



**2021 Annual General Meeting
The Owners, Strata Plan VR255**

**Town Hall Meeting – Tuesday, April 20, 2021
Questions and Answers**

In preparation for the Town Hall meeting this Tuesday at 6:30 pm, Council requested Owners to email it with their questions which Council would provide its answers.

Thirteen (13) strata lots have submitted 78 questions.

1. A strata lot has asked . . .

Q. Does Council know what the new water deductible is?

A. For the 2021-2022 policy year, our water deductible remains unchanged at \$25,000.

Q. Is the rationale for increasing the monthly strata fees due

- **to saving for the roof replacement?**
- **to replenish the CRF due to the elevator project?**
- **to the insurance premium increase?**

A. The answer is **YES** to the first two questions and **NO** to the third question.

- The 2018 Depreciation Report estimated the roof replacement would cost \$350,000. It recommended that the roof should be replaced in 4 years or 2022. Continuing the \$100,000 CRF contribution from 2022 to 2025 would raise \$400,000 towards the funding of the roof replacement.
- The CRF has \$312,269 balance. The Elevator Project requires \$278,500 funding which would leave a CRF \$33,768.97 balance.
SPA 93 and SPR 6.1(a) require the CRF to be no less than 25% of the total amount budgeted for the operating fund contributions in the current year (2021) =
 $\$310,429.37 \times 25\% = \$ 77,607.34$.
- The 2020 insurance premium budget was \$60,000; 2021 budget includes \$62,000 for the insurance premium and its financing.

Q. Are Vanier Court projects usually funded by the CRF and not by special levy?

A. The 1999 Roof Replacement was funded from the CRF. The 2005 Building Re-piping Project was financing by special levy as was the 2010 Interior Redecorating Project. The 2008 New Space-Heating Boilers project was funded by the CRF.

Q. What impact, if any, has the EV Charging Resolution have on the strata fee increase?

A. Budgeted Operating expenses have increased by \$4,576.78 or 1.49% from \$305,852.59 in 2020 to \$310,429.37 in 2021.

Q. Will the EV Charging stalls most likely be the visitor/service provider parking stalls?

A. Yes as all the other parking stalls are assigned by Bylaw 37(1) to specific strata lots. The Owners would have to amend Bylaw 37(1) and reduce the number of assigned parking stalls to free up other stalls for EV Charging.

Q. Will the EV Users be charged a monthly user fee?

A. In the 2019 EV Survey, Owners wanted EV Users to pay for their EV charging electrical consumption. There are several options available . . .

- The EV chargers managed by a third-party service provider via cell phone technology between the charge and the service provider's on-line system. The user sets up an account with the third-party service provider and then uses a RFID card or a cell phone app to log-on and log-off the charger. The company charges a fee for their use of the charger including consumption. Vanier Court would receive a portion back to cover our electrical costs.
- Vanier Court could set user fees based on the make and model of EV.
- Vanier Court could sell pre-paid RFID cards to owners to tap on and tap off. The third-party service provider would provide the cards to Vanier Court. Their cost would be marked-up so that Vanier Court covers the additional electrical cost.

Q. \$15,000 has been earmarked for the EV project.

A. Up to \$15,000 has been earmarked. Initial installation may cost less. If rebates become available again, we can apply for them and the \$500 one-time application fees to offset the purchase and installation costs.

Q. Are there any additional expenditures in the strata fees for the repair and maintenance for EV chargers?

A. Not this year as any EV charging equipment will have a one-year warranty. The electrical infrastructure installation would be carried out by a known third-party provider who has remediated deficiencies without additional charge.

Q. Will insurance premium rates increase further due to the EV project?

A. No they should not as our current insurance policy already covers fire and public liability. EVs are motor vehicles and must be licensed and insured with ICBC.

Q. Are pro-active maintenance measures in place to ensure the stability of the roof until its replacement , as planned through the accumulation of funds proposed by the strata increase?

A. The 2018 Depreciation Report <http://www.vaniercourt.ca/test/wp-content/uploads/2018/09/Vanier-Court-Dep.-Report-2018.pdf> comments on the roof's condition (p. 9) in 2018 and recommended its replacement in 4 years (Table 1). Repairs and maintenance are carried out as required.

Q. Please provide percentage of strata fee increase that would go towards EV project.

A. Resolution B approves the common property garage change in use to allow EV charging stations, amends Bylaw 37 to provide the enabling provision required, and sets aside up to \$15,000 in funding from the CRF. If the 2021 budget is approved as presented, 3.8% of the 2021 strata fees could go to the EV project.

Q. If we don't start saving for the roof replacement, can you provide a ballpark figure or range of a special levy that owners would be facing at the time council is projecting its replacement?

A. Based on the 2018 Depreciation Report <http://www.vaniercourt.ca/test/wp-content/uploads/2018/09/Vanier-Court-Dep.-Report-2018.pdf>, the cost is estimated at \$400,000 – see Table 1 after p. 50.

A special levy of ~\$6,388.30 for one-bedroom owners. The '04 units, '11 units, 518 and 519 one-bedroom are larger, and their unit shares would be higher - \$7,127.91 and ~\$7,457.08 respectively.

For two-bedroom owners, a special levy would range from ~\$9,322.36 to \$11,216.09.

Q. If the strata increase fee is approved, will owners see no increase in fees for at least a few years?

A. An Operating Fund budget must be approved by the Owners each year. The current budget is applicable to 2021 only. A new and future Councils will present Operating Fund budgets to the Owners based on the operating needs to the strata corporation at that time. There is no assurance that operating costs will not increase. We have no control over most costs especially the effect inflation may have on the costs of future goods and services.

Q. Will installations of awnings that are noticeable from the street be required to have a uniform, consistent appearance?

