



# NOTICE OF THE ANNUAL GENERAL MEETING OF THE OWNERS, STRATA PLAN VIS 6763 BALANCE AT DOCKSIDE GREEN

**WHERE:** Da Vinci Centre, 195 Bay St, Victoria BC

**WHEN:** Monday, July 17, 2023

**REGISTRATION:** 5:30 PM

**MEETING START TIME:** 6:00 PM

*Please bring either an electronic or paper version of this package with you to the meeting so you can refer to it as needed.*



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# Meeting Agenda

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(Section 51 of the bylaws specifies the order of business at annual and special general meetings.)

1. Call to order
2. Certify proxies and corporate representatives
3. Determine that there is a quorum
4. Elect a person to chair the meeting, if necessary
5. Present proof of notice of meeting or waiver of notice
6. Approve the agenda
7. Approve minutes from the special general meeting held February 23, 2023
8. Deal with any unfinished business
9. Receive reports of council or committee activities and decisions since the last annual general meeting
10. Ratify any new rules made by the strata corporation under section 125 of the Act (Resolution 1)
11. Report on insurance coverage in accordance with section 154 of the *BC Strata Property Act* (the Act)
12. Approve the budget for the coming year in accordance with section 154 of the Act.
  - Resolutions 2 – 6
  - Fiscal 2024 operating budget
13. New business
  - Resolutions 7 & 8
14. Elect new members of the strata council
15. Terminate the meeting

# Voting

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All owners of strata lots are encouraged to attend the meeting either in person or by proxy. If you are unable to attend in person and wish to appoint a proxy, please see the proxy form and instructions at the end of this notice package.

Please note that if an owner's strata assessments are in arrears as of the date of the annual general meeting, they may not be eligible to vote at the meeting, either in person or by proxy.

In accordance with section 1 (1) of the BC *Strata Property Act*, a "¾ vote" means a vote in favour of a resolution by at least 3/4 of the votes cast by eligible voters who are present in person or by proxy at the time the vote is taken and who have not abstained from voting.

A "majority vote" means a vote in favour of a resolution by more than 1/2 of the votes cast by eligible voters who are present in person or by proxy at the time the vote is taken and who have not abstained from voting.

Ratification of new rules requires approval by a majority vote.

Resolutions for spending from the contingency reserve fund (CRF) respecting expenditures identified in a depreciation report or to obtain a new depreciation report require approval by a majority vote. All other resolutions for spending from the contingency reserve fund require approval by 3/4 vote.

An annual budget requires approval by a majority vote.

Resolutions respecting new or revised bylaws require approval by a 3/4 vote.

With regards to election to the strata council, each council member must be elected by a majority of the votes cast.

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Ordered by Tom Fraser 2024/04/10

## Questions

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If you have any questions regarding this meeting notice or the practicalities of the meeting, please contact our strata manager Sam Hasham by using the link under *Main Contacts* on the Dashboard of PowerStrata to “Send a Message to Property Manager,” by email at [sam@prolinemanagement.com](mailto:sam@prolinemanagement.com) or by phone at 250 475-6440.

If you have specific questions about the agenda and any of the proposed resolutions, please use the link under *Main Contacts* on the Dashboard of PowerStrata to “Send a Message to Strata Council,” or send an email to [vis6763@pms.powerstrata.com](mailto:vis6763@pms.powerstrata.com)

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# The Balance Community

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When Robert and I lived in Toronto, we lived in a “single family” house in a neighbourhood of “single family” houses not far from downtown.

On our street there were about 60 houses, and in the development there were a few hundred. We had regular interaction with 2 or 3 neighbours and we “knew of” another 10 at most in the entire neighbourhood – that is, we knew their names and would say *hello* if we saw them on the street.

Now, in Balance, I know roughly 70 of our owners and tenants well enough to say *hi* on the street or in the lobby and I am privileged to know many of those 70 much better than that.

It’s often said that living in such close proximity to other people in a strata presents challenges. This can be true, but that close proximity, along with the shared common interest of living in the same complex and sharing many of the common amenities, also provides much greater opportunities for personal interaction and community.

Of course, my role on the strata council has enabled me to meet and work with many more owners than would otherwise have been the case. In fact, over the years I have had the privilege of working with some great people on the council, and this past year has been no exception.

The council team of 7 that we have had in the past 2 years has been stellar, and since 3 council members have decided to step away, I would like to thank each of them and acknowledge their significant contributions.

Joyce Elliott has had 3 different stints on the council since 2009 and has served a total of 7 years. Always calm, reasonable and level-headed, she is passionate about cleaning matters and has been our prime interface with Delco. She has also managed the bike room and spearheaded the bike audits and the conversion of a portion of the racks to wheel-in, which has been a great benefit to owners with electric or otherwise heavier bikes.

Alex Fyfe, who has served for 2 years on the council, spent a huge amount of time and effort, and shared his legal expertise, on the bylaw review in 2021-2022, the easement work with Dockside Green last fall and winter and most recently on the bylaw amendments being proposed for this AGM. As another council member recently said, *Alex always drives us relentlessly towards perfection!* In addition to his work on “legal” matters, Alex also wrote the monthly *Balance Bulletin* newsletter throughout the two years that he has been on the council.

Finally, Tanya Howes has been a council member for two years and has been our landscaping representative for much of that time. She’s handled our interactions with Fallingwater, has expedited several landscaping improvements and raised our focus on landscaping in general. Tanya also assisted Alex with the *Balance Bulletin* for much of her two years.

All three folks have a real passion for the strata and will be missed on the council. Thank-you!

As you will read in our report below, it’s been another busy year for the strata council, with several significant projects completed. We would not have accomplished what we did without the support of the owners who have assisted in ways great and small, like providing access for repairs in their units, attending meetings, making suggestions, etc. Thank-you to all our owners, and all the other members of our community, who help to make Balance a great place to live, every day.

Chris Lawson  
President – Balance.

# Report from your Strata Council: The Year in Review

## Council Message

Fiscal 2023 was another busy year for the strata council! We continued to work on a variety of projects and issues on behalf of all owners and had a very full plate. Every meeting had a full agenda, and to get everything done, we held several additional meetings over and above our usual schedule of one per month.

The council is very grateful for the assistance and cooperation of owners and tenants on major initiatives and projects. Whether for the Machstat thermostat replacements, the kitchen stack cleaning or the downspout replacements, access was provided to all units when needed. This was very much a factor in the successful and timely completion of those projects. We doubt this level of cooperation happens in many other large stratas.

Here is summary of our key accomplishments over the past year...

## Our Accomplishments

### Projects Approved at Last Year's AGM and the SGM on June 9, 2022

#### 1. Machstat Replacement Project

Following the approval of the Machstat Replacement project on June 9, 2022, the council got right to work on the project with our vendor Island Temperature Controls. In July and August, all the new Delta thermostats were installed and by the end of September, the new enteliWEB portal was in operation. Both the thermostats and the portal have proven to be much easier to use than the previous Machstat controllers and web access. In addition, the new reporting capabilities have made the extraction of the utility consumption data for invoicing purposes much easier, and faster. Whereas before the data for each unit needed to be downloaded separately and manually, now all data for all units can be downloaded at the press of a button, saving time and cost. Of course, the new controllers have also put an end to the high maintenance and repair costs that we were incurring for the old Machstats, which was the original driver for this project.



#### 2. Building Exterior Maintenance and Renewal

Last summer, Alco Building Services completed several repairs on the exterior of the buildings and applied a new membrane on the concrete “eyebrows” facing Tye Rd above the 2<sup>nd</sup> floor units in both 373 and 379 Tye.

Earlier this year, the original downspouts within all the north and south facing patios and balconies, many of which were leaking or corroded, were replaced with new PVC downspouts. The new downspouts will have a much longer lifespan, are waterproof, quieter, and more attractive.

We also replaced the main exterior door of SL 108 which had been leaking for several years, and

repaired several cracks in the parkade wall on P3 level.

As planned, Method Engineering completed an extensive review of the condition of the exterior in May of this year. The council has used the results of that review to inform budget planning for fiscal 2024 and beyond. You can read more about that in the pages below.

### 3. Major Mechanical and Interior Maintenance and Renewal

At the July 2022 AGM, the owners approved an allocation of \$25,000 for major mechanical and interior maintenance. This allocation has funded several important projects.

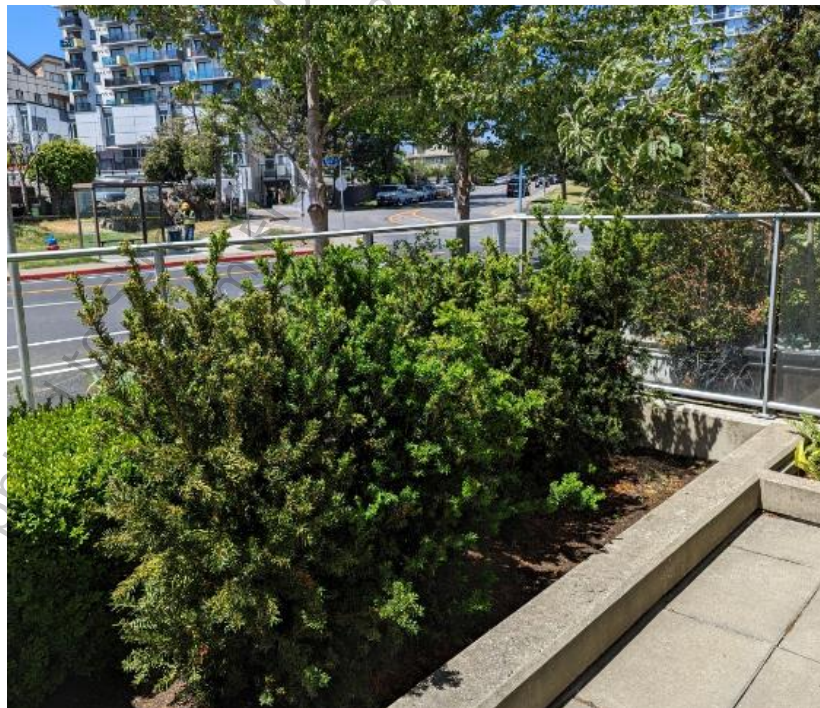
As we do every three years or so, all the kitchen plumbing stacks were cleaned by Gary Muir Plumbing last fall.

The major servicing and recalibration of the gas detection system in the parkade, which occurs at 5-year intervals, was also conducted last fall.

In addition to the above, we purchased hot and cold-water meters for replacement of failed meters in several units, replaced the fan in the bicycle storage room and conducted major repairs on the domestic hot water pumps and the rooftop air handling units.

### 4. Landscaping

After a long wait due to a shortage of Yew trees, the replacement of the Witch Hazel and Mahonia trees in the common property areas of the courtyards along Tye Road was finally completed by Fallingwater in April. It was well worth the wait, as the trees that Fallingwater was able to secure are already very full and in no time will provide a good level of privacy to occupants of the adjacent units.



As is the case every year, several other improvements and replacements of landscaping were completed throughout the property. The small bed near the entrance to 373 Tye continues to be a “thorn” in our sides and Fallingwater is looking into why a variety of plant specimens have not thrived in that area. Hopefully something suitable will be found soon.

### 5. Automatic Door Openers

Installation of the automatic door openers on the doors leading to the elevator lobbies on levels P1 and P2 of the parkade started in November and this project seemed to go on forever! As far as we



know, the reason for this was that Action Door had a shortage of available technicians. In any event, the project was finally completed in March and it's now much easier and more convenient to use each of the doors when entering or leaving the parkade.

**6. Elevator Lighting**

As owners are aware, we planned to replace all the elevator lights with lighting that was somewhere in between the brightness of the original "blue" lights and the lights in elevator 2 in 373 Tye. Unfortunately, after extensive investigation we were unable to find a suitable replacement. The existing lights remain, and we will investigate this issue again if and when they start to fail.

**7. Amended Bylaws**

At last year's annual general meeting, the owners approved a minor amendment to the bylaws to replace references to the old Machstat controllers with the more generic term "heating controllers," in view of the replacement of the Machstats with the new Delta thermostats. We registered the new amended bylaws shortly after the meeting and the new consolidated bylaws were then circulated to all owners and filed in PowerStrata.

**Other Accomplishments**

**1. P3 Exit Walkway and Ramp**

In the summer of 2022 and at their cost, BOSA constructed the new exit walkway and ramp, leading from the exit door on P3 out to the greenway. The council is very pleased with the result, although subsequent settlement of the concrete has caused some cracks to form. In addition, there is a drainage problem in one area. BOSA has committed to fixing these issues, which we look forward to.



