



Telegraph Cove

1540 Ella Point Drive

BOB EDWARDS
REAL ESTATE GROUP
Making Dreams Come True

exp[™]
REALTY



INFORMATION ABOUT THE PROPERTY DISCLOSURE STATEMENT
STRATA TITLE PROPERTIES

THIS INFORMATION IS INCLUDED FOR THE ASSISTANCE OF THE PARTIES ONLY. IT DOES NOT FORM PART OF THE PROPERTY DISCLOSURE STATEMENT.

EFFECT OF THE PROPERTY DISCLOSURE STATEMENT:

The Property Disclosure Statement will not form part of the Contract of Purchase and Sale unless so agreed by the buyer and the seller. This can be accomplished by inserting the following wording in the Contract of Purchase and Sale:

EXAMPLE ONLY:

“The attached Property Disclosure Statement dated
_____ yr. _____ is incorporated into
and forms part of this contract.”

ANSWERS MUST BE COMPLETE AND ACCURATE:

The Property Disclosure Statement is designed, in part, to protect the seller by establishing that all relevant information concerning the property has been provided to the buyer. It is important that the seller not answer “do not know” or “does not apply” if, in fact, the seller knows the answer. An answer must provide all relevant information known to the seller. In deciding what requires disclosure, the seller should consider whether the seller would want the information if the seller was a potential buyer of the Unit.

BUYER MUST STILL MAKE THE BUYER’S OWN INQUIRIES:

The buyer must still make the buyer’s own inquiries after receiving the Property Disclosure Statement. Each question and answer must be considered, keeping in mind that the seller’s knowledge of the Unit and the Development may be incomplete. Additional information can be requested from the seller or from an independent source such as the Municipality or Regional District. The buyer can hire an independent, licensed inspector to examine the Unit or the Development and/or improvements to determine whether defects exist and to provide an estimate of the cost of repairing problems that have been identified on the disclosure statement or on an inspection report.

SIX IMPORTANT CONSIDERATIONS:

1. The seller is legally responsible for the accuracy of the information which appears on the Property Disclosure Statement. Not only must the answers be correct, but they must be complete. The buyer will rely on this information when the buyer contracts to purchase the property. Even if the Property Disclosure Statement is not incorporated into the Contract of Purchase and Sale, the seller will still be responsible for the accuracy of the information on the Property Disclosure Statement if it caused the buyer to agree to buy the Unit.
2. The buyer must still make the buyer’s own inquiries concerning the Unit in addition to reviewing a Property Disclosure Statement, recognizing that, in some cases, it may not be possible to claim against the seller, if the seller cannot be found or is insolvent.
3. Anyone who is assisting the seller to complete a Property Disclosure Statement should take care to see that the seller understands each question and that the seller’s answer is complete. It is recommended that the seller complete the Property Disclosure Statement in the seller’s own writing to avoid any misunderstanding.
4. If any party to the transaction does not understand the English language, consider obtaining competent translation assistance to avoid any misunderstanding.
5. The buyer should personally inspect both the parking space(s) and storage locker(s) assigned to the Unit.
6. “Unit” is defined as the living space, including limited common property, being purchased. “Common Property” includes buildings or spaces accessible to all owners. “Lands” is defined as the land upon which the Unit, all other strata lots and Common Property are constructed. “Development” is defined as the Lands, the Unit and all other strata lots and Common Property.

PROPERTY DISCLOSURE STATEMENT STRATA TITLE PROPERTIES



Date of disclosure: April 25 2021

The following is a statement made by the seller concerning the property or strata unit located at:

ADDRESS/STRATA UNIT #: 1540 Ella Point Telegraph Cove V0N 3J0 (the "Unit")

THE PROPERTY CONTAINS THE FOLLOWING BUILDINGS:				
<input type="checkbox"/> Principal Residence <input type="checkbox"/> Residence(s) <input type="checkbox"/> Barn(s) <input type="checkbox"/> Shed(s) <input type="checkbox"/> Other Building(s) Please describe _____				
<p>THE SELLER IS RESPONSIBLE for the accuracy of the answers on this Property disclosure statement and where uncertain should reply "Do Not Know." This Property disclosure statement constitutes a representation under any Contract of Purchase and Sale if so agreed, in writing, by the seller and the buyer. "Unit" is defined as the living space, including related limited common property, being purchased. "Common Property" includes buildings or spaces accessible to all owners. "Lands" is defined as the land upon which the Unit, all other strata lots and Common Property are constructed. "Development" is defined as the Lands, the Unit and all other strata lots and Common Property.</p>				
THE SELLER SHOULD INITIAL THE APPROPRIATE REPLIES.				
1. LAND	YES	NO	DO NOT KNOW	DOES NOT APPLY
A. Are you aware of any past or present underground oil storage tank(s) in or on the Development?				
B. Are you aware of any existing tenancies, written or oral?				
C. Are you aware of any current or pending local improvement levies/charges?				
D. Are you aware of any pending litigation or claim affecting the Development or the Unit from any person or public body?				
2. SERVICES				
A. Indicate the water system(s) the Development uses: Municipal <input type="checkbox"/> Community <input type="checkbox"/> Private <input type="checkbox"/> Well <input type="checkbox"/> Not Connected <input type="checkbox"/> Other _____ <i>Note: Private and Well Water Systems include pumps and other diversions.</i>				
B. If you indicated in 2A that the Development has a private or well water system (including pumps and other diversions):				
(i) Did use of the well or water system commence on or before February 29, 2016?				
(ii) Do you have a licence (or have you applied for a licence) under the <i>Water Sustainability Act (British Columbia)</i> ?				
C. If you indicated in 2A that the Development has a private or well water system (including pumps and other diversions), have all private or well water systems been constructed, maintained and operated (including securing all well caps or covers) in accordance with the <i>Water Sustainability Act (British Columbia)</i> ?				
D. Are you aware of any problems with the water system?				
E. Are you aware of any problems with the sanitary sewer system?				
3. BUILDING Respecting the Unit and Common Property				
A. Has a final building inspection been approved or a final occupancy permit been obtained?				
B. Has the fireplace, fireplace insert, or wood stove installation been approved:				
(i) By local authorities? <input type="checkbox"/>				
(ii) Received WETT certificate? <input type="checkbox"/>				

INITIALS CP MP

April 25 2021

DATE OF DISCLOSURE

ADDRESS/STRATA UNIT #:

1540 Ella Point

Telegraph Cove

V0N 3J0

3. BUILDING Respecting the Unit and Common Property. (continued)	YES	NO	DO NOT KNOW	DOES NOT APPLY
C. (i) Has this Unit been previously occupied?				
(ii) Are you the "owner developer" as defined in the Strata Property Act?				
D. Does the Unit have any equipment leases or service contracts: e.g., security systems, water purification, etc.?				
E. Are you aware of any additions or alterations made without a required permit: e.g., building, electrical, gas, etc.?				
F. Are you aware of any structural problems with any of the buildings in the Development?				
G. Are you aware of any problems with the heating and/or central air conditioning system?				
H. Are you aware of any damage due to wind, fire or water?				
I. Are you aware of any infestation or unrepaired damage by insects, rodents or bats?				
J. Are you aware of any leakage or unrepaired damage?				
K. Are you aware of any problems with the electrical or gas system?				
L. Are you aware of any problems with the plumbing system?				
M. Are you aware of any pet restrictions?				
N. Are you aware of any rental restrictions?				
O. Are you aware of any age restrictions?				
P. Are you aware of any other restrictions? If so, provide details on page 4, Section 5 Additional Comments.				
Q. Are you aware of any special assessment(s) voted on or proposed?				
R. Have you paid any special assessment(s) in the past 5 years?				
S. Are you aware of any agreements that provide for future payment or possible payment of monies to you in your capacity as the current owner of the Unit?				
T. Are you aware of any pending strata corporation policy or bylaw amendment(s) which may alter or restrict the uses of the Unit?				
U. Are you aware of any problems with the swimming pool and/or hot tub?				
V. Are you aware of any additions, alterations or upgrades made to the Unit that were not installed by the original developer?				
W. Are there any agreements under which the owner of the Unit assumes responsibility for the installation and/or maintenance of alterations to the Unit or Common Property?				
X. Was this Unit constructed by an "owner builder," as defined in the <i>Homeowner Protection Act</i> , within the last 10 years? If yes, attach required Owner Builder Disclosure Notice.				
Y. Is this Unit or related Common Property covered by home warranty insurance under the <i>Homeowner Protection Act</i> ?				
Z. Is there a current "EnerGuide for Houses" rating number available for this this unit? If so, what is the rating number? _____ When was the energy assessment report prepared? _____				
AA. Nature of Interest/Ownership: Freehold <input type="checkbox"/> Time Share <input type="checkbox"/> Leasehold <input type="checkbox"/> Undivided <input type="checkbox"/> Bare Land <input type="checkbox"/> Cooperative <input type="checkbox"/>				
BB. Management Company _____ Name of Manager _____ Telephone _____ Address _____				
CC. If self managed: Strata Council President's Name _____ Telephone _____ Strata Council Secretary Treasurer's Name _____ Telephone _____				

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April 25 2021

DATE OF DISCLOSURE

ADDRESS/STRATA UNIT #:

1540 Ella Point

Telegraph Cove

VON 3J0

3. BUILDING Respecting the Unit and Common Property. (continued)

DD. Are the following documents available?	Yes	No	Can be obtained from:	
Bylaws				
Rules/Regulations				
Year-to-date Financial Statements				
Current Year's Operating Budget				
All Minutes of Last 24 Months Including Council, Special and AGM Minutes				
Engineer's Report and/or Building Envelope Assessment				
Strata Plan				
Depreciation Report				
Reserve Fund Study				
Summary of Insurance Coverages (including premium)				
EE. What is the monthly strata fee? \$				
Does this monthly fee include:	YES	NO	DO NOT KNOW	DOES NOT APPLY
Management?				
Heat?				
Hot Water?				
Gas Fireplace?				
Garbage?				
Sewer?				
Recreation?				
Cable?				
Gardening?				
Caretaker				
Water?				
Other?				
FF. (i) Number of Unit parking stalls included _____ and specific numbers _____ (ii) Are these: (a) Limited Common Property? <input type="checkbox"/> (b) Common Property? <input type="checkbox"/> (c) Rented? <input type="checkbox"/> (d) Long Term Lease? <input type="checkbox"/> (e) Other? <input type="checkbox"/>				
GG. (i) Storage Locker? Yes <input type="checkbox"/> No <input type="checkbox"/> Number(s) _____ (ii) Are these: (a) Limited Common Property? <input type="checkbox"/> (b) Common Property? <input type="checkbox"/> (c) Rented? <input type="checkbox"/> (d) Long Term Lease? <input type="checkbox"/> (e) Other? <input type="checkbox"/>				
	YES	NO	DO NOT KNOW	DOES NOT APPLY
HH. Has the Unit been tested for radon? (i) If yes, when was the most recent test completed and what was the most recent level of radon detected for the Unit? Unit: Level: _____ Bq/m3 or pCi/L (check one) on _____ (DD/MM/YYYY)				
II. Has the Common Property been tested for radon? (i) If yes, when was the most recent test completed and what was the most recent level of radon detected for the Common Property? Common Property: Level: _____ Bq/m3 or pCi/L (check one) on _____ (DD/MM/YYYY)				
JJ. Have the Lands been tested for radon? (i) If yes, when was the most recent test completed and what was the most recent level of radon detected for the Lands? Lands: Level: _____ Bq/m3 or pCi/L (check one) on _____ (DD/MM/YYYY)				

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DATE OF DISCLOSURE

ADDRESS/STRATA UNIT #:

1540 Ella Point

Telegraph Cove

V0N 3J0

3. BUILDING Respecting the Unit and Common Property. (continued)

KK. Is there a radon mitigation system in the Unit?				
(i) If yes, are you aware of any problems or deficiencies with the radon mitigation system in the Unit?				
LL. Is there a radon mitigation system for the Common Property?				
(i) If yes, are you aware of any problems or deficiencies with the radon mitigation system for the Common Property?				
MM. Is there a radon mitigation system for the Lands?				
(i) If yes, are you aware of any problems or deficiencies with the radon mitigation system for the Lands?				
4. GENERAL	YES	NO	DO NOT KNOW	DOES NOT APPLY
A. Are you aware if the Unit, or any other unit, or the Development has been used to grow cannabis (other than as permitted by law) or to manufacture illegal substances?				
B. Are you aware of any latent defect in respect of the Development? <i>For the purposes of this question, "latent defect" means a defect that cannot be discerned through a reasonable inspection of the Development that renders the Development: (a) dangerous or potentially dangerous to occupants; or (b) unfit for habitation.</i>				
C. Are you aware if the Development, or any portion of the Development, is designated or proposed for designation as a "heritage site" or of "heritage value" under the <i>Heritage Conservation Act</i> or under municipal legislation?				

ADDITIONAL COMMENTS AND/OR EXPLANATIONS (Use additional pages if necessary.)

There is no pds filled out as the sellers are elderly

INITIALS CP MP

April 25 2021

PAGE 5 of 5 PAGES

DATE OF DISCLOSURE

ADDRESS/STRATA UNIT #: 1540 Ella Point Telegraph Cove VON 3J0

The seller states that the information provided is true, based on the seller's current actual knowledge as of the date on page 1.

Any important changes to this information made known to the seller will be disclosed by the seller to the buyer prior to closing. The seller acknowledges receipt of a copy of this Property Disclosure Statement and agrees that a copy may be given to a prospective buyer.

PLEASE READ THE INFORMATION PAGE BEFORE SIGNING.

SELLER(S) Conrad Porth CONRAD PHILIP PORTH

SELLER(S) Mary Porth MARY PORTH

The buyer acknowledges that the buyer has received, read and understood a signed copy of this Property Disclosure Statement from the seller or the seller's brokerage on the _____ day of _____ yr. _____ . The prudent buyer will use this Property Disclosure Statement as the starting point for the buyer's own inquiries.

The buyer is urged to carefully inspect the Development and, if desired, to have the Development inspected by a licensed inspection service of the buyer's choice.

The buyer acknowledges that all measurements are approximate. The buyer should obtain a strata plan drawing from the Land Title Office or retain a professional home measuring service if the buyer is concerned about the size.

BUYER(S)

BUYER(S)

The seller and the buyer understand that neither the listing nor selling brokerages or their managing brokers, associate brokers or representatives warrant or guarantee the information provided about the strata Unit or the Development.

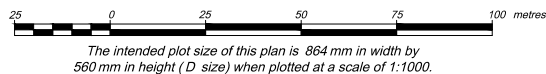
*PREC represents Personal Real Estate Corporation

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PHASED BARE LAND STRATA PLAN OF PART OF LOT C, DISTRICT LOT 79, RUPERT DISTRICT, PLAN VIP71975, EXCEPT THAT PART IN STRATA PLAN VIS5792 (PHASES 1 TO 3) AND PLAN VIP83508.

BARE LAND STRATA PLAN VIS5792 PHASES 4 and 5

BCGS 92L.056



LEGEND

Grid bearings are derived from differential dual frequency GNSS observations and are referred to the central meridian of Zone 9 (129° West).

- denotes standard iron post found
- denotes standard iron post placed
- r denotes short iron post drilled into rock
- SL denotes Strata Lot
- CP denotes Common Property

This plan shows one or more witness posts which are not set on the true corner(s).

The UTM coordinates and estimated absolute accuracy achieved are derived from dual frequency static GNSS baseline ties to the Canadian Active Control System stations at Beaver Cove.

This plan shows horizontal ground level distances, unless otherwise specified. To compute grid distances, multiply ground level distances by the average combined factor of 0.99988993. The average combined factor has been determined based on an ellipsoidal elevation of -2 metres.

All distances are in metres and decimals thereof.

This plan is Phases 4 and 5 of a 10 Phase Strata Plan under Section 224 of the Strata Property Act lying within the jurisdiction of the Approving Officer for the Ministry of Transportation and Infrastructure.

This plan need not comply with Section 8 of the Bare Land Strata Regulations 75 / 78.

ACCESS BY WATER ONLY

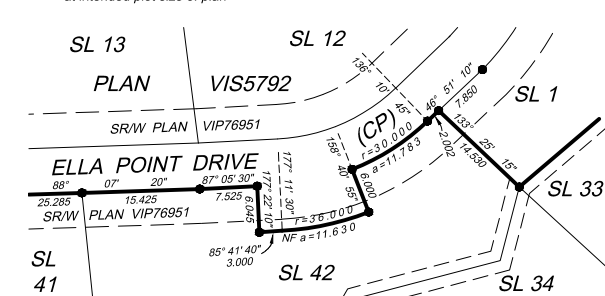
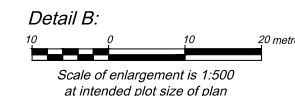
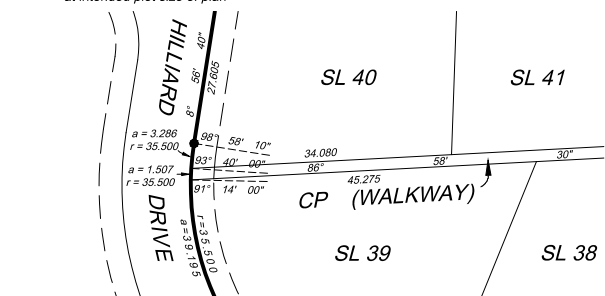
Address for Service of Documents: 1642B Telegraph Cove Road, Telegraph Cove, BC V0N 3J0

Civic Addresses:

- Phase 4:**
- SL 25 -- 1001 Ella Bay Road
 - SL 26 -- 1003 Ella Bay Road
 - SL 27 -- 1005 Ella Bay Road
 - SL 28 -- 1007 Ella Bay Road
 - SL 29 -- 1009 Ella Bay Road
 - SL 30 -- 1011 Ella Bay Road
 - SL 31 -- 1015 Ella Bay Road
 - SL 32 -- 1010 Ella Bay Road
 - SL 33 -- 1008 Ella Bay Road
 - SL 34 -- 1006 Ella Bay Road
 - SL 35 -- 1004 Ella Bay Road
 - SL 36 -- 1002 Ella Bay Road
 - SL 37 -- 1000 Ella Bay Road
- Phase 5:**
- SL 38 -- 1025 Hilliard Road
 - SL 39 -- 1015 Hilliard Road
 - SL 40 -- 1545 Ella Point Drive
 - SL 41 -- 1535 Ella Point Drive
 - SL 42 -- 1525 Ella Point Drive

Datum: NAD 83 (CSRS) 1997.0 UTM Zone 9
 UTM Northing: 5245
 UTM Easting: 15375
 Point Combined factor 0
 Convergence = 11.4038"
 Absolute accuracy: 0.05m

Datum: NAD 83 (CSRS) 1997.0 UTM Zone 9
 UTM Northing: 5601813.73
 UTM Easting: 653816.29
 Point Combined factor 0.99989049
 Convergence = 11.4038"
 Absolute accuracy: 0.05m



This plan lies within the Regional District of Mount Waddington and the Courtenay Assessment Area.

The field survey represented by this plan was completed on the ____ day of _____, 2020 Justin M. Petras, BCLS (996)

ANNEXURE 07

3 JUNE 2005 12:39

13/14

~~3 JUN 2005~~ ~~12:39~~ Property Act
Form Y

EX065881

OWNER DEVELOPER'S NOTICE OF DIFFERENT BYLAWS

(Section 245 (d), Regulation section 14.6 (2))

100DF

Re: Strata Plan V155792 , being a strata plan
of Parcel Identifier 024-965-189, Lot C, District Lot 79, Rupert District,
Plan VIP 71975.

The attached bylaws differ from the Standard Bylaws to the Strata
Property Act, as permitted by section 120 of the Act.

Date: April 19, 2005

TELEGRAPH COVE HOLDINGS LTD.

02 05/06/03 12:39:57 02 VI
DOC FILE FREE

637965
\$0.00


Lynne M. Paasch, Corporate Secretary/Authorized Signatory

**ByLaws
of
Strata Plan VIS 5792**

A Bare Land Strata Corporation

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******* End of Table of Contents *******

Article I – The Strata Corporation

(A) Strata Plan _____ VIS 5792 _____ (hereinafter referred to as "the strata plan") is a bare land strata plan. **The Owners, Strata Plan _____ VIS 5792 _____** (hereinafter referred to as the "corporation") is responsible for managing and maintaining the common property and common assets of the strata corp., and enforcing these bylaws, for the benefit of each and every strata lot owner (hereinafter referred to as an "owner").

(B) Every lot shall have one vote. Maintenance Fees and any Special Assessments shall be levied equally against every lot.

Article II – The Strata Council

1. Council Size & Qualification

(A) The strata council (hereinafter referred to as the "council") shall have 5 members. Each council member must be an owner. If a strata lot is owned by more than one person, only one owner of that strata lot may be a council member at any one time with respect to that strata lot.

(B) During the 10 years following the establishment of the corporation, one council member shall be appointed by Telegraph Cove Holdings Ltd., provided that Telegraph Cove Holdings Ltd. owns at least one lot in the strata plan.

2. Term of Office and Re-election

(A) The term of office of a council member terminates at the conclusion of the annual general meeting at which the succeeding council is elected.

(B) A person whose term as council member is terminating at the conclusion of any general meeting is eligible for re-election at that meeting.

3. Removing a Council Member

(A) The owners may, by a resolution passed by a majority of eligible voters present in person or by proxy at an annual or special general meeting, remove one or more council members.

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

4. Replacing a Council Member

(A) 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.

(B) A replacement council member may be appointed from among those persons eligible to sit on the council.

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

(D) 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 percent of the corporation's votes may hold a special general meeting to elect a new council by complying with the provisions of the *Strata Property Act* (BC) (hereinafter referred to as "the Act"), the regulations and these bylaws respecting the calling and holding of meetings.

5. Officers

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

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

(C) The vice president has the powers and duties of the president:

- (i) while the president is absent or is unwilling or unable to act, or
- (ii) for the remainder of the president's term if the president should cease to hold office.

(D) 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.

6. Calling Council Meetings

(A) Any council member may call a council meeting by giving the other council members at least 30 days' notice of the meeting, specifying the reason for calling the meeting. The notice must be in writing and may be delivered by email.

(B) A council meeting may be held on less than 30 days' notice if:

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

(C) The secretary must notify the owners in writing of the fact of a council meeting's having been called so soon as may be practicable following its having been called. This notice must be transmitted by email to every owner in respect of whom the council has an email address on record, and may otherwise be delivered by fax or by regular pre-paid mail.

7. Requisition of Council Hearing

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

(B) If a hearing is requested under paragraph (A) above, the council must hold a meeting to hear the applicant within 45 days of the request.

(C) If the purpose of the hearing is to seek a decision of the council, the council must give the applicant a written decision within 30 days of the hearing.

8. Quorum of Council

(A) A quorum of the council is

- (i) 1, if the council consists of one member,
- (ii) 2, if the council consists of 2, 3 or 4 members, and
- (iii) 3, if the council consists of 5 members.

(B) Council members must be present in person, by telephone or by other electronic means at the council meeting to be counted in establishing a quorum.

9. Council Meetings

(A) Council members may attend council meetings by telephone or by other electronic means, so long as all council members and other participants can communicate with each other. If a council meeting is held by electronic means, council members are deemed to be present in person.

(B) Owners may attend council meetings as observers, and, where it should be practicable in the opinion of the president, may attend by electronic means at their own expense. There shall be no obligation on the part of the council to provide electronic means by which owners attending council meetings may communicate with council members during such meetings.

(C) Despite paragraph (B), no observers may attend those portions of council meetings that deal with any of the following:

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

10. Voting at Council Meetings

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

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

11. Council to Inform Owners of Minutes

(A) The council must make available to the owners copies of the minutes of all council meetings within 2 weeks of every such meeting, whether or not the minutes have been approved. Such minutes may be made available to the owners by emailing, faxing or mailing them to the owners or by posting them on a website, the existence of which for this purpose has been made known to the owners.

12. Delegation of Council's Powers and Duties

(A) Subject to paragraphs (B) to (D), 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.

(B) The council may delegate its spending powers or duties, but only by a resolution that:

- (i) delegates the authority to make an expenditure of a specific amount for a specific purpose, or
- (ii) delegates the general authority to make expenditures in accordance with paragraph (C) below.

(C) A delegation of a general authority to make expenditures must:

- (i) set a maximum amount of money that may be spent, and
- (ii) indicate the purposes for which, or the conditions under which, the money may be spent.

(D) The council may not delegate its powers to determine, based on the facts of a particular case:

- (i) whether a person has contravened a bylaw or rule,
- (ii) whether a person should be fined, and the amount of the fine, or
- (iii) whether a person should be denied access to a recreational facility.

13. Spending Restrictions

(A) 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.

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

14. Limitation on Liability of Council Member

(A) A council member who acts honestly and in good faith shall not be personally liable to the strata corporation or to the owner or the tenant of any strata lot in consequence of anything done or omitted to be done in the exercise or the intended exercise of any power, or in the performance or the intended performance of any duty of the council

(B) Paragraph (A) does not affect a council member's liability, as an owner, for a judgment against the corporation.

Article III — Powers and Duties of Strata Corporation

1. Repair and Maintenance of Property by Strata Corporation

(A) The strata corporation must repair and maintain all of the following:

- (i) the common assets of the corporation;
- (ii) the common property; and
- (iii) the limited common property

2. Enforcement of Bylaws

(A) The corporation is mandated and empowered to enforce these bylaws.

3. Raising Money by Strata Fees or Special Levy

(A) The corporation shall from time to time determine the amount of and shall collect strata fees as provided in Article VII herein.

(B) The corporation may raise money from the owners by means of a special levy imposed pursuant to the provisions of section 108 of the Act or any analogous provision contained within any successor statute. Such a levy must be approved by a resolution passed by a $\frac{3}{4}$ vote at an annual or special general meeting, or by a resolution signed by all of the owners.

Article IV — Annual and Special General Meetings

1. Person to Chair Meeting

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

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

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

2. Participation by Other than Eligible Voters

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

(B) 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 chairperson of the meeting.

(C) 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.

3. Voting

(A) These bylaws may be amended pursuant to the provisions of section 128 of the Act (BC) or any analogous provision contained within any successor statute. So long as the strata plan consists of residential strata lots only, such amendments must be approved by a resolution passed by a $\frac{3}{4}$ vote at an annual or special general meeting, or by a resolution signed by all of the owners. At such time as the strata plan comes to consist of both residential and nonresidential strata lots, amendments to

these bylaws must be approved by a resolution passed by a $\frac{3}{4}$ vote of the residential strata lots and a resolution passed by a $\frac{3}{4}$ vote of the nonresidential strata lots at an annual or special general meeting or by a resolution passed by all of the owners of all of the strata lots. For the purposes of this paragraph, the non-residential strata lots are 25 to 37 inclusive and strata lots 51 to 56 inclusive.

