

Dan Johnson

Realtor®

*PEMBERTON
HOLMES*

· ESTABLISHED 1887 ·

Information Package

For

105-321 McKinstry Rd, Duncan



PEMBERTON
HOLMES

· ESTABLISHED 1887 ·

CHERRY WOOD
LANE

321

FANTASTIC INVESTMENT OPPORTUNITY!



105-321 Mckinstry Rd

INVESTOR ALERT! Extra spacious condo! It's not often you find a 3 bedroom, 1200sqft condo right in town. Cherry Wood Lane is a quiet, well cared for building on a no-thru road and only 1 block from town. There is lots of parking behind the building and lots in front on the street as well. This unit is in good shape and is a back corner unit with a large kitchen, dining and living area and there is in-unit laundry. There is also an extra storage unit and an allotted parking stall and pets are allowed (1 dog or cat). Call today to view this super spacious home!

Priced at
\$269,000

Area	East Duncan	Age	1998
Bedrooms	3	Taxes	2138
Bathrooms	1	Tax Year	2020
Lot Size	0	MLS#	864280
Floor Space	1210	Parking	



DAN JOHNSON

Pemberton Holmes - Duncan

Scan this QR
Code with your
smart phone



(250) 746-8123
wrkn4you@gmail.com
www.DuncanBCRealEstate.ca

23 Queens Road
Duncan, V9L 2W1



Dan Johnson
 Cell: 250-709-4987
 wrkn4you@gmail.com
 Pemberton Holmes Ltd. (Dun)



**105 - 321 McKinstrv Rd
 Du East Duncan ~ V9L 3L4**

Interior Details

Layout: Condo
Bedrms: 3 **Kitchens:** 1
Baths Tot: 1 **Fireplaces:** 0
Bth 2Pce: 0 **Storeys:** 3
Bth 3Pce: 0 **Fin SqFt:** 1,210
Bth 4Pce: 1 **Unfin SqFt:** 0
Bth 5Pce: 0 **Bed & Brk:**
Ens 2Pce: 0 **Addnl Acc:**
Ens 3Pce: 0 **Basement:**
Ens 4+Pce: 0 **FP Feat:**
App Incl: Dishwasher, F/S/W/D
Intr Ftrs

Rooms

RoomType	Level	Dim/Pcs
Bathroom		4-Piece
Bedroom		9'6x10'8
Bedroom		12'2x12'6
Dining Room		13'7x8
Kitchen		11'11x13'1
Laundry		5'5x5'0
Living Room		11'11x9'6
Primary Bedroom		9'11x14'3

Listing Summary

MLS@: 864280 **List Price:** \$269,000
Status: Active **Orig Price:** \$269,000
Sub Type: Condo **Sold Price:**
DOM: 0 **Pend Date:**
Taxes: \$2,138 **Strata Fee:** \$240
2021 Asmt: \$260,700 **Title:** Frhld/Str

Remarks

INVESTOR ALERT! Extra spacious condo!
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 condo right in town. Cherry Wood Lane is a
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 in-unit laundry. There is also an extra storage
 unit and an allotted parking stall and pets are
 allowed (1 dog or cat). Call today to view this
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Rooms Summary

	Lower	Main	Second	Third	Other
Fin SqFt					
Beds	0	0	0	0	0
Baths	0	0	0	0	0
Kitchens	0	0	0	0	0