**2. Insurance Subrogation Claim – Water Damage Incident in 2017**

Owners who were around at the time will recall the significant flood that occurred in December of 2017, originating from a unit on the 5<sup>th</sup> floor of 373 Tye. A person drilled into a wall to install a wall-mounted TV and drilled right into a main hot water supply pipe! The water damage was extensive – several units were completely gutted – and although the insurance companies paid for the repairs,

Balance's insurance premium increased significantly as a result. The insurance companies had a total "loss" of about \$750,000. As a result, they initiated a "subrogation" claim in 2021 against the person who caused the damage. Although we were advised that our chances of recovery were low, we participated in the claim to try and recover some or our "uninsured" loss that stemmed from the increase to our insurance premium. Finally in early 2023 a settlement was reached. The insurance companies recovered a significant portion of their loss and we received a settlement of about \$54,000 which was deposited into the contingency reserve fund. This did not fully compensate us for the increases in our insurance premiums in the years following the incident, but it was nevertheless welcomed, and somewhat unexpected!



### 3. Utility Invoices by Email

Last fall, we started to distribute the Residential Heating/ Water Utility Invoices by email. Not only is this a more convenient option for owners, but it also reduces our cost and improves our cash flow, since the invoices are being sent earlier than was previously the case. Most owners are now receiving their invoices by email which saves on postage and stationary costs. If you are still receiving your invoices in

the mail, please contact us to arrange to receive them by email!

### 4. Electronic Visitor Parking Permits

In March, the council introduced a new electronic permitting system for use of the visitor parking stalls, using PowerStrata. The new permits eliminate the requirement for the laminated parking passes and make monitoring and enforcement of the visitor parking bylaws easier for the strata council.

### 5. Waste Management Contract

Last summer, council received a proposal from Waste Connections, our waste management provider at the time, for a long-term contract at a fixed monthly price that was a significant reduction from the then current month-to-month charge. Due to frequent missed pick-ups, council decided to obtain quotes from other providers. Ultimately, council decided on a 3-year contract with Waste Management, at a price that was significantly less than the one proposed by Waste Connections. The change-over was supposed to occur on November 11 but unfortunately the transition was very painful. It took several months before Waste Management's service became dependable. Even now, we have the odd missed pick-up here and there. We are told that this is common across the industry, due to staffing issues. Council and management continue to monitor Waste Management's performance and manage as best we can. The good news is that we are paying significantly less for waste removal services than in the past.

### 6. New Easements

Throughout a significant portion of the fiscal 2023 term, the strata council and particularly Alex Fyfe, worked with BOSA and a property and land lawyer on two easements relating to the main parkade ramp and the new pedestrian ramp that extends from the P3 exit door to the greenway. In the case of the parkade ramp, a small portion of the foundation of 369 Tyee (the new BOSA building adjacent

to 373 Tyee) encroaches on our property underneath our ramp. In the case of the pedestrian ramp, part of it encroaches on property that is currently owned by BOSA and will ultimately be part of the greenway owned and managed by Dockside Green Victoria Society.

Complete details about the two easements are contained within the [Notice for the Special General Meeting](#) that was held on February 23<sup>rd</sup>.

The project was successfully concluded at the February 23<sup>rd</sup> special general meeting, where both easements were unanimously approved by the owners. They have since been registered at the Land Title Office.

## 7. Bike Room Audit

Every few years we conduct a bike “audit” to confirm whether there are bikes that are no longer being used and taking up valuable space in the bicycle storage room. Earlier this year we conducted such an audit and as a result eight bikes and a bike trailer were found to be abandoned and were removed, freeing up the equivalent number of spaces on the bike racks. The bikes and the bike trailer were held in storage for several months after the audit and have since been donated to a charity.



## 8. Full Insurance Appraisal

In March, Baker and Osland Appraisals was retained to provide a full replacement value appraisal for Balance, required to renew the strata’s insurance policy. The total replacement cost of the buildings was estimated to be \$83,500,000. This is just slightly above the full replacement value of \$81,610,000 reflected in the fiscal 2022 insurance policy.

## 9. New Meters for Rooftop Air Handling Units

As covered in the minutes of the March 14 council meeting, council decided to have meters installed on the rooftop air handling units. These units, on the rooftops of each building, circulate fresh air through the common property hallways and lobbies as well as the strata lots. The rooftop units contain heaters which use hot water energy, like the fan coils in the units, to heat the air that is circulated in. The heaters are on for a significant portion of each year and constantly throughout the winter months, and the hot water energy that they use, which is significant, is part of the strata’s total energy consumption that the strata is billed-for by Corix. Once the new meters are in place, the energy consumption of the rooftop units will be deducted from the strata’s total consumption reflected on the Corix invoices and the remaining will be re-billed to the strata lots proportionally, based on each unit’s consumption. This will be a more accurate and fair way of billing each owner for their own unit’s heating energy consumption. More information about this can be found in the minutes of the March 14 council meeting.

## 10. New Portable Air Conditioner Policy

Many owners and tenants are interested in air conditioning options for their units. A few occupants are already using portable air conditioners and report that they provide a satisfactory solution for reducing the temperature in their units to a comfortable level. Council has recently discovered a way



of using portable air conditioners that does not involve placing the exhaust hose out of a window. In addition to helping to preserve the appearance of the buildings, this method also provides a much better window seal, resulting in improved air conditioning performance. As a result, council has developed and documented a policy for use of portable air conditioners. The "[Balance Portable Air Conditioner Policy](#)" is filed in PowerStrata in the Documents library under *Building Info and User Guides*. No council approval is required to use a portable air conditioner if the exhaust hose is installed in compliance with this policy, since no part of the air conditioning unit would extend outside the strata lot.

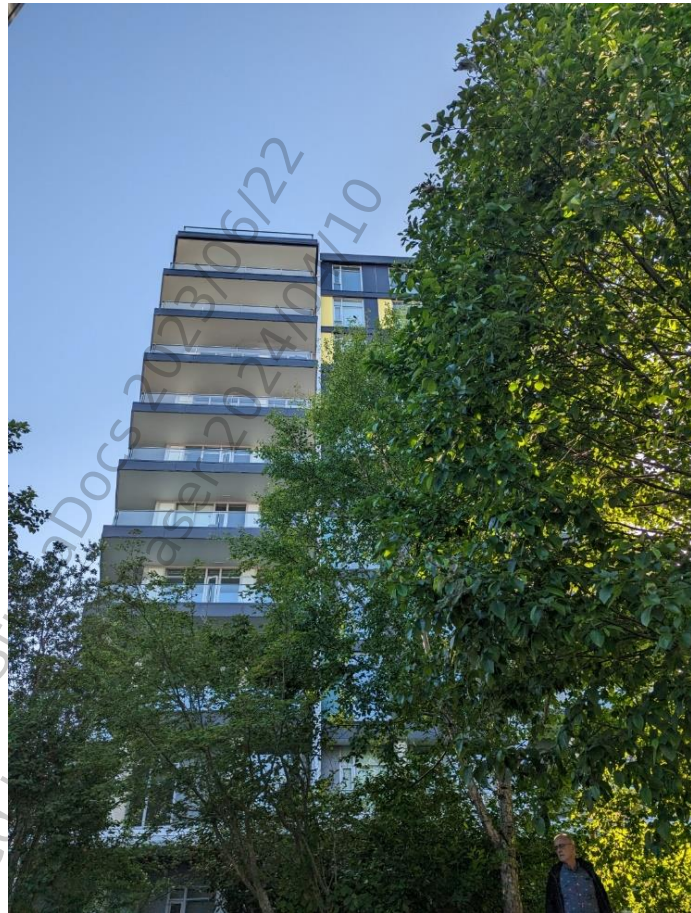
### 11. Other

In addition to the above, a huge amount of effort has gone into preparing items for this meeting, including the bylaw amendments, the proposed budget, and the related resolutions for spending from the contingency reserve fund.

### Sales and Rentals at Balance

Since June of 2022, there have been 13 MLS sales at Balance. The average selling price per square foot was \$842. This number has come down somewhat from the number we reported in the previous annual general meeting package, reflecting the general change in the market over the past year.

About 35% of Balance units are currently rented and the remaining ones are owner-occupied.



***Thank-you to all our volunteers!***

Council would like to thank Greg Cline, Steve LeBel, Caroline Thibault and Miriam Waldman, who take the old batteries and light bulbs to the recycling depot, as well as Glenn and Barb Bond, who welcome new owners and help them to become acquainted with the strata through the Ambassador program.

Your efforts are much appreciated!



# Financial Report: How we did in Fiscal 2023

## Operating Fund

Our total income for fiscal 2023 was 99.9% of budget, practically bang-on. Total expenditures were 99.2% of budget, again almost bang-on.

Overall, these results show that we did an excellent job of budgeting for fiscal 2023, and a great job of managing our finances throughout the year.

### Income

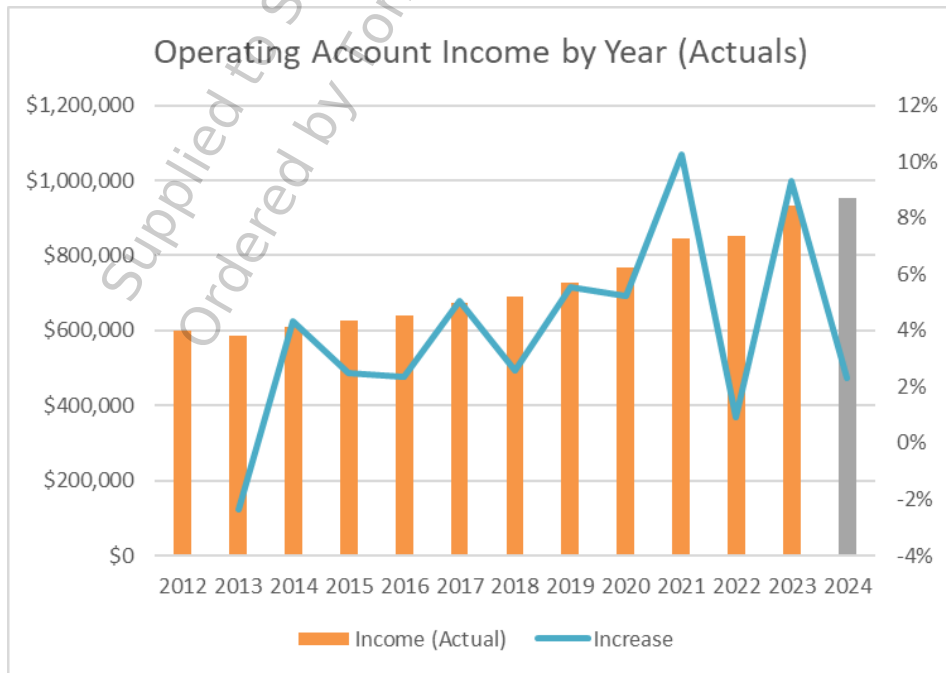
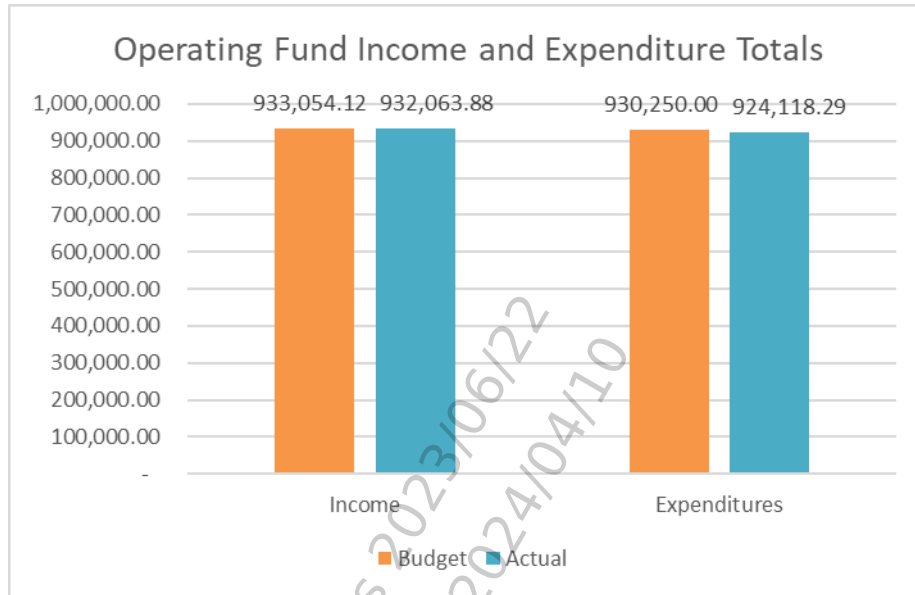
The key story on the income side in fiscal 2023 was the interest we earned

on the operating fund. This was much higher than expected, due to the increase in interest rates that occurred after we finalized the budget for fiscal 2023.

Income from move-in fees, as well as *Other Income*, were also higher than anticipated.

The higher-than-expected income in the above line items almost offset the slightly lower than anticipated strata fee income.