A. The awnings like the existing enclosed balconies would have to have a uniform, consistent appearance.

2. A strata lot has asked . . .

Q. Are the resolution votes dependent on the results of other votes?

A. No they are not. Such language would have to be included in the resolutions and as Notice has been given, they cannot be changed as there is insufficient time. Due to the pandemic restrictions, voting will be done by restricted proxy voting with three option: 'In favour', 'Against' or 'Abstain'.

Q. Where is the resolution to defer obtaining an updated Depreciation Report?

A. There is no resolution to defer a depreciation report. Funding is included in the 2021 budget. Last year, a resolution was placed on the Agenda when one was not required. The Owners declined to vote on it. Vanier Court updated previous Depreciation Reports. Purchasers may consider a building negatively if it does not have a current Depreciation Report and or the minutes show that the Owners deferred obtaining one.

Q. How was the 28.5% calculated when there is no current depreciation report to inform needed future contingency plans?

A. There is a current Depreciation Plan <http://www.vaniercourt.ca/test/wp-content/uploads/2018/09/Vanier-Court-Dep.-Report-2018.pdf> obtained in 2018. It recommended that the roof be replaced in 4 years (2022) and estimated the cost to be \$339,400 included taxes.

The increase in strata fees is due an increase in the 2021 Operating Fund budget of \$4,576.78 or 1.49% from \$305,852.59 in 2020 to \$310,429.37 in 2021, and an increase in the CRF contribution of \$60,000 or 150% from \$40,000 to \$100,000.

The CRF contribution increase is to replenish the CRF and to accumulate sufficient funds for a probable roof replacement in mid-2025 or mid-2026 and to avoid special levies.

Q. Can the language be changed in Resolution B to indicate that the application fee is refundable if the application is not approved?

A. The resolution cannot be amended at this time as Notice has been sent out to Owners and as, due to the pandemic restrictions, voting will be done by restricted proxy voting with three option: 'In favour', 'Against' or 'Abstain'.

SPA 76 permits the strata corporation to give an owner or tenant permission to exclusively use, or a special privilege in relation to, common assets or common property that is not designated as limited common property. The permission may not be for more than one year and can be renewed. The second-floor laundry room is operated using exclusive-use agreements. EV Users would be required to execute a one-year exclusive use agreement in which provision for the application fee being not applicable upon a consecutive year's

agreement renewal and for the application fee being refundable if the initial application is not approved.

Q. Please advise which 5 parking stalls have been identified?

A. Vanier Court has 75 interior parking stalls and two exterior parking stalls. All but five (5) interior parking stalls are assigned by Bylaw 37(1) to specific strata lots. The only unassigned parking are the three interior visitor parking stalls and two exterior visitor/service provider parking stalls. Two other interior parking stalls are used for the main-to-second floor staircase and by the recycling bins area.

Bylaw 37(1) would have to be amended to release additional parking stalls for other uses.

Q. Can the language be changed in Resolution B to allow 14 hours for overnight charging?

A. The resolution cannot be amended at this time as Notice has been sent out to Owners and as, due to the pandemic restrictions, voting will be done by restricted proxy voting with three option: 'In favour', 'Against' or 'Abstain'. When there is more than one (1) charger installed, allowing 8 hours overnight parking could be considered at another general meeting.

Q. How can an individual unit determine the grams/hour emission rate from their fireplace?

A. Metro Vancouver Regional District (MVRD) would be called to take a reading if Owners complained about other Owner's chimney smoke.

If the Owners fell that this provision is unenforceable, the next Council can amend Rule 10 to remove it subject to ratification by the Owner sat the next General Meeting.

Q. How does the Rule apply when multiple units are burning at the same time in the same chimney stack?

A. Each fireplace has an individual chimney flue. No fireplaces share a single chimney flue.

If the Owners fell that this provision is unenforceable, the next Council can amend Rule 10 to remove it subject to ratification by the Owner sat the next General Meeting.

Q. What is the maximum deductible an owner is responsible for if the building experiences a loss.

A. The largest deductible under our insurance policy is 10% of the building's insured value due to an earthquake loss. As the building is insured for \$15,300,000, the deductible is 10% or \$1,530,000 while the minimum earthquake deductible is \$100,000. For losses less than \$100,000 , the strata corporation is self-insured.

An owner's share is based on their unit entitlement. For most one-bedroom owners, their share could be between ~\$1,597 (minimum) and ~\$24,435 (maximum). For most two-bedroom owners, their share could be between ~\$2,529 (minimum) and ~\$38,705 (maximum).

3. A strata lot has asked . . .

Q. What is the strata corporation's financial exposure regarding the CRT Dispute ST-2020-009046? Has there been a decision?

A. The Applicant is requested reimbursement of their legal fees and CRT fees. No decision has been made by the CRT.

Q. What is the current CRF balance?

A. \$312,269

4. A strata lot has asked . . .

Q. Why were the Owners not given funding options to consider regarding the Elevator Upgrading project?

A. Due to the pandemic, Associa has advised that restricted proxy voting is required for the AGM.

There two ways to fund the project: Contingency Reserve Fund or by Special Levy or a mixture of both. Projects identified in a Depreciation Report and funded by the CRF require a majority vote. A special levy requires a $\frac{3}{4}$ vote. Use of both funding sources would require a majority vote for CRF funding and a $\frac{3}{4}$ vote for the Special levy funding. How would the project proceed if one of the CRF or special levy funding resolutions was not carried?

At the 2016 AGM, the owners tabled the previous resolution to approve an elevator upgrading project. The motion was never taken from the 'table' and dealt with by subsequent Council or by subsequent AGMs.

