

Policy and Procedure: Using the Boundaries of Existing Plans to Create New Parcels of Features

Number: GO-05/002		Page 1 of 8
Owner Ministry of Justice - Controller of Surveys	Manual Surveys	Last Revision May 24, 2018
Policy Name Using the Boundaries of Existing Plans to Create New Parcels or Features	Effective Date February 28, 2005	Revised Date August 27, 2018
Policy Statement: <p>The boundaries of an existing plan of survey may be used to define a new parcel or a feature as long as the resulting boundaries or limits can be defined on the ground with no ambiguities.</p> <p>An existing plan of survey may be active, inactive, abandoned, cancelled, etc. It must be approved for survey information and available through a plan search. It may be used regardless of its age, status or layer (surface, mineral, feature).</p> <p>A descriptive plan that uses the boundaries of an existing plan this way is allowed by the Controller of Surveys under s. 33 of <i>The Land Surveys Act, 2000</i>.</p> <p>Prior approval for preparation of a descriptive plan is required – s. 33(1) <i>The Land Surveys Act, 2000</i>.</p> <p>This policy outlines when a type two descriptive plan (“DP2”) may be accepted when boundaries from existing plans are used to create new parcel boundaries or feature limits.</p>		
Purpose: <p>This will allow a DP2 rather than a full plan of survey to be used to create a parcel or a feature if the boundaries or limits can be defined by an existing plan of survey and if a field survey is not required.</p> <p>The approval of a DP2 under this policy does not verify the boundaries of the parcel or the limits of a feature. Verifying the boundaries or the limits on the ground requires the services of a Saskatchewan Land Surveyor (“surveyor”).</p>		
Scope: <ol style="list-style-type: none">1. A DP2 can be prepared by anyone and if no portion of the plan requires survey work.2. The support documents required for a descriptive plan under this policy are the same as for a plan of survey except that a surveyor’s certificate is not required.3. If survey re-establishment of an existing boundary is needed, a surveyor must submit a plan of survey. A plan that combines both a plan of survey and a DP2 is also acceptable.		

Procedure:

- a) Prior approval for a DP2 under this policy will not be given if there is an existing inspection, survey or misclosure problem. The problem must be resolved at least to the extent that will allow the DP2 to proceed. For misclosure issues, see Policy GO-06/002 - Accuracy Standards – Angular and Linear Closures to determine the accuracy factor to use.

- b) If a surveyor or survey firm prepares the DP2, it must be accompanied by a letter in which a surveyor states that the plan meets the appropriate standard for survey accuracy.

Where the surveyor cannot run a closure as per Policy GO-06/002, the surveyor is to state in the letter the reason why (for example: lack of available plan information).

- c) Boundaries surveyed on previous plans of survey, as long as that plan is available through a plan search, regardless of its age or status, may be used to define new parcels or features.
- d) Natural boundaries may also be used, as long as they have been defined through remote sensing with ground truthing. A natural boundary that is already used as a boundary on an existing plan of survey does not need to be further re-defined or ground truthed.
- e) A DP2 under this policy may be approved where the new parcel boundary is defined by a quarter section line, section lines where there is no road allowance (blind lines) and un-posted limits of road allowances, roads and railways.
- f) The plan limit(s) being used to create the new parcel or feature must be labelled on the plan proper for clarity and not in the legend. For example, “limit of plan AB123.” Other limits from the existing plan may be labelled, but this is not required. See Example J in Schedule A.
- g) A road plan in an Indian Reserve, if the plan was filed but not titled, will not be accepted for creating road parcel(s) under this policy. In that situation, please refer to Policy GO-05/001 – Re-approving Road Plans through Indian Reserves for Title Creation.

See Schedule A for examples of type two descriptive plans (DP2s). NOTE: These are provided for illustrative purposes only and all plans must still receive prior approval.

