



SCHOOL DISTRICT NO. 35 (LANGLEY) REGULAR MEETING OF THE BOARD OF EDUCATION

AGENDA

Wednesday, July 2, 2025
4:30 p.m.
Langley School Board Office

Pages

1. AUDIO VISUAL RECORDING (LIVESTREAMING) OF REGULAR BOARD MEETING

2. CALL TO ORDER

3. CONSIDERATION OF AGENDA

Recommendation:

That the Agenda be approved as presented.

4. SECRETARY-TREASURER'S REPORTS

4.1 NOEL BOOTH ELEMENTARY SCHOOL - SANITARY EASEMENT ACQUISITION BYLAW

1 - 5

Recommendation:

That The Board of Education of School District No. 35 (Langley) – Noel Booth Elementary School Sanitary Easement Acquisition Bylaw 2025 be given first reading.

Recommendation:

That The Board of Education of School District No. 35 (Langley) - Noel Booth Elementary School Sanitary Easement Acquisition Bylaw 2025 be given second reading.

Recommendation:

That The Board of Education of School District No. 35 (Langley) unanimously approves having all three readings of Noel Booth Elementary School Sanitary Easement Acquisition Bylaw 2025 at tonight's meeting.

Recommendation:

That The Board of Education of School District No. 35 (Langley) - Noel Booth Elementary School Sanitary Easement Acquisition Bylaw 2025 be given third reading, passed and adopted on the 2nd day of July, 2025.

5. QUESTION PERIOD

Question Period is provided at Board Meetings. The purpose is to ensure that those present in the audience have an opportunity to obtain clarification concerning business conducted during that meeting. Priority will be given to responding to one question per person before considering

further questions from any individual.

The following will help the public develop questions for Question Period at a Board Meeting that is keeping with the goal of a respectful and focused meeting.

Questions:

1. Need to be directed to the Chair and not to staff;
2. Need to be related directly to the topic on the agenda;
3. Need to be succinct, focused and not be a statement;
4. May not be asked that are related to personnel or directed at an individual trustee;
5. May not be asked that are related to contract negotiations; and
6. The questioner shall provide their name so that it can be reflected in the minutes.

All of the above are directions provided for in Board Policy No. 7 - Board Operations. The Chair may answer, may defer to staff or indicate a question may not be in keeping with the above guidelines.

The Board appreciates the public's interest and wants to ensure a professional meeting is conducted, with Question Period focused on providing guests with the clarification they seek.

Trustees also welcome questions from members of the public apart from Question Period. Their contact information is available on the School District website.

6. ADJOURNMENT

Recommendation:

That the meeting be adjourned at __ p.m.

STAFF REPORT

DATE: July 2, 2025

TO: Board of Education

FROM: Brian Iseli, Secretary-Treasurer

SUBJECT: Noel Booth Elementary School – Sanitary Easement Acquisition Bylaw

RECOMMENDED MOTIONS:

That The Board of Education of School District No. 35 (Langley) – Noel Booth Elementary School Sanitary Easement Acquisition Bylaw 2025 be given first reading.

That The Board of Education of School District No. 35 (Langley) - Noel Booth Elementary School Sanitary Easement Acquisition Bylaw 2025 be given second reading.

That The Board of Education of School District No. 35 (Langley) unanimously approves having all three readings of Noel Booth Elementary School Sanitary Easement Acquisition Bylaw 2025 at tonight's meeting.

That The Board of Education of School District No. 35 (Langley) - Noel Booth Elementary School Sanitary Easement Acquisition Bylaw 2025 be given third reading, passed and adopted on the 2nd day of July, 2025.

BACKGROUND:

The Board of Education of School District No. 35 (Langley) (the "**Board**") is the owner of the Noel Booth Elementary School site located at 20202 35 Avenue, Langley, British Columbia and legally described as Parcel Identifier: 006-123-431, Lot 12 Section 26 Township 7 New Westminster District Plan 46642 (the "**School Site**"). The Corporation of the Township of Langley (the "**Township**") is the owner of the Noel Booth Community Park site located adjacent to the School Site and legally described as Parcel Identifier: 006-124-208, Lot 13 Section 26 Township 7 New Westminster District Plan 46642 (the "**Township Park Site**").

The Board is undertaking a project on the School Site whereby it will decommission the existing septic system located on the School Site and tie in to the sanitary main at 200th Street. The Board intends to tie in to the system close to the existing septic tank on the School Site and run a new sanitary line down 35 Avenue and tie into the existing sanitary manhole on 200 Street. To proceed with such works, the Board

requires an easement in favour of the School Site, as dominant tenement, over the Township Park Site, as servient tenement. The Board has requested, and the Township is agreeable to, a grant of an easement in favour of the School Site over the Township Park Site for the proposed works. The location of the easement area over the Township Park Site is as shown on Explanatory Plan EPP146585.

