

# CHELSEA GARDENS – LMS 1416

ANNUAL GENERAL MEETING MINUTES

TUESDAY, APRIL 15, 2014

**LOCATION:**

7:00 pm. – Eaglequest Golf Centre  
7778 152<sup>nd</sup> Street  
Surrey, B.C.

**STRATA COUNCIL  
2013/2014**

**PRESIDENT**

Bernice Hutton - TH-149

**VICE-PRESIDENT**

Charlie Sweet – W-227

**SECRETARY**

Bob Hurley - W-324

**TREASURER**

Gary Beirnes - TH-333

**COUNCIL MEMBERS AT LARGE**

Garry Kirkland - K-405

Rick Vael - TH-283

Gordon Yamashita – K202

**LANDSCAPING**

Garry Kirkland

**SECURITY**

Rick Vael and Charlie Sweet

**MAINTENANCE/LIAISONS**

Garry Kirkland – Kensington & Mayfair

Gordon Yamashita – Windsor/Mayfair

Bob Hurley – Windsor

**SOCIAL LIAISON**

Charlie Sweet

**RV COMMITTEE LIAISON**

Gordon Yamashita

**APARTMENT LIAISON**

Bob Hurley

**TOWNHOME LIAISON/MAINTENANCE**

Garry Kirkland

**EXERCISE ROOM/WORKSHOP/CLUBHOUSE**

Rick Vael

**SPECIAL PROJECTS**

Charlie Sweet, Bob Hurley, Gordon Yamashita

**CLUBHOUSE OFFICE**

Marlene Poole

M, TU, TH, F 11:00 AM to Noon

Guest Suite booking and keys

**RESIDENT MANAGING CARETAKER**

Len Very

(604) 834-4578

Email: [chelsea@crpm.ca](mailto:chelsea@crpm.ca)

**STRATA MANAGER**

Ross Ruddick

E-Mail: [ross@crpm.ca](mailto:ross@crpm.ca)

**CROSSROADS MANAGEMENT LTD.**

1011, 7445 132<sup>ND</sup> STREET,

SURREY, B.C. V3W 1J8

Phone: (778) 578-4445

Fax: (778) 578-4447

148 Owners registered in person

79 Owners registered and represented by proxy

227 Owners present/represented in total

**(1) CALL TO ORDER**

The meeting was called to order at 7:00 p.m. by Bernice Hutton, President.

Due to a sound system that did not work in a large portion of the room, the President asked the Strata Manager to chair the balance of the meeting as his voice carried better to the audience. The Strata Manager will be discussing this with the golf course.

**(2) CALLING THE ROLL/CERTIFICATION OF PROXIES**

The roll was called and all proxies certified by Ross Ruddick with the assistance of Verna Sandison, T276, in accordance with the requirements of the Strata Property Act. The Act requires that a quorum consisting of one-third of the Owners be present in order for the meeting to proceed. Mr. Ruddick reported that a quorum was present.

The council would like to thank the registration volunteers, Team Leader Verna Sandison, Terry Hyde, Bob Hyde, Gladys Bittner, Kay Oldman, Carol Bochen, Gail Carter, Kathy Rozek, Helen Seaton, Sonja Goliath, Arlene Buhler, Diane Anderson, Sylvia Pennington, Yvonne Brennan, and Edith Abram.

**(3) PROOF OF NOTICE/WAIVER OF NOTICE**

Mr. Ruddick advised that appropriate notice must be given to all Owners either by mail to their last-known address or hand-delivered on-site. In the case of this Annual General Meeting, the notices were mailed on or before March 26, 2014 which is 21 days prior to the meeting date. It was **MOVED** – W422, that adequate notice was given for this evening's meeting **SECONDED** – K205. **CARRIED**

**(4) ADOPTION OF AGENDA**

It was **MOVED** – W-324, to adopt the AGM agenda as presented in the package distributed by mail to the owners. **SECONDED** – W227 **CARRIED**

**(5) ADOPTION OF PREVIOUS MINUTES**

It was **MOVED** – W324 to adopt the minutes of the AGM of April 16, 2013. It was noted and acknowledged that the agenda had the incorrect year. **SECONDED** – W227. **CARRIED**

**(6) PRESIDENT'S REPORT**

On behalf of your strata council and Crossroad's management I would like give a warm welcome to everyone and thank you for participating in tonight's meeting. Your strata council members are Charlie Sweet, Bob Hurley, Gary Kirkland, Gary Beirnes, Gordon Yamashita, Rick Vael and me, Bernice Hutton.

