

**ONTARIO REGULATION 50/01**  
made under the  
**REGISTRY ACT**

Made: February 6, 2001  
Filed: March 5, 2001

Amending O. Reg. 43/96  
(Surveys, Plans and Description of Land)

Note: Ontario Regulation 43/96 has not previously been amended.

**1. Section 2 of Ontario Regulation 43/96 is amended by striking out “under either of those Acts”.**

**2. Subsection 3 (1) of the Regulation is amended by striking out “or” at the end of clause (l), by adding “or” at the end of clause (m) and by adding the following clause:**

- (n) architectural plans or structural plans mentioned in clause 8 (1) (b) or 157 (1) (b) of the *Condominium Act, 1998*.

**3. Section 4 of the Regulation is revoked and the following substituted:**

4. Except as otherwise provided, this Part applies to all plans that are to be registered or deposited and to all amendments to plans prepared under the *Condominium Act, 1998* or a predecessor of it.

**4. Subsection 6 (6) of the Regulation is amended by adding “and” at the end of clause (d), by striking out “and” at the end of clause (e) and by revoking clause (f).**

**5. Clause 7 (2) (b) of the Regulation is amended by striking out “the *Condominium Act*” and substituting “the *Condominium Act, 1998* or a predecessor of it”.**

**6. Section 8 of the Regulation is revoked and the following substituted:**

8. Subsection 7 (1) and clause 7 (2) (a) do not apply to a description within the meaning of the *Condominium Act, 1998* or a predecessor of it.

**7. (1) Clause 9 (1) (d) of the Regulation is amended by striking out “the *Condominium Act*” and substituting “the *Condominium Act, 1998* or a predecessor of it”.**

**(2) Subsection 9 (2) of the Regulation is amended by inserting “or a plan prepared under the *Condominium Act, 1998*” after “Compiled Plan”.**

**8. Clause 10 (2) (d) of the Regulation is amended by striking out “the *Condominium Act*” at the end and substituting “the *Condominium Act, 1998* or a predecessor of it”.**

**9. The Regulation is amended by adding the following section before the heading “PART III”:**

**13.1** Sections 12 and 13 do not apply to plans prepared by a surveyor for descriptions under the *Condominium Act, 1998* or a predecessor of it.

**10. Section 14 of the Regulation is amended by striking out “the *Condominium Act*” at the end and substituting “the *Condominium Act, 1998* or a predecessor of it”.**

**11. (1) Subsection 19 (5) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:**

(5) A reference plan that is prepared to illustrate utility easements on an existing plan of subdivision or an existing plan prepared under the *Condominium Act, 1998* or a predecessor of it, other than a plan for a common elements condominium corporation, may be wholly or partially compiled without the approval of the examiner of surveys if,

.....

**(2) Clause 19 (5) (b) of the Regulation is revoked and the following substituted:**

(b) the plan is deposited before any conveyance or encumbrance is registered against the subdivision plan lots or condominium units affected by the reference plan;

**(3) Subclause 19 (5) (c) (ii) of the Regulation is revoked and the following substituted:**

- (ii) has one limit coincident with a limit of a subdivision lot or condominium unit for its whole length;

**12. Subclause 21 (5) (d) (ii) of the Regulation is revoked and the following substituted:**

- (ii) the Ontario Property Assessment Corporation;

**13. Section 22 of the Regulation is revoked and the following substituted:**

**22.** This Part applies to plans of subdivision but not to plans prepared under the *Condominium Act, 1998* or a predecessor of it.

**14. Clause 27 (4) (c) of the Regulation is amended by striking out “the regional office of the Assessment Division of the Ministry of Revenue for the municipality where the land is situate” and substituting “the Ontario Property Assessment Corporation”.**

**15. Clauses 36 (3) (c) and 43 (2) (c) of the Regulation are amended by striking out “the regional office of the Assessment Division of the Ministry of Revenue for the municipality where the land is situate” and substituting in each case “the Ontario Property Assessment Corporation”.**

**16. Clause 49 (11) (b) of the Regulation is amended by striking out “the regional office of the Assessment Division of the Ministry of Finance for the municipality where the land is situate” and substituting “the Ontario Property Assessment Corporation”.**

**17. Section 52 of the Regulation is revoked and the following substituted:**

**52.** This Part applies to descriptions of land in an instrument, other than a plan, tendered for registration except with respect to matters for which regulations made under the *Condominium Act, 1998* or a predecessor of it provide otherwise.

**18. Paragraph 9 of Schedule 1 to the Regulation is revoked and the following substituted:**

- 9. A unit within the meaning of the *Condominium Act, 1998* or a predecessor of it and the unit's appurtenant interest in the common elements shall be one property.

**19. This Regulation comes into force on the day Part II of the *Condominium Act, 1998* comes into force.**

R.W. RUSICIMAN  
*Minister of Consumer and Commercial Relations*

Dated on February 6, 2001.

12/01