Little Qualicum River Village

# MINUTES OF A REGULAR MEETING

## STRATA COUNCIL VIS4673
## January 22nd, 2018 [Start Time 6:30 P.M.]
## 1621 Meadowood Way, Qualicum Beach

**Council:** Dana Mellway, Brian Gallagher, Harry Oppenlander, Carol Giesinger, Korina Richard, Linda Guild, John Mainland, Tim Peligren, Elaine Peligren

**Guests:** Trish Curtin

**1. Call to Order**

Brian Gallagher, President, called the meeting to order at 6:35 p.m.

**2. Approval of Agenda**

**Moved:** **Linda**
**Second:** **Dana**

Move to amend the agenda to include the following under 5. Old Business:
h.) Large Garbage Bins & Garbage Area Signage

**Moved:** **Carol**
**Second:** **Linda**

Move that Council accept the agenda as amended.

**Carried**

**3. Approval of Previous Minutes**

**Moved:** **Dana**
**Second:** **Harry**

Move that Council approve and accept the minutes from December 6th, 2017 as presented.

**Carried**

**4. Treasurer's Report**

1.) The following lot numbers are deficient in paying their 1st installment strata fees and council will be sending out letters advising them of fines in accordance with strata bylaws: 5, 9, 20, 32, 37, 38, 42, 45, 46, 54, 56, 59, 68, 69, 81, 93, 97, 99, 102, 103, 113, 125, 134, 135, 137, 142, 161, 174, 184, 185, 204, 214, 221, 227, 236, 238, 239, 244, 247, 248, 260, 265, 268, 270, 271, 274, 275, 280, 281, 285, 288.

Payments should be made payable to Strata Corporation VIS 4673.
**The 2nd installment of $566.00 is due no later than April 30, 2018.**

2.) As of January 19, 2018, the **actual snow removal costs** = $40,964 approx. $5,964 over **full year budget** of $35,000.

3.) Seeking council approval to purchase $50,000 face value of GE Capital Canada bond rated A/A2 maturing October 22, 2037 with an annual coupon of 5.73%.

4.) December 2017 Cheque Register and Income Statement attached [Exhibit A1 – A4]. All other reports on GH computer under "Treasurer's Reports - 2018 Jan 22 council meeting".

**Moved:** **Elaine**
**Second:** **Dana**

Move that Council approve the investments made by the Treasurer to purchase $50,000 face value of GE Capital Canada bond rated A/A2 maturing October 22, 2037 with an annual coupon of 5.73% with the contingency reserve funds which comply with the section of the SPA regulation 6.11 for investments.

**Carried**

**Moved:** **Carol**
**Second:** **Linda**

Move to allow Marilyn Kopernick to continue with collections on behalf of Strata Council as a non-member volunteer whom will sign a confidentiality agreement.

**Carried**

**5. Old Business**

**a.) Review Water System and Timeline Update**

Tim Peligren, Design Review Committee advised that an application for source approval was made to Island Health to bring Well 15 on to our water system. Council will contact Island Health to find out when we can expect approval of our current water system now that all conditions have been satisfied.

**Water System Report:**

Attached [Exhibit B1 – B3] are the December 1st 2017 to December 31st, 2017 Daily Reservoir Readings and Daily Residual Chlorine Readings as provided by our water system provider.

**b.) Expenditures for Approval**

Council has no additional expenditures for approval this month.

**c.) Notice of Civil Claim Suit – Noel Stephen & Judith Munkholm**

There has been no change since the fall of 2017. Dana Mellway, Vice President will contact our Insurance Lawyer to request an update and will report to Council at the next meeting.

**d.) Civil Resolution Tribunals**

Council expected to hear on both tribunals by now.

Linda Guild reported that she has not received any reply or information pertaining to Tribunal # 3214.

Dana, Mellway provided a similar report that he too has not received any reply or information pertaining to Tribunal # 3613.

**e.) Telus Update**

Dana Mellway will be meeting with the Telus Technical Representative on Tuesday, January 23rd to determine if the hubs Telus installed at three different homes in the village have been successful and have provided adequate service. If successful, the approximate cost for this service is expected to be around $75.00 a month. Council will keep you posted on the progress.

**f.) 2017 -2018 Task List**

Brian Gallagher will update the existing task list for the next meeting.

**g.) Status of Bylaw Regulation**

Council received the attached Exhibit [C1-C30]: Registered Form I – Amendment to Bylaws CA6547427 and Registered Consolidated Bylaws as of September 18th, 2017

**h.) Large Garbage Bins & Garbage Area Signage**

Council is arranging to have the big garbage bin brought in at the end of January or early February. In the future, the big garbage bin will be delivered quarterly on the last Friday of April, July and October. This bin is for larger items and is not to be used for daily household garbage. This bin is only to be used for larger items that are not appropriate for regular household garbage and recycle bins. The big bin will not be there for a specific number of days; it will be removed when full.

**6. By-Law Enforcement**

Council has received several letters of dog complaints in the last few months. Owners must keep their dogs on leash when walking them and must pick up their feces. Council will be issuing warnings and fines to all dog owners that do not comply with the Strata Bylaw 38:

(1) All dogs shall be on a leash and under the owner's control when on common property.
(2) Owners and tenants are responsible for the repair of damage by their pets or by their guest's pets.
(3) Owners and tenants are responsible for the removal of waste of their pets or their guest's pets.

**7. Reports**

**a.) Design Review Committee**

The new duly elected committee just held their first meeting today, prior to this council meeting, therefore the minutes from the Design Review meeting are not available yet. One item they wanted to bring to Council and Owners attention is that they are going to set up a sub-committee to deal with emergencies like flooding, fallen trees and items that need immediate attention. Council will report back to Owners next month with more details.

**b.) Common Property**

Council is working on the signs for the garbage area and also discussed the need for additional signage related to pets including keeping dogs on leash and picking up their feces.

Council also spoke of a review of existing street/traffic/direction signage and will need to determine the required budget for necessary signage improvements.

**c.) Correspondence**

Council is going to set up a system to improve our correspondence tracking system. This system will provide the date the letter was received, when and who responded to the letter and the final outcome and track it start to finish.

Council agreed the Correspondence item can be removed from the Agenda going forward.

**8. Significant Events**

**a.) Village Community Events**

The Village Volunteer Group has a bunch of new faces and is alive and active again. For information about who to contact and future events planned, there is a bulletin posted in the glass reader board at the entry of the mailbox area.

**b.) Corcan-Meadowood Residents Association Report**

The next scheduled meeting will be held on Monday, January 29th at 6:30 p.m. at 1621 Meadowood Way.

Owners are encouraged to visit www.meadowoodresidents.com to obtain the most recent minutes and exhibits from our community association.

**9. New Business**

Annie Donald, Little Qualicum River Village Emergency Preparedness Coordinator and Strata Council Members Brian, Carol and Elaine met with representatives from the Regional District of Nanaimo and the Town of Qualicum Beach Emergency Measures Organization to discuss emergency planning and preparedness for our community. The meeting included a tour throughout our village which gave perspective to those not familiar with some of the unique access challenges we face in our location, coupled with the topography and climate variance within a few hundred feet of elevation. We had light fog/drizzle near the river, to significant rain and wet roads, to accumulated snow covered roads and notable snow falling as we went up the mountain.

Annie Donald and Carol Giesinger will be participating in a second meeting with representatives from the RDN, Qualicum Beach EMO and the Dashwood Fire Department in the near future, date to be determined.

Council will be adding c.) Emergency Preparedness to 7. Reports in the following Agendas in the future. We will keep you posted of any pertinent news.

**10. Next Meeting Date**

The next Regular Council Meeting is scheduled for Monday, February 12th, 2018 at 6:30 p.m. located at 1621 Meadowood Way, Qualicum Beach, B.C.

**11. Adjournment**

**Moved:** **Tim**
**Second:** **Harry**

There was no further business and the meeting adjourned at 9:05 p.m.

**Carried**

_____ _____
**Brian Gallagher, President** **Date**

_____ _____
**Elaine Peligren, Recording Secretary** **Date**

# AGENDA OF A REGULAR MEETING

## STRATA COUNCIL VIS4673

**Monday, January 22nd, 2018 [Start Time 6:30PM]**

1621 Meadowood Way, Qualicum Beach, Little Qualicum River Village

1. Call to Order
2. Approval of Agenda
3. Approval of Previous Minutes from December 6th, 2017
4. Treasurer's Report
5. Old Business
   a.) Review Water System Timeline
   b.) Expenditures for Approval
   c.) Notice of Civil Claim Suit – Noel Stephen & Judith Munkholm
   d.) Civil Resolution Tribunals
   e.) Telus Update
   f.) 2017-2018 Task List
   g.) Status of Bylaw Registration
6. Bylaw Enforcement
7. Reports
   a.) Design Review Committee
   b.) Common Property
   c.) Correspondence
8. Significant Events
   a.) Village Community Events
   b.) Corcan-Meadowood Residents Association Report
9. New Business
10. Next Meeting Date
11. Adjournment

EXHIBIT A1-A4 [A7]

