



**The Board of Education of School District No. 61 (Greater Victoria)**

**Special Open Board Meeting**

**AGENDA**

**Broadcasted via YouTube <https://bit.ly/3czx8bA>**

**Thursday, October 10, 2024, 7:00 p.m**

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**A. COMMENCEMENT OF MEETING**

This meeting is being audio and video recorded. The video can be viewed on the District website.

**A.1. Acknowledgement of Traditional Territories**

*The Greater Victoria School District wishes to recognize and acknowledge the Esquimalt and Songhees Nations, on whose traditional territories, we live, we learn, and we do our work.*

**A.2. Approval of the Agenda**

Recommended Motion:

That the October 10, 2024 agenda be approved.

**A.3. Community Presentations (5 minutes per presentation)**

**B. CORRESPONDENCE**

**C. DISTRICT LEADERSHIP TEAM REPORTS**

**C.1. Secretary-Treasurer's Report**

- a. Lansdowne Middle School North – Disposal Bylaw for Road Dedications and Statutory Right-of-Way

Recommended Motion:

That the Board of Education of School District No. 61 (Greater Victoria) approve granting to the District of Saanich three (3) Road Dedications as shown on Explanatory Plan EPP135794 in respect of the property legally described as Parcel Identifier: 005-852-862, Lot A, Section 27, Victoria District, Plan 6679; and a Statutory Right-of-Way over that part of the property legally described as Lot 1, Section 27, Victoria District, Plan EPP135794 shown outlined in bold on Plan EPP136016.

Recommended Motion:

That the Board of Education of School District No. 61 (Greater Victoria) agree to give all three readings of the Lansdowne Middle School North Disposal (Road Dedications and Statutory Right-of-Way) of Real Property Bylaw 25-02.

Recommended Motion:

That the Board of Education of School District No. 61 (Greater Victoria) Lansdowne Middle School North Disposal (Road Dedications and Statutory Right-of-Way) of Real Property Bylaw 25-02, being a bylaw to grant the following Road Dedications and Statutory Right-of-Way to the District of Saanich:

- 1) Three (3) Road Dedications as shown on Explanatory Plan EPP135794 in respect of the property legally described as Parcel Identifier: 005-852-862, Lot A, Section 27, Victoria District, Plan 6679;
- 2) Statutory Right-of-Way over that part of the property legally described as Lot 1, Section 27, Victoria District, Plan EPP135794 shown outlined in bold on Plan EPP136016.

Read a first time this 10th day of October, 2024;

Read a second time this 10th day of October, 2024;

Read a third time, passed and adopted this 10th day of October, 2024;

and that the Secretary-Treasurer and the Board Chair be authorized to execute and seal this bylaw on behalf of the Board.

- D. QUESTION PERIOD (15 minutes total)**
- E. PUBLIC DISCLOSURE OF IN-CAMERA ITEMS**
- F. NEW BUSINESS/NOTICE OF MOTIONS**
- G. ADJOURNMENT**

Recommended Motion:

That the meeting be adjourned.

# Office of the Secretary-Treasurer

School District No. 61 (Greater Victoria)  
556 Boleskine Road, Victoria, BC V8Z 1E8  
Phone (250) 475-4117 Fax (250) 475-4112

*Katrina Stride – Secretary-Treasurer*

TO: The Board of Education

FROM: Katrina Stride, Secretary-Treasurer

DATE: October 10, 2024

RE: **Lansdowne Middle School North – Disposal Bylaw for Road Dedications and Statutory Right-of-Way**

## Purpose of Meeting

The purpose of this Special Open Board meeting is to provide the public with updated information related to Conseil Scolaire Francophone de la Colombie-Britannique (CSF)'s subdivision application for 7.3 acres of land at 1765 Lansdowne Rd. Specifically, this meeting is to provide information on the required road dedications, statutory right-of way (SRW), and easement impacting the Greater Victoria School District (GVSD).

## Disposal of Real Property Bylaw – October 2021

The Board approved the third and final reading of the disposal of real property bylaw for the sale of 7.3 acres of land at 1765 Lansdowne Rd to CSF on October 5, 2021.

October 5, 2021	That the Board of Education of School District No. 61 (Greater Victoria) approves: (1) the disposal of a 7.3 acre portion of School District property municipally known as 1765 Lansdowne Road, Saanich, BC and legally described as: PID: 005-852-962, Lot A Section 27 Victoria District Plan 6679 (the "Property"); (2) the entering into and completion of the obligations contained in an agreement of purchase and sale (the "Purchase and Sale Agreement") in respect of the Property with Conseil Scolaire Francophone de la Colombie-Britannique (the "Purchaser") in the amount of \$15,232,000 more or less; (3) the granting of authority for the Purchaser, acting in the name of the Board or otherwise, to advance certain zoning, subdivision, and development related amendments to the Property with the District of Saanich and other third parties prior to completion of the disposal of the Property; (4) the taking of all such action and the execution and delivery of all such documentation ancillary to, or related to, the foregoing; and (5) the authorization of the Secretary-Treasurer to execute and deliver, on behalf of the Board, the Purchase and Sale Agreement and all such amendments thereto and all related and ancillary documents as the Secretary-Treasurer may, in her discretion, consider advisable. The Board confirms that the Board will not require the Property for future educational purposes. Read a third time, passed and adopted the 05th day of October, 2021, and finally passed and adopted this 05th day of October 2021.	The Board gave the third and final reading to Bylaw 2021-03.
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*The Greater Victoria School District wishes to recognize and acknowledge the Esquimalt and Songhees Nations, on whose traditional territories, we live, we learn, and we do our work.*

## Public Consultation

Prior to the Board approving the sale of land, information was shared broadly with the community on March 3, 2021 through a [joint media release with CSF](#). As well, public consultation was conducted on April 28, 2021, where the public was invited to attend an [online information session](#) (due to COVID-19 restrictions) with an opportunity to ask questions and provide feedback. Written input submissions were also welcomed from April to June 14, 2021, with a [public reminder](#) published on June 7, 2021. All feedback was considered by the Board at the [Regular Board meeting](#) on September 27, 2021.

When the Board considered the Disposal of Real Property Bylaw at the [Special Board meeting](#) on October 5, 2021, the road dedications, statutory rights-of-way, and easements included in the subdivision application were not known. The Board is now considering a Disposal (Road Dedications and Statutory Right-of-Way) of Real Property Bylaw related to the road dedications and statutory right-of-way in the subdivision application to ensure full transparency of these components of the land sale.

## Requirements of the Subdivision Application

The registration of road dedications, SRWs and easements are requirements of the subdivision application. All of the road dedications, SRWs, and easements can be reviewed in the attached document titled **Lansdowne Site Subdivision 2024 10 07**.

