



**MINUTES OF THE STRATA COUNCIL MEETING
STRATA PLAN VIS6763 – BALANCE AT DOCKSIDE GREEN
HELD AT DELTA HOTEL VICTORIA, DECEMBER 6, 2022**

PRESENT:

Jennifer Cooper	379 Tyee
Peter Durrant	379 Tyee
Joyce Elliott	379 Tyee
Alex Fyfe	373 Tyee
Tanya Howes	379 Tyee
Chris Lawson	379 Tyee
Quinn Leitch	373 Tyee

PROLINE MANAGEMENT LTD: Sam Hasham, Property Manager

1. CALL TO ORDER

The meeting was called to order by Council President Chris Lawson at 4:10 PM.

2. CONFIRMATION OF QUORUM

The chair confirmed that there was a quorum with 6 of 7 council members present, enabling the meeting to proceed. Council member Tanya Howes joined the meeting as identified below; at which time all members of the council were in attendance.

3. APPROVAL OF AGENDA

The meeting agenda was circulated in advance of the meeting. One item was removed from the agenda and the following motion was made:

Motion: That the agenda of the strata council meeting be adopted as amended.

Moved: Quinn Leitch

Seconded: Peter Durrant

Carried unanimously.

4. BUSINESS ARISING FROM THE MINUTES (OPEN ITEMS FROM PREVIOUS MEETING)

4.1. Parkade Crack Repairs

Management is following up again with Rain Coast Weatherproofing to determine when these repairs will be done.

4.2. Balcony Downspout Replacement

Due to an injury of a member of the contractor's team, these repairs are delayed. They will be scheduled as soon as possible.

4.3. Encroachments and Easements

As covered in section 7 below, the law firm of Cox Taylor has been engaged by the council to review the proposed easements submitted to the council by Dockside Green Victoria Society (DGVS) and BOSA Development. They will provide an initial opinion by December

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12 and advise if they recommend any changes to the easements.

BOSA has agreed to cover up to \$10,000 of the cost of the review (including \$1000 to draft SGM resolutions) and has asked the council to come back for review and approval if the total cost is expected to exceed this amount.

As outlined in the previous minutes, the proposed easements are:

- One easement to be granted by Balance to BOSA Development, permitting a small encroachment on Balance property on the south side of the parkade ramp to remain in place. The encroachment was caused by BOSA's construction of the new building next to 373 Tyee.
- Three easements to be granted by Docksider Green Victoria Society (DGVS) or BOSA Development to Balance, permitting Balance continued access and use of portions of the wood pedestrian bridges on the east side of Balance as well as the parkade exit ramp that are on either DGVS or BOSA Development property. These easements would also require Balance to maintain the subject areas.

If after the legal review the council decides to recommend that the strata should proceed and enter into the easement agreements, a special general meeting would need to be convened to obtain approval of the easements by the owners, via a $\frac{3}{4}$ vote, as per the BC *Strata Property Act*. More information will be provided to owners as this matter progresses. See also section 8.5 below.

4.4. P3 Exit Walkway, Stairs, and Ramp

Construction of the new walkway, stairs and ramp was substantially complete on Sept 2. The new railings have since been installed with the glass still on order. Although requests for updates have been made to BOSA, none have been provided since prior to the October council meeting.

4.5. Insurance Claim Subrogation – Water Damage Incident in 2017

No updates have been received on this matter since the last meeting.

Following the meeting, the lawyer advised the council that a settlement has been reached. The proceeds will be split between the insurance company and the strata based on the formula defined in the subrogation agreement. The council will update owners as soon as the legal paperwork is finalized.

4.6. Safety Loops for Parkade Gates

The council is still waiting for a proposal from Harbour Door on this matter.

4.7. Machstat Replacement Project

The Supply Air Temperature reading is being added to the mobile portal view so that users can have a sense of how the heat is working via their mobile devices. In addition, the "Check Plugged Valve Alarm" is being renamed to "Low Heat Output Alarm." This alarm is not specifically about a plugged valve. It is monitoring the supply air

temperature (the temperature of the air being circulated out from the fan coil) and if it does not increase to at least 30 degrees Celsius after the heat has been commanded on for 15 minutes, it will alarm. A plugged valve could be the cause of this, but there could be other reasons, including a fan that is not working. Island Temperature Controls is working on these changes now, and council will advise all residents when they have been made. The support documentation will be updated accordingly.

Island Temperature Controls (ITC) has advised that they are still working on a quote to replace the weather sensors on the rooftops, which are malfunctioning and providing inaccurate data to the portal. In addition, the repairs to the XT pressure sensor, DCW P DP sensor and the 379 Tyee entrance heater are still to be scheduled, as is verification of the pulse water meter readings.

