

Realtors Minutes File for Strata Plan LMS-3042

(January 1, 2006 to December 31, 2006)

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Minutes of a Council Meeting

HELD: On Tuesday, November 21, 2006 at 6:30 pm in the Amenity Room at 137/147 E. 1st Street, North Vancouver, BC.

PRESENT:

Trevor Cullen	109	President
Ian Gattrell	117	
Kane Clarke	101	
Wendy Dallian	104	
Stephen Hatcher	307	
John Anastacio	106	
Birgit Woolmer	207	

GUEST: Eugene Berti (until 6:45 p.m.)

PROPERTY MANAGER: Jim Allison, Assertive Property Management & Real Estate Services Inc.

The meeting was called to order at 6:35 pm.

GUEST PRESENTATION: Eugene has volunteered to patrol the parking and issue tickets for many years for the strata. Eugene attended the meeting to request permission to park his truck in visitors parking up to three times a week and advised that if Council did not approve the request he would ask to be paid for the work he does patrolling the parking areas. Eugene went on to say that if he was not either giving permission to park or paid, he would no longer patrol the parking.

Council held a discussion with Eugene to clarify what it was he was asking for.

Eugene left the meeting at this time (6:45 p.m.)

Council discussed the request of Eugene and agreed that they could not grant permission for a resident to park in visitors parking in violation of the parking rules approved by the owners.

Council agreed that it would not approve a payment to Eugene for patrolling the parking

The property manager was asked to encourage Eugene to reconsider, but, if he does not, council will then accept his resignation.

If any other owners are willing to assist with patrolling the parking they are asked to contact the property manager.

APPROVAL OF AGENDA: The agenda drafted by the Property Manager was approved for this meeting.

FINANCIAL REPORT:

1. **Financial Statements:** Council has been provided copies of the financial statements up to and including October, 2006.

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Any owner wishing to receive a copy of the statements should contact the management company.

BUSINESS ARISING:

1. **Security:** Alpha has not yet proceeded with the work approved. Fingerprint-I.T. has attended to the site and provided a quote for 4 cameras to replace the enterphone cameras at the front entrance, the enterphone camera at the garage entry on P1 and the camera just inside the gate on P1 to enhance security of the area leading the exercise room and the parking area. Their quote including GST was \$2,839.12. Council agreed this work should proceed.

2. **Fire Sprinklers:** Simplex Grinnell has advised that they are still waiting for the supply of the fire sprinkler heads before they can arrange for their replacement.

3. **Exercise Equipment:** Two volunteers for the Exercise Room committee have come forward. The property manager will contact them and arrange for a meeting. If anyone else wishes to join please contact the property manager. The committee will be looking at the equipment to determine what changes and additions should be made.

5. **Exterior Painting – North Side:** Hyland Painting wrote in early October advising that painting even one coat on the eyebrows at this time is not recommended. The wood would be too damp and would create peeling problems in the future.

Hyland also advised that to do the washing of the North side would require a man lift. This would be an additional cost because when the area is painted in the Spring it will need to be washed again.

The property manager was asked to ensure that Hyland knows they must proceed with the washing and painting at the earliest opportunity in 2007. Hyland will also be asked to provide a quote for washing the wood and vinyl siding and painting the wood on the Courtyard sides of the two buildings.

6. **Visitors Parking:** The property manager will confirm with the towing company they will respond to calls for vehicles to be towed. Steve Kerr and the property manager will be the only ones authorized to have a vehicle towed at this time.

7. **Driveway Mirrors:** The new mirrors have been installed on one driveway. The other driveway mirrors have also been ordered and should be installed shortly.

8. **Workshop:** Several volunteers have come forward for the workshop committee. The room will be cleaned out and keys provided to the committee. A budget of \$500 was approved for the committee.

If any residents have any materials in the storage room in the unsecured parkade area, they are asked to remove them as quickly as possible.

9. **Real Estate Sign:** A real estate sign has been ordered and should be installed shortly.

