

Introduction to Survey Plan Submissions

Part 1: Examination of Charge Plans – The Basics



Presented by: D. Meyer and A. Edwards

Deputy Registrars

October 5, 2023

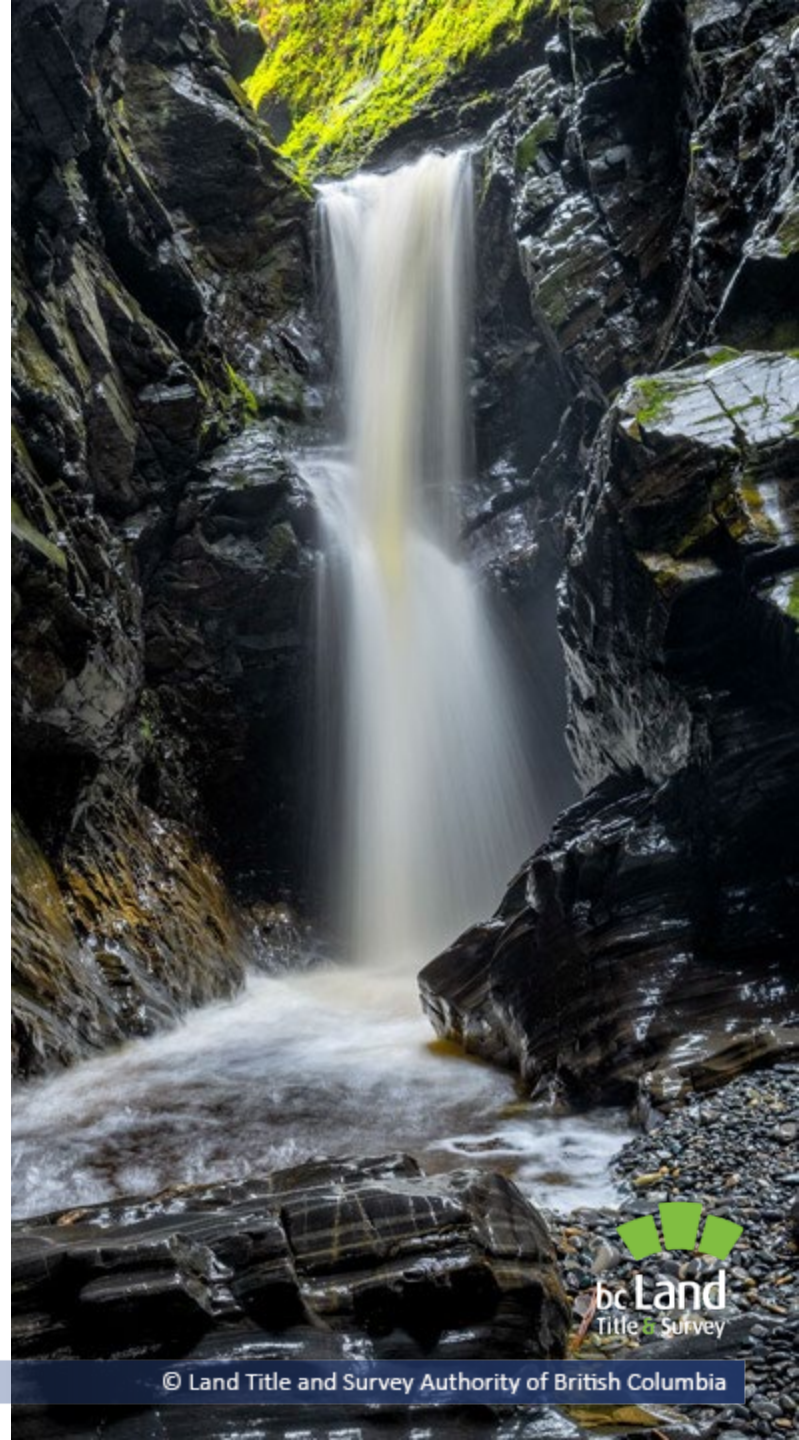
Innovation. | Integrity. | Trust.



First Nations Acknowledgement

We acknowledge that we are presenting this webinar from the New Westminster and Victoria Land Title Offices on the ancestral, traditional territories of the Qayqayt, Esquimalt and Songhees First Nations.

We are privileged to live and work on the traditional and ancestral territories of Indigenous Peoples and Nations throughout British Columbia.



Welcome & Introductory Remarks

- Introductions
- Submit your questions during the presentation
 - Include your name, firm name & email
- Recording and PowerPoint
 - itsa.ca/webinar-resources
- Survey - we want to hear from you!





BC Land Title and Survey Authority of BC (LTSA)

6,944 TOTAL VIEWS

1

Introduction to Survey Plan Submissions Part 1: Examination of Charge Plans

Presented by: D. Meyer and A. Edwards
Deputy Registrars
October 5, 2023

Innovation. | Integrity. | Trust

© Land Title and Survey Authority of British Columbia

Q&A

Ask a question

All questions (0)

What would you like to know?

Ask a question

Type Here

Filter Here

Survey

Videos About Privacy



Troubleshooting



Webinar Survey

We want to hear from you. Please fill out the survey after the webinar.

