

BACKGROUND: At the end of July, the Board received input on the Club's residency restrictions from a number of members who expected that it would be addressing the Off-Season 60 Day Occupancy Restriction in light of the COVID-19 pandemic. In order to have the views of as many members as possible, on August 6, 2020 the Board requested input on this topic from all of the members of the Community.

Thank you to the Community members (50+ respondents) who by their comments provided information and direction to the Board on this matter.

The Board reviewed all of the input it had received and took into account the legal considerations applicable to the issue of waiving, on an extraordinary basis, the Off-Season 60 Day Occupancy Restriction. After an extensive discussion, the Board unanimously agreed (with those members of the Board owning permanent cottages or having an out-of-country off season residence being recused from the vote) as follows: should seasonal residents consider that there is a risk to their health returning to their "off season" residence, or they face financial hardship as a result of being unable to reach their "off season" residence, they may exercise their right to request an exemption to the "Off Season 60 Day Rule" (adopted on Sept. 16/98, amended Jan. 19/15).

The "Off Season 60 Day Rule" adopted by resolution of the Board provides that seasonal properties may be occupied for 60 days during the off season (Nov 1 to May 1 of the following year). Occupancy of a seasonal cottage for 60 days in the off-season is expressly provided for in Burlington's Official Plan. The site specific use allowed at Cedar Springs reads:

Cedar Springs Community: the operation of a private, self-sustaining development with a maximum of twelve (12) year-round residences and eighty-two (82) seasonal cottages at the Cedar Springs Community, located east of Cedar Springs Road and north of Britannia Road. The conversion of seasonal cottages to permanent year-round residences within the Cedar Springs Community shall not be permitted. For the purposes of this policy, the residency of a seasonal cottage for a period of greater than sixty (60) days between November 1 and May 1 shall be considered a conversion of a seasonal cottage to a permanent year-round residence;

Our "Off Season 60 Day Rule" provides for limited relief from the 60 day restriction. The pertinent parts of the rule are:

3. That the Board apply the following criteria when it considers whether to grant approval for use during an Off-Season for more than 60 days; (i) generally, grant relief only once; (ii) restrict relief granted on compassionate grounds due to health problems or financial hardship arising from serious personal circumstances; (iii) not grant relief for reasons of a matter of convenience of the Shareholder (including business reasons; and (iv) grant relief only to Shareholders who understand and practice the seasonal philosophy of the community;
4. That the Board report to the community the name of any Shareholder granted relief and, to the extent felt appropriate having regard to the sensitivity of the matter and the privacy of the Shareholder, for giving it's approval; and.....

The language in 3. (i) "generally grant" is important to consider as it allows for extenuating circumstances and compassion while maintaining the rules the Community must follow as a self governing community.

This is not a blanket exemption. Those asking for an exemption to the 60 Day rule, whether or not they have been granted an exemption previously, must request in writing, providing their reasons, such as health concerns arising from the COVID-19 pandemic or financial hardship as a result of being unable to reach their “off season” residence.

Should an exemption be granted;

1. It will only be granted to the owner of the cottage and his or her immediate family (i.e. spouse and children) and not to extended family members
2. Applicants will be asked to provide the names of the persons who will be residing in the cottage.
3. Applicants will also be asked to subsequently provide information about the number of days they have stayed at their cottage beyond 60 days.
4. The names of those who have been granted exemption for the 20/21 off season will be made known to the community as per paragraph 4 of the Jan. 19/15 Resolutions.
5. Applicants will be advised that they should have no expectation that a second exemption will be granted in subsequent years because of health concerns or financial hardship related to COVID-19. In considering any second exemption request, a relevant factor will be the number of days beyond 60 that a person resided at Cedar Springs pursuant to the prior exemption.

Those wishing to request an exemption to the 60 day rule should submit their written request to the Board as soon as they are aware that they may need to stay at their Cedar Springs cottage during the 20/21 off season. The Board meets monthly and will review requests at the monthly Board meetings. Should you wish to rescind your request you must do so as soon as possible. If you have been granted an exemption for the 20/21 off season but do not use it, and do not advise the Board, the incidence of exemption used will still stand.

Again, the Board would like to thank you for your input and comments/concerns which were considered in coming to this decision. The compassion expressed by many confirms that Cedar Springs continues to be a very unique community.

Feedback is welcome and comments may be addressed to: cscboardofdirectors@gmail.com.