

**York Mills Heights Residents Association**  
**Excerpt of By-Laws**

1.1 Definitions. In this by-law and all other by-laws of the Corporation, unless the context otherwise requires:

- a) "Act" means the Corporations Act (Ontario) and any act that hereinafter may be substituted therefor, as from time to time amended;
- b) "Board" means the board of directors of the Corporation;
- c) "Corporation" means the YORK MILLS HEIGHTS RESIDENTS ASSOCIATION
- d) "letters patent" means the letters patent incorporating the Corporation dated February 22, 1977 as from time to time amended and supplemented by supplementary letters patent;
- e) "person" means an individual and does not include a corporation, a partnership, an association, a firm or any other similar entity.

**ARTICLE TWO**  
**MEMBERS**

2.1 Membership. Membership in the Corporation shall consist of the persons who are qualified for membership and who have not withdrawn or been expelled.

2.2 Qualifications for Membership. The following are qualified as members of the Corporation:

- a) any individual assessed (jointly or otherwise) as owner of residential property in the area bounded by, (i) the south boundary of Highway 401; (ii) the west boundary of the Don Valley Golf Course; (iii) the rear property line of properties fronting on the east side of Mason Boulevard; (iv) the rear property line of the properties front on McGlashan Court and Eastview Crescent; (v) the rear property line of properties front on the south side of Brooke Avenue; and (vi) the east boundary of Yonge Boulevard (herein called the "area");
- b) tenants resident in the residential premises within the area;
- c) the spouse of any person named in a) or b), residing in the residential premises in question;  
and
- d) residents of Loretto Abbey.

- 2.3 Liability of Member. Members shall not, as such, be held answerable for any act, default, obligation or liability of the Corporation or for any engagement, claim, payment, loss, injury, transaction, matter or thing relating to or connected with the Corporation.
- 2.4 Transfer of Membership. A membership in the Corporation is not transferable.
- 2.5 Revocation of Membership. Any member may be expelled from the Corporation for cause by a three-quarters (3/4) majority vote of the Board. No such resolution shall be put before the Board until after the member in question has been notified in writing of the cause and afforded an opportunity for a hearing before the Board. The Board shall notify any such member of the act which, in their opinion, is improper or detrimental to the Corporation and of the time and place of the meeting of the Board at which the member in question will be heard. Such notice shall be given at least two (2) weeks prior to such meeting.
- 2.6 Resignation of Membership. A member may resign by a resignation in writing which shall be effective upon delivery of the resignation or a copy thereof to the Board.
- 2.7 Termination of Membership. A membership in the Corporation automatically terminates upon the happening of any of the following events:
- a) if the member, in writing, resigns as a member of the Corporation pursuant to Section 2.8;
  - b) if the member ceases to meet the qualifications for membership set forth in Section 2.1;
  - c) if the member dies;
  - d) the bankruptcy of a member or the making by a member of an assignment under the provisions of the Bankruptcy Act; or
  - e) if the member is expelled from the Corporation pursuant to Section 2.6.
- 2.8 Effect of Withdrawal or Expulsion. If a member withdraws or is expelled from membership in the Corporation, he will promptly withdraw from any office or post he may occupy in the Corporation. Such withdrawal or expulsion shall not, however, alter or remove any obligations of the member regarding confidentiality of information, data, reports, memoranda etc. of the Corporation.
- 2.9 Annual Dues. Except for annual dues as hereinafter provided, there shall be no dues or fees payable by members except such, if any, as shall from time to time be fixed by vote of the Board of Directors, which vote shall become effective only when confirmed by a vote of the members at an annual or general meeting.

The Board of directors may by resolution establish annual dues payable by each member or each household.

The Secretary shall notify the members of the dues or fees at any time payable by them and, if any are not paid within thirty (30) days of the date of such notice, the right of such members and their spouses to vote at meetings of members shall be suspended until the dues or fees for the current fiscal year of the Corporation are paid.