Building Information

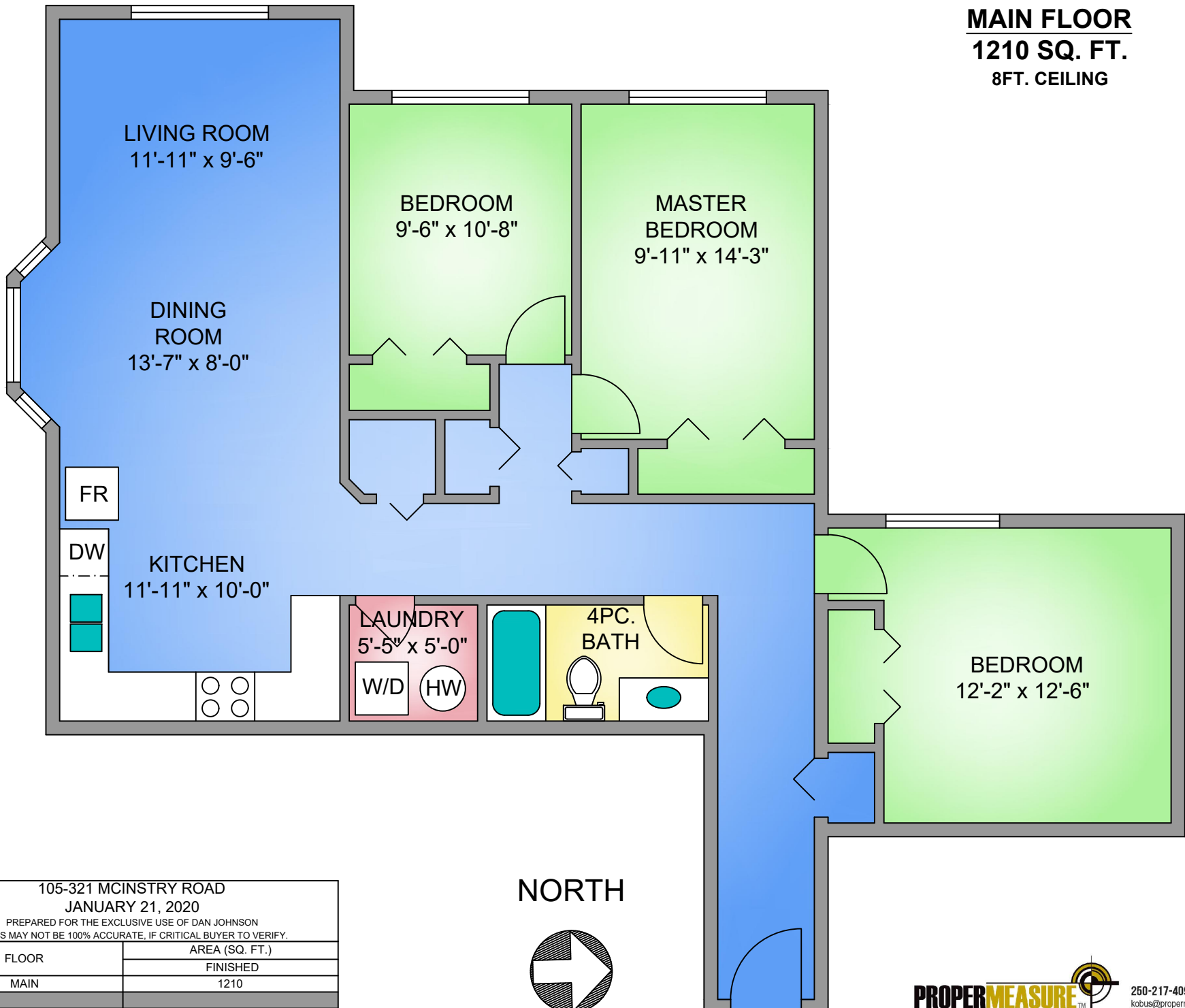
Built (est) 1998 **Lgl NC Use:**
Oth Equ:
Const Mt: Frame Wood, Insulation: Ceiling, Insulation: Walls, Stucco
Ext Feat:
Frnt Faces: E **Bldg Style:**
Bldg Warr:
EnerGuide Rtg/Dt:
Cool: None
Heat: Baseboard, Electric
Roof: Asphalt Shingle
Fndn: Poured Concrete
Accss Ground Level Main Floor, Wheelch.

Lot/Strata Information

Lot Size 0sqft / 0.00ac **Dims (w/d):**
Waterfront:
Prk Type: On Street, Open **View:**
Water: Municipal **Waste:** Sewer Connected **Services:**
Lot Feat: Central Location, Landscaped, No Through Road, Recreation Nearby, Shopping Nearby, Sidewalk
Complex:
SqFt Balc: **StrLots/Cplx:** 25 **Prk Tota** 1 **Rent Alld?:** Unrestricted
SqFt Prk: **Bldgs/Cplx:** 1 **Prk Cm Prp:** 1 **Yng Ag Alld? 0**
SqFt Pat: **Suites/Bldg** 25 **Prk LCP:** 0 **Pets Alld?:** Aquariums, Birds, Caged Mammals, Cats, Dogs, Nurr
SqFt Strg: **Floors/Bldg** 3 **Prk Str Lot:** 0 **BBQs Alld?:** Yes: See Bylaws/Rules
Gnd/Top? **Lvls/Suite:** 1 **Str Lot Incl:** Parking Stall
Shrd Am: **Unit Incl:**



MAIN FLOOR
1210 SQ. FT.
8FT. CEILING



105-321 MCINSTRY ROAD	
JANUARY 21, 2020	
PREPARED FOR THE EXCLUSIVE USE OF DAN JOHNSON	
PLANS MAY NOT BE 100% ACCURATE, IF CRITICAL BUYER TO VERIFY.	
FLOOR	AREA (SQ. FT.)
MAIN	1210
TOTAL	1210

Public Records Full Property Report

Property Identification & Legal Description

Address: 105 321 MCKINSTRY RD DUNCAN BC V9L 3L4
Jurisdiction: City of Duncan
Roll No: 6420105
PID No: 024-072-672
Neighbourhood: EAST OF HIGHWAY
Assessment Area: 4
MHR No:
Legal Unique ID: A00000P6W8
Legal Description: Strata Lot 5, Plan VIS4533, Section 17, Range 7, Quamichan Land District, TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1 OR V, AS APPROPRIATE

2020 Municipal Taxes

Gross Taxes: \$2,138

2020 Assessed Values

VALUATION:

	Value:	Land	Improve	Total
GENERAL:		\$158,000	\$85,300	\$243,300

	Land	Improve	Total
Gross Value:	\$158,000	\$85,300	\$243,300
Exempt Value:	\$0	\$0	\$0
Net Value:	\$158,000	\$85,300	\$243,300

SCHOOL:

	Land	Improve	Total
Gross Value:	\$158,000	\$85,300	\$243,300
Exempt Value:	\$0	\$0	\$0
Net Value:	\$158,000	\$85,300	\$243,300

