

STRATA PLAN BCS 3602

BYLAWS

THE EXCHANGE

Amendments

2017-04-26, Registration #CA5952094

2018-05-15, Registration #CA6871515

2020-06-11, Registration #CA8238288

Your electronic signature is a representation that you are a designate authorized to certify this application under section 168.4 of the *Land Title Act*, RSBC 1996, c.250, that you certify this application under section 168.43(3) and that the supporting document is in your possession.

1. CONTACT: (Name, address, phone number)

Deduct LTSA Fees? Yes

2. IDENTIFICATION OF ATTACHED STRATA PROPERTY ACT FORM OR OTHER SUPPORTING DOCUMENT:

LTO Document Reference:

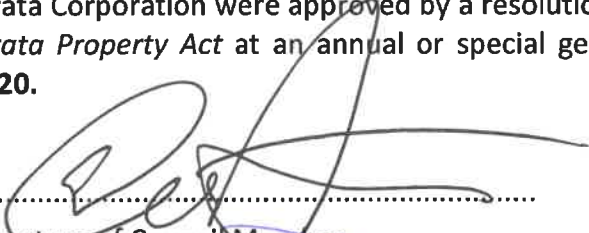
3. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]

AMENDMENT TO BYLAWS

FORM I

STRATA PROPERTY ACT (SECTION 128)

The Owners, **Strata Plan BCS3602** certify that the attached amendments to the bylaws of the Strata Corporation were approved by a resolution passed in accordance with Section 128 of the *Strata Property Act* at an annual or special general meeting held on the **31st day of March, 2020**.


.....
Signature of Council Member


.....
Signature of Second Council Member (not required if council consists of only one member)

* Section 128 (2) of the Act provides that an Amendment to Bylaws must be filed in the land title office.

Please repeal the previously registered #CA8176558 on May 6, 2020 and replace with the two resolutions below.

BE IT RESOLVED by a $\frac{3}{4}$ Vote Resolution of the Owners, Strata Plan BCS3602 (the strata corporation), that bylaw 28.1 of the Strata Corporation which reads as follows:

28. Quorum of meeting

28.1 *If at the time appointed for the call to order of an annual or special general meeting, a quorum is not present, the eligible voters, present in person or by proxy, constitute a quorum.*

This bylaw 28.1 is an alternative to section 48(3) of the Act. This bylaw does not apply to a meeting demanded pursuant to section 43 of the Act and failure to obtain a quorum for a meeting demanded pursuant to section 43 terminates, and does not adjourn, that meeting.

BE IT RESOLVED by a $\frac{3}{4}$ Vote Resolution of the Owners, Strata Plan BCS3602 (the strata corporation), that bylaw 28.1 of the Strata Corporation which reads as follows:

39. Moving in/out procedures

39.7 *A non-refundable move-in/move-out fee of \$250.00 shall be levied against the strata lot owner for any change in occupancy of a strata lot, the charge to be assessed on the first day of the month following the change of occupancy.*

AMENDMENT TO BYLAWS

FORM I

STRATA PROPERTY ACT (SECTION 128)

The Owners, **Strata Plan BCS3602** certify that the attached amendments to the bylaws of the Strata Corporation were approved by a resolution passed in accordance with Section 128 of the *Strata Property Act* at an annual or special general meeting held on the **31st day of March, 2020**.


.....
Signature of Council Member


.....
Signature of Second Council Member (not required if council consists of only one member)

* Section 128 (2) of the Act provides that an Amendment to Bylaws must be filed in the land title office.


AMENDMENT TO BYLAWS

FORM I

STRATA PROPERTY ACT (SECTION 128)

The Owners, **Strata Plan BCS3602** certify that the attached amendments to the bylaws of the Strata Corporation were approved by a resolution passed in accordance with Section 128 of the *Strata Property Act* at an annual or special general meeting held on the **31st day of March, 2020**.


.....
Signature of Council Member


.....
Signature of Second Council Member (not required if council consists of only one member)

* Section 128 (2) of the Act provides that an Amendment to Bylaws must be filed in the land title office.

BE IT RESOLVED by a $\frac{3}{4}$ Vote Resolution of the Owners, Strata Plan BCS3602 (the strata corporation), that bylaw 28.1 of the Strata Corporation which reads as follows:

28. Quorum of meeting

28.1 *If at the time appointed for the call to order of an annual or special general meeting, a quorum is not present, the eligible voters, present in person or by proxy, constitute a quorum.*

This bylaw 28.1 is an alternative to section 48(3) of the Act. This bylaw does not apply to a meeting demanded pursuant to section 43 of the Act and failure to obtain a quorum for a meeting demanded pursuant to section 43 terminates, and does not adjourn, that meeting.

BE IT RESOLVED by a $\frac{3}{4}$ Vote Resolution of the Owners, Strata Plan BCS3602 (the strata corporation), that bylaw 28.1 of the Strata Corporation which reads as follows:

39. Moving in/out procedures

39.7 *A non-refundable move-in/move-out fee of \$300.00 shall be levied against the strata lot owner for any change in occupancy of a strata lot, the charge to be assessed on the first day of the month following the change of occupancy.*

THE OWNERS, STRATA PLAN BCS 3602, The Exchange

Preamble

These bylaws bind the strata corporation and the owners, tenants and occupants to the same extent as if the bylaws had been signed by the strata corporation and each owner, tenant and occupant and contained covenants on the part of the strata corporation with each owner, tenant and occupant and on the part of each owner, tenant and occupant with every other owner, tenant and occupant and with the strata corporation to observe and perform their provisions.

