

The Land Surveys Regulations

being

Chapter L-4.1 Reg 1 (effective June 25, 2001) as amended by
Saskatchewan Regulations 20/2002; and the *Statutes of
Saskatchewan*, 2006, c.41.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER L-4.1 REG 1
The Land Surveys Act, 2000

PART I
Preliminary Matters

Title

- 1** These regulations may be cited as *The Land Surveys Regulations*.

Interpretation

- 2** In these regulations:

- (a) **“Act”** means *The Land Surveys Act, 2000*;
- (b) **“client number”** means:
 - (i) an identification number assigned by the Controller to any person who applies to the land surveys directory; or
 - (ii) a client number assigned to a person by the Registrar of Titles pursuant to *The Land Titles Regulations, 2001*;
- (c) **“customer service centre”** means a customer service centre maintained for the purposes of the land registry and the land surveys directory;
- (d) **“descriptive plan”** means:
 - (i) a type one descriptive plan; or
 - (ii) a type two descriptive plan;
- (e) **“enlargement”** means a magnification of an area shown on a plan proper for the purpose of providing information in greater detail;
- (f) **“lot monument”** means a monument described in section 37;
- (g) **“marker”** means a device used in accordance with section 39 for the purpose of preserving and recognizing a monument;
- (h) **“mineral disposition”** means any interest in minerals;
- (i) **“mineral parcel”** means a mineral parcel as defined in *The Land Titles Act, 2000*;
- (j) **“plan proper”** means that portion of a plan that represents the survey, but does not include any enlargement;
- (k) **“primary subdivision”** means the division of land, based on a primary survey, into:
 - (i) sections; and
 - (ii) quarter-sections;
- (l) **“provincial lands”** means lands designated as provincial lands pursuant to *The Provincial Lands Act*;

(m) **“remote sensing images”** means images captured by a means of remote sensing technology that has been approved by the Controller, and includes:

- (i) aerial photographs; and
- (ii) satellite images;

(n) **“secondary subdivision”** means a subdivision of previously subdivided land;

(o) **“standard monument”** means a monument described in section 36;

(p) **“subdivision”** means the division of land into surface parcels or mineral parcels;

(q) **“title block”** means the area on a plan that provides particulars respecting the subdivision shown on the plan;

(r) **“type one descriptive plan”** means a descriptive plan prepared in accordance with subsection 26(2);

(s) **“type two descriptive plan”** means a descriptive plan prepared in accordance with subsection 26(3);

(t) **“unpatented land”** means unpatented land as defined in clause 69(1)(b) of *The Land Titles Act, 2000*;

(u) **“unsurveyed provincial lands”** means provincial lands that have not been previously surveyed.

6 Jly 2001 cL-4.1 Reg 1 s2.

Application of regulations

3 In accordance with section 3 of the Act, these regulations apply to all lands in Saskatchewan:

- (a) that are located in an area of Saskatchewan that the Lieutenant Governor in Council has designated pursuant to section 87 of the Act as an area to which the Act applies; and
- (b) that are within the legislative competence of the Legislature.

6 Jly 2001 cL-4.1 Reg 1 s3.

Documents included in the land surveys directory

4 For the purposes of section 4 of the Act, the following documents or categories of documents are part of the land surveys directory:

(a) with respect to documents relating to a former land registration district and that are in existence on the day before the coming into force of an order pursuant to section 87 of the Act respecting the former land registration district:

- (i) all copies of plans and field notes in the possession of the Chief Surveyor appointed pursuant to *The Land Titles Act*;
- (ii) all field notes in the possession of the Controller of Surveys appointed pursuant to *The Land Surveys Act*;

- (iii) all orders:
 - (A) of the minister;
 - (B) of the Controller of Surveys appointed pursuant to *The Land Surveys Act*; and
 - (C) of the Master of Titles appointed pursuant to *The Land Titles Act*;
- (iv) all records respecting the examination and approval of plans;
- (b) with respect to documents submitted to the Controller pursuant to the Act:
 - (i) all planning approvals required by *The Planning and Development Act, 1983*;
 - (ii) all original or certified field notes;
 - (iii) all affidavits;
 - (iv) all notices;
 - (v) all certifications, signatures and attestations required by the Act or any other Act;
 - (vi) any other record submitted to the Controller related to the examination and approval of a plan;
- (c) with respect to documents generated by the Controller pursuant to the Act:
 - (i) all records respecting examination and approval of plans;
 - (ii) all instructions for surveyors with respect to:
 - (A) conducting surveys;
 - (B) preparing plans; and
 - (C) submitting plans to the Controller.

6 Jly 2001 cL-4.1 Reg 1 s4.

Hours of operation

5(1) The Controller's office and every customer service centre is to be open to the public from 8:00 a.m. to 4:30 p.m. on all days except:

- (a) Saturdays and Sundays; and
 - (b) New Year's Day, Family Day, Good Friday, Victoria Day, Canada Day, Saskatchewan Day, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day and Boxing Day or any day authorized by the chairperson of the Public Service Commission to be observed as a holiday respecting any of those days.
- (2)** The electronic land surveys directory is to be open to the public from 8:00 a.m. to 4:30 p.m. on all days except:
- (a) Saturdays and Sundays; and
 - (b) New Year's Day, Family Day, Good Friday, Victoria Day, Canada Day, Saskatchewan Day, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day and Boxing Day or any day authorized by the chairperson of the Public Service Commission to be observed as a holiday respecting any of those days.

L-4.1 REG 1**LAND SURVEYS**

(3) Notwithstanding subsections (1) and (2), the Controller may alter the hours of operation of the Controller's office, a customer service centre, the electronic land surveys directory, or all of them, where the Controller considers it necessary:

- (a) to meet the public interest;
- (b) to recognize Saskatchewan public service holidays; or
- (c) to meet emergency or unforeseen circumstances.

6 Jly 2001 cL-4.1 Reg 1 s5; 2006, c.41, s.9.

Forms to be used

6(1) Unless otherwise permitted by the Controller, where the use of an application or other form is required by these regulations, the application or other form must be in the form provided by the Controller, whether in printed or electronic format.

(2) The Controller may refuse to accept an application or any other form if it is not completed to the satisfaction of the Controller.

6 Jly 2001 cL-4.1 Reg 1 s6.

Identification numbers

7(1) In this section, "**packet**" means one or more applications, and any plans and supporting materials, that are submitted together to the Controller.

(2) For identification purposes, the Controller shall assign:

- (a) a client number to every person who applies to the land surveys directory;
- (b) a packet number to every packet submitted to the Controller;
- (c) a plan number to every approved plan;
- (d) a parcel number to every parcel created pursuant to an approved plan; and
- (e) a transform number for every approved plan that shows a new parcel.

6 Jly 2001 cL-4.1 Reg 1 s7; 22 Mar 2002 SR 20/2002 s3.

Controller's instructions

8 For the purposes of meeting the Controller's responsibilities pursuant to the Act, the Controller may issue instructions for surveyors, not inconsistent with the Act or these regulations, respecting survey methods and respecting the manner of submitting and approving plans.

6 Jly 2001 cL-4.1 Reg 1 s8.

PART II

Submission of Plans

Submission of plans

9(1) Any person who wishes to have a plan approved by the Controller must submit to the Controller:

- (a) an application in the form provided;

- (b) the plan prepared in accordance with:
 - (i) these regulations; and
 - (ii) any instructions issued by the Controller;
 - (c) all supporting documents for the plan, including any approval required by *The Planning and Development Act, 1983*; and
 - (d) any certificate, signature or attestation required by:
 - (i) these regulations;
 - (ii) the Act; or
 - (iii) any other Act.
- (2) All documents submitted to the Controller pursuant to subsection (1) other than plans must be printed, or formatted to print, on 8 ½ inches by 11 inches bond paper.

6 Jly 2001 cL-4.1 Reg 1 s9.

Electronic submission

10(1) Subject to subsection (2), the following persons may submit the documents mentioned in section 9 to the Controller in electronic format:

- (a) surveyors;
 - (b) approved Crown utility representatives;
 - (c) any other person or category of persons approved by the Controller.
- (2) Any person submitting documents to the Controller in electronic format must:
- (a) use one of the following formats for submitting plans:
 - (i) dwg;
 - (ii) dxf;
 - (iii) tif;
 - (iv) any other format approved by the Controller;
 - (b) use one of the following formats for submitting documents other than plans:
 - (i) tif;
 - (ii) a doc format that is Microsoft Word 97 or a more recent version;
 - (iii) pdf;
 - (iv) any other format by approved by the Controller; and
 - (c) use one of the following media:
 - (i) a compact disk;
 - (ii) a 3 ½ inch floppy disk;
 - (iii) an electronic message to the address designated by the Controller for that purpose;
 - (iv) any other media approved by the Controller.

(3) The printed copy of any document submitted to the Controller in electronic format must meet the requirements for that document as set out in the Act and these regulations.

6 Jly 2001 cL-4.1 Reg 1 s10.

PART III General Requirements for Plans

DIVISION 1 Plan Format

Application of Division

11 This Division applies to all plans submitted to the Controller for approval pursuant to section 34 of the Act.

6 Jly 2001 cL-4.1 Reg 1 s11.

Plan format

12(1) Subject to section 10, a plan must be drawn in black ink on bond paper.

(2) A plan must not exceed:

- (a) 860 millimetres in width; or
- (b) 3,000 millimetres in length.

(3) An area of at least 20 millimetres around all edges of a plan must be kept clear of any information.

(4) The text size used in a plan must not be smaller than the minimum sizes listed in Appendix 1.

(5) All road allowances on a plan, including those within a right-of-way, must be shown as solid lines.

(6) No free-hand drawing is permitted on a plan without the prior approval of the Controller.

6 Jly 2001 cL-4.1 Reg 1 s12.

Plan contents

13(1) Every plan must use the appropriate abbreviations and symbols listed in Appendix 2.

(2) If an abbreviation or symbol that is not listed in Appendix 2 is used on a plan, that abbreviation or symbol must be placed in a legend on the plan.

(3) Every plan must contain a north arrow to indicate the orientation of the plan.

(4) Where a new parcel is created from an existing secondary subdivision, the plan number of the existing secondary subdivision must be clearly placed on the plan.

(5) Subject to subsection (6), every plan must show the boundaries, in their entirety, for any parcel that is altered by a new parcel.

(6) Where permitted by instructions issued by the Controller, the boundaries of a parcel altered by a new parcel may be shown in a key on a plan in a scale different from the scale used in the plan proper.

- (7) Every parcel shown on a plan must be identified by a parcel identifier, being a combination of letters or numbers, or both, approved by the Controller for that purpose.
- (8) Every plan must show the plan numbers for the parcels that are adjacent to the new parcel.
- (9) Where sufficient space does not exist at the scale of the plan proper to show any information that is required to be shown on a plan, that information:
 - (a) may be shown in an enlargement drawn to a size that is sufficient to clearly show that information; and
 - (b) if shown as permitted by clause (a), is not required to be drawn to scale.

