



**Chilliwack
School District**

THE BOARD OF EDUCATION

School District #33 (Chilliwack)

Special Regular Board Meeting in Public

(Virtual - Zoom Webinar)

AGENDA

November 13, 2025

10:30 am

1. CALL TO ORDER

1.1. Call to Order

(Welcome, Acknowledgment of Traditional Territory and Diversity Statement)

1.2. Adoption of the Agenda

(THAT the agenda be adopted as circulated.)

2. ACTION ITEMS

2.1. Capital Bylaw

2.2. Financing Resolution

2.3. Board Bylaw for Acquisition

3. ADJOURNMENT

DECISION REPORT

Special Regular Board Meeting

DATE: November 13, 2025

TO: Board of Education

FROM: Simone Sangster, Secretary Treasurer

RE: **PROPERTY ACQUISITION**

Actions for the Board's Consideration

Simone Sangster, Secretary Treasurer will review the proposed property acquisition at 5303 Promontory Road, Chilliwack, British Columbia and legally described as Parcel Identifier: 001-609-343, Lot 2 Section 5 Township 26 New Westminster District Plan 69282 (the "Property"). The Board will have an opportunity to review the purchase and ask questions prior to the consideration of the recommended bylaws.

The actions required by the board to proceed with the purchase are three recommendations comprising a bylaw to amend the District's 2025-26 capital bylaw to include this acquisition, a resolution authorizing the Board to borrow funds to complete the transaction, and a bylaw approving acquisition of the Property on the agreed terms. A site in this area was part of the District's 2025-26 5-year capital plan approved by the board June 11, 2024. The capital bylaw reflecting Provincially supported items for this plan was approved in April 22, 2025 and then amended June 17, 2025; we are adding the acquisition of the Property as a project that is not financially supported by the Ministry.

A. Capital Bylaw

Amended Capital Bylaw No. 2025/26-CPSD33-03, No. B2025-05C

To Amend Capital Bylaw No. 2025/26-CPSD33-02, No. 2025-06

RECOMMENDATION:

1. THAT the Board approve three readings of Capital Project Bylaw No.2025/26-CPSD33-03, No. B2025-05C at the November 13, 2025 Special Regular Board Meeting.
(vote must be unanimous)
2. THAT the Board approve first reading of Capital Project Bylaw No.2025/26-CPSD33-03, No. B2025-05C (attached).

If recommendation 1 is approved continue with the following:

3. THAT the Board approve second reading of Capital Project Bylaw No.2025/26-CPSD33-03, No. B2025-05C (attached).

4. THAT the Board approve third reading and adoption of Capital Project Bylaw No. 2025/26-CPSD33-03, No. B2025-05C (attached).

B. Financing Resolution

RECOMMENDATION:

THAT the Board of Education authorizes School District 33 (Chilliwack) to borrow from Scotiabank up to a maximum of \$6,500,000 for School Site Acquisition.

C. Board Bylaw for Acquisition

5303 PROMONTORY ROAD, CHILLIWACK SITE ACQUISITION BYLAW, 2025, No. B2025-04A

RECOMMENDATION:

1. THAT the Board approve three readings of the 5303 Promontory Road, Chilliwack Site Acquisition Bylaw, 2025, No. B2025-04A at the November 13, 2025 Special Regular Board Meeting.
(vote must be unanimous)
2. THAT the Board approve first reading of 5303 Promontory Road, Chilliwack Site Acquisition Bylaw, 2025, No. B2025-04A (attached).

If recommendation 1 is approved continue with the following:

3. THAT the Board approve second reading of the 5303 Promontory Road, Chilliwack Site Acquisition Bylaw, 2025, No. B2025-04A (attached).
4. THAT the Board approve third reading and adoption of the 5303 Promontory Road, Chilliwack Site Acquisition Bylaw, 2025, No. B2025-04A (attached).

BACKGROUND:

Rationale

With school district enrollment growing for nearly a decade, the district has long looked for property in the Promontory area. The request for funding for a site has been in the district's 5-year capital plan for the last 10-years. Funding for a site was approved in the 2023-24 provincial capital funding cycle; however, a suitable property was not identified at the time.

In early 2025, the District was approached by the sellers of a 6.8-acre site on Promontory and asked if we were interested in acquiring the Property. The site was identified as an ideal location for an elementary school. In June, the district entered a purchase and sale agreement with the vendor to acquire the property for \$9,100,000 subject to the district's due diligence and approval from the board and the Ministry. The date for release of subject terms has been extended to November 14, 2025.

Over the summer, the district's due diligence confirmed the suitability of the site for a 500-student elementary school. We confirmed with an architect the suitability for situating a 500-student elementary school and conducted environmental and geological surveys and testing, which confirmed the suitability of the site for a school. We have been advised of some items that we will follow up on further in the future.

