

Subject: **CONSOLIDATION OF TITLES**

Date Issued **2021 01 01**

## **BACKGROUND**

Section 75 of The Land Titles Act provides a mechanism for an application to the Registrar to consolidate land contained in two or more certificates of title into one or more certificate(s) of title. Registrants should exercise care in requesting consolidation as a future separation may be subject to subdivision approval, especially in the case of parcels in subdivisions registered before July 1, 1950.

## **REGISTRATION PROCEDURE**

1. The registered owner(s), or an agent acting on behalf of the registered owner(s), may make application for consolidation ([FORM A](#)). Attestation requirements do not need to be complied with.

The SPIN2 document type to be used when creating a Document Registration Request (DRR) form is: Consolidation of Title

The code used for registration at Land Titles is: COTL-consolidation of lincs  
COTI-consolidation of interests

2. The certificate of title may be consolidated when the registered owner(s) and the estate owned are consistent in all certificates of title. If there is some question as to identity, further confirmation of identity must be obtained (see procedure under [IDE-1](#)).

3. **Subdivided land** - Lots may be consolidated if they are from the same subdivision plan, are contiguous and contained within the same block. ([1](#))

4. **Unsubdivided land** – Unsubdivided land may be consolidated when the land is within the same section.

5. Subdivided land may not be consolidated with unsubdivided land.

6. **Condominiums** –Condominium units may be consolidated into a new unit. See [CDE-1 \(4\)](#)

7. Land taken by a taxing authority pursuant to the Municipal Government Act cannot be consolidated with other land owned by the taxing authority with the exception of land taken under the Municipal Government Act which is situated in a special area. ([2](#))

8. All registered instruments affecting the consolidated titles are carried forward to a new title created by the consolidation.

If the instruments or caveats on all titles affected by the consolidation are not identical, they are carried forward to the new title with a notation indicating that the instrument only affects part of the new title.

9. Where an application is made to consolidate adjacent parcels of land and it is indicated on the form that one of the parcels included in the consolidation was

- (i) formerly a public road, right of way, drainage ditch, canal or the bed and shore of a body of water
- (ii) transferred to or vested in the registered owner to accommodate an encroachment or rights to exclusive possession

all encumbrances registered or caveated against the other parcel are deemed to apply to all the land comprised in the consolidated parcel. (3)

10. Where a person has more than one title for undivided shares in a parcel of land, (multiple fractional interest titles), the titles can only be consolidated if the registered instruments and caveats are identical on each of the certificates of title that are requested to being consolidated.

11. **Fees** - The fee in [Tariff item 11\(4\)](#) is charged on all consolidations. The fee listed in [Tariff item 13](#) is charged for the cancellation of each title after the first one.

## STATUTE AND CASE REFERENCES

1. s. 26, Land Titles Act, R.S.A. 2000, c. L-4
2. s. 21, Special Areas Act, R.S.A. 2000, c. S-16
3. s. 75(2), Land Titles Act
4. s. 5(2), Condominium Property Act, R.S.A. 2000, c. C-22