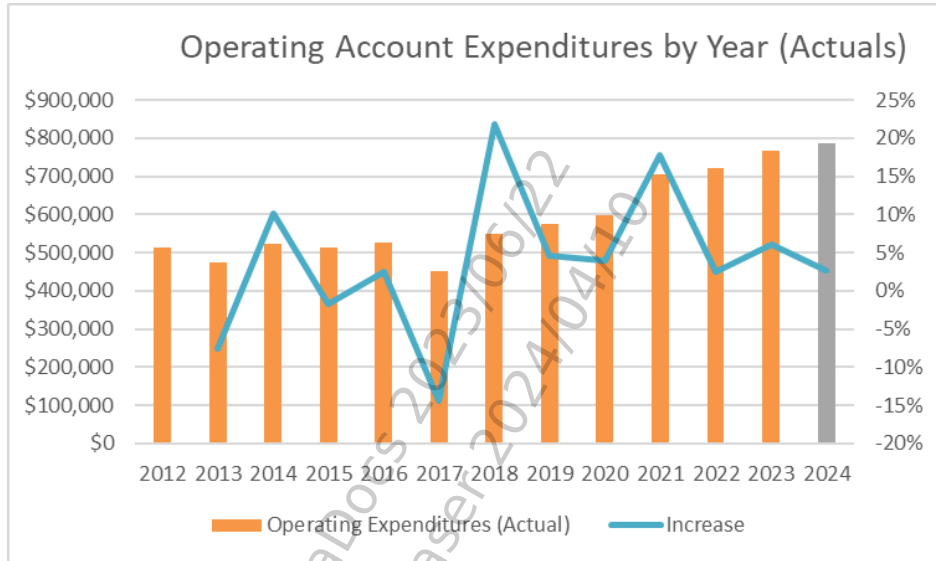
The chart to the right shows our actual income over the years, and the proposed income for 2024 (see Proposed Operating Budget: Fiscal 2024, below.)



### Expenditures

As identified above, our total operating expenditures were slightly below budget, mainly due to lower than expected costs for waste removal, due to the new contract with Waste Management. We did see higher than expected costs for lock repairs and maintenance, parkade maintenance, fire equipment repairs, all of which were necessary repairs due to aging equipment. We also had snow removal costs that were higher than budget, due to several significant winter storms.

The chart to the right shows our total actual expenditures over the years, and the proposed total expenditures for 2024 (see Proposed Operating Budget: Fiscal 2024, below.)



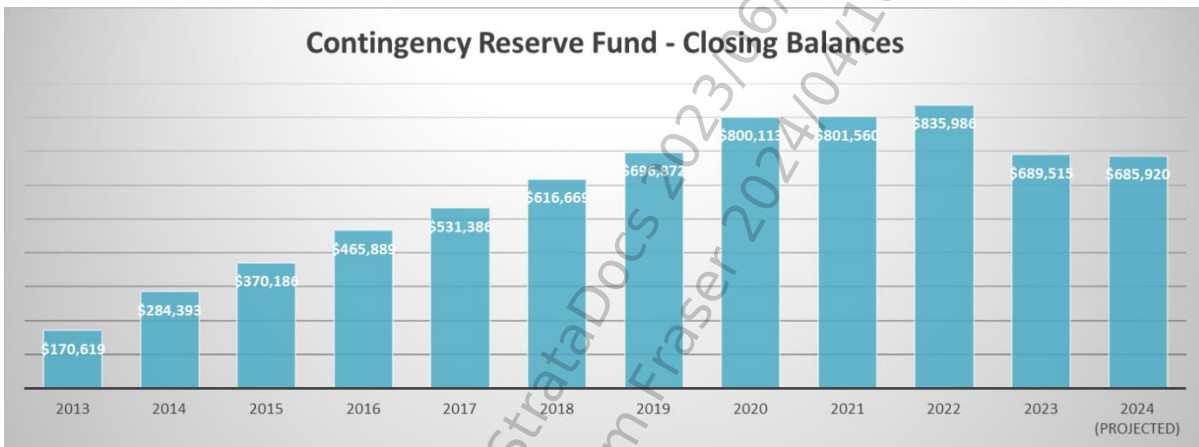
With income that was about \$1000 lower than budget, expenditures that were about \$6000 below budget and a deficit in the fiscal 2022 budget that we covered this fiscal year, we ended the year with an operating surplus of \$7945.59. The closing balance of the operating fund therefore increased from \$102,781.08 at the end of fiscal 2022 to \$110,726.67 at year-end fiscal 2023.

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## Contingency Reserve Fund (CRF)

At the end of fiscal 2023, the balance in the contingency reserve fund (CRF) was \$689,514.69, well above the projected balance of \$504,040.88 in the fiscal 2023 budget. There are three reasons for this: First, we had significantly higher than expected interest income in the CRF, due to interest rates that are now significantly higher than when the fiscal 2023 budget was prepared. Second, the settlement proceeds of \$53,998.38 from the insurance subrogation claim were deposited to the CRF account. Finally, we had lower than anticipated expenditures in most of the allocations that were approved at the AGM in July 2023. For example, expenditures for the Machstat Replacement project were \$221,663, lower than the \$260,000 budget. (There is a change order worth approximately \$16,000 which has not yet been completed and billed by Island Temperature Controls.) Landscape Renewal, Building Exterior Maintenance and Renewal, as well as Major Mechanical & Interior Maintenance and Renewal expenditures were also lower than anticipated.

The higher than anticipated balance in the Contingency Reserve Fund will assist with major projects that are anticipated in the next few years.



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## Summary of Bylaws

Strata bylaws are approved by owners of a strata. They are legal regulations and are the “rules” that the strata owners have agreed to live-by. [According to the BC Government](#), the purpose of bylaws is to provide for the administration of the strata corporation and for the control, management, maintenance, use and enjoyment of the strata lots, common property and common assets of the strata corporation. As stated on the above referenced website, *bylaws are one of the ways that living in a strata is not the same as living in housing that is non-strata titled.*

Here are the provisions of some of Balance’s key bylaws:

**Alterations:** All alterations to common property (including limited common property such as balconies, decks, patios and roof gardens), and certain alterations inside strata lots require the approval of the strata council. See section 19 of the bylaws for procedures and the list of alterations in strata lots that require approval. An *Alteration Approval Request* form is available to owners on the Dashboard (homepage) of [PowerStrata](#).

### Balconies, decks, patios and roof gardens:

- In general, only outdoor patio furniture, outdoor plants, freestanding planters, horizontal storage containers and outdoor appliances (including BBQs, patio heaters and fire tables) may be kept on balconies, patios and roof gardens. No other items are allowed, including screens, lattices and trellises that are visible from the exterior, as well as indoor furniture and appliances. Use of these areas for storage of items including but not limited to boxes, bikes and other sports items is not allowed. See section 4 for complete details. See also *Common Property, Use of*, below.
- Laundry may not be hung on balconies, patios, decks and roof gardens if visible to the exterior. (See section 3 (2) (j).)
- Owners, tenants and occupants may not allow water to drip from balconies when cleaning or watering plants (See section 3 (2) (t).)

**Bikes:** Bikes can only be brought into the building through the parkade entrances (not the main lobby doors). Bikes cannot be stored on balconies, patios or roof gardens, or in parking stalls. (See section 12.)

**Common Property, Use of:** Personal items cannot be left anywhere on common property, including in the parking stalls and hallways. Nothing can be hung anywhere, including on interior hallway walls and on the exterior ceilings, walls and railings of balconies, patios and roof gardens, with the exception of the Canadian flag which may be hung from June 24 to July 8 and holiday lights which may be hung from October 15 to February 15. Both exceptions apply to the exterior balconies, patios and roof gardens only. See sections 3 (2) (c), 4 (8), 13 (3).

**Garbage and Recycling:** All household garbage and recycling must be placed in the appropriate bins in the garbage/ recycling room on P3. Discarded items may not be left anywhere else in or adjacent to the garbage/ recycling room, including on the floors. (See section 11.)

**Indemnification and insurance deductible:** **Section 24 requires an owner to fully insure their strata lot with third party liability and deductible coverage.** The bylaws give the strata corporation the authority to charge-back the strata corporation’s insurance deductible to an owner when that owner is “responsible” for a loss. An owner is “responsible” for anything that happens in their strata lot, including for damage such as a water leak that originates from their strata lot, regardless of whether they are “negligent.” In a recent decision of the Civil Resolution Tribunal, an owner in a strata corporation with bylaws similar to ours was found responsible for the strata’s \$75,000 insurance



deductible because a toilet supply line connector in his unit failed and caused damage totaling \$150,000 to common property and other strata lots. See <https://decisions.civilresolutionbc.ca/crt/sd/en/item/521240/index.do>.

When the total amount of repairs is less than the strata's insurance deductible and the damage originates from an owner's strata lot (ie., the owner is "responsible,") the owner will be charged the cost of the repairs under our bylaws. Our water damage deductible is now \$50,000.

Similarly, the bylaws make owners responsible for damage "for which they are responsible," to common property and common assets, other than reasonable wear and tear. (See section 24.)

All of this is why it is so important for owners to have their own condo insurance!

**Informing strata corporation:** An owner must inform the strata corporation of an outside mailing address, if any, within 2 weeks of becoming an owner. (See section 18.) Assuming the bylaw amendment on the agenda of this meeting is approved, owners must also provide their email addresses and phone numbers. In addition, any changes to the mailing address, phone numbers and email addresses must be communicated to the strata within 2 weeks of the change.

**Lockboxes:** Lockboxes are not allowed anywhere in the interior or exterior, *including Realtor lockboxes*. (See section 3 (2) (w).)

**Moves:** Owners must advise the strata corporation of any moves in or out, *including those of their tenants*, at least 7 days in advance and must make suitable arrangements with the property manager. (See section 16.) A *Move Request* form is available on the Dashboard (homepage) of [PowerStrata](#) for this purpose.

**Noise:** The bylaws prohibit "unreasonable or repetitive noise" which includes but is not limited to "the use of any appliances, equipment, tools, musical instruments, amplifiers, sound reproduction equipment or other devices ... such that it unreasonably interferes with any other owner or occupant." In addition, undue traffic or the creation of sustained noise of over 1 minute in duration that is audible in another strata lot is not allowed between 10:30 pm and 7:00 am. (See sections 3 (1) (b) and 3 (2) (a).)

**Pets:** All pets must be leashed or otherwise secured and kept under control at all times when on common property. An owner of a pet shall not permit the pet to urinate or defecate on common property (inside or outside). If an accident should occur, *the owner of the pet must clean up immediately*. An owner of a pet shall not permit the pet to cause a nuisance or permit the pet to disturb any other owner, tenant or occupant due to barking, howling or the making of other noise. (See section 6.)

**Rentals:** (See section 9.) Within 2 weeks of renting, an owner must provide the strata with a *Form K Notice of Tenant's Responsibilities*, signed by the tenant. When having the tenant sign the Form K, the owner must provide the tenant with the bylaws and rules, to which all tenants must comply.

To submit a Form K to the strata, owners can use the *Form K Submission* form, found on the Dashboard (homepage) of [PowerStrata](#).

**Security:**

- Section 52: All owners, tenants and occupants must ensure when entering and exiting the buildings that all locked entranceways are securely closed after use.

- Section 3 (2) (q): Doors and entrances may not be propped open or left unsecured. This includes by movers! If your mover must prop open the door, please have someone stationed in the lobby to keep watch.

**Smoking:** No smoking of any type, including of tobacco, cannabis, chemicals and e-cigarettes, is permitted anywhere on strata property. This includes in units, on balconies, patios, decks and roof gardens, and on the interior and exterior common property. (See section 7.)

**Visitor parking:** Owners, tenants and occupants must not park in the visitor parking stalls. Unless a longer period is approved by the council, visitors may only park in the visitor parking stalls for 7 days in a rolling 30-day period. A day is a calendar day that ends at midnight. All vehicles in the visitor parking stalls must have an electronic visitor parking permit (obtained by completing and submitting the form on the Dashboard of PowerStrata). Any vehicle parked in contravention of the visitor parking bylaws may be towed without notice. (See sections 13 (9) and 13 (11).)

**Windows and window coverings:** Window coverings that are visible to the exterior must only be white or off-white. No items, such as signs and notices, may be displayed in windows or from strata lots, except election signs during election periods. (See sections 3 (2) (i) and 3 (2) (m).)

Supplied to StrataDocs 2023/06/22  
Ordered by Tom Fraser 2024/04/10

# Ratify new rules made by the strata corporation under section 125 of the Act

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According to the BC *Strata Property Act* section 125, a rule enacted by the strata council ceases to have effect at the first annual general meeting held after it is made, unless the rule is ratified by a resolution passed by a majority vote. In addition, section 6.9 (1) of the *Strata Property Regulations* says that a rule that imposes a user fee is only effective if ratified under section 125 of the *Act*.

