



**NANAIMO LADYSMITH PUBLIC SCHOOLS  
BUSINESS COMMITTEE  
PUBLIC MEETING  
ACTION SHEET**

DATE: April 12, 2023  
TO: Business Committee  
FROM: Mark Walsh, Secretary-Treasurer  
Pete Sabo, Executive Director Planning Operations  
Kelsey Bakewell, Manager, Facilities Planning  
SUBJECT: Forest Park Elementary School Waterworks Right-of-Way and Covenant Bylaw, 2023

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**Recommendation**

***The Business Committee recommends that the Board of Education of School District No. 68 (Nanaimo-Ladysmith) pass all three readings of the Bylaw, cited as "Forest Park Elementary School Waterworks Right-of-Way and Covenant Bylaw, 2023" in one meeting, and that the Board of Education of School District No.68 (Nanaimo-Ladysmith) adopt the Bylaw cited as "Forest Park Elementary School Waterworks Right-of-Way and Covenant Bylaw, 2023", during the April 26, 2023, Regular Board meeting.***

**Background**

The City of Nanaimo has requested access to a portion of the Forest Park Elementary School site, located at 2050 Latimer Rd, for the purpose of checking and maintaining a new water meter.

A new water service was required as part of the construction of the childcare located at the Forest park site and could not be accommodated on the roadway. The meter is located in a concrete vault along the southwest property line. This is not atypical, and a number of Statutory Right of Ways ("SRW") have been granted in the past.

A legal survey was conducted to identify a specific portion of the property to grant the right of way and will be registered against the property title.

**Discussion**

For the purposes of providing a new water service, a SRW is required for the City to access, maintain, and check a water meter. Legal counsel was consulted to review the terms of the SRW as provided by the City. Minor edits were made, and the resulting document meets the requirements of both parties. Once the Bylaw has been passed by the Board, the Secretary-Treasurer can sign the SRW documents.

Appendix A: Forest Park Elementary School Waterworks Right-of-Way and Covenant Bylaw, 2023

Appendix B: Forest Park SRW Form C and Terms of Instrument

Appendix C: School Site Key Plan