

# 1 CHELSEA GARDENS – LMS 1416

ANNUAL GENERAL MEETING MINUTES

TUESDAY, APRIL 16, 2013

**LOCATION:**

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

**STRATA COUNCIL  
2012/2013**

**PRESIDENT**

Bernice Hutton-TH-149

**VICE-PRESIDENT**

Rick Vael – TH-283

**SECRETARY**

Bob Hurley-W-324

**TREASURER**

Gary Beirnes - TH- #333

**LANDSCAPING/RV LOT**

Rick Vael-TH-283

**SECURITY**

Rick Vael-TH-283  
Charlie Sweet-W-227

**MAINTENANCE**

Garry Kirkland –K #405

**SOCIAL**

Charlie Sweet-W-227  
Gordon Yamashita-K-202

**APARTMENT LIAISON**

Bob Hurley –W-324

**TOWNHOME LIAISON**

Gary Kirkland-K-405  
Gary Beirnes-TH-333

**EXERCISE ROOM**

Rick Vael-TH-283

**WORKSHOP**

Charlie Sweet-W-227

**CLUBHOUSE OFFICE**

Marlene Poole  
M-F 11:00 AM to Noon  
Guest Suite booking and keys

**RESIDENT MANAGING CARETAKER**

Len Very  
(604) 834-4578  
Email: [chelsea\\_gardens@shaw.ca](mailto:chelsea_gardens@shaw.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

133 Owners registered in person

81 Owners registered and represented by proxy

214 Owners present/represented in total

**(1) CALL TO ORDER**

The meeting was called to order at 7:06 p.m. by Bernice Hutton, President.

**(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, Ann Gorrill, Agnes O'Sullivan, Gladys Bittner, Kay Oldman, Carol Bochen, Lorraine Job, Elaine Saunders, Kathy Rozek, Sonja Jones, Ayda Bercic, Diane Anderson, Joei Hossack, Jim Fleeton, 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 delivered on or before March 25, 2013 with the balance of approximately 50 mailed to Owners on March 25, 2013 which is 23 days prior to the meeting date. Thank you to the volunteer council members that delivered the AGM package. This saved a substantial amount of money on postage. It was **MOVED** – W422, that adequate notice was given for this evening's meeting **SECONDED** – W-324 **CARRIED**

**(4) ADOPTION OF AGENDA**

It was **MOVED** – W-324, to adopt the agenda as presented. **SECONDED** – T237 **CARRIED**

**(5) ADOPTION OF PREVIOUS MINUTES**

It was **MOVED** – W123 to adopt the minutes of the AGM of April 24, 2012. **SECONDED** – T180.  
**CARRIED**

**(6) UNFINISHED BUSINESS**

There were three items noted in the New Business section of the 2012 minutes where action had been taken by the Strata Council during the course of the year.

An owner had requested some additional handicapped parking stalls for owners attending the AGM and the Strata Manager had made arrangements with the golf course to designate an extra six stalls.

There was a desire to fix or remove the old wooden fence surrounding the RV lot. The Strata Manager had extensive discussions with the City of Surrey regarding this concept but the conditions imposed by the City were too onerous and costly and the Strata Council elected not to proceed.

There had been mention that townhouses needed painting in certain areas and a spending resolution seeking funding approval to proceed has been included with the AGM notice for this year.

**(7) PRESIDENT'S REPORT**

Bernice Hutton, President, gave a report on activities that have taken place over the past year, for the benefit of Owners in attendance at the AGM.

*“On behalf of your strata council and Crossroad’s management I would like to say thank you for your participation in tonight’s meeting. At this time I would also like to extend a warm welcome to all the new residents of Chelsea Gardens.*

*We have a very cordial and hard working group of people on council and I would like to personally thank them. Council would also like to thank Crossroads Management for their guidance and patience. A special thank you to Ross Ruddick.*

*Your strata council members are Charlie Sweet, Bob Hurley, Gary Kirkland, Gary Biernes, Gordon Yamashita and Rick Vael – who unfortunately isn’t with us tonight and myself, Bernice Hutton.*

*It takes a lot of very dedicated people to make Chelsea Gardens such wonderful place to live.*

*The social club who put on so many events throughout the year and also keep the pub flowing. They also provide some funding and their expertise for various events and improvements in and around the complex. We have volunteers who do the irrigation start up and shut down each year as well as numerous other volunteers who take on special projects on an ongoing basis. It would be impossible to name them individually but thanks to each and every one who have helped throughout the year. Please give a round of applause to all volunteers.*

*One of the most challenging but probably one of the most important volunteer positions is sitting on your strata council. Volunteering for council affords you the opportunity to learn how and why decisions are made keeping in mind that any decision made has to be fair and equitable to all owners. I would like to ask all those who have sat on previous councils to please stand. Please give a round of applause to this group of volunteers for their many contributions to Chelsea Gardens.*

*We have had as you would expect a very busy year.*

*Two very significant changes we undertook were hiring a new Resident Caretaker and reviewing and rewriting some of our Rules and By-laws.*

*The process to hire a new Caretaker took longer than we anticipated however we are confident the right choice was made in hiring Len Very.*

*Reviewing our rules and by-laws was a very time consuming task. We have presented in your AGM package the proposed changes and amendment's. As the night progresses we will explain the changes and the reasoning behind them.*

*As you are aware we have had a couple of security issues this year. We had an RCMP crime prevention officer come to Chelsea to address how we might discourage future security breaches. The RCMP noted that the two most common and easily corrected suggestions were to make sure NO items be left in cars especially remote controls. Also, leave all outside lights on throughout the night including the ones over the townhome front doors. The RCMP reiterated that criminals don't like to be seen and any lighting acts as a deterrent. Council increased the security budget for next year so we can from time to time reassess our needs.*

*Also a new sign design and colour scheme was approved for all the signage in around the complex. Many of the signs have been replaced and going forward as new signs are needed we will be using this same template.*

*Gary Biernes our treasurer stressed throughout the year the need to be very prudent with our finances. The goal as always is to build up our CRF and to keep all other costs in check. The one item we weren't prepared for was the increase in the water bill. As reported in earlier minutes we took immediate action to try and solve this problem and we believe we have the problem under control. Ross will address this issue with the City of Surrey and more information will be forthcoming in the next few months.*

*As this is a rather lengthy agenda we ask that individual 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 hands rather than secret ballots as time will become an issue with such a lengthy agenda.*

*Once again thank you for your participation."*

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

Ross Ruddick informed the Owners of details of the Strata Corporation's insurance policy. The policy was renewed on February 27, 2013, with a premium of \$ 220,000.00 for 12 months. Details of the policy are as follows:

Property value - \$106,213,000.00

Deductibles:

**Water - \$ 10,000, Sewer Back-Up \$10,000**

Liability coverage - 10,000,000

Directors and Officers - 10,000,000

Earthquake – 10% min \$100,000

Master Key Coverage \$250.