Council would like to extend a special thank you to Ross Ruddick who gave us his guidance and expertise this year, as well as the benefit of his great sense of humour. A special thank you also to Ross's wife Maureen who generously donated a gift certificate that paid for half of tonight's rental. Thank you, Maureen.

As you know, many of our residents as well as council members go south for the winter; however, thanks to email, Skype, etc., we are able to have them involved and communicate on a regular basis. Council has had, as you would expect, a very busy year.

One of our major commitments this year was to produce an Owner's Manual for Chelsea Gardens residents. This has been accomplished and the feedback from the owners has certainly been positive. If the rule and by-law changes that are in your AGM package are approved tonight, you will receive updated pages to insert into your owner's manual. Just a friendly reminder, if you sell your property, the owner's manual is to stay with your unit.

We undertook a few changes to the clubhouse this year, which included new flooring, new benches in the change rooms, removal of the wallpaper and painting the wall. We also installed a chair rail in the pub and new LED lighting in the library and the upper card room. The roof repairs to the clubhouse were also completed.

The townhouses were painted and we were very pleased with the outcome. Hopefully the resolution to paint the clubhouse will pass tonight so that the whole complex will have the same look and colours.

Smoke alarms were installed in the apartments and townhouses as needed, and all expiry dates were recorded for future replacement. The three apartment buildings and the front pedestrian gate received new enter phones. We replaced and, in some cases, updated exterior lighting for both aesthetic and security reasons.

Landscaping is always an ongoing process. This year, we revamped the garden bed in front of the Windsor and some drainage issues were resolved. These types of improvements will continue as needed and as funds allow.

Ross and I went to the city of Surrey to discuss the removal of the back RV fence. Previously the city wanted a fairly lengthy and expensive solution; however, after our meetings they agreed to drop all the fees and approved our plans. This work will commence sometime in the spring.

Security is always a priority for any council this year was no exception. Many of us learned a new skill – how to programme remote controls. If the resolution presented tonight is passed, we will never have to use this skill again. The elimination of keys and being able to remove someone's code will negate the use of this new found skill. You will hear more on how this system will work as the meeting progresses. Still on security, the RCMP came and advised that we ask owners to leave their back and front lights on throughout the night. Also, they asked us to remind owners to never leave items in your car, especially remote controls. Even if you think you have hidden them, thieves know where to look.

We are very fortunate to have Gary Beirnes as our treasurer, taking such great care of our finances. Gary has stressed throughout the year the need to be very prudent with any spending while, at the same time, continuing proper maintenance of the complex. The goal, as always is to build up our CRF and to keep all other costs in check. We feel that the CRF goal of 1 million dollars can be achieved by May of this year.

Last but certainly not least is our volunteers. Without them Chelsea wouldn't be Chelsea. Whether its irrigation, lattice work, organizing pool tournament or numerous other projects around the complex we always have someone or a group of people willing to step up to the plate. Once again the social club gave us hours of entertainment, good food and always with a smile on their faces. Please give all volunteers a round of applause.

As this is a rather lengthy agenda, we ask that residents speak to the motion only once and in a timely fashion. We will try to go from one microphone to another in a reasonable fashion so that everyone's concerns are addressed. Also, unless absolutely necessary, we ask that voting be done with a show of voting cards rather than secret ballots as time will become an issue.

Thank you again for your participation this evening.

## **(7) COMMITTEE REPORTS**

The Social committee financial report was included in the AGM package. The Social Committee also provides regular executive summaries of their meetings for inclusion in the monthly council minutes.

## **(8) REPORT ON INSURANCE**

Ross Ruddick informed the Owners of details of the Strata Corporation's insurance policy. The policy was renewed on February 28, 2014, with a premium of \$ 237,197.00 for 12 months. Details of the policy are as follows:

Property value - \$108,556,000

Deductibles:

Water - \$ 10,000

Sewer Back-Up - \$10,000

Liability coverage - \$10,000,000

Flood - \$10,000  
 Directors and Officers - \$10,000,000  
 Glass - \$100  
 Earthquake – 15% minimum - \$250,000  
 All Risks - \$ 2,500  
 Master Key Coverage \$250.

