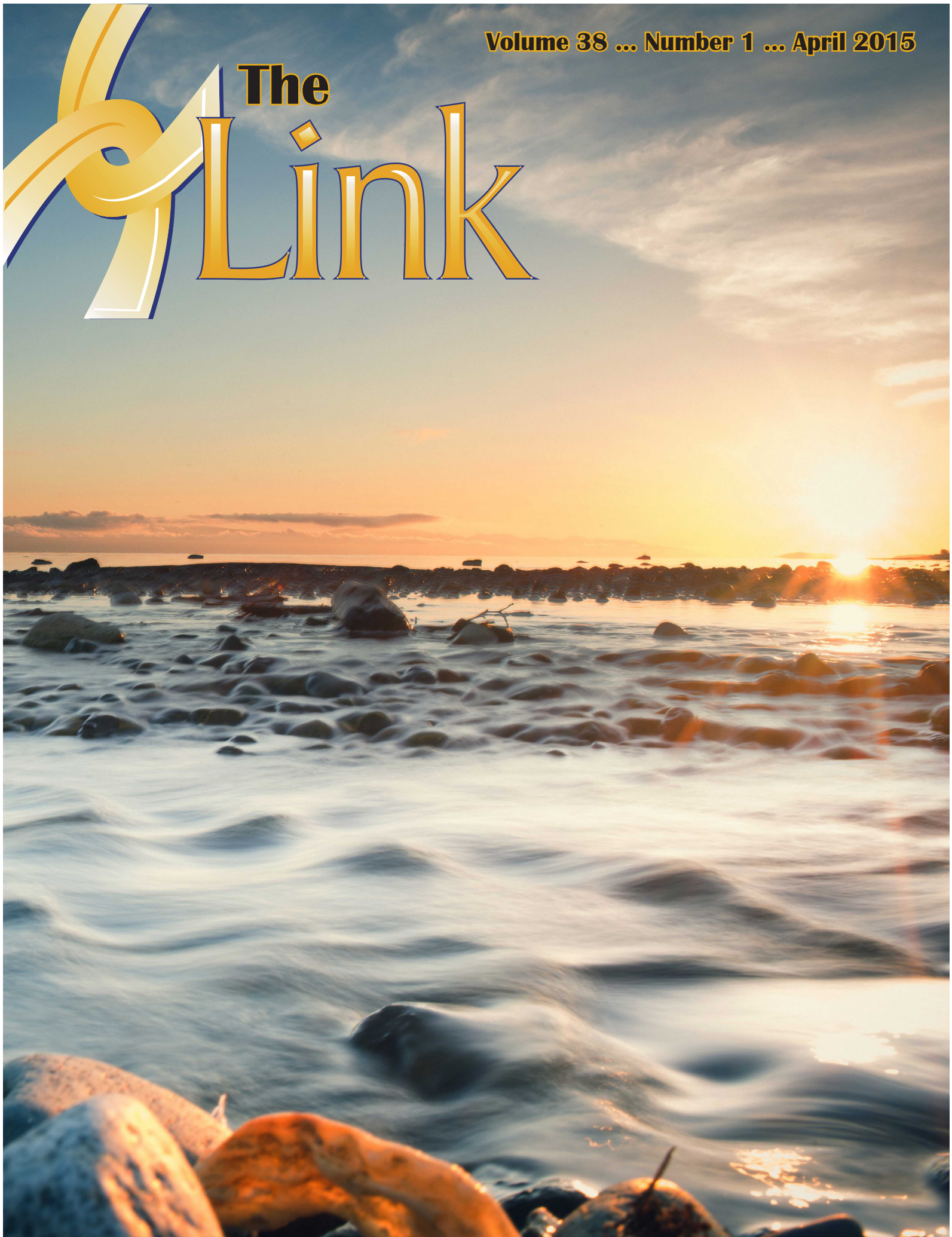


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The Link



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Windows 10 Preview By Dave Morton, B.SC., BCLS



Some time ago I installed the Windows 10 Technical Preview program, which is an evaluation copy for potential users of the new operating system, on my elderly laptop. Businesses and consumers are given the chance to try it out, see how it fits into their routines and provide Microsoft with feedback. Ideally, Microsoft will integrate the collected data into a final product that meets the needs of its customers ... hopefully!!

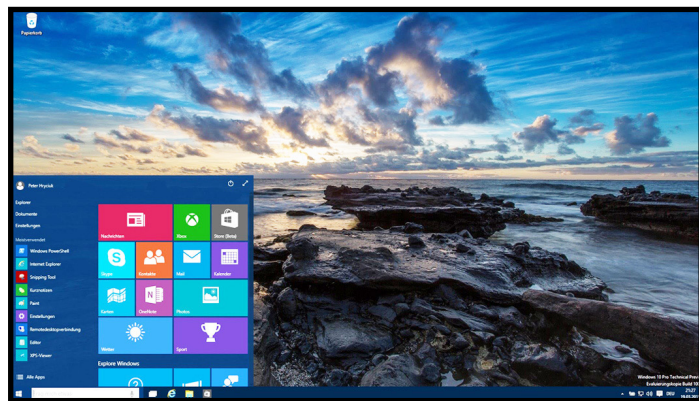
Due to warnings regarding the testing of Windows 10 on a working system, I used a computer on which I could load Windows 10 without any additional software. So far the result has been impressive with very little in the way of problems or anything I could complain about. Currently I have Build 10041 ... the builds represent changes to the operating system that reflect Microsoft's design process and input from testers.

Rumour has it that the Windows 10 final product will be available during the summer or in the fall of 2015 ... the exact circumstances of the release are not clear at this time. For current owners of Windows 7, Windows 8 and Windows 8.1 the upgrade to Windows 10 will be free ... apparently for the first year of the release. Microsoft's intent appears to be an effort to encourage all Microsoft Windows users to upgrade to the new operating system. For business users the upgrade would be a major bonus ... especially those frustrated by the miserable behavior of Windows 8 and 8.1.

My observation of Windows 10 is that it has the best features of both Windows 7 and Windows 8 with a considerable number of new features that are quite impressive. For example, Internet Explorer will be abandoned for a totally new program ... namely *Spartan* (Build 10049). The intent appears to be to develop a lightweight browser which would eliminate the need to redesign Internet Explorer so that it is able to work across multiple devices such as phones and tablets as well as a desktop or laptop computer.

Also included in Windows 10 is an updated version of *Cortana*. The program features include being able to set reminders, recognition of a natural voice without the user having to input a predefined series of commands, and the ability to answer questions using information from Bing (like current weather and traffic conditions, sports scores, and biographies). Cortana also includes *Concert Watch*, a music recognition service which helps Cortana determine which bands or musicians you are interested in by monitoring your Bing searches. The trigger which activates Cortana is 'Hey Cortana'. After the trigger phrase is spoken, Cortana can be controlled for tasks like setting a reminder, asking a question, or launching an application. Cortana also integrates with services like *Foursquare* to provide restaurant and local attraction recommendations.

If interested in taking advantage of the Windows 10 Technical Preview program, I would advise using a computer that is not in current use, as I did, or installing the operating system on a virtual machine (the best alternative). Another option would be to create a new partition on a hard drive and install the preview there. The best source of the procedure to follow for testing Windows 10, that I found, was on the following site: <http://www.pcworld.com/article/2690339/how-to-install-the-windows-10-technical-preview-everything-you-need-to-know.html>.



Past President's Message

Recollections of the Past

By Steve Buzikievich, BCLS, CLS, Past President



The Penticton AGM is now complete and everyone is back at home and getting ready for spring. I hope those that attended had fun at the social events, caught up with old friends and found the debate over the Notice of Motions interesting. Thank you to everyone that made the AGM a success and special thanks to our

office staff for all their help.

Our Association has made some aggressive changes to its bylaws. It will be now up to this Board, future Boards and the members to demonstrate that these changes were the right things to do. Our Association has made a big positive step in having our first female and our youngest president in the history of the LS or BCLS organizations. Yes, our association is still male dominated, but I believe that will also change in time.

The one major thing that I have learned in my time is that change is happening if you like it or not. Change is going to

happen at a faster and faster pace as more information and data is available and accessible due to technology. We will be better off as an association if we lead the change instead of being forced to change because of the change.

Taking some time to reflect on my time as your President, as mentioned in my AGM address "it didn't happen in just one year." It has been a learning and personal growth process since I first got elected to the Board. Lots of stuff has happened in that time frame, none that I would want to change, it has all had some purpose. Just trying to figure out what was to be learned by the events will take some time to sink in. I have learned so much in this time that I believe it has made me a better person and a better land surveyor.

It is bitter sweet, rolling into the role of Past President, knowing everything that has been done, all the other things yet to be done. The writing is on the wall that I will be off the Board in another year. Until then there is still lots of association matters to attend to and more things to be done.

Thanks to all of you for your support. Even with everything that I have done and learned, I still hate acronyms!

President's Message

Reflections of a New President

By Bronwyn Denton, BCLS. President

"The only easy day was yesterday" is a quote that my manager likes to use often, usually when I have been through a tough day or week. Reflecting back on the AGM in Penticton, it is true that March 20th, 2015 was probably the easiest day I will ever have as President of this Association.

I would like to welcome Jason Whale and Roger Galibois to our Board, and thank both David Harris and Ian Lloyd for their service to the Association as their terms draw to an end. Steve, thank- you for your leadership over the past year. It is both a blessing and a challenge to be part of an ever-evolving board, but there is no question that bringing new faces and opinions to the table each year serves as an overall benefit to the Association. I am confident that we have a strong team place to navigate the challenges that await us this year.

Congratulations to our twelve newest BC Land Surveyors from across the province who received their

commissions at the awards dinner. I strongly encourage you to reach out to these new professionals and introduce yourself. They may look young enough to still be in high school, but they are bright, competent individuals who are eagerly joining us as colleagues.



Several people have asked me what I hope to accomplish this year, what legacy I hope to leave behind. The answer is both complex yet simple - a ship this size, with 110 years of momentum can only have the direction adjusted a few degrees at a time, which is

Continued on Page 6 ➤

probably a good thing, as we wouldn't want to see dramatic changes from year to year. It is for that reason that everything I have worked on since 2006 and everything I will contribute after my term on the Board is over will form part of my legacy. A legacy is not created in 365 days, it is a collection of a thousand hours, meetings and connections with peers.

The professional engineers within our membership may have read the APEGBC President Dr. John Clauge's opening remarks in the January/February issue of Innovation where he described his recent conversation with an engineer employed at a university in BC. The conversation centered around value and while I won't summarize the whole article, I will specifically elaborate on his point about being a member driven organization - "Value is not just what is provided to you, it is also the extent to which you engage with the organization in order to derive that value ... Volunteers continue to contribute to APEGBC because they recognize its value to both their colleagues and the public". APEGBC benefits from a high number of volunteers, but the overall percentage of volunteers in terms of membership is estimated at 3.5%.

The ABCLS is more fortunate in terms of percentage, I counted over 100 volunteers just looking at committees and working groups. As land surveyors in British Columbia, we

are a highly trained, elite group of professionals - a special forces team that comes in to solve complex problems and tackle the art and science of surveying that is not well known to the general population. Our strategic plan identifies the desire for increased public awareness about our profession; the public awareness campaign unveiled at the AGM is our opportunity to make it known. In the coming months, you will be hearing more about the public awareness campaign and the tools that will be available to us for promotion of our profession.

The success of our next initiative depends on the number of people in our team who contribute, who take up the torch as ambassadors. Many of you reading this article are already fantastic ambassadors, working closely with community members, volunteering and participating in service groups like Rotary. Thank you and please keep doing what you are doing! To the young professionals in the Association, seize this opportunity! For those feeling frustrated about lack of understanding and respect by segments of the population, utilize the tools that will be developed and let's make this better for the next person.

I look forward to serving you in the year ahead, and hope to spend time meeting with many of you to understand the issues that keep you up at night. Please feel free to call or email me at any time if you have questions or feedback for the Board.

Delegate Reports

Ontario AGM 2015

Deerhurst Resort, Huntsville, Ontario, February 25th-27th, 2015

By Steve Buzikievich, BCLS, CLS, President



The 123rd AGM of the Association of Ontario Land Surveyors opened with the singing of Oh Canada. The Sergeant at Arms presented the "Standard of Measure" that is from 1851 and it lay on a table throughout the whole proceedings.

No elections were required for Council and the new President is Travis Hartwick from Ottawa.

The AOLS has three council members (Commissioners) that oversee different committees that are generally associated. There was a brief outline of accomplishments by their Outreach Commissioner that oversees committees

that deal with Public Awareness, Student Recruitment, Continuing Education, Academic Standards and Website.

The next outline of accomplishments was by the council member that oversees the Monument Protection, Survey Review, Complaints, Underground Utilities and Discipline Committees. In 2014 they had 30 complaints, a record number. On a complaint, both sides are given two attempts to try and come to a resolution of the complaint. 75% of members have never had a complaint. 81% of complaints come from the public. 80% of complaints that come from members end up going to a hearing. 0.67% of members (4) have 25% of complaints.

The next outline of accomplishments was by their Member Services Commissioner that oversees Insurance

Continued on Page 7 ➤

Advisory, AGM Planning, Archival & Historical and Government Relations.

There was then a talk on insurance ... they have had the same broker for over 30 years. Construction claims are the largest in number and they are usually an office error. They are developing an Error Prevention seminar.

Susan MacGregor the Surveyor General of Ontario gave a talk about her view for the future of the AOLS, their diversity and expanded profession and acceptance of new technology. The big challenges in the future are: demographics - There is currently 560 land surveyors and the LS to population ratio in Ontario is 1/24,000 while many parts of the country are 1/10,000. The population of Ontario is centered in the greater Toronto area.

Izaak deRijcke talked about the need for innovation and change. Land surveyors have to look at changing their products to match the demand of the consumers. In the future the demands will come from the consumers and the producers will have to change their product.

Highlights of the achievements of Council for the year were then outlined. The Provincial Survey Records is evolving but not all companies are willing to submit the list of their records. This record system is an attempt to provide a place to list work that has set survey evidence yet not in any public registry. The on-going court case is both a Constitutional challenge and a Copyright challenge that questions certain sections of the Land Survey Act as to its legality regarding the responsibility of keeping field notes and records for inspection from other land surveyors as they make requests to see them. Currently the AOLS has spent about \$100,000 in defense of this case and expect to spend about another \$100,000. The provincial presidents gave a brief outline as to what happens in other provinces as to the public filing of survey monumentation. All provinces of Canada that spoke had public registry of all survey monumentation records. Only Nova Scotia had no requirement to place in a public registry retracement surveys but are moving towards one.

Jeffrey Lem, Director of Titles, gave a talk about the responsibilities they have to the Land Title Act. He is relatively new in the position and replaced the previous director that was in the position for the past 25 years. There are about 30 land surveyors working in different ministries within the Ontario government. Ken Wilkinson is now the Examiner of Surveys. Ken Wilkinson and Nancy Grozelle gave a presentation on the land registry system and some on the changes within the system.

The next AOLS AGM will be in London on February 24-28, 2016. The AOLS has currently 19 new students with a total of 51 in the system. The AOLS has also completed 51 academic reviews.

The Ontario Digital Cadastre Corporation is an initiative of the AOLS to own and operate a cadastral information company that will resell cadastral information to other users such as regional and provincial governments, taxing authorities, public and industry. They are now trying to develop a pilot project looking at ownership and payback models to the AOLS.

There was a PSC presentation by Wally Kovalynko outlining that their focus has currently been obtaining a stable funding model. PSC has approached the government on a couple of survey related issues. They have signed a MOU with NSPS to collaborate on joint US/Canada issues in the geomatics field.

