

PRELIMINARY NOTICE OF MEETING OF OWNERS

Advance information for owners about a proposed meeting of owners

2018 October 26

Ottawa Carleton Standard Condominium Corporation No. 735 The East Market 3

The purpose of this preliminary notice of meeting is to provide additional advance notice of a planned owners' meeting, before the notice of meeting is prepared and sent to owners. Among other things, this preliminary notice provides ways for owners to suggest material to be included in the notice of meeting. The corporation is still required to send out a notice of meeting to confirm the meeting date and provide additional information to owners about the meeting.

GENERAL MEETING INFORMATION

Section 1. Projected date of the meeting: 2018 December 04

Section 2. You may provide information to the board in response to this notice in the following ways:

a. By delivering the information to the address for service of

☐ the corporation: N/A

☒ condominium management provider or the condominium manager:

Kayla McKale - kmckale@cimanagement.ca

Capital Integral Property Management

904 Lady Ellen Place

Ottawa ON K1Z 5L5

ATTN: OCSCC 735

Fax: 613-651-0306

☐ any other person responsible for the management of the property: N/A

b. By delivering the information using an electronic method of communication:

☒ Yes

☐ No

The electronic method of communication is: kmckale@cimanagement.ca

c. By delivering information in an additional way

☒ Yes

☐ No

The additional way to deliver information is: office mail box at 179 George Street

Section 3. Summary of the Purpose of the Meeting:

Annual General Meeting

Section 4. Please check any of the following that apply to the upcoming meeting:

☐ a. This is a meeting requisitioned by owners under s. 46 of the *Condominium Act, 1998*. N/A

☐ b. This meeting will include discussion of proposed changes to the declaration, description, by-laws, rules, or agreements. N/A

☒ c. This is a meeting to elect one or more directors (including a meeting requisitioned under s. 46 of the *Condominium Act, 1998* that may include the election of one or more directors).

The number of positions on the board that are or could be the subject of an election at the meeting, and the term or remaining term of each position, are:

1 positions for a 3 year term

The number of positions that are or could be the subject of an election at the meeting and that are reserved for voting by owners of owner-occupied units: N/A

The total number of positions on the board: 3 directors

The current directors and terms are:

Mario Gasperetti, Director, President, 2017 December 05 - 2020

Rob Potter, Director, Treasurer, OOP, 2016 December 05 - 2019

Brian McCauley, Director, 2016 January 27 - 2018

If you want your intention to be a candidate for election to the board included in the upcoming notice of meeting, you must notify the board in writing of your name, address, and your intention no later than: 2018 November 14

You may deliver your notice to the addresses or in the manner specified above (see item 2 of this form). You must include with your notice of candidacy any required disclosure information. Please contact our office for a Director Disclosure form.

Note: For information about disclosure obligations and qualifications for candidates and directors, see s. 29(1) of the *Condominium Act, 1998* and s. 11.6 of Ontario Regulation 48/01 under the *Condominium Act, 1998*, copies of which are included with this notice.

☒ d. This is a meeting to remove or appoint an auditor.

This meeting will involve the removal or appointment of an auditor for the corporation. If you wish to propose a candidate for auditor, and you wish for that person to appear in the Notice of Meeting of Owners, you must notify the board in writing of that person's name and business address no later than: 2018 November 14

You may deliver your notice to the addresses or in the manner specified above (see item 2 of this form).

☐ e. This is a meeting for the purpose of considering an addition, alteration or improvement to the common elements, a change in the assets of the corporation, or a change in a service of the corporation or for the purpose of considering the installation of an electric vehicle charging system to be carried out in accordance with s. 24.3 (5) of Ontario Regulation 48/01 made under the *Condominium Act, 1998*. N/A

☐ f. This is a meeting relating to amalgamation under s. 120 of the *Condominium Act, 1998*. N/A

Section 5. Request by owners to include material (including any record of the corporation) in the upcoming Notice of Meeting. If you wish to request that any material be included in the notice calling this meeting, please deliver that material to the board to the addresses or in the manner specified above (see item 2 of this form) by this date: 2018 November 14

Although you can request that material be included in the notice of meeting, the board is not obligated to include this material unless, among other requirements, the owners of at least 15% of the units request that the material be included. For more detail, please refer to the form called "Submission to Include Material in the Notice of Meeting of Owners" which is available through the management website's Owner Portal for the condominium. This form is from the government's website, and s. 12.8(1)(a) of Ontario Regulation 48/01 under the *Condominium Act, 1998*.

Section 6.

☐ A by-law of the corporation requires that additional material be included with this notice. N/A

Section 7.

Optional: Additional material that is not required by a by-law of the corporation is included with this notice. N/A

DIRECTORS AND OFFICERS

Condominium Act, 1998

Qualifications

29 (1) No person shall be a director if,

- (a) the person is not an individual;
- (b) the person is under 18 years of age;
- (c) the person has the status of bankrupt;
- (d) the person has been found, under the *Substitute Decisions Act, 1992* or the *Mental Health Act*, to be incapable of managing property;
- (e) subject to the regulations, the person has been found to be incapable by any court in Canada or elsewhere; or
- (f) the person has not complied with the prescribed disclosure obligations within the prescribed time. 2015, c. 28, Sched. 1, s. 27.

Disqualification

(2) A person immediately ceases to be a director if,

- (a) the person has the status of bankrupt;
- (b) the person has been found, under the *Substitute Decisions Act, 1992* or the *Mental Health Act*, to be incapable of managing property;
- (c) subject to the regulations, the person has been found to be incapable by any court in Canada or elsewhere;
- (d) a certificate of lien has been registered under subsection 85 (2) against a unit owned by the person and the person does not obtain a discharge of the lien under subsection 85 (7) within 90 days of the registration of the certificate of lien;
- (e) the person has not completed the prescribed training within the prescribed time; or
- (f) the person has not complied with the prescribed disclosure obligations within the prescribed time. 2015, c. 28, Sched. 1, s. 27.