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

(C) 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.

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

(E) 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 chairperson and recorded in the minutes of the meeting.

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

(G) 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.

4. Order of Business

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 or a special general meeting called for this purpose;

(N) terminate the meeting.

Article V – Enforcement of Bylaws and Rules

1. Maximum Fine

The strata corporation may fine an owner or tenant a maximum of:

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

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

or such greater amounts as may be permitted by law from time to time.

2. Continuing Contravention

(A) 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.

Article VI – Voluntary Dispute Resolution

(A) 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:

(i) all the parties to the dispute consent, and

(ii) the dispute involves the Act, the regulations, these bylaws or the rules.

(B) A dispute resolution committee consists of:

(i) 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

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

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

Article VII — Duties of Owners, Tenants, Occupants and Visitors

1. Payment of Strata Fees

(A) An owner must pay strata fees on or before the fifteenth day of the month preceding the semi-annual period to which the strata fees relate:

- (i) On or before December 15th for the period January 1 through June 30; and
- (ii) On or before June 15th for the period July 1 through December 31.

(B) Interest shall accrue on unpaid strata fees at the rate of 10 percent per annum, compounded annually (or at the maximum rate as may be established by law from time to time) calculated from the date upon which the payment is due to the actual date of payment.

2. Repair and Maintenance of Property by Owner

(A) 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.

(B) No plantings of any kind shall be installed within 1 metre of the paved strata road surface.

(C) An owner must keep all vegetation and landscaping in easement areas trimmed. Natural drainage areas must be kept open and maintained on all Lots. No standing or pooling of water is allowed.

(D) An owner must provide clear and unobstructed access for service and maintenance to all utility facilities in the easement areas at all times.

(E) An owner who is responsible for damage to common property or limited common property shall be liable for the repair costs and any other consequences of such damage.

3. Use of Property

(B) An owner, tenant, occupant or visitor must not develop or use a strata lot, or use the common property, limited common property or common assets in any way:

- (i) that causes a nuisance or hazard to another person,
- (ii) that causes unreasonable noise,
- (iii) that unreasonably interferes with the rights of other persons to use and enjoy the common property, common assets or another strata lot,
- (iv) that is illegal,
- (v) that is contrary to the provisions of Telegraph Cove Land Use Bylaw No. 497 enacted by the Mount Waddington Regional District, or
- (vi) that is contrary to the provisions of the Statutory Building Scheme which is registered on title to the strata lots.

(C) An owner, tenant, occupant or visitor must not cause damage, other than reasonable wear and tear, to the common property, limited 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.

(D) An owner may not place any obstructions in, excavate, or add fill to easement areas in favour of any utility or the strata corporation lying adjacent to roadways without the prior written approval of the strata corporation. In the event of any violations of this provision, the strata corporation may repair, replace or reconstitute the area in violation without notice to the owner, charge the owner up to double the full cost of the work, and assess any other fines due hereunder. Notwithstanding the first sentence of this paragraph, an owner may plant and maintain a lawn and may maintain any wild vegetation which exists or which pullulates in the easement area, provided that he adds no more than 10 centimetres (4 inches) of topsoil for this purpose, and provided that all such vegetation shall not be permitted to be any closer than 1 metre (3.28 feet) from the paved strata road surface.

(E) 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.

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

- (i) a reasonable number of fish or other small aquarium animals;
- (ii) up to 4 small caged mammals;
- (iii) dogs or cats, not to exceed a total of 2 per lot.

A dog owner must immediately clean up all dog feces from his strata lot and from the common property.

(G) On all strata lots except lots 25 to 37 inclusive, wheelbarrows, kayaks, all-terrain vehicles, lawn mowers and other such items of machinery and equipment must be stored such that they cannot be seen from the strata road or from neighbouring lots.

(H) On all strata lots except lots 25 to 37 inclusive, boats and recreational vehicles must be stored such that they cannot be seen from the strata road or from neighbouring lots, save only that up to one recreational vehicle and one boat shall be allowed to be stored in view prior to completion or occupancy of a residence on a strata lot.

4. Inform Strata Corporation

(A) Within 2 weeks of becoming an owner, an owner must inform the corporation of his or her name, strata lot number and contact information, including mailing address, phone number, fax number and email address, if any.

(B) Prior to occupancy of any strata lot or any portion of a strata lot by a tenant for a period of time in excess of 30 days, the owner of that strata lot must inform the corporation of the tenant's name and contact information, including mailing address, telephone number, fax number and email address, if any. In the case of tenancy of fewer than 30 days duration, the owner must inform the corporation of the identity of the agent managing the rented strata lot together with his or her contact information. The agent shall provide the name and the contact information of the tenant or tenants of that strata lot to the corporation forthwith upon the strata council's request for the same.

(C) Before an owner rents all or any part of a residential strata lot for a period of time in excess of 30 days, that owner must give the prospective tenant a copy of the current bylaws and rules, and a Notice of Tenant's Responsibilities in the form prescribed by the *Strata Property Regulation*. Within 2 weeks of renting all or any part of a residential strata lot, the owner must give the corporation a copy of the said notice signed by the tenant. At the request of the corporation, a tenant must inform the corporation of his or her name and contact information, including mailing address, phone number, fax number and email address, if any

5. Permit Entry to Strata Lot

(A) An owner, tenant or visitor occupying a strata lot must allow a person authorized by the corporation to enter the strata lot:

- (i) in an emergency, without notice, to ensure safety or prevent significant loss or damage, and
- (ii) at any time during construction of improvements to inspect to assure compliance with the provisions contained herein; and
- (iii) 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 which are the responsibility of the corporation to repair and to maintain under these bylaws or to insure under section 149 of the Act.

The notice referred to in clause (iii) must include the date and the approximate time that a person authorized by the corporation intends to enter, and the reason for such entry.

6. Construction on a Strata Lot

(A) Every owner shall indemnify and shall hold harmless the strata corporation from and against any and all costs or expenses (including legal fees, disbursements and the taxes exigible thereupon) incurred by the strata corporation or paid by it to any person in connection with any accident, injury (including death), loss, or damage sustained by the strata corporation or by any other person in connection with any site preparation, site servicing, construction or cleanup activity conducted on or adjacent to that owner's strata lot by that owner or by any contractor engaged by that owner or any agent of that owner.

(B) Every owner shall ensure that every contractor engaged by him or by any agent of his pays in a timely fashion all premiums exigible by the Workers Compensation Board of British Columbia in respect of any work being conducted upon that owner's strata lot.

(C) Prior to commencing or permitting the commencement of any site preparation for any construction upon any strata lot, the owner of that strata lot shall obtain a policy of general liability insurance which shall be in the joint names of the owner and the corporation with limits of not less than \$1,000,000 inclusive per occurrence for bodily injury, death and damage to property including loss of use thereof, with a property damage deductible of not less than \$2,500. The form of this insurance shall be such as is acceptable to the corporation, and shall be maintained continuously from commencement of the work until 12 months following the date of substantial completion of the building or buildings constructed upon the strata lot.

(D) Prior to commencing or permitting the commencement of any site preparation for any construction upon any strata lot, the owner of that strata lot shall deposit the sum of \$2,500 with the

corporation. At such time as the construction upon that strata lot is completed, the corporation shall refund the said sum to the owner if and only if there has been no damage to any road, sidewalk, boardwalk, easement area or service conduit or pipe caused by any site preparation, site servicing, construction or cleanup activity conducted on or adjacent to the said strata lot by the owner or by any contractor engaged by the owner or any agent of the owner, which damage has not been repaired at the time at which the owner applies for the said refund.

Article VIII — Marketing Activities by Owner Developer

1. Display Lot

- (A) An owner/developer who has an unsold strata lot may carry on sales functions that relate to the sale of that strata lot, including the posting of signs.
- (B) An owner/developer may use a strata lot that the owner/developer owns or rents as a display unit for the sale of other strata lots in the strata plan.
- (C) The developer may at any time construct buildings on the strata lots which it owns.

Article IX – Amending These Bylaws

(A) These bylaws may be amended by the passage of 2 resolutions at an annual or a special general meeting:

- (a) one passed by a $\frac{3}{4}$ vote of the residential strata lots; and
- (b) a second resolution passed by a $\frac{3}{4}$ vote of the nonresidential strata lots,

or by a resolution signed by all of the owners of all of the strata lots.

For the purposes of this paragraph, the non-residential strata lots are 25 to 37 inclusive and strata lots 51 to 56 inclusive.

***** End of Bylaws *****



**REGIONAL DISTRICT OF MOUNT WADDINGTON
TELEGRAPH COVE HOLDINGS LTD. LAND USE
BYLAW NO. 497, 1999**

CONSOLIDATED COPY FOR
CONVENIENCE ONLY
May 28, 2019

This copy of Bylaw No. 497 is consolidated for convenience only and includes the following amendments:

BYLAW NO.	AMENDMENT NO.	DATE ADOPTED	TEXT AND/OR MAP CHANGE
755	1	October 16, 2007	Text & Map
785	2	August 18, 2009	Map
828	3	January 17, 2012	Text



REGIONAL DISTRICT OF MOUNT WADDINGTON

BYLAW NO. 497

A bylaw to establish regulations and requirements respecting the use of buildings and structures and the use of subdivision and land.

The Regional District of Mount Waddington, being the Regional District having jurisdiction on and in respect of Telegraph Cove in the Province of British Columbia pursuant to the Municipal Act, Section 26, as amended, enacts as follows:

1. The Bylaw Schedule is attached to and forms an integral part of this bylaw.
2. This Bylaw applies to the entire area of land, including the surface of water, as shown on the Telegraph Cove Holdings Ltd. Zone Map attached to and forming an integral part of this bylaw.
3. The Regional District of Mount Waddington Interim Zoning Bylaw No. 21, 1972 as amended, is repealed for all lands and water legally described as:

Parcel Identifier: 009-867-112, District Lot 79, Rupert District except that part in Plan 49316 and VIP60383 and Parcel Identifier: 023-160-586, Lot 2, District Lot 79, Rupert District, Plan VIP61691.

4. This Bylaw may be cited as the "Telegraph Cove Holdings Ltd. Land Use Bylaw No. 497".

READ A FIRST TIME THIS 21 DAY OF APRIL, 1999
READ A SECOND TIME THIS 21 DAY OF APRIL, 1999
PUBLIC MEETING HELD THIS 19 DAY OF MAY, 1999
READ A THIRD TIME THIS 19 DAY OF MAY, 1999

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS THIS 03 DAY OF JULY, 1999
ADOPTED THIS 21 DAY OF JULY, 1999

Secretary

Chairman

I, hereby certify the foregoing to be a true and correct copy of Bylaw No. 497 as given final reconsideration and adoption 21 July, 1999.

SECRETARY

Statutory Approval

Under the provisions of section 913
of the MUNICIPAL ACT
I hereby approve Bylaw No. 497
of Regional District of Mount Waddington, a copy
of which is attached hereto.

Dated this July day
of 8th, 1999
Minister of Municipal Affairs

Minister of Municipal Affairs

TELEGRAPH COVE HOLDINGS LTD. LAND USE BYLAW

**REGIONAL DISTRICT OF MOUNT WADDINGTON
BYLAW NO. 497**

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BYLAW SCHEDULE

PART 1 – TITLE AND MEANINGS

S.1 TITLE

This bylaw may be cited as the **TELEGRAPH COVE HOLDINGS LTD. LAND USE BYLAW.**

S.2 MEANINGS

- (1) The Municipal Act RSBC, Chapter 290 as amended takes precedence in a case of dispute on the meaning of all words or clauses.
- (2) In this bylaw words have their dictionary meaning except that:

Accessory Building and Structure means a building or structure on the same site with, and which is subordinate or incidental to the principal use or building, and includes separate garages or carports.

Accessory Use means a building or land which is commonly associated with and secondary in purpose and scale to a principal use located on the same lot.

Administrative Officer means a person or persons appointed by the Regional Board to administer this bylaw.

Area Plan means a plan showing future land uses, locations, densities, roads, utilities, methods of resolving any difficulties on the land, and any other matters considered necessary by the Board of the Region to plan future subdivision or development and must be adopted by the Board to be considered an Area Plan.

Bed and Breakfast means a home business consisting of the renting of bedrooms with toilet and washing facilities, including bath or shower, in a dwelling unit to transient guests, and the provision of a breakfast meal to those guests.

Boat repairs and Storage means uses intended for servicing, repair or off-season storage in the Telegraph Cove area.

Building means any structure intended for the shelter or accommodation of people, or to shelter service or utility facilities, or for the storage of goods or chattels and includes manufactured homes, sheds, garages, fences, signs, and carports.

Business Services means a service use providing a business and includes such uses as a printing establishment, film processing, janitorial firms and computer or business equipment, repair or service.

Carport means a roofed structure used for storage or parking of not more than two private vehicles and which has not less than 40 of its total perimeter open and unobstructed.

Chattel means a moveable item of personal property.

Cliff means a land surface or face having an average slope of 50 degrees or more, measured from the horizontal plane and having a height exceeding 10m (33ft 10in.).

Coach means a motor vehicle for the scheduled transportation of passengers to and/ or from any activity within the Telegraph Cove Holdings Ltd. area.

Community Facility means a use or building the intent of which is to provide a non-profit public service to the Telegraph Cove Holdings Ltd. area.

Community Sewer and Water Facilities means a common sewer or system of sewerage or sewerage disposal, and a common system of water works which may be owned and/or operated and/or maintained by: a Strata Corporation, a private corporation, an improvement district, the Board of the Regional District of Mount Waddington, an agency of the provincial government or a legal corporate entity of one of the above as authorized under appropriate provincial or federal legislation.

Commerce means retail, wholesale or service business, development or use operated for profit, but does not include major storage, or the manufacture or any other production of items or commodities, or the breeding of animals as a business.

Derelict Vehicle means any motor vehicle that has not been licensed for more than twelve months or is incapable of being driven, except for any non-licensed off-road or construction vehicle currently being used or property stored for construction, maintenance or recreation on the site.

Development means and includes the following:

- (a) the carrying out of any construction, excavation or other operation, under the land, or on or over the land or water, or the change in use or intensity of use of any land, building or structure and includes the removal of topsoil and the demolition of buildings;
- (b) in a building or on a site used for dwelling purposes, any increase in the number of dwelling units on the site;
- (c) the placing of any waste material; refuse or chattel on any land or water;
- (d) the use of land for the storage and repair of motor vehicle or other machinery or equipment;
- (e) the use of land or the surface of water for the parking or mooring of any trailers, houses, portable dwellings, houseboats or any other type of removable buildings or structures whatsoever, whether or not the same has been placed or affixed in any way; and
- (f) Includes the erection of signs.

District means a zone in the Zone Regulations of the bylaw.

Dwelling means a building designed or used exclusively for living and may be comprised of one or more dwelling units, and shall have appropriate sewer and water facilities.

Dwelling unit means one or more rooms:

- (a) used or capable of being used for human habitation by one or more individuals living in common occupancy as a single domestic unit and sharing facilities contained in that unit;

- (b) contained in a single building, manufactured home or mobile home provided that portable structures are served with sewer and water, skirted, and properly attached to the lot;
- (c) containing only one kitchen; and at least one toilet;
- (d) Under one roof with any covered walkway, covered patio or hallway connecting portions being no longer than 4m (13 ft.).

Drive-in and Drive-Through Business means establishments which serve customers traveling in motor vehicles driven onto the site where a business is carried on, where normally the customer either remains in the vehicle for service, or parks his vehicle for a short period for the purpose of doing business at the premises, and includes service stations.

Duplex means a dwelling composed of two dwelling units.

Garage means an accessory building or part of the principal building, designed and used primarily for the storage of motor vehicles.

Grade level means the level adjacent to the walls of the building if the finished grade is level. If the natural ground is not level, the grade level shall be determined by averaging the elevation of the ground for each face of the building.

Gross Leasable Area means the total floor area of the building contained within the outside surface of the exterior walls at all levels, and includes all enclosed and heated areas, but excludes mechanical and utility rooms, public washrooms, stairwells and elevators.

Habitable Room means a room used for human occupancy, including but not limited to kitchens, bedrooms, living rooms, family rooms and dens. This does not include non-habitable rooms which include bathrooms, laundries, pantries, foyers, hallways, entryways, storage areas and rooms in basement or cellars used for recreational purposes, or any space in a dwelling not intended primarily for human occupancy.

Height means the vertical distance from the grade level to the highest point of a building or structure.

Home Occupation means a business carried on within a dwelling and which is not visible or noticeable in any manner from the outside of the dwelling. Such occupancy is secondary to the residential occupancy and does not change the character thereof.

Hostel means a facility where group accommodation is provided on a temporary basis and where food services may also be provided.

Kitchen means an area within a building used for preparing food, and may include food storage and serving, and dishwashing facilities.

Land includes land that is ordinarily covered by water.

Loading Space means an off-street space on the same lot or site as a building or group of buildings for the temporary parking of a commercial vehicle while commodities are being loaded or unloaded.

Lot or parcel means any area of land which is subdivided and registered in the Land Titles Office except that any parcel divided pursuant to the Condominium Act and amendments

thereto and not contained within a Bare Land Strata Plan, shall not be considered subdivided for the purpose of this bylaw.

Lot line means a legally defined line bounding any lot and;

- (a) *front lot line* means a lot line common to a lot and an abutting roadway; and where there is more than one such line, the shortest of them;
- (b) *side lot line* means any lot line that is not a front lot line, rear lot line or exterior side lot line; and
- (c) *rear lot line* means the lot line opposite the front lot line, and where the rear portion of the lot is bounded by intersecting lines, the point of such intersection farthest from the front lot line;
- (d) *flanking lot line* means that the lot line or lot lines not being the front, side or rear lot line but being common to a lot and abutting roadway.

Manufactured Home means a portable structure designed to be transported or trailed to its place of use, and to be used with a permanent foundation as a dwelling, and excludes recreational vehicles and travel trailers.

Mobile Home means a portable structure built on a chassis, designed to be transported or trailed to its place of use, and to be used with a permanent foundation as a dwelling, and excludes recreational vehicles and travel trailers.

Minor means, where used to refer to a use, a use which due to its nature or relatively small size will, in the opinion of the administrator, have a limited impact on surrounding uses.

"Multiple Unit" Dwelling means a dwelling of two or more dwelling units.

Natural Ground means the ground surface of land prior to any intentional disturbance, alteration, excavation or placement of fill.

Nursery means a facility where young trees and plants are raised for transplanting.

Off-Street means not within a public roadway.

Park means land designated as park on a subdivision plan filed in the Land Title Office, as designated in the Park Act or Park (Regional) Act, or as held under private ownership for limited use or as parkland for residents and users of the Telegraph Cove Holdings Ltd. area.

Parking Stall means one space set aside for the parking of one vehicle.

Permitted Use means the use of land, or a building or structure as provided for in the Zone Regulations of the Bylaw, and which conforms to this Bylaw.

Personal Service means the use of land for the provision of services directly to a consumer, including hair cutting shops, laundromats, massage therapists, medical health clinics and the incidental retail side of goods commonly associated with these uses, and does not include service stations.

Places of Worship means development owned or leased by a religious organization used for worship and related religious, philanthropic, or social activities including, classrooms, dormitories, and accessory buildings.

Present Natural Boundary means the visible highwater mark of the sea, or any watercourse where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark on the soil of the bed of the watercourse a character distinct from that of its banks, in respect of vegetation as well as in respect of the nature of the soil itself, and/ or such boundary as formally surveyed and filed as such in the Province.

Principal Use and Principle Building means a main permitted purpose for which land, buildings or structures listed in the zoning districts in this bylaw is used, and there shall be no more than one principal building on each lot unless specifically permitted elsewhere in this bylaw.

Pub means an establishment providing primarily for the serving of alcoholic beverages, including off-premises sales, and includes premises in which food is served in conjunction with the serving of alcoholic beverages.

Public Utilities means the provision of sewer, water, gas, electrical, telephone and television services by a government body or agency or by a company regulated by the Utilities Commission Act or by the Radio Communication Act of Canada, serving the Telegraph Cove Holdings Ltd. area.

Recreation means any public or private land or structure, the use or intended use of which is for either active or passive recreation.

Residence means a use of land providing for the home life of a person or persons in common occupancy.

Road and Roadway mean a highway, street, walkway or lane, and any other way open to public use, or within a bare land strata plan, but does not include a private right-of-way on a private lot.

Retail Store means an establishment providing for the sale, rental or repair of commodities or goods to the ultimate consumer or user, and specifically excludes laundromats and service stations.

School means a public or private education facility not including overnight or dormitory accommodation.

Secondary Suite means a separate dwelling either connected to or detached from a primary residential unit. Secondary suites will have a maximum total floor space of 743 sq. ft. (80 square m) (this does not include the areas used for common storage, common laundry facilities or common areas used for ingress or egress). No more than one secondary suite shall be allowed on any single family lot.

Secondary Use means a use which is not Principal Use.

Separation Space means the horizontal open space provided around a dwelling to ensure no conflict of visibility from dwellings, and adequate light, air, and privacy for activity undertaken within a dwelling, and may be partially or entirely outside the lot boundaries of a dwelling unit.

Service Station means a use of land providing for the retail sale of motor fuels and lubricating oils and which may include the servicing or repair of motor vehicles, the sale of motor vehicle accessories, and the rental of trailers, motor vehicles, and tool and equipment for automobile or household use, and which may be a towing service dispatch point.

Setback means the minimum horizontal distance between the site boundary or lot line and the nearest point on the exterior wall or chimney of the building.

Site means one or more lots upon which a permit or development takes place.

Site Coverage or Lot Coverage means the combined area of all buildings on the site or lot measured at the level of the lowest story above grade, and includes all porches and verandahs, open or covered, but excludes open terraces at grade, and steps, cornices, eaves, and similar projections.

Site Permit means a permit granted to an applicant to build on a lot, or lots, upon the application being received in a complete form, as required under Section 3 of this bylaw, and provided that the application conforms in all respects to this bylaw.

Storey means the habitable space between the upper face of one floor and the next above it. The upper limit of the top storey shall be the ceiling above the top most floor. A basement or cellar shall be considered a storey in calculating the height of a building if the upper face of the floor above it is more than 1.8m (6 ft.) above grade.

Structure means anything constructed or erected in a fixed location on the ground, or which is attached to something having a fixed location on the ground. Among other things, structure includes buildings, walls, fences, stairs, signs, billboards, water and sewer storage and pumping facilities.

Telegraph Cove Holdings Ltd. Lands means those lands shown on the Telegraph Cove Holdings Ltd. Zone Map, Legally described as:

Parcel Identifier: 009-867-112 District Lot 79, Rupert District Except That Part in Plan 49316 and V1P60383 AND Parcel identifier: 023-160-586 Lot 2, District Lot 79, Rupert District, Plan VIP61691

Trade, Convention and Conference Facilities means a facility for mass display of equipment, merchandise and services, and assembly of audiences for the purpose of meetings, performing arts or conventions and which may include related offices, food service and licensed premises,

Use means a use of land or a building or structure, the type of which shall be determined by the administrator when not clear in the 8.2, or as normally defined in the dictionary.

Utility means sewer, water, gas, electrical, telephone or television.

Utility Lot means a lot used or intended to be used solely for the purpose of accommodating equipment necessary for the operation of a community sewage, water, solid waste system, or for a television, electrical, gas, oil, or similar public utility. The utility lot can exist in any zone designation. No minimum size is established and no minimum setback is required

Watercourse means any natural depression with a bed 0.6 (2ft) or more below the average elevation of the surrounding land and which contains flowing water for at least six months of the year.

PART 2 – ADMINISTRATION

S.3 ADMINISTRATION

- (1) The Administrative Officer or such other person appointed by the Board of the Regional District of Mount Waddington shall administer this bylaw and shall:
 - (a) Make available for inspection during regular working hours
 - (i) a copy of this bylaw as amended, and
 - (ii) a register of all applications including the decisions rendered on them and the reasons for them.
 - (b) Perform such duties as established to enforce this bylaw in conformance to the Municipal Act.
- (2) Any person appointed under (1) may enter at all reasonable times upon any property that is subject to the regulations under this bylaw to ascertain whether the requirements of this bylaw are being observed, provided that the occupier has been notified.

S.4 PENALTY

Every person who commits an offence under this bylaw is liable on summary conviction to a fine not exceeding \$5,000 and the costs of prosecution. Each day's continuance of an offence constitutes a new and distinct offence.

S.5 BOARD OF VARIANCE

A Board of Variance exists in accordance with the provisions of the Municipal Act under the Regional District of Mount Waddington.

The Board of Variance, when considering an appeal on a development proposed on a lot which existed at the time of the coming into force of this bylaw, and which is smaller than the minimum size permitted in this bylaw, shall consider the relaxation of minimum setbacks where good reason is shown.

S.6 BYLAW AMENDMENT

- (1) The Board of the Regional District of Mount Waddington may, by law, amend or repeal this bylaw in accordance with the provisions of the Municipal Act.
- (2) An application to apply a zone or change a zone as shown on the Telegraph Cove Holdings Ltd. Zone Map shall be treated as an application to amend this bylaw.
- (3) An application shall be accompanied by the appropriate fee and supporting documents.

S.7 METRIC EQUIVALENTS

At any place in this bylaw where a discrepancy occurs between the metric and imperial equivalents shown, the metric shall take precedence.

S.8 SEVERABILITY

If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, it shall be severed from this Bylaw without affecting the validity of the remaining portions of this Bylaw

PART 3 – SPECIAL REGULATIONS

S.9 PARKING

- (1) The minimum number of off-street automobile parking stalls required for each use of building or development shall be as follows:

USE	NUMBER OF STALLS
(a) One and two residential units	2 per dwelling unit
(b) Multiple family residential	1.5 per dwelling unit
(c) Multiple (seniors housing) Self contained	0.6 per dwelling unit
(d) Bed and Breakfast / boarding	1 per guest bedroom
(e) Home Business	1 per 2 employees plus no. required for business
(f) Hotels, Motels and Inns	1 per guest unit
(g) Restaurants, Pubs, Cafes	1 per 4 seats + 1 per employee
(h) Retail and Personal Service Shops (including strip Malls)	1 per 17 sq. m (183 sq. ft.) Gross Leasable Area
(i) Museums, Government and Other offices, Medical & Dental	1 per 30 sq. m (377 sq. ft.) Gross Leasable Area
(j) Theaters, churches, tours and Other places or means of public assembly	1 per 4 seating spaces or persons assembled at peak times, except as under (6) of this Section
(k) Schools	1 per employee plus 10 for visitors
(l) Service Stations	4 plus 2 per service bay
(m) Marinas and Wharfage (transient accommodation)	1 per 2.5 berths, and non for owner-occupied berth
(n) Drive-In Business	8 except where more required according to minimum area requirements of this section
(o) Industries except (p) below	1 per 3 employees
(p) Equipment storage, warehouses	1 per 80 sq. m (861 sq. ft.)

