



Ministry of Government and
Consumer Services

ServiceOntario

Regulatory Services Branch

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Land Titles Act

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**Subdivision Plans –
Easements**

Section 18 of the Performance Standards for the Practice of Professional Land Surveying being O. Reg. 216/10 under the *Surveyors Act*, R.S.O. 1990, c. S.29 states:

18. (1) A plan shall show,

(a) every right of way and easement affecting the land shown on the plan that is,

(i) described in a registered instrument, or

(ii) shown on a registered or deposited plan;

.....

During the approval and registration of a subdivision plan it is necessary for land registration staff to have some certainty regarding which new subdivision units are affected by existing underlying easements in order that the property descriptions of the newly created PIN(s) reflect existing easements.

Under Section 21 of O. Reg. 216/10, the limits defined by registered instruments, such as easements or rights of way, are illustrated on a subdivision plan through the use of light, broken or unbroken, lines of uniform width. However, many of the plans recently presented for registration are drawn at a scale or complexity such that land registration staff are unable to determine which units are subject to easements.

To assist with the maintenance and the integrity of the land registration system, land surveyors are requested to provide the information needed to determine which new subdivision units are affected by existing easements through the use of a note placed either below or to the left of the Certificate of Registration (section 13, clauses 16 (1)(j), subsections 27(3), 36(2) and 43(1) of O. Reg. 43/96 under the *Registry Act*) setting out the subdivision units subject to an easement together with the 'as in' registration number of the applicable instrument for the easement or right of way.

Example Note:

PART OF LOTS 1, 2, 3, 4, 5, & 6 AND PART OF GILCREST COURT
ARE SUBJECT TO AN EASEMENT AS IN INSTRUMENT D523806

Questions on this topic should be directed to the appropriate
Assistant Examiner of Surveys.

(Original signed by)

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Examiner of Surveys