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Tools for accessing the CLSR

Tips for non CLSs working near Canada Lands

Courtney Roddick CLS.
Senior Surveyor – Atlantic Regional Office
Surveyor General Branch

Canada

Outline

- NRCan - SGB
- Constitution
- Jurisdictional boundaries
- International Boundary Commission
- Canada Lands
- Other Federal Lands
- SGB Regional Offices
- Canada Land Surveys
- SGB, on line tools
- Summary



Natural Resources Canada

Surveyor General Branch (SGB)

What we do:

1. Boundary Management (Survey Program)
2. Cadastral Processes (Survey Registry)
3. International Boundary (International Boundary Commission)
4. Geodesy (Canadian Geodetic Survey)

Numbers 1, 2 and 3 deal with legal boundaries that support land administration/land governance programs.

Number 4 deals with the science of geodesy including the design and engineering for the dissemination of the information in a format that supports Canada's economy.



Surveyor General Branch (SGB) – How we operate

- We regulate a survey system – Canada Lands Survey System
- We have multiple teams that help;
 1. people to help understand and navigate the survey system,
 2. safeguard to ensure documents meet a certain minimum standard before being accepted for recording,
 3. record, archive and prepare information for public availability.



Canadian Constitution

The *Constitution Act, 1867* provides for the distribution of Legislative powers between the federal and provincial governments.

Section 91 – Lists the Powers of Parliament

e.g. “24. Indians and Lands reserved for the Indians”

Section 92 – Lists the Exclusive Powers of Provincial Legislatures

e.g. “13. Property and Civil Rights in the Province”

Anything not mentioned as belonging to provincial powers comes under the authority of the National Parliament.



Jurisdictional Boundaries

A jurisdictional boundary is a boundary between two domains that have separate jurisdictions over land administration (*National Standards for the Survey of Canada Lands* version 1.2):

- Between countries, e.g. Canada – United States
- Between provinces, e.g. Nova Scotia – New Brunswick (provinces)
- Within a province/territory, e.g. Canada – Provinces
 - Indian Reserves
 - National Parks



International Boundary

<https://internationalboundarycommission.org/en/>

Before a land surveyor is going to work within the limits of the Canada/United States boundary vista, you should contact the:

- International Boundary Commission – Canada Section.

▼ [International Boundary Commission — Canada Section](#)

International Boundary Commission — Canada Section

588 Booth Street, 2nd Floor

Ottawa, Ontario K1A 0Y7

Telephone: 343-543-6619

ibc-cfi@nrcan-rncan.gc.ca



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Canada Lands

Definition of CANADA LANDS using common language:

1. Reserve lands defined under the *Indian Act*;
2. National Parks of Canada (including NP Reserves);
3. Offshore;
4. Only certain lands in the territories are Canada Lands BUT they use the Canada Lands Survey System for all lands;
5. Lands as defined in specific Comprehensive Land Claim Agreements

Note: for Canada Lands, Natural Resources Canada is not the Land Administrator. We run the Canada Lands Survey System, other government departments or other governments, administer the land (run the registry system).

For the definition see - *Canada Lands Surveys Act* R.S.C., 1985, c.L-6, section 24

<https://laws-lois.justice.gc.ca/eng/acts/L-6/page-1.html#h-344878>



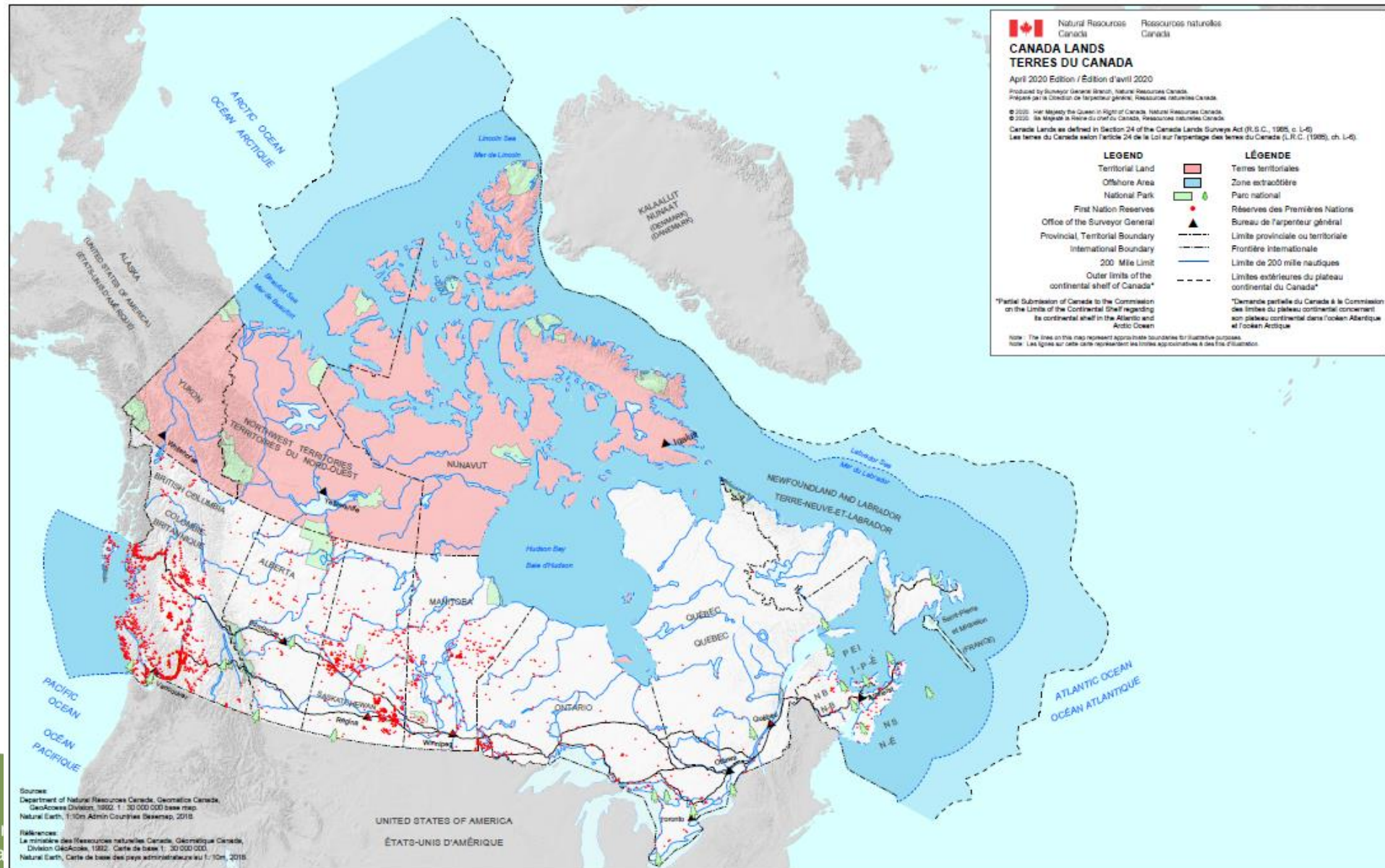
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Canada Lands in Canada

