



NO. S-217956  
VANCOUVER REGISTRY

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

IN THE MATTER OF THE STRATA PROPERTY ACT, S.B.C. 1998, C.43

and

IN THE MATTER OF THE APPLICATION FOR THE WIND-UP OF THE OWNERS,  
STRATA PLAN LMS 992

**NOTICE OF APPLICATION**

**Name of Applicant:** Crowe MacKay & Company Ltd., liquidator of the Owners,  
Strata Plan LMS992 (the “**Liquidator**”)

To: The Owners, Strata Plan LMS992

To: First National Financial GP Corporation

To: The Toronto-Dominion Bank

To: Intracorp Vannes Limited Partnership

To: Blueshore Financial Credit Union, formerly North Shore Credit Union

And to: Kenneth Kwok Ying Chan, Wei Lin Yuen Chan, Che Wing Chan, Yat Sin Wong,  
Ardeshir Soltani Razagh Sarab, 0837963 B.C. Ltd.

TAKE NOTICE that an application will be made by the Applicant to the presiding judge at the Courthouse at 800 Smithe Street, in the City of Vancouver, in the Province of British Columbia on Tuesday, the 14 day of November, 2023 at 9:45am for the orders set out in Part 1 below.

**Part 1: ORDERS SOUGHT**

1. An Order, without notice, that the Liquidator be granted leave to serve:
  - (a) this Notice of Application filed on November 14, 2023; and
  - (b) Affidavit #2 of Derek Lai, sworn November 8, 2023; and
  - (c) the order authorizing such service;

(the “**Application Materials**”)

by an alternative method of service upon the strata owners listed in Schedule “A” to this Notice of Application, except for the owners of strata lots 9, 10, and 11 who have filed Petition Responses in these proceedings (the “**Respondents**”), by

- (a) sending the Application Materials to the Respondents by email, or regular mail where an email address is not provided, according to the contact information for each of the Respondents listed in Schedule “A”;
- (b) securing copies of the Application Materials on the notice board in the second floor lobby of the residential tower of 3380 Vanness Avenue, Vancouver, BC, V5R 6B8 (“**Joyce Place**”);
- (c) posting copies of the Application Materials on the website [www.joyceplacestrata.com](http://www.joyceplacestrata.com) (the “**Website**”);

and that such service shall be deemed good and sufficient service of the Application Materials upon each of the Respondents seven (7) days after the date on which all of the alternative methods of service in paragraphs 1(c), (d) and (e) have been performed.

2. An Order, without notice, that the Liquidator be granted leave to serve notice of this application by an alternative method of service upon the chargeholders listed in Schedule “B” to this Notice of Application by mailing a copy of the Information Notice attached to the Notice of Application as Schedule “C” to the address of each such chargeholder listed in Schedule “B” and that such service shall be deemed effective 7 days after the Information Notice was mailed.

3. An Order confirming the decision of the Liquidator to execute and approving the Liquidator’s execution of the Amendment to Purchase and Sale Agreement dated October 11, 2023, between Intracorp Vanness Limited Partnership, as purchaser, and The Owners, Strata Plan LMS992, as vendor.

4. An order that the endorsement as to form of this order may be done electronically and in counterpart and that the endorsement as to form of this order by any party appearing in person at the hearing be dispensed with.

5. Such further and other relief as this Honourable Court deems just.

## **Part 2: FACTUAL BASIS**

6. This proceeding is a strata wind-up pursuant to Part 16, Division 2 of the *Strata Property Act*.

7. The Owners, Strata Plan LMS-992 (the “**Strata Corporation**”) is the strata corporation of a strata development commonly referred to as “Joyce Place” which is located at 3380 Vanness Avenue, Vancouver, BC (“**Joyce Place**”). Joyce Place is a mixed-used strata development comprised of 52 apartment style strata lots, eight townhouses, and three non-residential strata lots.

8. By order granted October 19, 2022 (the “**Confirmation Order**”), Justice Marzari confirmed the wind-up resolution of the Strata Corporation and confirmed the appointment of Crowe MacKay & Company Ltd. as the liquidator the Strata Corporation (the “**Liquidator**”).

9. As part of the Confirmation Order, Justice Marzari also approved the sale of the Joyce Place to Intracorp Vanness Limited Partnership (“**Intracorp**”) pursuant to the terms of a Purchase and Sale Agreement dated January 11, 2021 (the “**PSA**”).

