



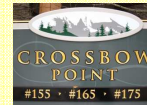
Bylaws Review

Crossbow Point – Town Hall

July 9, 2020 7:00 p.m.

NOTE: This meeting may be recorded for the purpose of record keeping

Bylaws Review- Town Hall 2 V3.5.ppt



AGENDA

- Purpose
- Guests
- Regulatory Framework
- Driving Forces / Committee
- Bylaws – discussion items
 - information items
 - other
- Moving Forward

[GLOSSARY – see Appendix 1](#)

PURPOSE

- **Update** to the Feb 9, 2020 presentation
- **Review**
 - Bylaw changes - driving forces
 - Change process
 - Proposed revisions plus discussion of selective Bylaw changes
- **Obtain** owner feedback
- **Move** Bylaw change process forward
- **Guests**

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TODAY'S MEETING

- **Review/discussion** of key parts of the new draft Bylaws
- **Questions** for clarification/understanding during the presentation
- **Discussion** of presentation materials at the end

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REGULATORY FRAMEWORK (1 / 2)	
Law and Regs	Condo Property Act, Regulations Other provincial & municipal Acts / Regs (PIPA; Human Rights; Land Use-zoning; etc.)
Bylaws	Consistent with Act & Regulations Monetary and non-monetary sanctions 75% Owner & Unit Factors (Landing & Point)
Special Resolutions	Change Bylaws; Capital asset change or improvement; other as stipulated 75% Owner & Unit Factor (Landing & Point)

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REGULATORY FRAMEWORK (2 / 2)	
Owner Ordinary Resolutions	Amend Rules; provide direction to Board; simple majority vote at AGM
Board of Directors	Exercise powers/duties of corporation; develop & enact rules; duties of good faith, diligence & skill
Rules	Procedures used in the administration of the corporation, the corporation's property and the common property; sanctions (≠ \$); goal is compliance, not \$
Individual Owners	Vote on Special & Ordinary Resolutions; submit items for AGM Agenda; Duty to comply with Act / Regs / Bylaws / Rules

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DRIVING FORCES FOR REVIEW

- Crossbow Bylaws – Jan. 31 2003
- CPA – *Condominium Property Amendment Act* passed by Alberta Legislature – Dec. 2014
- Regulations – Jan. 1 2020
- Avoid confusion & simplify references
- Align with Act and Regulations
- Modernize Bylaws (new) – Jan 2021 AGM

- **APPROACH**
 - Housekeeping > e.g., remove ‘Developer’ rights
 - Modernize
 - Desirable state
 - Rules incorporation if \$ sanctions

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REVIEW COMMITTEE

- **Project Lead** - Doug Macdonald (Landing)

- **Point volunteers**
Lawrence Nyman, Pam Walsh,
Nick Demiantschuk (legal perspective),
Gottfried Haase (Board liaison)



- **Landing volunteers**
Rob Kenny, Mike Marko
Lee Wilson (Board rep)

LEGAL

- **McLeod Law, LLP**
- Heather M. Bonnycastle, Q.C., Counsel



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CURRENT STATUS

- Committee review of McLeod 's draft of Bylaws 
- Committee review of possible changes and additions; 
 - **subject to further Owner Input and Board review**


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REGULATIONS Jan 1, 2020

- **Electronic communications**
 - Owner consent – per PEKA form 
- **Rules**
 - Existing: publish and distribute prior to Mar 31 
 - New rules - 30 days' notice to owners
 - ASAP if Safety, Security or Emergency concern
 - No \$ sanction (unless permitted in Bylaws)
 - Modify or remove by ordinary resolution (AGM)

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REGULATIONS Jan 1, 2020

- **Standard Insurable Unit Description** - This is what the Corporation rebuilds after a total loss
 - Includes 'typical' features (floor, wall & ceiling coverings, cabinets, counter tops and more)
 - Developed by a certified appraiser based on sampling of unit inspections
 - CPT approved by Board Resolution April 2 2020; sent to owners; filed with Alberta Land Titles 
 - Ratify by Ordinary Resolution - Jan 2021 AGM

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REGULATIONS Jan 1, 2020

- **Ordinary and Special Resolutions**
 - Retain text for documentation purpose
 - Record vote results (unless by show of hands)
 - Proposed Resolutions on *pre-meeting agenda* become policy if approved **vs** Resolutions *introduced at a general meeting* - vote results are for Board guidance
- **Copies of Reports**
 - Professional reports available to owners (e.g., engineering, financial audit)

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BYLAW DISCUSSION ITEMS (1/4)

- **Governance structure**
 - overall Board of 10 members
 - separate Boards, 5 members each, govern operations of the Point and Landing respectively
 - 2 year terms
 - 12 year overall limit (recommended by committee)
- **Security cameras**
 - can only be used for Safety or Criminal action (not rule enforcement)
 - may be used for damage investigation
 - should the Bylaws reflect narrow or broad use –
 - narrow: only for Bylaws concerning safety & security, and where damage to common property occurs
 - broad: could include some rules ??
- **Electric Vehicles (Evs)**
 - recharging not permitted: no fast charge facility; no capacity in electrical feed; uses common electricity

