

# MINUTES OF COUNCIL MEETING

## STRATA PLAN LMS-4050

### THE 501

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**HELD:** On Monday, August 11, 2008 at 7:00 p.m., at 501 Pacific Street, Vancouver, B.C.

**PRESENT:**

Brent Belsher	President	# 202
Brenda Lea Brown	Vice President	# 604
George Affleck	Treasurer	# 208
Jenny Ashton		#1505
Rodney Legrow		# 204
Andrea Litke		#2604

**STRATA AGENT:** Bunny Porteous, Vancouver Condominium Services Ltd.

The meeting was called to order at 7:05 p.m.

#### **BUILDING MANAGER'S REPORT**

Mr. Kevin Costea submitted his Maintenance Report for June and July, 2008. Highlights of the report include:

1. Pressure washing of parkade ramps from P1 to P4, courtyard walkways and entrance areas.
2. Service Master completed the common area hallway carpet cleaning in the tower.
3. Probel Enterprises completed the annual roof anchor testing.
4. Citiloc has completed the installation of the new elevator control system.
5. Milani Plumbing completed cleaning of the two boiler units.
6. Alumni Painting completed painting of the exterior back lane entrance walls, walkway, parkade entrance walls and exterior pool walls.
7. Champion Pressure Washers completed the washing of the interior deck and pool inside.

The Building Manager completed a walkabout of the parkade and noted many residents are continuing to store unauthorized items in parkade stalls which is a violation of strata bylaw 34(b):

## ***Division 11 – Parkade***

- (1) *Any oil spills within a parking stall shall be cleaned by the owner. If not cleaned in a reasonable time, the strata corporation may hire a cleaning service and the costs charged back to the owner assigned the stall.*
  - (b) *No items other than a currently insured vehicle and/or motorcycle, bicycles, or two non-flammable recreational equipment items attached to the wall shall be stored in a parking stall.*

Notices were submitted under the residents' doors in violation of the strata bylaws requesting compliance within 14 days or items would be removed and owners could be assessed bylaw violation fines against their accounts.

## **MINUTES**

It was moved, seconded and carried to adopt the minutes of the June 2, 2008 council meeting, as circulated.

## **FINANCIAL REPORT**

1. **Monthly Statement:** Following review, council approved the June and July 2008 financial statements, as presented. Any owner wishing a copy of the strata corporation's financial statements should contact Vancouver Condominium Services Ltd. during regular business hours, 9:00 a.m. to 4:30 p.m., Monday to Friday.
2. **Arrears:** The agent advised council that the two strata lots with liens filed against their strata lots for significant outstanding payments submitted payment in full in May and liens were removed. They have yet to submit payments for June, July and August. Letters have been sent to the owners requesting payment in full within 14 days. **Residents are reminded that all units with outstanding strata fees will have fines applied to their accounts on a monthly basis until fees are paid in full.**

## **BUSINESS ARISING**

1. **Exterior Maintenance Project:** An information meeting was held on Tuesday June 17<sup>th</sup> at the request of a number of owners at the last SGM. 26 resident and non-resident owners attended the information session to discuss strategies to move ahead with the recommended Exterior Maintenance Project and minor repairs. The owners and council in attendance provided the following recommendations:
  - (a) An SGM be scheduled in September to revisit the  $\frac{3}{4}$  vote resolution – Exterior Maintenance Project.
  - (b) A question and answer survey outlining owners' concerns/issues addressed at the last SGM be sent to all owners.

The strata council has scheduled an SGM for Wednesday, September 24<sup>th</sup> at 6:30 p.m. in the lobby of the 501 to re-visit and vote on the  $\frac{3}{4}$  vote resolution to proceed with the recommended exterior maintenance plan and minor repairs. A Q & A survey has been compiled by VCS, Spratt Emanuel and the council to be included with the SGM notice along with a self-addressed envelope for owners to complete the proxy (if unable to attend the meeting). The council highly recommends owners review the Q & A survey to understand the importance of proceeding with the Exterior Maintenance Project.