Flood - \$10,000

Glass - 100

All Risks - \$ 2,500

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 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 T-333 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 or written vote cards: Dave Pritchard, Lois Pritchard, Sylvia Ostrowercha, Marty Olson, Dave Brennan, Anne Gorrill, Nancy Wright, Bob Hyde, Gail Carter, Lloyd Anderson, Art Trudeau and Chester Hendrickson. They were assisted by a number of staff from CrossRoads Management including Gerry Blanchard, Hans Arends, Don Cook and Maureen Ruddick.

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

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

Mr Ruddick explained that Bernice Hutton, Rick Vael, Charlie Sweet and Gary Kirkland were in the 2<sup>nd</sup> year of their two year terms. There are three council positions open for election at this AGM.

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

Gary Beirnes –T-333

Bob Hurley-W-324

Gordon Yamashita-K-202

Additional nominations were called for from the floor three times. As there were no further nominations Mr. Ruddick closed the nominations. Prior to declaring the candidates elected, Mr. Ruddick noted that, in order to be elected to council, all candidates would require support of at least 50% + 1 of the owners. He asked for a show of voting cards in favour and then opposed and, noting overwhelming support, then declared the three nominees elected for a two year term.

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

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

There were a number of attempts to encourage owners to stand for election to this committee but no names came forward. At this time the committee will remain dormant and this order of business will be on the agenda in 2014.

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

There was a call for volunteers to come forward and stand for election to the Investment Committee. Ross Ruddick explained that, under the Strata Property Act and Regulations there are significant restrictions on what investment instruments are permitted as the legislation is designed to minimize risk. Nonetheless there are some permitted investment opportunities that can be explored by this committee for recommendation to council. Three owners, T-169 – Lorne Olson, T237 – Barb Gregg and T-276 - Verna Sandison allowed their names to stand and were declared elected by acclamation. The committee is to meet and decide upon a Chairperson and the length of terms (1, 2 or 3 years) for each member.

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

In the past year, there was an extensive review of the rules and the Bylaws and Rules Committee forward a complete package of consolidated rules to the Strata Council for consideration. The council passed this package of rules at the last council meeting. 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. It was noted that, in the review of the rules, there was on-going consultation and feedback with a number of the user groups so that the new rules would not be “top-down” but did engage active committees.

It was originally moved and seconded to present all of these rules for ratification as one package but an owner requested that they be broken up and considered in smaller pieces. This request was agreed to by the Chair.

It was **MOVED** by W-324 and **SECONDED** by T-333 to ratify the preamble, definitions and Rules 1 a, b, c:

The question was called and the motion was

**CARRIED.**

## **CHELSEA GARDENS - CONSOLIDATED RULES**

### ***PREAMBLE***

***Chelsea Gardens is governed by a set of Bylaws and Rules. Bylaws are approved by a ¾ vote at a General Meeting and provide for orderly governance of the Strata Corporation on common property, limited common property and within a strata lot. Rules are passed by Strata Councils and must be ratified by the owners at the next Annual General Meeting with a simple majority. Rules govern behaviour and activities on the common property and limited common property of the Strata Corporation.***

***The Chelsea Gardens Resident Caretaker and Assistant Caretaker have been given the authority by the Strata Council to enforce all the Rules of the complex but, as per Bylaw 21 (4) (a), (b) and (c), this authority is limited to informing an owner, resident or guest that they are contravening a rule and requesting that they cease the activity and then reporting to the Strata Council.***

### **DEFINITIONS**

**ADULT:** 19 years and older  
**RESIDENT:** is an Owner or Lessee with a Form “K” filed with the Strata Corporation  
**GUEST:** is anyone who is not an Owner/Resident

## 1. GENERAL

- a. owner shall comply strictly with these bylaws, and all other bylaws of the strata corporation, and with rules adopted from time to time.
  - b. Residents have priority at all times.  
Guests must **always** be accompanied and supervised by an owner/resident when using recreational facilities.
  - c. Owners, residents or guests shall not make unreasonable noise on common or limited common property. Unreasonable noise is defined as noise levels above normal conversation that would disturb other residents attempting to sleep.
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It was **MOVED** by W-324 and **SECONDED** by T-333 to ratify Rules 2 a through k.

An amendment was **MOVED** by T-180 and **SECONDED** by W-320 to delete the following wording from Rule 2 b:

Wind screens are not permitted to block more than 60% of the balcony and all applications to Council must have a plan submitted. The balcony must not be completely enclosed and the material must be a safety-glass or a non-yellowing acrylic. Frame colour must match the building trim colour or be white.

After debate the question was called on the amendment and the amendment was **CARRIED**

After additional debate the question was called on the amended rules and it was **CARRIED**  
The Rules in question will now read:

## 2. USE OF THE EXTERIOR OF THE STRATA LOT

- a. **Phantom Screen Doors** – Owners may install a Phantom screen door on their unit, with prior written approval from Council. The door colour must match the original door frame colour. A similar screen door, from a different manufacturer, may be substituted with council permission and the owner must submit a brochure or photograph with their written application.
- b. **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.
- c. **Sunscreens** – Owners may install sunscreens on the strata lot at the owner's cost provided written permission is obtained from Council prior to installation. The owner must submit a sample or photograph of the proposed product with their written application.
- d. **Storm Doors** – Storm doors may be installed by owners with prior written approval from Council. They must be colour coordinated to match the door trim of their strata lot and must be similar to "Aluminart<sup>®</sup>" Sureseal Artra LX-3 Lite, Art Glass available from various building supply retailers. A brochure or photo must be attached to a written application so that council can determine whether or not any design differences are suitable.
- e. **Satellite Dishes** – Satellite dishes may be installed provided that:
  - the satellite dish is no larger than 24" in diameter;
  - the satellite dish is painted to match the adjacent surface of the building prior to installation;

- the satellite dish is mounted in such a way that cables or mounting devices do not compromise the building envelope;
  - written permission is obtained from Council prior to installation; and
  - responsibility for the maintenance and for any damage resulting from the installation is assumed by the owner prior to installation.
- f. **Barbeque Gas Outlets (Townhomes)** – A Resident must obtain written approval from the Strata Corporation to install a barbeque gas outlet. The resident must submit an approved permit, and have the installation performed by a qualified gas fitter.
- g. **Extensions to Patios of the Lower Townhomes** – A resident must obtain written approval from the Strata Corporation to extend a patio. Upon approval, the maximum depth away from the townhome may not exceed 14 feet and the surface area shall be no larger than 260 square feet. All costs for extending the patios shall be born by the resident. The construction of the patio shall be consistent with existing patio materials and specifications. The landscaping and sprinkler system shall not be compromised.
- h. Townhouse owners may replace patio doors with French doors at their cost (criteria to be established by the Strata Council) and will be responsible for any repair and maintenance. Future owners of the Strata lot must accept responsibility of this alteration by having this alteration included in the Agreement for Sale.
- i. Smoking on the limited common property (i.e. patios and balconies) or on common property within 7.5 meters of a doorway or window is not permitted. As per By-law 3(1) (c), if an owner is affected with your smoking, you must not allow your smoke to leave your strata lot.
- J. CHRISTMAS LIGHTS – May be put up after November 15 but not turned on until December 1 and they must be taken down by January 15.
- K. All vehicles, bicycles and motorcycles stored in the parkades must be operational and roadworthy and not in derelict condition.