Unless otherwise stated, all terms have the meanings prescribed in the *Strata Property Act*, S.B.C. 1998, c. 43 (the "Act"). For the purposes of these bylaws, "residents" means collectively, owners, tenants and occupants and "a resident" means collectively, an owner, a tenant and an occupant.

Duties of Owners, Tenants, Occupants and Visitors

1. Compliance with bylaws and rules

1.1 All residents and visitors must comply strictly with the bylaws and rules of the strata corporation adopted from time to time.

2. Payment of strata fees and special levies

2.1 An owner must pay strata fees on or before the first day of the month to which the strata fees relate.

2.2 Where an owner fails to pay strata fees in accordance with bylaw 2.1, outstanding strata fees will be subject to an interest charge of 10% per annum, compounded annually. In addition to interest, failure to pay strata fees on the due date will result in a fine of \$50.00 for the first offence, \$100.00 for the second offence and \$200.00 for all subsequent offence of bylaw 2.1.

2.3 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.

2.4 Failure by an owner to submit twelve (12) monthly, post-dated strata fee cheques or written authorization for automatic debit in accordance with bylaw 2.3 is a contravention of bylaw 2.3 and the strata corporation will levy a fine of \$50 for each contravention. Each dishonoured cheque or dishonoured automatic debit will be subject to an administration charge of \$50.

2.5 A special levy is due and payable on the date or dates noted in the resolution authorizing the special levy.

- 2.6 Failure to pay a special levy on the due date will result in a fine of \$50 for each contravention of bylaw 2.5.
- 2.7 Where an owner fails to pay a special levy in accordance with bylaw 2.5, outstanding special levies will be subject to an interest charge of 10% per annum, compounded annually.
- 2.8 All monies received by the Strata Corporation from an owner shall be applied as follows:
- (a) firstly, in payment of any judgment against such owner in favour of the strata corporation;
 - (b) secondly, in payment of any outstanding fines;
 - (c) thirdly, in payment of outstanding interest;
 - (d) fourthly, in payment of the principal balance of outstanding strata fees and special levies.

3. Repair and maintenance of property by owner

- 3.1 An owner must repair and maintain the owner's strata lot, except for repair and maintenance that is the responsibility of the strata corporation under these bylaws.
- 3.2 An owner who has the use of limited common property must repair and maintain it, except for repair and maintenance that is the responsibility of the strata corporation under these bylaws.

4. Use of property

- 4.1 A resident or visitor must not use a strata lot, the common property or common assets in a way that
- (a) causes a nuisance or hazard to another person,
 - (b) causes unreasonable noise,
 - (c) unreasonably interferes with the rights of other persons to use and enjoy the common property, common assets or another strata lot,
 - (d) is illegal, or
 - (e) is contrary to a purpose for which the strata lot or common property is intended as shown expressly or by necessary implication on or by the strata plan.
- 4.2 A resident or visitor must not cause damage, other than reasonable wear and tear, to the common property, common assets or those parts of a strata lot which the strata

corporation must repair and maintain under these bylaws or insure under section 149 of the Act.

- 4.3 An owner is responsible for any damage caused by occupants, tenants or visitors to the owner's strata lot.
- 4.4 An owner shall indemnify and save harmless the strata corporation from the expense of any maintenance, repair or replacement rendered necessary to the common property, limited common property, common assets or to any strata lot by the owner's act, omission, negligence or carelessness or by that of an owner's visitors, occupants, guests, employees, agents, tenants or a member of the owner's family, but only to the extent that such expense is not reimbursed from the proceeds received by operation of any insurance policy. In such circumstances, and for the purposes of bylaws 4.1, 4.2 and 4.3, any insurance deductible paid or payable by the strata corporation shall be considered an expense not covered by the proceeds received by the strata corporation as insurance coverage and will be charged to the owner.
- 4.5 An owner, tenant, occupant or visitor must not use a strata lot for any of the following:
- a) An owner, tenant, occupant or visitor must not use a strata lot for any of the following:
 - b) Commercial growing, producing, harvesting, storing, marketing, selling, use or distribution of marijuana or any other related business dealing in "controlled substances" as defined by the Controlled Drugs and Substances Act;
 - c) Commercial producing, marketing, selling, use or distribution of vaping products or electronic cigarettes;
- * #CA6871515 - Approved at 2018-05-15 AGM Meeting
- 4.6 (A) For the purposes of this bylaw 4.6, the following definitions apply:
- a) "smoke" or "smoking" includes inhaling, exhaling, burning or carrying of a lighted cigarette, cigar, pipe, hookah pipe or other lighted smoking equipment that burns tobacco or other weed substances (which for certainty includes marijuana);
 - b) "vape" or "vaping" includes inhaling, exhaling, vaporizing or carrying or using an activated e cigarette.
- (B) A resident or visitor must not smoke or vape anywhere on or within Strata Plan BCS3602, this includes, but is not limited to, hallways, elevators, stairwells, parking areas and strata lots. Despite the foregoing, a resident or visitor may smoke or vape in a strata lot if the following requirements are met:
- a) all windows and doors of the strata lot which border the exterior of the strata lot or a common property hallway are fully closed;

b) any door of the strata lot facing on to a common property hallway must be fitted by the owner of the applicable strata lot, at such owner's expense, with door (bottom) sealers to prevent smoke escaping into common property hallway.

