The Registry Act (ON)

Registration of Subdivision Plans

- Plans must be prepared by a licensed surveyor and comply with regulations.
- Requires owner and mortgagee consent (except for public highway dedications).
- In certification areas, a certified title under the Certification of Titles Act (pre-2009) or registration within six months of area designation is mandatory.

Reference Plans

- Conveyances/mortgages must reference a registered plan (subdivision, municipal, or reference plan).
- Land registrars may require a reference plan for complex/vague descriptions.
- Sketched alternatives are accepted if compliance is unreasonable.

Certified Titles

- A certificate of title under the Certification of Titles Act (pre-2009) is conclusive proof of ownership, subject to exceptions (e.g., mortgages, liens).

Survey Examination and Access

- Examiners of surveys may inspect land/buildings for validation.
- Property owners must grant access for these inspections.

Fees and Payments

- Land registrars are entitled to fees for services (unless explicitly prohibited).
- Fee disputes are resolved by the Director of Land Registration, with appeals to Divisional Court.

Mandatory Compliance

- Instruments affecting land must include a local description and property identifier (unless exempt).
- Unregistered subdivision plans may be rejected if they hinder land identification.

Municipal Plans and Corrections

- Municipal councils may create and register plans to clarify land boundaries.
- Errors in registered plans may be corrected per regulations.

Land Registrar Responsibilities

- Maintain property maps, abstract indexes, and ensure registration standards.
- Reject instruments that are illegible, lack proper descriptions, or fail to reference valid plans.

General Registrations

- Instruments like wills, letters of probate, and orders in council (without local descriptions) are registered as “general registrations” and not indexed in the abstract index.

Legal Consequences

- Registration provides notice to all subsequent claimants, even if the original instrument had defects.
- Equitable liens or tacking cannot override registered instruments.

Special Provisions

- Condominium declarations require a certified title showing the declarant as fee simple owner.
- Crown grants and orders in council are handled under specific procedures.

For specific scenarios (e.g., condominium easements, leasehold upgrades), consult detailed sections.

From:
https://wiki.apstrom.ca/ - **A.P.Strom and Associates**

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Last update: **2025/07/01 22:39**