The meeting then moved onto an Open Forum (New Business)

Motion 1 - was to create a task force to research the maintenance and ownership of EDM baselines that currently exist - Carried

Motion 2 - as the AOLS membership is shrinking they want the council to review the office staffing levels and to do a study as to what is the correct number of land surveyors - Carried

Motion 3 - to put a line item in their budget of \$160,000 to cover the costs of the on-going court case - Carried

Motion 4 - to give all past members over 90 years of age free membership so they may receive all AOLS correspondence - Carried

Motion 5 - for the council to strike a task force to review what is a "Reasonable Fee". There was a lot of discussion around this as it ties in directly to the court case. - Motion withdrawn

The meeting ended with the Sergeant at Arms removing the Standard Measure.



From the CAO

By Chad Rintoul, Chief Administrative Officer

I'm not sure that one year ago I would have predicted such a tremendous turn out for the 110th Annual General Meeting in Penticton, but once again the ABCLS membership arrived in great numbers to partake in an engaging continuing professional development program and attentively participate in the AGM, while enjoying the fine service and hospitality of the Penticton Lakeside Resort.

I would like to thank the Association staff in the Sidney office, for all of the hard work, long hours, and extra effort that they put into making the CPD programs and AGM such a success. I am very grateful for the positive approach that Vicki, Denise and Loraine take to ensure we can all enjoy a well-run event and I am pleased to welcome Bonnie Kuyvenhoven to our office. Bonnie has assumed the duties of Financial Administrator, as Loraine Wake transitions to providing the Association with occasional administrative support. My congratulations to the Practice Advisory Department, and its management for another informative CPD session and comprehensive report delivered at the AGM. It is a great pleasure to work with Gord, Peter, George, and Debbie, and I am confident that the public interest is well represented by the important work that they carry out.

At the AGM, I was pleased to provide an update on the Professional Competency Program, noting that the Mentoring Working Group has established an online student journal function, and that a mentoring page on the ABCLS web site has been launched. Also, that the Career Entry Working Group has been working diligently for several months with an aim to put forward a list of recommendations to the Board at the June meeting. In addition, a Complaints & Discipline Working Group will be established in second quarter of this year. Under Professional Competency, the Continuing Professional Development Committee will now move forward with implementing a mandatory program effective 2016, which will be based on the Association of Canada Land Surveyors model. All of these initiatives will be reported to government during upcoming External Relations Committee engagements with key ministries. I also provided a summary on the ABCLS Strategic Plan that was developed following rigorous consultation during 2014 for the planning period 2015 - 2017. The plan identifies four main goals over the planning period, and was developed with input from members, staff, stakeholders, the public, and the Board. The priority goals identified include: Raising Awareness of the Profession, Ensuring Membership

Continues to Meet the Needs of Society, Enhance Professional Competency, and Enable the Utilization of New Technology. Full details on the Strategic Plan can be found on the Association web site.

In an effort to address the first strategic goal, and raise the awareness of the profession, the Career & Public Awareness Committee and the Board have been working closely with a contractor to establish a communication strategy. We are delighted to be partnered with Holy Cow Communication Design Inc. in an effort to develop a cost effective approach to reach some key audiences within the property transaction sector in order to educate these stakeholders on the important role of a land surveyor. An introduction to the strategy, and some of the early creative concepts were provided to members at the AGM, and the reception has been very positive. One key component includes encouraging members to serve as "ambassadors of the profession". We will be working to create resources to enable the membership to engage their local communities and help raise awareness of the profession.

In closing, my thanks to Steve Buzikievich for the sacrifice he made to his personal life and business this past year in order to provide leadership to the Association. It has been a great pleasure to work with Steve, and to get to know his wonderful wife Carolyn. I will also miss the positive approach and supportive manner that Ian Lloyd has brought to the Board table and my thanks to Dave Harris for serving the Association so capably as both a director of the ABCLS and a director of Professional Surveyors Canada. I wish both gentlemen every success and extend my appreciation for their commitment to the profession.

I look forward to working with the membership, Board, and our new President, Bronwyn Denton, in the year ahead.



"Computers are incredibly fast, accurate, and stupid. Human beings are incredibly slow, inaccurate, and brilliant. Together they are powerful beyond imagination." - Albert Einstein

Field Notes Revisited

By Gordon Gamble BCLS, CLS and Peter Goodier, BCLS



Introduction - Land surveyors as creators of evidence

If a land surveyor is asked by a layperson about his profession, the surveyor will likely explain that surveyors are charged with the maintenance and upkeep of the system of boundaries that define property ownership.

It is unlikely that the surveyor would describe him/herself as a creator of evidence, but he or she could. Consider the following statement made by J.H. Holloway, ALS in his important essay "The Principles of Evidence":

"The land surveyor acts not only as an investigator of evidence, but also as a creator and recorder of evidence. Every survey post that is placed and every survey measurement made and entered in the field book, together with every plan or description prepared as a record of the survey operations, constitute evidence which is created for the purpose of indicating certain facts. That evidence will be used, perhaps long after its creator has vanished from the scene, as a means of re-ascertaining those facts."¹

Surveyors create evidence by setting new monuments, creating field notes and preparing plans. There is no doubt that surveyors consider plan creation and monument placement as central to their profession. For some reason however, field note creation doesn't get the same amount of respect as plan creation or the setting of monuments.

Field notes are valuable for a number of reasons. First, field notes are readily accepted as evidence by the courts. Second, they can provide valuable insight into what happened on the ground at the time of the survey. In this regard, field notes are sometimes the best evidence available of what occurred at the time of the survey. In cases where there are no plans registered or monuments set, field notes may be the only record of what occurred. This point was clearly articulated by Mr. Justice Smith in a 2002 case in BC where the official plan was missing:

"The best evidence of 'the actual work on the ground' is the surveyor's field notes, made in 1877 contemporaneously with the survey. The Official Plan is a graphic representation

of the Official Survey and the surveyor's notes are its written record."²

Finally, the temporal reach of field notes is long - they can reveal facts which occurred many years prior, long after the memories of the participants have failed.

Recent examples of field notes in court cases

The following cases demonstrate that field notes have played an important role in litigation in Canada. In some cases, the field notes were well done, in others cases they were not well done. It is hoped that this article will convince readers to create field notes of the former category. Readers should be on the lookout for an upcoming article in the journal *Geomatica* entitled "In praise of small data: Survey field notes in litigation", which examines 11 Canadian cases involving field notes and is recommended reading for all land surveyors and field staff.

1. On the ability of field notes to absolve the surveyor: *Bishay v. Rabideau & Czerwinski* Ontario Land Surveyors, 2006 CanLii 42650 (ON SC)

This case is suggested reading for any surveyor who carries out construction layout surveys. The case is from Ontario, and the plaintiff is a home owner who is seeking damages from a land surveyor. The plaintiff maintains that the land surveyor's layout of a structure caused it to be constructed over the municipal rear set-back line.

Field notes were key in absolving the land surveyor from responsibility. The Justice notes that while the structure had indeed been constructed over the set back line, the as-built dimensions differ from those shown in the field notes. This is taken as sufficient proof that the structure was not built according to the surveyor's layout and so the surveyor is not responsible. It follows that the field notes exonerated the surveyor from wrong doing.

An interesting wrinkle to the case is that the crew chief who set out the structure maintained that the plaintiff asked him to set out the structure at a dimension that would violate the building set back. The plaintiff claimed that he did not have this conversation with the crew chief, and that he was

Continued on Page 10 ➤

never informed by the surveyor that there was a potential set-back issue. Again, the field notes supported the surveyor. The fact that the field notes showed the original dimension crossed out and replaced by a larger dimension was taken as proof by the court that the conversation did occur on site.

This court decision underlines the importance of documenting any conversations which occur in the field, especially when the discussion relates to the changing of structural dimensions.

2. Field notes as central when there is no registered plan: Spraggs v. Coldstream Court Resort (1966) Ltd, 2006 BCSC 37

Readers may be familiar with this court case for the direction it gives in regards to the doctrine of conventional lines. However, in addition, field notes played a key role in this case. A property corner is in dispute; in 1957 a BCLS sets an iron post to mark a corner as part of a proposed subdivision plan, but the plan never registers. In 1975, a second BCLS finds the first IP, but redefines the corner in another location, because the first iron post "was never registered".

In deciding for the location defined by the first iron post, the Justice consults the opinion of an expert witness, who reviews the related field notes and determines that the method in which the iron post was set in 1957 was correct and valid.

3. Field notes as reflective of a surveyor's professionalism: Arcande v. Gascon, 2005 CanLII 34570 (ON SC), at p6.

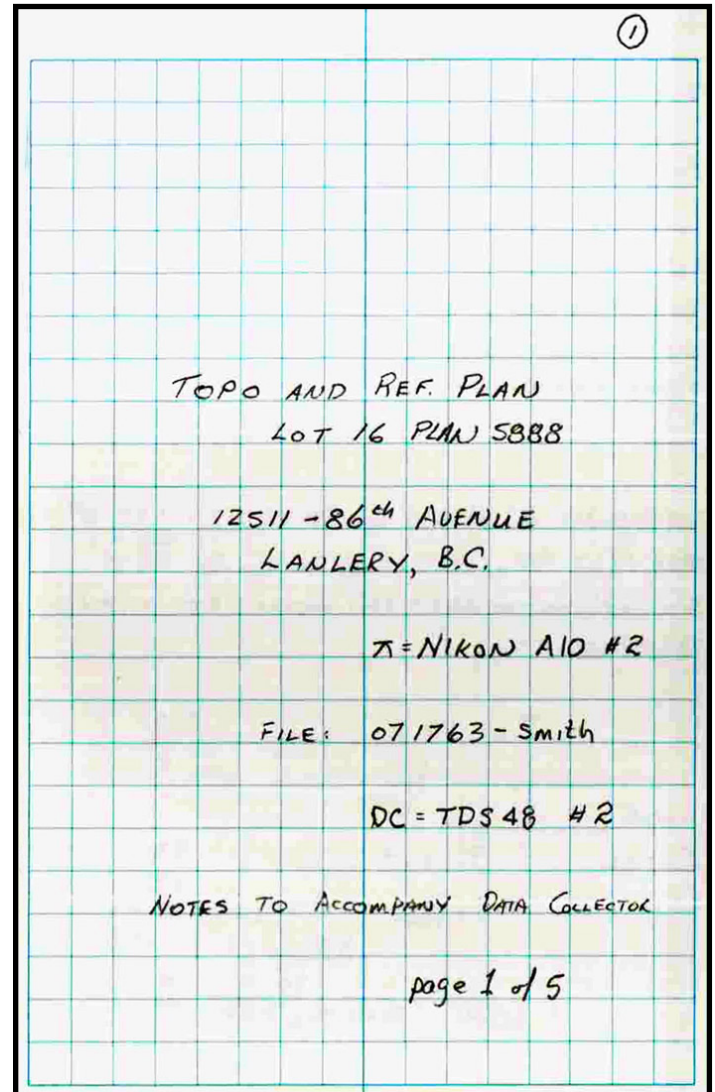
In this case from the Ontario Supreme Court, field notes are carefully examined by an expert witness, and the court determines that the field notes reflect poorly on the judgement and professionalism of the surveyor.

The basis of this case is a dispute about the volume of top soil excavated from a site. The plaintiff owns a parcel on which a top soil excavation operates and his compensation is based on the volume of top soil excavated. He alleges that more topsoil has been removed from his land than reported and he seeks additional compensation. Central to the argument is a volumetric survey completed by the plaintiff's surveyor, which is documented in the surveyor's field notes.

After scrutinizing the field notes, an expert witness comments that the notes contain several errors, that the field

notes are revealing of ill-considered surveying techniques (using only one benchmark to control elevations is recognized as imprudent practice), and that the volumetric report (which is based on the field notes) contains several inconsistencies. It follows that the Justice dismisses the case.

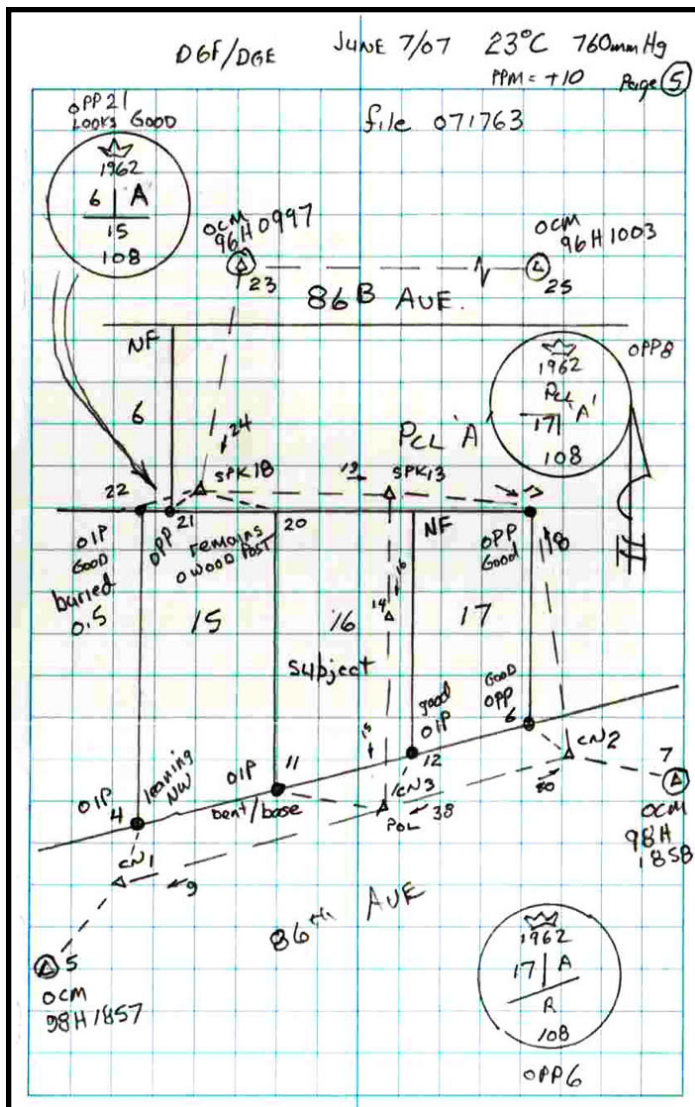
In all of the above cases, there was no registered plan which the court could consult. In such instances, field notes become especially important.



Example of Field Notes Title Page

The components of fantastic field notes

Chapter 7, Part 2 of the Professional Reference Manual does a thorough job of listing the components of a set of complete field notes. Members who have not visited this chapter for some time are encouraged to do so.