Q. How will EV Users pay for the electrical power they use charging their EVs?

A. The resolution was not specific so to allow the most options to be considered now and in the future:

- Council determined user fees based on EV type and charging capacity.
- Third-party service provider's fully integrated electronic system with owners using RFID card or mobile app to activate the stations and check usage data from the EV

Users account with the service provider. The strata corporation negotiates a return from the third-party service provider enough to cover the extra electrical charges.

- Council purchases pre-paid RFID cards from third-party service provider which Council marks up to cover the estimated electrical costs and sells them on to the EV Users.

The last option is being considered at this time as there are three EVs parking in the building out of 70 strata lot-assigned parking stalls.

5. A strata lot has asked . . .

Q. Are owners observing vote count or is there more to the meeting?

A. Due to provincial COVID-19 restrictions, restricted proxy voting is being used. The AGM will be the counting of those proxies with the owners observing by ZOOM.

Q. Owners must vote in advance of the AGM by proxy only. Is there a vote at this meeting?

A. All the AGM motions for consideration are on the ballots which provide for three possible responses – ‘In favour’, ‘Against’, ‘Abstain’.

Q. How will the increase in strata fees affect attempts to sell a unit in Vanier Court in the foreseeable future?

A. The \$60,000 CRF contribution increase by strata fees is for this year only. To accumulate sufficient funding for replacing the roof in 5+ years, the Owners can consider including the same CRF amount for the next 4-5 years at the subsequent AGMs.

The 2021 Operating Fund increased by 1.5%. The CRF contribution increased 150%.

Q. Why is 2021 Operating Fund budget amounts different from last year’s budget amounts and expenditures? (7 questions)

A. Most answers to these questions can be found in the minutes of the Council Meetings held during 2020 and 2021.

- 6199 Ground Improvements – Council approve BC Plant Health Care to care out outstanding tree pruning and trimming to reduce wind throw and possible blow down. As the CoV approve our tree removal permit, BC Plant Health Care removed tree #14 from the NW corner of the common property. Tree #14 was impacting the upper garage exhaust fan vent and its roots had wrapped around the concrete vent. Pruning and thinning of trees and shrubs only requiring ladder work was carried out.

- 6545 Heating R&M – Associa created an account 6700 Pool & Spa R&M where most of the heating expenses were coded. Council asked that account 6700 not be used as Vanier Court doesn't have a pool or spa.
- 6550 Elevator R&M – Council funded the cost of the Elevator Upgrading Project's 'Construction Documents' phase from the Operating Fund. The expense is included in the overall estimated cost of the Elevator Upgrading Project; however, no funding is requested for this phase from the CRF as it has been paid.
- 6600 General R&M – Council determined that the budget required two additional expense increases so three budget lines were reduced so not to increase the Operating Fund budget any further.
- 6695 Plumbing R&M – a conservative budget approach was used. [The unexpected CoV-mandated DCVA installation will cost \$10,000 so the budget is already over expended.]
- 6794 Improvements – a new drain was installed at the bottom of the exterior west side staircase and an existing drain was replaced in the rear garden thus reducing the water ingress in the lower and upper garages. Drain holes in the upper garage were plugged and several feet of injection carried out in the upper garage which has reduced water ingress. The east side hallway pressurization fan unit's intake vent was reconfigured. Front lobby CFL recessed lighting fixtures were replaced with LED fixtures as CFL bulb replacements were no longer obtainable. Additional lighting was installed in the lower garage. Common property electrical panels were infrared scanned to ensure no loose connections and possible hot spots. Manual timers without constant "ON" positions were re-installed in both garages. Temporary repairs to the east side driveway were carried out.

Q. What was the total cost of the fence and backyard landscaping including panels, lattice, post caps, sealant, accessories such as fasteners, metal post holders, walkway blocks, retaining wall blocks, gravel, soil, deliveries, tool rentals, equipment rentals (truck, trailer), dumping fees, etc.?

A. The owner is asking about three projects:

Rear Lane Fence Replacement Project - \$12,500 approved (\$9,000 in 2020 and \$3,500 in 2021) - \$11,957.01 has been expended of which ~\$9,000 was expended in 2020.

NE Subsidence and Landscaping Projects - \$4,400 was approved in 2021 - \$3,820.61 has been expended.

- **NE Subsidence** - \$2,100 approved
- **Zone 4 (NE) Hardscaping and Landscaping** - \$2,300 approved

Q. Remind owners they will be required to back pay any unpaid increase in strata fees, i.e. January to May, 2021.

A. By including this Q&A, the owners are reminded.

Q. This owner presented fourteen (14) questions regarding the Electric Vehicle Charging Resolution.

A. In the 2019 EV Survey, Owners were in favour of EV charging; however, they wanted EV Users to pay for their EV charging.

There are several options available . . .

- EV chargers managed by a third-party service provider using cell phone technology to connect between the charger and the service provider's on-line system. The user sets up an account with the service provider and then using a RFID card or a cell phone app logs on and logs off the charger. The company charges a fee for the use of the charger including consumption. Vanier Court would receive a portion back to cover our electrical costs.
- Vanier Court could set user fees based on EV make and model and estimated consumption usage.
- Vanier Court could sell pre-paid RFID cards to owners to tap on and tap off. The third-party service provider would provide the cards to Vanier Court. Their cost would be marked-up so that Vanier Court covers the additional electrical cost.

There are two EV Charging Reports:

1. Morrison Hershfield EV Charging Feasibility Report dated February 5, 2020, <http://www.vaniercourt.ca/test/wp-content/uploads/2020/02/Vanier-Court-EV-Charging-Feasibility-Report.pdf.pdf> and
2. CPPC's EV Charging Report submitted February 8, 2021 <http://www.vaniercourt.ca/test/wp-content/uploads/2021/02/EV-Planning-Committee-Report-8-February-2021-Final.pdf>. The committee's mandate the development of a report on the cost and feasibility on implementing the recommendations of the Morrison Hershfield Electric Vehicle Car Charging Feasibility Report.