10. The Liquidator brings this application seeking approval from the court with respect to a proposed four-month extension of a subject removal date in the PSA.

### **Amendments to the PSA**

11. Schedule B to the PSA sets out various conditions to the benefit of both Intracorp and the Strata Corporation.

12. Section 2(c) of Schedule B contains a subject condition to the benefit of Intracorp that the City of Vancouver approve a rezoning and redevelopment application in a manner satisfactory to Intracorp including, without limitation, as to the permitted form, uses, and

achievable density for the redevelopment of the property on which Joyce Place is situated (the “**Purchaser’s Condition**”).

13. Several provisions in the PSA set out how to determine the date by which Intracorp is required to waive or fulfil the Purchaser’s Condition (the “**Subject Waiver Date**”).

14. Section 3 of Schedule B to the PSA stipulates how Intracorp can exercise its right to unilaterally extend the Subject Waiver Date (the “**Extension Right**”).

15. By way of a first amendment to the PSA dated June 20, 2022, a second amendment to the PSA dated August 20, 2022, and a third amendment dated November 28, 2022 (the “**Third Amendment**”), the parties agreed to extend the dates of certain conditions in Schedule B.

16. The Third Amendment extended the Subject Waiver Date for the Purchaser’s Condition to July 5, 2023, subject to Intracorp’s Extension Right.

17. By Notice of Extension dated June 27, 2023, Intracorp notified the Strata Corporation and the Liquidator of its election to exercise the Extension Right to extend the Subject Waiver Date from July 5, 2023 to January 4, 2024.

18. On October 11, 2023, the Liquidator, on behalf of the Strata Corporation, and Intracorp entered into a fourth amendment to the PSA (the “**Fourth Amendment**”) to further extend the Subject Waiver Date from January 4, 2024 to May 8, 2024 (the “**Extension**”).

19. The Fourth Amendment provides, among other things, that:

- (a) within 21 days after entering into the PSA Amendment, the Liquidator will hold an information meeting for the Strata Corporation (the “**Information Meeting**”), for the purpose of providing information to the strata members regarding the Fourth Amendment and the extension of the Subject Waiver Date; and
- (b) as soon as reasonably possible following the Information Meeting, the Liquidator will apply to the Supreme Court for an order approving the Fourth Amendment and, in any event, within 45 days after the Information Meeting.

### The Need for the Extension

20. Since the property on which Joyce Place is located does not benefit from a higher density designation under the applicable area plan, a rezoning application to the City of Vancouver (the “City”) is required by Intracorp to proceed with the sale (the “**Rezoning Application**”).

21. Beginning in August 2023, Intracorp began discussing with the Liquidator the need for the Extension in order to accommodate delays in the City’s processing of the Rezoning Application. For a variety of reasons, the Liquidator formed the opinion that the Extension was the most prudent course of action and agreed to the Fourth Amendment.

22. Without the Extension, the PSA will not proceed and the Liquidator’s only alternative course of action will be to return to market in search of a new purchaser or to renegotiate a new contract with Intracorp.

23. The present market conditions are not favourable and do not indicate that the Liquidator would achieve a new purchase and sale agreement that would benefit stakeholders of Joyce Place more than the present PSA.

24. In addition, any prolongation of the sales process of Joyce Place will result in diminished returns for stakeholders, as the Liquidator will be required to continue its administration of the wind-up which includes, among other things, incurring costs to address outstanding life-safety concerns of building components at Joyce Place and the payment of exorbitant insurance premiums.

25. On October 30, 2023, the Liquidator held the Information Meeting.

### Part 3 LEGAL BASIS

26. The Liquidator relies on:

- (a) Rules 4-3, 4-4, and 8-1 of the *Supreme Court Civil Rules*, BC Reg. 168/2009 (the “**Rules**”);
- (b) the terms of the Confirmation Order;

- (c) the terms of the Fourth Amendment;
- (d) the *Strata Property Act*, SBC 1998, c. 43; and
- (e) the *Business Corporations Act*, S.B.C. 2002, c. 57, including section 325(3).

### **Substituted Service**

27. Pursuant to Rule 4-3(1)(j), a notice of application that is to be served on a person who is not a party of record to the proceeding or who has not provided an address for service in the proceeding must be served by personal service.