# December 2017 Cheques

| Cheque Type | Description | Amount | Cheque Date |
|---|---|---|---|
| Payment | Water system contract & repairs | 4,706.49 | 12/01/2017 |
| Payment | Locate water line | 551.25 | 12/04/2017 |
| Payment | Snow removal | 5,000.00 | 12/08/2017 |
| Payment | Washroom cleaning | 80.00 | 12/10/2017 |
| Payment | Preparation of annual Review financial statements & tax filing | 5,318.25 | 12/14/2017 |
| Payment | Hydro | 964.46 | 12/18/2017 |
| Payment | Flush & clean culvert | 548.63 | 12/19/2017 |
| Payment | Tech/professional services of bridge | 1,243.73 | 12/22/2017 |
| Payment | Snow removal | 11,502.75 | 12/22/2017 |
| Payment | Gate monitor, garbage removal & maintenance | 13,914.34 | 12/28/2017 |

EXHIBIT A1-A4 [A2]

## Strata Corporation VIS4673
## Comparative Income Statement

| | Actual 11/01/2017 to 12/31/2017 | Budget 11/01/2017 to 10/31/2018 | Difference |
|---|---|---|---|
| **REVENUE** | | | |
| Strata Fund | | | |
| Strata Fees | 321,488.00 | 321,615.00 | (127.00) |
| Strata Forms | 502.00 | 0.00 | 502.00 |
| Interest Revenue | 28.28 | 0.00 | 28.28 |
| Fines | 0.00 | 0.00 | 0.00 |
| Fines Written Off | 0.00 | 0.00 | 0.00 |
| Phone Utility Fees | 0.00 | 0.00 | 0.00 |
| Water Utility Fees | 0.00 | 0.00 | 0.00 |
| Garbage Fees | 40,508.00 | 40,508.00 | 0.00 |
| Other/Extraordinary Income | 0.00 | 0.00 | 0.00 |
| Donations | 0.00 | 0.00 | 0.00 |
| Revenue - Fire Extinguishers | 0.00 | 0.00 | 0.00 |
| Net Strata Fund | 382,526.28 | 382,123.00 | 403.28 |
| **TOTAL REVENUE** | 382,526.28 | 382,123.00 | 403.28 |
| **EXPENSE** | | | |
| Non Maintenance Expenses | | | |
| WorkSafe BC Expense | (360.00) | 0.00 | (360.00) |
| Donations Expense | 0.00 | 0.00 | 0.00 |
| Prior Year Accruals | 0.00 | 0.00 | 0.00 |
| Accounting | 318.25 | 5,500.00 | (5,181.75) |
| Legal & Consulting | 0.00 | 25,000.00 | (25,000.00) |
| Current Year Surplus | 0.00 | 0.00 | 0.00 |
| Amortization Expense | 0.00 | 0.00 | 0.00 |
| Allowance for Doubtful Accounts Exp | 0.00 | 0.00 | 0.00 |
| Cost of Security System | 0.00 | 0.00 | 0.00 |
| Courier & Postage | 0.00 | 0.00 | 0.00 |
| Strata Administration | 2,847.47 | 22,159.00 | (19,311.53) |
| Computer Hardware & Software | 0.00 | 1,050.00 | (1,050.00) |
| Hydro - Utilities | 1,126.70 | 7,000.00 | (5,873.30) |
| Garbage Collection | 4,416.98 | 40,508.00 | (36,091.02) |
| Garbage Area Expansion | 0.00 | 0.00 | 0.00 |
| Property Taxes - Lot 13 & 14 | 0.00 | 1,500.00 | (1,500.00) |
| Easements - Lot 13 & 14 | 0.00 | 0.00 | 0.00 |
| Insurance - Regular | 15,006.00 | 15,006.00 | 0.00 |
| Insurance - Director | 0.00 | 0.00 | 0.00 |
| Insc - Claims Recovery/Expense | 0.00 | 0.00 | 0.00 |
| Interest & Bank Charges | 24.35 | 500.00 | (475.65) |
| Minor Improvements | 0.00 | 500.00 | (500.00) |
| Security | 1,500.00 | 0.00 | 1,500.00 |
| Telephone | 69.45 | 2,500.00 | (2,430.55) |
| Gate Monitoring | 875.00 | 10,700.00 | (9,825.00) |
| Bookkeeper | 0.00 | 21,300.00 | (21,300.00) |
| Strata Meetings & Supplies | (123.63) | 0.00 | (123.63) |
| Miscellaneous Committees | 0.00 | 2,000.00 | (2,000.00) |
| Memberships | 0.00 | 0.00 | 0.00 |
| Non Maintenance Expenses | 25,700.57 | 155,223.00 | (129,522.43) |
| Maintenance Expenses | | | |
| Snow Removal - Road Clearing | 15,236.75 | 22,000.00 | (6,763.25) |
| Snow Removal - Road Sanding/Salting | 8,175.00 | 10,000.00 | (1,825.00) |

EXHIBIT A1-A4 [A3]

| | | | | | |
|---|---|---|---|---|---|
| Snow Removal - Sand & Salt Material | 4,368.65 | | 1,200.00 | | 3,168.65 |
| Snow Removal - Sand & Salt Storage | 63.00 | | 800.00 | | (737.00) |
| Snow Removal - Storage Units Roofs | 0.00 | | 1,000.00 | | (1,000.00) |
| Snow Removal (Total) | | 27,641.40 | | 35,000.00 | (7,158.60) |
| Security Cameras - Camera R&M | 0.00 | | 600.00 | | (600.00) |
| Security Cameras - Replace Camera | 0.00 | | 0.00 | | 0.00 |
| Security Cameras - Computer R&M | 0.00 | | 0.00 | | 0.00 |
| Security Cameras (Total) | | 0.00 | | 600.00 | (600.00) |
| R&M Supplies - Small Tools | 0.00 | | 400.00 | | (400.00) |
| R&M Supplies - Parts | 0.00 | | 100.00 | | (100.00) |
| R&M Supplies (Total) | | 0.00 | | 500.00 | (500.00) |
| Fire Equip't - Hydrants service/rep | 0.00 | | 1,000.00 | | (1,000.00) |
| Fire Equip't - Tanks, Valves repair | 0.00 | | 0.00 | | 0.00 |
| Fire Equip't - Tanks Painting | 0.00 | | 0.00 | | 0.00 |
| Fire Equip't & Maint (Total) | | 0.00 | | 1,000.00 | (1,000.00) |
| Vegetation removal - Tree Trimming | 165.00 | | 9,600.00 | | (9,435.00) |
| Vegetation Removal -roadside mowing | 91.00 | | 5,000.00 | | (4,909.00) |
| Vegtation Removal -common area trim | 500.00 | | 5,000.00 | | (4,500.00) |
| Vegetation Removal/Cleanup (Total) | | 756.00 | | 19,600.00 | (18,844.00) |
| Roads Maint. - Grading Gravel Roads | 5,129.88 | | 16,000.00 | | (10,870.12) |
| Roads Maint. - Crush Aggregate | 0.00 | | 15,000.00 | | (15,000.00) |
| Roads Maint - Culvert & Ditch Clean | 0.00 | | 4,000.00 | | (4,000.00) |
| Roads Maint - Pavement Repace & Sup | (19,488.55) | | 4,000.00 | | (23,488.55) |
| Roads Maint - Pavem't Crack Sealing | 0.00 | | 9,000.00 | | (9,000.00) |
| Roads Maint - Pave't ext/corner wid | 0.00 | | 12,000.00 | | (12,000.00) |
| Roads Maint - Road Sweeping | 0.00 | | 3,000.00 | | (3,000.00) |
| Roads Maint - Signs, cleaning,paint | 0.00 | | 2,000.00 | | (2,000.00) |
| Roads Maint - Emergency/Other | 1,761.97 | | 5,529.00 | | (3,767.03) |
| Roads Maintenance (Total) | | (12,596.70) | | 70,529.00 | (83,125.70) |
| Washroom Repairs - Cleaning Contrac | 80.00 | | 1,200.00 | | (1,120.00) |
| Washroom Repairs - Bldg Repairs | 0.00 | | 200.00 | | (200.00) |
| Washroom Repairs - Plumbing Repairs | 0.00 | | 200.00 | | (200.00) |
| Washroom Repairs (Total) | | 80.00 | | 1,600.00 | (1,520.00) |
| Water/Sewerage System - Contract | 3,512.16 | | 43,000.00 | | (39,487.84) |
| Water/Sewerage Sys - Water Testing | 0.00 | | 3,000.00 | | (3,000.00) |
| Water/Sewerage - Call-outs, Mileage | 145.60 | | 2,000.00 | | (1,854.40) |
| Water/Sewerage - Training | 0.00 | | 0.00 | | 0.00 |
| Water/Sewerage - Reservoir Cleaning | 0.00 | | 500.00 | | (500.00) |
| Water/Sewerage - Chlorination Suppl | 0.00 | | 500.00 | | (500.00) |
| Water/Sewerage - Monitoring | 630.00 | | 200.00 | | 430.00 |
| Water/Sewerage - R&M | 1,599.98 | | 500.00 | | 1,099.98 |
| Water/Sewerage - Sewerage Testing | 548.63 | | 200.00 | | 348.63 |
| Water/Sewerage System (Total) | | 6,436.37 | | 49,900.00 | (43,463.63) |
| Gatehouse Refurbishment | 0.00 | | 0.00 | | 0.00 |
| Garbage Expansion Area | 0.00 | | 0.00 | | 0.00 |
| Garbage Expan & GH Refurb (Total) | | 0.00 | | 0.00 | 0.00 |
| Water System Repairs - Well Pumps | 0.00 | | 500.00 | | (500.00) |
| Water System Repairs - Hydrants | 0.00 | | 500.00 | | (500.00) |
| Water System Repairs - Blending Equ | 0.00 | | 500.00 | | (500.00) |
| Water System Repairs - Chlorination | 0.00 | | 1,500.00 | | (1,500.00) |
| Water System Repairs - Reservoir RM | 0.00 | | 300.00 | | (300.00) |
| Water System- Dist'n Piping Repairs | 0.00 | | 1,000.00 | | (1,000.00) |
| Water System Repairs (Total) | | 0.00 | | 4,300.00 | (4,300.00) |
| na | 0.00 | | 0.00 | | 0.00 |
| Equipment Repairs - Telephone Box | 0.00 | | 700.00 | | (700.00) |
| Equipment Repairs - Telephone Poles | 0.00 | | 300.00 | | (300.00) |
| Equipment Repairs - Miscellaneous | 0.00 | | 2,000.00 | | (2,000.00) |
| Equipment Repairs (Total) | | 0.00 | | 3,000.00 | (3,000.00) |
| Storage Unit - Roof Repairs | 0.00 | | 8,000.00 | | (8,000.00) |