## Resolution #1 – Majority Vote

### **Kayak Racks**

There are 9 kayak racks in the parkade that are available to rent. (The others were assigned on long term lease by the developer.) These racks are currently being rented by the strata for \$10 per month and the same rental charge has been in place since 2009. The racks are in high demand and the council believes the fair value of the racks is \$25.00 per month. At the May 9, 2023, strata council meeting, the council therefore enacted the following rule:

*The monthly user fee for a strata-assigned kayak rack shall be \$25.*

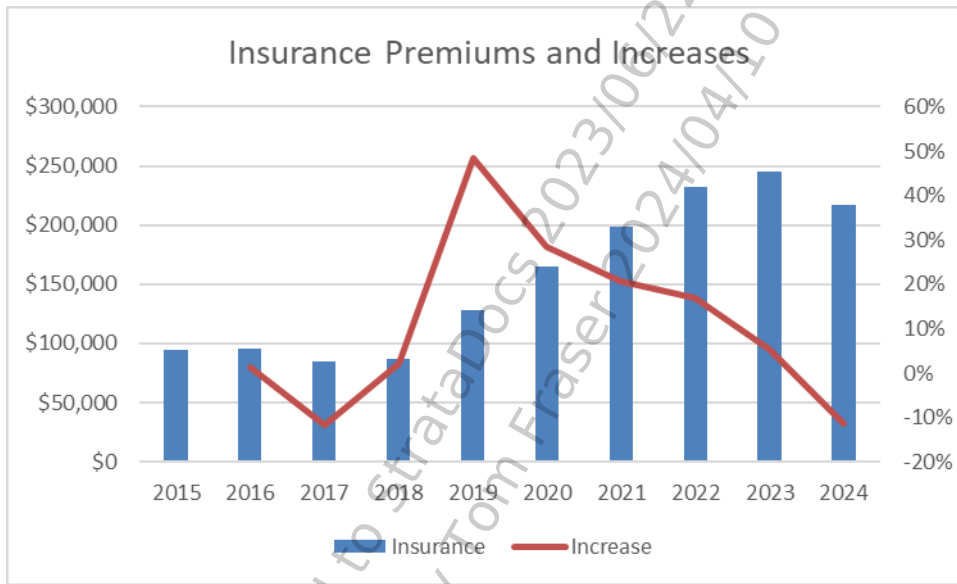
The strata council recommends that this rule be ratified so that the new monthly user fee can become effective.

**BE IT RESOLVED, AS A MAJORITY VOTE RESOLUTION OF THE OWNERS OF STRATA PLAN VIS 6763 THAT the rule:**

*The monthly user fee for a strata-assigned kayak rack shall be \$25,*  
**adopted at the May 9, 2023, strata council meeting, be ratified.**

# Report on Insurance Coverage

The strata's insurance policy runs from May 31 of each year and was recently renewed at a cost of \$217,116 for fiscal 2024, a decrease of 11.3% from last year's premium, which was \$243,895. The high premiums we have experienced over the past several years are partly due to the general "hard" insurance market in BC and across Canada. However, the significant claim that resulted from the flood incident in 2017 also affected our insurance premiums. Since the incident is now over five years in the past and we have had no claims since then, we were able to renew at this reduced rate. This year, our main insurance provider is Intact Insurance. According to our insurance broker, Intact does not take on new strata/ condominium clients unless there are 5 claim-free years, and unless there is evidence that the strata is very well managed and extremely diligent about maintenance. She advised us that the fact Intact agreed to insure us speaks volumes about how we are managing the strata, and our maintenance.



This insurance market update from our insurance broker summarizes the current market conditions:

[https://pms.powerstrata.com/plpm/VIS6763/files/32235605640071022/Condo\\_Market\\_2023.pdf](https://pms.powerstrata.com/plpm/VIS6763/files/32235605640071022/Condo_Market_2023.pdf)

The strata corporation is legally required to obtain insurance that covers the full replacement cost of the buildings. An independent appraisal is obtained each year to determine replacement value. According to the latest appraisal completed in March, the replacement value of the Balance buildings is \$83,500,000.

Every year we remind owners about the importance of having their own homeowner insurance policy. In fact, our bylaws require all owners to obtain insurance:

#### 24. Indemnification and insurance deductible

- (1) An owner will cause a strata lot to be fully insured with third party liability coverage and deductible coverage and will provide evidence of such insurance coverage to the strata corporation upon request.

The strata's policy does not cover personal property (including items left in vehicles and lockers) and it does not cover contents and betterments (alterations and improvements, like new flooring, cabinets, countertops, etc.)



In addition, the deductibles on the insurance policy are significant, and owner(s) could be legally responsible to cover all, or a portion of, a given deductible.

Here are the key deductibles in our current insurance policy:

All Loss: \$10,000

**Water & Sewer Back Up: \$50,000**

**Flood: \$50,000**

**Earthquake: 20% (increased from 15%) with a \$250,000 minimum.**

Here is an example of how the earthquake deductible works:

Our maximum coverage is \$82,500,000 which is the appraised value of the buildings.

- If there is a major earthquake and the cost to repair the damage is this amount (or more), our insurance would cover this amount (maximum), *less the earthquake deductible.*
- In this case the deductible would be 20% of the maximum coverage amount.
- 20% of \$82,500,000 is \$16,500,000. This would be the strata's deductible.
- The deductible would then be divided between all owners based on unit entitlement. (i.e., each owner would be legally responsible for their share.) Unit entitlements vary by size of unit.
- *The average deductible would be \$96,491.* Smaller units would have a lower deductible and larger units would have a significantly larger deductible.
- This is the maximum deductible. The deductible would be less if the total cost to repair is less than the maximum coverage amount. There is no "single" dollar amount of the deductible because it varies as per above. A schedule of all the deductibles, by unit, will be included in the minutes of the annual general meeting.

Please note that our policy does not cover additional living expenses, but most condo owners' policies do cover this.

Owners are strongly advised to provide their insurance brokers with details of the strata's insurance policy, to ensure they are adequately covered with their own insurance and that they are covered for their share of the strata's deductibles.

**The *Strata Property Act* and the bylaws allow the strata to charge-back a deductible to an owner when that owner is responsible for the damage. According to the bylaws, an owner is *responsible* even if that owner is not *negligent*.** For example, an owner is usually responsible for any water escape damage from equipment that is part of that owner's unit, regardless of cause.

This is why it is so important to have coverage for the deductibles that apply to the strata's insurance coverage based on the type of damage. Owners should ensure that their personal policies allow for adequate coverage and include loss assessment for the strata's deductible amounts to ensure adequate protection in the event of a claim by the strata corporation for which the owner may be deemed responsible. Water damage coverage is particularly important given the frequency of such incidents.

Finally, owners are reminded that if the cost of damage to a strata lot is below the strata's deductible

and no insurance claim is initiated, *the strata corporation has no legal obligation to repair the strata lot. Therefore, the owner of a strata lot affected by damage may be responsible for repairs to their unit, regardless of cause.*

*Did you know, that if the roof leaks through no fault of the strata and there is damage to the ceiling in the unit below that costs less than \$50,000 to repair, the owner of that unit must pay for those repairs?*

Here is a great article about who is responsible for repairing damage in a strata lot when the cost is less than the insurance deductible:

<https://www.choa.bc.ca/wp-content/uploads/pdf/200/200-129-Repairing-Damage-in-a-Strata-Lot-When-the-Cost-is-Less-Than-the-Deductible.pdf>

For more information about condo owner's insurance, please see this *Condo Owners Insurance Tip Sheet*, from our insurance broker:

[https://pms.powerstrata.com/plpm/VIS6763/files/52235605640071023/Condo\\_Owners\\_Tip\\_Sheet.01.23.pdf](https://pms.powerstrata.com/plpm/VIS6763/files/52235605640071023/Condo_Owners_Tip_Sheet.01.23.pdf)

A summary of Balance's current insurance policy is on the next page. Detailed insurance documents are available on-line in PowerStrata in the Documents library under *Insurance*.

Summary of Coverage – Strata Insurance Policy Effective May 31, 2023

Coverage	Expiry 2022-2023		Renewal 2023-2024	
	Deductible	Limit	Deductible	Limit
All Property – "All Risks" Form				
All Loss	\$10,000	\$81,610,000	\$10,000	\$83,500,000
Water & Sewer Back Up	\$50,000	Included	\$50,000	Included
Flood	\$50,000	Included	\$50,000	Included
Earthquake	15%	Included	20%	Included
	\$250,000 min		\$250,000 min	
Replacement Cost, Stated Amount		Included		Included
Blanket By-Laws, Inflation Protection		Included		Included
Underground Utility Services	\$10,000	Included	\$10,000	Included
Blanket Exterior Glass	\$250	Included	\$500	Included
Replacement of Locks & Keys	\$500	Included		Blanket Limit - \$750,000
Enhanced Crime - Employee Dishonesty		\$10,000	\$500	\$500,000
Roadways, Walkways & Parking Lots		Included		Included
Condominiums: Common elements/area cont				\$100,000
Condominiums: Unit Owners Additional Cover	\$10,000		\$10,000	
- Contingent Condominium Unit Coverage		\$50,000		\$350,000
- Special Loss Assessment				\$350,000
- Betterments and Improvements				\$50,000
- Aggregate		\$1,000,000		\$1,000,000
Commercial General Liability	\$1,000	\$5,000,000	\$1,000	\$5,000,000
Non-Owned Automobile Liability	\$1,000	\$1,000,000	\$1,000	\$1,000,000
Medical Payments: Per Person		\$10,000		\$10,000
Tenants Legal Liability	\$1,000	\$250,000	\$1,000	\$250,000
Sudden & Accidental Pollution Liability	\$5,000	\$1,000,000	\$5,000	\$1,000,000
Directors and Officers Liability	\$1,000	\$2,000,000	\$1,000	\$2,000,000
Equipment Breakdown	\$1,000	\$81,610,000	\$10,000	\$83,500,000
Extra Expense		\$100,000		\$25,000
Volunteer Workers Accident	8 days	\$200,000	8 days	\$200,000
Terrorism		Not Covered		Not Covered
Legal Expense - Limit, Enhanced Pkg	\$500	\$250,000	\$500	\$250,000
- Aggregate		\$1,000,000		\$1,000,000
Cyber Liability		Not Covered	\$1,000	\$50,000
<b>Premium:</b>		<b>\$244,814</b>		<b>\$217,116</b>

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Ordered By: Tom Fraser of Royal LePage Coast Capital - Oak Bay on 2024/04/10  
Document Uploaded and Verified: 2023/06/22

# Proposed Budget – Fiscal 2024

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## Resolutions Affecting the Contingency Reserve Fund (CRF)

Below are the resolutions for expenditures from the contingency reserve fund as recommended by your strata council for Fiscal 2024.

Please note that as per [section 96 of the BC Strata Property Act](#), expenditures from the contingency reserve fund must be approved by a majority vote of the owners at a general meeting, “if the expenditure is ... related to the repair, maintenance or replacement, as recommended in the most current depreciation report.” Otherwise, the expenditure must be approved by a ¾ vote. However, a resolution to approve funding to obtain a depreciation report requires approval by majority vote.

### Resolution #2 – Majority Vote

#### **Obtain New Depreciation Report**

Balance first obtained a depreciation report in 2013 and then obtained a new one in 2019. The Strata Property Act and Regulations require strata corporations in BC to obtain a new depreciation report every three years, unless the owners waive that requirement by means of a 3/4 vote at a general meeting. The owners of Balance did waive this requirement at the 2022 annual general meeting but agreed with the council’s recommendation at the time, which was that a new report should be obtained in fiscal 2024. The council still strongly recommends that this be done, to gain an updated view as to the maintenance, repairs and renewal that will be required in the future, along with estimated costs. This will enable us to better plan, in particular the necessary contributions to the contingency reserve fund. Further, in considering renewal of insurance policies and risk, insurance companies do not look favourably on strata corporations that do not have a “current” depreciation report.

The council has obtained an estimate of approximately \$12,000 from RDH Engineers, the firm who provided the reports in 2013 and 2109, to prepare a new depreciation report.

**BE IT RESOLVED, AS A MAJORITY VOTE RESOLUTION OF THE OWNERS OF STRATA PLAN VIS 6763 THAT the Owners authorize an expenditure of up to \$12,000.00 from the contingency reserve fund to obtain an updated depreciation report.**

### Resolution #3 – Majority Vote

#### **Exterior Paint and Coatings Renewal Project**

This spring, the council engaged Method Engineering to conduct a review of the condition of the building exterior. The on-site portion of the review was conducted on May 11 and 12 and the report was received in early June. The report is [filed in PowerStrata](#) in the Documents library under *Engineering Reports*.

The report advises that “an exterior paint and coatings renewal project will be needed in the near future.”

This is consistent with projections first included in the depreciation report that was provided by RDH Engineers in 2013, as well as projections that Method Engineering made in a smaller scale review that was conducted in 2020.

