

DISTRICT OPERATIONS – BUSINESS SERVICES
Reporting to Public Session, Tuesday, March 10, 2020

1. Moscrop Secondary School BC Hydro Statutory Right of Way Bylaw, 2020

As outlined in the Buildings and Grounds Committee Report, BC Hydro is upgrading the electrical service at Moscrop Secondary School. Prior to completing the work, BC Hydro requires a Statutory Right of Way that will include their standard agreement form. 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 Moscrop Secondary School BC Hydro Statutory Right of Way Bylaw, 2020 receive three readings at this Board meeting and final adoption in accordance with the Board's Procedural Bylaw as follows:

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| Motion 1 | THAT Moscrop Secondary School BC Hydro Statutory Right of Way Bylaw, 2020 receive three readings at this Board meeting held March 10, 2020. |
| Motion 2 | THAT Moscrop Secondary School BC Hydro Statutory Right of Way Bylaw, 2020 be read a first time. |
| Motion 3 | THAT Moscrop Secondary School BC Hydro Statutory Right of Way Bylaw, 2020 be approved a first time and read a second time. |
| Motion 4 | THAT Moscrop Secondary School BC Hydro Statutory Right of Way Bylaw, 2020 be approved a second time and read a third time. |
| Motion 5 | THAT Moscrop Secondary School BC Hydro Statutory Right of Way Bylaw, 2020 be approved a third time. |
| Motion 6 | THAT Moscrop Secondary School BC Hydro Statutory Right of Way Bylaw, 2020 having been read a first, second and third time, be finally passed and adopted the 10th day of March, 2020; 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)**

**MOSCROP SECONDARY SCHOOL BC HYDRO STATUTORY RIGHT OF WAY
BYLAW, 2020**

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: 010-116-450 – BLOCK “A” EXCEPT: PARCEL “ONE” (REFERENCE PLAN 36584): DISTRICT LOT 72 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 15514 on Moscrop Secondary School site (the “**Property**”);
- (ii) BC Hydro proposes a 308.0 m² Statutory Right of Way located on the south 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 4141044;
- (iv) the address of the Property is 4433 Moscrop Street, Burnaby, British Columbia, V5B 2G3, and the legal description of the Property is:

Parcel Identifier: 010-116-450
Block “A” Except: Parcel “One” (Reference Plan 36584): District Lot 71 Group 1
New Westminister District Plan 15514;
- (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 “Moscrop Secondary School BC Hydro Statutory Right of Way Bylaw, 2020”.

Read a first time this __ day of _____, 2020

Read a second time this ____ day of _____, 2020

Read a third and final time, passed and adopted this ____ day of _____, 2020

Chair

Secretary-Treasurer

I HEREBY CERTIFY this a true and original “Moscrop Secondary School BC Hydro Statutory Right of Way Bylaw, 2020” adopted by the Board this __ day of _____, 2020.

Secretary-Treasurer

Schedule A