Ross invited Owners to call should they have any questions regarding the Corporation's insurance, or with any questions regarding their own in-suite insurance contents policy. He urged Owners to call their insurance companies to make sure that their policies cover any upgrades that they have made to their units, because the Strata insurance does not cover these improvements. When renewing your home insurance you should take the strata insurance declaration sheet included with the AGM notice (page 11) and ask your broker whether or not you are covered for an assessment of a strata deductible. Some insurance brokers are asking whether or not a unit has polybutylene piping installed. "Poly B" was used as the piping in many in-floor radiant heating systems with individual boilers and does cause premature failure of the boiler and resultant leaking. According to the plumbing contractors who regularly service individual units we do **not** have this piping installed.

It was **MOVED** by W-324 and **SECONDED** by W-227 to accept the report.

**CARRIED**

### **VOTE SCRUTINEERS**

The Strata Manager explained the voting procedures to be followed at the AGM to the owner's assembled. There was request to minimize, as much as possible, the requests for written votes as there was a considerable amount of business on the agenda.

The council would like to thank the following volunteers who were present to count voting cards and the counting of the council election ballots: Dave Pritchard, Lois Pritchard, Sylvia Ostrowercha, Joe Ostrowercha, Marty Olson, Yvonne Brennan, Nancy Wright, Lloyd Anderson, Barry Miller, Ken Thorburn, Lucie Walker, Harry Steele, and Chester Hendrickson. Staff from CrossRoads Management Ltd attended to assist if necessary

## **(9) ELECTIONS OF COUNCIL AND COMMITTEE POSITIONS**

### **(9)(a) ELECTION OF STRATA COUNCIL**

Mr. Ruddick explained that Gary Beirnes, Bob Hurley, Gordon Yamashita were entering the 2<sup>nd</sup> year of their two year terms. There are four council positions open for election at this AGM.

The Nominating Committee received the following names of Owners to be considered for the Strata Council:

Carolyn Drobott - T191, Bernice Hutton - T149, Garry Kirkland - K405, Charles Sweet - W227 and Rick Vael - T283

Additional nominations were called for from the floor three times. As there were no further nominations Mr. Ruddick closed the nominations. The candidates were provided the opportunity to give a short oral presentation to the owners. A secret ballot was used to elect four of the five candidates running. Prior to announcing the winners, Mr. Ruddick thanked all candidates for being

willing to put their names forward as having contested elections is healthy in a strata corporation. The ballots were tallied and the head scrutineer, Dave Prichard, provided Mr. Ruddick with the results.

The successful candidates were Bernice Hutton, Gary Kirkland, Charlie Sweet and Rick Vael. The ballots will be retained at the CrossRoads office for two weeks. It was **MOVED** by W-422 and **SECONDED** by T-102 to destroy the ballots (after the 2 weeks). **CARRIED**

Your 2014-2015 Council is:

Gary Beirnes, Bob Hurley, Gordon Yamashita, Bernice Hutton, Garry Kirkland, Charles Sweet, and Rick Vael

A warm round of applause was extended to the newly elected council members.

#### **(9)(b) ELECTION OF APARTMENT UTILITY COMMITTEE**

The Strata Manager called for nominations and none were received. At this time the committee will remain dormant and this order of business will be on the agenda in 2015.

#### **(9)(c) ELECTION OF THE INVESTMENT COMMITTEE**

The Strata Manager called for nominations from the floor and none were received. Barb Gregg and Verna Sandison remain on the committee should they so choose to keep it active. A member of that committee did wish to address the owners later under New Business.

#### **(10) RATIFICATION OF RULES**

When a strata council passes any rules during the course of the year they become effective immediately but, in order to remain in effect, must be brought to the next Annual General Meeting for ratification by the owners. The council had passed a number of rules (while some came from the resolutions committee and the RV committee) and the following were brought forward for owner ratification.

The following rule was placed on the floor for ratification

1 (d) All electric powered vehicles and scooters will be charged a monthly fee, determined annually by council, for the use of electricity to charge the batteries. The current charge will be \$5.00 per month for scooters.

