of the Deeming Bylaw will be borne by the Applicant.

14. Notice of Public Meeting

- 14.1 The Municipality shall provide a Notice of Public Meeting to close and convey the SRA or RA after receiving a copy of the registered Reference Plan and confirmation that the above conditions are fulfilled.
- 14.2 Notice of Public Meeting shall be posted at least 20 days prior to the Public Meeting in at least one (1) location that is clearly visible and legible from a public highway or other place to which the public has access near the subject property or, where posting on the property is impractical, at a nearby location chosen by the Municipal Planner or designate
- 14.3 Notice of Public Meeting shall be provided at least 20 days prior to the Public Meeting to abutting property owners and any persons or agencies deemed necessary by the Municipal Planner.
- 14.4 Notice of Public Meeting shall be posted in the local newspapers at least 20 days prior to the Public Meeting.
- 14.5 At the scheduled Public Meeting, Council shall give consideration to written comments that may be provided to the Clerk of the Municipality and all other public input. In their consideration, Council has full discretion in their decision. Council should consider the intent of this Policy when making their decision, along with all applicable legislation, policies, bylaws, standards and practices.

15. Bylaw

- 15.1 The required Bylaw to approve the closure and conveyance of a SRA or RA will not be passed until the current realty taxes on the applicant's property are paid and the account is up to date.
- 15.2 The closure and conveyance of the SRA or RA shall require a Bylaw to be passed by Council.

16. Registration and Transfer

- 16.1 If approved by Council, the Municipality will forward the Bylaw to the Municipal solicitor for preparation of all the necessary documents for registration.
- 16.2 The SRA or RA shall be consolidated with the Applicant's property.
- 16.3 The Municipality shall receive confirmation of the completion of the above.

17. Expiry, Extension, Renewal

- 17.1 Applications will be considered terminated if inactive for a period of two (2) years.

- 17.2 If an Application has been deemed complete, but no correspondence has been received or no work has been conducted within two (2) years of the date that the Application was deemed complete, the Application shall be deemed expired.
- 17.3 The Applicant shall be notified by any reasonable means that the Application is expired.
- 17.4 After the expiry of the Application, the Applicant will need to apply for a new Application, including a new Application fee, and this new Application will be subject to the current Policy in place, as amended, at the time of the new Application.
- 17.5 Notwithstanding the above, a written request to the Municipal Planner, or designate, for extension or renewal may be considered by the Municipal Planner, or designate, where an extension or renewal is warranted by circumstances, such as the survey work revealing there is Crown land between the SRA and waterbody after the Application was deemed complete and the applicant was awaiting the sale of the Crown land. Where a written request is attempting to circumvent the requirements of this Policy, the Municipal Planner shall deny the request and require the Applicant to apply for a new Application subject to the current Policy in place, as amended, at the time of the new Application. The Municipal Planner may consider such requests in their sole discretion.

18. Administration

- 18.1 The role and responsibilities of the Municipal solicitor is to act on behalf of the Municipality for legal services in the closure and conveyance of all SRA and RA.
- 18.2 The role and responsibilities of the Municipal Planner is to act on behalf of the Municipality to administer this Bylaw and undertake all actions as set out in this Bylaw to implement SRA and RA Applications, including corresponding with and receiving confirmation of necessary documentation from the Municipal solicitor, solicitor for the Applicant, and from the Applicant.
- 18.3 The Municipal Planner shall have the authority to determine and, from time to time, amend any applicable forms, information, and conditions required in the administration of this Policy.
- 18.4 Funds derived from the land acquisition cost as part of the sale of SRA and RA shall be transferred to the Reserve for Proceeds from Sale of Land.

18.5 Transition

- i. Any new Application submitted after the passing of this Policy, where such Application has not been deemed complete, shall be required to follow this Policy.

- ii. Where an Application was deemed complete, and where a Bylaw has not yet been passed by Council to authorize the closure and sale of a Shore Road Allowance or Road Allowance, the Application shall adhere to the above Section "Reference Plan" and the remainder of the Policy thereafter.
- iii. Where an Application was deemed complete and where a Bylaw has been passed by Council, the Application shall adhere to the above Section "Registration and Transfer" and the remainder of the Policy thereafter.