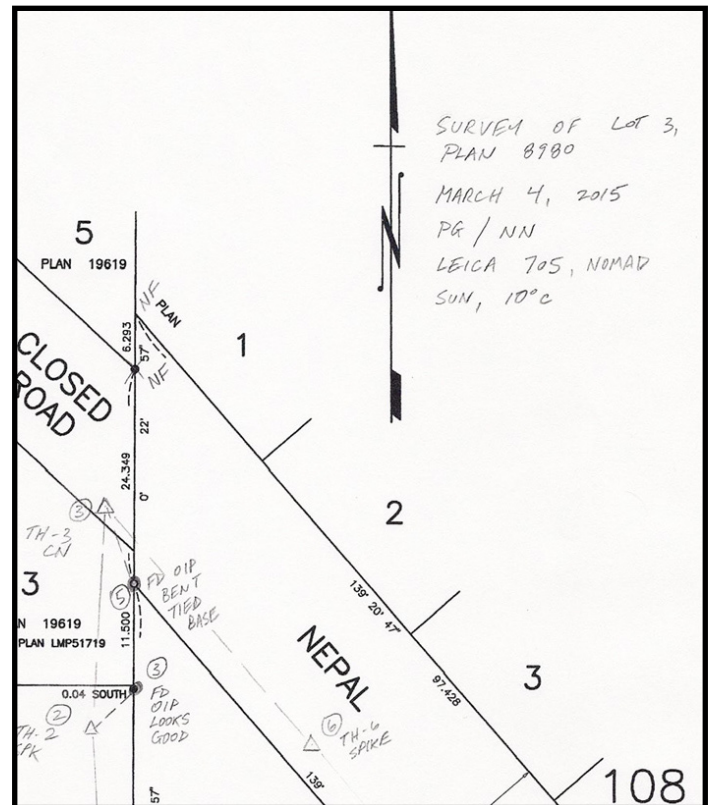
Example of Field Notes Sketch

Field notes must include the following information:

- The file name
- The address and legal description of the parcel under survey
- The date of observations
- The names of the field crew
- The instrument(s) used to gather information
- The weather conditions
- Descriptions of monuments found or placed, with notes as appropriate
- A diagram with a North arrow and notes about unsuccessful searches

During the practice review process, the Practice Advisory Department has the opportunity to review a lot of field notes, and we offer the following comments:

- Many practitioners do not regularly include sketches - it is hard to overstate how helpful a sketch is when attempting to reconstruct a survey from a set of field notes.
- Often, a practitioner will mark up a copy of a registered plan, or use a CAD generated sketch as the basis for the field note sketch. This approach is valid, but at a minimum the date of observations, crew names and job number need to appear on the mark up. This will correlate the sketch with the field notes, as shown in the example below:



Sketch used as basis for the Field Notes Sketch

There are a few items which aren't prescribed by the PRM, but are great to see in field notes:

- Information about redundant checks on staked out positions (e.g. Proposed building corners, legal posts set, etc.) - recording these types of checks could be of extreme value if there is ever a dispute about whether the layout was done correctly.
- A note about the traverse closure (both the point number used for the closure and the precision of the traverse).

- If a boundary decision is made in the field that has resulted in the posting of boundaries, then notes about evidence held and rejected should be included in the notes.
- When documenting unsuccessful searches, it is considered good practice to note the suspected reason for the missing monument.
- Any instructions given on site by land owners must be duly noted.

Conclusion

In addition to monuments and survey plans, field notes are one of the most important ways for surveyors to create evidence. Setting a monument properly can be a lot of work, the same goes for creating an error-free plan; it follows that surveyors need to be prepared to take their time with their field notes, as explained in the text Survey Law in Canada:

"Field notes are one of the most valuable sources of documentary evidence. To be of optimum value they

must however, have been accurately, legibly and dutifully prepared in the field at the actual time of the observations."³

There are several reasons for creating professional field notes. Human memory is fallible, and field notes help ensure that all the important information encountered in the field is shown on the survey plan. Field notes are an important resource tool- referring to old notes can tell you a lot about what you can expect to find in the way of survey evidence on a site. Finally, field notes can be very important if they are called upon in a court of law.

Hopefully your field notes are never required in a court of law. If they are, they may be subjected to a high degree of scrutiny, possibly by an expert witness who knows exactly what constitutes a set of professional field notes. Prepare yourself for this possibility by carefully recording accurate notes in the field.

¹ J.H. Holloway, (1952). The Principles of Evidence. The Canadian Surveyor, at p31

² Kirkpatrick v. British Columbia (Registrar of Titles), CanLII 2002 BCCA 669, at p24

³ Survey Law in Canada, p 497

Surveyor General's Datum

Land Title and Survey Authority of British Columbia

By Mike Thomson, BCLS, Surveyor General

The material herein contained is based on speaking notes prepared for the 110th Annual General Meeting of the Association of British Columbia Land Surveyors in Penticton, BC ... March 19th-20th, 2015

1. Introduction

It was my pleasure to be able to speak with the membership and provide a brief update on activities at the Land Title and Survey Authority, with a specific focus on the Surveyor General Division at the ABCLS AGM in Penticton on March 19th and 20th, 2015. I was also able to provide a PowerPoint presentation that focused on ParcelMap BC.

The Land Title and Survey Authority (LTSA) of British Columbia is a publicly accountable, statutory corporation responsible for operating British Columbia's land title and survey systems. The LTSA is established as a regulatory authority, independent from government, with the mandate to "manage, operate and maintain the land title and survey systems of British Columbia".

Reliable and secure land title and survey systems are an essential underpinning to BC's private property market and civil justice system. These systems also support civic governance, taxation and Crown land management frameworks.

In collaboration with the Province the LTSA maintains the legislative framework for BC's land title and survey systems, and reports on achievement of performance requirements established by the Province.

The LTSA earns its income from a portion of the service fees it charges customers (other than the Provincial government, which is fee-exempt). Its net earnings,



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achieved through prudent financial management, continue to be re-invested to achieve land title and survey public policy objectives and sustainable, cost-effective operations.

Annually, about 3.8 million transactions are processed by the LTSA, of which approximately 700,000 are for registration of land title interests and approximately 3.1 million are for searches of registered records and issuance of certificates. The LTSA recently celebrated its tenth anniversary on January 20th, 2015.

As we have reached our ten (10) year anniversary, we have looked carefully at what we have accomplished compared to what was planned for the LTSA when government created the LTSA.

The original plans anticipated we could reinvest about \$1 million a year into the LTSA. We have managed in ten years to earn approximately \$44 M of which \$39.5 M has been reinvested in Business Transformation, myLTSA, technology and facility upgrades, historic records restoration and preservation as well as our current project ParcelMap BC.

We look forward to the next ten years with a focus on maintaining confidence and integrity of the systems through accountable collaboration with the Province, customer centric delivery of services, optimal human resource management and the investment in information technology improvements while ensuring the sustainable and cost-effective management of LTSA operations.

In the last year, we have accomplished the following:

- We introduced myLTSA, our own portal to provide access to land title and survey information. This included both myLTSA Enterprise for professionals and others using deposit accounts and myLTSA Explorer for casual users with credit card payment capabilities.
- We invested in the New Westminster land title office by completing a major facility upgrade.
- A number of exemptions to electronic filing have been removed. Utility companies, the banking industry and all local governments with populations over 5,000 must now file electronically. Through the Authorized Subscriber Register, local, provincial and federal government agencies, and certain regulated utility companies, can obtain an electronic signature which enables them to e-file those types of documents that

they have historically filed in the land title office.

- In the last few weeks, we have introduced a major update to the myLTSA Search Services through a major refresh. Customers can now choose between various web browsers other than Internet Explorer including Chrome, Firefox and Safari. This includes delivering services through mobile devices. You can now access the myLTSA database while in the field. We have improved the efficiency of ordering titles, documents and plans. You can now elect to automatically receive the common property record for free with all strata titles. These changes were made in response to customer requests, and we have received positive feedback so far.

- We completed a Stakeholder Satisfaction Survey that provided us with many excellent suggestions for improving the business. It also revealed that the level of trust in the LTSA by survey participants was 92%. A very good result given the average ratings for similar Canadian federal and provincial corporations.

- We are off to a very good start on our ParcelMap BC (PMBC) project. I will spend more time talking about the project a little later, but with a July 23, 2014 Project kick-off, we are well underway. PMBC is a transformative initiative that will eventually change the way land surveyors and many of our other customers interact with the LTSA.

2. Business Priorities – The Business Plan

To support its mission of delivering responsive and trusted expertise, and reliable land title and survey systems essential to the economic foundation and social prosperity of BC, the LTSA has identified four Strategic Objectives for the 2015/16 to 2017/18 fiscal years.

These Strategic Objectives focus on continued collaboration with the Province, efficient delivery of core statutory services, optimal human resources management, and the sustainable and cost-effective management of LTSA operations.

Strategic Objective 1: In collaboration with the Province, maintain confidence in the integrity of the Land Title and Survey systems of British Columbia

Strategic Objective 2: Improve and deliver professional, consistent and responsive services to meet customer needs

Strategic Objective 3: Ensure the optimum structure, people and tools for the effective operations of the LTSA

Strategic Objective 4: Manage our business in a sustainable and cost efficient manner that directly benefits our customers

These strategies can be found in our 2015/16 to 2017/18 Business Plan which can be found at on the LTSA website at www.ltsa.ca after March 31st, 2015.

3. Organizational Changes

In the Surveyor General Division, Cristin Schlossberger returned from a leave in early December, 2014. It is great to have Cristin back.

Our ParcelMap BC project has allowed Peter Haas to remain on staff and to focus on ParcelMap BC. Jeff Beddoes focuses on the day to day business of the Surveyor General Division with Dave Swaile taking active leadership in managing our two largest business units Surveyor General Services and Crown Grant Services. Jeff, Cristin, Dave and Peter make a great team and it is my pleasure to be able to work with them.

We have begun to fill out our ParcelMap BC team. Brian Greening joined us as the Business Solution Lead on July 14th, 2014. Brian was with us in Penticton where he was able to answer members' questions on ParcelMap BC and in particular on the Survey Plan Dataset Specification and the submission process and requirements.

In the last few months we have added a Parcel Fabric Supervisor and two Fabric Technicians as we get ready for the delivery of the first increment.

The biggest changes in the organization may be in, firstly the Victoria land title office where Maureen Johnston retired at the end of January, after almost 42 years of service and approximately nine years as the Deputy Registrar in Victoria. Val Cole has been appointed as the new Deputy in Victoria. And secondly, in the Kamloops land title office where Wayne Fromm has retired, his last day being March 19th, 2015.

Bert Hol and O'Brian Blackall continue as ABCLS nominees to the LTSA Board. Geoff Plant, a nominee of the Law Society of BC, continues as the chair of the LTSA Board of Directors.

Chuck Salmon is the ABCLS appointment to our Stakeholder Advisory Committee.

In keeping with our 10th Anniversary celebration I thought I might share with you how the LTSA work force has changed:

- The average age of our staff is now 44.8 years, down from a high of 58.8 in 2009
- The average length of service is now 9.8 years, down from a high of 15.8 in 2009
- Our staff are now 60% Female, down from a high of 72% in 2010
- 76% of the LTSA staff never worked for government and are new hires since the formation of the LTSA
- The total LTSA staff complement, including LandSure, is now 133, down from 165 in 2009

4. LTSA 2014/2015 Year to Date – First 11 Months (In Review)

In the land title office, business activity to this point is very similar to the previous year.

Measured against budget, core revenue to date is at 100.8% of budget. While at this writing, activity is consistent with the last few years. December 2014 was an aberration. It was the busiest December we have had in 10 years and in fact was busier than July 2014.

This is in direct contrast to December 2013 which represented the 3rd quietest month since the inception of the LTSA.

As part of the requirements of the original Operating Agreement that set out the performance targets for the LTSA, the 10th Anniversary includes a requirement to work with the Province on a 10-Year Sufficiency of Revenue Review. This work is underway and, as noted earlier, in 10 years the LTSA has reinvested approximately \$39.5 M into system improvements, including Business Transformation, Technology and Facility Development, myLTSA and ParcelMap BC. We also have built the \$6 M LTSA Assurance Fund.

In the Surveyor General Division:

- Through the first 11 months of fiscal 2014/15, 107 Crown grant requests were received, ahead of the 102 to the same point in fiscal 2013/14.
- Through the first 11 months of fiscal 2014/15, 1,397 Crown land survey plans were received, down 20% from the 1,746 plans to the same point in fiscal 2013/14.

- Through the first 11 months of fiscal 2014/15, 305 statutory applications were processed, up from the 281 to the same point in fiscal 2013/14.
- All transactions were completed within the mandated time targets.

The Surveyor General Division continues to see a heavy focus on First Nations treaty settlement matters in our daily business. In particular two final agreements are expected to come into force on April 1, 2016, Yale and Tla'amin (Sliammon – Powell River). The Province, Canada and First Nations are all very active in moving forward with Incremental Treaty Agreements.

As an aside, the historic Tsilhqot'in (Chilcotin) decision of the Supreme Court of Canada, released June 26, 2014, in which Aboriginal Title was granted to the Tsilhqot'in Nation to approximately 1,750 square kilometres of the Chilcotin Region in central BC, is a game changer in the relationship between British Columbia and its First Nations population. The ABCLS would be wise to keep a careful eye on how this decision impacts development, and, in particular, the resource industry in BC.

Whatever your opinion on the matter is, the decision is very well written and should be required reading for all land surveyors and students.

4.1 Electronic Filing System (EFS) – Update

As described above, the Director of Land Titles has removed various exemptions to electronic filing that have been in place. As a result, we now see all but the smallest sub-set of applications are filed electronically moving us to approximately 94% electronic filing, approaching our long term target of 95%.

4.2 Electronic Survey Plan System – Land Titles Update

- In February 2015, 99.9%, (all but one), of 807 survey plans was filed electronically in the Land Title Office. I continue to be impressed by how the profession has adapted to electronic filing of survey plans.
- In the first 11 months of the fiscal year, 99.1% of survey plans (8,602 of 8,676) have been filed

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"Members of ASTTBC play a vital role in senior management in our firm. They are 'hands-on' people responsible for managing staff and projects. The ASCT or CTech designation is important to our firm and one that we look for when conducting interviews for new hires."

R.D. WRIGHT, BCLS, CLS
FOCUS INTEC

ASCT CTech

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ASTTBC certifies technologists and technicians with expertise in geomatics and survey technology, and regulates standards of practice in accordance with a Code of Ethics. Certification as an Applied Science Technologist (**ASCT**) or Certified Technician (**CTech**) is granted to individuals who meet stringent national standards, are job ready with education and experience.

We encourage all BC Land Surveyors to actively support the technologists and technicians on your team, to achieve certification.

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electronically in the Land Title Office.

- The 8,676 survey plans filed in the first 11 months of the fiscal year represent a 12.3% reduction from the 9,895 in the same 11 months in fiscal 2013/14.

5. ParcelMap BC Overview

The primary objective of the ParcelMap BC project is to deliver a **single, complete, trusted, and sustainable map** of all titled and surveyed provincial Crown land parcels.

We continue to work with stakeholder organizations which supported the development of the PMBC business case through the PMBC Advisory Committee, including:

- The Province of British Columbia
- Integrated Cadastral Information Society – ICIS
- The Association of BC Land Surveyors – ABCLS
- BC Assessment Authority – BCA

BC Assessment has provided \$1.25 M in funding to support local government to transition to using ParcelMap BC as their official cadastral base. A grant program to support the transition is being administered by ICIS.

What have we accomplished on our ParcelMap BC Project in the last year:

- We executed the Master Services Agreement (MSA) and the Statement of Work (SOW), together the contract with Team MDA, on July 3rd, 2014. Team MDA is comprised of MDA Systems Ltd. of Richmond BC as the lead in partnership with Martin Newby Consulting Ltd. of Calgary, Esri Canada Ltd. and CartoSmart GIS, Inc.;
- We held a Project kick-off meeting with about 30 members of the team on July 23rd, 2014, at the MDA offices in Richmond;
- We have held meetings with our ParcelMap BC Advisory Committee in July, September and December 2014, where we received feedback on the project plans;
- The Land Surveyors Advisory Task Force has been instrumental in helping us advance the project. We met with the LSATF in July, September, November 2014 and February 2015. The LSATF helped us complete the development of the Survey Plan

Dataset Submission Specification. We have also been working with the LSATF on the 'Requirements' bulletin for submission of the Survey Plan Dataset;

- The ABCLS has provided significant assistance, in particular through Brent Taylor as a contractor, supported by the Practice Advisory Manager and ABCLS Board in considering and reviewing the Survey Plan Dataset Specification. A copy of the Specification was made available to all land surveyors, through an ABCLS Office Update on February 19th, 2015, and then again March 5th, 2015;
- We completed a Province wide assessment of the available data sources;
- We completed our increment planning process. The increment order was rolled out as part of the fall traveling Board trip presentation. As described then, the first increment is the Nanaimo Regional District. The build is under way and due for completion in about four weeks. The other 19 increments will follow in short order. We remain on target for a March 2017 completion of the build;
- We have completed the build of the Province wide layers that will support the balance of the PMBC build. These were accepted by the LTSA in early February 2015;
- Significant progress has been made on the cadastral tie work in the field, from existing plans in ISA areas, and from more recent survey plans in the non-ISA areas of the Province. The field ties in Regions 1 and 2, which is effectively all of Vancouver Island, are complete and have been accepted by the LTSA. At this writing, the field ties in Regions 3, the Greater Vancouver, the Squamish Lillooet and the Sunshine Coast Regional Districts, are complete and undergoing acceptance testing by the LTSA. The field work in Region 4, the Fraser Valley Regional District, is underway. The project team will next move into the Kootenay's and the Okanagan;
- We have added some 2,500 plans and documents to the LTSA's image repository that were identified as containing information about parcels missing in the source data;
- We have done a lot of work, research primarily, on

the list of missing parcels that we began with. This has allowed us to make a number of clean-ups to LTSA records. Currently we are doing research into about 30,000 parcels that remain in Absolute Fee (Parcel Books); and

- All this work has created benefits for the LTSA in areas that were not necessarily intended. The work has led to an improvement in LTSA records and their availability on line.