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10. Noise Complaints: The strata council has received letters from owners in the past regarding noise complaints from neighbouring units. The property manager updated council with respect to one particular situation where the problems continue. The property manager explained that he has spoken to both parties encouraging them to meet and discuss the problems and to find a way to resolve them. To date that meeting has not taken place.

The problems typically result from hardwood floor installations. The property manager advised that it may be necessary to bring in additional bylaws that may do such things as ask for proof of the type of sound reducing materials installed and the provision for an inspection of the installation when the work is underway.

Council is aware of another ongoing noise complaint where the owners have not yet found a solution.

10. Fire Test: Notices will be issued shortly regarding the annual fire test.

CORRESPONDENCE:

Owners are encouraged to write to the Strata Council on any strata matters. Letters should be sent to the Property Manager at Assertive Property Management & Real Estate Services Inc. so that they can be included on the agenda for the next council meeting. Please note that while the names and addresses of those writing is not disclosed in the minutes the correspondence may not be confidential, except as set out in the Strata Property Act and the Personal Privacy Information Act.

1. **Workshop:** An owner wrote offering to assist with the workshop. Council appreciates the offer and understand that the owner is willing to head up the committee.

2. **Window Tinting:** An owner wrote requesting permission to put film on their windows which would be reflective. This would help keep the apartment cool in the summer and also enhance privacy from the new buildings built on the South side of the building. Council reviewed the bylaws and agreed that it appeared they could not give approval for this. Council would appreciate hearing from the owners as to whether or not they feel installing the film should be permitted. This will be brought forward at a future general meeting of the owners.

3. **Exercise Room:** An owner wrote suggesting that a time limit be put on the use of the equipment in the exercise room due to the noise from the equipment late at night disturbing some units. Council agreed that it would be reasonable to introduce a rule setting out the hours the equipment could be used to be between 7:00 a.m. and 10:00 p.m. The feedback of residents is most welcome on this. The new exercise room committee will also be asked for their feedback on this.

4. **Exercise Room:** An owner wrote noting that from time to time, people renting the amenity room are allowing their guests to go into the exercise equipment area which is not permitted. There have been incidents of children playing with the weights and on the equipment as well as food being left on the floor. Council agreed that a chain should be installed that would block off the exercise room (it could easily be opened by residents wishing to use the exercise equipment) and a sign put on display when the amenity room is rented reminding them that access to the exercise area is prohibited.

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NEW BUSINESS:

1. **Handicapped Stall:** A new owner has advised that they require the use of a handicapped stall. Therefore they will be assigned one in visitors parking and their assigned stall will be considered a visitors stall to satisfy the City of North Vancouver regulations.
2. **Gates:** Repairs to the gate on the East side leading from 1st Street down to the parking area have been ordered. .
3. **Trees:** An arborist has been asked to provide a report on the trees in the courtyard. There is a fear that the trees may cause damage to the membrane protecting the parkade.
4. **Parkade Leaks:** Quotes are being obtained to seal the cracks in the membrane on P1. Water carried in by cars leaks down through the slab into P2.
5. **Garage Gate:** Council discussed the fact that very few residents stop and wait for the garage gates to close raising security concerns. At a future general meeting a bylaw may be proposed wherein residents not stopping for the gates could be fined. .

TERMINATION: There being no further business, the meeting terminated at 8:05 p.m.

Respectfully submitted,

Jim Allison,
Property Manager

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Minutes of a Council Meeting

HELD: On Wednesday, September 20, 2006 at 6:30 pm in the Amenity Room at 137/147 E. 1st Street, North Vancouver, BC.

PRESENT:

Trevor Cullen	109	President
Ian Gatrell	117	
Kane Clarke	101	
Wendy Dallian	104	
Stephen Hatcher	307	
John Anastacio	106	

REGRETS: Birgit Woolmer 207

PROPERTY MANAGER: Jim Allison, Assertive Property Management & Real Estate Services Inc.

The meeting was called to order at 6:35 pm.

