

**DISTRICT OPERATIONS – BUSINESS SERVICES**  
**Reporting to Public Session, Tuesday, January 22, 2019**

**1. Burnaby North Secondary School BC Hydro Statutory Right of Way Bylaw, 2019**

BC Hydro has requested a statutory right of way on land owned by the Board at Burnaby North Secondary School to allow access to BC Hydro equipment situated on the Burnaby North school site. The 662.2 square metre right of way is located on the southwest property line as shown on the attached site plan. The granting of the right of way will not interfere with the Board's use of the property for educational purposes.

The Buildings and Grounds Committee has reviewed the request for the statutory right of way and recommends approval by the Board of Education.

Recommendation

It is recommended that Burnaby North Secondary School BC Hydro Statutory Right of Way Bylaw, 2019 receive three readings at this Board meeting and final adoption in accordance with the Board's Procedural Bylaw as follows:

- |          |   |
|----------|---|
| Motion 1 | THAT Burnaby North Secondary School BC Hydro Statutory Right of Way Bylaw, 2019 receive three readings at this Board meeting held January 22, 2019. |
| Motion 2 | THAT Burnaby North Secondary School BC Hydro Statutory Right of Way Bylaw, 2019 be read a first time.   |
| Motion 3 | THAT Burnaby North Secondary School BC Hydro Statutory Right of Way Bylaw, 2019 be approved a first time and read a second time.                    |
| Motion 4 | THAT Burnaby North Secondary School BC Hydro Statutory Right of Way Bylaw, 2019 be approved a second time and read a third time.                    |
| Motion 5 | THAT Burnaby North Secondary School BC Hydro Statutory Right of Way Bylaw, 2019 be approved a third time.   |

Motion 6      THAT Burnaby North Secondary School BC Hydro Statutory Right of Way Bylaw, 2019 having been read a first, second and third time, be finally passed and adopted the 22<sup>nd</sup> day of January, 2019; that the Chair of the Board and the Secretary-Treasurer be authorized to sign the bylaw; and that the bylaw be sealed with the corporate seal of the Board.

**THE BOARD OF EDUCATION OF**  
**SCHOOL DISTRICT NO. 41 (BURNABY)**

**BURNABY NORTH SECONDARY SCHOOL BC HYDRO STATUTORY RIGHT OF**  
**WAY BYLAW, 2019**

**WHEREAS** section 65 (5) of the *School Act* provides that a board of education may exercise a power with respect to the acquisition or disposal of property owned or administered by the board only by bylaw;

**AND WHEREAS** pursuant to Section 96 (1) of the *School Act*, “land” includes any interest in land, including any right, title or estate in it of any tenure;

**AND WHEREAS:**

- (i) British Columbia Hydro and Power Authority (“**BC Hydro**”) proposes to register a Statutory Right of Way on land owned by The Board of Education of School District No. 41 (Burnaby) (the “**Board**”) legally described as PID: 009-015-159 Lot 51 District Lot 205 Group 1 New Westminster District Plan 28983 on Burnaby North Schedule School site (the “**Property**”);
- (ii) BC Hydro proposes a 662.2 m<sup>2</sup> Statutory Right of Way located on the south-west property line of the Property as shown on the site plan attached hereto as Schedule A, subject to the Standard Charge Term agreement;
- (iii) the Property is facility number 127261;
- (iv) the address of the Property is 751 Hammarskjold Drive, Burnaby, British Columbia, V5B 4A1, and the legal description of the Property is:  
  
Parcel Identifier: 009-015-159  
Lot 51 District Lot 205 Group 1 New Westminster District Plan 28983;
- (v) the Board is satisfied that the granting of the Statutory Right of Way to BC Hydro will not interfere with the Board’s use of the Property for educational purposes.

**NOW THEREFORE** be it resolved as a Bylaw of the Board that the Board grant the Statutory Right of Way to BC Hydro.

**BE IT FURTHER** resolved that the Secretary-Treasurer be and is hereby authorized, on behalf of the Board, to execute and deliver the Statutory Right of Way to BC Hydro in registrable form and on such terms as the Secretary-Treasurer may consider advisable, and all related and ancillary documents required to complete the granting of the Statutory Right of Way.

This bylaw may be cited as “Burnaby North Secondary School BC Hydro Statutory Right of Way Bylaw, 2019”.

Read a first time this 22<sup>nd</sup> day of January, 2019

Read a second time this 22<sup>nd</sup> day of January, 2019

Read a third and final time, passed and adopted this 22<sup>nd</sup> day of January, 2019

