

Schedule of Bylaws

Strata Plan VR 1308 – Compass Point

Division 1 — Duties of Owners, Tenants, Occupants and Visitors

Payment of strata fees

Bylaw 1

- (1) An owner must pay strata fees on or before the first day of the month to which the strata fees relate.

Repair and maintenance of property by owner

Bylaw 2

- (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. See Division 2 – Bylaw 14 (1).
- (2) All owner maintenance to the exterior of the property must be to a standard equivalent to the original Compass Point construction specifications.

Use of property

Bylaw 3

- (1) An owner, tenant, or occupant shall not:
 - (a) make or permit noise in or about any strata lot or the common property which, in the opinion of the Strata Corporation, is a nuisance or unreasonably interferes with the use and enjoyment of any other owner. No instrument or other device shall be used within a lot which, in the opinion of the Strata Corporation, causes a disturbance or interferes with the comfort of the other owners,
 - (b) cause a nuisance or hazard to another person,
 - (c) unreasonably interfere with the rights of other persons to use and enjoy the common property, common assets or another strata lot,
 - (d) use a strata lot, common property or common assets in a way that is illegal,

BYLAWS APPROVED - NOVEMBER 6, 2002 & APRIL 2, 2003 & APRIL 7, 2004

- (e) use a strata lot or common property in a way that 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,
- (f) use or permit the use of his strata lot other than as a single family dwelling as defined by the Vancouver City bylaws,
- (g) permit a condition to exist within a strata lot which will result in the waste or excessive consumption of the domestic water supply,
- (h) allow a strata lot to become unsanitary or a source of odour,
- (i) erect or hang over or outside any door of a strata lot or on the common property, awnings, or shades without obtaining written consent of the Strata Council,
- (j) hang or permit to be hung any clothing, bedding, laundry or washing on the common property or in or about his strata lot, nor shall he/she allow his/her strata lot to become untidy except for a portable clothes hanger which must be removed by 8:00 pm.
- (k) place any signs, billboards, notices or other advertising matter of any kind on or visible from, the exterior of a strata lot,
- (l) do any act or thing or neglect or fail to do any act or things which would render invalid any insurance in force and maintained by the Strata Corporation,
- (m) do anything or permit anything to be done on his strata lot or on the common property which will or would tend to increase the risk of fire or the rate of fire insurance premiums with respect thereto,
- (n) request the Strata Corporation to pursue any complaint unless it is presented in writing, or
- (o) 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,
- (p) use or obstruct the sidewalks and walkways of the common property for any purpose other than the ingress or egress from the strata lots and parking areas within the common property,
- (q) skateboard, roller-blade or engage in any other sports activities on the sidewalks and roadways of the common property of the strata corporation.

- (2) No television, radio, antenna or disc or similar structure or appurtenances thereto shall be erected on or fastened to any unit except those installations approved in writing by the Strata Council.

Pets

Bylaw 4

- (1) No owner, tenant or occupant shall keep any animals except as permitted by the Vancouver City bylaws. Any permitted dogs shall, when outside of the strata lot, be kept on a leash at all times; and any litter deposited by any animal must be removed from the common property by the owner.
- (2) No owner, tenant or occupant shall permit its pet to interfere with any other person, pet or object, or permit its pet to disturb any other owner, tenant or occupant with uncontrolled barking or howling.

Fence Construction

Bylaw 5

- (1) Any strata lot owner desiring to construct a fence shall apply in writing to the Strata Council. No fence shall be constructed unless written permission is received from the Strata Council.
- (2) Any application for fence construction to Strata Council shall include written permission from the strata lot owners on each side adjacent(attached or unattached) to the strata lot requesting permission to construct a fence.
- (3) All new fence construction shall be in visual conformation with the existing privacy fences regarding height, size, materials and paint. The strata lot owner shall be responsible for all upkeep and maintenance of the fence. Strata Council shall have the authority to remove a new fence if it is not constructed pursuant to this Bylaw and Bylaw 12, provided that the owner of the fence has been given not less than 30 days notice in writing to conform with the Bylaws.

