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Land tenure security in Canada

Preliminary findings

UN-GGIM – LAM Side Event, August 2017

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Surveyor General Branch



Canada

SDG Goal 1.4.2

To understand the proportion of the total adult population with secure tenure rights to land,, with legally recognized documentation and who perceive their rights to land as secure, by sex and by type of tenure.

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Key elements

- Parcel-based rights (location & extent known)
- Rights recorded (deeds) or registered (titles)
- Translucent registries (publically-searchable)
- Appropriate techniques/technology (fit-for-purpose, community-inclusive, crowd-sourcing)
- Legislation/policies to encourage tenure literacy

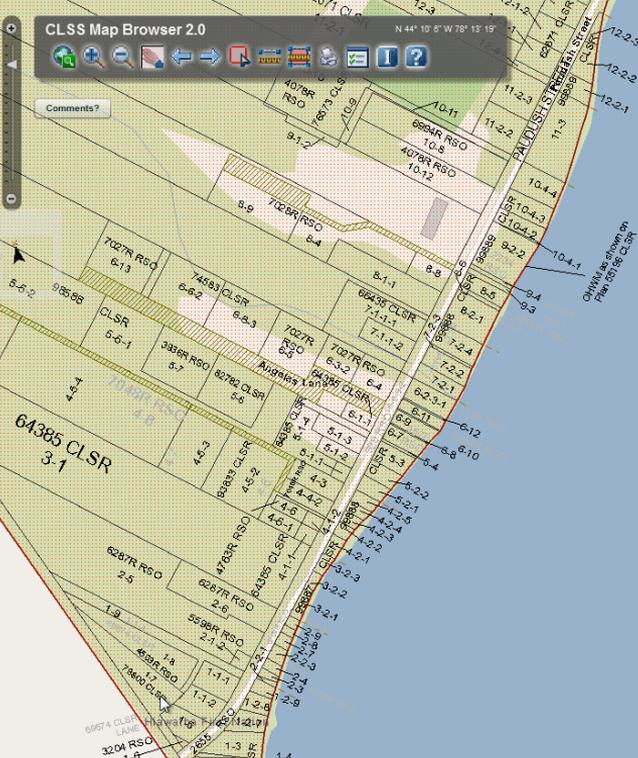


Say what – Measuring LTS in Canada?

Yes:

1. To offer a methodology for use by others.
2. To establish a tentative baseline .
3. To use objective data.





Aboriginal Affairs and Northern Development Canada / Affaires autochtones et Développement du Nord Canada

INDIAN LANDS REGISTRY SYSTEM

Parcel Abstract Report

Sorted by: Legal Description / Instrument Date - Ascending

Printed on: 2017/03/06 1:02 PM

UNCLASSIFIED

Legal Description: <-SEWERLINE-> CLSR 59529

Parcel Type: Easement

PIN: 902528453

INSTRUMENTS REGISTERED AGAINST PIN: 902528453

Registration Number: 117067

Reference Registration Number: 902528453

Instrument Date: 1988/03/17

Registration Date: 1988/05/12 12:00:00AM

Effective Date: 1989/03/21

Expiry Date: 2039/03/21

Actual Expiry Date:

Instrument Type: Easement

Purpose:

OCPC

OCPC: PC #503

IOGC:

Area:

Term:

Land Affected: R/W CLSR 59529

Remarks: PC#503 AUTHORIZES SEWER R/W THROUGH RESERVE. LP REG #124322

Grantor(s): CROWN CANADA

Grantee(s): CITY OF PORT ALBERNI

INSTRUMENTS REGISTERED AGAINST PIN: 902528453

Registration Number: 124322

Reference Registration Number: 902528453

Instrument Date: 1989/03/21

Registration Date: 1989/05/04 12:00:00AM

Effective Date: 1989/03/21

Expiry Date: 2039/03/21

Actual Expiry Date:

Instrument Type: Easement

Purpose:

Letters Patent

OCPC:

IOGC:

Area:

Term:

Land Affected: R/W CLSR 59529

Remarks: SEWER PIPELINE R/W. AUTHORIZING OCPC REG #117067

Grantor(s): CROWN CANADA

Grantee(s): CITY OF PORT ALBERNI

EASEMENTS/PERMITS AND RELATED INSTRUMENTS AFFECTING PIN: 902528453

(Blanket permits for utilities distribution are found in the Reserve General Report)

