

Subject <b>Road Allowances, Dedicated Roads and Crown Shoreline Reserves – Disposition</b>		Procedure <b>PL 4.11.03</b>	Page 1 of 5
Compiled by - Branch <b>Lands &amp; Waters</b>	Section <b>Land Management</b>	Date Issued <b>March 31, 2009</b>	
Replaces Directive Title <b>Road Allowances and Crown Shoreline Reserves - Disposition</b>	Number <b>Same number</b>	Dated <b>February 26, 2003</b>	

## **1.0 PROGRAM GUIDELINES**

### **1.1 Purpose**

This procedure provides direction for the implementation of Policy PL 4.11.03 – Road Allowances, Dedicated Roads and Crown Shoreline Reserves – Disposition.

### **1.2 Procedural Flexibility**

A high degree of conformity to this procedure is required to ensure the application of the appropriate authority and fees in the disposition of road allowances, dedicated roads and Crown shoreline reserves. Refer to Policy PL 4.11.03 for definitions.

## **2.0 PROCEDURE**

### **2.1 Valuation**

Dispositions of road allowances, dedicated roads and Crown shoreline reserves will be for the administrative fee indicated in PL 6.02.01 – Administrative Fees for Public Land Transactions or market value whichever is greater. Prior to disposition, the market value of the subject lands will be estimated to determine if it may exceed the minimum administrative fee. The market value may exceed the minimum administrative fee in situations where the addition of such lands will add significant value (i.e. value in contribution) to the adjacent upland property (e.g. ability to server new lot(s)). Examples of situations where market value may exceed the administrative fee are provided in Appendix ‘A’. The administrative fee will apply to portions of road allowances, Crown shoreline reserves and dedicated roads that front an individual lot (i.e. lot in a plan of subdivision). If the market value is estimated to exceed the administrative fee a formal valuation must be undertaken as per PL 2.03.01 – Appraisals/Valuations of Public Land.

### **2.2 Application**

An application for a road allowance, Crown shoreline reserve or dedicated road or portion thereof must be accompanied by the following:

- A completed and signed (i.e. registered owner(s) of the adjacent/backshore parcel) Application for Crown Land (Form 830) ;
- A sketch of the lands being applied for showing:
  - the location of the known survey monuments of the upland parcel;
  - the proposed location of the extension of the side lot lines of the backshore parcel to the waterfront boundary;
  - any and all encroachments (e.g. buildings) onto the lands being applied for.
 The applicant will be required to mark all found survey monuments and the proposed boundaries on the ground with orange flagging tape and/or paint to facilitate an inspection by MNR. Refer to Appendix ‘B’ for a sample sketch;
- Proof of ownership of the backshore parcel (e.g. current copy of parcel Property Identification Number (PIN));
- Documentation of the adjacent landowners comments regarding the proposed location of the boundaries of the lands being applied for. This may be in the form of a letter addressed to the MNR from the adjacent land owner(s).

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## 2.3 Disposition Processes

### 2.3.1 Road Allowances and Dedicated Roads in Unincorporated Territory

Responsibility

District

Action

1. Upon receipt of a complete application, confirm that the subject lands are under MNR's jurisdiction.
2. Review the application per section 3.2 (A) of PL 4.11.03 Policy, PL 4.02.01 and MNR's Class EA for Resource Stewardship and Facility Development Projects.
3. If the application is approved, authorize a survey and issue survey instructions using the "Requirements for Crown Land Survey" form (available on Land Management intranet site) per PL 2.06.01.
4. Upon receipt of the draft plan from the surveyor, review for accuracy and forward to Crown Land Surveys for review and preparation of a legal description using "Request for Survey Review and Legal Description" form (available on Land Management intranet site)..
5. Upon receipt of approved survey plan and legal description, request fee from applicant
6. Forward requisition for Minister's Order and Sale/Patent for Road Allowance to Crown Land Registry
7. Prepares a Minister's Order to stop up the road allowance or dedicated road per PL 4.02.02.
8. Upon execution of the Minister's Order prepares patent. The reservations of the adjacent upland parcel are reflected in the patent.
9. Submits the patent per Subsection 55.1(3) of the Public Lands Act for registration at appropriate Land Registry Office. Forwards copy of patent to district.
10. Updates control maps to reflect disposition.

Land Management Section

District

### 2.3.2 Crown Shoreline Reserves

Responsibility

District

Action

1. Upon receipt of a complete application, confirm that the subject lands are under MNR's jurisdiction.
2. Review the application per section 3.2 (A) of PL 4.11.03 Policy, PL 4.02.01 and MNR's Class EA for Resource Stewardship and Facility Development Projects.
3. If the application is approved, authorize a survey and issue survey instructions using the "Crown Land Survey Requirements" form (available on Land Management intranet site) per PL 2.06.01.
4. Upon receipt of the draft plan from the surveyor, review for accuracy and forward to Crown Land Surveys for review and preparation of a legal description using "Request for Survey Review and

