



Staff Report PL2020-063

Title of Report: PL2020-063-Rawn Certificate of Validation
Department: Clerks
Branch: Planning Services
Committee Date: September 23, 2020

Recommendation:

Be it resolved that the Committee of Adjustment receive Staff Report PL2020-063 for information; and

That the Validation certificate request be approved by the Committee of Adjustment as presented in lawyer Gil Deverell's letter representing the Rawn family to resolve this land titles matter.

Property Location: Lot 55 Con 3 Egremont



Background:

The Township of Southgate has received a request for a validation certificate for Lot 55 Con 3 Egremont from a Solicitor on Behalf of the Rawn family. The request letter explaining the nature of the request is attached.

A certificate of validation is used to make valid a document or documents that previously contravened the Act. If a person owned 2 parcels of abutting land and

transferred or gave a mortgage only on part of that land, the transfer or mortgage would not create an interest in land. A validation certificate would make that transfer or mortgage valid. Where a validation certificate has the effect of validating a prior transfer, one might call it a validation of title.

Staff Comments:

This letter request (Attachment #1) comes from the Rawn’s lawyer Gil Deverell who was the Township’s former solicitor. Staff agree and support Mr. Deverell’s recommendation as a logical approach to clearing the title of the lands so that it can be registered properly.

Township staff suggest Council approving the validation certificate for the subject lands to resolve this issue.

Financial Implications:

The legal costs to correct this matter is being paid by the Rawn family and Township will benefit with the correcting legal ownership of the road widening at the registry office.

Concluding Comments:

Based on the above information and the lawyer’s letter from Gil Deverell stating his proposal to correct the land title issues, Township staff recommend that the proposal from Gil Deverell be approved to use the validation certificate approval process to correct this land title issue for all parties.

Respectfully Submitted,

Municipal Planner: Original Signed By
Clinton Stredwick, BES, MCIP, RPP

CAO Approval: Original Signed By
Dave Milliner, CAO



Attachments:

- Attachment #1 – Letter from Gil Deverell dated September 8, 2020
- Attachment #2 – Rawn Certificate of Validation