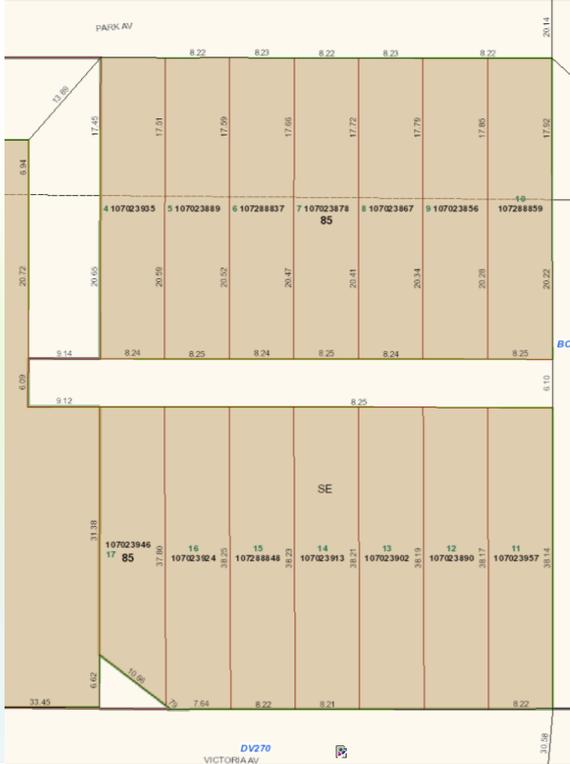
No Easements/Permits

Parcel data from Natural Resources Canada (NRCan)

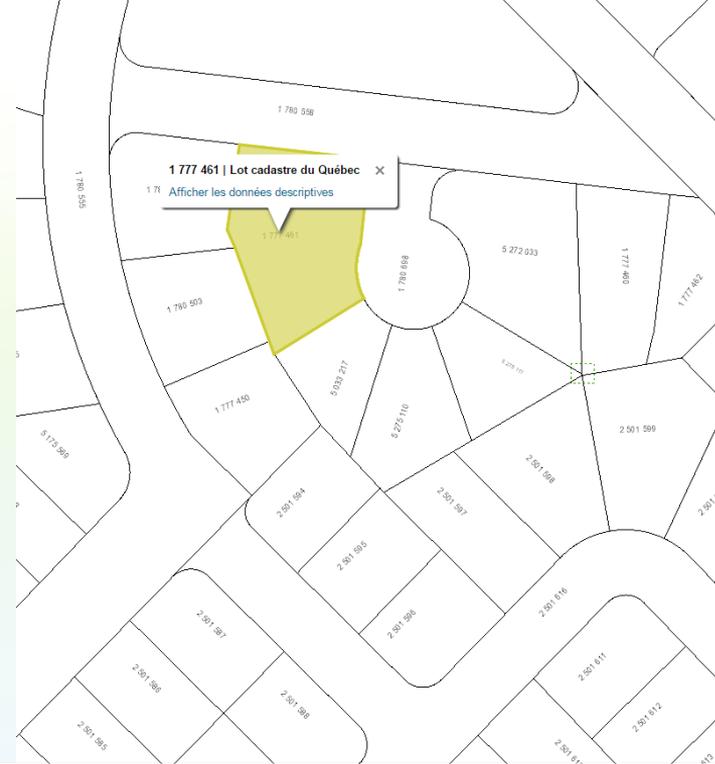
Tenure data from Indigenous and Northern Affairs Canada (INAC)

Disparate #1: Federal government provides land tenure data for First Nation Reserves, National Parks and other Federal lands





Province of Saskatchewan (ISC portal)

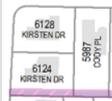


Province of Quebec (Infolot)

Disparate #2: Provinces disseminate land tenure data through public repositories (some charge fees, some don't)

Disparate #3: Municipalities offer granular level land data

City of Nanaimo data sources



Cadastre

Land parcels with addresses, easements and building footprints.

Download: [DWG](#) | [KML](#) | [SHP](#) | [GDB](#)



Transportation

Road centerlines, intersections, sidewalks, crosswalks, lane ways, bike routes, and truck routes.

Download: [DWG](#) | [KML](#) | [SHP](#) | [GDB](#)



Sanitary Sewer Infrastructure

Sewer mains, services, and appurtenances (Manholes, Pump Stations, etc...)

Download: [DWG](#) | [KML](#) | [SHP](#) | [GDB](#)



Storm Drainage Infrastructure

Drainage mains, services, culverts, channels, and appurtenances (Manholes, Catch Basins, Inlet/Outlets, etc...) Updated 2012 Waterways dataset (includes creeks, streams, ponds, lakes, wetlands).

Download: [DWG](#) | [KML](#) | [SHP](#) | [GDB](#)



Water Infrastructure

Water supply and distribution mains, services, and appurtenances (Valves, Reservoirs, Hydrants etc...)

Download: [DWG](#) | [KML](#) | [SHP](#) | [GDB](#)



Fiber Optics

Location and attributes of city owned fiber optic cable and access points.

Download: [DWG](#) | [KML](#) | [SHP](#) | [GDB](#)

City of Red Deer web map



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The paradox

On the one hand:

- No restrictions on owning/renting based on gender, religion, ethnicity
- Legislation that a certificate of title is “conclusive proof of the estate.”