- (2) In case of a use not specified in (1), the number of stalls provided shall be the same as for the most similar use prescribed in (1).
- (3) Where there is more than one use of a building or development, the required number of stalls shall be the sum of the requirements for each of the uses prescribed in (1), calculated separately.
- (4) Where there is a fractional number of parking spaces required by this bylaw, the next highest number of stalls shall be provided.
- (5) Where coaches are scheduled to serve tours or public assembly places, adequate off-street passenger drop-off for coaches shall be provided, and signed as such, within 150m (429 ft.) of the assembly place, and parking areas for coaches awaiting passengers shall be provided in the vicinity.

- (6) Where public and private transportation (coaches, airplanes, cruise ships, etc.) are the means for pedestrian arrival and departure, the minimum number of parking stalls required may be reduced accordingly.
- (7) There shall be no parking of automobiles, trailers, trucks, buses, motor homes, or any other vehicles on public property, including public roads and road rights-of-way, except where parking has been clearly designated and signed as permissible in a particular area. Violations are subject to tow away and fines.

S.10 LOCATION OF PARKING SPACES REQUIRED

- (1) Except for (2) and (3) below, and where parking has been provided as a public or commercially operated parking facility, all required automobile parking stalls shall be located on the lot or site containing the use for which they are provided.
- (2) Notwithstanding (1), on other than residential property an owner of (and or a group of such owners may pool his or their required off-street parking stalls within one or more parking facilities and may thereby fulfill the requirements of S.9 provided that the facility is within 500m (1635 ft.) of the use or uses they serve.
- (3) Where an off-site provision of parking has been made under (2), a restrictive covenant in favour of the Regional District of Mount Waddington must be registered against the lot with the parking restricting the use of the lot, or a portion of it to a parking use to the extent required by this bylaw with respect to the lot or lots on which the use or uses are located. The owners of the lots involved shall also execute and register in the Land Titles Office an easement satisfactory to the Regional District of Mount Waddington securing the use of the parking spaces for the owner or owners of the lot or lots on which the use or uses are located.
- (4) Clause (3) does not apply where the off-site provision of parking made under Clause (2) has been satisfied under the provisions or bylaws of a Condominium, Strata or Bare Land Strata Development
- (5) In residential zones, parking stalls shall not cover more than 40% of any setback areas required in Part 5, ZONE REGULATIONS of this bylaw.

S.11 MINIMUM PARKING FACILITY DIMENSIONS

- (1) The dimensions of manoeuvring aisles and parking stalls shall be in accordance with the following minimum requirements:

Parking Angle	Stall Width	Stall Depth	Aisle Width	
			One Way	Two Way
Parallel	2.6m (8'6")	6.7m (21')	3.4m (11'2")	4.4m (15'2")
45 degrees	2.8m (9'3")	5.8m (19')	3.6m (11'10")	-----
60 degrees	2.8m (9'3")	6.1m (20')	5.6m (18'4")	-----
90 degrees	2.8m (9'3")	5.5m (18')	7.0m (23'0")	7m (23'0")

- (2) Where the width of a parking stall abuts any permanent structure higher than 0.2m (8") in height, at any point in the front 3.6m (12ft) of the stall (measured along that side of the stall) the minimum width of the stall shall be 0.3m (1ft) wider than the normal required width.

S.12 OFF-STREET LOADING

- (1) Off-street parking spaces shall not be considered for off-street loading nor shall off-street loading spaces be considered for off-street parking.
- (2) Where a proposed development will, from time to time, require pick-up or delivery of commodities, adequate space for the loading and unloading of same shall be provided and maintained on the site.

S.13 SURFACING OF PARKING AND LOADING AREAS

All parking and traveling areas must be of hard durable surface such as asphalt or well-packed gravel that does not produce mud or dust.

S.14 GRADIENT OF PARKING AND LOADING AREAS

No parking or loading area shall have a gradient in any direction of greater than 10%.

S.15 DRAINAGE

- (1) All parking and loading area sites in the proximity of buildings and structures in residential, commercial and industrial areas, and where there is a frequent passage of people, shall be so graded and drained as to dispose of all surface water.
- (2) In all cases, site grades shall be established to conduct surface and storm water runoff to a cistern, ditch or drain in such a way as to prevent flow from one site to the next, except where drainage conforms to local or subdivision drainage plan approved by the Region.
- (3) On properties containing a cliff, all surface drainage and sewage disposal systems shall be directed away from the cliff edge, except where communal drainage systems have been formally designed and accepted as a part of development.

S.16 SIGNS

- (1) No private sign shall overhang or be placed on public property, nor shall it be of such size or design as to obstruct the vision of persons using roads in the proximity of the parcel.
- (2) No flashing, animated or interiorly illuminated sign shall be placed in a development where it would affect residents in adjacent housing or residential districts.
- (3) Major signs advertising a business or commodity shall be limited to one per site.

S.17 FENCING

- (1) All structures, buildings, or uses under construction or otherwise, which would be dangerous and easily accessible, shall be adequately fenced or otherwise barriered from public access, and no electrification offences will be permitted on any site.
- (2) Except to ensure an adequate barrier for the purpose of Clause (1), in any district, a person shall not construct a fence or wall of higher than 2m (6'6") nor shall use barbed wire below the height of 2m (6'6").

S.18 GENERAL REQUIREMENTS FOR ELEVATIONS AND SETBACKS

General requirements for elevations and setbacks apply to the following lands legally described as:

Parcel Identifier: 009-867-112 District Lot 79, Rupert District Except That Part in Plan 49316 and VIP60383 **AND** Parcel Identifier: 023-160-586 Lot 2, District Lot 79, Rupert District, Plan VIP61691

- (1) Floating structures or buildings are permitted within the protected waters of Telegraph Cove and the adjacent lagoon in accordance with the permitted uses defined in C1 - Commercial and CT - Commercial of Bylaw 497. See attached area Schedule A. The level of any habitable floor or surface intended for walking, and built above the level of the water in Telegraph Cove and the adjacent lagoon, shall be no less than .5m (1.63 ft.) above the tide for floating structures or buildings and .5m (1.63 ft.) above the highest tide for other structures or buildings. Highest tide is determined as 17.5 feet above zero tide.
- (2) Notwithstanding Clause (1), the level of any habitable floor in areas outside Telegraph Cove and the adjacent lagoon shall be no less than 1.5m (5.0ft) above the highest tide or flood level.
- (3) Except for adjacent lands within 75 m (250 feet) of the protected waters of Telegraph Cove and adjacent lagoon in which case no setback is required, the minimum setback for buildings and structures shall be 7.5m (24.6ft) from the present natural boundary of any waterbody, watercourse or the sea provided also that the elevations required in Clause (1) and Clause (2) also apply.
- (4) Notwithstanding Clause (3) where fill is required to achieve the elevations required in Clause (1) or Clause (2) the fill must be adequately protected against erosion by flood waters, or other waters.
- (5) Temporary buildings and structures such as boardwalks, marinas or breakwaters on private lands or on, or adjacent to water surface areas leased for wharfs, piers, fuel sales or other moorage facilities, are not subject to approval by the Regional District of Mount Waddington when other government agency approval is required.
- (6) The minimum setback for sewage disposal fields from the natural boundary of any lot lines, lake, watercourse or the sea, shall be as required by the Regional District of Mount Waddington and other government agencies.
- (7) Areas of land that may become subject to flooding, erosion or landslip may be designated as "tree cutting permit areas" in conformance with 8.970 of the Municipal Act.
- (8) Where areas are designated as "tree cutting permit areas" no cutting of trees shall be permitted except where a permit has been obtained and where it has been determined that flooding, erosion or landslip will not occur as a result of the cutting of trees.
- (9) Notwithstanding other requirements of this bylaw, no building or object of more than 1m (3.3 ft.) in height shall exist within the triangular area formed by intersecting road rights-of-way and a straight line joining the points on a line 9m (29.5 ft.) from the intersection of the rights-of-way.

PART 4 – GENERAL ZONE REGULATIONS

S.19 USES PERMITTED IN ALL ZONES

The following uses are permitted in all zones in addition to the uses permitted under (2) of each zone in Part 5 of this bylaw:

- (a) Public and Private Utilities: Water; Storm Sewer and Sewer facilities; Landfill Sites and Excavation Areas as shown on an Area Plan or on servicing plans undertaken in the development of the Telegraph Cove Holdings Ltd. Lands or adjacent zoned waters.
- (b) Parks and Recreation facilities.
- (c) "Tree Cutting Permit Areas" or other reserves required by the Regional District of Mount Waddington, or under the terms of a contract or the bylaws of a strata corporation.
- (d) General development works of the site.

S.20 USES PROHIBITED IN ALL ZONES

(1) The following uses are prohibited in all zones:

- (a) Fish farms
- (b) Fish processing plants
- (c) Disposal of effluent from the pumping out of sewage facilities onto land (except Lot or by marine outfall, except for disposal facilities operated by a government body agency or private utility
- (d) Disposal of toxic waste in marine areas and on land;
- (e) Storage of waste and salvage material, except where required on a designated construction related site, or as permitted and approved as a Regional, Community or private utility operated facility.
- (f) Storage or activity which constitutes a danger, or which constitutes an annoyance due to their being uncharacteristic of the area, to persons on the site, on public property, or on any other site by reason of the generation of:
 - i. noise or vibration
 - ii. dust or other particulate matter
 - iii. smoke or odors
 - iv. toxic or noxious matter
 - v. radiation hazards
 - vi. fire or explosive hazards
 - vii. humidity heat or glare
 - viii. waterborne or airborne waste
 - ix. water or steam
 - x. electrical interference
- (g) Any building, structure, use or development which would contravene S.18 of this Bylaw.

- (2) Except as an approved Community or Government Facility or as a permitted or accessory use, (except as required by Telegraph Cove Holdings in the initial development of the property) no parcel shall be used principally for the wrecking or storage of derelict vehicles or equipment or as a junkyard, and no owner or tenant shall permit such vehicles, equipment or junk to remain on a parcel.
- (3) No person shall use or permit to be used an accessory building as a residence except as specifically permitted in this bylaw.

S.21 HEIGHT REGULATIONS

- (1) Except for buildings or structures otherwise regulated in this S.21, the maximum height above the grade level of any single family residence, excluding devices not structurally essential to the building, shall be 9m (29 ft. 6 in).
- (2) The maximum height of accessory buildings and structures shall be 6m (19ft 8in), excluding secondary suites and garages.
- (3) The height limits set out in this S.21 do not apply to any multi-family commercial or institutional buildings or to any radio or television antenna or tower, flagpole, lightning pole, utility pole or water storage tank.

S.22 LOT SIZE EXCEPTIONS

- (1) The minimum lot sizes in any zone are as regulated in that zone.
- (2) Notwithstanding minimum lot size requirements of PART 5 - ZONE REGULATIONS of this bylaw, to facilitate the planning, subdivision and development of those lands proposed to be served by Community Sewer and Water Facilities, those lands may be subdivided to the minimum size permitted for serviced lots, provided that a covenant be registered against the title of each lot created to prevent the construction of any habitable buildings on that lot until the Ministry of Health or the Ministry of Environment have approved appropriate sewage disposal facilities for the lot.
- (3) The minimum lot sizes specified in this bylaw do not apply where:
 - (a) The lot is to be used as a 'Utility Lot' or is shown as a 'Park' on the subdivision plan; or
 - (b) The purpose of the subdivision is to consolidate two or more lots; or
 - (c) The subdivision would adjust the boundary between two or more lots, where no additional lots are created and where no lot is increased in area to the extent that it could be subdivided further.

S.23 HOME OCCUPATIONS

- (1) Where Home Occupations are permitted in a residential zone, the owner or operator of the business must:
 - (a) Not employ more than two persons in the business who are not residents of the dwelling unit in which the business is operated, nor employ more than five persons in total including the owner or resident of the dwelling unit;
 - (b) Not use or store flammable or explosive materials or products in the business;
 - (c) Not use any equipment or process in the business that would constitute a danger or annoyance in contravention to S.20 (1) (e) of this bylaw;

- (d) Provide parking and loading in accordance with Part 3 of this bylaw.
- (2) No Home Occupation shall be a salvage or junk business or any use prohibited by S. 18 of this bylaw.
- (3) No Home Occupation shall generate pedestrian or vehicular traffic or parking in excess of that which is characteristic of other uses in the zone in which it is located.

S.24 BED AND BREAKFASTS

- (1) Bed and Breakfasts must:
 - (a) Comply with the requirements of S.23;
 - (b) Provide only temporary accommodation for the traveling public;
 - (c) Not provide kitchen or toilet facilities to be used for guests outside the principal dwelling on the lot; and
 - (d) Serve no more than two meals and one bagged lunch per day to each guest accommodated overnight.
- (2) There shall be no more than four bedrooms to accommodate the traveling public in Bed and Breakfasts and there shall be no more than two beds per bedroom except for a cot for a child under the age of five.
- (3) Appropriate washroom and toilet facilities shall be provided to the extent of at least one washbasin and one toilet for each two guests (and one child under the age of five years) for which the Bed and Breakfast is developed to accommodate.

S.25 SITE STANDARDS

- (1) Where residential developments are proposed as comprehensive projects or strata developments, architectural controls establishing site standards and separation spaces for exterior walls, doors and windows shall be undertaken before the development.
- (2) Architectural controls established for a site shall be registered as a covenant against each of the titles to which it applies.

PART 5 – ZONE REGULATIONS

S.26 ZONES

The Telegraph Cove Holdings Ltd. land is hereby divided into the following zones:

SHORT FORM		DISTRICT DESCRIPTION
RS	RESIDENTIAL	Single Unit / Low Density
RH	RESIDENTIAL	Multiple Unit / Higher Density
RM	RESIDENTIAL	Mobile / Modular Homes
RV	TOURIST	Recreation Vehicles
C1	COMMERCIAL	Class One / Retail and Service
CT	COMMERCIAL	Tourist / Retail, Service & Education
M1	MARINE	Limited Access
M2	MARINE	Permitted Access
P1	PARK	Conservation / Private Use
P2	PARK	Golf Course
P3	PARK	Recreation / Private Use
P4	PARK	Recreation / Non-Profit

S.27 TELEGRAPH COVE HOLDINGS LTD. ZONE MAP

- (1) The location and extent of the zones described in S.26 are shown on the TELEGRAPH COVE HOLDINGS LTD. ZONE MAP which is an integral part of this bylaw.
- (2) The location of the boundary of any zone is deemed to be the surveyed lot boundary or the centerline of a road, creek or stream where there is a surveyed plan or legal description.
- (3) Where there is no survey plan or legal description, the boundary of a zone is deemed to be the natural boundary.
- (4) Unless otherwise indicated in this bylaw. Marine zone boundaries extend from the natural boundary of the sea 50m (164 ft.) seaward.
- (5) Where a lot is designated as having more than one zone or the location of any zone boundary cannot be clearly located according to Clauses (2), (3) or (4) above, then it shall be determined by the scale of the map.
- (6) Where subdivision, lease or government 'license of occupation' occurs on the basis of an approximate zone boundary, then the zone boundary shall be the new legal boundary of the plan or legal description.
- (7) The ZONE REGULATIONS of this bylaw do not apply to roads, lanes or other public thoroughfares.

S.28 RS - RESIDENTIAL - Single Unit / Low Density

- (1) General Purposes

This zone is generally intended to provide for residential lots of 800 sq. m (.2 acres) or more in size, principally for one residence or duplex per lot. Lots may be created as bare land strata titles under the Condominium Act, or as normal subdivided lots as registered in the Land Titles Office.

- (2) Permitted Uses

The following uses only are permitted in this zone:

- (a) Residence including manufactured homes, but not mobile homes
- (b) Secondary Suites
- (c) Home Occupations
- (d) Bed and Breakfasts
- (e) Accessory uses
- (f) Recreation

- (3) Development Regulations and Density for Permitted Uses

- (a) One residential dwelling unit or duplex building is permitted on each lot. Recreation Vehicles may be sited on lots as residences only during the normal construction period of building or placing dwellings on parcels.
- (b) Coverage by all buildings shall not exceed 30% of any lot.
- (c) Accessory buildings shall have a total floor area of no more than 70 sq. m (750 sq. ft.).
- (d) The raising of farm animals and poultry is not permitted. Nor is the raising of any animal for commercial purposes.
- (e) Bed and Breakfasts are subject to S.24 of this bylaw.
- (f) Commercial and Tourist Commercial uses will be permitted as principal uses on lots

subject to the regulations of this bylaw.

(4) Minimum Setbacks

(a) The minimum setbacks for buildings and accessory structures in normal subdivisions shall be:

- i. 8m (26.2 ft.) from all front lot lines,
- ii. 4m (13 ft.) from all rear lot lines,
- iii. 1.8m (5.9 ft.) from all side lot lines, and
- iv. such other distances as required under S.20 of this bylaw

(b) The minimum setbacks for all buildings and accessory structures in bare land strata subdivisions shall be:

- i. 8m (26.2 ft.) from all front lot lines or, if it is less, 9m (29.5 ft.) from the edge of the traveled portion of the road, and at least 1m (3.3ft) from the front lot line.
- ii. 4m (13 ft.) from all rear lot lines.
- iii. 1.8 (5.9 ft.) from all side lot lines or if it is less, 9m (29.5 ft.) from the edge of the traveled portion of the road, and at least 1m (3.3 ft.) from the side lot line.
- iv. such other distance as required under S.18 of this bylaw.

(c) A lesser minimum setback will be considered where extreme grades or topographic conditions prevail.

(5) Minimum Lot Size

The minimum area of any lot being created by subdivision shall be:

- (a) 670 sq. m (7,212 sq. ft.) for lots served with Community Sewer and Water Facilities.
- (b) No minimum size is required for a parking lot or other lots having no habitable building.
- (c) No habitable building shall be permitted on the lot unless, or until, the lot is served with community sewer and water facilities and meets the minimum lot size of clause (a) above. S22 (2) also applies.

S.29 RH - RESIDENTIAL - Multiple Unit / Higher Density

(1) General Purposes

This zone is generally intended to provide for low to medium density housing, principally for dwellings of one, two or more than two dwelling units. Lots may be created as bare land strata titles under the Condominium Act, or as normal subdivided lots as registered in the Land Titles Office.

(2) Permitted Uses

The following uses only are permitted in this zone:

- (a) Residential including Manufactured Homes, but not Mobile Homes
- (b) Secondary Suites
- (c) Commerce as secondary uses only
- (d) Bed and Breakfast
- (e) Accessory Uses
- (f) Recreation

(3) Development Regulations and Density for Permitted Uses

- (a) One or more residential dwelling units are permitted on each lot.
- (b) Coverage by all buildings shall not exceed 40% of any lot.
- (c) Except for Community Buildings serving projects, accessory buildings shall have a total floor area of no more than 70 sq. m (750 sq. ft.).
- (d) Bed and Breakfasts are subject to S.24 of this bylaw.
- (e) Innovative designs incorporating docking facilities, boardwalks, and floating buildings abutting, or included as part of a housing project, will be considered on their merits with respect to construction and design.

(4) Minimum Setbacks

- (a) The minimum setbacks for buildings and structures shall be:
 - i. 7.5m (24.6 ft.) from all front lot lines or roadways,
 - ii. 6m (19.7 ft.) from all rear lot lines,
 - iii. 3m, or one-half the height of the building whichever is the greater, to a maximum of 4.5m (14.8 ft.) from all side lot lines.
 - iv. such greater distance as may be required under S.18 and S.25 of this bylaw and the fire and building codes.
- (b) Except as may be a part of a principal building, satellite dishes, antennas and parabolic reflectors shall be set back at least 8m (26.2 ft.) from all lot lines.
- (c) Notwithstanding clause (a), innovative designs incorporating docking facilities, boardwalks and floating buildings abutting, or included as part of a housing project, will be considered on their merits with respect to setbacks permitted.

(5) Minimum Lot Size

- ~~(a) The minimum area of any lot created by subdivision shall be 334 sq. m (3,600 sq. ft.) and all Lots, except lots used exclusively for parking, shall be served with Community Sewer and Water Facilities.~~
- (a) *There shall be a lot area of at least 670 sq. m. (7,212 sq. ft.) and all lots, except lots used exclusively for parking, shall be served with Community Sewer and Water Facilities. (Per Bylaw No. 755, 2007)*
- (b) No minimum size is required for a parking lot or other lots having no habitable building.
- (c) No habitable building shall be permitted on the lot unless, or until, the lot is served with community sewer and water facilities and meets the minimum lot size of clause (a) above. S22 (2) also applies.

(6) Dwelling Unit Density

There shall be a lot area of at least 334 sq. m (3,600 sq. ft.) for each dwelling unit developed on a site.

(7) Landscaping and Private Areas

- (a) The minimum landscaped area shall be 35% of the site.
- (b) A private outdoor area of at least 18.6 sq. m (200 sq. ft.) shall be provided for each dwelling unit developed
- (c) The regulations of clauses (a) and (b) above do not apply to lots upon which the

principal use is parking.

(8) Parking

Parking shall be provided in accordance with Part 3 of the bylaw.

S.30 RM - RESIDENTIAL - Mobile / Modular Homes

(1) General Purpose

This zone is generally intended to provide for residential lots of 470 sq. m (5050 sq. ft.) or more in size, principally for one standard, modular or mobile home residence per lot. Lots may be created as bare land strata titles under the Condominium Act, or as normal subdivided lots as registered in the Land Titles Office.

(2) Permitted Uses

The following uses only are permitted in this zone:

(a) Residences

~~(b) Commerce~~

~~(c) Accessory uses~~

~~(d) Recreation~~

(b) Accessory uses that are clearly incidental to a residence (Per Bylaw No. 828, 2012)

(3) Development Regulations and Density for Permitted Uses

(a) One residential building is permitted on each lot. Recreational Vehicles may be sited on lots as residences only during the normal period of building or placing dwellings on parcels.

(b) Coverage by all buildings shall not exceed 30% of any lot.

(c) Accessory buildings shall have a total floor area of no more than 67 sq. m (720 sq. ft.) and shall not be more than one storey or 4m (13 ft.) in height.

(4) Minimum Setbacks

(a) The minimum setbacks for buildings and structures shall be:

i. 6m (19.7 ft.) from all front lot lines, and where a building flanks on a roadway.

ii. 3m (9.8 ft.) from all side lot lines for principal buildings

iii. 4m (13 ft.) from all rear lot lines for principal buildings.

iv. 1m (3.3 ft.) from all rear and side lot lines for accessory buildings.

(5) Minimum Lot Size and Servicing

(a) The minimum area of lots shall be 470 sq. m (5,059 sq. ft.).

(b) No minimum size is required for a parking lot or other lots having no habitable building.

(c) No habitable building shall be permitted on the lot unless or until, the lot is serviced with community sewer and water facilities and meets the minimum lot size of clause (a) above. S22 (2) also applies.

(6) Parking

Parking shall be provided in accordance with Part 3 of this bylaw.

S-31 RV - TOURIST - Recreation Vehicles**(1) General Purpose**

This zone is generally intended to provide for lots upon which Recreation Vehicles are temporarily parked. Lots created as an R.V. Park need not be serviced with sewer and water provided that a common water supply and sewage dumping station is provided.

Lots created as Bare Land Strata titles under the Condominium Act, or as normal subdivided lots registered in the Land Titles Office, shall be serviced by community sewer and water facilities.

(2) Permitted Uses

The following uses only are permitted in this zone:

- (a) Recreation Vehicles and Boat Trailers; Mobile Homes
- (b) Accessory uses including local commerce
- (c) Common area facilities: such as washrooms, laundry and resident manager accommodation
- (d) Recreation

(3) Development Regulations and Density for Permitted Uses

- (a) Except where a service, commercial or recreation building has been provided to serve a project, one Recreation Vehicle, Boat Trailer and accessory building is permitted on each lot or assigned area.
- (b) The floor area of accessory buildings on any lot or assigned area shall not exceed 14 sq. m (150 sq. ft.) and shall not be more than one storey or 2.8 m (9 ft.) in height.

(4) Minimum Setbacks

The minimum setback for all structures and buildings shall be no less than 1 m (3.3 ft.) from all lot lines.

(5) Minimum Lot Size

- (a) The minimum area of lots or sites assigned for the parking of recreation vehicles shall be 140 sq. m (1500 sq. ft.).
- (b) No minimum size is required for a parking lot or other lots having no habitable building.
- (c) No habitable building shall be permitted on the lot unless, or until, the lot is served with community sewer and water facilities and meets the minimum lot size of clause (a) above. S22 (2) also applies.

(6) Parking

Parking shall be provided in accordance with Part 3 of this bylaw.

S.32 C1 - COMMERCIAL - Class One / Retail and Service**(1) General Purpose**

This zone is generally intended to provide sites for retail and service outlets (including marine and associated businesses) which offer a variety of goods and services that are not provided for in other zones. These lots are located primarily in areas that are readily accessible to permanent and seasonal residents. Lots may be created as Bare Land Strata Titles under the Condominium Act, or as normal subdivided lots as registered in the Land Titles Office.

(2) Permitted Uses

The following uses are permitted only where they have been approved for lease or development by Crown agencies when such approval is required:

- (a) Retail stores
 - (b) Personal and Business Services including mini-storage facilities
 - (c) Offices and Government Buildings and Institutional uses
 - (d) Indoor and Outdoor Eating Establishments and Pubs
 - (e) Drive-In and Drive-Through Businesses including car washes and boat washes
 - (f) Theaters and Indoor Entertainment Establishments
 - (g) Bakeries
 - (h) Schools, Clubs, Lodges and Places of Worship
 - (i) Motels, Hotels, Inns, Hostels and Condominiums
 - (j) Recreation
 - (k) Boat Repairs and Storage
 - (l) Parking as a principle use
 - (m) Helipad
 - (n) Accessory Buildings and Parking facilities including associated residence
 - (o) Trade, Conference and Convention facilities
 - (p) Recreational Vehicle parks and campgrounds
- (3) Development and Setback Regulations for Permitted Uses
- (a) The maximum site coverage by all buildings shall be 75% and there shall be:
 - i. an adequate provision for loading and garbage facilities
 - ii. setbacks as required by S.18, and the fire and building codes for access, and with regard to existing adjacent developments, and
 - iii. minimum setbacks for all buildings of 8m (26.2 ft.) from the front lot lines except for gas pumps and canopies, propane or fuel tanks, and accessory buildings of 14 sq. m (150 sq. ft.), or less,
 - iv. no setback is required from the rear and side lot lines.
- (4) Minimum Lot Size
- (a) The minimum area of any lot created by subdivision is 670 sq. m (7,200 sq.). Lots shall be not less than 18m (59 ft.) on a single fronting line and shall be served by Community Sewer and Water Facilities.
 - (b) No minimum size is required for a parking lot or other lots having no habitable building.
 - (c) No habitable building shall be permitted on the lot unless, or until, the lot is served with community sewer and water facilities and meets the minimum lot size of clause (a) above. S22 (2) also applies.
 - (d) Clause (a) above does not apply to Strata Titles created under the Condominium Act for the purpose of creating mini-storage units or Recreation Vehicle spaces for ownership or rental.