**MOVED by W-324    SECONDED T-191**

An amendment to the rule was proposed from the floor to include the words "in apartments"

**MOVED by T-102    SECONDED by W331**

**CARRIED**

With the passing of the amendment, the amended rule was debated with the new amended wording:

1 (d) All electric powered vehicles and scooters, in apartments, will be charged a monthly fee, determined annually by council, for the use of electricity to charge the batteries. The current charge will be \$5.00 per month for scooters.

The question was called and the amended motion was:

**CARRIED**

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- 1 (e) There is to be no door to door distribution of any printed material (particularly commercial) to apartments without written permission from Council. Council may withdraw permission at any time.

**MOVED by W-324    SECONDED by W-227**

An amendment to the rule was proposed from the floor: to include the words “and townhouses”

**MOVED by T-149    SECONDED BY K-405**

The question was called on the amendment only and the amendment was:

**CARRIED**

With the passing of the amendment, the amended rule was debated with the new wording:

- 1 (e) There is to be no door to door distribution of any printed material (particularly commercial) to apartments and townhouses without written permission from Council. Council may withdraw permission at any time.

The question was called on the amended motion and the amended rule was:

**DEFEATED**

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- 2 (a) **Wind Barriers** – Owners may install wind barriers on the strata lot’s balcony at the owner’s cost provided written permission is obtained from Council prior to installation. Wind barriers may not enclose more than 60% of the balcony.

**MOVED by W-324    SECONDED by W-227**

**CARRIED**

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- 2 (j) **Christmas Lights** – May be put up after November 15 but not turned on until November 25 and they must be taken down by January 15.

**MOVED by W-324    SECONDED by W-227**

**CARRIED**

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- 2 (l) **GARAGE and gate clickers** – Remote garage and gate clickers may not be left in vehicles on common or limited common property at Chelsea Gardens with the exception of built-in “Home-Link” car openers.

**MOVED by W-324    SECONDED by W-227**

**CARRIED**

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2 (m) **LOCKBOXES** – Lockboxes are not permitted to be used anywhere on the common property or limited common property of Chelsea Gardens including all apartments and all townhouses.

**MOVED by W-324    SECONDED by W227**

**CARRIED**

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H (13) **Renovations** – The RV lot is intended for personal storage of a Recreational Vehicle. Other than minor repairs to a Recreational Vehicle, renovating an RV is not permitted unless an owner receives written permission from the Strata Council.

**MOVED by W-324    SECONDED by W227**

**CARRIED**

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### **(11)    APPROVAL OF THE 2014/2015 OPERATING BUDGET**

It was **MOVED** by W-324 and **SECONDED** by W-227 to approve the operating budget as distributed at this Annual General Meeting. The Strata Manager noted that there were some amendments made to the budget due to some “plugged” number errors but the adjustments do not affect the strata fees as published in budget and fee schedules included with the AGM notice and It was **MOVED** by W-324 and **SECONDED** by W-227 to approve the budget as circulated to the owners attending the AGM:  
A copy of the approved budget is enclosed with these minutes. **CARRIED**

### **(12)    PAYMENT OF STRATA FEES**

The amount of your monthly Strata fees will change. A copy of the new amended Strata Fees for your particular type and unit number (Townhouse, Windsor, Kensington, and Mayfair) is attached. The fees for all units will be posted on the website and available from the strata manager upon request so as to save on printing costs. The Strata Fee payments can be made in the following ways:

1. Automatic withdrawal from an Owner’s account by completing a Personally Approved Payment agreement and forwarding a “Void” cheque for that account.

THE MAY 1, 2014 PRE AUTHORIZED DEBIT THROUGH YOUR BANK ACCOUNT WILL BE IN THE AMOUNT OF YOUR NEW STRATA FEE **PLUS THE SHORTFALL** FOR MARCH AND APRIL 2014. THE JUNE 1, 2014 PRE-AUTHORIZED DEBIT WILL BE IN THE AMOUNT OF THE NEW STRATA FEE ONLY.

If an Owner is already on this system, no further action is required.

2. Post-dated cheques, whereby an Owner submits to Crossroads Management twelve (12), post-dated cheques. These should be dated for the first of each month, commencing March 1, 2014, payable to **Strata Plan LMS 1416 – Unit # \_\_\_\_\_**. If you have paid March and April, please forward only 10 cheques as well as one cheque for the difference in fees for the months of March, and April. Cheques may be left in the “Property Manager” mailbox in the clubhouse mailroom or the foyer of each apartment building for pick-up.