## Road Dedications

There are three (3) road dedications required by the subdivision application that has been conditionally approved by the District of Saanich (Saanich).

### Lansdowne Road

Saanich has requested a road dedication along Lansdowne Rd to be covered by a modification of the existing pedestrian SRW CA6262810. The sidewalk and bike lane have already been upgraded.

Attached is **EPP135794 Sub Plan Certification Signed** which includes a survey of the road dedication.

### Richmond Road

Saanich has requested a road dedication along Richmond Rd. The road will be widened with a 3.3-metre vehicle lane, 2-metre landscaped boulevard, 2-metre bike lane, and a 2-metre separate sidewalk. All costs will be part of the CSF project.

Attached is **EPP135794 Sub Plan Certification Signed** which includes a survey of the road dedication.

## Future Right-Turn Lane at the Intersection of Lansdowne Road and Richmond Road

Saanich has requested a 5-metre-wide and 60-metre-long road dedication for a future right turn lane at the intersection of Lansdowne Rd and Richmond Rd. The right turn lane will be designed to current urban standards with pedestrian safety as a top priority.

Attached is **EPP135794 Sub Plan Certification Signed** which includes a survey of the future road dedication.

## Statutory Right-of Way (SRW)

### Public Pathway Taylor Ave – Richmond Road

Saanich has requested an SRW for a 2-metre-wide asphalt walkway between Richmond Rd and the existing pathway between 1766 and 1770 Taylor Ave. The pathway is part of Saanich's Active Transportation Plan.

See attached for the document titled **SRW - Public Pathway, Trail, Municipal Vehicle Access – Taylor Ave to Richmond Rd**. This document includes the Terms of Instrument – Part 2 between GVSD and Saanich for an SRW over that part of Lot 1, Section 27, Victoria District, Plan EPP135794 shown as “SRW Area” containing 229.6 square metres on Explanatory Plan EPP136016. Also attached is **EPP136016 SRW Plan Certification Signed**.

## Easement

### Surface Drainage Easement

Saanich has requested an SRW from CSF to access the storm drain located at the South end of the proposed CSF Lot 2. Given that the SRW will be on post-subdivision CSF Lot 2, it will be registered against CSF title. However, the storm drainage system from post-subdivision GVSD Lot 1 will cross over into CSF Lot 2 to connect to the storm drain, therefore an easement agreement between GVSD and CSF will be sought.

## Other

### Public Pathway Myrtle Ave – Lansdowne Road

Saanich has requested an SRW from CSF for a 4-metre-wide asphalt pathway that connects Lansdowne Rd and Myrtle Ave. The pathway from Lansdowne Rd to Myrtle Ave will be on post-subdivision CSF Lot 2 and will be registered against CSF title.

## Ministerial Orders, Policies and Regulations

Ministerial Order M193/08 Disposal of Land or Improvements Order does not apply to situations where there is a transfer of interest in a board property, such as SRWs and easements, which may be registered as a charge on title of the property. As such, ministerial approval is not required for the SRW.

The Ministry has confirmed that ministerial approval is not required for disposal of land by way of road dedication when there is no consideration received from the municipality in exchange for the land. Given that no consideration will be received from Saanich for any of the required road dedications, ministerial approval is not required.

Board Policy and Regulation 7110 Disposal of Real Property have been considered. Community consultation occurred when the Board considered the land sale in 2021. In addition, two-weeks’ public notice and an opportunity for public feedback through the Community Inbox was provided prior to the Board’s consideration of the disposal bylaw for the road dedications and SRW required as part of the subdivision application. There was no public feedback received.

## Disposal (Road Dedications and Statutory Right-of-Way) of Real Property Bylaw

The Board will need to pass and adopt a disposal bylaw as the granting of the road dedications and SRW is considered a disposal of land.

The following motions are recommended:

That the Board of Education of School District No. 61 (Greater Victoria) approve granting to the District of Saanich three (3) Road Dedications as shown on Explanatory Plan EPP135794 in respect of the property legally described as Parcel Identifier: 005-852-862, Lot A, Section 27, Victoria District, Plan 6679; and a Statutory Right-of-Way over that part of the property legally described as Lot 1, Section 27, Victoria District, Plan EPP135794 shown outlined in bold on Plan EPP136016.

That the Board of Education of School District No. 61 (Greater Victoria) agree to give all three readings of the Lansdowne Middle School North Disposal (Road Dedications and Statutory Right-of-Way) of Real Property Bylaw 25-02.

That the Board of Education of School District No. 61 (Greater Victoria) Lansdowne Middle School North Disposal (Road Dedications and Statutory Right-of-Way) of Real Property Bylaw 25-02, being a bylaw to grant the following Road Dedications and Statutory Right-of-Way to the District of Saanich:

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- 2) Statutory Right-of-Way over that part of the property legally described as Lot 1, Section 27, Victoria District, Plan EPP135794 shown outlined in bold on Plan EPP136016.

Read a first time this 10th day of October, 2024;

Read a second time this 10th day of October, 2024;

Read a third time, passed and adopted this 10th day of October, 2024;

and that the Secretary-Treasurer and the Board Chair be authorized to execute and seal this bylaw on behalf of the Board.

## Supporting Documents

Lansdowne Site Subdivision 2024 10 07

EPP135794 Sub Plan Certification Signed

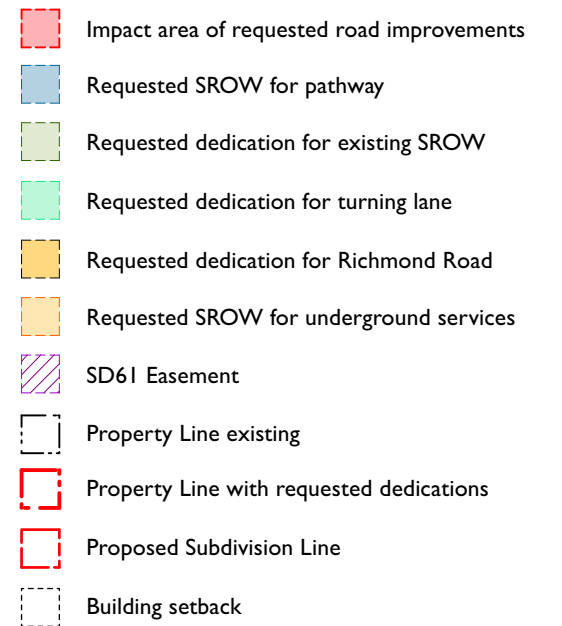
SRW - Public Pathway, Trail, Municipal Vehicle Access – Taylor Ave to Richmond Rd

EPP136016 SRW Plan Certification Signed

Lansdowne Middle School North Disposal (Road Dedications and Statutory Right-of-Way) of Real Property Bylaw 25-02



## 2024-10-07



**SURVEY PLAN CERTIFICATION  
PROVINCE OF BRITISH COLUMBIA**

PAGE 1 OF 2 PAGES

Your electronic signature is a representation that you are a British Columbia land surveyor and a subscriber under section 168.6 of the *Land Title Act*, RSBC 1996 c.250. By electronically signing this document, you are also electronically signing the attached plan under section 168.3 of the act.

