



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

DATE: October 9, 2024
TO: Business Committee
FROM: Mark Walsh, Secretary-Treasurer
Pete Sabo, Executive Director of Planning & Operations
Dave Fenner, Manager of Facilities Planning
SUBJECT: Hammond Bay Elementary School – Waterworks Right-of-Way

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 “Hammond Bay Elementary School Waterworks Right-of-Ways Bylaw, 2024” in one meeting, and that the Board of Education of School District No. 68 (Nanaimo-Ladysmith) adopt the Hammond Bay Elementary School Waterworks Right-of-Ways Bylaw 2024, being a bylaw that provides the City of Nanaimo with Right-of Ways associated with access to a water meter at the Hammond Bay Elementary School Site, pursuant to Section 65(5) of the School Act, R.S.B.C. 1996, c. 412.

Background

The City of Nanaimo has requested access to a portion of the Hammond Bay Elementary School property, located at 1025 Morningside Drive, for the purpose of checking and maintaining a new water meter.

A new water service was required as part of the construction and could not be accommodated on the roadway. The meter is located in a concrete vault, below grade on the SE corner of the driveway. This is not atypical and a number of Statutory Right-of Ways of this nature have been granted on various school sites in the past.

Discussion

For the purposes of the City of Nanaimo Engineering Department providing a substantial completion certificate, a Statutory Right-of-Way (SRW) is required for the City to access, maintain, and check the water meter. Legal counsel was consulted to review the terms of the SRW as provided by the City of Nanaimo.

Once the Bylaw has been passed by the Board, the Secretary-Treasurer can sign the SRW documents.

Appendix A: Hammond Bay Elementary School Waterworks Right-of-Ways Bylaw, 2024

Appendix B: Schedule A (survey ROW)

Appendix C: Key Plan of School Site