



Ministry of Government Services  
ServiceOntario

Policy and Regulatory Services

**Bulletin No. 2009-04**

***Land Titles Act,  
Registry Act***

**DATE: APRIL 16, 2009**

**Environmental  
Warnings and  
Restrictions**

**TO: LAND REGISTRARS**

**This is a restatement of existing requirements set out in Bulletins 91003 and 95004 with the difference being an additional exception (see #6) has been added with respect to the *Condominium Act, 1998*.**

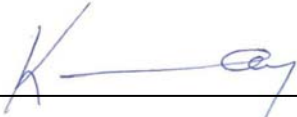
Environmental warnings and restrictions are not title related and as such are not acceptable for registration in the land registration system as documents or as part of an agreement attached to a document prepared for registration. Typically an environmental warning or restriction is a notification of, or an obligation to notify, a potential purchaser of some environmental concern such as noise levels, water quality, sewage disposal, impending construction or ground contamination.

In general, if environmental warnings or restrictions are included in any document otherwise acceptable for registration, Land Registrars are to return the document to the registrant. The exceptions to this long-standing policy are:

1. Terms and conditions of an environmental nature set out in lease or charge agreements,
2. Transfers containing a warning or restriction as required by an agreement under s. 50(6). 52(2) or 52(4) of the *Planning Act, 1983* registered on title prior to January 1, 1988,
3. A certificate setting out or withdrawing a requirement under the *Environmental Protection Act*, or the *Ontario Water Resources Act*, or Notices thereof under the *Land Titles Act* may be registered. Any conditions or restrictions affecting the use of the land and reasons attached to a certificate form part of the certificate and must not be removed. The form of the certificates will be as prescribed by the Ministry of Environment,
4. Environmental warnings or restrictions in Agreements of Purchase and Sale or Cautions based on such agreements,

5. Agreements that include environmental warnings or restrictions registered as a condition of subdivision plan approval under the *Planning Act*,
6. A statement in a condominium declaration as required by the approving authority under subsection 7(2)(g) of the *Condominium Act, 1998*.

Bulletins 91003 and 95004 are revoked.



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Director of Titles