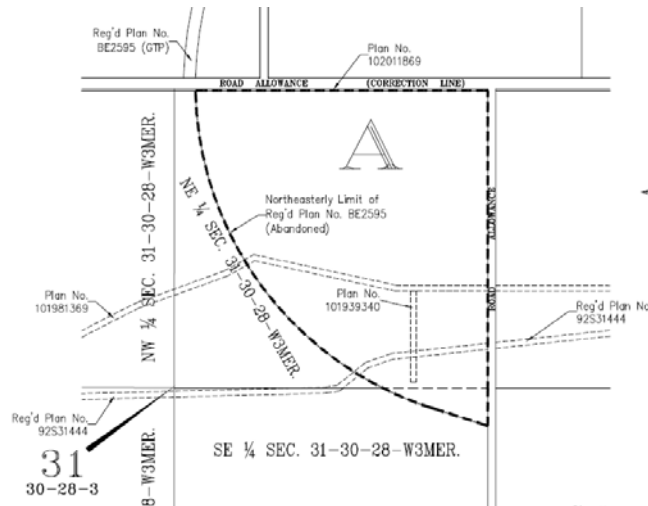
Approved By: Controller of Surveys

Date: August 27, 2018

SCHEDULE A

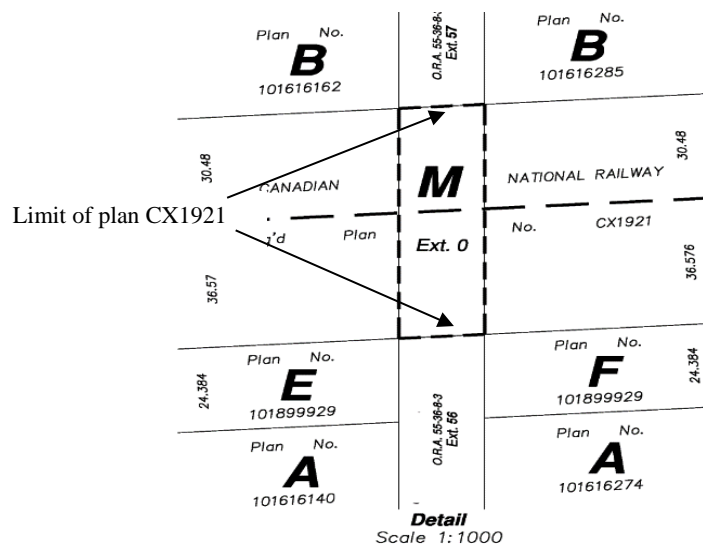
Acceptable Descriptive Type II Plans

Example A:



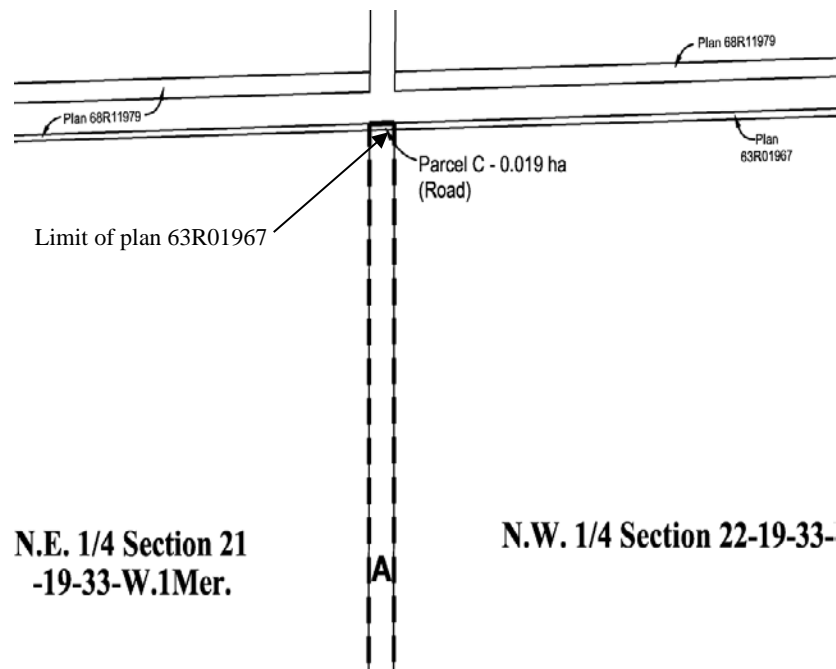
Plan 102061426 is adapted to show Parcel A was created using the unmonumented northeasterly limit of abandoned railway plan BE2595. The source parcels are the NE 31 and SE 31.