6 Jly 2001 cL-4.1 Reg 1 s13.

Rejection of plans

- 14(1) All plans submitted to the Controller for approval must be capable of being converted to an electronic image by the Controller.
- (2) The Controller may reject any plan:
 - (a) that the Controller is unable to convert to an electronic image; or
 - (b) that the Controller is unable to read after converting the plan to an electronic image.

6 Jly 2001 cL-4.1 Reg 1 s14.

Title block

- 15(1) A title block must appear on every plan.
- (2) Every title block must specify:
 - (a) that the plan is:
 - (i) a plan of survey;
 - (ii) a type one descriptive plan; or
 - (iii) a type two descriptive plan;
 - (b) that the plan is:
 - (i) for the surface;
 - (ii) for the minerals; or
 - (iii) for an interest;
 - (c) the approved purpose of the plan, selected from a list of approved purposes set out in instructions issued by the Controller;
 - (d) the scale of the plan; and
 - (e) the year in which the plan was prepared.

6 Jly 2001 cL-4.1 Reg 1 s15.

L-4.1 REG 1**LAND SURVEYS****Demarcation of approval area**

16(1) In this section:

- (a) **“approval area”** means the area on a plan that shows new parcels or interests but does not include parcels for which the boundaries have been altered by the new parcels;
- (b) **“line of approval”** means the line used to demarcate the perimeter boundary of the approval area on a plan.

(2) A line of approval must be represented by a bold line.

22 Mar 2002 SR 20/2002 s4.

DIVISION 2**Plan of Survey Format****Application of Division**

17(1) This Division applies to all plans of survey submitted to the Controller for approval pursuant to section 34 of the Act.

(2) In addition to the requirements set out in Division 1, every plan of survey must meet the requirements set out in this Division.

6 Jly 2001 cL-4.1 Reg 1 s17.

Accurate representation

18 All information shown on a plan of survey must be a true and accurate representation of the survey from which the plan is derived.

6 Jly 2001 cL-4.1 Reg 1 s18.

Monument description

19(1) A plan of survey must provide the following information respecting every monument found, re-established or established at the time of the survey:

- (a) the type of monument;
- (b) for any monument found that is not in good condition, the condition of the monument at the time of the survey;
- (c) a notation detailing any markings on a monument;

- (d) where applicable, a description of the manner in which the monument was re-established;
 - (e) whether a marker was used or found in relation to a monument.
- (2) Where a monument is removed by a surveyor in accordance with the Act, a note must be included on the plan of survey:
- (a) stating that the monument was removed; and
 - (b) detailing why it was necessary to remove the monument.

6 Jly 2001 cL-4.1 Reg 1 s19.

Title block

- 20(1)** The title block for a plan of survey must include:
- (a) the legal description of the area affected by the plan of survey; and
 - (b) the name of the surveyor who conducted the survey.
- (2) A note must appear under the title block stating that the plan of survey has been shown in metres to the third decimal.

6 Jly 2001 cL-4.1 Reg 1 s20.

Angles

- 21** All angles included on a plan of survey must be shown in degrees, minutes and seconds.

6 Jly 2001 cL-4.1 Reg 1 s21.

Reference line

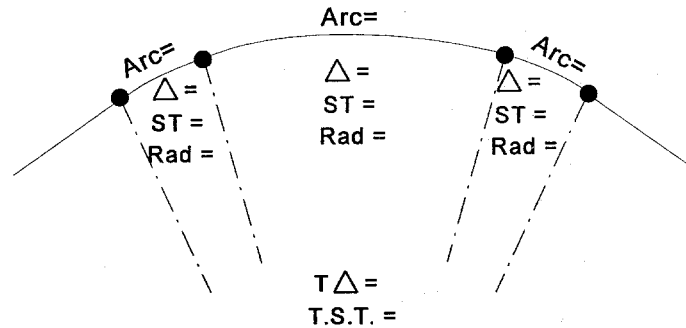
- 22** Where no lines of the current survey can be connected to a previously surveyed line, an azimuth of one of the current survey lines must be given on the plan of survey.

6 Jly 2001 cL-4.1 Reg 1 s22.

Curves

- 23(1)** All curves shown on a plan of survey must include:
- (a) arc distance;
 - (b) sub-tangent distance;
 - (c) radius distance; and
 - (d) delta angle.
- (2) In the case of a compound curve, a plan of survey must also include:
- (a) the total sub-tangent distance; and
 - (b) the total delta angle.

(3) The following diagram must be followed when recording the information required by this section on a plan of survey:



6 Jly 2001 cL-4.1 Reg 1 s23.

Bank or centre line of a water body

24(1) Where a traverse line is used to determine the position of a bank or centre line of a water body, the following information must be included on the plan of survey:

- (a) the angles and distances on the traverse line;
 - (b) the lengths of offsets;
 - (c) the angles that the offsets make with their respective traverse lines.
- (2) Subject to subsection (4), the information mentioned in subsection (1) must be noted on the plan of survey along the respective courses of the traverse.
- (3) Subject to subsection (4), where the position of a bank or centre line of a water body is determined by direct readings on the ground without using the method mentioned in subsection (1):
- (a) a schedule must be included on the plan of survey showing:
 - (i) the coordinates that determined the position of the bank or centre line at the time of survey; and
 - (ii) the coordinates of at least two survey monuments that are shown on the plan of survey; and
 - (b) a note must be placed below the title block of the plan of survey specifying:
 - (i) the coordinate system used;
 - (ii) the datum used; and
 - (iii) how the coordinates were derived.
- (4) Where the information mentioned in subsection (2) or (3) cannot be noted clearly on the plan of survey:
- (a) the information must be shown on a schedule attached to the plan of survey; and

- (b) the schedule and the plan of survey must contain the page number in the upper right hand corner using the format, "Sheet __ of __ Sheets".
- (5) A schedule attached to a plan of survey in accordance with subsection (4) is part of that plan.
- (6) Where remote sensing images are used to determine the position of a bank or centre line of a water body, a note must be placed below the title block of the plan of survey specifying:
 - (a) that the bank or centre line of the water body shown on the plan of survey was plotted from remote sensing images;
 - (b) the type of remote sensing image used; and
 - (c) the unique identification numbers of the remote images.
- (7) Where all or a portion of a parcel being surveyed is bounded by a body of water, the plan of survey must contain a note specifying:
 - (a) with respect to a bank boundary, "The bank is taken as the boundary. For the definition of bank, see section 32 of *The Land Surveys Regulations*"; or
 - (b) with respect to a centre line boundary, "The centre line of the water body is taken as the boundary. For the definition of centre line, see section 32 of *The Land Surveys Regulations*".

6 Jly 2001 cL-4.1 Reg 1 s24.

Certificate of surveyor

25(1) Every plan of survey must be accompanied by a certificate of the surveyor, in the form provided, certifying:

- (a) the date the survey was performed;
 - (b) that the survey represented by the plan of survey was made in accordance with the Act and these regulations; and
 - (c) that the plan is correct and true to the best of the surveyor's knowledge and belief.
- (2) The certificate mentioned in subsection (1) must include:
- (a) the signature of the surveyor who conducted the survey;
 - (b) the date the certificate was signed; and
 - (c) the location where the certificate was signed.

6 Jly 2001 cL-4.1 Reg 1 s25.

DIVISION 3

Descriptive Plan Format

Categories of descriptive plans

26(1) The following categories are prescribed as categories of descriptive plans:

- (a) type one descriptive plans;
- (b) type two descriptive plans.

L-4.1 REG 1**LAND SURVEYS**

- (2) A type one descriptive plan must:
 - (a) be prepared by a surveyor; and
 - (b) be prepared in conjunction with a survey.
- (3) A type two descriptive plan is not required to be:
 - (a) prepared by a surveyor; or
 - (b) prepared in conjunction with a survey.

6 Jly 2001 cL-4.1 Reg 1 s26.

Requirements for descriptive plans

27(1) This Division applies to all descriptive plans submitted to the Controller for approval pursuant to section 34 of the Act.

- (2) In addition to the requirements set out in Division 1, a descriptive plan must meet the requirements set out in the following provisions, as the case requires:
 - (a) Divisions 4 to 7 of Part VII;
 - (b) section 108 of Part IX;
 - (c) Divisions 2, 4 and 5 of Part XI.

6 Jly 2001 cL-4.1 Reg 1 s27.

PART IV
General Requirements for Surveys

DIVISION 1
Survey Methods

Application of Division

28 Every survey conducted in connection with a plan submitted to the Controller for approval pursuant to the Act is to be conducted in accordance with this Division.

Standard of accuracy

29(1) The standard of accuracy with respect to a monument re-established at a boundary corner or established at a previously unmonumented boundary corner is a circle centred on the intended position of the boundary corner.

- (2) The radius of a circle mentioned in subsection (1) is to be determined from:
 - (a) the accuracy factor set out in subsection (3) for the year of the survey pursuant to which, as the case may be:
 - (i) the monument is re-established at the boundary corner; or
 - (ii) the monument is established at the previously unmonumented boundary corner; and
 - (b) the distance being measured.

- (3) For the purposes of clause (2)(a):
 - (a) for a survey performed in 1950 or earlier, the accuracy factor is 1,500;
 - (b) for a survey performed between 1951 and 1975, the accuracy factor is 2,500; and
 - (c) for a survey performed in 1976 or later, the accuracy factor is 5,000.
- (4) The radius of a circle is calculated as the distance mentioned in clause (2)(b) divided by the appropriate accuracy factor set out in subsection (3).
- (5) If survey measurements determine that the position of a monument re-established at a boundary corner or established at a previously unmonumented boundary corner is not within the circle determined pursuant to subsection (4), the monument is outside the standard of accuracy.
- (6) For the purposes of the Act, if a monument is established or re-established or a measurement is made:
 - (a) within the standard of accuracy prescribed in this section, the monument is to be considered as established or re-established or the measurement is to be considered to have been made within the prescribed tolerance for error;
 - (b) outside the standard of accuracy prescribed in this section, the monument is to be considered as established or re-established or the measurement is to be considered to have been made outside the prescribed tolerance for error.

6 Jly 2001 cL-4.1 Reg 1 s29.

Establishing boundaries

30(1) Subject to subsection (2) and sections 42 and 43, every surveyor who conducts a survey in connection with a plan to be submitted to the Controller for approval shall:

- (a) mark the position of the boundary lines to be established by establishing monuments on boundary lines:
 - (i) at every change of direction and at the beginning and end of every curve;
 - (ii) where a previously surveyed parcel will be changed by the new survey, at every intersection of the new boundary lines with the existing surveyed boundary lines; and
 - (iii) in any other location required by instructions issued by the Controller;
- (b) where a previously surveyed parcel is to be changed by the new survey, make all measurements necessary to show the positions of the monuments established and the boundary lines to be established, relative to the existing surveyed boundary lines;
- (c) when surveying a right-of-way, road or railway that is to be bounded by parallel lines that are not more than 62 metres apart:
 - (i) establish monuments on only one boundary line of the road right-of-way or railway right-of-way; and
 - (ii) where possible, establish the monuments mentioned in subclause (i) on the southerly and westerly boundary of the right-of-way, road or railway; and

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- (d) establish every curve at a constant radius.
- (2) When surveying the boundaries of condominium units, other than bare land units within the meaning of *The Condominium Property Act, 1993*, a surveyor is not required to mark the boundary lines of the units by the establishment of monuments.

