

ASSOCIATION OF CANADA LANDS SURVEYORS
BOARD OF EXAMINERS

SCHEDULE III / ITEM 1
ACTS AND REGULATIONS RELATING TO SURVEYS OF CANADA LANDS

March 2002
(March 18, 1999 Regulations)

This examination consists of 10 questions on 3 pages

Marks

Q. No

Time: 3 hours

Value Earned

1	<p>In 2001, a Canada Lands Surveyor is engaged to make a survey of a remote wilderness tourism lodge site in the Northwest Territories. The parcel of federal Crown land to be surveyed is held by Nahanni Adventures (1997) Ltd. under an agreement for sale. The nearest official survey is approximately 65 km distant. The survey is required to obtain title to the land. Authorization for the survey has been issued.</p> <p>The parcel is approximately square with the north, east and west boundaries in cardinal directions and comprises approximately 36 ha. The south side adjoins a navigable river. The general terrain descends gently south to the river and the area has medium density mixed Pine and Spruce forestation to 30cm diameter.</p> <p>a. Under what legislation will the survey be made?</p> <p>b. Which official or entity would have issued the survey authorization?</p> <p>c. Name three means by which a bearing for the survey might be derived</p> <p>d. Describe three techniques or procedures which might be available to make the required connection for the survey.</p> <p>e. What will comprise the returns for the survey for each of the options you have cited in d.?</p> <p>f. Who will confirm the plan of survey and pursuant to what authority?</p> <p>g. What document causes a certificate of title to be issued in the Land Titles Office?</p> <p>h. Name the official who will issue the certificate of title.</p> <p>i. The CLS performing the survey has defined the south boundary of the parcel by a series of monumented straight lines. Describe the location of this monumented boundary with respect to the nearby shoreline of the river.</p> <p>j. What legally defined feature is used to position the shoreline of the river for purposes of the legal survey?</p> <p>k. What is the source of the requirement for the placement of the boundary described in j?</p> <p>l. Draw a neat sketch showing only the body portion of the official plan which will be prepared of the survey. Use a colour to identify the lands dealt with by the plan. Assume any information necessary to complete the body portion. Do not show plan legend details, oaths, attestations or endorsements.</p> <p>m. Does Nahanni Adventures (1997) Ltd. execute the plan? If Yes, in what form? If No, why not?</p>	2 2 3 3 4 2 2 2 3 2 3 9 4	
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2	<p>a. Consider that you are the CLS engaged for the survey described in Question 1 and that during the survey of the north boundary of the parcel you notice a mineral claim legal post approximately 80 metres south of the midpoint of the north boundary. The standing post has a metal identification tag marked "SW3, ...MIRAGE.". All other markings are obliterated. Following old blazed location lines, you subsequently find the other three legal posts for the claim and determine that its westerly boundary has a bearing of approximately 335° from legal post SW3. A SatPhone call to the Nahanni District mining recorder reveals that the lone MIRAGE claim was located in 1994 and has been maintained in good standing to date.</p> <p>Draw a neat sketch showing the relationship of this mineral claim to the parcel you are surveying.</p> <p>b. Identify by a colour on the sketch in a. the boundary of the parcel as you will survey it and explain your reasoning.</p> <p>c. What two options will shortly be posed for the status of this mineral claim?</p>	4	
3	<p>Assume the parcel created in Question 1 by survey became titled in December 2001. In March 2002 the owner decides to subdivide the parcel to create a 10 ha. site for a personal residence.</p> <p>a. What official will authorize the subdivision proposal?</p> <p>b. Under what legislative authority will the subdivision be made?</p> <p>c. What options are available for designation of the remainder of the parent parcel?</p>	2	
4	<p>Draw a neatly labeled sketch showing Unit C, Section 21, Grid Area 69°20', 133°30'W, Yukon Territory as prescribed in the Canada Oil and Gas Land Regulations. Draw and identify by designations only the adjoining Units.</p>	8	
5	<p>a. An Indian reserve is created from unsurveyed Crown land in central Northwest Territories in advance of a land claim settlement with the local band of Indians.. Pursuant to what legislation would the legal survey of the reserve be made?</p> <p>b. Several years following survey and the creation of the reserve by order-in-council, the Minister of Transport identifies a requirement for a non-directional beacon site on a corner of the reserve. Transport is seeking a 99 year lease of the required portion. Describe the process which must be followed in order to effect such a transaction. What is the statutory authority for the process?</p> <p>c. What type of instrument is available for issuance to an Indian who is lawfully in possession of land in a reserve?</p>	2	
6	<p>What is a "bare land unit" provided for in the <i>Condominium Act</i> (NWT)?</p>	4	
7	<p>What defines the minimum accuracy standard for closure of the survey described in Question 1? Making any necessary assumptions, compute its value in Question 1.</p>	6	
8	<p>A creek in the historic Klondike mining district of Yukon has recently been subject to placer mining claim staking for the first time. One particular section of the creek will ultimately have a straight base line approximately 3 km in length.</p> <p>Using a neatly labeled sketch dimensioned in Imperial units, show:</p> <p>a. the full size creek claims of the first two locators of discovery claims</p> <p>b. a subsequent standard creek claim whose legal posts are later determined to be 740 feet apart, measured parallel to the base line</p> <p>c. a first tier left limit bench claim of the full size</p>	2	
9	<p>In Question 8, what official on behalf of the Government of Canada may authorize and direct the survey of the base line?</p>	2	

10	<p>Canada Lands Surveyor "A" submits plan and field notes of a survey of a residential subdivision in Banff National Park at the request of the Park Superintendent. The plan is approved by Parks Canada and confirmed by the Surveyor General. In a subsequent replotting scheme, it is proposed to compile a new official plan utilizing the earlier survey and official plan. The proposal is to compile this plan with only a field inspection of the monumentation, which is known to be in undisturbed condition as the original subdivision was never developed. No new boundaries result from the replotting scheme and all boundary intersection points coincide with existing monumentation.</p> <p>a. Can CLS "A" compile this plan without retracement of the boundaries? Why?</p> <p>b. Can a CLS other than CLS "A" compile this plan? Why?</p> <p>c. Are your answers in a. and b. different if some of the boundaries created by the replotting, while fully monumented, are not boundaries shown on the original confirmed plan? Why?</p>	2	
	Total Marks:	2	3
		Total Marks:	100