The report goes on to identify, in general, the recommended scope of the project:



- Cleaning of exterior walls, soffits, and balcony surfaces, as part of coating renewal preparation.
- Sealant replacement around rainwater leader penetrations in concrete eyebrows.
- Sealant replacement between fibre cement board panels and concrete walls.
- Sealant replacement at balcony saddles that include a half-height guard wall.
- Other sealant replacement, as needed.
- Repainting fibre cement board panels.
- Cleaning and paring cracks in the concrete soffits above balconies.
- Repainting balcony and eyebrow soffits.
- Repair cracks in the concrete at floor levels and cold joints.
- Repainting the exposed concrete walls.
- Recoat balconies with a new liquid applied urethane coating. Anticipate top-coat only, with base and top-coat completed where needed.
- Renewal of liquid-urethane membrane at the top-level eyebrows and top-level canopies.

Method also identified that the staining on the lower 1/3 portion of the balcony glass on many of the one-bedroom unit balconies is a cosmetic issue. However, due to concrete repair needs at the balcony fascia on some of these same balconies, the glass may need to be removed to facilitate the repairs. Method further advised that this could be an opportunity to assess a new guardrail design that would eliminate the risk of future glass staining.

Method suggests that the strata target to conduct the exterior paint and coatings renewal project starting in the summer of 2024.

As a first step in planning this project, Method Engineering recommends that a mock-up balcony renewal be completed. This would help to fine-tune the required scope of the project along with the cost and would also *“allow for design and budgeting clarifications on the balcony glass issue, which will notably impact the project cost along with the building appearance and future maintenance needs.”*

Method Engineering has suggested a budget of \$20,000 to complete a mock-up balcony. In addition to doing the mock-up, additional work will be required by Method to further plan the main exterior paint and coatings renewal project and to obtain bids and quotes. Council recommends that the owners approve a total allocation of \$25,000 from the contingency reserve fund to conduct all this work.

**BE IT RESOLVED, AS A MAJORITY VOTE RESOLUTION OF THE OWNERS OF STRATA PLAN VIS 6763 THAT the Owners authorize an expenditure of up to \$25,000.00 from the contingency reserve fund to complete a balcony mock-up and to conduct planning activities for an exterior paint and coatings renewal project.**

## Resolution #4 – Majority Vote

### **Floor Replacement Planning**

The Depreciation Report published in 2013, and the updated report published in 2019, both indicated that the original common area carpets and the tiled flooring would require renewal in 2023

and 2024 respectively. In fact, both are showing signs of age in many locations, including significant wear in high traffic areas, such as in front of elevators and in the vestibules and lobbies in the parkade (levels P1, P2 and P3). In addition, the lobby floors are due for a refresh.

Council recently obtained budget quotes totalling about \$100,000 for replacement of all the common area flooring.

Costs for these types of high-demand projects inevitably increase year after year so it is prudent to start the planning process at this time. The council therefore recommends that the owners approve an allocation of up to \$10,000 to obtain the services of an interior designer to assist in design choices and in planning the eventual update and/ or replacement of flooring throughout the common areas. This is only the first stage of a replacement project which would ultimately require approval of the owners at a general meeting.

**BE IT RESOLVED, AS A MAJORITY VOTE RESOLUTION OF THE OWNERS OF STRATA PLAN VIS 6763 THAT the Owners authorize an expenditure of up to \$10,000.00 from the contingency reserve fund to cover design and planning services for an eventual flooring replacement project.**

### Resolution #5 – 3/4 Vote

#### **Major Mechanical and Interior Maintenance and Renewal 2023-2024**

In recent years, the strata has spent approximately \$40,000 annually on major interior maintenance and renewal, particularly for major repairs of mechanical equipment. As this equipment ages, we can expect a similar or even greater level of spending. For fiscal 2024, the council is proposing to complete infrared scanning of the common area electrical equipment, which the depreciation report recommends should be done every 5 years. The council is also looking at conducting a major cleaning of the stairwells, an activity that has not been done since the buildings were completed.

Approximately \$11,000 remains in the allocation for mechanical and interior renewal that was approved at the AGM in July 2022. Council recommends that the owners approve an additional allocation of \$35,000 to cover major mechanical and interior maintenance and renewal requirements in fiscal 2024.

**BE IT RESOLVED, AS A 3/4 VOTE RESOLUTION OF THE OWNERS OF STRATA PLAN VIS 6763 THAT the Owners authorize an expenditure of up to \$35,000.00 from the contingency reserve fund for major mechanical and interior maintenance and renewal.**

### Resolution #6 – 3/4 Vote

#### **Investigate the Feasibility of Heat Pumps**

A few owners have recently expressed interest in installing air-source mini-split ductless heat pumps in their units, primarily for cooling purposes. This type of heat pump has an exterior unit that would need to be located on a balcony or patio and would connect via a bundle of tubes and cables through an exterior wall to an indoor unit that would normally be mounted on a wall. Balance's bylaws don't currently permit this type of equipment on patios and balconies. More critically, the council has conducted some preliminary research and has found that there are significant legal, technical and practical considerations that would need to be investigated and understood, before a decision could be made to allow heat pumps. That final decision would need to be made by the owners at a general meeting, since bylaw amendments would be required. Here are some examples of issues that would need to be considered:

- Would there be risks to the building envelope since holes would need to be drilled through exterior walls to run the wiring and cables? If so, how could these risks be mitigated?
- Would multiple heat pump installations cause any issues with respect to electrical capacity?
- Are heat pumps even technically feasible in many of our units, given most have exterior walls that are almost completely glass, with adjacent concrete ceilings that would not accommodate the wiring and cables needed to connect the outside unit with the inside unit?
- How would the exterior appearance of the buildings be impacted, with heat pumps located on patios and balconies, and could this impact be mitigated in some way?
- Advertising for modern heat pumps says they are very quiet, but some noise will inevitably be generated. What level of noise is acceptable, given that the exterior units would inevitably be located close to other strata lots?
- The cooling function of heat pumps generates condensation (water) which must be drained somewhere. How would this be accommodated, given most of our balconies don't have drains and we've always had a problem with water escaping from balconies to balconies below?
- The external heat pump units cause some vibration. Could this be mitigated so that there's no nuisance to other strata lots?
- An external heat pump unit would become a fixture on the exterior limited common property of the unit. Currently according to the bylaws, the strata corporation is responsible for maintenance of limited common property patios, decks and balconies that occurs less frequently than once a year. How would the strata be protected from this?
- What would happen to the heat pump when the strata lot is sold? Who would then be responsible for the maintenance of the exterior unit?

In view of the above and if owners are interested in pursuing this matter, the council recommends that owners approve an allocation of \$10,000 to fund an investigation into the feasibility of heat pumps in the strata, which may require the participation of experts such as a building envelop engineer, an HVAC specialist, and a strata lawyer. Following the investigation, the council would come back to the owners with recommendations.

**BE IT RESOLVED, AS A 3/4 VOTE RESOLUTION OF THE OWNERS OF STRATA PLAN VIS 6763 THAT the Owners authorize an expenditure of up to \$10,000.00 from the contingency reserve fund to investigate the feasibility of heat pumps.**

# Proposed Operating Budget: Fiscal 2024

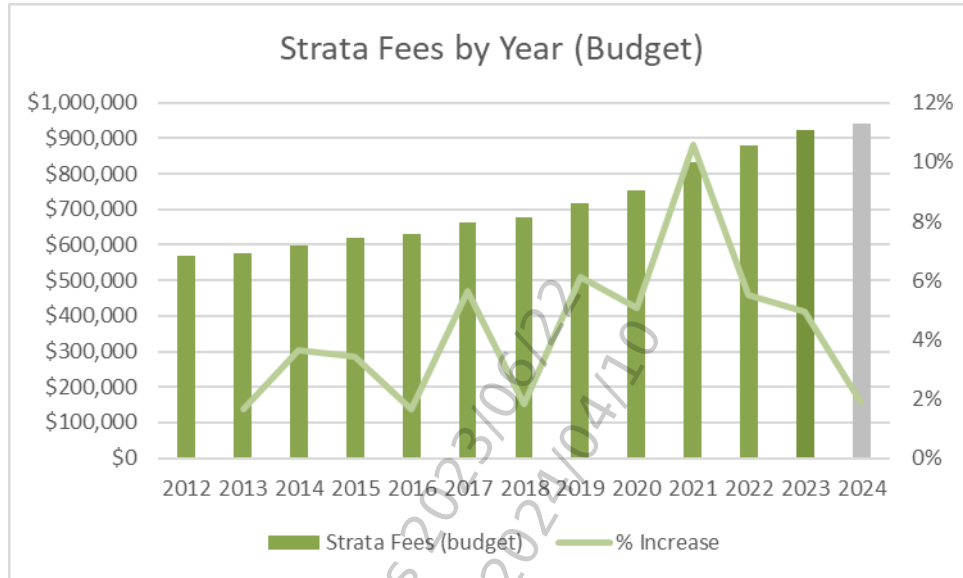
## Operating Fund

The council is proposing an operating budget for fiscal 2023 that would require just a 1.3 % strata fee increase.

This increase is the lowest we've had since fiscal 2018 (see the chart to the right), and well below the current rate of inflation in BC and Canada.


Recent strata fee increases were:

- 5% for fiscal 2023.
- 4.5% for fiscal 2022.
- 11.4% for fiscal 2021.
- 4.2% for fiscal 2020.




Despite the small increase in strata fees, many of our costs have increased significantly, and this is reflected in several of the expense allocations in the proposed budget. However, a \$28,000 reduction in the cost of our insurance and an almost \$11,000 reduction in the proposed *Garbage and Recycling* allocation largely offset these cost increases. Without these reductions, we would be looking at a strata fee increase of at least 6%. The increase would be even more if increases to the insurance and the *Garbage and Recycling* allocations were required.

Here is a summary of notable changes in budget line-items from our existing fiscal 2023 budget:

<p><b>EXPENDITURES THAT HAVE DECREASED SIGNIFICANTLY</b></p> 	Insurance	As identified above, our insurance budget is lower by \$28,000 due to the lower premium for fiscal 2024.
	Garbage and Recycling	The fiscal 2023 budget for garbage and recycling was based on monthly waste removal charges of about \$2500. Due to the new contract with Waste Management, those charges are now about \$1550.
	Electrical	In fiscal 2022 we spent over \$16,000 for electrical repairs, mainly to repair failing Machstat© controllers in the units. We no longer have those costs, since all the Machstats© have been replaced with the new Delta controllers.

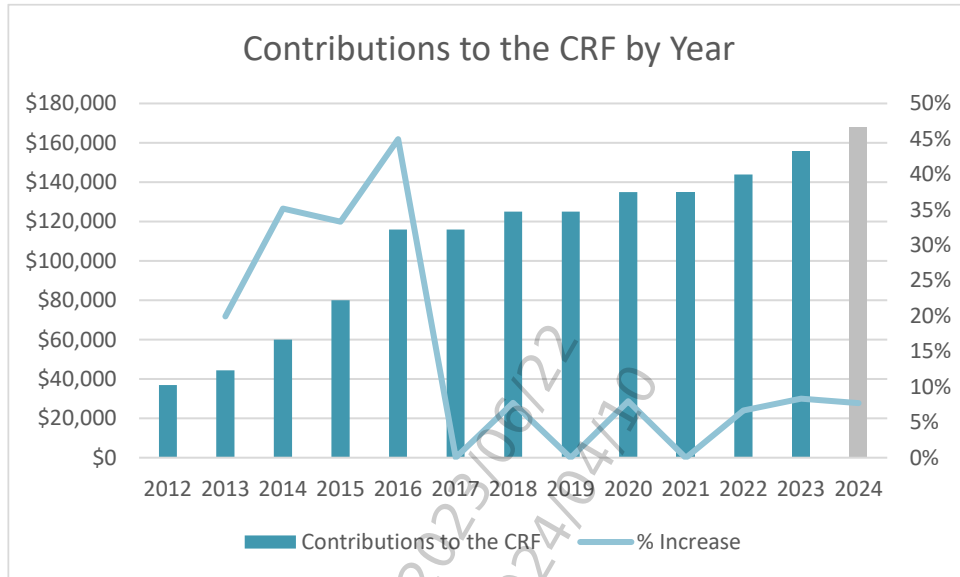


	<b>EXPENDITURES THAT HAVE INCREASED SIGNIFICANTLY</b>	<p>Fire Alarm Servicing and Monitoring</p> <p>Last year we did not need to budget for an annual inspection since it had just been completed in December of 2021. One is required this year, and it is scheduled to occur from July 24-28.</p> <p>We are also required to conduct monthly testing of the fire signals.</p>
		<p>Elevator Maintenance</p> <p>Due to increasing labour rates, the elevator maintenance charges have increased by about 11%.</p>
		<p>Lock Repairs &amp; Maintenance</p> <p>We continue to incur ever increasing expenditures for lock repairs as the door mechanisms age. This includes for patio door latches.</p>
		<p>Grounds Maintenance (Landscaping)</p> <p>Fallingwater has increased the contracted charges this year for the first time in 3 years. This allocation also allows for plant replacements as needed.</p>
		<p>Snow Removal</p> <p>Our snow removal costs keep increasing, although this is partly due to the improved service with better response times that we have received since we switched to Alco.</p>
		<p>Professional Services</p> <p>We have increased this allocation to cover a legal invoice for services rendered in May 2023 which will not be received until fiscal 2024. In addition, we expect to incur additional legal expenses for advice about the bylaws and the strata act in fiscal 2024.</p>

