

RE: SALE OF MUNICIPAL LANDS TO REDEFINE LEGAL BOUNDARIES
OF 7420 BENMORE STREET AND 8942 GOVAN AVENUE

MUNICIPAL MANAGER'S RECOMMENDATION:

1. THAT the recommendation of the Director Planning & Building Inspection be adopted.

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TO: MUNICIPAL MANAGER 1983 October 26

FROM: DIRECTOR PLANNING & BUILDING INSPECTION
Our File: PS-1-83
D.L. 13
(8942 Govan Avenue)

SUBJECT: SALE OF MUNICIPAL LANDS TO REDEFINE LEGAL BOUNDARIES OF
7420 BENMORE STREET AND 8942 GOVAN AVENUE

RECOMMENDATION:

1. THAT Council authorize the sale of 2.32 ft. x 98.89 ft. portion of Municipal lands for consolidation with 8942 Govan Avenue as shown on the attached Figure 1 for the sum of \$998.00 (\$4.35/sq.ft.) subject to the following:
 - a) sale and consolidation of a 2.32 ft. x 98.89 ft. portion of 8942 Govan Avenue with 7420 Benmore Street as shown on Figure 1;
 - b) payment of \$900.00 by the applicants to cover the cost of the Municipal Surveyor preparing the necessary survey plans;
 - c) payment, by the applicants, of the costs incurred by the Municipal Solicitor in preparing and registering the documentation to consummate the foregoing.

SUMMARY:

Adoption of the foregoing recommendations will alleviate a survey error which was discovered in the course of preparing the subdivision plans which accompanied the previous sale of Municipal lands to 8942 Govan Avenue. This error has resulted in the adjacent dwelling on 7420 Benmore Street having a sideyard setback of only 1.44 ft.

ITEM	5	124
MANAGER'S REPORT NO.	65	
COUNCIL MEETING	1983 10 31	

R E P O R T

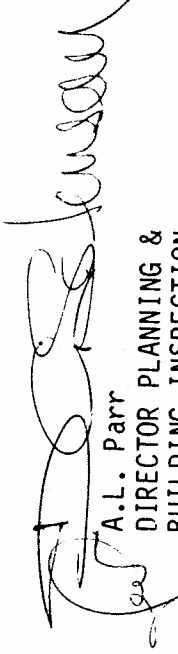
BACKGROUND:

Council, on 1983 June 20, authorized the sale of Municipal lands for consolidation with 8942 Govan Avenue for the sum of \$12,000.00 (\$4.35/sq.ft.) as shown on the attached Figure 2. In the course of preparing the survey plans to accompany this sale the Municipal Surveyor ascertained that a previous private survey done to redefine the corners of an adjacent property (7420 Benmore Street) is in error. This plan set the property corners easterly from their correct position with the result that the existing house is actually 1.44 ft. from the property line.

EXISTING SITUATION:

While this situation has not been created by the Municipality, the survey problem could be solved if the Corporation sold 2.32 feet to the owners of 8942 Govan Avenue. They would, in turn, sell 2.32 feet to the owners of 7420 Benmore Street as shown on Figure 1.

The owners of the private properties involved have agreed to this proposal and are prepared to compensate the Municipality for the required lands at the previously negotiated per square foot value and to cover the costs of the transaction. In view of the circumstances staff believe this to be an equitable solution.


