

**DISTRICT OPERATIONS – BUSINESS SERVICES**  
**Reporting to Public Session, Tuesday, December 14, 2021**

**1. Kincaid Street Land Disposition Bylaw 2021**

The current Long-Range Facility Plan identifies the Board’s approval to proceed with the construction of the new Board Office to replace the old building located on Kincaid Street. The proceeds of the disposition of the Kincaid Street site will be placed in the Local Capital Reserve and will support the development of the new building located along Canada Way. The Board has reviewed and confirmed that the Kincaid Street land is surplus to the current and future educational needs of the district.

The Purchase and Sale Agreement executed with the City provides for a completion date of March 3, 2022, or 30 days after the district completes the required work to restore the site. The approval of this Land Disposition Bylaw removes all conditions of the Board.

Russell Horswill, Secretary-Treasurer, has prepared a board report outlining the details.

**Recommendation:**

THAT the Board of Education consider the following Land Disposition motions:

- Motion 1      THAT School District No. 41 (Burnaby) 5325 Kincaid Street Property Disposal Bylaw 2021 receive three readings at this Board meeting held December 14, 2021.
  
- Motion 2      THAT School District No. 41 (Burnaby) 5325 Kincaid Street Property Disposal Bylaw 2021 be read a first time.
  
- Motion 3      THAT School District No. 41 (Burnaby) 5325 Kincaid Street Property Disposal Bylaw 2021 be approved a first time and read a second time.
  
- Motion 4      THAT School District No. 41 (Burnaby) 5325 Kincaid Street Property Disposal Bylaw 2021 be approved a second time and read a third time.
  
- Motion 5      THAT School District No. 41 (Burnaby) 5325 Kincaid Street Property Disposal Bylaw 2021 be approved a third time.
  
- Motion 6      THAT School District No. 41 (Burnaby) 5325 Kincaid Street Property Disposal Bylaw 2021 having been read a first, second and third time, be finally passed and adopted the 14<sup>th</sup> day of December, 2021; 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.

## **2. Parkcrest Elementary School Property Statutory Right-of-Way**

BC Hydro is proceeding with the installation of an underground supply to Parkcrest Elementary School. The provision of underground power was a condition of the subdivision plan.

Providing a Statutory Right-of-Way is allowed under the *School Act*, however, is considered to be a disposition of real property. As such, the Board is required to approve the Statutory Right-of-Way by approving a bylaw in a public meeting. A copy of the required bylaw is attached to this Board Report.

Staff have reviewed the request for a Statutory Right-of-Way and confirm that granting such will not interfere with the Board's use of the Property for educational purposes.

Russell Horswill, Secretary-Treasurer, has prepared a board report outlining the details.

### **Recommendation:**

THAT the Board of Education approved the "Parkcrest Elementary School BC Hydro Statutory Right of Way Bylaw 2021" as presented.

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| Motion 1 | THAT Parkcrest Elementary School BC Hydro Statutory Right of Way Bylaw 2021 receive three readings at this Board meeting held December 14, 2021.  |
| Motion 2 | THAT Parkcrest Elementary School BC Hydro Statutory Right of Way Bylaw 2021 be read a first time.   |
| Motion 3 | THAT Parkcrest Elementary School BC Hydro Statutory Right of Way Bylaw 2021 be approved a first time and read a second time.  |
| Motion 4 | THAT Parkcrest Elementary School BC Hydro Statutory Right of Way Bylaw 2021 be approved a second time and read a third time.  |
| Motion 5 | THAT Parkcrest Elementary School BC Hydro Statutory Right of Way Bylaw 2021 be approved a third time.   |
| Motion 6 | THAT Parkcrest Elementary School BC Hydro Statutory Right of Way Bylaw 2021 having been read a first, second, and third time, be finally passed and adopted the 14 <sup>th</sup> day of December, 2021; 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. |

# Board Report

Date : December 14 , 2021  
To: Board of Education –

procedures with respect to the disposal of land or improvements under section 96(3) of

The Community Information Meeting satisfied two purposes . First, the Board fulfilled its requirement for broad consultation with the community that it intends to proceed with the disposition of the Kincaid Street property . Second, as the district at the time was pursuing rezoning from the City , it



NOW THEREFORE be it enacted as a Bylaw of the Board that the Agreement and the completion of the Sale be and are hereby authorized, ratified and approved, subject to approval by the Minister of Education of the proposed disposal of the Property (the "Minister's Approval ").

BE IT FURTHER enacted that the Secretary-Treasurer be and is hereby authorized on behalf of the Board to execute and deliver the Agreement and, subject to the Minister's Approval, all related transfer and other documents required to complete the Sale.

This Bylaw may be cited as "School District No. 41 (Burnaby) 5325 Kincaid Street Property Disposal Bylaw 2021".

Read a first time this 14<sup>th</sup> day of December 2021.

Read a second time this 14<sup>th</sup> day of December 2021.

Upon unanimous agreement of the Trustees of the Board in attendance, this Bylaw was read a third time on the 14<sup>th</sup> day of December 2021, and finally passed and enacted this 14<sup>th</sup> day of December 2021.

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Chairperson of the Board

Corporate Seal

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Secretary-Treasurer

I HEREBY CERTIFY this to be a true original of School District No. 41 (Burnaby) 5325 Kincaid Street Property Disposal Bylaw 2021, enacted by the Board the 14<sup>th</sup> day of December 2021.

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Secretary-Treasurer

# Board Report

Date : December 14 , 2021  
To: Board of Education – Regular Meeting  
From: Russell Horswill, Secretary-Treasurer  
Subject : Parkcrest Elementary School Property Statutory Right -of-Way

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## Background:

The Burnaby Board of Education's 2019-2024 Strategic Plan contains the following objective under the key priority A Modern, Safe and Sustainable Learning Environment



- Motion 5 THAT Parkcrest Elementary School BC Hydro Statutory Right of Way Bylaw 2021 be approved a third time.
- Motion 6 THAT Parkcrest Elementary School BC Hydro Statutory Right of Way Bylaw 2021 having been read a first, second, and third time, be finally passed and adopted the 14<sup>th</sup> day of December, 2021; 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.



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 “Parkcrest Elementary School BC Hydro Statutory Right-of-Way Bylaw 2021”.

Read a first time this 14<sup>th</sup> day of December 2021.

Read a second time this 14<sup>th</sup> day of December 2021.

Read a third and final time, passed and adopted this 14<sup>th</sup> day of December 2021.

Corporate Seal

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Chairperson of the Board

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Secretary-Treasurer

I HEREBY CERTIFY this to be a true and original Parkcrest Elementary School BC Hydro Statutory Right of Way Bylaw 2021, adopted by the Board this 14<sup>th</sup> day of December 2021.

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Secretary-Treasurer