Prior to the meeting, Island Temperature Controls (ITC) submitted a quote to council to supply 5 new cold-water meters and 5 new hot-water meters, at a total cost of \$1680 plus tax. The new meters are to be kept on hand so they are available when replacements are required. The new models are considerably less expensive than the previous models used in Balance and Synergy, which are no longer being manufactured. ITC has advised the reason is that they are less mechanically complicated, but they are confident that the quality is comparable. After discussion, the council decided to approve the quote and the following motion was made:

Motion: To approve the quote for \$1680 plus tax from Island Temperature Controls to supply 10 new water meters and charge the expenditure to the Major Mechanical and Interior Maintenance allocation in the CRF.

Moved: Quinn Leitch

Seconded: Jennifer Cooper

Carried Unanimously

At this point, council member Tanya Howes joined the meeting.

4.8. Balcony Glass

Council is still working with an owner of a one-bedroom unit to test the cleaning methods recommended by Method Engineering.

4.9. Automatic Door Openers

Installation of the automatic door openers is underway. Most of the hardware has been installed. Electrical work is expected to commence later this week.

4.10. Landscaping

Prior to the meeting, council received a quote for \$4309.54 including taxes from Fallingwater to replace the remaining Mahonia Trees in the patios facing Tyee Rd with Yew Trees. Work is to be done in the spring of 2023. After discussion, the council decided to approve the quote and the following motion was made:

Motion: To approve the quote for \$4309.54 from Fallingwater to replace the remaining Mahonia trees with Yew trees and to charge the expenditure to the Landscape Renewal allocation in the CRF.

Moved: Tanya Howes
Seconded: Joyce Elliott
Carried Unanimously

Council member Tanya Howes, who is the liaison with Fallingwater, advised the council that she would follow up with them regarding the improvements in the courtyard of strata lot 101.

4.11. South Island Mechanical Repair Quotes / Replacement of Drive Pulleys and Belts – Rooftop Air Handling Units

The council reviewed feedback from South Island Mechanical regarding concerns that the council discussed at the last meeting. After discussion, council agreed to ask South Island to provide more detailed quotes, and to provide a forecast of major replacements each year, for budget planning purposes.

Management agreed to follow up with South Island on the above, and to ask them for an update on the replacement of the pulleys and belts on the rooftop supply and exhaust fans which was approved at the last meeting.

5. OPERATING STATEMENTS

The operating statements for October 2022 were provided to council members by management in advance of the meeting. No changes were requested, and the following motion was made:

Motion: To approve the October operating statements as written.

Moved: Chris Lawson
Seconded: Joyce Elliott
Carried unanimously.

Council requested that the loan from the CRF to the operating fund, made in June to pay the insurance premium, be partially repaid. Management will re-pay 50 % of the loan at this time and re-pay the remaining balance monthly until the end of the fiscal year.

6. ARREARS

Council president Chris Lawson and Property Manager Sam Hasham are meeting on December 7 to review all the owner ledgers with credit balances, determine the cause for each and decide on the appropriate resolution.

7. DECISIONS MADE ELECTRONICALLY SINCE THE LAST STRATA COUNCIL MEETING

Two decisions were made electronically by the council since the last meeting:

- On November 15, council approved the minutes of the November 8 strata council meeting.
- On November 28, council approved engaging the law firm of Cox Taylor to review the draft easements proposed by BOSA and Dockside Green Victoria Society, on condition that BOSA cover the legal costs.

As a result of the above decisions, the following motion was made:

Motion: To ratify the two decisions made by council since the November 8 council

meeting, concerning approval of the council meeting minutes and the engagement of the law firm Cox Taylor to review the draft easements.

Moved: Alex Fyfe
Seconded: Quinn Leitch
Carried Unanimously

8. NEW BUSINESS

8.1. Waste Management Contract

Council reviewed Waste Management's performance since November 10. On that day, the changeover from Waste Connections was supposed to occur, however the new bins were not delivered until November 11, and the 2nd cardboard bin was not delivered until the week of November 14. Since then, numerous pick-ups have been missed. Council decided to convene an on-site meeting with the Waste Management representative to discuss the issues and hopefully effect improvement in their performance. Among the items to be discussed will be the pick-up schedule, the possibility of obtaining a 2nd garbage bin and improved signage. Sam Hasham agreed to organize the meeting, to be held as soon as possible.