<https://natural-resources.canada.ca/earth-sciences/geomatics/canada-lands-surveys/11090>



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Other Federal Lands

Federal lands that are not Canada Lands:

- Military bases
- Airports
- Post offices
- Small craft harbours
- National Historic Sites

Note: the Canada Lands Surveys Act has provisions for federal lands to be surveyed by the CLSS (upon request by the administering department). In the Atlantic region, we have had CLS surveys of National Historic Sites for PCA.

These lands are administered by various groups PSPC, TC, DFO, PCA, etc.



Surveyor General Branch

Regional offices

- ▶ Alberta
- ▶ Atlantic
- ▶ British Columbia
- ▶ Manitoba
- ▶ Northwest Territories
- ▶ Nunavut
- ▶ Ontario
- ▶ Quebec
- ▶ Saskatchewan
- ▶ Yukon

Corporate offices

- ▶ Surveyor General Branch
- ▶ Canadian Geodetic Survey
- ▶ International Boundary Commission — Canada Section

We have 10 Regional Offices located across the country

<https://natural-resources.canada.ca/maps-tools-and-publications/maps/canada-lands-surveys/about-canada-lands/10855>



Surveyor General Branch

- Staffed with land surveyors and technologists
- Regulators for the Canada Lands Survey System
- Support numerous land registries and other government departments as they manage land
- Provide advise to other Government of Canada Departments on boundaries, extent and area
- Prepare legal descriptions, can provide contracting services for legal surveys
- Maintain a Land Survey Registry. Store and preserve for public use and access to approved survey documents



SGB – Digital Vault

- Our survey records are now:
 - Digital
 - All available online



Surveying a Parcel in the Canada Lands Survey System (CLSS)

To provide survey services under the *Canada Lands Surveys Act*, the Act requires:

Surveys of Canada Lands

24(2) Surveys of Canada Lands shall be made in accordance with the instructions of the Surveyor General.

Who may survey Canada Lands?

26 (1) Subject to subsection (2), no person other than a Canada Lands Surveyor shall survey Canada Lands.

continued...



Surveying a Parcel in the Canada Lands Survey System (CLSS)

Continued ...

To provide survey services under the *Canada Lands Surveys Act*, NRCan/SGB Policy 2017-1 also applies:

Policy

1. Survey work affecting* jurisdictional boundaries must be conducted by a land surveyor possessing dual CLS/Provincial licenses.

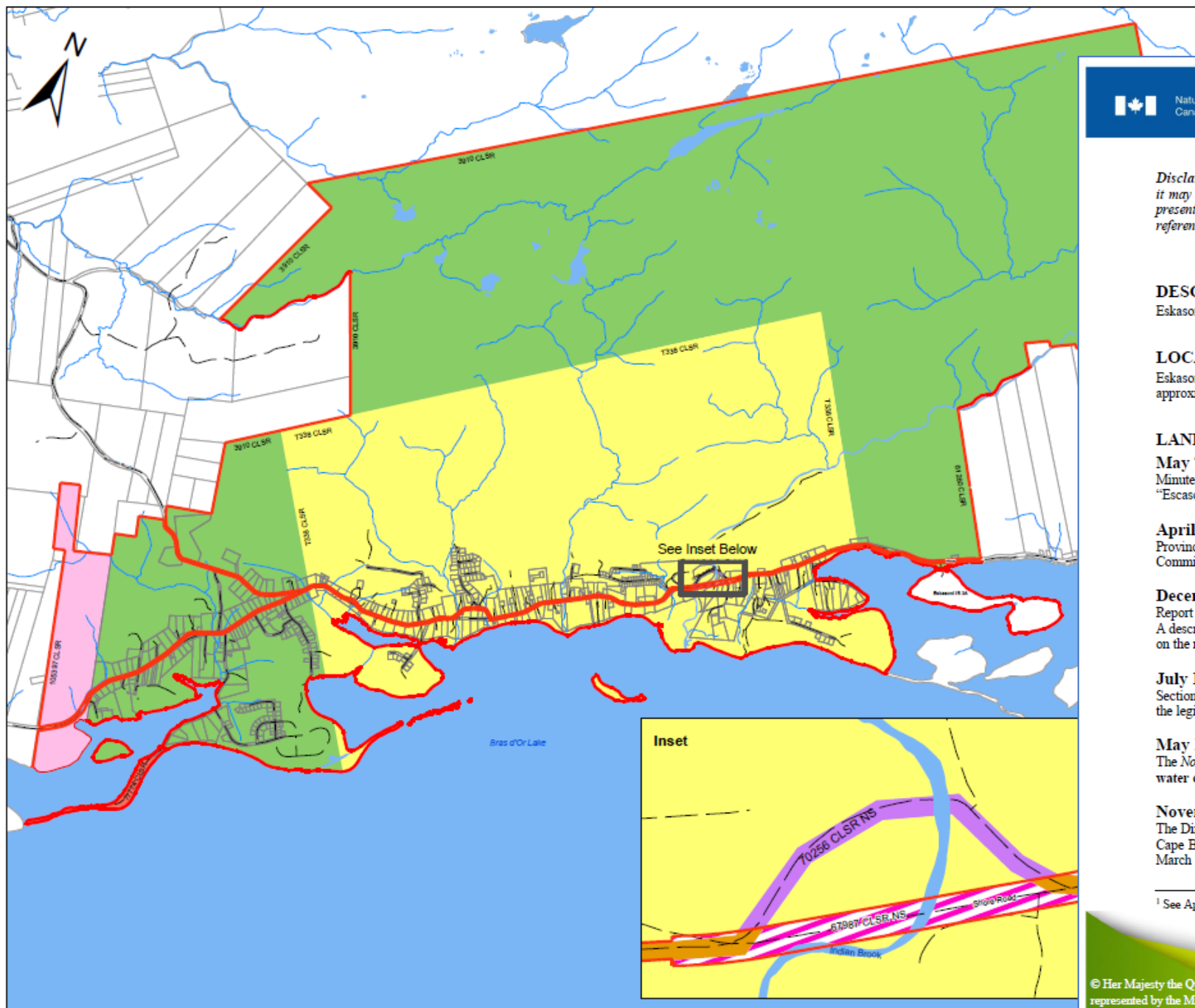
* affecting means re-establishment or restoration of monuments or differences in found dimensions or shape