BC TRANSIT:

	Land	Improve	Total
Gross Value:	\$0	\$0	\$0
Exempt Value:	\$0	\$0	\$0
Net Value:	\$0	\$0	\$0

Last Three Sales Per BCA

Conveyance Date	Price	Document No	Conveyance Type
2006-02-23	\$139,900	CA178145	Improved Single Property Transaction

Other Property Information

Lot SqFt:		Lot Width:	
Lot Acres:		Lot Depth:	
Tenure:	Crown-Granted	Actual Use:	Strata-Lot Residence (Condominium)
School District:	Cowichan Valley	Manual Class:	
Vacant Flag:	No	Man Class % Dev:	
BC Transit Flag:		Reg District:	Cowichan Valley
Police Tax Flag:	Yes	Reg Hosp Dist:	Cowichan Valley
Farm No:		Mgd Forest No:	
DB Last Modified:	2020-03-19	Rec Last Modified:	2020-03-19









Assessment & Tax History

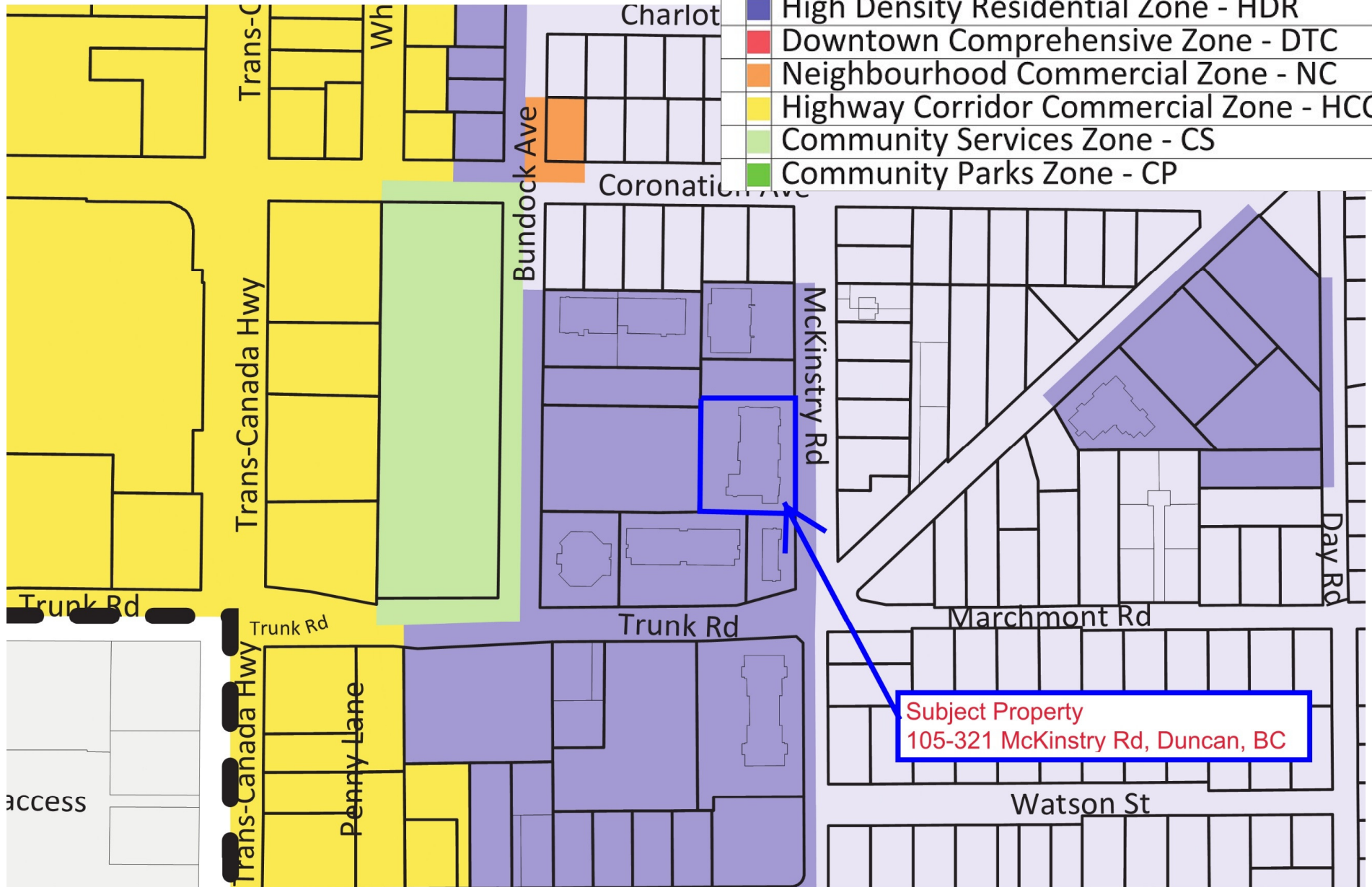
Year	Assessed Value	Gross Taxes
2019	\$253,400	\$2,221
2018	\$199,500	\$1,906
2017	\$166,500	\$1,763
2016	\$157,400	\$1,744
2015	\$156,800	
2014	\$177,100	
2013	\$180,800	
2012	\$185,400	
2011	\$177,700	
2010	\$167,000	
2009	\$157,000	

2008	\$157,000
2007	\$161,700
2006	\$122,600
2005	\$97,700
2004	\$105,200
2003	\$103,800
2002	\$102,400
2001	\$101,700

Information given is from sources believed reliable but should not be relied upon without verification. Where shown, all measurements are approximate and subject to confirmation. Buyers must satisfy themselves as to the applicability of GST. All data is copyright either the Vancouver Island Real Estate Board or the Victoria Real Estate Board.