**ARTICLE THREE**  
**MEETINGS OF MEMBERS**

3.1 Annual Meeting. The annual meeting of the members shall be held each year within Ontario, at a time, place and date determined by the Board, for the purpose of:

- a) hearing and receiving the reports and statements required by the Act to be placed before the Corporation at an annual meeting;
- b) electing directors;
- c) appointing auditors and fixing or authorizing the Board to fix their remuneration; and
- d) the transaction of any other business properly brought before the meeting.

3.2 General Meetings. The Board, or the President or Vice-President together with one other director, may at any time call a special meeting of members for the transaction of any business, the general nature of which is specified in the notice calling the meeting.

3.3 Notice of Meetings. Notice of the time, place and date of meetings of members and the general nature of the business to be transacted shall be given at least ten (10) days before the date of the meeting to each member (and in the case of an annual meeting to the auditors of the Corporation).

3.4 Persons Entitled to Be Present. The only persons entitled to attend a meeting of members shall be those entitled to vote thereat, the auditors of the Corporation and others who, although not entitled to vote, are entitled or required under any provision of the Act or the letters patent or by-laws to be present at the meeting. Any other person may be admitted only on the invitation of the chairman of the meeting or with the consent of the meeting.

3.5 Right to Vote. At any meeting of members, every person who is at the time of the meeting entered in the books of the Corporation as having paid his annual dues and such person's spouse shall be entitled to vote. The Treasurer shall from time to time as required prepare a list of those members who have paid their annual dues and are qualified to vote at meetings of members.

3.6 Proxies. At any meeting of members a proxy duly and sufficiently appointed by a member shall be entitled to exercise, subject to any restrictions expressed in the instrument appointing him, the same voting rights that the member appointing him would be entitled to exercise if present at the meeting. A proxy must be a member. An instrument appointing a proxy shall be in writing and shall be acted on only if, prior to the time of the voting, it is deposited with the secretary of the Corporation or of the meeting or as may be directed in the notice calling the meeting.

3.7 Quorum. A quorum for the transaction of business at any meeting of members shall be ten of the members of the Corporation entitled to vote thereat, provided that at least two members are present in person.

3.8 Chairman, Secretary and Scrutineers. The President, or, in his absence, the Vice-President of the Corporation shall be chairman of any meeting of members; if neither of such officers be present within fifteen (15) minutes from the time fixed for holding the meeting, the persons present and entitled to

vote shall choose one (1) of their number to be chairman. If the Secretary of the Corporation be absent, the chairman of the meeting shall appoint some persons, who need not be a member, to act as secretary of the meeting. If desired, one (1) or more scrutineers, who need not be members, may be appointed by a resolution of by the chairman with the consent of the meeting.

3.9 Votes to Govern. Unless otherwise required by the Act, the letters patent or the by-laws of the Corporation at any meeting of members every question shall be determined by the majority of votes cast on the question.

3.10 Casting Vote. In case of an equality of votes at any meeting of members either upon a show of hands or upon a poll, the chairman of the meeting shall be entitled to an additional or casting vote.

3.11 Show of Hands. Any question at a meeting of members shall be decided by a show of hands unless, after a show of hands, a poll thereon is required or demanded as hereinafter provided. Upon a show of hands, every person who is present and entitled to vote shall have one (1) vote. Whenever a vote by show of hands shall have been taken upon a question, unless a poll thereon is so required or demanded, a declaration by the chairman of the meeting that the vote upon the question has been carried or carried by a particular majority or not carried and an entry to that effect in the minutes of the meeting shall be prima facie evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against any resolution or other proceeding in respect of the said question, and the result of the vote so taken shall be the decisions of the members upon the said question.

3.12 Polls. After a show of hands has been taken on any question, the chairman may require or any person entitled to vote on the question may demand a poll thereon. A poll so required or demanded shall be taken in such manner as the chairman shall direct. A demand for a poll may be withdrawn at any time prior to the taking of the poll. Upon a poll, each person present shall be entitled to one (1) vote, and the result of the poll shall be the decision of the members upon the said question.

3.13 Adjournment. The chairman at a meeting of members may. With the consent of the meeting and subject to such conditions as the meeting may decide, adjourn the meeting from time to time and from place to place. An adjournment may be made notwithstanding that no quorum is present.