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History of Canada Lands - Atlantic

Disclaimer: Although care has been taken in the preparation of this document, the reader is cautioned that it may contain errors and/or omissions. This document is prepared without prejudice towards any past, present or future Comprehensive claim, Specific claim or other negotiations and is not a substitute for reference to the official documents.

ESKASONI INDIAN RESERVE No. 3

DESCRIPTION

Eskasoni Indian Reserve No. 3 is administered by the Eskasoni First Nation.

LOCATION

Eskasoni Indian Reserve No. 3 is located in Cape Breton County, Nova Scotia, approximately 40 km southwest of Sydney.



LAND TITLE HISTORY

May 7, 1834 – ILRS No. X12873

Minutes of Council setting apart lands on Cape Breton Island as Indian Reserves, including land at "Escasonick on the North side of St. Andrew's Channel". Area (by description): 2,800 acres.

April 13, 1852 – ILRS No. 3642-101, PROVINCIAL ORDER IN COUNCIL

Provincial OIC vesting title to all lands reserved for Indians within Province of Nova Scotia with the Commissioner of Crown Lands.

December 31, 1866 – ILRS No. 3643-101

Report from the Commissioner of Indian Affairs of Nova Scotia listing Eskasoni as containing 4,000 acres. A description in the same report states, "Escasonic Reserve contains four thousand acres, situate at Escasonic on the north side of East Bay".

July 1, 1867

Section 91 (24) of the *British North America Act, 1867* (also known as the *Constitution Act, 1867*) confirms the legislative authority of the Parliament of Canada over Indians and lands reserved for the Indians.

May 16, 1919

The *Nova Scotia Water Act, 1919*, SNS [1919] c. 5, comes into effect vesting in the provincial Crown every water course¹. It appears Eskasoni I.R. No. 3 is partly affected by this legislation.

November 15, 1957 – ILRS No. 10900, MINISTERIAL ORDER

The Director of the Department of Citizenship and Immigration recommends the setting up of five bands on Cape Breton Island. The Eskasoni Indian Reserve 3 is allotted to the Eskasoni Band. See also OIC dated March 3, 1960 (ILRS No. 8270).

¹ See Appendix A for details on water course analysis and applicable legislation.

National Parks of Canada Creation

The descriptions for National Parks and National Park Reserves are in Schedules of the *Canada National Parks Act* S.C. 2000 c.32

These descriptions are either a written description or reference to a survey plan or both.

Schedule 1 – National Parks

Schedule 2 – National Park Reserves (*i.e., Parks with outstanding Indigenous claims, e.g., Sable Island and Mealy Mountain National Park Reserves*)



Land Administrators

We will focus in on two (2) Land Administrators operating within the Atlantic provinces:

1) Indigenous Services Canada – ISC

- ISC maintain multiple land registry systems.
- All are registry systems (not Land Titles systems).
- ISC has online systems for their main land registries:
 - Indian land Registry System (ILRS) and
 - Framework Agreement on First Nation Land Management (FAFNLM).
- The ILRS has a public access and an internal access (password protected).

2) Parks Canada Agency – PCA

- PCA runs a paper registry system with no outside electronic access.



Land Administrators – Registries

It is important to note that for this session we are not going to enter or review any of the Land Registries the Canada Land Survey System supports.

Having access to, searching and extracting recorded documents in a Land Registry is always a critical component for researching boundary information.

Access to ILRS can be requested from Indigenous Services Canada.



MyCLSS

[Version française]

Help Log In

Research ▾

Authorizations ▾

Data and Tools ▾

Plan check ▾

Recording ▾

News ▾

MyCLSS is...

a collaborative site between the Association of Canada Lands Surveyors (ACLS), the Surveyor General Branch (SGB) and the Land Administating Agencies to allow surveyors to:

- initiate a survey project
- request survey instructions
- use online tools to help the surveyor in the production of official plans
- monitor project status until completion
- submit digitally signed survey documents for recording
- obtain approvals

MyCLSS provides surveyors quick reference to relevant survey information to assist them through the survey process. Surveyors should contact the [ACLS](#) to obtain access information.

MyCLSS also provides an electronic tool for land administrators to carry out the approval process of survey plans. Administrators should contact the SGB to obtain access information.

<https://www.myclss.ca/>

Or online search using
“my canada lands
survey system” or
“myclss Canada”

[Contact ACLS](#) [Contact SGB](#) [Terms of Use](#) [Privacy policy](#)

MyCLSS

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Survey Plan Search

Survey Project Search

Map Browser

► Land Titles Offices

Yukon Lands

Indian Land Registry

► Standards

Canada Lands in Google Earth

Legislation - Justice Canada

Legislation - CanLII

Parks Canada

About Surveys on First Nation Reserve Lands

1) Survey Plan Search (under Research dropdown)

<https://clss.nrcan-rncan.gc.ca/clss/plan/search-recherche>

2) CLSS Map Browser (under Research dropdown)

<https://clss.nrcan-rncan.gc.ca/mb-nc/en/index.html>

3) Canada Lands in Google Earth - KMZ – (under Research dropdown)

<https://natural-resources.canada.ca/maps-tools-and-publications/maps/canada-lands-surveys/tools-applications-canada-lands-surveys/11094#c2>

* Password

.....