On the other hand (title subject to):

- Fraud, prior title, wrong parcel description, adverse possession
- Exceptions (taxes, lease, highway/easement, expropriation, minerals)

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Methodology- 2/8 metrics

Expropriations



Leeds and Grenville County. Photo credit: L. Heibein. 2017; Regina bypass project. Photo credit: <http://leaderpost.com/news/local-news/farmer-fights-for-better-compensation-bypass-slammed>

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Methodology- 4/8 metrics

Vacancies



Vacant housing Vancouver. Photo credit: <http://www.cbc.ca/news/canada/british-columbia/vancouver-real-estate-10-reasons-why-homes-sit-vacant-1.3050680>

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Methodology- 5/8 metrics

Mortgages in arrears

As at:	Total number of mortgages in Canada	Total number of mortgages in arrears	% of arrears to total number of mortgages
April 2017	4729180	12415	0.26%

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Methodology- 7/8 metrics

Reactive household mobility



Montreal moving day. Photo credit: <http://cultmontreal.com/2014/07/photos-moving-day-2014/>

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Methodology- 8/8 metrics

Municipal tax sales

Edmonton

DATE OF MAILING: 23-MAY-2017

YOUR PAYMENT SUMMARY

- Payment due: **\$3,377.96**
- Due date: **June 30, 2017**

Pay in full by the due date to avoid late payment penalties.

2017 PROPERTY TAX NOTICE – ACCOUNT 99999999

Description	Tax Rate	Amount	2017 ASSESSMENT
Municipal Taxes			\$397,000
Residential	0.0060066	\$2,384.62	
Total		\$2,384.62	
Provincial Education Taxes (Collected on behalf of Alberta Government)			
Residential	0.0024550	\$974.64	
Provincial Education Requisition Allowance			
Residential	0.0000471	\$18.70	
Total		\$993.34	
2017 Property Taxes		\$3,377.96	
Balance as of May 1, 2017		\$0.00	
Total		\$3,377.96	

TAXATION YEAR: Jan 1 - Dec 31, 2017

PROPERTY DETAILS

Account Owners: Sample Properties Inc.
Sample Group Inc.
Property Address: 100 100A Avenue NW
Legal Description: Plan: 99999 Block 99 Lot 9A
2016 Property Tax: \$3,265.63

000000009999999900000535160000053516000000099999999042

Please do not mark above this line

Edmonton

2017 PROPERTY TAX NOTICE

Include this remittance with all mailed payments.

Account: 99999999
Property Address: 100 100A Avenue NW

DUE DATE: Jun 30, 2017

PAYMENT DUE: \$3,377.96

AMOUNT PAID:



Weighting = Scale of personal control

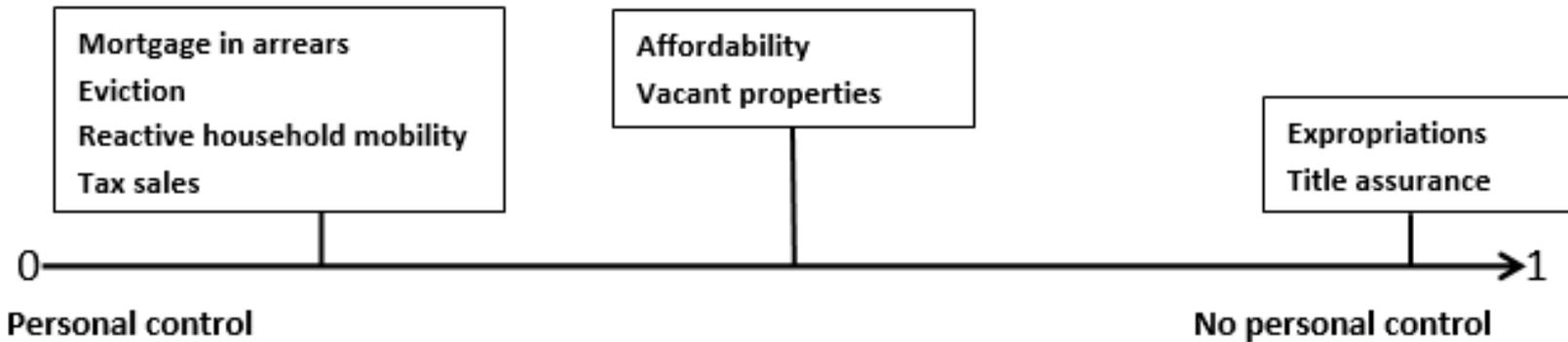


Figure 1: Scale of Personal control

LTS Index

$$LTS = 1 - [0.25(ARI + EVI + RHM + TSI) + 0.50(AFI + VPI) + (EI + TAF)]$$

ARI= Mortgage in arrears

EVI= Evictions

AFI= Affordability

RHM= Reactive household mobility

TSI= Tax sales

VPI= Vacant properties

EI= Expropriations

TAF= Title assurance fund

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Results

- LTS score = 0.80

(perfect security = 1.0; perfect insecurity = 0)