6 Jly 2001 cL-4.1 Reg 1 s30.

Misclosures

31(1) In this section, “**misclosure**” means the linear difference between the positions of:

- (a) a point determined from the calculations of a series of surveyed courses; and
- (b) the point that the surveyed courses are intended to end on.
- (2) A misclosure may be represented:
 - (a) as a distance; or
 - (b) as a ratio.
- (3) A misclosure ratio is calculated as the misclosure distance divided by the total distance of all the surveyed courses used to determine the misclosure.
- (4) A misclosure must not exceed the greater of:
 - (a) a distance of 0.02 metre; and
 - (b) a ratio of 1:5,000.
- (5) If a misclosure exceeds the maximums mentioned in subsection (4), the surveyor shall:
 - (a) consult with the surveyor who conducted any adjoining survey; or
 - (b) report the circumstances to the Controller.

6 Jly 2001 cL-4.1 Reg 1 s31.

Natural monuments - bodies of water

32(1) In this section:

- (a) “**bank**” means, with respect to a body of water, the line where the bed of the body of water ceases;
- (b) “**bed of the body of water**” means that land that has been covered by water for a period long enough to:
 - (i) change the nature of the vegetation;
 - (ii) make a distinct impression on the vegetation; or
 - (iii) make a distinct impression on the soil;
- (c) “**centre line**” means, with respect to a body of water, the line midway between the opposing banks of the body of water.
- (2) When determining the position of a natural monument that is a bank of a body of water, a surveyor shall determine the position of the line where the bed of the body of water ceases.

(3) When determining the position of a natural monument that is a centre line of a body of water, a surveyor shall determine the position of the line midway between the opposite banks of the body of water.

6 Jly 2001 cL-4.1 Reg 1 s32.

Surveying boundaries of bodies of water

33(1) Where a survey is required to determine the boundaries of a parcel of land bounded by a body of water, the position of the boundary is to be determined in accordance with section 32 and measured in accordance with this section.

(2) In the case of positioning a boundary mentioned in subsection (1) by a traverse line with offsets, the surveyor shall:

- (a) establish a standard monument pursuant to section 36:
 - (i) at the beginning and end of the traverse; and
 - (ii) at every intersection of the traverse line with the monumented boundaries of any surveyed parcel of land;
- (b) where possible, begin and end the traverse line on a previously surveyed boundary;
- (c) take sufficient offset ties to give an accurate representation of the boundary;
- (d) take angular and linear measurements for every traverse and offset line; and
- (e) take angular and linear measurements to connect any intersections monumented pursuant to subclause (a)(ii).

(3) In the case of positioning a boundary mentioned in subsection (1) by taking direct readings on the ground without using the method mentioned in subsection (2), the surveyor shall:

- (a) take sufficient readings to give an accurate representation of the boundary; and
- (b) take readings on at least two existing survey monuments that are near the boundary.

(4) In the case of positioning a boundary mentioned in subsection (1) by remote sensing images, the surveyor shall comply with any instructions issued by the Controller.

6 Jly 2001 cL-4.1 Reg 1 s33.

Field notes

34(1) In this section:

- (a) **“corrected data”** means raw data that has been corrected for environmental, instrumental or systematic errors;
- (b) **“raw data”** means a measurement as measured in the field and that has not been corrected for environmental, instrumental or systematic errors;
- (c) **“reduced data”** means the data created or left behind after the raw data has been manipulated.

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(2) For the purposes of clause 13(a) of the Act, a surveyor's field notes must include the following information with respect to a survey conducted by that surveyor:

- (a) the date of observation, location and purpose of the survey;
 - (b) the names of each member of the field crew involved in conducting the survey;
 - (c) a description of all monuments found, re-established or established during the survey;
 - (d) a sketch of all physical evidence found during the survey;
 - (e) all raw data in connection with the survey;
 - (f) a diagram representing the survey;
 - (g) any other information that is pertinent to the survey.
- (3) Every surveyor shall make and keep his or her field notes:
- (a) in printed format;
 - (b) in electronic format; or
 - (c) in a combination of the formats mentioned in clauses (a) and (b).
- (4) Where a surveyor makes and keeps his or her field notes in electronic format, the surveyor must keep a record of:
- (a) all:
 - (i) raw data; or
 - (ii) corrected data; and
 - (b) all reduced data, if any.

6 Jly 2001 cL-4.1 Reg 1 s34.

DIVISION 2
Monuments and Markers

Monuments

35(1) Subject to subsection (2), a monument established or re-established pursuant to the Act and these regulations must be:

- (a) a standard monument; or
 - (b) a lot monument.
- (2) Where, due to the location of a boundary, it is not practical, in the Controller's opinion, to use a standard monument or a lot monument, a surveyor may use any device or object acceptable to the Controller to mark, reference or witness the boundary.

6 Jly 2001 cL-4.1 Reg 1 s35.

Standard monument

36 A standard monument is a round post of solid iron that:

- (a) is two centimetres nominal diameter;
- (b) is at least 76 centimetres long;
- (c) has a point at one end; and
- (d) has a top at least 15 centimetres long and two centimetres, nominal, square.

6 Jly 2001 cL-4.1 Reg 1 s36.

Lot monument

37 A lot monument is a round or square post of solid iron that:

- (a) is 13 millimetres, nominal, wide;
- (b) is at least 45 centimetres long; and
- (c) has a point at one end.

6 Jly 2001 cL-4.1 Reg 1 s37.

Using monuments

38(1) A standard monument established in accordance with the Act must be used to mark, reference or witness the following boundaries:

- (a) boundaries requiring monumentation in all primary surveys;
- (b) boundaries signifying all block corners;
- (c) boundaries signifying all parcel corners;
- (d) boundaries of all right-of-way surveys.

(2) A standard monument or a lot monument may be used to mark, reference or witness the boundaries signifying lot corners.

(3) Where a standard monument or a lot monument is used, the monument must be:

- (a) flush with the ground surface;
- (b) countersunk to 15 centimetres in areas where the monument may pose a hazard; or
- (c) cut to the appropriate length and firmly attached to solid rock.

(4) A standard monument used to establish or re-establish a primary subdivision corner must be permanently and legibly marked with:

- (a) in the case of section corners, numerals to indicate the section, township, and range;
- (b) in the case of quarter-section corners, "1/4"; and
- (c) in the case of the centre of a section, "1/4".

(5) Where it is necessary to establish standard monuments on the same boundary within a distance of 1.0 metre or less of each other, the monuments must be marked with letters to distinguish them from one another.

6 Jly 2001 cL-4.1 Reg 1 s38.

Markers

39(1) A marker may be used for the purpose of preserving and recognizing a monument, but no marker shall be used in substitution for a monument.

(2) Unless the Controller issues instructions to the contrary, a marker may be used:

- (a) with primary monuments as defined in clause 10(a) of the Act; or
 - (b) with monuments used to establish the boundary of a road right-of-way survey.
- (3) The Controller may issue instructions respecting the dimensions of a marker and any metal plate associated with a marker.
- (4) The Controller may issue instructions for the wording to be placed on the metal plate mentioned in subsection (3).
- (5) Where a marker is used in the course of a survey, the marker must be approximately 0.30 metre from the monument it is intended to mark.

6 Jly 2001 cL-4.1 Reg 1 s39.

Monuments on correction lines

40 In the case of a township, section or quarter-section corner on a correction line, monuments are to be established independently for the township on each side of the correction line.

6 Jly 2001 cL-4.1 Reg 1 s40.

Monuments along different systems of survey

41 In the case of a township, section or quarter-section corner along the boundary of different township systems of survey, monuments are to be established independently for the township on each side of the division line.

6 Jly 2001 cL-4.1 Reg 1 s41.

Witness monuments

42(1) In this section, “**primary corner**” means the corner of a boundary established in a primary survey.

(2) Where a primary corner in a township survey is located where it is impractical to establish a monument, the primary corner is to be referenced by:

- (a) establishing a standard monument on one of the boundaries of the parcel that intersects at the referenced primary corner;
- (b) establishing the monument mentioned in clause (a) at a suitable place that is distant a full multiple of 0.1 metre from the referenced primary corner; and
- (c) legibly and permanently marking the monument mentioned in clause (a) with the following information in the following order:
 - (i) the letters “WIT”;
 - (ii) the distance, in metres, to the referenced primary corner;

- (iii) the letter “M”;
- (iv) the direction to the referenced primary corner using one of the following abbreviations:
 - (A) “N” for north;
 - (B) “S” for south;
 - (C) “E” for east;
 - (D) “W” for west.

6 Jly 2001 cL-4.1 Reg 1 s42.

Reference monuments

43(1) Subject to section 42, where it is impractical to establish a monument at a boundary corner, a standard monument may be established to reference the location of the boundary corner.

- (2) Only one monument may be used to reference a boundary corner.
- (3) The monument must be established on one of the boundaries that define the corner being referenced.
- (4) The monument must be permanently engraved with the initials “RM”.

6 Jly 2001 cL-4.1 Reg 1 s43.

DIVISION 3 Protection of Monuments

Protection of monuments during improvements

44 Before work commences on an improvement mentioned in section 27 of the Act, the municipality or other person responsible for the improvement must notify the Controller, in the form provided, of the intended work.

6 Jly 2001 cL-4.1 Reg 1 s44.

DIVISION 4 Unsurveyed Provincial Lands

Unsurveyed provincial lands

45(1) Surveys performed on unsurveyed provincial lands must include:

- (a) a connection to control monuments in accordance with instructions issued by the Controller; and
- (b) in the case of:
 - (i) a subdivision or lease:
 - (A) the determination of the latitude and longitude coordinates of at least two exterior boundary corners; and
 - (B) a calculated or observed azimuth of one of the exterior boundaries of the subdivision or lease; and

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- (ii) a right-of-way:
 - (A) the determination of the latitude and longitude coordinates of each end of the survey; and
 - (B) a calculated or observed azimuth for the ends of the survey.
- (2) A plan of survey with respect to a survey performed on unsurveyed provincial lands must include:
 - (a) the appropriate information set out in subsection (1);
 - (b) a key to allow the location of the survey to be determined on maps and aerial photographs; and
 - (c) the names and locations of all the named lakes and streams within 200 metres of the survey site.