It was **MOVED** by W-324 and **SECONDED** by T-333 to ratify Rule 3 and all subsections and move policy.

After debate the question was called on the rule 3a through 3k and move policy and it was **CARRIED**  
The Rules in question will now read:

### 3. APARTMENT – MOVES

- a. A \$100.00 move fee will be charged to all new apartment owners and this fee covers both moving in and moving out.
- b. The elevator pads **must** be installed for all moves, in or out, that involve the use of the elevator. They are available, with reasonable notice, from the Resident Caretaker.
- c. The elevator key must be used. The elevator doors must not be propped open. A refundable deposit of \$50.00 will be collected by the Resident Caretaker for the use of the elevator key.

- d. Any one moving in or out of an apartment must have a person stand by the open doors of the building at all times during the move. This person may be a friend, relative or a paid designated person. The resident caretaker/Manager must be informed as to who is taking this responsibility
- e. The Strata Council will publish an Apartment Move-in/Move-out Policy which will be provided to new buyers and all apartment residents. This policy, shown below, may be amended by the Strata Council from time to time as needed.

### **APARTMENT MOVE-IN / MOVE-OUT POLICY**

In order to facilitate a smooth “Move-In and/or Move-Out” function at the Chelsea Gardens Apartments, and, in order to ensure also that the current Owners presently living within the Chelsea Gardens Apartments are not disturbed accessibly by this activity, we require the following steps to be taken:

- Contact the Resident Caretaker at least 24 hours prior to your move.
- The Resident Caretaker will make arrangements for placement of the elevator pads and the issuing of the elevator lock-out key, if required.
- A \$50.00 refundable security deposit for the elevator key is collected at this time for your moving activities.
- **Security Requirements:**  
Front entry doors to the building must not be left unattended when propped open.  
This will be a serious security violation and fines will be assessed for infractions.
- **Elevator Etiquette:**  
“Do not lock-out the elevator for your exclusive use” – except when you are loading and unloading the elevator – the elevator should be released for others to use.  
While movement of your furniture from the “Foyer area to your Suite and/or from your Suite to the Foyer area” – the elevator should not be locked out at this time.
- **Carpet Care (if required):**  
Mats may be placed from the front door to the elevator by the Resident Caretaker prior to the move.
- **Moving Times:**  
Moving times are preferred to be between 8:00 a.m. and 5:00 p.m. Monday to Saturday.
- **Moving Truck Parking:**  
Please ensure that the moving truck does not block the fire lanes in front of any of the buildings.  
The fire lane must have one complete vehicle access between the moving truck and the buildings.
- **Moving Boxes:**  
Ensure the moving company removes all boxes when they leave.  
Small quantities of “corrugated” cardboard may be placed in recycling bin if they are flattened.  
Packing paper is to be placed in the blue tote boxes labeled “Mixed Paper”.

- **Emergency Questionnaire:**

Attached to this moving procedure is an emergency questionnaire that we request Owners and/or Tenants to complete, in order to initiate a name change on the Enterphone panel.

- **Vehicle parking:**

Visitor parking must be in the underground Visitor Parking locations.

The loading zones are for drop off or pick-ups only; violators will be towed.

No parking on roadways, as roadways is considered "Fire Lanes".

Contractors coming to your unit must leave information on the dashboard of their vehicle as to what unit they are attending. If this information is not left in the vehicle, the vehicle is subject to being towed.

It was **MOVED** by W-324 and **SECONDED** by T-333 to ratify Rule 4a and 4b and all the subsections.

It was **MOVED** by T-196 and **SECONDED** by T-223 to amend Rule 4 (B) (5) to now read as follows:

Adult residents must always accompany and supervise their guests in the pool/spa; a maximum of eight (8) guests are permitted between the hours of 11:00 AM and 2:00 PM daily during the pool season. A maximum of four (4) guests are permitted at all other times. Only adults, 19 years of age or older, are permitted in the spa.

After debate the question was called on the amendment and the amendment was **CARRIED**

After debate the question was called on the amended rule 4 and it was **CARRIED**  
The Rules in question will now read:

#### 4. **USE OF THE RECREATION FACILITIES**

**ANYONE USING ANY OF THE FACILITIES AT CHELSEA GARDENS DOES SO AT THEIR OWN RISK. STRATA PLAN LMS-1416, CHELSEA GARDENS, DOES NOT ASSUME ANY LIABILITY IN THE CASE OF AN ACCIDENT OR INJURY.**

##### A. **General**

1. Smoking is **not** permitted anywhere within the recreation building. It is permitted only in the designated areas with an ashtray.
2. Adult residents must accompany and supervise their guests whilst in the recreation facility or the pool/spa area.
3. Animals (pets) are not permitted in the recreation facility or on the pool deck.

##### B. **Pool and Spa Area**

The following are the rules for the usage by owners/residents and guests accompanied by owners/residents, of the pool and spa:

1. Pool hours are 8:30 AM to 9:30 PM; every day **during the season the pool is open.**
2. Guests under the age of 19 and accompanied by an owner are only allowed in the pool between the hours of 11:00 AM and 2:00 PM every day during the season the pool is open.

3. Spa hours are from **7:30 AM** to **10:00 PM** daily and restricted to owners and accompanied guests only. Use of the spa by persons under the age of 19 years is not permitted. **NO ENTRY TO THE RECREATION BUILDING WILL BE PERMITTED AFTER 10:00 PM.**
4. All pool users must access or exit the pool area from the spa area or outside gates – absolutely no access through the Fireside lounge or lobby.
5. Adult residents must always accompany and supervise their guests in the pool/spa; a maximum of eight (8) guests are permitted between the hours of 11:00 AM and 2:00 PM daily during the pool season. A maximum of four (4) guests are permitted at all other times. Only adults, 19 years of age or older, are permitted in the spa.
6. Clean and proper bathing attire is required when using the pool or spa (i.e. no cut-offs or jeans).
  - Due to health concerns, pool/spa users **must** shower at the recreation centre facilities before entering the pool/spa.
  - No person shall enter the pool/spa who:
    - a. has open wounds, sores or bandages.
    - b. Has discharging ears or nose.
    - c. Is intoxicated.
7. Children under the age of 3, or in diapers (unless approved swim diapers) or who are **not** properly toilet trained are not permitted in the pool.
8. Diving or jumping into the pool or spa is **not** permitted.
9. Food is **not** permitted in the pool or spa. Food is permitted on the swimming deck provided it is kept ten feet away from the pool/spa unless otherwise authorized by council for a special event.
10. Glass containers of any kind are **not** permitted in the pool or spa area.
11. Air mattresses and lounge chairs are not permitted in the pool or spa area. Life jackets/Personal Floatation devices must be approved by Transport Canada, Canadian Coast Guard or Fisheries and Oceans Canada.
12. Residents must remove all their garbage, articles and other belongings that have been brought to the pool/spa when leaving the pool/spa area.
13. Please keep noise down to a reasonable level.
14. Those who do not observe the Health Department and Strata Corporation rules may be asked to leave the pool/spa area.
15. No perfumes or oils are to be used by persons using the spa.
16. There is to be no smoking in the pool/spa or on any of the surrounding deck surfaces.
17. The Strata Corporation shall post a summary of these rules in the pool/spa area.