ELECTION OF EXECUTIVE:

As this was the first council meeting following the AGM council has to elect the Executive. Following discussion it was agreed that Trevor Cullen will serve as Council President, Stephen Hatcher will serve as Vice President and Kane Clarke will serve as Treasurer.

APPROVAL OF AGENDA: The agenda drafted by the Property Manager was approved for this meeting.

MINUTES: It was moved, seconded and **carried** to adopt the minutes of the June 28, 2006 council meeting, as circulated.

The minutes of the AGM have been circulated to all owners.

FINANCIAL REPORT:

1. **Financial Statements:** Council has been provided copies of the financial statements up to and including August, 2006.

Any owner wishing to receive a copy of the statements should contact the management company.

BUSINESS ARISING:

1. **Security:** Alpha has not yet proceeded with the work approved. The property manager will try to get the work done by Alpha and if they do not respond, another contractor will be asked to quote.

2. **Fire Sprinklers:** Simplex Grinnell has advised that they are still waiting for the supply of the fire sprinkler heads before they can arrange for their replacement.

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3. **Exercise Equipment:** Volunteers for the Exercise Room committee will be solicited. They will be asked to research and recommend equipment for the exercise room.
4. **Balconies:** The property manager advised that the balcony repair project is now complete.
5. **Exterior Painting – North Side:** Hyland Painting has been asked to wash and paint the North Side. The property manager will follow up with them.
6. **Visitors Parking:** There are a couple chronic offenders of the visitor parking regulations. Attempts are continuing to have the offenders brought into compliance. If necessary, offenders will be towed.
7. **Driveway Mirrors:** The new mirrors have been installed on one driveway. The other driveway mirrors have also been ordered.
8. **Workshop:** Volunteers for the workshop committee will be sought. The current storage room will be cleared out and re-keyed. Members of the workshop committee will pay a refundable deposit for the keys.
9. **Real Estate Sign:** A real estate sign has been ordered as approved by the owners at the AGM.

CORRESPONDENCE:

Owners are encouraged to write to the Strata Council on any strata matters. Letters should be sent to the Property Manager at Assertive Property Management & Real Estate Services Inc. so that they can be included on the agenda for the next council meeting. Please note that while the names and addresses of those writing is not disclosed in the minutes the correspondence may not be confidential, except as set out in the Strata Property Act and the Personal Privacy Information Act.

1. **Noise:** An owner wrote advising of ongoing noise disturbances coming from one unit, primarily because the people above have hardwood floors. The property manager will contact the owners and ask them to take steps to address the noise problems.

Residents are reminded that the bylaws state:

42.1 An owner of a strata lot who has or installs hard floor surfaces such as hardwood floors or tile in a strata lot must take all reasonable steps to satisfy noise complaints from neighbours.

Owners who move into apartments with hardwood floors assume this responsibility.

The property manager advised that when an owner requests permission to install hardwood floors he is now getting a written commitment to install sound deadening material under the flooring in advance of permission being granted.

2. **Hardwood Floors:** Several owners wrote requesting permission for hardwood flooring. These requests are typically approved, however, the owners must commit to installing sound deadening

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materials underneath their flooring.

3. **Complaint:** An owner complained to the City about work being done at 127 East 1st. Work was being done late on a Sunday night causing a disturbance. The owner of the building wrote apologizing for the disturbance.

NEW BUSINESS:

1. **Cleaners:** Council agreed to an increase in the hourly rate for the building cleaner. .
2. **Fire Test:** The annual fire test is being ordered.
3. **Rodents:** A squirrel has been noted in the trees and in the gardens. Some residents have indicated they thought they saw a rat. If anyone does see any rats they should contact the property manager.
4. **Noise:** Some residents have noted one or two units having parties on their balconies. With the change in weather this will probably diminish. If written complaints are received noting the unit numbers of the offenders, the bylaws will be enforced. This can include fines being levied against the unit.
5. **Speeding on 1st.** The property manager will write the City regarding ongoing speeding on 1st.