EXHIBIT A1-A4 [A4]

| | | | | | |
|---|---|---|---|---|---|
| Storage Unit - Structural Repairs | 0.00 | | 500.00 | | (500.00) |
| Storage Unit - Painting & Staining | 0.00 | | 0.00 | | 0.00 |
| Storage Unit - Strata Owned Lots | 0.00 | | 0.00 | | 0.00 |
| Storage Units (Total) | | 0.00 | | 8,500.00 | (8,500.00) |
| Gate Repair Electronics | 0.00 | | 500.00 | | (500.00) |
| Gate Repair Hardware | 0.00 | | 1,000.00 | | (1,000.00) |
| Gate Repair Labour | 332.50 | | 500.00 | | (167.50) |
| Gate Repairs Other | 0.00 | | 0.00 | | 0.00 |
| Gate Repair (Total) | | 332.50 | | 2,000.00 | (1,667.50) |
| na | | 0.00 | | 0.00 | 0.00 |
| na | | 0.00 | | 0.00 | 0.00 |
| Maintenance Expenses (Total) | | 22,849.57 | | 196,429.00 | (173,579.43) |
| | | | | | |
| Other Expenses | | | | | |
| Repairs Gate Opening Equip't | 0.00 | | 0.00 | | 0.00 |
| Repairs Water System Equip't | 0.00 | | 0.00 | | 0.00 |
| Repairs Camera/security Equip't | 0.00 | | 0.00 | | 0.00 |
| Repairs Telephone Equip't | 0.00 | | 0.00 | | 0.00 |
| Repairs Misc. Equip't | 0.00 | | 0.00 | | 0.00 |
| Unused | 0.00 | | 0.00 | | 0.00 |
| Equipment Repairs (Total) | | 0.00 | | 0.00 | 0.00 |
| Snow Removal | 0.00 | | 0.00 | | 0.00 |
| Sand | 0.00 | | 0.00 | | 0.00 |
| Salt | 0.00 | | 0.00 | | 0.00 |
| Trucking and Material | 0.00 | | 0.00 | | 0.00 |
| Mowing Ditches | 0.00 | | 0.00 | | 0.00 |
| Gatehouse Interior Refurbishment | 0.00 | | 0.00 | | 0.00 |
| Prior Years Surplus Applied | 0.00 | | (9,529.00) | | 9,529.00 |
| Maintenance Contract | 0.00 | | 0.00 | | 0.00 |
| Independent Asset Appraisal | 0.00 | | 0.00 | | 0.00 |
| Siren Activated Gate Opener | 0.00 | | 0.00 | | 0.00 |
| Easement Expense (Lot 13 & 14) | 0.00 | | 0.00 | | 0.00 |
| Irrigation of Septic Field | 0.00 | | 0.00 | | 0.00 |
| Transfer to Contingency Reservefund | 0.00 | | 20,000.00 | | (20,000.00) |
| Maintenance Contract | | 0.00 | | 10,471.00 | (10,471.00) |
| Total General & Admin. Expenses | | 0.00 | | 10,471.00 | (10,471.00) |
| | | | | | |
| TOTAL EXPENSE | | 48,550.14 | | 362,123.00 | (313,572.86) |
| | | | | | |
| NET INCOME | | 313,976.14 | | 0.00 | 313,976.14 |

Generated On: 01/04/2018

EXHIBIT B1-B3 [B1]

Sheet1

# DECEMBER 2017 Daily Reservoir Readings

| Date | Time | Depth | Temp. | Well#1 | Well#2 | Well#9 | Well#13 | Res.Flow | total |
|---|---|---|---|---|---|---|---|---|---|
| Meter | | | | 15789 | 42603 | 41184 | | 121306 | |
| 1 | 730 | 10.9 | 8 | | | | | 121390 | |
| 2 | 900 | 10.8 | 8 | | | | | 121481 | |
| 3 | 840 | 10.8 | 8 | | | | | 121564 | |
| 4 | 900 | 10.8 | 8 | | | | | 121659 | |
| 5 | 845 | 10.9 | 8 | | | | | 121746 | |
| 6 | 840 | 10.8 | 8 | | | | | 121840 | |
| 7 | 830 | 10.9 | 8 | | | | | 121928 | |
| 8 | 820 | 10.9 | 8 | | | | | 122014 | |
| 9 | 815 | 10.9 | 8 | | | | | 122103 | |
| 10 | 825 | 10.9 | 8 | | | | | 122194 | |
| 11 | 830 | 10.8 | 8 | | | | | 122286 | |
| 12 | 815 | 10.8 | 8 | | | | | 122374 | |
| 13 | 910 | 10.8 | 8 | | | | | 122462 | |
| 14 | 825 | 10.8 | 8 | | | | | 122552 | |
| 15 | 750 | 10.8 | 8 | | | | | 122632 | |
| 16 | 830 | 10.8 | 8 | | | | | 122720 | |
| 17 | 825 | 10.8 | 8 | | | | | 122808 | |
| 18 | 750 | 10.8 | 8 | | | | | 122902 | |
| 19 | | | | SNOW IN | | | | ~~123165~~ | |
| 20 | 930 | 10.7 | 8 | | | | | 123063 | |
| 21 | 845 | 10.8 | 8 | | | | | 123151 | |
| 22 | 3 pm | 10.8 | 8 | | | | | 123269 | |
| 23 | 745 | 10.8 | 8 | | | | | 123325 | |
| 24 | 900 | 10.8 | 8 | | | | | 123422 | |
| 25 | 845 | 10.8 | 8 | | | | | 123578 | |
| 26 | 845 | 10.9 | 8 | | | | | 123611 | |
| 27 | 815 | 10.9 | 8 | | | | | 123703 | |
| 28 | 800 | 10.8 | 8 | | | | | 123796 | |
| 29 | 820 | 10.9 | 8 | | | | | 123885 | |
| 30 | 130 | 10.7 | 8 | | | | | 123991 | |
| 31 | 900 | 10.8 | 8 | | | | | 124075 | |
| Meter Readings | | | | 17495 | 43395 | 41203 | | | |
| Total consumpton | | | | 1706 | 792 | 19 | | | 2517 |
| comments | | | | | | | | | |
| | | | | | | | | | |
| Don Buchner | | | | | | | | | |

TOTAL Usage = 2517 cm OR 553,740 Imp. Gal.

Average Daily Usage = 84 cm or 18,480 Imp. Gal.

Everything in the system is running smoothly. The residual chlorine is maintaining a .2 average and all water tests have come back clean. (<1 <1)



Don Buchner

OPERATOR # 6464

EXHIBIT B1-B3 [B2]

Sheet1

| DEC. | 2017 Daily Residual Chlorine Readings | | | | | | |
|---|---|---|---|---|---|---|---|
| Date | reservoir | SL 51 | SL 27 | Washrooms | SL 201 | SL 177 | Sl 281 |
| 1 | .2 | | | | .2 | | |
| 2 | .2 | | | | | | .2 |
| 3 | .2 | | | .2 | | | |
| 4 | .2 | | | | .2 | | |
| 5 | .2 | | | | | | .2 |
| 6 | .2 | | | | .2 | | |
| 7 | .2 | | | | .2 | | |
| 8 | .2 | | | | .2 | | |
| 9 | .2 | | | .2 | | | |
| 10 | .2 | | | | | | .2 |
| 11 | .2 | | | | .2 | | |
| 12 | .2 | | | | | | .2 |
| 13 | .2 | | | .2 | | | |
| 14 | .2 | | | | .2 | | |
| 15 | .2 | | | | | | .2 |
| 16 | .2 | | | .2 | | | |
| 17 | .2 | | | | .2 | | |
| 18 | .2 | | | .2 | | | |
| 19 | | | | | | | |
| 20 | .2 | | | | .2 | | |
| 21 | .2 | | | | .2 | | |
| 22 | .2 | | | .2 | | | |
| 23 | .2 | | | | .2 | | |
| 24 | .2 | | | .2 | | | |
| 25 | .2 | | | | .2 | | |
| 26 | .2 | | | | .2 | | |
| 27 | .2 | | | | .2 | | |
| 28 | .2 | | | | .2 | | |
| 29 | .2 | | | .2 | .2 | | |
| 30 | .2 | | | | | | |
| 31 | .2 | | | | .2 | | |

EXHIBIT B1-B3 [B3]

