



Corporation of the Municipality of Temagami

Report No.
2017-044

File No.

Subject:	Property Request regarding 41 Goward Avenue.
Agenda Date:	November 23, 2017
Attachments:	<ul style="list-style-type: none">• 36R9753 – Reference Plan Goward and Trailer Park• M393 – Plan of Subdivision Townsite

RECOMMENDATION

This memorandum is:

To recommend that Council consider the following motion:

WHEREAS the Municipality of Temagami has received a letter from Mr. Black inquiring about purchasing two lots abutting his property;

AND WHEREAS at the regular Council meeting held on October 26, 2017 Council directed staff to prepare a report including information on whether lots merge on title in this plan of subdivision.

NOW THEREFORE BE IT RESOLVED THAT Council receive Report No. 2017-044 regarding the information on whether lots merge on title in Reference Plans;

AND FURTHER THAT Council direct staff to notify Mr. Black that Council is not interested in selling these properties at this time.

BACKGROUND INFORMATION

James Black submitted a letter of interest in purchasing Lots 198 & 199 on October 10, 2017. At the regular Council meeting dated October 26, 2017 Council received the request to purchase the Municipal Property abutting 41 Goward Ave and directed staff to prepare a report for the next Committee of the Whole meeting including information on whether lots merge on title in this plan of subdivision. Mr. Black is requesting the purchase of Lots 198 & 199 to avoid being land locked. These lots are not part of a plan of subdivision.

A plan of subdivision will always have the “M” as the **attached** M393. The “M” is a reference to “Master of titles”, which was the formal title for the land registrar in the Land Titles system. Lots in a registered plan of subdivision don’t “merge on title” automatically, when the same property owner purchases (abutting) side-by-side properties, as per Section 50(3) of the *Planning Act*. In order for a “merge” to occur a deeming by-law is required.

When lots are not located in a plan of subdivision they will automatically “merge on title” when two abutting lots are owned by the same person. The ‘R’ in the **attached** 36R9753 Trailer Park is defined as a reference plan. A reference plan is similar to a survey. The purpose of a reference plan is to illustrate in graphic form the part of land perhaps being sold and/or can describe the parcels of land granted to a municipality for things like road allowances.

In reviewing the below GIS Aerial View, the location of the potential road development extending and leading in to Hillcrest, seems to be the best option, in terms of municipal services connectivity. By creating this road it also could increase approximately 12 other fully services lots to be sold. The blue star shapes, outlined in yellow, circles demonstrates the approximate areas of services. If the road is developed services can be run and tied into the other 12 potential lots. I’ve demonstrated in the **attached** Reference plan the potential for future road development.

Another option could be granting an easement to Mr. Black over Lots 198 & 199; unfortunately, granting such an easement, these two lots could no longer be developed.

In the past Public Works Department utilized Lots 198 and 199 as a snow plow turnaround during the winter months.

The Official Plan is clear on its primary long-term goal to promote growth that creates benefits and to secure a sustainable future for the community and to promote prosperity.



PLAN AND FIELD NOTES
OF
PART OF
LOCATION CL 8559
TOWNSHIP OF STRATHY
now in the municipality of
INCORPORATION OF THE TOWNSHIP OF TEMAGAMI
DISTRICT OF NIPISSING
SCALE 1 INCH = 50 FEET
J. E. WALKER, O.L.S.
1993

RECEIVED AND DEPOSITED
May 9 1994
Cecile Boube
asst. reg. LAND REGISTRAR FOR
THE LAND TITLES DIVISION
OF MINNESOTA

I REQUIRE THIS PLAN
TO BE DEPOSITED UNDER
THE LAND TITLES ACT

DECEMBER 17, 1993
[5111101]

JAMES E. WALKER
ONTARIO LAND SURVEYOR

PARTS 1 TO 60 BOTH INCLUSIVE ARE
PART OF PARCEL 28270 NIP.
PARTS 59 AND 60 ARE SUBJECT
TO PUBLICLY MAINTAINED
TRAVELLED ROADS.

CAUTION:

THIS PLAN IS NOT A PLAN OF SUBVERSION WITHIN THE MEANING OF THE PLANNING ACT.



LEGEND:

□	DENOTES	SURVEY MONUMENTS FOUND
■	DENOTES	SURVEY MONUMENTS PLANTED
N.P.	DENOTES	NIPPING
(A/M)	DENOTES	A.B. McLENNAN, O.L.S.
(S/T)	DENOTES	SIMPSON AND TAYLOR LIMITED
(S.C.)	DENOTES	SUTCLIFFE COMPANY
(S.C.I.)	DENOTES	SUTCLIFFE COMPANY FIELD NOTES (1978) BOOK 2-5, PAGES 100 TO 118
(P)	DENOTES	UNREGISTERED PLAN (1978) BY PETER T. CLARKE, O.L.S. FOR SIMPSON AND TAYLOR LIMITED
(P2)	DENOTES	REGISTERED PLAN M-348
(P3)	DENOTES	PLAN 308-9809
(D)	DENOTES	DISTURBED
(R)	DENOTES	RE-SET
(M)	DENOTES	MEASURED
(S)	DENOTES	SET
(P/R)	DENOTES	PROPORTION
(O.U.)	DENOTES	ORIGIN UNKNOWN

BEARING NOTE

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTH LIST OF LOTS 133 TO 136 AS SHOWN ON REGISTERED PLAN W-308 HAVING A BEARING OF N88°45'10" W.