TERMINATION: There being no further business, the meeting terminated at 7:50 p.m.

Respectfully submitted,

Jim Allison,
Property Manager

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MINUTES OF AN ANNUAL GENERAL MEETING

HELD: On Wednesday, July 26, 2006 at 7:00 p.m. in the amenity room of the building.

PRESENT: 27 eligible voters in person or by proxy as per the registration sheet

Jim Allison, Assertive Property Management & Real Estate Services Inc.

CALL TO ORDER:

The meeting was called to order at 7:02 p.m. by Jim Allison who advised he would be facilitating the meeting and Council President, Trevor Cullen, will be chairing the meeting.

PROOF OF NOTICE OF MEETING:

The Property Manager advised that the notice for the meeting was issued in compliance with the Strata Property Act.

APPROVAL OF AGENDA:

It was moved, seconded and **carried** to accept the agenda in the Notice of Meeting as the agenda for this meeting with New Business items added as indicated by the owners prior to the meeting being called to order.

MINUTES:

It was moved, seconded and **carried** to adopt the minutes of the July 13, 2005 Annual General Meeting.

REPORTS:

There were no reports.

APPROVAL OF RULES ADOPTED BY COUNCIL:

No new rules were adopted since the last Annual General Meeting.

REPORT ON STRATA INSURANCE:

The Property Manager provided an overview of the coverage provided by the strata insurance.

APPROVAL OF BUDGET FOR THE YEAR: (July 1, 2006 to June 30, 2007.)

The property manager reviewed the proposed budget in detail with the owners present. It was moved, seconded and **carried** to approve the budget in the amount of \$209,947.

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If you are on the PAC automatic payment program you do not need to do anything as the withdrawals will continue at the same rate. Please note there is no increase in strata fees. If you pay by cheque, please issue post dated cheques up to and including June 1, 2006 for your monthly strata fees. Please note the strata bylaws as follows:

- 2.4 *An owner must provide the strata corporation or its agent with twelve (12) consecutive, monthly post-dated cheques for strata fees for the fiscal year of the strata corporation, dated as of the first day of each month or, if applicable, written authorization for monthly automatic debit from the owner's bank account.*
- 2.5 *Failure by an owner to submit twelve (12) monthly, post-dated strata fee cheques or written authorization for automatic debit in accordance with bylaw 2.4 is a contravention of bylaw 2.4 and the strata corporation will levy a fine of \$25.00 for each contravention. Each dishonoured cheque or dishonoured automatic debit will be subject to penalties set*

CONSIDERATION OF RESOLUTIONS REQUIRING APPROVAL BY A $\frac{3}{4}$ VOTE:

Resolution Number 1

Resolution Number 1 as follows was brought forward for approval at this time.

"Be it resolved that the Owners, Strata Plan LMS-3042 approve the expenditure of up to \$12,500 for the washing of the entire North side of both buildings, the required caulking and the painting of the wood surfaces on the North Side of both buildings, with the expenditure to be taken from the Contingency Reserve Fund."

It was moved and seconded to approve Resolution Number 1 as presented.

Following discussion, the vote on the resolution was called and with 27 in favour, 0 opposed the resolution was declared **carried** as it received more than $\frac{3}{4}$ of the votes cast, in favour.

Resolution Number 2

Resolution Number 2 as follows was brought forward for approval at this time.

"Be it resolved by a resolution approved by a $\frac{3}{4}$ vote of the Owners, Strata Plan LMS-3042 that the owners approve the amendment to the parking bylaw 37.6 by deleting it in its entirety and replacing it with

- 37.6 a) *Vehicles parking in stalls allocated for Visitors Parking must display the Visitors Parking Pass issued by the strata corporation.*

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- b) *No visitor may park in Visitors parking for more than three (3) days in a seven (7) day period.*
- c) *Where a resident has a guest staying for more than three (3) days they can make arrangements for a special extended visitors parking pass by contacting the property manager. "*

It was moved and seconded to approve Resolution Number 2 as presented.