28. Pursuant to Rule 4-4, where it is “impracticable” to serve a document by personal service the court may, on an application without notice, order terms of substituted service.

29. Service by electronic means is appropriate where it is reasonably likely, or probable, that notice of the proceedings will come to the attention of a respondent by the proposed method.

*Burke v. John Doe*, 2013 BCSC 964, para. 21.

30. The Liquidator submits that it is impracticable to personally serve each of the Respondents with the Application Materials due to the cost and time required to do so, and that the proposed methods of substituted service are reasonably likely to bring this application to the attention of the Respondents. Alternative methods of service have been ordered in this proceeding previously and the Strata Corporation members are used to the delivery of materials in this way and are aware of the existence of the Website.

### **The Confirmation Order and Fourth Amendment**

31. Pursuant to the Confirmation Order, the Court approved the sale of Joyce Place according to the terms of the PSA.

32. The Confirmation Order authorizes the Liquidator to seek further orders and directions from the court in relation to the wind-up of the Strata Corporation.

33. The Fourth Amendment requires the Liquidator to seek the court's confirmation of the Liquidator's decision to execute the Fourth Amendment and the court's approval of the Extension.

34. If the Extension is not confirmed by the court, the Rezoning Application will not be approved by the current Subject Waiver Date of January 4, 2024. Stakeholders will be prejudiced if the Liquidator is required to seek a new purchaser or renegotiate a contract with Intracorp, which may attract lengthy new due diligence and approval timelines. In addition, the Liquidator will be required to continue its administration of the wind-up and will incur more costs, including, among other things, the costs of addressing the outstanding life-safety concerns and the payment of insurance premiums.

#### ***The Business Corporations Act***

35. Pursuant to section 276 of the *Strata Property Act*, the provisions of the *Business Corporations Act* (the "BCA") that apply to a voluntary liquidation of a company apply to the voluntary winding up of a strata corporation with a liquidator, including section 325 of the BCA.

36. Pursuant to s. 325(3)(p) of the BCA, on an application made in respect of a company in liquidation, the court may, in respect of that company, make any order it considers appropriate, including an order to confirm, reverse or modify any act or decision of a liquidator.

#### **Part 4: MATERIAL TO BE RELIED ON**

37. Order of Master Muir, granted October 8, 2021;
38. Order of Justice Marzari, granted October 19, 2022 (filed February 22, 2023);
39. *The Owners, Strata Plan LMS 992*, 2022 BCSC 1829;
40. Affidavit #1 of B. Muk, filed September 7, 2021 (including only Exs. J and O);
41. Affidavit #1 of D. Lai, filed October 27, 2021;
42. Affidavit #2 of D. Lai, sworn November 8, 2023;
43. Affidavit #1 of A. Cheng, made November 9, 2023;

44. The pleadings and process filed herein.

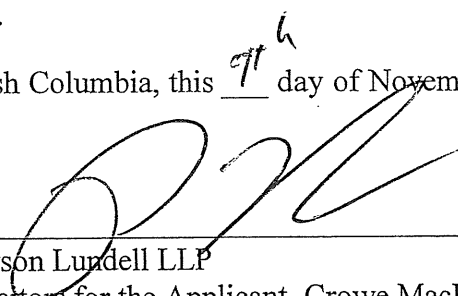
The Applicant estimates that the application will take 10 minutes.

- This matter is within the jurisdiction of a Master.
- This matter is not within the jurisdiction of a Master.

TO THE PERSONS RECEIVING THIS NOTICE OF APPLICATION: If you wish to respond to this Notice of Application, you must, within 5 business days after service of this Notice of Application or, if this application is brought under Rule 9-7, within 8 business days after service of this Notice of Application.

- (a) file an Application Response in Form 33,
- (b) file the original of every affidavit, and every other document, that
  - (i) you intend to refer to at the hearing of this application, and
  - (ii) has not already been filed in the proceeding, and
- (c) serve on the applicant 2 copies of the following, and on every other party of record one copy of the following:
  - (i) a copy of the filed Application Response;
  - (ii) a copy of each of the filed affidavits and other documents that you intend to refer to at the hearing of this application and that has not already been served on that person;
  - (iii) if this application is brought under Rule 9-7, any notice that you are required to give under Rule 9-7(9).

Dated at the City of Vancouver, in the Province of British Columbia, this 7<sup>th</sup> day of November, 2023.

