



Craig Bay

Community Lands Committee

Policy Manual

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Introduction

This manual describes the authorities, responsibilities, and operating practices of the Craig Bay Community Lands Committee (commonly referred to as the CLC). This body was constituted by the Craig Bay Building Scheme registered by the developer in 1996 to manage and administer the common lands and amenities in Craig Bay.

As an operating manual, this document was reviewed by the CLC in September 2011 for implementation in 2011-2012, and is updated on a regular basis whenever decisions of the CLC and the Strata Councils require changes or additions.

The manual is intended for posting online on the Craig Bay website, and for hard copies to be offered to each member of the Community Lands Committee. When a CLC member's term is over he/she is expected to **turn in the hard copy** to the Managing Agent for updating and re-issuing to new members of the Committee.

Craig Bay Development History

Stratas

The community of Craig Bay (referred to originally by the developer as “Craig Bay Estates”, a term that still is used by many in the community though it has no legal status) was constructed over a twelve-year period. It includes five strata corporations:

Shorehaven – 20 units in duplexes on Salt Spring Drive. This was the first strata constructed in Craig Bay. It was completed prior to the creation of the Craig Bay Building Scheme and therefore is not subject to it. Shorehaven was registered as Strata #VIS 3656 in October of 1995.

Arbutus Grove – 87 units made up of 19 single family and 68 duplex homes on Saturna Drive and Gabriola Drive to the west of Langara Place. Arbutus Grove was registered as Strata #VIS 4116 in October of 1996.

Meadow Beach – 60 units comprised of 18 single family and 42 duplex homes on Saturna Drive and Gabriola Drive between Langara Place and Galiano Drive. Meadow Beach was registered as Strata #VIS 4796 in May of 1999.

A Seaside Village – 229 units, including 47 single family and 182 duplex configurations on Salt Spring Place to the east of Shorehaven, on Cape Cod Drive and Gambier Place east of the Onyx, and all other units east of Galiano Drive. A Seaside Village was registered as Strata #VIS 5081 in April of 2001.

The Onyx – 30 two-bedroom apartment style units in a four-story condominium building on Cape Cod Drive east of the Craig Bay Beach Club. The Onyx was registered as Strata #VIS 6296 in June of 2006.

The original developer, Intrawest Developments, built Shorehaven, and then underwent a corporate change to become Intracorp Properties. Intracorp filed a Building Scheme in 1996 to regulate the development of the other four strata plans, and completed construction of the third (Seaside Village) by 2006. Intracorp then sold the land for the fourth strata plan, the Onyx, to Norton Capital Developments, and Norton constructed the Onyx.

Each lot in every strata corporation in Craig Bay has a number of encumbrances listed on its title, for various reasons of access and restriction. These encumbrances vary somewhat from one strata to another, but are summarized in general for information purposes in Appendix A.

Common Property

There are six major components to the common property surrounding strata lots in Craig Bay, and their maintenance is the responsibility of the CLC and strata corporations, with some special modifications and exceptions:

1. **Yards** – the property surrounding the strata lots, most of which is landscaped but some of which is forested (e.g. the treed areas in the centre of Arbutus Grove and Meadow Beach, and behind Gambier Place and Cape Cod/Britannia homes in A Seaside Village).
2. **Roads, Sidewalks and Utilities** – the main entrance road, Langara Drive, is a city street but its maintenance is covered by a Highway Maintenance Agreement with the City of Parksville dated 20 Feb 1995 (see Appendix B), whereby the City provides normal maintenance and the Craig Bay community maintains the unique improvements over and above normal City standards. All the rest of the roads and sidewalks in Craig Bay are private, owned by the strata corporations, as well as underground sewer and water and street lighting. The CLC is responsible for maintenance in partnership with its four strata corporations (strata has driveways, home walkways, patios, stem water and sewer lines trunk to home; CLC has streets, sidewalks, trunk water and sewer lines, street lighting).
3. **Northwest Bay Road Berms** – the berms that provide a buffer between Northwest Bay Road and Craig Bay Estates straddle the property line between public City of Parksville land and the stratas of Arbutus Grove, Meadow Beach, Onyx and A Seaside Village.
4. **Pond system** – the developer designed the current system of ponds and streams for the purpose of managing runoff water as well as providing some aesthetic enhancement.
5. **Pathways** – perimeter and internal pathways exist throughout Craig Bay. Their maintenance, even where the perimeter pathways enter portions of the City's land, is the responsibility of the CLC and strata corporations.
6. **Amenities** – The Craig Bay Community has several amenities, located near the main entrance to Craig Bay and situated on land within Meadow Beach Strata. They are available for the use of all residents/owners. These amenities were completed and opened in 1998/99, and consist of the following:

Craig Bay Beach Club Building, including the following:

Upper Floor: Conservatory (room 30' x 35' with tables and chairs); Foyer; Galley Kitchen; Lounge (with tables and chairs, sofas, television, pool table); Observatory; Library; Men's and Women's washrooms.