**(13) CONSIDERATION OF 3 / 4 VOTE RESOLUTIONS****RESOLUTIONS****3 / 4 VOTE "A" – TOWNHOUSE ENVELOPE REPAIRS - 2014**

**Therefore be it resolved** as a 3 / 4 Vote of the Owners, LMS 1416, Chelsea Gardens, that Council is hereby authorized to spend from the Contingency Reserve Fund up to \$60,000.00 to inspect, and where necessary, repair and caulk those townhouse units and replace spindles as required on a priority basis.

**MOVED by W-324    SECONDED by W-227**

**CARRIED**

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**3 / 4 VOTE "B" – CLUBHOUSE PAINTING - 2014**

**Therefore be it resolved** as a 3 / 4 Vote of the Owners, LMS 1416, Chelsea Gardens, that Council is hereby authorized to spend from the Contingency Reserve Fund up to \$20,000.00 to proceed with the painting of all green areas, trim and pillars on the clubhouse.

**MOVED by W-324    SECONDED by W-227**

**CARRIED**

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**3 / 4 VOTE "C" – DOORS AND WINDOWS - 2014**

**Therefore be it resolved** as a 3 / 4 Vote of the Owners, LMS 1416, Chelsea Gardens, that Council is hereby authorized to spend from the Contingency Reserve Fund up to \$10,000.00 to replace garage doors and townhouse windows as required on a priority basis.

**MOVED by W-324    SECONDED by W-227**

**CARRIED**

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**3 / 4 VOTE "D" – SECURITY ENHANCEMENTS – 2014**

**Therefore be it resolved** as a 3 / 4 vote of the Owners, LMS 1416, Chelsea Gardens, that Council is hereby authorized to enter into a 66 month lease, with a \$10.00 (ten dollar) buy-out to acquire an access control system for Chelsea Gardens that provides keyless entry into the complex perimeter pedestrian and vehicle gates, all clubhouse doors, all apartment doors, pedestrian gates and underground parking areas and one garage door per townhouse and to provide each townhouse and apartment unit with two keyless entry clickers/fobs that will be compatible with this new system. The installed cost will be approximately \$92,300.00 plus tax and the annual lease cost will be approximately \$22,000.00 and this lease amount will be included in the annual operating budget as a line item.

**MOVED by W-324    SECONDED by W-227**

**CARRIED**

## **PROPOSED BYLAW CHANGES**

### **3 / 4 VOTE “E” –BYLAW AMENDMENTS**

**Therefore be it resolved** as a 3 / 4 vote of the Owners, LMS 1416, Chelsea Gardens, that a new bylaw, to be numbered 37 (14) be approved as follows:

#### **ADD NEW BYLAW 37(14):**

**37.** (14) Remote clickers, fobs, access control cards and Chelsea Gardens common area keys are not to be left unattended in vehicles whether on Chelsea Gardens Common or Limited Common Property of off-site elsewhere. If these items are lost or stolen the Strata Corporation will be entitled to charge back to the owner the cost of the Strata Corporation insurance deductible and any non-insurable costs such as extra staff wages or security personnel costs.

**MOVED by W-324    SECONDED by W-227**

**CARRIED**

### **3 / 4 VOTE “F” –BYLAW AMENDMENTS**

**Therefore be it resolved** as a 3 / 4 vote of the Owners, LMS 1416, Chelsea Gardens, that the following bylaw be rescinded:

#### **RESCIND OLD BYLAW 4 (1):**

**An Owner, tenant or occupant must not keep any pets on a strata lot other than one or more of the following:**

#### **AND REPLACE WITH 4 (1):**

An Owner, tenant, occupant or visitor to the Strata Complex must not keep any pets on a strata lot, the limited common property or the common property other than one or more of the following:

**MOVED by W-324    SECONDED by W-227**

During debate on this proposed amendment, it was **MOVED by T-279** and **SECONDED by T- 138** to **TABLE** the amendment. **CARRIED**

There was no subsequent motion to lift the item from the table so this will be back in council’s hands.

