

MINUTES OF ANNUAL GENERAL MEETING

STRATA PLAN LMS-3170

HELD: On Wednesday, March 21, 2007 at 7:00 p.m. in Club Solo, 2228 Marstrand Avenue, Vancouver, B.C.

PRESENT: 59 owners in person or proxy, as per the registration sheet.

STRATA AGENT: Jade Fraser, Vancouver Condominium Services Ltd.

QUORUM REPORT

There being no quorum present at 7:00 p.m. the owners present invoked Bylaw 20(5):

(5) That if at the appointed time for a General Meeting, a quorum is not present, the meeting shall stand adjourned for a period of THIRTY (30) MINUTES, whereupon the adjourned meeting shall be reconvened at the same place and the persons present, entitled to vote, and those present in person and by proxy shall constitute a quorum for the conduct of the business for Strata Plan LMS-3170.

The meeting was called to order at 7:30 p.m.

PROOF OF NOTICE

It was moved, seconded and carried to adopt the notice of meeting dated March 1, 2007 as circulated as proper Notice of Meeting.

AGENDA

It was moved, seconded and carried to approve the agenda as attached to the Annual General Meeting notice.

MINUTES

It was moved, seconded and carried to adopt the minutes of the February 8, 2006 Annual General Meeting. There was no unfinished business.

PRESIDENT'S REPORT

The council President, Glenys MacIsaac gave a brief review of the 2006/2007 fiscal year:

Ms. MacIsaac announced that, overall, the year had been very quiet. Highlights were:

- The Annual General Meeting was held later than usual this year as council was awaiting the audit from Reid Hurst Nagy CPA so it could be included in the Annual General Meeting notice.
- During the year the deficiencies with the security system installed by Posscan Systems were resolved.
- A new bike security patrol company has been contracted by the strata corporation and the nearby buildings with Provedent Security. This company is much more visible and in the last year there have been no major break-ins; however, while the crime in the Arbutus walk area seems to be on the decrease, crime in the Kitsilano district is on the rise and owners must continue to be vigilant and mindful of security issues.
- Ms. MacIsaac pointed out that there is still ongoing mail theft and Canada Post has no intention of installing new locks. Most thieves have keys to the mailboxes; it is only a matter of accessing the building. For this reason Ms. MacIsaac hopes that the owners approve 3/4 Vote Resolution #1 – Security Upgrades to install cameras at the mailboxes and make all entrance doors FOB access only.
- Ms. MacIsaac addressed the budget surplus of \$38,069. The surplus is not the result of one main factor, but rather being generally under budget in all budget item areas (these items were discussed during the budget review).
- The Contingency Reserve Fund is over \$239,000 and this year the strata corporation will be adding \$40,000. Ms. MacIsaac stated that it is important that the fund be built up not just for resale value but also so that special levies will not be necessary for future projects.
- Ms. MacIsaac stated that the strata corporation continues to build its carpeting and roof funds.
- Ms. MacIsaac encouraged other owners to join council.

INSURANCE REPORT

The insurance policy for Strata Corporation LMS-3170 as attached to the notice was presented for review and discussion.

All owners and residents are reminded that the strata corporation's insurance policy does not provide coverage for individual contents, betterments or improvements (i.e. storage locker contents, clothing, furniture, decorating, upgrading of carpets, flooring, etc.). Owners and residents must carry their own

"Owner Package" insurance for this coverage, including any improvements. You should contact your home insurance company to determine if you have this coverage or not.

2007/2008 BUDGET (YEAR END JANUARY 31ST)

The 2007/2008 draft budget was presented for a detailed review and analysis by the ownership.

Following discussion, it was unanimously moved, seconded and carried to adopt the budget in the total amount of \$607,960.

OWNERS PLEASE NOTE: THERE WILL BE NO INCREASE IN STRATA FEES. THOSE OWNERS WHO ARE ON PAC NEED DO NOTHING. THOSE OWNERS WHO SEND IN CHEQUES PLEASE SEND IN NEW CHEQUES IN THE SAME AMOUNT AS LAST YEAR.

3/4 VOTE RESOLUTIONS

The following $\frac{3}{4}$ Vote Resolution was presented to owners for their consideration:

3/4 VOTE RESOLUTION #1 - SECURITY UPGRADE

WHEREAS The Owners, Strata Plan LMS-3170, wish to upgrade the building security;

BE IT RESOLVED by a $\frac{3}{4}$ vote resolution of The Owners, Strata Plan LMS-3170, that a sum of money not exceeding \$18,620 be raised and spent for the purpose of purchasing and installing video cameras at the mailboxes are of Solo, Duo and Treo, and installing three additional fob readers at the Treo building and two additional fob readers at the Duo building in order to make both buildings fob access only;

such expenditure to be charged:

- (a) as to \$6,000 from the operating fund surplus;*
- (b) as to the balance, against the Contingency Reserve Fund up to a maximum of \$12,620.*

Interest earned on funds raised pursuant to this resolution will be allocated to the Contingency Reserve Fund.