Cost

The total cost of acquisition is estimated to be approximately \$9,500,000. This total cost comprises purchase price of \$9,100,000, GST of \$145,600, and due diligence, appraisal and legal fees of approximately \$250,000.

Funding

The district has \$3,250,000 of school site acquisition charge (SSAC) funds, which are available to fund the purchase of the site. The remainder of the acquisition cost will be funded by borrowings.

The Ministry supported, or funded, projects for 2025-26 did not envisage a property acquisition. Timing of when a property becomes available and when the Ministry approves funding can be difficult to match up. A property acquisition in the South of Chilliwack has been listed in the district's 5-year capital plan for more than 10-years. Unfortunately, the Ministry was unable to provide funding support for the acquisition at this time.

The Minister of Infrastructure has provided approval for the board to borrow up to \$6.5 million, under section 144 of the *School Act*, to fund the purchase of the Property. Moreover, the Minister allowed that future SSAC's will be used to pay interest on the loan with any remaining funds used to pay down the principal.

The District has received approval from Scotiabank for an annually renewing Operating Line facility of \$6,500,000 at prime interest rate with interest payable monthly. We anticipate drawing on \$6,000,000 for the acquisition and the estimated annual cost of interest on a \$6,000,000 loan is currently \$282,000. While SSAC's are based on actual developer activity, a review of recent payments indicates that we might anticipate an annual receipt of SSAC funds of approximately \$200,000.

Risk

The District is proposing that the property be acquired for the purpose of adding an elementary school on the site. Ministry approvals and funding are required for the construction of the school. At this point, the site purchase is funded entirely by the District through available SSAC funds and credit. We have been advised to continue including this item in the District's 5-year capital plans with the expectation that it may be approved and funded in a future funding cycle.

The transaction therefore presents several risks that the board should consider:

- *the Board is binding future Board's to potentially extinguish the principal*
We will continue to apply for funding for the acquisition; however, the likelihood of receiving Ministry funding is unknown and it is a decision that is beyond the control of the District; and
- *the Board is binding future Board's to the ongoing interest payments*
The interest costs are a budgetary obligation. While it is possible that interest may be substantially covered by the SSAC each year, it remains a cost for the district, and there is a risk the entire cost must be paid out of annual operating costs.



**AMENDED CAPITAL BYLAW NO. 2025/26-CPSD33-03, No. B2025-05C
TO AMEND CAPITAL BYLAW NO. 2025/26-CPSD33-02, No. 2025-06
CAPITAL PLAN 2025/26**

WHEREAS:

- A. In accordance with Section 142 of the *School Act* (British Columbia), The Board of Education of School District No. 33 (Chilliwack) (the “**Board**”) submitted a 2025/2026 capital plan to the Minister of Infrastructure (the “**Minister**”);
- B. By letter addressed to the Secretary Treasurer and the Superintendent of the Board dated March 25, 2025, the Minister approved the capital projects specified in that letter for inclusion in the Board’s 2025/26 Capital Plan (as approved, the “**2025/26 Capital Plan**”);
- C. On June 17, 2025, the Board enacted Capital Bylaw No. 2025/26-CPSD33-02, No. 2025-06 (the “**2025/26 Capital Bylaw**”) approving the 2025/26 Capital Plan;
- D. By letter addressed to the Secretary Treasurer of the Board dated October 27, 2025 (the “**Approval Letter**”), the Minister approved the Board borrowing \$6,500,000.00 (the “**Borrowing**”) for the purchase of the lands and premises located at 5303 Promontory Road, Chilliwack, British Columbia and legally described as Parcel Identifier: 001-609-343, Lot 2 Section 5 Township 26 New Westminster District Plan 69282 (the “**Property**”); and
- E. By letter addressed to the Secretary Treasurer of the Board dated November 12, 2025, the Minister has approved this amendment of the 2025/26 Capital Bylaw.

NOW THEREFORE in accordance with Section 143 of the *School Act* (British Columbia), the Board has prepared this Amended Capital Bylaw and agrees to do the following:

- (a) authorize the Secretary Treasurer to execute a capital project funding agreement(s) related to the capital project(s) contemplated by the capital plan or the capital plan with modifications;
- (b) upon ministerial approval to proceed, commence the capital project(s) and proceed diligently and use its best efforts to complete each capital project substantially as directed by the Minister;
- (c) observe and comply with any order, regulation, or policy of the Minister as may be applicable to the Board or the capital project(s); and
- (d) maintain proper books of account, and other information and documents with respect to the affairs of the capital project(s), as may be prescribed by the Minister.

NOW THEREFORE the Board enacts as follows:

- 1. School District No. 33 (Chilliwack) Capital Bylaw No. 2025/26-CPSD33-02, No. 2025-06 is hereby amended to include the Property.

