



KRCMAR

READING BETWEEN THE LINES

An Overview of the Land Survey: Know What a Survey Can (and Can't) Do and When to Consult It

Sasa Krcmar

Ontario Land Surveyor, MBA
Principal - Krcmar Surveyors, Ltd.

AGENDA

1. Foundations of a Legal Survey Plan
2. Types of Survey Plans and Uses
3. Reading and Interpreting a Survey Plan
4. What Can a Land Survey Do?
5. What Can't a Land Survey Do?
6. When to Consult a Survey Plan
7. Why it Matters

THE SURVEY PLAN»

An iceberg floating in the ocean, with the tip above water and a much larger, jagged mass below. The water is a deep blue, and the sky is a lighter blue with some clouds. The iceberg is the central focus, with various survey-related terms written on its surface.

Original field notes

Original Survey Monuments

Priority of severance

Research

Fences

Reference Plans

Adjoining Plans/Field Notes

Misdescriptions

PINs

Field Work

Deeds

Occupational Evidence

B.A. Plans

Road Widening

Unreadable Descriptions

Legal Precedent

Rear line Not Surveyed

Legal Description

Conflicts with neighbour

AOLS Regulations

Conflicting Surveys

Easements

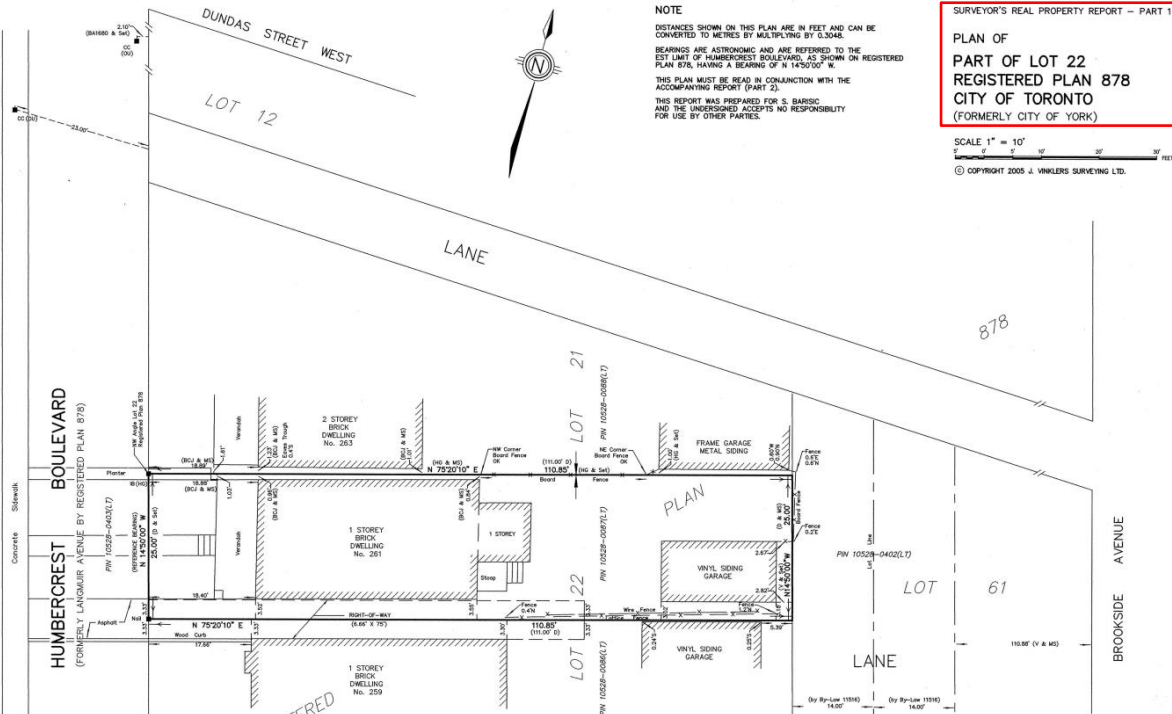
Adverse Possession

- **Reference plans** (R-Plans) simplify legal descriptions for public use.
- **Strata Plans** just complex 3-D Reference Plans.
- **Absolute Title Conversion Reference Plans** for title conversion.
- **Registered Plans** under “Registry” Act.
- **M-Plan** (Master/Subdivision Plan) under Land Titles Act.
- **Condominium Plans** creating “three-dimensional” subdivisions.
- **BA (Boundaries Act) Plans** usually confirm street legal limits.