6 Jly 2001 cL-4.1 Reg 1 s45.

PART V
Additional Circumstances Where Plans Required

DIVISION 1
Plans of Survey

Application of sections 47 and 48

46 The circumstances mentioned in section 47 and 48 are prescribed for the purposes of clause 31(1)(f) of the Act as additional circumstances in which a plan of survey must be submitted to the Controller for approval.

6 Jly 2001 cL-4.1 Reg 1 s46.

Utility lines in urban municipalities

47 A public utility must submit a plan of survey to the Controller for approval where the public utility installs:

- (a) a transmission line in an urban municipality; or
- (b) a distribution line in an urban municipality where the distribution line is not parallel to a parcel shown on an existing plan of survey.

6 Jly 2001 cL-4.1 Reg 1 s47.

Utility lines in rural municipalities

48(1) Subject to subsection (2), a public utility must submit a plan of survey to the Controller for approval where the public utility installs a transmission line in a rural municipality.

(2) A public utility is not required to submit a plan of survey in accordance with subsection (1) where the transmission line being installed in a rural municipality falls within a road right-of-way.

6 Jly 2001 cL-4.1 Reg 1 s48.

DIVISION 2 Descriptive Plans

Interpretation of Division

49 In this Division:

- (a) **“street”** means a street, lane, road or road allowance vested in the Crown;
- (b) **“intersection”** means:
 - (i) the area where two or more streets meet; or
 - (ii) the line where a quarter-section line or a section line crosses a street.

6 Jly 2001 cL-4.1 Reg 1 s49.

Application of sections 51 and 52

50 The circumstances mentioned in section 51 and 52 are prescribed for the purposes of clause 33(1)(b) of the Act as additional circumstances in which a descriptive plan, instead of a plan of survey, may be submitted to the Controller for approval.

6 Jly 2001 cL-4.1 Reg 1 s50.

Type one descriptive plans

51(1) For the purposes of subclause (2)(b)(i), a first secondary subdivision does not include a road right-of-way that is parallel to a road allowance.

(2) A type one descriptive plan may be submitted to the Controller for approval for any of the following purposes:

- (a) for a boundary re-arrangement for a lot where:
 - (i) the re-arranged boundary is from an adjacent lot;
 - (ii) the lot is not used for commercial purposes;
 - (iii) the new boundary is a straight line; and
 - (iv) it is the only boundary re-arrangement by a descriptive plan within an adjacent lot;
- (b) for a subdivision of a single parcel out of a quarter-section in a rural municipality where:
 - (i) the subdivision is the first secondary subdivision in a quarter-section;
 - (ii) the new parcel is intended for the severance of an existing farm site from the quarter-section;
 - (iii) the parcel is a parallelogram in shape; and
 - (iv) the parcel abuts a public road;
- (c) for a lease for a portion of a parcel as shown on a plan of survey where the lease is for residential purposes;
- (d) for a lease for a parcel of unpatented land.

6 Jly 2001 cL-4.1 Reg 1 s51.

Type two descriptive plans

52 A type two descriptive plan may be submitted to the Controller for approval for any of the following purposes:

- (a) for a closure of a street where:
 - (i) the closure is for the full length of the street between any two intersections;
 - (ii) the closure is for the full length of the street between the street's end and any intersection; or
 - (iii) the closure is for the full length of the street between the ends of the street;
- (b) for a closure of an intersection;
- (c) for consolidating two or more parcels, as shown on any plan of survey, into one parcel;
- (d) for a mineral parcel where the mineral parcel has the same boundaries as an existing surface parcel;
- (e) for a plan deemed to have been approved pursuant to Part XIV;
- (f) for a right-of-way for a distribution line of a public utility in an urban municipality:
 - (i) where the right-of-way is:
 - (A) immediately adjacent to one or more surveyed boundaries as shown on a plan approved by the Controller; and
 - (B) parallel with the boundaries mentioned in paragraph (A); and
 - (ii) where the width of the urban distribution line only changes at the boundaries of an existing surface parcel;
- (g) for a change of parcel ownership where the parcel already exists on a plan and the ownership changes:
 - (i) from publicly owned to privately owned; or
 - (ii) from privately owned to publicly owned.

6 Jly 2001 cL-4.1 Reg 1 s52.

PART VI
Primary Subdivisions

DIVISION 1
Interpretation

Interpretation of Part

53 In this Part, “**other primary subdivision**” means the division of land, based on a primary survey, into parcels other than sections and quarter-sections.

6 Jly 2001 cL-4.1 Reg 1 s53.

DIVISION 2 Township Subdivisions

Application of Division

54 Township surveys are to be conducted in accordance with this Division, and township plans are to be prepared in accordance with instructions issued by the Controller.

6 Jly 2001 cL-4.1 Reg 1 s54.

Sections

55(1) Subject to Division 3, provincial lands are to be subdivided into quadrilateral townships.

(2) Every township is to contain 36 sections of as nearly 1609.34 metres square as the convergence of meridians permits.

(3) The sections in a township are to be arranged and numbered as shown by the following diagram:

	N						
	31	32	33	34	35	36	
	30	29	28	27	26	25	
W	19	20	21	22	23	24	E
	18	17	16	15	14	13	
	7	8	9	10	11	12	
	6	5	4	3	2	1	
	S						

Road allowances

56(1) Every township subdivided pursuant to section 55 must have:

- (a) road allowances running north to south:
 - (i) adjacent to the meridian bounding the township to the west; and
 - (ii) between all other sections in the township; and
- (b) road allowances running east to west:
 - (i) adjacent to the chord of parallel of latitude bounding the township to the south;
 - (ii) adjacent to the south side of sections 13 through 18 inclusive; and
 - (iii) adjacent to the south side of sections 25 through 30 inclusive.

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- (2) The road allowances mentioned in subsection (1) must be:
 - (a) 20.117 metres wide; or
 - (b) any other approved width.

6 Jly 2001 cL-4.1 Reg 1 s56.

Placement of monuments

- 57(1)** In a township subdivision, only a single row of monuments to indicate the corners of a township, section or quarter-section is to be established on a boundary.
- (2) On the north-south lines, the monuments are to be established on the west limit of the road allowances.
- (3) On the east-west lines, the monuments are to be established on the south limit of the road allowances.
- (4) In all cases, the monuments are to reference or witness the position of the boundary corner between the adjoining townships, sections or quarter-sections on the opposite side of the road allowance.

6 Jly 2001 cL-4.1 Reg 1 s57.

Township boundaries

- 58(1)** The lines bounding townships on the east and west sides are meridians.
- (2) The lines bounding townships on the north and south sides are chords to parallels of latitude.

6 Jly 2001 cL-4.1 Reg 1 s58.

Numbering of townships and ranges

- 59** Townships are:
 - (a) to be numbered, in regular order, northerly from the 49th parallel of latitude; and
 - (b) to lie in ranges numbered west from the principal, second and third meridians.

6 Jly 2001 cL-4.1 Reg 1 s59.

Width of townships

- 60(1)** Townships are to be given their width as set out in the Supplement to the Manual of Instructions for the Survey of Canada Lands (1953) and published by the Department of Mines and Technical Surveys (Canada).
- (2) The meridians between townships are to be drawn across the base lines mentioned in section 61, northerly and southerly to the depth of two townships to the correction lines.

6 Jly 2001 cL-4.1 Reg 1 s59.

Base lines

- 61(1)** The first base line is the 49th parallel of latitude.
- (2) The second base line is between townships 4 and 5.
- (3) The third base line is between townships 8 and 9.

- (4) The fourth base line is between townships 12 and 13.
- (5) The fifth base line and each subsequent base line continue northerly in regular succession in the pattern established by this section.

6 Jly 2001 cL-4.1 Reg 1 s61.

Correction lines

62(1) The jog resulting from the convergence of meridians is be allowed on the correction lines.

- (2) The first correction line is between townships 2 and 3.
- (3) The second correction line is between townships 6 and 7.
- (4) The third correction line is between townships 10 and 11.
- (5) The fourth correction line and each subsequent correction line continue northerly in regular succession in the pattern established by this section.

6 Jly 2001 cL-4.1 Reg 1 s62.

Quarter-sections

63 Subject to the other provisions of this Division and to section 73, each section is to be divided into quarter-sections of 64.75 hectares, more or less.

6 Jly 2001 cL-4.1 Reg 1 s63.

North and south deficiency or surplus

64(1) Subject to subsection (2), the north and south deficiency or surplus in closing on a correction line:

- (a) from the north is to be allowed in the quarter-sections adjoining the north side of the correction line; or
 - (b) from the south is to be allowed in the quarter-sections adjoining the south side of the correction line.
- (2) In the case of the north and south deficiency or surplus in those townships between the first and second base lines, the deficiency or surplus is to be left in the quarter-sections adjoining the first base line.

6 Jly 2001 cL-4.1 Reg 1 s64.

East and west deficiency or surplus

65 The east and west deficiency or surplus is to be distributed equally among all quarter-sections involved.

6 Jly 2001 cL-4.1 Reg 1 s65.

Centre of section

66 If a monument has not been established at the centre of a section, the position of that centre is the point of intersection of the east-west and north-south quarter-section division lines as established pursuant to section 73.

6 Jly 2001 cL-4.1 Reg 1 s66.

DIVISION 3 Other Primary Subdivisions

Other primary subdivisions

67(1) Subject to The Planning and Development Act, 1983, the Controller may direct that lands be subdivided and monuments be established for other primary subdivisions where a township subdivision is impractical.

(2) In this section, “**other primary subdivisions**” includes:

- (a) lots;
- (b) blocks;
- (c) parcels;
- (d) roads;
- (e) streets;
- (f) lanes;
- (g) public reserves; and
- (h) any other approved subdivision.

6 Jly 2001 cL-4.1 Reg 1 s67.

DIVISION 4 Re-establishing Lost Primary Monuments

Interpretation re clause 29(3)(b) of Act

68 A plan of the re-establishment of a lost monument mentioned in clause 29(3)(b) of the Act must include a report to the Controller outlining:

- (a) the circumstances surrounding the lost monument, as known by the surveyor; and
- (b) the method of re-establishment used by the surveyor.

6 Jly 2001 cL-4.1 Reg 1 s68.

Re-establishing a lost monument on the outline or interior meridian of a township

69(1) If a lost monument is on the outline or on one of the interior meridians of a township, the nearest section or quarter-section corners are to be found on the outline or the interior meridian section line that are on opposite sides of the lost monument.

(2) A straight line is to be used to connect the monuments found in accordance with subsection (1).

(3) The straight line mentioned in subsection (2) is to be divided into the number of quarter-sections contained in the original township survey.

(4) Every quarter-section determined pursuant to subsection (3) is to be given a breadth proportionate to that shown on the latest township plan of survey.

6 Jly 2001 cL-4.1 Reg 1 s69.

Re-establishing a quarter-section monument on an east-west section line

70(1) If a quarter-section monument on an east-west section line is lost, the opposite corners on the meridian boundaries of the section are to be found or re-established.

(2) A straight line is to be used to connect the monuments mentioned in subsection (1).

