

MUNICIPALITÉ • EAST FERRIS • MUNICIPALITY



ITEM: Closure and Conveyance of Lakeshore Road Allowance
DATE: July 19, 2023
TO: Planning Advisory Committee
FROM: Planning & Development Department
FILE NO: LSRA-2023-02
OWNER: Todd & Tanya Burlington
ADDRESS: 966 Hemlock Island

1. Background

The Municipality of East Ferris received an application to close and convey a portion of the Original Shore Road Allowance lying in front of the property located at 966 Hemlock Island on Trout Lake.

In accordance with By-law No. 2015-35, a Public Meeting is to be held to consider the closure and conveyance of the Original Shore Road Allowance, Notice of the Public Meeting was circulated to all property owners within 240 metres of the property and agencies.

2. Description of Property

The Original Shore Road Allowance to be closed and conveyed is located on Trout Lake on Hemlock Island. There have been multiple similar shoreline road allowance closure applications approved on Hemlock Island in recent years. The location of the property is illustrated in **Figures 1 and 2.**

Figure 1: Property Location

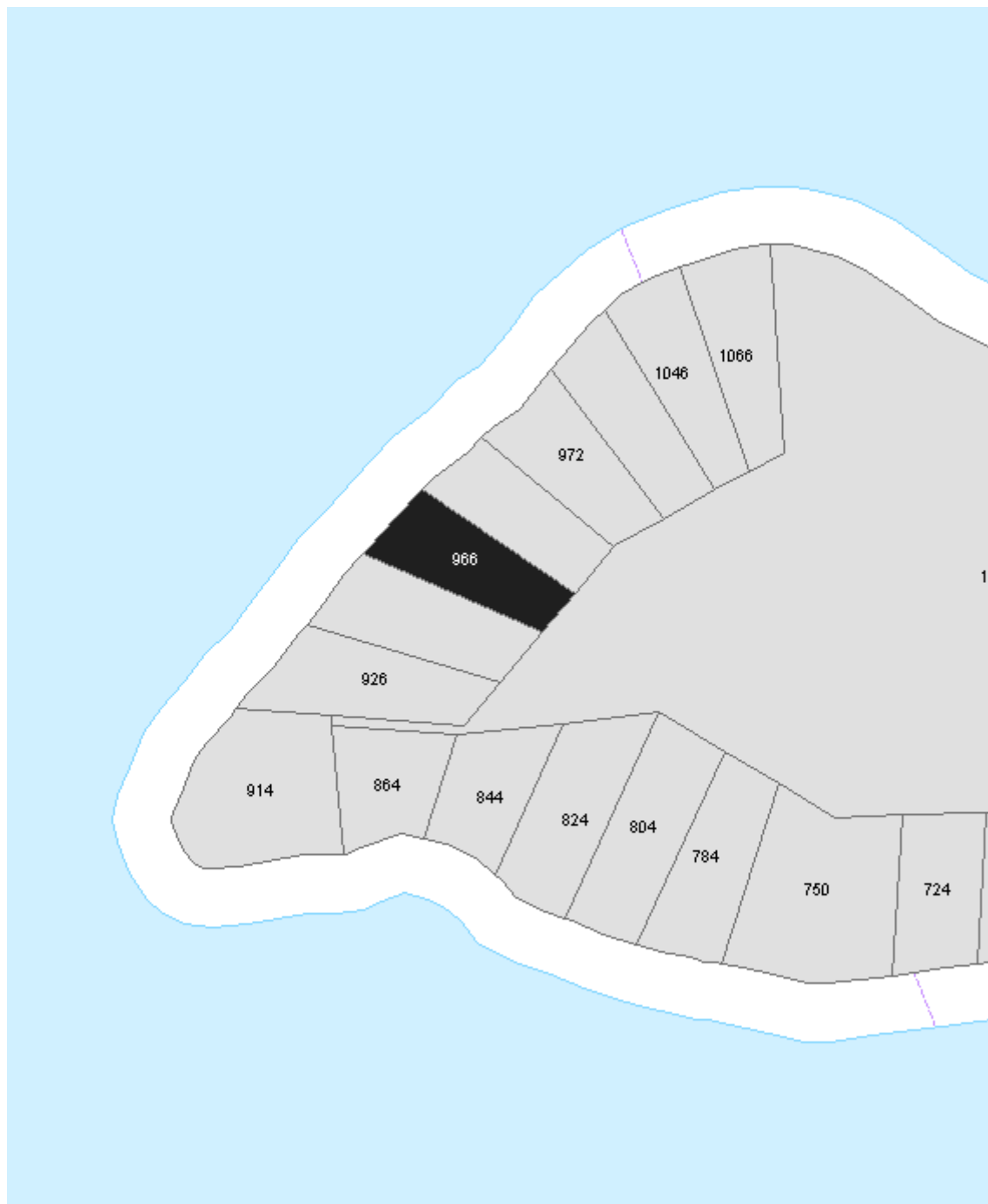


Figure 2: Aerial Map



3. Comments Received

Abutting property owners are contacted to request their input on the proposed closure and conveyance of the Original Shore Road Allowance. The municipality has not received any feedback from any adjacent property owners on this file.

Regional partner agencies are also circulated. The North Bay-Mattawa Conservation Authority has indicated that they have no concerns in principle with the application; however, they have advised that any future work in the shoreline area would be subject to permit requirements from their office.

4. Policy Considerations

The lakeshore road allowance closure process is not dictated by any specific section of the *Planning Act*, however, we can find some guidance in the Municipality of East Ferris Official Plan as well as By-law 2015-35, which outlines the procedure for the shoreline road allowance closure process.

Section 4.20 of the Official Plan states that “Where road allowances along the shores of lakes or rivers have been laid out in locations where they do not function to provide public access to the water for recreational purposes, it shall be a policy of Council to permit such road allowances to be closed and sold to the abutting owners.”

It has historically been the policy of Council, in accordance with the East Ferris Official Plan, to close and sell lakeshore road allowance provided that they do not provide public access to the water, which in this instance the road allowance in questions does not. We are not aware of any other extenuating circumstances that would prevent the closure and sale of this road allowance; however, we are still awaiting comment from the North Bay-Mattawa Conservation Authority. These comments will be provided to the committee once received.

By-law 2015-35 similarly speaks to allowing closure of shoreline road allowances provided that it does not disrupt public access or recreational use.

5. Recommendation

Based on historical Council practice and Official Plan and By-law 2015-35 policies, staff has no objection to the requested closure.

Respectfully Submitted,



Greg Kirton, RPP, MCIP

Director of Community Services
Municipality of East Ferris