- **Surveyors Real Property Report** (SRPR) for real estate transactions.
- **Plan of Survey** provides legal boundary with/without buildings.
- **Boundary and Topography Survey** for redesign/development, shows real boundary and topographic features.
- **Topography Surveys** not always legal surveys.

- **Limits** that have been surveyed.
- **Comparison** information for distances, directions.
- **“Ties”** showing relationship to surveyed boundary.
- **Legal monuments** include iron bars (IB), cut crosses(CC), concrete pins (CP).
- **Surveyor Number** stamped on bars and concrete pins.
- **“Witness” monuments** not set at corners.

VALIDATING A LEGAL SURVEY PLAN



NOTE
 DISTANCES SHOWN ON THIS PLAN ARE IN FEET AND CAN BE CONVERTED TO METRES BY MULTIPLYING BY 0.3048.
 BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE EAST LIMIT OF HUMBERCREST BOULEVARD, AS SHOWN ON REGISTERED PLAN 878, HAVING A BEARING OF N 14°20'00" W.
 THIS PLAN MUST BE READ IN CONJUNCTION WITH THE ACCOMPANYING REPORT (PART 2).
 THIS REPORT WAS PREPARED FOR S. BARBIC AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

SURVEYOR'S REAL PROPERTY REPORT - PART 1

PLAN OF
 PART OF LOT 22
 REGISTERED PLAN 878
 CITY OF TORONTO
 (FORMERLY CITY OF YORK)

SCALE 1" = 10'
 © COPYRIGHT 2000 J. VINKLERS SURVEYING LTD.

CHECKLIST

- Title.
- Surveyor's Certificate.
- Signature and Date.
- Land Survey Firm.
- AOLS Sticker (now a statement).

LEGEND

□	DENOTES SURVEY MONUMENT SET
■	SURVEY MONUMENT FOUND
SB	STANDARD IRON BARR
IS	IRON BAR
OC	CUT CROSS
MS	MEASURED
WT	WITNESS
OU	CHISEL LAMPOORN
P	REGISTERED PLAN 878
HG	HENTY & GERRITS, O.L.S., SURVEY DATED OCTOBER 16, 2001
BCJ	BROWNE, CARROLL, JACKSON, O.L.S., SURVEY DATED DECEMBER 22, 1980
V	VINKLERS, S.L.S., SURVEY DATED MARCH 30, 1995
D	INSTRUMENT No. CA294772

