

*The
Land Surveys
Conversion
Facilitation
Regulations*

being

Chapter L-4.1 Reg 2 (effective July 30, 2001) as amended by
Saskatchewan Regulations 56/2001 and 103/2001.

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 2
The Land Surveys Act, 2000

Title

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

Interpretation

2 In these regulations, “**Act**” means *The Land Surveys Act, 2000*.

10 Aug 2001 cL-4.1 Reg 2 s2.

Rules for submitting plans of survey for approval

3(1) In this section:

(a) “**Chief Surveyor**” means the Chief Surveyor appointed pursuant to *The Land Titles Act*;

(b) “**Regulations Prescribed for Land Titles Offices**” means the *Regulations Prescribed for Land Titles Offices Under Authority of the Land Titles Act*, being Saskatchewan Regulations 88/76.

(2) Notwithstanding sections 4 and 28 of the *Regulations Prescribed for Land Titles Offices*, all plans of survey to be submitted to the Controller or the Chief Surveyor for approval must be prepared in accordance with section 10 and subsection 12(1) of *The Land Surveys Regulations*.

(3) Notwithstanding sections 103, 104, 106, 107, 109 and 114 of *The Land Titles Act* and sections 7 and 28 of the *Regulations Prescribed for Land Titles Offices*, all plans of survey to be submitted to the Controller or Chief Surveyor for approval must be accompanied:

(a) by a certificate of the surveyor prepared in accordance with section 25 of *The Land Surveys Regulations*;

(b) where the signature of the owner is required pursuant to subsection 103(2) of *The Land Titles Act*, by the signature of the owner, as witnessed and attested, and not endorsed on the plan proper;

(c) where the signature of the registered owner or the owner’s agent is required pursuant to subsection 104(4) of *The Land Titles Act*, by the signature of the owner or agent, as witnessed and attested, and not endorsed on the plan proper;

(d) where the signature of a mortgagee is required pursuant to subsection 104(5) of *The Land Titles Act*, by the signature of the mortgagee, as witnessed and attested, and not endorsed on the plan proper;

(e) where the approval of the Minister of Highways and Transportation or an officer of that department and the Saskatchewan Water Corporation is required pursuant to subsection 107(3) of *The Land Titles Act*, by the approval signature and not endorsed on the plan proper; and

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- (f) where the approval of any other party is required pursuant to section 109 or 114 of *The Land Titles Act*, by the signature of the party, as witnessed and attested, and not endorsed on the plan proper.
- (4) Notwithstanding section 110 of *The Land Titles Act* and section 8 of the *Regulations Prescribed for Land Titles Offices*, any seal to be affixed to a plan of survey that is to be submitted to the Controller or Chief Surveyor for approval must be:
- (a) affixed to the plan of survey by way of a rubber stamp; or
 - (b) otherwise rendered visible on an electronic image of the plan of survey.
- (5) The requirements of this section apply whether or not the plan of survey is with respect to an area of Saskatchewan that has been designated pursuant to section 87 of the Act as an area to which the Act applies.

4 Jan 2002 SR 103/2001 s3.

Special procedure for approval of plans

- 3.1(1)** In this section, “**plan**” includes a metes and bounds description approved pursuant to subsection (2).
- (2) Subject to subsection (3) and to section 3 of *The Land Surveys Conversion Facilitation Regulations*, after June 25, 2001, the Controller may approve the following:
- (a) a plan submitted to the Controller or the Chief Surveyor prior to June 25, 2001;
 - (b) a metes and bounds description for a parcel that has not been submitted to the Controller or Chief Surveyor prior to June 25, 2001, but only where:
 - (i) the description has received planning approval pursuant to section 7 of *The Subdivision Regulations* prior to June 25, 2001; and
 - (ii) the metes and bounds description for a parcel is submitted to the Controller for approval within two months after June 25, 2001;
 - (c) a plan for which the survey has been completed prior to June 25, 2001 if it is submitted to the Controller for approval within two months after June 25, 2001.
- (3) For the purposes of subsection (2), plans are to be approved in accordance with the provisions of the former Act or *The Land Titles Act*.
- (4) After a plan is approved pursuant to subsection (2), the plan is deemed for the purposes of the Act to have been made pursuant to the Act and may be dealt with as if made pursuant to the Act.
- (5) Without limiting the generality of subsection (4), for all purposes of the Act, a metes and bounds description mentioned in clause (2)(b) is deemed to be a descriptive plan approved pursuant to the Act and may be dealt with as if it were approved pursuant to the Act.

10 Aug 2001 SR 56/2001 s2.

Interpretation re subsection 86(4) of the Act

3.2 For the purposes of subsection 86(4) of the Act, 'the former Act' includes *The Land Titles Act*.

10 Aug 2001 SR 56/2001 s2.

Housing of certain descriptive plans

3.3(1) Notwithstanding subsection 131(6) of *The Land Surveys Regulations*, 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 legal subdivision that:

- (a) is defined as a metes and bounds description pursuant to clause 131(4)(d) of *The Land Surveys Regulations*; and
- (b) is deemed to be a descriptive plan pursuant to subclause 89(2)(b) of the Act.

(2) Notwithstanding any provision of the Act or *The Land Surveys Regulations*, the plans mentioned in subsection (1) are to be maintained in the land titles registry without reference to plan number, or inclusion in the land surveys directory.

(3) Notwithstanding any provision of the Act or *The Land Surveys Regulations*, a search of the plans mentioned in subsection (1) is to be conducted in the land titles registry.

10 Aug 2001 SR 56/2001 s2.

Coming into force

4(1) Subject to subsection (2), these regulations come into force on the day on which *The Land Surveys Act, 2000* comes into force.

(2) If these regulations are filed with the Registrar of Regulations after the day on which *The Land Surveys Act, 2000* comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations but are retroactive and are deemed to have been in force on and from the day on which *The Land Surveys Act, 2000* came into force.

10 Aug 2001 cL-4.1 Reg 2 s4.

