



EDITORIAL

Of special significance to land registration in the Province of Ontario is the Report on Land Registration handed down by the Ontario Law Reform Commission in March of 1971.

Following is a condensation of a few of the recommendations that will probably be of interest and concern to the profession:

- (a) an improved land titles system should be the sole system for land registration in Ontario, to be called the "Land Registration" system,
- (b) a co-ordinate control system should be established which should be used for indexing parcels, and to record the location of monuments,
- (c) controls of the general nature used in the existing land titles system over descriptions, plans and surveys should be continued in the land registration system,
- (d) affirmations of boundaries should be an ultimate objective of the land registration system; affirmation of approximate location for most existing parcels, and of precise location for most boundaries created in the future and for some existing parcels,
- (e) the records of the land registration system should be computerized providing central storage, local terminals, and copies of descriptions and documents for searches should be obtainable by mail.

The Ministry currently has the Report under intensive study, to determine its social and economic ramifications, and to develop implementation procedures and schedules, all of which will assist the government in framing the necessary legislation.

In a move to bring the administrative mechanics of the two existing land registration systems closer together, Bills 209 and 210, Acts to amend The Land Titles and Registry Acts, received Royal Assent on November 30, 1972. All members of the Association received with the October issue of The Ontario Land Surveyor copies of those sections which affect land surveyors. As of April 1, 1973, all plans of subdivision in a land titles area shall be registered under The Land Titles Act, and all descriptions creating severances in the Registry System shall be by description 'reference plan' of survey. Bills 209 and 210 in the short term, and the implications of the Law Reform Commission in the long term, will place a considerable increase in work-load on the existing plan examination facilities.

On April 1, 1972, the old Legal Surveys Division of the Office of the Director of Titles was made a Branch, with Branch responsibilities, under the Property Rights Division of the newly formed Ministry of Consumer and Commercial Relations. At that time the Branch was given the new responsibility for quality control of plans of survey entering the Registry System, as well as the continuing responsibilities for the quality of plans under The Land Titles Act, The Certification of Titles Act, The Boundaries Act and The Condominium Act.

To meet our new responsibilities and to cope with projected increase in plan examinations, the Surveys Branch has recently undergone a reorganization, and to a limited degree, expansion. Senior members of staff will be responsible for special services (conversion, Boundaries Act, Combined Municipal Applications, Condominium Act), support services (plan examination in the three Metropolitan Toronto land registry offices, plus field and computer services), and technical services (education and quality control of surveys in the remaining fifty-four land registry offices).

A new plan examination philosophy is presently being investigated and will probably be implemented in the near future. Some aspects have yet to be developed, but it is safe to say that in the Land Titles System, at least, we will be moving away from a detailed examination to a professional assessment type of examination concerned with the general quality of the description, and where an assurance fund is involved, concerned with those items which, if in error, may cause a claim against the fund. This Branch will probably place more reliance on the surveyor's certificate that the plan is correct and in accordance with the various statutes and regulations made thereunder. This does not mean that unprofessional submissions will necessarily ensue or be tolerated, as we are confident that the quality of surveyors' work is such as to warrant this new approach.

Guest Editorial

(continued from page 5)

sweetest rose of all, my wife. By 1930, the great depression began to make itself felt. I was, by the end of 1930, just about ready to fold and send my wife home to her mother, when my phone rang and Harry Oakes was on the other end of the line. The next day I was buying equipment and hiring help to get on with surveys of hundreds of properties that Mr. Oakes was buying up around Niagara Falls. The Oakes boom saw me through the depression.

Part of my duties as Mr. Oakes' surveyor and engineer was to go on an inspection tour about twice a week to look at his many properties and take instruction on his many projects. One morning as we crossed the New York Central Railway double track separating two of his large properties, he turned to me and said, "Erwin, I am leaving soon for four months in Australia; have plans ready for a subway under these tracks when I get back. I don't like my kids crossing these tracks on horseback". The next morning I was on my way to Detroit to get Railway permission to build a subway.

Following one of these trips later, after he had become Sir Harry Oakes, we went back to Oak Hall as usual for a drink and to summarize the morning's instructions. This morning he seemed to be in a particularly good mood. After the second drink, I got up enough nerve to ask him a question that had been on my mind. I said, "Say, Sir Harry, how does it feel to be a millionaire?" I will never forget his answer. "Goddamit Erwin, you are the millionaire, not me. I'm sixty years old with stomach ulcers. Look at you in perfect health and in your early thirties". The truth of that statement was very forcibly brought to my mind four years ago when I was out of circulation for a few months due to illness.

In 1931, following the death of the late Frank Rutherford, O.L.S., I was appointed in a consulting capacity as Engineer and Surveyor for the Township of Niagara. This Township extended from the Niagara River to the Welland Canal and from Lake Ontario to the Niagara Escarpment. It took about a year for me to get on to the full routine of this Council. Meetings were held monthly starting at 9:30 a.m. If business was not completed by 10:30 a.m., there was really something wrong. The meeting was adjourned to a back room in the restaurant across the street for a full day's session of euchre. There was seldom an election, acclama-

(continued on page 11)