Sheet1

| DEC. | 2017 | Chlorine | Tank Depth in Inches | | |
|---|---|---|---|---|---|
| Date | | Time | | 29.25 | inches |
| 1 | | 730 | | | 27.25 |
| 2 | | 900 | | | 25 |
| 3 | | 840 | | | 23 |
| 4 | | 900 | | | 20.75 |
| 5 | | 745 | | | 18.25 |
| 6 | | 840 | | | 16.25 |
| NOTE 1 7 | | 830 | | 5' | 14.25 |
| 8 | | 820 | | | 49 |
| 9 | | 815 | | | 46.5 |
| 10 | | 825 | | | 44.25 |
| 11 | | 830 | | | 42 |
| 12 | | 815 | | | 39.75 |
| 13 | | 910 | | | 37.25 |
| 14 | | 825 | | | 35 |
| 15 | | 750 | | | 33.25 |
| 16 | | 830 | | | 31 |
| 17 | | 825 | | | 29.25 |
| 18 | | 750 | | | 27.25 |
| 19 | | | SNOW | | ~~24.25~~ |
| 20 | | 930 | | | 24.25 |
| 21 | | 845 | | | 22.5 |
| 22 | | 3PM | | | 20 |
| 23 | | 745 | | | 18.5 |
| 24 | | 900 | | | 16.75 |
| NOTE 2 25 | | 845 | | 5' | 15 |
| 26 | | 845 | | | 49.25 |
| 27 | | 815 | | | 47 |
| 28 | | 800 | | | 45 |
| 29 | | 820 | | | 42.75 |
| 30 | | 1130 | | | 40.25 |
| 31 | | 900 | | | 38.25 |

NOTE-1- FILLED TANK- 5' H.

" -2- " " -4.9

EXHIBIT C1-C30 [C1]

*Strata Property Act*

FORM I

AMENDMENT TO BYLAWS

*(Section 128)*

The Owners, Strata Plan VIS4673 certify that the following or attached amendments to the bylaws of the strata corporation were approved by a resolution passed in accordance with section 128 of the *Strata Property Act* at an annual or special general meeting held on November 19, 2017:

The Strata Bylaws dated July 19, 2008 and all subsequent amendments be repealed and replaced by the document "Combined Bylaws as of September 18, 2017", in the form attached hereto.

Signature of Council Member

Signature of Second Council Member

FORM_STRATA_V9

EXHIBIT C1-C30. [C2]

VICTORIA LAND TITLE OFFICE

Jan-04-2018 14:26:00.001

CA6547427

STRATA PROPERTY ACT FILING
PROVINCE OF BRITISH COLUMBIA



- Your electronic signature is a representation by you that:
  - you are a subscriber; and
  - you have incorporated your electronic signature into
    - this electronic application, and
    - the imaged copy of each supporting document attached to this electronic application,

  and have done so in accordance with Sections 168.3 and 168.41(4) of the *Land Title Act*, RSBC 1996, C.250.
- Your electronic signature is a declaration by you under Section 168.41 of the *Land Title Act* in respect of each supporting document required in conjunction with this electronic application that:
  - the supporting document is identified in the imaged copy of it attached to this electronic application;
  - the original of the supporting document is in your possession; and
  - the material facts of the supporting document are set out in the imaged copy of it attached to this electronic application.

Each term used in the representation and declaration set out above is to be given the meaning ascribed to it in Part 10.1 of the *Land Title Act*.

Michael Patrick Walker QAIJ7R

Digitally signed by Michael Patrick Walker QAIJ7R
DN: c=CA, cn=Michael Patrick Walker QAIJ7R, o=Lawyer, ou=Verify ID at www.juricert.com/LKUP.cfm?id=QAIJ7R
Date: 2018.01.04 13:33:39 -08'00'

1. CONTACT: (Name, address, phone number)

Mont & Walker Law Corporation
Barristers and Solicitors
201 Selby Street
Nanaimo BC V9R 2R2

Telephone: (250) 753-6435
File No. 42523

Document Fees: $28.63

Deduct LTSA Fees? Yes ☑

2. IDENTIFICATION OF ATTACHED STRATA PROPERTY ACT FORM OR OTHER SUPPORTING DOCUMENT:

Form-I Amendment to Bylaws

LTO Document Reference:

3. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID] [LEGAL DESCRIPTION]

NO PID NMBR THE OWNERS, STRATA PLAN VIS4673

Related Plan Number: VIS4673

EXHIBIT C1-C30 [C3]

(89)

# RESOLUTION

**RESOLUTION #1 – ¾ Vote Required**

**REGISTRATION OF CONSOLIDATED BYLAWS AS OF SEPTEMBER 18, 2017**

PREAMBLE:

Whereas the Strata Corporation for the convenience of owners, sellers, and buyers would like one consolidated version of the strata bylaws, and no bylaw amendments or changes are proposed, the owners by ¾ vote resolve to repeal Strata Bylaws dated July 19, 2008 and all subsequent amendments, and adopt the document "Combined Bylaws 2017-09-18" as attached with the notice of meeting.

**¾ Vote Resolution #1:** That the Strata Bylaws dated July 19, 2008 and all subsequent amendments be repealed and replaced by the document "Combined Bylaws – 2017-09-18"

EXHIBIT C1 - C30 [C47.

(90)

LITTLE QUALICUM RIVER VILLAGE - VIS 4673
SCHEDULE OF BYLAWS
Combined Bylaws as of September 18, 2017

Retyped, and Combined Bylaws dated 2008-07-29 with Amendments 2013-12-05, 2014-12-12, 2015-12-23, and 2016-11-05. In the event of a discrepancy between this document and the original registered documents, the original documents will prevail.

## INDEX


| Bylaw No. | | Page No. |
|---|---|---|
| | **PREAMBLE - for information** | |
| A | Regional District of Nanaimo Bylaws | 3 |
| B | Riparian Areas Regulation | 3 |
| C | Strata Property Act | 3 |
| D | Owner's Insurance | 3 |
| **Bylaw No.** | | |
| | **DIVISION 1 – Duties of Owners, Tenants and Visitors** | |
| 1 | Payment of Strata Fees and Insurance | 4 |
| 2 | Repair and Maintenance of Property By Owners | 4 |
| 3 | Use of Private Yard Area, Storage Units, Common Property | 4 |
| 4 | Inform Strata Corporation – Name | 6 |
| 5 | Approval to Alter a Strata Lot | 6 |
| 6 | Approval to Alter Common Property | 6 |
| 7 | Permit Entry | 7 |
| 8 | Storage Units | 7 |
| | **DIVISION 2 – Powers and Duties of Strata Corporation** | |
| 9 | Repair and Maintenance by Strata Corporation | 8 |
| 10 | Duties of Strata Corporation | 8 |
| | **DIVISION 3 – Strata Council** | |
| 11 | Council Size | 10 |
| 12 | Council Members' Terms | 10 |
| 13 | Removing Council Member | 10 |
| 14 | Replacing Council Member | 10 |
| 15 | Council Officers | 11 |
| 16 | Calling Council Meetings | 11 |
| 17 | Requisition of Council Hearing | 11 |
| 18 | Quorum of Council | 12 |
| 19 | Council Meetings | 12 |
| 20 | Voting at Council Meetings | 13 |
| 21 | Inform Owners of Minutes | 13 |
| 22 | Delegation of Council's Powers and Duties | 13 |
| 23 | Spending Restrictions | 14 |

EXHIBIT C1-C30 [C5]

(91)




| | | |
|---|---|---|
| 24 | Remuneration of Council Members | 14 |
| 25 | Conflict of Interest | 14 |
| 26 | Limitation on Liability of Council Member | 14 |
| 27 | Financial Statements | 14 |
| | **DIVISION 4 – Enforcement of Bylaws and Rules** | |
| 28 | Nonpayment Fines, Fees and Charges | 15 |
| 29 | Continuing Contravention | 15 |
| | **DIVISION 5 – Annual and Special General Meetings** | |
| 30 | Person to Chair Meeting | 16 |
| 31 | Participation By Other Than Eligible Voters | 16 |
| 32 | Voting at an Annual or Special General Meeting | 17 |
| 33 | Order of Business - Annual and Special General Meetings | 17 |
| | **DIVISION 6 – Voluntary Dispute Resolution** | |
| 34 | Voluntary Dispute Resolution | 19 |
| | **DIVISION 7 – Marketing Activities** | |
| 35 | Sale of Lot | 19 |
| | **DIVISION 8 – Rental, Pets and Parking** | |
| 36 | Renting or Leasing of Private Yard Areas | 20 |
| 37 | Vehicle Use and Parking | 20 |
| 38 | Pets on Common Property | 21 |
| | **DIVISION 9 – Miscellaneous** | |
| 39 | Authorization to Sue – Small Claims Court | 22 |
| 40 | Cleanliness & Waste Management | 22 |
| 41 | Fire Risk | 22 |
| 42 | Hazardous Materials | 22 |
| 43 | Community Water System | 23 |
| | **DIVISION 10 – Design Review Committee** | |
| 44 | Design Review Committee Terms of Reference | 24 |
| 45 | Construction, Additions to Private Yard Area | 24 |
| 46 | Construction related to Common Property | 25 |
| 47 | Sewerage Disposal | 25 |
| 48 | Vegetation | 25 |
| 49 | Building Setbacks | 26 |
| 50 | Damage to Property | 26 |
| 51 | Appeal from DRC | 26 |
| | **DIVISION 11 - Definitions** | |
| 52 | Definitions | 27 |

EXHIBIT C1-C30 [C6]
(92)

LITTLE QUALICUM RIVER VILLAGE - VIS 4673
SCHEDULE OF BYLAWS
Combined Bylaws as of September 18, 2017

**PREAMBLE - for information:**

**A. Regional District of Nanaimo (RDN) Bylaws**

Little Qualicum River Village is within the jurisdiction of Electoral Area F of the Regional District of Nanaimo. As such, the overall development and each strata lot (private yard area and storage unit) in the development is subject to the applicable land use bylaws of the Regional District of Nanaimo, details of which can be found in RDN Bylaw no. 1285, and any future amendments.