2. Ad Hoc Reports:

(a) Bylaws: The strata Bylaw Committee is proceeding to review the strata corporation bylaws. Bylaw amendments will be presented to the owners at the next Annual General Meeting.

(b) Landscaping: The Landscaping Sub-committee is proceeding to develop a landscape upgrade plan/quote to be included in the next fiscal year budget.

3. Washing Machine Hose Replacement: Koala-T Mechanical have completed the replacement of washing machine hoses in 216 out of 263 units. Council would like to thank the 216 owners/tenants for understanding the importance with the replacement of the washing machine hoses. Koala-T Plumbing has scheduled an additional date to complete the hose replacements in the 34 units which did not provide access during the scheduled July 14<sup>th</sup> and July 18<sup>th</sup> dates. The following hoses have yet to be replaced: 501, 509, 606, 702, 705, 709, 905, 1504, 1505, 1604, 1802, 1806, 1810, 1907, 2002, 2004, 2010, 2102, 2110, 2209, 2301, 2305, 2507, 2605, 2705, 2709, 2801, 2803, 2805, 2901, 2905, 3003, 3005 and 3009.

Koala-T Plumbing has advised that the lifespan of a hose is estimated at seven to nine years. Although the maintenance of the washing machine hoses are the responsibility of the owners, the owners voted at the AGM to replace the hoses in all owners' units (funded from the CRF) to assist owners from paying for costly repairs and inconveniences to neighbouring units from burst hoses. **Owners' units not accessed on the scheduled date August 14<sup>th</sup> to 15<sup>th</sup> will be required to replace the washing machine hose at their cost and advise VCS when it has been completed.**

4. Lockers: Council continues to receive complaints from owners with incorrect locker assignments. This problem seems to originate from the developer's list which led to some lockers being assigned to more than one owner. The council is proceeding to review the situation and will notify the owners in the minutes with any solution to the existing locker issue. Residents with locker concerns are advised to contact their lawyers as the double-assigned lockers is a purchaser and seller issue and not the responsibility of the strata council to advise who should have the rights to the lockers which have been double assigned.

5. Water Damage – 7<sup>th</sup> Floor: On June 23<sup>rd</sup> a resident contacted VCS to advise that, while hanging an item on a sprinkler head, the sprinkler head broke and a substantial amount of water flooded, creating water damages in units #701, 702, and 601. Barclay Restoration was contacted to complete the emergency repairs. The strata corporation's insurance broker was contacted and an adjuster was on-site to assess the damages. The strata corporation's insurance water deductible is \$10,000. The scope of work was tendered to two restoration companies and Barclay Restoration was approved to proceed with the repairs in the amount of \$25,206. The strata council directed the agent to submit an invoice in the amount of \$10,000 for the water damage deductible to the owner as per the strata corporation's bylaw, Division 13 – Insurance #2.

(2) *In the event that loss or damage occurs that gives rise to a valid claim under the strata corporation's insurance policies, where such loss or damage arises as a result of a negligent or deliberate act of an owner, tenant, occupier, or visitor, then such owner or tenant, or the owner or tenant who is responsible for the occupier or visitor shall, as permitted by section 133 of the Act, be responsible for paying to the strata corporation the reasonable costs of the strata corporation remedying the contravention of Bylaw 37 (1), being an amount equal to the insurance deductible payable by the strata corporation.*

6. Unit #209 – Leak: Spratt Emanuel is proceeding to investigate and determine if the source of a leak in unit #209 is related to the weight of the concrete planters or the rooftop doors. The condition assessment report identified the rooftop doors as a source of water ingress in several townhouse units as the original doors installed are not weather-rated doors and should be replaced.

## **CORRESPONDENCE**

*Owners are invited to write council via the management company regarding any strata matters.*

1. A letter was received from an owner concerned with the current use and activities going on in the games room. A group of people have been noted using the party room as a nightclub, charging admission, hosting large party crowds with extremely loud music and using their own doorman to screen people coming into the building.