Example B:



Plan 102152911- Parcel M was created by subdividing the original road allowance and using the monumented and unmonumented limits of the railway plan CX1921.

Example C:

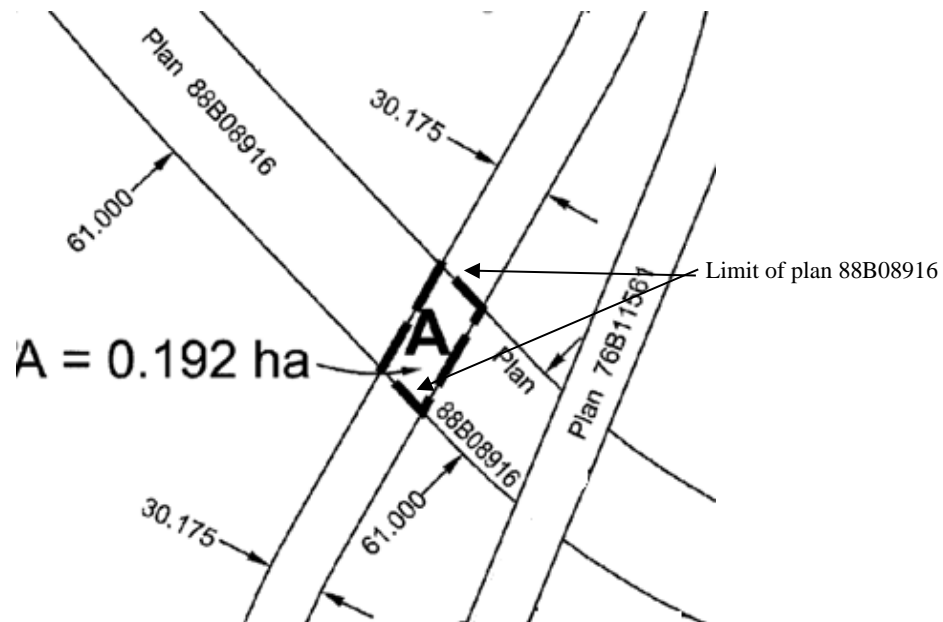


Plan 102076242 - The new Parcel C was created by subdividing the original road allowance and using the monumented limit of highway plan 63R01967.

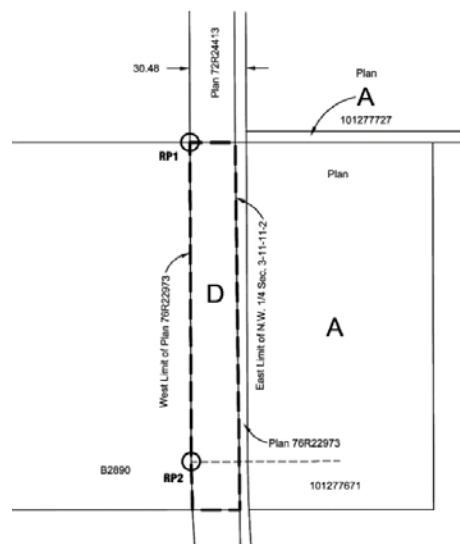
Example D:



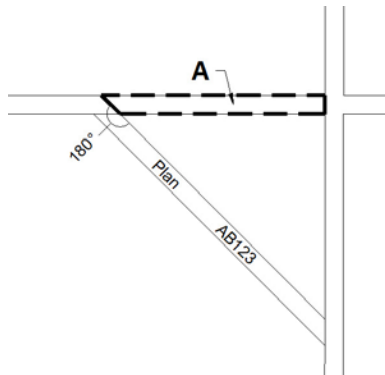
Plan 102180675 – The plan subdivides a number of streets and lanes, creating Parcel B by using the monumented limit of plan 78Y02730.

Example E:

Plan 102189461 – A railway right of way was subdivided, creating Parcel A for a highway by using the limits of plan 88B08916.

Example F:

Plan 102221862 – Parcel D was created for a roadway by using the western limit of plan 76R22973.