LQRV Strata Bylaws refer only to the RDN zoning classification of the strata lots for permitted principal use of the private yard areas and any further restrictions defined in the LQRV Bylaws.

The Regional District of Nanaimo Bylaws permits the lawful use of any land, building or structure existing at the time of its enactment to be continued as long as it complies with the Local Government Act.

**B. Riparian Areas Regulation**

Little Qualicum River Village is located adjacent to rivers and other wetlands and, as such, the development of each private yard area is subject to the requirements of the Provincial Riparian Areas Regulation that is part of the Fish Protection Act.

**C. Strata Property Act**

The Little Qualicum River Village Schedule of Bylaws replaces the Strata Property Act Schedule of Standard Bylaws.

**D. Owner's Insurance**

The Strata Corporation VIS 4673 does not carry insurance for a strata lot owner's personal property. Each Strata Lot owner is responsible for arranging their own insurance for all personal property, e.g., buildings and liability insurance on the private yard area, vehicles, tools and other equipment.

EXHIBIT C1-C30 [C7]

(93)



## DIVISION 1 – Duties of Owners, Tenants and Visitors

### Payment of Strata Fees and Fines

1. (1) All strata fee assessments established by the Strata Corporation at each Annual General Meeting shall be paid in one annual or two semi-annual installments. The annual or first of the semi-annual installments shall be due on the 15th day of January of each year. The second installment shall be due on the 30th day of April of each year.

   (2) Fines shall be assessed for non-payment of strata fees. The fine shall be $50.00 on the due date and a further $50.00 every month thereafter until paid.

   (3) All levies and special charges are due and payable on the date specified at an Annual General Meeting or Special General Meeting.

### Repair and Maintenance of Property by Owner

2. An owner must repair and maintain their storage unit and private yard area except for repair and maintenance that is the responsibility of the Strata Corporation.

### Use of Private Yard Areas, Storage Units and Common Property.

3. (1) An owner, tenant, occupant or visitor must not use a private yard area and storage unit, the common property or common assets in a way that

   (a) causes a nuisance or hazard to another person

   (b) causes unreasonable noise and shall respect "quiet time" between 11 PM and 7 AM

   (c) unreasonably interferes with the rights of other persons to use and enjoy the common property, common assets or another private yard area and storage unit

   (d) is illegal, or

   (e) is contrary to a purpose for which the private yard area, storage unit or common property is intended as shown expressly or by necessary implication on the strata plan or in these Bylaws.

   (2) An owner, tenant, occupant or visitor must not cause damage, other than reasonable wear or tear, to the common property, common assets or those parts of a strata lot which the Strata Corporation must repair and maintain under these bylaws.

   (3) An owner is responsible for the actions of their visitors.

   (4) An owner shall indemnify and save harmless the Strata Corporation from the expense of any maintenance, repair or replacement rendered necessary to the common property, common assets or any strata lot as the result of the owner's act, omission, negligence or carelessness.

This shall only apply to such expense that is not reimbursed from proceeds received from an insurance policy. However, the owner responsible for the loss or damage that gave rise to the claim shall be held responsible for the insurance deductible portion of that claim.

This indemnification extends to an act by an owner's visitors, occupants, guests, employees, contractors, tenants, or members of the owner's family.

(5) (a) No tents or recreational vehicles shall be used for permanent full time habitation.

(b) Recreational vehicles must be maintained in good condition and be capable of being moved at all times.

(6) The only manufactured home permitted shall be modular homes that meet or exceed the Canadian Standards Association code A277 for Modular Homes.[1]

(7) An owner is permitted to keep a reasonable number of household pets in compliance with RDN zoning bylaws. Strata Council may, on receipt of a written complaint from an owner, determine that a pet or a number of pets are a nuisance and require remedial action or removal of the animals. Compliance with such a Council order shall be within 30 days of written notice.

**Permitted Use of Private Yard Areas of Strata Lots 2 to 8, 12 to 24, 27 to 37, 39 to 44, 48 to 89, 136, 232 to 243, 287, 288,**

(8) (a) The above listed private yard areas are zoned by the RDN as R-1,

(b) The private yard area of Lot 136 is zoned by the RDN as R-1.20.

**Permitted Use of Private Yard Areas of Strata Lots 1 and 45**

(9) The private yard areas of Lots 1 and 45 are zoned by the RDN as C-1. The permitted principal uses are restricted to care services, dwelling unit, personal services, retail store, restaurant.

**Permitted Use of Private Yard Areas of Strata Lots 46 and 47**

(10) The private yard areas of Lots 46 and 47 are zoned by the RDN as T-1. The permitted principal uses are restricted to care services, dwelling unit, public assembly, recreation facility.

[1] Bylaw 3 (6), which previously disallowed manufactured homes, was repealed and replaced with wording allowing manufactured homes meeting CSA A277 by Resolution at AGM on Nov. 5, 2016.

EXHIBIT C1-C30 [C9]

(95)



**Permitted Use of Private Yard Areas of Strata Lots 9 to 11, 38, 90 to 135, 137 to 170, 187 to 231, 244 to 260, 285 and 286.**

(11) (a) The private yard areas of the above listed lots are zoned by the RDN as RC-3. The permitted principal uses are restricted to one dwelling unit (no tourist accommodation).

(b) Recreational vehicles or tents are not permitted on vacant lots.[2]

**Permitted Use of Private Yard Areas of Strata Lots 171 to 186 and 261 to 284**

(12) (a) The private yard areas of the above listed lots are zoned by the RDN as RC-3.1. The size of dwelling units and accessory buildings may be restricted by specific guidelines as approved by the Strata Council.

(b) Private yard areas for lots 185, 186, 268, 271 to 274, 276, 279 to 281, 283, and 284 are restricted to Recreational Vehicle or Yurt.

**Inform Strata Corporation – Name**

4. (1) Within two weeks of becoming an owner, the owner shall inform the Strata Corporation of their name, strata lot number, mailing address if outside the strata development, their telephone number, e-mail address if one is available. Further an owner shall advise the Strata Corporation in the event of changes to that information.

(2) Within 45 days of becoming an owner, the owner shall provide the Strata Corporation with a copy of a Certificate of Title of the strata lot.

(3) The Strata Corporation shall keep this personal information confidential other than that it is required to release under the Act.

**Approval to Alter Strata Lot**

5. An owner must comply with the requirements of division 10 of these bylaws prior to making changes to a Strata Lot to ensure compliance with all applicable Bylaws, Regulations, Codes, and guidelines.

**Approval to Alter Common Property**

6. (1) (a) The approval of the Strata Corporation must be obtained before making a significant change in the use or appearance of common property.

(b) If the change is requested by an owner, the Strata Corporation may require as a condition of its approval that the owner agrees, in writing, to take responsibility for any expenses relating to the alteration.

(2) The Strata Corporation may acquire or provide easements in accordance with the provisions of the Strata Property Act and Regulations.

[2] Bylaw 3 (11) was changed to (11) (a), and 11 (b) was added by Resolution at AGM Nov. 7, 2015.

EXHIBIT C1-C30 [C10]

(96)



(3) No vegetation shall be removed from any common property without having first received the written permission of the Strata Council. This permission may only be granted for routine cleanup or to ensure safety or to prevent significant loss or damage.

**Permit Entry**

7. (1) An owner, tenant, occupant or visitor must allow a person authorized by the Strata Corporation to enter the private yard area or storage unit,

(a) in an emergency, without notice, to ensure safety or prevent significant loss or damage, and

(b) at a reasonable time, on 48 hours written notice or by mutual agreement, to inspect, repair or maintain common property, common assets and any portions of a private yard area and storage unit that are the responsibility of the Strata Corporation to repair and maintain under these bylaws.

(2) The notice referred to in subsection 1(b) must include the date and approximate time of entry, and the reason for entry.

**Storage Units**

8. (1) Storage Units shall be used for the storage of chattels and vehicles and for no other purposes unless written approval is received from the Strata Council.

(2) No storage or dumping shall take place on common property outside a storage unit.

(3) An owner may lease their storage unit for a period not exceeding the period of his ownership of such storage unit and shall register the names of those leasing the storage unit with the Strata Council. Existing lease agreements are grandfathered.

(4) No alteration of the exterior of a storage unit shall be undertaken without the written approval of the Strata Council.

EXHIBIT C1-C30 [CH] (97)



## DIVISION 2 - Powers and Duties of Strata Corporation

### Repair and Maintenance by Strata Corporation

9. The Strata Corporation must repair and maintain all common property and common assets of the Strata Corporation.

### Duties of Strata Corporation

10. The Strata Corporation shall:

(1) Control, manage and administer the common property, common facilities or other assets of the Strata Corporation for the benefit of all owners.

(2) Keep in a state of good and serviceable repair and properly maintain all common areas, all common facilities and recreation facilities and their fixtures and fittings and other apparatus and equipment used in connection with the common property, common facilities and other assets of the Strata Corporation including all landscaped areas, parking and storage areas, utility services and roads, and the structure and exterior of the storage units.

