

**MINUTES  
STRATA COUNCIL MEETING  
THE OWNERS STRATA PLAN LMS 712  
888 BEACH**

*Held on Tuesday, June 26, 2018 at 4:30 p.m.  
in the Meeting Room  
1501 Howe Street, Vancouver, BC*

<b>COUNCIL IN ATTENDANCE:</b>	Bev Andrews Pat Dairon Marilou Appleby Katherine Morgan	Treasurer Secretary
<b>REGRETS:</b>	Mike Gallagher Jeff Sodowsky Andrew De Benedictis	President Vice-President
<b>GUEST:</b>	Daniel Wang	Unit 2502
<b>BUILDING MANAGER:</b>	Shannon Brown	
<b>SENIOR STRATA MANAGER:</b>	Bunny Porteous	FirstService Residential

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The meeting was called to order at 4:30 p.m.

**BUILDING MANAGER REPORT**

**NIKL'S**

- Measured elevator #2 protective carpet for replacement due to wear and tear.
- Repaired a broken latch on a set of patio doors.

**RDH**

- Investigated issue with outside vent on a town home.

**MILANI PLUMBING**

- Corrected problem in Beach Tower mechanical room that caused a drop in water pressure.
- Investigated and repaired in double leak in Garden Tower from building hot water supply line and main drain piping.

**BYLAW ISSUES**

- Smoking violation and fine was issued to a resident smoking on their balcony.
- A noise violation and fine was issued to a resident for late night noise due to an unruly party.
- A memo was sent to a resident requesting they make sure their dog is on a short lease in common areas.

**MISC. BUILDING ISSUES**

- Columbia Seal completed concrete repair work on P2.
- A vehicle damaged overhead gate #4 and knocked off a sprinkler head – repairs underway.

- Vancouver Fire Department completed the annual inspection.
- ThyssenKrupp completed repairs to elevator #2 in Beach Tower and #6 in Ocean Tower.
- Para Space has completed the irrigation repairs, soil replacement and re-planted the roof top planters that were affected by the scaffold installation on Ocean Tower.
- A shower stall with faulty grout and caulking leaked into the ceiling of the suite below. The owner is responsible for the damages.
- Columbia Seal caulked and sealed areas on and around the Howe St. ramp to prevent leaks into P2.
- Columbia Seal has completed the sealant work on the town home windows.

### **APPROVAL OF STRATA COUNCIL MEETING MINUTES**

It was moved, seconded and carried to approve the minutes of the May 29, 2017 Council meeting as presented.

### **TREASURER'S REPORT**

1. **Monthly Statements:** Following discussion, it was moved, seconded and carried to adopt the May 2018 financial statement as circulated.

Owners may go to the Strata's website [www.888beachvancouver.com](http://www.888beachvancouver.com) to view the financial statements. The Owners' Only section of the website can be accessed as follows:

User I.D.	owners
Password	\$B15Sea8

2. **Accounts Receivable:** The Strata Manager and FirstService Residential Accounting Department continue to follow up with Owners in arrears. For all accounting inquiries, please contact FirstService Resident Accounts Receivable at 604.684.5329 or email [ar.bc@fsresidential.com](mailto:ar.bc@fsresidential.com).

The Strata Manager will follow up with the few Owners who have yet to submit the final payment of the "Exterior Maintenance" special levy.

In accordance with the Strata Bylaws, it is the Owner's responsibility to provide payments on time or a late fine will be assessed to the Owners account on a monthly basis until payment is received in full. Owners are sent all AGM/SGM Minutes which outlines payment terms. Please understand **FSRConnect™** CANNOT automatically deduct Special Levy payments from Owners accounts without Owner approval. Payment details are outlined in the AGM/SGM Notice and Minutes.

3. **FSRConnect™ Website:** Owners are highly encouraged to register with FirstService Residential *Connect* Program ([www.fsresidential.com](http://www.fsresidential.com)) where Owners are able to obtain minutes, reports, maintenance notices and Owner's statements. This is beneficial for Owners who are away for extended periods of time to check their accounts and to prevent late fines, interest and liens against their Strata lot.