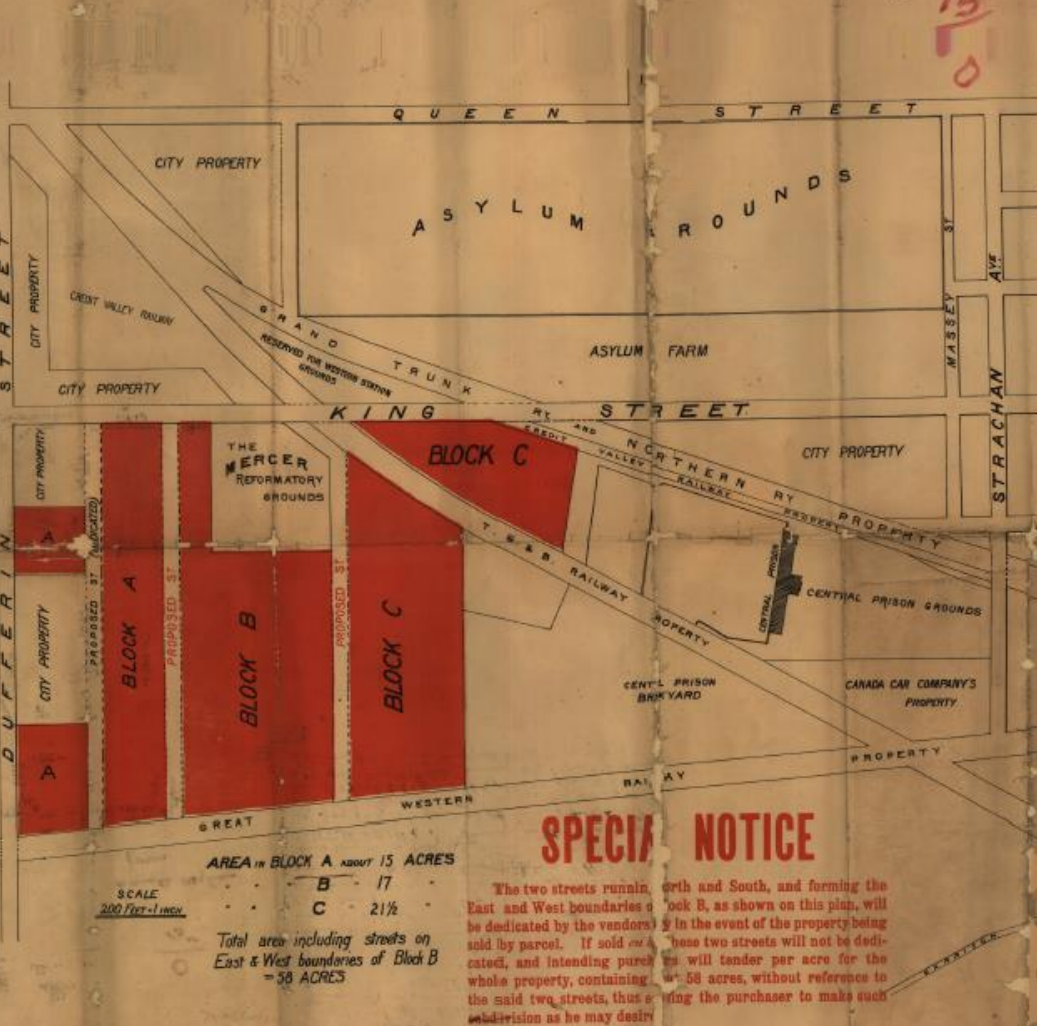
SURVEYOR'S CERTIFICATE:
 I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THIS SURVEY WAS COMPLETED ON THE 5TH DAY OF DECEMBER, 2005.

05 Dec 12
 DATE

J. Vinklers
 J. VINKLERS
 ONTARIO LAND SURVEYOR



J. VINKLERS SURVEYING LTD
 2629 KENNEDY ROAD
 TORONTO ON M1T 3H5
 416-609-2936
 PROJECT No. 05703



**IMPORTANT SALE
OF VALUABLE
FREEHOLD PROPERTY
CITY OF TORONTO
BY TENDER
FIFTY-EIGHT ACRES**

The Ontario Government, under authority of Victoria, Chap. 5, offer for sale by tender that very valuable tract of land situated in the west end of the City of Toronto, being bounded by King Street on the north, and the Grand Trunk Railway on the south. The frontage on King Street is about 1,410 feet; Eastern frontage about 700 feet; Grand Trunk Railway, 1,000 feet; eastern boundary, 1,000 feet.

There are about 58 ACRES in the whole parcel.

This is one of the largest and most desirable blocks of vacant ground within the city limits.

It is especially suited for railway purposes, or manufacturing sites, and is especially adapted for building sites.

The property is offered either in one block or in three parcels.

Tenders, for each, are asked for the whole block or any one or more parcels on the following terms, viz.:-

A marked cheque for three thousand dollars on the whole block, or one thousand dollars on each parcel, must accompany tender. The cheques will be returned in the event of the offer being declined, or applied upon the purchase money if otherwise accepted.

The highest or any tender not necessarily accepted.

TERMS OF PAYMENT.

If the purchaser desires to be paid in cash with 50 days of the completion of other land required, he may do so by a first mortgage upon the whole property for a period of 5 years, and interest at the rate of 3 per cent per annum, payable half-yearly; the mortgage will contain a clause for redemption in cash at any time without notice to name of not less than \$2,000. The purchaser may pay cash, if he so desires.

Tenders marked "TENDERS FOR ASH LANE FARM," will be received up to 10 o'clock on the 10th of SEPTEMBER, 1888.

For further particulars and plans of the property, apply to the
**HON. PROVINCIAL TREASURER,
or FRED. J. STEWART,10 King Street West,
Agent for Toronto.Toronto
August 18th, 1888.**

SPECIAL NOTICE

The two streets running North and South, and forming the East and West boundaries of Block B, as shown on this plan, will be dedicated by the vendors in the event of the property being sold by parcel. If sold as a whole these two streets will not be dedicated, and intending purchasers will tender per acre for the whole property, containing about 58 acres, without reference to the said two streets, thus enabling the purchaser to make such subdivision as he may desire.