Lower Floor: Fitness Room; Mens and Women's Change Rooms; Steam Room; Office; Club Room (meeting space); Craft Room; Woodwork Room; Beach Comber Room (meeting space).

Outdoor pool, approximately 20' by 50'

Outdoor Hot Tub, 10' diameter

Tennis Court, standard size, fenced with coated chain link, asphalt base, painted surface

Four Guest Cottages, in two duplex units, adjacent to the Beach Club, 300 sq. ft. per unit, each with full bath, partial kitchen, queen bed and sleep sofa.

Personnel and Services

A Managing Agent and a landscape contractor are retained by the CLC (see p. 11, in the Budget Responsibilities section, for further details).

The budget of the Beach Club provides for salaries for a Coordinator, for caretaking services, and for contracted services as required, managed for the CLC by the Managing Agent.

Craig Bay Heritage Site

The property adjacent to the Craig Bay community next to the water was owned by the developer in the early 1990's, and construction of condo and clubhouse buildings was intended there, following the completion of Shorehaven. However, during excavation for the first building on this site, many human remains were unearthed ranging in apparent age from a few hundred years to more than three thousand years. Construction was halted and after protracted negotiations, the Province purchased the 14 acres in 1996 with the intention of preserving it as a provincial heritage site. Craig Bay residents were awarded an easement (EJ63550) providing access on and across the property, and a restrictive covenant (EJ63552) limiting what could be constructed on the site (washrooms, fences, picnic tables, etc). These rights were registered on each strata lot's title with the BC Land Title Office.

In 2010-2011 the Province has been negotiating with the nearby Snaw-Naw-As First Nation regarding the future of the site, and Craig Bay representatives are discussing these plans with the Province since there is a clear property interest and existing rights for Craig Bay residents.

Terms of Reference

The Community Lands Committee is a creation of the Craig Bay Building Scheme (see Appendix C), registered as EK118269 with the Land Title Office in September 1996, and as such, is governed by the rules set out in the Building Scheme. The following terms of reference are therefore adapted from clauses in the Building Scheme.

Responsibilities

The Community Lands Committee is exclusively responsible for all matters relating to the management, operation, control, maintenance and administration of the Community Lands. This includes the following actions:

1. Creating annual budgets for the Community lands and the Beach Club, including the guest cottages, which must be approved by the CLC at least thirty (30) days prior to the annual general meetings of the Strata Corporations;
2. Approving expenditures that have not been specifically approved in the annual budget if such expenditures do not exceed \$1000 or are required in response to an emergency or uncontrollable expense;
3. Collecting from each strata their proportionate contribution to the CLC budgets;
4. Providing to each strata council an accounting of the expenditures made by the CLC in the preceding year;
5. Retaining and supervising the Managing Agent;
6. Delegating the preparation and administration of the CLC budgets and the daily maintenance and management of Community Lands, including management of employees and contractors, to the Managing Agent;
7. Retaining and supervising a single landscaping and groundskeeping maintenance contractor (or general contractor who can sub-contract) for the Community Lands;
8. Coordinating compliance with the Highway Maintenance Agreement by the strata corporations within Craig Bay (see Appendix B);
9. Creating, amending, rescinding and administering the rules and regulations that govern use of the Community Lands.
10. All other duties of a strata corporation with respect to the Community Lands.

Membership

Each of the four strata councils represented on CLC is entitled to appoint one representative from its members for each 50 units (rounded to the nearest 50) in its respective strata corporation (see Organizational Chart, p. 10). As Shorehaven was registered prior to the creation of the Building Scheme and is not subject to that document, it does not have membership on the CLC, but is granted observer and non-voting participant status on areas of the CLC's work to which they contribute.