(C) The strata council may grant an exemption from the operation of this bylaw 4.6 in order to accommodate a disability in accordance with the BC Human Rights Code.

* #CA6871515 - Approved at 2018-05-15 AGM Meeting

5. Pets and animals

5.1 A resident or visitor must not keep any pets on a strata lot or common property or on land that is a common asset except in accordance with these bylaws.

5.2 A resident owner, tenant, occupant must not keep a pet on a strata lot other than one or more of the following:

(a) a reasonable number of fish or other small aquarium animals;

(b) a reasonable number of small caged mammals;

(c) up to 2 caged birds;

(d) two dogs or two cats or one dog and one cat.

5.3 A resident must not keep a pet which is a nuisance on a strata lot, on common property or on land that is a common asset. If a resident has a pet which is not permitted under these bylaws or if, in the opinion of council, the pet is a nuisance or has caused or is causing an unreasonable interference with the use and enjoyment by residents or visitors of a strata lot, common property or common assets, the council may order such pet to be removed permanently from the strata lot, the common property or common asset or all of them.

5.4 If a resident contravenes bylaw 5.3, the owner of the strata lot will be subject to a fine of up to \$200.

5.5 Notwithstanding bylaw 5.4 a resident whose pet contravenes bylaw 5.3 will be subject to an immediate injunction application and the owner of the strata lot will be responsible for all expenses incurred by the strata corporation to obtain the injunction, including legal costs.

5.6 Any excrement on common property or on land that is a common asset must be immediately disposed of by the pet owner.

5.7 A strata lot owner must assume all liability for all actions by a pet, regardless of whether the owner had knowledge, notice or forewarning of the likelihood of such action.

5.8 A resident or visitor must not feed birds, rodents or other wild animals from any strata lot, limited common property, common property or land that is a common asset. No bird

feeders of any kind are permitted to be kept on balconies, strata lots, common property or land that is a common asset.

- 5.9 A resident must not harbour exotic pets, including not exhaustively, snakes, reptiles, spiders or large members of the cat family.

6. Inform strata corporation

- 6.1 An owner must notify the strata corporation of:

- (a) within two weeks of becoming an owner; the owner's name and any occupants' names, strata lot number and mailing address outside the strata plan, if any; and
- (b) any mortgage or other dealing in connection with the strata lot within two weeks of such mortgaging or other dealing.

- 6.2 On request by the strata corporation, a tenant must inform the strata corporation of the tenant's name and the strata lot which the tenant occupies.

7. Obtain approval before altering a strata lot

- 7.1 An owner must obtain the written approval of the strata corporation before making or authorizing an alteration to a strata lot that involves any of the following:

- (a) the structure of a building;
- (b) the exterior of a building;
- (c) patios, chimneys, stairs, balconies or other things attached to the exterior of a building;
- (d) doors, windows or skylights on the exterior of a building, or that front on the common property;
- (e) fences, railings or similar structures that enclose a patio, balcony or yard;
- (f) common property located within the boundaries of a strata lot;
- (g) those parts of the strata lot which the strata corporation must insure under section 149 of the Act; and
- (h) wiring, plumbing, piping, heating, air conditioning and other services.

- 7.2 The strata corporation must not unreasonably withhold its approval under bylaw 7.1, but may require as a condition of its approval that the owner agree, in writing, to take responsibility for any expenses relating to the alteration and to indemnify and hold harmless the strata corporation for any future costs in connection with the alteration.

7.3 An owner intending to apply to the strata corporation for permission to alter a strata lot must submit, in writing, detailed plans and written description of the intended alteration.

8. Obtain approval before altering common property

8.1 An owner must obtain the written approval of the strata corporation before making or authorizing an alteration to common property, including limited common property or common assets.

8.2 An owner, as part of its application to the strata corporation for permission to alter common property, limited common property or common assets, must:

- (a) submit, in writing, detailed plans and description of the intended alteration;
- (b) obtain all applicable permits, licences and approvals from the appropriate governmental authorities and provide copies to the strata council; and
- (c) obtain the consent of the owners by written approval of the strata council under bylaw 8.1.

8.3 The strata corporation may require, as a condition of its approval, that the owner agree, in writing, to certain terms and conditions, including, not exhaustively, the following:

- (a) that alterations be done in accordance with the design or plans approved by the strata council or its duly authorized representatives;
- (b) that the standard of work and materials be not less than that of the existing structures;
- (c) that all work and materials necessary for the alteration be at the sole expense of the owner;
- (d) that the owner from time to time of the strata lot receiving the benefit of an alteration to common property, limited common property or common assets must, for so long as he or she remains an owner, be responsible for all present and future maintenance, repairs and replacements, increases in insurance, and any damage suffered or cost incurred by the strata corporation as a result, directly or indirectly, of the alterations to common property, limited common property or common assets;
- (e) that the owner and any subsequent owner on title who receives the benefit of such alteration, must, with respect only to claims or demands arising during the time that they shall have been owner, indemnify and hold harmless the strata corporation, its council members, employees and agents from any and all claims and demands whatsoever arising out of or in any manner attributable to the alteration. Any costs or expenses incurred by the strata corporation as the result of such claim or demand will be the responsibility of the owner from time to time of the strata lot who has benefited from the alteration and the said costs or

expenses incurred must be charged to that owner and shall be added to and become part of the strata fees of that owner for the month next following the date upon which the cost or expenses are incurred, but not necessarily paid by the strata corporation, and shall become due and payable on the due date of payment of monthly strata fees.