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|-------------------------|---|
| District                | Legal Description” form.  |
| Land Management Section | <ol style="list-style-type: none"> <li>5. Upon receipt of approved survey plan and legal description, request fee from applicant.</li> <li>6. Forward requisition for Sale/Patent to Crown Land Registry.</li> <li>7. Prepares patent per Section 16 of the Public Lands Act.</li> <li>8. Registers patent at appropriate Land Registry Office. Forward a copy of patent to district.</li> <li>9. Updates control maps to reflect disposition.</li> </ol> |
| District                |   |

### **3.0 REFERENCES**

#### **3.1 Legislative Cross References**

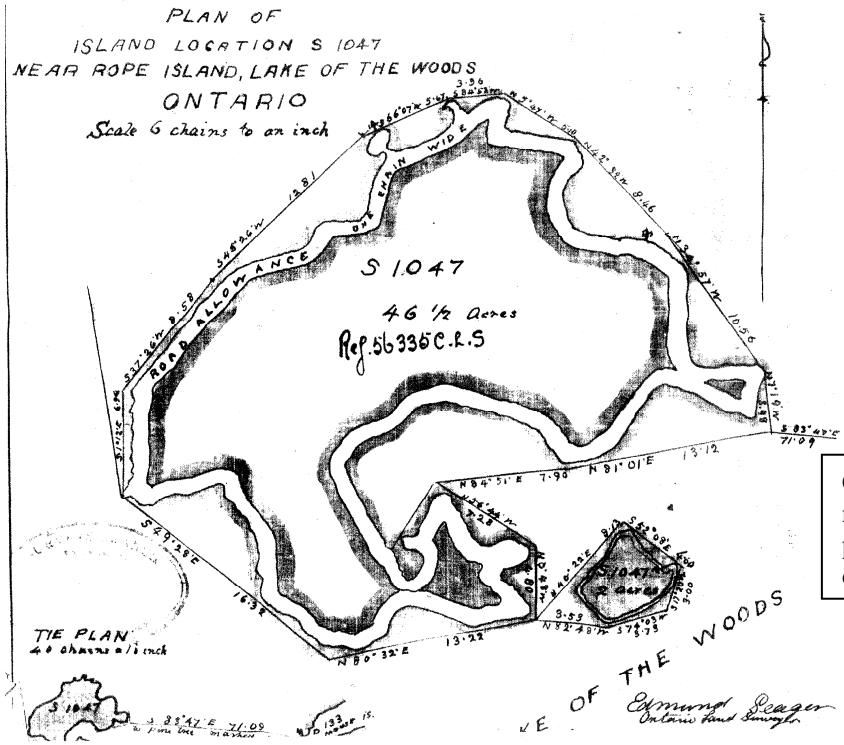
Public Lands Act – Section 16  
 Public Lands Act – Section 55.1(1), (3)

#### **3.2 Directive Cross References**

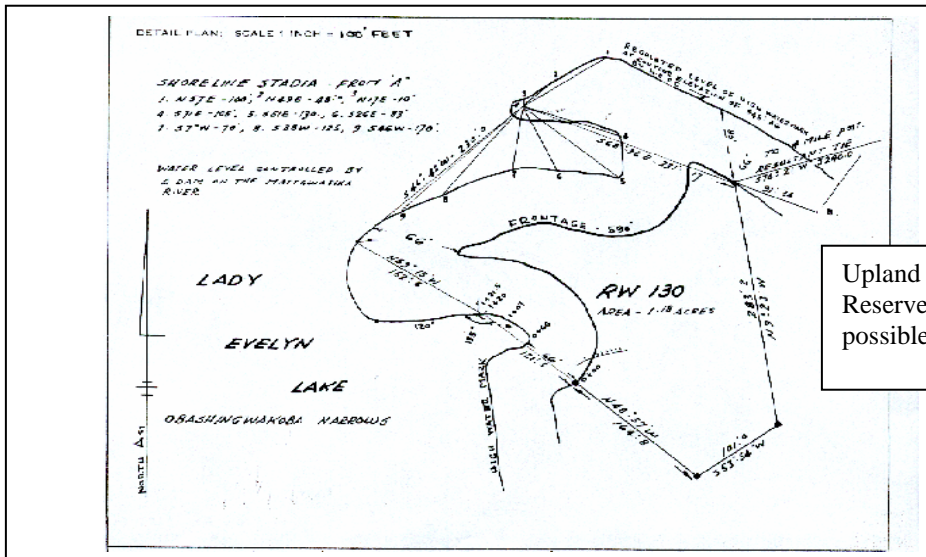
PL 2.03.01 – Appraisals/Evaluations of Public Land Policy and Procedure  
 PL 2.05.01 – Survey Plan Approval Policy and Procedure  
 PL 4.02.01 – Application Review and Land Disposition Process Policy and Procedure  
 PL 4.02.02 – Obtaining Minister’s Orders Procedure  
 PL 4.11.03 – Road Allowances, Dedicated Roads and Crown Shoreline Reserves Policy  
 MNR Class Environmental Assessment for Resources Stewardship and Facility Development Projects

Appendix 'A'

Examples of Potential Value-added by Disposition of Road Allowance or Crown Shoreline Reserve



Crown road allowance enhances nature of upland property resulting in possible subdivision for waterfront development.



Upland parcel (RW130) = 1.18 acres  
Reserve surveyed = 1.20 acres  
possible severance

Appendix 'B'  
 Sample Application Sketch