Supplied to StrataDocs by Tom Fraser 2023/06/22  
 Ordered by Tom Fraser 2024/04/10

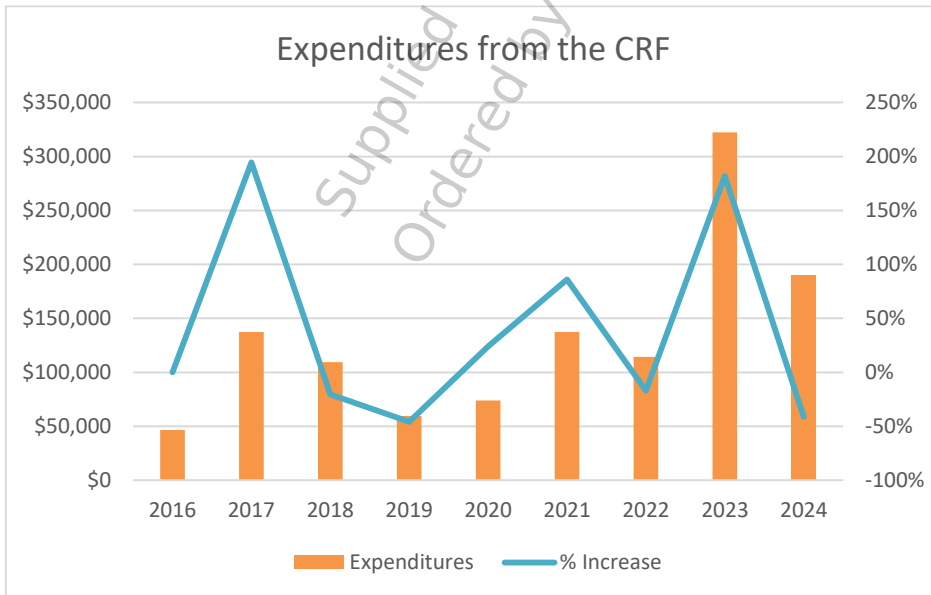
## Contingency Reserve Fund

The council is proposing to increase our contribution to the contingency reserve fund by 7.7%, from \$156,000 to \$168,000. As outlined in the Five-Year Projection (below), significant renewal expenditures are anticipated both in fiscal 2024 and in the next several years. By increasing the contributions to the CRF by a reasonable amount each year, we can reduce the amount of a special assessment that may be needed to fund the repairs.



The Contingency Reserve Fund is for expenditures that “usually occur less often than once a year or that do not usually occur.” ([BC Strata Property Act, section 92](#)). In layman’s terms, this means that the fund is for any type of expenditure that happens less often than once a year, such as major repairs and renewals, as well as for emergency expenditures.

For fiscal 2024, the council is proposing expenditures totalling about \$190,000 from the contingency reserve fund. This includes the balcony mock-up and planning of the exterior painting and coatings renewal project, planning and design of a possible floor replacement project, major mechanical and interior renewal, as well as obtaining a new depreciation report and conducting the investigation for heat pumps. In addition, work completed in fiscal 2023 but not yet invoiced – for the Machstat replacement project and for conducting the exterior review – will also be charged to the contingency reserve fund.



will also be charged to the contingency reserve fund.

With total estimated income of \$186,000 (including strata fee contributions and interest earned), the balance of the contingency reserve fund at the end of fiscal 2024 is projected to be about \$686,000.

# Proposed Operating Account Budget

THE OWNERS, STRATA PLAN VIS6763 (BALANCE)  
 STATEMENT OF OPERATING FUND  
 For the fiscal year ended May 31, 2023; and  
 Budget for the fiscal year ended May 31, 2024

DESCRIPTION	FISCAL 2023	FISCAL 2023	PROPOSED
	Actual	BUDGET	FISCAL 2024 BUDGET
<b>INCOME</b>			
Strata Assessments - Operating	760,760.92	767,954.12	773,115.00
Strata Assessments - Reserve	156,000.00	156,000.00	168,000.00
Strata Fee - Total	916,760.92	923,954.12	941,115.00
Move In Fee	3,450.00	3,000.00	3,500.00
Interest Earned	5,409.61	600.00	5,000.00
Other Income	6,443.35	5,500.00	6,000.00
<b>TOTAL INCOME</b>	<b>932,063.88</b>	<b>933,054.12</b>	<b>955,615.00</b>
<b>OPERATING EXPENSES</b>			
<b>Building Common Areas</b>			
Hydro	27,276.88	28,000.00	30,000.00
Utilities - Administration and Invoicing	3,016.18	3,800.00	6,500.00
Utilities	166,379.87	165,000.00	172,000.00
Utilities Recovery (Consumption)	(79,179.56)	(76,400.00)	(69,000.00)
Water System Maintenance	23,674.68	23,700.00	23,700.00
Garbage & Recycling	21,013.24	30,700.00	20,000.00
Security	767.86	500.00	1,000.00
Fire Alarm Servicing/Monitoring	10,534.55	1,500.00	11,000.00
Elevator Maintenance	37,190.22	34,000.00	39,000.00
Electrical	1,503.13	2,500.00	2,500.00
Plumbing & HVAC Repairs	8,045.49	10,000.00	10,000.00
Janitorial	58,012.50	58,600.00	58,600.00
Carpet & Floor Cleaning	7,329.00	4,400.00	7,000.00
Building Maintenance - General	7,970.65	13,500.00	12,000.00
Parking Lot & Garage	8,647.80	5,000.00	7,000.00
Sun Shade Maintenance	4,173.75	4,000.00	4,500.00
Lock Repairs & Maintenance	6,197.96	4,500.00	6,500.00
Pest Control	1,149.75	1,800.00	1,800.00
Window Cleaning	6,552.00	6,600.00	7,000.00
Gutter Cleaning/Roof Maintenance	4,193.70	3,800.00	4,500.00
Equipment - General	3,511.77	5,000.00	4,000.00
Mechanical Maintenance Contract	3,137.40	3,100.00	3,200.00
Grounds Maintenance	16,084.20	15,000.00	18,000.00
Irrigation Start Up and Winterization	1,684.57	2,500.00	1,500.00
Snow Removal	7,179.66	4,500.00	6,000.00
Insurance	246,074.00	246,100.00	218,000.00
DGVS Contribution	93,836.40	95,000.00	100,000.00
Telephone	1,956.80	3,500.00	2,200.00
<b>Subtotal - Building Common Areas</b>	<b>697,914.45</b>	<b>700,200.00</b>	<b>708,500.00</b>
<b>Administration</b>			
Property Management Fees	58,299.97	58,300.00	60,300.00
Taxes on Property Management Fees	2,915.04	2,950.00	3,015.00
Administration & Postage	6,777.56	6,000.00	6,000.00
Interest/Bank Charges	300.00	300.00	300.00
Professional Fees	1,411.27	5,000.00	8,500.00
Miscellaneous	500.00	1,500.00	1,000.00
<b>Subtotal - Administration</b>	<b>70,203.84</b>	<b>74,050.00</b>	<b>79,115.00</b>
<b>TOTAL OPERATING EXPENSES</b>	<b>768,118.29</b>	<b>774,250.00</b>	<b>787,615.00</b>
Transfer to Reserve	156,000.00	156,000.00	168,000.00
<b>TOTAL EXPENDITURES</b>	<b>924,118.29</b>	<b>930,250.00</b>	<b>955,615.00</b>
<b>NET CASH FLOW - SURPLUS/(DEFICIT)</b>	<b>7,945.59</b>	<b>2,804.12</b>	<b>-</b>
<b>OPENING BALANCE, OPERATING FUND</b>	<b>102,781.08</b>	<b>102,781.08</b>	<b>110,726.67</b>
Transfer to Reserve - Surplus Operating	-	-	-
<b>CLOSING BALANCE, OPERATING FUND</b>	<b>110,726.67</b>	<b>105,585.20</b>	<b>110,726.67</b>

# Proposed Budget for the Contingency Reserve Fund

THE OWNERS, STRATA PLAN VIS6763 (BALANCE)

## STATEMENT OF CONTINGENCY RESERVE FUND

For the fiscal year ended May 31, 2023; and  
Budget for the fiscal year ended May 31, 2024

	FISCAL 2023 ACTUAL	FISCAL 2023 BUDGET	PROPOSED FISCAL 2024 BUDGET
<b>CONTRIBUTIONS</b>			
Monthly Assessments	156,000.00	156,000.00	168,000.00
Interest Income	19,757.65	5,000.00	18,000.00
<b>Total Contributions</b>	<b>175,757.65</b>	<b>161,000.00</b>	<b>186,000.00</b>
<b>EXPENSES</b>			
<u>Previous Years</u>			
Replace Fire Extinguishers	5,360.25	6,000.00	-
Building Exterior Maintenance and Renewal	74,111.66	130,680.99	56,569.33
Major Mechanical & Interior Maintenance & Renewal	38,598.52	50,137.07	11,538.55
Landscape Renewal and Improvements	7,640.08	21,127.35	13,487.27
Machstat Replacement	221,633.16	260,000.00	16,000.00
Automatic Door Openers	25,000.00	25,000.00	-
Subrogation Claim	(53,998.38)		
Emergency Expense	3,883.96		
<u>2024 Projects</u>			
Renew Depreciation Report			12,000.00
Investigate Feasibility of Heat pumps			10,000.00
Building Exterior Maintenance and Renewal-2024			25,000.00
Major Mechanical & Interior Maintenance & Renewal-2024			35,000.00
Interior Finishings - Carpet and Tiling			10,000.00
<b>Total Expenses</b>	<b>322,229.25</b>	<b>492,945.41</b>	<b>189,595.15</b>
<b>NET INCREASE/(DECREASE) IN FUND</b>	<b>(146,471.60)</b>	<b>(331,945.41)</b>	<b>(3,595.15)</b>
<b>OPENING FUND BALANCE</b>	<b>835,986.29</b>	<b>835,986.29</b>	<b>689,514.69</b>
<b>CLOSING FUND BALANCE</b>	<b>689,514.69</b>	<b>504,040.88</b>	<b>685,919.54</b>



## Glossary of Terms: Operating Budget

INCOME	
Strata Assessments	Strata Fees collected from owners to cover the operating expenses and contributions to the contingency reserve fund.
Move In Fee	Fees collected as per the bylaws when an owner, tenant or occupant moves into a strata lot. (Balance only has move-in fees.)
Interest Earned	Interest earned on the operating cash balance of the strata corporation.
Other Income	Includes rental income for kayak racks, recovery of cost of access fobs sold to residents, fines, etc.
OPERATING EXPENSES	
Hydro	Hydro for common area lighting, mechanical equipment, elevators, etc.
Utilities - Administration and Invoicing	The costs to prepare the utility consumption invoices and the cost to manage and maintain the controller network server and software.
Utilities	The total cost of heating energy used for heating and hot water in the common areas and strata lots as well as the cost of water from the city of Victoria.
Utilities Recovery (Consumption)	The amount recovered from owners from individual strata lot residential heating and water utility invoices.
Water System Maintenance	Hytec service contract. Cost of ongoing water treatment to prevent corrosion and growth of algae in the water pipes (both hot and cold).
Garbage & Recycling	Garbage, recycling and organics removal. The income for returnable items from the Bottle Depot is credited to this account.
Enterphone	Maintenance of the enterphone systems, including troubleshooting and repairs when the enterphone and access system is not functioning as it should.
Security	Maintenance of the security systems, including troubleshooting the access control and video surveillance systems.
Fire Alarm Servicing / Monitoring	The annual fire alarm and sprinkler inspection and repair of deficiencies found during the inspection. Monthly bell tests.
Elevator Maintenance	Covers the monthly elevator service and maintenance, other elevator repairs, government permits.
Electrical	Repairs and maintenance of common property electrical equipment.
Plumbing & HVAC Repairs	Repairs and maintenance of common property mechanical and plumbing equipment.
Janitorial	Covers the full-time caretaking contract.
Carpet and Floor Cleaning	Cleaning of common-area carpets and hard surface floors in the common areas.
Building Maintenance-General	Ongoing regular repairs and maintenance not covered by other accounts.
Parking Lot & Garage	Repairs and maintenance expenses for the parkade, including the maintenance contract for the gates and semi-annual cleaning of the parkade decks.
Sunshade Maintenance	Covers the annual recurring cost to repair and clean the exterior sunshade blinds.
Lock Repairs & Maintenance	Repair and maintenance of the common property locks and associated door mechanisms. Also covers the purchase of additional entry fobs (cost is recovered and income credited to "Other Income.")
Pest Control	General pest control services for the common areas.
Window Cleaning	Cleaning of exterior inaccessible windows.
Gutter Cleaning/ Roof Maintenance	Annual roof inspection and maintenance.