**3 / 4 VOTE “G” –BYLAW AMENDMENTS**

**Therefore be it resolved** as a 3 / 4 vote of the Owners, LMS 1416, Chelsea Gardens, that the following bylaw be re-worded:

**RESCIND OLD BYLAW 4 (4):**

*Owners, tenants and occupants shall be responsible for their pets and shall:*

**AND REPLACE WITH 4 (4):**

Owners, tenant, occupants and visitors to the Strata complex shall be responsible for their pets and shall:

**MOVED by W-324      SECONDED by W-227**

A motion to amend came from the floor and it was **MOVED by T-224 and SECONDED by T-237** to use the following wording instead:

**AND REPLACE WITH 4 (4):**

4(4) Owners, tenants and occupants shall be responsible for their pets and those of their visitors and shall:

After short discussion the question was called on the amendment and it was: **CARRIED**

After short discussion on the amended motion the question was called and it was: **CARRIED**

**3 / 4 VOTE “H” –BYLAW AMENDMENTS**

**Therefore be it resolved** as a 3 / 4 vote of the Owners, LMS 1416, Chelsea Gardens, that the following bylaw be rescinded:

**RESCIND OLD BYLAW 3 (12):**

*No attachments are allowed on any of the exterior surfaces which will compromise the building envelope on any apartment building(s) or townhouses. Planters must be secured and have drip trays.*

**AND REPLACE WITH 3 (12):**

No attachments are allowed on any of the exterior surfaces which will compromise the building envelope on any apartment building(s) or townhouses. Planters must be secured and have drip trays. No potted plants or planter boxes are permitted to be on top of balcony railings.

**MOVED BY W-324    SECONDED by W-227**

**It was Moved by T-224            Seconded by T-102** to amend the wording of the final sentence to now read:

No potted plants or planter boxes are permitted to be on top of balcony railings that have the white spindles. The question was called on the amendment only and it was: **CARRIED**

The question was called on the motion, as amended, and it was: **CARRIED**

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### **3 / 4 VOTE "I" –BYLAW AMENDMENTS**

**Therefore be it resolved** as a 3 / 4 vote of the Owners, LMS 1416, Chelsea Gardens, that the following bylaw be rescinded:

#### **RESCIND OLD BYLAW 9 (all sections/subsections):**

**9.     (1) *The Strata Corporation must repair and maintain all of the following:***

- (a) *common assets of the Strata Corporation;***
- (b) *common property that has not been designated as limited common property;***
- (c) *limited common property, but the duty to repair and maintain it is restricted to:***
  - (i)     *repair and maintenance that in the ordinary course of events occurs less often than once a year, and***
  - (ii)    *the following, no matter how often the repair or maintenance ordinarily occurs:***
    - (A)    *the structure of a building;***
    - (B)    *the exterior of a building;***
    - (C)    *chimneys, stairs, balconies and other things attached to the exterior of a building;***
    - (D)    *doors and windows and skylights on the exterior of a building or that front on the common property; and***
    - (E)    *fences, railings and similar structures that enclose patios, balconies and yards;***
- (d) *a strata lot in a strata plan that is not a bare land strata plan, but the duty to repair and maintain it is restricted to:***
  - (i)     *the structure of a building,***
  - (ii)    *the exterior of a building,***
  - (iii)   *chimneys, stairs, balconies and other things attached to the exterior of a building,***
  - (iv)    *doors, windows and skylights on the exterior of a building or that front on the common property; and***
  - (v)     *fences, railings and similar structures that enclose patios, balconies and yards***

**AND REPLACE WITH:**

9. (1) The Strata Corporation must repair and maintain all of the following:
- (e) common assets of the Strata Corporation;
  - (f) common property that has not been designated as limited common property;
  - (g) limited common property, but the duty to repair and maintain it is restricted to:
    - (ii) repair and maintenance that in the ordinary course of events occurs less often than once a year, and
    - (ii) the following, no matter how often the repair or maintenance ordinarily occurs:
      - (A) the structure of a building;
      - (B) the exterior of a building;
      - (C) chimneys, stairs, balconies and other things attached to the exterior of a building except that the requirement to keep drains free from snow, leaves and debris is the responsibility of the owner, occupant or tenant;
      - (D) doors and windows and skylights on the exterior of a building or that front on the common property except that the responsibility to clean owner accessible doors and windows is that of the owner, occupant or tenant; and
      - (F) fences, railings and similar structures that enclose patios, balconies and yards;
  - (h) a strata lot in a strata plan that is not a bare land strata plan, but the duty to repair and maintain it is restricted to:
    - (vi) the structure of a building,
    - (vii) the exterior of a building,
    - (viii) chimneys, stairs, balconies and other things attached to the exterior of a building except that the requirement to keep drains free from snow, leaves and debris is the responsibility of the owner, occupant or tenant,
    - (ix) doors, windows and skylights on the exterior of a building or that front on the common property except that the responsibility to clean owner accessible doors and windows is that of the owner, occupant or tenant; and
    - (x) fences, railings and similar structures that enclose patios, balconies and yards