Term of Office

Representatives on the CLC are appointed by their respective strata councils for a one-year term, renewable to a maximum of three consecutive terms. A strata council may replace its representatives on the CLC at its discretion.

Executive Positions

Chair: This position is rotated among the four strata corporations (alphabetically) on an annual basis. A candidate is presented by the strata responsible for taking that role, and is confirmed by the members of the CLC. The Chair is generally a voting member of CLC, but need not be such.

Vice-Chair: This role is filled by a CLC representative of the strata responsible for providing the Chair in the following year.

Treasurer: An appointment is made by CLC, usually from among the Treasurers of the Strata Councils.

Secretary: The Managing Agent has been delegated this role.

Voting

There are 406 votes at the table, one for each unit across all four strata corporations. The number of votes for each strata corporation equals the number of units in the strata. Thus, Arbutus Grove has 87 votes and two representatives; Meadow Beach has 60 votes and one representative; A Seaside Village has 229 votes and five representatives; and Onyx has 30 votes and one representative. When a vote is called, the votes of a strata corporation are divided equally among the representatives present at the meeting (e.g. if only one Arbutus Grove representative is present, that person would carry all 87 Arbutus Grove votes).

Decisions of the CLC

Decisions of the CLC are binding upon all owners. Decisions of the CLC are made by a simple majority vote as per the original Building Scheme. This practice does not follow the amendment to the Building Scheme agreed upon by the three existing stratas in 2001... Arbutus Grove, Meadow Beach and Seaside Village passed resolutions to adopt a practice of two-thirds majority requirement for motions at the CLC (see Certificate of Resolution, Appendix D).

Some major expenditure decisions of CLC, while made on a simple majority at the CLC table, require ratification by 75% of voters at each of the strata corporations .

Meetings

The Building Scheme requires that the CLC meet at least once monthly. However, that has gradually evolved, and current practice is to meet a minimum of ten meetings per year, with no regular meetings in August and December. Meetings are open to any owner to attend as an observer, and the agenda includes a Question Period for owners. Any CLC member has the right to call a meeting at any time upon at least seven (7) days notice to other members of the CLC. Any member may waive notice of a meeting of the CLC or consent to reduction of the period of notice and may give such waiver or consent before or during the meeting.

Quorum

A **quorum** is at least four of the nine members.

Distribution of Minutes

Minutes of meetings of the CLC will be recorded by the Managing Agent or designate and will be circulated to CLC members as soon as feasible after each meeting. Copies of minutes and all other records pertaining to the proceedings of the CLC will be made available to all Craig Bay owners and residents.

Signed Resolutions

A resolution in writing, which includes resolutions by e-mail, signed by all members of the CLC will be as valid and effective as if it had passed at a duly convened and held meeting of the CLC.

Current Legal status

The CLC was created by the Craig Bay Building Scheme. In 1998 it was registered as a partnership in the British Columbia Corporate Registry, and has a Workers' Compensation Board of BC number as well as a Revenue Canada tax number. Several legal opinions have been sought on various aspects of the operation of the CLC. Opinions from Cora Wilson and from Derek Jonson are included for information in Appendix E of this manual.

Craig Bay Organizational Chart

Pdf chart prepared by Concise Strata Services will be included in final manual.

Budget Responsibilities and Process

As outlined in the Building Scheme, the CLC has exclusive responsibility for managing and administering the common lands and amenities of Craig Bay. The budget responsibilities are separated into two budgets:

Beach Club Budget – for administering and managing the Beach Club building and associated amenities (pool, hot tub, tennis court, guest cottages, and immediate grounds, including the pitch-and-putt area). This budget is funded by all five strata corporations.

CLC Budget – for administering and managing the common lands of the four strata corporations governed by the Building Scheme (Arbutus Grove, Meadow Beach, A Seaside Village, and The Onyx). This budget is funded by the four named strata corporations.

Fiscal Year

The fiscal year for the CLC is consistent with the fiscal years of the four strata corporations, that being October 1st through September 30th.

Budgeting Process

As prescribed by the Building Scheme, the CLC must develop and pass its Beach Club and CLC budgets (referred to jointly in this section as “the budgets”) at least 30 days prior to the first of the Strata Corporation Annual General Meetings. The steps in place to complete this responsibility are as follows:

[a] The Managing Agent in consultation with various members of CLC, including the Treasurer and the Committees of CLC who have areas of financial responsibility (see Standing Committees, p. 14-19), develops draft budgets prior to the beginning of the next fiscal year.