AREA IN BLOCK A ABOUT 15 ACRES

B	17
C	2 1/2

SCALE
200 Feet = 1 Inch

Total area including streets on East & West boundaries of Block A = 58 ACRES

WHAT
CAN A
LAND
SURVEY
DO?

WHAT **CAN** A LAND SURVEY DO?

1. PROVIDE SURVEYOR'S OPINION OF THE BOUNDARY

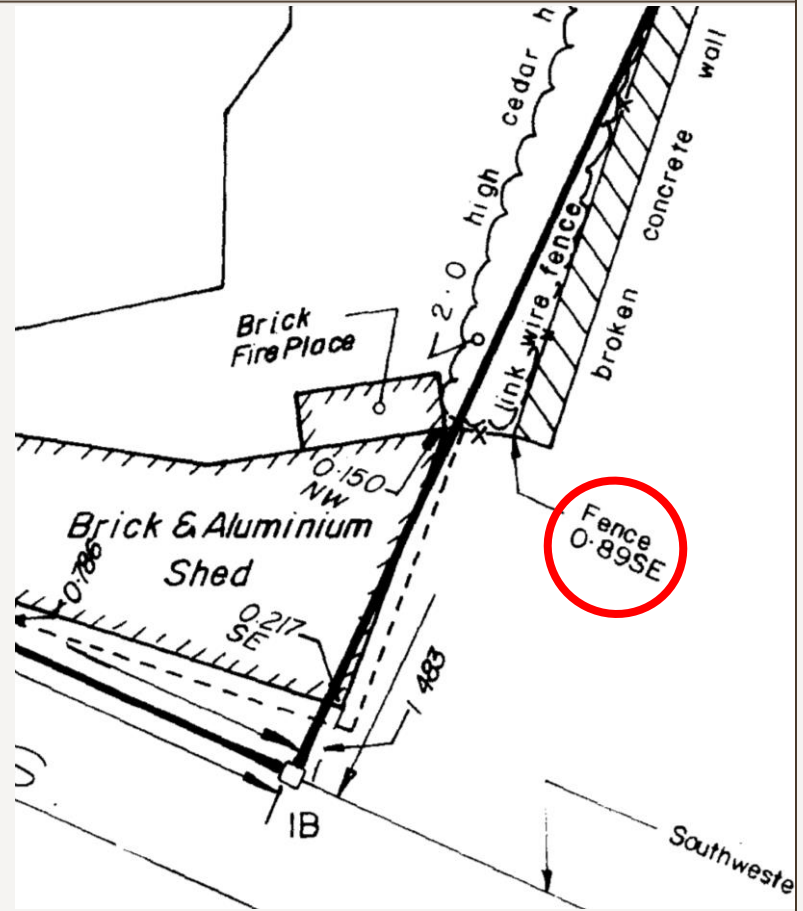
- Surveyor provides an **impartial opinion** of the boundary using **"best available evidence"**.
- Relies on **hierarchy of evidence** to prioritize evidence based on reliability.
 - Natural Boundaries -> Original Monuments in their Original Positions -> Occupation -> Dimensions
- Survey plan **tells a story of the research.**



WHAT CAN A LAND SURVEY DO?

2. SHOWS RELATIONSHIP OF PHYSICAL FEATURES

- Illustrates **the relationship of features** to the boundary (c/l fences; structures; easements; encroachments; survey monuments; retaining walls; buildings).
- Short form distance-direction "from the boundary/corner" (x N/S, y E/W).



3. CREATE A BASELINE FOR THE FUTURE

- Serves as a **chronological and legal record** for understanding land history and occupation.
- Support future claims such as adverse possession.
- Confirms legal non-conforming history.
- Buildings are monuments (they do not move).
- Due diligence.



WHAT CAN A LAND SURVEY DO?