**AND TO ADD NEW SUBSECTIONS TO ARTICLE 9 WORDED AND NUMBERED AS FOLLOWS:**

9. (2) The balcony/patio areas outside the strata lots are for the owner, tenant or occupant's personal use.
- (3) An owner, tenant or occupant is responsible for ensuring that drain pipes are kept clear at all times and that snow/ice, leaves and debris are removed from their balcony/patio to ensure that water ingress into the strata lot does not occur. Notwithstanding the provisions of any other bylaw, any damage done to the strata lot due to water ingress resulting from a failure on the part of the owner, tenant or occupant to meet these requirements is the sole responsibility of the strata lot owner. Where an owner, tenant or occupant is unable due to age, infirmity or other disability to clear their balconies or patios the Resident Caretaker should be informed and a request made for assistance. The Resident Caretaker will endeavor to find someone to undertake the cleaning, the cost of which shall be borne by the owner. Any request for such help must be made in a timely fashion bearing in mind that whether help is immediately available or not, the owner is responsible for repairing any

damage to the strata lot that occurs due to water ingress resulting from a buildup of snow and/or ice, leaves or debris.

- (4) The enclosed patio area outside ground floor suites are for the owner, tenant or occupant's personal use and the owner, tenant or occupant is responsible for the landscaping care and gardening maintenance or their immediate patio area.

**MOVED by W-324      SECONDED by W-227**

It was explained to the owners that this bylaw change was intended to ensure that owners keep drain covers on limited common property free from snow, ice and debris so as to protect the strata corporation from water back up damage. It was never intended that owners be responsible for cleaning gutters, downspouts or pipes. Accordingly, to clarify the intent an amendment was proposed:

**It was MOVED by T-149 and SECONDED by W-331 to amend "drain pipes" to read "drain covers" in 9 (3)**

After discussion the question was called on the amendment only and the motion was: **CARRIED**

The amended motion was placed on the floor for discussion and the revised wording was:

- 9.** (1) The Strata Corporation must repair and maintain all of the following:
- (i) common assets of the Strata Corporation;
  - (j) common property that has not been designated as limited common property;
  - (k) limited common property, but the duty to repair and maintain it is restricted to:
    - (iii) repair and maintenance that in the ordinary course of events occurs less often than once a year, and
    - (ii) the following, no matter how often the repair or maintenance ordinarily occurs:
      - (A) the structure of a building;
      - (B) the exterior of a building;
      - (CII) chimneys, stairs, balconies and other things attached to the exterior of a building except that the requirement to keep drains free from snow, leaves and debris is the responsibility of the owner, occupant or tenant;
      - (D) doors and windows and skylights on the exterior of a building or that front on the common property except that the responsibility to clean owner accessible doors and windows is that of the owner, occupant or tenant; and
      - (G) fences, railings and similar structures that enclose patios, balconies and yards;
  - (l) a strata lot in a strata plan that is not a bare land strata plan, but the duty to repair and maintain it is restricted to:
    - (xi) the structure of a building,
    - (xii) the exterior of a building,
    - (xiii) chimneys, stairs, balconies and other things attached to the exterior of a building except that the requirement to keep drains free from snow, leaves and debris is the responsibility of the owner, occupant or tenant,
    - (xiv) doors, windows and skylights on the exterior of a building or that front on the common property except that the responsibility to clean owner accessible doors and windows is that of the owner, occupant or tenant; and
    - (xv) fences, railings and similar structures that enclose patios, balconies and yards

