

**SPECIAL GENERAL MEETING MINUTES
STRATA PLAN BCS 1345 – ONE UNIVERSITY CRESCENT**

DATE HELD: THURSDAY JUNE 29, 2006 (RE-CONVENED from June 22, 2006)
LOCATION: DIAMOND ALUMNI CENTRE, (lower level)
8886 UNIVERSITY DRIVE
SIMON FRASER UNIVERSITY
BURNABY, B.C. V5A 1S6
CALL TO ORDER: 7:00 PM

Owners in Attendance: Thirty (30) Owners votes were registered as being in attendance, Five (5) of which by Proxy.

Also in Attendance: Mr. Mel Meln, STRATAWEST MANAGEMENT LTD.
Mr. Francois Viljeon, CONCIERGE – ONE UNIVERSITY CRESCENT

(1) CALL TO ORDER

The Meeting was called to order by Council President, Smith Munro at 7:01 p.m.

(2) CERTIFICATION OF PROXIES/DETERMINATION OF QUORUM

Prior to the commencement of the Meeting, all Owners were registered and it was determined that Twenty-five (25) Owners votes were present in person and Five (5) Owners votes by Proxy for a total representation of Thirty (30) Votes. As this is a reconvened meeting, all eligible voters present in person or by proxy constitute a quorum.

(3) PROOF OF NOTICE

Owners were advised that Notice of the Special General Meeting was mailed in accordance with the *Strata Property Act* and there being no objections raised, it was

MOVED AND SECONDED (McDonald, 800-9310/Smith, 100-9390)

That Notice of the Meeting be accepted.

CARRIED

(4) STRATA PRESIDENT MEMORANDUM/PRESENTATION TO OWNERS

Strata Council President Mr. Smith Munro recapped his memorandum to Owners which was forwarded with Notice of Special General Meeting and reiterated the reason the meeting was called which was to address with Owners proposed Bylaws for governance of One University Crescent.

Mr. Smith went through some basic housekeeping information with the Owners with respect to dealing with motions and the $\frac{1}{4}$ Vote Resolution for the Bylaw amendments.

(5) CONSIDERATION OF $\frac{1}{4}$ VOTE RESOLUTION - BYLAWS

The $\frac{1}{4}$ Vote Resolution was forwarded to Owners with Notice of the Special General Meeting along with a copy of the proposed Bylaws. Strata Council President, Smith Munro read the $\frac{1}{4}$ Vote Resolution into the record wherein he requested a motion from the floor to place it before the Owners for consideration and discussion. It was then

MOVED AND SECONDED (Atamanchuk (Rep), 700-9370/O'Neil, 600-9380)

WHEREAS

The Developer of BCS 1345 - One University Crescent, created initial bylaws for the Strata Corporation that were registered with the Strata Plan for BCS 1345. The Strata Council has reviewed these bylaws and has prepared amended bylaws for consideration of the Owners that more appropriately reflect the requirements of The Owners, BCS 1345 - One University Crescent.

THEREFORE, BE IT RESOLVED:

As a ¾ Vote Resolution of the Owners, Strata Plan BCS 1345 that all existing Bylaws of the Strata Corporation be repealed and replaced with Bylaws 1 - 44 inclusive, attached hereto as Appendix "A".

The Owners then discussed the proposed bylaw package in general and the rationale applied by Strata Council in presenting this bylaw package for Owners' consideration.

Mr. Smith asked the Owners if there were any specific bylaws that they felt needed further discussion or possibly amendment. Owners discussed at some length the proposed Bylaw 41 contained in the bylaw package relating to residential rentals.

Owners discussed the steps that would be put into effect if the bylaw was passed with respect to limiting rentals. After much discussion, it was generally agreed that the Developer had reserved the right to rent and that first purchasers would continue to receive that right and would not be subject to a rental restriction bylaw as proposed with the new bylaw package. Management indicated that there was some case law known as the "Abbas" decision which had recognized that if the Developer's Disclosure Statement did not name a specific expiry date or length of time for permitted rentals may not be valid. There was comment at the meeting that the Developer had redefined the wording in the Disclosure Statement for One University Crescent and that the intent of the Disclosure Statement was to offer rental protection to the Developer and in turn would pass to the first time purchaser. Management did point out that the decision of the courts had yet to be challenged and that a legal opinion was not in place for One University Crescent and until such time this was challenged, the consensus of the Strata Corporation appears at this time to honour the intent of allowing first time purchasers the right to rent.

Various other discussions took place with respect to the proposed rental restriction bylaw and Owners spoke with various opinions on it. After some discussion, an amendment was proposed to a portion of the Bylaw and it was

MOVED AND SECONDED (Atamanchuk (Rep), 700-9370/Dosen, 500-9370)

That all references to Form L and the Form L document attached to the proposed bylaw package be deleted.

Mr. Dosen stated that in his opinion the Strata Corporation has no right to request this information under privacy legislation from a prospective tenant and other Owners who spoke to the motion agreed with Mr. Dosen. After further discussion, a vote on the amendment to Bylaw 41 deleting all references to Form L and the proposed Form L document be deleted was declared

CARRIED UNANIMOUSLY

It was then

MOVED AND SECONDED (Clark, 800-9320/Smith, 100-9390)

That the proposed bylaw 41.2 be amended to read as follows: "Occupancy of rented strata lots is limited to no more than five (5) persons per unit."

Owners spoke to the proposed amendment and the general effect it may have on occupancy and/or rentals. After discussion, a vote on the motion was called and it was declared,

**CARRIED
29 IN FAVOUR
0 OPPOSED
1 ABSTENTION**

After the second amendment was discussed and voted on there were no specific discussions on further amendments, rather general bylaw discussions. After discussion was complete, a vote on the $\frac{3}{4}$ Vote Resolution as amended was called and it was declared,

**CARRIED
28 IN FAVOUR
2 OPPOSED**

(6) ADJOURNMENT

Strata Council President, Mr. Smith Munro thanked Owners for attending and their participation in the voting process and declared there was no further meeting and that the Special General Meeting was adjourned at 8:10 p.m.