[b] The budgets contain reserve funds as well, to handle expenditures on items over \$1000 that are not annual items. Such expenditures are prepared as Special Resolutions and referred to the strata corporation Annual General Meetings, where a 75% majority is required for approval.

[c] Although the Building Scheme gives the CLC the exclusive authority to set these budgets, a consultation process is in place to gather feedback from the Strata Councils by way of an

informal Joint Meeting of Strata Councils, held prior to the meeting at which the CLC intends to pass its budget. At that meeting, the draft budgets are presented and discussed.

[d] Following this consultation process, the CLC discusses the budgets at its next regular or special meeting, considers the feedback received, and passes a final version of the budgets.

[e] The budgets are forwarded to the five Strata Councils with direction for them to include appropriate allocations in their strata corporation budget to the CLC. Shorehaven makes a contribution to the Beach Club budget but not to the CLC budget.

[f] After all strata corporations have approved the Beach Club and Community Lands budget, the proportionate share for each strata is calculated. The calculation for the contribution of Arbutus Grove, Meadow Beach, Seaside Village and The Onyx is specified in the Building Scheme, while the formula for Shorehaven's contribution is identified in its access easement (EJ126542A). The formulas are substantially the same. The dollar amount required for each budget is divided by twelve for monthly budget contributions.

Insurance

[a] building insurance is maintained as a separate policy within the Meadow Beach insurance framework, with each strata corporation being a named party on the policy, and premiums are paid through the Beach Club budget;

[b] liability insurance is maintained via coverage within each strata corporation. As an appointee to the CLC, each member is covered by the strata corporation's policy.

Personnel and Services

A Property Manager is retained by the CLC as per the Building Scheme, and fees for that service are paid by the Strata Corporations.

Landscape services are contracted to a general landscape contractor, who presently sub-contracts various parts of Craig Bay to other contractors. The strata corporations contribute to the Beach Club budget to cover landscaping work done at the Beach Club, and contribute to the CLC budget to pay for landscaping services on the common property in the strata corporations other than the Beach Club area.

The budget of the Beach Club provides for salaries for a Coordinator and for caretaking services. Employees and contract staff are managed for the CLC by the Property Manager. At present

there is a Community Coordinator working 30 hours per week, and some hourly caretaker services. A cleaning contract is in place for the Beach Club and guest cottages.

Many other occasional building maintenance and landscape services are arranged as needed through the Property Manager, and costs are allocated to the CLC or Beach Club budgets, or to the Strata Corporations as appropriate.

Performance Reviews

The CLC is responsible for conducting or coordinating performance reviews on the Managing Agent, and for ensuring that performance reviews on other staff and service providers (Community Coordinator, caretaking services, landscaping and other regular contractors) are completed. In recent years the Presidents of the four strata councils under the Building Scheme have coordinated and carried out the performance review of property management services on behalf of CLC.

Beach Club Rules and Regulations

Current version (see Appendix F) adopted in 2007

The Rules and Regulations are in place to govern operation of the facilities in the Beach Club and associated amenities (pool, hot tub, tennis court and guest cottages). The items addressed in the Rules and Regulations are:

- Definitions
- Operation
- Conduct
- Compliance
- Guests
- Guest Cottages – Reservations
- Guest Cottages – Rules
- Health Club
- Locker Rooms
- Steam Room
- Arts & Crafts Room
- Craftsmen’s Room
- Club Room
- Pool and Hot Tub Area
- Tennis Court
- Chipping and Putting Area
- Four Seasons Lounge
- Galley
- Conservatory
- Private Functions
- Schedule 1: Rental Fees and Deposits

Further Beach Club Regulations

Additional rules and amendments have been adopted since the last comprehensive revision in 2007, as follows:

Beach Comber Rules of Use by Landscape Contractors – adopted January 2010

The rules adopted by the CLC for use of the Beach Comber by landscaping staff (see Appendix F) are now obsolete but have not yet been rescinded.