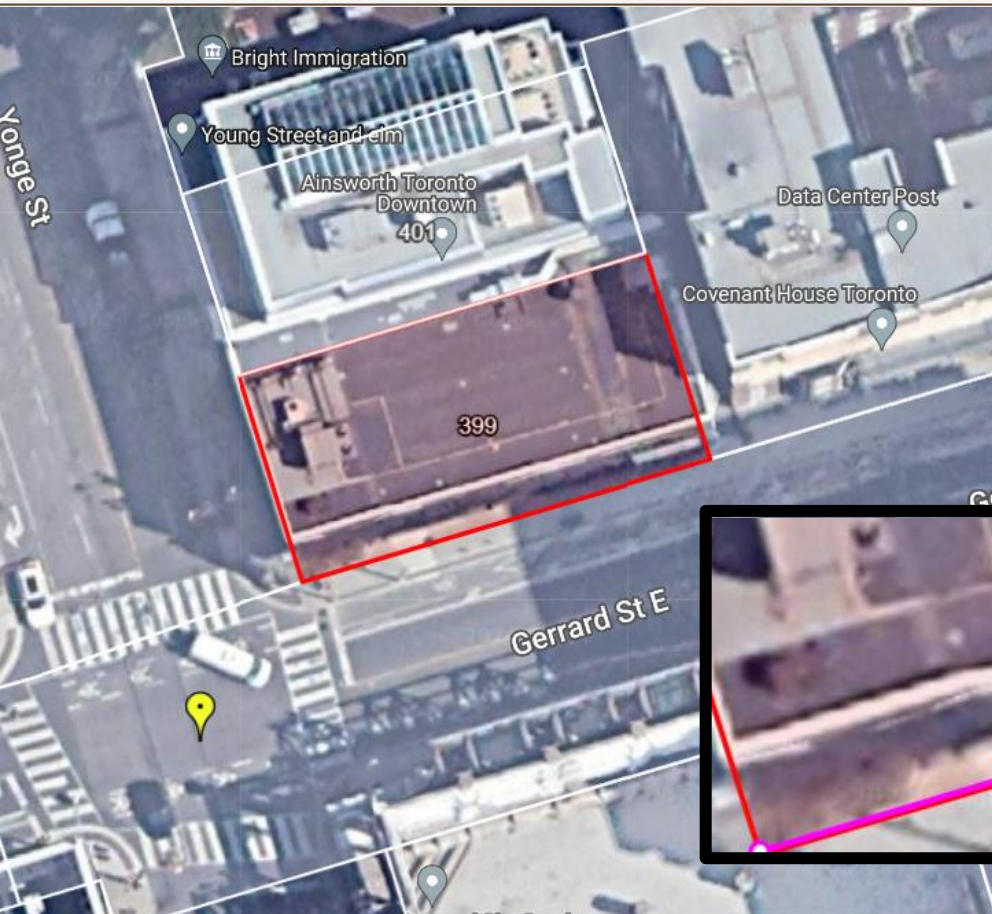
4. DISAGREE WITH GEOWAREHOUSE INDEX MAP

- Geowarehouse is **not a land survey**, but an index map.
- A land survey **can reveal discrepancies** with deeds, identify misdescriptions, and affirm parcel boundaries.



