

**SHAWNOAKS  
5505-5585 OAK STREET, VANCOUVER, B.C.  
STRATA PLAN VR855**

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**MINUTES OF THE ANNUAL GENERAL MEETING OF THE MEMBERS OF STRATA PLAN VR855, SHAWNOAKS, HELD IN THE CEDAR ROOM AT VANDUSEN BOTANICAL GARDEN 5251 OAK STREET, VANCOUVER, B.C. ON TUESDAY, JUNE 23<sup>RD</sup>, 2009 AT 7:00 P.M.**

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**IN ATTENDANCE:**

54 Owners were represented either in person or by proxy

**Representing Rancho Management Services (B.C.) Ltd.:**

Patrick Frechette, Property Manager

Mike Elliott, Property Manager

**1. CALL TO ORDER**

There being a quorum, the meeting was officially called to order by the Strata Council President, Mr. Brian Ferris at 7:00 p.m.

**2. CALLING THE ROLL AND CERTIFYING PROXIES**

The Owners were informed that a quorum existed being made up of 54 Owners represented either in person or by proxy.

**3. PROOF OF NOTICE OF MEETING**

As per the notice provisions of the *Strata Property Act*, Owners are required to be notified a minimum of fourteen (14) days in advance for an Annual General Meeting or a Special General Meeting. The notice of the Annual General Meeting was mailed to all Owners on June 4<sup>th</sup>, 2009 and the addition to the notice was mailed out on June 7<sup>th</sup>, 2009.

It was then **MOVED, SECONDED, and CARRIED** that the notice and addition to the notice of the Annual General Meeting was duly served, in accordance with the provisions of the *Strata Property Act*.

**4. READING AND DISPOSING OF THE 2009 SPECIAL GENERAL MEETING MINUTES**

The Property Manager informed the Owners that the Special General Meeting minutes of March 11<sup>th</sup>, 2009 were enclosed with the notice of the meeting. He then asked if there were any errors or omissions in the minutes.

There being no errors or omissions, it was then **MOVED, SECONDED, and CARRIED** to approve the March 11<sup>th</sup>, 2009 Special General Meeting minutes as presented.

5. **PRESIDENT'S REPORT**

The President, Mr. Brian Ferris, presented a report to the General Membership pertaining to the various items that occurred over the past year.

Mr. Ferris went on to explain that in the last year the main focus has been the roof replacement which has been in effect on all the buildings except for the Cabana. The President also took the opportunity to thank Mr. Bill Thompson who has decided not to continue to serve on Council again next year. Mr. Ferris informed the Owners that Mr. Thompson has served on Council for nearly three decades and thanked him for his hard work on Council as both a member at large and most notably as Strata Council Treasurer. A round of warm-felt applause followed.

6. **FINANCIAL REPORT**

The Treasurer, Mr. Bill Thompson, informed the Owners that as of April 30<sup>th</sup>, 2009, there was \$58,986.59 in the contingency fund. He further informed the Owners that the Strata Corporation had incurred an operating deficit of \$5,363.00.

Mr. Bill Thompson then answered specific questions from the Owners in regards to the financial statements for the period ending April 30<sup>th</sup>, 2009. Mr. Thompson went on to explain that following the completion of the roof the total costs came under what was budgeted and Owners will soon receive a cheque to refund their portion of last year's Special Levy as of their unit entitlement. After further discussion, it was **MOVED**, **SECONDED**, and **CARRIED** to approve the financial statements for the period ending April 30<sup>th</sup>, 2009 as presented.

7. **MOTION TO APPROVE THE 2009/2010 OPERATING BUDGET**

Mr. Bill Thompson reviewed the proposed 2009/2010 operating budget with the Owners and he noted that the budget assumes an increase of 5.2% in the overall Strata fees. He then reviewed each revenue and expenditure category in detail with the Owners. After discussion, it was **MOVED**, **SECONDED** and **CARRIED** to approve the budget with the 5.2% increase in the overall Strata fees as presented.