The owner has requested the council establish strict rules for the use of the games room to discourage activities that are unsuitable for a residential building.

The Bylaw/Rules Committee will propose additional games room rules for council's approval at the next meeting. The agent was directed to advise the security guards to monitor the parties, tow all vehicles parked in the front, advise people of the no-smoking policy within six metres of the front door and contact police with any illegal activity or extreme noise. Owners will be assessed strata corporation bylaw violation fines to their accounts for all bylaw infractions whether the party room was booked to owner or tenant.

## Important Bylaw Reminders - Use of Property

- (1) An owner, tenant, occupant or visitor must not use a strata lot, the common property or common assets in a way that
  - (a) causes a nuisance or hazard to another person;
  - (b) causes unreasonable noise, in the opinion of the **Strata Corporation. Owners creating excessive noise will be given a verbal warning by a representative of the Strata Council. Failure to heed this warning will result in an immediate fine of \$200.00. No written warnings will be given;**
  - (c) unreasonably interferes with the rights of other persons to use and enjoy the common property, common assets or another strata lot;
  - (d) is illegal, or contravenes City Bylaws;
  - (e) is contrary to a purpose for which the strata lot or common property is intended as shown expressly or by necessary implication on or by the strata plan. A residential owner may not operate a business enterprise that would create public foot traffic, or signage, or unreasonable noise, or
  - (f) may be injurious to the building's reputation.

## NEW BUSINESS

1. Tossing Items over Balconies: It has been brought to the council's attention that residents are continuing to toss items over their balconies, which is not only a huge concern of endangering someone below, it is also causing an unsightly mess. A monitoring system has been established to watch for residents responsible for this dangerous act. Residents are requested to be vigilant and contact VCS or the building manager if you see any residents tossing items over the balcony.
2. Building Manager Proposal: The building manager (Mr. Kevin Costea) submitted a proposal to form his own building management corporation and continue to work as the building manager at the 501, but not in the capacity as an employee of the 501. Mr. Costea advised council that the job description and scope of work will remain the same. The council approved Mr. Costea's proposal for a probational period of seven months.
3. Proposed Development at 1372 Seymour: A notice of development application was received for the proposed Seymour/Pacific condo development by Amacon Onni for the site across the laneway of the 501. The proposal calls for a 33 storey tower with a 7-storey podium, a 37-space childcare facility, along with a floor space ratio of 6.7 increased from 5.5.

The council has submitted a formal comment letter on behalf of the owners of the 501 to the Project Facilitator Development Services and the Mayor of Vancouver, addressing the following major concerns with the development:

- (a) Access: Although the proposed address for the property is 1372 Seymour, the single block of Seymour which is a heavily used access to downtown, is little more than a laneway wide. There is no stopping on Seymour Pacific Street for the development. The single lane alley on the west side, which will be the sole access for the development, is already a busy thoroughfare in its own right, as drivers cut through to avoid congestion on Seymour and Richards. The alley is currently the sole access for the residents of The 501, as well as emergency vehicles and trade vehicles.
- (b) The south side of Pacific Street provides no opportunity to stop or park and is subject to serious rush hour congestion between Richards and Howe. Drake Street to the north is clogged most of the day with cars leaving Seymour or approaching Granville to enter and leave downtown with the proposed removal of the Granville loop, traffic in this square block will increase dramatically.
- (c) We applaud the city for wanting to support local families with a neighbourhood day care centre but the proposed density will ensure additional traffic stopping at a limited space turnaround and flowing out into the alley. This too adds significant pressure to the already over-burdened lane, which provides sole access to The 501.
- (d) The proposed development calls for a 21.8% increase in floor space ratio based on bonus density allotments from the heritage site and day care centre. The entire increase appears to be added to the perimeter.
- (e) The 1300 block of Richards is now home to an ambulance station (deafening sirens each and every time one rounds the corner at Richards and Pacific and a very busy mosque whose various congregations must compete for very few street parking spots just about every hour of the day). One affordable housing project will soon open next door to The 501 and another will soon begin construction adjacent to 1332 Seymour, both of which have bonus density and access from the laneway.
- (f) The courtyard at The 501 has a large outdoor amenity area for residents and guests. We have a unique “in the City” beach volley ball court and garden with the development as it is proposed now, it will block sunlight from the area. Without sunlight it will become a lost or greatly diminished amenity to our residence. The Kindred Place development immediately to the north of our courtyard and townhouses was given extra density and is built out right to our property line. The 7<sup>th</sup> storey podium and tower that is proposed will really block in The 501.

