

HORNE LAKE COMMUNITY

Horne Lake Community Vision Statement

"The Horne Lake Community is committed to a safe, pristine/natural, family oriented, recreational area that embraces sustainable environmental stewardship"

Welcome to Horne Lake

Horne Lake is a strata community that was created by the licensed cottage owners to preserve the distinct recreational way of life that has been enjoyed for many years. We look forward to welcoming new owners to our community and to embrace our Vision. We encourage all who wish to invest in our community to understand the opportunities and responsibilities it offers.



The following points are to help answer questions you may have if you have just become or are considering becoming a member of our Recreational Community at Horne Lake. This is only a summary of many pages of documents that relate to Horne Lake and the Strata Community and is not intended to replace them, only to give you an outline of the many things that make Horne Lake so special. Please feel free to call our strata property manager if you have any questions.

History

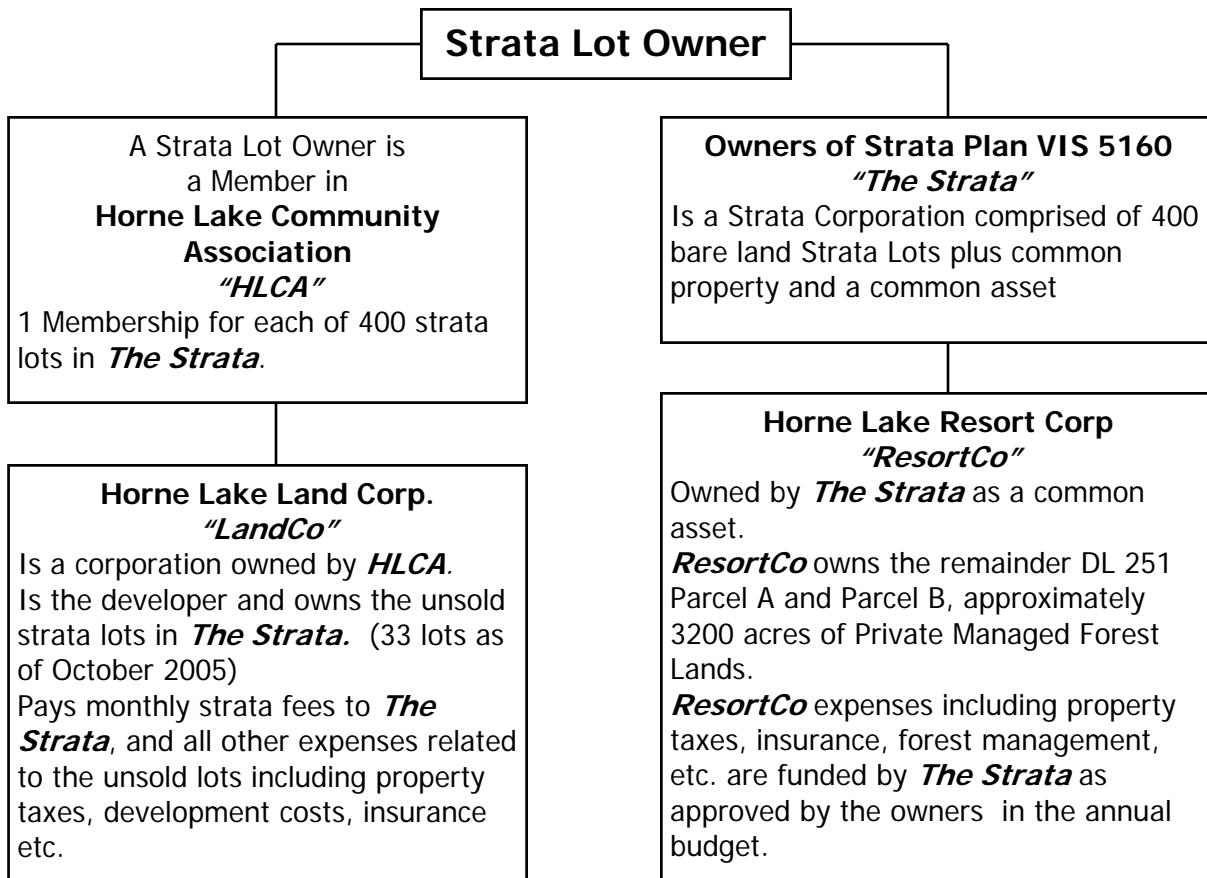
Cottagers have enjoyed Horne Lake as a recreational retreat since the 1920's. In 1996, a group of cottage license holders formed the *Horne Lake License Holders Association "HLLHA"* (now known as *Horne Lake Community Association "HLCA"*) to pursue the opportunity