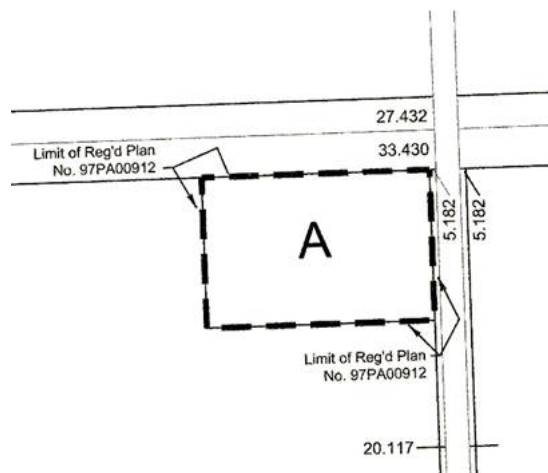
Example G:

Parcel A is created by the production of the unposted limit of plan AB123 which subdivides the original road allowance.

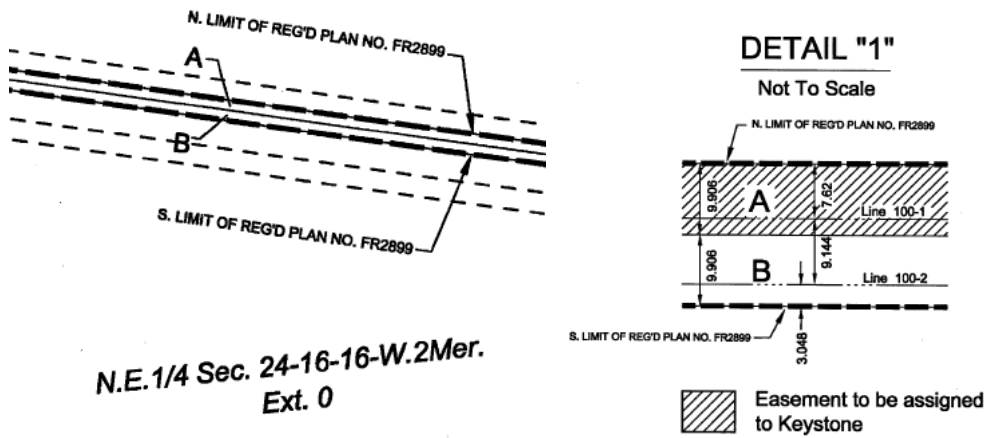
A type two descriptive plan (DP2) can also be used for the following:

1. to subdivide a road at a deflection on the bisector,
2. to subdivide a road or original road allowance at 90 degrees at an existing position, whether it is monumented or not.

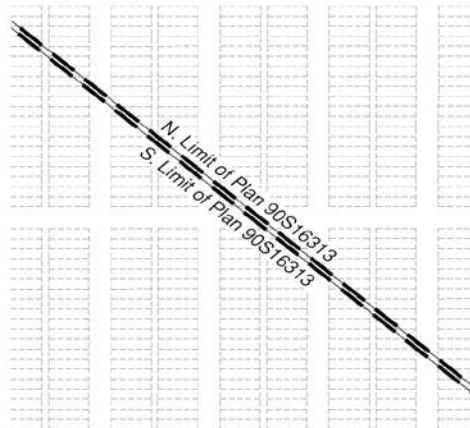
For examples, see Controller of Surveys Policy GO-05/004 – Canceling Feature Plans.

Example H:

Plan 102274455 – Parcel A was created using the limits of a filed or 103 plan. (This refers to a plan that was approved under section 103 of the former Land Titles Act but was not acted upon before that Act was repealed.)

Example K:

Plan 101943873 - The limits of right of way plan FR2899 are used to create separate right of ways for two transmission lines. The new individual right of ways each have a width of 9.906 m which are used to create the limit between the new features A and B. The widths of the new right of ways must total the width of the original right of way.

Example L:

A new feature is defined using the monumented limit of an existing feature plan for a right of way through the streets and lanes. The closure of the streets and lanes and consolidation with the lots back to the quarter section causes the existing feature to have gaps where the streets and lanes previously existed. A DP2 right of way remedies this situation. Showing the dashed streets and lanes would not be allowed on the feature plan and is shown here for illustration purposes only.