**Ryan Hourston**  
**R2449Z**

 Digitally signed by Ryan  
 Hourston R2449Z  
 Date: 2024.02.21  
 11:38:27 -08'00'

## 1. BC LAND SURVEYOR: (Name, address, phone number)

**Ryan P. Hourston**
**JE Anderson & Associates**
**4212 Glanford Avenue**
**Victoria**
**BC V8Z 4B7**

Phone: (250) 727-2214

Email: rhourston@jeanderson.com

File:34220

☐ Surveyor General Certification [For Surveyor General Use Only]

## 2. PLAN IDENTIFICATION:

 Control Number: **170-854-4307**

 Plan Number: **EPP135794**

 This original plan number assignment was done under Commission #: **887**

## 3. CERTIFICATION:

☒ Form 9

☐ Explanatory Plan

☐ Form 9A

I am a British Columbia land surveyor and certify that I was present at and personally superintended this survey and that the survey and plan are correct.

 The field survey was completed on: **2024 February 21** (YYYY/Month/DD) The checklist was filed under ECR#:

 The plan was completed and checked on: **2024 February 21** (YYYY/Month/DD) **279379**
☒ None ☐ Strata Form S

☒ None

☐ Strata Form U1

☐ Strata Form U1/U2

 Arterial Highway ☐

 Remainder Parcel (Airspace) ☐

 4. ALTERATION: ☐



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|---|---|--------------------|
| ● | ○ | Standard Iron Post |
| ■ | □ | Lead Plug          |
| ⊗ |   | Non-standard Post  |
| △ |   | Angle Iron         |
| ⊙ |   | Control Monument   |
| + |   | Unmonumented Point |

Asph. Denotes Iron Post in Asphalt  
 Conc. Denotes Iron Post in Concrete  
 NF Denotes Nothing Found  
 NTS Denotes Not To Scale  
 Pcl. Denoted Parcel

All distances are in metres and decimals thereof

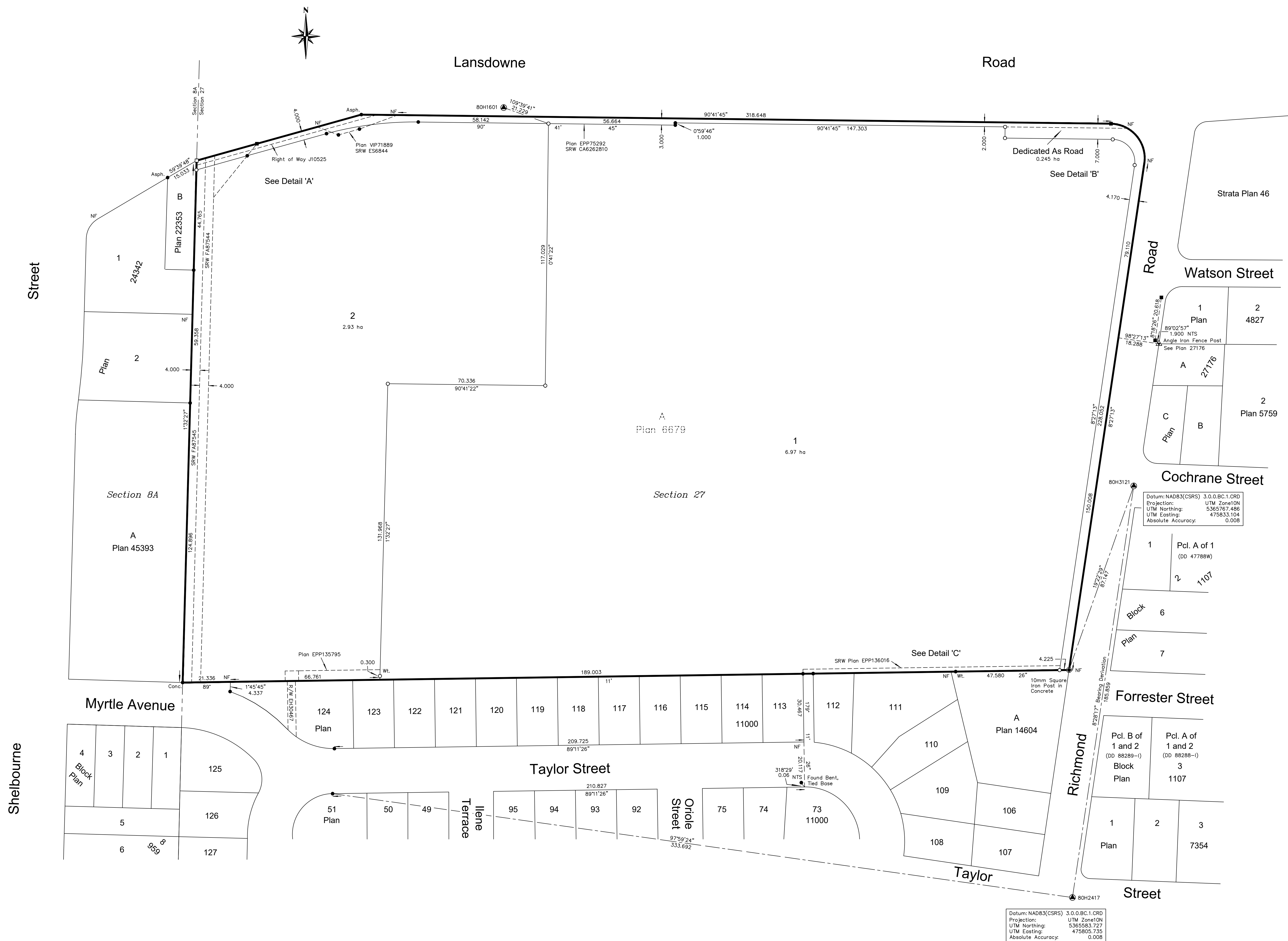
This plan lies within Integrated Survey Area No. 30, Soanich,  
NAD83 (CSRS) 3.0.0.BC.1.CRD

Grid bearings are derived from observations between geodetic control monuments 80H2417 and 80H3121 and are referred