- 8.4 An owner who has altered common property, limited common property or common assets prior to the passage of these bylaws shall be subject to their content and intent to the extent that any damages suffered or costs incurred by the strata corporation as a result, directly or indirectly, of the alteration, must be borne by the owner who has benefited from the alteration.
- 8.5 An owner who, subsequent to the passage of bylaws 8.1 to 8.3 inclusive, alters common property or limited common property without adhering strictly to these bylaws, must restore, upon demand by the council and at the owner's sole expense, the common property, limited common property or common assets, as the case may be, to its condition prior to the alteration. If the owner refuses or neglects to restore the alteration to its original condition following a demand by the council, the strata corporation may conduct the restoration, at the expense of the owner who altered the common property or limited common property. The cost of such alteration shall be added to and become part of the strata fees of that owner for the month next following the date on which the cost was incurred and will become due and payable on the due date of payment of monthly strata fees.

9. Renovations/alterations

- 9.1 Tradespersons must be licensed and bonded. Inadequate notice or work by unlicensed or unbonded tradespersons will result in the levy of fines.
- 9.2 A resident must not permit any construction debris, materials or packaging to be deposited in the strata corporation's disposal containers.
- 9.3 An owner must ensure that the delivery of any construction materials is through the parking lot and, if in an elevator, the owner must ensure the elevator is protected with proper wall pads and floor coverings. An owner must not permit any renovations/alterations materials to be delivered through the main lobby.
- 9.4 A resident must be responsible to ensure:
- (a) drop cloths are installed and removed daily between the elevators and the strata lot as well as between other doors to protect common areas from any spillage or dripping; and
 - (b) stairs, lobbies and paths through the parking areas are regularly cleaned (and vacuumed at the request of the council) and the residential corridor thoroughly vacuumed daily.

9.5 An owner must ensure that the hours of work are restricted to 8:00 a.m. to 5:00 p.m., Monday through Friday, and 10:00 a.m. to 5:00 p.m. on Saturdays. Work is not permitted on Sundays and statutory holidays.

* #CA6871515 - Approved at 2018-05-15 AGM Meeting

9.6 An owner performing or contracting with others to perform renovations or alterations will be responsible, financially and otherwise, for ensuring that any and all required permits and licences are obtained.

9.7 An owner in contravention of bylaws 9.1 to 9.6 (inclusive) shall be subject to a fine of \$200 for each contravention, as well as be responsible for any clean up or repair costs.

10. Permit entry to strata lot

10.1 A resident or visitor must allow a person authorized by the strata corporation to enter the strata lot or limited common property

(a) in an emergency, without notice, to ensure safety or prevent significant loss or damage;

(b) at a reasonable time, on 48 hours' written notice,

(i) to inspect, repair, renew, replace or maintain common property, common assets and any portions of a strata lot that are the responsibility of the strata corporation to repair, replace, renew and maintain under these bylaws or the Act or to insure under section 149 of the Act; or

(ii) to ensure a resident's compliance with the Act, bylaws and rules.

10.2 If forced entry to a strata lot is required due to required emergency access and the inability to contact the owner of the strata lot, the owner shall be responsible for all costs of forced entry incurred by the strata corporation.

10.3 The notice referred to in bylaw 10.1(b) must include the date and approximate time of entry, and the reason for entry.

10.4 In addition to the requirement to provide access to a strata lot in bylaws 10.1(b), if an owner, tenant or occupant does not provide access to a strata lot on the date scheduled by the strata corporation for the annual fire inspection of all strata lots, the strata corporation will schedule the inspection for that strata lot on a different date and the additional costs to arrange and perform this inspection will be charged back to the owner.

Powers and Duties of Strata Corporation

11. Repair and maintenance of property by strata corporation

11.1 The strata corporation must repair and maintain all of the following:

- (a) common assets of the strata corporation;
- (b) common property that has not been designated as limited common property;
- (c) limited common property, but the duty to repair and maintain it is restricted to
 - (i) repair and maintenance that in the ordinary course of events occurs less often than once a year, and
 - (ii) the following, no matter how often the repair or maintenance ordinarily occurs:
 - A. the structure of a building;
 - B. the exterior of a building;
 - C. patios, chimneys, stairs, balconies and other things attached to the exterior of a building;
 - D. doors, windows and skylights on the exterior of a building or that front on common property;
 - E. fences, railings and similar structures that enclose patios, balconies and yards;
- (d) a strata lot, but the duty to repair and maintain it is restricted to
 - (i) the structure of a building,
 - (ii) the exterior of a building,
 - (iii) patios, chimneys, stairs, balconies and other things attached to the exterior of a building,
 - (iv) doors, windows and skylights on the exterior of a building or that front on common property, and
 - (v) fences, railings and similar structures that enclose patios, balconies and yards.

Council

12. Council size

12.1 The council must have at least 3 and not more than 7 members.

13. Council eligibility

13.1 An owner or a spouse of an owner may stand for council but not both.

- 13.2 No person may stand for council or continue to be on council with respect to a strata lot if the strata corporation is entitled to register a lien against that strata lot under section 116(1) of the Act.

14. Council members' terms

- 14.1 The term of office of a council member ends at the end of the annual general meeting at which the new council is elected.