for long-term tenure of the recreational lots for its members, the *Horne Lake License Holders*. In December 1999 **HLLHA** entered into an agreement for the purchase and sale of the Horne Lake Lands from Texada Land Corporation, on behalf of the License Holders. From 1999 until the completion of the purchase, over 270 licensed holders invested and risked their money in pursuit of their dream to own their lot and create the Strata Community you see today. On January 23, 2002, the purchase was completed and included the purchase of DL 251 Parcel A and Parcel B approximately 3500 acres, Block 40 approximately 260 acres and the sale of 343 strata lots to existing license holders.

On January 23, 2002, the lands were subdivided and allocated as follows:

- Approximately 280 acres is subdivided out of DL 251 Parcel A and Parcel B to create a 400 lot, bare land strata known as *Owners of Strata Plan VIS 5160 "The Strata"*.
- Remainder of Parcel A and Parcel B, approximately 3200 acres is transferred to *Horne Lake Resort Corp "ResortCo"*. **ResortCo** is solely owned by *Owners of Strata Plan VIS 5160* as a Common Asset. The **ResortCo** lands are designated as Private Managed Forest.
- 343 of the 400 lots are sold to License Holders and the balance, 57 lots are transferred to *Horne Lake Land Corp "LandCo"*. **LandCo** is a company solely owned by **HLCA** for purpose of developing and selling the remainder lots. As of October 2005, **LandCo** owns 33 lots. Over the next few years, **LandCo** will sell some of these lots to retire the debt owed by **HLCA** to the original 343 purchasers that funded the project.
- **Block 40**, now the Horne Lake Regional Park is transferred to the **Regional District of Nanaimo** as consideration for allowing the subdivision and creation of **The Strata**.

Horne Lake Group of Companies



The Strata –“A Recreational Community, A Way of Life, A Commitment”

A **Strata Corporation** is created to divide a building(s) or a parcel of land into separate components individually owned (**strata lots**) and common components (**common property and common assets**) owned by all the owners. The owners of the strata lots are the members of the Strata Corporation.

There are 400 **strata lots** in **The Strata**. Each year at the Annual General Meeting, a Strata Council of between 8 and 12 owners are elected to manage the strata corporation within the restrictions of the Strata Property Act and Regulations, and the Strata Corporation’s bylaws and rules. In

addition the Strata Council is responsible for the enforcement of the bylaws and rules and can levy fines if a bylaw has been breached.

The Strata Council has engaged a licensed strata property manager to assist with the day-to-day management and administration of **The Strata**.

The Strata has **common property**, which is the land that is inside the Strata Corporation boundaries but is not a strata lot. That includes roads, watercourses, foreshore etc. It is land for all owners to enjoy and cannot be altered without prior written

approval from the Strata Council.

The Strata has a **common asset**, Horne Lake Resort Corp that owns 3200 acres of adjacent lands that is a Private Managed Forest. This is for all owners to enjoy and cannot be altered without prior written consent from the Strata Council. **The Strata** has a very active forestry and silviculture program including mapping, planting, thinning and pruning and interface fire prevention with the goals of sustainable harvesting in the future while retaining the wilderness environment in which our community resides.

A **strata lot** has a 1/400th indivisible interest in the common property and the common asset. The **Strata budget** is adopted at the AGM and by line item identifies maintenance costs of the common asset and common property that are funded by the **strata fees** you pay.

