



## Regional Chapter No. 2021-01

The *National Standards for the Survey of Canada Lands* provides professional Canada Lands Surveyors with the technical standards that apply to surveys undertaken on Canada Lands. Canada Lands are diverse, both geographically and administratively; therefore it is a challenge to create common standards that meet the detailed requirements of all jurisdictions.

Regional Notices published by the Surveyor General Branch (SGB) are official statements on administrative procedures and regional technical standards to support the *National Standards* for specific local requirements. Unless otherwise specified, they are not meant to overlap or conflict with the *National Standards*, and they shall be effective on the date of the publication.

### SCOPE

This Regional Chapter No. 2021-01 is specific for the Province of Ontario.

### SUBJECT: SURVEYS OF FLOODING EASEMENTS

### BACKGROUND

The information in this Regional Chapter provides additional information to supplement the *National Standards for the Survey of Canada Lands* in order to provide the boundary certainty and data required by Canada.

Historically, portions of Canada Lands in Ontario have been artificially flooded. The *Canada Lands Surveys Records (CLSR)* does not currently have survey documents defining all of the necessary flooding easements. The *National Standards for the survey of Canada Lands* does not adequately address this type of long-term interest on land.

This document is prepared to assist surveyors in the preparation of survey plans for flooding easements on Canada Lands, and on some federal lands.

### General

1. A flooding easement survey generally delineates a non-exclusive right or interest for which the owner of the land grants flooding rights to permit surface water to extend upon the land therein described.
2. Survey Plans to support an Easement (Flooding) prepared under section 31 of the *Canada Land Surveys Act* are used to unambiguously describe lands that are subject to man made flooding, resulting for example from building of dams.
  - a) If the area value of the easement is a critical element, or the client requires the easement to be defined by a fully defined parcel, the entire parcel needs to be surveyed, including the best historical evidence of the pre-flood natural boundary and the upper limit.
  - b) If the area is not a critical element, with both client and SGB regional office approval, a survey of the upper limit only can be used. For this situation, section 3 below does not apply.

3. A Plan of Survey of Easement (Flooding) and a Survey Report are required to describe the land either owned by, or administered by Canada.
4. Survey Instructions are required and will be issued for each location.

### Specifics

5. The Plan of Survey of Easement (Flooding) is to comply with Section 2.4: Parcel Survey Plans of the National Standards.
6. The original pre-flooding natural boundary should normally be the lower limit of the easement. The report is to provide supporting rationale and details for the location of the pre-flood limit.
7. In order to ensure the upper boundary of the flooding easement can be found on the land and replicated in the future, the survey must be connected to rectilinear jurisdictional boundaries. Monumentation is required for the intersection of the flooding easement and rectilinear jurisdictional boundaries. In addition monumentation may be required in specific areas such as developed parts of communities. The additional requirements will be included in specific survey instructions following consultation with First Nations or Land Administrators.
8. The existing edge of water, as well as any existing lot fabric or islands created by the flooding must be shown on the plan.
9. At least two (2) benchmarks are to be established per body of water. Elevations for the benchmarks and adjacent water levels are required to be shown on the face of the plan, along with coordinates for the benchmarks.
10. Requisite vertical datum is Canadian Vertical Datum of 2013 (CGVD2013); others can be shown as well.
11. Any natural boundaries must be surveyed in accordance with *Chapter 5: Water and Others Natural Boundaries* of the National Standards.
12. In exceptional circumstances, the SGB regional office may approve a survey of a series of straight lines approximating the desired flood contour, provided the surveyor supplies justification in their request for Survey Instructions. This straight line boundary will be fully posted. It is suggested that the linear, monumented solution be located above the selected contour.

### Plan Preparation

13. When preparing a plan of survey of survey for flooding easement purpose, refer to the specimen plan below and comply with the provision of Section 2.2 *Guidelines for Preparation of Survey Plans* in the *National Standards for the Survey of Canada Lands*.

### Title of Plan

14. Unless instructed otherwise, if a plan is prepared for the sole purpose of defining the extent of a flooding easement, use the following form for the title:

Plan of Survey of Easement (Flooding) in ABCD First Nation Indian Reserve No. 1

## Specimen Plan

Link:

[Plan of Survey of Easement \(Flooding\)](#)

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This Regional Chapter will come into force on the date of its publication on NRCan's Website.

**(Original signed on March 09,2021)**

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