- 14.2 A person whose term as council member is ending is eligible for reelection.

15. Removing council member

- 15.1 Unless all the owners are on the council, the strata corporation may, by a resolution passed by a majority vote at an annual or special general meeting, remove one or more council members.

- 15.2 After removing a council member, the strata corporation must hold an election at the same annual or special general meeting to replace the council member for the remainder of the term.

- 15.3 If the strata corporation removes all of the council members, the strata corporation must hold an election at the same annual or special general meeting to replace the council members for the remainder of the term up to, at least, the minimum number of council members required by bylaw of the strata corporation for the remainder of the term.

- 15.4 The council may appoint the remaining council members necessary to achieve a quorum for the strata corporation, even if the absence of the members being replaced leaves the council without a quorum.

16. Replacing council member

- 16.1 If a council member resigns or is unwilling or unable to act, the remaining members of the council may appoint a replacement council member for the remainder of the term.

- 16.2 A replacement council member may be appointed from any person eligible to sit on the council.

- 16.3 The council may appoint a council member under bylaw 16.2 even if the absence of the member being replaced leaves the council without a quorum.

- 16.4 If all the members of the council resign or are unwilling or unable to act, persons holding at least 20% of the strata corporation's votes may hold a special general meeting to elect a new council by complying with the provisions of the Act, the regulations and the bylaws respecting the calling and holding of meetings.

17. Officers

- 17.1 At the first meeting of the council held after each annual general meeting of the strata corporation, the council must elect, from among its members, a president, a vice president, a secretary and a treasurer.

- 17.2 A person may hold more than one office at a time, other than the offices of president and vice president.
- 17.3 The vice president has the powers and duties of the president
- (a) while the president is absent or is unwilling or unable to act,
 - (b) if the president is removed, or
 - (c) for the remainder of the president's term if the president ceases to hold office.
- 17.4 The strata council may vote to remove an officer.
- 17.5 If an officer other than the president is removed, resigns, is unwilling or unable to act, the council members may elect a replacement officer from among themselves for the remainder of the term.

18. Calling council meetings

- 18.1 Any council member may call a council meeting by giving the other council members at least one week's notice of the meeting, specifying the reason for calling the meeting.
- 18.2 The notice in bylaw 18.1 does not have to be in writing.
- 18.3 A council meeting may be held on less than one week's notice if
- (a) all council members consent in advance of the meeting, or
 - (b) the meeting is required to deal with an emergency situation, and all council members either
 - (i) consent in advance of the meeting, or
 - (ii) are unavailable to provide consent after reasonable attempts to contact them.

19. Quorum of council

- 19.1 A quorum of the council is
- (a) 1, if the council consists of one member,
 - (b) 2, if the council consists of 2, 3 or 4 members,
 - (c) 3, if the council consists of 5 or 6 members, and
 - (d) 4, if the council consists of 7 members.

19.2 Council members must be present in person at the council meeting to be counted in establishing quorum.

20. Council meetings

20.1 The council may meet together for the conduct of business, adjourn and otherwise regulate its meetings as it thinks fit.

20.2 At the option of the council, council meetings may be held by electronic means, so long as all council members and other participants can communicate with each other.

20.3 If a council meeting is held by electronic means, council members are deemed to be present in person.

20.4 Owners and spouses of owners may attend council meetings as observers.

20.5 Despite bylaw 20.4, no observers may attend those portions of council meetings that deal with any of the following:

- (a) bylaw contravention hearings under section 135 of the Act;
- (b) rental restriction bylaw exemption hearings under section 144 of the Act;
- (c) any other matters if the presence of observers would, in the council's opinion, unreasonably interfere with an individual's privacy.

21. Voting at council meetings

21.1 At council meetings, decisions must be made by a majority of council members present in person at the meeting.

21.2 if there is a tie vote at a council meeting, the president may break the tie by casting a second, deciding vote.

21.3 The results of all votes at a council meeting must be recorded in the council meeting minutes.

22. Council to inform owners of minutes

22.1 The council must circulate to or post for owners the minutes of all council meetings within 2 weeks of the meeting, whether or not the minutes have been approved.

23. Delegation of council's powers and duties

23.1 Subject to bylaws 23.2, 23.3 and 23.4, the council may delegate some or all of its powers and duties to one or more council members or persons who are not members of the council and may revoke the delegation.

23.2 The council may delegate its spending powers or duties, but only by a resolution that

- (a) delegates the authority to make an expenditure of a specific amount for a specific purpose, or
- (b) delegates the general authority to make expenditures in accordance with bylaw 23.3.

23.3 A delegation of a general authority to make expenditures must

- (a) set a maximum amount that may be spent, and
- (b) indicate the purposes for which, or the conditions under which, the money may be spent.

23.4 The council may not delegate its powers to determine, based on the facts of a particular case,

- (a) whether a person has contravened a bylaw or rule,
- (b) whether a person should be fined, and the amount of the fine,
- (c) whether a person should be denied access to a recreational facility,
- (d) whether an owner should be granted an exemption from a rental restriction bylaw under section 144 of the Act.

24. Spending restrictions

24.1 A person may not spend the strata corporation's money unless the person has been delegated the power to do so in accordance with these bylaws.

25. Limitation on liability of council member

25.1 A council member who acts honestly and in good faith is not personally liable because of anything done or omitted in the exercise or intended exercise of any power or the performance or intended performance of any duty of the council.

