

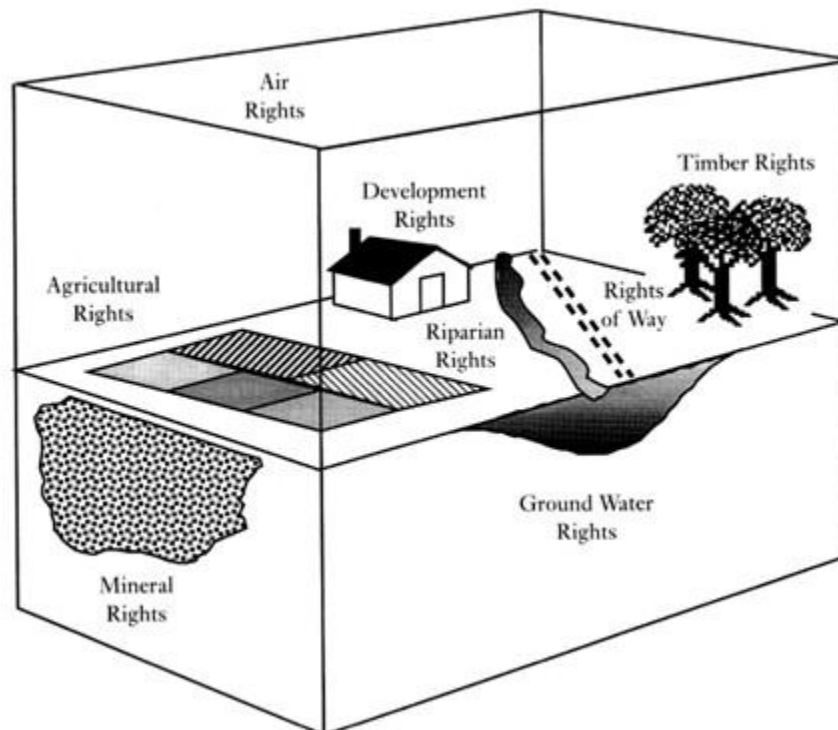
Office of the Honorable John Yakabuski, MPP
Ministry of Natural Resources and Forestry

May 15, 2020

RE: Proposed amendments to Ontario Regulation 244/97 and the Aggregate Resources of Ontario Provincial Standards under the Aggregate Resources Act

Dear Minister Yakabuski:

Professional Surveyors Canada (PSC) is a not for profit association representing the interests of the public and Professional Surveyors across Canada. We have 1300 professional members in an industry that employs approximately 40,000 people across Canada, and as such constitute the foremost experts on land tenure, surveying, and cadastral mapping in Canada. As the director for the province of Ontario it is my responsibility to act on the behalf of our members in Ontario.



The cadastral parcel and ownership rights
(Dale and McLaughlin, 1999)

Page 1 of 2

Professional surveyors manage, represent and establish cadastral parcels in respect to the location of land rights in order to make them comprehensible and permit a deeper understanding of their spatial relationships. This is our mandate to serve the public as a self-regulating profession.

Under the *Surveys Act*

Validity of surveys

2. No survey of land for the purpose of defining, locating or describing any line, boundary or corner of a parcel of land is valid unless made by a surveyor or under the personal supervision of a surveyor. R.S.O. 1990, c. S.30, s. 2.

Public protection of property rights by licensed professionals is the intention of the *Surveys Act*. This intension is meant to protect not only the subject property of any survey but abutting land owners as well.

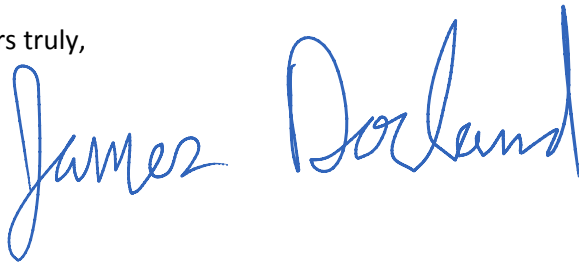
It is suggested that appropriate definitions or wording be added to the *Aggregate Resources Act* to ensure that professionals licensed under the *Surveyors Act* be utilized to locate and provide property boundary locations, setbacks, planning limits based on property locations and title information.

Every Surveyor practicing in Ontario is bound by law to adhere to a specified minimum level of competence and ethical behavior. These rules are set out in the [Surveyors Act](#), R.S.O. 1990, Ch. S.29, and the [Surveys Act](#), R.S.O. 1990, Ch. S.30, (statutes of The Government of Ontario) and in [Regulation 1026](#) (which includes the Code of Ethics and Standards of Practice), [Regulation 216/10](#) and [Regulation 525/91](#) of the Revised Regulations of Ontario, 1990.

This professional assurance provides confidence to both the public and government agencies which rely on accurate boundary locations for effective decision making.

Professional liability insurance requirements under the *Surveyors Act* manage risk and provide compensation in the instance of mistakes caused by inaccurate property boundary locations. This protection may not be afforded by other professionals or individuals who are not licensed for this type of work.

Yours truly,



James Dorland, OLS.
Board Member – Director for Ontario
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References:

Dale, P. F., and McLaughlin, J. D. (1999), *Land Administration*. (Oxford: Clarendon Press)