Council Meeting minutes record that Council will defer further action until it is determined what impact elevator modernization might have on the building's electrical system.

Council decided to implement the Morrison Hershfield Report's recommendations as the only unassigned interior parking stalls are the visitor parking stalls which are designated by

Council from the unassigned parking stalls. Non-assigned parking stalls can be designated by Council.

The building's insurance already provides loss coverage for fire and public liability. Our Bylaws prohibit the parking of uninsured motor vehicles on the common property. Motor vehicles in BC are required to be licensed and insured by ICBC.

Council concluded that having individual owners install EV charging stations was not in the building's best interest. Each would require an 'alteration to the common property' approval by Council and Assumption of Liability by each owner. Currently there is insufficient amperage if all owners wanted EV charging.

Possible rebates would decrease the cost to the Owners and the \$500 one-time application fee would continue to offset the initial installation cost.

Currently, three owners own EVs. Council is considering installing one EV charging station. Scheduling would be first-come first-served such as the visitor parking, recreation room, sauna and the laundry room are now.

Resolution B includes the approval for a 'change of use' for 5 parking stalls to allow EV charging. The Morrison Hershfield Report recommended 3 EV charging stations. Council is considering only one EV charging station currently. The Resolution does not stipulate when the installation must be carried out; the decision is left to Council.

Q. This owner presented fourteen (4) questions regarding the Elevator Upgrading Project and its funding.

A. The consultant estimated the cost to be \$270,000 to which the consulting fees are added for a \$285,000 total. The estimates include provision for contingencies. The contract will be fixed price.

SPA 93 and SPR 6.1(b) require that the CRF balance at the end of a fiscal year should be at least 25% of the operating fund contribution for the fiscal year just ended. The minimum amount would be \$345,853 x 25% or \$86,463. There is currently \$312,269 in the CRF as of April 2021. The CRF requested funding for the Elevator Upgrading Project is \$278,500 which would leave a \$33,769 balance. The \$52,694 shortage must be funded by the lessor of i) 10% (\$30,585) of the total amount budgeted to current year's operating fund, and, ii) the amount required to bring the CRF to at least 25% (\$52,694) of total amount budgeted to current year's operating fund.

As the contract will be a fixed price contract with contingencies provided, overruns are not expected. The tendering process requires prospective contractors to provide separate quotes on specific upgrading – elevator modernization, hydraulic ram and cylinder

replacement, and cab refurbishment. If necessary, the elevator cab renovation can be removed from the project.

SPA 96 states that repair, maintenance, or replacement recommended by the depreciation report and funded by the CRF require approval by a majority vote at a general meeting otherwise a $\frac{3}{4}$ vote is required. Special levies require $\frac{3}{4}$ votes. At the 2016 AGM, a resolution to modernization the elevator and to upgrade the fire alarm system was tabled by the Owners. The fire alarm control and annunciator panels failed two years later in 2018 and were replaced. A combination of majority and $\frac{3}{4}$ votes was not considered as one vote could pass and the other could fail.

6. A strata lot has asked . . .

Q. What are the major advantages / disadvantages of they vote for the Electric Vehicle Charging Resolution? [The owner does not own an EV.]

A. The improvement in the resale value of their strata lot as the building has EV charging station/s. By 2040, the BC Government has mandated that only Zero-Emission Vehicles (electric and hydrogen) can be purchased as new light-duty motor vehicles.

The resolution would permit the use of 5 parking stalls for EV charging. Vanier Court has 75 interior parking stalls and 2 exterior visitor/service provider parking stalls. Seventy of the 75 interior are assigned by Bylaw 37(1) to specific strata lots and two are utilized for the main/second floor staircase and the recycling bin area.

The only interior stalls available for EV charging are the visitor parking stalls and they would have to shared on a first-come first-served basis. Council designated which unassigned parking stalls are visitor parking stalls.

The resolution does not speak to when the EV charging stations or how many (not more than 5) will be installed. Council is not directed to install any immediately. Council is considering only one given the current demand and installing infrastructure for 3 (sub-panel, conduits, and electrical receptacles).

Q. Can Resolution F be amended at the AGM to prohibit the lighting of fires until after 7 pm.

A. No with restricted proxy meeting, no amendments can be entertained. Council engaged C&C Mechanical to install a redesigned intake vent. Owners have since said that the situation is much better.

7. A strata lot has asked . . .

Q. I was under the impression that new regulations, because of COVID, AGM meetings had to be virtual with No AMMENDMENTS allowed. Upon surveying 2 mega complexes on Besch avenue, their AGM will be virtual and AMMENDMENTS TO THE ORDER OF BUSINESS ARE ALLOWED. WHO IS RIGHT? Can it be that VR255 has disallowed AMMENDMENTS ? Your answer is anticipated.

A. This enquiry was forwarded to Associa for answering as they have in-house legal advice. Council followed Associa's advice.

Q. Our AGM resolution states a plan , “ to install up to 5 charging units for a sum of \$15000.”

No where does it state if each unit will be 110, 220 or level 3 (335). What is the intended voltage?

A. Amperage also must be considered. The more the chargers are installed, the less available ampacity for the building's current and future demands. It was determined last year that the building has available ampacity of 293A. 12 Level 2 EV chargers would utilize all the available ampacity.

Council has engaged Morrison Hershfield to determine that the method and estimated cost to increase the building's ampacity for the building's current and future needs.

Currently, EV chargers are classified as Level 1 (15A 120V), Level 2 (40A 208/240V) and Level 3 (400-850V DC 25-350KW direct current charger). Installing a single Level 3 EV Direct Current EV charger is estimated to cost \$50,000 per charger.