SURVEYOR'S CERTIFICATE:

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE LAND TITLING ACT AND THE REGULATIONS MADE THEREUNDER;
2. THE SURVEY WAS COMPLETED ON THE 9th DAY OF SEPTEMBER, 1993.

ENGLEHART, ONTARIO
DECEMBER 17, 1993

J. E. WALKER SURVEYING LTD.

FIELD	OFFICE	FILE
J.E.W.,J.W.,M.H.	J.E.W.,M.L.	93-05

PLAN AND FIELD NOTES
OF SUBDIVISION OF
PART OF
TOWNSHIP OF STRATHY
IN THE CORPORATION OF
THE TOWNSHIP OF TEMAGAMI
DISTRICT OF NIPISSING

M - 393

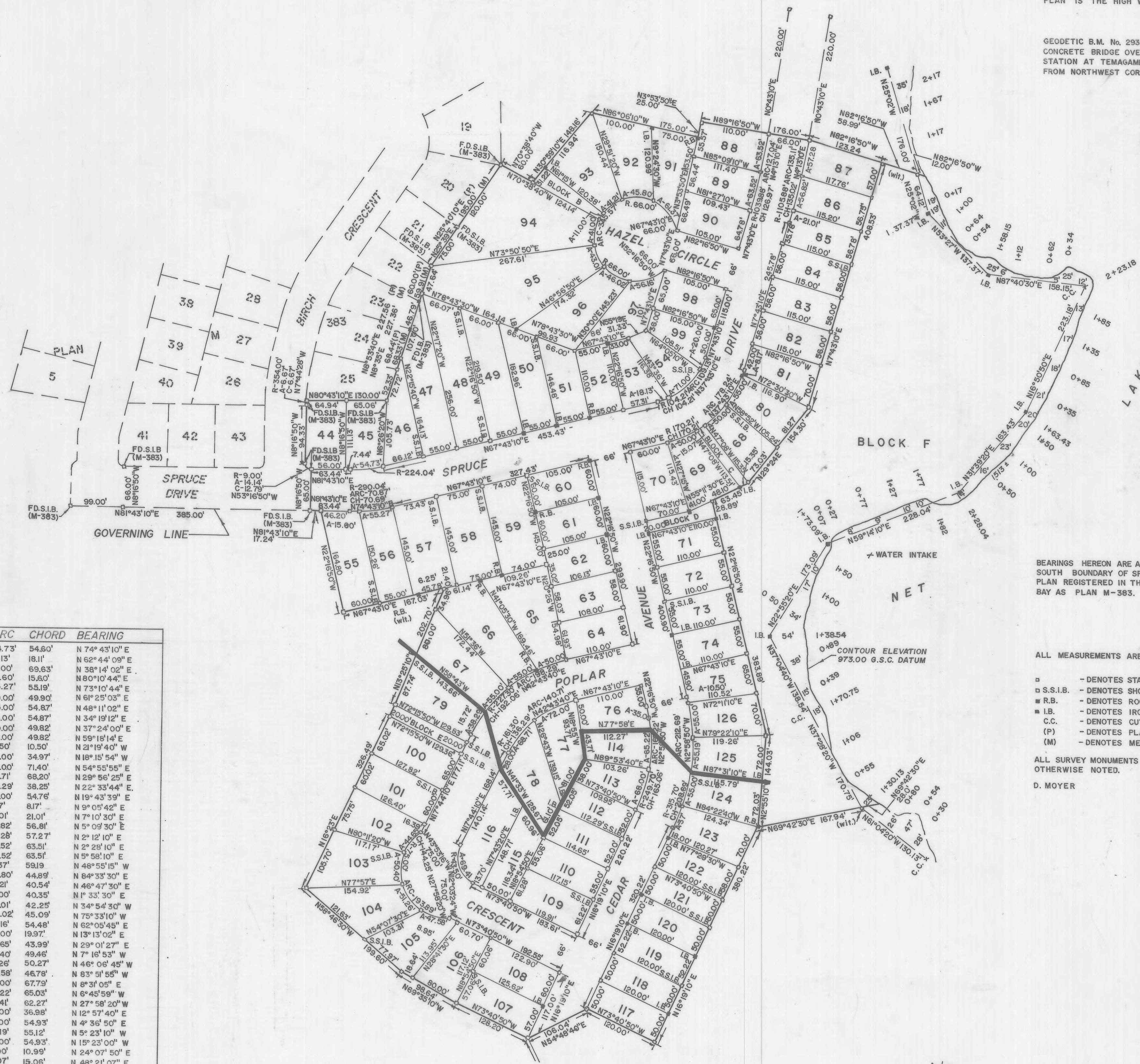
SCALE 1 INCH = 100 FEET

A. B. McLENNAN O. L. S.

1968
REDRAWN 1984

CONTOUR OF ELEVATION 973.00 FT. SHOWN ON THIS
PLAN IS THE HIGH WATER MARK OF NET LAKE.