I am very pleased as to where the ParcelMap BC Project is at. The technology build is on time and delivering desired results. It is fair to say we are a few weeks behind on the increment build however this was a purposeful decision. The delay was required to ensure we had the best possible parcel fabric build plan in place. The condition of the source data was not as good as anticipated and as such we spent considerable time understanding it and working these findings into the Fabric Compilation Plan. We believe we now have the best possible fabric compilation plan going forward.

For land surveyors, the big thing to be aware of is the timing of the Survey Plan Dataset Submission tool. We anticipate the tool being delivered to the LTSA for testing in October 2015. By November 2015 we will be able to open up the submission process to a group of pilot users to ensure all is working well. By year-end we hope to open the submission process to all land surveyors on a voluntary basis. The current target is for the requirement for Survey Plan Datasets to be submitted with all surveys starting on March 1st, 2016. We plan on releasing a draft of the 'Requirements' bulletin prior to the round of Spring Regional Group meetings. I would like to thank the ABCLS, the Board, the Practice Advisory Manager and in particular the members of the LSATF Ivan Ngan, Rory O'Connell, Dan Machon, Ron Johns, Rob Tupper, Brent Taylor, Chuck Salmon and Chad

Rintoul for supporting us in getting this far.

For the next year we will be heads down delivering the ParcelMap BC project.

Surveyor General Division – Upcoming or Recent Events

5.1 Boundary Commissioner

We have recently completed procurement for services to restore ten Alberta-BC Boundary monuments in the Elk Pass region. You may remember that this work has been on the books for a few years now, but various circumstances beyond our control have delayed the field work to restore the monuments. We hope to complete that work in summer 2015.

5.2 Fee Increase

The LTSA has announced that customer service fees will be increasing by 1% as of April 1st, 2015. As this is an increase to only the LTSA's portion of the fees the result is an approximate 0.4% increase for the fee that is visible to the customer.

I certainly appreciated the members for allowing me the time to speak and present.

In closing, I note that BC land surveyors continue to be very relevant in the growth and development of British Columbia, providing fundamental support to the economic and social fabric of the province through the diligent preparation of quality surveys.

As we get close to the roll-out of the first increment of ParcelMap BC and the submission of Survey Plan Datasets to support the maintenance - our relationship with the BC land surveyor is an increasingly important one. We thank you for commitment to delivering a quality cadastre to the citizens of BC.

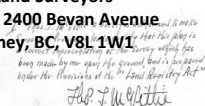
Now I Understand ... Submitted by Barry Cotton

At one time in my life, I thought I had a handle on the meaning of the word "service." "It's the act of doing things for other people."

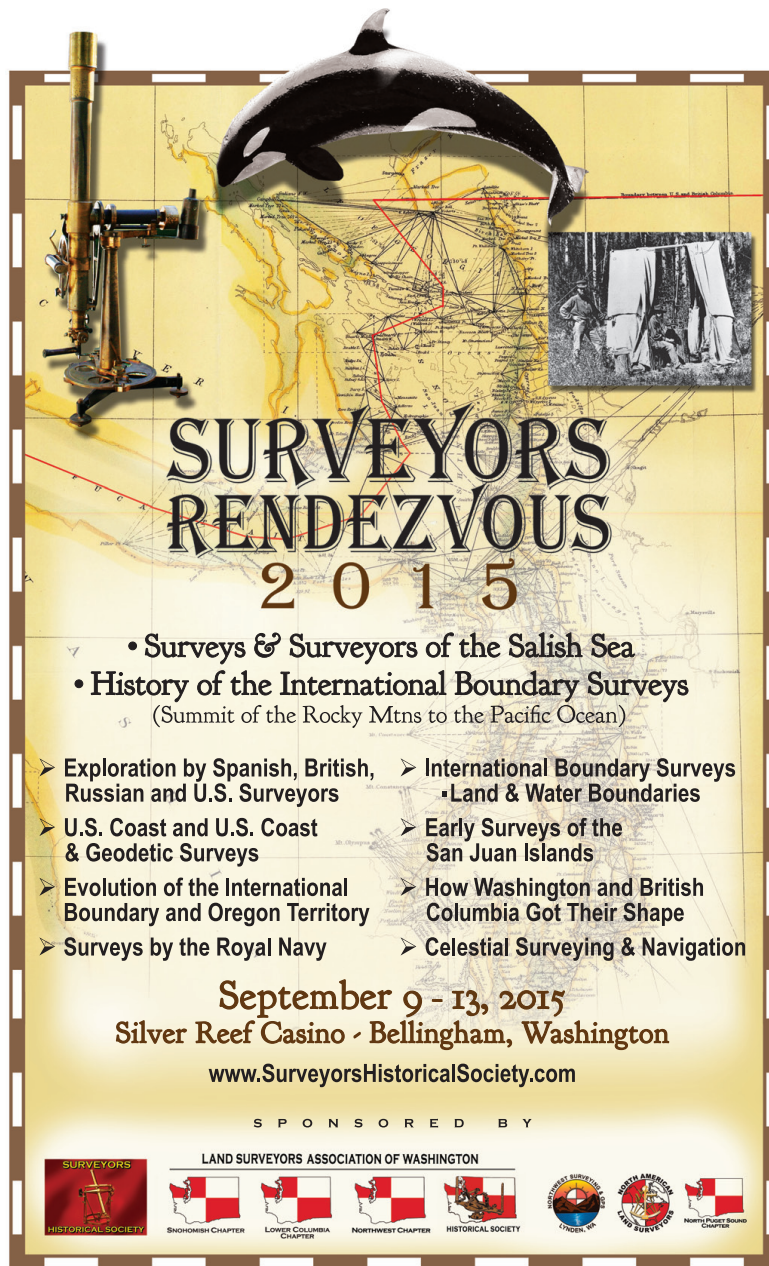
Then I heard these terms which reference the word SERVICE:

Postal Service Telephone Service Public Service Customer Service Service Stations

Then I became confused about the word "service." This is not what I thought "service" meant. So, today, I overheard two farmers talking and one of them said he had hired a bull to "service" a few of his cows. BAM! It all came into perspective. Now I understand what all those "service" agencies are doing to us. I hope you now are as enlightened as I am.



**Robert Allen, British Columbia Land Surveyor (Life Member),
Canada Lands Surveyor, Life Member, Canadian Institute of Geomatics (robert.allen.bcls@gmail.com)**



Surveyors Rendezvous 2015

The Surveyors Historical Society will be holding its 2015 Rendezvous in Bellingham, WA. This might be the chance in a life time to attend one of their Rendezvouses. There will be workshops and papers presented on the surveyors and surveys in connection with the surveys done in the northern Puget Sound and the southern Gulf of Georgia and through the Gulf Islands and San Juan Islands.

Some field trips are also proposed. Other papers and workshops will focus on the history of the international boundary from the Pacific Ocean to the Rocky Mountains. This Rendezvous is being organized by a group of land surveyors headed by Denny DeMeyer who was one of the lead people on the 2011 David Thompson Columbia Brigade. Ron Scobbie, BCLS, is also on the organizing committee and they are proposing a top notch program.

Be sure to mark September 9th to 13th, 2015 on your calendar for this event and please see the accompanying notice about the Rendezvous. Further information regarding it can be obtained from the SHS website: www.surveyorshistoricalsociety.com or from Denny DeMeyer at denny@nwsurvey.com We hope to see you there.

**Robert Allen, British Columbia Land Surveyor (Life Member),
Canada Lands Surveyor, Life Member, Canadian Institute of Geomatics**

New Commissions



Bronwyn Denton, Tracey Peet and Chuck Salmon



Tracey Peet on a hike in the mountains

Tracey Peet ... New Commission #936

Tracey Peet was commissioned on December 9th, 2014, by Chuck Salmon and Bronwyn Denton in Sidney. She was born and grew up in Prince George. Tracey chose to become a land surveyor because her dad encouraged her to apply to BCIT after finishing high school, and after two years at BCIT, chose to continue her education in order to eventually become a commissioned land surveyor. She also has an interest in math and science. Tracey would like to thank all the land surveyors at Focus and McElhanney who helped her tremendously during her articling process and were always available to answer her never-ending questions. There are far too many to name, but she wouldn't have gotten through the articling process so quickly if it wasn't for you all. Tracey would also like to thank all her friends and family, mainly her dad for filling out that original BCIT application and convincing her to "stick with it" after failing to close a level loop and traverse her first time through.

Tracey enjoys being outside as much as possible. This includes hiking, downhill biking and hanging out at the lake during the summer and skiing, snowmobiling and snowshoeing during the winter.

After graduating from university, she was able to build on her undergraduate thesis "Assessment of GOCE Gravity Models across Canada" and present a seminar at the 2012 Canadian Geophysical Union Conference in Banff, Alberta. Since then, she has co-authored multiple papers and posters for the International Association of Geodesy Sub-Commission 2.4c: Gravity and Geoids in North and Central America.



Dave Harris, Gurpreet Kooner and Warren Barnard

Gurpreet Kooner ... New Commission #937

Gurpreet Kooner was commissioned on December 19th, 2014 by Dave Harris in Surrey. He chose to become a land surveyor from a high school career planning opportunity and was intrigued by the mix of field and office duties. He also appreciates being part of a close knit professional association.

Gurpreet would like to thank his fiancée Lesley Pike, Brian Minifie, Derek Whiting, Evgeny Petushkov, Trevor Burton and Cam Henry for helping him along the way. Outside of surveying, he enjoys ice hockey, NHL & NFL and his bulldog, Paro. Gurpreet met his fiancée in 2002 and is engaged to be married in June 2015.

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Chris El-Araj, Nicholas Manchon and Ian Lloyd



Nicholas Manchon working in Guyana

Nicholas Manchon ... New Commission #938

Nicholas Manchon was commissioned on December 19th, 2014 by Ian Lloyd in Vancouver. He chose to become a land surveyor to enjoy a career that offers a wide variety of challenges and a career that is an integral part of society.

Nick would like to thank his family and friends, as well as, Chris El-Araj, Terry Connolly, Chris Cryderman and Emily Freeman for helping him along the way. Outside of surveying Nick enjoys spending time with his wife and two daughters. His interests also include sailing, hiking, squash and snowboarding.



John Squires ... New Commission #940



John was commissioned on December 30th, 2014 by Chuck Salmon in Cloverdale. He chose to become a land surveyor as he has always enjoyed having a career where every day is a different challenge; it is not just the "same-old" assembly line job day after day. He likes the physical and mental aspect of land surveying and he has always relished the idea of chopping blackberry bushes and digging for pins. John would like to thank his parents and in-laws for helping him through college, John Onderwater, Matt Onderwater and John Wuensch for all the practical surveying lessons, his wife Chelsea for putting up with all the late night studying and for being the best mother for their four beautiful daughters.

When John is not surveying he tries to spend as much time with his daughters as he can - being a dedicated role-model and father is very important to him. He also enjoys the simple things such as playing tag and hide-and-seek with his children. On his 'kid-free' nights, which are rare, he and his wife look forward to going out for dinner and a movie.



Manny Sangha ... New Commission #939

Manny Sangha was commissioned on December 23rd, 2014 by Ian Lloyd in Vancouver. He chose to become a land surveyor because he was intrigued with surveying instrumentation, dealing with the public, and locating of old evidence and re-establishing boundaries. He also likes to be able to work in the office and outdoors.

Manny enjoys sporting clays, mountain biking, and riding his Harley and sport bike when he is not surveying.

◀ Manny Sangha and Ian Lloyd

Continuing Professional Development Committee Report

The ABCLS CPD Days at the 110th AGM, held in Penticton, proved to be another successful event. The CPDC provided 1½ days of seminars with a combination of business, interpersonal and survey related topics. Below is a brief summary of the CPD seminars:

Holy Crap Am I Busy

The event started with an opening address by Linda Edgecombe, a re-invention strategist, a motivational coach and an engagement expert. Linda's informative and humorous address drew on personal experiences to show how we are now in a culture of busy with many of us falling off the tracks for life outside of work. She showed how managing our energy is critical, that we all see life differently, and that we shouldn't worry about the big picture, but should concentrate on starting something/anything new. When was the last time you did something for the first time? Start by doing one new thing and your job will get better was a key component of her philosophy and that by celebrating these benchmarks it will certainly make our quality of life better. Linda's infectious personality, jokes, and advice for personal improvement were well received by an appreciative audience.

Ethics on the Ground

John Burton, LLB, MBA, M.Div, PhD, and a professor at UBC presented this very informative seminar to a well-attended audience. Dr. Burton teaches both theology and ethics and has a wealth of knowledge in these subjects. His presentation discussed the origins of morality, which is a function of six innate facets: harm prevention, reciprocity and fairness, group loyalty, respect for authority, liberty and autonomy and sense of purity. As humans Dr. Burton states

that language and culture are hard wired into us through morality.

Dr. Burton then had each table discuss a few scenarios that could be perceived as a conflict of interest. He went on to explain the four questions to help you respond to an ethical dilemma: what action produces the most good and causes the least harm, whose rights are being affected by this action, what kind of person am I, and will it work? At the conclusion of Dr. Burton's presentation he turned it over to the audience for a brief question and answer period.

The presentation was well received and the topic presented raised interesting content to members. As Land Surveyors we are faced with difficult decisions involving morality and ethical dilemmas.

Every Conversation Counts – Tips and Tools to Make them Effective

Relationships and communicating with those around us is one of the most important and rewarding parts of life. A bridge exists between ourselves and every person with whom we come in contact and it is our natural curiosity and need to reach out to others which allows a relationship to grow and flourish.

In this seminar, presented by Gina Buchanan, BA, MEd, members learned that every good conversation begins with listening. The best communicators are those who are intentional listeners. A good communicator remains in the present moment, is committed to really listening to what

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the other person is saying, seeks to understand their point of view, stays curious and suspends judgment.

The best managers are those who have chosen to be good listeners, who are aware of their own strengths and weaknesses, and are able to manage their emotions.

Feel the Fear and Do it Anyway – How to Give Feedback Effectively

Gina Buchanan, BA, MEd, also presented this seminar on feedback. Her message reminded attendees that the best feedback we can give is all day, every day. It must therefore be visible, noteworthy and consistent. It should be part of our conversation with those who look to us for guidance and leadership.

Most managers do not have the courage to receive or give feedback, however if they refuse to be paralyzed by the fear of feedback or possible confrontation, they have a unique opportunity to take part in a rewarding experience, which includes truth, transparency and accountability. Good managers are emotionally mature and able to continually adjust their reactions and decisions based on their circumstances. They are relationship managers who display self-awareness, situational awareness, and social awareness.

Geodetic Positioning Refresher

Dr. Rob Radovanovic, P.Eng, CLS, ALS is a land surveyor and engineer with over 20 years experience in conventional surveying operations with SARPI LTD. located in Edmonton, Alberta.