25.2 Bylaw 25.1 does not affect a council member's liability, as an owner, for a judgment against the strata corporation.

25.3 All acts done in good faith by the council are, even if it is afterwards discovered that there was some defect in the appointment or continuance in office of a member of council, as valid as if the council member had been duly appointed or had duly continued in office.

Enforcement of Bylaws and Rules

26. Fines

- 26.1 Except where specifically stated to be otherwise in these bylaws, the strata corporation may fine an owner or tenant:
- (a) Up to \$200 for each contravention of a bylaw, and
 - (b) Up to \$50 for each contravention of a rule.
- 26.2 The council must, if it determines in its discretion that a resident is in repeated contravention of any bylaws or rules of the strata corporation, levy fines and the fines so levied shall be immediately added to the strata fees for the strata lot and shall be due and payable together with the strata fees for the strata lot in the next month following such contravention.

27. Continuing contravention

- 27.1 Except where specifically stated to be otherwise in these bylaws, if an activity or lack of activity that constitutes a contravention of a bylaw or rule continues, without interruption, for longer than 7 days, a fine may be imposed every 7 days.

Annual and Special General Meetings

28. Quorum of meeting

- 28.1 If within 1/2 hour from the time appointed for an annual or special general meeting, a quorum is not present, the eligible voters, present in person or by proxy, constitute a quorum.

This bylaw 28.1 is an alternative to section 48(3) of the Act. This bylaw does not apply to a meeting demanded pursuant to section 43 of the Act and failure to obtain a quorum for a meeting demanded pursuant to section 43 terminates, and does not adjourn, that meeting.

29. Person to chair meeting

- 29.1 At the beginning of an annual general or special general meeting, a chair for the meeting must be appointed by council from among:
- d) those persons, eligible to vote, who are present at the meeting; or
 - e) the property manager.

30. Participation by other than eligible voters

- 30.1 Tenants and occupants may attend annual and special general meetings, whether or not they are eligible to vote.
- 30.2 Persons who are not eligible to vote may not participate in the discussion at a meeting.
- 30.3 Tenants who are not eligible to vote must leave the meeting if requested to do so by a resolution passed by a majority vote at the meeting.

31. Voting

- 31.1 Except on matters requiring a unanimous vote, the vote for a strata lot may not be exercised if the strata corporation is entitled to register a lien against that strata lot under section 116(1) of the Act. An owner may pay their arrears before an AGM, but only if the payment is by bank draft or certified cheque.
- 31.2 At an annual or special general meeting, voting cards must be issued to eligible voters.
- 31.3 At an annual or special general meeting a vote is decided on a show of voting cards, unless an eligible voter requests a precise count.
- 31.4 If a precise count is requested, the chair must decide whether it will be by show of voting cards or by roll call, secret ballot or some other method.
- 31.5 The outcome of each vote, including the number of votes for and against the resolution if a precise count is requested, must be announced by the chair and recorded in the minutes of the meeting.
- 31.6 If there is a tie vote at an annual or special general meeting, the president, or, if the president is absent or unable or unwilling to vote, the vice president, may break the tie by casting a second, deciding vote.
- 31.7 Despite anything in bylaws 31.1 to 31.6 (inclusive), an election of council or removal of a council member must be held by secret ballot, if the secret ballot is requested by an eligible voter.

32. Order of business

- 32.1 The order of business at annual and special general meetings is as follows:
 - (a) certify proxies and corporate representatives and issue voting cards;
 - (b) determine that there is a quorum;
 - (c) elect a person to chair the meeting, if necessary;
 - (d) present to the meeting proof of notice of meeting or waiver of notice;

- (e) approve the agenda;
- (f) approve minutes from the last annual or special general meeting;
- (g) deal with unfinished business;
- (h) receive reports of council activities and decisions since the previous annual general meeting, including reports of committees, if the meeting is an annual general meeting;
- (i) ratify any new rules made by the strata corporation under section 125 of the Act;
- (j) report on insurance coverage in accordance with section 154 of the Act, if the meeting is an annual general meeting;
- (k) approve the budget for the coming year in accordance with section 103 of the Act, if the meeting is an annual general meeting;
- (l) deal with new business, including any matters about which notice has been given under section 45 of the Act;
- (m) elect a council, if the meeting is an annual general meeting;
- (n) terminate the meeting.

Voluntary Dispute Resolution

33. Voluntary dispute resolution

33.1 A dispute among owners, tenants, the strata corporation or any combination of them may be referred to a dispute resolution committee by a party to the dispute if

- (a) all the parties to the dispute consent, and
- (b) the dispute involves the Act, the regulations, the bylaws or the rules.

33.2 A dispute resolution committee consists of

- (a) one owner or tenant of the strata corporation nominated by each of the disputing parties and one owner or tenant chosen to chair the committee by the persons nominated by the disputing parties, or
- (b) any number of persons consented to, or chosen by a method that is consented to, by all the disputing parties.

33.3 The dispute resolution committee must attempt to help the disputing parties to voluntarily end the dispute.

Small Claims Court Proceedings

34. Authorization to proceed

- 34.1 The strata corporation may proceed under the *Small Claims Act*, without further authorization by the owners, to recover from an owner or other person, by an action in debt in Small Claims Court, money owing to the strata corporation, including money owing as administration fees, bank charges, fines, penalties, interest or the costs, including legal costs, of remedying a contravention of the bylaws or rules and to recover money which the strata corporation is required to expend as a result of the owner's act, omission, negligence or carelessness or by that of an owner's visitors, occupants, guests, employees, agents, tenants or a member of the owner's family.