Link to presentation (PPT) and recording:

[Webinar Resources](#)

Resources



Agenda

- Acronym/definitions
- Examination focus
- Explanatory vs reference plan
- Charge plans S. 99(1) LTA Land Title Act
- Lease plans S. 99(1)(k) Land Title Act
- Statutory Right of Way plans S. 99 & 113 Land Title Act
- Road dedication plan S. 107 Land Title Act
- Common defects (survey packages)

Acronym Definitions



AO – Approving Officer

BCLS – British Columbia Land Surveyor

DSPL - Application to Deposit Plan

LTO – Land Title office

LTSA – Land Title Survey Authority

PMBC – Parcel Map British Columbia

REM – Remainder

SPC – Survey Plan Certification

SRW – Statutory Right of Way

Examination Focus

- Application to Deposit plan (DSPL)
 - All lands depicted in the plan are applied for
 - All executions required in support (If required)
- Charge Plan Examination Survey Plan Certification (SPC)
 - Plan heading
 - Fully delineated (Bold outline and measurements)
 - Properly labelled
 - Approving Officer Statement (If required)
 - Agricultural Land Reserve Statement (If required)
- Accompanying charge document
 - Signed by the correct parties
 - Part 1 application matches Part 2 terms of the instrument
 - Consideration and grant
 - Does not have to charge all areas shown on the plan

Examination Focus

- 67** A plan tendered for deposit, other than an explanatory plan or sketch plan, must comply with the following requirements:
- (a) the plan must be based on a survey made by a British Columbia land surveyor;
 - (b) the plan must comply with the rules respecting surveys and plans made under section 385(5) for the purposes of this section;
 - (c) the plan must have a title that includes the legal description, in accordance with the register, of the land subdivided and indicate whether all or part of that land is being subdivided;
 - (d) to (r) [repealed];
 - (s) unless otherwise provided by regulation, the plan must be accompanied by a machine made transparent copy of a type approved by the Surveyor General, together with the number of white prints that may be necessary for the purpose of taxing authorities, the Surveyor General, the Ministry of Transportation and the regional board of the regional district in which the land is located;
 - (t) the correctness of the survey and plan must be verified by the surveyor by his or her statement in the form approved by the director.

Examination Focus

91 (1) A subdivision or reference plan must not be deposited by the registrar unless it has first been approved by the approving officer.

(2) Subsection (1) does not apply

(a) if, under section 94, the plan only consolidates into a single parcel lawfully accreted land and another parcel, or

(b) subject to section 99(2), to a reference plan deposited under section 99(1)(e), (f), (g), (h) and (j), or 100.



Examination Focus

99(2) The registrar, before exercising his or her discretion in respect of the matters covered by subsection (1)(c), (d), (f), (h)(iv), (i) or (k), must require the applicant to provide satisfactory evidence that the approving officer has granted approval of the subdivision but in the case of a transfer under subsection (1) (f), approval is required only if the land is in a rural area

Explanatory vs Reference Plan

- “**explanatory plan**” means a plan that
 - (a) is not based on a survey but on existing descriptions, plans or records of the land title office, and
 - (b) is certified correct in accordance with the records of the land title office
 - (i) by a British Columbia land surveyor, or
 - (ii) by the minister charged with the administration of the *Transportation Act*;
- “**reference plan**” means a plan that is prepared by a British Columbia land surveyor and is based on a field survey

Reference Plan Preferred to Explanatory Plan

- Email customerservice@ltsa.ca to request pre-approval for Explanatory Plan
- <https://ltpm.ltsa.ca/99-registrar-determine-whether-description-land-acceptable>

Reference Plan Preferred to Explanatory Plan

The registrar prefers a reference plan. However, the registrar may accept an explanatory plan as long as:

1. no known survey discrepancies exist;
2. the new boundaries do not contain excessive curves or jogs and are not affected by a natural boundary;
3. the registrar is of the opinion that a survey is not required to establish the location of the boundaries on the ground;
and
4. the parent plan is not based on a description or explanatory plan.

The registrar will also consider an explanatory plan when the area delineated on the plan is defining an existing and immovable object, such as a tree or building. In this instance, the owner or applicant should include a written explanation with the application to file the plan.

Covenant Plan - S 99(1)(e) Land Title Act

99 (1) The registrar may accept

(a) a metes and bounds description or an abbreviated description, with or without a reference plan or an explanatory plan, or

(b) a reference plan or an explanatory plan, with or without a metes and bounds description

in any of the following cases:

(e) if an easement, restrictive covenant, covenant under section 219 or a statutory right of way is being created

Examination Focus 99(1)(e)

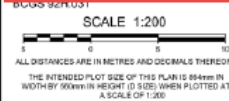
- Application to Deposit plan (DSPL)
 - All lands depicted in the plan are applied for
- Charge Plan Examination – Survey Plan Certification (SPC)
 - Plan heading
 - Fully delineated (Bold outline and measurements)
 - Properly labelled
- Accompanying charge document
 - Signed by correct parties
 - Part 1 application matches Part 2 terms of instrument
 - Consideration and grant
 - Does not have to charge all areas shown on the plan



**REFERENCE PLAN OF PART OF LOT 11
DISTRICT LOT 3608 GROUP 1
NEW WESTMINSTER DISTRICT PLAN 12345**
PURSUANT TO SECTION 99(1)(e) OF THE LAND TITLE ACT.
FOR COVENANT PURPOSES

DL 3850 GP 1

49
PLAN 62254



THE UTM COORDINATES AND ESTIMATED ABSOLUTE ACCURACY ACHIEVED ARE DERIVED FROM DUAL FREQUENCY GNSS OBSERVATIONS PROCESSED USING THE PRECISE POINT POSITIONING SERVICE OF NATURAL RESOURCES CANADA.

