

THE BOARD OF EDUCATION OF
SCHOOL DISTRICT NO. 68 (NANAIMO-LADYSMITH)

CILAIRE ELEMENTARY SCHOOL BC HYDRO RIGHT-OF-WAYS BYLAW, 2026

WHEREAS Section 65(5) of the *School Act*, R.S.B.C. 1996, c. 412, 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 of education only by bylaw;

AND WHEREAS:

- (a) The Board of Education of School District No. 68 (Nanaimo-Ladysmith) (the “**Board**”) owns the Cilaire Elementary School site (the “**Property**”);
- (b) the Property is facility number 6868024;
- (c) the address of the Property is 25 Cilaire Drive, Nanaimo, British Columbia V9S 3C9, and the legal description of the Property is:

Parcel Identifier: 003-785-301
Lot 1, Section 1, Nanaimo District, Plan 18757;
- (d) BC Hydro has asked the Board to grant to British Columbia Hydro and Power Authority (“**Hydro**”) and Telus Communications Inc. (“**Telus**”):
 - (i) a statutory right of way over the Property (the “**Right-of-Way**”) pursuant to Section 218 of the *Land Title Act*, R.S.B.C. 1996, c. 250. The right of way only allows access to the Hydro works installed for this project. Such access is required for maintenance of the equipment. It does not grant Hydro the right to install additional works without permission in the future;
 - (ii) a statutory right of way over the Property (the “**Right-of-Way**”) pursuant to Section 218 of the *Land Title Act*, R.S.B.C. 1996, c. 250. The right of way only allows access to the Telus works installed for this project. Such access is required for maintenance of the equipment. It does not grant Telus the right to install additional works without permission in the future;
- (e) the Board is satisfied that the Works will benefit the Board and that the granting of the Right-of-Ways will not interfere with the Board’s use of the Property for educational purposes.

NOW THEREFORE be it resolved as a Bylaw that the Board grant the Right-of-Ways; and

BE IT FURTHER resolved as a Bylaw that the Secretary-Treasurer be and is hereby authorized, on behalf of the Board, to execute and deliver all documents required to complete the granting of the Right-of-Ways on such terms and conditions as the Secretary-Treasurer may consider advisable as witnessed by the signature of the Secretary-Treasurer.

This Bylaw may be cited as "School District No. 68 (Nanaimo-Ladysmith) Cilaire Elementary School BC Hydro Right-of-Ways Bylaw, 2026".

Read a first time this _____ day of _____, 2026.

Read a second time this _____ day of _____, 2026.

All the trustees in attendance having agreed to give this Bylaw three readings at a single meeting, this Bylaw was read a third and final time, passed and adopted this ___ day of _____, 2026.

Chair

Secretary-Treasurer

I HEREBY CERTIFY this to be a true and original "School District No. 68 (Nanaimo-Ladysmith) Cilaire Elementary School BC Hydro Right-of-Ways Bylaws, 2026" adopted by the Board this _____ day of _____, 2026.

Secretary-Treasurer

