

Cypress Ridge – Strata Plan LMS 4529

Special General Meeting Minutes

Monday, June 16, 2025

Cypress Ridge Clubhouse

CALL TO ORDER

The meeting was called to order at 7:04 PM.

There were 18 owners present in person and 12 proxies presented at the time of call to order, for a total vote count of 30.

Laura Mills, Strata Council President, was present to chair the meeting

CERTIFY PROXIES

The twelve proxies presented were deemed valid.

FILE PROOF OF NOTICE

The notice of the Special General Meeting distributed May 30, 2025 was accepted as being proper notice.

ADOPTION OF THE AGENDA

It was **MOVED** and **SECONDED** to accept the Agenda as distributed. The vote was called by a show of hands: **MOTION CARRIED - ALL IN FAVOUR**

ADOPTION OF THE PREVIOUS ANNUAL GENERAL MEETING MINUTES

It was **MOVED** and **SECONDED** to adopt the minutes of the previous Annual General Meeting held January 16, 2025. The vote was called by a show of hands: **MOTION CARRIED - ALL IN FAVOUR**

RESOLUTION A – INSTALLATION OF HEAT PUMPS

The following resolution was presented to the owners, requiring a $\frac{3}{4}$ vote.

WHEREAS:

- A. The owners wish to pass a bylaw permitting the installation of heat pumps provided certain conditions are met;
- B. S.119(2) of the Strata Property Act permits the strata corporation to pass bylaws pertaining to the use of the common property;
- C. S.128 of the Strata Property Act allows a strata corporation to amend its bylaws by way of a $\frac{3}{4}$ vote;

Discussion included some owners' concerns about the noise decibel, visual consistency, and resolution processes if a neighbour is disturbed by the operation of a heat pump. Council clarified that guidelines will be developed to address these points. Also stated the bylaw includes noise provisions, and each installation requires council approval to maintain visual harmony across units.

Other comments included that with the warming seasons, heat pumps are becoming the norm in both new builds and established residential properties.

A council member agreed to reach out to suppliers for an upcoming information session regarding the benefits of heat pumps and to draft guidelines for owners.

It was **MOVED** and **SECONDED** to adopt the following Bylaw 32 to allow the installation of heat pumps at Cypress Ridge Townhouses. The vote was called by a show of hands: **MOTION NOT CARRIED - 15 IN FAVOUR, 15 OPPOSED**

(1) For the purposes of this bylaw an “air conditioner” means a mechanical device or system that cools, heats or otherwise regulates the interior temperature of all or part of a strata lot and includes, but is not limited to, a mini split air conditioner, ductless air conditioner, heat pump, window mounted or portable air conditioner (but excludes a furnace).

(2) An owner, tenant or occupant must not install or operate an air conditioner except as permitted by this bylaw.

(3) Window mounted air conditioners are not permitted.

(4) An owner, tenant or occupant may, without permission, operate a portable air conditioner provided that it:

- (a) is housed entirely inside the strata lot;
- (b) is only vented through a window or sliding door using a manufacturer approved vent kit; and
- (c) does not create an unreasonable level of noise when in operation.

(5) An owner or tenant who wishes to install, upgrade, expand or replace an air conditioner (other than a portable air conditioner) must have the prior written permission of the strata corporation to do so.

(6) A person who applies for permission to install, expand or replace an air conditioner must submit the following with their request:

- (a) a scaled and dimensional drawing which shows the proposed interior and exterior locations of the air conditioner and its components along with the exact location of any penetration(s) of the building envelope required to install it;
- (b) information regarding the make and model of the air conditioner to be installed, including its dimensions and the level of noise created when it is in operation;
- (c) the type and style of material which will be used to obscure any portion of the air conditioner which is outside the strata lot (the “Screen Material”); and
- (d) the name, qualifications and experience of the person or firm who will install the air conditioner.