(3) On the written request of an owner or mortgagee of a strata lot, to produce to them, or to a person authorized in writing by them, the insurance policies effected by the Strata Corporation and the receipts for the last premiums.

(4) Collect and receive all contributions toward the common expenses levied by the Strata Corporation and paid by the owners and deposit the same with a chartered bank or trust account or credit union or other financial institution established in the legislation.

(5) Render accounts for, collect and receive all contributions assessed for garbage disposal, potable water usage for each private yard area connected to any of the potable water systems and for use of any sewerage disposal systems provided or operated by the Strata Corporation.

(6) Pay all sums of money properly required to be paid on account of all services, supplies and assessments pertaining to, or for the benefit of, the Strata Corporation.

(7) Obtain and maintain insurance for all common buildings, common facilities and any insurable improvements owned by the Strata Corporation to their replacement value against fire and against other perils as are usually the subject of insurance in respect of similar properties and obtain and maintain insurance against other perils, including a minimum of $2,000,000 liability insurance.

(8) Review the adequacy of any such policies of insurance on an annual basis.

(9) Be responsible for the naming of all common property areas.

(10) Adhere to our Personal Information Protection Policy in accordance with the Personal Information Protection Act (PIPA) of British Columbia.[3]

[3] Added bylaw 10 (10) by Resolution at AGM on Nov. 2, 2013.

EXHIBIT C1-C30 [C12]

(98)



(11) Because of their inherent intrusiveness, video surveillance systems shall only be used as a gate monitoring system and should the need arise (and only if agreed by a majority of owners at an AGM or SGM) to monitor problems in common areas for specific concerns, once all other less privacy-invasive measures have failed to address a serious problem.

- All recordings will be in digital format;
- Members of Strata Council, and the RCMP upon request, will have access to the recordings in the event of theft, burglary, vandalism or unauthorized access;
- Video surveillance will be operational 24/7;
- Unless required for an ongoing investigation and/or legal proceedings, recordings will be deleted after a 4 month period;
- Recordings will be password protected; and
- Owners, tenants and visitors will be advised that a video surveillance system is in operation through signage.[4]

[4] Added Bylaw 10 (11) by Resolution at AGM Nov. 8, 2014

EXHIBIT C1-C30 [C13]



(99)

## DIVISION 3 - Strata Council

**Council Size**

11. The council will normally consist of nine members but shall be at least five members.

**Council Members' Terms**

12. (1) The term of office of an elected council member shall end at the end of the second anniversary of the Annual General Meeting at which the council member was elected.

(2) A person whose term as council member is ending is eligible for re-election.

**Removing Council Member**

13. (1) The Strata Corporation may, by a resolution passed by a majority vote at an Annual or Special General Meeting, remove one or more council members.

(2) After removing a council member, the Strata Corporation must hold an election at the same Annual or Special General Meeting to replace the council member.

**Replacing Council Member**

14. (1) If a council member resigns or is unwilling or unable to act for a period of two or more months, the remaining members of the council may appoint a replacement council member to serve until the next AGM.

(2) A replacement council member may be appointed from any person eligible to sit on the council.

(3) The council may appoint a council member under this section even if the absence of the member being replaced leaves the council without a quorum.

(4) If all the members of the council resign or are unwilling or unable to act for a period of two or more months, persons holding at least 25% of the Strata Corporation's votes may hold a Special General Meeting to elect a new council by complying with the provisions of the Strata Property Act, the Regulations and the bylaws respecting the calling and holding of meetings.

EXHIBIT C1-C30 [C14]

(100)



**Council Officers**

15. (1) At the first meeting of the council held after each Annual General Meeting of the Strata Corporation, the council must elect, from among its members, a president, a vice-president, a secretary and a treasurer.

(2) A person may hold more than one office at a time, other than the offices of president and vice-president.

(3) The vice-president has the powers and duties of the president while the president is absent or is unwilling or unable to act.

(4) The treasurer shall be the designated insurance administrator for the Strata Corporation.

**Calling Council Meetings**

16. (1) All regular council meetings shall be held on a routine, scheduled basis.

(2) Any member of council may call an extra council meeting provided seven days notice with reasons for the meeting is given to the other council members.

(3) An extra council meeting may be held on less than seven days notice if

(a) all council members consent in advance of the meeting, or

(b) the meeting is required to deal with an emergency situation and all council members either

(i) consent in advance to the meeting or

(ii) are unavailable to consent after reasonable attempts to contact them.

(4) The council must inform owners about a council meeting as soon as feasible after the meeting has been called.

**Requisition of Council Hearing**

17. (1) An owner or tenant may request a hearing at a council meeting by application in writing, stating the reason for the request.

(2) If a hearing is requested under subsection (1), the council must hold a meeting to hear the applicant within one month of the request or in the case of a matter concerning rental within three weeks of the request.

(3) If the purpose of the hearing is to seek a decision of the council, the council must give the applicant a written decision within one week of the hearing.

EXHIBIT C1-C30 [C15]



(101)

**Quorum of Council**

18. (1) A quorum of council is

(a) five (5), if there are more than seven council members

(b) four (4), if council temporarily consists of seven members

(c) three (3), if council temporarily consists of five or six members

(d) two (2), if council temporarily consists of two to four members

(2) Council members must be present in person at a council meeting to be counted in establishing a quorum.

**Council Meetings**

19. (1) Owners may attend council meetings as observers.

(2) Despite subsection (1), no observers may attend those portions of council meetings that deal with any of the following:

(a) bylaw contravention hearings,

(b) rental restriction bylaw exemption hearings,

(c) any other matters if the presence of observers would, in the council's opinion, unreasonably interfere with an individual's privacy.

(3) Council meetings shall be conducted by the Robert's Rules of Order.

(4) Council may, by a majority vote, invite guests to participate in meetings.

(5) At the option of the council, council members may attend council meetings by video conferencing or teleconferencing so long as all council members have been advised ahead of time.[5]

(6) Council members who attend a council meeting by video conferencing or teleconferencing will be deemed to be present in person.

[5] Added bylaw 19 (5) and (6) by Resolution at AGM on Nov. 2, 2013.

EXHIBIT C1-C30 [C16]
(102)



**Voting At Council Meetings**

**20.** (1) At council meetings, decisions must be made by a majority of council members present in person at the meeting.

(2) If there is a tie vote at a council meeting the chair may break a tie by casting a second, deciding vote.

(3) The results of all votes at a council meeting must be recorded in the council meeting minutes.

(4) If the Strata Corporation is entitled to register a lien against an owner of a strata lot, the owner of that strata lot shall not be permitted to become a member of the strata council and if a member, shall not be permitted to vote, or take part in, any council meeting.

**Inform Owners of Minutes**

**21.** (1) The council must make available to owners the minutes of all council meetings within two weeks of the meeting, whether or not the minutes have been approved.

(2) The council must issue draft Annual or Special General Meeting minutes to all owners within four weeks of the meeting.

**Delegation of Council's Powers and Duties**

**22.** (1) Subject to subsections (2) to (4), the council may delegate some or all of its powers and duties to one or more council members or persons who are not members of the council, and may revoke the delegation. This delegation shall be subject to terms of reference issued by Council.

(2) The council may delegate its spending powers or duties, but only by a resolution that,

(a) delegates the authority to make an expenditure of a specific amount for a specific purpose, or

(b) delegates the general authority to make expenditures in accordance with subsection (3).

(3) A delegation of a general authority to make expenditures must,

(a) set a maximum amount that may be spent, and

(b) indicate the purposes for which, or the conditions under which, the money may be spent.

(4) The council may not delegate its powers to determine, based on the facts of a particular case,

(a) whether a person has contravened a bylaw or rule,

(b) whether a person should be fined, and the amount of the fine, or

(c) whether a person should be denied access to common property or a common asset.

EXHIBIT C1-C30[C17]



(103)

**Spending Restrictions**

23. (1) A person may not spend the Strata Corporation's money unless the person has been delegated the power to do so in accordance with these bylaws.

(2) Despite subsection (1), a council member may spend the Strata Corporation's money to repair or replace common property or common assets if the repair or replacement is immediately required to ensure safety or prevent significant loss or damage.

(3) Any expenditure under subsection (2) shall be the minimum amount needed to ensure safety or prevent significant loss or damage and shall not exceed $5,000 in any fiscal year

(4) The Strata Corporation must inform the owners as soon as feasible about any expenditure made under subsection (2)

**Remuneration of Council Members**

24. (1) Remuneration can be paid to a council member for performance of council duties or exercise of council powers. This remuneration must be approved in advance in the budget, or in the bylaws, or by a 3/4 vote of a resolution at an AGM or SGM.

(2) (a) A council member who provides separate services for the Strata Corporation can be paid for these services.

(b) These costs shall be shown in the annual budget and/or financial statements.

**Conflict of Interest**

25. Any council member who wishes to pursue a personal action of any nature against the Strata Corporation, another owner, or a company or individual contracted to the Strata Corporation shall immediately declare a conflict of interest.

**Limitation of Liability of Council Member**

26. (1) A council member who acts honestly and in good faith is not personally liable because of anything done or omitted in the exercise or intended exercise of any power or the performance or intended performance of any duty of the council.

(2) Subsection (1) does not affect a council member's liability, as an owner, for a judgment against the Strata Corporation.