Sign in

[Forgot Your Password? \(SURVEYORS ONLY\)](#)

1) Survey Plan Search

- When you already know a plan number
- Other search criteria include:
 - surveyors name
 - survey dates

Survey Plan Search



Please refer to the [Survey Plan Search user guide](#) (PDF, 2.60 MB) for more information on the tool.

See our [placemat](#) to help choose the right tool.

For definition of search attributes, hover your cursor over the word.

Search

Reset

Keyword

Plan Number, Title, Description

Plan Number

Search starts after first 2 characters typed.

Related Plan

Search starts after first 2 characters typed.

SG&B Project Number

Search starts after first 2 characters typed.

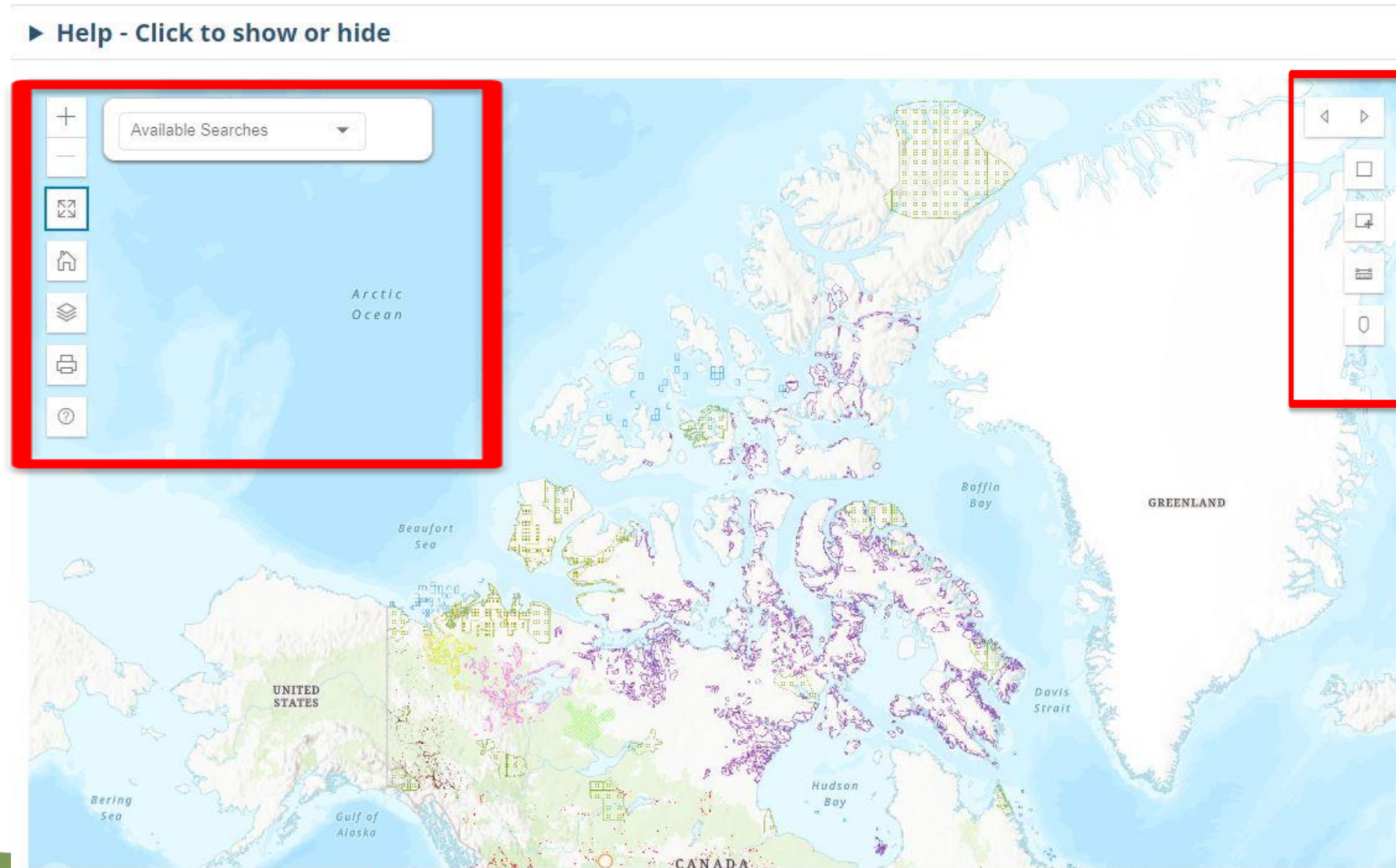


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2) CLSS Map Browser

- Dynamic searching tool for products recorded in the CLSR.
- Populated with current and historical records.



2) CLSS Map Browser...continued

- Search by Administrative Area
 - Millbrook IR No. 27

The screenshot displays the CLSS Map Browser interface. On the left, a search panel is open, showing a list of search categories: Administrative Area, Parcel, Quad, Survey Plan, Survey in Progress, and Township. The 'Administrative Area' category is selected. A red box highlights this category, and a red arrow points from it to the search results table on the right. The search results table shows a single entry: 'MILLBROOK INDIAN RESERVE NO. 27' with the province 'NS'. A red arrow points to this entry. The map in the background shows the location of Millbrook Indian Reserve No. 27, highlighted in orange. The map includes street names like James St, Abenaki Rd, and Truro Rd, and a scale bar indicating 183 m. The bottom status bar shows coordinates: Lat: 45.343 Lon: -63.252 | Scale 1: 36 000 UTM E: 480 221 N: 5 021 093, Zone: 20.

2) CLSS Map Browser...continued

1. Select the tool
2. Draw a rectangle

A dialogue box will open providing information from within the area of interest.