City of Duncan Zoning Map

	Low Density Residential Zone - LDR
	Medium Density Residential Zone - MDR
	High Density Residential Zone - HDR
	Downtown Comprehensive Zone - DTC
	Neighbourhood Commercial Zone - NC
	Highway Corridor Commercial Zone - HCC
	Community Services Zone - CS
	Community Parks Zone - CP



Subject Property
 105-321 McKinstry Rd, Duncan, BC

Medium Density Residential Zone	MDR
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4.5 Intent

4.5.1 The intent of the Medium Density Residential (MDR) zone is to permit a mix of housing types and provide for *multi-unit rowhouse dwellings* and *multi-unit dwellings* that accommodate a variety of *building* forms up to four (4) storeys in height.

4.6 Permitted Uses

4.6.1 The uses permitted in the MDR zone are as follows:

Principal Uses	Accessory Uses
<i>Community Care Facility Dwelling, Multi-Unit Dwelling, Multi-Unit Rowhouse</i>	<i>Home-Based Business</i>

4.7 Development Regulations

4.7.1 Development in the MDR zone is subject to the following:

Development Criteria	Regulations						
Maximum Parcel Coverage	50% for all <i>buildings</i> and <i>structures</i> combined						
Minimum Floor Area Ratio	0.5:1						
Maximum Floor Area Ratio	<table style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #008080; color: white;"> <th style="width: 25%;">Base Density</th> <th style="width: 25%;">Bonus Density I</th> <th style="width: 50%;">Bonus Density II</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1.2:1</td> <td style="text-align: center;">1.4:1</td> <td style="text-align: center;">1.6:1</td> </tr> </tbody> </table>	Base Density	Bonus Density I	Bonus Density II	1.2:1	1.4:1	1.6:1
Base Density	Bonus Density I	Bonus Density II					
1.2:1	1.4:1	1.6:1					
Amenities Required for Bonus Density I	A density bonus of up to 0.2 above the base density is permitted if the developer enters a <i>housing agreement</i> with the City, to require that a minimum of 30% of the <i>dwelling units</i> in the entire development are rental or <i>affordable housing</i> units, for a period of at least five (5) years.						
Amenities Required for Bonus Density II	A density bonus of up to 0.4 above the base density is permitted if at least one of the following conditions are met: (i) The developer enters a <i>housing agreement</i> with the City to require that a minimum of 75% of the <i>dwelling units</i> in the entire development are rental units or <i>affordable housing</i> units for a period of at least ten (10) years; (ii) 100 % of the required parking spaces for the entire development are located underground or within a parking <i>structure</i> incorporated into the design of the <i>building</i> ; or (iii) The entire development achieves or exceeds British Columbia Energy Step Code Level 3 energy efficiency requirements.						

Parcel Access	Where a <i>parcel</i> abuts a <i>lane</i> intended for <i>motor vehicle</i> access to a <i>parcel</i> , access must only be from the <i>lane</i> .
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Principal Building		Regulations
Maximum Height		14 m (4 habitable storeys)
Minimum Height		2 habitable storeys
Minimum Parcel Line Setback	Front	3 m
	Rear	10 m where driveway access and parking is located behind the <i>principal building</i> . 4 m where 100% of parking is provided beneath a <i>principal building</i> .
	Side, Interior	1.5 m
	Side, Exterior	3 m
Maximum Parcel Line Setback	Front	6 m
	Side, Exterior	4 m
Minimum Garage Setback		6 m where the garage door is facing a <i>highway</i> .
Accessory Buildings and Structures		Regulations
Maximum Height		5 m
Minimum Parcel Line Setback	Front	4 m
	Rear	1.2 m
	Side, Interior	1.2 m
	Side, Exterior	4 m

4.7.2 A *single unit* or *two unit dwelling* to which this section applies may be rebuilt for a *residential use* if it is damaged to the extent of 75% or more of its value above the foundation, despite any rule in the *Local Government Act* that would limit the use of the building if rebuilt, provided that its *floor area* is not increased and the number of *dwelling units* in the building is not increased.

4.8 Conditions of Use and Subdivision Regulations

4.8.1 Permitted uses within the MDR zone are subject to the following *conditions of use*:

Parcel Area and Frontage by Use	Conditions
Minimum Parcel Area for <i>Multi-Unit Dwellings</i>	600 m ²
Minimum Parcel Frontage for <i>Multi-Unit Dwellings</i>	15 m
Minimum Parcel Area for <i>Rowhouse Dwelling</i>	250 m ² for a <i>dwelling unit</i> which shares a <i>party wall</i> with one (1) other <i>dwelling unit</i> and has one (1) <i>exterior side yard</i> .
	200 m ² for a <i>dwelling unit</i> which shares a <i>party wall</i> with one (1) other <i>dwelling unit</i> and has one (1) <i>interior side yard</i> .
	150 m ² for a <i>dwelling unit</i> which shares a <i>party wall</i> with two (2) other <i>dwelling units</i> .

