

**MINUTES OF THE ANNUAL GENERAL MEETING STRATA PLAN BCS1682 HELD  
WEDNESDAY, OCTOBER 3, 2007 AT HOLY FAMILY PARISH HALL, 5700 NICKERSON ROAD,  
SECHELT, B.C. 7:00 P.M.**

<b>REPRESENTATION:</b>	<b>IN PERSON</b>	<b>35</b>
	<b>PROXIES</b>	<b><u>10</u></b>
	<b>TOTAL</b>	<b><u>45</u></b>

**1. REGISTRATION**

Calling the Roll, Certification of Proxies and Issuance of Voting Cards was confirmed and it was determined that the Owners present constituted a quorum and the meeting was competent to proceed with business.

**2. PROOF OF NOTICE**

It was **MOVED** and **SECONDED** (SL17/SL21) that the Notice of Meeting was delivered and mailed in accordance with the Strata Property Act.

**CARRIED**

**3. CALL TO ORDER**

Ed Harker welcomed everyone and noted that Phase II would now be combined with Phase I as one complete Strata corporation. Ed introduced Sheila MacDonald reported that she had been helping the present Strata Council with the operations of the Strata Corporation. The meeting was called to order at 7:20 P.M.

**4. APPROVAL OF AGENDA**

Strata Corporation and Owner responsibilities, Landscaping, speed limits and street lighting were added to the agenda for discussion

**5. APPROVAL OF PREVIOUS MINUTES**

It was **MOVED** and **SECONDED** (SL#58/#11) that the minutes of the Annual General Meeting held Thursday, September 21, 2006 be approved as circulated.

**CARRIED**

**6. REVIEW OF INSURANCE COVERAGE**

A review of Strata Corporation Insurance was carried out. It was noted that Coastal Insurance is the carrier for Strata Corporation insurance. All Owners are encouraged to ensure that their individual insurance coverage is adequate, and not a duplication of Strata Corporation coverage.

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**7. CONSIDERATION OF ¾ VOTE RESOLUTIONS**

**a) ¾ VOTE #1**

It was **MOVED** and **SECONDED** (SL#58/#23) that ¾ Vote Resolution #1 be approved.

**BE IT RESOLVED BY ¾ VOTE RESOLUTION THAT**

“All previously registered Bylaws be repealed and replaced with the following

**STRATA PLAN BCS1682 BYLAWS  
CASCADE HEIGHTS**

**DIVISION 1 – Duties of Owners, Tenants, Occupants and Visitors**

**A. Payment of Strata Fees**

1. An Owner must pay Strata Fees on or before the first day of the month to which the Strata Fees relate. (Section 116)
2. If an Owner becomes 3 months delinquent in payment of Strata Fees a reminder letter will be sent and that failure to make payment for a period of 4 months will result in the issuance of a Demand Letter to the pay the outstanding Strata Fees within 30 days or have a lien registered on title of the Strata Lot.
3. Notwithstanding any provision of the Act, the Strata Corporation may proceed to collect money owing to the Strata Corporation, including money owing as a fine, without requiring authorization by Resolution passed by a ¾ Vote.

**B. Repair and Maintenance of Property by Owner**

1. An Owner must repair and maintain the Owner's Strata Lot, except for repair and maintenance that is the responsibility of the Strata Corporation under these Bylaws.

**C. Use of Property**

1. An Owner, Tenant, Occupant or Visitor must not use a Strata Lot and/or the Common Property in a way that
  - (a) causes a nuisance or hazard to another person,
  - (b) causes unreasonable noise,
  - (c) unreasonably interferes with the rights of other persons to use and enjoy the common property or another Strata Lot,
  - (d) is illegal, or
  - (e) is contrary to a purpose for which the Strata Lot or Common Property is intended as shown expressly or by necessary implication on or by the Strata Plan.
2. An Owner, Tenant, Occupant or Visitor must not cause damage, other than reasonable wear and tear, to the Common Property.
3. An Owner, tenant, Occupant or Visitor must ensure that all animals are leashed or otherwise secured when on the Common Property.

