

**Township of Southgate**  
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## **Staff Report PL2022-055**

**Title of Report:** PL2022-055 – Farmer Certificate of Cancellation request  
**Department:** Planning  
**Committee Date:** 27/07/2022

### **Recommendation:**

**Be it resolved that** the Committee of Adjustment receive Staff Report PL2022-055 for information; and

**That** the Cancellation certificate request be approved by the Committee of Adjustment as presented.

**Property Location:** The property is described as Part Lot 232, Concession 2, Southwest of the Toronto and Sydenham Road, Proton, described as Part 17, Plan 17R-1315; Township of Southgate and Part Lot 232, Concession 2, Southwest of the Toronto and Sydenham Road, Proton, described as Parts 15-16, 17R-1315; Township of Southgate (See R-Plan attachment #3). The lands are further described as 15 and 17 Bell Circle.



### **Background:**

The Township of Southgate has received a request for a cancellation certificate for 15 & 17 Bell Circle, Village of Dundalk from a Solicitor on behalf of Mr. Farmer. The request letter explaining the nature of the request is included as attachment 1 to this report.

A certificate of cancellation is used to merger previous consents and remove the “Teflon” effect of once a consent always a consent. This is a relatively new change that has been included in a recent update to the Planning Act.

Previously, if a person owned 2 parcels of abutting land that had had a prior planning act consent, those lots could not be merged without first destroying the original consent. This often resulted in severing a 1ft square piece of land and dedicating it to the township. This cumbersome process has now been addressed with the recent change to the Planning Act.

**Staff Comments:**

The application request (Attachment #1) comes from the Owners’ lawyer Jason Self. Staff agree and support Mr. Self’s request as a logical approach to merging the lots so that it can be registered properly. Once this has occurred a future Site Plan Application can be considered that would have previously crossed the lot line of the two lots.

Township staff recommend Council approve the cancellation certificate for the subject lands to resolve the issue.

**Financial Implications:**

The legal costs to correct this matter and register the document is being paid for by the Applicant. Because this change to the Planning Act is so new, we currently do not have a fee for a cancellation certificate.

**Concluding Comments:**

Based on the above information and the application request from Jason Self outlining reasons for the request to correct the land title issue, Township staff recommend that the proposal from Jason Self be approved and a cancellation certificate issued by the secretary treasurer of the Committee of Adjustment.

Respectfully Submitted,

Municipal Planner: 

<b>Original Signed By</b>
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Clinton Stredwick, BES, MCIP, RPP



CAO Approval: 

<b>Original Signed By</b>
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Dave Milliner, CAO

**Attachment(s):**

1. Application request from Jason Self
2. Draft Certificate of Cancellation
3. Registered R-Plan