Minimum Parcel Frontage for Rowhouse Dwelling	9 m	for a <i>dwelling unit</i> which shares a <i>party wall</i> with one (1) other <i>dwelling unit</i> and has one (1) <i>exterior side yard</i> .
	7.5 m	for a <i>dwelling unit</i> which shares a <i>party wall</i> with one (1) other <i>dwelling unit</i> and has one (1) <i>Interior side yard</i> .
	5 m	for a <i>dwelling unit</i> which shares a <i>party wall</i> with two (2) other <i>dwelling units</i> .

4.8.2 Despite Subsection 4.8.1, where the proposed *use* is a *multi-unit rowhouse dwelling, subdivision* shall only be permitted once the *building* is substantially commenced in accordance with an approved Development Permit and subsequent Building Permit.

Cherrywood Lane

Strata VIS 4533

c/o Freelance Strata Management Services 2D-2753 Charlotte Road Duncan, BC V9L 5J2

BYLAWS

Amended March 2011

Amended December 2011

Amended December 2012

Amended December 2015

Amended December 2018

Division 1 — Duties of Owners, Tenants, Occupants and Visitors

Payment of strata fees

1 An owner must pay strata fees on or before the first day of the month to which the strata fees relate (12 post dated cheques requested). Money received will first be applied to any outstanding fines, outstanding interest owing, maintenance and repair costs levied, strata fees, and special levies last. ***(amended March, 2011)***

Repair and maintenance of property by owner

2 (1) An owner must repair and maintain the owner's strata lot, except for repair and maintenance that is the responsibility of the strata corporation under these bylaws.

(2) An owner who has the use of limited common property must repair and maintain it, except for repair and maintenance that is the responsibility of the strata corporation under these bylaws.

Use of property

3 (1) An owner, tenant, occupant or visitor must not use a strata lot, the common property or common assets in a way that

(a) causes a nuisance or hazard to another person,

(b) causes unreasonable noise,

(c) unreasonably interferes with the rights of other persons to use and enjoy the common property, common assets

or another strata lot,

(d) is illegal, or

(e) is contrary to a purpose for which the strata lot or common property is intended as shown expressly or by necessary implication on or by the strata plan.

(2) An owner, tenant, occupant or visitor must not cause damage, other than reasonable wear and tear, to the common property, common assets or those parts of a strata lot which the strata corporation must repair and maintain under these bylaws or insure under section 149 of the Act.

(3) An owner, tenant, occupant or visitor must ensure that all animals are leashed or otherwise secured when on the common property or on land that is a common asset.

(4) An owner, tenant or occupant must not keep any pets on a strata lot other than one or more of the following:

- (a) a reasonable number of fish or other small aquarium animals;
 - (b) a reasonable number of small caged mammals;
 - (c) up to 2 caged birds;
 - (d) One dog where the distance from the floor to the sway of the dog's back does not exceed twenty four inches (60.96 cm) or one cat. **(Amended December 2015).**
- (7) All move ins and outs must be between the hours of 9:00 am and 6:00 pm. Exemptions to this bylaw may be made upon strata council approval. **(Amended December 2012).**
- (8) Venetian blinds and/or curtains must be used as window coverings. The use of sheets, blankets or towels as window coverings is prohibited. **(Amended December 2012).**
- (9) Strata lots that are rented or leased must be inspected twice (2 times) per year for condensation, grow ops, pets, mold and any type of structural damage. Required form must be completed, signed, dated and submitted to the strata council. Inspection forms are available from the strata council. **(Amended December 2018)**
- (10) The growing of Marijuana inside a strata unit is prohibited. **(Amended December 2018)**

Inform strata corporation

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

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

(3) Landlords must inform the strata council what date and times move ins/outs will be occurring. **(amended December 2011)**

Obtain approval before altering a strata lot

5 (1) An owner must obtain the written approval of the strata corporation before making an alteration to a strata lot that involves any of the following:

- (a) the structure of a building;
- (b) the exterior of a building;
- (c) chimneys, stairs, balconies or other things attached to the exterior of a building;
- (d) doors, windows or skylights on the exterior of a building, or that front on the common property;
- (e) fences, railings or similar structures that enclose a patio, balcony or yard;
- (f) common property located within the boundaries of a strata lot;
- (g) those parts of the strata lot which the strata corporation must insure under section 149 of the Act.

(2) The strata corporation must not unreasonably withhold its approval under subsection (1), but may require as a condition of its approval that the owner agree, in writing, to take responsibility for any expenses relating to the alteration.

(3) Before any major renovations or modifications to a unit begin, the owner(s) must present the strata council with their plans. **(Amended December 2012).**

Obtain approval before altering common property

6 (1) An owner must obtain the written approval of the strata corporation before making an alteration to common property, including limited common property, or common assets.