Marketing Activities by Owners and Occupants

35. Sale of a strata lot

- 35.1 Real estate signs must not be displayed in a strata lot or on the common property except in the location designated by the strata corporation for real estate signs.

Insurance

36. Insuring against major perils

- 36.1 The strata corporation must insure against major perils, as set out in regulation 9.1(2), including, without limitation, earthquakes.

Storage

37. Storage lockers and bicycle storage

- 37.1 A resident cannot store bicycles and tricycles on balconies.
- 37.2 The only common area where bicycles and tricycles can be stored is the bicycle rack in front of the building lobby and bicycle storage lockers.
- 37.3 The bicycle rack is not for overnight storage of owner's or tenant's bicycles and tricycles
- 37.4 A resident must not store any hazardous or flammable substances in storage lockers.

Parking

38. Parking

- 38.1 A resident must not permit any oversized vehicles to enter or be parked or stored on common property, limited common property or land that is a common asset.
- 38.2 A resident must not store unlicensed or uninsured vehicles on the common property, limited common property or on land that is a common asset.

- 38.3 A resident storing or parking a vehicle must provide proof of insurance to the strata corporation on request.
- 38.4 An owner must not sell, lease or licence parking stalls to any person other than an owner or occupant.
- 38.5 A resident must park only in the parking stall assigned to the resident.
- 38.6 A resident or visitor must not permit a vehicle to be parked or left unattended in a manner that interferes with parking stalls, access lanes or no parking zones.
- 38.7 Any resident's vehicle parked in violation of bylaw 38.6 will be subject to removal by a towing company authorized by council, and all costs associated with such removal will be charged to the owner of the strata lot.
- 38.8 A resident or visitor must not use any parking area as a work area for carpentry, renovations, repairs (including, but not exhaustively, sawing, drilling and the use of any adhesive or hardening compounds) or work on vehicles involving any automotive fluids or paints, motor tune ups or mechanical repairs.
- 38.9 A resident or visitor must not smoke while in the parking area including inside a vehicle.
- 38.10 A resident must not park or store any vehicle that drips oil or gasoline. A resident must remove any dripped oil, gasoline or other automotive residue.

Moving

39. Moving in/out procedures

- 39.1 An owner must conform and ensure that any tenants conform to the Move In and Move Out rules established by council from time to time.
- 39.2 A resident must provide notice to the strata corporation of all moving arrangements at least 72 hours before the moving date. All moves must take place between 9:00 a.m. and 6:00 p.m., Monday through Friday and 10:00 a.m. to 5:00 p.m. on Saturdays, Sundays and statutory holidays.
- 39.3 A resident using the elevator during a move must ensure that the elevator service key is used to control the elevator and the doors not jammed open in any manner.
- 39.4 A resident must ensure that the lobby doors are not left open, ajar or unattended, and that furniture is not left piled in the lobby area for more than one hour.
- 39.5 A resident must ensure that all common areas are left damage free, clean and all hallways and lobby areas vacuumed immediately upon completion of the move.
- 39.6 A resident contravening bylaws 39.1 to 39.5 (inclusive) shall be subject to a fine of \$200.

- 39.7 A non-refundable move-in/move-out fee of \$150.00 (+ taxes) shall be levied against the strata lot owner for any change in occupancy of a strata lot, the charge to be assessed on the first day of the month following the change of occupancy.
- 39.8 A resident must provide notice to the Strata Corporation Management Company of all moving arrangements at least 72 hours before the moving date.
- 39.9 A resident must pay an additional charge, if applicable, from the company overseeing the move when the move-in or move-out takes place on a statutory holiday.
- 39.10 A resident must pay the additional charge as invoiced by the company overseeing the move; and an extra charge of \$100 for every ½ hour or part of to the strata corporation when the move-in or move-out takes place for more than four hours.
- * CA5952094 - Approved at 2017-03-30 AGM Meeting

Appearance of strata lots

40. Cleanliness

- 40.1 With 48 hours notice, the strata corporation has the right to enter a unit to address a health hazard or pest control issue if directed or recommended by a Medical Health Officer or other government health agency
- 40.2 Any expenses incurred by the strata corporation to remove such refuse that has been determined to be the primary contributor to a health hazard or pest control issue will be charged to the strata lot owner. A resident must not allow a strata lot to become unsanitary - Rubbish, dust, garbage, boxes, packing cases and other similar refuse must not be thrown, piled or stored in the strata lot or on common property.
- 40.3 A resident must ensure that ordinary household refuse and garbage is securely wrapped and placed in the common area containers provided for that purpose, recyclable material is kept in designated areas and material other than recyclable or ordinary household refuse and garbage is removed appropriately.
- 40.4 The containers in the garbage room are for the disposal of normal household waste and recyclables only. Residents who dispose of furniture, mattresses, or other non-household waste in the garbage room may be fined up to \$200.

Rentals

41. Residential rentals

- 41.1 Prior to possession of a strata lot by a tenant, an owner must deliver to the tenant the current bylaws and rules of the strata corporation and a Notice of Tenant's Responsibilities in Form K.