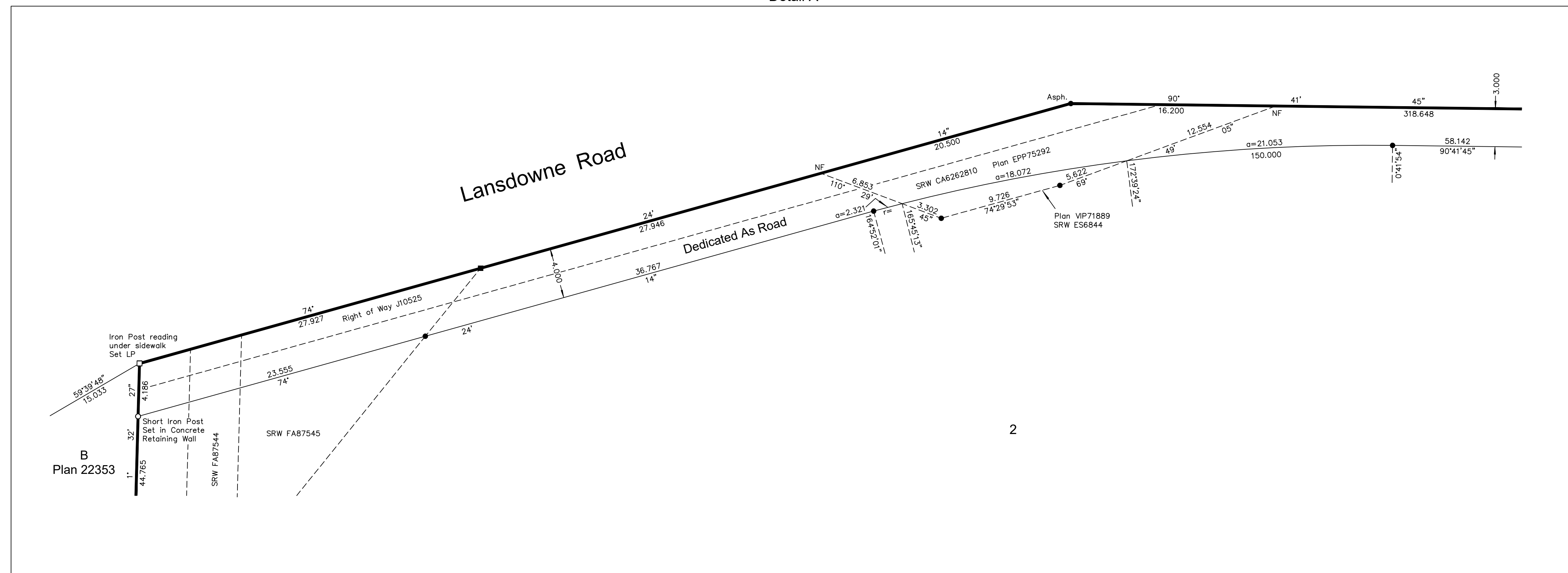
The UTM coordinates and estimated absolute accuracy achieved are derived from the MASCOT published coordinates and standard deviations for geodetic control monuments 80H2417 and 80H3121.

This plan shows horizontal ground level distances, unless otherwise specified. To compute grid distances, multiply ground level distances by the average combined factor of 0.9996062. The average combined factor has been determined from control monument 80H2417 and 80H3121.

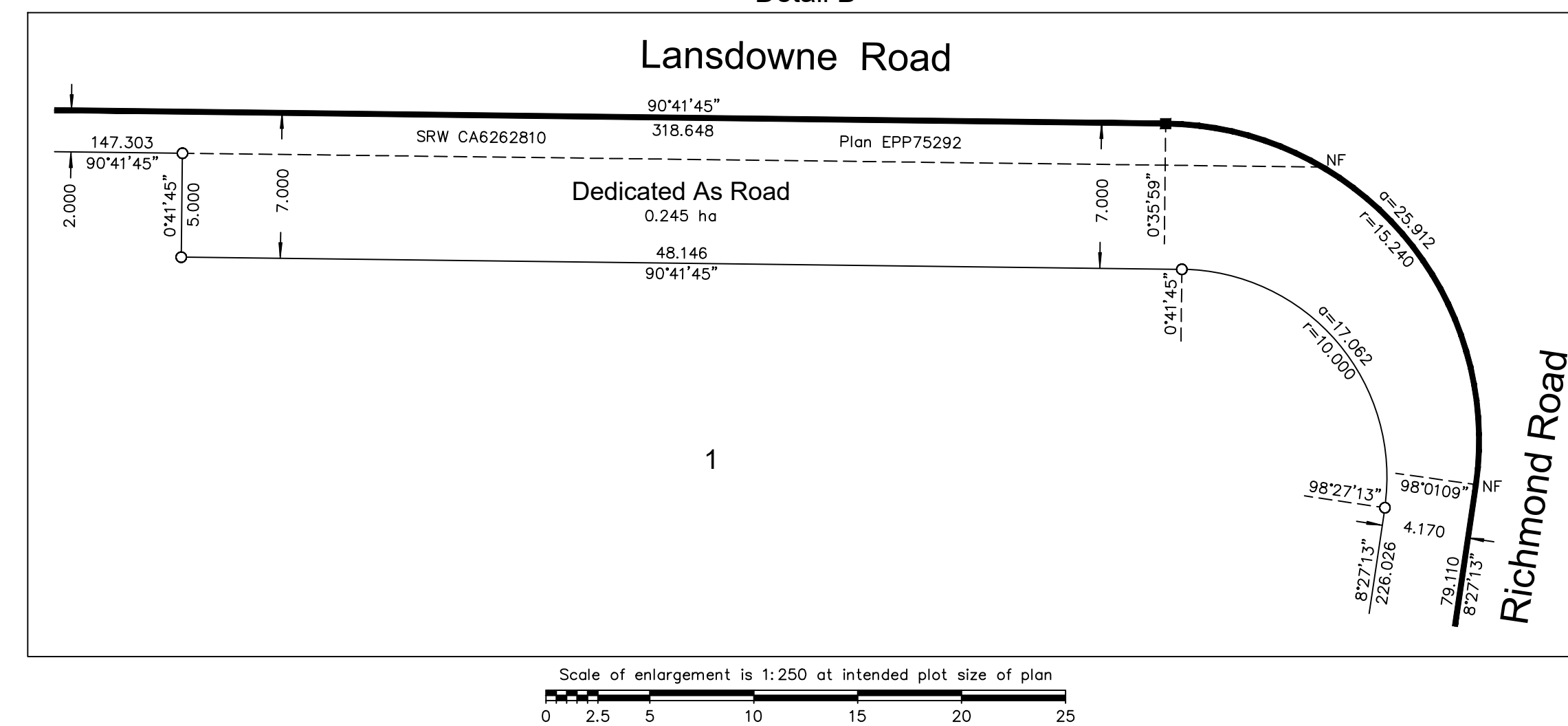
This plan shows one or more witness posts which are not set on the true corner(s).