Following discussion the vote on the resolution was called and with 24 in favour, 0 opposed the resolution was declared **carried** as it received more than $\frac{3}{4}$ of the votes cast in favour.

Resolution Number 3

Resolution Number 3 as follows was brought forward for approval at this time.

"Be it resolved by a resolution approved by a $\frac{3}{4}$ vote of the Owners, Strata Plan LMS-3042 that the owners approve the amendment to Bylaw 40 Rental Restrictions, number 40.2 that the limit of 16 permitted rental units be reduced to 12. "

It was moved and seconded to approve Resolution Number 3 as presented.

Following discussion the vote was called and with 11 in favour, 14 opposed the resolution was declared **defeated** as it did not receive $\frac{3}{4}$ of the votes cast, in favour.

Resolution Number 4

Resolution Number 4 as follows was brought forward for approval at this time.

"Be it resolved by a resolution approved by a $\frac{3}{4}$ vote of the Owners, Strata Plan LMS-3402 that the owners approve the amendment of Bylaw 39 Selling of Strata Lots by removing the current wording and replacing it with the following. "No "For Sale" signs are permitted anywhere on the common property or to be displayed from a strata lot except that one sign will be displayed on a signage board a the front of the building directing potential purchasers to contact their real estate agent. "

It was moved and seconded to approve Resolution Number 4 as presented.

Following discussion the vote on the resolution was called and with 23 in favour, 0 opposed, the resolution was declared **carried** as it received more than $\frac{3}{4}$ of the votes cast, in favour.

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Resolution Number 5

Resolution Number 5 as follows was brought forward for approval at this time.

"Be it resolved by a resolution approved by a ¾ vote of the Owners, Strata Plan LMS-3042 that the owners approve the expenditure of up to \$7,500 for appropriate equipment for the exercise room based on recommendations from industry professionals and on the input of a volunteer exercise room committee charged with the responsibility to work with the industry professionals to ensure the current equipment is appropriate and to identify other equipment that will be beneficial to the residents; such expenditure to be made from the Contingency Reserve Fund."

It was moved and seconded to approve Resolution Number 5 as presented.

Following discussion the vote on the resolution was called and with 23 in favour, 3 opposed, the resolution was declared **carried** as it received more than ¾ of the votes cast, in favour.

NEW BUSINESS

1. **ADSL:** The property manager noted that if owners are installing Telus Quick Connect ADSL they may have challenges with the enterphone. If you want to have Telus high speed internet Telus can install the devices and avoid the problem. The problem is only with the devices home owners install.
2. **Lane Security:** The owners agreed that with the new development on the South side of the building, security from the lane into the courtyard will have to be monitored.
3. **Bike Storage:** It was noted that there appear to be some abandoned bicycles in the bicycle storage area. A notice will be issued asking people to tag their bikes identifying their unit number. Any bikes not tagged will be removed.
4. **Balconies:** An owner expressed concern about the work on the balconies noting a deficiency. The contractor will be distributing a letter to all owners asking them to advise of any concerns.
5. **In Suite Security:** An owner asked how to go about activating their in suite security. Another owner offered to provide the owner with the information required.
6. **Committees:** The owners agreed there should be a workshop committee and an exercise room committee.

ELECTION OF THE STRATA COUNCIL:

Pursuant to the by-laws, the term of office of the current members of council ends at the conclusion of this meeting. Thanks were expressed to the outgoing members of council for their efforts this past year.

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The following owners agreed to allow their name to stand for election to council for the next year:

Kane Clark	101 – 137	Ian Gatrell	117 – 147
Trevor Cullen	109 – 137	Birgit Woolmer	207 – 137
Wendy Dallian	104 – 137	John Anastacio	106 - 137
Stephen Hatcher	307 – 137		

There being no further nominations, those owners nominated were declared elected by acclamation.

The owners expressed appreciation to the outgoing council members.

ADJOURNMENT:

There being no further business, this meeting was adjourned at 9:15 p.m.

Jim Allison, Property Manager