DATUM: NAD83 (CSRS) 2011.0, UTM ZONE 10

STATION	NORTHING	EASTING	ABSOLUTE ACCURACY
85	649587.489	677266.181	0.06
104	6495765.423	577806.880	0.09

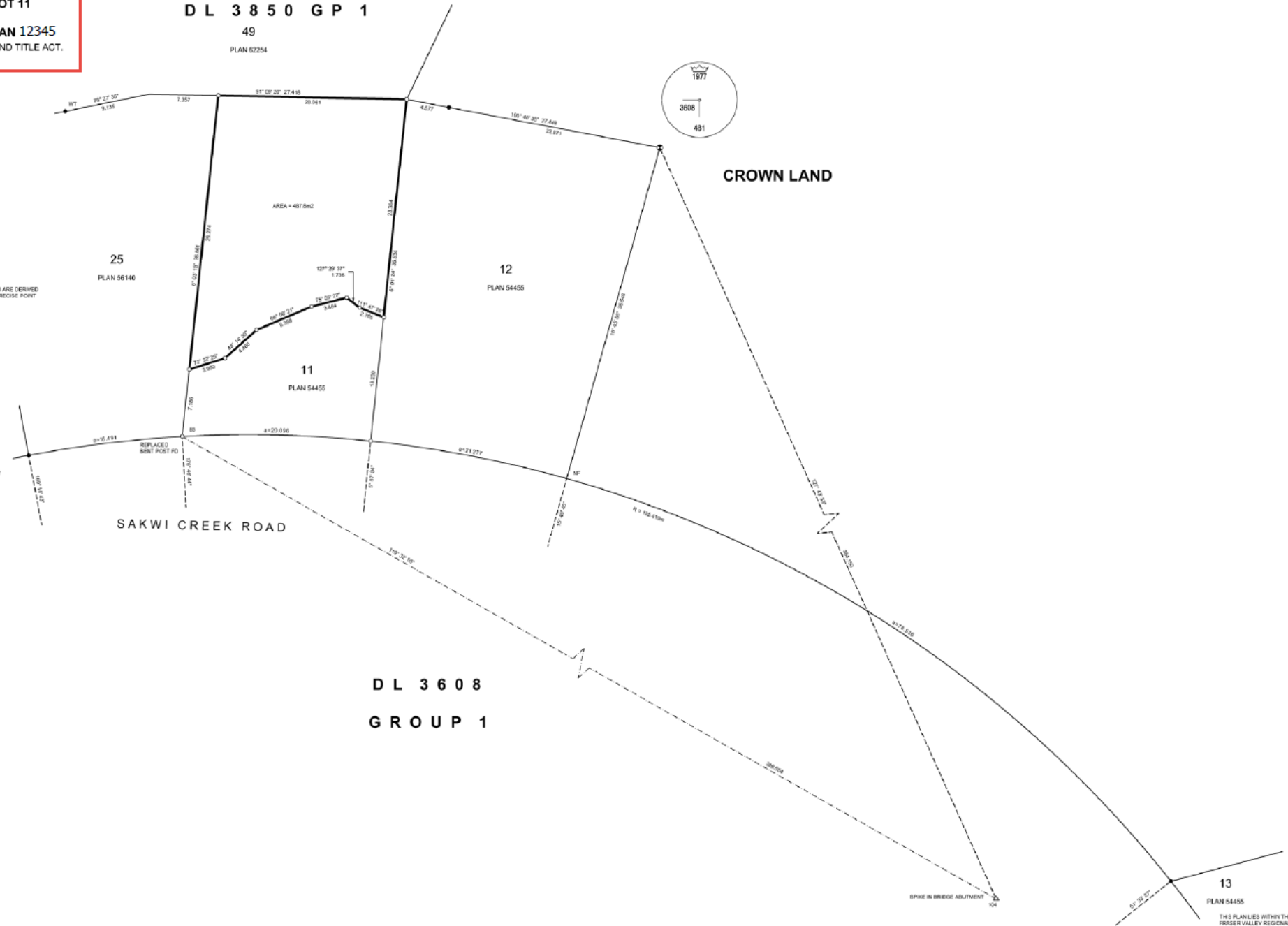
NOTE: FOR MAPPING PURPOSES ONLY.

- LEGEND**
- - DENOTES STANDARD IRON POST FOUND
 - - DENOTES STANDARD IRON POST PLACED
 - ⊕ - DENOTES STANDARD CAPPED POST FOUND

GRID BEARINGS ARE DERIVED FROM DUAL-FREQUENCY DIFFERENTIAL GNSS OBSERVATIONS AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 10.