**Note: Persons using the pool or spa do so at their own risk.(NO LIFEGUARD IS ON DUTY)**

It was **MOVED** by W-324 and **SECONDED** by T-333 to ratify Rule 4C and 4D and all the subsections.

After debate the question was called on Rules 4C and 4D and subsections and it was  
The Rules in question will now read:

**CARRIED**

**C. Recreational Facility other than Pool Area and Spa**

The Fireside lounge, library, exercise room, and workshop will be open every morning at 7:00 AM and will be closed at 11:30 PM each day. No entry to be permitted after 10:00 PM.

1. Pool tables are for the use of adults, 19 years or older.

**D. Workshop Rules**

**THE KEY HOLDER HAS THE ULTIMATE RESPONSIBILITY FOR ASSURING THE RULES ARE KEPT. ANY VIOLATION OF THESE RULES COULD RESULT IN WITHDRAWAL OF WORKSHOP PRIVILEGES.**

1. Entrance into and use of the shop and equipment is limited to authorized persons only.

An authorized person:

- is a resident of Chelsea Gardens.
- is 19 years and older
- Has taken the Chelsea gardens Workshop Safety Course (cost of the course to be determined from time to time) and,
- Has signed the liability exemption form.
- Any person assisting an authorized person is:
  - not allowed to use any equipment
  - must wear safety goggles
  - must sign a liability waiver and deposit it in the Resident Caretaker's mail slot.

**Persons refusing to sign a waiver enter at their own risk and will be required to leave the workshop immediately.**

2. A logbook is provided for keeping track of those who use the workshop. Authorized persons must sign the logbook in the spaces provided, each time they use the workshop, noting the date of use and equipment used.
3. All equipment must be operated in a safe manner with safety shields and/or approved glasses with safety guards in place.
4. Exhaust fans must be on while using equipment. Dumping of sawdust outside of the workshop onto the grounds is not permitted.
5. All equipment must be left in a clean and safe condition. In the event that equipment is faulty or broken, please:
  - tag out the equipment, and
  - notify the Resident Manager or a member of the Workshop Committee of the faulty or broken equipment.

6. The shop is for personal or hobby use only. Commercial venture, such as using equipment for making items for sale or profit is **not** permitted.
7. Notify Resident Manager if any first aid equipment is used so it can be replaced.
8. Any donation of power equipment must first be cleared through the Strata Council via the Workshop Committee before leaving such equipment in the workshop.
9. Authorized persons shall remove their personal tools from the shop when leaving. Any personal tools left in the workshop shall be deemed usable by all who are authorized to use the workshop.
10. Flammable items such as paints, stains and/or solvents are not permitted in the workshop.
11. Abuse or disregard for any of these rules may be cause for suspension of workshop privileges.

***NOTE: When finished using the workshop, please ensure that all windows are closed, lights are out and the doors are locked on leaving. Thank you.***

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It was **MOVED** by W-324 and **SECONDED** by T-333 to ratify Rule 4E and all the subsections.

It was **MOVED** by T-196/**SECONDED** by T-333 to amend Rule 4E (1) to delete the words “and their guests”

After debate the question was called on the amendment and it was

**CARRIED**

After debate the question was called on the amended Rules 4E and subsections and it was

**CARRIED**

The Rules in question will now read:

**E. Exercise Room Rules**

1. The Exercise room and equipment are for the sole use of Chelsea Gardens’ residents as per the bylaws.
2. The Exercise room and equipment is to be used at the user’s risk.
3. After use, the equipment shall be left in proper and neat order.
4. Please report any problems with equipment to the Resident Manager.
5. Donations of exercise equipment must first be approved by the Strata Council and/or the exercise room committee.
6. The key holder has the ultimate responsibility for assuring the rules are adhered to.
7. Any violation of these rules could result in withdrawal of the exercise room privileges for a period of time.

8. Entrance into and use of the exercise room and equipment is limited to authorized persons only.

An authorized person is:

- A resident of Chelsea Gardens and is 19 years of age or older
- Has read the statement of liability posted in the exercise room.
- Is aware that any program of exercise may require consultation with a doctor prior to commencement.

It was **MOVED** by W-324 and **SECONDED** by T-333 to ratify Rule 4F and Rule 4G and all the subsections.

After debate the question was called on Rules 4F and 4G and subsections and it was **CARRIED**  
The Rules in question will now read:

**F. RULES FOR RENTAL OF FIRESIDE LOUNGE**

1. The Fireside Room and kitchen area are available to be rented on Saturdays or Sundays only, (and Christmas/Thanksgiving) by an owner, for their own personal exclusive use. In the case of bereavement only, the Fireside Lounge may be rented at other times if it is not already booked. The areas must not be used for commercial purposes. A rental fee of \$50.00 will be required to be paid, by the resident, to the Strata Corporation at the time of booking.
2. The Resident will also be required to pay to the Strata Corporation, a refundable Damage Deposit of \$250.00 made payable to "THE OWNERS, STRATA PLAN LMS 1416" prior to taking possession of the booked premises. Should the booked premises be damaged or left unclean, the costs will be deducted from the deposit to repair and/or replace damaged and/or missing property, and/or for the cleaning of the premises. Should these costs exceed the amount of the deposit, the resident will be held responsible for the excess.
3. All Guests, for special functions, must vacate the premises by 11:00 PM; however, cleanup operations are permitted until 11:30 PM. Cleanup must be completed by 10:00 AM the day following the special function.
4. A maximum of forty (40) guests is permitted for each special function.
5. Smoking is NOT permitted within the premises or around the swimming pool.
6. Animals are NOT permitted within the premises.
7. The ovens in the kitchen area are to be used for warming of food only – no cooking is permitted. Chairs, tables and the coffee pot may be used. Glasses, dishes, serving plates and cutlery are available for rental at a cost of \$25.00 per event. These items must be cleaned and the dishwasher must be emptied by 11:30 AM the next day.
8. Parking is available in the visitor's spaces in the Recreation Centre parking area or outside the complex. **Please note parking is not permitted on the roadways within the complex.**
9. It is the sole responsibility of the resident to obtain any liquor licensing, as required by law.

10. It is the responsibility of the resident to ensure that guests stay in the rented area.
11. The resident is solely responsible for the actions of their guests, and agrees that any guests acting contrary to Strata Bylaws or Rules may be removed at the request of a representative of the Strata Corporation.
12. It is agreed and acknowledged that the undersigned take full responsibility for any cost incurred for damages or cleaning.
13. The Strata Corporation shall prepare and print a rental agreement, reflecting all these rules and the renter shall sign this agreement prior to the event.