(2) The strata corporation may require as a condition of its approval that the owner agree, in writing, to take responsibility for any expenses relating to the alteration.

Permit entry to strata lot

7 (1) An owner, tenant, occupant or visitor must allow a person authorized by the strata corporation to enter the strata lot

(a) in an emergency, without notice, to ensure safety or prevent significant loss or damage, and

(b) at a reasonable time, on 48 hours' written notice, to inspect, repair or maintain common property, common assets and any portions of a strata lot that are the responsibility of the strata corporation to repair and maintain under these bylaws or insure under section 149 of the Act.

(2) The notice referred to in subsection (1) (b) must include the date and approximate time of entry, and the reason for entry.

(3) Landlords, or their agents must be in attendance when their tenant(s) is moving in or out, for the duration of the move (*amended December 2012*)

Division 2 — Powers and Duties of Strata Corporation

Repair and maintenance of property by strata corporation

8 The strata corporation must repair and maintain all of the following:

(a) common assets of the strata corporation;

(b) common property that has not been designated as limited common property;

(c) limited common property, but the duty to repair and maintain it is restricted to

(i) repair and maintenance that in the ordinary course of events occurs less often than once a year, and

(ii) the following, no matter how often the repair or maintenance ordinarily occurs:

(A) the structure of a building;

(B) the exterior of a building;

(C) chimneys, stairs, balconies and other things attached to the exterior of a building;

(D) doors, windows and skylights on the exterior of a building or that front on the common property;

(E) fences, railings and similar structures that enclose patios, balconies and yards;

(d) a strata lot in a strata plan that is not a bare land strata plan, but the duty to repair and maintain it is restricted to

(i) the structure of a building,

(ii) the exterior of a building,

(iii) chimneys, stairs, balconies and other things attached to the exterior of a building,

(iv) doors, windows and skylights on the exterior of a building or that front on the common property, and

(v) fences, railings and similar structures that enclose patios, balconies and yards.

Division 3 – Council

Council size

9 (1) Subject to subsection (2), the council must have at least 3 and not more than 7 members.

(2) If the strata plan has fewer than 4 strata lots or the strata corporation has fewer than 4 owners, all the owners are on the council.

Council members' terms

10 (1) The term of office of a council member ends at the end of the annual general meeting at which the new council is elected.

(2) A person whose term as council member is ending is eligible for reelection.

Removing council member

11 (1) Unless all the owners are on the council, the strata corporation may, by a resolution passed by a majority vote at an annual or special general meeting, remove one or more council members.

(2) After removing a council member, the strata corporation must hold an election at the same annual or special general meeting to replace the council member for the remainder of the term.

Replacing council member

12 (1) If a council member resigns or is unwilling or unable to act for a period of 2 or more months, the remaining members of the council may appoint a replacement council member for the remainder of the term.

(2) A replacement council member may be appointed from any person eligible to sit on the council.

(3) The council may appoint a council member under this section even if the absence of the member being replaced leaves the council without a quorum.

(4) If all the members of the council resign or are unwilling or unable to act for a period of 2 or more months, persons holding at least 25% of the strata corporation's votes may hold a special general meeting to elect a new council by complying with the provisions of the Act, the regulations and the bylaws respecting the calling and holding of meetings.

Officers

13 (1) At the first meeting of the council held after each annual general meeting of the strata corporation, the council must elect, from among its members, a president, a vice president, a secretary and a treasurer.

(2) A person may hold more than one office at a time, other than the offices of president and vice president.

(3) The vice president has the powers and duties of the president
(a) while the president is absent or is unwilling or unable to act, or
(b) for the remainder of the president's term if the president ceases to hold office.

(4) If an officer other than the president is unwilling or unable to act for a period of 2 or more months, the council members may appoint a replacement officer from among themselves for the remainder of the term.

Calling council meetings

14 (1) Any council member may call a council meeting by giving the other council members at least one week's notice of the meeting, specifying the reason for calling the meeting.

(2) The notice does not have to be in writing.

(3) A council meeting may be held on less than one week's notice if

- (a) all council members consent in advance of the meeting, or
- (b) the meeting is required to deal with an emergency situation, and all council members either
 - (i) consent in advance of the meeting, or
 - (ii) are unavailable to provide consent after reasonable attempts to contact them.

(4) The council must inform owners about a council meeting as soon as feasible after the meeting has been called.

Requisition of council hearing

15 (1) By application in writing, stating the reason for the request, an owner or tenant may request a hearing at a council meeting.

(2) If a hearing is requested under subsection (1), the council must hold a meeting to hear the applicant within one month of the request.

(3) If the purpose of the hearing is to seek a decision of the council, the council must give the applicant a written decision within one week of the hearing.

Quorum of council

16 (1) A quorum of the council is

- (a) 1, if the council consists of one member,
- (b) 2, if the council consists of 2, 3 or 4 members,
- (c) 3, if the council consists of 5 or 6 members, and
- (d) 4, if the council consists of 7 members.

(2) Council members must be present in person at the council meeting to be counted in establishing quorum.