Safe Storage of House Keys – adopted November 2007

A fireproof combination safe was installed in the office at the Beach Club in early 2008 for the storage of house keys for individual homes in Craig Bay. The rules of use are:

1. Owners may leave a key and/or security code information in the safe.
2. Should an emergency arise, a Council member or the Managing Agent can provide access to the unit for emergency services.
3. Participation is voluntary

Cottage Booking Restrictions for High Use Periods – adopted July 2009

In addition to the cottage booking regulations in Appendix F, page 3, under Guest Cottages – Reservations, rules apply to peak booking seasons as follows:

Peak Booking Seasons

- a) Easter weekend
- b) May long weekend
- c) July 1st weekend
- d) August long weekend
- e) Labour Day weekend
- f) Canadian Thanksgiving weekend
- g) Christmas/New Years (weeks 51, 52, & week 1)

LONG WEEKENDS (a, b, c, d, e, f)

2 night booking minimum

CHRISTMAS/NEW YEARS SEASON (g)

3 night minimum stay

7 night maximum stay

Amended Rules for Use of Barbecues – adopted July 2009

Documentation was not available.

Temporary Signage Regulations – adopted March 2007

Current practice does not reflect older pieces of policy that were passed in 2000 and 2007.

Standing Committees and Programs of CLC

Several committees and programs have been established as standing (ongoing) committees of the Community Lands Committee and report to the CLC. Membership on these committees is not limited to CLC members. They all have some budgetary responsibility, and are to follow a standard process for establishing and managing their budgets. This process is as follows:

1. Recommendations for action along with cost estimates based on supplier or contractor quotes are presented prior to the coming fiscal year.
2. Expenditures in excess of \$1,000 that are to be funded through the reserve funds, following preliminary approval by the CLC, are sent to strata corporations as Special Resolutions to be considered at their Annual General Meetings, where 75% in favour is required for approval.
3. Regularly occurring maintenance costs that are to be funded by the operating budgets are considered by CLC and, if approved, become part of the budgets that required a simple majority approval at the strata corporations' Annual General Meetings.
4. When budgetary approval is received, the Standing Committees firm up the expenditures with current estimates, and recommendations are returned to the CLC for authority to proceed.
5. Status reports are given regularly to CLC until the conclusion of the expenditures.

The following are the current standing committees and programs:

Beach Club Maintenance Committee

Established: Officially in April 2010, though some members of this group had worked on providing recommendations for the Beach Club since 2007.

Terms of Reference

1. Monitor the physical condition of the Craig Bay Beach Club and associated amenities to identify areas in need of refurbishment, replacement or repair.
2. Analyse options for refurbishment, replacement, or repair, including estimates for the required work, and present recommendations to CLC.
3. When approval and budgeting from CLC are in place, obtain bids and award work contracts on behalf of CLC.
4. Develop a long-term plan for maintenance of the Beach Club and its facilities.
5. Investigate and report to CLC on urgent/emergent maintenance situations reported by staff and residents, including recommendations for action timelines.

Membership: One representative and alternate from each of the five Craig Bay strata corporations, with the power to add as needed. Community Coordinator is an ex-officio member. Chairmanship is rotated for each meeting within the committee as decided among members.

Voting: Simple majority

Meetings: at the call of the Chair

Pond Maintenance Committee

Established: Officially in November 2009; ad hoc pond committees have existed at several times in the past.

Terms of Reference

The Pond Maintenance Committee is responsible for and reports to the CLC on matters associated with the physical condition of the six major pond areas within the Craig Bay community and their connecting waterways. The committee carries out the following activities:

1. Provides oversight, monitoring and assessment of the ongoing physical condition of the respective pond areas.
2. Derives and compiles pertinent information that assists in developing pond maintenance action plans or creating awareness within the community.
3. Makes recommendations to the CLC on remedial actions to implement in support of the pond system's health.
4. Makes recommendations to the CLC on community policy, rule or bylaw matters that are deemed beneficial for the long term viability of the ponds.
5. Prepares and submits an annual Pond Maintenance budget each year, based on recommended pond maintenance programs, for CLC consideration in its development of the annual Community Lands budget.
6. Develops communication materials and mechanisms to help keep Craig Bay residents aware of and informed about related pond matters.
7. Considers special assignments, as tasked by the CLC, on matters related to the health and vitality of the Craig Bay pond system.

Membership: Each of the five strata corporations in Craig Bay is represented by at least one owner. At least one of its members is a CLC representative. The Chair is appointed by the CLC.

Voting: Simple majority.

Meetings: Each spring to confirm a spring, summer and fall operating plan that is presented to CLC for ratification and budget approval; each fall to summarize the

past spring, summer and fall maintenance activities and condition of the ponds; at the call of the Chair to attend to emerging pond maintenance issues.