Vehicles/ Parking

Bylaw 6

- (1) An owner, tenant or occupant shall not:
 - (a) use any part of the common property other than roads and designated parking spaces for the operating of private automobiles. Nor shall he obstruct or permit the sidewalks, roadways, walkways, passages and driveways and parking areas to be obstructed by his family, guests or visitors;

- (b) wash automobiles except in such a manner as will not cause nuisance or annoyance to other owners and no major repairs or adjustments to automobiles shall be carried out on the common property;
- (c) allow the parking of recreational vehicles in guest parking overnight;
- (d) drive a vehicle in the complex above the posted speed limit;
- (e) park in the visitors parking stalls or in the fire lanes. The Strata Corporation has the authority to tow violators; or
- (f) use the strata lot driveway for long term storage of any vehicle, boat, trailer or storage container. Temporary storage of up to one month in a twelve month period will be allowed.

Rental Restriction

Bylaw 7

- (1) Subject to Sections 141, 142, 143 and 144 of the Strata Property Act the number of strata lots within Strata Plan VR 1308 that may be leased by the owners shall not exceed 3.
- (2) An owner who wishes to lease his strata lot shall apply in writing to the Strata Council for permission to lease within the prescribed limit, and the Council shall not withhold permission in the case of hardship.
- (3) Where the limit of leased strata lots established in Bylaw 7 is reached, no further rentals shall be permitted, subject to the hardship exemption.
- (4) Where the Strata Council grants to an owner permission to lease his strata lot, the applicant must exercise such permission within ninety days of the date of the approval of the application.
- (5) Where an owner leases his strata lot in violation of Subsection (1), the Strata Corporation shall levy a fine of up to \$500 per week during the period of the lease and may take all necessary steps to terminate the tenancy agreement or lease on behalf of the strata lot.

Note: The Strata Property Act allows rentals to "family" members outside the above bylaws, see Part 8 section 142 of the Act.

Electrical Rooms

Bylaw 8

- (1) Owners having electrical rooms within their strata lots be allowed access for emergency purposes only. Said owners shall accept responsibility for their own safety and that of any persons to whom they allow access to the room, other than designated tradesmen. The electrical rooms are not to be used by the owners for any other purpose.

Trees

Bylaw 9

- (1) After the date this bylaw is passed an owner shall not plant or allow to naturally propagate new trees or shrubs on his strata lot having a natural height greater than 25 ft. or having a root or branch system that will encroach on an adjacent strata lot without the written permission of the adjacent strata lot owner and the Strata Corporation.
- (2) An owner of a strata lot who contravenes Bylaw 9(1) will be responsible for all costs associated with the removal of plant material when their removal is ordered by the Strata Council.
- (3) All trees and shrubs that naturally propagate on common property may be removed at the discretion of the Strata Corporation.

(4) The Strata Corporation shall maintain the trees bordering Flagstaff Place and Spinnaker Place. *(Added at AGM of April 2, 2003)*

Inform Strata Corporation

Bylaw 10

- (1) Within fourteen (14) days of becoming an owner, an owner must inform the strata corporation of the owner's name, strata lot number and mailing address outside the strata plan, if any.
- (2) On request by the strata corporation, a tenant must inform the strata corporation of his or her name.

Obtain Approval Before Altering a Strata Lot

Bylaw 11

- (1) An owner, tenant or occupant must not do any act or permit any act to be done that will alter the strata lot in any manner which will affect the exterior appearance of the structure without the following steps being taken.
 - (a) apply to the City of Vancouver for the appropriate permits; and

- (b) submit to the Strata Council a request for approval of the proposed alteration and receive in return a written approval from Council before proceeding with any alteration,
- (2) Notwithstanding Bylaw 14(1)(c), the owner of a strata lot, where an exterior change has been made, will accept responsibility for any subsequent roof leak which can be attributed to the exterior change, and any other subsequent damage to the said strata lots which can be attributed to the exterior change.
- (3) Any alteration or addition made by an owner without the approval as required above may be restored or removed by the Strata Council or its duly authorized representatives and any costs incurred by the Strata Corporation as a result thereof shall be assessed against his strata lot and become due and payable on the first day of the month following the assessment.
- (4) Any alterations shall be completed within 30 days of inception.

Obtain Approval Before Altering Common Property

Bylaw 12

- (1) An owner must obtain the written approval of the strata corporation before making an alteration to common property, including limited common property, or common assets.
- (2) The strata corporation may require as a condition of its approval that the owner agree, in writing, to take responsibility for any expenses relating to the alteration.