Available Searches
Administrative Area

2

1

Parcel (10) Survey in Progress (0) Survey Plan (20) Township (0) Administrative Area (1)

Select	Plan Number	Description	Date of Survey	LTO	Detail
<input type="checkbox"/>	2001-003 RSATL NS	BOUNDARY MONITORING REPORT , STATE OF EXTERIOR BOUNDARIES OF INDIAN RESERVES IN ATLANTIC CANADA (THIS REPORT IS FILED IN THE RECORDS ROOM OF THE ATLANTIC CLU	19981001		View
<input type="checkbox"/>	50886 CLSR NS	TRURO AND MILLBROOK I.R.'S	19600101	364 LRO NS	View
<input type="checkbox"/>	51948 CLSR NS	LOTS 1 TO 4, 4-1, 5 TO 84 & ROAD	19610101	447 LRO NS	View

Items per page: 50 1 - 20 of 20



2) CLSS Map Browser...continued

Parcel (10)

Survey in Progress (0)

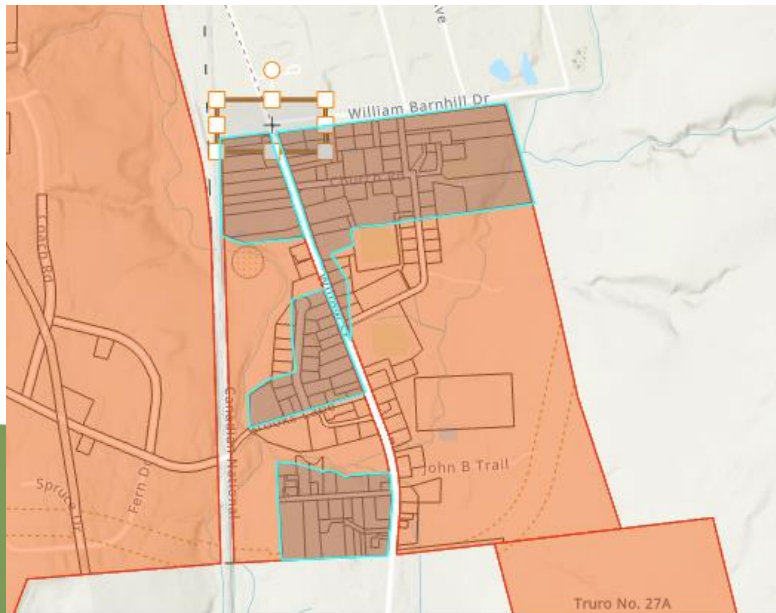
Survey Plan (20)

Township (0)

Administrative Area (1)

Select	Plan Number	Description	Date of Survey	LTO	Detail
<input checked="" type="checkbox"/>	51948 CLSR NS	LOTS 1 TO 4, 4-1, 5 TO 84 & ROAD	19610101	447 LRO NS	View

Shows the extent of the plan on the Map Browser.



Opens a new window to download the plan.

Canada.ca > Natural Resources Canada > Maps, Tools and Publications > Maps > Canada Lands Surveys