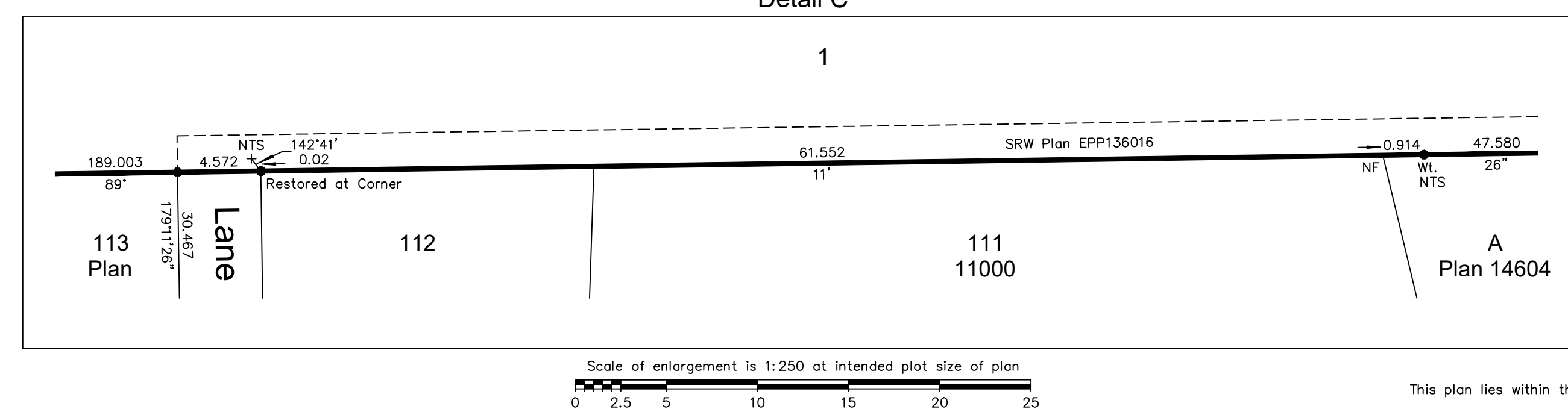
### Detail A



### Detail E



Detail C



This plan lies within the Capital Regional District

The field survey represented by this plan was completed

on the 21st day of February.

①

TERMS OF INSTRUMENT - PART 2

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(Re: Section 113 (2) L.T.A., see D.F. J10895)

**PUBLIC PATHWAY/TRAIL/MUNICIPAL VEHICLE ACCESS**

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BETWEEN: **THE BOARD OF EDUCATION OF SCHOOL DISTRICT NO. 61 (GREATER VICTORIA)**  
**556 Boleskine Road**  
**Victoria BC V8Z 1E8**

(hereinafter called "the Grantor")

OF THE FIRST PART

AND: **THE CORPORATION OF THE DISTRICT OF SAANICH,**  
**770 Vernon Avenue,**  
**Victoria, B.C. V8X 2W7**

(hereinafter called "the Grantee")

OF THE SECOND PART

WHEREAS the Statutory Right-of-Way hereinafter created is necessary for the operation and maintenance of the Grantee's undertaking.

WHEREAS the Grantor is the owner of the following lands:

PID: **NO PID**  
Legal Description: **Lot 1, Section 27, Victoria District, Plan EPP135794**

(hereinafter called "the Grantor's Land")

AND WHEREAS the Grantee is a municipality within the meaning of Section 218 of the Land Title Act.

NOW THIS AGREEMENT WITNESSETH THAT:

1. In consideration of the sum of One dollar (\$1.00) now paid by the Grantee to the Grantor (the receipt of which is hereby acknowledged) the Grantor doth hereby grant and convey unto the Grantee, its successors and assigns, the full right and liberty in perpetuity for the Grantee, its successors and assigns and its agents or servants and all other persons authorized in that behalf by it from time to time, and members of the public at large, and at all times hereafter at its will and pleasure, a free and uninterrupted right-of-way, ingress, egress, and regress for **public passage by foot, bicycles, and non-motorized vehicles excepting motorized wheelchairs or electric scooters designed for disabled persons, and Municipal vehicles**, through, along and over that certain parcel or tract of land and premises described as follows:

## DESCRIPTION OF RIGHT OF WAY

**Statutory Right of Way over that part of Lot 1, Section 27, Victoria District, Plan EPP135794 shown outlined in bold and labelled as “SRW Area” containing 229.6 m<sup>2</sup> on Explanatory Plan EPP136016, a reduced copy of which is attached as Schedule “A” hereto**

(hereinafter called “the Right-of-Way”)