#### **G. GUEST SUITE RENTALS**

Three suites are available for rental, for the convenience of residents, for overnight guests. The following set of rules has been approved by the Strata Council:

1. A rental fee of \$40.00 per night will be charged. Personal cheques are payable to **"STRATA PLAN LMS 1416"**, ONLY CHEQUES FROM Residents will be accepted.
2. All bookings must be made by the resident with the designated person during regular business hours (8:00 AM – 5:00 PM).
3. Only two out of the three rooms are allowed to be booked at any one time by one resident. The third suite is to be kept for an overflow suite or for emergency purposes.
4. No unit may be booked for more than four consecutive days, after which the unit may be booked one day at a time, such booking for subsequent days must be made no later than 12:00 noon on the prior day.
5. The parties interested in renting a room must supply their own linen and pillows and must clean up after themselves.
6. There is to be no smoking, food or drinks inside the guest rooms. Violators will be asked to leave.
7. No pets are allowed to stay in the guest rooms.
8. Any children staying in a guest room must be supervised by a responsible adult whilst within the Recreation Centre complex.
9. Guest suites must be vacated no later than 11:30 AM on the last day the suite is rented. Keys must be dropped in the mail slot to the Resident Manager's office.
9. The Owner will be liable for any damages caused by their guests.
10. Keys to the guest suites must be picked up between 11:00AM and noon from Monday to Friday at the clubhouse office otherwise the suite may not be accessible and the rental fee forfeited.

It was **MOVED** by W-324 and **SECONDED** by T-333 to ratify Rule 4H and all the subsections.

After debate the question was called on Rules 4H and subsections and it was  
The Rules in question will now read:

**CARRIED**

**H. PARKING RULES FOR RECREATIONAL VEHICLES**

1. Resident owners will be given first opportunity to park in the parking area provided. Resident tenants will also be accommodated if parking space is available. RV owners must show registration and proof of ownership at time parking space is allocated and must maintain insurance (including third party liability) while RV is on Strata property. RV and tow vehicle must be registered with the Strata Corporation and proof of third party liability provided to the property management company along with registered owner's name, unit number and parking space allocated. Should any license plate expire, RV owner will post proof of liability insurance in front window of RV where it can be easily seen.
2. An RV is defined as one of the following: a motorhome (class A, B. or C) fifth wheel, travel trailer along with designated tow vehicle, camper (on blocks or on a truck), tent trailer, utility trailer used at least part time for recreational purposes or boat on a trailer. The dolly may be parked in same spot as the towing motorhome.) All RV's and vehicles parked in the RV lot must be operational and roadworthy and no derelict RV's or vehicles may be stored there.
3. Only one (1) parking spot will be allocated per resident RV owner. Designated tow vehicle will not be charged for an extra parking spot if designated tow vehicle will not fit into allocated spot, providing extra parking spots are available. In exceptional circumstances an additional spot may be allocated providing permission is first obtained from Strata Corporation, then only if space is available. RV owner must vacate that additional parking space on one (1) month's written notice from Strata Corporation. Order to vacate will be last-in first-out process.
4. RV parking spots are to be allocated using the seniority RV waiting list maintained by Strata Corporation and the RV committee.
5. RV parking spots are not transferable. When an RV is sold (not to be replaced) or the resident owner(s) unit in Chelsea Gardens is sold or rented, the parking spot reverts to the Strata Corporation and will be allocated to the next person on the seniority list. If the resident owner is purchasing a replacement RV, a reasonable amount of time (3 months) will be given the owner to replace the RV without forfeiting his parking spot providing the parking fee is paid and prior written approval is received from the Strata Corporation.
6. Owners may trade parking spots with other RV owners providing that the Strata Corporation and RV committee is informed in writing.
7. Electrical outlets and water taps are provided on site for vacuuming, power washing, tank filling, power tools, etc. They are not to be used for other purposes such as heating or vehicle block heaters. As available, on a first come first served basis, electrical outlets may be used to prepare an RV for the road for up to 24 hours.
8. If parking spots are available, residents' visitors may be allowed to park their RVs in the RV parking area subject to the following conditions:

- No living (overnight) in the RV parking area is allowed;
  - Visitors will be charged \$10.00 per week for parking in the RV parking area (maximum stay two (2) weeks. Any part of a week is charged at \$10.00 and is to be paid in advance to the resident manager.
9. No allocated parking spot may be left unoccupied for longer than six (6) consecutive months without prior written approval of the Strata Corporation.
  10. Strata Corporation along with the RV committee will review the allocation of parking spots from time to time. The RV committee consists of a chairman, an appointed member of Strata council and up to six resident RV owners.
  11. RV owners will be allowed a reasonable amount of time to load or unload their RV at their residential unit but will not be allowed to park overnight on the street.
  12. PARKING FEES FOR RESIDENT RV OWNERS: A parking fee of \$180.00 per year will be charged for resident RV parking spot. The RV owner may pre-pay on a yearly basis or pay \$15.00 per month. It is suggested the RV parking fee be paid to the management company (cheques payable to LMS 1416) along with the monthly maintenance fee. Any RV owner not paying for their parking spot when the RV is off site will automatically forfeit that parking spot along with their place on the RV parking seniority list. (The RV owner must reapply for a parking spot and will have no seniority.)

STRATA CORPORATION AFTER CONSULTATION WITH THE RV COMMITTEE MAY REFER THE RULES TO THE RV COMMITTEE FOR IMPLEMENTATION. THE RV COMMITTEE WILL REPORT ANY ACTION TO THE STRATA CORPORATION FOR RATIFICATION.

The Strata Corporation shall prepare and print a contract of use agreement for the use of the RV Lot which must be signed prior to the placement of any RV in the RV Lot.

It was **MOVED** by W-324 and **SECONDED** by T-333 to ratify Rule 4I and 4J and all the subsections.

It was **MOVED** by T-102 and **SECONDED** by T-272 to amend I (2) bullet point 3 by deleting the words “the Minutes and” to have the effect that social committee minutes and financials are only in the AGM package. After debate the question was called and the amendment was **CARRIED**

After debate the question was called on the amended Rules 4I and 4J and subsections and it was

**CARRIED**

The Rules in question will now read:

## I. COMMITTEE RULES

### 1. Committees may be appointed by Strata Council from time to time as requested.

- Committees are ad hoc committees of the Strata Council’
- All Committees are independent of each other.
- Council is governed by Sections 3, 4 and 119 of the Strata Property Act in relation to committees.
- Committees shall submit a list of proposed members by the first regular Strata Council meeting after the AGM.

- Additions and deletions to a Committee membership shall be submitted to the Strata Council.
- Approval shall be given as submitted, unless, there is some compelling objection by Council.
- The membership and length of term on the committee shall be open.
- A member of the Strata Council may be part of each Committee if a council member is available to serve on that committee. Committees shall appoint member(s) to report to the Strata Council. Reports to the Strata Council may be made in person or in writing.