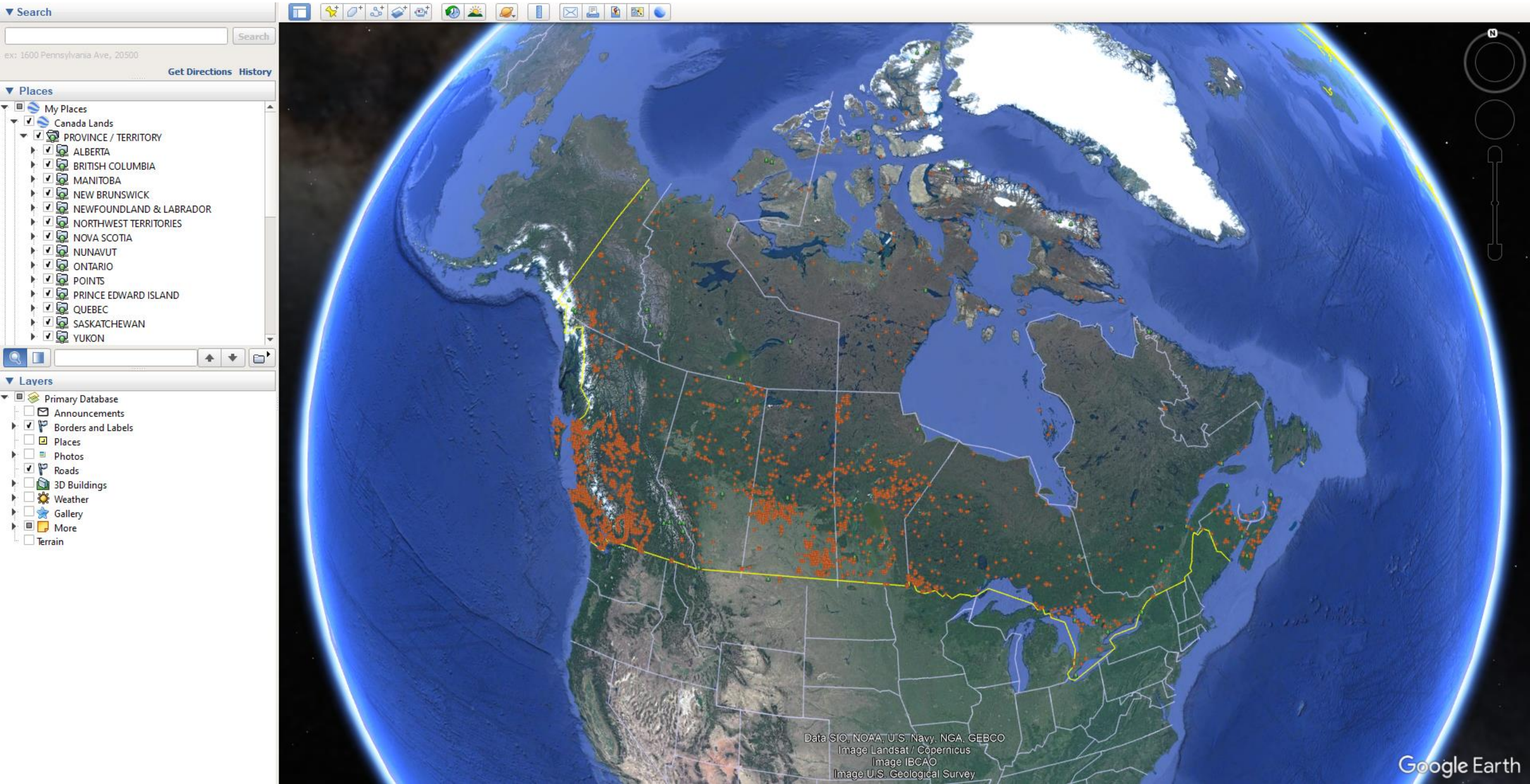
Canada Lands Surveys: Tools and data

Survey Plan Details

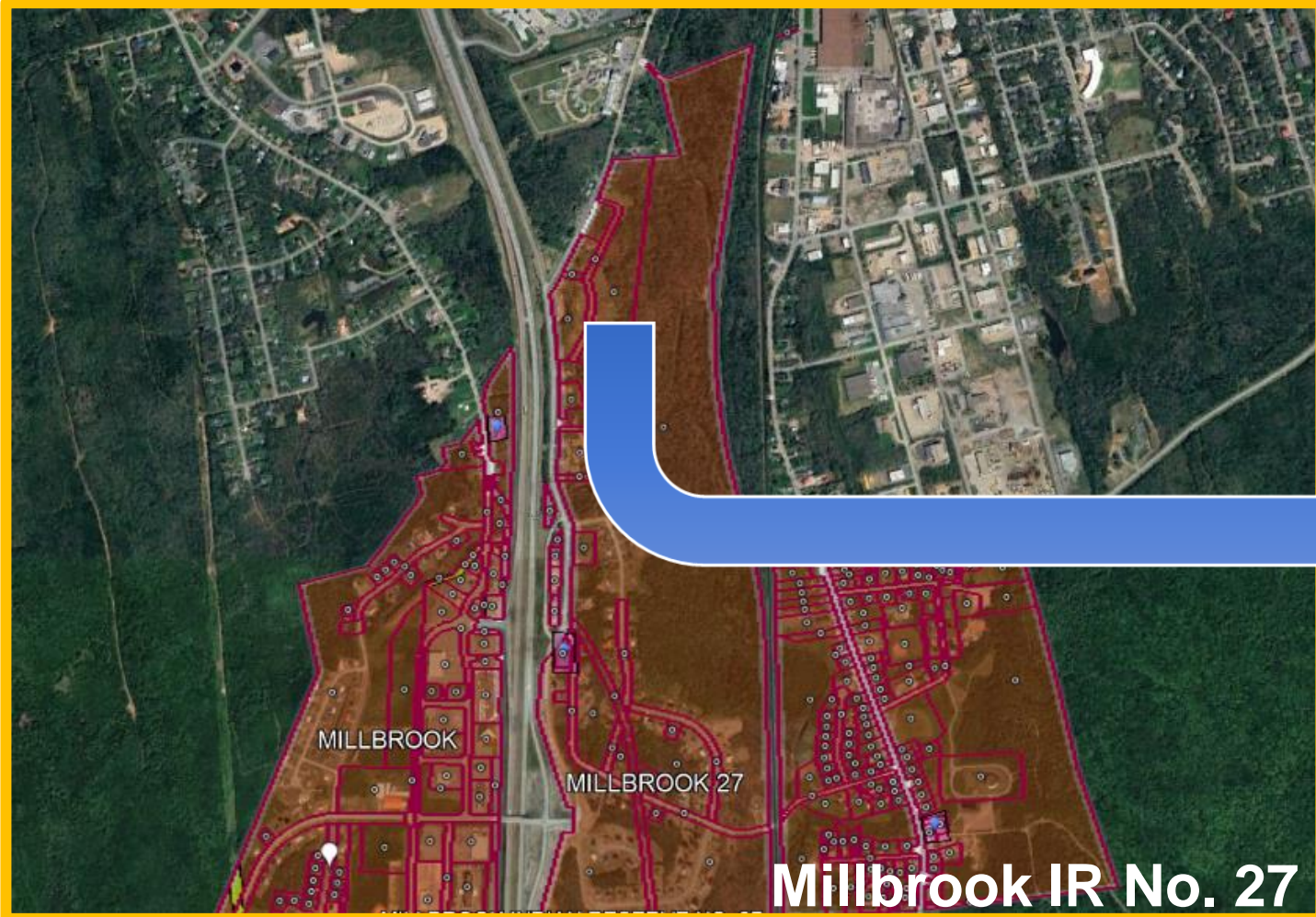
Details

Plan Number	51948 CLSR NS
Title	LOTS 1 TO 4, 4-1, 5 TO 84 & ROAD (eng; CAN)
Description	
Surveyor	SEMPER, R.O. ()
Canada Land(s)	MILLBROOK INDIAN RESERVE NO. 27 (06059)
First Nation	MILLBROOK BAND
Date Surveyed	1961-01-01
Date Recorded	2002-11-01
Project Number	

3) Google Earth - CLSS Overlay KMZ file




3) Google Earth - CLSS Overlay




LOT 399, 111511 CLSR

LOT 399, 111511 CLSR

 Government of Canada Gouvernement du Canada

Surveyor General Branch - Direction de l'arpenteur général
Beyond Boundaries - Au-delà des frontières



clss.nrcan.gc.ca - satc.nrcan.gc.ca

DESCRIPTION	LAND PARCEL / PARCELLE DE TERRAIN
NRCan PIN / NIP RNCan	1242151
PARCEL DESIGNATOR / DÉSIGNATION DE PARCELLE	LOT 399
REMAINDER / RÉSIDU	NO / NON
PLAN	111511 CLSR NS English - Français
ADMINISTRATIVE AREA / RÉGION ADMINISTRATIVE	MILLBROOK INDIAN RESERVE NO. 27 / RÉSERVE INDIENNE MILLBROOK NO. 27

[Download Digital Cadastral Data](#) [Téléchargement de données cadastrales numériques](#)

[Interactive Map](#) [Carte interactive](#)



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Log in

Surveyor's Log in

Please provide username/password

* Username

robichaud.ronald

* Password

.....