(5) Parking and Access

Parking shall be in accordance with Part 3 of this bylaw, and adequate unrestricted access shall be provided as required in 3 (a) (2) of this section.

S.33 CT – COMMERCIAL - Tourist / Retail, Service and Education

(1) General Purpose

This zone is generally intended to provide sites for tourist oriented and educational developments of local, regional or wider significance, and for uses accessory to the main developments. Lots may be created as Bare Land Strata Titles under the Condominium Act, or as normal subdivided lots as registered in the Land Titles Office.

(2) Permitted Uses

The following uses only are permitted in this zone:

- (a) Those uses permitted in the C1 zone
- (b) Marinas, Commercial Resorts and Tour Facilities
- (c) Science, Cultural, and Education Centers and Offices
- (d) Arts and Crafts and Personal Services
- (e) Residential where considered an accessory use

(3) Development and Setback Regulations

- (a) The maximum site coverage by all buildings shall be 100%.
- (b) There shall be and adequate provision for loading and garbage facilities.
- (c) All lots in this zone shall be served by Community Sewer and Water Facilities.
- (d) Clause (c) does not apply to Parking Lots or other uses having no habitable buildings, or to Strata Titles created under the Condominium Act for the purpose of creating marinas boat slips or mini-storage units for ownership or rental.

(4) Minimum Lot Size

- (a) The minimum area of any lot created by subdivision is 670 sq. m (7,200 sq. ft.). Lots shall be not less than 18 m (59 ft.) on a single fronting lot line and shall be serviced by Community Sewer and Water Facilities.
- (b) No minimum size is required for a parking lot or other lots having no habitable building.
- (c) No habitable building shall be permitted on the lot unless, or until the lot is served with community sewer and water facilities and meets the minimum lot size of clause (a) above. S.22 (2) also applies.
- (d) Clause (a) above does not apply to Strata Titles created under the Condominium Act for the purpose of creating lots for boat trailers, campers and recreation vehicles, for parking only, in which case the minimum size of the lot is 34 sq. m (366 sq. ft.), or for mini-storage units for ownership or rental where no minimum applies.

(5) Parking and Access

Parking shall be in accordance with Part 3 of this bylaw, and adequate unrestricted access shall be provided as required in Clause 3 (b) (2) of this section.

S.34 M1 – MARINE - Limited Access

(1) General Purpose

This zone is generally intended to permit marine access to the shore of the Telegraph Cove Holdings Ltd- Land only for the private use of residential uses permitted on upland lots abutting the foreshore.

(2) Permitted Uses

The following uses only are permitted in this zone:

- (a) Boat launch and anchorage for private use.
- (b) Marine navigational aids.
- (c) Docks, piers, wharves, and floats for private use to access, and which are necessary to, residential and commercial uses or developments permitted on the upland lots abutting the foreshore.

(3) Buildings and Structures Prohibited

No breakwaters, fill material, groins or changes to the configuration or surface of the foreshore or lands underwater shall be undertaken except as may be allowed as a condition of a permit to facilitate Clause (2) (c) of this section.

S.35 M2 – MARINE - Permitted Access

(1) General Purpose

This zone is generally intended to allow marine activities to the extent permitted in this zone and to provide access to the shore for public and private uses permitted on adjacent zones to the Telegraph Cove Holdings Ltd. Land.

(2) Permitted Uses

- (a) Marinas
- (b) Strata Titles created under the Condominium Act for the purpose of creating lots for dwelling units, commercial space, boat moorage slips, etc.
- (c) Seaplane moorage and anchorage
- (d) Government or private wharves and breakwaters
- (e) Boat rentals, sales and repairs
- (f) Boat launching, ramps, anchorage and moorage
- (g) Marine fuel sales
- (h) Marine navigational aids
- (i) Private lockers and storage facilities
- (k) Cruise and tour vessel facilities
- (l) Recreation Uses
- (m) Uses accessory to the above uses

(3) Parking

Motor vehicle parking must be provided for all permitted uses in accordance with Part 3 of this bylaw.

(4) Foreshore Access

Markers and signs identifying the uses permitted in the zone are allowed and public access as required in subdivision approvals shall not be impeded.

S.36 MARINE – Requirement to Comply

Except as specifically permitted by this bylaw, or until a permit has been issued where one is required, no areas within zones M1 and M2 within 50m (164 ft.) of the shore of the land shall be subdivided, developed, used or occupied. Nor shall any buildings, structures or floats be constructed, altered, located, erected or anchored on that land or water except as conforms to this bylaw.

VIOLATIONS

Every person commits an offence who, being an owner or occupier of land, or on the surface of water within 50m (164 ft.) of the shores of the land:

- (a) Violates or permits the violation of this bylaw, or
- (b) Negates or omits to do anything required by this bylaw, or
- (c) Carries out any act or development in a manner not permitted by, or that is contrary to the provisions of this bylaw, or
- (d) Fails to comply with an order, directive or notice given under this bylaw, or
- (e) Prevents, obstructs or attempts to prevent or obstruct a person from entering on property as authorized under S.3 (2) of this bylaw.

S.37 P1 PARK – Conservation / Private Use

(1) General Purpose

This zone is generally intended to provide zoning on sensitive slopes and treed areas for the passive recreational or private recreational use of all people owning lands or using facilities within the Telegraph Cove Holdings Ltd Area. Lots may be created as Bare Land Strata Titles under the Condominium Act, or as normal subdivided lots as registered in the Land Titles Office.

(2) Permitted Uses

The following uses only are permitted in this zone:

- (a) Nature walks, trails and educational uses
- (b) Telecommunication towers and facilities
- (c) Signs identifying park related matters
- (d) Minor buildings and structures serving recreation and boating uses
- (e) Accessory uses and structures

(3) Minimum Lot Size

The minimum area of any lot is 2 ha (5 acres).

(4) Parking

Where limited use of lands has been permitted and developed, parking shall be provided in accordance with Part 3 of this bylaw.

S.38 P2 PARK – Golf Course, Recreation

(1) General Purpose

This zone is generally intended to preserve areas suitable for development as a golf course. Lots may be created as Bare Land Strata Titles under the Condominium Act or as normal subdivided lots as registered in the Land Titles Office.

(2) Permitted Uses

The following uses only are permitted in this zone:

- (a) Golf Course Development
- (b) Uses accessory to the Golf Course, including housing, retail and restaurant buildings and structures.
- (c) Recreational / leisure activities such as camping
- (d) Plant nursery

(3) Minimum Lot Size

- (a) The minimum area of any lot created by subdivision is 670 sq. m (7,200 sq. ft.); Lots shall be not less than 18m (59 ft.) on a single fronting lot line and shall be served by Community Sewer and Water Facilities.
- (b) No minimum size is required for a parking lot or other lots having no habitable building.
- (c) No habitable building shall be permitted on the lot unless, or until, the lot is served with community sewer and water facilities and meets the minimum Lot size of clause (a) above. S22 (2) also applies.

(4) Parking

- (a) The number of parking stalls shall be provided to the extent of one stall per two golfers at peak time, except that the projected number of local users walking to the site shall also be taken into account at the time of development.
- (b) Parking shall be provided for all uses in accordance with the requirements of Part 3 of this bylaw.

S.39 P3 PARK – Recreation / Private Use

(1) General Purpose

This zone is generally intended to provide zoning on treed areas for private recreational, nature, boating and associated facilities. Lots may be created as Bare Land Strata Titles under the Condominium Act, or as normal subdivided lots as registered in the Land Titles Office.

(2) Permitted Uses

The following uses only are permitted in this zone:

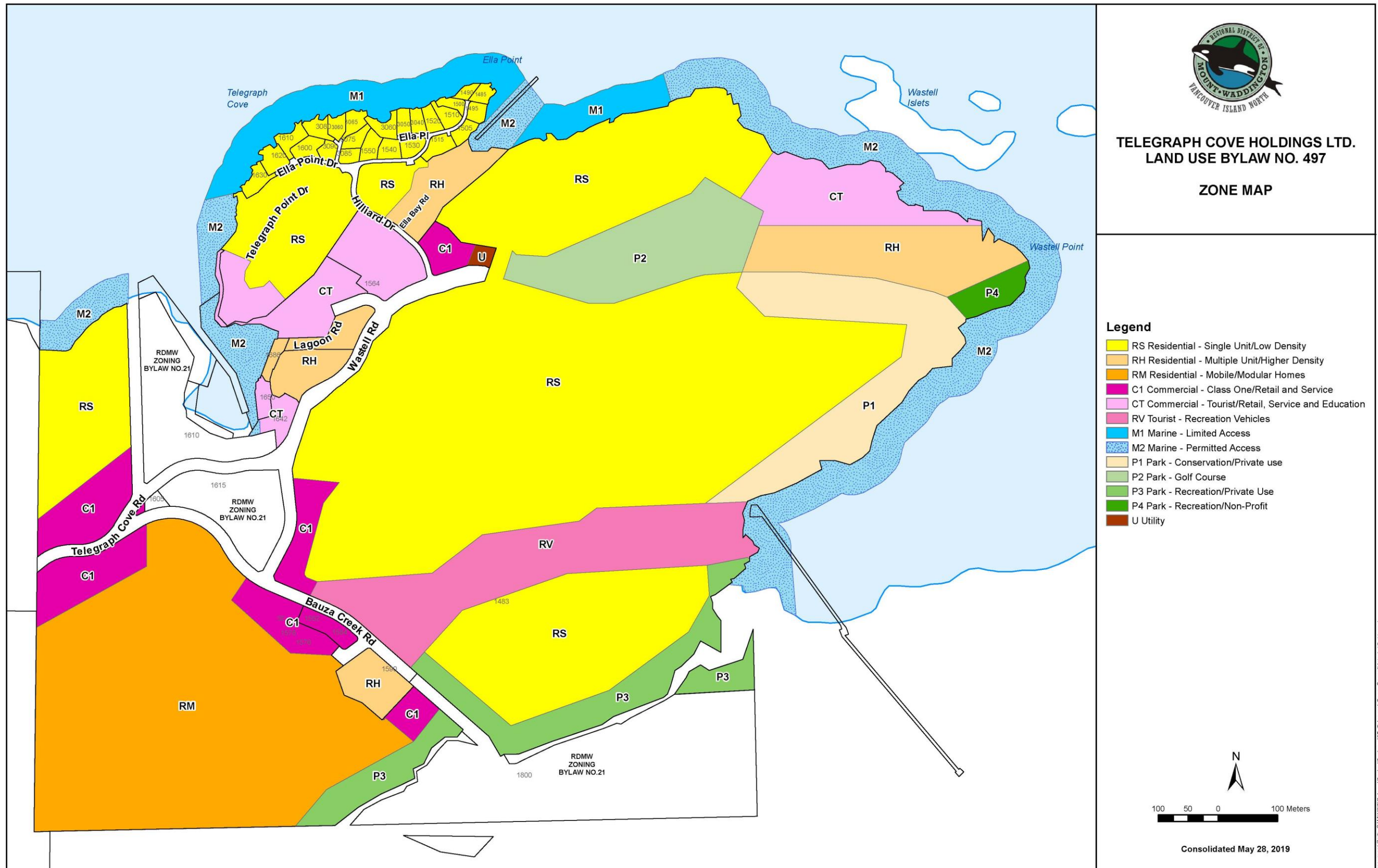
- (a) Nature walks, trails and educational use
- (b) Signs identifying park related matters
- (c) Buildings and structures serving recreation and small boating uses
- (d) Transient cabin or camping facilities
- (e) Accessory Residences
- (f) Hostels

- (g) Accessory uses and structures including pavilion, bath and laundry facilities, and the storage of small boats.
- (3) Minimum Lot Size
- (a) The minimum area of any lot created by subdivision is 720 sq. m (7.750 sq. ft.). Lots shall be not less than 18m (59 ft.) on a single fronting lot line and shall be served by Community Sewer and Water Facilities.
 - (b) No minimum size is required for a parking lot or other lots having no habitable building.
 - (c) No habitable building shall be permitted on the lot unless, or until, the lot is served with community sewer and water facilities and meets the minimum lot size of clause (a) above. S22 (2) also applies.
- (4) Parking
- Where limited use of lands has been permitted and developed, parking shall be provided in accordance with Part 3 of this bylaw.

S.40 P4 PARK – Recreation / Non-Profit

- (1) General Purpose
- This zone is generally intended to provide zoning for the Johnstone Strait Killer Whale Interpretive Centre under the auspices of the Johnstone Strait Killer Whale Interpretive Centre Society, and/ or for other non-profit organizations such as B.C. Parks.
- (2) Permitted Uses
- The following uses are permitted in this zone:
- (a) Building and structures serving educational, recreation and research uses
 - (b) Nature walks and trails
 - (c) Signs identifying whale center and park related matters
 - (d) Dormitory facilities to accommodate researchers and or employees of the site specific activities
- (3) Parking
- Parking shall be provided for all uses in accordance with the requirements of Part 3 of this bylaw.

SCHEDULE





Telegraph Point Strata Corporation VIS5792

Box 7-1, 3065 Stubbs Place, Telegraph Cove, BC V0N 3J0
Tel: (250) 928-3065; E-mail: lynnepaasch@gmail.com

MINUTES OF THE 11TH ANNUAL GENERAL MEETING 11 AM JULY 8, 2016

THE MEETING was called to order at 11 am by President Tom Allen. Also present were Linda Allen, Mary Borrowman, Harvey and Linda Brann, Lynne Paasch, Conrad and Mary Porth, Roy and Bente Preshaw and Chuck Rawls.

Quorum: Lots 1, 4, 5, 7, 11, 13, 14, 15, 16, and 17 were represented in person. Lots 2, 12, 18 and 20 were represented by proxy. A quorum was declared, with 14 out of 24 lots represented. Notice of meeting was deemed to have been properly sent.

The following were presented to those present:

- Agenda
- Strata checking account and contingency reserve fund history - year 2015 ([attached](#))
- Strata checking account and contingency reserve fund history - 1-1-2016 thru 6-30-2016 ([attached](#))
- Draft year 2017 budget and lot entitlement schedule (approved final is [attached](#))
- Telegraph Cove Utilities - Annual report to customers ([attached](#))
- Telegraph Point Owners - Contact Info ([attached](#))

Minutes of the July 24, 2015 annual meeting were approved as amended ([attached](#)).

President Tom welcomed all attendees. The meeting was not recorded due to an objection.

Financial: Lynne reported on revenue and expense. Roy made a motion to move \$2,500 from the operating account to the reserve account in 2017, instead of \$895 as proposed in the draft budget. Discussion. Motion did not carry. Motion was made to approve the 2017 budget and entitlement as presented. Carried. **Year 2017 maintenance fees in the amount of \$275 per lot are due on or before December 15, 2016.**

Insurance: Lynne reported that the \$1,305 premium for \$2,000,000 comprehensive general liability and \$1,000,000 directors and officers liability from 5/1/2016 to 5/1/2017 has been paid.

Tax Return: Lynne reported the 2015 tax return/financials had not yet been completed by Chan Nowosad Boates. No tax, interest or penalty is applicable. (Postscript: Filed on July 20, 2016; Financials [attached](#)).

Strata roads and lot vegetation: Tom reported that TCH will clean up vegetation 1 metre along the paved strata road fronting TCH property. Stuart Abernethy will cut vegetation 1 metre along the rest of the paved strata road as needed, and applicable strata owners will be billed proportionately. Tom has reached out to the Lot 9/10 owner to arrange an agreement between that owner and Stuart to clear them.

Road Depreciation Report: Discussion. Motion was made to waive the depreciation report requirement with provision that Council monitor the road condition and reconsider in 5 years or less as conditions warrant. Motion carried.

No boat trailer sign: Sign was ordered and installed in the fall of 2015 at the parking area across from Lots 12 and 13.

Address change: Strata address was updated in the Land Title Office in November, 2015.

Election of Strata Council: Tom Allen, Mary Borrowman, Linda and Harvey Brann, Lynne Paasch and Roy Preshaw were nominated. There being no further nominations, voting by voting card was carried out, with votes counted by Linda Allen and Mary Borrowman. Results: Tom Allen 12; Mary Borrowman 12; Linda Brann 12; Harvey Brann 12; Lynne Paasch 12; Roy Preshaw 2. Tom Allen, Harvey Brann, Linda Brann, Lynne Paasch and Mary Borrowman are elected to serve until the conclusion of the year 2017 annual general meeting.

Telegraph Cove Utilities Annual Report: Presented by Lynne (attached).

New Business: The NO EXIT sign entering the strata had apparently blown down in a heavy wind last winter. (Postscript: Chuck Rawls repaired and reinstalled the sign on July 10, 2016 at no charge to the strata.)

Annual General Meeting 2017: To be held on **Friday, July 7, 2017 at 11 am. Please mark your calendar.**

Tom reminded all of the Summer Social to be held in the Pavilion (due to rain) at 5 PM. There being no further business, the meeting was adjourned at 12:05 PM.

An informal meeting to discuss any issues of interest or concern to strata owners followed.

Respectfully submitted,

Lynne Paasch, Secretary/Treasurer



Telegraph Point Strata Corporation VIS5792

Box 7-1, 3065 Stubbs Place, Telegraph Cove, BC V0N 3J0

Tel: (250) 928-3065; E-mail: lynnepaasch@gmail.com

MINUTES OF THE 12TH ANNUAL GENERAL MEETING (AGM)

Location: Telegraph Cove RV Park Pavilion

11 AM JULY 7, 2017

DRAFT

Pursuant to due and regular notice emailed on May 27, 2017, the meeting was called to order at 11:03 am on July 7, 2017 by President Tom Allen. Tom welcomed all attendees.

Present were Tom and Linda Allen, Jim and Mary Borrowman, Don and Wendy Breaks, Michael Mahon, Lynne Paasch, Conrad and Mary Porth, Roy and Bente Preshaw, Chuck Rawls, Bob and Susan Vandermeer, Bill and Katrina Wiatt.

Quorum: Lots 1, 4, 5, 7, 9, 13, 14, 15, 16, and 17, 21 and 24 were represented in person. Lots 11, 18 and 20 were represented by proxy. A quorum was declared, with 15 of the 24 lots represented.

The following were presented to those present:

- Agenda
- Minutes of the July 8, 2016 AGM (approved final is [attached](#)).
- Strata checking account and contingency reserve fund history - year 2016 ([attached](#))
- Strata checking account and contingency reserve fund history - 1-1-2016 thru 6-30-2017 ([attached](#))
- Financial statement – year 2016 – prepared by Chan Nowosad Boates, CPA
- Draft year 2018 budget and lot entitlement schedule (approved final is [attached](#))
- Telegraph Point Owners - Contact Info ([attached](#))
- Confirmation of insurance coverage ([attached](#))
- Fact sheet regarding responsibility for utilities within strata road right of way ([attached](#)).
- Telegraph Cove Utilities - Annual report to customers ([attached](#))

Motion to approve the Agenda was made and seconded; carried.

Motion to approve the minutes of the July 8, 2016 AGM was made and seconded; carried.

Financial: Lynne reported on revenue and expense. Motion to transfer \$10,000 from the operating account to the replacement reserve fund was made and seconded; discussion; motion carried (note: funds were transferred July 10, 2017). Motion to approve the 2018 budget and entitlement schedule as presented was made and seconded; carried. **Year 2018 maintenance fees in the amount of \$275 per lot are due on or before December 15, 2017.** Motion to approve the 2016 Financial Statement prepared by Chan Nowosad Boates was made and seconded; carried.

Insurance: Lynne reported that the \$1,305 premium for \$2,000,000 comprehensive general liability and \$1,000,000 directors and officers liability from 5/1/2017 to 5/1/2018 has been paid.

Tax Return: Lynne reported the 2016 tax return had been timely filed.

Strata roads and lot vegetation: Tom reported that the road is in good shape except for some cracking west of Lot 1. The cracking has been filled with an asphaltic product in a caulking tube. A lot of the material has sunk into the cracks and another application will be applied in early fall. The 1 metre road edge is in good condition after last year's clearing. Some lot owners have weeds in the 1 metre road edge zone. **Tom reminded that each owner is responsible for this zone on their lot and needs to keep it weed free.** This fall owners not in compliance will be notified and, if not remedied prior to spring 2018, the Strata will contract the work and invoice the owner.

Road Depreciation Report Requirement: Discussion. The exact text of a motion to waive the requirement to obtain a depreciation report will be presented in the year 2018 AGM notice and voted on at the year 2018 AGM. Passage to waive the report requirement needs a $\frac{3}{4}$ 'yea' vote. Council will compile an informal assessment of road condition and present it at the 2018 AGM prior to the vote.

CHOA of BC: Roy brought forth the motion proposed on July 21, 2016 by owners of six strata lots, that the strata join the Condominium Home Owners Association of British Columbia for an annual fee of \$5.50 per unit (total \$132). Discussion. Motion did not carry.

Responsibility for Utilities within the Strata Road right-of-way: Discussion. Lynne reported that Telegraph Cove Utilities Ltd. confirms the information it provided in Tom Allen's report (attached).

Timing of AGM's: Lynne read attorney Calvin Patterson's May 17, 2017 advice regarding the timing of Strata AGM's...that the timing is 'more commonly honoured in the breach than in observance' and 'generally these parties hold their meetings whenever it is convenient'. Discussion. Motion was made and seconded to retain the existing 12/31 fiscal year end and AGM every July. Carried.

Election of Strata Council: Tom expressed sincere appreciation to Linda and Harvey Brann for their important past service on the Strata Council. Tom Allen, Mary Borrowman, Lynn MacDiarmid, Lynne Paasch, Jay Snow and Bob Vandermeer were nominated to serve on the strata council. There being no further nominations, voting by voting card was carried out, with votes counted by Linda Allen and Mary Porth. Results: Tom Allen 13; Mary Borrowman 12; Lynn MacDiarmid 6; Lynne Paasch 13; Jay Snow 10; Bob Vandermeer 12. Tom Allen, Mary Borrowman, Lynne Paasch, Jay Snow and Bob Vandermeer are elected to serve on the council until the conclusion of the year 2018 annual general meeting. **Postscript:** The new Strata Council convened directly after the AGM, at 12:50 PM on July 7, 2017. Bob Vandermeer was elected President; Tom Allen was elected Vice President; and Lynne Paasch was elected Secretary/Treasurer. There being no further business, the council meeting adjourned.

Telegraph Cove Utilities Annual Report: Attached.

Annual General Meeting 2018: To be held on **Friday, July 6, 2018 at 11 am. Please mark your calendar.**

Tom reminded everyone of the Summer Social to be held in the Pavilion at 5 PM. There being no further business, the meeting was adjourned at 12:46 PM.

An informal gathering to discuss any issues of interest or concern to strata owners followed.

Respectfully submitted,

Lynne Paasch, Secretary/Treasurer



Telegraph Point Strata Corporation VIS5792

Box 7-1, 3065 Stubbs Place, Telegraph Cove, BC V0N 3J0
Tel: (250) 928-3065; E-mail: lynnepaasch@gmail.com

MINUTES OF THE 12TH ANNUAL GENERAL MEETING (AGM) Location: Telegraph Cove RV Park Pavilion 11 AM JULY 7, 2017

Pursuant to due and regular notice emailed on May 27, 2017, the meeting was called to order at 11:03 am on July 7, 2017 by President Tom Allen. Tom welcomed all attendees.

Present were Tom and Linda Allen, Jim and Mary Borrowman, Don and Wendy Breaks, Michael Mahon, Lynne Paasch, Conrad and Mary Porth, Roy and Bente Preshaw, Chuck Rawls, Bob and Susan Vandermeer, Bill and Katrina Wiatt.

Quorum: Lots 1, 4, 5, 7, 9, 13, 14, 15, 16, and 17, 21 and 24 were represented in person. Lots 11, 18 and 20 were represented by proxy. A quorum was declared, with 15 of the 24 lots represented.

The following were presented to those present:

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- Telegraph Point Owners - Contact Info ([attached](#))
- Confirmation of insurance coverage ([attached](#))
- Fact sheet regarding responsibility for utilities within strata road right of way ([attached](#)).
- Telegraph Cove Utilities - Annual report to customers ([attached](#))

Motion to approve the Agenda was made and seconded; carried.

Motion to approve the minutes of the July 8, 2016 AGM was made and seconded; carried.

Financial: Lynne reported on revenue and expense. Motion to transfer \$10,000 from the operating account to the replacement reserve fund was made and seconded; discussion; motion carried (note: funds were transferred July 10, 2017). Motion to approve the 2018 budget and entitlement schedule as presented was made and seconded; carried. **Year 2018 maintenance fees in the amount of \$275 per lot are due on or before December 15, 2017.** Motion to approve the 2016 Financial Statement prepared by Chan Nowosad Boates was made and seconded; carried.

Insurance: Lynne reported that the \$1,305 premium for \$2,000,000 comprehensive general liability and \$1,000,000 directors and officers liability from 5/1/2017 to 5/1/2018 has been paid.

Tax Return: Lynne reported the 2016 tax return had been timely filed.

Strata roads and lot vegetation: Tom reported that the road is in good shape except for some cracking west of Lot 1. The cracking has been filled with an asphaltic product in a caulking tube. A lot of the material has sunk into the cracks and another application will be applied in early fall. The 1 metre road edge is in good condition after last year's clearing. Some lot owners have weeds in the 1 metre road edge zone. **Tom reminded that each owner is responsible for this zone on their lot and needs to keep it weed free.** This fall owners not in compliance will be notified and, if not remedied prior to spring 2018, the Strata will contract the work and invoice the owner.

Road Depreciation Report Requirement: Discussion. The exact text of a motion to waive the requirement to obtain a depreciation report will be presented in the year 2018 AGM notice and voted on at the year 2018 AGM. Passage to waive the report requirement needs a ¾ 'yea' vote. Council will compile an informal assessment of road condition and present it at the 2018 AGM prior to the vote.

