

## CSF PEMBERTON SECTION 219 FLOOD COVENANT 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 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 7371 Highway 99, Pemberton, British Columbia V0N 2L0 (the “**Property**”);
- (ii) the legal description of the Property is:
  - Parcel Identifier: 009-378-740,
  - Legal Description: Lot 3 District Lot 203 Lillooet District Plan 12807 Except that Part which lies to the East of the East Boundary of Plan Crown Grant 253;
- (iii) the Village of Pemberton requires that the CSF grant a Section 219 Flood Covenant in favour of the Village of Pemberton (the “**Covenant**”) prior to issuance of a building permit for the Property whereby the CSF acknowledges that the Property is designated as a flood plain and that the buildings to be constructed on the Property are subject to certain geotechnical hazards;
- (iv) the CSF is satisfied that it would be in the best interests of the CSF to grant the Covenant and that the granting of the Covenant 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 grant the Covenant in favour of the Village of Pemberton in the form required by the Village of Pemberton, subject to such amendments as the Secrétaire-trésorier par intérim may, in his or



her discretion, consider advisable, and register the Covenant 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 Covenant in such form 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 in favour of the Village of Pemberton 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 Pemberton Section 219 Flood Covenant Bylaw 2025".

Read a first time on the 05th day of March 2025.

Read a second time on the 05th day of March, 2025.

Read a third time on this 13th day of March 2025, and finally passed and adopted the 13<sup>th</sup> day of March 2025.

\_\_\_\_\_  
Président

Corporate Seal

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Secrétaire-trésorier par interim

I HEREBY CERTIFY this to be a true original of Conseil Scolaire Francophone de la Colombie-Britannique Conseil Scolaire Francophone de la Colombie-Britannique Pemberton Section 219 Flood Covenant Bylaw 2025, adopted by the CSF the 13th day of March 2025.

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Secrétaire-trésorier par intérim