  
 \_\_\_\_\_  
 Lawson Lundell LLP  
 Solicitors for the Applicant, Crowe MacKay  
 & Company Ltd.

This Notice of Application is filed by Peter J. Roberts, K.C., of the law firm of Lawson Lundell LLP, whose place of business and address for delivery is 1600 – 925 West Georgia Street, Vancouver, British Columbia, V6C 3L2, e-mail address: [proberts@lawsonlundell.com](mailto:proberts@lawsonlundell.com); telephone number: 604-685-3456.



*To be completed by the court only:*

Order made

in the terms requested in paragraphs \_\_\_\_\_  
of Part 1 of this Notice of Application

with the following variations and additional terms:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date:

\_\_\_\_\_  
Signature of  Judge  Master

**APPENDIX**

The following information is provided for data collection purposes only and is of no legal effect.

**THIS APPLICATION INVOLVES THE FOLLOWING:**

- discovery: comply with demand for documents
- discovery: production of additional documents
- other matters concerning document discovery
- extend oral discovery
- other matter concerning oral discovery
- amend pleadings
- add/change parties
- summary judgment
- summary trial
- service
- mediation
- adjournments
- proceedings at trial
- case plan orders: amend
- case plan orders: other
- experts
- none of the above

# Schedule "A"

JOYCE PLACE  
3380 VANNESS AVE., VANCOUVER, B.C. V5R 5A8

SL	UNIT	PID	VENDORS	VENDOR ADDRESS	VENDOR EMAIL
1	3362	018-366-813	Forning Chan and Kevin Gan Chan	3362 Vanness Ave Vancouver, B.C. V5R 5A8	<a href="mailto:kcdezn@gmail.com">kcdezn@gmail.com</a>
2	3364	018-366-821	Sohail Merchant, as to an undivided 1/2 interest and Rashida Merchant, as to an undivided 1/2 interest	3364 Vanness Ave Vancouver, B.C. V5R 5A8	<a href="mailto:rashida.merchant2341@gmail.com">rashida.merchant2341@gmail.com</a>
3	3366	018-366-830	Panee Limapichat	3366 Vanness Ave Vancouver, B.C. V5R 5A8	<a href="mailto:paneelim@hotmail.com">paneelim@hotmail.com</a>
4	3368	018-366-848	Wilbert De Asis	3368 Vanness Ave Vancouver, B.C. V5R 5A8	<a href="mailto:deasiswilbert@yahoo.ca">deasiswilbert@yahoo.ca</a>
5	3370	018-366-856	Tung Chi Tran and Le Khanh Trang Ho	5489 Bruce Street Vancouver, B.C. V5P 3M4	<a href="mailto:tungtran1962@outlook.com">tungtran1962@outlook.com</a>
6	3372	018-366-864	Xi Run Zhu and Man Wen Chen	3372 Vanness Ave Vancouver, B.C. V5R 5A8	<a href="mailto:yuki12372@yahoo.com">yuki12372@yahoo.com</a>
7	3374	018-366-872	Van Quang Vu and Hoa Nguyen	3374 Vanness Ave Vancouver, B.C. V5R 5A8	<a href="mailto:juliechvu@gmail.com">juliechvu@gmail.com</a>
8	3376	018-366-881	Peggy Tong	3376 Vanness Ave Vancouver, B.C. V5R 5A8	
9	3378	018-366-899	Kenneth Kwok Ying Chan and Mei Lin Yuen Chan	1996 Campbell Ave Port Coquitlam, B.C. V3C 4T2	<a href="mailto:kenneth1340@gmail.com">kenneth1340@gmail.com</a>
10	3382	018-366-902	Che Wing Chan and Yat Sin Wong	4738 Bruce Street Vancouver, B.C. V5N 3Z6	<a href="mailto:kathy.vclgroup@gmail.com">kathy.vclgroup@gmail.com</a>
11	3384	018-366-911	0837963 B.C. Ltd.	3384 Vanness Ave Vancouver, B.C. V5R 5A8	<a href="mailto:adipolo@hotmail.com">adipolo@hotmail.com</a>
12	301	018-366-929	Calvin Louie and Grace Louie	5243 Christopher Court Burnaby, B.C. V5H 2K3	<a href="mailto:graceklouie@gmail.com">graceklouie@gmail.com</a>
13	302	018-366-937	Jason Chan	302 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:evan.jc.chan@gmail.com">evan.jc.chan@gmail.com</a>
14	303	018-366-945	Kim Teng Tay and Jet Fah Chai	303 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	
15	304	018-366-953	Sean Anthony McKee	7348 144 Street Surrey, B.C. V3W 5S5	<a href="mailto:jasamk2199@gmail.com">jasamk2199@gmail.com</a>
16	305	018-366-961	Wai Ho Johnny Chan, as to an undivided 1/3 interest, Pui Man Lee, as to an undivided 1/3 interest, and Jimmy Wai Keung Chan, as to an undivided 1/3 interest	1233 E 53rd Ave Vancouver, B.C. V5X 1K1	<a href="mailto:johnnychan23836@gmail.com">johnnychan23836@gmail.com</a>

