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ਸਕਦੀ ਹੈ। ਕਿਰਪਾ ਕਰਕੇ ਕਿਸੇ ਨੂੰ ਇਸ ਦਾ ਉਲੱਥਾ ਕਰਨ ਲਈ ਆਖੋ।

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**ANNUAL GENERAL MEETING MINUTES  
STRATA PLAN LMS 2946 – “SEASTAR”  
1003 PACIFIC STREET, VANCOUVER, BC**

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**HELD:** Wednesday, May 6, 2009  
**PLACE:** Amenity Room, Seastar, 1003 Pacific Street, Vancouver, BC

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**REGISTRATION**

Upon arrival, owners signed next to their unit number on the registration list provided.

**CALL TO ORDER**

The meeting was called to order at 7:10 p.m.

**QUORUM REPORT**

Prior to the start of the meeting, the roll was called and all proxies certified in accordance with the requirements of the Strata Property Act. Also required by the Act is that a quorum, which consists of one-third of the owners in good standing, be present in order for the meeting to proceed. The Chair advised that of the 105 strata lots at the Seastar, 93 were in good standing for the purpose of this meeting. There were 47 Owners registered: 30 in person and 17 via proxy. As the quorum requirement had been met, the meeting was declared competent to proceed.

**PERSON TO CHAIR MEETING**

It was moved, seconded and CARRIED that the Strata Council President, Sally Warren, chair the meeting.

**PROOF OF NOTICE**

The Chair reported that notices were mailed to all owners on April 15, 2009. Section 45.1 of the Strata Property Act states that the Strata Corporation must give at least 14 days' written notice of an Annual General Meeting (AGM), specifying the date, place and time. Section 61(3) states that a notice shall be deemed to have been given 4 days after it has been posted.

It was moved and seconded that proper notice had been given for this evening's meeting. The motion was CARRIED.

As all legal requirements had been met, the meeting was declared competent to proceed.

### **APPROVAL OF AGENDA**

It was moved, seconded by and CARRIED to approve the agenda for the meeting.

### **APPROVAL OF PREVIOUS ANNUAL GENERAL MEETING MINUTES**

It was moved, seconded and CARRIED to adopt the minutes of the Annual General Meeting held on June 4, 2008.

### **COUNCIL PRESIDENT'S REPORT**

The Strata Council president, Sally Warren, presented the President's annual report. Copies of the report were distributed with the Notice of Call. (*see attached report*)

### **TREASURER'S REPORT**

The treasurer presented the Treasurer's report. (*see attached report*)

### **REPORT ON INSURANCE**

The Property Manager confirmed that a copy of the strata corporation's insurance coverage was circulated with the Notice of Call. All owners were encouraged to contact an insurance broker to ensure that they have proper personal property and liability insurance in the event of a loss requiring the resident to reside elsewhere, which is not covered by the corporation's insurance. As well, the corporation's insurance will not cover repairs or replacement of upgrades in a unit, such as laminate or hardwood flooring.

### **SPECIAL RESOLUTIONS**

#### **Resolution #1 – Bylaw Change / Use of Property**

It was moved and seconded to adopt the proposed resolution as follows:

WHEREAS the owners of the Strata Corporation – LMS 2946, would like to amend the current bylaws 3(6), 3(10)(l) and 3(10)(r), Use of Property.