CHOA of BC: Roy brought forth the motion proposed on July 21, 2016 by owners of six strata lots, that the strata join the Condominium Home Owners Association of British Columbia for an annual fee of \$5.50 per unit (total \$132). Discussion. Motion did not carry.

Responsibility for Utilities within the Strata Road right-of-way: Discussion. Lynne reported that Telegraph Cove Utilities Ltd. confirms the information it provided in Tom Allen's report (attached).

Timing of AGM's: Lynne read attorney Calvin Patterson's May 17, 2017 advice regarding the timing of Strata AGM's...that the timing is 'more commonly honoured in the breach than in observance' and 'generally these parties hold their meetings whenever it is convenient'. Discussion. Motion was made and seconded to retain the existing 12/31 fiscal year end and AGM every July. Carried.

Election of Strata Council: Tom expressed sincere appreciation to Linda and Harvey Brann for their important past service on the Strata Council. Tom Allen, Mary Borrowman, Lynn MacDiarmid, Lynne Paasch, Jay Snow and Bob Vandermeer were nominated to serve on the strata council. There being no further nominations, voting by voting card was carried out, with votes counted by Linda Allen and Mary Porth. Results: Tom Allen 13; Mary Borrowman 12; Lynn MacDiarmid 6; Lynne Paasch 13; Jay Snow 10; Bob Vandermeer 12. Tom Allen, Mary Borrowman, Lynne Paasch, Jay Snow and Bob Vandermeer are elected to serve on the council until the conclusion of the year 2018 annual general meeting. **Postscript:** The new Strata Council convened directly after the AGM, at 12:50 PM on July 7, 2017. Bob Vandermeer was elected President; Tom Allen was elected Vice President; and Lynne Paasch was elected Secretary/Treasurer. There being no further business, the council meeting adjourned.

Telegraph Cove Utilities Annual Report: Attached.

Annual General Meeting 2018: To be held on **Friday, July 6, 2018 at 11 am. Please mark your calendar.**

Tom reminded everyone of the Summer Social to be held in the Pavilion at 5 PM. There being no further business, the meeting was adjourned at 12:46 PM.

An informal gathering to discuss any issues of interest or concern to strata owners followed.

Respectfully submitted,

Lynne Paasch, Secretary/Treasurer



Telegraph Point Strata Corporation VIS5792

Box 7-1, 3065 Stubbs Place, Telegraph Cove, BC V0N 3J0

Tel: (250) 928-3065; email: lynnepaasch@gmail.com

MINUTES OF THE 13th ANNUAL GENERAL MEETING (AGM)

Location: Telegraph Cove RV Park Pavilion

11 AM, July 6, 2018

DRAFT

Pursuant to due and regular notice emailed on May 14, 2018, the meeting was called to order at 11:05 am on July 6, 2018 by President Bob Vandermeer. Bob welcomed all attendees.

Present:

Tom and Linda Allen, Lynn MacDiarmid, Lynne Paasch, Mary Porth, Roy Preshaw, Chuck Rawls, Jay Snow, Bob and Susan Vandermeer.

Quorum:

Lots 1, 4, 5, 7, 12, 13, 14, 17 and 22 were represented in person. Lots 2, 18, 20 and 24 were represented by proxy. A quorum was declared, with 13 of the 24 lots represented.

The following were presented to attendees:

- Agenda
- Minutes of July 7, 2017 AGM ([approved final is attached](#))
- Checking account history – year 2017 ([attached](#))
- Checking account history – 1-1-2018 thru 6-30-2018 ([attached](#))
- Financial Statement- Chan Nowosad Boates – Year 2017 ([attached](#))
- Proposed year 2019 budget and lot entitlement schedule ([approved final is attached](#))
- Owners Contact Info ([attached](#))
- Proposed resolution to waive depreciation report ([attached](#))
- Telegraph Cove Utilities Ltd. – Annual Report to Customers ([attached](#))

Motion to approve the Agenda was made and seconded; carried.

Motion to approve the minutes of the July 7, 2017 AGM was made and seconded; carried. There was discussion about wording of minutes of July 7, 2017 meeting, however, it was agreed to let the minutes stand as presented.

Treasurer's Report

Lynne reported on revenues and expenses. Checking account history for Year 2017, and 1-1-2018 thru 6-30-2018 were reviewed.

Motion to approve the 2017 Financial Statement prepared by Chan Nowosad Boates was made and seconded; carried.

Insurance Report was reviewed as presented and accepted.

Tax Return was filed by Chan Nowosad Boates in May. Copy upon request.

Roy Preshaw thanked Lynne for preparation of Strata financial reports.

Strata Roads and Lot Vegetation: Visual inspection showed the road to be in acceptable condition, with some vegetation needing to be cleared near pavement. It was agreed to send notice to owners to remind them to clear vegetation near pavement. **REMINDER TO EVERY LOT OWNER: PLEASE ENSURE THAT THE 1 METRE ROAD EDGE ZONE ON YOUR LOT IS CLEAR OF VEGETATION.** Bob noted some minor repairs need to be made to pavement, which he can do quite easily and inexpensively. Roy suggested these expenses be reimbursed.

Waive Depreciation Report

Proposed resolution was read to the meeting. There was discussion about new Supreme Court ruling regarding responsibility of BC Utilities to repair property after doing work on it. Lynn MacDiarmid offered to research the ruling and report back at the 2019 AGM.

Motion to accept proposed resolution to waive depreciation report by show of hand. There were 11 votes to accept proposed resolution and 2 votes showing dissent. Motion carried.

Telegraph Cove Utilities Annual Report to Customers

Lynne presented the report.

Budget for 2019

2019 Budget was discussed.

Motion to accept budget for Telegraph Point Strata Corporation VIS5792 was made and seconded; carried.

Motion to approve transfer of additional \$5,000 to contingency reserve fund for 2019 was made and seconded; carried.

Lynne thanked Mary for recording the meeting and drafting the meeting minutes.

Elect Strata Council Members

Tom Allen regretfully declined to run for re-election to the council because of health concerns. Council expressed thanks to Tom for all his work for the council thru the years. There were FIVE nominations for Council positions, and FIVE Council positions available; therefore, new Strata Council was elected by acclamation. Carried.

Strata Council for 2019:

Mary Borrowman
Lynn MacDiarmid
Lynne Paasch
Jay Snow
Bob Vandermeer

Annual General Meeting for 2019

To be held on **Friday, June 28, 2019, at 11 am. Please mark your calendar.**

Motion to adjourn meeting at 12:07 pm was made and seconded. Carried.

Everyone was reminded of the Summer Social to be held in the Pavilion at 5pm.

An informal discussion followed about the issue of fire suppression services for Telegraph Cove, negotiated by Lynne with Port McNeill Fire Department.

Respectfully submitted,
Lynne Paasch, Secretary/Treasurer



Telegraph Point Strata Corporation VIS5792

Box 7-1, 3065 Stubbs Place, Telegraph Cove, BC V0N 3J0

Tel: (250) 928-3065; email: lynnepasch@gmail.com

MINUTES OF THE MEETING OF ELECTED COUNCIL

Location: Telegraph Cove RV Park Pavilion

12:35 PM, July 6, 2018

PRESENT:

Lynne Paasch
Bob Vandermeer
Lynn McDiarmid
Jay Snow

Absent:

Mary Borrowman

By general consensus, Council positions were accorded as follows:

BOB VANDERMEER	President
LYNN McDIARMID	Vice President
LYNNE PAASCH	Secretary/Treasurer

Meeting was adjourned at 12:45 PM

Respectfully submitted,

Lynne Paasch, Secretary/Treasurer

PROPOSED RESOLUTION TO WAIVE DEPRECIATION REPORT
Presented at Telegraph Point Strata VIS 5792 AGM
Friday, July 6, 2018

WHEREAS

The Owners, Strata Plan VIS5792, pursuant to Part 6, Paragraph 94(3)(a) of the Strata Property Act, may waive the depreciation report requirement by a resolution passed by a $\frac{3}{4}$ vote at an annual or special general meeting;

BE IT RESOLVED

By a $\frac{3}{4}$ vote of The Owners, Strata Plan VIS5792, that the depreciation report requirement is hereby waived. Henceforth, the decision to waive or not to waive the depreciation report requirement will be revisited at every future annual general meeting.

ACCOUNT HISTORY - 2016
TELEGRAPH POINT STRATA VIS5792
CIBC ACCOUNT 07040-28-09117
(Reported in Canadian Dollars)

BEGINNING BALANCE, 1/1/2016	\$21,391.93
Deposits: Strata Fees	7,055.66
Year 2015: 745.48	
Year 2016: 825.00	
Year 2017: 5,098.93	
Year 2018: 326.75	
Year 2015: 49.50 late and admin fees	
Year 2016: 10.00 admin fee	
Road Perimeter Vegetation Removal Summer 2016	1,301.43
Lot 1 Brann Damage Deposit	2,500.00
Lot 1 sale to Vandermeer – Document prep Form B, Form F, etc.	175.00
	32,424.02
Withdrawals:	
Bank Fees	52.84
Abernethy – Road Perimeter Vegetation Removal Summer 2016	1349.25
Accounting (Chan Nowosad Boates), year 2015	630.00
Insurance (CGL and D&O 5/1/16-5/1/17)	1,305.00
Honorarium – Lynne Paasch 2017	275.00
Strata Property Act	35.53
Refund damage deposit (Lot 22)	2,500.00
To Contingency Reserve Fund 07040-28-13718 (Yr 2016 per budget)	888.50
	7,036.12
BALANCE 12/31/2016	25,387.90
Less refundable damage deposits included in balance (Lot 1)	- <u>2,500.00</u>
Effective Balance 12/31/2016:	\$22,887.90

Maintenance Fee Arrears Year 2017: Lots 1, 7, 11 and 22 @ \$275 each = \$1,100
Road Perimeter Vegetation Mgmt 2016 Arrears: Lot 20 \$47.82

ACCOUNT HISTORY - 2016
TELEGRAPH POINT STRATA VIS5792
CONTINGENCY RESERVE FUND
CIBC ACCOUNT 07040-28-13718 (formerly 07040-15-43431)

BALANCE 1/1/2016	\$11,560.26
Interest	48.55
Year 2016 contribution per budget	888.50
ENDING BALANCE, 12/31/2016:	<u>\$12,497.31</u>

FOLDER: ACCOUNTING 2016
File: ACCTG.1615
Prepared: 01/22/2017; rev 6/15/2017

THE OWNERS, STRATA PLAN VIS 5792
Financial Statements - December 31, 2016
(Unaudited - see Notice to Reader)

Notice to Reader
Statement of Financial Position
Statement of Operations and Surplus



**NOTICE
TO
READER**

On the basis of information provided by management, we have compiled the statement of financial position of The Owners, Strata Plan Vis 5792 as at December 31, 2016 and the statement of operations and surplus for the year then ended.

We have not performed an audit or a review engagement in respect of these financial statements and, accordingly, we express no assurance thereon.

Readers are cautioned that these statements may not be appropriate for their purposes.

Chan Nowosad Boates

Chartered Professional Accountants
Campbell River, BC

May 4, 2017

THE OWNERS, STRATA PLAN VIS 5792

Statement of Financial Position

(Unaudited - see Notice to Reader)

December 31, 2016

2016

2015

\$

\$

ASSETS

Current Assets

Cash - Operating	25,388	21,392
Cash - Contingency	12,497	11,560
Accounts Receivable	1,148	1,391
Prepaid Expenses	400	400
	<u>39,433</u>	<u>34,743</u>

LIABILITIES

Current Liabilities

Damage Deposits	2,500	2,500
Deferred Income	5,426	5,694
	<u>7,926</u>	<u>8,194</u>

NET ASSETS

Operating Surplus	19,010	14,989
Contingency Reserve	12,497	11,560
	<u>31,507</u>	<u>26,549</u>
	<u>39,433</u>	<u>34,743</u>

Approved by the Strata Council:

Council

THE OWNERS, STRATA PLAN VIS 5792

Statement of Operations and Surplus

(Unaudited - see Notice to Reader)

Year Ended December 31, 2016

	2016	2015
	\$	\$
Revenue	<u>8,606</u>	<u>6,522</u>
Expenses		
Bank Charges and Interest	53	132
Insurance	1,305	1,279
Management Fees	275	550
Office and Sundry	36	263
Professional Fees	630	1,446
Repairs and Maintenance	<u>1,349</u>	<u>373</u>
	<u>3,648</u>	<u>4,043</u>
Net Income	4,958	2,479
Surplus - Beginning of Year	<u>26,549</u>	<u>24,070</u>
Surplus - End of Year	<u>31,507</u>	<u>26,549</u>

ACCOUNT HISTORY - 1-1-2017 THRU 12-31-2017

TELEGRAPH POINT STRATA VIS5792

CIBC ACCOUNT 07040-28-09117

(Reported in Canadian Dollars)

BEGINNING BALANCE, 1/1/2017 **25,387.90**

DEPOSITS:

Damage Deposit Lot 1 Vandermeer	2,500.00	
Maintenance Fees - Year 2017	1,115.00	
Maintenance Fees - Year 2018	5,998.25	
Maintenance Fees - Year 2019	339.60	
Vegetation Cleanup - Year 2016	47.82	
Late Fees	1.94	
Expense Reimbursement - Lot 9	<u>75.00</u>	<u>10,077.61</u>
		35,465.51

WITHDRAWALS:

Damage Deposit Lot 1 refund to Brann	2,500.00	
Accounting (ChanNowosadBoates) year 2016	682.50	
Bank Fees	52.62	
Insurance (CGL and D&O 5/1/17-5/1/18)	1,305.00	
Office Supplies (ink, paper, Strata Property Act/Regs)	347.80	
To Contingency Reserve Fund 07040-28-13718 (yr 2017)	895.00	
To Contingency Reserve Fund 07040-28-13718 (approved at 2017 AGM)	10,000.00	
Honorarium - Lynne Paasch 2018	<u>275.00</u>	<u>16,057.92</u>

ENDING BALANCE 12/31/2017 **19,407.59**

Less refundable damage deposit included in balance 2,500.00

EFFECTIVE BALANCE 12/31/2017 **16,907.59**

Arrears: Lot 11 maintenance fees 2018: \$275.00

ACCOUNT HISTORY - 1-1-2017 THRU 12-31-2017

TELEGRAPH POINT STRATA VIS5792

CONTINGENCY RESERVE FUND

CIBC ACCOUNT 07040-28-13718

BEGINNING BALANCE 1-1-2017 12,497.31

Interest	54.50	
Year 2017 contribution per budget	895.00	
Year 2017 contribution approved at 2017 AGM	<u>10,000.00</u>	<u>10,949.50</u>

ENDING BALANCE 12-31-2017 **23,446.81**

FOLDER: ACCOUNTING 2017

FILE: ACCTG.1715

Prepared: 1-15-2018

ACCOUNT HISTORY - 1-1-17 thru 6-30-17
TELEGRAPH POINT STRATA VIS5792
CIBC ACCOUNT 07040-28-09117
(Reported in Canadian Dollars)

BEGINNING BALANCE, 1/1/2017 **\$25,387.90**

Deposits:

Damage Deposit Lot 1 Vandermeer	2,500.00
Maintenance Fees Lots 1, 7, 11 & 22	1,100.00
Interest Lot 1	1.94
Expense reimb. Lot 9	75.00
Subtotal:	29,064.84

Withdrawals:

Damage Deposit Lot 1 refund to Brann	2,500.00
Bank Fees	25.10
Insurance (CGL and D&O 5/1/17-5/1/18)	1,305.00
To Contingency Reserve Fund 07040-28-13718 (Yr 2017 contribution)	<u>895.00</u>
	4725.10

BALANCE 6/30/2017 **24,343.96**

Less refundable damage deposits included in balance (Lot 1 Vandermeer) **- 2,500.00**

Effective Balance 6/30/2017: **\$21,843.96**

Arrears: Lot 20 – 2016 veg removal: \$47.82

ACCOUNT HISTORY - 1-1-17 thru 6-30-17
TELEGRAPH POINT STRATA VIS5792
CONTINGENCY RESERVE FUND
CIBC ACCOUNT 07040-28-13718

BALANCE 1/1/2017 **\$12,497.31**

Interest **16.56**

Year 2017 contribution per budget **895.00**

ENDING BALANCE, 6/30/2017: **\$13,408.87**

THE OWNERS, STRATA PLAN VIS 5792
Financial Statements - December 31, 2017
(Unaudited - see Notice to Reader)

Notice to Reader
Statement of Financial Position
Statement of Operations and Surplus



**NOTICE
TO
READER**

On the basis of information provided by management, we have compiled the statement of financial position of The Owners, Strata Plan Vis 5792 as at December 31, 2017 and the statement of operations and surplus for the year then ended.

We have not performed an audit or a review engagement in respect of these financial statements and, accordingly, we express no assurance thereon.

Readers are cautioned that these statements may not be appropriate for their purposes.

Chan Nowosad Boates Inc.

Chartered Professional Accountants
Campbell River, BC

March 22, 2018

THE OWNERS, STRATA PLAN VIS 5792

Statement of Financial Position

(Unaudited - see Notice to Reader)

December 31, 2017

2017

2016

\$

\$

ASSETS

Current Assets

Cash - Operating	19,407	25,388
Cash - Contingency	23,447	12,497
Accounts Receivable	275	1,148
Prepaid Expenses	400	400
	<u>43,529</u>	<u>39,433</u>

LIABILITIES

Current Liabilities

Damage Deposits	2,500	2,500
Deferred Income	6,338	5,426
	<u>8,838</u>	<u>7,926</u>

NET ASSETS

Operating Surplus	11,244	19,010
Contingency Reserve	23,447	12,497
	<u>34,691</u>	<u>31,507</u>
	<u>43,529</u>	<u>39,433</u>

Approved by the Strata Council:

Council

THE OWNERS, STRATA PLAN VIS 5792

Statement of Operations and Surplus

(Unaudited - see Notice to Reader)

Year Ended December 31, 2017	2017	2016
	\$	\$
Revenue	<u>5,772</u>	<u>8,606</u>
Expenses		
Bank Charges and Interest	53	53
Insurance	1,305	1,305
Management Fees	275	275
Office and Sundry	273	36
Professional Fees	682	630
Repairs and Maintenance	<u>-</u>	<u>1,349</u>
	<u>2,588</u>	<u>3,648</u>
Net Income	3,184	4,958
Surplus - Beginning of Year	<u>31,507</u>	<u>26,549</u>
Surplus - End of Year	<u>34,691</u>	<u>31,507</u>

ACCOUNT HISTORY - 1-1-18 thru 6-30-18
TELEGRAPH POINT STRATA VIS5792
CIBC ACCOUNT 07040-28-09117
(Reported in Canadian Dollars)

BEGINNING BALANCE, 1/1/2018	\$19,407.59
 <u>Deposits:</u>	
Maintenance Fees Lot 11 Sentinel	<u>275.00</u>
Subtotal:	19,682.59
 <u>Withdrawals:</u>	
Bank Fees	20.22
Insurance (CGL and D&O 5/1/18-5/1/19)	1,305.00
To Contingency Reserve Fund 07040-28-13718 (Yr 2018 contribution)	895.00
CNB – Tax and Financials year 2017	682.50
Refund damage deposit – Lot 1 Vandermeer	<u>2,500.00</u>
Subtotal:	5,402.72
 BALANCE 6/30/2018	 <u>\$14,279.87</u>

Arrears: None

ACCOUNT HISTORY - 1-1-18 thru 6-30-18
TELEGRAPH POINT STRATA VIS5792
CONTINGENCY RESERVE FUND
CIBC ACCOUNT 07040-28-13718

BALANCE 1/1/2018	\$23,446.81
Interest	30.26
Year 2018 contribution per budget	<u>895.00</u>
 ENDING BALANCE, 6/30/2018:	 <u>\$24,372.07</u>



5/1/2017 to 5/1/2018

May 16, 2017

Telegraph Point Strata VIS 5792
1642B Telegraph Cove Road
Box 1-8
Telegraph Cove, BC V0N 3J0

Attention: Lynne Paasch

Dear Lynne:

Re: Commercial Insurance Package Policy

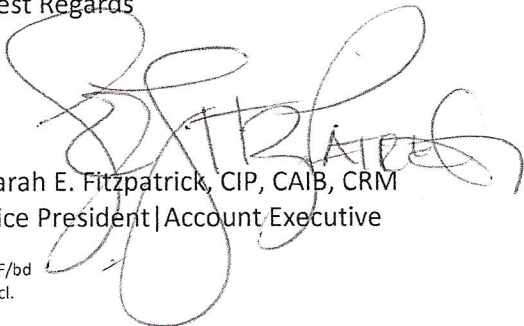
Further to our correspondence, we are pleased to enclose the following Policy documentation with respect to your commercial insurance evidencing coverage has been renewed effective May 1, 2017 until May 1, 2018:

- **Commercial General Liability / Directors' & Officers' Liability Policy No. 5A1263014**, arranged through Intact Insurance Company providing coverage for Commercial General Liability in the amount of \$2,000,000 and Directors & Officers Liability in the amount of \$1,000,000 all subject to a \$1,000 deductible.

We also enclose our invoice in the amount of \$1,305 which is due and payable upon receipt.

We trust you will find the enclosed to be in order. Should you have any questions or concerns please feel free to contact our office.

Best Regards



Sarah E. Fitzpatrick, CIP, CAIB, CRM
Vice President | Account Executive

SEF/bd
Encl.

Qd
1305.00
5/22/17



TELEGRAPH COVE UTILITIES LTD. ANNUAL REPORT TO CUSTOMERS - 2017

Mission

Telegraph Cove Utilities Ltd. Is a community based private water utility company dedicated to the responsible delivery of safe, reliable water and sewer services.

Operations

Paul Getman – Certified Operator (250-949-1516)

Chuck Rawls – Utility Manager (509-967-2395 WA or 250-928-3065 Telegraph Cove)

Iain Fraser – Infrastructure Manager (250-928-3020 or Cell 250-230-1000)

Lynne Paasch – Administrator (509-967-2395 WA or 250-928-3065 Telegraph Cove)

Water

The Raw Water Reservoir once again began the peak demand season at near full capacity, providing a sufficient, readily available supply of raw water (rainwater and flow from Steep Creek), as well as providing a source for fire suppression if required.

The Water Treatment Plant (WTP) turns raw water into drinking water by processes using exact amounts of alum, soda ash and sodium hypochlorite. 2,583,817 US gallons of drinking water were produced and sent through the distribution system in 2016.

TCU's main water project was the addition of a chemical storage and dosing shed adjacent to the WTP. This relocation of the chemical mixing tanks and supplies isolates their corrosive effects away from the WTP environment to benefit longevity of the WTP works. The Water Management Branch of the Ministry of Forests Lands and Natural Resource Operations granted project approval on February 1, 2017. They conducted a site visit on March 16 and on May 16 they released \$23,861.78 from TCU's Capital Replacement Reserve Fund to cover costs. GreenCastle Construction and K&K Electric were the major contractors.

Sewer

The activated charcoal filtration system that was added to the sewage treatment plant (STP) last year continues to function well.

The STP's seven year old large blower was replaced with a new unit in May 2017. The old blower is being refurbished as a backup in addition to two smaller blowers.

The STP flow monitor required a data logger reset via tech support with Greyline in April 2017. Flow data readings have resumed successfully.

Regulatory Reporting

Water:

- **Drinking Water System Annual Report** was submitted to Eric Bergsma, Environmental Health Officer/Port Hardy on March 1, 2017. It includes:
 - Permit to Operate
 - Water Sample Range Reports for drinking water and raw water.
 - Raw water chemical analysis performed in July 2016.
- **Annual Water System Return** was submitted to Water Management Branch/Victoria on February 17, 2017. It reports water production, demand and source information.
- **Water Utility Annual Report** was submitted to the Comptroller of Water Rights/Victoria on February 21, 2017. It primarily reports revenue analysis and financial data.

Sewer:

- **Quarterly Reports** are provided to Environmental Protection Officer Conrad Berube/Nanaimo. The reports include monthly STP flow data and effluent lab analysis of biochemical oxygen demand (BOD) and total suspended solids (TSS). Discharge requirement is less than 45 mg/L of 5-day BOD and TSS. The reports also include results of tests for fecal coliform in nearby seawater (Ella Bay, Wastell Beach and Telegraph Cove) that are sampled every May and November.

Financial:

Approximate HSBC bank account balances at June 12, 2017 are:

○ Operating Account	\$ 29,093.09
○ Sewer-Replacement Fund	\$ 12,794.30
○ Water-Revenue Deficit Trust Fund	\$ 50,000.00
○ Water-Replacement Reserve Fund	\$ 96,984.73

Reports in **blue** are available upon request.



Lynne Paasch, Administrator
Telegraph Cove Utilities Ltd.



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Reports in **blue** are available upon request.



Lynne Paasch, Administrator
Telegraph Cove Utilities Ltd.



Telegraph Point Strata Corporation VIS5792

Box 7-1, 3065 Stubbs Place, Telegraph Cove, BC V0N 3J0
Tel: (250) 928-3065; E-mail: lynnepaasch@gmail.com

MINUTES OF THE 11TH ANNUAL GENERAL MEETING 11 AM JULY 8, 2016

THE MEETING was called to order at 11 am by President Tom Allen. Also present were Linda Allen, Mary Borrowman, Harvey and Linda Brann, Lynne Paasch, Conrad and Mary Porth, Roy and Bente Preshaw and Chuck Rawls.

Quorum: Lots 1, 4, 5, 7, 11, 13, 14, 15, 16, and 17 were represented in person. Lots 2, 12, 18 and 20 were represented by proxy. A quorum was declared, with 14 out of 24 lots represented. Notice of meeting was deemed to have been properly sent.

The following were presented to those present:

- Agenda
- Strata checking account and contingency reserve fund history - year 2015 ([attached](#))
- Strata checking account and contingency reserve fund history - 1-1-2016 thru 6-30-2016 ([attached](#))
- Draft year 2017 budget and lot entitlement schedule (approved final is [attached](#))
- Telegraph Cove Utilities - Annual report to customers ([attached](#))
- Telegraph Point Owners - Contact Info ([attached](#))

Minutes of the July 24, 2015 annual meeting were approved as amended ([attached](#)).

President Tom welcomed all attendees. The meeting was not recorded due to an objection.

Financial: Lynne reported on revenue and expense. Roy made a motion to move \$2,500 from the operating account to the reserve account in 2017, instead of \$895 as proposed in the draft budget. Discussion. Motion did not carry. Motion was made to approve the 2017 budget and entitlement as presented. Carried. **Year 2017 maintenance fees in the amount of \$275 per lot are due on or before December 15, 2016.**

Insurance: Lynne reported that the \$1,305 premium for \$2,000,000 comprehensive general liability and \$1,000,000 directors and officers liability from 5/1/2016 to 5/1/2017 has been paid.

