



YOUR FILE .....

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May 29, 1980

CIRCULAR LETTER TO ALL BRITISH COLUMBIA LAND SURVEYORS

Re: Section 75, Land Act, R.S.B.C. 1979

Section 75 - "Where the Minister considers it advisable, he may authorize the Surveyor General to establish a public road allowance through Crown land for the purpose of giving access to privately owned land that is being subdivided and the Surveyor General may thereupon sign the subdivision plan."

The procedure for an application under Section 75, Land Act will be as follows:

- (A) Application by the subdividor or his agent will be made directly to the Land Commissioner for the appropriate Land Recording District, for permission to construct the required public road and must be accompanied by the following:
- (i) Three copies of a preliminary plan of subdivision, which plan shall show the location of the required road to be dedicated through the Crown land.
  - (ii) A letter from the local Highways Approving Officer indicating tentative approval of the proposed road and stating the width required to be dedicated.
  - (iii) Any supporting information which might assist in the adjudication of the application -- i.e. does topography influence the proposed route -- does a road already exist in the location applied for and if so, give details of type, extent used, etc.
  - (iv) The prescribed fee.
- (B) The application will be reviewed and inspected if necessary, and the applicant will be advised of the outcome. If the application is approved, the Surveyor should include the road within the boundaries of his subdivision plan without further instructions from the

Surveyor General. The legal description of the Crown land will be included in the plan title. The following certificate should be draughted on the plan:

Certificate under the Land Act, Section 75

The public road allowance through Crown land shown hereon is authorized under the Land Act, Section 75.

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Surveyor General  
Victoria, B. C.

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- (C) After the plan is approved by the approving officer, who will have control of the standard of construction, the plan is to be forwarded to the Surveyor General for his signature on the certificate as in (B) preceding.
- (D) The plan will be returned by the Ministry to the person submitting it for deposit in the Land Title Office.

It would be of great assistance to the Ministry if the surveyor, when forwarding the plan to the Surveyor General, would quote the Ministry's file number.

Yours truly,

R. W. Thorpe,  
Surveyor General.