

The Corporation of the
City of Sault Ste. Marie

LEGAL DEPARTMENT



MAP NO. _____

APPLICATION FOR CLOSING AND SALE OF LANE/STREET

(Part of a Lane/Street to be Stopped Up, Closed and Conveyed)

FOR OFFICE USE ONLY: TO BE FILLED IN BY LEGAL (attach map)

SUBDIVISION: _____ REGISTERED PLAN NO.: _____

BLOCK: _____

DESCRIPTION: _____

PIN: _____

APPLICANT'S NAME: _____

ADDRESS: _____
(Street) (City)

(Province) (Postal code)

TELEPHONE: HOME: _____ OFFICE: _____ CELL: _____

EMAIL: _____

DATE STAMP RECEIVED:

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This Application is subject to the following terms and must be read by ALL owners BEFORE SIGNING.

1. Applicant must indicate in space below reasons for making this application and proposed future use of the closed lane/street.

2. Every property owner whose property abuts the lane/street may be entitled to be offered one-half of the part of the lane/street which abuts their property.
3. While the usual cost to benefitting owners is to cover only the expenses for the reference plan, registration and Solicitor fees (if applicable) to transfer the property, the City reserves the right to charge for the land where circumstances indicate that the value of the part of the lane/street is more than normal.
4. Prior to moving forward with the process, the Applicant should obtain a quotation with respect to the total cost of the reference plan from an Ontario Land Surveyor. The Applicant should provide this information to the other abutting property owners who are interested in obtaining the share of the lane/street they are entitled to.
5. Applications must be for the entire lane/street, i.e. from intersection of one street to another or from one lane to another. This condition may be waived by the City Solicitor, or her/his designate, if they determine it is in the best interest of the City.
6.
 - (a) When the Application has been signed by all of the owners of the property abutting the lane/street, the Applicant should provide the City with the completed Application. The Application will then be circulated to City Officials for comments and if the comments are favourable the by-law will then be presented to City Council for first and second readings. No Application will be presented to City Council that is not signed by all the owners of lands abutting the entire lane/street unless there are extenuating circumstances as to why the signature could not be obtained. If authorized by City Council the lane/street closing and sale will then be advertised for 1 week, after which time, if no objections are received, a request will be made to the Applicant to obtain the draft reference plan.
 - (b) The Applicant must arrange for the reference plan and deliver a draft copy of the plan to the City for review before registration. It is advisable that the required costs be paid to the surveyor by the abutting owners prior to the Applicant authorizing the reference plan. Upon registration and receipt of 2

copies of the reference plan, the Legal Department will present the lane/street closing by-law to City Council for final reading. Once the by-law is passed the Legal Department will register the by-law on the title to the lane/street property.

7. The City may offer the full width of the lane/street to the abutting owner, where the owner on the opposite side of the lane/street has not complied with the reference plan requirement as previously described, within 30 days of receiving a request to pay his or her proportionate share of the survey cost. The City may not proceed to convey the lane/street unless the entire lane/street is to be conveyed to abutting owners.
8. The City may retain or grant easements for use by Municipal utilities, as its discretion determines necessary and any conveyance shall be subject to any such easements. These easements may restrict the improvements allowed on the easement portions.
9. Any owners of abutting property who have purchased their property within the past 12 months must indicate the date of purchase below. This should alleviate any discrepancies between the present owners and our assessment records.

If property was purchased in the last 12 months, please indicate date purchased here:

NAME & ADDRESS OF OWNER (Please print clearly)		DATE PURCHASED PROPERTY
Name		
Address		
Name		
Address		

I, BEING THE OWNER of land abutting directly on part of the lane/street previously described, advise the Council of The Corporation of the City of Sault Ste. Marie as follows:

Option “A”

YES, I wish for the lane/street to be closed and I wish to obtain the portion of the lane/street which abuts my property;

Option “B”

NO, I do not wish for the lane/street to be closed. In the event the City closes the lane/street despite my objection, I do not wish to obtain the portion of the lane/street which abuts my property;

Option “C”

NO, I do not wish for the lane/street to be closed. In the event the City closes the lane/street despite my objection, I do wish to obtain the portion of the lane/street which abuts my property; or

Option “D”

I have no objection to the lane/street being closed but I do not wish to obtain any portion of the lane/street. I do hereby waive any claims or rights we may have at law to acquire any part thereof and do hereby release and forever discharge the Corporation from all claims I may have pursuant to Sections 34 and 43 of the Municipal Act, S.O. 2001, c.25 or any other Act or Regulation.

[illegible]

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