A.L. Parr
DIRECTOR PLANNING &
BUILDING INSPECTION

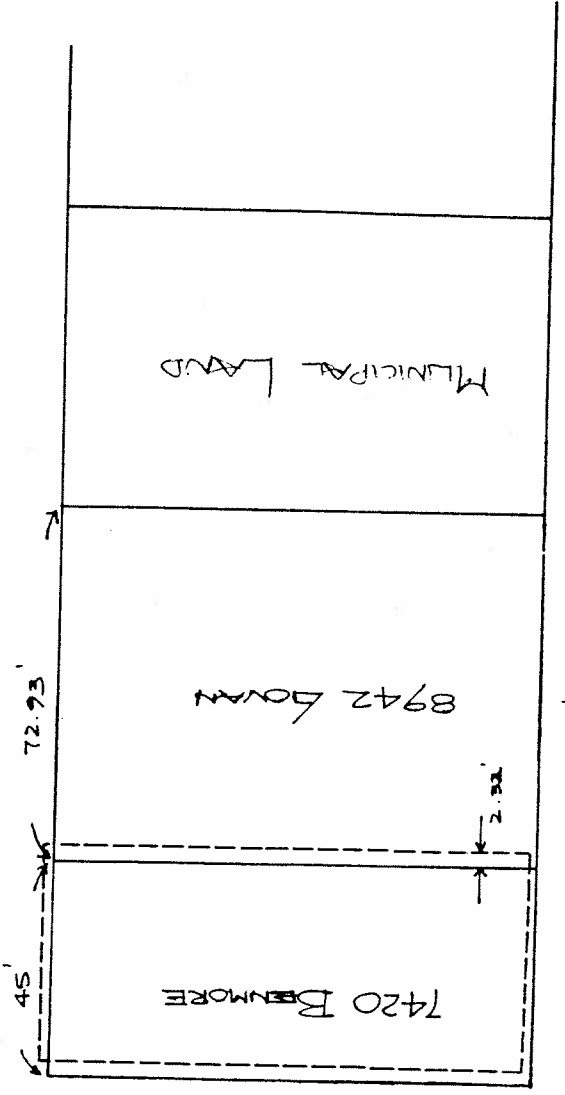
PB/mcb

Attachs:

cc: Municipal Solicitor
Director Engineering

ITEM	5
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GOVAN AVE.

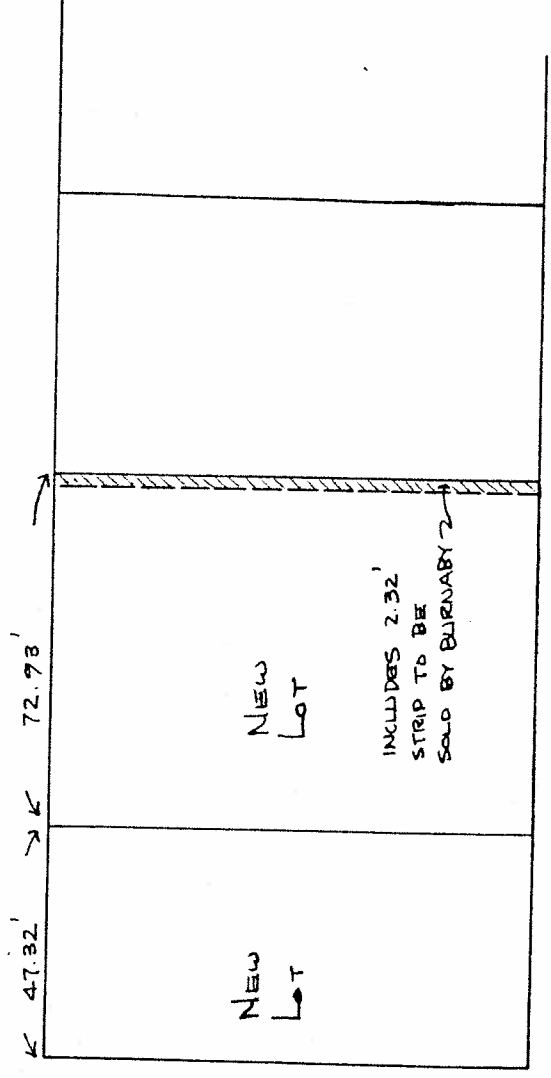


BURNMORE ST

EXISTING SITUATION

SOLID LINE DENOTES CORRECT SURVEY
DOTTED LINE DENOTES ERRONEOUS SURVEY

GOVAN AVE.



BURNMORE ST

PROPOSED SOLUTION

FIGURE 1

1" = 40' PB
1983 Oct. 27