Council agreed that the next step, assuming improvements to Waste Management's performance occur, will be to explore options for recycling of soft plastics (plastic bags) and Styrofoam. Waste Management does not provide these services and all residents are reminded that soft plastic bags and containers and Styrofoam, as well as glass, must be placed in the garbage bin. Alternately, most grocery stores, including Save-on Foods and Thrifty's, have receptacles for plastic bag recycling.

8.2. Christmas Bonus for Frances Williams

As in previous years, council directed management to process a \$500 holiday bonus for Frances Williams.

8.3. Council Meeting Minutes Approval Process

Council is now using the approval functionality in PowerStrata to approve the council meeting minutes before they are circulated to owners and tenants.

8.4. Report from CHOA Seminar

Council members Jennifer Cooper and council president Chris Lawson reported on a full day seminar that they attended on November 2, conducted by the Condominium Homeowners' Association of BC (CHOA). The seminar dealt with:

- The role of council, conducting council meetings and governance models for decision making.
- Investment options for the Contingency Reserve Fund (CRF).
- Strata insurance, including earthquake coverage.
- Accessibility and the BC Human Rights Code.
- Alterations to Strata Lots and Common Property.

Our CRF is currently invested in an interest-bearing account. Sam Hasham agreed to send the council information about other investment options.

Based on the presentation about alterations, some tightening of the bylaws may be appropriate. Council agreed to put this on the list for the next bylaw review.

With respect to earthquake insurance coverage, it is becoming increasingly challenging for owners to obtain coverage for the deductible. This is becoming an issue not just for Balance owners but for all strata owners in BC, since the deductibles are significant. Sam Hasham advised council that the strata deductible can be “paid down” by increasing the cost of the strata’s insurance premium. Council agreed to explore this option when insurance is being renewed in the spring. In addition, CHOA is planning to hold a strata insurance seminar in the spring. Council agreed that attendance at this seminar would be beneficial.

8.5. Tentative SGM – February 2023

Council decided to tentatively schedule an electronic Special General Meeting (SGM) on February 23 to deal with the easements proposed by BOSA and Dockside Green Victoria Society. In addition to the easements, council plans to include a resolution asking owners whether to approve a \$6000 allocation from the CRF to upgrade the elevator lights. This topic was last covered in the [minutes of the September 13 council meeting](#). Council hopes to be able to confirm the SGM at the next meeting in January.

9. CORRESPONDENCE

No correspondence was considered at this meeting.

10. COMPLAINTS AND BYLAW ENFORCEMENT

(The BC *Strata Property Act* requires strata councils to enforce the bylaws of the strata corporation. Section 135 describes the process that must be followed when a bylaw complaint is received by the strata council.)

10.1. Bylaw Enforcement Process and Letter Templates

Council reviewed a *Bylaw Enforcement Process One Pager* developed by council president Chris Lawson, with input from council members Jennifer Cooper and Alex Fyfe. Two minor modifications were proposed. After discussion, the council agreed the revised document should be posted in PowerStrata and shared with owners and tenants, as it provides a clear and concise overview of the bylaw enforcement process.

Council also reviewed revised templates for the bylaw warning letter and the bylaw enforcement letter and requested that management use these for Balance bylaw enforcement going forward.

10.2. SL 90 Alteration

Prior to the meeting, a bylaw enforcement letter was sent to the owner of SL 90 regarding alterations to the strata lot that have commenced without approval of the strata council. The owner immediately stopped the work and responded by having the contractor provide a list of the planned alterations. However, the list was not definitive, and the contractor said that some items on the list are not yet confirmed.

After discussion, the council decided that the owner must complete the Alteration Approval Request Form which is on PowerStrata, and provide a definitive list of the planned alterations before the council will consider providing approval.

10.3. SL 108 Request to Reverse Bylaw Enforcement Fine

A request was received from an owner of SL 108 to reverse a bylaw enforcement fine. After discussion, the council decided not to reverse the fine.

10.4. Item on Patio

Council discussed an item on a patio and decided to monitor the matter.

11. **ANY OTHER BUSINESS**

The council considered topics for inclusion in the next *Balance Bulletin*.

12. **DATE OF NEXT MEETING**

The next council meeting is scheduled for January 10, 2023.

13. **ADJOURNMENT**

The meeting was adjourned at 5:45 pm.

2022 Residential Heating/ Water Utility Rates - Variable

Heat and Hot Water Energy Consumption: \$0.072/ kwh

Water Consumption: \$0.00160/ litre

Rates are subject to change.

Supplied to StrataDocs 2022/12/16
Ordered by Tom Fraser 2024/04/10