Sign in

Forgot Your Password? (SURVEYORS ONLY)

User guides for CLSS tools

Canada Lands Digital Cadastral Data

Geobase

Geobase - Canadian Administrative Boundaries

Geogratis

Online Geodetic Tools (PPP)

Canadian Spatial Reference System

Canada Oil and Gas Grid Converter tool

Canada Oil and Gas Well Offsets Tool

4) Cadastral Data (under Data and Tools dropdown)

<https://natural-resources.canada.ca/maps-tools-and-publications/maps/canada-lands-surveys/tools-applications-canada-lands-surveys/11094#c1>

4) Canada Lands Digital Cadastral Data

- Download the digital cadastral data in a variety of formats
- Data is organized by Canada Lands

Canada Lands digital cadastral data

You can download free cadastral datasets with internal parcel data.

Coverage:

- By Canada Land (e.g., an Indian reserve or national park), province, territory (including offshore (Atlantic Ocean, Pacific Ocean, Hudson Bay)) or UTM zone (territories only)

Formats: ESRI Shapefile, ESRI FGDB, AutoCAD DWG

Updated: Weekly

[Take me to HTTPS directories to download cadastral datasets](#)



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4) Canada Lands Digital Cadastral Data

← ↻ 🏠 🔒 https://clss.nrcan-rncan.gc.ca/data-donnees/sgb_datasets/ns/

132.156.48.40 - /data-donnees/sgb_datasets/ns/

[\[To Parent Directory\]](#)

6/4/2021	9:52 AM	<dir>	_NS
5/23/2023	5:03 PM	<dir>	ANNAPOLIS_VALLEY_FIRST_NATION
8/23/2021	5:00 PM	<dir>	BEAR_RIVER_INDIAN_RESERVE_NO_6
6/4/2021	9:48 AM	<dir>	BEAR_RIVER_INDIAN_RESERVE_NO_6A

← ↻ 🏠 🔒 https://clss.nrcan-rncan.gc.ca/data-donnees/sgb_datasets/ns/BEAR_RIVER_INDIAN... A 🌟 ⌵ ⚙️ | ☆ 📁 🇨🇦

132.156.48.40 - /data-donnees/sgb_datasets/ns/BEAR_RIVER_INDIAN_RESERVE_NO_6/

[\[To Parent Directory\]](#)

12/7/2021	8:07 AM	70252	BEAR_RIVER_INDIAN_RESERVE_NO_6_DWG.zip
12/7/2021	8:07 AM	70252	BEAR_RIVER_INDIAN_RESERVE_NO_6_dwg_eng.zip
12/7/2021	8:07 AM	70504	BEAR_RIVER_INDIAN_RESERVE_NO_6_dwg_fra.zip
12/7/2021	8:06 AM	98483	BEAR_RIVER_INDIAN_RESERVE_NO_6_SHP.zip
12/7/2021	8:06 AM	98483	BEAR_RIVER_INDIAN_RESERVE_NO_6_shp_eng.zip
12/7/2021	8:06 AM	98815	BEAR_RIVER_INDIAN_RESERVE_NO_6_shp_fra.zip
8/17/2021	2:00 AM	15505072	mapping_2021.zip
12/6/2021	4:10 PM	7641959	SURVEY_OVERLAYS.zip

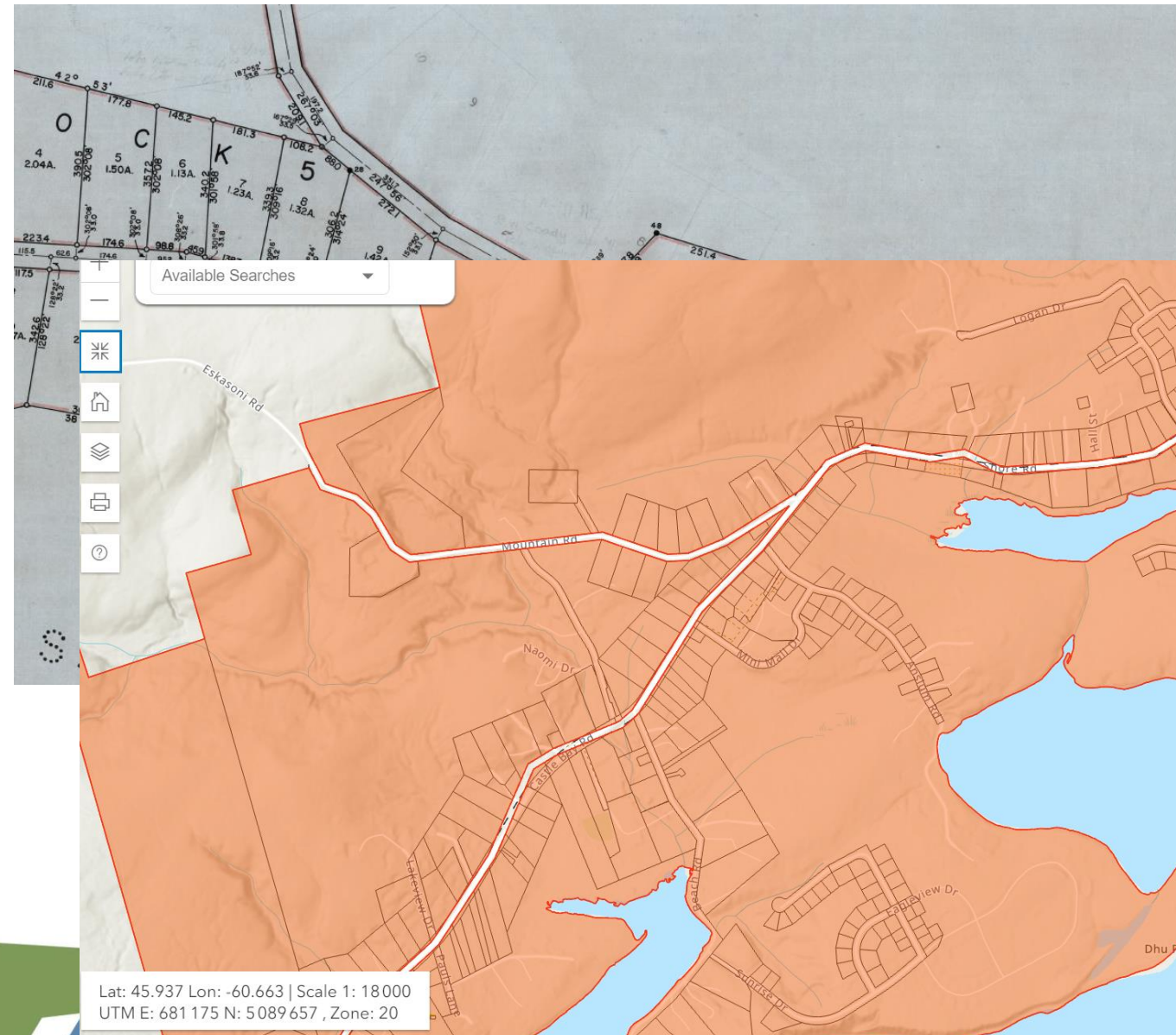
Common Survey Issues in Nova Scotia

Plan 50220 CLSR Eskasoni IR 3

- Road ownership on Reserves

1959 Agreement between NS and Canada confirmed the transfer of all reserve lands to Canada “**except lands lying under public highways and minerals.**”

Who owns the road corridors through Reserves?