THIS PLAN SHOWS HORIZONTAL GROUND LEVEL DISTANCES. UNLESS OTHERWISE SPECIFIED, TO COMPUTE GRID DISTANCES, MULTIPLY GROUND LEVEL DISTANCES BY THE AVERAGE CORRECTION FACTOR OF 0.99928. THE AVERAGE CORRECTION FACTOR HAS BEEN DETERMINED BASED ON AN ELLIPSOIDAL ELEVATION OF 937 METERS.

NOTE: THIS PLAN SHOWS ONE OR MORE WITNESS POSTS WHICH ARE NOT SET ON THE TRUE CORNERS.



DL 3608
GROUP 1

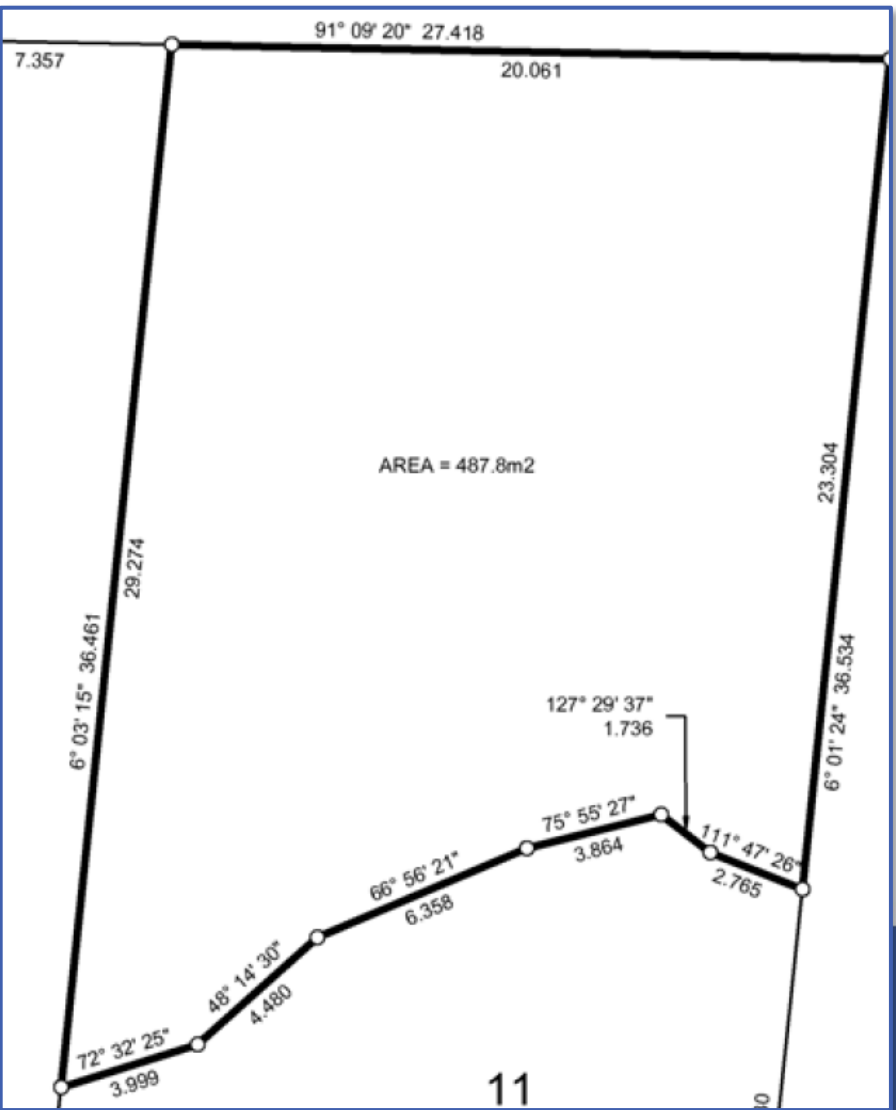
13
PLAN 54455

THIS PLAN LIES WITHIN THE FRASER VALLEY REGIONAL DISTRICT

THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS COMPLETED ON THE 7TH DAY OF JUNE, 2022
DEVON PALLANJAN, BOLS 354

Covenant Plan - S 99(1)(e) Land Title Act

**REFERENCE PLAN OF PART OF LOT 11
 DISTRICT LOT 3608 GROUP 1
 NEW WESTMINSTER DISTRICT PLAN 12345**
 PURSUANT TO SECTION 99(1)(e) OF THE LAND TITLE ACT.
 FOR COVENANT PURPOSES



S 99(1)(f)(g)&(h) Land Title Act

99 (1) The registrar may accept

(f) if a parcel is being transferred to the Crown or other transferee for highway purposes;

(g) if there is a statutory right to acquire compulsorily a parcel smaller than the registered parcel;

(h) if a parcel is being transferred, leased or donated for public purposes to

(i) the Crown, including a Crown agency,

(ii) a municipality, regional district or improvement district,

(iii) a public body exercising public functions over the area in which the land is located, or

(iv) a person designated by the minister under section 219(3)(c).

S 99(1)(j) Land Title Act

99 (1) The registrar may accept

(j) if a new parcel is being created for a lease for well site or access roadway or both well site and access roadway purposes under the *Oil and Gas Activities Act*

Lease Plan - S 99(1)(k) 2 Land Title Act

99 (1) The registrar may accept

(k) if a new parcel is being created for a lease other than a lease referred to in paragraph (j).

