

**MINUTES OF THE STRATA COUNCIL MEETING
FOR STRATA PLAN LMS 280 "CHATEAU COMOX"
HELD ON TUESDAY DECEMBER 21 2021 AT 5:15 P.M.
1272 COMOX STREET, VANCOUVER BC.**

COUNCIL IN ATTENDANCE:	DON DAVIDSON LOUISE HIBBS KEVIN WICE ADRIAAN de VRIES KIM ADAMSON None	President Treasurer Secretary Vice-President
REGRETS:		
GUEST:	RUSSELL KER LOIS KER	
PROPERTY MANAGER:	EDWARD JANG Southview Property Management Inc.,	

1. CALL TO ORDER

The meeting was called to order by the Strata Council President Mr. Don Davidson at 5:15P.M. Note that the meeting was chaired by Property Manager, Edward Jang at the request of Don Davidson

2. HEARING REQUEST

Unit 702 requested an official hearing with the Strata Council as per the Strata Property Act. The hearing is strictly for the discussion of gas consumption payment for unit 702's gas cook top. Approximately 15 years ago, the unit owners replaced their electric stove with a gas cook top and electric oven. The replacement to gas cook top is considered a betterment as per Strata Property Act as the original stove supplied by the developer was an electric stove.

The gas consumption for the unit 702 is not metered as it is connected to the Strata building gas line/account. The 702 unit owners provided general information provided by then Teresen Gas and now Fortis Gas, on general consumption. The 702 unit owners and Strata Council had originally agreed on a set amount of \$11.00 per month.

Strata Council had discussed at the regular scheduled council meeting of December 6, 2021 that the cost of natural gas has increased over the years. At the council meeting of December 6, 2021, Strata Council unanimously agreed that the gas consumption cost charged back to the two units [701 & 702] with gas appliances should be increased to \$14.50 per month starting January 1, 2022.

Owners of unit 702 disagree with Strata Council with the proposed increased payment.

Prior to the hearing commencement, the Property Manager confirmed with the owners, unit 702, that they were in agreement to continue paying the \$11.00 per month until the requirements of Strata Property Act, Regulation 6.9 are complied with.

Property Manager confirmed with legal counsel that Regulation 6.9 as stated is:

User fees for the uses of common property or common assets

6.9 (1) *For the purpose of section 110 of the Act, a strata corporation may impose user fees for the use of common property or common assets only if all of the following requirements are met:*

- (a) *the amount of the fee is reasonable;*
- (b) *the fee is set out*
 - (i) *in a bylaw, or*
 - (ii) *in a rule and the rules has been ratified under section 125(6) of the Act.*

(2) *A user fee imposed by a strata corporation may be a fixed amount or an amount determined on a reasonable basis, including, but not limited to, the following;*

- (a) *the user's rate of consumption;*
- (b) *the recovery of operating or maintenance costs by the strata corporation;*
- (c) *the number of users;*
- (d) *the duration of use.*

Property Manager explained to the Strata Council the substance of regulation 6.9 and the need to amend the strata corporation bylaws.

Strata Council agreed to rescind the motion as approved on December 6, 2021 council meeting and return to charging the two unit owners [701 and 702] \$11.00 per month for gas consumption for their gas stove/cooktop.

Strata Council will further act to schedule a general meeting for the owners to add a bylaw to the strata bylaws in the New Year in keeping with Strata Property Act S.6.9.

8. ADJOURNMENT

With no further business, it was then **Moved and Seconded** to adjourn the meeting at 6:00 P.M.