

# WTF—WHAT’S THE FABRIC?

## THE SOCIAL DIMENSION OF DEFINING BOUNDARIES USING COORDINATES

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*Eschew the false dichotomy of coordinates vs monuments; coordinates and monuments (and natural features) are all used to define boundaries. Indeed, there is much discretion as to using coordinates—in legislation, in policy and standards and in practice. Such discretion is exercised by what is reasonable and socially acceptable (according to both surveyors and those possessing or using the parcel).*

*Évitez la fausse dichotomie entre les coordonnées et les bornes légales; les coordonnées et les bornes légales (y compris les éléments naturels) sont toutes utilisées pour définir les limites. En effet, il y a beaucoup de pouvoirs discrétionnaires en ce qui concerne l’utilisation des coordonnées—dans la législation, dans les politiques et les normes ainsi que dans la pratique. De tels pouvoirs discrétionnaires sont exercés d’après ce qui est raisonnable et socialement acceptable (tant selon les arpenteurs que ceux qui possèdent ou utilisent la parcelle).*

### *Dueling Ideologies*

There is much buzz these days about the extent of the fabric. This includes observations about “the rip in the social fabric;”<sup>1</sup> concerns that “the ongoing rift in the national fabric [vis-à-vis relations with Indigenous peoples] remains unmediated;”<sup>2</sup> and fear that artificial intelligence will “rupture the fabric of history.”<sup>3</sup> From the perspective of parcel fabric, WTF becomes a question of what reasonably serves the parcel (i.e., the rights that are constrained by the parcel, the uses to which people wish to put the parcel and the system of land tenure within the community).

Sadly, this social dimension confronts dueling ideologies of equal venom. The responses of 65 experts who provided “views on the use of coordinates to define parcel boundaries” in 1999 were divided between pro and con.<sup>4</sup> Such a divide persists.

On the one hand, the ideology is that socio-economic development requires monumented boundaries. This is reflected in assertions<sup>5</sup> that monuments:

- Preserve the evidence-based cadastre, upon which Canadian property rights rest.
- Are integral parts of the defining-demarcating-delineating trifecta.
- Are required by the hierarchy of evidence.
- Are the *raison d’être* of surveying, which is about “putting sticks in the ground.”<sup>6</sup>

On the other hand, the ideology is that coordinates are a panacea for all that ails parcel fabric, as reflected in another set of assertions.<sup>7</sup> Coordinates:

- Are a natural off-shoot of sophisticated space-based location technologies.
- Are compatible with electronic submissions

<sup>1</sup> Lund. Down on the Mountain. From: *Cabin Fever*. New West Records. 2012.

<sup>2</sup> *Manitoba Metis v Canada*, 2012 SCC 14, at para 140.

<sup>3</sup> Khatchadourian. The doomsday invention. *The New Yorker*. p. 66. November 23, 2015.

<sup>4</sup> Ballantyne, et al. *Coordinates in context: Technical, social and legal implications of using coordinates-only to define boundaries*. Report to CCOG. August 1999.

<sup>5</sup> All of which were expressed recently by a senior CLS, to be called CLS-1.

<sup>6</sup> A view espoused by a CLS at the CCLS meeting—Winnipeg. September 1998. Recounted in: Ballantyne, et al. *Coordinates in context*. Report to CCOG. p. 21. 1999.

<sup>7</sup> All of which were expressed recently by another senior CLS, to be called CLS-2.