8. **RESOLUTIONS FOR CONSIDERATION**

a) **Resolution "A":**

*"Be it therefore resolved by a ¾vote Resolution that the Owners, Strata Plan VR855, Shawnoaks do hereby authorize and approve the transfer in the amount \$5,363.00 from the Contingency Reserve Fund to cover the 2009 operating deficit."*

There being no further questions, the ¾vote Resolution as presented was **MOVED** and **SECONDED** and the floor was opened for discussion. After discussion, the ¾ vote Resolution was put to a vote and it **CARRIED**.

8. **RESOLUTIONS FOR CONSIDERATION – CONT'D**

b) **Resolution “B”:**

*“Be it therefore resolved by a ¾vote Resolution that the Owners, Strata Plan VR855, Shawnoaks do hereby adopt the attached proposed amendments to be effective after the June 23<sup>rd</sup>, 2009 Annual General Meeting.”*

**PROPOSED AMENDMENT TO EXISTING BYLAW 5.3**

**CURRENT BYLAW 5.3**

5.3 Only electric barbecues may be used on the balconies and patios.

**NEW AMENDMENT TO BYLAW 5.3 (AMENDMENT IN BOLD)**

5.3 Only electric and propane barbecues may be used on the balconies and patios. Barbecues fuelled by propane gas must be accompanied by a minimum 3 pound fire extinguisher within immediate reach.

It was **MOVED**, and **SECONDED** to accept the ¾ Vote Resolution as presented. At this time the floor was opened for discussion. After a brief discussion the ¾ Vote Resolution was **DEFEATED**, as presented (12 in favor, 42 opposed, 0 abstained).

**PROPOSED AMENDMENT TO EXISTING RULES AND REGULATIONS**

**SWIMMING POOL AND SAUNA**

7.0 No children under 16 years of age are allowed at anytime in the pool or sauna

**NEW AMENDMENT TO RULES AND REGULATIONS SWIMMING POOL AND SAUNA (Amendments in Bold)**

7.0 No children under **10** years of age are allowed at anytime in the pool or sauna.  
**All children 10 and over must be accompanied by an adult at all time.**

It was **MOVED**, and **SECONDED** to accept the ¾ Vote Resolution as presented. At this time the floor was opened for discussion. After a brief discussion the ¾ Vote Resolution was **DEFEATED**, as presented (21 in favor, 33 opposed, 0 abstained).

c) **Resolution “C”:**

*“Be it therefore resolved by a ¾vote Resolution that the Owners, Strata Plan VR855, Shawnoaks do hereby repeal and replace the bylaws to be effective after the June 23, 2009 Annual General Meeting.”*

8. **RESOLUTIONS FOR CONSIDERATION – CONT'D**

c) **Resolution “C” – Cont’d:**

**EXISTING BYLAWS**

- 8.1 *Pets are not allowed within the boundaries of Shawnoaks, Strata Corporation VR855.*
- 8.2 *Any owner violating By-Law 8.1 will be subject to a fine, of \$50 per every 7 days the pet resides on the premises.*
- 8.3 No strata lot resident, guest or visitor shall feed birds, squirrels, rodents or other animals within the boundaries of the Strata Corporation.

**PROPOSED NEW BYLAW(S)**

- 8.1 An Owner/Resident will be allowed to keep only one pet, including dogs and cats, per Strata Lot, as long as the following conditions are met:
- (a) An Owner/Resident must keep his/her pet within his/her Strata Lot and under his/her control and under no circumstances are pets to be kept on Common Property or in Common Facilities.
  - (b) An Owner/Resident will not permit his/her pet to travel on Common Property unless the pet is leashed (leash must not be over six (6) feet in length) and under the Owner/Resident’s control or his designate’s control.
  - (c) Any Owner/Resident or his designate shall insure that any fecal droppings by his pets are picked up and dispose off. Pets will not be permitted to soil the Common Property and if it does, the Owner/Resident is not only responsible for the removal of his/her pet’s waste but also for any costs of cleaning or repairing the Common Property.
  - (d) An Owner/Resident shall discourage their pet(s) from excessively barking at all times.
  - (e) If the Council resolves that a pet is a nuisance to the Strata Plan (whether in its Owner/Resident’s Strata lot or on Common Property), the Owner/Resident will be ordered by the Strata Council to remove the animal permanently from the Strata Plan. Any Owner/Resident who fails to comply within fifteen (15) days of receiving written notice from the Strata Council will be fined \$50.00 per month, or portion thereof, during which the offending pet continues to occupy the premises. References to an OWNER shall include any tenant or occupant of a Strata Lot.
  - (f) No visitor pets will be permitted within the building.
  - (g) The pet shall not have a weight exceeding 20 pounds as a fully grown adult.
- 8.2 No strata lot resident, guest or visitor shall feed birds, squirrels, rodents or other animals within the boundaries of the Strata Corporation.