Owners on FSRConnect will automatically receive monthly Council meeting minutes, AGM/SGM Notices, building notices and financial statements, etc.

4. **Invoices:** The following invoices were approved for payment:

COMPANY	AMOUNT	DESCRIPTION
RDH Building Science Inc.	\$9,696.38	Exterior Maintenance Project – May 2018 period
RDH Building Science Inc.	\$36,715.48	Exterior Maintenance Project – May 2018 period
Link Design Services Inc.	\$27,419.18	Exterior Maintenance Project – Payment #3
Van den Kerkhof & Son	\$2,416.37	Exterior Maintenance Project – Payment #1
Hamza Demolition Ltd.	\$15,230.56	Exterior Maintenance Project – Payment #6
Columbia Seal Ltd.	\$63,072.06	Exterior Maintenance Project – Payment #4
Skyline Scaffold Ltd.	\$46,468.81	Exterior Maintenance Project – Payment #6
Final Restoration Ltd.	\$49,820.40	Exterior Maintenance Project – Payment #4
TRM Projects Ltd.	\$23,801.72	Exterior Maintenance Project – Payment #4
Milani Plumbing	\$1,472.84	Drinking fountain
Cross Carpentry	\$5,113.50	Drywall repairs
Nikls "One Call" Property Services	\$1,128.17	Lighting
Milani Plumbing	\$1,182.30	Drains
Milani Plumbing	\$858.90	Drain
Clean Site	\$1,029.00	Junk
Allstar Window & Pressure	\$6,594.00	Window cleaning

### **COMMITTEES**

1. **Landscaping:** Para Space was approved to proceed with the replacement of the soil and plantings in the identified planters which were emptied to install the scaffolding for Ocean Tower Balcony Project on the 5<sup>th</sup> floor along with the townhouse planters where membranes were replaced.
2. **Bike Storage and Security:** No report this month.
3. **Fitness Centre:** The new multi-tech gym and body arc trainer are projected to be delivered and installed in mid-July. Apologies for the delay.
4. **Refurbishment:** No report this month.

### **REPORT ON LITIGATION**

The *Strata Property Act* requires that all Owners be notified as soon as possible of any legal action involving the Strata Corporation. To the best of our knowledge there is no litigation to report.

### **BUSINESS ARISING**

1. **Structural Maintenance/RDH Engineering:**
  - (a) **Exterior Maintenance Project Update:** The Ocean Tower Balcony Project and the Townhouse membrane replacements have been completed. Skyline Scaffolding has started to dismantle the scaffolding. Residents with any deficiencies should contact the Building Manager.

- (b) **Unit 1702 Deck Membrane:** RDH Engineering has reviewed a tear in the deck membrane of unit 1702 as reported by the Owners. The Building Manager will follow up with the Owners to provide access to complete the repairs to prevent water ingress to the unit below, RDH Engineering will require access through the unit to complete the repairs.
2. **Maintenance:**
- (a) **Window Cleaning:** Allstar Window Cleaners will be on site mid-July to complete the window cleaning of Ocean Tower and the townhouses. Notices to be posted.
  - (b) **Elevator Assessment/Capital Plan Maintenance:** A proposal was approved from KJA Elevator Consultants at a cost of \$2,200 to examine and evaluate the quality of the ongoing maintenance of the six elevators of 888 Beach, 1501 Howe Street and 1500 Hornby Street. They will also provide a capital plan for future component replacements. Notices will be posted. The consultants will be required to shut down one elevator at a time for 30 minutes to complete the review.
  - (c) **Mechanical:** Two minor leaks were discovered on the copper piping in Garden Tower and Ocean Tower within the last month. Milani Plumbing has completed the required repairs. Water shutdown was required.
3. **Depreciation Report:** The Strata Manager and Treasurer will provide RDH Engineering with the required information to complete the Depreciation Report update. A draft should be available in the late fall for Council's review. Once the draft is finalized, the Depreciation Report will be emailed to all Owners who have registered on **FSR Connect™** ([www.fsresidential.com](http://www.fsresidential.com)) or provided an email address to the Building Manager.
4. **EV Charging Stations:** No report from the committee.
5. **Sprinkler Pipe Incident:** Vanco Fire Protection was contacted and discovered the P2 level garage door was hit by a vehicle (Strata Lot 14) that, in turn, damaged a sprinkler head. Once the parkade door was repaired, Vanco Fire Protection returned to repair the sprinkler head. Fire Watch was put in place while the fire system was down. An insurance claim has been filed with the Strata Corporation insurance provider, BFL Canada. The Owner will be responsible for the \$2,500 insurance all-risk deductible.