Presidents' Round Table

Established: Initially in October 2008 to address Craig Bay Community harmony; status as a standing committee of CLC was confirmed in June 2010

Terms of Reference

The primary mandate is to discuss issues that cross community boundaries (i.e. community-wide in nature) with the intent to:

- Enhance communication amongst the strata entities
- Share ideas across strata
- Provide a forum for community leadership discussions
- Help to establish a long-term vision for the community
- Conduct performance reviews of property management services
- Allow identification/discussion/resolution of community-wide “issues” before they escalate

The Presidents' Round Table provides advisory input/recommendations on specific community-wide issues at the request of CLC. It is not meant to supplant or override CLC roles and responsibilities, particularly the primary CLC responsibility for the management of the Community lands.

Membership: Strata Council Presidents from the five strata corporations in Craig Bay. The power to add members on specific issues exists, and to designate an alternative when the President is unavailable.

Voting: Simple majority.

Meetings: Quarterly, plus other times at the call of the Chair

Goose Control Program

Established: Initially in October 2006, then constituted in its present form in July 2010

Terms of Reference

The program currently consists of a number of resident Craig Bay dog owners/handlers and their animals who have received special training and clearance to undertake safe harassment of geese within the Craig Bay community. The geese are chased so as to minimize their droppings being left on lawns, pathways, streets and sidewalks, since those droppings constitute both a nuisance and a potential health hazard to residents and guests. Experience has shown this to be an effective and safe way to make the geese less comfortable on our lawns, and less likely to spend extended time there.

Following training, a handler receives a red bandana for the dog to wear while on patrol. The handler and dog go out in the community as frequently as they are able.

A Program Coordinator carries out the following functions:

- [a] distributes Dog Squad information at regular intervals to Craig Bay residents;
- [b] relaying information to and from handlers regarding the program;
- [c] monitoring information from external sources such as Wildlife Canada regarding goose management practices and regulations;
- [d] scheduling meetings of the Dog Squad as needed;
- [e] bringing in a professional trainer as needed to perform training and refresher courses for handlers and their animals;
- [e] reporting to CLC on an annual basis.

Membership: The Coordinator of the program is appointed by CLC. The Dog Squad members are volunteers from the community and are supervised by the Coordinator. A professional dog trainer provides consultation and training for members of the Dog Squad, arranged as needed by the Coordinator.

Voting: by consensus.

Meetings: at the call of the Coordinator.

Security and Emergency Assistance Program (SEAP)

Established: Under the Craig Bay Residents' Association in September 2002, and moved into the CLC area of responsibility in June 2009

Terms of Reference

The program is designed and maintained to:

- Promote emergency preparedness to all residents of Craig Bay;
- maintain communications with the applicable municipal authorities involved in emergency responses; and
- organize the community's response to security and emergency threats of various kinds (earthquakes, flooding, dangerous goods spills, aircraft crashes, major power blackouts, oil spills, major snowstorms, major structural fires or forest fires).
- Report annually to the CLC on the status and organization of the program.

Membership: The Program Director is appointed by CLC, and the Director adds volunteers as needed to carry out program objectives. Block Captains and Co-Captains have been appointed throughout the community.

Wednesday Morning Project Group

Established: Originally as the Arbutus Grove Gardening Group in the late 1990's, it evolved into the present form and was adopted by CLC in February 2007.

Terms of Reference

The group's goals and objectives are as follows:

1. The long term maintenance and beauty of our community.
2. To relieve Strata Councils and CLC of the landscaping details that naturally evolve as our community matures.
3. To do as much of the ongoing maintenance as possible with a volunteer group to lessen the necessity of increasing our monthly strata fees.
4. To work in co-operation with the land.

Volunteers gather every Wednesday morning at the Beach Club, review the work plan for the morning, and set to work.

Women in the community volunteer to provide coffee and treats for the workers at the end of the morning.

Membership: Volunteers from across the community. Chair is selected from among the membership.

Meetings: As required by the Group leadership.

Operational Guidelines for Common Property

CLC Guidelines for Common Property

The Craig Bay Building Scheme identifies the Community Lands Committee as having exclusive responsibility of managing the common property of the four strata corporations under its purview. The CLC has developed **Operational Guidelines** for common property to streamline approvals and to give Strata Councils autonomy in the areas covered in these guidelines to the extent that Common Property Modification (CPM) requests fall within the scope of the guidelines.