2. The amendment to the 2025/2026 Capital Bylaw of the Board for the 2025/2026 Capital Plan, as approved by the Minister, to include the Property, is hereby adopted.
3. This Capital Bylaw may be cited as School District No. 33 (Chilliwack) Capital Bylaw No. 2025/26-CPSD33-03, No. B2025-05C.

READ A FIRST TIME THE 13th DAY OF NOVEMBER, 2025;

READ A SECOND TIME THE 13th DAY OF NOVEMBER, 2025;

READ A THIRD TIME, PASSED THE 13th DAY OF NOVEMBER, 2025.

Board Chair

Secretary Treasurer

I HEREBY CERTIFY this to be a true and original School District No. 33 (Chilliwack) Capital Bylaw No. 2025/26-CPSD33-03, No. B2025-05C adopted by the Board the 13th day of November, 2025.

Secretary Treasurer



**THE BOARD OF EDUCATION OF SCHOOL DISTRICT NO. 33 (CHILLIWACK)
5303 PROMONTORY ROAD, CHILLIWACK, BC BORROWING RESOLUTION, 2025**

WHEREAS Section 144(1) of the *School Act* (British Columbia) restricts a board of education from borrowing or spending money in respect of a capital plan expenditure unless the board of education has adopted a capital bylaw in accordance with Section 143 of the *School Act* (British Columbia) and the Minister of Infrastructure (the “**Minister**”) has in writing authorized the borrowing or expenditure;

AND WHEREAS Section 144(6) of the *School Act* (British Columbia) restricts a board of education from borrowing money for capital expenditures unless the Minister has authorized the borrowing in writing;

AND WHEREAS in accordance with Section 142 of the *School Act* (British Columbia), The Board of Education of School District No. 33 (Chilliwack) (the “**Board**”) submitted a 2025/2026 capital plan to the Minister;

AND WHEREAS by letter addressed to the Secretary Treasurer and the Superintendent of the Board dated March 25, 2025, the Minister approved the capital projects specified in that letter for inclusion in the Board’s 2025/26 Capital Plan (as approved, the “**2025/26 Capital Plan**”);

AND WHEREAS on June 17, 2025, the Board enacted Capital Bylaw No. 2025/26-CPSD33-02, No. 2026-06 (the “**Original 2025/26 Capital Bylaw**”) approving the 2025/26 Capital Plan in accordance with Section 143 of the *School Act* (British Columbia);

AND WHEREAS by letter addressed to the Secretary Treasurer of the Board dated October 27, 2025, the Minister approved the Board borrowing \$6,500,000.00 (the “**Borrowing**”) for the purchase of the lands and premises located at 5303 Promontory Road, Chilliwack, British Columbia and legally described as Parcel Identifier: 001-609-343, Lot 2 Section 5 Township 26 New Westminster District Plan 69282 (the “**Property**”);

AND WHEREAS by letter addressed to the Secretary Treasurer of the Board dated November 12, 2025, the Minister approved an amendment to the 2025/26 Capital Bylaw in accordance with Section 143(3) of the *School Act* (British Columbia);

AND WHEREAS on November 13th, 2025, the Board enacted Amended Capital Bylaw No. 2025/26-CPSD33-03, No. B2025-05C (the “**Amended 2025/26 Capital Bylaw**”) to amend the Original 2025/26 Capital Bylaw to include the acquisition to the Property by way of the Borrowing as a supported capital project;

AND WHEREAS the Board has determined that, and is of the opinion that, it is in the best interests of the Board to borrow the sum of \$6,500,000.00 (the “**Loan**”) from The Bank of Nova Scotia (the “**Lender**”) on the terms and subject to the conditions of the credit facility agreement to be entered into between the Lender and the Board (the “**Credit Agreement**”) to purchase the Property;

BE IT IS RESOLVED THAT:

1. The borrowing of the Loan by the Board and the execution and delivery by the Board of the Credit Agreement and security documents contemplated by the Credit Agreement (collectively, the “**Documents**”), the creation and issuance of the Documents and the incurring by the Board of its obligations and liabilities pursuant to each of the same is in the best interests of the Board.
2. The execution and delivery of the Credit Agreement by the Board, and the performance of its obligations thereunder, are hereby approved, ratified and confirmed.
3. The Board execute and deliver the security documents contemplated by the Credit Agreement (collectively, the “**Security Documents**”), and perform its obligations under each of the same.
4. The Security Documents, after the issue thereof, shall be delivered to the Lender as security for the advance of the Loan, and any unpaid balance thereof and any other indebtedness of the Board under the Documents.
5. The Documents, in each case in the form and terms with such amendments or variations thereto as any of the Secretary Treasurer, Assistant Secretary Treasurer or Superintendent may deem appropriate to approve, be and each is hereby approved and hereby authorized to be executed and delivered for and on behalf of and in the name of any one of the Board by the Secretary Treasurer, Assistant Secretary Treasurer or Superintendent of the Board, and the approval of any one of the Secretary Treasurer, Assistant Secretary Treasurer or Superintendent signing any such document or instrument or any such amendment or variation thereto be conclusively evidenced by his or her execution thereof and the Documents so executed be and are the Documents authorized by these resolutions.
6. Any one of the Secretary Treasurer, Assistant Secretary Treasurer or Superintendent of the Board be and each is hereby authorized to execute and deliver, for and on behalf of and in the name of the Board, under the common seal of the Board or otherwise, all such instruments and writings, and to do all such other acts and things, that may be necessary or in the opinion of the Lender desirable to complete the Loan and to give and perfect any security therefor or as any one of the Secretary Treasurer, Assistant Secretary Treasurer or Superintendent in his or her discretion may consider to be necessary, desirable or useful for the purpose of giving effect to all of these resolutions, or as may be required to carry out the full intent and meaning hereof.

I hereby certify this to be a true copy of the School District No. 33 (Chilliwack) 5303 Promontory Road, Chilliwack, BC Borrowing Resolution, 2025 adopted by The Board of Education of School District No. 33 (Chilliwack) on this 13th day of November, 2025.

Simone Sangster, Secretary Treasurer
The Board of Education of School District No.
33 (Chilliwack)



**THE BOARD OF EDUCATION OF SCHOOL DISTRICT NO. 33 (CHILLIWACK)
5303 PROMONTORY ROAD, CHILLIWACK SITE ACQUISITION BYLAW, 2025, NO. B2025-04A**

WHEREAS The Board of Education of School District No. 33 (Chilliwack) (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 Sections 96(2)(a) of the *School Act* (British Columbia);

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 only by bylaw;

AND WHEREAS:

A. Gerald K.H. Lim Holdings Ltd. (the “**Vendor**”) owns certain lands and premises having a civic address of 5303 Promontory Road, Chilliwack, British Columbia (the “**Property**”);

B. the legal description of the Property is as follows:

Parcel Identifier: 001-609-343

Legal Description: Lot 2 Section 5 Township 26 New Westminster District Plan 69282;

C. the Board has entered into a purchase and sale agreement (the “**Purchase Agreement**”) with the Vendor pursuant to which the Board will, subject to bylaw approval, funding approval and other conditions set out in the Purchase Agreement, purchase the Property from the Vendor for a purchase price of \$9,100,000.00 (the “**Purchase Price**”), subject to adjustments as more particularly described in the Purchase Agreement;

D. the Board is satisfied that the Purchase Price represents the fair market value of the Property, and it would be in the best interests of the Board to enter into the Purchase Agreement and, pursuant to the Purchase Agreement, complete the purchase of the Property; and

E. on October 27, 2025, the Minister of Infrastructure approved the acquisition of the Property by the Board and, pursuant to Section 144 of the *School Act* (British Columbia) approved the borrowing by the Board of up to \$6,500,000.00 to fund the purchase of the Property.

NOW THEREFORE BE IT RESOLVED as a Bylaw of the Board that the Purchase Agreement and the purchase of the Property by the Board from the Vendor be and are hereby authorized and approved.

BE IT FURTHER RESOLVED as a Bylaw of the Board that the borrowing of up to \$6,500,000.00 by the Board to purchase the Property be and is hereby authorized and approved.

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 Purchase Agreement in such form and with such amendments thereto as the Secretary Treasurer may, in his or her 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 required to complete the purchase of the Property by the Board from the Vendor on such terms and conditions as the Secretary Treasurer may, in his or her discretion, consider advisable as witnessed by the signature of the Secretary Treasurer.

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 financing documents in connection with the purchase of the Property in such form and with such amendments thereto as the Secretary Treasurer may, in his or her 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 required to complete the financing of the purchase of the Property by the Board on such terms and conditions as the Secretary Treasurer may, in his or her discretion, consider advisable as witnessed by the signature of the Secretary-Treasurer.

This Bylaw may be cited as “School District No. 33 (Chilliwack) 5303 Promontory Road, Chilliwack Site Acquisition Bylaw 2025, No. B2025-04A”.

Read a first time this 13th day of November, 2025.

Read a second time this 13th day of November, 2025.

Upon unanimous agreement of the Trustees of the Board in attendance, this Bylaw was read a third time on the 13th day of November, 2025, and finally passed and adopted this 13th day of November, 2025.

Chairperson of the Board

Secretary Treasurer

I HEREBY CERTIFY this to be a true original of the School District No. 33 (Chilliwack) 5303 Promontory Road, Chilliwack Site Acquisition Bylaw 2025, No. B2025-04A adopted on the 13th day of November, 2025.

Secretary Treasurer