JOYCE PLACE  
 3380 VANNESS AVE., VANCOUVER, B.C. V5R 5A8  
 (37152 - 150991)

SL	UNIT	PID	VENDORS	VENDOR ADDRESS	VENDOR EMAIL
17	306	018-366-970	Michelle Benitez	306 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:mich_beni@yahoo.com">mich_beni@yahoo.com</a>
18	401	018-366-988	Victor Cortero Hallare and Aida Berce Hallare	401 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	
19	402	018-366-996	Celine Yvonne Diamond	402 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:diamond58@shaw.ca">diamond58@shaw.ca</a>
20	403	018-367-003	Angelita Lopez Ferrer	403 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:Angelitaf890@gmail.com">Angelitaf890@gmail.com</a>
21	404	018-367-011	Lai Kwan Yuen	404 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:laikwanyuen302@gmail.com">laikwanyuen302@gmail.com</a>
22	405	018-367-020	Chieh Tsang Dick Hsu	405 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:7731988@gmail.com">7731988@gmail.com</a>
23	406	018-367-038	Henry Romero Cabanizas and Precilda Padillo Cabanizas	406 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:precy613@icloud.com">precy613@icloud.com</a>
24	501	018-367-046	Roman Alejandro Chiang and Tak In Lao	501 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:janet.chiang@hotmail.ca">janet.chiang@hotmail.ca</a>
25	502	018-367-054	Hai Ming Wu	502 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:mayws2006@hotmail.com">mayws2006@hotmail.com</a>
26	503	018-367-062	David Clyde Mangelsdorf	205 - 3205 Wetherby Road Victoria, B.C. V8P 4A3	<a href="mailto:davemdorf@hotmail.com">davemdorf@hotmail.com</a>
27	504	018-367-071	Julius Cajetan Desilva, Enakshi Patro and Joseph Peter D'Silva	504 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:juliusdesilva@yahoo.com">juliusdesilva@yahoo.com</a>
28	505	018-367-089	Chuk Chuen Leung	505 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:peterccleung@yahoo.com">peterccleung@yahoo.com</a>
29	506	018-367-097	Merlita Sosa	506 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:mersosa2014@gmail.com">mersosa2014@gmail.com</a>

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30	601	018-367-101	Ferdinand Magalued Aquino and Jocelyn Bambalan Aquino	601 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:ferdz777@gmail.com">ferdz777@gmail.com</a>
31	602	018-367-119	Aiguo Xu and Xueying Yang	602 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:emilyyang168@hotmail.com">emilyyang168@hotmail.com</a>
32	603	018-367-127	Seiichiro Tamura	2-14-5 Keyakizaka Kawanishi City, Japan 666-0145	<a href="mailto:thejailbirds696guitar@gmail.com">thejailbirds696guitar@gmail.com</a>
33	604	018-367-135	Li Wei Zhu	604 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:zlwzack@gmail.com">zlwzack@gmail.com</a>
34	605	018-367-143	Tommy Jian Qiang Zhou	5894 Battison Street Vancouver, B.C. V5R 4M8	<a href="mailto:tjzhou93@gmail.com">tjzhou93@gmail.com</a>
35	606	018-367-151	0753861 B.C. Ltd.	742 E. Cordova Street Vancouver, B.C. V6A 1M3	<a href="mailto:david_lee74@hotmail.com">david_lee74@hotmail.com</a>
36	701	018-367-160	Cynthia Paronable Guillergan	701 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:charm.1guillerganhs@gmail.com">charm.1guillerganhs@gmail.com</a>
37	702	018-367-178	Marilyn Maiso Tagab	702 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	
38	703	018-367-186	Zakia Saad	703 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:zakia_saad@yahoo.com">zakia_saad@yahoo.com</a>
39	704	018-367-194	Carlos Jesus Cordeiro	704 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:cmira18@hotmail.com">cmira18@hotmail.com</a>
40	705	018-367-208	Chitra Suryakumar	705 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:chitra.suryakumar@emirates.com">chitra.suryakumar@emirates.com</a>
41	706	018-367-216	Daniel Agcaoili and Maryann Agcaoili	706 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:brotonelmary@gmail.com">brotonelmary@gmail.com</a>
42	801	018-367-224	Benjamin Abenojar Peralta and Febe Paclibare Peralta	801 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:fperalta@telus.net">fperalta@telus.net</a>
43	802	018-367-232	Elsie Marayag and Renaldo Lucas Marayag	802 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:reymarayag@gmail.com">reymarayag@gmail.com</a>