## 2. Financial

- Committees that maintain bank accounts/ledgers shall prepare financial statements each month and submit it to the Strata Council.
- Committees that maintain bank accounts/ledgers shall prepare an annual financial statement which will reflect the entire fiscal year's activities and will be included in the AGM agenda.
- Committee funds shall be held by the Strata Corporation Management firm along with all other Strata Corporation accounts and shall be named for the Committee. The Social Committee may maintain an additional operating account, separate from the Strata Management firm, of up to \$3,000.00 provided that two signatures are required and that financial statements are also provided for inclusion in the AGM agenda and minutes.
- No disbursements of the Committee Fund shall be made without the prior approval of the Committee.
- With the exception of the separate operating account maintained by the Social Committee all cheques to be issued on behalf of the committees shall be prepared and signed by the Management Firm's signatory plus one of the strata council signatories.
- Committees may maintain a petty cash fund as well as a float for regular activities if required.
- Committee's fiscal year shall be concurrent with the Strata Corporation's fiscal year.

## 3. Workshop Committee

- A Workshop Committee shall be authorized by council from time to time.

## 4. Exercise Room Committee

- An Exercise Room Committee shall be authorized by council from time to time.

## 5. RV Committee

- An RV Committee shall be authorized by council from time to time.

## 6. Social Committee

- A Social Committee shall be authorized by council from time to time.

### • Purpose

- **The Social Committee is an ad hoc committee of the Strata Council. Their responsibility is to facilitate the social needs of the Strata members.**

### • Activities

- The Social Committee will submit a list of proposed activities at appropriate times, which the Strata Council shall approve providing there is no compelling reason to discuss modifications.
- At any time during the year, the Social Committee can advise the Strata Council of additional functions or changes to this plan. The Strata Council shall not

unreasonably withhold approval unless they believe that the function is not in the best interest of the Strata Corporation.

- No activity, method of raising funds or cause should bring any financial or legal risk or obligation to Chelsea Gardens.
- Should an event, sponsored by the Social Committee, involve contracting with an outside provider, performer or any other company the Social Committee shall indemnify the Strata Corporation by ensuring a signed liability release is received from the performer, provider or outside firm.

**J. REMEDIES**

In accordance with the Strata Property Act, the Strata Council may enforce Rules on behalf of the Strata Corporation and in so doing may:

1. warn the owner in writing of the non-compliance of Bylaws or Rules by the owner, a resident, or a guest of the owner; and/or
2. impose a fine; and/or
3. remove privileges in the use of certain facilities; and/or
4. request removal of pets.

**(11) APPROVAL OF THE 2013/2014 OPERATING BUDGET**

It was **MOVED** by T-333 and **SECONDED** by W-324 to approve the operating budget as included in the Annual General Meeting notice dated March 25, 2013.

The Treasurer noted that the council had reconsidered the originally proposed budget and had taken steps to make adjustments so that the strata fee increases would not be as high as published in the AGM notice and It was **MOVED** by T-333 and **SECONDED** by W-324 to amend the following line items in the budget:

On Page 33 – Line #1 – Apartment Strata Fees reduced from \$385,234.00 to \$356,573.00.

On Page 33 – Line #5 – Townhouse Strata Fees reduced from \$624,629.00 to \$595,465.00.

On Page 33 – Line #4 – Apartment Prior Years Surplus (deficit) originally had no contribution and now has a revenue contribution of \$28,661.00.

On Page 33 – Line #7 – Townhouse Prior Years Surplus (deficit) originally had no contribution and now has a revenue contribution of \$29,165.00.

On Page 33 – Line #18 – Water Fund Income is to be reduced from a total of \$174,194.00 to \$134,995.00 which reflect a per unit/per month reduction from the originally proposed \$36.75 to \$28.48.

On Page 33 – Line #28 – Water Fund Income is to be reduced from a total of \$174,194.00 to \$134,995.00.

On Page 33 – Line #31 – Water Fund Expense is to be reduced from a total of \$174,195.00 to \$134,972.00.

After some discussion the question was called on the amendments to the budget and the amendments were **CARRIED**

After some discussion on the amended budget the question was called and the budget, as amended, was **CARRIED**

A copy of the approved budget, as amended, is enclosed with these minutes.

**(12) PAYMENT OF STRATA FEES**

The payment of your monthly Strata fees will change. A copy of the new amended Strata Fees for your particular area (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 01 2013 PRE AUTHORIZED DEBIT THROUGH YOUR BANK ACCOUNT WILL BE IN THE AMOUNT OF YOUR NEW STRATA FEE **PLUS THE SHORTFALL** FOR MARCH AND APRIL 2013. THE JUNE 01 2013 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, 2012, 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**

It was **MOVED** by W-324 and **SECONDED** by T-333 to place the following resolution on the floor:

**3 / 4 VOTE "A" – TOWNHOUSE ENVELOPE REPAIRS - 2013**

**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 \$55,000.00 to inspect, and where necessary, repair and caulk those townhouse units and replace spindles as required on a priority basis.

After debate the question was called and by a show of voting cards the motion was:

214 in Favour, 0 opposed, 0 abstained

**CARRIED**

It was **MOVED** by W-324 and **SECONDED** by T-333 to place the following resolution on the floor:

**3 / 4 VOTE "B" – TOWNHOUSE PAINTING - 2013**

**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 \$42,672.00 to proceed with the painting of all green areas and pillars and bases on the townhouses.

After debate the question was called and by a show of voting cards the motion was:

214 in Favour, 0 opposed, 0 abstained

**CARRIED**

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It was **MOVED** by W-324 and **SECONDED** by T-333 to place the following resolution on the floor:

**3 / 4 VOTE "C" – DOORS AND WINDOWS - 2012**

**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.

After debate the question was called and by a show of voting cards the motion was:

214 in Favour, 0 opposed, 0 abstained

**CARRIED**

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It was **MOVED** by W-324 and **SECONDED** by T-333 to place the following resolution on the floor:

**3 / 4 VOTE "D" – CLUBHOUSE FLOORING – 2013**

**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 \$18,000.00 to replace the flooring in the pub, the library, the carpeted area of the lobby foyer and the stairwell and hallway to the guest suites and the guest suite bathrooms and strata office.

After debate the question was called and by a show of voting cards the motion was:

210 in Favour, 4 opposed, 0 abstained

**CARRIED**

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It was **MOVED** by W-324 and **SECONDED** by T-333 to place the following resolution on the floor:

**3 / 4 VOTE "E" - GOLF CART**

**Therefore be it resolved** as a 3 / 4 vote of the Owners, LMS 1416, Chelsea Gardens Council is hereby authorized to spend up to \$4,000 from the Contingency Reserve Fund to purchase a nearly new golf cart/utility vehicle.

After debate the question was called and by a show of voting cards the motion was:

214 in Favour, 0 opposed, 0 abstained

**CARRIED**

It was **MOVED** by W-324 and **SECONDED** by T-333 to place the following resolution on the floor:

**3 / 4 VOTE “F” – CLUBHOUSE ROOF**

**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 a sum up to \$10,000 to repair various roof sections on the clubhouse.