Examination Focus 99(1)(K)

- Application to Deposit plan (DSPL)
 - All lands depicted in the plan are applied for
 - All executions required in support
- Charge Plan Examination – Survey Plan Certification (SPC)
 - Plan heading
 - Fully delineated (Bold outline and measurements)
 - Properly labelled
 - Approving Officer Statement
 - Agricultural Land Reserve Statement
- Accompanying charge document
 - Signed by the correct parties
 - Part 1 application matches Part 2 terms of the instrument
 - Consideration and grant
 - Does not have to charge all areas shown on the plan

**Reference Plan To Accompany Lease Over Part of
Lot 1 Section 8 Range 1 East Section 10 North
Saanch District Plan 12345**

Pursuant to Section 99(1)(k) of the Land Title Act
Lease and Approval of the Approving Officer to Expire April 2, 2050.

BCGS 92B.063



The intended plot size of this plan is 560mm in width by 432mm in height (C size) when plotted at a scale of 1:400.

Distances are in metres, unless otherwise indicated.

Integrated Survey Area No. 29, the Town of Sidney, NAD83(CSRS) 3.0.0.BC.1.CRD.

Grid bearings are derived from observations between geodetic control monuments 79H0484 and 79H0550, and are referred to the Central Meridian of UTM Zone 10.

The UTM coordinates and absolute accuracy achieved are derived from conventional survey observations to geodetic control monuments 79H0484 and 79H0550.

This plan shows horizontal ground-level distances except where otherwise specified. To compute grid distances, multiply ground-level distances by combined factor 0.9996121 which has been derived from geodetic control monuments 79H0484 and 79H0550.

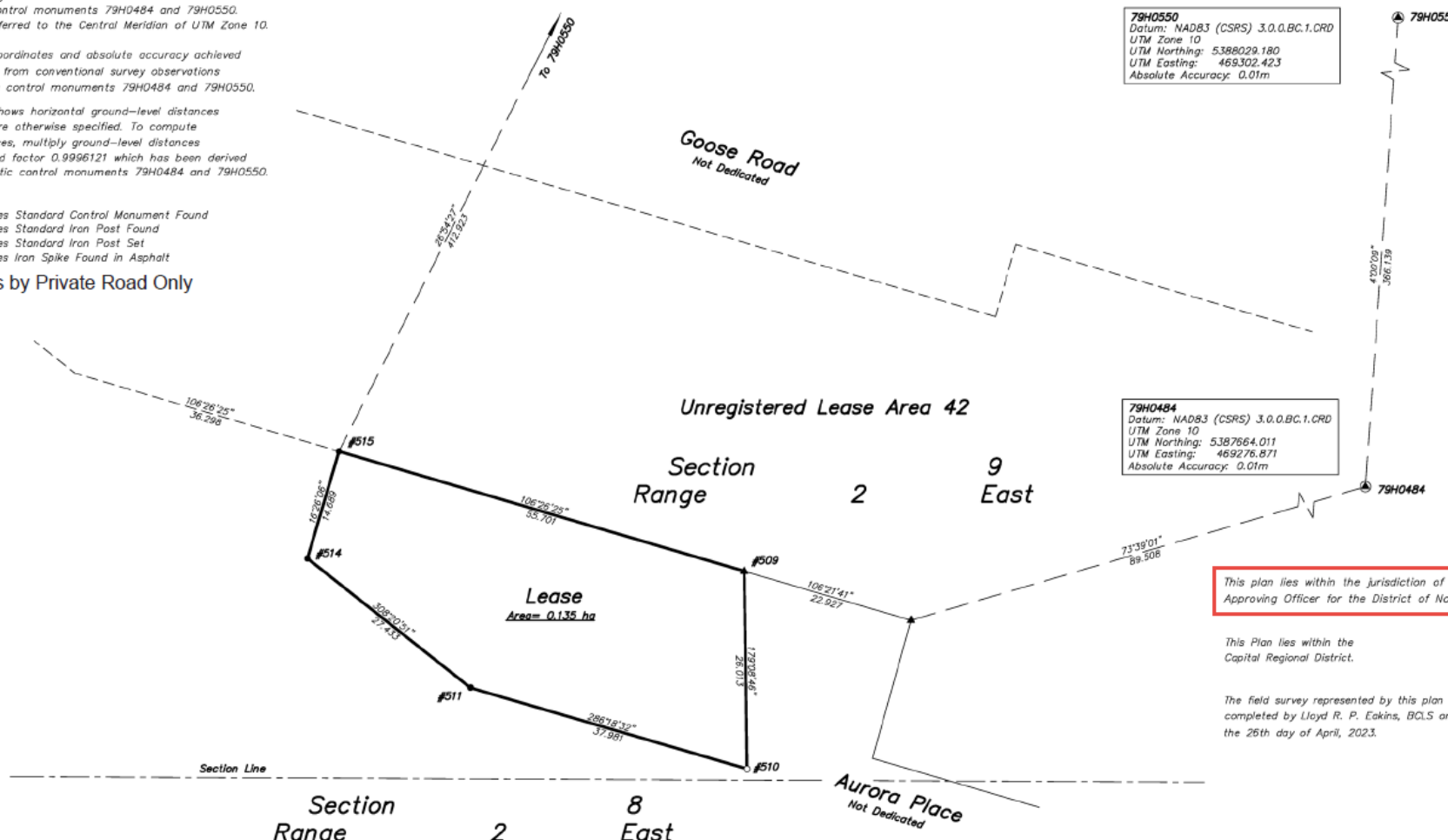
Legend:

- ▲ Denotes Standard Control Monument Found
- Denotes Standard Iron Post Found
- Denotes Standard Iron Post Set
- ▲ Denotes Iron Spike Found in Asphalt

Access by Private Road Only

Datum: NAD83(CSRS) 3.0.0.BC.1.CRD - UTM Zone 10 North

Point	UTM Northing	UTM Easting	Absolute Accuracy
#509	5387645.280	469169.026	0.02
#510	5387619.280	469169.413	0.02
#511	5387629.941	469132.975	0.02
#514	5387646.955	469111.468	0.02
#515	5387661.039	469115.622	0.02



79H0550
Datum: NAD83 (CSRS) 3.0.0.BC.1.CRD
UTM Zone: 10
UTM Northing: 5388029.180
UTM Easting: 469302.423
Absolute Accuracy: 0.01m

79H0484
Datum: NAD83 (CSRS) 3.0.0.BC.1.CRD
UTM Zone: 10
UTM Northing: 5387664.011
UTM Easting: 469276.871
Absolute Accuracy: 0.01m

This plan lies within the jurisdiction of the Approving Officer for the District of North Saanich.

This Plan lies within the Capital Regional District.

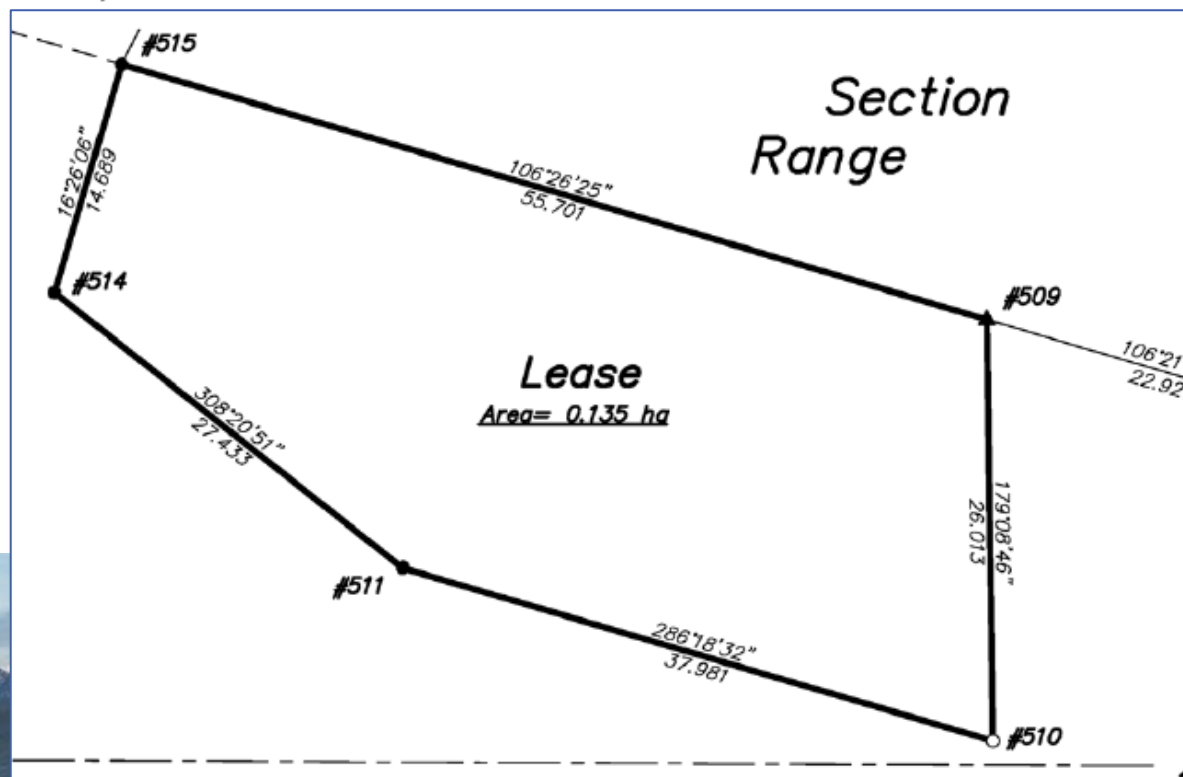
The field survey represented by this plan was completed by Lloyd R. P. Eakins, BCLS on the 26th day of April, 2023.

Lease Plan - S 99(1)(k) Land Title Act

**Reference Plan To Accompany Lease Over Part of
Lot 1 Section 8 Range 1 East Section 10 North
Saanich District Plan 12345**

*Pursuant to Section 99(1)(k) of the Land Title Act
Lease and Approval of the Approving Officer to Expire April 2, 2050.*

*This plan lies within the jurisdiction of the
Approving Officer for the District of North Saanich.*



SRW Plan - S 99(1)(e) & 113 Land Title Act

113 (1) For the purpose of this section, “person” means a person referred to in section 218(1)(a), (b) or (d) as grantee.