8. **RESOLUTIONS FOR CONSIDERATION – CONT'D**

c) **Resolution “C” – Cont’d:**

It was **MOVED**, and **SECONDED** to accept the  $\frac{3}{4}$  Vote Resolution as presented. At this time the floor was opened for discussion. After a brief discussion the  $\frac{3}{4}$  Vote Resolution was **DEFEATED**, as presented (10 in favor, 44 opposed, 0 abstained).

d) **Resolution “D”:**

*“Be it therefore resolved by a  $\frac{3}{4}$ vote Resolution that the Owners, Strata Plan VR855, Shawnoaks do hereby adopt the attached proposed amendments to be effective after the June 23, 2009 Annual General Meeting.”*

**EXISTING BYLAW**

- 3.1 With the exception of those strata lots listed in Section 3.2, all strata lots are to be occupied by the owner, or their immediate family.

For clarity, immediate family, means anyone being 19 years of age, or over, who is a sibling of the husband/wife, or the son/daughter, father/mother, grandparents or grandchildren of the owner of a strata lot.

Before the owner of a strata lot permits a member of their immediate family to occupy the strata lot they shall advise Council, and furnish the name(s) and the relationship of the individual(s) concerned.

Unauthorized renting/leasing, or actions which may be constructed as renting/leasing of any strata lot not listed in By-Law 3.2: up to \$500.00 monthly or any portion thereof.

- 3.2 **Subject to the Condominium Act of British Columbia, the number of strata lots within Strata Plan VR855 that may be leased/rented is restricted to four (4), namely:**

Strata Lot #16:	6-5505 Oak Street
Strata Lot # 8:	6-5515 Oak Street
Strata Lot #17:	1-5525 Oak Street
Strata Lot #72:	8-5585 Oak Street

in the City of Vancouver, B.C. V6M 2V5

**PROPOSED AMENDMENT (Amendments in Bold)**

- 3.1 With the exception of those **two (2)** strata lots listed in Section 3.2 **and the three (3) strata lots that will be granted permission**, all strata lots are to be occupied by the owner, or their immediate family.

For clarity, immediate family, means anyone being 19 years of age, or over, who is a sibling of the husband/wife, or the son/daughter, father/mother, grandparents or grandchildren of the owner of a strata lot.

8. **RESOLUTIONS FOR CONSIDERATION – CONT'D**

c) **Resolution “D” – Cont’d:**

Before the owner of a strata lot permits a member of their immediate family to occupy the strata lot they shall advise Council, and furnish the name(s) and the relationship of the individual(s) concerned.

Unauthorized renting/leasing, or actions which may be constructed as renting/leasing of any strata lot not listed in By-Law 3.2: up to \$500.00 monthly or any portion thereof.

3.2 **Subject to the Condominium Act of British Columbia, the number of strata lots within Strata Plan VR855 that may be leased/rented is restricted to five (5), namely:**

**Strata Lot #16:       6-5505 Oak Street**

**Strata Lot # 8:       6-5515 Oak Street**

in the City of Vancouver, B.C. V6M 2V5

In addition to the 2 units listed above, 3 more strata lots will be allowed to be leased/rented. Request has to be submitted to the Strata Council in writing and Permission will be granted in writing on a first come first serve basis. A waiting list will also be made available to Owners. When an owner will be given the opportunity to lease/rent their suite, they will have a period of 90 days from the time permission has been granted to submit a form K to the Strata Corporation or else the Permission will expire and the next Owner on the waiting list will be given the same opportunity.