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SL	UNIT	PID	VENDORS	VENDOR ADDRESS	VENDOR EMAIL
44	803	018-367-241	Kwok-Wai Ricky Hon and Chiu Kwan Hon	803 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:annahon1960@gmail.com">annahon1960@gmail.com</a>
45	804	018-367-259	Yeuk Ching Ho	804 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	
46	805	018-367-267	Nader Parandakhteh	805 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:nader.par8@gmail.com">nader.par8@gmail.com</a>
47	806	018-367-275	Jennifer Reed and Timothy Joel Osier	806 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:tosier@shaw.ca">tosier@shaw.ca</a>
48	901	018-367-283	Florina Beley Tobias	901 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:fbtobias@yahoo.ca">fbtobias@yahoo.ca</a>
49	902	018-367-291	Kit Fong Lee	902 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:kitlee3380@gmail.com">kitlee3380@gmail.com</a>
50	903	018-367-305	Mila Savitski	903 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:savsavmir@gmail.com">savsavmir@gmail.com</a>
51	904	018-367-313	Wei Liu and Yan Hong Xie	904 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:wei3969@yahoo.ca">wei3969@yahoo.ca</a>
52	905	018-367-321	Leticia Marzan Banta, as to an undivided 1/100 interest and Noel Banta Banta, as to an undivided 99/100 interest	905 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:letbanta524@yahoo.ca">letbanta524@yahoo.ca</a>
53	906	018-367-330	Yick Kam Chan and Yin Bing Chan	906 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:fionachan3380@gmail.com">fionachan3380@gmail.com</a>
54	1001	018-367-348	Andrew Kwok Koo Cheung and Pearl Cheung	1001 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:pearlkaocheung@icloud.com">pearlkaocheung@icloud.com</a>
55	1002	018-367-356	Ha Dang	1002 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	
56	1003	018-367-364	Brian Yan Muk	1003 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:b.yanmuk@gmail.com">b.yanmuk@gmail.com</a>

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SL	UNIT	PID	VENDORS	VENDOR ADDRESS	VENDOR EMAIL
57	1004	018-367-372	Teresa Louise Dirks and Douglas John Dirks	1004 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:mini1015.td@gmail.com">mini1015.td@gmail.com</a>
58	1005	018-367-381	Vivian Wai Blaker	1005 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:blaker@sfu.ca">blaker@sfu.ca</a>
59	1006	018-367-399	Harinder Singh Khangura	1006 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:herak21@hotmail.com">herak21@hotmail.com</a>
60	1101	018-367-402	Peter Byrne and Ann Byrne	1101 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:peter@kasselpainting.com">peter@kasselpainting.com</a>
61	1102	018-367-411	Ka Lok Chan, as to an undivided 90/100 Interest and Che Wing Chan, as to an undivided 10/100 interest	1102 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:kathy.yclgroup@gmail.com">kathy.yclgroup@gmail.com</a>
62	1103	018-367-429	Simon Davison	1103 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:simondavison@gmail.com">simondavison@gmail.com</a>
63	1104	018-367-437	Sean Dimitrie	1104 - 3380 Vanness Ave Vancouver, B.C. V5R 6B8	<a href="mailto:seandimitrie@gmail.com">seandimitrie@gmail.com</a>

