



## CONSEIL SCOLAIRE FRANCOPHONE DE LA COLOMBIE-BRITANNIQUE BURNABY STREAMSIDE PROTECTION AND ENHANCEMENT AREA COVENANT AND RIGHT OF WAY BYLAW 2025

WHEREAS Conseil Scolaire Francophone de la Colombie-Britannique (the “**CSF**”) is a francophone education authority continued under the *School Act* (British Columbia) and, under the authority of Sections 166.29(1) and 96(3) of the *School Act* (British Columbia), may acquire and dispose of land or improvements it owns or administers, subject to the Orders of the British Columbia Minister of Education and Child Care (the “**Minister**”);

AND WHEREAS the *Interpretation Act* (British Columbia) defines the word “dispose” to mean to transfer by any method and includes, among other things, grant and charge;

AND WHEREAS the Minister issued Order M193/08 (Disposal of Land or Improvements Order) effective September 3, 2008 requiring fee simple sales and leases of land or improvements for a term of ten years or more to be specifically approved by the Minister, unless the transferee is an independent school or another school board;

AND WHEREAS a disposal of land or improvements by way of a grant of a statutory right of way or a covenant does not require approval from the Minister pursuant to Order M193/08 (Disposal of Land or Improvements Order);

AND WHEREAS Section 166.21(4) of the *School Act* (British Columbia) requires a francophone education authority to exercise a power with respect to the acquisition or disposal of property owned or administered by a francophone education authority only by bylaw;

AND WHEREAS:

- (i) the CSF owns the land and improvements located at 7231 Frances Street, Burnaby, British Columbia V5A 1H1 (the “**Property**”);
- (ii) the legal description of the Property is:  

Parcel Identifier:	008-541-086
Legal Description:	Lot 203 District Lot 207 Group 1 New Westminster District Plan 38823;
- (iii) the Property is facility number \_\_\_\_\_;
- (iv) the City of Burnaby (the “**City**”) requires that the CSF grant a Section 219 Covenant in favour of the City (the “**Covenant**”) to be registered against title to the Property whereby the CSF agrees not to construct any structures within that portion of the Property shown in bold outline on the plan attached to this Bylaw as Schedule A (the “**Covenant Area**”) and whereby the CSF further agrees to plant native species of plants and remove any invasive species of plants from the Covenant Area for the purposes of a streamside protection and enhancement area, all as more particularly described in the Covenant;
- (v) the City further requires that the CSF grant a statutory right of way over the Property in favour of the City (the “**Statutory Right of Way**”) to be registered against title to the Property for the purpose of gaining access to and egress from the Covenant Area and to undertake tests,



examinations and surveys of the Covenant Area and to excavate and fill such area with soil, all as more particularly described in the Statutory Right of Way; and

- (vi) the CSF is satisfied that it would be in the best interests of the CSF to grant the Covenant and Statutory Right of Way in favour of the City and that the granting of the Covenant and Statutory Right of Way will not interfere with the CSF's use of the Property for educational purposes.

NOW THEREFORE BE IT RESOLVED as a Bylaw of the CSF that the CSF enter into the Covenant and Statutory Right of Way and grant the Covenant and Statutory Right of Way in favour of the City in the forms required by the City, subject to such amendments as the Secrétaire-trésorier par intérim may, in his or her discretion, consider advisable, and register the Covenant and Statutory Right of Way against title to the Property in the Land Title Office.

BE IT FURTHER RESOLVED as a Bylaw of the CSF that the Secrétaire-trésorier par intérim be and is hereby authorized, on behalf of the CSF, to execute and deliver the Statutory Right of Way and Covenant in such forms and with such amendments thereto as the Secrétaire-trésorier par intérim may, in his or her discretion, consider advisable, and the Secrétaire-trésorier par intérim be and is hereby authorized, on behalf of the CSF, to execute and deliver all related and ancillary documents required to complete the granting of the Covenant and Statutory Right of Way in favour of the City on such terms and conditions as the Secrétaire-trésorier par intérim may, in his or her discretion, consider advisable as witnessed by the signature of the Secrétaire-trésorier par intérim.

This Bylaw may be cited as "Conseil Scolaire Francophone de la Colombie-Britannique Burnaby Streamside Protection and Enhancement Area Covenant and Right of Way Bylaw 2025".

Read a first time on the 30<sup>th</sup> day of May 2025.

Read a second time on the 30<sup>th</sup> day of May 2025.

This Bylaw was read a third time on the \_\_\_\_\_ day of \_\_\_\_\_, 2025 and finally passed and adopted the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Présidente

Corporate Seal

\_\_\_\_\_  
Secrétaire-trésorier par intérim

I HEREBY CERTIFY this to be a true original of Conseil Scolaire Francophone de la Colombie-Britannique Burnaby Streamside Protection and Enhancement Area Covenant and Right of Way Bylaw 2025, adopted by the CSF the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Secrétaire-trésorier par intérim

**SCHEDULE A  
COVENANT AREA**

