

Submission of Plans for checking under sections 33 of the Land Surveyors Acts

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Why you need the survey plan

- **Lots in a subdivision must be registered by plan.**

Importance of the plan

- It enjoys the full confidence of the public and also of financial institutions.
- A commissioned land surveyor is responsible for its accuracy.
- The property is defined precisely and unambiguously, which can prevent future disputes. A surveyor can accurately re-establish the boundaries.
- The Land Surveyors Act facilitates checking of the plan, and the checkers can discover errors.

Requirements of the Land Surveyors Act

A surveyor, acting in accordance with the Land Surveyors Regulations, must make the survey of the land and the plan resulting from that survey.

- A plan made for the purpose of registration or transfer under the Registration or Titles Act must be forwarded to the Director of Surveys to be checked prior to registration.
- On receipt of the plan and the prescribed fees, the Director of Surveys will cause the plan to be checked. This may include the physical examination of the survey marks on ground.
- If the plan is not found to be correct the Director of Surveys will certify on the plan that the plan has been checked.
- If the plan is found to be incorrect the Director of Surveys will not certify on the plan.
- The certified or uncertified plan will be returned to the person from whom it was received.
- Where a plan has been checked and certified by the Director of Surveys, the surveyor remains responsible for the correctness of the plan.
- Where the certified plan is attached to an application for title, the Registrar of Titles will request that the Director of Surveys recheck the plan and make a report to the Registrar of Titles.
- If the plan is found to be incorrect, the Director of Surveys reports that the plan is not acceptable for registration.

Summary

If you intend to apply for titles for lots in a subdivision, one of the documents you must have is a plan representing the survey of the property.

A surveyor must prepare the plan and the plan must be certified by the Director of Surveys.

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