(3) The straight line mentioned in subsection (2) is to be divided into two parts.

(4) Each part determined pursuant to subsection (3) is to be given a breadth proportionate to that shown on the latest township plan of survey.

6 Jly 2001 cL-4.1 Reg 1 s70.

DIVISION 5**Establishing Primary Division Lines****Interpretation of “blind line”**

71 In this Division, “**blind line**” means a division line between two sections of land where there is no road allowance.

6 Jly 2001 cL-4.1 Reg 1 s71.

Establishing a blind line

72(1) Where it is necessary to establish a blind line, a surveyor shall establish the blind line in accordance with this section.

(2) If both section corner monuments are found, the surveyor shall establish the blind line by connecting the monuments with a straight line.

(3) If one or both of the section corner monuments are lost or were not established in the original township survey, before establishing the blind line in the manner set out in subsection (2), the surveyor shall establish or re-establish the section corner monuments in the manner set out in section 69.

(4) If one of the section corner monuments cannot be determined because one of the meridian boundaries has not been established, the surveyor shall locate the blind line on a bearing proportionate to the bearings of the north and the south boundaries of the two adjacent sections as measured on the ground.

(5) Where the bearings mentioned in subsection (4) cannot be measured, the surveyor shall establish the blind line on a bearing proportionate to the bearings shown on the latest township plan of survey.

(6) Where no bearings are shown on the township plan of survey mentioned in subsection (5), the surveyor shall establish the blind line on the theoretical bearing.

(7) For the purposes of subsections (2) and (3):

(a) each quarter-section on the blind line is to be given equal breadth;

(b) where a quarter-section on the blind line has been reduced from its normal breadth in a fractional township, each quarter-section on the blind line is to be given a breadth proportionate to the breadths of the quarter-sections of the north and the south boundaries of the two adjacent sections as shown on, or deduced from, the latest township plan; or

- (c) where a quarter-section on the blind line has been reduced from its normal breadth in a fractional township and the township plan gives no information for the breadths of the quarter-sections, the breadths of the quarter-sections on the blind line are to be established proportionate to the theoretical breadths.
- (8) For the purposes of subsections (4), (5) and (6):
 - (a) the breadth of the quarter-sections on the blind line are to be made proportionate to the breadths of the quarter-sections as shown on, or deduced from, the latest township plan; or
 - (b) where no information for the breadths of the quarter-sections are shown on the township plan mentioned in clause (a), the breadths of the quarter-sections on the blind line are to be proportionate to the theoretical breadths.

6 Jly 2001 cL-4.1 Reg 1 s72.

Establishing a division line between quarter-sections

- 73(1)** Where it is necessary to establish a division line between two quarter-section monuments, the surveyor shall establish the line in accordance with this section.
- (2) If both quarter-section corner monuments are found, the surveyor shall establish the division line by connecting the quarter-section corner monuments with a straight line.
 - (3) If one or both of the quarter-section corner monuments are lost or were not established in the original township survey, before establishing the quarter-section line in the manner set out in subsection (2), the surveyor shall establish or re-establish the quarter-section corner monuments:
 - (a) in the manner set out in section 69 or 70 for quarter-section corner monuments adjacent to a road allowance; or
 - (b) in the manner set out in section 72 for quarter-section corner monuments on the blind line between sections.
 - (4) If one of the quarter-section corner monuments on an east-west quarter line cannot be determined because the boundary it is on has not been established, the surveyor shall locate the east-west quarter line on a bearing proportionate to the bearings of the north and the south boundaries of the section as measured on the ground.
 - (5) Where the bearings mentioned in subsection (4) cannot be measured, the surveyor shall establish the east-west quarter line on a bearing proportionate to the bearings shown on the latest township plan.
 - (6) Where no bearings are shown on the township plan mentioned in subsection (5), the surveyor shall establish the east-west quarter line on the theoretical bearing.
 - (7) If one of the quarter-section corner monuments on a north-south quarter-section line cannot be determined because the boundary it is on has not been established, the surveyor shall locate the north-south quarter line on a bearing proportionate to the bearings of the east and the west boundaries of the section as measured on the ground.

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(8) Where the bearings mentioned in subsection (7) cannot be measured, the surveyor shall establish the north-south quarter line on a bearing proportionate to the bearings shown on the latest township plan.

(9) Where no bearings are shown on the township plan mentioned in subsection (8), the surveyor shall establish the north-south quarter line on the theoretical bearing.

6 Jly 2001 cL-4.1 Reg 1 s73.

Establishing lines in other primary subdivisions

74(1) Subject to subsection (2), in laying out other primary subdivisions, a surveyor shall give to the subdivision its proportionate share of the frontage and interior breadth, according to the approved plan for the subdivision.

(2) Where no distances are shown on the plan mentioned in subsection (1), the frontage and interior breadth are to be divided equally and the boundary is to be defined by joining the terminal points.

6 Jly 2001 cL-4.1 Reg 1 s74.

Allowance for road widths

75 Where a surveyor places a monument to re-establish a lost monument, the surveyor shall take into account any allowance for a road.

6 Jly 2001 cL-4.1 Reg 1 s75.

PART VII Secondary Subdivisions

DIVISION 1 General

Scale

76(1) Subject to subsection (2), the scale of a plan of survey for a secondary subdivision must be:

- (a) 1:1,000;
- (b) 1:2,000; or
- (c) an approved scale.

(2) Where sufficient space does not exist at the scale of the plan proper to show any information that is required to be shown on a plan, that information:

- (a) may be shown in an enlargement drawn to a size that is sufficient to clearly show that information; and
- (b) if shown as permitted by clause (a), is not required to be drawn to scale.

6 Jly 2001 cL-4.1 Reg 1 s76.

L-4.1 REG 1**LAND SURVEYS****Information on plan of survey**

77 A plan of survey for a secondary subdivision must contain:

- (a) street names;
- (b) plan numbers for any adjoining plans;
- (c) the perpendicular width of all roads, streets and lanes;
- (d) a note identifying the nature of the monuments used to mark the lot corners;
- (e) the angular and linear measurements for each new boundary;
- (f) the angular and linear measurements for each connection to an existing boundary; and
- (g) any other information that assists in the identification of:
 - (i) the new parcels shown on the plan of survey for that secondary subdivision; and
 - (ii) the former parcels that are being subdivided.

6 Jly 2001 cL-4.1 Reg 1 s77; 22 Mar 2002 SR 20/2002 s5.

Survey requirements

78 When surveying a new secondary subdivision, a surveyor shall:

- (a) establish monuments at all block, parcel and lot corners in accordance with section 38; and
- (b) achieve a closure ratio for the perimeter of the secondary subdivision as set out in section 31.

6 Jly 2001 cL-4.1 Reg 1 s78.

DIVISION 2**Re-establishing Lost Monuments in Secondary Subdivisions****Re-establishing a block corner at a deflection on the exterior or adjacent to the exterior of a secondary subdivision**

79(1) A surveyor shall determine the position of a block corner using the method set out in subsection (2) if the monument is lost for the block corner at:

- (a) a deflection of an exterior boundary of the secondary subdivision; or
 - (b) a deflection of the inner limits of a street adjoining an exterior boundary.
- (2) On each of the boundary lines mentioned in subsection (1), the surveyor shall:
- (a) find the two nearest block corner monuments; and
 - (b) connect the monuments mentioned in clause (a) in the manner shown on the plan that established those boundaries.
- (3) The surveyor shall re-establish a standard monument at the intersection of lines produced from the monuments connected pursuant to clause (2)(b).

6 Jly 2001 cL-4.1 Reg 1 s79.

Re-establishing a block corner that is not at a deflection on the exterior or adjacent to the exterior of a secondary subdivision

80(1) A surveyor shall determine the position of the block corner using the method set out in subsection (2) where the monument lost is not for a block corner mentioned in section 79 but is for a block corner:

- (a) on one of the exterior boundaries of the secondary subdivision; or
 - (b) adjacent to the exterior boundary of the secondary subdivision in cases where no block corners were established on the exterior boundary.
- (2) On the boundary line mentioned in subsection (1), the surveyor shall:
- (a) find the nearest block corner monument on each side of the lost monument;
 - (b) connect the monuments mentioned in clause (a) in the manner shown on the plan that established the boundary; and
 - (c) proportion the block widths, between the monuments connected in clause (b), in the same ratio as shown on the plan that established the boundary.
- (3) The surveyor shall re-establish a standard monument at the position of the block corner as determined pursuant to clause (2)(c).

6 Jly 2001 cL-4.1 Reg 1 s80.

Re-establishing all other block corners in a secondary subdivision

81(1) If a monument is lost for a block corner not mentioned in section 79 or 80, the surveyor shall determine the position of the block corner using the method set out in subsection (2).

- (2) On each of the street lines that intersect at the block corner, the surveyor shall:
- (a) find the nearest block corner monument on each side of the lost monument; and
 - (b) connect the monuments mentioned in clause (a) in the manner shown on the plan that established the block corner.
- (3) The surveyor shall re-establish a standard monument at the intersection of the street lines established pursuant to subsection (2).

6 Jly 2001 cL-4.1 Reg 1 s81.

Re-establishing lot corners in a secondary subdivision

82(1) If a monument is lost for a lot corner, the surveyor shall re-establish the lost monument using the method set out in subsection (2).

- (2) On the block boundary where the lot corner is located, the surveyor shall:
- (a) find the nearest lot or block corner monument on each side of the lost monument;
 - (b) connect the monuments mentioned in clause (a) in the manner shown on the plan that established the block boundary; and
 - (c) proportion the lot widths, between the monuments connected pursuant to clause (b), in the same ratio as shown on the plan that established the block boundary.

L-4.1 REG 1**LAND SURVEYS**

(3) The surveyor shall re-establish a standard monument or a lot monument at the position of the lot corner as determined pursuant to clause (2)(c).

(4) If no lot or block corner monument can be found on the block boundary on either or both sides of the lost monument, the surveyor shall first re-establish the block corner monument and then proceed using the method set out in subsection (2).

6 Jly 2001 cL-4.1 Reg 1 s82.

DIVISION 3
Surveyed Lines

Surveyed lines

83(1) Any plan of survey for surveyed lines submitted to the Controller for approval must be in a format acceptable to the Controller.

(2) A survey of a surveyed line must be conducted in accordance with any instructions issued by the Controller.

6 Jly 2001 cL-4.1 Reg 1 s83.

DIVISION 4
Lot Boundary Re-arrangement

Information on descriptive plan

84(1) A descriptive plan may be submitted to the Controller for approval for a lot boundary re-arrangement.

(2) The descriptive plan mentioned in subsection (1) must contain:

- (a) any monuments found, re-established or established;
- (b) the position of the new boundary shown by referring to distances from the existing boundaries; and
- (c) only angles that were measured in the field.

(3) In the case of a boundary that has not been measured for the current plan mentioned in subsection (1), the surveyor shall mark, in a manner acceptable to the Controller, the dimensions of the boundary with the distance shown on the plan of survey that created that boundary, followed by the abbreviation “Cop”.