Tax Return: Lynne reported the 2015 tax return/financials had not yet been completed by Chan Nowosad Boates. No tax, interest or penalty is applicable. (Postscript: Filed on July 20, 2016; Financials [attached](#)).

Strata roads and lot vegetation: Tom reported that TCH will clean up vegetation 1 metre along the paved strata road fronting TCH property. Stuart Abernethy will cut vegetation 1 metre along the rest of the paved strata road as needed, and applicable strata owners will be billed proportionately. Tom has reached out to the Lot 9/10 owner to arrange an agreement between that owner and Stuart to clear them.

Road Depreciation Report: Discussion. Motion was made to waive the depreciation report requirement with provision that Council monitor the road condition and reconsider in 5 years or less as conditions warrant. Motion carried.

No boat trailer sign: Sign was ordered and installed in the fall of 2015 at the parking area across from Lots 12 and 13.

Address change: Strata address was updated in the Land Title Office in November, 2015.

Election of Strata Council: Tom Allen, Mary Borrowman, Linda and Harvey Brann, Lynne Paasch and Roy Preshaw were nominated. There being no further nominations, voting by voting card was carried out, with votes counted by Linda Allen and Mary Borrowman. Results: Tom Allen 12; Mary Borrowman 12; Linda Brann 12; Harvey Brann 12; Lynne Paasch 12; Roy Preshaw 2. Tom Allen, Harvey Brann, Linda Brann, Lynne Paasch and Mary Borrowman are elected to serve until the conclusion of the year 2017 annual general meeting.

Telegraph Cove Utilities Annual Report: Presented by Lynne (attached).

New Business: The NO EXIT sign entering the strata had apparently blown down in a heavy wind last winter. (Postscript: Chuck Rawls repaired and reinstalled the sign on July 10, 2016 at no charge to the strata.)

Annual General Meeting 2017: To be held on **Friday, July 7, 2017 at 11 am. Please mark your calendar.**

Tom reminded all of the Summer Social to be held in the Pavilion (due to rain) at 5 PM. There being no further business, the meeting was adjourned at 12:05 PM.

An informal meeting to discuss any issues of interest or concern to strata owners followed.

Respectfully submitted,

Lynne Paasch, Secretary/Treasurer



Telegraph Point Strata Corporation VIS5792

Box 7-1, 3065 Stubbs Place, Telegraph Cove, BC V0N 3J0
Tel: (250) 928-3065; E-mail: lynnepaasch@gmail.com

MINUTES OF THE 12TH ANNUAL GENERAL MEETING (AGM) Location: Telegraph Cove RV Park Pavilion 11 AM JULY 7, 2017 DRAFT

Pursuant to due and regular notice emailed on May 27, 2017, the meeting was called to order at 11:03 am on July 7, 2017 by President Tom Allen. Tom welcomed all attendees.

Present were Tom and Linda Allen, Jim and Mary Borrowman, Don and Wendy Breaks, Michael Mahon, Lynne Paasch, Conrad and Mary Porth, Roy and Bente Preshaw, Chuck Rawls, Bob and Susan Vandermeer, Bill and Katrina Wiatt.

Quorum: Lots 1, 4, 5, 7, 9, 13, 14, 15, 16, and 17, 21 and 24 were represented in person. Lots 11, 18 and 20 were represented by proxy. A quorum was declared, with 15 of the 24 lots represented.

The following were presented to those present:

- Agenda
- Minutes of the July 8, 2016 AGM (approved final is [attached](#)).
- Strata checking account and contingency reserve fund history - year 2016 ([attached](#))
- Strata checking account and contingency reserve fund history - 1-1-2016 thru 6-30-2017 ([attached](#))
- Financial statement – year 2016 – prepared by Chan Nowosad Boates, CPA
- Draft year 2018 budget and lot entitlement schedule (approved final is [attached](#))
- Telegraph Point Owners - Contact Info ([attached](#))
- Confirmation of insurance coverage ([attached](#))
- Fact sheet regarding responsibility for utilities within strata road right of way ([attached](#)).
- Telegraph Cove Utilities - Annual report to customers ([attached](#))

Motion to approve the Agenda was made and seconded; carried.

Motion to approve the minutes of the July 8, 2016 AGM was made and seconded; carried.

Financial: Lynne reported on revenue and expense. Motion to transfer \$10,000 from the operating account to the replacement reserve fund was made and seconded; discussion; motion carried (note: funds were transferred July 10, 2017). Motion to approve the 2018 budget and entitlement schedule as presented was made and seconded; carried. **Year 2018 maintenance fees in the amount of \$275 per lot are due on or before December 15, 2017.** Motion to approve the 2016 Financial Statement prepared by Chan Nowosad Boates was made and seconded; carried.

Insurance: Lynne reported that the \$1,305 premium for \$2,000,000 comprehensive general liability and \$1,000,000 directors and officers liability from 5/1/2017 to 5/1/2018 has been paid.

Tax Return: Lynne reported the 2016 tax return had been timely filed.

Strata roads and lot vegetation: Tom reported that the road is in good shape except for some cracking west of Lot 1. The cracking has been filled with an asphaltic product in a caulking tube. A lot of the material has sunk into the cracks and another application will be applied in early fall. The 1 metre road edge is in good condition after last year's clearing. Some lot owners have weeds in the 1 metre road edge zone. **Tom reminded that each owner is responsible for this zone on their lot and needs to keep it weed free.** This fall owners not in compliance will be notified and, if not remedied prior to spring 2018, the Strata will contract the work and invoice the owner.

Road Depreciation Report Requirement: Discussion. The exact text of a motion to waive the requirement to obtain a depreciation report will be presented in the year 2018 AGM notice and voted on at the year 2018 AGM. Passage to waive the report requirement needs a $\frac{3}{4}$ 'yea' vote. Council will compile an informal assessment of road condition and present it at the 2018 AGM prior to the vote.

CHOA of BC: Roy brought forth the motion proposed on July 21, 2016 by owners of six strata lots, that the strata join the Condominium Home Owners Association of British Columbia for an annual fee of \$5.50 per unit (total \$132). Discussion. Motion did not carry.

Responsibility for Utilities within the Strata Road right-of-way: Discussion. Lynne reported that Telegraph Cove Utilities Ltd. confirms the information it provided in Tom Allen's report (attached).

Timing of AGM's: Lynne read attorney Calvin Patterson's May 17, 2017 advice regarding the timing of Strata AGM's...that the timing is 'more commonly honoured in the breach than in observance' and 'generally these parties hold their meetings whenever it is convenient'. Discussion. Motion was made and seconded to retain the existing 12/31 fiscal year end and AGM every July. Carried.

Election of Strata Council: Tom expressed sincere appreciation to Linda and Harvey Brann for their important past service on the Strata Council. Tom Allen, Mary Borrowman, Lynn MacDiarmid, Lynne Paasch, Jay Snow and Bob Vandermeer were nominated to serve on the strata council. There being no further nominations, voting by voting card was carried out, with votes counted by Linda Allen and Mary Porth. Results: Tom Allen 13; Mary Borrowman 12; Lynn MacDiarmid 6; Lynne Paasch 13; Jay Snow 10; Bob Vandermeer 12. Tom Allen, Mary Borrowman, Lynne Paasch, Jay Snow and Bob Vandermeer are elected to serve on the council until the conclusion of the year 2018 annual general meeting. **Postscript:** The new Strata Council convened directly after the AGM, at 12:50 PM on July 7, 2017. Bob Vandermeer was elected President; Tom Allen was elected Vice President; and Lynne Paasch was elected Secretary/Treasurer. There being no further business, the council meeting adjourned.

Telegraph Cove Utilities Annual Report: Attached.

Annual General Meeting 2018: To be held on **Friday, July 6, 2018 at 11 am. Please mark your calendar.**

Tom reminded everyone of the Summer Social to be held in the Pavilion at 5 PM. There being no further business, the meeting was adjourned at 12:46 PM.

An informal gathering to discuss any issues of interest or concern to strata owners followed.

Respectfully submitted,

Lynne Paasch, Secretary/Treasurer



TELEGRAPH COVE UTILITIES LTD. ANNUAL REPORT TO CUSTOMERS - 2017

Mission

Telegraph Cove Utilities Ltd. Is a community based private water utility company dedicated to the responsible delivery of safe, reliable water and sewer services.

Operations

Paul Getman – Certified Operator (250-949-1516)

Chuck Rawls – Utility Manager (509-967-2395 WA or 250-928-3065 Telegraph Cove)

Iain Fraser – Infrastructure Manager (250-928-3020 or Cell 250-230-1000)

Lynne Paasch – Administrator (509-967-2395 WA or 250-928-3065 Telegraph Cove)

Water

The Raw Water Reservoir once again began the peak demand season at near full capacity, providing a sufficient, readily available supply of raw water (rainwater and flow from Steep Creek), as well as providing a source for fire suppression if required.

The Water Treatment Plant (WTP) turns raw water into drinking water by processes using exact amounts of alum, soda ash and sodium hypochlorite. 2,583,817 US gallons of drinking water were produced and sent through the distribution system in 2016.

TCU's main water project was the addition of a chemical storage and dosing shed adjacent to the WTP. This relocation of the chemical mixing tanks and supplies isolates their corrosive effects away from the WTP environment to benefit longevity of the WTP works. The Water Management Branch of the Ministry of Forests Lands and Natural Resource Operations granted project approval on February 1, 2017. They conducted a site visit on March 16 and on May 16 they released \$23,861.78 from TCU's Capital Replacement Reserve Fund to cover costs. GreenCastle Construction and K&K Electric were the major contractors.

Sewer

The activated charcoal filtration system that was added to the sewage treatment plant (STP) last year continues to function well.

The STP's seven year old large blower was replaced with a new unit in May 2017. The old blower is being refurbished as a backup in addition to two smaller blowers.

The STP flow monitor required a data logger reset via tech support with Greyline in April 2017. Flow data readings have resumed successfully.

Regulatory Reporting

Water:

- **Drinking Water System Annual Report** was submitted to Eric Bergsma, Environmental Health Officer/Port Hardy on March 1, 2017. It includes:
 - Permit to Operate
 - Water Sample Range Reports for drinking water and raw water.
 - Raw water chemical analysis performed in July 2016.
- **Annual Water System Return** was submitted to Water Management Branch/Victoria on February 17, 2017. It reports water production, demand and source information.
- **Water Utility Annual Report** was submitted to the Comptroller of Water Rights/Victoria on February 21, 2017. It primarily reports revenue analysis and financial data.

Sewer:

- **Quarterly Reports** are provided to Environmental Protection Officer Conrad Berube/Nanaimo. The reports include monthly STP flow data and effluent lab analysis of biochemical oxygen demand (BOD) and total suspended solids (TSS). Discharge requirement is less than 45 mg/l. of 5-day BOD and TSS. The reports also include results of tests for fecal coliform in nearby seawater (Ella Bay, Wastell Beach and Telegraph Cove) that are sampled every May and November.

Financial:

Approximate HSBC bank account balances at June 12, 2017 are:

○ Operating Account	\$ 29,093.09
○ Sewer-Replacement Fund	\$ 12,794.30
○ Water-Revenue Deficit Trust Fund	\$ 50,000.00
○ Water-Replacement Reserve Fund	\$ 96,984.73

Reports in blue are available upon request.



Lynne Paasch, Administrator
Telegraph Cove Utilities Ltd.



TELEGRAPH COVE UTILITIES LTD. ANNUAL REPORT TO CUSTOMERS - 2017

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○ Water-Replacement Reserve Fund	\$ 96,984.73

Reports in blue are available upon request.



Lynne Paasch, Administrator
Telegraph Cove Utilities Ltd.



5/1/2017 to 5/1/2018

May 1E, 2017

Telegraph Point Strata V S 5792
1642B Telegraph Cove Road
Box 1-8
Telegraph Cove, BC V0N 3J0

Attention: Lynne Paasch

Dear Lynne:

Re: Commercial Insurance Package Policy


Further to our correspondence, we are pleased to enclose the following Policy documentation with respect to your commercial insurance evidencing coverage has been renewed effective May 1, 2017 until May 1, 2018:

- **Commercial General Liability / Directors' & Officers' Liability Policy No. 5A1263014**, arranged through Intact Insurance Company providing coverage for Commercial General Liability in the amount of \$2,000,000 and Directors & Officers Liability in the amount of \$1,000,000 all subject to a \$1,000 deductible.

We also enclose our invoice in the amount of \$1,305 which is due and payable upon receipt

We trust you will find the enclosed to be in order. Should you have any questions or concerns please feel free to contact our office.

Best Regards


Sarah E. Fitzpatrick, CIP, CAIS, CRM
Vice President | Account Executive

ser/oc
1-1

Aon Risk Solutions
6th Floor, 1405 Douglas Street | Victoria, BC V8T 5C5
t: +1.250.368.7277 | f: +1.250.368.7194
aflr-freec: +1.877.368.7277 | w: aon.com
Aon Reed Stenhouse Inc.

1305.00
5/22/17



Telegraph Point Strata Corporation VIS5792

Box 7-1, 3065 Stubbs Place, Telegraph Cove, BC V0N 3J0
Tel: (250) 928-3065; E-mail: lynnepaasch@gmail.com

MINUTES OF THE 12TH ANNUAL GENERAL MEETING (AGM) Location: Telegraph Cove RV Park Pavilion 11 AM JULY 7, 2017

Pursuant to due and regular notice emailed on May 27, 2017, the meeting was called to order at 11:03 am on July 7, 2017 by President Tom Allen. Tom welcomed all attendees.

Present were Tom and Linda Allen, Jim and Mary Borrowman, Don and Wendy Brooks, Michael Mahon, Lynne Paasch, Conrad and Mary Porth, Roy and Bente Prushaw, Chuck Rawls, Bob and Susan Vandemoer, Bill and Katrina Wiatt.

Quorum: Lots 1, 4, 5, 7, 9, 13, 14, 15, 16, and 17, 21 and 24 were represented in person. Lots 11, 18 and 20 were represented by proxy. A quorum was declared, with 15 of the 24 lots represented.

The following were presented to those present:

- Agenda
- Minutes of the July 8, 2016 AGM (approved final is attached).
- Strata checking account and contingency reserve fund history - year 2016 (attached)
- Strata checking account and contingency reserve fund history - 1-1-2016 thru 6-30-2017 (attached)
- Financial statement - year 2016 - prepared by Chan Nowosad Boates, CPA
- Draft year 2018 budget and lot entitlement schedule (approved final is attached)
- Telegraph Point Owners - Contact Info (attached)
- Confirmation of insurance coverage (attached)
- Fact sheet regarding responsibility for utilities within strata road right of way (attached).
- Telegraph Cove Utilities - Annual report to customers (attached)

Motion to approve the Agenda was made and seconded; carried.

Motion to approve the minutes of the July 8, 2016 AGM was made and seconded; carried.

Financial: Lynne reported on revenue and expense. Motion to transfer \$10,000 from the operating account to the replacement reserve fund was made and seconded; discussion; motion carried (note: funds were transferred July 10, 2017). Motion to approve the 2018 budget and entitlement schedule as presented was made and seconded; carried. **Year 2018 maintenance fees in the amount of \$275 per lot are due on or before December 15, 2017.** Motion to approve the 2016 Financial Statement prepared by Chan Nowosad Boates was made and seconded; carried.

Insurance: Lynne reported that the \$1,305 premium for \$2,000,000 comprehensive general liability and \$1,000,000 directors and officers liability from 5/1/2017 to 5/1/2018 has been paid.

Tax Return: Lynne reported the 2016 tax return had been timely filed.

Strata roads and lot vegetation: Tom reported that the road is in good shape except for some cracking west of Lot 1. The cracking has been filled with an asphaltic product in a caulking tube. A lot of the material has sunk into the cracks and another application will be applied in early fall. The 1 metre road edge is in good condition after last year's clearing. Some lot owners have weeds in the 1 metre road edge zone. **Tom reminded that each owner is responsible for this zone on their lot and needs to keep it weed free.** This fall owners not in compliance will be notified and, if not remedied prior to spring 2018, the Strata will contract the work and invoice the owner.

Road Depreciation Report Requirement: Discussion. The exact text of a motion to waive the requirement to obtain a depreciation report will be presented in the year 2018 AGM notice and voted on at the year 2018 AGM. Passage to waive the report requirement needs a 2/3 'yea' vote. Council will compile an informal assessment of road condition and present it at the 2018 AGM prior to the vote.

CHQA of BC: Roy brought forth the motion proposed on July 21, 2016 by owners of six strata lots, that the strata join the Condominium Home Owners Association of British Columbia for an annual fee of \$5.50 per unit (total \$132). Discussion. Motion did not carry.

Responsibility for Utilities within the Strata Road right-of-way: Discussion. Lynne reported that Telegraph Cove Utilities Ltd. confirms the information it provided in Tom Allen's report (attached).

Timing of AGM's: Lynne read attorney Calvin Patterson's May 17, 2017 advice regarding the timing of Strata AGM's...that the timing is 'more commonly honoured in the breach than in observance' and 'generally these parties hold their meetings whenever it is convenient'. Discussion. Motion was made and seconded to retain the existing 12/31 fiscal year end and AGM every July. Carried.

Election of Strata Council: Tom expressed sincere appreciation to Linda and Harvey Brann for their important past service on the Strata Council. Tom Allen, Mary Borrowman, Lynn MacDiarmid, Lynne Paasch, Jay Snow and Bob Vandermeer were nominated to serve on the strata council. There being no further nominations, voting by voting card was carried out, with votes counted by Linda Allen and Mary Porth. Results: Tom Allen 13; Mary Borrowman 12; Lynn MacDiarmid 6; Lynne Paasch 13; Jay Snow 10; Bob Vandermeer 12. Tom Allen, Mary Borrowman, Lynne Paasch, Jay Snow and Bob Vandermeer are elected to serve on the council until the conclusion of the year 2018 annual general meeting. **Postscript:** The new Strata Council convened directly after the AGM, at 12:50 PM on July 7, 2017. Bob Vandermeer was elected President; Tom Allen was elected Vice President; and Lynne Paasch was elected Secretary/Treasurer. There being no further business, the council meeting adjourned.

Telegraph Cove Utilities Annual Report: Attached.

Annual General Meeting 2018: To be held on **Friday, July 6, 2018 at 11 am. Please mark your calendar.**

Tom reminded everyone of the Summer Social to be held in the Pavilion at 5 PM. There being no further business, the meeting was adjourned at 12:46 PM.

An informal gathering to discuss any issues of interest or concern to strata owners followed.

Respectfully submitted,

Lynne Paasch, Secretary/Treasurer



Telegraph Point Strata Corporation VIS5792

Box 7-1, 3065 Stubbs Place, Telegraph Cove, BC V0N 3J0

Tel: (250) 928-3065; email: lynnepasch@gmail.com

MINUTES OF THE MEETING OF ELECTED COUNCIL

Location: Telegraph Cove RV Park Pavilion

12:35 PM, July 6, 2018

PRESENT:

Lynne Paasch
Bob Vandermeer
Lynn McDiarmid
Jay Snow

Absent:

Mary Borrowman

By general consensus, Council positions were accorded as follows:

BOB VANDERMEER	President
LYNN McDIARMID	Vice President
LYNNE PAASCH	Secretary/Treasurer

Meeting was adjourned at 12:45 PM

Respectfully submitted,

Lynne Paasch, Secretary/Treasurer



Telegraph Point Strata Corporation VIS5792

Box 7-1, 3065 Stubbs Place, Telegraph Cove, BC V0N 3J0

Tel: (250) 928-3065; email: lynnepaasch@gmail.com

MINUTES OF THE 13th ANNUAL GENERAL MEETING (AGM)

Location: Telegraph Cove RV Park Pavilion

11 AM, July 6, 2018

DRAFT

Pursuant to due and regular notice emailed on May 14, 2018, the meeting was called to order at 11:05 am on July 6, 2018 by President Bob Vandermeer. Bob welcomed all attendees.

Present:

Tom and Linda Allen, Lynn MacDiarmid, Lynne Paasch, Mary Porth, Roy Preshaw, Chuck Rawls, Jay Snow, Bob and Susan Vandermeer.

Quorum:

Lots 1, 4, 5, 7, 12, 13, 14, 17 and 22 were represented in person. Lots 2, 18, 20 and 24 were represented by proxy. A quorum was declared, with 13 of the 24 lots represented.

The following were presented to attendees:

- Agenda
- Minutes of July 7, 2017 AGM ([approved final is attached](#))
- Checking account history – year 2017 ([attached](#))
- Checking account history – 1-1-2018 thru 6-30-2018 ([attached](#))
- Financial Statement- Chan Nowosad Boates – Year 2017 ([attached](#))
- Proposed year 2019 budget and lot entitlement schedule ([approved final is attached](#))
- Owners Contact Info ([attached](#))
- Proposed resolution to waive depreciation report ([attached](#))
- Telegraph Cove Utilities Ltd. – Annual Report to Customers ([attached](#))

Motion to approve the Agenda was made and seconded; carried.

Motion to approve the minutes of the July 7, 2017 AGM was made and seconded; carried. There was discussion about wording of minutes of July 7, 2017 meeting, however, it was agreed to let the minutes stand as presented.

Treasurer's Report

Lynne reported on revenues and expenses. Checking account history for Year 2017, and 1-1-2018 thru 6-30-2018 were reviewed.

Motion to approve the 2017 Financial Statement prepared by Chan Nowosad Boates was made and seconded; carried.

Insurance Report was reviewed as presented and accepted.

Tax Return was filed by Chan Nowosad Boates in May. Copy upon request.

Roy Preshaw thanked Lynne for preparation of Strata financial reports.

Strata Roads and Lot Vegetation: Visual inspection showed the road to be in acceptable condition, with some vegetation needing to be cleared near pavement. It was agreed to send notice to owners to remind them to clear vegetation near pavement. **REMINDER TO EVERY LOT OWNER: PLEASE ENSURE THAT THE 1 METRE ROAD EDGE ZONE ON YOUR LOT IS CLEAR OF VEGETATION.** Bob noted some minor repairs need to be made to pavement, which he can do quite easily and inexpensively. Roy suggested these expenses be reimbursed.

Waive Depreciation Report

Proposed resolution was read to the meeting. There was discussion about new Supreme Court ruling regarding responsibility of BC Utilities to repair property after doing work on it. Lynn MacDiarmid offered to research the ruling and report back at the 2019 AGM.

Motion to accept proposed resolution to waive depreciation report by show of hand. There were 11 votes to accept proposed resolution and 2 votes showing dissent. Motion carried.

Telegraph Cove Utilities Annual Report to Customers

Lynne presented the report.

Budget for 2019

2019 Budget was discussed.

Motion to accept budget for Telegraph Point Strata Corporation VIS5792 was made and seconded; carried.

Motion to approve transfer of additional \$5,000 to contingency reserve fund for 2019 was made and seconded; carried.

Lynne thanked Mary for recording the meeting and drafting the meeting minutes.

Elect Strata Council Members

Tom Allen regretfully declined to run for re-election to the council because of health concerns. Council expressed thanks to Tom for all his work for the council thru the years. There were FIVE nominations for Council positions, and FIVE Council positions available; therefore, new Strata Council was elected by acclamation. Carried.

Strata Council for 2019:

Mary Borrowman
Lynn MacDiarmid
Lynne Paasch
Jay Snow
Bob Vandermeer

Annual General Meeting for 2019

To be held on **Friday, June 28, 2019, at 11 am. Please mark your calendar.**

Motion to adjourn meeting at 12:07 pm was made and seconded. Carried.

Everyone was reminded of the Summer Social to be held in the Pavilion at 5pm.

An informal discussion followed about the issue of fire suppression services for Telegraph Cove, negotiated by Lynne with Port McNeill Fire Department.

Respectfully submitted,
Lynne Paasch, Secretary/Treasurer

PROPOSED RESOLUTION TO WAIVE DEPRECIATION REPORT
Presented at Telegraph Point Strata VIS 5792 AGM
Friday, July 6, 2018

WHEREAS

The Owners, Strata Plan VIS5792, pursuant to Part 6, Paragraph 94(3)(a) of the Strata Property Act, may waive the depreciation report requirement by a resolution passed by a $\frac{3}{4}$ vote at an annual or special general meeting;

BE IT RESOLVED

By a $\frac{3}{4}$ vote of The Owners, Strata Plan VIS5792, that the depreciation report requirement is hereby waived. Henceforth, the decision to waive or not to waive the depreciation report requirement will be revisited at every future annual general meeting.

Telegraph Point - Phases I, II and III Year 2018 Budget – Final Approved 7-7-2017

Operating Income		
Maintenance Fees, 24 lots @ \$275 per lot per year		6,600
Operating Expenses		
Management/Administration		275
Office/bank fees/miscellaneous		150
Accounting/Bookkeeping		850
Insurance (liability & D&O)(actual cost 5/1/17-5/1/18)		1,305
Repair and Maintenance - common area		<u>1,000</u>
Sub-total		3,580
Contingency Reserve Fund at 25% of operating budget		895
Operating Budget Contingencies at 25%		<u>895</u>
Total Estimated Operating Expenses		5,370

Maintenance fees are payable to the Strata Corporation on or before December 15 of the previous year.

Telegraph Point – Phases I, II and III

Lot Entitlement Schedule 2018

From Survey Data 24 April,
2006

Phase I			Annual	
<u>Lot No.</u>	<u>Sq. Ft.</u>	<u>Sq. Mtrs.</u>	<u>Maint. Fee Per Lot</u>	<u>Units of Entitlement</u>
1	15,931	1,480	275.00	1
2	11,841	1,100	275.00	1
3	10,613	986	275.00	1
4	10,430	969	275.00	1
5	7,330	681	275.00	1
6	8,923	829	275.00	1
7	13,886	1,290	275.00	1
8	11,841	1,100	275.00	1
9	10,441	970	275.00	1
10	10,753	999	275.00	1
11	15,177	1,410	275.00	1
12	13,347	1,240	275.00	1
13	13,132	1,220	275.00	1
14	14,532	1,350	275.00	1
Phase II				
15	9,000	836	275.00	1
16	11,303	1,050	275.00	1
17	13,349	1,240	275.00	1
18	11,411	1,060	275.00	1
19	13,650	1,268	275.00	1
20	9,613	893	275.00	1
Phase III				
21	15,846	1,472	275.00	1
22	16,148	1,500	275.00	1
23	17,978	1,670	275.00	1
24	18,301	1,700	275.00	<u>1</u>
TOTALS			6,600	24

Telegraph Point - Phases I, II and III Year 2019 Budget – Final approved 7-6-2018

Operating Income	
Maintenance Fees, 24 lots @ \$275 per lot per year	6,600
Operating Expenses	
Management/Administration	275
Office/bank fees/miscellaneous	150
Accounting/Bookkeeping	850
Insurance (liability & D&O)(actual cost 5/1/16-5/1/17)	1,305
Repair and Maintenance - common area	<u>1,000</u>
Sub-total	3,580
Contingency Reserve Fund at 25% of operating budget	895
Operating Budget Contingencies at 25%	<u>895</u>
Total Estimated Operating Expenses	5,370

Maintenance fees are payable to the Strata Corporation on or before December 15 of the previous year.