BE IT RESOLVED by way of a  $\frac{3}{4}$  vote of The Owners, Strata Corporation LMS 2946 that:

bylaw 3(6), which currently reads as follows:

3(6) *No owner, tenant or occupant shall allow pets to be in the recreation room, exercise room, meeting rooms or lounge. The council has the right to prohibit pets from other common areas of the building.*

and bylaw 3(10)(l) which currently reads as follows:

3(10)(l) *install any window coverings, visible from the exterior of his strata lot, which are different in size or colour from those of the original building specifications;*

and bylaw 3(10)(r) which currently reads as follows:

3(10)(r) *give any keys, combinations, security cards or other means of access to the building, the parking garage or common areas to any person other than an employee, contractor, occupant or guest of the strata lot permitted by these bylaws.*

be repealed in its entirety and replaced with the following:

3(6) *No owner, tenant or occupant shall allow pets to be in the amenity room, exercise room, meeting rooms or lounge. The council has the right to prohibit pets from other common areas of the building.*

3(10)(l) *install any window coverings, visible from the exterior of his strata lot, which are different in size or colour from those of the original building specifications, except those coverings approved in writing by the council;*

3(10)(r) *give any keys, combinations, security fobs or other means of access to the building, the parking garage or common areas to any person other than an employee, contractor, occupant or guest of the strata lot permitted by these bylaws.*

A vote was called, forty six (46) in favour, one (1) opposed. CARRIED

### **Resolution #2 – Bylaw Change – Inform Strata Corporation**

It was moved and seconded to adopt the proposed resolution as follows:

WHEREAS the owners of the Strata Corporation – LMS 2946, would like to amend the current bylaws 4(1) and 4(2), Inform Strata Corporation,

BE IT RESOLVED by way of a ¾ vote of The Owners, Strata Corporation LMS 2946 that: bylaws 4(1) and 4(2), which currently read as follows:

4 *Inform Strata Corporation*

(1) *Within 2 weeks of becoming an owner, an owner must inform the strata corporation of the owner's name, strata lot number and mailing address outside the strata plan, if any.*

(2) *On request by the strata corporation, a tenant must inform the strata corporation of his or her name.*

be repealed in its entirety and replaced with the following:

4 *Inform Strata Corporation*

(1) *Within 2 weeks of becoming an owner, an owner must inform the strata corporation of the*

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*owner's name, strata lot number, and all appropriate contact information including the owner's mailing address outside the strata plan, if any.*

- (2) *On request by the strata corporation, a tenant must inform the strata corporation of his or her name and all appropriate contact information .*

A vote was called, forty six (46) in favour, one (1) opposed. CARRIED

### **Resolution #3 – Bylaw Change – Garbage Disposal**

It was moved and seconded to adopt the proposed resolution as follows:

WHEREAS the owners of the Strata Corporation – LMS 2946, would like to amend the current bylaws 33, Garbage Disposal,

BE IT RESOLVED by way of a ¾ vote of The Owners, Strata Corporation LMS 2946 that: bylaws 33, which currently read as follows:

#### *Garbage Disposal*

- 33** *An owner, tenant or occupant shall remove ordinary household refuse and garbage from his strata lot and deposit it in the containers provided by the strata corporation for that purpose; all garbage shall be bagged and tied before so depositing and the owner, tenant or occupant shall remove any materials other than ordinary household refuse and garbage from the strata plan property at his expense.*

be repealed in its entirety and replaced with the following:

#### *Garbage Disposal*

- 33** *An owner, tenant or occupant shall remove ordinary household refuse and garbage from his strata lot and deposit it in the containers provided by the strata corporation for that purpose; all garbage shall be bagged and tied before so depositing and the owner, tenant or occupant shall remove any materials other than ordinary household refuse and garbage from the strata plan property at his expense. For greater certainty, an owner, tenant or occupant shall not dispose of electronics, appliances, or furniture, or in any other way fail to follow City of Vancouver's Solid Waste By-Law No. 8417.*

A vote was called, forty six (46) in favour, one (1) opposed. CARRIED

### **Resolution #4 – Bylaw Change – Selling of Strata Lot**

It was moved and seconded to adopt the proposed resolution as follows:

WHEREAS the owners of the Strata Corporation – LMS 2946, would like to amend the current bylaws 36(1), Selling of Strata Lot,

BE IT RESOLVED by way of a ¾ vote of The Owners, Strata Corporation LMS 2946 that: bylaws 36(1), which currently read as follows:

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*Selling of Strata Lots*

36 (1) *An owner of a strata lot, when selling his strata lot, will not permit “For Sale” signs to be placed on or about the common property except on the signage board located adjacent to the entrance to the building which is designated for such purpose.*

be repealed in its entirety and replaced with the following:

*Selling of Strata Lots*

36 (1) *An owner of a strata lot, when selling his strata lot, will not permit “For Sale” signs to be placed on or about the common property except on the designated space located adjacent to the entrance to the building which is designated for such purpose.*

A vote was called, forty six (46) in favour, one (1) opposed. CARRIED

**Resolution #5 – Bylaw Change – Rental Restrictions**

It was moved and seconded to adopt the proposed resolution as follows:

WHEREAS the owners of the Strata Corporation – LMS 2946, would like to amend the current bylaws 38(a) and 38(b), Rental Restrictions,

BE IT RESOLVED by way of a ¾ vote of The Owners, Strata Corporation LMS 2946 that: bylaws 38(a) and 38(b), which currently read as follows:

*Rental Restrictions*

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

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

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- vii. *an owner may continue to lease his or her strata lot until the earlier of the date such owner moves into the strata lot to take occupancy and the date the strata lot is sold by the owner to a third party.*
  
- b) *notwithstanding paragraph (a), where cases of undue physical or financial hardship of a personal nature arise, the owner may make a written request to the council for permission to rent a strata lot for a limited period of time, and where the council has been provided with evidence that undue hardship will result if limited rental approval is not given, the council shall not unreasonably withhold permission for limited rental;*

be repealed in its entirety and replaced with the following:

*Rental Restrictions*

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

- b) *at any given time up to 6 strata lots may be leased for terms of not less than one year, and the procedure to be followed by the strata corporation in administering this limit will be as follows:*
  - i. *any owner wishing to rent a strata lot must make an application in writing to the council;*
  - ii. *approvals will be granted by the council on a first come basis in the order of the date such applications are received by the council;*
  - iii. *the council will not screen tenants, establish screening criteria, require the approval of tenants, require the insertion of terms in tenancy agreements or otherwise restrict the rental of a strata lot except as set out in this bylaw;*
  - iv. *the council will consider each application upon receipt and will respond to each application in writing within two weeks of receipt;*
  - v. *the council will keep a list of owners who wish to rent their strata lot and the priority of their application, and will advise each owner as soon as their application can be accepted;*
  - vi. *upon acceptance of an application to rent, an owner must enter into a lease of a strata lot within three months (3) from acceptance by the council of such owner's application and provide council with a Form K (tenant undertaking) or the acceptance will be automatically revoked and the council will be entitled to advise the owner next following on the list that its application to rent a strata lot has been approved; and*
  - vii. *subject to (vi) above, an owner may continue to lease his or her strata lot until the earlier of the date such owner moves into the strata lot to take occupancy and the date the strata lot is sold by the owner to a third party.*
  
- b) *notwithstanding paragraph (a), where cases of undue physical or financial hardship of a personal nature arise, the owner may make a written request to the council for permission to rent a strata lot for 1 (one) year only, and where the council has been provided with evidence that undue hardship will result if limited rental approval is not given, the council shall not unreasonably withhold permission for a rental of 1 (one) year only with the possibility of extension for an additional 1 (one) year;*

A vote was called, thirty six (36) in favour, nine (9) opposed and two (2) abstained. CARRIED

**Resolution #6 – Bylaw Change – Spectators at Council Meetings**

It was moved and seconded to adopt the proposed resolution as follows:

WHEREAS the owners of the Strata Corporation – LMS 2946, would like to amend the current bylaw 40, Spectators at Council Meetings,

BE IT RESOLVED by way of a ¾ vote of The Owners, Strata Corporation LMS 2946 that: bylaw 40, which currently reads as follows:

*Spectators at Council Meetings*

**40** *No person other than a member of the council shall be entitled to attend a meeting of the council unless authorized by a resolution of the council. In the course of a meeting of the council, any person or persons (other than members of the council) may be excluded from such meeting by a resolution of the council.*

be repealed in its entirety and replaced with the following:

*Spectators at Council Meetings*

**40** *No person other than a member of the council shall be entitled to attend a meeting of the council unless approved by the council. In the course of a meeting of the council, any person or persons (other than members of the council) may be excluded from such meeting by a resolution of the council.*

A vote was called, forty five (45) in favour, one (1) opposed and one (1) abstained. CARRIED

**Resolution #7 – Bylaw Change – Hardwood Floors**

It was moved and seconded to adopt the proposed resolution as follows:

WHEREAS the owners of the Strata Corporation – LMS 2946, would like to amend the current bylaw 44, Hardwood Floors,

BE IT RESOLVED by way of a ¾ vote of The Owners, Strata Corporation LMS 2946 that: bylaw 44, which currently reads as follows:

**44** *An owner of a strata lot who has or installs hard floor surfaces such as hardwood floors or tile in a strata lot must take all reasonable steps to satisfy noise complaints from neighbours, including without limitation, ensuring that no less than 60% of such hard floor surfaces, excepting only kitchens, bathrooms and entry areas, are covered with area rugs or carpet and avoiding walking on such flooring with hard shoes.*

be repealed in its entirety and replaced with the following:

*Hardwood Floors*

**44** *An owner of a strata lot who has or installs hard floor surfaces such as hardwood floors or tile in a strata lot must take all reasonable steps to satisfy noise complaints from neighbours, including without limitation, ensuring that no less than 60% of such hard floor surfaces,*

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*excepting only kitchens, bathrooms and entry areas, are covered with area rugs or carpet and avoiding walking on such flooring with hard shoes. For greater certainty, and owner of a strata lot who installs hard floor surfaces shall comply with the requirements outlined in the document entitled “Noise Reduction Laminate Underlay”..*

A vote was called, forty four (44) in favour, one (1) opposed and two (2) abstained. CARRIED

### **Resolution #8 – Addition to Bylaws – Use of Property**

After the discussion the owners agreed to the proposed bylaw addition; however, they proposed to amend the wording of the bylaw, to make it more understandable.

It was moved and seconded to adopt the amended resolution as follows:

WHEREAS the owners of the Strata Corporation – LMS 2946, would like to add a new bylaw under 3(10)(u), Use of Property.

BE IT RESOLVED by way of a ¾ vote of The Owners, Strata Corporation LMS 2946 that a new bylaw is approved as follows:

*3(10) An owner, tenant or occupant must not*

*(u)*

*use a solarium for storage purposes unless windows are fully covered by approved window coverings.*

A vote was called, forty three (43) in favour, two (2) opposed and two (2) abstained. CARRIED

### **Resolution #9 – Special Levy**

#### **Preamble to Resolution #9**

The Seastar building is over 11 years old and, last year the Strata Council contracted the Morrison Hershfield engineering company to do the building envelope condition assessment. They provided the strata corporation with the short term and long term recommendations with respect to any required remedial work or further investigations.

#### **Some of the required repairs in near future are: (estimated cost \$80,000)**

- |  |           |
|--|-----------|
| 1. Replace some failed windows – (as per survey)                                   | \$10,000  |
| 2. Roof Deck Door  | \$ 6 ,000 |
| 3. R&M External Staircase  | \$10,000  |
| 4. R&M 3 sets emergency exit stairs  | \$15,000  |
| 5. Paint exposed concrete roof parapet,6 <sup>th</sup> floor band and ground floor | \$16,000  |
| 6. Miscellaneous repair (eg. leak in Telus conduit)                                | \$20,000  |

#### **In 5 years- as per Morrison Hershfield Report)**

- |                                 |                   |
|---------------------------------|-------------------|
| 1. Sealant replacement          | approx. \$250,000 |
| 2. Balcony membrane replacement | approx. \$50,000  |

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In 5-10 years

1. New Roof

approx. \$250,000

For the purpose of repairing and maintaining the building components and protecting every owner's investment at Seastar, the Strata Council thinks that it is imperative that additional funds, sufficient to finance required future repairs and maintenance, are allocated to a special Maintenance Reserve Fund.