(4) In the case of a boundary that has been measured for the current plan mentioned in subsection (1), the surveyor shall mark, in a manner acceptable to the Controller, the dimensions of the boundary with the distance shown on the plan of survey that created that boundary.

6 Jly 2001 cL-4.1 Reg 1 s84.

Survey requirements

85(1) Notwithstanding Division 1 of this Part but subject to Division 2 of Part V, where a surveyor conducts a lot boundary re-arrangement:

- (a) a new boundary for the re-arrangement must be a single straight line ending on existing lot boundary lines; and

- (b) subject to subsection (2), at least one survey monument must be found, re-established or established on a corner of the re-arranged lot.
- (2) If no block monuments can be found within two blocks of the lot being re-arranged, the boundary corners of the lot being re-arranged are not required to be monumented.

6 Jly 2001 cL-4.1 Reg 1 s85.

DIVISION 5

Existing Farm Site Subdivision

Information on descriptive plan

86(1) A descriptive plan may be submitted to the Controller for approval for the subdivision of an existing farm site.

- (2) The descriptive plan mentioned in subsection (1) must contain:
 - (a) any monuments found, re-established or established;
 - (b) only angles that were measured in the field; and
 - (c) the linear dimensions of the boundaries for the new parcel.
- (3) In the case of a boundary that has been measured for the current plan mentioned in subsection (1), the surveyor shall mark, in a manner acceptable to the Controller, the dimensions of the boundary with the distance shown on the plan of survey that created that boundary.

6 Jly 2001 cL-4.1 Reg 1 s86.

Survey requirements

87(1) Notwithstanding Division 1 of this Part but subject to Division 2 of Part V, where a surveyor surveys a new parcel for an existing farm site:

- (a) the new parcel must be a parallelogram in shape; and
- (b) subject to subsection (2), at least one survey monument must be:
 - (i) found or re-established on an existing boundary corner of the parcel, or
 - (ii) established on a new corner of the parcel.
- (2) If no monuments are found within 1,800 metres of the new parcel, the boundary corners of the new parcel are not required to be monumented.

6 Jly 2001 cL-4.1 Reg 1 s87.

DIVISION 6
Street or Intersection Closure

Information on descriptive plan

88(1) A descriptive plan may be submitted to the Controller for approval for the closure of a street or intersection.

(2) The descriptive plan mentioned in subsection (1) must contain:

- (a) a note in the title block specifying that all distances shown for the dimensions of the surface parcels are copied; and
- (b) a sufficient number of parcels adjacent to the street or intersection closure so as to indicate the geographical context of the new street or intersection closure.

(3) A notice of road closure submitted to the Controller pursuant to subsection 44(1) of the Act by the member of the Executive Council responsible for *The Highways and Transportation Act, 1997* respecting the closure of a street or intersection vested in the Crown:

- (a) is to be in the form provided; and
- (b) constitutes a descriptive plan of the road closure.

6 Jly 2001 cL-4.1 Reg 1 s88.

DIVISION 7
Parcel Consolidation

Information on descriptive plan

89(1) A descriptive plan may be submitted to the Controller for approval for the consolidation of parcels.

(2) The descriptive plan mentioned in subsection (1) must contain:

- (a) a note in the title block that all distances shown for the dimensions of the surface parcels are copied;
- (b) a fine dashed line to show the boundaries that are being eliminated by the consolidation of the parcels; and
- (c) a sufficient number of parcels adjacent to the new parcel so as to indicate the geographical context of the new parcel.

(3) In the case of a boundary that existed before the consolidation that forms the boundaries of the new parcel, other than any boundary being eliminated, the surveyor shall mark, in a manner acceptable to the Controller, the dimensions of the boundary with the distance shown on the plan of survey that created that boundary.

(4) The descriptive plan mentioned in subsection (1) is not to contain overall dimensions.

6 Jly 2001 cL-4.1 Reg 1 s89.

PART VIII
Road and Railway Right-of-way

DIVISION 1
Road Right-of-way

Interpretation of “public improvement”

90 In this Division, “**public improvement**” means a public improvement as defined in *The Highways and Transportation Act, 1997*.

6 Jly 2001 cL-4.1 Reg 1 s90.

Adjoining surveys

91 Where a maintenance survey and a road right-of-way survey are adjoining, they must be shown on one plan of survey.

6 Jly 2001 cL-4.1 Reg 1 s91.

Notations

92(1) Subject to subsection (2), on a plan of survey for a road right-of-way, the width, in metres, of the standard road allowances shown on the plan must be noted under the title block.

(2) If a plan of survey for a road right-of-way contains road allowances of more than one standard width, the plan proper is to show the width of all the road allowances.

6 Jly 2001 cL-4.1 Reg 1 s92.

Angles

93 On a plan of survey for a road right-of-way, angles must be shown:

- (a) at the intersection of all lines of survey;
- (b) at deflection points; and
- (c) at all monuments established on the right-of-way.

6 Jly 2001 cL-4.1 Reg 1 s93.

Enlargements

94(1) Subject to subsection (2), road monuments, distances and angles must be shown on the plan proper for a plan of survey for a road right-of-way.

(2) Where sufficient space does not exist at the scale of the plan proper to show road monuments, distances and angles, they may be shown in an enlargement.

(3) Enlargements for the purposes mentioned in this section must be numbered or lettered in a consecutive manner and, where possible, shown adjacent to the quarter-section affected by the road right-of-way.

6 Jly 2001 cL-4.1 Reg 1 s94.

Scale

95(1) Subject to subsection (2), the scale of a plan of survey for a road right-of-way or for a public improvement must be:

- (a) 1:1,000;
- (b) 1:2,000;
- (c) 1:5,000; or
- (d) an approved scale.

(2) Where sufficient space does not exist at the scale of the plan proper to show any information that is required to be shown on a plan, that information:

- (a) may be shown in an enlargement drawn to a size that is sufficient to clearly show that information; and
- (b) if shown as permitted by clause (a), is not required to be drawn to scale.

6 Jly 2001 cL-4.1 Reg 1 s95.

Plans that include a break in the survey

96(1) Where, due to the course of the road right-of-way, it would be impractical to capture the entire survey in one plan of survey, the survey shown on the plan of survey may be broken to accommodate the entire survey in one plan.

(2) The break mentioned in subsection (1) must be done at:

- (a) a section line;
- (b) a quarter-section line; or
- (c) the boundary of a parcel that is shown on an approved plan.

(3) The break mentioned in subsection (1) must be done in a manner so that:

- (a) all the area information for one quarter-section is shown in one place; and
- (b) the quarter-section is drawn entirely to scale.

6 Jly 2001 cL-4.1 Reg 1 s96.

Township and range

97 Where a plan of survey for a new road right-of-way crosses a township line or range line, the township or range, as the case may be, must be identified on each side of the road allowance using a minimum text size of 4.5 millimetres.

6 Jly 2001 cL-4.1 Reg 1 s97.

Monument descriptions

98 Where an established or re-established monument is shown on the plan of survey for a new road right-of-way, the plan of survey must include, as a notation next to the monument:

- (a) the standard abbreviation for cultivated, if the monument was established or re-established in a cultivated area and no marker was used; or
- (b) the standard abbreviation for pasture, if the monument was established or re-established in a pasture area and no marker was used.

6 Jly 2001 cL-4.1 Reg 1 s98.

Right-of-way widths

99(1) The width of a new road right-of-way must be shown at least once for each section.

(2) Subject to subsection (3), the width of the parcels for the following items must be shown on the plan of survey near the intersection of section boundaries:

- (a) new road right-of-ways;
- (b) other roads;
- (c) streets and lanes;
- (d) pipelines;
- (e) railways.

(3) Subject to section 92, the width of a road allowance does not need to be shown on the plan proper.

6 Jly 2001 cL-4.1 Reg 1 s99.

Text size

100(1) A minimum text size of 4.5 millimetres must be used to show:

- (a) for each quarter-section:
 - (i) that the road right-of-way takes an area from one of:
 - (A) “NE”;
 - (B) “SE”;
 - (C) “NW”, and
 - (D) “SW”;
 - (ii) followed by the appropriate section number; and
- (b) all areas taken for:
 - (i) road right-of-ways; and
 - (ii) public improvements.

(2) The text size used to show block and lot designations must be as large as spacing permits.

6 Jly 2001 cL-4.1 Reg 1 s100.

Survey requirements

101(1) Where a road right-of-way survey intersects a number of lots adjacent to one another, connections are not required to be made with every boundary of every lot, but a reasonable number of connections with some of the boundaries are to be made and monumented in order to accurately determine the position of non-monumented boundaries.

(2) The Controller may issue instructions for the surveying and plan preparation of road right-of-way surveys.

6 Jly 2001 cL-4.1 Reg 1 s101.

DIVISION 2
Railway Right-of-way

Scale

102(1) Subject to subsection (2), the scale of a plan of survey for a railway right-of-way must be:

- (a) 1:1,000;
- (b) 1:2,000;
- (c) 1:5,000;
- (d) 1:10,000; or
- (e) an approved scale.

(2) Where sufficient space does not exist at the scale of the plan proper to show any information that is required to be shown on a plan, that information:

- (a) may be shown in an enlargement drawn to a size that is sufficient to clearly show that information; and
- (b) if shown as permitted by clause (a), is not required to be drawn to scale.

6 Jly 2001 cL-4.1 Reg 1 s102.

Information on plan of survey

103 Every plan of survey for a railway right-of-way must contain:

- (a) a note identifying the nature of the monuments used to mark, reference or witness the corners;
- (b) plan numbers for any adjoining plans;
- (c) the perpendicular width of the right-of-way shown:
 - (i) at any change in width;
 - (ii) in each section; or
 - (iii) where there are no sections included on the plan, at intervals of 800 metres;
- (d) the angular and linear measurements for every new boundary;
- (e) the angular and linear measurements for every connection to an existing boundary; and
- (f) any other information that assists in the identification of:
 - (i) the new railway right-of-way; and
 - (ii) the original parcels being subdivided by the current plan of survey.

6 Jly 2001 cL-4.1 Reg 1 s103.

Survey requirements

104(1) Subject to sections 30 and 38, all monuments established for a railway right-of-way survey must be standard monuments that are permanently and legibly marked with the initial letters of the words composing the name of the railway company that owns the railway right-of-way.

- (2) Where a railway right-of-way survey intersects a number of lots adjacent to one another, connections are not required to be made with every boundary of every lot, but a reasonable number of connections with some of the boundaries must be made and monumented in order to accurately determine the position of non-monumented boundaries.
- (3) Subject to subsection (2) and notwithstanding section 30, where a railway right-of-way survey intersects lots and blocks as shown on a plan of subdivision, a standard monument must be established at each intersection of both limits of the railway right-of-way.
- (4) The maximum distance between monuments established for the purposes mentioned in this section must not exceed 1,000 metres.