The Level 2 EV charger is recommended for several reasons:

- Provincial EV rebate for installation charger costs may become available again.
- Level 1 EV charger are **NOT** eligible for rebates in multi-unit residential buildings.
- Level 1 EV chargers can take from 12-20 hours to fully charge. (Morrison Hershfield Report)
- Level 2 EV chargers can take from 6-14 hours to fully charge. (Morrison Hershfield Report)

There are no rebates for Level 2 EV chargers so only Level 2 EV chargers are being considered. The provincial rebate program closed at the end of February 2021 however it is expected to be renewed as done previously.

Q. No where does it state if the charging unit (s) will accommodate one or two cars at the same time. SAFEWAY on Davie street has one charging station, but with 2 charging nozzles. One charging station occupies 2 parking stalls. What does Vanier Court envision?

The charging station at the foot of Broughton St services 2 vehicles at the same time with 2 parking stalls.

A. Resolution B only seeks the Owners approval for two issues – ‘change of use’ of common property and amending the Bylaws to enable the installation of EV charging stations. The minutes of the Council meeting held on April 6, 2021 states:

‘It is moved and seconded that Council recommend to the Owners at the next General Meeting to approve changes to the Bylaws, change to the use of Common Property Visitor/Service Provider parking stalls to allow EV Charging Stations and the installation of up to 3 interior EV chargers although only one is currently being proposed.’

Three Vanier Court owners own zero-emission vehicles – only one EV charger is being considered for installation.

Currently, Bylaw 37(1) assigns 70 of the 75 interior parking stalls to specific strata lots. Of the remaining five unassigned parking stalls, three are available for EV charging stations as well as 2 exterior visitor/service provider parking stalls.

If two-bedroom strata lots were assigned only one interior parking stall instead of the current two, 18 parking stalls would be available for EV charging, visitor parking, bicycle storage, etc. The Owners would have to amend Bylaw 37(1) by a $\frac{3}{4}$ vote.

Access to the EV charging station at the foot of Broughton St. has been severely restricted with the newly installed bike lane on Beach Avenue. The installation will probably remain as it is also a CoV Wi-Fi hot spot.

Q. My question

- **is the consultant fee \$4670.82?**

It is the estimated fee for the ‘Construction Documents’ phase

- **is the consultant fee \$8400?**

It is the sum of the estimated fees for the ‘Construction Procurement’ (tendering) and ‘Construction Administration’ phases

- **is the actual consultant fee the sum of the above**

The total fee is estimated at \$12,600 + taxes for all three phases.

- **was the actual fee split to get around Our bylaws? Is splitting costs legal?**

Our bylaw permits expenditures to be made from the Operating Fund and requires 2 quotations for expenditures greater than \$5,000.

- **was the bidding process conducted in a fair manner?**

Associa was requested to obtain 3 quotes for consulting services. Three were obtained including one from Apex Elevator Consulting Ltd. and GUNN Consultants Ltd. was engaged to design and develop an elevator modernization project (documentation stage only) with a scope of work with project cost estimates.

Extract from the minutes of the Council Meeting held on December 16, 2020:

'It Is Moved and Seconded that Council approve the elevator consulting proposal from Gunn Consultants Ltd. dated Dec 9, 2020 to design and develop an elevator modernization project (documentation stage only) with a scope of work with project cost estimates, including hydraulic ram and cylinder replacement and car refurbishment, for \$4,670.82 + GST, **and that** Council authorizes Associa BC, Inc. to sign the proposal quote as our Agent, **and that** the Treasurer is directed to approve payment.'

Council did not proceed further with tendering (Construction Procurement stage) as the Owners had to approve the project and funding next.

8. A strata lot has asked . . .

Q. With regard to Resolution D – $\frac{3}{4}$ vote – Change the appearance of the common property

Should this resolution be approved, my question is whether the Owners of affected strata lots would be responsible for the cost to install said awnings. Considering the balconies and patios are considered Common Property, I would think this cost should be paid by the Strata.

A. Council is not considered installing awnings on the common property. Several owners have requested permission to alter the common property to install rain shields, awnings, balcony enclosures and a glazed patio enclosure. Resolution D is seeking the Owners' approval to a change in appearance of the common property by allowing the installation of awnings.

All previous enclosed glazed patios, patio rain shields and deck awnings were paid by the respective Owners.

9. A strata lot has asked . . .

Q. Why is this year's AGM being held so late? The SPA (4.40.2) requires AGMs be held no later than 2 months after the end of the fiscal year, and council has not asked for a waiver (SPA 4.41).

A. Strata Property Regulation 17.23

https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/12_43_2000#section17.23 permits general meetings required by SPA 40(2)

https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/98043_04#section40 to be held up to 2 months after the last day on which the meeting must be held.

Council took advantage of this provision hoping that the COVID-19 restrictions on gatherings would be lifted.

Q. There is no special levy mentioned to defray the costs of elevator modernization. Is it correct to understand that the large increase in monthly fees is also for this purpose? Or will there be a special assessment at a future date?

A. The 2021 proposed Operating Fund budget includes an increase in strata fees in particular the increase in the 2021 contribution to the Contingency Reserve Fund.

Q. As resolution B requires the installation of EV charging stations be funded by the CRF (essentially by all owners, regardless of whether they own an EV or not), how will the CRF be recompensed?

A. Although the latest provincial rebates ended February 2021, it is expected that the rebate program will be renewed again as done previously. The resolution proposes that each EV User is assessed a \$500 one-time application fee.

10. A strata lot has asked . . .

Q. Will our bylaw permit a virtual AGM?

A. Eligible voters must be present in person or by proxy. The AGM is being conducted by restricted proxy. There is no virtual meeting. Owners are invited to view the meeting.