Council meetings

17 (1) At the option of the council, council meetings may be held by electronic means, so long as all council members and other participants can communicate with each other.

(2) If a council meeting is held by electronic means, council members are deemed to be present in person.

(3) Owners may attend council meetings as observers.

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

- (a) bylaw contravention hearings under section 135 of the Act;
- (b) rental restriction bylaw exemption hearings under section 144 of the Act;
- (c) any other matters if the presence of observers would, in the council's opinion, unreasonably interfere with an individual's privacy.

Voting at council meetings

18 (1) At council meetings, decisions must be made by a majority of council members present in person at the meeting.

(2) Unless there are only 2 strata lots in the strata plan, if there is a tie vote at a council meeting, the president may break the tie by casting a second, deciding vote.

(3) The results of all votes at a council meeting must be recorded in the council meeting minutes.

Council to inform owners of minutes

19 The council must inform owners of the minutes of all council meetings within 2 weeks of the meeting, whether or not the minutes have been approved.

Delegation of council's powers and duties

20 (1) Subject to subsections (2) to (4), the council may delegate some or all of its powers and duties to one or more council members or persons who are not members of the council, and may revoke the delegation.

(2) The council may delegate its spending powers or duties, but only by a resolution that
(a) delegates the authority to make an expenditure of a specific amount for a specific purpose, or

(b) delegates the general authority to make expenditures in accordance with subsection (3).

(3) A delegation of a general authority to make expenditures must
(a) set a maximum amount that may be spent, and
(b) indicate the purposes for which, or the conditions under which, the money may be spent.

(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, or

(c) whether a person should be denied access to a recreational facility.

Spending restrictions

21 (1) A person may not spend the strata corporation's money unless the person has been delegated the power to do so in accordance with these bylaws.

(2) Despite subsection (1), a council member may spend the strata corporation's money to repair or replace common property or common assets if the repair or replacement is immediately required to ensure safety or prevent significant loss or damage.

Limitation on liability of council member

22 (1) A council member who acts honestly and in good faith is not personally liable because of anything done or omitted

in the exercise or intended exercise of any power or the performance or intended performance of any duty of the council.

(2) Subsection (1) does not affect a council member's liability, as an owner, for a judgment against the strata corporation.

Maximum fine

- 23** The strata corporation may fine an owner or tenant a maximum of
- (a) \$50 for each contravention of a bylaw, and
 - (b) \$10 for each contravention of a rule.

Continuing contravention

24 If an activity or lack of activity that constitutes a contravention of a bylaw or rule continues, without interruption, for longer than 7 days, a fine may be imposed every 7 days.

Division 5 – Annual and Special General Meetings**Person to chair meeting**

25 (1) Annual and special general meetings must be chaired by the president of the council.

(2) If the president of the council is unwilling or unable to act, the meeting must be chaired by the vice president of the council.

(3) If neither the president nor the vice president of the council chairs the meeting, a chair must be elected by the eligible voters present in person or by proxy from among those persons who are present at the meeting.

Participation by other than eligible voters

26 (1) Tenants and occupants may attend annual and special general meetings, whether or not they are eligible to vote.

(2) Persons who are not eligible to vote, including tenants and occupants, may participate in the discussion at the meeting, but only if permitted to do so by the chair of the meeting.

(3) Persons who are not eligible to vote, including tenants and occupants, must leave the meeting if requested to do so by a resolution passed by a majority vote at the meeting.

Voting

27 (1) At an annual or special general meeting, voting cards must be issued to eligible voters.

(2) At an annual or special general meeting a vote is decided on a show of voting cards, unless an eligible voter requests a precise count.

(3) If a precise count is requested, the chair must decide whether it will be by show of voting cards or by roll call, secret ballot or some other method.

(4) The outcome of each vote, including the number of votes for and against the resolution if a precise count is requested, must be announced by the chair and recorded in the minutes of the meeting.

(5) If there is a tie vote at an annual or special general meeting, the president, or, if the president is absent or unable or unwilling to vote, the vice president, may break the tie by casting a second, deciding vote.

(6) If there are only 2 strata lots in the strata plan, subsection (5) does not apply.

(7) Despite anything in this section, an election of council or any other vote must be held by secret ballot, if the secret ballot is requested by an eligible voter.

Order of business

28 The order of business at annual and special general meetings is as follows:

- (a) certify proxies and corporate representatives and issue voting cards;
- (b) determine that there is a quorum;
- (c) elect a person to chair the meeting, if necessary;
- (d) present to the meeting proof of notice of meeting or waiver of notice;
- (e) approve the agenda;
- (f) approve minutes from the last annual or special general meeting;
- (g) deal with unfinished business;
- (h) receive reports of council activities and decisions since the previous annual general meeting, including reports of committees, if the meeting is an annual general meeting;
- (i) ratify any new rules made by the strata corporation under section 125 of the Act;
- (j) report on insurance coverage in accordance with section 154 of the Act, if the meeting is an annual general meeting;
- (k) approve the budget for the coming year in accordance with section 103 of the Act, if the meeting is an annual general meeting;
- (l) deal with new business, including any matters about which notice has been given under section 45 of the Act;
- (m) elect a council, if the meeting is an annual general meeting;
- (n) terminate the meeting.