(2) A statutory right of way must not be registered unless a statutory right of way plan is deposited with the registrar or its deposit is dispensed with by the registrar on the ground of hardship or economic loss.

(3) A plan tendered under subsection (2) must

(a) include in its title, if applicable, a reference to the enactment authorizing the acquisition of the statutory right of way, and

(b) comply with section 116 and the rules respecting surveys and plans made under section 385(5) for the purposes of this section.

SRW Plan - S 99(1)(e) & 113 Land Title Act

- Section 113 preferred
 - Ensures requirements in Section 116 Land Title Act are met

Note: All SRW plans are prepared in accordance with Section 113, if an explanatory plan is used, then S. 99(1)(e) is used.

SRW Plan - S 116 Land Title Act



116 (1) A statutory right of way plan tendered to the registrar for deposit under section 113 must, in addition, comply with the following requirements:

- (a) the area taken from each section, district lot or parcel, as the case may be, must be shown on the plan;
- (b) the boundary lines of each section, district lot or parcel affected by the plan must be shown according to the original survey, and there must also be shown a sufficient number of angular and linear measurements to define the limits of the statutory right of way and to show their connection with each section, district lot or parcel through which the statutory right of way passes;
- (c) if the statutory right of way is through land that has been subdivided and shown on any deposited plan, the plan must show distinctly, as to all registered parcels affected by the statutory right of way, the boundaries and designation of each parcel according to the deposited plan, and a sufficient number of angular and linear measurements to show the location and connection of the statutory right of way with each registered parcel and subdivision affected;
- (d) except as provided in section 117, the centre line from which measurements to the limits of the statutory right of way are shown must be referenced on the ground by iron posts or equally permanent monuments, so placed as to identify the points of deflection from all tangents, and the plan must show, by angular and linear measurements, the relation of all corners of the land within the statutory right of way plan to those iron posts or monuments;
- (e) if transition curves are used on the located centre line of the statutory right of way, they must be replaced in each case on the plan tendered for deposit by a simple curve tangential to the main tangent and compounded with the main curve at its junction with the transition curve, and the simple curve must then be called a terminal curve;
- (f) if the limits of the statutory right of way are governed by a circular curve on the centre line, they must be circular curves concentric with and at the appropriate radial distance from the governing centre line curve;
- (g) if the limits of the statutory right of way are governed by a transition curve on the centre line, they must be formed by a series of straight lines connecting points at the appropriate distances from the centre line, measured along the radii, or radii produced, or along the line bisecting the angle between contiguous chords of the transition curve, as the case may be.

(2) If there is a statutory right of way through unsurveyed Crown land, it is acceptable to the registrar if a sufficient number of angular and linear measurements are shown on the statutory right of way plan to define the limits of the land affected by the statutory right of way.

Examination Focus 99(1)(e) or 113

- Application to Deposit plan (DSPL)
 - All lands depicted in the plan are applied for
- Charge Plan Examination – Survey Plan Certification (SPC)
 - Plan heading
 - Fully delineated (Bold outline and measurements)
 - Properly labelled
 - Agricultural Land Reserve Statement
- Accompanying charge document (If applied for)
 - Signed by correct parties
 - Part 1 application matches Part 2 terms of instrument
 - Consideration and grant
 - Does not have to charge all areas shown on the plan
 - Agricultural Land Commission consent

Road Dedication Plan - S 107 Land Title Act

- 107** (1) The deposit of a subdivision, reference or explanatory plan showing a portion of the land
- (a) as a highway, park or public square, that is not designated on the plan to be of a private nature, or
 - (b) as covered by water and as lying immediately adjacent to a lake, river, stream or other body of water not within the land covered by the plan, and designated on the plan to be returned to the government,
operates
 - (c) as an immediate and conclusive dedication by the owner to the public of that portion of land shown as a highway, park or public square, or to be returned to the government, for the purpose indicated on or to be inferred from the words or markings on the plan,
 - (d) to vest in the Crown in right of the Province, subject to any other enactment, title to the highway, park or public square, or to the portion to be returned to the government, except any of the following that are registered in the name of a person other than the owner...

Road Dedication Plan - S 107 Land Title Act

- Application to Deposit plan (DSPL)
 - All lands depicted in the plan are applied for
 - All executions required in support
- Charge Plan Examination – Survey Plan Certification (SPC)
 - Plan heading
 - Fully delineated (Bold outline and measurements)
 - Properly labelled
 - Approving Officer Statement
 - Agricultural Land Reserve Statement