- 41.2 Within two weeks of renting a strata lot, the landlord must give the strata corporation a copy of the Form K - Notice of Tenant's Responsibilities signed by the tenant, in accordance with section 146 of the Act.
- 41.3 Within two weeks of renting a strata lot, the tenant must give the strata corporation written acknowledgement that they are in possession of and will comply with the rules and bylaws of the strata corporation.
- 41.4 All rentals must be for a minimum of 1 (one) month and subject to a written tenancy agreement or lease.
- 41.5 An owner who rents a strata lot to a tenant must, upon request of the strata council, provide the strata corporation a copy of the written tenancy or lease agreement which confirms that the tenancy is for a minimum of 1 (one) month.
- 41.6 An owner, tenant, occupant or visitor must not permit a strata lot to be used for short-term accommodation purposes such as a bed-and breakfast, lodging house, hotel, home exchange, time share or vacation rents such as, but not limited to, AirBNB, VRBO, Flipkey, etc. Without limiting the generality of the foregoing, an owner, tenant, occupant or visitor must not enter into a license for the use of all or part of a strata lot.
* #CA6871515 - Approved at 2018-05-15 AGM Meeting
- 41.7 An owner, tenant, occupant or visitor must not permit a Residential Strata Lot to be used for any purpose other than residential accommodation. *
#CA6871515 - Approved at 2018-05-15 AGM Meeting

Visitors and Children

42. Visitors, Children and supervision

- 42.1 Residents are responsible for the conduct of visitors including ensuring that noise is kept at a level, in the sole determination of a majority of the council, that will not disturb the rights of quiet enjoyment of others.
- 42.2 Residents are responsible for the conduct of children residing in their strata lot, including ensuring that noise is kept at a level, in the sole determination of a majority of the council, that will not disturb the quiet enjoyment of others.
- 42.3 Residents are responsible to assume liability for and properly supervise activities of children including, but not exhaustively, bicycling, skateboarding and hockey.

Miscellaneous

43. Miscellaneous

- 43.1 A resident or visitor must not smoke on common property.

- 43.2 A resident or visitor must not hinder or restrict sidewalks, entrances, exits, halls, passageways, stairways and other parts of the common property. Hindrance and restriction includes the keeping of personal items and garbage.
- 43.3 A resident or visitor must not wear or use inline skates and skateboards.
- 43.4 A resident or visitor must not use common property electrical outlets, with the exception of parking area outlets used while vacuuming a vehicle, without the prior consent of council.
- 43.5 Subject to bylaw 35.1, a resident or owner must not erect or display or permit to be erected or displayed any signs, fences, billboards, placards, advertising, notices or other fixtures of any kind on the common property or in a strata lot, unless authorized by the council. This shall include exterior painting and the addition of wood, ironwork, concrete or other materials.
- 43.6 A resident may post notices on the designated bulletin board, subject to being removed by the council if deemed inappropriate or posted for in excess of one week.
- 43.7 A resident must ensure that all entrance doors to strata lots are kept closed
- 43.8 A resident or visitor must not shake rugs, carpets, mops or dusters of any kind from any balcony, window, stairway or other part of a strata lot or common property.
- 43.9 A resident must ensure that drapes or blinds visible from the outside of the building are grey, silver or white in colour.
- 43.10 A resident must ensure that no laundry, clothing, bedding or other articles are hung or displayed from windows, balconies or other parts of the building so that they are visible from the outside of the building.
- 43.11 A resident must not display or erect fixtures, poles, clotheslines, racks, storage sheds and similar structures permanently or temporarily on limited common property, common property or land that is a common asset. Despite the foregoing, the placing of items on the limited common property balconies or patio areas shall be limited to free standing, self contained planter boxes or containers, patio furniture and/or accessories.

44. Security Measures Bylaw

- 44.1 Closed circuit television and video surveillance are installed in the following common areas of the building:

P2 Gate

Lobby Enterphone

Ramp Enterphone

Lobby Front Door

Parkade Enterphone

Parkade Elevator Lobby

The system operates 24 hours a day and the Strata Corporation collects data from the closed circuit television and video surveillance.

- 44.2 The Strata Corporation collects data with respect to the usage of each security fob programmed for use at Strata Plan BCS3602.
- 44.3 The video files and/or security fob usage records will be used only for the purposes of law enforcement and/or for the enforcement of those Strata Corporation bylaws and rules which relate to the safety and security of the building and its occupants.
- 44.4 The video files are stored for a period of up to one month from the date of recording, which period may be extended for those files required for law enforcement and/or bylaw enforcement purposes.
- 44.5 The security fob usage records are stored for a period of up to 12 months from the date of recording, which period may be extended for those files required for law enforcement and/or bylaw enforcement purposes.
- 44.6 The personal information of owners, residents or visitors will only be reviewed or disclosed as follows:
- i. law enforcement in accordance with Bylaw 44.3 herein;
 - ii. the caretakers of the Strata Corporation and Council members in accordance with Bylaw 44.3 herein; or
 - iii. in the event of an incident in which they are involved or affected, an owner, resident or visitor may request a copy of the applicable video file or security fob usage records.
- 44.7 In installing and/or maintaining the systems described herein, the Strata Corporation makes no representations or guarantees that any of the systems will be fully operational at all times. The Strata Corporation is not responsible or liable to any owner, resident or visitor in any capacity (including a failure to maintain, repair, replace, locate or monitor any of the systems, whether arising from negligence or otherwise) for personal security or personal property in any area monitored by any of the systems.