**Financial Statements**

27. Council shall arrange for the preparation of all financial statements of the Strata Corporation and a pro forma operating budget for the next fiscal year for inclusion in the notice of the Annual General Meeting.

EXHIBIT C1-C30 [C18]
(104)



## DIVISION 4 – Enforcement of Bylaws and Rules

### Nonpayment Fines, Fees and Charges

28. (1) Schedule of fines, fees and charges are set out as follows:

(a) Non payment of garbage fees – $10.00 per month for each month outstanding.

(b) Non payment of water charges – $10.00 per month for each month outstanding.

(c) Contravention of a bylaw – $50.00

(d) Contravention of a rule – $10.00

(e) Charge for removal of an unlicensed vehicle, recreational vehicle, rubbish, hazardous material or other debris – cost of removal.

(2) Fines relating to subsection (1) will be assessed seven days after delivery of a notice of contravention, unless the contravention is remedied.

(3) Any fine levied by the strata council against an owner shall be due and payable within five days following the date of its assessment and delivery of notice to the owner.

(4) Council shall advise an owner of their right to a hearing.

### Continuing Contravention

29. If an activity or lack of activity that constitutes a contravention of a bylaw continues, without interruption, for longer than seven days, a fine may be imposed every 7 days without further notice.

EXHIBIT C1-C30 [C19]

(105)



## DIVISION 5 – Annual and Special General Meetings

**Person to Chair Meeting**

**30.** (1) Annual and Special General Meetings must be chaired by the president of the council.

(2) If the president of the council is unwilling or unable to act, the meeting must be chaired by the vice-president of the council.

(3) If neither the president nor the vice-president of the council is able or willing to chair the meeting, a chair must be elected by the eligible voters present in person or by proxy from among those persons who are present at the meeting.

(4) If within one half hour from the time appointed for an Annual or Special General Meeting a quorum is not present, the meeting stands adjourned for one half hour on the same day at the same place but, if at that time a quorum described in subsection 48(2) of the Strata Property Act is not present, the eligible voters present in person or by proxy constitutes a quorum.[6]

**Participation by Other Than Eligible Voters**

**31.** (1) Tenants and guests may attend Annual and Special General Meetings, whether or not they are eligible to vote.

(2) Persons who are not eligible to vote, including tenants and guests, may participate in the discussion at the meeting, but only if permitted to do so by the chair of the meeting.

(3) Persons who are not eligible to vote, including tenants and guests, must leave the meeting if requested to do so by a resolution passed by a majority vote at the meeting.

(4) Save and except on matters requiring a unanimous vote, if the Strata Corporation is entitled to register a lien against a private yard area and storage unit, the owner, or tenant acting on the owner's behalf, shall not be permitted to vote as a member of the Strata Corporation.

[6] Bylaw 30 (4) was altered to reduce the adjournment time from two hours to one half hour by resolution at AGM Nov. 5, 2016

**Voting at an Annual or Special General Meeting**

32. (1) At an Annual or Special General Meeting, voting cards must be issued to eligible voters who register.

(2) At an Annual or Special General Meeting a vote is decided on a show of voting cards, unless an eligible voter or the Chair requests a precise count when the outcome of the vote is unclear.

(3) If a precise count is requested, the chair must decide whether it will be by show of voting cards or by roll call, secret ballot or some other method.

(4) The outcome of each vote, including the number of votes for and against the motion if a precise count is requested, must be announced by the chair and recorded in the minutes of the meeting.

(5) If there is a tie vote at an Annual or Special General Meeting, the president, or, if the president is absent or unable or unwilling to vote, the vice-president, may break a tie by casting a second, deciding vote.

(6) Despite anything in this section, an election of council must be held by secret ballot, if the secret ballot is requested by an eligible voter.

(7) (a) Proxy votes cannot be exercised on behalf of an owner at an Annual General Meeting or Special General Meeting unless they are registered prior to the commencement of the meeting.

(b) Proxy votes cannot be exercised if the owner is present at the meeting.

**Order of Business - Annual and Special General Meetings**

33. The order of business at Annual and Special General Meetings is as follows:

(1) Register Owners, Certify proxies and issue voting cards.

(2) Determine that there is a quorum.

(3) Elect a person to chair the meeting, if necessary.

(4) Present to the meeting proof of notice of meeting or waiver of notice.

(5) Approve the agenda.

(6) Approve minutes from the last Annual or Special General Meeting.

(7) Deal with unfinished business.

(8) Receive reports of council activities and decisions since the previous Annual General Meeting, including reports of committees, if the meeting is an Annual general meeting.

(9) Ratify any new rules made by the Strata Corporation under Section 125 of the Strata Property Act.

(10) Report on insurance coverage in accordance with Section 154 of the Strata Property Act, if the meeting is an Annual General Meeting.

EXHIBIT C1-C30 [C21]
(107)



(11) Approve the budget for the coming year in accordance with Section 103 of the Strata Property Act, if the meeting is an Annual General Meeting.

(12) Call for nominations to replace retiring council members.

(13) Close nominations and introduce candidates.

(14) Vote for new council members.

(15) Deal with new business, including any matters about which notice has been given under Section 45 of the Strata Property Act.

(16) Announce new council members.

(17) Terminate the meeting.

EXHIBIT C1-C30 [C22]
(108)



## DIVISION 6 – Voluntary Dispute Resolution

**Voluntary Dispute Resolution**

34. (1) A dispute among owners, tenants, the Strata Corporation or any combination of them may be referred to a dispute resolution committee by a party to the dispute if,

(a) all the parties to the dispute consent, and

(b) the dispute involves the Strata Property Act, the Regulations, the bylaws or the rules.

(2) A dispute resolution committee consists of

(a) one owner or tenant of the Strata Corporation nominated by each of the disputing parties and one owner or tenant chosen to chair the committee by the persons nominated by the disputing parties, or

(b) any number of persons consented to, or chosen by a method that is consented to, by all the disputing parties, for example a mediator from the BC Arbitration and Mediation Institute.

(3) The dispute resolution committee must attempt to help the disputing parties to voluntarily end the dispute.

(4) This bylaw does not apply to a dispute between an owner and their tenant.

## DIVISION 7 – Marketing Activities

**Sale of Lot**

35. An owner who wants to sell his strata lot may carry on sales functions that relate to its sale, including the posting of signs on their private yard area. Advertising, other than real estate company signs, must be approved by the Design Review Committee.

EXHIBIT C1-C30 [C23]

(109)



## DIVISION 8 – Rental, Pets, Vehicle Use and Parking

### Renting or Leasing of Private Yard Areas

36. (1) An owner is responsible for the actions of their tenants.

(2) An owner who wishes to lease or rent their private yard area for a term of more than one month shall:

(a) prior to renting to a prospective tenant, comply with Section 146 of the Strata Property Act by giving the prospective tenant;

(i) the current bylaws and rules (available from council at a standard fee), and

(ii) a Notice of Tenant's Responsibilities (Form K);

(b) provide the Strata Corporation with the Form K signed by the tenant within two weeks of renting all or part of the private yard area.

(c) within two weeks of becoming a tenant, the tenant must inform the Strata Corporation of the tenant's name, strata lot number, phone number, and mailing address if different from the strata lot address.

(3) Contravention of this bylaw shall be subject to a fine of $200.00. This fine shall be asessed two weeks after delivery of notice of contravention unless remedial action has been taken. Continuing contravention shall be subject to an additional fine of $200.00 per month.

### Vehicle Use and Parking

37. (1) All vehicles operated on common property shall abide by any vehicle weight limits posted by the Strata Corporation.

(2) All motor vehicles operated on common property must be registered, licensed and insured pursuant to the BC Motor Vehicle Act.

(3) All drivers of motor vehicles operated on common property must be licensed pursuant to the BC Motor Vehicle Act.

(4) The maximum speed for any vehicle of any kind traveling on any road or on any common property shall not exceed 30 kilometres per hour.

(5) All vehicles operated on common property must comply with traffic control signs and one-way streets.

(6) No vehicles of any kind shall be parked on any part of the common property for more than eight continuous hours unless approved by the Strata Council.

(7) Overnight storage of commercial vehicles on common property shall be in an area designated by Strata Council.

(8) No major repairs or adjustments shall be made to motor vehicles on any part of the common property or on any part of a private yard area unless within a garage or screened from view except in emergencies or with the approval of the Strata Council.

EXHIBIT C1-C30 [C24]

(110)



(9) An owner shall be responsible for any and all costs, charges and expenses for the clean up and/or payment of damages for any oil, fuel or toxic spills for which they are responsible in any part of the development.

(10) All recreational vehicles and motor vehicles unlicensed for a period of six months or more shall be stored within an enclosed garage, storage unit or screened from view.

**Pets on Common Property**

38. (1) All dogs shall be on a leash and under the owner's control when on common property.

(2) Owners and tenants are responsible for the repair of damage by their pets or by their guests' pets.

(3) Owners and tenants are responsible for the removal of waste of their pets or their guests' pets.

EXHIBIT C1-C30 [C25]

(111)



## DIVISION 9 - Miscellaneous

### Authorization To Sue – Small Claims Act

39. The Strata Council is hereby authorized in its sole discretion to commence legal proceedings in the Small Claims Court to collect money owing to the Strata Corporation without the requirement for a vote or approval of the owners at an Annual or Special General Meeting, providing Council has given the owner a minimum of two weeks notice in writing of its intention and provided no fees for legal services are incurred.