**SCHEDULE "B"**

**LIST OF CHARGEHOLDERS**

<b>Strata Lot No.</b>	<b>Registered Chargeholder</b>	<b>Postal Address of Holder of Registered Charge</b>
1	N/A	N/A
2	N/A	N/A
3	The Bank of Nova Scotia (Mortgage filed under CA4263614)	#9 - 4299 Kingsway, Burnaby, BC V5H 1Z5
4	Canadian Imperial Bank of Commerce (Mortgage filed under CA6453732)	PO Box 115 Commerce Court, Postal Stn., Toronto, ON M5L 1E5
5	Canadian Imperial Bank of Commerce (Mortgage filed under BB202153)	601 1 No. 3 Road, Richmond, BC V6Y 2B2
	CIBC Mortgages Inc. (Mortgage filed under CA191 1373)	5th Floor, 400 Burrard Street, Vancouver, BC V6C 3A6
6	N/A	N/A
7	Canadian Imperial Bank of Commerce (Mortgage filed under CA5008718)	100 University Avenue, 3rd Floor, Toronto, ON M5J2X4
8	N/A	N/A
9	N/A	N/A
10	N/A	N/A
11	N/A	N/A
12	N/A	N/A
13	Vancouver City Savings Credit Union (Mortgage filed under CA4475774)	3305 Kingsway, Vancouver, BC V5R 5K6



14	N/A	N/A
15	N/A	N/A
16	N/A	N/A
17	ING Bank of Canada (Mortgage filed under BT398320)	3389 Steeles Avenue East 6th, Toronto, ON
18	Royal Bank of Canada (Mortgage filed under CA2379480)	180 Wellington Street West, Toronto, ON M5J 1J1
19	Canadian Imperial Bank of Commerce (Mortgage filed under BB390033)	1427 Kingsway, Vancouver, BC V5N 2R6
20	Royal Bank of Canada (Mortgage filed under CA3294531)	10 York Mills Road, 3rd Floor, Toronto, ON M2P 0A2
21	HSBC Bank Canada (Mortgage filed under CA432163)	11th Floor, 401 West Georgia Street, Vancouver, BC V6B5A1
22	N/A	N/A
23	Royal Bank of Canada (Mortgage filed under BB1326675)	180 Wellington Street West, Toronto, ON M5J 1J1
24	N/A	N/A
25	N/A	N/A
26	N/A	N/A
27	N/A	N/A
28	N/A	N/A
29	Royal Bank of Canada (Mortgage filed under CA9140140)	10 York Mills Road, 3rd Floor Toronto, ON M2P 0A2

30	N/A	N/A
31	N/A	N/A
32	N/A	N/A
33	N/A	N/A
34	Vancouver City Savings Credit Union (Mortgage filed under CA6004584)	188 East Pender Street, Vancouver, BC V6A 1T3
35	CISC Mortgages Inc. (Mortgage filed under BB 1096865)	400 Burrard Street, 5th Floor, Vancouver, BC V6C 3A6
36	Scotia Mortgage Corporation (Mortgage filed under CA3465562)	6498 Fraser Street, Vancouver, BC V5W 3A5
37	N/A	N/A
38	N/A	N/A
39	Canadian Imperial Bank of Commerce (Mortgage filed under CA2986966)	4101 Hastings Street, Burnaby, BC V5C 2J3
40	Scotia Mortgage Corporation (Mortgage filed under CA51 12173)	1 West Broadway, Vancouver, BC V5Y 1P1
41	N/A	N/A
42	Canadian Imperial Bank of Commerce (Mortgage filed under CA8857022)	PO Box 115 Commerce Court Postal Station Toronto, ON M5L 1E5
43	CIBC Mortgages Inc. (Mortgage filed under CA3478123)	1745 West 8th Avenue - Level B1, Vancouver, BC V6J 4T3
44	N/A	N/A
45	N/A	N/A