<b>OPERATING EXPENSES (Continued)</b>	
Equipment - General	Covers major equipment maintenance including the mandatory annual roof anchor testing and the semi-annual testing of the generator.
Mechanical Maintenance Contract	Maintenance, repairs and filter supplies for the mechanical equipment and roof top air handling air units which provide pressurized air to the hallways and strata lots.
Grounds Maintenance	Covers the monthly contract with the landscaping contractor and upkeep of landscaping.
Irrigation Equipment & Maintenance	Start-up and winterization of the irrigation system and other repairs that occur annually or more frequently.
Snow Removal	Snow and ice removal services.
Insurance	The insurance premium and the cost of the annual insurance appraisal.
DGVS Contribution	Each strata corporation in Dockside Green is required to contribute their share to DGVS of costs such as maintaining the greenway and the wastewater treatment plant.
Telephone	Cost of the phone line for enterphone access and elevator monitoring and the cost of internet access for computer systems.
Property Management Fees	Fees paid to Proline Management Ltd under the agency agreement.
Administration and Postage	Costs of postage, photocopying, long distance, stationary, etc. As more owners register for the strata's website, costs are reduced for photocopying and postage associated with mail-outs such as for the AGM notices. This account also covers the strata's fee for use of PowerStrata.
Interest/ Bank Charges	\$25.00 monthly administrative fee levied by the Bank of Montreal on all strata trust accounts.
Professional Fees	Professional consultation for strata matters, such as for engineering services and legal advice.
Miscellaneous	Typically covers items such as AGM room rentals, Christmas bonus for the building caretaker, etc.
<b>OTHER</b>	
Transfer to Reserve	Contributions to the contingency reserve fund (CRF) received from monthly strata assessments.

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## Proposed Schedule of Strata Fees

The Owners – Strata Plan VIS 6763 (Balance)  
 Unapproved Schedule of Strata Fees  
 Effective August 1, 2023

Unit Number	Strata Lot	Unit Entitlement	Operating Assessment	Contingency Assessment	Total Monthly Assessment
A101	94	114	561.60	123.50	685.10
A102	95	52	256.17	56.33	312.50
A103	96	52	256.17	56.33	312.50
A104	97	101	497.57	109.41	606.98
A105	98	102	502.49	110.50	612.99
A106	99	55	270.95	59.58	330.53
A107	100	53	261.09	57.42	318.51
A108	101	62	305.43	67.17	372.60
A109	102	61	300.51	66.08	366.59
A110	103	81	399.03	87.75	486.78
A111	104	57	280.80	61.75	342.55
A201	110	48	236.46	52.00	288.46
A202	111	49	241.39	53.08	294.47
A203	112	56	275.87	60.67	336.54
A204	105	57	280.80	61.75	342.55
A205	106	96	472.93	104.00	576.93
A206	107	102	502.49	110.50	612.99
A207	108	62	305.43	67.17	372.60
A208	109	64	315.29	69.33	384.62
A301	118	92	453.23	99.66	552.89
A302	119	44	216.76	47.67	264.43
A303	120	72	354.70	78.00	432.70
A304	121	56	275.87	60.67	336.54
A305	113	57	280.80	61.75	342.55
A306	114	104	512.35	112.66	625.01
A307	115	111	546.82	120.25	667.07
A308	116	62	305.43	67.17	372.60
A309	117	64	315.29	69.33	384.62
A401	127	92	453.23	99.66	552.89
A402	128	44	216.76	47.67	264.43
A403	129	72	354.70	78.00	432.70
A404	130	56	275.87	60.67	336.54
A405	122	57	280.80	61.75	342.55
A406	123	104	512.35	112.66	625.01
A407	124	111	546.82	120.25	667.07
A408	125	62	305.43	67.17	372.60
A409	126	64	315.29	69.33	384.62
A501	136	92	453.23	99.66	552.89
A502	137	44	216.76	47.67	264.43
A503	138	72	354.70	78.00	432.70
A504	139	56	275.87	60.67	336.54
A505	131	57	280.80	61.75	342.55
A506	132	104	512.35	112.66	625.01

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The Owners – Strata Plan VIS 6763 (Balance)  
 Unapproved Schedule of Strata Fees  
 Effective August 1, 2023 - *Continued*

Unit Number	Strata Lot	Unit Entitlement	Operating Assessment	Contingency Assessment	Total Monthly Assessment
A507	133	111	546.82	120.25	667.07
A508	134	62	305.43	67.17	372.60
A509	135	64	315.29	69.33	384.62
A601	145	92	453.23	99.66	552.89
A602	146	44	216.76	47.67	264.43
A603	147	72	354.70	78.00	432.70
A604	148	56	275.87	60.67	336.54
A605	140	57	280.80	61.75	342.55
A606	141	104	512.35	112.66	625.01
A607	142	111	546.82	120.25	667.07
A608	143	62	305.43	67.17	372.60
A609	144	64	315.29	69.33	384.62
A701	154	92	453.23	99.66	552.89
A702	155	44	216.76	47.67	264.43
A703	156	72	354.70	78.00	432.70
A704	157	56	275.87	60.67	336.54
A705	149	57	280.80	61.75	342.55
A706	150	104	512.35	112.66	625.01
A707	151	111	546.82	120.25	667.07
A708	152	62	305.43	67.17	372.60
A709	153	64	315.29	69.33	384.62
A801	163	92	453.23	99.66	552.89
A802	164	44	216.76	47.67	264.43
A803	165	71	349.78	76.91	426.69
A804	166	56	275.87	60.67	336.54
A805	158	56	275.87	60.67	336.54
A806	159	104	512.35	112.66	625.01
A807	160	111	546.82	120.25	667.07
A808	161	62	305.43	67.17	372.60
A809	162	64	315.29	69.33	384.62
A901	169	116	571.46	125.66	697.12
A902	170	60	295.58	65.00	360.58
A903	171	88	433.52	95.33	528.85
A904	167	126	620.72	136.50	757.22
A905	168	134	660.14	145.16	805.30
B101	7	100	492.64	108.33	600.97
B102	8	99	487.71	107.25	594.96
B103	9	51	251.24	55.25	306.49
B104	10	53	261.09	57.42	318.51
B105	11	118	581.31	127.83	709.14
B106	12	45	221.69	48.75	270.44
B107	13	91	448.30	98.58	546.88
B108	14	61	300.51	66.08	366.59

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The Owners – Strata Plan VIS 6763 (Balance)  
 Unapproved Schedule of Strata Fees  
 Effective August 1, 2023 - *Continued*

Unit Number	Strata Lot	Unit Entitlement	Operating Assessment	Contingency Assessment	Total Monthly Assessment
B109	15	81	399.03	87.75	486.78
B110	16	41	201.98	44.42	246.40
B111	17	50	246.31	54.17	300.48
B201	25	56	275.87	60.67	336.54
B202	18	57	280.80	61.75	342.55
B203	19	95	468.01	102.91	570.92
B204	20	102	502.49	110.50	612.99
B205	21	62	305.43	67.17	372.60
B206	22	64	315.29	69.33	384.62
B207	23	48	236.46	52.00	288.46
B208	24	49	241.39	53.08	294.47
B301	31	92	453.23	99.66	552.89
B302	32	44	216.76	47.67	264.43
B303	33	71	349.78	76.91	426.69
B304	34	57	280.80	61.75	342.55
B305	26	57	280.80	61.75	342.55
B306	27	104	512.35	112.66	625.01
B307	28	111	546.82	120.25	667.07
B308	29	62	305.43	67.17	372.60
B309	30	64	315.29	69.33	384.62
B401	40	92	453.23	99.66	552.89
B402	41	44	216.76	47.67	264.43
B403	42	71	349.78	76.91	426.69
B404	43	57	280.80	61.75	342.55
B405	35	57	280.80	61.75	342.55
B406	36	104	512.35	112.66	625.01
B407	37	111	546.82	120.25	667.07
B408	38	62	305.43	67.17	372.60
B409	39	64	315.29	69.33	384.62
B501	49	92	453.23	99.66	552.89
B502	50	44	216.76	47.67	264.43
B503	51	71	349.78	76.91	426.69
B504	52	57	280.80	61.75	342.55
B505	44	57	280.80	61.75	342.55
B506	45	104	512.35	112.66	625.01
B507	46	111	546.82	120.25	667.07
B508	47	62	305.43	67.17	372.60
B509	48	64	315.29	69.33	384.62
B601	58	92	453.23	99.66	552.89
B602	59	44	216.76	47.67	264.43
B603	60	71	349.78	76.91	426.69
B604	61	57	280.80	61.75	342.55
B605	53	57	280.80	61.75	342.55

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The Owners – Strata Plan VIS 6763 (Balance)  
 Unapproved Schedule of Strata Fees  
 Effective August 1, 2023 - *Continued*

Unit Number	Strata Lot	Unit Entitlement	Operating Assessment	Contingency Assessment	Total Monthly Assessment
B606	54	104	512.35	112.66	625.01
B607	55	111	546.82	120.25	667.07
B608	56	62	305.43	67.17	372.60
B609	57	64	315.29	69.33	384.62
B701	67	92	453.23	99.66	552.89
B702	68	44	216.76	47.67	264.43
B703	69	71	349.78	76.91	426.69
B704	70	57	280.80	61.75	342.55
B705	62	57	280.80	61.75	342.55
B706	63	104	512.35	112.66	625.01
B707	64	111	546.82	120.25	667.07
B708	65	62	305.43	67.17	372.60
B709	66	64	315.29	69.33	384.62
B801	76	92	453.23	99.66	552.89
B802	77	44	216.76	47.67	264.43
B803	78	71	349.78	76.91	426.69
B804	79	57	280.80	61.75	342.55
B805	71	57	280.80	61.75	342.55
B806	72	104	512.35	112.66	625.01
B807	73	111	546.82	120.25	667.07
B808	74	62	305.43	67.17	372.60
B809	75	64	315.29	69.33	384.62
B901	85	92	453.23	99.66	552.89
B902	86	44	216.76	47.67	264.43
B903	87	71	349.78	76.91	426.69
B904	88	57	280.80	61.75	342.55
B905	80	57	280.80	61.75	342.55
B906	81	104	512.35	112.66	625.01
B907	82	111	546.82	120.25	667.07
B908	83	62	305.43	67.17	372.60
B909	84	64	315.29	69.33	384.62
B1001	93	88	433.52	95.33	528.85
B1002	89	126	620.72	136.50	757.22
B1003	90	134	660.14	145.16	805.30
B1004	91	117	576.38	126.75	703.13
B1005	92	60	295.58	65.00	360.58
GA01	6	110	541.91	119.16	661.07
GA02	5	124	610.87	134.33	745.20
GA03	4	128	630.58	138.66	769.24
GA04	3	128	630.58	138.66	769.24
GA05	2	149	734.03	161.41	895.44
GA06	1	138	679.84	149.50	829.34

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# 5-Year Projection: Contingency Reserve Fund (CRF)

The strata council continues to devote its time and energy to long-term planning for Balance. Both short-term and long-term maintenance requirements are reviewed and discussed annually by the strata council and considered in the budgeting process.

The depreciation report is the official document that estimates the repair and replacement costs for major physical assets of the strata corporation and the remaining useful life of those assets. However, it is a guide only. Strata experts recommend the development of a five-year plan, using the depreciation report as a base and incorporating additional information such as the current recommendations and opinions of trusted consultants and tradespeople. An example of the later is the building exterior review just completed by Method Engineering. Doing this can provide owners with a more accurate view of what expenditures are likely to be required in the near-term. The council has done this, and several significant projects are anticipated over the next five years. These include the exterior paint and coatings renewal project and common area flooring replacement and renewal. In addition, it's possible that the parkade membrane may need to be replaced at some point, although we expect this will be several years down the road. Along with all of this, we can expect to incur ongoing expenditures for repair and renewal of mechanical equipment as it ages.

A major unknown at this time is the full extent and cost of the exterior renewal project that has been recommended by Method Engineering and hence our total spending requirements over the next few years. However, our first depreciation report published in 2013 and the updated report published in 2019 both forecasted a special levy in the early 2020's. In the two most recent AGM notices (for the meetings in July 2021 and July 2022), we also identified that there was a possibility of a special levy.

The best-case scenario is that a special levy will not be required. However, the council still believes that one may be needed and suggests that owners plan accordingly.

A special levy of \$200,000 would entail an average assessment per strata lot of about \$1200. A special levy of \$500,000 would mean an average assessment of about \$2900.

As the planning for the exterior renewal project progresses, we should have a much better understanding of our costs over the next several years.

# New Business

## Resolution #7 – 3/4 Vote

### Amend the Bylaws: Rentals, Maximum Fines and Related Matters

On November 24, 2023, the *Building and Strata Statutes Amendment Act, 2022* (the amending Act), received royal assent. Among other amendments, section 141 of the *Strata Property Act* was amended to prevent stratas from having rental restrictions.