**DIVISION 2 - Repair and Maintenance of Property by Strata Corporation**

1. The Strata Corporation must maintain all the Common Property.

**DIVISION 3 – Strata Council**

**D. Council Size**

2. An Owner may not sit on Strata Council if that Owner Owe money to the Strata Corporation.
3. A the first meeting of the Strata Council held after each Annual General Meeting of the Strata Corporation, the Strata Council must elect, from among its members, a President, a Vice President, a Treasurer and a Secretary.
4. A quorum of Strata Council is 3, if the Strata Council consists of 5, 6 or 7 members.

**E. Calling Strata Council Meetings**

1. Any Strata Council Member may call a Strata Council by giving the other Strata Council Members at least one week's notice unless the other Strata Council Members agree to waive such notice.
2. Minutes of all Strata Council meetings must be distributed to Owners within 2 weeks of the meeting.

**F. Spending Restrictions**

1. A person may not spend the Strata Corporation's money unless the person has been delegated the power to do so by Strata Council, unless a repair or replacement is immediately required to ensure safety or prevent significant loss or damage.
2. Two Strata Council signatures will be required on all cheques issued by the Strata Corporation.

**G. Limitation on Liability of Strata Council Members**

1. A Strata Council Member who acts honestly and in good faith is not personally liable because of anything done or omitted in the exercise or intended exercise of any power or the performance or intended performance of any duty of the Strata Council

**DIVISION 4 – Enforcement of Bylaws and Rules**

**H. Fines and Penalties**

1. The Strata Corporation may fine an Owner or Tenant a maximum of
  - (a) \$50.00 for each contravention of a Bylaw, and
  - (b) \$10.00 for each contravention of a Rule.
2. If an Activity or lack of activity that constitutes a contravention of a Bylaw or rule continues, without interruption, for longer than 7 days, a fine may be imposed every 7 days.

**DIVISION 5 – Annual and Special General Meetings**

**I. Voting**

1. At an Annual or Special General Meeting, voting cards must be issued to eligible voters.
2. In order to be eligible to vote at an Annual or Special General meeting an Owner must not owe money to the Strata Corporation unless the vote is on a Unanimous Resolution.

**J. Order of Business**

1. The order of business at Annual and Special General Meetings is as follows:
  - (a) determine that there is a quorum;
  - (b) elect a person to chair the meeting, if necessary;
  - (c) present certify proxies and corporate representatives and issue voting cards;
  - (d) to the meeting proof of Notice of Meeting or Waiver of Notice;  
approve the agenda;
  - (e) approve minutes from the last Annual or Special General Meeting;
  - (f) deal with Unfinished Business;
  - (g) receive reports of Strata Council activities and decisions since the previous Annual General Meeting, including reports of Committees, if the meeting is an Annual General Meeting;
  - (h) ratify any new Rules made by the Strata Corporation under Section 125 of the Act;
  - (i) report on insurance coverage in accordance with Section 154 of the Act, if the meeting is an Annual General Meeting;
  - (j) approve the budget for the coming year in accordance with Section 103 of the Act, if the meeting is an Annual General Meeting;
  - (j) deal with new Business, including any matters about which notice has been given under Section 45 of the Act;
  - (k) elect a Strata Council if the meeting is Annual General Meeting;
  - (l) terminate the meeting.

**DIVISION 6 – General Bylaws**

**K Strata Corporation Year End**

1. The fiscal year for Strata Plan BCS1682 will follow the calendar year, January 1 to December 31.”

The proposed Bylaw Amendments were read and discussed.

The question was called on  $\frac{3}{4}$  Vote #1.

**RESOLUTION PASSED UNANIMOUSLY**

**b) ¾ VOTE #2**

It was **MOVED** and **SECONDED** (SL#23/#15) that ¾ Vote Resolution #2 be approved.

**BE IT RESOLVED BY ¾ VOTE RESOLUTION THAT**

**“DIVISION 1 – Duties of Owners, Tenants, Occupants and Visitors**

**C. Use of Property**

- 4 An Owner, Tenant or Occupant must not keep more than two pets on a Strata Lot i.e. two dogs, or two cats or one dog and one cat.”

There was discussion in regard to the need for a limit to the number of pets anyone could have. Consensus was that all residents must control pets and ensure that they did not become a problem to the neighbours.

