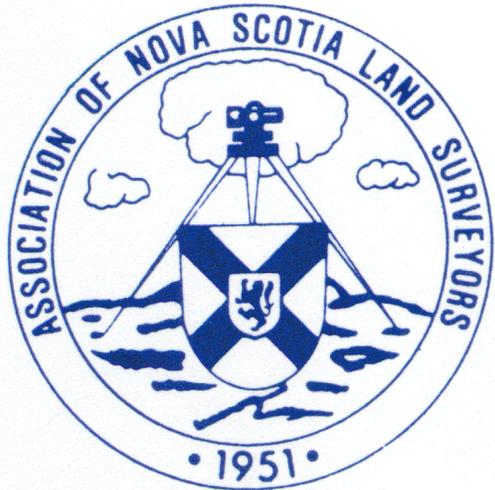


# Spring Seminar

## Feedback Summary and Discussion



Presented to the ANSLS Annual General Meeting, October 2022

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# Presentation and discussion from this past spring on the Pin-Cushion Effect:

## **Goal:**

To bring forward the issue of multiple boundary monuments at the same intended location and generate thoughts, ideas and feedback on how we can address it.

Feedback was generally consistent

## **The Question Now:**

Do we need to address this any further?

# Presentation and discussion from this past spring on the Pin-Cushion Effect (continued):

- Don't see any clear solution in how to fix this problem, aside from dealing with the larger issue, which is: ambiguously described parcels of land.
- Surveying is a professional opinion.
- It is each surveyor's job to monument their opinion on the ground.
- Surveyor "A" may form his opinion of the boundaries, and Surveyor "B" may form an entirely different opinion based on the ambiguity of the original document that created said Parcel.
- Whether they disagree by 1 ft or 10 ft is dependant on several factors that would be difficult to capture in a set of guidelines or regs. Considerations such as the Lot size, year of parcel creation, how it was described, terrain, etc. are all worth mentioning, but ultimately it is the ambiguity of the original document that will all effect the repeatability of achieving the same survey results.

***Note: What about the doctrine of Original Monumentation & Hierarchy of Evidence?***

# Presentation and discussion from this past spring on the Pin-Cushion Effect (Continued):

- The best use of our effort would be to work towards eliminating ambiguous Parcel creation to prevent future inconsistencies amongst surveyors. Currently, the MGA still allows for Subdivision (Parcel creation) by Deed if greater than 10 ha. Several Municipalities are also still allowing Instruments of Subdivision. These are prime examples of ambiguous Parcel creation that should (and could) be eliminated to prevent future survey issues (and future pin cushions!).
- Obviously these comments would not apply to Parcels that were originally created by Survey (subdivision). I think if you are going to create regs/guidelines to deal with this “pin cushion” issue, it would be important to note that they would only apply to those Parcel created by survey.

# Presentation and discussion from this past spring on the Pin-Cushion Effect (Continued):

If a Pincushion could be created or is encountered:

Assuming that the other surveyor(s) could be identified, pick up the telephone, meet to discuss solution or compromise, if others are deceased, try to locate their job file to follow in their steps. If other lot corners can be found and fit plan or deed geometry and the pincushion monument does not, either it was placed incorrectly or was disturbed. In that case, record the location, photograph, remove and describe on plan.

The table consensus was that we are finding “pincushions” infrequently - more so 20+ years ago, so we are getting better. One comment. If a rustic iron bar or iron pipe is found near a corner a pincushion is less likely to form; a surveyor is more than likely to accept the physical location.

# Presentation and discussion from this past spring on the Pin-Cushion Effect (Continued):

- Put (plan and measured) on survey plan if within a certain tolerance (reported 7cm in NB)
- Put a detail on the plan if the corner mark is moved, disturbed, or erroneously placed
- Always avoid putting a second marker in
- Measure location of moved, disturbed, or erroneously placed marker and then remove
  - Allowable under Criminal Code of Canada, separate email to follow
- If original monument in original location but measure different from plan due to increased accuracy of measurements or misclosure of research plan then location holds, no new marker needed

# Presentation and discussion from this past spring on the Pin-Cushion Effect (Continued):

- different sites, density of development, age of development will affect the decision and the determination of significance of discrepancy.
- communicate with the originating surveyor and land owners to determine if the evidence is in its original position.
- if in the original position then hold the found evidence
- if evidence has been disturbed then place new monument, document fd position, condition, disturbed on plan and remove disturbed evidence
- if position as “found” is original and significantly different from our opinion then attempt to find agreement, in result is a boundary dispute then document the overlap / gap and basis on the plan. Leave all evidence.

# Summary:

## **The most common feedback:**

1. Communicate with the other professional if you can identify them from the evidence.
2. The practice of double or multiple monuments should be avoided, wherever possible as it doesn't serve the Public Interest.

**Interesting Feedback:** It is each surveyor's job to monument their opinion on the ground.

True – but one can only assume that if opinions vary by a few centimeters here or there, do we not abide by the doctrine of original monumentation?

# Conclusion

Does not seem to be an issue that requires any amendment to standards of practice.

Communication and professional practice by all members is key

Further Discussion or additional comments?