Our bylaws can be amended to permit electronic attendance.

Q. Will all owners participating have the opportunity to speak or debate at the AGM?

A. The AGM package is clear that discussion will take place at the Town Hall meeting.

Q. Why are all owners forced to spend/finance \$15,000 for only 3 EV's?

A. The resolution reads '*up to FIFTEEN THOUSAND (\$15,000.00) DOLLARS*' from the CRF.

Vanier Court has 75 interior parking stalls and 2 exterior visitor/served provider parking stalls. Bylaw 37(1) assigns 70 of the interior parking stalls to specific lots. Bylaw 37(1) would require amending to free up parking stalls for EV charging.

Of the remaining 5 unassigned interior parking stalls – one is used for the first/second floor staircase and the other for the recycling bin area. Pursuant to Bylaw 37(2), the remaining 3 unassigned interior parking stalls have been designated by Council as visitor parking stalls.

The question assumes that the resolution has passed before the general meeting has occurred. The Owners are not forced to do anything but asked to vote 'In favour', 'Against' or 'Abstain'.

Q. Why is Council rushing to use visitor parking (common property) to benefit only a few EV owners today?

A. Council has presented to the Owners a Resolution regarding permitting EV charging in Vanier Court and the requisite funding. Council is not rushing the Owners to do anything but asked to vote 'In favour', 'Against' or 'Abstain'. Council conducted an EV survey of the Owners in the fall of 2019. Morrison Hershfield was engaged to present a feasibility report in February 2020. Council appointed owners who volunteered to the CCPA and requested the committee to report on the cost and feasibility on implementing the recommendations of the Morrison Hershfield Electric Vehicle Car Charging Feasibility Report <http://www.vaniercourt.ca/test/wp-content/uploads/2020/02/Vanier-Court-EV-Charging-Feasibility-Report.pdf.pdf>.

Q. Why not consider a well thought out plan that can finance enough EV stalls to accommodate/benefit all owners (as future EV owners or to enhance home resale value) and not lose the benefit of visitor parking?

A. Bylaw 37(1) would have to be rescinded as it currently assigned 70 of the 75 interior parking stalls to specific strata lots. If two-bedroom strata lots were assigned only one interior parking stall instead of the current two, 18 parking stalls would be available for EV charging, visitor parking, bicycle storage, etc.

Q. Why is council recommending an in-house service station for "EV charging" & not allowing owners in-suite laundry? Is an owner's quality of life less important than EV charging?

A. Council has not denied any one-bedroom owners' requests to install in-suite laundry. The existing two requests are on hold until Council obtains professional electrical engineering advice on how to increase the current ampacity of the building's electrical system.

Q. When will non-EV owners & guests have access to visitor parking (reference AGM Bylaw Amendment 6(e)) if priority is given to EV owners?

A. Bylaw 37(2) addresses your issue.

Q. How will council control the audit of EV consumption so owners are not exposed to costs or errors?

A. There are three ways:

- The EV chargers managed by a third-party service provider via cell phone technology between the charge and the service provider's on-line system. The user sets up an account with the third-party service provider and then uses a RFID card or a cell phone app to log-on and log-off the charger. The company charges a fee for their use of the charger including consumption. Vanier Court would receive a portion back to cover our electrical costs.
- Vanier Court could set user fees based on the make and model of EV.
- Vanier Court could sell pre-paid RFID cards to owners to tap on and tap off. The third-party service provider would provide the cards to Vanier Court. Their cost would be marked-up so that Vanier Court covers the additional electrical cost.

Q. Why did the EV report not involve owner consensus?

A. This question should be directed to the CCPC. Council surveyed the Owners in the fall of 2019.

Q. Per Dec. 16/20 Council Minutes, GUNN Consulting was engaged by Council and spending for their consultant fee of \$4,760.82 was approved – why did Council split this design fee from the total project cost?

A. Council did not want to spend the Owners' money on the Construction Procurement (tendering) and Construction Administration phases as the Owner had not approved the project and its funding. The Construction Document phase was required to determine estimated costs.

Q. Council is proposing that the total project be awarded to GUNN, but Council committed to GUNN and spending was approved back in December, without the necessary owner resolution and vote?

A. GUNN Consultants is not an elevator contractor. If the elevator project is approved and funded, GUNN Consultants will tender the project and oversee the elevator and electrical construction.

Q. Why did Council breach our spending bylaw which requires an owner vote before committing to any consultant and spending owner monies?

A. Bylaw 22 does not require the Owners to approve expenditures from the Operating Fund budget once the budget is approved by them. The 2020 budget was approved at the 2020 AGM. In 2021, the SPA allows the prior year budget to be used until a new budget is

approved. As the cost was estimated to be over \$5,000, only two quotes were required however three were obtained.

Q. Competitive bidding did not include APEX, one of 3 consulting companies Associa was to approach for quotes. Why did Council not invite APEX to bid?

A. Three consulting companies quoted on the elevator consulting contract including Apex Elevator Consulting Inc.

Q. Why is council spending \$278K when past quotes with contingency have not exceeded \$200K?

A. Resolution E has **NOT** been passed by the Owners. The estimate cost is \$285,000 for the elevator including contingencies and taxes (\$270,000) and the consulting fee (\$15,000). The requested funding is \$278,500 – the estimated elevator cost plus \$8,500.00 consulting fees for the Construction Procurement and Construction Administration phases.