The question was called on ¾ Vote #2

**RESOLUTION PASSED**

**40 Votes in Favour, 2 Votes Against**

**c) ¾ VOTE #3**

It was **MOVED** and **SECONDED** (SL#6/#23) that ¾ Vote Resolution #3 be approved

**BE IT RESOLVED BY ¾ VOTE RESOLUTION THAT**

**“DIVISION 3 – Strata Council**

**D. Council Size**

1. The Strata Council must have at least 3 and not more than 5 members.”

During discussion it was noted that there was no need to regulate the number of Strata Council Members. The present Strata council explained that it was less cumbersome to have a maximum of 5 Members for ease of calling meetings.

The question was called on ¾ Vote #3

**RESOLUTION PASSED**

**38 Votes in Favour, 4 Votes Against**

**d) ¾ VOTE #4**

It was **MOVED** and **SECONDED** (SL#11/#22) that ¾ Vote Resolution #4 be approved.

**BE IT RESOLVED BY ¾ VOTE RESOLUTION THAT**

**“DIVISION 6 – General Bylaws**

**“L Street Parking**

There shall be no parking permitted on any paved Common Property roadway within Cascade Heights at any time.”

There was considerable discussion regarding street parking. It was noted that there was no Visitor Parking in the complex and that not allowing street parking presented a problem for guests. It was noted that Emergency vehicles and garbage trucks could not pass if there were vehicles parked on the street. It was also noted that Owners could not get out of their driveways with vehicles parked on the street. The discussion was contentious at times.

It was also noted that Owners could not get out of their driveways with vehicles parked on the street.

The question was called on ¾ Vote #3

**RESOLUTION DEFEATED**

**28 Votes Against, 15 Votes in Favour**

It was **MOVED** and **SECONDED** (SL#58/#39) that the new Strata Council use discretion in drafting a new Rule to regulate street parking.

**RESOLUTION PASSED**

**30 Votes in Favour, 10 Votes Against**

**e) ¾ VOTE #5**

It was **MOVED** and **SECONDED** (SL#36/#40) that ¾ Vote Resolution #5 be approved.

**BE IT RESOLVED BY ¾ VOTE RESOLUTION THAT**

**“DIVISION 6 – General Bylaws**

**“M Recreational Vehicle Parking and Storage**

Storage of any recreational vehicle including trailers of all kinds on the front yard of any Strata Lot is prohibited.”

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Following brief discussion, the question was called on  $\frac{3}{4}$  Vote #5

**RESOLUTION PASSED**

**41 in Favour, 4 Against**

**f)  $\frac{3}{4}$  VOTE #6**

It was **MOVED** and **SECONDED** (SL#23/#6) that  $\frac{3}{4}$  Vote Resolution #6 be approved.

**BE IT RESOLVED BY  $\frac{3}{4}$  VOTE RESOLUTION THAT**

**“DIVISION 6 – General Bylaws**

**N. Rental Restrictions**

Subject to the provisions of this bylaw strata lots shall be owner-occupied only, with the following considerations and exceptions:

- (a) at any given time up to **five (5)** strata lots may be leased for terms of not less than one year, and the procedure to be followed by the Strata Corporation in administering this limit will be as follows:
  - (i) any owner wishing to rent a strata lot must make an application in writing to the council;
  - (ii) approvals will be granted by the council on a first come basis in the order of the date such applications are received by the council;
  - (iii) the council will not screen tenants, establish screening criteria, require the approval of tenants, require the insertion of terms in tenancy agreements or otherwise restrict the rental of a strata lot except as set out in this bylaw;
  - (iv) the council will consider each application upon receipt and will respond to each application in writing within one week of receipt;
  - (v) the council will keep a list of owners who wish to rent their strata lot and the priority of their application, and will advise each owner as soon as their application can be accepted;
  - (vi) upon acceptance of an application to rent, an owner must enter into a lease of a strata lot within six months (6) from acceptance by the council of such owner's application or the acceptance will be automatically revoked and the council will be entitled to advise the owner next following on the list that its application to rent a strata lot has been approved; and
  - (vii) an owner may continue to lease his or her strata lot until the earlier of the date such owner moves into the strata lot to take occupancy and the date the strata lot is sold by the owner to a third party.