After debate the question was called and by a show of voting cards the motion was:

214 in Favour, 0 opposed, 0 abstained

**CARRIED**

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It was **MOVED** by W-324 and **SECONDED** by T-333 to place the following resolution on the floor:

**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 bylaws be rescinded, replaced, amended or added:

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

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

1. (1) An Owner must pay Strata Fees or levies on or before the first day of the month to which the Strata Fees or levies relate.

**RESCIND OLD BYLAW 1(3):**

**AND REPLACE WITH 1(3):**

1. (3) Strata fees not received by the tenth day of the month in which they are due are subject to a fine of up to \$200.00 late penalty, which may be imposed by council instead of the interest penalty indicated under Bylaw 1(2).

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

After debate the question was called and by a show of voting cards the motion was:

214 in Favour, 0 opposed, 0 abstained

**CARRIED**

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It was **MOVED** by W-324 and **SECONDED** by T-333 to place the following resolution on the floor:

**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 bylaws be rescinded, replaced, amended or added:

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

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

3. (3) No signs, fences, gates, billboards, placards, advertising or notices of any kind shall be erected or displayed on the common property or the strata lot (such that they are visible from the exterior of the strata lot) without prior written approval by the strata council. During a duly called Municipal, Provincial or Federal election any prevailing legislation regarding free expression of support will over-ride this bylaw but only to the extent of permitting election signs displayed within a strata lot. Political signs may not be displayed on common or limited common property.

**RESCIND OLD BYLAW 3(4):**

**AND REPLACE WITH 3(4):**

**3(4)** All window coverings visible from the outside of the building shall be white or cream in colour so as not to deter from the appearance of the building. No other items may be displayed in any window with the exception of small ornamental pieces such as sun catchers and the like. Window coverings are defined as draperies or vertical or horizontal blinds of any material. Examples of prohibited window coverings would include (but not be limited to) sheets, paper, flags, etc. Owners wishing to install window coverings not specified in this bylaw must make application to council.

**AND ADD A NEW SUB-SECTION TO READ:**

**3(14)** Garage door windows may be left clear or may be covered by a frosted translucent film material such as 3M or equivalent that would be available at building supply stores. No other materials are to be used to cover garage door windows.

**RESCIND OLD BYLAW 3(6):**

**AND REPLACE WITH 3(6):**

**3(6)** No shade screen, smoke stack, satellite dish, radio or television antenna shall be hung from or attached to the common property, without prior written approval of the strata council except any awnings permitted pursuant to bylaw 3(10).

**RESCIND OLD BYLAW 3(7):**

**AND REPLACE WITH 3(7):**

- 3(7)** a) Charcoal BBQ's are not permitted in Chelsea Gardens.  
b) Gas, propane and electric BBQ's are only permitted on balconies or rear patios.

**RESCIND OLD BYLAW 3(8):**

**AND REPLACE WITH 3(8):**

**3(8)** Plants, bushes and other garden items shall not be placed in or removed from the common or limited common property without the written approval of the strata council. (Annuals may be planted in the common property adjacent to an owner's suite without Council's approval, provided they are installed and maintained at the owner's cost.)

**RESCIND OLD BYLAW 3(11):**

**AND REPLACE WITH 3(11):**

**3(11)** Noise reducing material with the "Impact Insurance Class" (known as I.I.C.) reading of 71 or better is required for ceramic or porcelain tiled or engineered or laminated flooring for all upper townhomes and/or upper apartments. Owners wishing to install any of these hard surface flooring materials must make a request to council and provide a sample of the noise reducing material. The council must be given an opportunity to inspect the installation of the noise reducing material before the final installation of the flooring. The council may delegate the inspection to an employee or contractor.

**RESCIND OLD BYLAW 3(13):**

**AND REPLACE WITH 3(13):**

**3(13)** Window film is allowed using 3M material, grey shade in tint number 35 or the FIT material in grey shade Elite 35 tint or similar materials from other manufacturers. This film must be professionally installed. Owners are required to follow the approved guidelines or the window film will have to be removed. The owner(s) are responsible for its maintenance and must accept responsibility for the failure of any window seals.

After debate the question was called and by a show of voting cards the motion was:

214 in Favour, 0 opposed, 0 abstained

**CARRIED**

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

Prior to Moving/Seconding the Strata Council withdrew this proposed amendment.

It was **MOVED** by W-324 and **SECONDED** by T-333 to place the following resolution on the floor:

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

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

**RESCIND OLD BYLAW 10.1(4):**

**AND REPLACE WITH 10.1(4):**

**10.1(4)** Spouses or partners of owners are eligible to be nominated for council, and if elected, to serve on Strata Council holding the same rights as any owner.

**RESCIND OLD BYLAW 18(1) and 18(2)**

**AND REPLACE WITH 18(1) and 18(2)**

- 18. (1) At the option of the Council, council meetings may be held by electronic means, so long as all Council members and other participants can communicate with each other. Communication is to be defined as being oral and all council members and participants must be capable of hearing the entire conversation.
- (2) If a council meeting is held by electronic means, council members are deemed to be present in person. From time to time the council may be permitted to deal with urgent matters via an email vote provided that all council members have an opportunity to participate and that any decision is recorded in the next set of minutes.

**RESCIND OLD BYLAW 21(B) Second paragraph only**

~~*Section 46(2) of the Strata Property Act states: "Persons holding at least 25% of the Strata Corporation's votes may, by written demand, propose a resolution or raise a matter specified in the demand". If such notice is submitted to Council at least 30 days in advance of the Annual General Meeting, such matter must then be included in the notice for the Annual General Meeting.*~~

**RESCIND OLD BYLAW 24(1)**

**Corporate Seal**

~~*24. (1) The strata corporation shall have a common seal, which shall not be used except by authority of the strata council and shall only be affixed in the presence of two council members, both of whom shall be required to sign every instrument to which the seal is affixed.*~~

After debate the question was called and by a show of voting cards the motion was:

214 in Favour, 0 opposed, 0 abstained

**CARRIED**

It was **MOVED** by W-324 and **SECONDED** by T-333 to place the following resolution on the floor:

**3 / 4 VOTE "K" –BYLAW AMENDMENTS**

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

**RESCIND OLD BYLAW 25(2)**

After debate the question was called and by a show of voting cards the motion was:

213 in Favour, 1 opposed, 0 abstained

**CARRIED**

It was **MOVED** by W-324 and **SECONDED** by T-333 to place the following resolution on the floor:

**3 / 4 VOTE “L” –BYLAW AMENDMENTS**

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

**RESCIND OLD BYLAW 35(1)**

**AND REPLACE WITH 35(1)**

- 35** (1) Any articles or material other than normal household garbage and recyclables must be removed by, and at the expense of, the owners, tenants and occupants of the strata lot from which the articles or materials originated. All normal household garbage must be stored in containers with secure lids, and all government regulations pertaining to recycling must be followed. For those units who receive curbside collection of garbage, green waste and recyclables the containers for each must be kept within the strata lot and not outside except between 6 PM the day before the scheduled collection and 9 PM the day of collection.