(7) An owner, tenant or occupant to whom permission is given to install an air conditioner must comply with the following conditions:

- (a) the air conditioner (including its various components) is installed only in the location(s) and manner approved by the council;
- (b) the exterior components of the air conditioner are surrounded by Screen Material of the type and style approved by the council (unless waived by council);
- (c) ensure the exterior components and the Screen Material (if any) match the exterior color scheme of the building;
- (d) ensure that the external condenser does not leak onto the common property, limited common property or into neighboring strata lots;
- (e) all penetrations of the building envelope must be approved by a qualified building envelope consultant and properly sealed to prevent water ingress;

- (f) the installation of the air conditioner is done by a licensed and qualified contractor with WorkSafe coverage and liability insurance who is approved by the strata corporation;
- (g) all necessary permits and licenses are obtained (and copies provided to the strata corporation);
- (h) the sound level of the outdoor component when in operation must not exceed 65 dB measured at 2 meters from the component;
- (i) must not allow piping or wiring to be installed in the ceiling of the strata lot or through the attic above;
- (j) ensure that any directions given by the strata corporation (both before and after installation) regarding the installation are complied with;
- (k) the owner of the strata lot enters into a written agreement (the "AC Agreement") with the strata corporation which provides that they (and all future owners):
 - (i) be responsible for the repair and maintenance of the entire air conditioner (including the outdoor component and any conduit), the pad and the Screen Material (if any);
 - (ii) be responsible for any and all repair and maintenance expenses incurred by the strata corporation as a result (directly or indirectly) of the installation and operation of the air conditioner;
 - (iii) pay for the costs of any inspection carried out by the strata corporation to confirm the air conditioner is properly installed and maintained;
 - (iv) be responsible for all costs related to the temporary removal and replacement of the air conditioner in order to allow for work by the strata corporation to be carried out;
 - (v) release the strata corporation, its council member, contractors and agents from all claims, damages, expenses, costs and other liability that may arise from damage caused by them to the air conditioner or the Screen Material;
 - (vi) shall indemnify and save harmless the strata corporation from any claims, demands, damages, judgments, expenses, deductibles, costs and obligations of any kind whatsoever arising from or related (directly or indirectly) to the installation and operation of the air conditioner; and
 - (vii) will routinely inspect and service the air conditioner.

(8) The terms and requirements of an AC Agreement signed by the owner of a strata lot shall be binding on the subsequent owner(s) of the strata lot and they shall be obligated to fulfil its terms and conditions.

(9) Notwithstanding subsection(7)(f), if the noise emitted by an air conditioner unreasonably disturbs the owners, tenant or occupants of a neighboring strata lot, the owner of the strata lot to which the air conditioner is connected must take steps as directed by the strata corporation to reduce the noise. Where the owner fails to do so, the strata corporation may take such steps and charge the costs back to the owner.

(10) In addition to any provision in the AC Agreement, where the installation or operation of an air conditioner (portable or fixed) causes damage to the common property or a portion of the strata lot for which the strata corporation is responsible to repair or maintain, the strata corporation may charge the costs of repairing such damage to the owner of the strata lot in which the air conditioner is located.

(11) A person must not remove an air conditioner (other than a portable one) without the prior written permission of the strata corporation.

(12) Where a person removes an air conditioner (other than a portable one) and does not replace it, they must repair any damage (including sealing any penetrations of the building envelope) arising from or caused by the installation or the removal and otherwise restore the common property.

RESOLUTION B – APPROVAL OF INSTALLATION OF HEAT PUM TO UNIT 9

The following resolution was presented to the owners, requiring a $\frac{3}{4}$ vote.

WHEREAS:

- A. Unit 9 has installed a heat pump (the “Heat Pump”);
- B. The Heat Pump was vented through the exterior wall facing the backyard;
- C. The exterior of the building is designated as common property;
- D. The Heat Pump changes the appearance and use of the exterior common property overall;
- E. Section 71 of the Strata Property Act requires approval by way of the $\frac{3}{4}$ vote where a significant change is made to the use or appearance of the common property (which would include the limited common property);

As Resolution A was not approved, Resolution B was not brought to a vote.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:00 pm.



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Please keep these minutes with your strata lot records. You will need to provide them to your realtor when you sell your strata lot. There will be a charge for copies.