GEOWAREHOUSE PARCEL MAPPING

KRCM AR

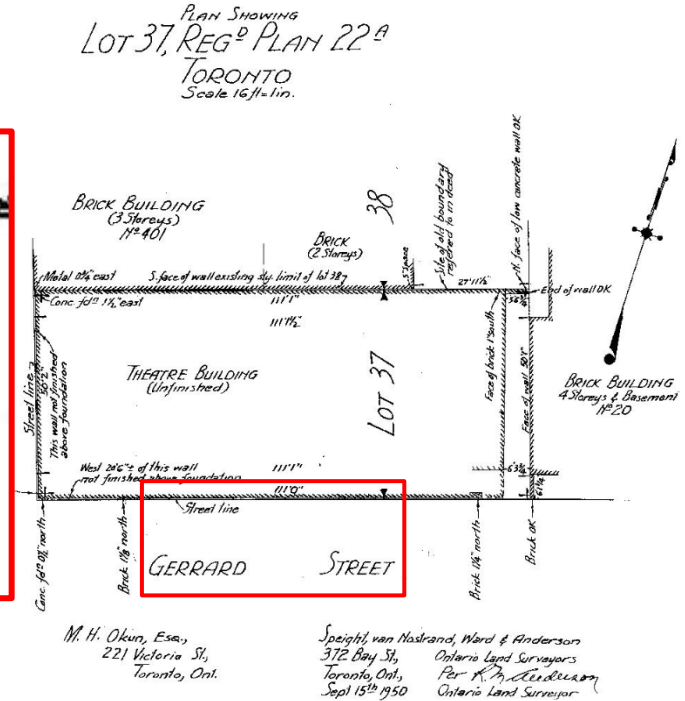
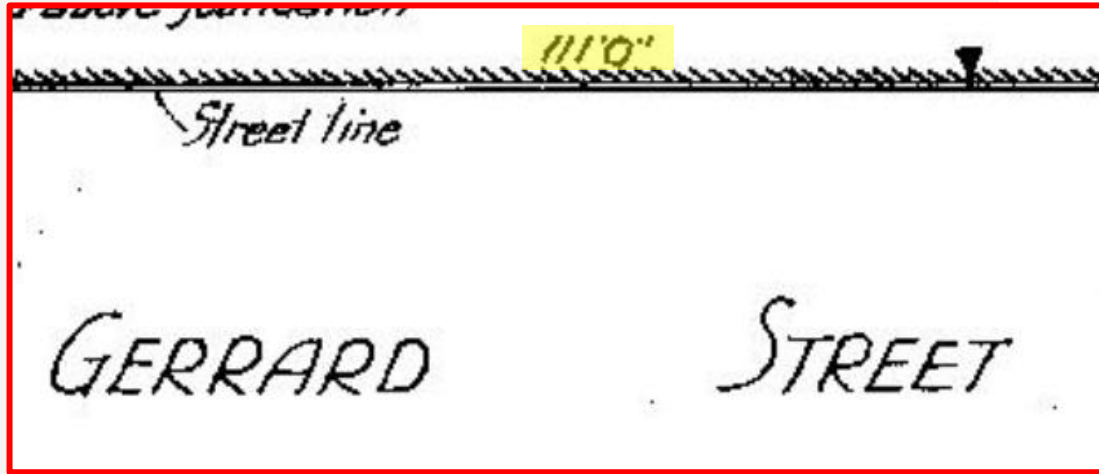


Parcel mapping shows 100 ft lot depth (matching Registered Plan).



GEOWAREHOUSE PARCEL MAPPING

KRCM AR



Legal survey plan from 1950 shows surveyed lot depth of 111 ft (11 feet longer than Registered Plan).

PLAN SHEWING
BLOCK A OF THE LUNATIC ASYLUM FARM

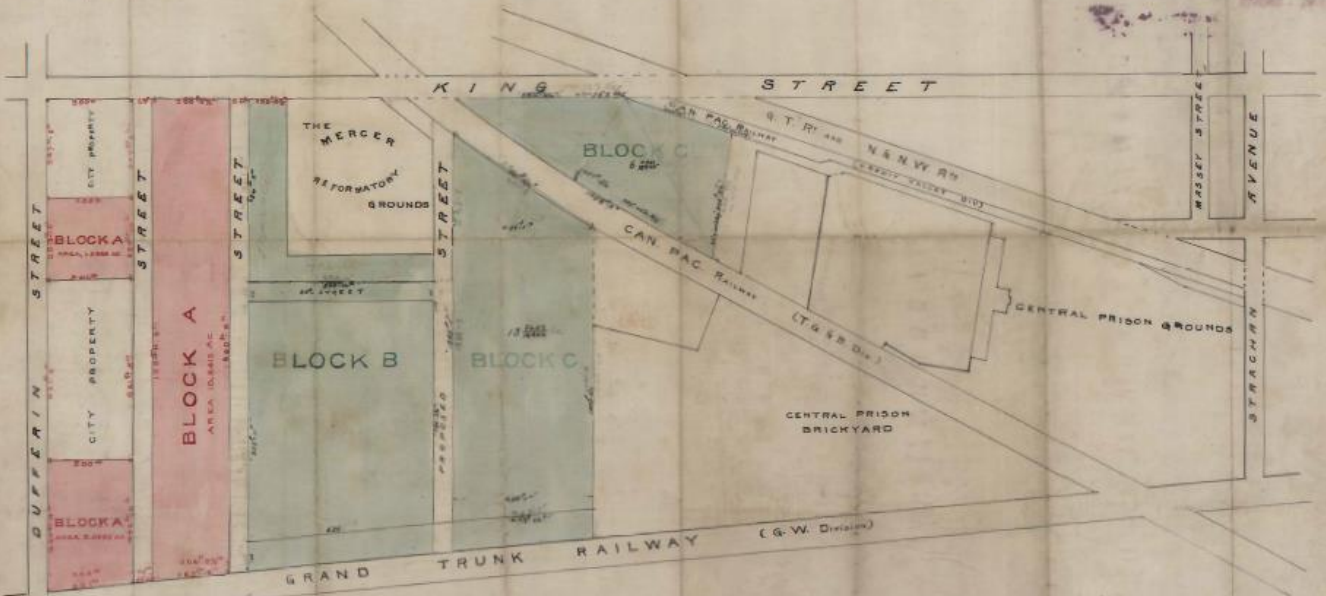
Being parts of Lots 27 & 28 in the Broken Front