Following discussion, the ownership was in general agreement that they would like to see the garbage room doors FOB access to eliminate the need for a key in the Solo and Duo buildings. It was then moved, seconded and carried (48 in favour, 1 opposed, 0 abstentions) to approve Vote Resolution #1 – Security Upgrade.

* * *

The following $\frac{3}{4}$ Vote Resolution was presented to owners for their consideration:

3/4 VOTE RESOLUTION #2 - NOISE BYLAW AMENDMENT

WHEREAS *The Owners, Strata Plan LMS-3170, pursuant to Division 2 of Part 7 of the Strata Property Act, S.B.C. 1998, may amend the bylaws of their Strata Corporation;*

AND WHEREAS *The Owners, Strata Plan LMS-3170, wish to amend the bylaws of their Strata Corporation;*

BE IT RESOLVED *by a ¾ vote resolution of The Owners, Strata Plan LMS-3170, that the bylaws of the Strata Corporation be amended as follows, such amendment to be effective upon the filing of an Amendment to Bylaws in prescribed form in the Land Title Office:*

By adding new bylaw #37, to read as follows:

An owner, tenant or occupant must not:

- (a) use a strata lot or common property for any purpose which involves undue traffic or noise in or about the strata lot or common property between the hours of 10:30 pm and 8:00 am that encourages loitering by person in or about the strata lot or common property;*
- (b) Make, cause or produce undue noise, smell, vibration or glare in or about any strata lot or common property or do anything which will interfere unreasonably with any other owner, tenant or occupant;*
- (c) use any musical instrument, amplifier, sound reproduction equipment or other device within or about any strata lot, the common property such that it causes a disturbance or interferes with the comfort of any other owner, tenant or occupant.*

Following discussion, the following amendments were proposed:

Amendment #1:

The following amendment was proposed to By-Law 37(a)

An owner, tenant or occupant must not:

- (a) use a strata lot or common property for any purpose which involves undue traffic, **loitering** or noise in or about the strata lot or common property between the hours of 10:30 pm and 8:00 am.*

It was then moved, seconded and carried to (44 in favour, 4 opposed, 1 abstention) to approve Amendment #1.

Amendment #2:

The following amendment was proposed to Bylaw 37(a):

An owner, tenant or occupant must not:

- (a) *use a strata lot or common property for any purpose which involves undue traffic, loitering or noise in or about the strata lot or common property between the hours of 11:00 pm and 8:00 am.*

It was then moved, seconded and carried unanimously (49 in favour) to adopt Amendment #2

Amendment #3:

The following amendment was proposed to Bylaw 37(a):

An owner, tenant or occupant must not:

- (a) *use a strata lot or common property for any purpose which involves undue traffic, loitering or noise in or about the strata lot or common property between the hours of 11:00 pm and 7:00 am.*

It was then moved, seconded and defeated (19 in favour, 25 opposed, 5 abstentions) to adopt amendment #3.

Amendment #4:

A motion was made to split Bylaw 37 (a), (b) and (c) into three separate votes. It was then moved, seconded and carried (48 in favour, 0 opposed, 1 abstention) to approve Amendment #4.

It was then moved, seconded and carried (42 in favour, 6 opposed, 1 abstention) to adopt Bylaw 37(a), as amended.

It was then moved, seconded and defeated to adopt Bylaw #37(b) (26 in favour, 18 opposed, 5 abstentions).

The following amendment was then proposed to Bylaw 37(c):

An owner, tenant or occupant must not:

- (c) *use any musical instrument, amplifier, sound reproduction equipment or other device within or about any strata lot, the common property such that it causes a disturbance or interferes **unreasonably** with the comfort of any other owner, tenant or occupant.*

It was then moved, seconded and carried unanimously to adopt Amendment #4.

It was then moved, seconded and defeated to adopt Bylaw 37(c); (29 in favour, 15 opposed, 3 abstentions).

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The following $\frac{3}{4}$ Vote Resolution was presented to owners for their consideration:

**3/4 VOTE RESOLUTION #3 -
RENOVATIONS BYLAW AMENDMENT**

WHEREAS *The Owners, Strata Plan LMS-3170, pursuant to Division 2 of Part 7 of the Strata Property Act, S.B.C. 1998, may amend the bylaws of their Strata Corporation;*

AND WHEREAS *The Owners, Strata Plan LMS-3170, wish to amend the bylaws of their Strata Corporation;*

BE IT RESOLVED *by a $\frac{3}{4}$ vote resolution of The Owners, Strata Plan LMS-3170, that the bylaws of the Strata Corporation be amended as follows, such amendment to be effective upon the filing of an Amendment to Bylaws in prescribed form in the Land Title Office:*

By adding the following bylaws to Bylaw #6:

6. Renovations/Alterations

- (4) *After receiving strata council approval an owner must give seven days written notice to owners above and below and on either side of their suite. The notice must include the specific hours and days that work will take place. Tradespersons must be licensed and bonded. Inadequate notice or work by unlicensed or unbonded tradespersons will result in the levy of fines*
- (5) *A resident must not permit any construction debris, materials or packaging to be deposited in the strata corporation's disposal containers*
- (6) *An owner must ensure that the delivery of any construction materials is through the parking lot and/or rear doors from lane and, if in an elevator, the owner must ensure the elevator is protected with proper wall pads and floor coverings. An owner must not permit any renovations/alterations materials to be delivered through the main lobby.*
- (7) *A resident must be responsible to ensure that drop cloths are installed and removed daily between the elevators and the strata lot as well as between other doors to protect common areas from any spillage or dripping; and*
- (8) *An owner must ensure that the hours of work are restricted to 8:00 a.m. to 5:00 p.m., Monday through Friday, and 10:00 a.m. to 5:00 p.m., Saturdays, Sundays and statutory holidays. To perform renovations/alterations on statutory holidays, an owner must apply for permission in writing to the council at least five business days before the holiday date.*

Following discussion, in which several owners requested that the new council look into developing additional renovation bylaws which will be discussed under New Business, it was moved, seconded and carried (42 in favour, 4 opposed and 3 abstentions) to approve $\frac{3}{4}$ Vote Resolution #3- Renovations Bylaw Amendment.

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The following $\frac{3}{4}$ Vote Resolution was presented to owners for their consideration:

**3/4 VOTE RESOLUTION #4 -
SPEED LIMIT BYLAW AMENDMENT**

WHEREAS *The Owners, Strata Plan LMS-3170, pursuant to Division 2 of Part 7 of the Strata Property Act, S.B.C. 1998, may amend the bylaws of their Strata Corporation;*

AND WHEREAS *The Owners, Strata Plan LMS-3170, wish to amend the bylaws of their Strata Corporation;*

BE IT RESOLVED *by a $\frac{3}{4}$ vote resolution of The Owners, Strata Plan LMS-3170, that the bylaws of the Strata Corporation be amended as follows, such amendment to be effective upon the filing of an Amendment to Bylaws in prescribed form in the Land Title Office:*

By adding a new bylaw #39 to read as follows:

A resident or visitor operating a vehicle in the parking areas must activate the vehicle's headlights and not exceed 8 km/hour.

Following discussion, it was moved, seconded and carried (44 in favour, 2 opposed, 3 abstentions) to approve $\frac{3}{4}$ Vote Resolution #4 – Speed Limit Bylaw Amendment.

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NEW BUSINESS

1. **Storage Lockers**: An owner asked that the next council look into the possibility of building storage lockers where the bike rooms are as there is a significant amount of space that could be utilized differently. Council President, Ms. MacIsaac responded that storage lockers had originally not been put in the parkade as it has been proven that they attract break-ins. Council will look into this issue regardless.

2. FOB Transmitters: Council was directed to ascertain whether it is possible to have higher powered receivers for the FOB transmitters as it is very difficult to open the gates in Solo and Duo. The council was asked to look into the cost of purchasing a different kind of card reader, one that would be more manageable (in terms of size).
3. Garbage Room Access: The council was directed to obtain a quotation for the cost of making the Solo and Duo garbage rooms FOB access only and removing the key lock. This does not apply to the Treo Building.
4. Floor Installation: The council was directed to develop bylaws that set the standard for the amount of underlay and permitted types of flooring before being granted permission to renovate.
5. Renovation Clarification: Council was directed to consider defining the term 'renovations' in the bylaws and also to consider the possibility of an inspection process when renovations are performed.
6. Recycling: The council was asked to consider posting directions for recycling use in different languages in the garbage area.
7. Garbage Removal: Council was directed to look into obtaining garbage bins or increased days for pick-ups, or to investigate purchasing a tractor to pull the bin themselves as the current pull-up company is causing damage to the building. The council was directed to repair the dented post at the P1 Solo bike room which was damaged by the garbage truck.
8. Duo Elevator: The ownership was concerned that the Duo elevator problems are continuous and shows no signs of improvements. These include noise and bouncing). The owner of 313 Duo has volunteered to meet with a representative of Otis Elevator to ensure final rectification of this issue.

ELECTION OF STRATA COUNCIL

The agent and the ownership thanked the strata council for a job well done before retiring from their positions. Pursuant to the strata corporation's bylaws members are eligible for re-election and there must be a minimum of 3 and a maximum of 7 owners on council.

The following owners were nominated for council for 2007:

- | | |
|--------------------|-----------|
| • Glenys MacIsaac | Unit 212D |
| • Jim Butterfield | Unit 102S |
| • Christine Funk | Unit 305T |
| • Alison Miller | Unit 108S |
| • Shawn Aslani | Unit 402S |
| • Mark Prefontaine | PH11 Solo |
| • Sam Grill | Unit 107S |

There being no further nominations, it was moved, seconded and carried to cease nominations. The owners nominated were declared elected by acclamation.

There being no further business, the Annual General Meeting was adjourned at 9:45 p.m. The next council meeting is scheduled for Wednesday, May 9, 2007 at 7:30 p.m. in Club Solo.

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JF/lc

A WORD OF APPRECIATION

Many thanks to all owners who provide their monthly strata fees promptly and without problems - either by PAC or post-dated cheques. Your co-operation is most appreciated. Please remember if you write cheques, to make them payable to your strata plan and to identify your suite number or strata lot. Payments are due on the first of each month.