The most recent version of the Guideline document was adopted in October 2009. Several additions have been approved in the period since. The current version is attached in its entirety in Appendix G.

Guidelines on Irrigation Developments Associated with CPM Requests

Special guidelines to govern the integrity of irrigation lines (i.e. to prevent damage) during installation of new landscaping features by owners were adopted in February 2011. These guidelines provide for the relocation of any existing lines to the outside perimeter of the new features, and spells out the inspection and documentation needs for such relocations. These guidelines are also located in Appendix G.

Approved Plant List

A list of approved plants for use in Craig Bay has been in effect since the beginning of construction. The most current version was approved in May 2011 and is found in Appendix H.

Tree Policies and Regulations

Many of the trees in Craig Bay predate the construction of the community. Others were planted by the Developer during construction or were planted by owners or Strata Councils at a later time. The latter are under the jurisdiction of the CLC, but the former are controlled by the City of Parksville.

The City has put in place a development permit that regulates the management of trees in the Craig Bay area. This permit is summarized in Section A below and is provided in Appendix I. Part of the background information for the development permit is an assessment of the Craig Creek “riparian” area at the east end of the community, behind the homes at the end of Saturna Drive, Sidney Place, Madeira Place, and Brentwood Place, and this document (summarized below in Section B) is also located in Appendix I.

A. City of Parksville Development Permit, dated 3 March 2008

This permit was issued to the four Strata Corporations (Arbutus Grove, Meadow Beach, A Seaside Village and the Onyx). Although it states an expiry date of March 2010, this date applies only to the removal of the 28 trees originally identified in the permit. The following authorities and restrictions on tree management remain valid:

1. Routine tree and vegetation management on most of the common property of Craig Bay can be handled by the Community Lands Committee. That includes removal of dead and dangerous trees.
2. In specific protected areas of Craig Bay (identified in the permit in a drawing and by description), removal of dead or hazard trees may be carried out only after a report is filed at the City by a certified arborist. Removal of live non-hazard trees may be carried out in these areas only by way of a Development Permit issued by the City. These areas are : Area 1, the buffer or berm area along Northwest Bay Road; Area 2, the riparian areas along Craig Creek (see specific information in Section 2 below); and Area 4, “Natural Areas” in the centre of Arbutus Grove Strata between Gabriola Drive and Saturna Drive.

B. Riparian Areas Regulation: Assessment Report

A “riparian area” is the interface between land and a stream or river. The City of Parksville required a report on the riparian area along Craig Creek adjacent to Craig Bay Estates, and it was provided in March 2008 by Adam Compton (biologist) and Graham Kerr (arborist). This report is attached as part of Appendix I. It indicates that there is a buffer of approximately 15

metres between the stream and the yards of Craig Bay homes, defined by a retaining wall. However, the riparian area to be covered under regulations is actually broader than that (30 metres) and extends well into the yards along the Creek. It is referred to formally as a Streamside Protection and Enhancement Area (SPEA).

The assessment report describes the rich fish habitat of the Creek, and the vegetation. It then goes on to identify a number of danger trees that were identified for removal and some for future monitoring. Rules for removal were also quoted from the federal Department of Fisheries and Oceans, including: tree stumps are to be left as wildlife stumps and soil retention aids; all felled trees are to remain on the ground as woody debris; debris should not be left in the stream channel; removal is to be conducted at times that do not interfere with nesting; a tree replacement plan was outlined requiring planting of 30 trees to compensate for the removals.

Because the homes along the Creek fall within the 30 metre regulation area, they are restricted as to addition of any additional structures, impervious surfaces (such as patio extensions), roads, drainage systems, until a further report is provided to the City for consideration.

Appendices

All appendices can be found on the Craig Bay website at www.lifestyles.craigbay.com under Strata Information.

- A. Summary of Property Encumbrances
- B. Highway Maintenance Agreement with City of Parksville
- C. Craig Bay Building Scheme
- D. Certificate of Resolution, Seaside Village, 2001
- E. Legal Opinions on the CLC and the Craig Bay Building Scheme
 - a. Cora Wilson – 23 October 2007
 - b. Derek Jonson – 31 January 2011; 1 February 2011
- F. Beach Club Rules and Regulations
- G. Operational Guidelines for Common Property
 - a. Addendum re Irrigation relocation guidelines
- H. Approved Plant List, May 2011
- I. Tree Policies and Regulations