



**PACIFICA
STRATA PLAN LMS 597**

**SPECIAL GENERAL MEETING MINUTES
TUESDAY, OCTOBER 28, 2014 AT 7:00 PM**

MANAGEMENT PRESENT:

**Michael Henson, Vice President Operations
Colby Johannson, Strata Manager
Pacific Quorum Properties Inc.
mhenson@pacificquorum.com / direct line: 604-638-1968
cjohannson@pacificquorum.com / direct line: 604-638-1970**

1. CALL TO ORDER

The Strata Council President, Monica Drake, as the Chair, called the meeting to order at 7:13 p.m., welcomed the Owners and introduced the Strata Council members, the representatives from the property management company and Ms. Allyson Baker, legal counsel from Clark Wilson.

2. MEETING PROCEDURES

The Property Manager confirmed that the 207 eligible strata lots were represented by 109 Owners, 32 in person and 77 by proxy. As the 1/3 quorum requirement was achieved, the Property Manager advised that the meeting could proceed. There were 97 residential strata lots represented and 12 commercial strata lots represented. Subsequently two owners arrived and registered late.

The Property Manager confirmed that the proxies received were all dated and signed and available for inspection. He also confirmed that the Notice of Meeting had been mailed to all Owners pursuant to the requirements of the *Strata Property Act*.

It was

MOVED by strata lot 187 ***and SECONDED*** by strata lot 6

To confirm the quorum report, confirm the Proof of Notice and to confirm the certification of the proxies.

CARRIED

3. ADOPTION OF PREVIOUS GENERAL MEETING MINUTES

It was

MOVED by strata lot 166 ***and SECONDED*** by strata lot 70

To adopt the minutes of the November 26, 2013 Annual General Meeting.

CARRIED

4. OPENING REMARKS

The President gave the background and purpose of the meeting and a brief history of Sections at Pacifica and the registered Bylaws. She explained that, in the past, the Strata Corporation had not operated strictly as a Sectioned Strata and that, effective December 31, 2014, the Strata was required either to operate as a Sectioned Strata (which would involve more costs and higher monthly strata fees) or to cancel the Sections and continue operating as in the past. She then introduced the Strata's legal counsel, Allyson Baker, who explained that the current Bylaws provided that the residential strata lots and the commercial strata lots are divided into Sections. In order to remove the Sections designation, the owners are being asked to approve new Bylaws which do not provide for Sections. Ms. Baker noted that only the residential owners would vote on the first resolution, only the commercial owners would vote on the second resolution and all owners would vote on the third resolution.

5. ¾ VOTE RESOLUTION "A" – THE RESIDENTIAL SECTION OF THE OWNERS, STRATA PLAN LMS 597 TO CANCEL RESIDENTIAL SECTION AND AMEND BYLAWS

(Sections 128 and 193 of the Strata Property Act)

(Note: This resolution will only be effective if the ¾ vote resolutions of each of the Residential Section, the Commercial Section and the Strata Corporation are approved)

WHEREAS:

- A. *Bylaws 1.1, 1.2 and 1.3 filed on October 28, 1992 under Land Title Office Registration No. BF414587 provide for the creation of each of the Commercial Section and the Residential Section;*
- B. *The owners of the residential strata lots would like to cancel the Residential Section and amend the Strata Corporation's bylaws if the owners of the strata lots comprising the Commercial Section and the Strata Corporation similarly vote to approve, as applicable, the cancellation of the Residential Section and the Commercial Section and amend the bylaws;*
- C. *Section 193 of the **Strata Property Act** (the "Act") requires that the cancellation of a section in part be approved by way of a ¾ vote resolution of the applicable section;*

BE IT RESOLVED by a ¾ vote of the Residential Section of The Owners, Strata Plan LMS 597 that, pursuant to sections 128 and 193 of the Act:

- (a) *the Residential Section be cancelled; and*
- (b) *all previously adopted bylaws of the Strata Corporation be repealed and replaced with the bylaws attached hereto as Schedule A.*

It was:

MOVED by strata lot 187 **and SECONDED** by strata lot 111

To approve resolution #A.

There was a brief discussion of the resolution including the consolidation and reformatting of the Bylaws. One owner questioned why Bylaw 29.3 had been revised from the current registered Bylaws. In discussion about the bylaw, the increase in the emergency expenditure ceiling to \$10,000 from the \$2,500 amount provided in the old Bylaws was justified by the vast expansion in the operating budget, now in

excess of \$1 million a year.