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- (b) notwithstanding paragraph (a), where cases of undue physical or financial hardship of a personal nature arise, the owner may make a written request to the council for permission to rent a strata lot for a limited period of time, and where the council has been provided with evidence that undue hardship will result if limited rental approval is not given, the council shall not unreasonably withhold permission for limited rental;
- (c) this bylaw does not apply to prevent the rental of a strata lot to a member of the "family" of an owner, meaning:
  - (i) the spouse of the owner;
  - (ii) a parent or child of the owner; or
  - (iii) a parent or child of the spouse of the owner,

where "spouse of the owner" includes an individual who has lived and cohabitated with the owner, for a period of at least two years at the relevant time, in a marriage-like relationship, including a marriage-like relationship between persons of the same gender."

There was considerable discussion in regard to restriction of rentals in the complex. It was noted that there was a need in the community for rental units. Non resident Owners noted that they had purchased their units with the understanding that they would not have to deal with Rules and Bylaws as they had been informed that the only areas that were subject to rules and regulations were the Common Assets. There was concern expressed that rental restrictions could affect property values, however it was noted that having a rental restriction could be an asset. It was noted that all units presently rented would be covered under a grandfathering process and that the restriction to 5 rental units would be accomplished by attrition.

The question was called on  $\frac{3}{4}$  Vote #6.

**RESOLUTION DEFEATED**

**22 Votes Against, 21 Votes in Favour**

**g)  $\frac{3}{4}$  VOTE #7**

It was **MOVED** and **SECONDED** (SL#22/#58) that  $\frac{3}{4}$  Vote Resolution #7 be approved.

**BE IT RESOLVED BY  $\frac{3}{4}$  VOTE RESOLUTION THAT**

**"DIVISION 6 – General Bylaws**

**O Home Based Businesses**

All home based businesses or commercial enterprises must obtain prior written permission from Strata Council BCS1682."

It was noted that some of the businesses that would be discouraged were Day Cares, Hair Salons and any others that would either cause a liability for the Strata Corporation or cause undue wear and tear to infrastructure.



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The question was called on  $\frac{3}{4}$  Vote #7.

**RESOLUTION PASSED**

**37 in Favour, 6 Against**

**8. CONSIDERATION OF THE PROPOSED 2006 OPERATING BUDGET**

It was **MOVED** and **SECONDED** (SL#58/#8) that the proposed Operating Budget as circulated in the Notice of Meeting be approved.

The Proposed Budget was reviewed line by line and then the question was called.

**RESOLUTION PASSED UNANIMOUSLY**

It was **MOVED** and **SECONDED** (SL#58/#41) that any surplus from the 2007 fiscal year be transferred to the Contingency Reserve Fund.

**RESOLUTION PASSED UNANIMOUSLY**

**9. DISCUSSION**

**a) Delivery of Notices**

It was noted that communications with Owners is considerable expense to the Strata Corporation and that delivery to Owners who reside on site would lower costs.

It was **MOVED** and **SECONDED** (SL#14/#58) that communications be delivered to the unit of all onsite Owners and mailed to all off site Owners.

**MOTION CARRIED**

**b) Street Lighting**

It was noted that street lights require adjustment as they are coming on early and staying on well after they are needed.

**c) Landscaping**

It was noted that a contract is required for maintenance of the park and boulevard area along Tyler Road.

It was also noted that the area between the fences at the rear of Emily Way and Louise Way is the responsibility of the Owner of the Louise Way units. A gate has been installed to provide access to this area.

**d) Speed Limits**

There was discussion in regard to speeding in the complex. The new Strata Council was directed to investigate having more signage installed.

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**10. ELECTION OF STRATA COUNCIL**

A vote of Thanks was extended to the outgoing Strata Council.

There was a request for nominations for the 2008 Strata Council.

Nominations were as follows:

Debra MacWilliam	#14
Roger Bush	#34
Shannon Johnson	#57
Kevin Meronuk	#35
Reid Page	#1

There being no further nominations the nominated Owners were declared elected by acclamation.

**11. ADJOURNMENT**

The meeting adjourned at 9:45 p.m.

Strata Council met briefly to determine Strata Council Positions, which were decided as follows:

Shannon Johnson	President
Kevin Meronuk	Vice President
Debra MacWilliam	Treasurer
Roger Bush	Secretary
Reid Page	Member at Large

\* Deluxe Landscaping