TORONTO.

1878

City of Toronto
Survey & Planning Dept.

OFFICE COPY



TOTAL AREA BLOCK A = 15.888 ACRES

Made per order of J. Stewart
The measurements on this plan are taken
by J. Stewart
1878

Verified correct from survey
Spiegel & Associates
Toronto
5th October 1878

WHAT
CAN'T A
LAND
SURVEY
DO?

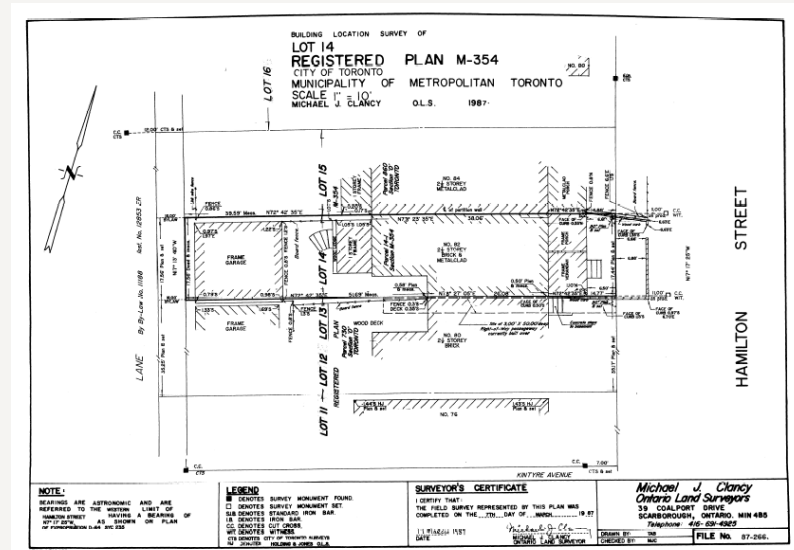
WHAT CAN'T A LAND SURVEY DO?

1. CERTIFY A BOUNDARY

- Only a judge can certify boundaries (Boundaries Act); **a surveyor's opinion remains subject to change** based on new evidence.

2. MOVE A BOUNDARY

- A typical re-survey **does not create boundaries**. Non-riparian parcels **cannot gain land** through a typical re-survey.
- **Lot lines cannot bend**, but property lines can bend.



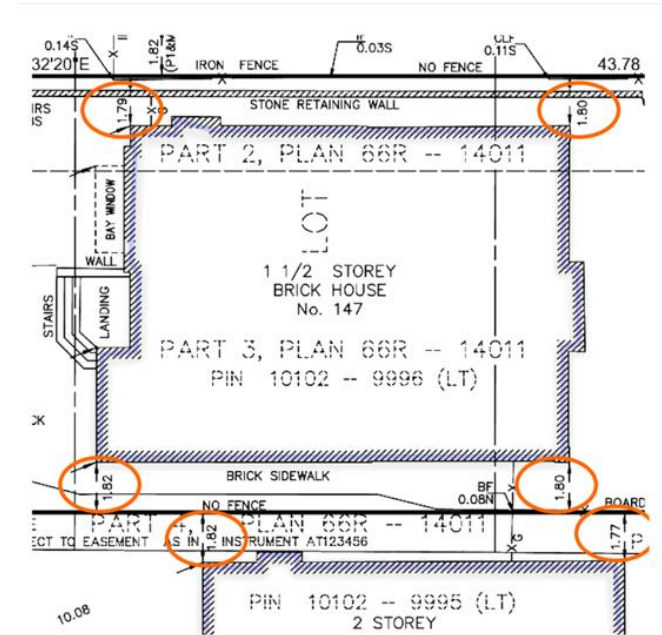
WHAT CAN'T A LAND SURVEY DO?