Telegraph Point – Phases I, II and III

Lot Entitlement Schedule 2019

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9	10,441	970	275.00	1
10	10,753	999	275.00	1
11	15,177	1,410	275.00	1
12	13,347	1,240	275.00	1
13	13,132	1,220	275.00	1
14	14,532	1,350	275.00	1
Phase II				
15	9,000	836	275.00	1
16	11,303	1,050	275.00	1
17	13,349	1,240	275.00	1
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19	13,650	1,268	275.00	1
20	9,613	893	275.00	1
Phase III				
21	15,846	1,472	275.00	1
22	16,148	1,500	275.00	1
23	17,978	1,670	275.00	1
24	18,301	1,700	275.00	<u>1</u>
TOTALS			6,600	24

WATER UTILITY ACT

WATER TARIFF NO. 1

RATES AND RULES

For

WATER SERVICE

At

Telegraph Cove, BC

By

Telegraph Cove Utilities Ltd.

1642B Telegraph Cove Road., Telegraph Cove, BC VON 3J0

Contact Person

Lynne Paasch

This Tariff is available for public inspection at:

1642B Telegraph Cove Road, Telegraph Cove, BC

NOTE: CONTAINS REVISED SCHEDULE D EFFECTIVE JULY 1, 2012

Accepted for Filing by the
Comptroller of Water Rights

Effective: _____

Secretary to the Comptroller

Submitted August 12, 2008

Definitions

In this tariff the following definitions shall apply:

- (a) "Authorized Premises" means premises which are entitled to, and authorized for, service in accordance with the Certificate of Public Convenience and Necessity of the Utility;
- (b) "Comptroller" means the Comptroller of Water Rights under the Water Act and includes a deputy comptroller or a person appointed by the minister as acting comptroller;
- (c) "Customer" means any person who is the owner or lessee of an authorized premises;
- (d) "Domestic Service" means in-house use not including irrigation, lawn sprinkling or garden use;
- (e) "Domestic Service Equivalent (DSE)" is a unit of measurement used to define how many multiples of the domestic flat rate to charge to a non-domestic authorized premise, typically a commercial entity. (Sometimes referred to as the Single Family Equivalent)
- (f) "Premises" means land and buildings thereon;
- (g) "Rate" includes a general, individual or joint rate, fee, charge, rental or other compensation of the Utility a schedule or tariff respecting a rate;
- (g) "Service" shall include:
 - the supply of water provided by the Utility to the customer,
 - the plant, equipment, apparatus, appliances, property and facilities employed by or in connection with the utility in providing the supply of water to the property line of the premise.
- (h) "Unit" means a building of accommodation occupied separately or to be occupied separately by an owner or lessee and, which either separately or jointly with other units, receives service from a connection to the Utility's waterworks and, without restricting the generality of the foregoing, includes the separate units of accommodation in all dwellings.
- (i) "Utility" means Telegraph Cove Utilities Ltd.

Terms and Conditions

1. Application for Service

For authorized premises, charges for service are intended to recover the Utility's costs. The following charges are applicable depending upon the circumstances:

- (a) At the time an application is made for service to premises which had not previously been connected for service, the applicable charge shown in Schedule "A(a)" and/or "A(b)" of this tariff shall be paid by the applicant.
- (b) A turn-on fee of \$75.00 shall be applicable when:
 - (i) a turn-on of a valve at an existing curb-stop is made at a date after the service connection was installed;
 - (ii) a customer becomes re-connected after service has been shut-off at the request of the customer, for non-payment of rates, or for violation of these terms and conditions.
- (c) There is no charge for service shut-off.
- (d) At the time an application for service is made by a new customer, an administration charge of \$25.00 shall apply. This charge is not only applicable for a new connection, but also when a new customer, either owner or lessee of the premises, commences receiving service to an existing authorized premises.

2. Billing and Payment

All bills are issued semi-annually (except for availability charges which are issued annually) and are due and payable within thirty days of the date of issue. Flat rates (and flat rate portion of metered rates) are billed in advance of service. For metered rates, excess consumption is billed in arrears. If the amount due on any bill has not been paid in full within (30) thirty days from the date of issue a further bill will be rendered to include the overdue amount plus a late payment charge of \$25.00.

If a cheque is returned by the customer's financial institution an administration fee of \$25.00 will be charged.

3. Service Shut-Off due to Non-Payment

When an account becomes one month overdue service may be shut off upon 15 days' written notice. A notice mailed to the last known postal address of the customer shall be deemed good and sufficient notice. A collection charge of \$40.00 shall be paid each time a Utility representative attends a customer's premises to disconnect service, following the issuance of a shut-off notice.

Service will not be turned on until all outstanding charges against the service, including the collection charge and turn-on fee (Section 1(b)) have been paid.

4. Discontinuance of Service

- (a) Customers must give at least two working days' notice in writing at the office of the Utility when requesting discontinuance of service and shall be liable for payment for all service until such service has been discontinued.
- (b) Any customer who desires to discontinue the use of water for any of the purposes stated in his application for service shall give notice of his intention, in writing, at the office of the Utility, and shall further show that any fittings used for the supply of water for such purposes have been disconnected.
- (c) The Utility may discontinue service to any customer who contravenes the terms and conditions contained in this tariff. In the event of further contravention of the tariff, the Utility may detach the service connection from the customer's premises and, upon re-application for service, the customer shall be liable to pay the Utility's cost of performing the said detachment and re-connection in addition to other applicable rates and charges.

5. Access to Premises

A condition of service shall be the customer's consent, upon reasonable notice, for representatives of the Utility to enter onto the customer's property for the purposes of making connections, taking water quality samples, reading meters, inspecting pipes and appurtenances, checking on the use or waste of water or determining compliance with these terms and conditions.

6. Interruption of Service

The Utility intends to maintain at all times an adequate and continuous supply of water at suitable pressures but accepts no liability for interruptions due to circumstances beyond its control. However, for the interruptions in excess of 48 hours, a proportionate rebate will be allowed to customers served on flat rates.

7. Restriction of Use of Water

The Utility may restrict or prohibit the use of water for gardening, sprinkling, air conditioning, the filling of swimming pools, or other purposes when, in its opinion, such action is necessary to conserve the water supply or to maintain water pressure. A customer who contravenes water use restrictions may receive one warning notice per calendar year before a fine for contravention applies. A notice delivered to the customer's premises shall be deemed good and sufficient notice of a contravention. For each subsequent contravention during the calendar year, a \$50.00 fine is applicable.

8. Limits on Water Use

No customer shall sell or dispose of any water or permit same to be carried away, or use water or allow it to be used in premises, or for purposes other than those stated in the customer's application for service.

The Utility may, if in its opinion an undue amount of water is used at any time by any customer being served under a flat rate, install a water meter and thereafter charge the customer in accordance with the meter rates included in this tariff. All such meters shall remain the property of the Utility.

9. Multiple Dwellings

In the case of apartment houses, duplexes or houses containing one or more suites, each such accommodation, whether or not self-contained, shall **not** be considered as a separate customer unless it is *so* specified in a schedule of this Tariff.

10. Work to be done by the Utility

No person, who is not an agent or employee of the Utility, shall make any connections with or alterations to or tamper with any of the Utility's waterworks, including any water meter belonging to the Utility, nor turn on or off any valve or curb stop of the Utility, without prior authorization by the Utility in writing.

11. Minimum Size of Services

The minimum size of pipe used to serve any one premises shall be 3/4" (19mm) nominal diameter. The type and diameter of pipe used on the customer's premises should be selected with due consideration of pressure losses from friction.

12. Minimum Earth Cover Over Services

All services on the customer's premises shall be buried below the maximum depth of frost penetration but in any event at a minimum depth of 3 feet below the surface of the ground.

13. Ownership of Service

All water service pipes and fittings carrying water from the main (A) to the curb stop if no meter is yet installed; or (B) to and including the water meter serving the customer's property if a water meter has been installed; shall be the property of the Utility.

14. Stop Cock

The customer shall provide a shut-off valve (stop cock) inside each of the customer's buildings in which water is used, for the use of the customer in case of leaky or defective pipes or fixtures, or in case the premises is vacated.

15. Customer's Service Pipes

Service connection materials installed on the customer's premises shall be rated by the manufacturer to sustain a minimum working pressure of 160 psi (1100 kilopascals). No service pipe or fitting shall be covered until they have been inspected and approved by the Utility.

16. Dangerous Cross-Connections

The customer shall not permit the plumbing on their premises to be connected to any source of water supply other than the Utility's, or to any potential source of contamination, without first obtaining the Utility's permission in writing. Any back-flow preventers deemed necessary by the Utility to prevent the entry of contaminants shall be installed at the customer's expense.

17. Condition of Customer's Pipes and Fixtures

All customers at their own risk and expense shall keep their pipes, stop cocks and other fixtures in good working order and shall protect them from frost and other damage. The Utility shall, within a reasonable time notify the customer of any leaky pipes and fixtures that are evident on the premises. If the necessary repairs are not made within two (2) working days after such notice has been given, or when the condition of the pipes or fixtures is such as to cause damage to property or material waste of water or damage to property, then without further notice the Utility may shut off the water supply. The water shall not be turned on again until such repairs have been made to the satisfaction of the Utility, and the charges paid as provided by clauses 1 and 4(c) of this tariff. No person whose water supply is shut off pursuant to this section shall have any claim against the Utility for discontinuance of supply.

18. Notice of Service Shut-off

The Utility shall have the right at all times to shut off the water supply temporarily to any premises in order to make repairs, replacements, alterations and extensions to the Utility's waterworks as shall, in the opinion of the Utility, be deemed necessary. Whenever possible the Utility will give reasonable advance notice of shut-off, and, in all cases where the Utility expects service to be interrupted for 24 hours or more, the Utility shall give advance notice to its customers.

19. Application for Extension of Service

For lots not authorized for service, all applications for extension of water service shall be made in writing by the owner or lessee of the premises to which the application refers, or by the owner's duly authorized agent. All applications for service shall state:

- (a) the purpose(s) for which the service is to be used (i.e. domestic, commercial, irrigation, etc.);
- (b) the legal description of the property;
- (c) the number and location of the premises to be served.

Charges for extension of service are intended to recover the Utility's costs. For each application, an initial deposit of \$200 is required to be paid at the time of application. Additional costs incurred by the Utility for legal, engineering and other fees, including Utility staff time, will be payable by the applicant and may require further deposits prior to undertaking certain aspects of the application process.

Each application for extension of service requires an amendment to the Utility's Certificate of Public Convenience & Necessity (CPCN) to include the lot(s) within its authorized service area. In response to each application, the Utility will detail the terms and conditions

of service including all rates and charges applicable. Prior to the issuance of an amended CPCN, confirmation is required that either a deposit into the Utility's Deferred Capacity Trust Fund under Schedule B of this tariff has been made or that additional works have been constructed and contributed to the Utility by the applicant as required by the Comptroller of Water Rights.

Once the amended CPCN is issued, and while the lot(s) are not receiving service, availability of service charges under Schedule G of this tariff will be applicable.

Additional applications shall be made for all extensions of service to additional premises and for additional purposes.

20. Water Main Extensions

General Provisions

- 20.1 Any waterworks installed pursuant to an application for extension of service shall be the sole property of the Utility.
- 20.2 The size, type, quality of materials, and their location will be specified by the Utility and the actual construction will be done by the Utility or by a construction agency acceptable to it.
- 20.3 In arriving at the length of the main extension necessary to render service to any point, the distance from such point to the nearest distribution main shall be considered along lines of proper construction and common practice in the location of public waterworks, due consideration being given to the general layout of the Utility's system. The length of the extension shall be measured along the lines of proper construction from the nearest distribution main to the middle of the furthest property to be served.
- 20.4 The Utility will not be required to make extensions where road grades have not been brought to those established by public authority.
- 20.5 Where an extension must comply with a law, statute, bylaw, ordinance, regulation, specification or order of a public authority, the estimated cost of the extension shall be based upon the waterworks required to comply therewith.

Method of Allocating Advances and Refunds

- 20.6 Advances by original applicants:
When more than one applicant is involved and an advance is required in payment for a main extension the amount of the advance shall be divided equally or as otherwise agreed among the applicants are made known to the Utility.

20.7 Advances by subsequent customers:

An extension charge equal to a pro-rata share of the original cost of the main extension shall be collected by the Utility from each additional customer who connects to the original main extension within five years. The extension charge collected above shall be refunded equally **or as otherwise agreed** to the customers who already have advances deposited with the Utility as a result of connection to the extension, so that in the result all subscribers will have paid their pro-rata share or as otherwise agreed by them and made known to the Utility.

20.8 Advances which may be required from applicants in payment for extensions will be held by the Utility without interest. Refunds will be made in accordance with these rules and no person will have refunded to him an amount in excess of the amount of his advance. Refunds will be paid to the current registered owners of the properties on account of which the deposits were received. Any amount not used by the Utility for construction of the extension and not refunded at the end of five years from the date the advance was received by the Utility from the original applicant or applicants will be retained by the Utility and transferred to the "Deferred Capacity Trust Fund" account. Thereafter additional customers will be connected without being required to pay the extension charge.

21. Winter Construction

The Utility reserves the right to refuse to make extensions and install service pipe to a customer's property line under frost conditions in the winter months that would make the undertaking impractical or in the Utility's opinion, excessively costly.

22. Amendments to Tariff

The rates and charges recorded in this tariff are the only lawful, enforceable and collectable rates and charges of the Utility, and shall not be amended without the consent of the Comptroller. The Comptroller, on his own motion, or on complaint of the Utility or other interested persons that the existing rates in effect and collected or any rates charged or attempted to be charged for service by the Utility are unjust, unreasonable, insufficient, unduly discriminatory or in contravention of the Water Utility Act, regulations or law, may, after investigation, determine the just, reasonable and sufficient rates to be observed and in force, and shall, by order, fix the rates.

The Utility may submit to the Comptroller, by letter of application together with full supporting documentation, proposed amendments to rates and charges, and other terms and conditions of service. After initial review of the application, the Comptroller may require the Utility to give an acceptable form of notice of the application to its customers and other interested persons. The notice will state a specific time period within which any interested persons may submit objections to the application to the Comptroller. After investigation of

the application and any objections thereto, the Comptroller will decide the matter and notify all interested persons of his decision.

23. Disputes

In case of disagreement or dispute regarding the application of any provision of these terms and conditions, or in circumstances where the application of the terms and conditions appears impracticable or unjust to either party, the Utility, or the applicant or applicants, may refer the matter to the Comptroller for adjudication.

Schedule “A” - Water Service Connection

The charges shown below apply to connections to a main (see page 2, section 1).

The connection charge (a) recovers the cost incurred by the Utility, and not otherwise recovered, of installing a service connection from the water main to a curb stop and, if required, a meter at the property line of the customer’s premises or in the building. Cost herein includes any administrative overhead incurred.

Where, at a time prior to a customer’s application for service, a service connection has been installed at no cost to the Utility or at a cost otherwise recovered by the Utility, then upon connection of the service pipe, the rate shown in (b) below shall be paid upon application for service.

(a)	Connection Charge:	At Cost
(b)	Connection of customer’s service pipe to an existing curb stop	\$100.00

Schedule “B” - Contribution in Aid of Future Construction

Where as a result of premises becoming qualified as authorized premises a greater number of units require or may require service from the utility, thus utilizing waterworks capacity presently or in the future, then, upon application for an extension of service, in addition to the connection charge and any main extension costs, the charge shown below shall be paid.

For each domestic service premises qualifying as authorized premises	To be determined
---	------------------

Note:

1. For other than a single family premises, the charge shall be calculated on a domestic service equivalent basis.
2. Monies collected are to be deposited to the Utility’s Deferred Capacity Trust Fund and may only be released with the written authorization of the Comptroller of Water Rights.

Schedule “C” - Domestic Service Flat Rates

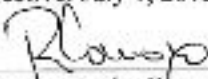
Applicability: To domestic service customers receiving service.

Rate: \$330.00 semi-annually

Note: From the above rates collected, a portion will be deposited into a Replacement Reserve Trust Fund as ordered by the Comptroller of Water Rights and may only be released with the written authorization of the Comptroller of Water Rights. (This contribution will be \$14,560 per year.)

Telegraph Cove Utilities Ltd.

Water Tariff No. 1
1st Revised Page No. 13
Replaces Original Page No. 13
Effective: July 1, 2012


Secretary to the Comptroller

Schedule "D" -Commercial Flat Rates

Applicability: To all commercial customers receiving service.

Rates:	Dockside 29	\$3,828.00 semi-annually
	Telegraph Cove Marina	\$3,960.00 semi-annually
	Telegraph Cove Venture	\$ 990.00 semi-annually

Note: From the above rates collected, a portion will be deposited into a Replacement Reserve Trust Fund and may only be released with the written authorization of the Comptroller of Water Rights. (Total annual contribution required \$14,560 per year)

**Schedule “E” -Meter Rates -Domestic, Agricultural, Hobby Farming,
Irrigation, Industrial and Commercial Establishments**

Applicability: None at this time

Rates:	Meter Size	Rate (monthly/quarterly, etc.)
	_____	\$ _____
	_____	\$ _____
	_____	\$ _____
	_____	\$ _____

Note: From the above rates collected, a portion will be deposited into a Replacement Reserve Trust Fund as ordered by the Comptroller of Water Rights and may only be released with the written authorization of the Comptroller of Water Rights. (This contribution will be \$14,560 per year.)

Schedule “G” - Availability of Service Charge as per Rent charge Agreement(s)

Applicability: To the owners all of lots which have a Rent Charge Agreement registered on title.

Rate: \$330 per annum (50% of flat rate for domestic/commercial connected lots)

Note: From the above rates collected, a portion will be deposited into a Replacement Reserve Trust Fund as ordered by the Comptroller of Water Rights and may only be released with the written authorization of the Comptroller of Water Rights. (This contribution will be \$14,560 per year.)



TELEGRAPH COVE UTILITIES LTD. ANNUAL REPORT TO CUSTOMERS – 2019

Mission

Telegraph Cove Utilities Ltd. (TCU) was incorporated in 1998. Wholly owned by Telegraph Cove Holdings Ltd. since its inception, TCU is a community based private water and sewer utility company dedicated to the responsible delivery of safe, reliable water and sewer services to customers in its specified service area.

Operations

TCU welcomes the current transition to our new management and operations team.

- Stephanie Meinhold (250-928-3163) has completed the water and sewer certified operator course work and soon takes the certification exams. She has an extensive health and science background and is committed to TCU's mission. She is also working with Vancouver Island Health Authority and the Ministry of Environment in this important transition.
- George Rapin joined us as Infrastructure Manager several months ago. George has proven to be a can-do maintain and repair specialist knowledgeable in water and wastewater systems, and TCU is very pleased to have him onsite and on board. **IN THE EVENT OF A WATER OR SEWER EMERGENCY CONTACT GEORGE AT [250-230-1000 \(Cell\)](tel:250-230-1000) or [250-928-3020](tel:250-928-3020).**
- Tyler Meinhold (250-201-3474) has a considerable business management background and assumes Utility Management with ongoing transition interface from Chuck Rawls.
- Lynne Paasch – Administrator (509-967-2395 WA or 250-928-3065 Telegraph Cove)

Water

The Raw Water Reservoir's capacity is 7,571 cubic metres. It once again began the peak demand season at near full capacity, providing a sufficient, readily available supply of raw water (rainwater and flow from Steep Creek).

The Water Treatment Plant (WTP) turns raw water into drinking water by processes using exact amounts of alum, soda ash and sodium hypochlorite. 5,715 cubic metres of drinking water were produced and sent through the distribution system in 2018. Our water continues to consistently be of the highest quality.

Sewer

The Sewage Treatment Plant (STP) continues to function well.

Fire

On January 31, 2017 the Town of Port McNeill cancelled the Fire Services Agreement that had been in place with the Port McNeill Volunteer Fire Department since 2013. The owners in the TCU service area were able to extend service thru year 2018 with no agreement in place, as TCU attempted to work with the Town to effect a replacement agreement. Those efforts were not successful given that the Town required TCU at its sole cost to design, build and maintain access roads, ensure that all improvements on the lands meet applicable statutes and building codes, ensure that explosives are not manufactured stored or sold on the lands, etc. These are requirements clearly beyond TCU's power or responsibility.

Land owners in the TCU service area are not served by a responding fire department. Be sure to make this clear to your property insurance provider. TCU continues to provide water, water lines and hydrants for fire suppression use by owners in its service area. TCU remains receptive to partnering in an agreement with a responding fire department provided the requirements imposed on TCU and its customers are rational.

Rates: New sewer rates, and water rates via Tariff amendment, commenced July 1, 2018.

Regulatory Reporting (reports in [blue](#) below are available upon request)

Water:

- [Drinking Water System Annual Report](#) for year 2018 was submitted to Eric Bergsma, Environmental Health Officer/Port Hardy on February 25, 2019. The annual report also includes:
 - Permit to Operate
 - Water Sample Range Reports for drinking water and raw water for year 2018.
- On April 12, 2018 Eric Bergsma conducted a routine site inspection of the WTP and his [Inspection Report is dated April 12, 2018](#).
- [Water Utility Annual Report](#) for year ended December 31, 2018 was submitted to the Comptroller of Water Rights/Victoria on February 20, 2019. It primarily provides revenue analysis, financial reports and bank account confirmations.
- [Annual Water System Return](#) for year 2018 was submitted to Water Management Branch/Victoria on February 20, 2019. It reports water production, demand and source information.

Sewer:

- [Quarterly Reports](#) are provided to Environmental Protection Officer Conrad Berube/Nanaimo. They include monthly STP flow data and effluent lab analysis of biochemical oxygen demand (BOD) and total suspended solids (TSS). Discharge requirement is less than 45 mg/L of 5-day BOD and TSS. The reports also include results of tests for fecal coliform in nearby seawater (Ella Bay, Wastell Beach and Telegraph Cove) that are sampled twice each year, and results of the Sewer Outfall Dye Test that was conducted June 26, 2018 and is required every 5 years.

Financial:

Approximate HSBC bank account balances at June 18, 2019 are:

○ Operating Account (Water)	\$ 20,050.19
○ Operating Account (Sewer)	\$ 8,464.55
○ Water-Revenue Deficit Trust Fund	\$ 50,000.00
○ Water-Replacement Reserve Fund	\$128,444.46
○ Sewer Replacement Fund	\$ 12,249.00

Respectfully submitted,
Lynne Paasch, Administrator

Telegraph Point - Phases I, II and III Year 2021 Budget – Final Approved 6-26-2020

Operating Income	
Maintenance Fees, 24 lots @ \$275 per lot per year	6,600
Operating Expenses	
Management/Administration	275
Office/bank fees/miscellaneous	150
Accounting/Bookkeeping	850
Insurance (liability & D&O)(actual cost 5/1/20-5/1/21)	1,025
Repair and Maintenance - common area	<u>1,000</u>
Sub-total	3,300
Contingency Reserve Fund	2,400
Operating Budget Contingencies at 25%	<u>825</u>
Total Estimated Operating Expenses	<u>6,525</u>

Maintenance fees are payable to the Strata Corporation on or before December 15 of the previous year.

Telegraph Point – Phases I, II and III

Lot Entitlement Schedule 2021

From Survey Data 24 April,
2006

Phase I			Annual	
<u>Lot No.</u>	<u>Sq. Ft.</u>	<u>Sq. Mtrs.</u>	<u>Maint. Fee Per Lot</u>	<u>Units of Entitlement</u>
1	15,931	1,480	275.00	1
2	11,841	1,100	275.00	1
3	10,613	986	275.00	1
4	10,430	969	275.00	1
5	7,330	681	275.00	1
6	8,923	829	275.00	1
7	13,886	1,290	275.00	1
8	11,841	1,100	275.00	1
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23	17,978	1,670	275.00	1
24	18,301	1,700	275.00	<u>1</u>
TOTALS			6,600	24

lynnepaasch@gmail.com



Telegraph Point Strata Corporation

VIS5792

Box 7-1
3065 Stubbs Place
Telegraph Cove, BC V0N 3J0

P: 250-928-3065
Alternate phone: 509-967-2395
E: lynnepaasch@gmail.com

Bill To: **PORTH, Conrad & Mary**
67 Aspen Summit Court SW
Calgary, AB T3H 0Z3

Invoice No: 2020-13
Billing Period: Jan 1- Dec 31, 2020

Lot: #13 Telegraph Point
1540 Ella Point Drive

Date: 11/15/2019

Statement of Account

DESCRIPTION	MONTHS	RATE PER MONTH	TOTAL
Previous Billing			275.00
Payment - Thank You			-275.00
Current Billing Annual Maintenance Fees 2020			275.00
		TOTAL DUE BY DECEMBER 15, 2019	275.00

paid by eTransfer Nov 18, 2019.

Please pay promptly. Interest charged on overdue accounts is 7.5% annually.

Which lot do we own at Telegraph Cove?
Lot 13 (no space)



Telegraph Point Strata Corporation

VIS5792

Box 7-1
3065 Stubbs Place
Telegraph Cove, BC V0N 3J0

Phone during Covid: 509-967-2395
Phone: 250-928-3065
E: lynnepaasch@gmail.com

Bill To: **PORTH, Conrad & Mary**
67 Aspen Summit Court SW
Calgary, AB T3H 0Z3

Invoice No: 2021-13
Billing Period: Jan 1- Dec 31, 2021

Lot: #13 Telegraph Point
1540 Ella Point Drive

Date: 11/15/2020

Statement of Account

DESCRIPTION	MONTHS	RATE PER MONTH	TOTAL
Previous Billing			275.00
Payment - Thank You			-275.00
Current Billing			
Annual Maintenance Fees 2020			275.00
Reimbursement to the Strata for Fox's Disposal garbage service, August 2019 thru December 2021 (see attached)			207.57
		TOTAL DUE BY DECEMBER 15, 2020	482.57

Please pay promptly. Interest charged on overdue accounts is 7.5% annually.