Consent

30 (1) A person shall not be elected or appointed as a director unless the person consents. 1998, c. 19, s. 30 (1).

Deemed consent

(2) A person shall be deemed to consent if the person is present at the meeting when elected or appointed and does not refuse to act as a director. 1998, c. 19, s. 30 (2).

Written consent

(3) A person who is not present at the meeting may be elected or appointed if the person consents in writing to act as director before the meeting or within 10 days after the meeting. 1998, c. 19, s. 30 (3).

Non-compliance

(4) The election or appointment of a person as director contrary to this section is ineffective. 1998, c. 19, s. 30 (4).

Term

31 (1) Except in the case of directors appointed to the first board of directors under subsection 42 (1), a director is elected for a term of three years or such lesser period as the by-laws may provide. 1998, c. 19, s. 31 (1).

DIRECTORS AND OFFICERS

O. Reg. 48/01: GENERAL

Disclosure Obligations

11.6 (1) For the purpose of clause 29 (1) (f) of the Act, a person shall provide the following statements and information in accordance with this section:

1. If the person mentioned in that clause is a party to any legal action to which the corporation is a party, a statement of that fact and a brief general description of the action.
 2. If the spouse, child or parent of the person, or the child or parent of the spouse of the person, is a party to any legal action to which the corporation is a party, a statement of that fact, the name of the spouse, child or parent and a brief general description of the action.
 3. If an occupier of a unit that the person or the person's spouse owns or that the person occupies with the occupier is a party to any legal action to which the corporation is a party, a statement of that fact, the name of the occupier and a brief general description of the action.
 4. If the person has been convicted of an offence under the Act or under the regulations within the preceding 10 years, a statement of that fact and a brief general description of the offence.
 5. Subject to subsection (3), if the person has, directly or indirectly, an interest in a contract or transaction to which the corporation is a party, in a capacity other than as a purchaser, mortgagee, owner or occupier of a unit, a statement of that fact and a statement of the nature and extent of the interest.
 6. Subject to subsection (3), if the person has, directly or indirectly, an interest in a contract or transaction to which the declarant or declarant affiliate is a party, in a capacity other than as a purchaser, mortgagee, owner or occupier of a unit, a statement of that fact and a statement of the nature and extent of the interest.
 7. If the person is an owner in the corporation and if the contributions to the common expenses payable for the person's unit are in arrears for 60 days or more, a statement of that fact.
 8. If the person is not an owner of a unit in the corporation, a statement of that fact.
 9. If the person is not an occupier of a unit in the corporation, a statement of that fact.
 10. All other information that a by-law of the corporation requires the person to disclose. O. Reg. 180/17, s. 6.
- (2) In paragraphs 2 and 3 of subsection (1), "spouse" means,
- (a) a spouse as defined in section 1 of the *Family Law Act*, or
 - (b) either of two persons who live together in a conjugal relationship outside marriage. O. Reg. 180/17, s. 6.
- (3) Paragraphs 5 and 6 of subsection (1) do not apply to a contract or transaction unless both it and the person's interest in it are material. O. Reg. 180/17, s. 6.
- (4) The statements and information that subsection (1) requires the person to provide shall be current as of the time the person provides them. O. Reg. 180/17, s. 6.

(5) If the person provides notice to the board as described in subsection 28 (2) of the Act or subclause 11.2 (2) (c) (ii) of this Regulation with respect to a meeting of owners described in subsection (6), the person shall provide the statements and information required by subsection (1) to the board in writing at the time of providing the notice. O. Reg. 180/17, s. 6.

(6) The meeting of owners mentioned in subsection (5) or (7) is a meeting that is held 40 days or more after the day section 27 of Schedule 1 to the *Protecting Condominium Owners Act, 2015* comes into force and for which a notice of meeting has not already been sent before that day. O. Reg. 180/17, s. 6.

(7) If the person does not provide notice to the board as described in subsection 28 (2) of the Act or subclause 11.2 (2) (c) (ii) of this Regulation but is a candidate in the election of one or more directors at a meeting of owners described in subsection (6), the person shall provide the statements and information required by subsection (1) to the corporation at the meeting. O. Reg. 180/17, s. 6.

(8) For the purpose of subsection (7), the person shall provide the statements and information,

(a) orally or in writing if the person is present at the meeting; or

(b) in writing if the person is not present at the meeting. O. Reg. 180/17, s. 6.

(9) If the person is a person appointed to the board as described in subsection 34 (2) of the Act, the person shall provide the statements and information required by subsection (1) of this section to the board,

(a) at any time before being so appointed, unless the corporation has passed a by-law described in clause (b); or

(b) within such other period of time that is set out in a by-law of the corporation and that is before the appointment. O. Reg. 180/17, s. 6.

(10) The person shall provide the statements and information,

(a) orally or in writing if the person provides them at a time at the meeting when the person is appointed to the board that is before the appointment; or

(b) in writing if,

(i) the person provides the statements and information before the meeting at which the person is appointed to the board, or

(ii) a by-law of the corporation requires the person to provide the statements and information in writing. O. Reg. 180/17, s. 6.

(11) If this section requires a person to provide the statements and information required by subsection (1) in writing, the signature of the person shall be included in the statements and shall accompany the information. O. Reg. 180/17, s. 6.