**AND TO ADD NEW SUBSECTIONS TO ARTICLE 9 WORDED AND NUMBERED AS FOLLOWS:**

9. (2) The balcony/patio areas outside the strata lots are for the owner, tenant or occupant's personal use.
- (3) An owner, tenant or occupant is responsible for ensuring that drain covers are kept clear at all times and that snow/ice, leaves and debris are removed from their balcony/patio to ensure that water ingress into the strata lot does not occur. Notwithstanding the provisions of any other bylaw, any damage done to the strata lot due to water ingress resulting from a failure on the part of the owner, tenant or occupant to meet these requirements is the sole responsibility of the strata lot owner. Where an owner, tenant or occupant is unable due to age, infirmity or other disability to clear their balconies or patios the Resident Caretaker should be informed and a request made for assistance. The Resident Caretaker will endeavor to find someone to undertake the cleaning, the cost of which shall be borne by the owner. Any request for such help must be made in a timely fashion bearing in mind that whether help is immediately available or not, the owner is responsible for repairing any damage to the strata lot that occurs due to water ingress resulting from a buildup of snow and/or ice, leaves or debris.
- (4) The enclosed patio area outside ground floor suites are for the owner, tenant or occupant's personal use and the owner, tenant or occupant is responsible for the landscaping care and gardening maintenance or their immediate patio area.

The question was called on the motion, as amended, and it was:

**CARRIED**

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**3 / 4 VOTE "J" –BYLAW AMENDMENTS**

**Therefore be it resolved** as a 3 / 4 vote of the Owners, LMS 1416, Chelsea Gardens, that the bylaws that have been approved at the Annual General Meeting of April 15, 2014 be incorporated into the existing set of bylaws that are on file at land titles and include the bylaw changes approved at the 2013 Annual General Meeting and that, following this consolidation into one complete set, that this set be filed with Land Titles and, in so doing, rescind and repeal all old sets of bylaws.

**MOVED by W-324**

**SECONDED by W-227**

**CARRIED**

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**(14) NEW BUSINESS**

14.1 Check PRVs - An Owner suggested that all townhouse owners have their water pressure checked as they noted that theirs was high...approximately 100 psi. Every townhouse unit will have a PRV (pressure reducing valve) that is designed to reduce the water pressure provided by the City of Surrey (well over 120 psi) down to lower levels around 50 to 60 psi. High pressures can cause failures of hot water tanks, toilets and water supply hoses. The replacement of the PRV would be an owner responsibility but the strata manager will investigate a bulk purchase/installation to save

owners money. The strata will purchase a pressure reading device. This owner has a plumbing background and had checked and found a few units in the complex with very high pressure readings.

14.2 CRF - An owner spoke and suggested that the strata corporation should be investing CRF money into investment vehicles that would produce a greater return than we currently getting on the Credit Union or the Scotia Bank GIC. The owner believes that the minimal downside risk would be acceptable by other owners. At the very least, it was suggested that more funds be shifted from Westminster Savings into additional GIC's. Another owner rose to speak against any investment strategy that involved risk and supporting staying with the GIC's as the best and safest investment for CRF money.

14.3 Downspouts- An owner believes that there are not enough downspouts for the amount of guttering that is on the complexes.

14.4 An owner wondered why their suggestion to increase RV parking rates to closer reflect prevailing commercial rates was not on the agenda. It was explained that the resolution process at Chelsea Gardens is that proposals first be discussed by the Resolution Committee and then, if recommended by that Committee, the Strata Council makes the final decision as to whether or not to include in the AGM agenda. In the case of this owner's proposal it was rejected by the Resolution Committee and did not go further.

#### **(15) TERMINATION OF MEETING**

It was MOVED - # T-149 to terminate the meeting at 9:32 PM. Council will meet on Wednesday, April 24, 2014 to elect council positions and hold the first meeting of the term.

Ross Ruddick, Strata Manager

#### **UPCOMING EVENTS AT CHELSEA GARDENS IN 2014**

- Trash or Treasure Day – June 6<sup>th</sup>/7<sup>th</sup>. Owners can dispose of any items by leaving them at curbside all day Friday (no paint cans until Saturday morning please). Other owners can see if they can put those discarded items to good use...otherwise all remaining items will be picked up by our garbage contractor on the Saturday.
- Chelsea Gardens 20<sup>th</sup> Anniversary. The Social Committee is planning on incorporating recognition of our 20<sup>th</sup> Anniversary at the annual Canada Day celebration.
- Chelsea Gardens Golf Tournament – Sunday, July 20<sup>th</sup>. Golf at Nico Wynd followed by a BBQ dinner back at our clubhouse. This was a great event last year with an abundance of fun and prizes for all. Registration information will be included with the next set of council minutes and we expect to sell out early.