In the morning session Rob provided a lively and lighthearted review of basic GNSS theory that all practitioners should be aware of. Positioning concepts and GNSS error sources were reviewed and served as a helpful refresher that set the stage for the afternoon session. Particular attention was given to multipath of satellite signals, including how to avoid and minimize them. A time window averaging of critical points in a survey project was also reviewed and emphasized for members. The afternoon session consisted of a review of mapping projection concepts, grid vs. ground distances concepts and using GNSS technology to obtain orthometric heights.

Due to the radial nature of RTK measurements and the measuring frenzy that can develop using this tool, members were reminded of the need to take proper care when using this technology. The issue of redundancy of measurements was discussed and emphasized. A total

station may be the right tool for shorter distances due to its higher accuracy. GNSS is a powerful tool in the surveyor's toolbox when used in the right and appropriate environment. It is up to all of us to know when to leave it in the truck and when to use other measuring technologies for survey projects.

Creating Perfect Plans and Flawless Field Notes

The Practice Advisory Department (PAD) Seminar this year was introduced as "Creating Perfect Plans and Flawless Field Notes". The purpose of the seminar was to address two aspects of professional practice that PAD believes need improvement. The seminar was divided into two parts: the first dealing with field notes and the second dealing with plan preparation and quality control.

In order to "lighten up" the delivery of what can on occasion be a somewhat "dry" topic, the PAD presenters enlisted the services of a fictional character "Mr. Rick Risky, BCLS" (in the person of Richard Redfern, BCLS) who composed and delivered a delightfully rhythmic rap song promoting the "cool" nature of e-recording survey field data while down-playing the apparent value of original hand written field notes.

In an interesting and perhaps unexpected turn of events the "Risky Rap" presentation seemed to captivate, sway and humour the audience which was an appropriate segue into the topic, the context therein being how easily intoxicating the nature of e-data capture and recording is, versus the more correct, orthodox, tried, tested and trusted manual field notes format.

Peter Goodier, BCLS, presented the "Flawless Field Notes" section of the seminar and began by reviewing several instances of case law where field notes played a pivotal role. The emphasis was on the continued importance of field notes as evidence and consequently the need for professional surveyors to prepare complete and detailed notes in the field at the time of the survey. Peter went on to discuss other reasons for keeping good field notes and outlined professional standards related to field note requirements.

Gord Gamble, BCLS, presented the "Perfect Plans" part of the seminar. He outlined the most common deficiencies and defects that PAD is finding during Plan and Practice Reviews. Each type of deficiency/defect was addressed by outlining the nature of the issue and proposed solutions to ensure that these problems are identified during the plan checking process.

The presenters did an excellent job in presenting the case for perfect plans and field notes.

Strata Property Act Issues

Presented by Brent Taylor, BCLS, CLS, this well received seminar dealt with the Strata Property Act. Using his vast experience and real life examples, Brent showed how strata work is not just producing plans, but requires the professional to be part of a team making decisions long before any plans can and should be produced. He showed how to make decisions starting from the architects drawings, important field considerations and suggestions for strata plans. The goal for all of us from these decisions is to produce unambiguous plans for the public and our fellow surveyors.

The seminar started with the basics, comparing the Strata Property Act with the Land Title Act and a brief introduction to Bare Land Strata Plans. Brent also discussed the decisions that need to be made in determining property lines around windows, stairs and elevators, different types of wall construction, plumbing, vents and other mechanical entities so that the future owners are absolutely sure of what they own and that clients objectives are met. Once we got through the basics, Brent explained in detail phased strata plans, subdividing and consolidating strata lots, converting to and from common property, designating, changing and the effects of limited common property, what sections are, as well as disclosure statements and disclosure plans. This seminar was full of fantastic advice, nuances in the Act to be careful of and useful tips for us to utilize in our Strata work.

The material from this seminar will be turned into a GeoEd presentation for surveyors to access in the future when they want a refresher or are dealing with complicated strata work. We anticipate that the GeoEd seminar will be broken into separate segments for each of the topics within Brent's presentation. The GeoEd version of the seminar will be available soon and members will be notified when it is available.

Business Efficiency through Technology

Derek Blaszak, BCLS, effectively presented this seminar. Derek's presentation was split into two parts.

The first part provided a "business primer" including examples of direct and indirect costs, the need for profit, using wage multipliers as a rule of thumb, and calculating labour utilization rates. He briefly touched on the effects of industry wide under-billing at the expense of profit on

our ability to attract new members as well as the effects of placing a company's goodwill entirely on being the cheapest surveyor.

Derek's presentation highlighted the indirect costs which often go unrecovered in billing and the value that our unique knowledge and experience adds. He then provided examples using some of the excel spreadsheets the Business Practices Committee has available with the intent of persuading members to review their charge out rates. The second part of the presentation focused on using a powerful project management and billing program called Latitude. Latitude can be used to calculate each employee's payroll cost and charge out rate, establish equipment rates, then blend different rates into crew rates. Latitude can also track billable and non-billable time, disbursements, and materials and assign them to individual tasks within a job. The information can then be used to raise an invoice or generate reports such as work in progress, accounts receivable, and labour utilization rates.

Derek established that using software like Latitude can reduce the amount of time spent tracking hours and creating invoices while ensuring that every billable hour and expense is accounted for.

Thank you again to all the presenters and attendees of the various seminars. The feedback about this year's Professional Development program has been very positive. Member feedback is important and assists the CPDC in planning future events.

Work ... Submitted by Barry Cotton

Have you heard about this? There is a dangerous virus being passed around electronically, orally, and by hand. This virus is called Weary-Overload-Recreational-Killer (WORK). If you receive WORK from any of your colleagues, your boss, or anyone else via any means DO NOT TOUCH IT. This virus will wipe out your private life completely.

If you should come into contact with WORK, put your jacket on and take two good friends to the nearest grocery store. Purchase the antidote known as Work-Isolating-Neutralizer-Extract (WINE) or Bothersome-Employer-Elimination-Rebooter (BEER). Take the antidote repeatedly until WORK has been completely eliminated from your system.

You should forward this warning to five friends. If you do not have five friends, you have already been infected and WORK is controlling your life.



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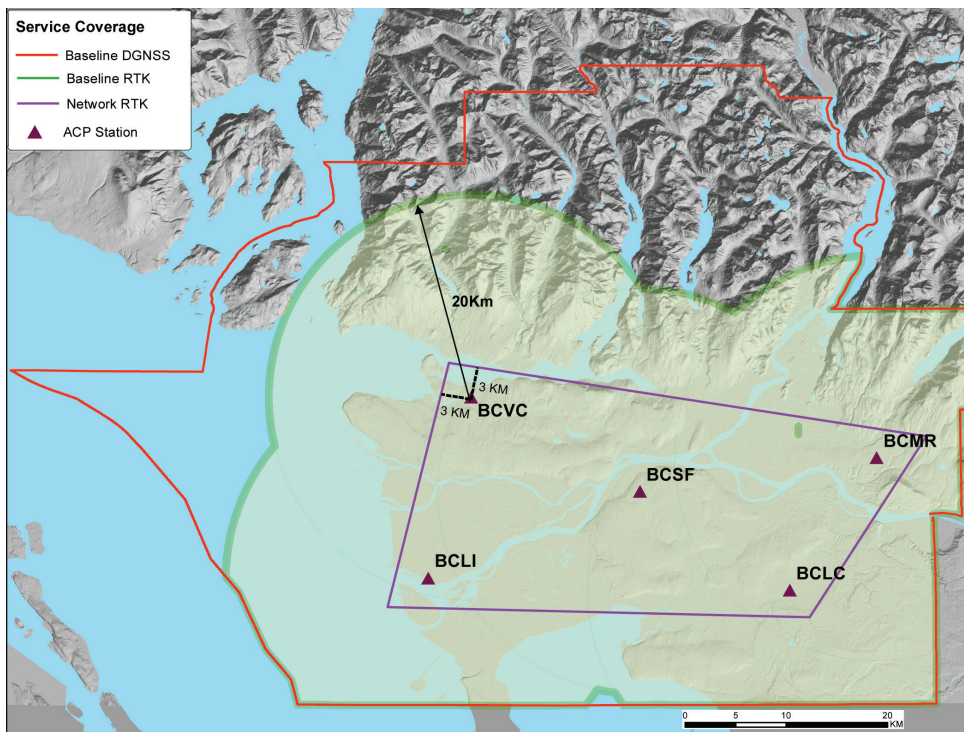


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NEWS RELEASE

For Immediate Release
2014FLNR0262-001687
November 6, 2014

Ministry of Forests, Lands and Natural Resource
Operations

First World War events commemorated in B.C. place names

VICTORIA – While Canadian soldiers, sailors and pilots fought bravely overseas a century ago, a dedicated group of land surveyors was quietly recognizing their achievements and sacrifices as they named hundreds of newly mapped geographical features high in the Rocky Mountains.

During this centennial of the start of the First World War, GeoBC has created a new digital map (webmap) to highlight this little-known part of the province's mapping history:

<http://geobc.gov.bc.ca/base-mapping/atlas/bcnames/showcase/showcase.htm>

The interactive map marks the locations of over 50 of these sites and explains how their names were selected.

The boundary between southern British Columbia and Alberta was actively surveyed from 1913 to 1924, a period that encompassed the First World War. Many features (such as mountains) that were previously unnamed had to be formally catalogued by members of the Interprovincial Boundary Survey team to confirm exactly where the border lay and to provide accurate geographical points of reference.

It was a long-standing practice amongst exploratory surveyors of that era to name newly mapped features themselves. Since the First World War and the exploits of Canada's armed forces were often in the minds of compatriots back home, surveyors working on the Rocky Mountain project decided to commemorate the war effort by naming peaks, mountains, passes, ridges and other notable features after prominent military personnel, ships and battles of the Great War.

This method was consistent with other surveying practices around the world at the time, when significant societal and political events influenced the naming of geographical features. Although other geographical features in British Columbia are also associated with the First World War, the work of the Interprovincial Boundary Survey team left an indelible cultural mark on the province's landscape.

Geographical features highlighted on the new digital map include:

- Mount Bishop (50°26'24"N, 114°52'35"W), named after famous flying ace Billy Bishop, who won the Victoria Cross for his aerial exploits in Europe.
- Mount Cornwall (50°18'02"N, 114°46'53"W), named after a 16-year-old hero of the Battle of Jutland who was killed in action in 1916.
- Mount Gass (50°07'15"N, 114°44'16"W), named after a lieutenant in the Canadian Garrison Artillery who was killed in action in 1917.
- Nestor Peak (50°56'41"N, 115°42'35"W), named after the destroyer HMS Nestor, which was sunk during the Battle of Jutland in 1916.

- Mount Odlum (50°29'11"N, 114°56'17"W), named after Major-General Victor Wentworth Odlum, who commanded the British Columbia Regiment of the Canadian Expeditionary Forces.

Quote:

Minister of Forests, Lands and Natural Resource Operations Steve Thomson –

“The First World War was a crucial turning point in our nation’s history and so it was appropriate for B.C. land surveyors at that time to commemorate notable people and events of that period. During this centennial year, GeoBC has given British Columbians an ideal opportunity to learn more about the people and places associated with that conflict.”

Quick Facts:

- GeoBC creates and manages a wide variety of geospatial information and products, including base maps, imagery, spatial data (e.g., road locations, hydrology, terrain) and information related to natural resources and environmental stewardship in B.C.
- GeoBC provides consultation services to resource professionals, academics, researchers, businesses, First Nations, members of the general public, and a range of government departments and agencies throughout Canada.

Learn More:

GeoBC homepage: <http://geobc.gov.bc.ca/index.html>

“The Great War and the Interprovincial Boundary Survey” project: <http://geobc.gov.bc.ca/base-mapping/atlas/bcnames/showcase/showcase.htm>

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Puns of the Day:

Did you hear about the guy who got hit in the head with a can of soda?

He was lucky it was a soft drink.

Have you ever tried to eat a clock?

It is very time consuming.



OIP Luncheon

Report and Photos by Wayne Griffith, BCLS, OIP Group Secretary

The OIP group met on Monday, January 12th, 2015 at the Oriental Buffet in Surrey. There was a good turn out with 17 members opting for some scintillating conversation, good food and cross table banter. The oldest member in attendance was Life Member Ken Wong and it was great to see Ken still out and about.

George Fenning was the only new member to the Group this time around. George is still working part time at Practice Review, but he is slowly easing into retirement. Larry Achtemichuk was in attendance and he is now going into full retirement.

After lunch we had a brief discussion on the general format of the luncheon. It was agreed that the primary purpose of the luncheon was for renewing old acquaintances and socializing. Little interest was shown in using the

luncheon for an educational experience or a forum for serious discussions. The group did show an interest in having lunch at BCIT and a tour of the survey department if this could be arranged. Members enjoyed the previous outing to Victoria and interest was shown in similar day outings if they could be arranged. The secretary of the OIP Group was to solicit ideas from the group and report back.

To conclude the luncheon, Dick Mak and Ralph Turner amused the group with a few jokes and the fellows then said their goodbyes and headed home.

Our next luncheon will be held in mid-May. Any retired surveyor, almost retired surveyor, interested surveyor and all guests are welcome. Having a good time and renewing old acquaintances are the only requirements in joining this luncheon group.



Left side of the table: Robert Allen, Martin Schulze, Dick Mak, Ralph Turner, Stan Nickel, John Nash, Ron Scobbie, Ken Wong & Larry Achtemichuk ... Right side of the table: Chris James, Henry Aldridge, Clare Hobbs, Dai Yates, George Fenning & Bill Chapman



Left side of the table: Dick Mak, Ralph Turner, Stan Nickel, John Nash, Ron Scobbie, Ken Wong & Larry Achtemichuk ... Right side of the table: Chris James, Henry Aldridge, Clare Hobbs, Dai Yates, George Fenning & Bill Chapman



Front to rear: Ab Osman, Chris James, Henry Aldridge, Clare Hobbs and Dai Yates

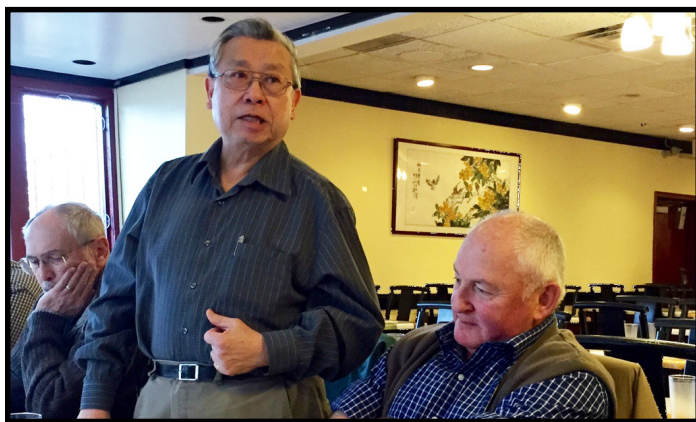


Left to right: John Nash and Ron Scobbie

Continued on Page 35 ➤



Front to rear: George Fenning,
Bill Chapman and Larry Achtemichuk



Front to rear: Ralph Turner, Dick Mak
and Martin Schulze

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Surveyors-On-Bikes



This August, the Surveyors-On-Bikes group, affectionately known as 'The SOBs', will be holding another annual rendezvous meeting, for the second time, in the sunny south Cariboo. It will be held August 28-30 at a resort on Loon Lake, located east of Clinton off Highway 97. This year's event is being organized by John Theed, BCLS, and he can be contacted at john@johntheedlandsurveying.ca or 604.452.2277 for more information.

The SOBs are a loose collection of like-minded individuals with the only 'requirement' for membership being your association with the geomatics profession (land surveyor, survey technician/technologist, etc.) and a passion for motorcycles. It doesn't matter what you ride; our current members ride everything from vintage British iron, to dual-sport, cruisers, adventure bikes, sport bikes and full touring rigs.