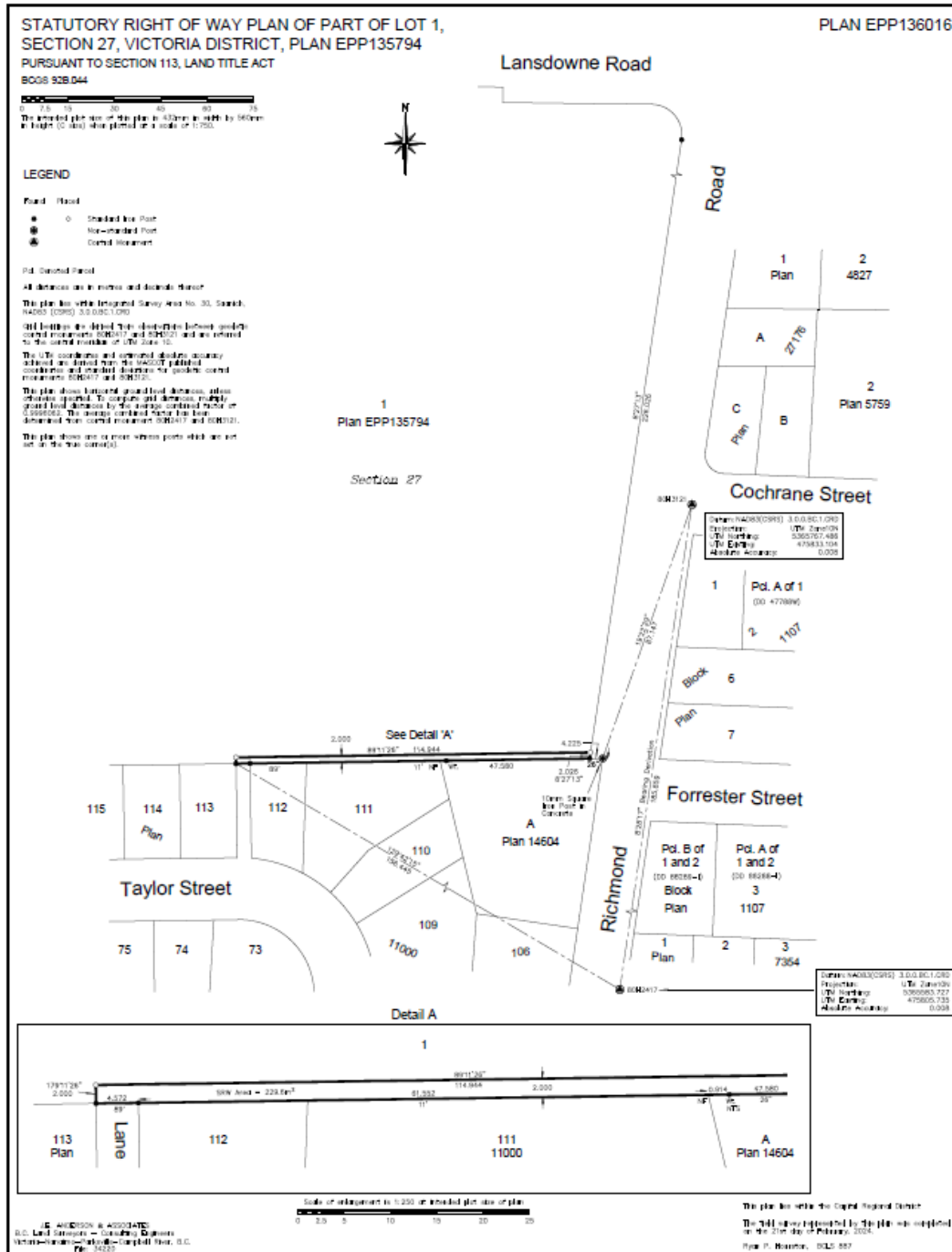
Notwithstanding the foregoing, the Grantor and the Grantee mutually agree that the statutory right-of-way herein granted shall only be effective upon completion of the construction of a public pathway on the Right-of-Way.

2. Except as otherwise set out herein, the Grantor hereby covenants with the Grantee not to make, place, erect, or maintain, subsequent to the date hereof any building, structure, excavation, pile of material or obstruction in, under or upon the Right-of-Way hereby granted that will block pedestrian access by the public without the written consent of the Grantee first had and obtained.
3. The Grantee hereby covenants with the Grantor:
  - (a) That the Grantee for itself, its successors and assigns, covenants with the Grantor and its successors and assigns, to indemnify, save and hold harmless the Grantor from any and all liability, damage, costs and expenses suffered or incurred by the Grantor in any way arising out of:
    - i) the use of the Right-of-Way by the Grantee, its agents or servants and all other persons authorized or permitted in that behalf by it;
    - ii) any negligent act or omission or wrongful act of the Grantee, its agents or servants and all other persons for whom it is responsible at law in connection with the exercise of any of the rights, obligations or responsibilities of the Grantee under this Agreement;
    - ii) the failure of the Grantee to perform any of its obligations hereunder.
  - (b) To maintain the Right-of-Way area in good repair the uses herein granted, provided that any repair required was not caused by any breach of the terms of this Agreement or negligence on the part of the Grantor.
  - (c) To comply with all applicable laws (including environmental laws) in exercising its rights and carrying out its obligations under this Agreement.
4. It is mutually agreed between the Grantee and the Grantor:
  - (a) That the Right-of-Way shall be construed as running with the land, that no part of the fee of the soil shall pass to or be vested in the Grantee under or by these presents and that the Grantor may use and enjoy the said lands subject only to the rights and restrictions herein provided;

- (b) That the Grantor shall be under no obligation whatsoever to repair or keep in repair or maintain the said Right-of-Way, except for any repair required by any breach of the terms of this Agreement or negligence on the part of the Grantor.
- (c) That the expressions "Grantee" and "Grantor" herein contained shall be deemed to include the executors, administrators, heirs, successors and assigns of such parties wherever the context so admits;
- (d) Wherever the singular and masculine are used in this agreement they shall be construed as meaning the plural or the feminine or the body corporate where the context or the parties hereto so require.
- (e) That the Grantee will have the right to construct upon the Right-of-Way subsequent to the date hereof such improvements as may be necessary to permit safe access by the public by foot or bicycle, including but not limited to a pathway, sidewalk and fencing built to Saanich Municipal Engineering specifications.
- (f) That the Grantee will have the right to landscape the Right-of-Way area to Saanich Municipal Parks specifications as may be required to allow for the construction and maintenance of a public pathway.

IN WITNESS HEREOF the parties hereto acknowledge that this agreement has been duly executed and delivered by the parties executing Form C attached hereto.

# SCHEDULE "A"



END OF DOCUMENT



**SURVEY PLAN CERTIFICATION  
PROVINCE OF BRITISH COLUMBIA**

PAGE 1 OF 2 PAGES

Your electronic signature is a representation that you are a British Columbia land surveyor and a subscriber under section 168.6 of the *Land Title Act*, RSBC 1996 c.250. By electronically signing this document, you are also electronically signing the attached plan under section 168.3 of the act.

**Ryan Hourston  
R2449Z**

 Digitally signed by Ryan  
Hourston R2449Z  
Date: 2024.02.21  
12:08:00 -08'00'

## 1. BC LAND SURVEYOR: (Name, address, phone number)

**Ryan P. Hourston**
**JE Anderson & Associates**
**4212 Glanford Avenue**
**Victoria**
**BC V8Z 4B7**
**Phone: (250) 727-2214**
**Email: rhourston@jeanderson.com**
**File:34220**
☐ Surveyor General Certification [For Surveyor General Use Only]

## 2. PLAN IDENTIFICATION:

 Control Number: **170-854-6080**

 Plan Number: **EPP136016**

 This original plan number assignment was done under Commission #: **887**

## 3. CERTIFICATION:

☒ Form 9

☐ Explanatory Plan

☐ Form 9A

I am a British Columbia land surveyor and certify that I was present at and personally superintended this survey and that the survey and plan are correct.