### CORRESPONDENCE

- 1. Following receipt of required details, Indemnity Agreement and Trades Renovation Forms, the Owners of unit 802 and 1502 1501 Howe Street were approved for renovations.
- 2. An Owner submitted a request for the Strata Council to present a Bylaw amendment at the next AGM to ban Pit Bulls and Rottweilers. The Council will consider proposing a Bylaw amendment for dangerous dogs.
- 3. **Noise Complaints:** Noise complaints were received from Owners (Strata Lots 177 and 185). Bylaw violation letters were sent to the Owners in accordance with Bylaws 4.1 (b) and (c). Council approved the Owner of Strata Lot 177's request for a hearing on July 24<sup>th</sup>.
  - 4.1 *A resident or visitor must not use a strata lot, the common property or common assets in a way that:*

- (b) *causes unreasonable noise, odour, vibration or glare;*
- (c) *unreasonably interferes with the rights of other persons to use and enjoy the common property, common assets or another strata lot;*

*For the purposes of bylaw 4.1(b) "unreasonable noise" includes, but is not limited to, sound made by a resident or visitor between the hours of 11:00 p.m. and 8:00 a.m. which disturbs another resident in another strata lot, the common property or the limited common property or, and includes, not exhaustively, excessive sound from:*

- (i) *music systems, instruments, televisions, live music, pets or human voices;*
- (ii) *vibrations from appliances;*
- (iii) *a social gathering;*
- (iv) *residents or visitors entering or leaving the building, grounds, or parking lot;*
- (v) *uncarpeted or hard surface floors;*
- (vi) *the movement of furniture, drawers opening or closing;*
- (vii) *construction activities.*

4. **Railing Replacement.** Owners submitted a request for their balcony railing to be replaced. Council will review and consider for replacement in the future.

#### **NEW BUSINESS ARISING**

1. **Council Members:**

- (a) The Council sadly accepted the resignation from Council member Marilou Appleby. The Council would like to thank Marilou for her many years of valuable contribution as a Council member. Marilou has agreed to assist the Council if required.
- (b) Daniel Wang of unit 2502 has volunteered to join the Strata Council to assist with the administration of the building. The Council approved the appointment of Daniel and look forward to working with Daniel.

2. **Gas Stoves:** It was brought to Council's attention that the Owner of Strata Lot 162 has installed a gas stove which is in violation of Bylaw 42.25:

*42.25 An owner, tenant or occupant must not install or permit to be installed on a strata lot or the common property, including limited common property, any gas appliances, including without limitation, ovens, stoves, cooktops and clothes dryers.*

The Owner had requested approval for renovations which included the replacement of electric appliances. As the unit is for sale, a letter will be sent to the Owner and the Real Estate Agent to remove the gas stove before the unit is sold to ensure potential purchasers are aware that as stoves are not permitted.

3. **Daily Living Noise Reminders:**

Daily living noises are not unreasonable disturbance(s). The downstairs resident can complain but there is very little that he, you, or the strata can do. Can he (the downstairs resident) limit my access to my office? No. Can he have me evicted? No. The strata could

act on the downstairs' resident's complaint via a letter (and possibly a fine if the noise is after 10:00pm), but most likely the manager would respond that your daily living does not constitute an unreasonable disturbance.

What you have is a common complaint in up - down, house-divided situations, and there is no easy or magic answer. Eventually somebody moves. If things heat up, the downstairs guy might start banging on his ceiling with a broom, or shout insults through the air vents. Some upstairs residents respond by dropping the proverbial blunt instruments on their hardwood floors in frustration of dealing with the stress of the neighbour below.

Worst case, the strata issues a notice to somebody, citing 'unreasonable disturbance', in which case everybody gets to go to court and hash it out.

