



Ontario

Ministry of
Consumer and
Commercial
Relations

Property
Rights
Division

Legal
and
Survey
Standards
Branch

BULLETIN NO. 84017

DATE: May 11, 1984

TO:
ALL LAND REGISTRARS

THE CEMETERIES ACT, R.S.O. 1980
CHAPTER 59

PLANS OF CEMETERIES

Section 4 of R.R.O. 1980, Reg. 90 provides that every plan of a cemetery approved by the Ministry of Consumer and Commercial Relations is to be either deposited under Part II of the Registry Act or filed under the Land Titles Act.

The plan received by the Land Registrar should be the original plan bearing that Ministry's approval as required by section 6 of the Regulation.

In addition, where the cemetery contains three or more acres or is operated for gain or profit, the plan must be prepared by an Ontario Land Surveyor or a professional engineer, and in such a case, the signature of the surveyor or engineer should be endorsed on the plan received.

R.R.O. 1980, Reg. 898, under the Registry Act does not apply to lots, within the perimeter of a cemetery or within an extension, that are created by such a plan.

Other provisions of R.R.O. 1980, Reg. 90 deal with mausoleums and columbariums and extensions and alterations of cemeteries. In particular, sections 2, 3, 4, 5, and 6 of that Regulation should be noted.

In some cases, the description in a document, presented for registration or deposit, may include parts of cemetery properties without mentioning that the land described or a part of it is within a cemetery. If such instances come to your attention, the persons submitting the instruments for registration or deposit should be advised to either obtain approval as noted above, or exclude the part of the property that is within the cemetery.

This bulletin replaces bulletin 74090.

Richard E. Priddle
Director of Land Registration