Previous estimates <http://www.vaniercourt.ca/test/wp-content/uploads/2020/09/2019-Elevator-Contractor-Quotation-Report-Elevator-Modernization-and-Hydraulic-Cylinder-Replacement-Project-v1.pdf>, including recommended contingencies, in 2016 and 2019 were:

- 2016 GUNN Consultant Elevator Inspection Report \$251,664
- 2019 City Elevator \$257,779
- 2019 KONE Elevator \$235,845
- 2019 West Coast Elevator \$220,352

Q. Council proposes a 28.5% increase in strata fees – how does Council justify this? Cash flows are excellent – why is spending out of control? Is any increase necessary?

A. For 2021, Council has proposed a \$60,000 increase to replenish the Contingency Reserve Fund. Future year strata fees must be approved by the Owners at the AGMs.

11. A strata lot has asked . . .

Q. Resolution B – EV Charging states this may include all 5 unassigned stalls- guest parking stalls, as EV Charging Stalls. As per 6.e, these stalls would no longer be available as guest parking stalls without advanced written consent from Strata.

A. Resolution B requests the Owners to approve the ‘change in use’ of common property – up to 5 interior parking stalls. Visitor parking stalls are designated pursuant to Bylaw 37(2) by Council.

Q. With the current wording of they bylaw (specifically 6.e), won't this result in all owners and their guests being barred from, or having reduced access to this valued and commonly enjoyed amenity?

A. Bylaw 37(2) assigns visitor parking. Bylaw 37(1) assigns 70 interior parking stalls to specific strata lots. If two-bedroom strata lots were assigned only one interior parking stall instead of the current two, 18 parking stalls would be available for EV charging, visitor parking, bicycle storage, etc.

Q. Bylaw amendment 7. What changes would be required to the Land Titles registration for this bylaw, and why have we never seen this included in bylaw votes in the past?

A. LTO registration is required by SPA 128(2). Resolution B's bylaw amendment provision requires Council to register the amendment as the amendment has no effect until registered.

Q. If we proceed with the elevator project as planned, and it was completed in 2021 how much will remain in the CRF at the end of year?

A. Depends on whether the 2021 Budget as presented is approved with the increased contribution not the CRF.

Q. Will this leave us with the legally required 25% (estimated \$74,000) of annual operating fund required the Strata Property Act?

A. Depends on whether the 2021 Budget as presented is approved with the increased contribution not the CRF.

Q. Why is the EV option presented to owners not one of those put forward by the EV committee tasked with researching and recommending options?

A. The CPPC was requested to report on the cost and feasibility on implementing the recommendations of the Morrison Hershfield Electric Vehicle Car Charging Feasibility Report.

Q. How did council arrive at the \$15,000 cost?

A. Council's 2019 estimate for installation and one EV charger, plus the retail cost for 1 dual head Level 2 EV charger determined the \$15,000 estimate. Resolution B request CRF funding up to \$15,000.

Q. Did council receive a quote?

A. Yes. Council received two quotes – one in December 2019 and then a revised quote was received after the AGM package was delivered to the eligible voters.

Q. If so, why was the quote not posted on the Town Square document page like the EV Committee report or shared with the AGM Package?

A. The Morrison Hershfield EV Charging Feasibility Report

<http://www.vaniercourt.ca/test/wp-content/uploads/2020/02/Vanier-Court-EV-Charging-Feasibility-Report.pdf.pdf> is posted on the Vanier Court website.

At the January 15, 2020 Council meeting, Council decided not to entertain the December 2019 estimate from C&C Electrical Mechanical:

7.6.3 EV Charging Station -C&C Mechanical-Quote 2019-12-11-10000448 \$7,862.87
*The above is not to be entertained.

The revised C&C quote is for an estimated \$8,963.43 + GST.

Q. Why are the bylaw amendments tied to the EV project, and not presented as a separate resolution?

A. A change in use of common property and bylaw amendments require $\frac{3}{4}$ vote by the eligible voters

Q. Why did council include the statistic of "Over 90% of the respondents were in favour" when the more accurate statistic of 30 of 51 owners were in favour (58%) applied?

A. Here is the Summary of 2019 EV Survey <http://www.vaniercourt.ca/test/wp-content/uploads/2021/02/2019-Vanier-Court-Summary-of-EV-Poll-Nov.-13-2019.pdf>. 46 owners responded.

68.9% of respondents supported EV charging in Vanier Court.

86.9% of respondents support EV owners paying for their own electricity to recharge their EVs.

Q. Where are the quotes and proposals from the required two additional vendors as required by Vanier Court Bylaw 22.7.a which states:

Strata Council, for those projects whose expenditures are to be funded from the Contingency Reserve Fund and are estimated to cost more than \$20,000, shall first obtain at least three (3) quotations.

A. The Construction Document phase was paid from the Operating Fund.

Q. Has council prepared a contingency plan if the project grows in scope and Vanier Court runs out of money?

A. An Elevator Consulting firm estimated the all-in fixed-cost contract to cost \$270,000 which includes contingencies and taxes. If the project grows in scope and additional funding

is required, a General Meeting will have to be called for the Owners to decide on a special levy.

12. A strata lot has asked . . .

Q. If the EV bylaw passes, will the \$500 charged to owners, required to access the EV station, be used to replenish the CRF?

A. Possible provincial rebates and the one-time EV application fee would be used to repay the costs of the EV Charging costs.

Q. Though I appreciate the effort toward the EV solution, I would like to know why there was no discussion with all owners as to their preference from options presented, before the by-law was created?

A. The Morrison Hershfield EV Charging Feasibility Report

<http://www.vaniercourt.ca/test/wp-content/uploads/2020/02/Vanier-Court-EV-Charging-Feasibility-Report.pdf.pdf> determined that the building has available ampacity of 293A.

There are 75 parking stalls – 70 are assigned by Bylaw 37(1) to strata lots and three by Council to Visitor parking. Their report found that Vanier Court has sufficient amperage for:

- 58 Level 1 EV charging stations.
- 12 Level 2 EV charging stations.
- 48 Level 2 EV charging stations if installed in a load managed configuration.