6 Jly 2001 cL-4.1 Reg 1 s104.

Establishing boundaries for a non-monumented railway

- 105**(1) Where the boundaries as shown on a plan for a railway right-of-way have not been monumented, the boundaries are to be determined in relation to the railway right-of-way centre line.
- (2) For the purposes of subsection (1):
 - (a) in the case of a railway right-of-way that has tracks, the centre line is the midpoint between opposite tracks; and
 - (b) in the case of a railway right-of-way that does not have tracks, the position of the centre line is to be determined by the information shown on the plan for the railway right-of-way.
 - (3) The distance from the centre line, determined pursuant to subsection (2), to the boundaries of the railway right-of-way must be that distance shown on the plan for the railway right-of-way.

6 Jly 2001 cL-4.1 Reg 1 s105.

PART IX

Mineral Subdivisions

Scale

- 106**(1) Subject to subsection (2), the scale of a plan of survey for a mineral subdivision must be:
- (a) 1:1,000;
 - (b) 1:2,000; or
 - (c) an approved scale.
- (2) Where sufficient space does not exist at the scale of the plan proper to show any information that is required to be shown on a plan, that information:
- (a) may be shown in an enlargement drawn to a size that is sufficient to clearly show that information; and
 - (b) if shown as permitted by clause (a), is not required to be drawn to scale.

6 Jly 2001 cL-4.1 Reg 1 s106.

L-4.1 REG 1**LAND SURVEYS****Information on plan of survey**

107 Every plan of survey for a mineral subdivision must contain:

- (a) the plan numbers for any adjoining plans;
- (b) a note identifying the nature of the monuments used to mark, reference or witness the corners;
- (c) the angular and linear measurements for every new boundary;
- (d) the angular and linear measurements for every connection to an existing boundary; and
- (e) any other information that assists in the identification of:
 - (i) the new parcels shown on the plan of survey; and
 - (ii) the original parcels being subdivided by the plan of survey.

6 Jly 2001 cL-4.1 Reg 1 s107.

Information on descriptive plan

108(1) A descriptive plan may be submitted to the Controller for approval for a mineral subdivision where the mineral parcel has the same boundaries as an existing surface parcel.

(2) The descriptive plan mentioned in subsection (1) must contain:

- (a) a note in the heading specifying that all distances shown for the dimensions of the surface parcels are copied; and
- (b) a sufficient number of parcels adjacent to the new parcel so as to indicate the geographical context of the new parcel.

6 Jly 2001 cL-4.1 Reg 1 s108.

Survey requirements for plans of survey

109 When surveying a new mineral subdivision, a surveyor shall:

- (a) achieve a closure ratio for the perimeter of the mineral subdivision as set out in section 31; and
- (b) where the outline of the new mineral subdivision is coincident with an existing boundary, determine the existing boundary.

6 Jly 2001 cL-4.1 Reg 1 s109.

PART X

Condominiums

Bare land condominium

110(1) In this Part, “bare land unit” means a bare land unit within the meaning of *The Condominium Property Act, 1993*.

(2) Every plan of survey for a bare land unit must be prepared in accordance with the requirements for plans of survey as set out in Division 1 of Part VII.

(3) Every plan of survey for a bare land unit must clearly show the boundaries of every condominium unit by reference to the external boundaries of the parcel.

6 Jly 2001 cL-4.1 Reg 1 s110.

Survey requirements

111 When surveying a new bare land unit, a surveyor shall:

- (a) subject to section 38, monument all unit corners;
- (b) achieve a closure ratio for the perimeter of the new condominium as set out in section 31; and
- (c) where the outline of the new condominium is coincident with an existing boundary, determine the existing boundary.

6 Jly 2001 cL-4.1 Reg 1 s111.

Amendment of approved plan

112 For the purposes of clause 42(1)(d) of the Act, where there is a redivision of condominium units and on receipt of evidence satisfactory to the Controller, the Controller may, by order, amend an approved plan.

6 Jly 2001 cL-4.1 Reg 1 s112.

PART XI**Interests**

DIVISION 1
Right-of-way

Scale

113(1) Subject to subsection (2), the scale for a plan of survey for an interest in land based on a right-of-way agreement must be:

- (a) 1:1,000;
- (b) 1:2,000;
- (c) 1:5,000;
- (d) 1:10,000; or
- (e) an approved scale.

(2) Where sufficient space does not exist at the scale of the plan proper to show any information that is required to be shown on a plan, that information:

- (a) may be shown in an enlargement drawn to a size that is sufficient to clearly show that information; and
- (b) if shown as permitted by clause (a), is not required to be drawn to scale.

6 Jly 2001 cL-4.1 Reg 1 s113.

Information on plan of survey

114(1) Every plan of survey for an interest based on a right-of-way agreement must clearly show:

- (a) the area of the right-of-way within each parcel;

- (b) an angular and linear connection at each intersection of the posted boundary of the right-of-way with all boundary lines for titled parcels, except for:
 - (i) a quarter-section boundary that has not been previously surveyed;
 - (ii) a legal subdivision boundary that has not been previously surveyed; or
 - (iii) the unmonumented side of a road, road allowance or railway right-of-way;
 - (c) that the nearest section monument or quarter-section monument on each side of the right-of-way has been found or re-established;
 - (d) the manner in which the boundaries of the titled parcel were established or re-established, except where the titled parcel consists of:
 - (i) a quarter-section boundary that has not been previously surveyed;
 - (ii) a legal subdivision boundary that has not been previously surveyed; or
 - (iii) the unmonumented side of a road, road allowance or railway right-of-way;
 - (e) the plan numbers of any plans of survey that contain a parcel that is crossed by the right-of-way; and
 - (f) the perpendicular width of the right-of-way:
 - (i) at every change in width; and
 - (ii) in each section or, where there are no sections included on the plan, at intervals of 800 metres.
- (2) Where a section or quarter-section monument falls in the right-of-way or so close to the right-of-way that it is likely to be destroyed on usage of the right-of-way, the plan of survey for the interest based on the right-of-way agreement must show angular and linear connections from the section or quarter-section monument to the nearest monument on the opposite side of the right-of-way.

6 Jly 2001 cL-4.1 Reg 1 s114.

Survey requirements

115(1) Subject to sections 30 and 38, all monuments established during a right-of-way survey must be standard monuments that are permanently and legibly marked with:

- (a) the letters “RW”; or
 - (b) the initial letters of the words composing the name of the company that has the interest in the right-of-way.
- (2) For a right-of-way on unsurveyed provincial lands, the maximum distance between monuments must not exceed 1,000 metres.

DIVISION 2
Urban Distribution Line for a Public Utility

Information on descriptive plan

116 A descriptive plan prepared for an urban distribution line in accordance with clause 52(f) must contain:

- (a) a note in the title block specifying that all distances shown for the dimensions of the surface parcels are copied;
- (b) the boundaries of the right-of-way; and
- (c) the width of the right-of-way shown:
 - (i) at the beginning of the right-of-way;
 - (ii) at the end of the right-of-way;
 - (iii) at any change in width of the right-of-way; and
 - (iv) at other locations that may be needed to ensure clarity of the right-of-way width.

6 Jly 2001 cL-4.1 Reg 1 s116.

DIVISION 3
Mineral Dispositions

Information on plan of survey

117 The Controller may issue instructions respecting plan of survey requirements for mineral dispositions.

6 Jly 2001 cL-4.1 Reg 1 s117.

Survey requirements

118 Surveys of mineral dispositions are to be conducted in accordance with any instructions issued by the Controller.

6 Jly 2001 cL-4.1 Reg 1 s118.

DIVISION 4
Lease for a Portion of an Existing Surveyed Parcel

Information on descriptive plan

119 A descriptive plan prepared for a lease of a portion of an existing surveyed parcel must contain:

- (a) a note in the heading specifying that all distances shown for the dimensions of the surface parcels are copied; and
- (b) the position of the lease boundaries by referring to distances from the surface parcel boundaries.

6 Jly 2001 cL-4.1 Reg 1 s119.

L-4.1 REG 1**LAND SURVEYS****Survey requirements**

120 Surveys of leases for a portion of an existing surveyed parcel must be conducted in accordance with any instructions issued by the Controller.

6 Jly 2001 cL-4.1 Reg 1 s120.

DIVISION 5**Lease of Unpatented Land****Information on descriptive plan**

121 A descriptive plan prepared for a lease of unpatented land must contain:

- (a) the position for at least two corners:
 - (i) with reference to distances from an adjacent existing lease;
 - (ii) in latitude, longitude format; or
 - (iii) in a coordinate system acceptable to the Controller; and
- (b) all linear and angular dimensions for the lease boundaries.

6 Jly 2001 cL-4.1 Reg 1 s121.

Survey requirements

122 Surveys of leases on unpatented lands must be conducted in accordance with any instructions issued by the Controller.

6 Jly 2001 cL-4.1 Reg 1 s122.

PART XII**Maintenance Information****DIVISION 1****Maintenance Plans of Survey****Information on plan of survey**

123 A maintenance plan of survey must be submitted in a format acceptable to the Controller.

6 Jly 2001 cL-4.1 Reg 1 s123.

Survey requirements

124 Surveys of maintenance plans must be conducted in accordance with any instructions issued by the Controller.

6 Jly 2001 cL-4.1 Reg 1 s124.

DIVISION 2**Reference Plans of Survey****Information on plan of survey**

125 A reference plan of survey must be submitted in a format acceptable to the Controller.

6 Jly 2001 cL-4.1 Reg 1 s125.

Survey requirements

126 A reference plan survey must be conducted in accordance with any instructions issued by the Controller.

6 Jly 2001 cL-4.1 Reg 1 s126.

DIVISION 3 Restoration Plans of Survey

Restoration plans of survey

127 A restoration plan of survey must be submitted in a format acceptable to the Controller.

6 Jly 2001 cL-4.1 Reg 1 s127.

Survey requirements

128 A restoration plan of survey must be conducted in accordance with any instructions issued by the Controller.

6 Jly 2001 cL-4.1 Reg 1 s128.

PART XIII Miscellaneous

Interpretation of Act

129(1) For the purposes of clause 52(1)(c) and subclause 55(a)(iii) of the Act, **“land titles registry”** includes the abstract directory established pursuant to *The Land Titles Act, 2000*.

(2) For the purposes of subsection 81(3) of the Act, **“the Controller or the Registrar of Titles may waive any fees, charges or taxes”** means the Controller or the Registrar of Titles may waive any fees, charges or taxes in whole or in part.

6 Jly 2001 cL-4.1 Reg 1 s129.

PART XIV Transition and Conversion

Interpretation of Part

130(1) For the purposes of this Part, **“certificate of title”** as mentioned in subsection 89(2) of the Act includes any record of unpatented land.