We have members from across North America, located in BC, Alberta and Saskatchewan as well as friends from south of the 49th in Idaho, Minnesota, Michigan, and Wisconsin. Meetings usually consist of a central location where we will enjoy group meals and swapping stories around a campfire, with planned rides to interesting locations in the area, often with a theme of geomatics or historical significance.

For more information on the SOBs, you can contact Mike Taylor, BCLS at mtaylor@mcelhanney.com or Brian Brown, BCLS at bbrown@mcelhanney.com.



Interview With one of our Senior Members By Robert Allen, BCLS (Life Member, CLS, CIG (Life Member)

Following one of the terms of reference for the Historical and Biographical Committee wherein we have been requested to record senior members' memories and photographs for publication in *The Link*, the following is based on a recent interview in Powell River with Robert J. Durling, BCLS.

Robert James Durling, MM, BCLS #397

Robert (Bob) Durling was born on March 3rd, 1923 in Glasgow, Scotland, to parents John Durling and Katherine (McLaren) Durling. Bob's father had come from Kent, England and his mother was from Glasgow. Bob had one sister, Christine (Tween), who coincidentally lived not far from me in Halfmoon Bay. Bob attended Hillhead High School in Glasgow and then went on to Merchant Taylors School in Liverpool, England. In 1940, during World War II, Bob joined the British Merchant Marine and went to sea where he later earned his Master Mariner (MM) ticket. He served during the Battle of the Atlantic and after the war sailed to South America, the USA, and Canada. Also after the war, Bob attended a recruiting lecture in Glasgow put on by the



Robert Durling and his Grandfather Clock

restaurant.

In August 2013, I was fishing out of Ucluelet and while I didn't stay on the ship itself, I did stay in their adjoining motel and ate one meal on the ship and I can attest to it being first class.

Canadian Hydrographic Service. He applied for a position with them and in a short while he received a call saying he was to set sail for Canada in seven days. Bob had to get his affairs in order, resign from his current job, say good-bye to his family and friends and be on his way - a rather hectic seven days! He arrived in Halifax and immediately boarded a train for Ottawa where he arrived at 12:30 AM, not knowing anyone or even where he was in the City. After the sun rose, he tracked down the Hydrographic Office and was assigned to their survey vessel, the *William J. Stewart* and spent a year on it. The vessel was last used as a survey ship in 1975 and it was purchased in 1979 by the Oak Bay Marine Group of Victoria and renamed the Canadian Princess. It was refurbished, towed to Ucluelet and is a now salmon fishing resort with staterooms and a great



Photo of the Wm. J. Stewart from the Oak Bay Marine Group website

Continued on Page 38 ➤

Shortly after leaving the Hydrographic Service, Bob met Dave Underhill, BCLS # 293, who talked him into trying land surveying instead of hydrographic surveying. Bob joined Underhill and Underhill and soon articulated to Clare Underhill, BCLS #143. Dave would spend one night a week with Bob teaching him the finer aspects of being a land surveyor. Bob's hard work and his concentration on his studies paid off as he became BCLS #397 in 1960. Over the years, Bob worked with such notable land surveyors as Dave Burnett, Tony Loach, Doug Roy, and numerous others.

In 1967, an opportunity arose for Bob to do three weeks work in Powell River and that turned into a life-time of work for him. He left the Vancouver area and moved his family there as by then he had married Jackie Snow who had moved to Canada from England. Bob and Jackie have two children, Janet and Ian and three grandchildren. Bob sold his practice to Fred Emery and Rick Rae in 1988 and he and Jackie continued to live in their long-time oceanfront home on Douglas Bay Road, about 15 km south of Powell River, where they ran a bed and breakfast. Not long ago, they moved into Powell River to be a little closer to various services and their son, Ian. During his career, Bob surveyed in different parts of the province and his plans can be found in various Land Title Offices as well as in the office of the Surveyor General and one would be hard pressed to work anywhere in the greater Powell River area without walking in his footprints.

When Bob was a boy, he was laid up in the hospital for a short while and someone gave him a watch which he treasured until someone else in the hospital stole from him. But that was enough to start his fascination with watches



Bob's pocket watch collection

and clocks. After he first started working full time, he found a used watch in a shop and just had to have it. He made arrangements with the shop keeper to make monthly payments for a year and at the end of that year, true to his word, the shop keeper sold the watch to Bob. In his retirement, he took up watch and clock repairs and for the longest time (pun intended) was the 'go to guy' in Powell River for watch and clock repairs. He has a fine collection of over two dozen pocket watches, the oldest of which is over 300 years old, and he also has a large grandfather clock, a family heirloom.

Bob took a chance on hiring me in June 1972 right after I became a BCLS and I worked for him in Powell River until October of that year when I moved to Sechelt to open an office. I still consider myself very fortunate that he took that chance and hired me. While Powell River is out of the way for most folks, Bob and Jackie would be most pleased if any readers of this article would stop by and say hello.

(Lieutenant) Augustus Wilberforce McKnight, CE British Columbia Land Surveyor #138

By Robert W. Allen, BCLS (Life Member), CLS, CIG (Life Member)

2014 was the 100th anniversary of the start of World War I and the 75th anniversary of the start of World War II. Both of these events forever changed Canada, helping to build our nation, but taking an immense and tragic toll of over 100,000 Canadians who died. In World War I alone, 129 British Columbia Land Surveyors signed up for service and no fewer than 25 paid the ultimate sacrifice by serving for their country and losing their lives.

It was great loss not only for Canada and British Columbia, but for our fledgling land surveying association as well.

On hearing of the outbreak of the war, many land surveyors were sometimes far away in the field and they literally 'dropped their tools' and headed back to Vancouver or Victoria and signed up while others had to be deployed to take over their jobs.

In July 2001, Rob Tupper, BCLS, was doing some research in the office of the Surveyor General and found a note in the field notes for the survey of District Lot 1341, Rupert District, by Kenneth C.C. Taylor, BCLS #63. Taylor

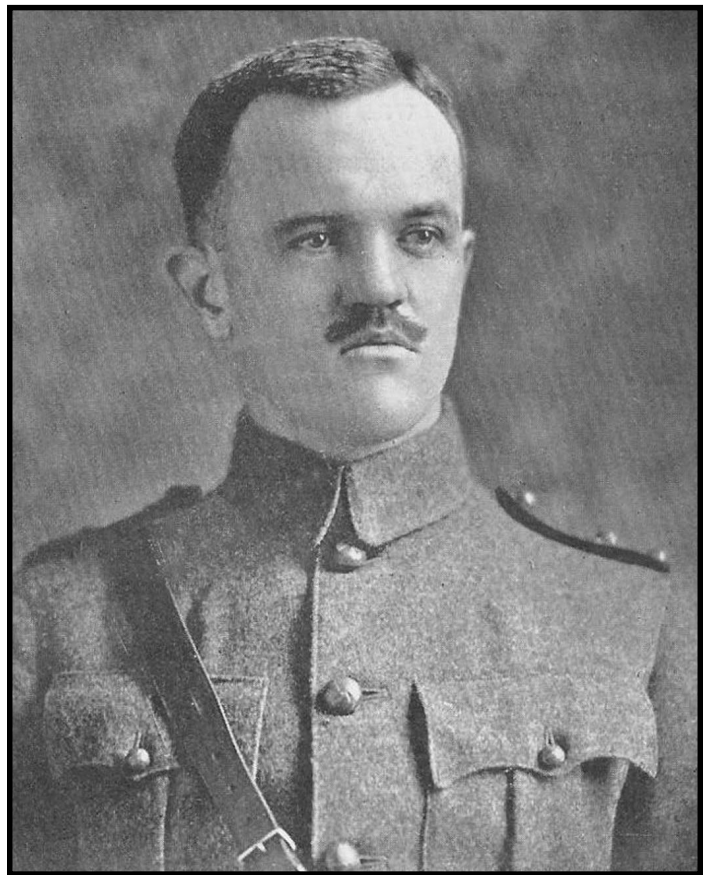
Continued on Page 39 ➤

was surveying the District Lot for his brother, Thomas Taylor and the date was September 12, 1914. He wrote: "On returning to camp after running the south boundary of L. 1341, our packer brought news of the war from Alert Bay and instructions from the Surveyor General to proceed at once to take charge of Govt work on the Naas [sic] as Mr. Bell-Irving had left for the war". It is not known if Taylor left for this new assignment, but we do know that both he and his brother, Thomas, joined the Army less than a month later in October 1914 as Lieutenants, but unfortunately on September 11, 1916 Kenneth Taylor was one of those 25 or more British Columbia Land Surveyors who was killed in action.

Another such British Columbia Land Surveyor who signed up and never returned was Augustus Wilberforce McKnight, BCLS #138. McKnight was born in Owen Sound Ontario on August 1st, 1888, where he lived with his parents, brothers and sisters. His father was Captain Robert McKnight who was the Registrar of Deed at Owen Sound, ON. McKnight received his early education in the public school system in Owen Sound and graduated from the Collegiate Institute, also in Owen Sound. He was a keen sportsman and took a prominent part in the sports of the District and was a captain of the Cadet Corp of the Collegiate Institute. Subsequently he passed the preliminary exam and that enabled him to enrol at the Royal Military College in Kingston, ON.

After graduating in 1910 as a Military Engineer, he moved westward and joined his older brother who was engaged in the construction of the Grand Trunk Pacific Railway. Sometime later, McKnight came to British Columbia where he became the assistant City Engineer in the rapidly growing upcoming City of Prince Rupert. He left that employment when the Chief City Engineer left to join a consulting engineering firm in Vancouver. His next job saw him surveying winter limits and townships in northern British Columbia, but when that job ended he joined his old Chief in the new consulting engineering firm in Vancouver.

A short time later, he took up residence in Port Moody and was appointed the City Engineer for that City and in 1913, he also qualified as British Columbia Land Surveyor #138. He was very active in the community as, during his spare time, he formed and trained a troop of Boy Scouts and became their Scout Master and he was also a member of the civilian rifle association team and on the tennis club's executive committee.



Augustus Wilberforce McKnight, BCLS #138

In 1914 McKnight resigned from his position with the city of Port Moody and was commissioned with the rank of Lieutenant in North Vancouver's 6th Field Company Canadian Engineers. He recruited ninety men qualified as members of the Canadian Engineers and took them to Ottawa where the Engineers' Training Camp was located. In due course he went overseas with the 2nd Overseas Contingent ending up in France and Flanders with 4th Field Company, Divisional Engineers.

On November 5th, 1915, McKnight was seriously wounded and spent three months recuperating in a hospital in London, England. On becoming convalescent, he was granted two months leave of absence and he visited his family in Canada. Returning to England, he was appointed Assistant Instructor at the Officers' Engineering Camp at Shorncliffe, where he remained, but only a few weeks, for the officers in his original corps, learning of his whereabouts, sent an urgent invitation for him to return to the Front.

To this request, he was able to accede and went back to the firing line, where on August 16th, 1916 he fell on the field of honour, dying instantly.

His services while on duty were much appreciated by his commanding and fellow officers and his father, Captain Robert McKnight, received many sympathetic letters. His brother, Captain Robert McKnight, Jr., at the time was serving in the adjacent Regiment and was able to attend the funeral.

Lieutenant Augustus Wilberforce McKnight after being fatally wounded, was buried at Reninghelst New Military Cemetery in Belgium.

To the likes of McKnight and his fellow servicemen we owe a huge debt of gratitude.

From June 29th to July 1st 2014, the Port Moody Heritage Society hosted a unique multi day event that celebrated Canada's 147th Birthday and paid tribute to Canada's veterans. As noted above, 2014 also marks two important anniversaries that played a significant part in our nation's history. It is 100 years since the First World War began and 75 years since the Second World War began. Port Moody's birthday celebration highlighted peace and paid the highest tribute to our veterans who were thanked for helping make Canada what it is today.

On July 1, 2014 the Port Moody Museum site was transformed into a military encampment complete with

canvas tents, antique military vehicles, cannons, event volunteers wearing khaki battledress uniforms and all set amidst the sounds of military bands and the swirl of highland bag pipes.

The multi day celebration began with a replica First World War trench that was dedicated to Lieutenant Augustus McKnight. 'McKnight's Trench' was dedicated with a special ceremony on Sunday June 29th and then several intrepid volunteers, willing to live history until Canada Day, made the trench their home. These volunteers came from throughout the Lower Mainland and even included one Port Moody City councillor, Mrs. Zoe Royer.

Many people would think that living in a trench for several days is a little odd and no doubt it probably is but it was another way to learn about our history by actually experiencing it firsthand.

There were many dignitaries on hand for the celebration, some of whom were the local MP, local MLA, Port Moody's Mayor, the Consul General for Belgium and the Assistant Consul General for Germany. I had been invited to attend on behalf of the Association of British Columbia Land Surveyors. The entire event was planned by Guy Black and was very touching and well done.

A plaque was unveiled recognizing Augustus Wilberforce McKnight and it was to be installed at the old City hall building that now houses the Port Moody Arts Centre.



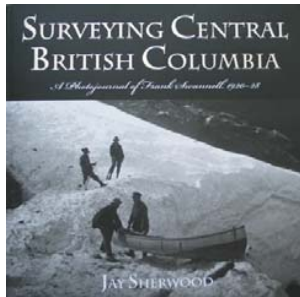
The Stretcher Bearer Party ... Painted around 1918 by Canadian War Artist Cyril Barraud

FINANCIAL CONTRIBUTIONS TO THE BC LAND SURVEYORS FOUNDATION

The two primary objectives of the BC Land Surveyors Foundation are to:

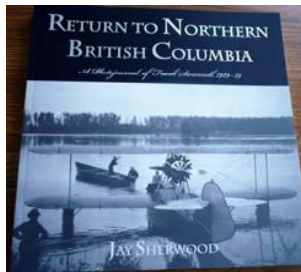
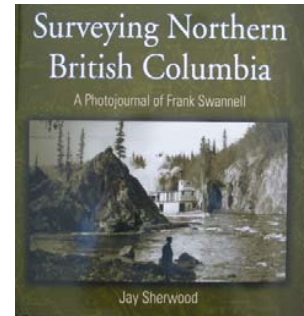
- create and maintain a library that houses historical and current reference material related to the surveying industry in British Columbia; and
- financially assist students who wish to pursue careers in surveying by providing scholarships and bursaries.

The Foundation has a number of books for sale - consider purchasing them for members of your staff, local schools, or libraries. They will make a wonderful gift and at the same time, your contributions will help support the Foundation. The following books are available from the ABCLS office:



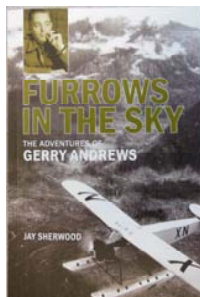
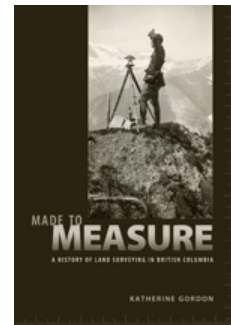
Surveying Central Canada
\$42.00 (taxes included, shipping extra)
Author: Jay Sherwood

Surveying Northern British Columbia
\$30.00 (taxes included, shipping extra)
Author: Jay Sherwood



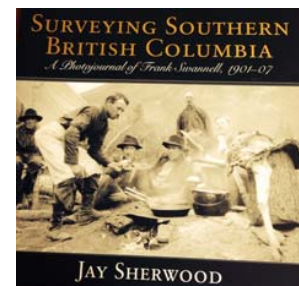
Return to Northern British Columbia
\$42.00 (taxes included, shipping extra)
Author: Jay Sherwood

Made to Measure
\$32.00 (taxes included, shipping extra)
Author: Katherine Gordon



Furrows in the Sky
The Adventures of Gerry Andrews
\$21.00 (taxes included, shipping extra)
Author: Jay Sherwood

Surveying Southern British Columbia
\$40.00 (taxes included, shipping extra)
Author: Jay Sherwood



Additional information on these books can be found on the [Foundation/Books for Sale](#) page of the ABCLS website.