### Cleanliness and Waste Management

40. (1) No rubbish or debris of any kind shall be allowed to accumulate on common property or on a strata lot.

(2) All household refuse shall be contained in suitable containers and deposited for garbage pick-up only on the days of the week specified by the Strata Council.

(3) Any waste material other than ordinary household refuse and garbage shall be removed by the owner or resident of the strata lot and shall not be deposited anywhere on the common property.

### Fire Risk

41. (1) No unsupervised open fires, including fires for cooking, are permitted when the fire risk posted at the gate as high or extreme, as determined by the Ministry of Forests Protection Branch.

(2) All owners with dwelling units shall place reflective or illuminated street numbers on their driveways for emergency purposes.

(3) The Dashwood Volunteer Fire Department and the Ministry of Forests and Range shall have continuous and unfettered access to private yard areas in the case of an emergency.

### Hazardous Materials

42. (1) Dangerous goods, as defined in the Transportation of Dangerous Goods Regulations shall be transported in conformity with those Regulations.

(2) Dangerous goods shall be stored in conformity with the BC Fire Code Regulations.

(3) When dangerous goods are stored in a storage unit a Dangerous Goods Safety Mark shall be placed on the front of the storage unit.

EXHIBIT C1-C30 [C26]
(112)



**Community Water System**

**43.** (1) The occupant of a private yard area shall use the community water supply to that property

(a) in conformance with water conservation restrictions that will be in place from time to time.

(b) without waste such as allowing water to run off on to roadway or ditch.

(c) with a hand held or automated shut off device on any water hose

(2) No person other than the Strata Corporation or a person authorized by the strata council shall connect any pipe or other fittings to the water system, nor shall tamper with or damage any part of the domestic and fire hydrant water systems.

(3) Access to the water meters shall be maintained at all times, Strata Corporation may charge an owner for any work associated with gaining access to the meter.

(4) The water supply to a private yard area is to be used for that area and for no other purpose except in the case of an emergency.

(5) An occupant of a private yard area shall not fill a pond or pool or create any other major demand on the water supply system without first notifying the Strata Council.

(6) An owner may apply, in writing to Strata Council, to be disconnected from the water system and shall apply, with due notice, when he desires to be reconnected. All associated costs will be charged to the owner.

(7) Excess Water Fees: Base amount of 200 cubic metres of water annually will be provided to each lot using the water system at no charge. Meters will be read annually at the end of June and lots using more than the base amount will be charged $.75 per cubic metre for all usage over 200 cubic metres. The excess water fees will be deposited to the Water System reserve fund.[7]

[7] Added bylaw 43 (7) to formalize Excess Water Fees by Resolution at AGM on Nov. 5, 2016. Also throughout this document changed the spelling of "metre" to Canadian style from American to clearly differentiate the distance measurement from the measuring device.

## DIVISION 10 – Design Review Committee

**Design Review Committee Terms of Reference**

44. (1) The Design Review Committee (DRC) shall be comprised of four persons appointed by the Strata Council and shall be chaired by a member of council. The committee is delegated its responsibilities and terms of reference from Strata Council in compliance with Bylaws 22 and 23.[8]

(2) The DRC is responsible for overseeing common property and common assets including water drainage, fire risk, hazardous materials and cleanliness of property. The DRC is also responsible for duties as outlined in these bylaws and delegated, from time to time, by Strata Council.

(3) Communication with the Design Review Committee shall be the same as that for the Strata Council.

**Construction, Additions, and Improvements to Private Yard Areas**

45. (1) An owner shall, prior to commencing work on a new building, or making any alteration to his private yard area that may affect common property or common assets, either physically or aesthetically, submit a completed application for construction approval on the prescribed form to the DRC and receive approval for the same.

(2) A letter of approval or a letter outlining modifications to be made to the building shall be issued by the DRC to an owner within fourteen calendar days of receipt of the plans. The DRC shall be deemed to have approved the application of the owner if the DRC has not, within 14 calendar days, after the date of receipt of the application, either requested additional information or delivered a letter of rejection to the owner with reasons in writing.

(3) If the DRC requires additional information in accordance with paragraph 2 and this information has been provided by the owner and if the DRC does not respond in writing within ten calendar days after the date of receipt, then the DRC shall be deemed to have approved application.

(4) Approval by the DRC of the building plans of an owner shall expire six months from the date of such approval unless in the meantime the owner has received a building permit and/or has commenced construction of the work.

(5) All exterior building work shall be completed within 24 months of the start of construction except landscaping, driveways, fencing and screening.

(6) No work shall be conducted on a strata lot unless the work is commenced, continued and completed in full compliance with:

(a) the application approved by the DRC; and

(b) all applicable laws, bylaws, ordinances, rules, regulations and orders of any and all governmental bodies or authorities having jurisdiction over the strata lots.

[8] Bylaw 44 (1) was altered to increase the number of DRC members from three to four by Resolution at AGM on Nov. 7, 2015.

EXHIBIT C1-C30 [C28]



(114)

(7) An owner, or anyone acting on behalf of an owner, shall:

(a) Provide necessary portable washrooms for their construction workers.

(b) Provided potable water service is available, arrange with a person approved by Strata Council to have a water meter installed, at their own expense, during the course of construction of any building on a private yard area that requires potable water, and shall promptly connect to the community potable water system

**Construction related to Common Property**

46. An owner, or anyone acting on behalf of an owner, shall not:

(1) Permit any work to be done on a private yard area and storage unit or on common property which might interfere with or interrupt the natural flow of any water course without having first received the written permission of the DRC.

(2) Permit any work to be carried on outside the boundaries of a private yard area and storage unit nor permit any material excavated from a private yard area to be deposited outside the boundaries of a private yard area without having first received the written permission of the DRC.

(3) Cause any damage to any common facilities erected, constructed or placed on, over, across or under common property, including common facilities constructed on easement areas in favor of the Strata Corporation.

(4) No tracked vehicles shall be operated on common property unless with the approval of the Strata Council.

**Sewerage Disposal**

47. An owner shall not discharge any waste water or any sewerage of any kind on or from their private yard area unless written approval has been received from the appropriate licensing authorities to construct a sewerage disposal facility and that development has received final approval from the appropriate authorities.

**Vegetation**

48. No vegetation shall be removed from any part of a private yard area that has a grade steeper than 35% without first having received written approval of the DRC. The DRC may require the work be approved by a qualified geotechnical engineer and may require that the work be carried out under the supervision of that engineer.

**Building Setbacks**

49. (1) No building shall be located closer than 3.0 metres to any private yard area boundary line on any private yard area of less than 4,047 $m^2$ (1.0 acres).

(2) No building shall be located closer than 7.6 metres to any private yard area boundary line on any private yard area between 4,047 $m^2$ (1.0 acres) and 1.6 hectares (4.0 acres).

(3) No building shall be located closer than 15.2 metres to any private yard area boundary line on any private yard area greater than the 1.6 hectares (4.0 acres).

(4) The DRC may, in its sole discretion, permit the positioning of a building closer than the permitted distance to a private yard area provided an owner making this request can properly justify the request and has received the consent of all owners of adjoining private yard areas that are affected.

**Damage to Property**

50. Where the Strata Corporation is required to enter a private yard area, after complying with bylaw 7, for the purpose of maintaining, repairing or renewing common property or common assets, either existing or for future use, in the private yard area, the Strata Council and its agents shall, in carrying out any work or repairs do so in a proper and workmanlike manner and shall make good any damage to the private yard area occasioned by such works and restore the private yard area to its former condition

**Appeal from DRC**

51. The Strata Council shall hear an appeal from any decision of the DRC within 14 days of Council receiving that appeal. The Strata Council shall, within 14 days, convene a hearing excluding DRC members. A decision shall be made by a simple majority of those present.

EXHIBIT C1-C30 [C30]

(116)



## DIVISION 11 - Definitions

52. Except as otherwise listed below the Definitions in Section 5 of the Regional District of Nanaimo Bylaw No. 1285 are adopted along with any future amendments.

"Accessory Building" means a building that is accessory to a permitted principal use on the private yard area and does not exceed a combined floor area of 200 $m^2$ per lot.

"Building Plans" means all plans and specifications required to be submitted by an owner for written approval by the Strata Council.

"Building Scheme" means the Declaration of Building Scheme and the Schedule of Restrictions attached thereto and registered against the title of all strata lots.

"Common Property" means and includes all those parts of the development designated as "C.P." or "Common Property" on the Strata Plan, and, including pipes, wires, cables, chutes, ducts and other facilities for the passage or provision of water, sewage, drainage, gas, oil, electricity, telephone, radio, television, garbage, heating and cooling systems, or other similar services.

"Easement" means an interest in land owned by another that entitles the holder to specific and limited use or enjoyment of such land.

"Private Yard Area" means that part of a strata lot illustrated as private yard area on the Strata Plan.

"Sewerage Permit" means and includes a permit or form of written consent authorizing the installation and operation of a sewerage collection and disposal facility for one or more private yard areas issued by a registered on-site Wastewater Practitioner or its duly authorized agents or assigns charged with this responsibility.

"Storage Unit" means and includes any one or more of the 286 Strata Lot Buildings included in the Strata Plan.

"SPA" means the Strata Property Act (BC).

"Strata Plan" means Strata Plan No. VIS 4673.

"Yurt" means a lightweight circular frame structure with radial rafters and a frame door set up on a raised wooden platform. It is covered with a durable fabric and the complete unit can be easily erected or disassembled.