*Paid \$482.57
E Transfer
Nov 21, 2020*

WATER UTILITY ACT

WATER TARIFF NO. 1

RATES AND RULES

For

WATER SERVICE

At

Telegraph Cove, BC

By

Telegraph Cove Utilities Ltd.

1642B Telegraph Cove Road., Telegraph Cove, BC VON 3J0

Contact Person

Lynne Paasch

This Tariff is available for public inspection at:

1642B Telegraph Cove Road, Telegraph Cove, BC

NOTE: CONTAINS REVISED SCHEDULE D EFFECTIVE JULY 1, 2012

Accepted for Filing by the
Comptroller of Water Rights

Effective: _____

Secretary to the Comptroller

Submitted August 12, 2008

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- (c) "Customer" means any person who is the owner or lessee of an authorized premises;
- (d) "Domestic Service" means in-house use not including irrigation, lawn sprinkling or garden use;
- (e) "Domestic Service Equivalent (DSE)" is a unit of measurement used to define how many multiples of the domestic flat rate to charge to a non-domestic authorized premise, typically a commercial entity. (Sometimes referred to as the Single Family Equivalent)
- (f) "Premises" means land and buildings thereon;
- (g) "Rate" includes a general, individual or joint rate, fee, charge, rental or other compensation of the Utility a schedule or tariff respecting a rate;
- (g) "Service" shall include:
 - the supply of water provided by the Utility to the customer,
 - the plant, equipment, apparatus, appliances, property and facilities employed by or in connection with the utility in providing the supply of water to the property line of the premise.
- (h) "Unit" means a building of accommodation occupied separately or to be occupied separately by an owner or lessee and, which either separately or jointly with other units, receives service from a connection to the Utility's waterworks and, without restricting the generality of the foregoing, includes the separate units of accommodation in all dwellings.
- (i) "Utility" means Telegraph Cove Utilities Ltd.

Terms and Conditions

1. Application for Service

For authorized premises, charges for service are intended to recover the Utility's costs. The following charges are applicable depending upon the circumstances:

- (a) At the time an application is made for service to premises which had not previously been connected for service, the applicable charge shown in Schedule "A(a)" and/or "A(b)" of this tariff shall be paid by the applicant.
- (b) A turn-on fee of \$75.00 shall be applicable when:
 - (i) a turn-on of a valve at an existing curb-stop is made at a date after the service connection was installed;
 - (ii) a customer becomes re-connected after service has been shut-off at the request of the customer, for non-payment of rates, or for violation of these terms and conditions.
- (c) There is no charge for service shut-off.
- (d) At the time an application for service is made by a new customer, an administration charge of \$25.00 shall apply. This charge is not only applicable for a new connection, but also when a new customer, either owner or lessee of the premises, commences receiving service to an existing authorized premises.

2. Billing and Payment

All bills are issued semi-annually (except for availability charges which are issued annually) and are due and payable within thirty days of the date of issue. Flat rates (and flat rate portion of metered rates) are billed in advance of service. For metered rates, excess consumption is billed in arrears. If the amount due on any bill has not been paid in full within (30) thirty days from the date of issue a further bill will be rendered to include the overdue amount plus a late payment charge of \$25.00.

If a cheque is returned by the customer's financial institution an administration fee of \$25.00 will be charged.

3. Service Shut-Off due to Non-Payment

When an account becomes one month overdue service may be shut off upon 15 days' written notice. A notice mailed to the last known postal address of the customer shall be deemed good and sufficient notice. A collection charge of \$40.00 shall be paid each time a Utility representative attends a customer's premises to disconnect service, following the issuance of a shut-off notice.

Service will not be turned on until all outstanding charges against the service, including the collection charge and turn-on fee (Section 1(b)) have been paid.

4. Discontinuance of Service

- (a) Customers must give at least two working days' notice in writing at the office of the Utility when requesting discontinuance of service and shall be liable for payment for all service until such service has been discontinued.
- (b) Any customer who desires to discontinue the use of water for any of the purposes stated in his application for service shall give notice of his intention, in writing, at the office of the Utility, and shall further show that any fittings used for the supply of water for such purposes have been disconnected.
- (c) The Utility may discontinue service to any customer who contravenes the terms and conditions contained in this tariff. In the event of further contravention of the tariff, the Utility may detach the service connection from the customer's premises and, upon re-application for service, the customer shall be liable to pay the Utility's cost of performing the said detachment and re-connection in addition to other applicable rates and charges.

5. Access to Premises

A condition of service shall be the customer's consent, upon reasonable notice, for representatives of the Utility to enter onto the customer's property for the purposes of making connections, taking water quality samples, reading meters, inspecting pipes and appurtenances, checking on the use or waste of water or determining compliance with these terms and conditions.

6. Interruption of Service

The Utility intends to maintain at all times an adequate and continuous supply of water at suitable pressures but accepts no liability for interruptions due to circumstances beyond its control. However, for the interruptions in excess of 48 hours, a proportionate rebate will be allowed to customers served on flat rates.

7. Restriction of Use of Water

The Utility may restrict or prohibit the use of water for gardening, sprinkling, air conditioning, the filling of swimming pools, or other purposes when, in its opinion, such action is necessary to conserve the water supply or to maintain water pressure. A customer who contravenes water use restrictions may receive one warning notice per calendar year before a fine for contravention applies. A notice delivered to the customer's premises shall be deemed good and sufficient notice of a contravention. For each subsequent contravention during the calendar year, a \$50.00 fine is applicable.

8. Limits on Water Use

No customer shall sell or dispose of any water or permit same to be carried away, or use water or allow it to be used in premises, or for purposes other than those stated in the customer's application for service.

The Utility may, if in its opinion an undue amount of water is used at any time by any customer being served under a flat rate, install a water meter and thereafter charge the customer in accordance with the meter rates included in this tariff. All such meters shall remain the property of the Utility.

9. Multiple Dwellings

In the case of apartment houses, duplexes or houses containing one or more suites, each such accommodation, whether or not self-contained, shall **not** be considered as a separate customer unless it is *so* specified in a schedule of this Tariff.

10. Work to be done by the Utility

No person, who is not an agent or employee of the Utility, shall make any connections with or alterations to or tamper with any of the Utility's waterworks, including any water meter belonging to the Utility, nor turn on or off any valve or curb stop of the Utility, without prior authorization by the Utility in writing.

11. Minimum Size of Services

The minimum size of pipe used to serve any one premises shall be 3/4" (19mm) nominal diameter. The type and diameter of pipe used on the customer's premises should be selected with due consideration of pressure losses from friction.

12. Minimum Earth Cover Over Services

All services on the customer's premises shall be buried below the maximum depth of frost penetration but in any event at a minimum depth of 3 feet below the surface of the ground.

13. Ownership of Service

All water service pipes and fittings carrying water from the main (A) to the curb stop if no meter is yet installed; or (B) to and including the water meter serving the customer's property if a water meter has been installed; shall be the property of the Utility.

14. Stop Cock

The customer shall provide a shut-off valve (stop cock) inside each of the customer's buildings in which water is used, for the use of the customer in case of leaky or defective pipes or fixtures, or in case the premises is vacated.

15. Customer's Service Pipes

Service connection materials installed on the customer's premises shall be rated by the manufacturer to sustain a minimum working pressure of 160 psi (1100 kilopascals). No service pipe or fitting shall be covered until they have been inspected and approved by the Utility.

16. Dangerous Cross-Connections

The customer shall not permit the plumbing on their premises to be connected to any source of water supply other than the Utility's, or to any potential source of contamination, without first obtaining the Utility's permission in writing. Any back-flow preventers deemed necessary by the Utility to prevent the entry of contaminants shall be installed at the customer's expense.

17. Condition of Customer's Pipes and Fixtures

All customers at their own risk and expense shall keep their pipes, stop cocks and other fixtures in good working order and shall protect them from frost and other damage. The Utility shall, within a reasonable time notify the customer of any leaky pipes and fixtures that are evident on the premises. If the necessary repairs are not made within two (2) working days after such notice has been given, or when the condition of the pipes or fixtures is such as to cause damage to property or material waste of water or damage to property, then without further notice the Utility may shut off the water supply. The water shall not be turned on again until such repairs have been made to the satisfaction of the Utility, and the charges paid as provided by clauses 1 and 4(c) of this tariff. No person whose water supply is shut off pursuant to this section shall have any claim against the Utility for discontinuance of supply.

18. Notice of Service Shut-off

The Utility shall have the right at all times to shut off the water supply temporarily to any premises in order to make repairs, replacements, alterations and extensions to the Utility's waterworks as shall, in the opinion of the Utility, be deemed necessary. Whenever possible the Utility will give reasonable advance notice of shut-off, and, in all cases where the Utility expects service to be interrupted for 24 hours or more, the Utility shall give advance notice to its customers.

19. Application for Extension of Service

For lots not authorized for service, all applications for extension of water service shall be made in writing by the owner or lessee of the premises to which the application refers, or by the owner's duly authorized agent. All applications for service shall state:

- (a) the purpose(s) for which the service is to be used (i.e. domestic, commercial, irrigation, etc.);
- (b) the legal description of the property;
- (c) the number and location of the premises to be served.

Charges for extension of service are intended to recover the Utility's costs. For each application, an initial deposit of \$200 is required to be paid at the time of application. Additional costs incurred by the Utility for legal, engineering and other fees, including Utility staff time, will be payable by the applicant and may require further deposits prior to undertaking certain aspects of the application process.

Each application for extension of service requires an amendment to the Utility's Certificate of Public Convenience & Necessity (CPCN) to include the lot(s) within its authorized service area. In response to each application, the Utility will detail the terms and conditions

of service including all rates and charges applicable. Prior to the issuance of an amended CPCN, confirmation is required that either a deposit into the Utility's Deferred Capacity Trust Fund under Schedule B of this tariff has been made or that additional works have been constructed and contributed to the Utility by the applicant as required by the Comptroller of Water Rights.

Once the amended CPCN is issued, and while the lot(s) are not receiving service, availability of service charges under Schedule G of this tariff will be applicable.

Additional applications shall be made for all extensions of service to additional premises and for additional purposes.

20. Water Main Extensions

General Provisions

- 20.1 Any waterworks installed pursuant to an application for extension of service shall be the sole property of the Utility.
- 20.2 The size, type, quality of materials, and their location will be specified by the Utility and the actual construction will be done by the Utility or by a construction agency acceptable to it.
- 20.3 In arriving at the length of the main extension necessary to render service to any point, the distance from such point to the nearest distribution main shall be considered along lines of proper construction and common practice in the location of public waterworks, due consideration being given to the general layout of the Utility's system. The length of the extension shall be measured along the lines of proper construction from the nearest distribution main to the middle of the furthest property to be served.
- 20.4 The Utility will not be required to make extensions where road grades have not been brought to those established by public authority.
- 20.5 Where an extension must comply with a law, statute, bylaw, ordinance, regulation, specification or order of a public authority, the estimated cost of the extension shall be based upon the waterworks required to comply therewith.

Method of Allocating Advances and Refunds

- 20.6 Advances by original applicants:
When more than one applicant is involved and an advance is required in payment for a main extension the amount of the advance shall be divided equally or as otherwise agreed among the applicants are made known to the Utility.

20.7 Advances by subsequent customers:

An extension charge equal to a pro-rata share of the original cost of the main extension shall be collected by the Utility from each additional customer who connects to the original main extension within five years. The extension charge collected above shall be refunded equally **or as otherwise agreed** to the customers who already have advances deposited with the Utility as a result of connection to the extension, so that in the result all subscribers will have paid their pro-rata share or as otherwise agreed by them and made known to the Utility.

20.8 Advances which may be required from applicants in payment for extensions will be held by the Utility without interest. Refunds will be made in accordance with these rules and no person will have refunded to him an amount in excess of the amount of his advance. Refunds will be paid to the current registered owners of the properties on account of which the deposits were received. Any amount not used by the Utility for construction of the extension and not refunded at the end of five years from the date the advance was received by the Utility from the original applicant or applicants will be retained by the Utility and transferred to the "Deferred Capacity Trust Fund" account. Thereafter additional customers will be connected without being required to pay the extension charge.

21. Winter Construction

The Utility reserves the right to refuse to make extensions and install service pipe to a customer's property line under frost conditions in the winter months that would make the undertaking impractical or in the Utility's opinion, excessively costly.

22. Amendments to Tariff

The rates and charges recorded in this tariff are the only lawful, enforceable and collectable rates and charges of the Utility, and shall not be amended without the consent of the Comptroller. The Comptroller, on his own motion, or on complaint of the Utility or other interested persons that the existing rates in effect and collected or any rates charged or attempted to be charged for service by the Utility are unjust, unreasonable, insufficient, unduly discriminatory or in contravention of the Water Utility Act, regulations or law, may, after investigation, determine the just, reasonable and sufficient rates to be observed and in force, and shall, by order, fix the rates.

The Utility may submit to the Comptroller, by letter of application together with full supporting documentation, proposed amendments to rates and charges, and other terms and conditions of service. After initial review of the application, the Comptroller may require the Utility to give an acceptable form of notice of the application to its customers and other interested persons. The notice will state a specific time period within which any interested persons may submit objections to the application to the Comptroller. After investigation of

the application and any objections thereto, the Comptroller will decide the matter and notify all interested persons of his decision.

23. Disputes

In case of disagreement or dispute regarding the application of any provision of these terms and conditions, or in circumstances where the application of the terms and conditions appears impracticable or unjust to either party, the Utility, or the applicant or applicants, may refer the matter to the Comptroller for adjudication.

Schedule “A” - Water Service Connection

The charges shown below apply to connections to a main (see page 2, section 1).

The connection charge (a) recovers the cost incurred by the Utility, and not otherwise recovered, of installing a service connection from the water main to a curb stop and, if required, a meter at the property line of the customer’s premises or in the building. Cost herein includes any administrative overhead incurred.

Where, at a time prior to a customer’s application for service, a service connection has been installed at no cost to the Utility or at a cost otherwise recovered by the Utility, then upon connection of the service pipe, the rate shown in (b) below shall be paid upon application for service.

(a)	Connection Charge:	At Cost
(b)	Connection of customer’s service pipe to an existing curb stop	\$100.00

Schedule “B” - Contribution in Aid of Future Construction

Where as a result of premises becoming qualified as authorized premises a greater number of units require or may require service from the utility, thus utilizing waterworks capacity presently or in the future, then, upon application for an extension of service, in addition to the connection charge and any main extension costs, the charge shown below shall be paid.

For each domestic service premises qualifying as authorized premises	To be determined
---	------------------

Note:

1. For other than a single family premises, the charge shall be calculated on a domestic service equivalent basis.
2. Monies collected are to be deposited to the Utility’s Deferred Capacity Trust Fund and may only be released with the written authorization of the Comptroller of Water Rights.

Schedule “C” - Domestic Service Flat Rates

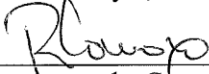
Applicability: To domestic service customers receiving service.

Rate: \$330.00 semi-annually

Note: From the above rates collected, a portion will be deposited into a Replacement Reserve Trust Fund as ordered by the Comptroller of Water Rights and may only be released with the written authorization of the Comptroller of Water Rights. (This contribution will be \$14,560 per year.)

Telegraph Cove Utilities Ltd.

Water Tariff No. 1
1st Revised Page No. 13
Replaces Original Page No. 13
Effective: July 1, 2012


Secretary to the Comptroller

Schedule "D" -Commercial Flat Rates

Applicability: To all commercial customers receiving service.

Rates:	Dockside 29	\$3,828.00 semi-annually
	Telegraph Cove Marina	\$3,960.00 semi-annually
	Telegraph Cove Venture	\$ 990.00 semi-annually

Note: From the above rates collected, a portion will be deposited into a Replacement Reserve Trust Fund and may only be released with the written authorization of the Comptroller of Water Rights. (Total annual contribution required \$14,560 per year)

**Schedule “E” -Meter Rates -Domestic, Agricultural, Hobby Farming,
Irrigation, Industrial and Commercial Establishments**

Applicability: None at this time

Rates:	Meter Size	Rate (monthly/quarterly, etc.)
	_____	\$ _____
	_____	\$ _____
	_____	\$ _____
	_____	\$ _____

Note: From the above rates collected, a portion will be deposited into a Replacement Reserve Trust Fund as ordered by the Comptroller of Water Rights and may only be released with the written authorization of the Comptroller of Water Rights. (This contribution will be \$14,560 per year.)

Schedule “G” - Availability of Service Charge as per Rent charge Agreement(s)

Applicability: To the owners all of lots which have a Rent Charge Agreement registered on title.

Rate: \$330 per annum (50% of flat rate for domestic/commercial connected lots)

Note: From the above rates collected, a portion will be deposited into a Replacement Reserve Trust Fund as ordered by the Comptroller of Water Rights and may only be released with the written authorization of the Comptroller of Water Rights. (This contribution will be \$14,560 per year.)



TELEGRAPH COVE UTILITIES LTD. ANNUAL REPORT TO CUSTOMERS – 2019

Mission

Telegraph Cove Utilities Ltd. (TCU) was incorporated in 1998. Wholly owned by Telegraph Cove Holdings Ltd. since its inception, TCU is a community based private water and sewer utility company dedicated to the responsible delivery of safe, reliable water and sewer services to customers in its specified service area.

Operations

TCU welcomes the current transition to our new management and operations team.

- Stephanie Meinhold (250-928-3163) has completed the water and sewer certified operator course work and soon takes the certification exams. She has an extensive health and science background and is committed to TCU's mission. She is also working with Vancouver Island Health Authority and the Ministry of Environment in this important transition.
- George Rapin joined us as Infrastructure Manager several months ago. George has proven to be a can-do maintain and repair specialist knowledgeable in water and wastewater systems, and TCU is very pleased to have him onsite and on board. **IN THE EVENT OF A WATER OR SEWER EMERGENCY CONTACT GEORGE AT [250-230-1000 \(Cell\)](tel:250-230-1000) or [250-928-3020](tel:250-928-3020).**
- Tyler Meinhold (250-201-3474) has a considerable business management background and assumes Utility Management with ongoing transition interface from Chuck Rawls.
- Lynne Paasch – Administrator (509-967-2395 WA or 250-928-3065 Telegraph Cove)

Water

The Raw Water Reservoir's capacity is 7,571 cubic metres. It once again began the peak demand season at near full capacity, providing a sufficient, readily available supply of raw water (rainwater and flow from Steep Creek).

The Water Treatment Plant (WTP) turns raw water into drinking water by processes using exact amounts of alum, soda ash and sodium hypochlorite. 5,715 cubic metres of drinking water were produced and sent through the distribution system in 2018. Our water continues to consistently be of the highest quality.

Sewer

The Sewage Treatment Plant (STP) continues to function well.

Fire

On January 31, 2017 the Town of Port McNeill cancelled the Fire Services Agreement that had been in place with the Port McNeill Volunteer Fire Department since 2013. The owners in the TCU service area were able to extend service thru year 2018 with no agreement in place, as TCU attempted to work with the Town to effect a replacement agreement. Those efforts were not successful given that the Town required TCU at its sole cost to design, build and maintain access roads, ensure that all improvements on the lands meet applicable statutes and building codes, ensure that explosives are not manufactured stored or sold on the lands, etc. These are requirements clearly beyond TCU's power or responsibility.

Land owners in the TCU service area are not served by a responding fire department. Be sure to make this clear to your property insurance provider. TCU continues to provide water, water lines and hydrants for fire suppression use by owners in its service area. TCU remains receptive to partnering in an agreement with a responding fire department provided the requirements imposed on TCU and its customers are rational.

Rates: New sewer rates, and water rates via Tariff amendment, commenced July 1, 2018.

Regulatory Reporting (reports in [blue](#) below are available upon request)

Water:

- [Drinking Water System Annual Report](#) for year 2018 was submitted to Eric Bergsma, Environmental Health Officer/Port Hardy on February 25, 2019. The annual report also includes:
 - Permit to Operate
 - Water Sample Range Reports for drinking water and raw water for year 2018.
- On April 12, 2018 Eric Bergsma conducted a routine site inspection of the WTP and his [Inspection Report is dated April 12, 2018](#).
- [Water Utility Annual Report](#) for year ended December 31, 2018 was submitted to the Comptroller of Water Rights/Victoria on February 20, 2019. It primarily provides revenue analysis, financial reports and bank account confirmations.
- [Annual Water System Return](#) for year 2018 was submitted to Water Management Branch/Victoria on February 20, 2019. It reports water production, demand and source information.

Sewer:

- [Quarterly Reports](#) are provided to Environmental Protection Officer Conrad Berube/Nanaimo. They include monthly STP flow data and effluent lab analysis of biochemical oxygen demand (BOD) and total suspended solids (TSS). Discharge requirement is less than 45 mg/L of 5-day BOD and TSS. The reports also include results of tests for fecal coliform in nearby seawater (Ella Bay, Wastell Beach and Telegraph Cove) that are sampled twice each year, and results of the Sewer Outfall Dye Test that was conducted June 26, 2018 and is required every 5 years.

Financial:

Approximate HSBC bank account balances at June 18, 2019 are:

○ Operating Account (Water)	\$ 20,050.19
○ Operating Account (Sewer)	\$ 8,464.55
○ Water-Revenue Deficit Trust Fund	\$ 50,000.00
○ Water-Replacement Reserve Fund	\$128,444.46
○ Sewer Replacement Fund	\$ 12,249.00

Respectfully submitted,
Lynne Paasch, Administrator



1642B Telegraph Cove Road
 Telegraph Cove BC VoN 3J0
 250-928-3163
 utilities@telegraphcove.ca

Invoice

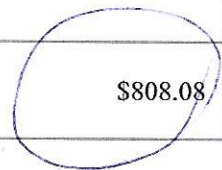
Date	Invoice #
1/01/2021	92

Bill To
Conrad & Mary Porth 67 Aspen Summit Court SW Calgary, AB T3H 0Z3

Terms
Net 30

Quantity	Description	Rate	Amount
6	Monthly Water Service (Residential)	92.88	557.28
6	Monthly Sewer Service (Residential)	41.80	250.80
Please note: A \$25 late payment fee will apply to overdue accounts.		Total	\$808.08

*Conf #726
 Paid
 Jan 6, 2021
 eTransfer*



Telegraph Point - Phases I, II and III Year 2018 Budget – Final Approved 7-7-2017

Operating Income	
Maintenance Fees, 24 lots @ \$275 per lot per year	6,600
Operating Expenses	
Management/Administration	275
Office/bank fees/miscellaneous	150
Accounting/Bookkeeping	850
Insurance (liability & D&O)(actual cost 5/1/17-5/1/18)	1,305
Repair and Maintenance - common area	<u>1,000</u>
Sub-total	3,580
Contingency Reserve Fund at 25% of operating budget	895
Operating Budget Contingencies at 25%	<u>895</u>
Total Estimated Operating Expenses	5,370

Maintenance fees are payable to the Strata Corporation on or before December 15 of the previous year.

Telegraph Point – Phases I, II and III

Lot Entitlement Schedule 2018

From Survey Data 24 April,
2006

Phase I			Annual	
<u>Lot No.</u>	<u>Sq. Ft.</u>	<u>Sq. Mtrs.</u>	<u>Maint. Fee Per Lot</u>	<u>Units of Entitlement</u>
1	15,931	1,480	275.00	1
2	11,841	1,100	275.00	1
3	10,613	986	275.00	1
4	10,430	969	275.00	1
5	7,330	681	275.00	1
6	8,923	829	275.00	1
7	13,886	1,290	275.00	1
8	11,841	1,100	275.00	1
9	10,441	970	275.00	1
10	10,753	999	275.00	1
11	15,177	1,410	275.00	1
12	13,347	1,240	275.00	1
13	13,132	1,220	275.00	1
14	14,532	1,350	275.00	1
Phase II				
15	9,000	836	275.00	1
16	11,303	1,050	275.00	1
17	13,349	1,240	275.00	1
18	11,411	1,060	275.00	1
19	13,650	1,268	275.00	1
20	9,613	893	275.00	1
Phase III				
21	15,846	1,472	275.00	1
22	16,148	1,500	275.00	1
23	17,978	1,670	275.00	1
24	18,301	1,700	275.00	<u>1</u>
TOTALS			6,600	24

Telegraph Point - Phases I, II and III Year 2019 Budget – Final approved 7-6-2018

Operating Income	
Maintenance Fees, 24 lots @ \$275 per lot per year	6,600
Operating Expenses	
Management/Administration	275
Office/bank fees/miscellaneous	150
Accounting/Bookkeeping	850
Insurance (liability & D&O)(actual cost 5/1/16-5/1/17)	1,305
Repair and Maintenance - common area	<u>1,000</u>
Sub-total	3,580
Contingency Reserve Fund at 25% of operating budget	895
Operating Budget Contingencies at 25%	<u>895</u>
Total Estimated Operating Expenses	5,370

Maintenance fees are payable to the Strata Corporation on or before December 15 of the previous year.

Telegraph Point – Phases I, II and III

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From Survey Data 24 April,
2006

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22	16,148	1,500	275.00	1
23	17,978	1,670	275.00	1
24	18,301	1,700	275.00	<u>1</u>
TOTALS			6,600	24

Telegraph Point - Phases I, II and III Year 2021 Budget – Final Approved 6-26-2020

Operating Income	
Maintenance Fees, 24 lots @ \$275 per lot per year	6,600
Operating Expenses	
Management/Administration	275
Office/bank fees/miscellaneous	150
Accounting/Bookkeeping	850
Insurance (liability & D&O)(actual cost 5/1/20-5/1/21)	1,025
Repair and Maintenance - common area	<u>1,000</u>
Sub-total	3,300
Contingency Reserve Fund	2,400
Operating Budget Contingencies at 25%	<u>825</u>
Total Estimated Operating Expenses	<u>6,525</u>

Maintenance fees are payable to the Strata Corporation on or before December 15 of the previous year.

Telegraph Point – Phases I, II and III

Lot Entitlement Schedule 2021

From Survey Data 24 April,
2006

Phase I			Annual	Units of
Lot No.	Sq. Ft.	Sq. Mtrs.	Maint. Fee Per Lot	
1	15,931	1,480	275.00	1
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12	13,347	1,240	275.00	1
13	13,132	1,220	275.00	1
14	14,532	1,350	275.00	1
Phase II				
15	9,000	836	275.00	1
16	11,303	1,050	275.00	1
17	13,349	1,240	275.00	1
18	11,411	1,060	275.00	1
19	13,650	1,268	275.00	1
20	9,613	893	275.00	1
Phase III				
21	15,846	1,472	275.00	1
22	16,148	1,500	275.00	1
23	17,978	1,670	275.00	1
24	18,301	1,700	275.00	1
TOTALS			6,600	24