It was **MOVED**, and **SECONDED** to accept the  $\frac{3}{4}$  Vote Resolution as presented. At this time the floor was opened for discussion. After a brief discussion the  $\frac{3}{4}$  Vote Resolution was **DEFEATED**, as presented (11 in favor, 43 opposed, 0 abstained).

e) **Resolution “E”:**

*“Be it therefore resolved by a  $\frac{3}{4}$ vote Resolution that the Owners, Strata Plan VR855, Shawnoaks do hereby approve a special levy in the amount of \$220,000, due in two (2) installments (August 1<sup>st</sup>, 2009 and September 1<sup>st</sup>, 2009); that the special levy will be payable by the Owners on record on the date of passing; that the attached special levy will be assessed in accordance with the schedule of unit entitlement (see below).”*

It was **MOVED**, and **SECONDED** to accept the  $\frac{3}{4}$  Vote Resolution as presented. At this time the floor was opened for discussion. After a brief discussion the  $\frac{3}{4}$  Vote Resolution was **DEFEATED**, as presented (25 in favour, 29 opposed, 0 abstained).

A discussion ensued regarding the Cabana issue. A suggestion was made to form a committee to look into different options. Five (5) Owners volunteered to be part of the committee:

Oscar Dirnfeld  
Frank Bernstein  
Peter Gee  
Marilyn Bricker  
George Leo Verdolaga

8. **RESOLUTIONS FOR CONSIDERATION – CONT'D**

It was **MOVED, SECONDED** and **CARRIED** to accept the five (5) volunteers as the committee for rehabilitation of the Cabana.

9. **REPORT ON INSURANCE**

The Chair informed the Owners that the building is currently being insured for \$11,400,000.00 with \$5,000,000.00 coverage for general liability and \$2,000,000.00 for Directors and Officers (The Strata Council).

Owners were then reminded that the Strata Corporation's insurance policy does not provide for individual contents, betterments or improvements (i.e.: clothing, furniture, decorating, upgrading of carpets, flooring, etc.). Owners must carry their own tenant package insurance for such coverage, including any improvements and liability coverage.

Furthermore, the Strata Corporation's insurance policy only covers original fixtures within the strata lots (i.e. original carpets, original cabinets, etc.).

There being no discussion, it was **MOVED, SECONDED**, and **CARRIED** to accept the insurance report as presented.

10. **RESIGNATION/ELECTION OF THE CURRENT STRATA COUNCIL**

The Chair and the Owners thanked the Strata Council for their efforts over the past year with a round of applause. The Owners were then informed that the election of Council is usually done by way of nomination. Therefore, it was **MOVED, SECONDED**, and **CARRIED** to open the floor for nominations. The following Owners were then nominated to serve on the Strata Council:

Jane Kim  
Delton Fallis  
Teresa Londero  
Brian Ferris  
Peter Gee  
Gary Boras

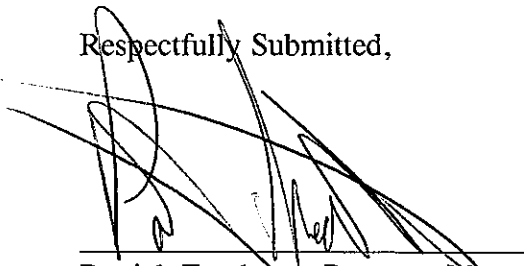
After discussion, it was **MOVED, SECONDED**, and **CARRIED** to close all nominations.

It was then **MOVED, SECONDED**, and **CARRIED** to declare the above noted Owners to serve on the Strata Council by way of acclamation.

11. **TERMINATION OF MEETING**

There being no further business, it was **MOVED, SECONDED**, and **CARRIED** to terminate the Special General Meeting at 8:00 P.M.

Respectfully Submitted,



Patrick Frechette, Property Manager  
Rancho Management Services (BC) Ltd.  
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***SECURITY***

For the security of everyone, residents are reminded to **NOT** let strangers into the building.  
This helps to prevent vandalism and helps keep the building security at its highest level.