After debate the question was called and by a show of voting cards the motion was:

214 in Favour, 0 opposed, 0 abstained

**CARRIED**

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It was **MOVED** by W-324 and **SECONDED** by T-333 to place the following resolution on the floor:

It was **MOVED** by T-196 and **SECONDED** by W-324 to amend this resolution by retaining and not rescinding Section 36(3). The Chair accepted this amendment to NOT be a significant change to the intent of the overall resolution.

After debate the question was called on the amendment to the resolution and by at least a  $\frac{3}{4}$  majority the amendment was **CARRIED**

**3 / 4 VOTE “M” –BYLAW AMENDMENTS**

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

**RESCIND OLD BYLAW 36(3): (AMENDED, AS ABOVE, TO RETAIN THIS SECTION)**

**36(3)** *A tenancy shall be deemed to come to an end when a tenant vacates the strata lot or after a period of one year, whichever comes first, except in the case of unusual hardship.*

**RESCIND OLD BYLAW 36(4):**

**AND REPLACE WITH 36(4)**

**36(4)** Should an owner rent a strata lot in accordance with this bylaw, or to a family member under the Act and regulations or have the unit occupied by a house sitter or house swapper as permitted in these bylaws (37(3)), or obtain permission under the Act to rent on the basis of a hardship, that owner must submit a signed Notice of Tenant's Responsibilities (Form K) to the strata corporation within the time limit allowed under the Act.

**RESCIND OLD BYLAW 36(5)**

**AND REPLACE WITH 36(5)**

**36(5)** An owner who fails to submit a signed Tenant's Responsibilities (Form K) within the time limit allowed under the Act may be subject to a fine to be determined by council, for every seven days that the strata lot is rented and the strata corporation is not in receipt of a signed Notice of Tenant's Responsibilities (Form K).

**RESCIND OLD BYLAW 36(6):**

**AND REPLACE WITH 36(6)**

**36(6)** An owner who rents a strata lot contrary to this bylaw shall be subject to a fine of up to \$500.00. This fine may be applied, at the discretion of council, every seven days.

**RESCIND OLD BYLAW 37(2):**

**AND REPLACE WITH 37(2):**

**37(2)** Bylaw 37(1) does not apply to a person who is a "temporary visitor". A temporary visitor is defined as a person who shall not be occupying the strata lot for more than thirty (30) days total in a calendar year. Owners/residents may apply, in writing, to council for extensions to that thirty (30) day annual limit.

**RESCIND OLD BYLAW 37(3):**

**AND REPLACE WITH 37(3):**

**37(3)** An owner or tenant who is on holiday may allow a person or persons to occupy his strata lot for a maximum period of six (6) months. Notice must be given to the Strata Corporation setting out the name of the person who shall be occupying the strata lot, and the dates during which they will be doing so. The council may extend this time period, under extenuating circumstances, upon written application from an owner/resident.

After debate the question was called and by a show of voting cards the motion was:

213 in Favour, 1 opposed, 0 abstained

**CARRIED**

It was **MOVED** by W-324 and **SECONDED** by T-333 to place the following resolution on the floor:

**3 / 4 VOTE "N" –BYLAW AMENDMENTS**

**Therefore be it resolved** as a 3 / 4 vote of the Owners, LMS 1416, Chelsea Gardens, that the following bylaws be rescinded and replaced and added to:

**RESCIND OLD BYLAW 39(2):**

**AND REPLACE WITH 39(2):**

**39(2)** The strata council may form a committee called “The Recreational Vehicle Committee” and it shall be responsible to for making recommendations to the strata council as to the operation of the Recreational Vehicle Parking Lot and council may delegate responsibility for the allocation of parking spaces within the recreational vehicle parking lot.

**ADD A NEW BYLAW – SUBSECTION 39(7) TO READ:**

**39(7)** All RV’s as defined by bylaw 39 (1) must be roadworthy and capable of being immediately driven off the RV lot.

**RESCIND OLD BYLAW 44(1)**

**44. (1) A permanent Investment Committee be established having the following terms of reference:**

**AND REPLACE WITH 44(1)**

**44 (1)** A permanent Investment Committee may be established having the following terms of reference:

After debate the question was called and by a show of voting cards the motion was:

214 in Favour, 0 opposed, 0 abstained

**CARRIED**

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It was **MOVED** by W-324 and **SECONDED** by T-333 to place the following resolution on the floor:

**3 / 4 VOTE “O” –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 16, 2013 be incorporated into the existing set of bylaws that are on file at land titles and include the bylaw changes approved at the 2012 Annual General Meeting and that, as necessary but without changing wording or intent, the bylaws be renumbered for consistency 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.

After debate the question was called and by a show of voting cards the motion was:

214 in Favour, 0 opposed, 0 abstained

**CARRIED**

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It was **MOVED** by W-324 and **SECONDED** by T-333 to place the following resolution on the floor:

It was **MOVED** by W-324 and **SECONDED** by T-333 to amend the resolution to add, after the number “62” the following additional parking stall numbers: 98, 99, 100, and 101. The Chair determined that this did not significantly change the intent of the motion and ruled the amendment acceptable.

After debate the question was called on the amendment and by a show of voting cards the amendment was:

214 in Favour, 0 opposed, 0 abstained

**CARRIED**

### **3 / 4 VOTE "P" – CHANGE OF USE**

**Therefore be it resolved** as a 3 / 4 vote of the Owners, LMS 1416, Chelsea Gardens, that parking stalls number 61, 62, 98, 99, 100 and 101 in the parkade of the Kensington have their use changed from assigned parking to be used as a strata corporation storage and workshop facility until such time as it is no longer required and would be converted back to assigned or visitor parking as the council deems necessary.

After debate the question was called and by a show of voting cards the motion was:

214 in Favour, 0 opposed, 0 abstained

**CARRIED**

## **(14) NEW BUSINESS**

### 14.1 SPEED BUMPS

An Owner requested the new council look into speed bumps to deter speed in the complex. This suggestion appeared to have little support among the owners assembled so the Strata Council was requested to seek other solutions to enforcing the speed limit on the roadways.

### 14.2 LIST OF RESPONSIBILITIES

An Owner requested a list of responsibilities be given to each new owner. Ross Ruddick advised that an owner's manual is being worked on. This manual will include a great deal of information about the Strata complex including Rules, Bylaws and information useful to each owner.

### 14.3 SPINDLES

An Owner inquired about the quality of the spindles as some of the ones installed on their unit showed signs of early peeling. The product is on site and our total requirements have been purchased from a firm that was closing down production. Garry Kirkland will investigate the on-hand inventory.

### 14.4 LATTICE PAINTING

An owner commented that their lattice is badly in need of painting. The Chair noted that the council was aware of this need throughout the complex and it is hoped that volunteer workers will address this when weather permits.

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

It was MOVED - # T-237 to terminate the meeting at 9:27 p.m. Council will meet on Wednesday, April 24, 2013 to elect council positions and hold the first meeting of the term.

Ross Ruddick, Strata Manager