 The field survey was completed on: **2024 February 21** (YYYY/Month/DD) The checklist was filed under ECR#:

 The plan was completed and checked on: **2024 February 21** (YYYY/Month/DD) **279381**
☒ None ☐ Strata Form S

☒ None

☐ Strata Form U1

☐ Strata Form U1/U2

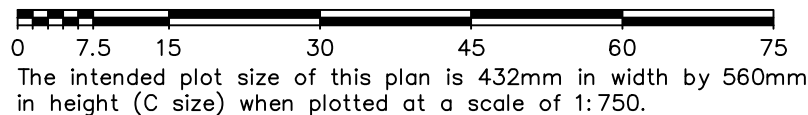
 Arterial Highway ☐

 Remainder Parcel (Airspace) ☐

 4. ALTERATION: ☐

# PLAN EPP136016

BCGS 92B.044



## LEGEND

Found	Placed	
●	○	Standard Iron Post
⊗		Non-standard Post
⊕		Control Monument

Pcl. Denoted Parcel

All distances are in metres and decimals thereof

This plan lies within Integrated Survey Area No. 30, Saanich,  
NAD83 (CSRS) 3.0.0.BC.1.CRD

Grid bearings are derived from observations between geodetic control monuments 80H2417 and 80H3121 and are referred to the central meridian of UTM Zone 10.

The UTM coordinates and estimated absolute accuracy achieved are derived from the MASCOT published coordinates and standard deviations for geodetic control monuments 80H2417 and 80H3121.

This plan shows horizontal ground level distances, unless otherwise specified. To compute grid distances, multiply ground level distances by the average combined factor of 0.9996062. The average combined factor has been determined from control monument 80H2417 and 80H3121.

This plan shows one or more witness posts which are not set on the true corner(s).

1  
Plan EPP135794

Section 27

# Lansdowne Road

# Road

Cochrane Street

Datum: NAD83(CSRS) 3.0.0.BC.1.CRD  
Projection: UTM Zone10N  
UTM Northing: 5365767.486  
UTM Easting: 475833.104  
Absolute Accuracy: 0.008

1 | Pcl. A of 1  
(DD 47788W)

2 1107

Block

Plan 7

# Forrester Street

Pcl. B of  
1 and 2  
(DD 88289-1)

Pcl. A of  
1 and 2  
(DD 88288-1)

# 1 Plan

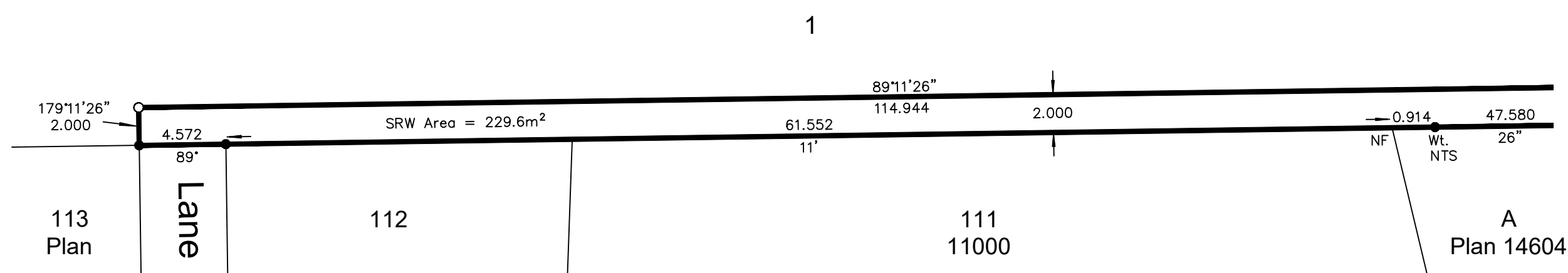
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2

7354

Datum: NAD83(CSRS) 3.0.0.BC.1.CRD  
Projection: UTM Zone10N  
UTM Northing: 5365583.727  
UTM Easting: 475805.735  
Absolute Accuracy: 0.008

### Detail A



Scale of enlargement is 1:250 at intended plot size of plan

This plan lies within the Capital Regional District

The field survey represented by this plan was completed on the 21st day of February, 2024.

Ryan P. Hourston, BCLS 887

J.E. ANDERSON & ASSOCIATES  
B.C. Land Surveyors – Consulting Engineers  
Victoria–Nanaimo–Parksville–Campbell River, B.C.  
File: 34220

Special Open Board of Education meeting October 10, 2024

**THE BOARD OF EDUCATION OF  
SCHOOL DISTRICT NO. 61 (GREATER VICTORIA)**

**LANSDOWNE NORTH MIDDLE SCHOOL – DISPOSAL (ROAD DEDICATIONS AND STATUTORY RIGHT-  
OF-WAY) OF REAL PROPERTY BYLAW 25-02**

WHEREAS a board of education may dispose of land or improvements owned or administered by the board of education under the authority of Section 96(3) of the *School Act* (British Columbia), 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, a transfer by way of grant or charge;

AND WHEREAS effective September 3, 2008, the Minister issued Order M193/08 (Disposal of Land or Improvements Order), which requires disposal of land or improvements by sale and transfer in fee simple to be specifically approved by the Minister, unless such disposal is to another board of education, a francophone education authority or an independent school;

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

AND WHEREAS pursuant to advice from staff of the Minister provided to the Secretary-Treasurer, road dedications without monetary or land consideration exchanged to a municipal authority that is ancillary to a disposition involving another school board and requiring a subdivision to effect the transfer, does not require approval from the Minister;

AND WHEREAS Section 65(5) of the *School Act* (British Columbia) requires a board of education to 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. 61 (Greater Victoria) (the “**Board**”) is the owner of those certain lands and premises with a civic address of 1765 Lansdowne Road, Victoria, British Columbia and legally described as Parcel Identifier: 005-852-862, Lot A Section 27 Victoria District Plan 6679 (the “**Property**”);
- (b) The Board entered into a purchase and sale agreement dated March 25, 2021 with the Conseil Scolaire Francophone de la Colombie-Britannique (the “**CSF**”), which agreement was amended and replaced by an amended and restated purchase and sale agreement dated March 15, 2024, as subsequently amended by a first addendum dated for reference August 14, 2024 and a second addendum dated for reference September 27, 2024, and as may be further amended from time to time (collectively, the “**Purchase Agreement**”);

- (c) The Purchase Agreement contemplates the subdivision of the Property to create two separate legal parcels having a legal description of (i) Lot 1, Section 27, Victoria District, Plan EPP135794 (the “**Board Parcel**”) and (ii) Lot 2, Section 27, Victoria District, Plan EPP135794 (the “**CSF Parcel**”), and the sale of the CSF Parcel (which CSF Parcel comprises approximately 7.3 acres of the Property) to the CSF;
- (d) The transactions and the subdivision of the Property contemplated in the Purchase Agreement, including the sale of the CSF Parcel to the CSF, were approved by the Board on October 5, 2021 pursuant to Bylaw 2021-03;
- (e) In connection with the subdivision of the Property required in order to complete the transactions contemplated in the Purchase Agreement, the District of Saanich (the “**Municipality**”) will require the Board:
  - (i) to dedicate as road (the “**Road Dedications**”) three (3) portions of the Property, as more particularly described in Schedule A attached hereto; and
  - (ii) to grant the Municipality a statutory right-of-way (the “**SRW**”) over a portion of the Board Parcel, as more particularly described in Schedule A attached hereto,

(the SRW, collectively with the Road Dedications, are herein referred to as the “**Grants**”);
- (f) In addition to the Grants, the Municipality may require certain modifications or amendments to the Grants, or the granting by the Board of additional charges, agreements and/or covenants; and
- (g) The Board is satisfied that it would be in the best interests of the Board to grant the Road Dedications and the SRW to the Municipality.