46	N/A	N/A
47	Royal Bank of Canada (Mortgage filed under BA333895)	180 Wellington Street West, Toronto, ON M5J 1J1
48	Royal Bank of Canada (Mortgage filed under BB1094914)	180 Wellington Street West, Toronto, ON M5J 1J1
49	Canadian Imperial Bank of Commerce (Mortgage filed under CA3107184)	501 Main Street, Vancouver, BC V6A 2V2
50	N/A	N/A
51	N/A	N/A
52	Royal Bank of Canada (Mortgage filed under CA71 10616)	10 York Mills Road, 3rd Floor, Toronto, ON M2P0A2
53	The Bank of Nova Scotia (Mortgage filed under CA3104397)	101 - 268 Keefer Street, Vancouver, BC V6A1X5
54	N/A	N/A
55	N/A	N/A
56	National Bank of Canada (Mortgage filed under CA8063355)	500 Place D'Armes, 22nd Floor, Montreal, QC H2Y2W3
57	Canadian Imperial Bank of Commerce (Mortgage filed under CA6476812)	Box 115, Commerce Court Postal Station, Toronto, ON M5L 1E5
58	Vancouver City Savings Credit Union (Mortgage filed under CA9137567)	5594 Cambie Street, Vancouver, BC V5Z 3Y5
59	N/A	N/A
60	N/A	N/A
61	N/A	N/A

62	The Bank of Nova Scotia (Mortgage filed under CA4816000)	1 West Broadway, Vancouver, BC V5Y 1P1
63	N/A	N/A
	N/A	N/A
	Celia Chartier Chancy (Caveat filed under CAI694763)	2965 West 36th Avenue, Vancouver, BC V6N 2R2
	Celia Chartier Chancy (Certificate of Pending Litigation filed under V6N2R2 BB1711628)	2965 West 36th Avenue, Vancouver, BC V6N 2R2

## Schedule "C" to Notice of Application for Sub-Service

### IMPORTANT NOTICE

**TO:** Chargeholders of strata units in The Owners, Strata Plan LMS-992, aka "Joyce Place"

#### **Wind-Up of Joyce Place Strata**

By Order granted October 19, 2022, the B.C. Supreme Court confirmed the wind-up resolution of The Owners, Strata Plan LMS-992 (the "**Strata Corporation**") and confirmed the appointment of Crowe MacKay & Company Ltd., as the liquidator the Strata Corporation (the "**Liquidator**"). As part of that Order, the Court also approved the sale of Joyce Place to Intracorp Vanness Limited Partnership ("**Intracorp**") pursuant to the terms of a Purchase and Sale Agreement dated January 11, 2021 (the "**PSA**").

The PSA contains various conditions to the benefit of both Intracorp and the Strata Corporation, and sets out the dates by which each condition must be waived or declared fulfilled. One of the conditions to the benefit of Intracorp is the City of Vancouver's approval of a rezoning application (the "**Rezoning Application**"). The current subject removal date for the Rezoning Application condition is January 4, 2024. However, due to administrative delays, the Rezoning Application will not be approved before the current subject removal date.

On October 11, 2023, the Liquidator, on behalf of the Strata Corporation, and Intracorp entered into an amendment to extend the date to waive or fulfil the Rezoning Application condition until May 8, 2024 (the "**Extension Amendment**").

#### **Application to the Court to Approve the Extension Amendment**

On **Monday, December 4, 2023**, the Liquidator intends to bring an application to the B.C. Supreme Court seeking an order to approve the Extension Amendment. The application will be heard at 10:00 a.m. at the courthouse at 800 Smithe Street in Vancouver.

You may access the Notice of Application and supporting affidavit materials:

- (a) Online at [www.joyceplacestrata.com](http://www.joyceplacestrata.com); or
- (b) Requesting copies by sending an email to either the liquidator for Joyce Place, Derek Lai of Crowe MacKay & Company Ltd, at: [Derek.Lai@crowemackay.ca](mailto:Derek.Lai@crowemackay.ca)

You are entitled to attend this court hearing and make your views known. If you intend to do so, you should file an Application Response with the court registry on or before November 27, 2023, and provide a copy by email to Peter Roberts, legal counsel for the Liquidator, at [proberts@lawsonlundell.com](mailto:proberts@lawsonlundell.com).

NO. S217956  
VANCOUVER REGISTRY

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

IN THE MATTER OF THE STRATA PROPERTY  
ACT, S.B.C. 1998, C.43

and

IN THE MATTER OF THE APPLICATION FOR  
THE WIND-UP OF THE OWNERS, STRATA  
PLAN LMS 992

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**NOTICE OF APPLICATION**

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Barristers & Solicitors  
1600 Cathedral Place  
925 West Georgia Street  
Vancouver, British Columbia  
V6C 3L2

Phone: (604) 685-3456  
Attention: Peter J. Roberts, K.C.

PJR/acc2