Approvals for Construction

Zoning

Development Permits

Flooding Covenant

Horne Lake is a reservoir and has a controlled outflow through a dam and tunnel system operated by the Department of Fisheries for the Big Qualicum River fish hatchery. As such, the lake level will normally fluctuate up to 15 vertical feet per year. There is a **flooding covenant** on the Strata lots that requires all new construction be built above the 200 year flood level, 121.7 m Geodetic Datum.

Horne Lake is in the Regional District of Nanaimo. There are various levels of regulations from the Regional District of Nanaimo, the Province, the Federal Government and the Strata Bylaws regarding land development, improvements and construction projects at Horne Lake and on a Strata Lot or common property. These also regulate the number of buildings, structures,

and recreation vehicles permitted on a strata lot and their location and size. All of these must be considered before any lot improvements, land alteration or construction begins. **The Strata** engages the services of a strata property manager to assist owners with their approval applications.

Construction, tree removal, and land alteration projects must be approved in writing by the Strata Council prior to the start of the activity.

Unauthorized activities are dealt with by the Strata Council through their discipline process and can include fines.

Horne Lake is a recreational community and only allows temporary accommodation. As such, the zoning and Strata Bylaws define “temporary accommodation” and restricts the occupancy to 240 days in a given year and 180 days in succession.

Permanent residency is not permitted by the zoning or by the Strata Bylaws.

As a recreational community, the size of a cottage is limited by zoning.

Maximum floor area

Mainfloor, 70 m² (750 sq ft)

Loft, 50% of main floor, max. 35 m²

Decks and porches, 40 m² (430 sq ft) outside Development Permit Area

Number of floors, 2, the main floor and the loft

There is a **development permit area** around the lake that includes all land within 15 metres of the natural boundary of Horne Lake and any watercourse. **Development Permit No. 0120** outlines the activities that can occur within the development permit area.

Building permits and building inspection will be required for new construction effective April 1, 2011.

New **Riparian Area Regulations** have

been legislated by the Provincial Government that may limit the activity, construction, land and vegetation alteration within 30 metres of the natural boundary of Horne Lake and any watercourse. The Provincial Ministry of Environment and Fisheries and Oceans Canada have endorsed DP 0120 as the guidelines for development within **The Strata**.

Hydro, Telephone, Cable

Horne Lake is **off the Grid** and for many this low-tech escape from every day life is what makes this unique, rural, recreational getaway so special. Being off the Grid means there is no BC Hydro service, landline telephone or cable service. There is no plan at present that will deliver Hydro or other landline services to **The Strata**. To pursue this would require the consent of at least 75% of the owners and a substantial financial commitment from every owner to design and build the transmission delivery system.

Owners use cell phones, the cell network for internet and satellite receiving dishes for television if they must and a variety of other means to replace Hydro service. Some of these include old-fashioned coal oil lamps, propane for lighting, refrigeration, cooking and heat, solar and battery systems for lighting and other power requirements, generators to top up the battery banks and for construction projects. There are noise and nuisance bylaws that regulate the use of generators. Common sense and consideration for your neighbours enjoyment normally works the best. *Silence is golden.*

Water

Horne Lake is the supply for domestic water for each lot. **The Strata** has a license for 400 individual intakes from the Ministry of Environment and pays an annual fee for the water license. The license fee is a line item in the annual budget.

Owners install their own intake, pump, storage and pressure system for the domestic water needs on their lot.

Sewer

Outhouses were a common feature on each lot until December 31, 2004. Now sewage is handled by pump and haul. The Regional District of Nanaimo designates **The Strata** as a pump and haul service area. As such an occupied strata lot can no longer have an outhouse and must have an approved pump and haul tank installed and be registered for service with the Regional District of Nanaimo. It is the owner's responsibility to maintain the pump and haul tank and alarm system and ensure their tank is pumped out as required. The pump out, hauling and tipping fees are the owner's responsibility.