Establishing that someone is causing an unreasonable disturbance requires substantial and persuasive hard evidence.

Strata by-laws are invoked for unreasonable and excessive noise only.

**4. Pet Bylaw Reminders:**

**5. Pets and animals**

- 5.1 *A resident or visitor must not keep any pets on a strata lot or common property or on land that is a common asset except in accordance with these bylaws.*
- 5.2 *A resident or visitor must ensure that all animals are leashed or carried when on the common property or on land that is a common asset. A pet found loose on common property or land that is a common asset may be delivered to the municipal pound at the cost of the strata lot owner.*
- 5.7 *A resident must not keep a pet which is a nuisance on a strata lot, on common property or on land that is a common asset. If a resident has an unregistered pet or a pet which, in the opinion of council, is a nuisance or has caused or is causing an unreasonable interference with the use and enjoyment by residents or visitors of a strata lot, common property or common assets, the council may order such pet to be removed permanently from the strata lot, the common property or common asset or all of them.*
- 5.8 *If a resident contravenes or keeps a pet which contravenes bylaws 5.3, 5.5, 5.6, 5.7 the strata council may order such pet to be removed permanently from the strata lot, the common property or common assets or all of them.*
- 5.9 *A resident whose pet contravenes bylaw 5.7 may be subject to an injunction application and the owner of the strata lot will be responsible for all expenses incurred by the strata corporation to obtain the injunction, including legal costs.*
- 5.10 *A pet owner must ensure that a pet is kept quiet, controlled and clean. Any excrement on common property or on land that is a common asset must be immediately disposed of by the pet owner. Any damage caused by a pet to the common property, including damage caused by fouling will be repaired at the owner's expense.*
- 5.11 *A pet owner must keep a pet only in a strata lot, except for ingress and egress to the street or parking areas. Pets are not permitted in the courtyard area, on level "2" lobby of Ocean Tower, Level "L" lobby of Beach Tower or the 5th and 6th floor of California Walkway except for pets belonging to residents of California Walkway.*

- 5.12 *A strata lot owner shall be liable for all actions by a pet, regardless of whether the owner had knowledge, notice or forewarning of the likelihood of such action.*
- 5.13 *The strata council may, from time to time on behalf of the strata corporation, enact such rules with respect to the keeping of pets as the strata council, acting reasonably, deems necessary or desirable, provided that, in the event of any conflict between these bylaws and any such rule, the provisions of these bylaws will prevail.*
- 5.14 *A resident or visitor must not feed birds, rodents or other wild animals from any strata lot, limited common property, common property or land that is a common asset. No bird feeders of any kind are permitted to be kept on balconies, strata lots, common property or land that is a common asset.*
- 5.15 *Where a resident contravenes bylaws 5.1, 5.2, 5.3, 5.5, 5.6, 5.7, 5.10, 5.11, 5.14 (inclusive), the owner of the strata lot will be subject to a fine of up to \$200.*

Residents with pets must ensure that they kept on a short leash while walking through the lobbies and common properties of the building as there are Owners who have concerns with animals.

5. ***Kandi Deck Flooring:*** The Strata Council recommends Owners who wish to install decking on their exterior decks to proceed with Kandi Flooring. Council is obtaining information and quotes for Residents to install Kandi Flooring and will post when available.

Kandi Flooring decking is laid on top of the membrane and easily removed for drain cleaning or membrane repairs. Owners are not permitted to install decking which must be attached to the membrane or building structure.

### **TERMINATION OF MEETING**

There being no further business, the meeting was terminated at 5:50 p.m.

**Next meeting:** Tuesday, July 24, 2018 at 4:30 p.m.

**FirstService Residential BC Ltd.**



Bunny Porteous  
Senior Strata Manager  
*Per the Owners*  
Strata Plan LMS 712

BP/ys

**Email:** info.bc@fsresidential.com  
**General:** 604.683.8900 (24 hours emergencies)  
**Customer Care Centre:** 1.855.273.1967 (24 hours' non-emergency)

[www.fsresidential.com](http://www.fsresidential.com)

**Please keep a copy of these minutes for future reference, which will be required at the time of sale. A charge, as per the *Strata Property Act*, will be assessed for replacement copies.**