Pursuant to Section 96(2)(a) of the *School Act* (British Columbia), a board of education may acquire and hold land or improvements, or both, within its school district. Section 96(1) of the *School Act* (British Columbia) defines "land" to include any interest in land, including any right, title or estate in it of any tenure. The word "acquire" is not defined in the *School Act* (British Columbia) but is defined in Section 29 of the *Interpretation Act* (British Columbia) to mean to obtain by any method and includes accept, receive, purchase, be vested with, lease, take possession, control or occupation of, and agree to do any of this things, but does not include expropriate. Therefore, a grant of an easement in favour of the School Site would be considered an acquisition of land under the *School Act* (British Columbia).

Section 65(5) of the *School Act* (British Columbia) provides that a board may exercise a power with respect to the acquisition of property by the board only by bylaw. Therefore, in order for the Board to accept an easement over the Township Park Site in favour of the School Site, the Board will need to pass and adopt a board bylaw with three readings.

Staff recommends that the Board approve and accept the grant of an easement in favour of the School Site over the Township Park Site from the Township and give three readings to the School District No. 35 (Langley) Noel Booth Elementary School Sanitary Easement Acquisition Bylaw.

THE BOARD OF EDUCATION OF SCHOOL DISTRICT NO. 35 (LANGLEY)
NOEL BOOTH ELEMENTARY SCHOOL SANITARY EASEMENT ACQUISITION BYLAW, 2025

WHEREAS The Board of Education of School District No. 35 (Langley) (the “**Board**”) is a board of education constituted under the *School Act* (British Columbia);

AND WHEREAS the Board may acquire and hold land or improvements, or both, within its school district under the authority of Section 96(2)(a) of the *School Act* (British Columbia);

AND WHEREAS Section 96(1) of the *School Act* (British Columbia) defines “land” to include any interest in land, including any right, title or estate in it of any tenure, for the purposes of Section 96 of the *School Act* (British Columbia);

AND WHEREAS the *Interpretation Act* (British Columbia) defines the word “acquire” to mean to obtain by any method and includes accept, receive, purchase, be vested with, lease, take possession, control or occupation of, and agree to do any of those things, but does not include expropriate;

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. 35 (Langley) (the “**Board**”) is the owner of a certain property located 20202 35 Avenue in the Township of Langley known as the Noel Booth Elementary School site and legally described as follows:

Parcel Identifier: 006-123-431
Legal Description: Lot 12 Section 26 Township 7 New Westminster District Plan 46642

(the “**Board Property**”);

- B. the Board Property is facility number 3535044;

- C. The Corporation of the Township of Langley (the “**Township**”) is the owner of certain property located in the Township of Langley that is adjacent to the Board Property and legally described as follows:

Parcel Identifier: 006-124-208
Legal Description: Lot 13 Section 26 Township 7 New Westminster District Plan 46642

(the “**Township Property**”);

- D. the Board has requested that the Township grant to it an easement for the benefit of the Board Property (the “**Easement**”) to facilitate the construction, improvement, alteration, repair, and maintenance of sanitary sewer works and services through that portion of the Township Property shown boldly outlined on Explanatory Plan EPP146585, a reduced copy of which is attached hereto as Schedule A; and

- E. the Board is satisfied that it would be in the best interest of the Board to receive the Easement from the Township to facilitate the development and use of the Board Property as a school.

NOW THEREFORE BE IT RESOLVED as a Bylaw of the Board that the Board enter into the Easement and obtain the rights granted under the Easement for the benefit of the Board Property from the Township in the form required by the Township, subject to such amendments as the Secretary-Treasurer may, in his discretion, consider advisable.

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 the Easement in such form and with such amendments thereto as the Secretary-Treasurer may, in his discretion, consider advisable, and the Secretary-Treasurer be and is hereby authorized, on behalf of the Board, to execute and deliver all related and ancillary documents and all other documents required to complete the granting of the Easement by the Township to the Board on such terms and conditions as the Secretary-Treasurer may, in his discretion, consider advisable as witnessed by the signature of the Secretary-Treasurer.

This Bylaw may be cited as "School District No. 35 (Langley) Noel Booth Elementary School Sanitary Easement Acquisition Bylaw".

Read a first time this 2nd day of July, 2025.

Read a second time this 2nd day of July, 2025.

Upon unanimous agreement of the Trustees of the Board in attendance, this Bylaw was read a third time on the 2nd day of July, 2025, and finally passed and adopted this 2nd day of July, 2025.

Chairperson of the Board

Corporate Seal

Secretary-Treasurer

I HEREBY CERTIFY this to be a true original of the School District No. 35 (Langley) Noel Booth Elementary School Sanitary Easement Acquisition Bylaw, 2025, adopted on the 2nd day of July, 2025.

Secretary-Treasurer

SCHEDULE A EASEMENT AREA