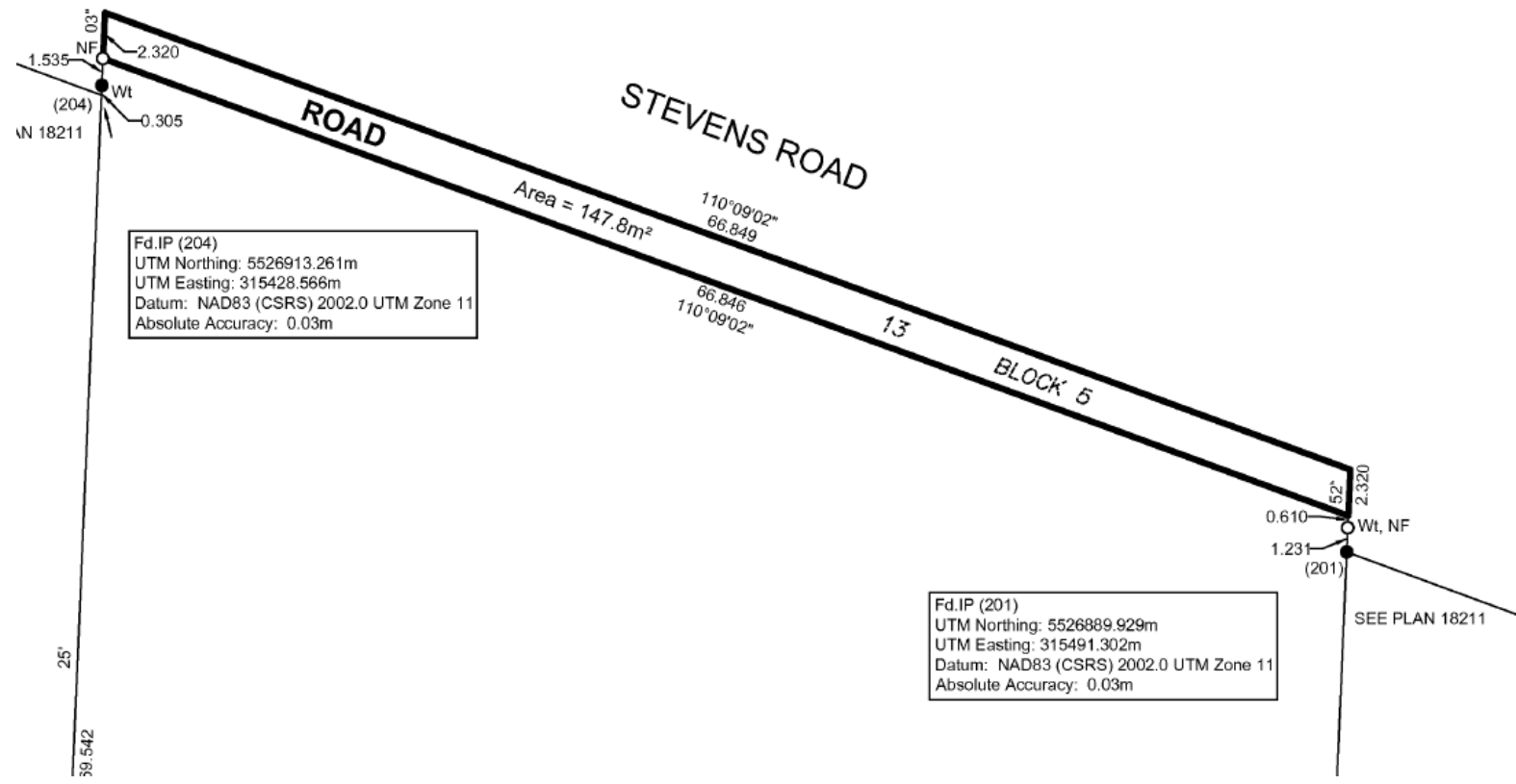
Road Dedication Plan - S 107 Land Title Act



REFERENCE PLAN OF PART OF
LOT 13 BLOCK 5 DISTRICT LOT 506
OSOYOOS DIVISION YALE
DISTRICT PLAN

PURSUANT TO SECTION 107 OF THE LAND TITLE ACT

This plan lies within the Regional District of Central Okanagan.



Common Defects (survey packages)

- Apply for lots on DSPL when no lots being created
- Approvals
- ALR
- Accompanying documents
 - Easement, Lease, Covenant, SRW
 - Missing consideration and/or grant
 - Part 1 item 3 application not matching the Part 2 terms of instrument
 - Missing additional interests (must register to fullest extent S. 156 LTA)ie. Priority Agreement

Examination Focus

- Application to Deposit plan (DSPL)
 - All lands depicted in the plan are applied for
 - All executions required in support (If required)
- Charge Plan Examination Survey Plan Certification (SPC)
 - Plan heading
 - Fully delineated (Bold outline and measurements)
 - Properly labelled
 - Approving Officer Statement (If required)
 - Agricultural Land Reserve Statement (If required)
- Accompanying charge document
 - Signed by the correct parties
 - Part 1 application matches Part 2 terms of the instrument
 - Consideration and grant
 - Does not have to charge all areas shown on the plan

Resources

- [Land Title Practice Manual](#)
- [Survey and Plan Rules](#)
- [Electronic Land Title Plan and Plan Application Requirements](#)
- [Electronic Plan Application Help Guide](#)

Customer Service Centre

1-877-577-LTSA (5872) or 604-630-9630 Option 2

customerservice@ltsa.ca

Join Us

Part 2: Subdivision and fee simple plans – The basics

- Date: Tuesday, November 7, 2023
- Time: 11:00am -12:00pm

[Register Today!](https://LTSA.ca/webinars) -> LTSA.ca/webinars

Thank you



Innovation. | Integrity. | Trust.