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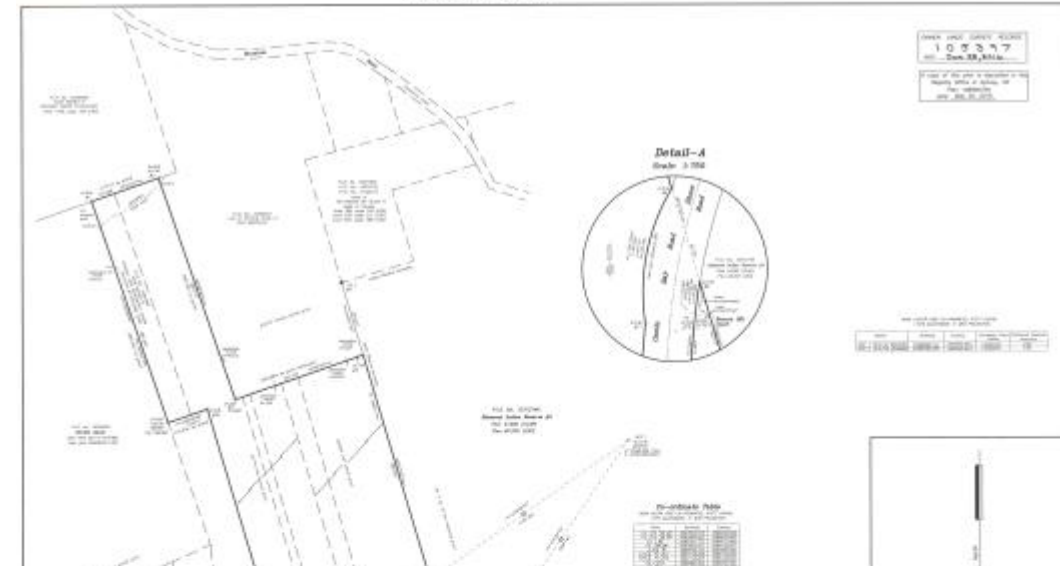
Common Survey Issues in Nova Scotia

- Watercourse ownership

1919 *Water Act* and the 1995 *Environment Act* state that “**every watercourse ... is vested forever in Her Majesty in right of the Province**”

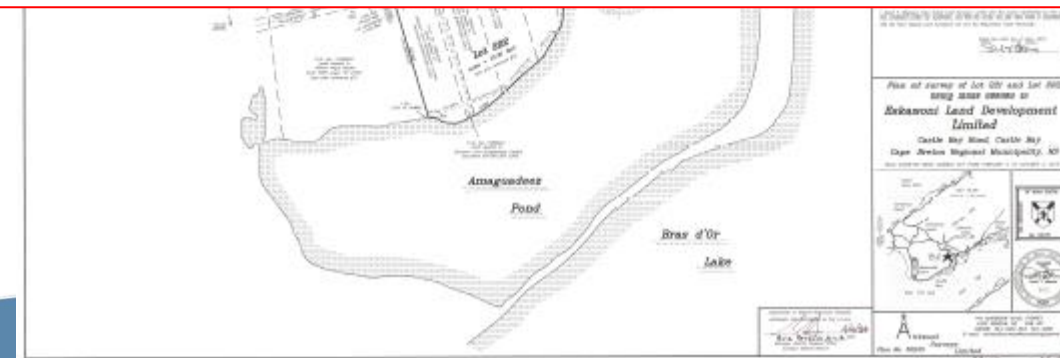
How do NSLS handle land covered by water for freehold landowners?

Plan 105397 CLSR



NOTES:

(1) WATERCOURSES SHOWN ON LOT 221 AND LOT 222 ARE WITHIN THE JURISDICTION OF THE PROVINCE OF NOVA SCOTIA (WATERCOURSES BEING DEFINED IN THE NS ENVIRONMENT ACT AS (i) THE BED AND SHORE OF EVERY RIVER, STREAM, LAKE, CREEK, POND, SPRING, LAGOON OR OTHER NATURAL BODY OF WATER, AND THE WATER THEREIN, WITHIN THE JURISDICTION OF THE PROVINCE WHETHER IT CONTAINS WATER OR NOT, AND (ii) ALL GROUND WATER (PROVINCE OF NOVA SCOTIA ENVIRONMENT ACT 1994-95, c. 1, s. 3(be))) AS PER SECTION 103 OF THE PROVINCE OF NOVA SCOTIA ENVIRONMENT ACT 1994-95, c. 1, s. 103. (HEREINAFTER REFERRED TO AS "WATERCOURSES") ALL "WATERCOURSES" THAT MAY BE RESERVED TO HER MAJESTY THE QUEEN IN RIGHT OF NOVA SCOTIA MAY OR MAY NOT BE SHOWN ON THE PLAN.



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Summary

- 1) Canada Lands are surveyed under a different system with different legislation than provincial surveys.
- 2) Know when you are working on a project within your area of expertise. Know when to reach out to a Canada Lands Surveyor or
- 3) Contact a SGB Regional Office if you have questions related to working on or near jurisdictional boundaries:
 - 1) For assistance to know if you are working on a Canada Land
 - 2) Help with contact information so you can notify a Land Administrator of your work
- 4) Our online tools are free and available for all citizens to use (not just CLS).





Thank you. *Questions or Comments?*

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