

METES AND BOUNDS DESCRIPTIONS

Real Estate Practice in Ontario, 9th Ed.

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The description of lands using metes and bounds has traditionally been the most common method utilized in conveyancing documents to establish the boundaries of a parcel of land. Admittedly, given changes introduced to the *Registry Act*, R.S.O. 1990, c. R.20 and *Land Titles Act*, R.S.O. 1990, c. L.5 requiring the replacement of metes and bounds description with reference plans, such descriptions are becoming less and less common and will eventually be eliminated altogether. However, it is still important today to have an understanding of how to describe lands by metes and bounds. Many such descriptions are still used and are still acceptable. Moreover, even with the mapping and indexing of all lands and the conversion of Registry titles into Land Titles Conversion Qualified (“LTCQ”), the current description of a parcel of land is often still made by reference to metes and bounds. As a result, even if you will never have to prepare a new description using metes and bounds, you must be able to verify and understand existing metes and bounds descriptions found in current instruments or those that appear in the chain of title.

When solicitors dealt with large parcels of undeveloped farm lands, the description was simple. Such parcels were usually described as they were originally patented: the whole of Lot 10, Concession VI, Township of Blackacres; or the North half of Lot 5, Concession XI, Township of Osgoode; or even the North half of the East half of Lot 3, Concession VII, Township of Whiteland. The latter method was sometimes known as a description by “aliquot section”.

The traditional form of wording used to begin descriptions was as follows:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Township of Blackacres, in the County of Goodhope and being composed of the whole of Lot 10, in Concession VI of the said Township. Now, it is not necessary to include the usual “All and singular ... ” preamble.

A description of the whole or aliquot part of a lot was simple to prepare and, after checking the township map in the local land registry office to ascertain the shape, size and location of that lot and concession, it was easy to explain to a client exactly what land was involved.

A problem arose when one attempted to carve a specific parcel out of that concession lot. To do this, you had to describe the parcel using a metes and bounds description (subject to the requirement for reference plans referred to below). If you were dealing with a parcel having a frontage of 50 feet on the road allowance and a depth of 100 feet at the southwest corner of the lot, a proper description would be the following:

Part of Lot 10, Concession VI, in the Township of Blackacres, County of Goodhope, more particularly described as follows:

COMMENCING at the southwest angle of Lot 10;

THENCE northerly along the westerly limit of the Lot a distance of 100 feet to a point;

THENCE easterly parallel to the southerly limit of the Lot a distance of 50 feet to a point;

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THENCE southerly parallel to the westerly limit of the Lot a distance of 100 feet, more or less, to a point in the southerly limit of the Lot which point is distant 50 feet measured easterly along the southerly limit from the place of commencement;

THENCE westerly along the southerly limit a distance of 50 feet, more or less, to the place of commencement.
Anyone reading that description could easily sketch the parcel without confusion.

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