



LAND SURVEYS

WFN Survey Requirements

WFN has full jurisdictional control over Westbank Lands and resources. Unlike most First Nations in Canada, Westbank Lands are not governed under the Indian Act but under a modern comprehensive set of community laws that ensure a stable legal framework for generations to come.

WFN is governed under the Westbank Self Government Act, the WFN Self Government Agreement between WFN and the Government of Canada dated October 3rd 2003, and the WFN Constitution. The use and development of Westbank Lands is subject to Part XI of the WFN Constitution (the "Land Rules").

Under Section 114 of the Land Rules surveys are addressed as follows:

- 114.1 Westbank may cause surveys to be made of Westbank Lands in accordance with the Canada Lands Surveys Act and the Canada Lands Surveyors Act.
- 114.2 The holder of a registered interest in Westbank Lands may cause surveys to be made of those lands in accordance with the Canada Lands Surveys Act and the Canada Lands Surveyors Act.
- 114.3 All surveys of Westbank Lands prepared by the Surveyor General of Canada, or his or her designate, shall be deemed for all purposes to accurately describe and identify the boundaries of the lands covered by such survey.
- 114.4 All surveys respecting Westbank Lands only become effective upon registration in the Westbank Lands Register.

WFN Land Register

Westbank Lands are surveyed in accordance with the Canada Lands Surveys Act. To ensure parcels are accurately described, minimum land description requirements are in place for registration purposes.

Minimum Requirements	Administrative Plan CLSA s.31		Official Plan CLSA s.29	
	Purpose Under WFN Constitution	Explanatory	RSBC Plan	CLSR Plan
Additions to Reserve	x	x	✓	✓
Jurisdictional Boundary	x	x	✓	✓
Exchange s.115	x	x	✓	✓
Expropriation s.116	x	✓	✓	✓
Allotment s.103	x	✓	✓	✓
Transfer s. 108	x	✓	✓	✓
Lease s.104/106	x	✓	✓	✓
Sublease, s.106	x	✓	✓	✓
Easement s.115/106	x	✓	✓	✓
Permit, s.105/106	x	✓	✓	✓

CLSA - Canada Lands Surveys Act
 CLSR - Canada Land Survey Record
 RSBC - Registered Survey of B.C.



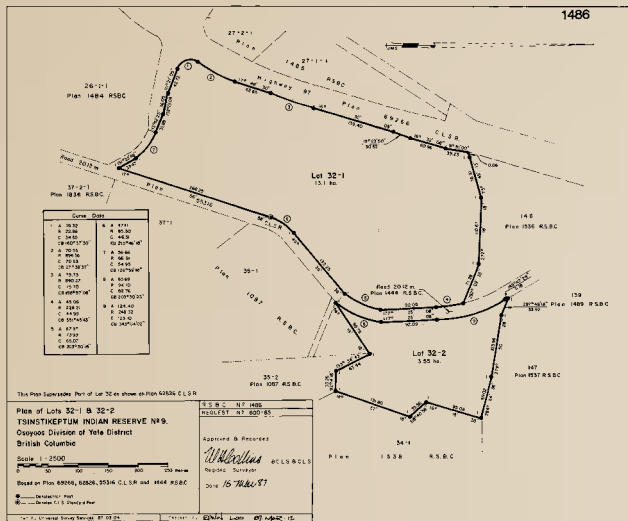
WFN Land Registry Office
 201 - 515 Highway 97 South
 Kelowna, BC V1Z 3J2

P: 250-769-2402 | F: 250-769-2443
 E: lands@wfn.ca | www.wfn.ca/landreg.ca

04/2010

All WFN Lands are to be surveyed in accordance with the Canada Lands Surveys Act and the Canada Lands Surveyors Act.

Community. Leadership. Pride.



Canada Land Surveyors

Qualified Surveyors for Surveying on Westbank Lands can be obtained from Natural Resources Canada, some include but are not limited to:

D.A. Goddard Land Surveying Inc.
103 1358 St. Paul Street, Kelowna, B.C. V1Y 2E1
250-763-3733

Fritsch Land Surveyors
202 586 Leon Avenue, Kelowna, B.C. V1Y 6J6
250-762-0122

MMM Geomatics B.C.
101 389 Queensway Avenue, Kelowna, B.C. V1Y 8E6
250-869-1334

T.E. Ferguson Land Surveying Ltd.
404 1630 Pandosy Street, Kelowna, B.C. V1P 1P7
250-763-3115

Survey Process & Approximate Timelines

A member holding an Allotment in Westbank Lands may request a survey for the purposes of transferring a portion of their holdings to another WFN Member.

Survey Stages	Process Description	Timeline (Approximate)	Member Requirements
Request for Survey	1. Member completes a Request for Survey Form from WFN Lands Department and provides sketch of proposed survey. Completed form and sketch plan is then circulated amongst departments in WFN offices (ie, planning and development, public utilities etc) for comments and recommendations.	One to Two Weeks	<ul style="list-style-type: none"> Request for Survey Form Proposed Sketch
Surveyor	2. Once review has been completed by WFN, the Member retains a Surveyor.	One to Two Days	<ul style="list-style-type: none"> Retain Surveyor
Land Status Report	3. The Surveyor provides copy of sketch plan to WFN Lands Office and requests an approval letter as well as a Land Status Report in order to proceed with survey. WFN Lands Office provides those completed forms to surveyor.	One to Two Days	
On Site Survey	4. WFN Lands Office advises surveyor to contact Member to co-ordinate site visit. (Surveyor may take one to three days to complete on site survey, depending complexity)	One to Three Days	<ul style="list-style-type: none"> Site Visit
Member Consent	5. Upon receipt of a provisional survey plan from surveyor by the WFN Lands Office, the Member will be sent by way of mail or email, a letter and copy of provisional plan to review and requesting approval. The plan is then to be returned to WFN Lands Office by Member.	Determined by member response	<ul style="list-style-type: none"> Review & Consent to Provisional Survey
WFN Approval	6. Upon receipt by WFN Lands Office, an approval letter to the surveyor is provided.	One Day	
Registration of Survey	7. Surveyor finalizes survey and sends Mylar to Natural Resources Canada (NRCAN) in Edmonton for review and completion. NRCAN in Edmonton processes the approved survey.	One to Four Months	
Legal Survey	8. The survey is then registered and WFN office is provided with a copy. Copy of completed plan is then provided to Member.		<ul style="list-style-type: none"> Receive Finalized Survey



Process Timeline

Please note that the timelines for each stage of the process is only approximation. If there are problems, obtaining consent by the locatee, and other factors, this could delay the progress. The review and registration by Natural Resources Canada (NRCAN) will take the most time.