Division 6 — Voluntary Dispute Resolution

Voluntary dispute resolution

29 (1) A dispute among owners, tenants, the strata corporation or any combination of them may be referred to a dispute resolution committee by a party to the dispute if

- (a) all the parties to the dispute consent, and
- (b) the dispute involves the Act, the regulations, the bylaws or the rules.

(2) A dispute resolution committee consists of

(a) one owner or tenant of the strata corporation nominated by each of the disputing parties and one owner or tenant chosen to chair the committee by the persons nominated by the disputing parties, or

(b) any number of persons consented to, or chosen by a method that is consented to, by all the disputing parties.

(3) The dispute resolution committee must attempt to help the disputing parties to voluntarily end the dispute.

Division 7 — Marketing Activities by Owner Developer

Display lot

30 (1) An owner developer who has an unsold strata lot may carry on sales functions that relate to its sale, including the posting of signs.

(2) An owner developer may use a strata lot, that the owner developer owns or rents, as a display lot for the sale of other strata lots in the strata plan.

Cherrywood Lane Strata VIS

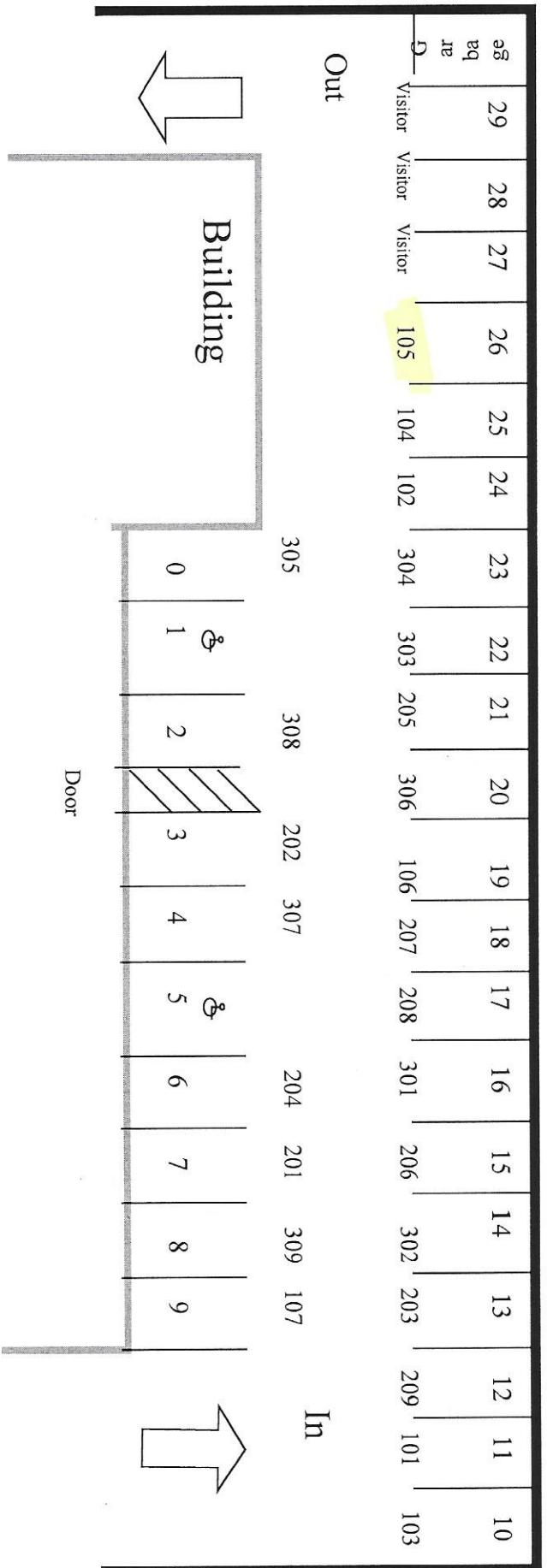
4533

c/o Freelance Strata Management Services 2D-2753 Charlotte Road Duncan, BC V9L 5J2

RULES

1. *No intentional discarding of cigarettes, paper, animal droppings, gum etc. from a unit.*
2. *No live Christmas trees allowed in the building.*
3. *No RV, trailer, boat, utility trailers etc. may be parked in the strata corporation's parking lot".*
4. *No unlicensed/uninsured vehicles may be stored on Common Property. Such Vehicles will be removed at the expense of the owner.*
5. *All of the lobby areas, corridors, passages etc. that are common property are to be used for ingress and egress only.*
6. *Dumping of large items such as furniture, appliances, bicycles etc. into the garbage compound area is prohibited. These items can be picked up or disposed of in proper recycling depots. If caught, the owner or tenant/landlord will be charged for the disposal of such items by the strata. (Ratified December 2012)*
7. *Quiet hours are between 11:00 pm and 7:00 am. (Ratified December 2012)*

Parking Space Allocation



Revised 18th December 2012

Please Note

The above is the recorded allotment of parking spaces for this building.

Please use the spaces as recorded above.



Dan Johnson

Realtor®

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The information and documentation included in this package was gathered from assumed reliable sources, but should not be relied upon without further independent investigation and verification.

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