NOW THEREFORE be it resolved as a Bylaw of the Board that the Grants (and any modifications or amendments thereto) and any additional charges, agreements and/or covenants that the Municipality may require the Board to grant in connection with the subdivision of the Property as hereinbefore described are hereby authorized and approved, and that the Board grant the Road Dedications and the SRW to the Municipality in the form settled by the Board, the CSF and the Municipality, as applicable, subject to such modifications and amendments as the Secretary-Treasurer may, in her discretion, consider advisable, and register the subdivision plan in respect of the Property and the SRW against title to the Board Parcel at the Land Title Office.

BE IT FURTHER resolved as a Bylaw of the Board that the Secretary-Treasurer be and is hereby authorized, on behalf of the Board, to execute and deliver Grants in the form settled by the Board and the Municipality, subject to such modifications and amendments as the Secretary-Treasurer may, in her discretion, consider advisable, as witnessed by the signature of the Secretary-Treasurer.

This Bylaw may be cited as “School District No. 61 (Greater Victoria) Lansdowne North Middle School Disposal (Road Dedications and Statutory Right-of-Way) of Real Property Bylaw 25-02”.

Read a first time this 10th day of October, 2024.

Read a second time this 10th day of October, 2024.

Upon unanimous agreement of the Trustees of the Board in attendance, this Bylaw was read a third and final time on the 10th day of October, 2024, and finally passed and adopted this 10th day of October, 2024.

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 “School District No. 61 (Greater Victoria) Lansdowne North Middle School Disposal (Road Dedications and Statutory Right-of-Way) of Real Property Bylaw 25-02” adopted by the Board this 10th day of October, 2024.

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Secretary-Treasurer



## **Schedule A**

### **Road Dedications**

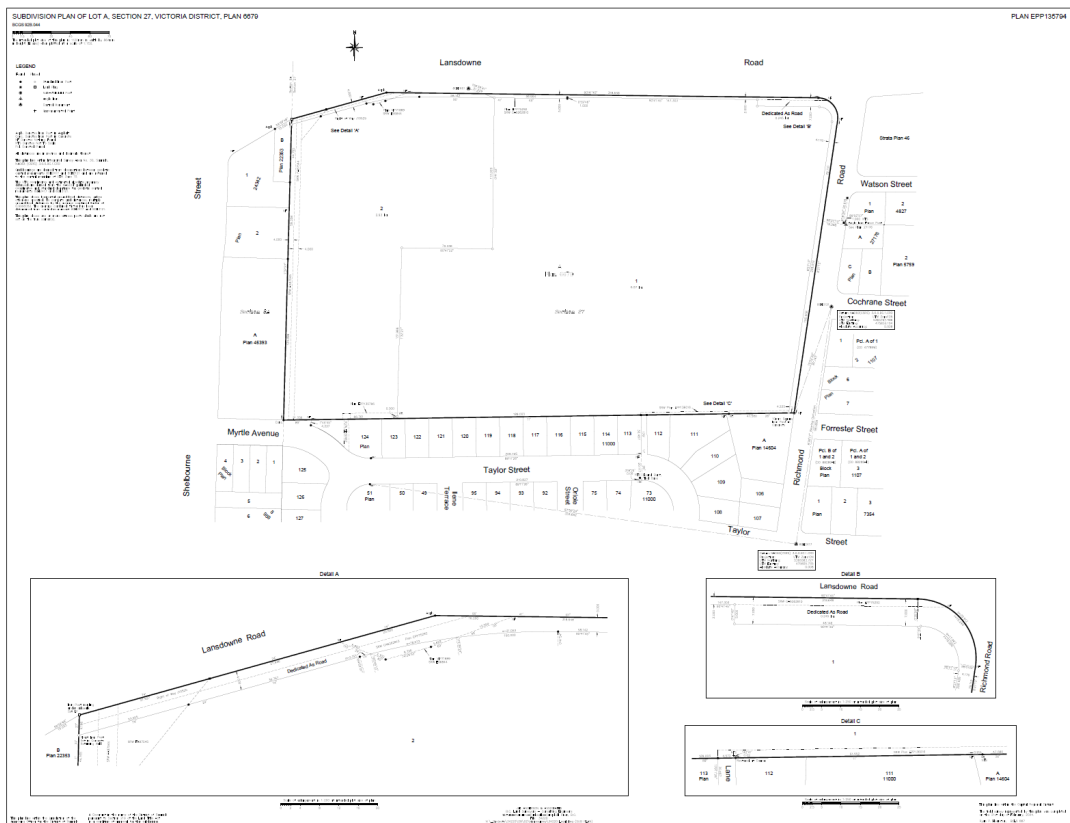
1. Lansdowne Road: The Municipality requires a road dedication along Lansdowne Road to be covered by a modification of the existing pedestrian SRW CA626810. As shown on Plan EPP135794 attached hereto as Appendix 1.
2. Richmond Road: The Municipality requires a road dedication along Richmond Road. The road will be widened with a 3.3-metre vehicle lane, 2-metre landscaped boulevard, 2-metre bike lane, and a 2-metre separate sidewalk. As shown on Plan EPP135794 attached hereto as Appendix 1.
3. Right Turn Lane at the Intersection of Lansdowne Road and Richmond Road: The Municipality requires a 5-metre-wide and 60-metre-long road dedication for a future right turn lane at the intersection of Lansdowne Road and Richmond Road. As shown on Plan EPP135794 attached hereto as Appendix 1.

### **Statutory Right-of-Way**

1. The Municipality requires a statutory right-of-way for a 2-metre-wide asphalt walkway between Richmond Road and the existing pathway between 1766 and 1770 Taylor Avenue. As shown on Plan EPP136016 attached hereto as Appendix 2.

# Appendix 1

## Plan EPP135794



## Plan EPP136016