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BYLAW DISCUSSION ITEMS (2/4)

- **Smoking**
 - generally ok if Bylaws require an in-unit filtration system
 - ok on Common Property
 - detail in Bylaws
 - Should Bylaws prohibit smoking on balconies ??
- **Cannabis**
 - would smoking within unit be ok if air filtration device is required to support ??
 - permit on Common Property provided more than 15 metres from any opening
 - Medical accommodation with proof and filtration

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BYLAW DISCUSSION ITEMS (3/4)

- **Dogs**
 - general agreement with the current Bylaw of 18” at the shoulders
 - could redefine to measure at the withers (height may need to be reassessed)
 - behaviour – is an after-the-fact assessment of dog and/or owner
 - larger dogs come with more physical risk (e.g., bigger bite; more waste)
- **Heating – Zone Valves and related risks**
 - treat as infrastructure > make Condo responsible (currently owner)
 - Thermostat - owner responsible
 - Minimum thermostat setting of 15 degrees C
 - Window open restriction based on temperature of -20C or colder
- **Smoke Detectors**
 - make Condo responsible for replacement of the wired in-unit smoke detectors (part of fire safety infrastructure; first line of defense)

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BYLAW DISCUSSION ITEMS (4/4)

- **Age 40 Restriction (POINT only)**
 - currently in Bylaws and in a Restrictive Covenant (RC)
 - If in conflict, the RC supersedes a Bylaw
 - no change until Jan 2032 per Human Rights ruling and at which time condo reverts to no age restriction
- **Unit Occupancy**
 - match LANDING: max. 6 persons per Unit

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BYLAW - INFORMATION ITEMS (1/4)

- **Board member development**
 - cover costs of professional development of Board members as appropriate to best carry out elected role and meet requirements of the Act

- **Board honorariums** – allowed per ordinary resolution at a general meeting; such as a limited value gift certificate (committee rec)

- **Privacy Policy**
 - PIPA conformance; specifics developed by Board(s); Joint Landing/Point policy being developed

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BYLAW - INFORMATION ITEMS (2/4)

- **Air conditioning**
 - prohibit all forms of air conditioning (electrical infrastructure not designed to support additional demand)

- **Christmas trees**
 - prohibit natural trees
 - NOTE: small potted trees OK, as similar to other plants

- **Parking**
 - include a towing remedy (enforcement)
 - use of titled stalls
 - use of Visitor Parking – definition of Visitor under development (realistic max. of 37days)
 - need for financial sanctions

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BYLAW - INFORMATION ITEMS (3/4)

- **Hallway**
 - door mats and door decorations – permit
 - personal items, ornaments, statues – prohibit
- **BBQs, smokers, propane**
 - Natural Gas BBQs, Electric BBQs, Electric heaters
 - No: propane, stand-alone smokers, combustibles
 - wood chips ??; small portable units ??

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BYLAW - INFORMATION ITEMS (4/4)

- **Recreational equipment** – Limited permission to store recreational equipment in titled parking stalls (items to be determined and specified by Board)
- **Bird feeders** – prohibit
- **Balconies** – permit snow clearing & storing shovel; do so safely

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BYLAW – OTHER ?

- **Your further input.....**

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NEXT STEPS

- Assess input from Landing/Point Town Halls
- Questions for PEKA, Boards, McLeod
- Board final review of Committee rec.
- Board makes final changes
- Instruction Letter to McLeod
- Final Draft Bylaws from McLeod
- Final Owner review meeting – time permitting
- Prep Bylaw package for 2021 AGM Vote

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MOVING FORWARD

- **Other communications:**

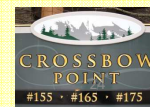
- suggestions by the Committee
- determination by Crossbow Boards

- **New Bylaws approval:**

- Special Resolution; 75% approval; vote at Jan. 9, 2021 AGM
- In necessary, follow-up with Owners over 2021 to achieve 75% approval

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THANK YOU



GLOSSARY Appendix 1.0

- **A/C – Air Conditioning**
- **AGM – Annual General Meeting (combined Landing and Point)**
- **ACM – Annual Committee Meeting (of the Landing or the Point)**
- **BBQ – Barbecue**
- **CPA – Condominium Property Act (Alberta)**
- **EV – Electric Vehicle** (battery requires charging to power car, motorcycle, scooter or bicycle; this does not include electric assist pedal bikes or vehicle battery trickle chargers or maintainers)
- **HVAC – Heating, Ventilation and Air Conditioning**
- **PIPA – Personal Information and Protection Act (Alberta)**

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GLOSSARY Appendix 1.0 cont'd

- **Regs – Regulation under the Condominium Property Act (Alberta)**
- **Restrictive Covenant (RC)** a legal agreement imposing a restriction on the use of land
- **SIUD – Standard Insurable Unit Description (refer to Regulation per CPA)**
- **UF – Unit Factor as per Act and Regulations** (condo fees for each unit are based on the unit's proportion of 10,000 unit factors for the entire condo. Complex; combined Landing and Point; the Point is assigned 5,000 unit factors)

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