The BCLS Foundation Trustees would like to invite all land surveyors to help support these worthy causes through financial contributions. If you are interested and willing to donate, you may contribute by cheque or credit card. You might also like to consider leaving a **Legacy Donation** through your will to contribute to existing scholarships - or to establish a new scholarship in your name. You can do this by stating in your will that the bequest should be made to: *The BC Land Surveyors Foundation, Suite 301-2400 Bevan Avenue, Sidney, BC V8L 1W1*

Donations by credit card can be given by calling our Association office: 250-655-7222.

All cheques should be made payable to the BC Land Surveyors Foundation and mailed to the Association office. Please provide your name(s) and mailing address so a receipt can be forwarded to you.

***Our thanks to you for helping to ensure the future of the
land surveying profession.***

Protecting Survey Monuments

By Will O'Hara and Anna Husa

*Reprinted from the Ontario Professional Review
(Publication of the Association of Ontario Land Surveyors)
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Introduction

There is a large guard dog watching over survey monuments in Canada. No matter how remote the monuments may be, this brave dog guards them day and night, ready to snarl at anyone who threatens to harm them and bite anyone who does. This fierce, all-seeing beast is sometimes called by its nickname - the *Criminal Code*.

Every one who wilfully pulls down, defaces, alters or removes anything planted or set up as the boundary line or part of the boundary line of land is guilty of an offence punishable on summary conviction.¹ This is the law across Canada and most common law jurisdictions. It is also the law in many jurisdictions in the United States, although our American neighbours have a patchwork of statutes and by-laws that define the offence, rather than one specific provision. Unfortunately, it is law that is rarely enforced in Canada for a number of legal and policy reasons. This article will examine the statutory provision, the reasons for it and consider why it is honoured more in the breach than in fact.

History

The concept of protecting survey monuments dates back to Biblical times. The Old English translation of Deuteronomy reads: Thou shalt not remove thy neighbour's landmarks which they of old times have set.² The modern translation would read very much like the present *Criminal Code*.

The same provision became the law in Ontario in 1798, shortly after the Province of Upper Canada was separated from the Province of Quebec, in *An Act to Ascertain and Establish on a Permanent Footing, the lines of Different Townships of this Province*.³ The penalty at that time was far more severe than today, calling for "death without the benefit of clergy".

Despite the Draconian words used in the statute, it meant only that criminals with minimal religious knowledge could avoid the death penalty by reciting the "neck verse."⁴ By 1953 the *Criminal Code* provision had been reduced to the summary offence which it is today, as set out in section 442

of the *Criminal Code*. A more serious indictable offence remains in s. 443 of the *Criminal Code* for wilfully destroying boundary markers marking any international,

provincial, county or municipal boundary, or a boundary mark lawfully placed by a land surveyor to mark any limit, boundary or angle of a concession, range, lot or parcel of land. The maximum sentence for that offence is five years.

The point of the offence should be obvious to the readers of this article but it was articulated clearly by *Haliburton, Co. Ct. J. in R. v. Stevenson*⁵ as follows:

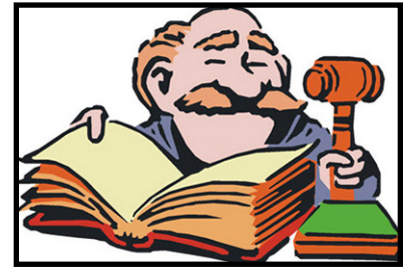
The object of the section clearly was to maintain peace and order between neighbours by the preservation of ancient boundary markers which distinguished the division line between their respective properties and property interests.

Peace between neighbours is an important aspect of Canadian society that needs to be preserved and protected. These are noble goals, but are they being protected?

Although reported cases dealing with section 442 of the *Criminal Code* are few, they illustrate the limits on the section which presumably parliament intended to include in the law.

What is a Boundary Line?

This question was considered in *R. v. Stevenson*⁶ where the accused had deliberately removed metal survey markers from his hay field that were placed by a land surveyor to mark a proposed right of way. The right of way depended on subdivision approval from the Planning Authority. The court considered the meaning of a boundary within the meaning of s. 442 of the *Criminal Code* and noted that a boundary was a line of division between two parcels of land. In this case there was no division between two parcels of land as the accused owned the land where the markers had been placed. The proposed right of way would not form a boundary until the subdivision plan was approved. The court observed that this was a case "where someone had trespassed upon the



Continued on Page 43 ➤

land of an owner and placed survey markers without the owner's consent." Since the accused did not interfere with a "boundary line" he had not committed the offence charged.

Before we jump to the conclusion that the accused got off on a technicality, it is important to recall the purpose of the statute as described by the trial judge – maintaining peace between neighbours. "Near" boundary lines and "soon to be" boundary lines are not boundary lines. To assert that they are is to dispute an existing boundary and to destroy the peace that the statute aims to preserve.

A similar result was reached in the case of *R v. Hatt*⁷ where the accused had removed a fence placed across a road by a municipality. Although the municipality had attempted to close the road it did not do so according to law. The court determined that the fence was an illegal obstruction across a highway, rather than a boundary line, and the accused was right to remove it.

The case of *Morisette v. St Francois Xavier Parish*⁸ reached the same conclusion in a civil action involving similar facts. The municipality had adopted a resolution

calling for a new boundary between the plaintiff's land and a highway but it did not set the new boundary according to law. The municipality had appointed a land surveyor to place new markers on the plaintiff's property and the plaintiff pulled up the markers. The court held that the actions of the plaintiff were proper because the actions of the municipality and the land surveyor were illegal.

What is a "boundary line of land"?

Section 442 refers to "boundaries of land". How far does that wording extend?

The Registrar of Deeds in Halifax used to collect examples of dubious legal descriptions of properties registered in Nova Scotia. Her favourite was a metes and bounds description from the 19th Century that began at a blaze on a tree and went a number of paces in a northerly direction past the shoreline and ended at a point marked by the "rock on the ice". Suppose that this was a legitimate boundary and the ice was still on the lake during the first winter when the rock was placed as a "monument". A criminal who intentionally removed the rock from the ice would not likely be convicted because the boundary was

Continued on Page 44 ➤



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not a "boundary of land". This example will have very few applications in real life, but it may be relevant to water lots or fish farming pens. Do fences for salmon in a water lot enjoy the same protection as fences for cattle on a land lot? Probably not.

What does "wilfully" Mean?

Criminal Code offences generally require a mens rea or intention to commit the crime before a conviction can be entered. This prevents convicting people who do bad things accidentally, in their sleep, or in a state of delusion. Wilfulness is the requirement that the act be intentional. The term is defined in s. 429 of the *Criminal Code*:

Every one who causes the occurrence of an event by doing an act or by omitting to do an act that it is his duty to do, knowing that the act or omission will probably cause the occurrence of the event and being reckless whether the event occurs or not, shall be deemed, for the purposes of this Part, wilfully to have caused the occurrence of the event.

If the Crown fails to prove that the boundary was destroyed "wilfully", or intentionally, the accused will not be convicted. A rose gardener who moves an ancient pile of rocks from one side of the garden to the other, not knowing it to be a survey monument, will not be convicted of this offence.

Colour of Right

Even if the boundary was a legitimate boundary, the law provides a defence to charges under s. 442 which is referred to in s. 429 of the *Criminal Code* as "colour of right".

No person shall be convicted of an offence under sections 430 to 446 where he proves that he acted with legal justification or excuse and with colour of right.

An accused who wants the benefit of this defence must prove that he believed in a state of facts which, if it actually existed, would have constituted a legal justification or excuse.

Take the case of an animal lover who turned his property into a wildlife sanctuary and was bothered by a dog that frightened wildlife in the sanctuary. He tried to chase the dog away by firing a shot at it, but he accidentally shot the dog instead, seriously wounding it. He was so distressed by the dog's suffering that he took another shot at the dog and put it out of its misery. The animal lover was charged with shooting the dog. He avoided a conviction by saying that his first shot was an accident and his second shot was

for humanitarian purposes. His honest belief that the dog could not be saved provided him with colour of right – even though it was proved at trial that the dog could have been saved if it had been given proper medical care.⁹

What does that mean for a person who removes boundary markers from his land that he wrongly believed should not have been there? If he proves at trial that he honestly believed that the markers were put on his land by a trespasser with no right to do so - even if he is proven wrong at trial - he can use the colour of right defence and avoid a conviction. As indicated below, there are limits on how far this defence can be stretched, but the defences available under the *Criminal Code* will give a Crown prosecutor reason to think long and hard before laying a charge under this section.

Convictions and Sentences

Why are there so few reported cases of convictions of persons who wilfully destroy survey markers or monuments? One decision is *R. v. Ross*¹⁰ where the accused was convicted of the offence after wilfully removing monuments on a disputed boundary. In 1985 when the case was decided the offence was an indictable offence punishable by up to five years in prison. Mr. Ross was given an absolute discharge which meant he received no criminal record. The case was subject to some criticism. In an article by J.F. Doig entitled "Open Season on Monuments"¹¹ the author asks whether the removal and destruction of a boundary marker ought to remain an offence within the *Criminal Code*. The offence was later changed to a summary offence which is much less serious than an indictable offence. It may be a distinction with a difference as the effect of a conditional discharge is the same in both – no criminal record.

On sentencing, the court was advised that Mr. Ross's conviction for the offence was "the first of its kind in Canada, apparently." It should be noted also that the court rejected Mr. Ross's defence of colour of right in the circumstances as the offence "would be nugatory". In other words the offence would have no effect at all if the court permitted the deliberate destruction of boundary markers where the boundary was in dispute. There clearly was no urgency in the Ross case as there was in the case of the injured dog. The message was that landowners should use the courts to resolve disputes rather than attempting to hide behind colour of right defences.

Conclusions

There are many reasons why there are few cases dealing with this section of the *Criminal Code*. The wording of the

section limits its application to a very narrow scope; the act of destroying a boundary marker in the course of a boundary dispute opens the door to a defence of colour of right even if the facts on which the act is based are wrong; destroying markers that are improperly placed by a land surveyor is not an offence under the act; and sentences for people convicted of the offence appear to be minimal. All of these factors affect prosecutorial discretion, with the result that few changes are laid by the Crown and fewer convictions are obtained.

But does it make any difference to society? Are we giving up peace and order between neighbours by not enforcing the preservation of ancient boundary markers? Perhaps the mere fact that this offence is in the *Criminal Code* acts as a sufficient deterrent to people who would wilfully destroy boundary markers. There is no question that the destruction of boundary markers occurs in Canada, but the extent of destruction is not clear. The authors have learned of a recent case where a landowner allegedly destroyed an ancient split rail fence marking the disputed boundary between properties while an application under the Boundaries Act was under way. This does little to maintain peace and order between neighbours.

If the destruction of boundary monuments were a serious problem in our society parliament would presumably change the wording of the section to make a conviction more likely and increase the punishment on conviction. That might encourage law enforcement officials to take steps to enforce the law. Until then the loyal and hardworking Criminal Code

will remain to guard boundary monuments like a toothless dog whose bark is worse than its bite.

Will O'Hara is a partner at the firm of Gardiner Roberts LLP, practicing in professional liability litigation, intellectual property, insurance and dispute resolution. He is certified by the Law Society of Upper Canada as a Specialist in Civil Litigation and teaches a postgraduate course at Ryerson University entitled Legal and Ethical Issues in GIS and Data Management (wohara@gardiner-roberts.com).

Anna Husa is an associate at Gardiner Roberts LLP practicing in the areas of professional liability, insurance, litigation and dispute resolution (husa@gardiner-roberts.com).

¹ Criminal Code, R.S., 1985, c.C-46, s. 442

² Deuteronomy 19:14, referred to in Survey Law In Canada, Carswell, Toronto, at page 495

³ See: Survey Law in Canada, Carswell, Toronto, at page 496

⁴ See: D.W. Thompson, Men and Meridians: The History of Surveying (Ottawa: Canadian Government Publishing Centre, 1966, Volume 1, page 233

⁵ [1991] N.S.J. No. 714 at para 9 (N.S. Co. Ct.)

⁶ Ibid., at paras. 12-14

⁷ (1915), 25 C.C.C. 263 (N.S. Co. Ct.)

⁸ (1911), 18 C.C.C. 291 (Que. Sup. Ct.)

⁹ R. v. Comber (1975), 28 C.C.C. (2d) 444 (Ont. Co. Ct.)

¹⁰ This case is cited in Survey Law in Canada, Carswell, Toronto, as R. v. Ross (1985), 72 N.S.R. (2d) 381 (CA.), but the citation appears to be in error. The case does not appear in the case reports.

¹¹ J. F. Doig, "Open Season on Monuments?" (1986) 40-3 The Canadian Surveyor 291, at 291-296

Book Review

By Robert W. Allen, BCLS (Life Member), CLS, CIG (Life Member)

This started out as book review but quickly turned into a book review AND a short biographical sketch of Peter Pond, "the soldier, fur trader, and explorer who opened the Northwest".

The Elusive Mr. Pond

Author: Barry Gough

Please note that all of the quotes below are taken from the book itself.

Every once in a while someone suggests a good book to read or suggests a good author who has put out another book. In one of the hiking groups I belong to, I met a fellow who hikes with the group on occasion and we found we had a mutual interest in matters of historical interest. He is more interested in maritime history and I am more interested in

overland history, but our interests did in fact overlap. His name is Kim Davies and we soon got the discussion onto David Thompson and that in turn switched to Sir Alexander Mackenzie. I mentioned to Kim that, not too long ago, I read in *British Columbia History*, the magazine put out by the British Columbia Historical Society, about a book called *Mackenzie of Canada* ... about Sir Alexander Mackenzie

Continued on Page 46 ➤

written in 1926 by a Dr. M.S. Wade from Kamloops. Luckily I found a copy of the book, in excellent condition, for a reasonable price on Amazon.com. I also mentioned to Kim that a number of years ago, I purchased another book on Mackenzie called *First Across the Continent* that was written by Barry Gough. It turns out that Barry is a personal friend of Kim's and that he had just written another book, this one about Peter Pond and Barry had just given Kim a copy of his new book, *The Elusive Mr. Pond*.

In school we learned a lot about various early explorers who 'discovered' and explored Canada: Cabot, Cartier, Champlain, La Verendrye, Henday, and Hearne, etc. Peter Pond was the fur trader and explorer who opened up the Athabasca/Mckenzie River systems and the access to western Canada as far as the Rocky Mountains. Mackenzie followed in his footsteps, as did Thompson a few years later and anyone who has read about Mackenzie or Thompson would have read or heard about Pond. In school, we learned a bit about Mackenzie and Thompson, but nothing about Pond. I wonder if it is because he wasn't British or Canadian or as Gough says, because he leaves Canada: "... partly engulfed by the rivalry, jealousy, and suspicion of others, and ultimately dismissed by government authorities as a native-born American of dubious loyalty". In any event, our school system let us down!

Pond was born in Milford, Connecticut, on January 18th, 1740, a fifth generation American and the third of eleven children. He married Susanna Newell in 1762 and had at least two children. He passed away in Milford on March 6th, 1807. His whole life is fascinating and one worth reading about.

Pond's early career includes time in the army, trading voyages to the West Indies and, in 1765, following in his father's footsteps as he commenced trading westward as far as Detroit. In 1769, he traded in what is now Canada. He visited Montreal on a few occasions and in 1773 he was sent as an emissary of the Crown to act as a peacemaker among the warring Sioux tribal nations.

