



BULLETIN NO. 2002-6

*Land Titles Act*  
*Registry Act*

DATE: December 23, 2002

**Ministry of Consumer  
and Business Services  
Registration Division  
Title and Survey Services Office**

TO: All Land Registrars  
All Ontario Land Surveyors

Plan Corrections  
O.Reg. 43/96, Section 49

Applications to the Examiner of Surveys to correct plans will be approved only where a genuine benefit will result. Correction procedures will not be implemented for errors, defects or omissions in registered or deposited plans that are of an inconsequential nature or for altering the boundaries of subdivision units created by a registered or deposited plan.

The procedures for correcting plans under both the *Land Titles Act* and the *Registry Act* are strictly controlled by O.Reg. 43/96, s. 49. The problems inherent in correcting an error, defect or omission in a registered or deposited plan are compounded by the possibility of voiding a conveyance (e.g. through contravention of the "subdivision control" provisions of the *Planning Act*). In those cases consent of the appropriate planning authority may be necessary.

Under O.Reg. 43/96, s. 49(6), the Order issued by the Examiner of Surveys to correct the plan, may provide for the correction of the plan by the applicant under the supervision of the Examiner of Surveys or the Land Registrar.

### **APPLICATION TO CORRECT A PLAN**

1. A plan correction application must be submitted, in triplicate, in the prescribed form (O.Reg. 43/96, Form 14), on 8.5" x 14" legal-size paper (no letterhead) to the Regional Surveyor. It is not to be filled out by hand. The three copies must bear an original signature. Photocopied signatures are not acceptable.
2. Each of the three copies, noted above, must have attached to it, a copy or a partial copy (on legal sized paper) of the plan with the proposed corrections shown on it. The erroneous information should be ruled out with a single line and the correct information shown either above or below. The area where the correction is being made is to be circled. This assists in locating, on the plan, the information being corrected. All of the above is to be completed using black ink.

When partial copies are used, one of the partial copies of the plan should be of the upper right corner of the plan showing the deposit/registration information for the plan even if a correction is not required on that portion of the plan. If partial copies of the plan are used for attachments to the application, the Regional Surveyor requires one full copy of the plan for the review of the application.

3. Supporting documentation must be provided to prove that the proposed correction is warranted. This will include copies of current PINs/Parcels and any other documentation relevant to the correction. A signed statement of a Surveyor may also be included setting out the nature of the error, defect or omission and that specifies the proposed correction.
4. The consents of all persons with an interest in the land, who may be affected by the proposed correction, may be included with the application or a Surveyor may provide a statement that the consents have been obtained. If neither is included in the application, the Examiner of Surveys is obligated to give notice under O.Reg. 43/96, s. 49(4).
5. If the application involves a plan signed by the Surveyor General of Ontario, a consent to the application may be obtained from the Office of the Surveyor General or a Surveyor may provide a statement that the consent has been obtained. If neither is included in the application, the Examiner of Surveys is obligated to give notice under O.Reg. 43/96, s. 49(5).

**Note for Items 3, 4 and 5:** The signed statement of a Surveyor is optional (*see Appendix 'A'*). If the application refers to the signed statement of a Surveyor, the statement must be on a separate 8.5" x 14" legal-size paper attached to the application.

6. Payment in accordance with the Fees Regulation must accompany the plan correction application. If payment is made by cheque, it is to be made payable to the Minister of Finance.

This Bulletin replaces Bulletin 97007.



Examiner of Surveys

**SUGGESTED STATEMENTS TO BE MADE BY SURVEYOR**

**1. In the case of a plan correction involving a distance, bearing or area:**

This correction is consistent with the field notes for the survey of Plan \_\_\_\_\_ dated \_\_\_\_\_. On (provide date), I calculated errors of closure for all of the PARTs on Plan \_\_\_\_\_ affected by the correction(s) applied for and all closures meet or exceed the regulated standard.

**2. In the case of a plan correction that requires the consent of an owner or mortgagee:**

I have obtained the consent(s) to this application from all persons with an interest in the land, who may be affected by the proposed correction(s).

**3. In the case of a plan correction involving the geographics shown on the face of the plan, the title block or plan “Schedule”:**

I have verified that the proposed correction is consistent with the title documents entered against the abstract(s) for the surveyed land at the time the survey was completed and my assessment of the survey evidence.

**4. In the case of a plan correction involving a plan signed by the Surveyor General of Ontario:**

I have obtained the consent of the Surveyor General of Ontario to this application.

**5. Any other statements applicable to the Application**