(2) For the purposes of this Part, where a certificate of title has been issued for a title containing a metes and bounds description, **“certificate of title issued pursuant to *The Land Titles Act*”** contained in subsection 89(2) of the Act includes:

- (a) any worksheet attached by the Registrar or other restatement of the description of the parcel by the Registrar on conversion; and
- (b) any description or notation added by the Registrar to the certificate of title.

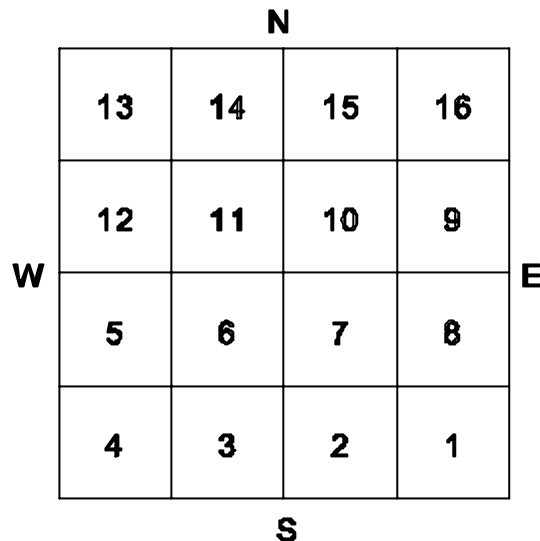
- (3) For the purpose of subsection (2), a metes and bounds description includes:
- (a) “metes and bounds description” as defined in subclause 131(1)(a);
 - (b) any metes and bounds description prescribed in subsection 131(4); and
 - (c) any other approved land description on a certificate of title.
- (4) For the purposes of this Part, “**parcel**” as defined in clause 2(u) of the Act includes a land description on a certificate of title mentioned in clause 133(1)(c).

6 Jly 2001 cL-4.1 Reg 1 s130.

Conversion of metes and bounds descriptions

131(1) In this section:

- (a) “**metes and bounds description**” means a description of a parcel of land, in words or numbers, for which a certificate of title has been issued pursuant to *The Land Titles Act*;
 - (b) “**legal subdivision**” means the deemed division of a quarter-section of land into four parts, each of 16.19 hectares, more or less.
- (2) Legal subdivisions are to be arranged and numbered as shown by the following diagram:



- (3) If monuments have not been established to mark the corners of legal subdivisions, the corners are the midpoints of the boundaries of the quarter-sections and the intersections of the east-west and north-south lines joining those midpoints.
- (4) For the purposes of subsection 89(1) of the Act, the following may be metes and bounds descriptions acceptable to the Controller:
- (a) a description that delineates the boundaries of a parcel by reference to a succession of directions and distances in relation to existing boundaries and a known starting point;
 - (b) a description that delineates the boundaries of a parcel by reference to distances from existing boundaries;

- (c) a description that delineates the boundaries of a parcel by reference to natural features;
 - (d) a legal subdivision;
 - (e) a multi-parcel condominium title;
 - (f) a northern tile and any other projected area; or
 - (g) any other description of an area of land approved by the Controller.
- (5) On the coming into force of an order pursuant to section 87 of the Act designating an area of Saskatchewan as an area to which the Act applies, a metes and bounds description on a certificate of title issued pursuant to *The Land Titles Act* for land within that area that was in existence on the day before the coming into force of the order, is deemed to be a descriptive plan.
- (6) A descriptive plan mentioned in subsection (5) is to be imaged and recorded in the land surveys directory.

6 Jly 2001 cL-4.1 Reg 1 s131.

Consolidation of parcels on conversion

132(1) For the purposes of subsection 90(1) of the Act, “**consolidation**” means consolidation or subdivision.

(2) For the purposes of clause 90(1)(c) of the Act, the Controller may order a consolidation or subdivision of parcels during conversion where:

- (a) the consolidation has been requested in writing by the owner of the parcels and approved by the Controller;
- (b) the consolidation is of more than one contiguous parcel where the title to each parcel is owned by the Crown;
- (c) the subdivision is of a parcel on an approved plan that extends across more than one quarter-section of land where the title is owned by the Crown;
- (d) the subdivision into more than one parcel is required for the purposes of the Act and *The Land Titles Act, 2000* because the title to the parcel being converted contains land which is non-contiguous; or
- (e) the subdivision into more than one parcel is required for the purposes of the Act and *The Land Titles Act, 2000* for mineral parcels.

6 Jly 2001 cL-4.1 Reg 1 s132.

Approved plan for the purposes of section 86 of the Act

133(1) For the purposes of subsection 86(3) of the Act, “**any plan filed or registered in a land titles office**” includes:

- (a) plans that have been cancelled by the Controller;
- (b) a compilation of filed or registered plans compiled by the Controller; and

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- (c) a certificate of title that:
 - (i) is cancelled by virtue of an order pursuant to section 191 of *The Land Titles Act, 2000* designating a land registration district or former land registration district as an area to which that Act applies; and
 - (ii) that does not contain a metes and bounds description as defined in section 131.
- (2) A certificate of title mentioned in clause (1)(c) is deemed to be a descriptive plan for the purposes of defining a parcel and shall be referred to as a compiled plan.

6 Jly 2001 cL-4.1 Reg 1 s133.

Housing of certain approved plans

134(1) For the purposes of clause 4(2)(a) of the Act, **“all plans filed or registered in the land titles office or the former land registration district”** does not include a compiled plan mentioned in subsection 133(2).

- (2) The plans mentioned in subsection (1) are to be:
 - (a) maintained in the land titles registry;
 - (b) without reference to plan number, or inclusion in the land surveys directory; and
 - (c) searches of those plans are to be conducted in the land titles registry.

6 Jly 2001 cL-4.1 Reg 1 s134.

PART XV
Searches of the Land Surveys Directory

DIVISION 1
Searches

Interpretation of “applicant”

135 In this Part, **“applicant”** means the person who requests a search pursuant to this Part.

6 Jly 2001 cL-4.1 Reg 1 s135.

Form of search requests

- 136(1)** An applicant may request a search of the land surveys directory:
- (a) electronically, in the form provided, pursuant to subsection (2);
 - (b) in person by attending at any customer service centre or at the Controller’s office;
 - (c) by mailing a search request, in the form provided, to the address provided by the Controller;
 - (d) by sending a search request, in the form provided, to the Controller’s office by facsimile transmission; or
 - (e) by telephoning the Controller’s office.

(2) Any person who, pursuant to an agreement with the Controller, has been assigned an electronic access account for the land surveys directory, may conduct an electronic search of the land surveys directory.

(3) Where an applicant requesting a search in accordance with clause (1)(b) or (c) does not have a client number, the applicant must include his or her name and mailing address with the search request.

6 Jly 2001 cL-4.1 Reg 1 s136.

Current survey searches

137 A search of the land surveys directory may be performed:

- (a) by any of the following attributes of a plan:
 - (i) plan site;
 - (ii) plan purpose;
 - (iii) corner legal land description;
 - (iv) quarter-section legal land description;
 - (v) urban legal land description;
 - (vi) National Topographic System (NTS) Mapsheet;
 - (vii) name of Indian reserve;
 - (viii) riverlot;
- (b) by feature;
- (c) by the identification number of:
 - (i) a plan; or
 - (ii) a highway plan; or
- (d) by any other method permitted by the Controller.

6 Jly 2001 cL-4.1 Reg 1 s137.

Searches of the land surveys directory

138 Where an applicant requests a search of the land surveys directory for a plan mentioned in clause 4(2)(a) of the Act, the search results may include:

- (a) the plan; or
- (b) a copy of the plan that was provided to the Chief Surveyor pursuant to *The Land Titles Act*.

6 Jly 2001 cL-4.1 Reg 1 s138.

Search results

139(1) The Controller shall provide to the applicant a search result by any one of the following methods:

- (a) by mail;
- (b) by electronic transmission;
- (c) by personal delivery where the applicant attends at a customer service centre.

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- (2) Subject to section 140, search results provided by the Controller:
- (a) are to include information actively maintained in the land surveys directory corresponding to the search criteria specified by the applicant; and
 - (b) may include information actively maintained in the land surveys directory corresponding to search criteria similar to the search criteria specified by the applicant.

6 Jly 2001 cL-4.1 Reg 1 s139.

Printed search results

140 For the purposes of subsection 69(1) of the Act, a search result is a printed search result if it is a certified copy provided by the Controller obtained pursuant to section 141.

6 Jly 2001 cL-4.1 Reg 1 s140.

DIVISION 2
Documents and Evidence

Obtaining certified copies

141 For the purposes of subsections 72(1) and (2) of the Act, the Controller may certify a copy of a printed document in the land surveys directory or a printout of a document recorded and stored in the land surveys directory:

- (a) by:
 - (i) affixing the Controller's seal to the copy or printout;
 - (ii) signing the copy or printout; and
 - (iii) affixing to the copy or printout the date it was prepared; or
- (b) by printing the document on security paper of the land surveys directory.

6 Jly 2001 cL-4.1 Reg 1 s141.

PART XVI
Repeal and Coming into Force

Sask. Reg. 182/65 repealed

142 The Survey Markers Regulations, being Saskatchewan Regulations 182/65, are repealed.

6 Jly 2001 cL-4.1 Reg 1 s142.

Coming into force

143 These regulations come into force on the day on which section 1 of *The Land Surveys Act, 2000* comes into force.

Appendix 1**Minimum Text Sizes**

[Subsection 12(4)]

Heading	6mm
Sub-heading	4.5mm
Survey Information	2mm
Section Numbers	6mm
Surveyor's Certificate	2mm
Area	4.5mm
All other text	2mm

Appendix 2**Abbreviations and Symbols**

[Subsections 13(1) and (2)]

Appr	Approach
Az	Azimuth
BC	Beginning of curve
BM	Bench Mark
BT	Bearing Tree
Bdy	Boundary
Blk	Block
cs	Countersunk
CSM	Control Survey Monument
Cal	Calculated
ch	Chord
chd	Check measured
Conc	Concrete
Cop	Copied
Cor	Corner
Cult	Cultivation
Ded	Deduced
EC	End of curve
Evid	Evidence
F	Found
Frac	Fractional
ha	Hectare
IP	Iron Post
IR	Indian reserve
LS	Legal Subdivision
M	Mound
Mer	Meridian
Mkd	Marked
Mon	Monument
Mr	Marker Post
P	Post with Brass Cap
Past	Pasture
PCC	Point of compound curvature

PI	Point of intersection
Pit	Four Pits
Pl	Planted
Pr	Principal
R	Road Monument
R/W	Right-of-way
RM	Reference Monument
Rad	Radius
Re-est	Re-established
Res	Restored
Rge	Range
Sec	Section
ST	Subtangent
St	Stone
T	Trench
TST	Total Subtangent
Twp	Township
WO	Wooden
WOP	Wooden Post
Wit	Witness

Standard symbols

- ◆found or deteriorating monument
-established, re-established or reference monument
- ▲control survey monument or control reference monument
- ⊗ 123position and point number for co-ordinate based survey plans
- △curve delta
- T△ total curve delta