3. IGNORE EVIDENCE

- Surveyors cannot disregard evidence; the plan must **address all conflicting information impartially**.
- **Surveyors are not advocates, lawyers are.**

4. SHOW NON-VISIBLE STRUCTURES

- **Hidden structures** such as boundary walls, underground utility services or underground garages may be omitted.

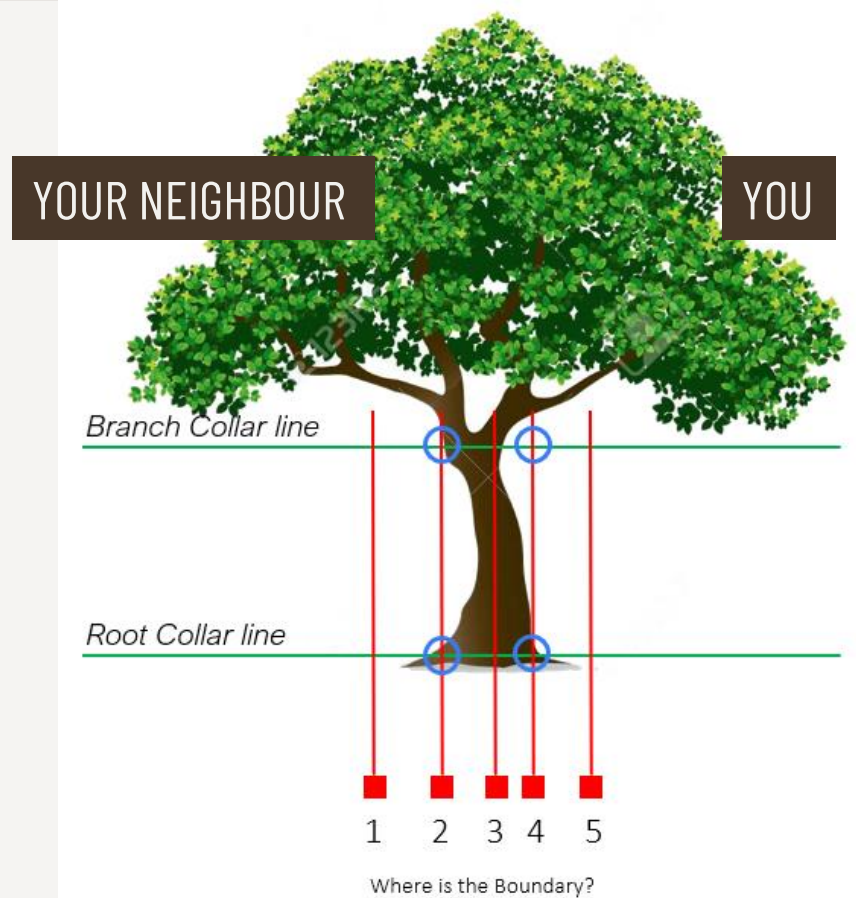


WHAT CAN'T A LAND SURVEY DO?

5. DEFINE OWNERSHIP OF A TREE

Survey **shows location, not ownership** or shared rights.

1. Your Tree
2. Shared Tree
3. Shared Tree
4. Shared Tree
5. Their Tree



WHAT **CAN'T** A LAND SURVEY DO?

6. SOLVE ISSUES AND DISPUTES

- **Easement Issues** - Encroachments, prescriptive rights, usage, blocking.
- **Boundary Disputes** - Two different surveyor's opinions, ultimate resolution by a judge.
- **Unregistered Rights** - Quality of title.



1. **Any dealings in land** - transaction, construction, improvement, development.
2. **Legal descriptions** which include metes and bounds, easements, “save and except”, or registry PIN.
3. Uncertainty about important **features** relative to boundary, or potential claims for **adverse possession**.
4. Adjoining lands undergoing change.
5. Property situated **along the water** (there may be a hidden shore reserve).

WHY IT MATTERS

KRCMAR™



Closing a
deal

Winning

Safety

Shelter

Source: Microsoft 360 Images

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THANK YOU

Sasa Krcmar, OLS, MBA.

