

Trent Hills Sale of Road Allowance / Disposal of Municipal Land Procedure

Per By-law 2024-108 | January 2025

Step 1: Starting the Process

- Option A:** Submit a Development Inquiry Form to the Planning Department. This will help determine if the subject property meets the criteria for sale under Section 9 of By-law 2024-108 and provide preliminary feedback.
- Option B:** Submit a Pre-consultation Form and the appropriate fee to the Municipal Office. Planning Staff will circulate to the other relevant departments and will schedule a meeting with you to provide advice on potential issues and the eligibility of the proposed sale of land.
- Option C:** Submit an application to Close a Road Allowance / Purchase Municipal Land along with the associated fee of \$600.00 to the Municipal Office. Planning Staff will start a formal circulation process to other departments and generate a recommendation to Council. **Option C is required** to begin the sale process.

Step 2: Review and Eligibility

- Staff's responses will be considered by the Clerk or their designate. Staff will confirm that the sale of land conforms to the criteria of By-law 2024-108 and generate the corresponding report and recommendation for Council. The report may contain associated costs and any required conditions for the disposal of the land.

Step 3: Council Decision

- Council will review the report and decide whether the land is surplus to the present and future needs of the Municipality. If Council believes it to be surplus, they shall pass a resolution approving sale *in principle subject to legal investigation*. This decision may be held as part of a closed session, depending on the nature of the land.

Step 4: Deposit Payment

- If the lands are declared surplus by Council, the applicant must submit a \$5,000 deposit (subject to the Fees & Charges By-law) to cover any costs incurred by the Municipality during the sale process. This deposit may be used to hire a surveyor, lawyer, appraiser, or other professional service as required during the transfer process.

Step 5: Survey and Appraisal

- The Municipality will hire a licensed surveyor to create a survey of the lands to be transferred and generate a legal description. Depending on the class of land to

be sold, an appraiser may also be hired to create a valuation for the land. Council shall have the final determination in the price that the land is to be sold for.

Step 6: Public Notice

- Once the survey, appraisal, and any other relevant items have been prepared, Staff will prepare a public notice to be published on the Municipal Website 21 days before the By-law's consideration. Affected residents can comment on the proposed road closure or disposal of land.

Step 7: By-law

- Staff will prepare a By-law to authorize the closure of the road or the sale of the land. The By-law will contain: 1) The Sale Price of the land, if applicable; 2) Confirmation that the land is surplus to the needs of the municipality; 3) Steps taken as a result of comments received by public notice; and 4) Authorization of the Clerk to sign the Certificate of Compliance, which confirms that all provisions of the By-law have been correctly carried out.

Step 8: Registration

- Staff will direct the licensed surveyor to deposit the survey at the Land Registry Office. The By-law and the Certificate of Compliance will be prepared for registration on title for the land. If the costs incurred by the Municipality exceed the amount deposited, you will be liable for their payment before the land will be transferred. If the deposit was not fully used in the process, the remainder shall be returned to you.

Step 9: Transfer of Land

- The applicant must retain their own lawyer to coordinate with the Municipality's lawyer for the sale closing. The land will be transferred, and all fees and cost of the land as determined by Council must be paid. In the case of a closed road allowance, the land will merge with your existing property.