



SURVEYOR'S REAL PROPERTY REPORTS

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What are the most commonly asked questions concerning the Surveyor's Real Property Report at the Association offices? Over the past year, Andrea Tieman, Manager of the Survey Review Department and I have given our interpretation of the Council policy on the Surveyor's Real Property Report. The following are some of the questions and our reply.

CLIENT'S NAME

QUES. I don't like the wording "this report was prepared for J. Brown and the undersigned accepts no responsibility for use by other parties". What are my alternatives when my client or client's solicitor is questioning this particular wording?

ANS. The Standards for Surveys state "the plan shall include a note specifying the name of the client for whom the Surveyor's Real Property Report was prepared". The wording illustrated on the sample plan was simply an option. (Schedule "A" attached has further suggestions)

"PLANS OF SURVEY"

QUES. If I prepare a "plan of survey" to locate a building, does a Surveyor's Real Property Report format need to be followed?

ANS. Yes! The Standards for Surveys states "A Surveyor's Real Property Report is a survey of all the boundaries of a unit of land made for the purpose of locating a building or structure in relation to the boundaries of the unit of land". Section 8 in the new monumentation regulation- O.Reg. 525/91 allows you to set less monumentation for specific instances. The fact you choose to exceed the monumentation requirement does not negate the fact that a Surveyor's Real Property Report must be prepared.

COMMERCIAL BUILDINGS

QUES. We have been asked if a Surveyor's Real Property Report should be prepared when it is a plan of survey of an apartment building or a commercial building.

ANS. The answer is the same as stated in question number two in that the Standards for Surveys indicate that if the purpose of the survey

is to locate a building in relation to the boundaries of the land, then a Surveyor's Real Property Report shall be prepared.

SEPARATE PARTS

QUES. Is it necessary to show the plan as Part I and the report as Part 2?

ANS. We have said the Surveyor's Real Property Report is made up of two items, a plan and a written report. Labelling them as Part 1 and Part 2 is optional.

REPORT ON PLAN OR SEPARATE DOCUMENT

QUES. Surveyors have expressed concern about the statement "this plan must be read in conjunction with the Survey Report dated
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ANS. If the report is on the face of the survey plan, it is not necessary to use this statement. As stated in the Standards for Surveys Part V, Appendix I, Section 3(2) "if the plan and the written report are separate documents, the plan shall include a note indicating that the written report is to read in conjunction with the plan". In the case where the report is a separate document you should attach a copy of the report with every print you issue.

ZONING ISSUES

QUES. The Standards state in Part V, Appendix I, section 5 (a) "The Surveyor's Report Property Report shall show all buildings and structures or the foundation of all buildings under construction on the lands and their distances from the boundaries of the land". Does this mean I have to compare to existing By-Laws?

ANS. Yes and No!

Yes if you *have* been hired specifically to certify the Zoning Bylaws and you have carried out the proper research.

No! The plan should illustrate sufficient measurements or ties to facilitate the use of the Surveyor's Real Property Report. The certification of By-laws may be one of the uses of the plan by a solicitor or municipal official. If a rear yard measurement is required, then you should show it.

Any comment in the compliance with Zoning By-Laws is unique to the location, current legislation resolutions of Municipal Councils or previous applications to the Committee of Adjustments. The Surveyor should confirm in the report that the plan is not certifying compliance with existing Zoning By-Laws.

CLIENT

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UNDERSIGNED ACCEPTS NO RESPONSIBILITIES FOR USE BY OTHER
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