- Most effect: Mobility, affordability, vacancies
- Least effect: Expropriation, title errors, tax sales

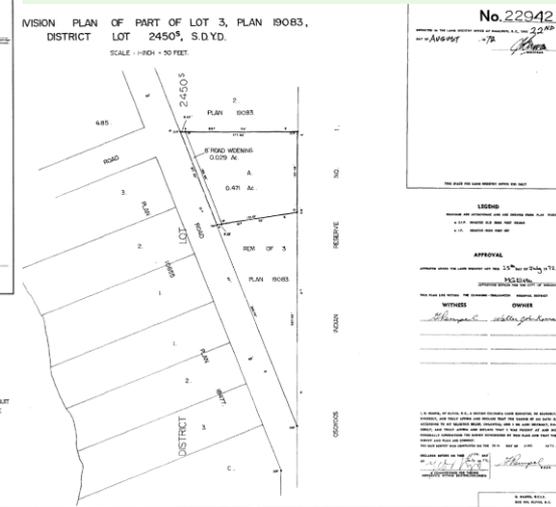
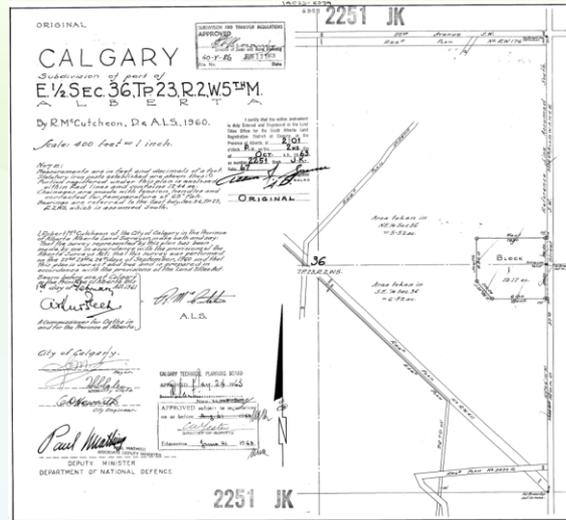


Discussion

Canadians have much security, albeit not absolute

Weighting is significant:

- Alternative 1 (no weighting) = 0.54
- Alternative 2 (equal weighting of 0.5) = 0.76



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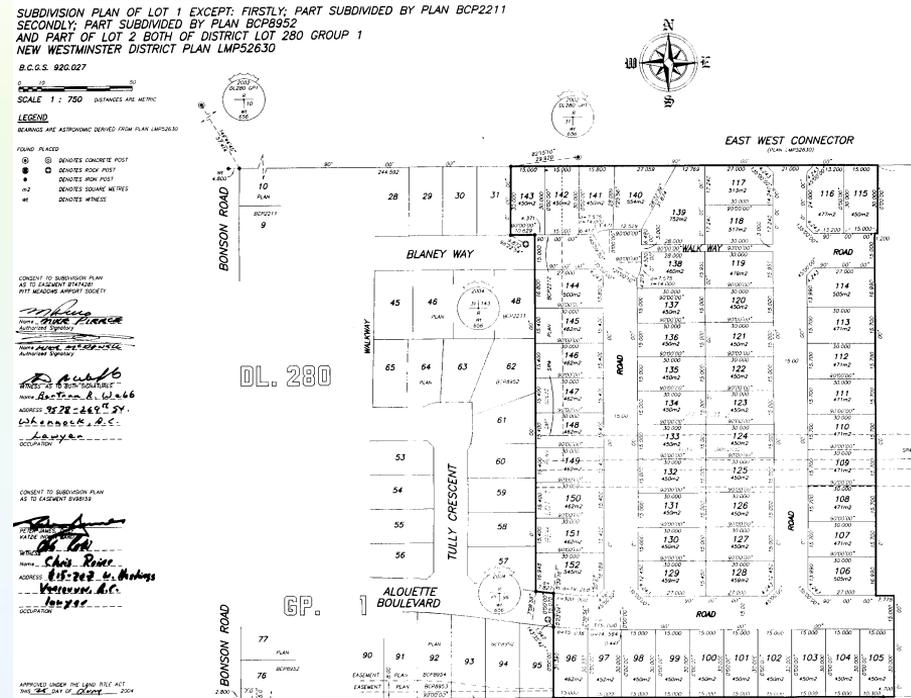
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Three next steps

- Expand data sample
- Include six new metrics (informal housing, adverse possession, erosion, title fraud, municipal reserves, land use planning)
- Understand how Canadians perceive security of tenure



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