Balance has several bylaws that refer to “rentals.” In May, the council therefore retained Hamilton and Company (strata lawyers) to draft amendments to the bylaws to ensure that they are consistent with the amendments made to the *Strata Property Act* and the *Regulations*.

Please note that the ability of stratas to prohibit “licences of occupancy,” which are not “tenancies” and are legally different from “renting,” was not affected by the amending Act. As such, our prohibition of short-term accommodation of less than 30 days (by licence of occupancy) is unaffected by the bylaw amendments proposed here.

Here is a summary of the key changes:

Section in the Schedule of Bylaws	Description of Change in the Proposed Schedule of Bylaws
9. Rentals	<ul style="list-style-type: none"><li>All provisions in this section are repealed except the requirement of the landlord to provide the strata corporation with a copy of Form K – Notice of Tenant’s Responsibilities signed by the tenant, within 2 weeks of renting. The wording of this provision is modified slightly.</li></ul>
10. Short-term accommodation	<ul style="list-style-type: none"><li>References to “rent,” “lease,” “renting,” and “leasing” are removed.</li><li>A new requirement is added: An owner, tenant or occupant who provides a licence of occupancy for a period of 30 days or more must provide a copy of the current bylaws and rules to the licensee, prior to commencement of the licence of occupancy.</li></ul>
18. Inform strata corporation	<ul style="list-style-type: none"><li>Subsection (1) is revised to say that in addition to the mailing address, owners must also advise the strata corporation of their email address and phone number within 2 weeks of becoming an owner. Subsection (3) now requires that changes to any of these be communicated within 2 weeks of the change.</li><li>Please note that in the existing bylaws, section 9 includes a requirement that the owner provide their outside mailing address, email address and phone number within 2 weeks of renting. While that requirement has been removed from section 9, section 18 now includes all the “inform strata corporation” requirements and effectively requires that the outside mailing address, if applicable, along with the owner’s email address and phone number, and changes to any of these, must be communicated within 2 weeks, regardless of the use of the strata lot, i.e., regardless of whether the owner occupies it full or part time, rents it or provides a licence of occupancy.</li></ul>

Section in the Schedule of Bylaws	Description of Change in the Proposed Schedule of Bylaws
36. Council meetings	<ul style="list-style-type: none"> <li>Existing subsection (4) (b) says that no observers may attend those portions of council meetings that deal with rental restriction exemption hearings. This is repealed since there are no rental restrictions.</li> </ul>
39. Delegation of council's powers and duties	<ul style="list-style-type: none"> <li>Existing subsection (4) (d) says that the council cannot delegate its powers to determine ... whether an owner should be exempted from a bylaw that prohibits or limits rentals. This is repealed since there is no bylaw prohibiting or limiting rentals.</li> </ul>
43. Maximum fine	<ul style="list-style-type: none"> <li>The \$500 fine for contravention of bylaw 9 (the rental bylaw) is repealed since there is no rental prohibition.</li> <li>The \$1000 per day fine is specifically with respect to bylaw 10 (1) (a), the bylaw that prohibits owners, occupants and tenants from providing a licence of occupancy to all or any part of their strata lot for less than 30 days.</li> </ul>

The council recommends that these bylaw amendments be approved by the owners.

**WHEREAS** the Strata Corporation proposes to amend its bylaws related to rentals, maximum fines and related matters,

**BE IT RESOLVED** by a ¾ vote that:

The Strata Corporation amend its bylaws as follows:

(a) by repealing bylaw 9 and substituting the following:

**9. Rentals**

- (1) Within 2 weeks after renting all or part of a strata lot, the landlord must provide the strata corporation with a copy of Form K – Notice of Tenant's Responsibilities signed by the tenant.

*[This is for information purposes only. The current bylaw 9 reads:*

*9. Rentals*

- (1) *A strata lot may not be rented for a period of less than 30 days.*
- (2) *Within two weeks of renting their strata lot, an owner must provide the strata corporation with their mailing address outside of the strata corporation, their email address and phone number.*
- (3) *Within two weeks after renting all or part of their strata lot, an owner must provide the strata corporation with a copy of the Form K – Notice of Tenant's Responsibilities signed by the tenant.*
- (4) *For the purposes of this bylaw, the terms "lease", "rent", "rents" and "rental arrangement" shall include any and all forms of tenancy or licence relating to the occupancy of a strata lot.*
- (5) *A strata lot rented in accordance with this bylaw cannot be subleased for a period of less than 30 days.]*



- (b) in bylaw 10 (1) (a), by striking out "rent, lease or provide a license" and substituting "provide a licence";
- (c) in bylaw 10 (2), by striking out "renting, leasing or providing a license" and substituting "providing a licence";
- (d) by adding the following subsection to bylaw 10:

- (3) An owner, tenant or occupant who provides a licence of occupancy to all or part of a strata lot for a period of 30 days or more must provide a copy of the current bylaws and rules to the licensee prior to commencement of the licence of occupancy.

*[This is for information purposes only. The current bylaw 10 reads:*

*10. Short-term accommodation*

- (1) *Owners, occupants and tenants may not:*

- (a) *rent, lease or provide a license of occupancy to all or any part of their strata lot for use as transient accommodation; or*
- (b) *market, list, offer or advertise all or any part of their strata lot as being available for use as transient accommodation including through any website designed for booking short term accommodations, including but not limited to www.Airbnb.com, www.vrbo.com and other similar websites.*

- (2) *For the purposes of this bylaw, "transient accommodation" means renting, leasing or providing a license of occupancy to all or part of a strata lot, in exchange for monetary compensation, to any person or persons for a period of less than 30 days.]*

- (e) by repealing bylaw 18 (1) and substituting the following:

- (1) Within 2 weeks of becoming an owner, the owner must, in writing, provide the strata corporation with the owner's name, strata lot number, email address, phone number and mailing address outside the strata plan, if any.

*[This is for information purposes only. The current bylaw 18 (1) reads:*

- (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.]*

- (f) by repealing bylaw 18 (3) and substituting the following:

- (3) An owner who changes their email address, phone number or mailing address outside the strata plan must, in writing, provide the strata corporation with the new information within 2 weeks of the change occurring.

*[This is for information purposes only. The current bylaw 18 (3) reads:*

- (3) *Any change in the mailing address provided under subsection (1) must be provided in writing to the strata corporation.]*

- (g) by repealing bylaw 36 (4) (b);

*[This is for information purposes only. The current bylaw 36 (4) (b) reads:*

(4) *Despite subsection (3), no observers may attend those portions of council meetings that deal with any of the following:*

(b) *rental restriction bylaw exemption hearings under section 144 of the Act; and]*

(h) in bylaw 39 (4),

(i) by adding "or" at the end of paragraph (b),

(ii) by striking out "rules; or" at the end of paragraph (c) and substituting "rules.", and

(iii) by repealing paragraph (d); and

*[This is for information purposes only. The current bylaw 39 (4) reads:*

(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;*

(c) *whether a person should be required to pay the reasonable costs of remedying a contravention of the bylaws or rules; or*

(d) *whether an owner should be exempted from a bylaw that prohibits or limits rentals.]*

(i) in bylaw 43 (1),

(i) by adding "and" at the end of paragraph (b),

(ii) by repealing paragraph (c), and

(iii) by striking out "bylaw 10" in paragraph (d) and substituting "bylaw 10 (1) (a)".

*[This is for information purposes only. The current bylaw 43 (1) reads:*

(1) *The strata corporation may fine an owner or tenant a maximum of:*

(a) *\$200 for each contravention of a bylaw;*

(b) *\$50 for each contravention of a rule;*

(c) *\$500 for each contravention of bylaw 9; and*

(d) *\$1,000 per day for each contravention of bylaw 10.]*

## Resolution #8 – 3/4 Vote

### **ONLY TO BE CONSIDERED IF RESOLUTION #7 IS APPROVED**

#### **Filing of Consolidated Bylaws**

This resolution is needed to enable the filing of the consolidated set of bylaws in the Land Title Office (LTO). As per the *Strata Property Act*, bylaw amendments are not effective until filed in the LTO.

#### **WHEREAS:**

- A. The Strata Corporation has approved Resolution #7 to amend the bylaws.
- B. It is in the best interests of the Strata Corporation to cut down on the number of individual bylaw filings that are registered in the Land Title Office, and to register a consolidated set of bylaws.
- C. [The Final Consolidated Schedule of Bylaws](#), which is filed in PowerStrata in the Documents library under *Meeting Minutes and Notices*, is a consolidated version of the bylaws that includes the amendments approved in accordance with Resolution #7.

#### **BE IT RESOLVED** by a $\frac{3}{4}$ vote that:

1. The strata corporation approve the Final Consolidated Schedule of Bylaws.
2. The strata council be directed to file in the Land Title Office, Form I Amendment to Bylaws and the Final Consolidated Schedule of Bylaws along with the following resolution:

*Pursuant to section 128 of the Strata Property Act, the strata corporation approves the attached bylaws.*

# Election of Strata Council

According to the strata corporation's bylaws, there may be up to seven members on the strata council. Council members must be elected at every annual general meeting. As of the date this notice was issued, four of the existing council members have advised they wish to stand for election again for the 2023-2024 strata council term. They are:

- Jennifer Cooper (Strata Lot 46, strata council member 2017-2019 and since 2021)
- Peter Durrant (Strata Lot 2, strata council member since 2020)
- Chris Lawson (Strata Lot 1, strata council member and president since 2015)
- Quinn Leitch (Strata Lot 103, strata council member since 2019)

In addition to the above, the following owners have said they will also stand for election to the council:

- Pamela Hayer, owner of SL 121 since April 2022; a Human Resources Manager.
- Griffin Ryall, owner of SL 42 since August 2019, a Director with the BC Government
- Kurt Sandstrom, owner of SL 167 since March 2014; a retired lawyer and Assistant Deputy Minister with the BC Government.

The above seven candidates are all passionate about Balance and would provide an excellent combination of experience on the strata council, new perspectives, and personal skills and background, as well as representation of the various unit types, including the penthouse units, the garden units, the ground level units and the other one and two-bedroom units throughout the strata.

Nomination of other owners may occur at the AGM.

*Please note that our bylaws require owners who wish to stand for election to be present at the AGM or to confirm in writing in advance that they wish to stand for election.*

Owners standing for election for the first time will be asked to introduce themselves and explain why they wish to be a member of the strata council.



## The Proline Team

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Did you know that you have a whole team working on your building?



**Sam Hasham**

### **Property Manager**

Sam handles the business operations on behalf of the strata corporation, arranges services for the strata corporation and enters into contracts for the maintenance and repairs of the strata corporation's common property, prepares the minutes of all meetings as well the annual budget and monthly financial statements.

### **Operations Coordinators**

We have a team of unlicensed operation coordinators to assist all property managers. They are the best people to take care of keeping your information current in our database, providing fobs and keys, and helping with booking moves and elevators. They also assist with notices, maintenance calls, and website support. If we can take care of something for you, please contact us at: [operations@prolinemanagement.com](mailto:operations@prolinemanagement.com)

### **Strata Administration Experts**

We have a team of strata administration experts to work on the documents for your strata corporation. They work on all our buildings and ensure accuracy and timely preparation. The team completes the Annual General Meeting notices, meeting minutes, correspondence, document and forms requests, and strata council manuals.



# Proxy Form – Make Sure Your Vote Counts!

## STRATA PROPERTY ACT – FORM A – PROXY APPOINTMENT (Section 56)

This form must be completed by the owner appointing the proxy and must be given to the proxy holder before the meeting. In accordance with the *Strata Property Act*, employees of the management company cannot be appointed as a proxy. Please confirm that the named proxy holder will attend the meeting, as the appointment of a proxy holder is not transferable.

Please note that this form remains the property of the proxy holder and will not be retained by the strata corporation following the meeting.

The proxy holder must present this form during the registration period immediately prior to the meeting.

I/we, \_\_\_\_\_ (the owner(s), mortgagee) of the strata lot described above, appoint \_\_\_\_\_ to act as my/our proxy at the annual general meeting to be held on July 17, 2023.

Limitations on Proxy, if any:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If no limitations are identified above, I/we confirm that there are no limitations on the proxy holder with respect to the resolutions and other matters identified in the Notice of the General Meeting.

Signature of Owner/ Mortgagee: \_\_\_\_\_

Signature of Owner/ Mortgagee: \_\_\_\_\_

Unit Number: \_\_\_\_\_ Strata Lot Number: \_\_\_\_\_

**The Owners, Strata Plan VIS 6763**

Date: \_\_\_\_\_

### Notice to the proxy holder:

1. You are required to vote this proxy appointment in accordance with the owner's instructions printed hereon.
2. This proxy appointment is given to you alone, and you may not transfer this proxy appointment to another person.
3. The person providing the proxy does not have to use this form and may use a different form or the forms from the Strata Property Regulation if they prefer.