



LAND TITLES OFFICE

Interpretative Bulletin 2010-01

LOT REMAINDERS

A. Background

"Remainder lots" are created when an existing lot is subdivided. Remainder refers to that portion of the existing lot which is not included as part of the subdivided land. The remainder must be shown on the required survey plans and it was common practice to identify lot remainders using a metes and bounds description rather than survey the boundary and issue a new lot number. Historically the Land Titles Office ("LTO") accepted and registered these lot remainders as submitted. Over time the number of remainder lots has grown.

B. The Issue

Recently the LTO has noted an increase in the number of new subdivisions creating new remainders from previous remainders. Each successive resurvey requires amending the metes and bounds description of the new remainder. The LTO has too many examples of convoluted descriptions of remainders. Reviewing these files takes a great deal of time and research to decipher which remainder is affected and needless to say one missing term or mistake could result in or more information being requested or applications being rejected. Most importantly the potential for error is being unnecessarily increased.

C. No remainders

As of January 1, 2011 the LTO will no longer be accepting remainder lots – such lots must be surveyed and issued a new lot number.

In extremely rare cases when it is clear it is not possible to assign a new lot number, the Registrar will assess and may approve the remainder in which case the phantom of the lot remainder must be shown on the plan.

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