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Secretary-Treasurer

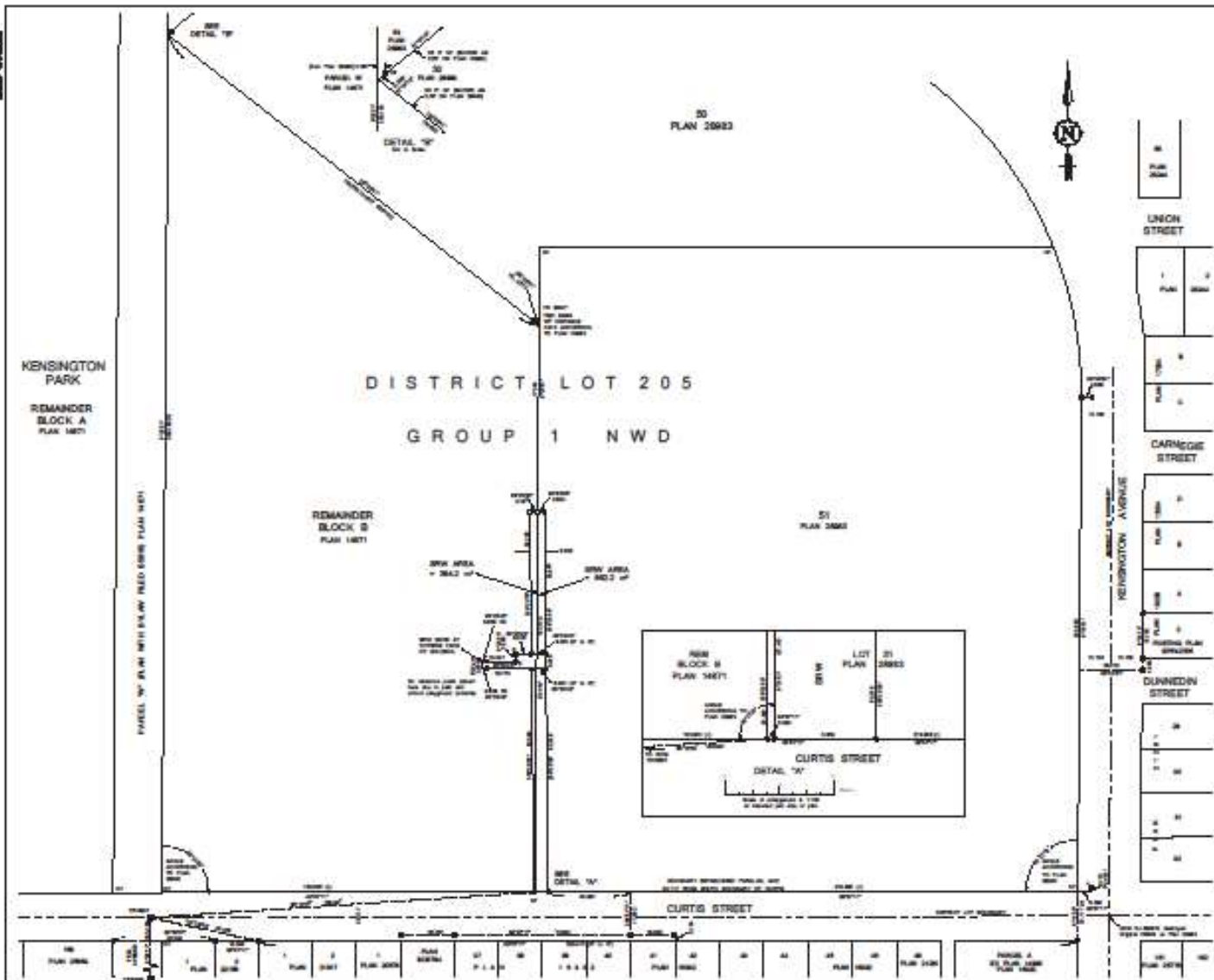
I HEREBY CERTIFY this a true and original “Burnaby North Secondary School BC Hydro Statutory Right of Way Bylaw, 2019” adopted by the Board this 22<sup>nd</sup> day of January, 2019.

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Secretary-Treasurer

DRAFT

SCHEDULE A

DRAFT



**STATUTORY RIGHT OF WAY PLAN**  
 OVER PARTS OF LOT 51 DISTRICT LOT 205 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 28683 AND BLOCK 'B' EXCEPT; FIRSTLY: PART SUBDIVIDED BY PLAN 14672 SECONDLY: PART SUBDIVIDED BY PLAN 21540 THIRDLY: PART SUBDIVIDED BY PLAN 28683; DISTRICT LOT 205 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 14671.

Provided to Section 113 of the LAND TITLE ACT  
 For the purpose of statutory utility  
 SOGS 930.025

INTEGRATED AREA IN 28 SURVAY  
 240000000 4223621.0000



The intended use of this plan is shown in table 1. When in large (2) and other plans at a scale of 1:500.

CLASS OF REFERENCE	NO.	DATE
LOT 51 PLAN 28683	1	1988-01-11
REMAINDER BLOCK B PLAN 14671	2	1988-01-11
LOT 51 PLAN 28683	3	1988-01-11

**LEGEND**  
 The plan area contains provisioned distances unless otherwise specified. To compare the distances, multiply provisioned distances by the average inflation factor of 1.024.

All bearings are defined from meridional direction between public corner monuments 28683 and 14671 and are related to the current meridian of 1978 Zone 55.

The LTR conditions are defined between public corner monuments and are related to the current meridian of 1978 Zone 55.

- denote public corner monument level
- denote proposed level point
- denote existing level point
- denote proposed level point
- denote existing level point
- denote level point
- denote proposed level point
- denote existing level point

The plan shows the proposed utility easement area and the proposed utility easement area.

CLASSIFICATION	NO.	DATE	ISSUE	STATUS
PROPOSED	1	1988-01-11	1	PROPOSED
EXISTING	2	1988-01-11	2	EXISTING
PROPOSED	3	1988-01-11	3	PROPOSED

The plan is shown in the Proposed Class of Title Document  
 The full survey registered by the plan was completed on the 11th day of November 1988.  
 See G. 28683, 14671 and 28683