Vanier Court has insufficient amperage for EV chargers, 30A dryers, Elevator Upgrading or any other future demands the building may face.

Council has engaged Morrison Hershfield to determine the best way and estimated cost to increase the building's amperage.

Q. Regarding the elevator per Bylaw 22.7 were there 3 quotes received before the proposed consultant was chosen?

A. Bylaw 22(7)(a) requires 3 quotes if the CRF-funded project is estimated to cost more than \$20,000.00. Bylaw 22(7)(b) requires that a consultant be engaged if the estimated cost will be over \$100,000. Council obtained three quotes for elevator consultants.

13. A strata lot has asked . . .

Q. Increase in strata fees – need a breakdown of the reasons for the increase which seems to be going towards the CRF. Is it primarily to fund the CRF in preparation for the elevator replacement in lieu of a special assessment? Is this increase temporary or will it continue

after the elevator replacement is done in order to keep funding the CRF to take care of future projects? I understand that it's necessary to increase strata fees as costs go up every year (i.e. insurance premiums, etc.). However, 28.5% is pretty significant.

A. Strata fees are set annually upon the Owners' approval of each year's Operating Fund budget. This year, the budgeted Operating expenses have increased by \$4,576.78 or 1.49% from \$305,852.59 in 2020 to \$310,429.37 in 2021. The 2021-2022 insurance premium increase had little effect in the 2021 budget as it only increased from \$60,000 to \$62,000. Although \$60,000 was budgeted in 2020 for the 2020-2021 insurance premium, the actual expenditure was \$44,087.04 – less than was budgeted.

The 28.5% increase is due to the \$60,000 increase in the proposed 2021 contribution to the Contingency Reserve Fund. The only reason for this increase is to replenish the CRF to its statutory 25% minimum and to prepare for future year capital projects – e.g. roofing replacement.

An owner wrote Council about Council's duty to commence planning for the roof's replacement due to water pooling. The Roof replacement is major project and has been recommended to the Owners by the current and prior Depreciation Report.

SPA 93 and SPR 6.1(a) require the CRF to be no less than 25% of the total amount budgeted for the operating fund contributions in the current year (2021) = $\$310,429.37 \times 25\% = \$77,607.34$.

The current CRF balance (April 2021) is \$312,268.97. If the Elevator Upgrading project is approved, the balance will be reduced by \$278,500 to \$33,768.97 - \$43,838.37 short of the statutory minimum. If the CRF contribution remains at \$40,000 this year, an additional \$26,666.67 will be contributed to the CRF ending 2021 with a balance of \$60,435.64 - \$17,171.70 short of the statutory minimum.

If the Owners approve the 2021 Operating Fund budget, the CRF will end 2021 with a balance of \$120,435.64 ($\$60,435.64 + \$60,000.00$).

The Owners at the 2022 AGM will consider the 2022 Operating Fund budget as presented by Council. The Owners

Q. Electric Car Charging – how many owners have electric cars and want the charging stations? I can understand spending \$15,000 from the CRF to install stations if 50% of the owners have electric cars. However, if it's only a handful, then it does not make sense to spend this amount for something that will just benefit a few owners – especially when the money can be better spent on priority projects like the elevator replacement, etc. that will benefit all or the majority of the owners. If down the road, more owners have electric

cars then certainly this can be reviewed. I personally only know one owner who has one; and as far as I know he is not concerned with charging his car onsite.

A. Currently, three owners have zero-emission vehicles, and their ZEVs are electric vehicle variants. Only one owner has requested to charge their vehicle.

In the fall of 2019, a survey of Owners was conducted <http://www.vaniercourt.ca/test/wp-content/uploads/2021/02/2019-Vanier-Court-Summary-of-EV-Poll-Nov.-13-2019.pdf> and 46 owners participated.

- 68.89% supported Electrical Vehicle charging for Vanier Court.
- 86.96% supported EV owners paying for their own electricity to recharge their Electric Vehicle.

The previous and current Councils have been pro-active about installing EV charging stations. Last year, an electrical engineering firm, Morrison Hershfield, was engaged to determine the building's electrical capacity and provided a EV feasibility report <http://www.vaniercourt.ca/test/wp-content/uploads/2020/02/Vanier-Court-EV-Charging-Feasibility-Report.pdf>. The building has available ampacity of 293A.

The Morrison Hershfield Feasibility report determined that the building's available electrical capacity could handle up to:

- 58 Level 1 EV charging stations (no rebates), or
- 12 Level 2 EV charging stations, or
- 48 Level 2 EV charging stations if installed in a load managed configuration.

This year's Council asked for owners to volunteer for the Capital Project Planning Committee – 7 owners volunteered. The CPPC was requested to report on the cost and feasibility on implementing the recommendations of the Morrison Hershfield Electric Vehicle Car Charging Feasibility Report.

The CPPC <http://www.vaniercourt.ca/test/wp-content/uploads/2021/02/EV-Planning-Committee-Report-8-February-2021-Final.pdf> recommended:

- Installing Level 2 EV chargers in every stall – one for each strata lot – 52 in total.
- Installing Level 1 EV chargers in 40 parking stalls.
- Installing Level 1 EV chargers in 20 stalls.

The Morrison Hershfield Feasibility report recommended installing EV charging stations in the upper garage and then only one (1) EVCS.

Resolution B requests up to \$15,000 in CRF funding. Provincial rebate program is expected to be renewed and would reduce the cost. The proposed \$500 one-time application fee is

prosed to offset the cost. The proposed installation is estimated to cost ~\$10,000 for electrical infrastructure for 3 EVCSs and one EV charging station installation.