In 1775 Pond was trading on the lower Saskatchewan River and wintered at Fort Dauphin (Manitoba) and by the Spring of 1778 he extended his travels further north and west as he paddled up the Churchill River to Lac Ile-a-la-Crosse. He continued northwest through a lake now called Peter Pond Lake, up the Methye (La Loche) River to Methye Lake (Lac La Loche). From there it is a relatively short twelve mile portage over "level Country, but thinly Timbered" to the now national heritage Clearwater River

that flows into the Athabasca River near present day Fort McMurray. This opened up a fur trade route for the North West Company over which to take all their bounty from the fur-rich Athabasca area. Gough goes on to say: "... [Pond] was being drawn into the most vital conduit in history of the fur trade, and he was soon to become its master ... the most prominent trader. North and west lay the course of the empire. He was the first in the wilderness." Pond couldn't have done all this without the help from his faithful Canadian voyageurs, the Metis, and the indigenous people who spent the winters with him. As Gough so rightly notes: "They deserve nothing less than an immortal place in Canada's story". Along with Pond's success came jealousy and rivalry, even from within his own organization and even though he had increased the trading share values for all his partners. "He was the Nor'Wester par excellence, respected, but unloved."

1778 was the same year that Captain James Cook explored the Pacific Northwest coast and these two explorations were shaping what would later become the Dominion of Canada. While Pond produced numerous maps over his time in the western fur trade, he was handicapped by not having any proper training in the field of surveying

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and was thus unable to accurately depict what he had seen or where he had travelled. His maps nonetheless gave a general idea of the geography of the area even if he was out at times by numerous degrees in latitude and longitude. His later maps did show more realistically his achievements and they did give "him a place in the history of discoveries".

In February 1785, Pond was one of fifteen charter members of the famous Beaver Club. One of the qualifications of joining was to have spent a winter in the northwest and by that Pond would have qualified numerous times over. "Pond stands firm as a geographical pioneer, for this resilient, violent, and ambitious man made a significant contribution to opening the trade of Athabasca to the nascent North West Company based in Montreal."

In March 1790, having just turned 50, Pond returned to Milford and shortly thereafter contacted Dr. Ezra Stiles, president of Yale College in the nearby town of New Haven. Pond wanted Stiles to promote his map before its locations might be proven incorrect by the likes of Sir Alexander Mackenzie. Again, while his maps may not have been

accurate, they were the best representation of the area, in fact, the only representation of the area. Regardless of their accuracies, we can thank Stiles for his forward thinking in helping to promote and preserve Pond's maps and travels. Pond lived out his final days in Milford and wrote his memoirs. Pond was not a surveyor like David Thompson or Sir Alexander Mackenzie, in later life, as he had had no schooling in that regard. However he did remarkably well considering he had very little schooling at all.

There are a number of Canadian place names named after Peter Pond. One of them is Peter Pond National Historic Site about five kilometres west of Prince Albert, SK; Peter Pond Lake, SK, as previously mentioned and a few bars and a shopping centre in Fort McMurray, AB. "But of all the historical sites connected with him, that of Methye Portage is the most important. As Judge Frederic Howay, a member of the Historic Sites and Monuments Board of Canada, said at the unveiling of the plaque in a schoolyard in Fort McMurray in September 1938, it was 'a spot far more important in the story of Canada than those whose names are emblazoned in large letters'."



While David Thompson never actually met Pond, his description of Pond, probably told to him by his father-in-law, Patrick Small, is the one to have stuck. He describes him as: "a person of industrious habits, a good common education, but of a violent temper and unprincipled character". With regard to the last two characteristics, there were a couple of unproven instances in which Pond may have been involved. It is not the intent of this work to go into those details but they are covered by Gough in his book.

There is no known portrait or even a sketch of Pond, nor did anyone write any details about his appearance, but we do know he was one not to be crossed. In fact, it was best to give him a wide berth or treat him with utmost care. "He could handle himself in a fight, and he was handy with a gun; he had been blessed with good eyesight and quick responses, essentials for being a good shot".

Despite Pond's shortcomings, he should be listed as one of the great explorers of Canada. He unravelled the beginnings of the Mackenzie River and showed them to the outside world and, in particular, to Sir Alexander Mackenzie, who followed the river named after him to the Arctic Ocean in 1789. Also armed with Pond's knowledge, Mackenzie was also able to find his way up the Peace River and therefore eventually out to the Pacific Ocean in 1793.

Peter Pond, "the soldier, fur trader, and explorer who opened the northwest" was a master of logistics. If he were

still alive, he could probably teach us all "how to get supplies in bulk, how to win Native support and cooperation, and how to work efficiently in a harsh northern environment". "He was the last of the tough, old-style explorers, a man who ventured into the wilderness and helped shape the modern world."

There are a number of maps and photographs strategically placed throughout the book and for anyone interested in filling in the gap in Canadian history in the late 18th century, this book is a must-read. The same can be said for anyone interested in the history of the fur trade or the early-known geography of Manitoba, Saskatchewan, and Alberta.

There is a long list of people in the 'Acknowledgements', even one with a very similar name to mine, one Robert S. Allen - but who is no relation to me.

There are numerous end notes for each chapter which provide more excellent reading and as one can expect from a book like this, a lengthy bibliography.

Thanks to my new friend, Kim Davies, for lending me the book and a special thank you to Barry Gough for writing it.

The book was published by Douglas and McIntyre (2013) Ltd. [www.douglas-mcintyre.com] and the ISBN is 978-1-77162-039-0 (cloth) and 978-1-77162-040-6 (ebook).

Book Review

By Robert W. Allen, BCLS (Life Member), CLS, CIG (Life Member)

Surveying Southern British Columbia, A Photojournal of Frank Swannell 1901-07

Author: Jay Sherwood.

This is Jay's fourth book on Frank Swannell and covers some of Swannell's early years on his surveys in southern British Columbia from 1901 to 1907. Jay has written two other books about Land Surveyors and is currently working on yet another one about Ernest C.W. Lamarque, DLS, BCLS #185. If any readers have information regarding Lamarque, no matter how trivial it may seem, please contact Jay at jl_sherwood@telus.net

Swannell started his surveying career in the summer of 1898 in New Denver, BC, and by 1899 he was in Victoria and working for Gore & McGregor with whom he worked

until 1907 when he ventured out on his own. Swannell became BCLS #75 in 1903. In Swannell's diary on April 4th, 1901, he wrote a note "Bo't camera". That was the start of his use of photography in surveying and he used it to assist with the work he was doing and to record his way of life back then.

A map near the front shows all the areas that Swannell worked in during those early years and it is extensive given the lack of modern transportation. Jay has used many of

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Swannell's photos and, as he did with the first three books, incorporated them into this latest book along with a written story about the photos and the era. Interspersed with it all are quotes from Swannell's letters to his fiancé, Ada Driver. There is a chapter for each year covered by the book with at least one and often more photographs or maps on each page.

In the summer of 2014, Jay returned to "Southern British Columbia" and stood in Swannell's footsteps taking photographs so he could compare them to the ones Swannell took over 100 years earlier. Those photos are in a chapter at the end with notes on which page to find Swannell's for comparison purposes.

A number of you have heard me mention before to take lots of photographs. We all have digital cameras or phones capable of taking digital photos and it costs nothing to view them and very little to have them developed. When I started taking photographs in the mid 1960s, it cost money to have them developed and while I didn't have much money then, I took quite a few photos and some that I took up to fifty years ago have appeared in *The Link*. I won't still be around 50 years from now but I hope some of your photos will appear in *The Link* then.

In the 'Acknowledgements' section of the book, there are numerous people and organizations listed including the Historical and Biographical Committee and the Career & Public Awareness Committee of the Association of British Columbia Land Surveyors as well as myself and, in particular, "Bill Chapman from Chapman Land Surveying for his generous contribution".



Frank Swannell

This book, along with all of Jay's other books, should be in every Land Surveyor's personal library. They provide a wonderful insight into the past and they can be obtained through our Association office.

Catless Collection

Spies, Vigilantes and Cattle Rustlers

By Bill Brookes, CLS

During my later years of employment with the federal surveys branch I somehow got tagged with being the 'unofficial historian' for my unit and, as a result, the caretaker of all things weird and interesting that no one knew what to do with. Among the old papers and files were a couple of time-worn scrapbooks dating from the 1930s and 1940s in which someone in the organization long ago had diligently pasted newspaper clippings covering various topics of interest of the day.

One such article dates back to the early days of World War II. It was from an August 1940 edition of one of the Ottawa papers at the time. The headline cried out: "**Ottawa**

Geodetic Men Are Mistaken For Nazi Agents". The article went on to report as follows:

T. Clinton Dennis, of 272 Powell Avenue, and Walter H. Hewitt, of Britannia, both loyal British subjects and also members of the Dominion Civil Service, had a trying few minutes on Saturday last while carrying out their duties as members of the Geodetic Survey of the Department of Mines and Resources. The two men, who are doing astronomical work in connection with a scientific survey being carried out by the Geodetic Survey, were noticed by residents of

Continued on Page 50 ➤

several villages near Fredericton, NB, looking through a telescope from a vantage point atop a high hill.

The good people of New Brunswick, seeing these two men at what looked like counting planes as they passed overhead, notified the authorities.

A detail from the local detachment of the R.C.M.P. was assigned to the case and some hours later, after scouring many hills and dales, located Mr. Dennis and Mr. Hewitt driving along the road that led to Fredericton.

"We've been looking for you all day," said the officers, one in uniform and the other in mufti.

An explanation was quickly forthcoming, after which all concerned had a hearty laugh.

This tale of mistaken identity brings to mind an episode which happened to me in Alberta during the summer of 1973 and which also involved geodetic astronomical work. My student assistant at the time, Syd Gravel and I were taking astro observations for a deflection of the vertical

determination at a triangulation station somewhere just northeast of Drumheller.

The station marker was located beside a dirt track on an old undeveloped road allowance a few hundred metres from a much travelled range road. It was in cattle country and the pasture lands were fenced, but being that the station was on the road allowance and there was no barrier to its accessibility, there was no landowner to contact in order to secure permission to occupy the station.

Well, we had the Wild T4 instrument set up over the marker and I was taking the observations. Syd was recording the times of the observations and taking the notes, using the folded down tailgate of our pickup truck as a desk surface. Our pickup happened to have a service box on the back which stood quite high, with side compartments and a swing-up rear door that, along with the fold-down tailgate, gave access to a very large cargo space.

The station was on the highest point in the area and we had a commanding view of the countryside around us. From the overhead swing-up door Syd had hung a trouble lamp,

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which was powered by the truck's battery, to illuminate his makeshift work space. The lamp was positioned such that its shield deflected its light away from my direction so as to preserve my night vision, necessary for discerning the dimmer stars. Nonetheless, I imagine that the lamp showed up as quite a beacon when seen from points in the surrounding lower lands.

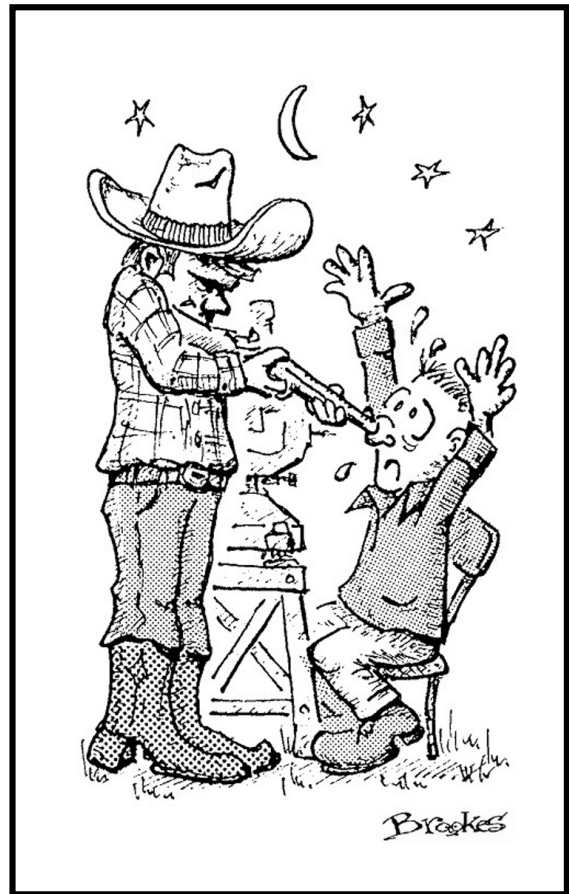
As I remember, it was one of those perfect nights for observing the stars - no clouds, no moon, cool but not cold, so that the clarity of the stars was good, and I was comfortable and not shivering during those several hours that I had to sit at the instrument to make the observations. (The T4 instrument has an optical system referred to as a "broken telescope" arrangement which enables the observer to sit on the east and west sides of the instrument with the eyepiece set at a comfortable height, while the telescope can be moved to any desired altitude in the north-south plane of the meridian.)

One of the pleasant things about geodetic astronomy, which I learned early, is that there are often little time gaps in the predetermined observing schedule. While waiting for the next star to start its transit in the instrument's eyepiece, I could lean back and gaze skyward at the vast expanse of the heavens. There was a wonderful feeling of awe that I was able to experience. I felt, at the same time, very insignificant in the overwhelming scheme of things and yet very privileged at being there in the thick of it to drink it all in - both spectator and participant at once. And with it came a sense of peace. Excuse me if I seem to digress, but I did have a great love for this work.

Anyway, on that particular night near Drumheller on a high hill amid pasture land with no other light discernible, save Syd's trouble lamp, my usual reverie was unexpectedly shattered by the sudden appearance of vehicle lights and the increasing roar of truck motors approaching us along the dirt track.

There were two pickup trucks. One came to a halt in front of me, still seated at the instrument by the surprise of their quick arrival and literally blinded by the glare of its headlights, while the other shot by and pulled up in front of our truck, as if to stop it from any attempt to leave. From out of each vehicle a couple of men jumped, wearing wide-brimmed hats and brandishing rifles.

"What are you doin' here?" demanded one of the men. While I hastily tried to explain, my tongue not quite in synchronization with my brain as I stared more at their



firearms than at their faces, they approached, looked curiously over our equipment and then seemed to relax.

Their spokesman, apparently satisfied with my explanation, gave his in turn. It seems that there had been a number of recent cattle rustling incidents in the area - one cow here, two there, that sort of thing, but enough so that these fellows had decided to do something about it outside of the usual process of the law. Their rifles suggested that this might be just a bit more than a Neighbourhood Watch program. When they had seen our lights in a place where there shouldn't have been any lights, they came to investigate. And their first glimpse of the high silhouette of our truck led them to think that they might have stumbled upon the cattle rustlers.

We did not share the same round of reported hearty laughter as our colleagues did with the Mounties in New Brunswick some thirty years before. These guys left as stone-faced as they had arrived, probably ticked off at having wasted their time, and more disappointed in not finding us to be the rustlers they thought they had.

They left Syd and me with our observations to finish up and with a story to tell later, but, needless to say, for the remainder of that night the usual sense of tranquility eluded me.

Association of BC Land Surveyors Annual General Meeting 2015
Photo Review by Pat Burnham, BCLS



Penticton Lakeside Resort



Board Members (left to right): Steve Buzikievich, Chad Rintoul, Roger Galibois, Jason Whale, Brian Brown, Ron Johns, Bronwyn Denton, Chuck Salmon, Michael Burian, Mike Thomson and Mike Waberski





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Life Member Award to John Armstrong #583**



**Steve Buzikievich presenting a
Life Member Award to Doug Dodge #545**



**Steve Buzikievich presenting a
Certificate of Recognition to Jeff Robertson**



**Chuck Salmon admiring
Catriona Le May Doan's Olympic Medal**



**Chuck Salmon presenting a gavel to
Past President Steve Buzikievich**



**Steve Buzikievich passing
the spats to Bronwyn Denton**



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