It was:

MOVED by strata lot 154 **and SECONDED** by strata lot 115

To amend the amount in Bylaw 29.3 from \$10,000 to \$2,500.

DEFEATED

8 IN FAVOUR

89 OPPOSED

There was additional discussion regarding the advantages and disadvantages of the cancellation of the Residential Section. At the conclusion of the discussion, the Residential Owners voted on the original motion to approve the resolution.

CARRIED

89 IN FAVOUR

1 ABSTENTION

6. ¾ VOTE RESOLUTION “B” – THE COMMERCIAL SECTION OF THE OWNERS, STRATA PLAN LMS 597 TO CANCEL COMMERCIAL SECTION AND AMEND BYLAWS

(Section 193 of the Strata Property Act)

(Note: This resolution will only be effective if the ¾ vote resolutions of each of the Residential Section, the Commercial Section and the Strata Corporation are approved)

WHEREAS:

- A. *Bylaws 1.1, 1.2 and 1.3 filed on October 28, 1992 under Land Title Office Registration No. BF414587 provide for the creation of each of the Commercial Section and the Residential Section;*
- B. *The owners of the commercial strata lots would like to cancel the Commercial Section and amend the Strata Corporation’s bylaws if the owners of the strata lots comprising the Residential Section and the Strata Corporation similarly vote to approve, as applicable, the cancellation of the Residential Section and the Commercial Section and amend the bylaws;*
- C. *Section 193 of the Strata Property Act (the “Act”) requires that the cancellation of a section in part be approved by way of a ¾ vote resolution of the applicable section;*

BE IT RESOLVED by a ¾ vote of the Commercial Section of The Owners, Strata Plan LMS 597 that, pursuant to sections 128 and 193 of the Act:

- (a) *the Commercial Section be cancelled; and*
- (b) *all previously adopted bylaws of the Strata Corporation be repealed and replaced with the bylaws attached hereto as Schedule A.*

It was:

MOVED by strata lot 1 **and SECONDED** by strata lot 2

To approve resolution #B.

There was discussion regarding the advantages and disadvantages of the cancellation of the Commercial Section. At the conclusion of the discussion, the Commercial Owners voted on the motion to approve the resolution.

CARRIED (unanimous)

7. **¾ VOTE RESOLUTION “C” – THE OWNERS, STRATA PLAN LMS 597 TO CANCEL SECTIONS AND AMEND BYLAWS**

(Sections 128 and 193 of the Strata Property Act)

(Note: This resolution will only be effective if the ¾ vote resolutions of each of the Residential Section, the Commercial Section and the Strata Corporation are approved)

WHEREAS:

- A. *Bylaws 1.1, 1.2 and 1.3 filed on October 28, 1992 under Land Title Office Registration No. BF414587 provide for the creation of each of the Commercial Section and the Residential Section;*
- B. *The owners of Strata Corporation would like to cancel the Residential Section and the Commercial Section and amend the Strata Corporation’s bylaws if the owners of the strata lots comprising each of the Residential Section and the Commercial Section similarly vote to approve, as applicable, the cancellation of the Residential Section and the Commercial Section and amend the bylaws;*
- C. *Section 193 of the Strata Property Act (the “Act”) requires that the cancellation of a section in part be approved by way of a ¾ vote resolution of the Strata Corporation;*

BE IT RESOLVED by a ¾ vote of The Owners, Strata Plan LMS 597 that, pursuant to sections 128 and 193 of the Act:

- (a) *the Residential Section and the Commercial Section each be cancelled; and*
- (b) *all previously adopted bylaws of the Strata Corporation be repealed and replaced with the bylaws attached hereto as Schedule A.*

It was:

MOVED by strata lot 187 **and SECONDED** by strata lot 166

To approve resolution #C.

CARRIED (unanimous)

8. **ADJOURNMENT**

The meeting was adjourned at 8:00 pm, after Owners were reminded that the Annual General Meeting was scheduled for November 25th.

Please Note: The Real Estate Regulations require a vendor to provide purchasers with copies of Strata Council and Corporation Meeting minutes. Please retain these minutes for your records. Replacement copies will be subject to a cost per page and can be received upon a seven (7) day advance order from *Pacific Quorum Properties Inc.*