- (g) The 1300 block of Seymour and Richards's location is hampered with the inflow and outflow of downtown traffic as it is with the addition of the proposed development and that of the Granville roof area, the liveability in this block of downtown south and the surrounding neighbourhood will be significantly reduced for everyone.
- (h) The proposed development may be an excellent piece of architecture and example of liveability somewhere in Metro Vancouver but not in the proposed location. The 501 strongly urges you to withhold approval until the access issues can be fully resolved and the proposed density be level in keeping with the surrounding neighbourhood.

**The strata highly recommends all owners submit a letter to the City of Vancouver by emailing [devapps@vancouver.ca](mailto:devapps@vancouver.ca) or call the project facilitator David Autero at 604-871-6265 outlining their concerns with the development as this could not only affect owners' investment but also the loss of enjoyable living.**

**A meeting will be held at the City of Vancouver on September 22<sup>nd</sup> to address owners'/residents' concerns. It is imperative all owners attend the meeting as this is your only real chance to voice your concerns with any hope of the City of Vancouver addressing our concerns.**

- 4. Appraisal: Valuations West has submitted the 2008 appraisal for Strata Plan LMS-4050 for cost of reproduction in the amount of \$47,730,000. The strata corporation's insurance company (BFL) has been contacted to increase the insurance coverage to reflect the new appraised value.
- 5. Door Mats: Residents are requested to not leave door mats in the hallways as this could pose a safety risk.
- 6. New Smoking Restrictions/City of Vancouver: No smoking is permitted in all common areas of the 501 including the parkade areas. Residents are not permitted to smoke within 6 meters of an entry, openable window or air intake area of the building. Commercial owners are required to demand that their customers refrain from smoking within 6 meters of their storefront. Violation of the City of Vancouver bylaw could result in a \$2000 fine against the resident owner of a commercial unit. No smoking signs will be posted outside the commercial areas and all residents are requested to contact the City of Vancouver with any violation of the non-smoking bylaw.

### **Dishwasher/Washing Machine Soap**

**Several units are experiencing soap back up (bubbles) in their sinks. This is caused from using too much soap in dishwashers/washing machines.**

**Because the water in Vancouver is soft, you only need half the amount of soap suggested by the manufacturer.**

**Please keep our drains clear by cutting back on soap and/or not using concentrated soaps. More soap does not make cleaner clothes or dishes, but will lead to blocked drain pipes which will lead to water back ups in all units above, below and around.**

**A reminder to residents, that your water damage deductible is \$50,000 so water damages will become extremely costly to all owners at The Park.**

**PLEASE BE CAREFUL WITH THE AMOUNT OF SOAP USED IN WASHING/ DISHWASHER MACHINES**

There being no further business, the meeting was adjourned at 9:20 p.m. The next meeting will be held on Monday, September 8, 2008 at 7:00 p.m.

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BP/md

### **A WORD OF APPRECIATION**

Many thanks to all owners who provide their monthly strata fees promptly and without problems - either by PAC or post-dated cheques. Your co-operation is most appreciated. Please remember if you write cheques, to make them payable to your strata plan and to identify your suite number or strata lot. Payments are due on the first of each month.