

Note: This sample checklist is provided for reference only. Checklists for application packages are integrated into the Web Filing process and are entered online. This shows the checklist questions that will be presented during a Web Filing submission. Do not fill this checklist out and append it to your package.

Checklist - Accretion Application

Section 94(1)(c) Land Title Act

Refer to <https://itsa.ca/practice-information/accretion> for more information.

Black's Law dictionary defines Accretion as "The gradual accumulation of land by natural forces, esp. as alluvium is added to land situated on the bank of a river or on the seashore."

The onus is upon the land surveyor to provide conclusive evidence that the application area has lawfully accreted to the upland parcel.

For certain applications it may be necessary to investigate other sources of evidence to support the application. Other sources can include historical ground and aerial photographs, geotechnical reports on the soils within the application area and reports by other experts. Where the land surveyor has relied, in part, on other sources of information to conclude that lawful accretion in fact exists, copies of this information needs also to be included in the application package.

Fundamentally you must be confident that the land subject to application has grown outward over, and is adjacent to, a body of water owned by the provincial Crown.

Checklist of Requirements for the Submission Package

1. Submission package includes any previous correspondence with a Deputy Surveyor General about this project?
2. Submission package includes a cover letter that contains the following:
 - The basis for the application articulated;
 - The name of the municipality or Regional District (whichever is appropriate);
 - The civic address of the subject parcel(s);
 - If application is within the RDCK, indication that the application package was concurrently submitted to the RDCK.

2024-03-26

3. Submission package includes the preliminary plan that depicts the following:
 - The natural boundary of the subject parcel according to the plan on which the present title is based;
 - The present natural boundary as defined in the *Land Act*;
 - The present natural boundary of adjacent parcels in order to provide an indication of how the application fits within the overall area;
 - Monuments and traverse hubs in the vicinity of the present natural boundary;
 - Relative elevations of the titled natural boundary and of the present natural boundary at several locations through the application area, and of the water level at the time of survey;
 - Features in and around the application area (i.e. trees, retaining walls, structures);
 - Plotted positions and directions of terrestrial photographs.
4. Submission package includes colour terrestrial photographs of the application area showing, and clearly marked in black line (or other suitable colour), as noted below:
 - Marked with the location of the present natural boundary;
 - Marked with the location of the natural boundary according to the plan on which the present title is based;
 - Marked with the present natural boundary of adjacent parcels;
 - Marked with the side boundaries of the application area;
 - The flagged, staked or painted location of the present natural boundary;
 - The flagged location of monuments and traverse hubs in the vicinity of the present natural boundary;
 - A photograph number must be clearly marked on each photograph, not just in the filename of the image.
 - Apply file size reduction methods to original images, convert images to PDF, and combine the photographs into a single PDF keeping combined file size below 20mb to support sharing with referral agencies.
5. Submission package includes a copy of the Crown grant including the Crown grant tracing or a copy of the Dominion Patent and related Township plan?
6. Submission package includes a copy of the current title to the subject parcel(s)?

2024-03-26

7. Submission package includes a copy of all pertinent plans of the upland property, plus copies of adjacent plans if they are relevant to the application?
8. Submission package includes a composite map (e.g. PMBC or Regional District GIS) of the area showing the parcel(s) subject to the application, the adjacent parcels, and the general trend of the shoreline on either side of the application for a distance of approximately 500 metres?
9. Submission package includes a suitably recent aerial photograph with the application preliminary plan overlaid?
10. Submission package includes historical aerial photographs, with the application preliminary plan overlaid, if necessary to support the application?

2024-03-26