GEODETIC B.M. No. 2931 ELEV. 983.012 FT.
CONCRETE BRIDGE OVER NET LAKE 3 MILES NORTH OF O.N.R.
STATION AT TEMAGAMI TABLE IN WEST FACE OF BRIDGE, 1 FOOT
FROM NORTHWEST CORNER AND AT ROAD LEVEL.



LOT	RADIUS	ARC	CHORD	BEARING
45	224.04'	54.73'	54.60'	N 74° 43' 10" E
53	104.21'	18.13'	18.11'	N 62° 44' 09" E
54	104.21'	71.00'	69.63'	N 38° 14' 02" E
55	290.04'	15.60'	15.60'	N 80° 10' 44" E
56	290.04'	55.27'	55.19'	N 73° 10' 44" E
65	227.30'	55.00'	49.90'	N 61° 25' 03" E
66	227.30'	55.00'	54.87'	N 48° 11' 02" E
67	227.30'	55.00'	54.87'	N 34° 19' 12" E
68	170.21'	50.00'	49.82'	N 37° 24' 00" E
69	170.21'	50.00'	49.82'	N 59° 16' 14" E
75	315.70'	10.50'	10.50'	N 21° 19' 40" W
76	249.70'	35.00'	34.97'	N 19° 15' 54" W
77	161.30'	72.00'	71.40'	N 54° 55' 55" E
78	161.30'	68.71'	68.20'	N 29° 56' 25" E
79	227.30'	38.29'	38.25'	N 22° 33' 44" E
80	170.21'	55.00'	54.76'	N 19° 43' 39" E
81	170.21'	81.7'	81.7'	N 9° 05' 42" E
85	1105.88'	21.01'	21.01'	N 7° 10' 30" E
86	1105.88'	56.82'	56.81'	N 5° 09' 30" E
87	1105.88'	57.28'	57.27'	N 2° 12' 10" E
88	1039.88'	63.52'	63.51'	N 2° 28' 10" E
89	1039.88'	63.52'	63.51'	N 5° 58' 10" E
91	66.00'	61.37'	59.19'	N 48° 55' 15" W
92	66.00'	45.80'	44.89'	N 64° 33' 30" E
93	66.00'	41.21'	40.54'	N 46° 47' 30" E
94	66.00'	40.00'	40.35'	N 1° 33' 30" E
95	66.00'	43.01'	42.25'	N 34° 54' 30" W
96	66.00'	46.02'	45.09'	N 75° 33' 10" W
97	66.00'	56.16'	54.48'	N 22° 05' 45" E
99	104.21'	19.97'	19.97'	N 13° 13' 02" E
102	75.00'	44.65'	43.99'	N 29° 01' 27" E
103	75.00'	50.40'	49.46'	N 7° 18' 53" W
104	75.00'	51.26'	50.27'	N 48° 06' 45" W
105	75.00'	47.58'	46.78'	N 83° 51' 55" W
113	249.70'	68.00'	67.79'	N 8° 31' 05" E
114	249.70'	65.22'	65.03'	N 6° 45' 59" W
116	43.50'	69.41'	62.27'	N 27° 58' 20" W
123	315.70'	37.00'	36.98'	N 12° 57' 40" E
124	315.70'	55.00'	54.93'	N 4° 36' 50" E
125	315.70'	55.19'	55.12'	N 5° 23' 10" W
126	315.70'	55.00'	54.93'	N 15° 23' 00" W
BLK. 'B'	66.00'	11.00'	10.99'	N 24° 07' 50" E
BLK. 'C'	170.21'	15.07'	15.06'	N 48° 21' 07" E

BEARINGS HEREON ARE ASTRONOMIC AND ARE DERIVED FROM THE
SOUTH BOUNDARY OF SPRUCE DRIVE SHOWN AS N81°43'10"E ON A
PLAN REGISTERED IN THE OFFICE OF LAND TITLES AT NORTH
BAY AS PLAN M-383.

ALL MEASUREMENTS ARE IN FEET AND DECIMAL PARTS THEREOF.

- - DENOTES STANDARD IRON BAR (1"x1"x48")
- S.S.I.B. - DENOTES SHORT STANDARD IRON BAR (1"x1"x24")
- R.B. - DENOTES ROCK BAR (1"x1"x6")
- I.B. - DENOTES IRON BAR (5/8"x5/8"x24")
- C.C. - DENOTES CUT CROSS
- (P) - DENOTES PLAN
- (M) - DENOTES MEASURED

ALL SURVEY MONUMENTS PLANTED ARE S.I.B.'S UNLESS
OTHERWISE NOTED.

D. MOYER