It was moved and seconded to adopt the proposed resolution as follows:

WHEREAS the Owners of Strata Plan LMS 2946 wish to raise funds for the Maintenance Reserve Fund,

BE IT RESOLVED that the owners of Strata Plan LMS 2946 by way of a ¾ vote hereby raise up to \$45,000.00 which will be allocated to the Maintenance Reserve Fund for the purpose of funding the preventative maintenance items noted in the Morrison Herschfield Engineers report. The funds are to be raised by way of special levy, as per the attached schedule. The Special Levy shall become due and payable in full immediately upon the passing of this resolution.

In accordance with Sections 108, 109 & 110 of the Strata Property Act the Special Levy amount is due and payable immediately upon passing of this 3/4 Vote Resolution and any Owner who sells, conveys or transfers his/her title including a re-mortgage shall be obligated to pay the full amount outstanding prior to the issuance of a form F by the Strata Corporation LMS2946. The Special Levy shall be considered as part of the common expenses of the Strata Corporation and Sections 116, 117 and 118 of the Strata Property Act shall be applicable where an owner's fails to make the required payment, as authorized by the passing of this 3/4 Vote Resolution.

A vote was called, forty five (45) in favour, two (2) opposed. CARRIED

**ANNUAL BUDGET APPROVAL**

The Treasurer reviewed the budget highlights that she prepared in consultation with the other members of the Strata Council. There will be no increase in strata fees for this fiscal year.

It was moved and seconded to adopt the budget as distributed with the Notice of Meeting.

Following discussion a vote was called, forty five (45) in favour, one (1) opposed and one (1) abstained. CARRIED

By adopting this budget as presented, the strata fees will be as per the schedule that was attached to the Notice of Meeting.

**NEW BUSINESS**

**SAVE MONEY – PLEASE TURN OFF GAS FIREPLACE PILOT DURING SUMMER MONTHS!**

We are trying to cut down on the gas expenses this year. One sure way to save some money is to turn off the gas fireplace pilot light. The pilot flame can burn as much as \$10-15 per month when it is left on and burning.

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**Tenant Information Form:** The Strata Council asks all owners renting their suites to provide the Strata Council with the tenants information, including the emergency contact information. The Tenant Information Form (*see the attached form*) should be filled in and submitted to the resident manager.

All owners wishing to receive copies of the Strata Council meeting minutes by e-mail should submit their request to Gateway Property Management: [ctoader@gatewaypm.com](mailto:ctoader@gatewaypm.com) or [mkazanegra@gatewaypm.com](mailto:mkazanegra@gatewaypm.com)

### **ELECTION OF STRATA COUNCIL**

In accordance with the Strata Property Act, the owners must elect a Strata Council. The Act allows for the election of a minimum of 3 to a maximum of 7 Owners to serve on Council. The Property Manager asked for volunteers and nominations from the floor and the following persons were nominated to stand for council:

1. Sally Warren
2. Judy Santowsky
3. Marilyn Barr
4. Jeffrey Morton
5. Bonnie Lambert
6. Stephen Ko
7. Bardya Ariana

It was moved and seconded to close the nominations. Being only 7 nominations, no vote was held and the 7 names put forward were elected by acclamation.

### **TERMINATION**

There being no further business, the meeting was adjourned at 9:00 p.m.

**Please keep a copy of these minutes for future reference. They will be required at the time of sale and a charge, as per the Strata Property Act, will be assessed for replacement copies.**