Fire Protection

Horne Lake and The Strata are unprotected areas. This means a fire department **will not show up** if you call 911. The Strata has installed **Fire Stations, Fire Trailers and water Tenders** around the lake for Owners use in the event of a fire. Each Owner is provided with a Fire Key that will provide access to all of this equipment. Owners are encourage to become familiar with the location of these facilities in relation to their lot and to hold practices with family members



Water Tender



Fire Station



Fire Equipment Trailer

and neighbours with the pumps and equipment. It is up to each owner to ensure they have first response capabilities at their cottage including at least 10 pound fire extinguishers (minimum), water source, pump and hoses etc.

Forest Fires

Horne Lake is in the Coastal Fire Centre region for forest fires. Coastal Fire Centre will respond to forest fires and to assist the Strata Owners to bring them under control. Coastal Fire Centre will not respond to structure fires unless they threaten the adjacent forest. We are in a forest so call and advise of the incident, *5555 on your cellular phone.

Security

Insurance and security of a strata lot, cottage and personal property is each individual owner's responsibility. **The Strata** supports a Cottage Watch program with a dedicated group of owner volunteers that compliment the many private security companies that provide services to individual owners.

Swimmers Itch

Horne Lake like most on Vancouver Island and through out BC is known to have Swimmers Itch. This is a microscopic parasite that when contacted by a person or pet for a prolonged time can cause an itchy rash. **The Strata** has engaged the services of Bruce Leighton from SFU to advise us on the Itch. His report is available from the office.

As a precaution **The Strata** promotes the "10 minute rule". Don't stay in the water longer than 10 minutes, then get out and towel off all over, including under your bathing suit. By towel off, you have removed any microscopic parasites that may have attached to your skin. Then you are good to re-enter for another 10 minutes. This time works for most, but those with more sensitive skin may find a shorter time is better for them. If you practice this, you may never

know if the Itch is in the water.

Docks

Each lot can install one dock. Regional District of Nanaimo Zoning Bylaw W4 and Development permit 0120 regulates the size and construction materials for new docks. A new dock can be up to 20 m² (215 sq ft) excluding the walkway. The walkway can be up to 4 ft wide and an unspecified length. Prior written approval from the Strata Council is required before you build and install a new dock.

Boat Launch

There is a boat launch ramp at the Regional Park at the west end of Horne Lake that is available to Strata Owners for a nominal charge. Personal watercraft cannot be launched there.

The Strata Corp. has built a boat launch ramp for owners use on the south shore between lots 373 and 374 South Lake Road.

Unlicensed Motor Vehicles, Quads and Dirt Bikes

A resident or visitor must not operate a motorcycle, trail bike, dune buggy or off road vehicle on any strata lot, common property or common asset (other than roads and driveways established for vehicle use and then only for the purpose of transportation), except in accordance with the rules, if any, created by council. In any event, a resident or visitor must not operate such a vehicle in a manner which causes a nuisance or hazard to another person, causes an unreasonable noise or unreasonably interferes with the rights of other persons to use and enjoy the common property, common assets or another strata lot.

The Motor Vehicle act does not permit the operation of unlicensed vehicles, quads, and dirt bikes on public roads. Public roads around Horne Lake include Horne Lake Road, Horne Lake Caves Road and Marshland Road.

In June 2010 The Strata adopted an ORV code of ORV Code of Conduct

1. All strata owner ORVs will display a HL sticker on the rear fender.
2. Helmets and appropriate safety gear for the intended riding is recommended.
3. ORVs have spark arresters.
4. ORV operators will file a trip plan with a responsible person.
5. Respectful operation of an ORV
 - I. will be dead slow when traveling on strata roads that border cottages and when approaching pedestrians and pets on the road,
 - II. will not disturb fellow owners with excessive and constant noise,
 - III. will ride on existing roads and trails and not damage our lands,
 - IV. will ensure under age riders have age and experience appropriate supervision from parents or an adult,
 - V. will pack out anything that is packed in.