Permit Entry to Strata Lot

Bylaw 13

- (1) An owner, tenant, occupant or visitor must allow a person authorized by the strata corporation to enter the strata lot;
 - (a) in an emergency, without notice, to ensure safety or prevent significant loss or damage, and
 - (b) at a reasonable time, on 48 hours' written notice, to inspect, repair or maintain common property, common assets and any portions of a strata lot that are the responsibility of the strata corporation to repair and maintain under these bylaws or insure under section 149 of the Act, or for the purpose of ensuring that the bylaws are being observed.
- (2) The notice referred to in subsection (1) (b) must include the date and approximate time of entry, and the reason for entry.

Division 2 — Powers and Duties of Strata Corporation

Repair and Maintenance of Property by Strata Corporation

Bylaw 14

- (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) the repair, maintenance and replacement of the roofing of the buildings, subject to Bylaw 11(2);
 - (d) the repair, maintenance and replacement of the gutters and downpipes of the buildings;
 - (e) the repainting, re-caulking, repair or replacement of all the exterior wood and structure of the buildings, including the existing balconies and excluding the repair and maintenance, but not the redecorating, of the doors, windows or patios; *(Amended April 7, 2004)*
 - (f) deal with any pest infestation to the buildings at the discretion of the Strata Council.
- (2) All other repair, maintenance and replacement on the buildings or strata lot is the responsibility of the owner. See Bylaw 2 (1)

Division 3 — Council

Council Size

Bylaw 15

- (1) The council must have at least 3 and not more than 7 members.

Council Members' Terms

Bylaw 16

- (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.
- (2) A person whose term as council member is ending is eligible for reelection.

Removing Council Member

Bylaw 17

- (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.
- (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.

Replacing Council Member

Bylaw 18

- (1) If a council member resigns or is unwilling or unable to act for a period of 2 or more months, the remaining members of the council may appoint a replacement council member for the remainder of the term.
- (2) A replacement council member may be appointed from any person eligible to sit on the council.
- (3) The council may appoint a council member under this section even if the absence of the member being replaced leaves the council without a quorum.
- (4) If all the members of the council resign or are unwilling or unable to act for a period of 2 or more months, persons holding at least 25% 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.

Officers

Bylaw 19

- (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.
- (2) A person may hold more than one office at a time, other than the offices of president and vice president.
- (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, or
 - (b) for the remainder of the president's term if the president ceases to hold office.

- (4) If an officer other than the president is unwilling or unable to act for a period of 2 or more months, the council members may appoint a replacement officer from among themselves for the remainder of the term.

Calling Council Meetings

Bylaw 20

- (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.
- (2) The notice does not have to be in writing.
- (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.
- (4) The council must inform owners about a council meeting as soon as feasible after the meeting has been called.

Requisition of Council Hearing

Bylaw 21

- (1) By application in writing, stating the reason for the request, an owner or tenant may request a hearing at a council meeting.
- (2) If a hearing is requested under subsection (1), the council must hold a meeting to hear the applicant within one month of the request.
- (3) If the purpose of the hearing is to seek a decision of the council, the council must give the applicant a written decision within one week of the hearing.

Quorum of Council

Bylaw 22

- (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.
- (2) Council members must be present in person at the council meeting to be counted in establishing quorum.

Council Meetings

Bylaw 23

- (1) 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.
- (2) If a council meeting is held by electronic means, council members are deemed to be present in person.
- (3) Owners may attend council meetings as observers.
- (4) Despite subsection (3), 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.

Voting at Council Meetings

Bylaw 24

- (1) At council meetings, decisions must be made by a majority of council members present in person at the meeting.
- (2) Unless there are only 2 strata lots in the strata plan, if there is a tie vote at a council meeting, the president may break the tie by casting a second, deciding vote.
- (3) The results of all votes at a council meeting must be recorded in the council meeting minutes.

Council to Inform Owners of Minutes

Bylaw 25

- (1) The council must inform owners of the minutes of all council meetings within 2 weeks of the meeting, whether or not the minutes have been approved.

Delegation of Council's Powers and Duties

Bylaw 26

- (1) Subject to subsections (2) to (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.
- (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 subsection (3).
- (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.
- (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, or
 - (c) whether a person should be denied access to a recreational facility.

Spending Restrictions

Bylaw 27

- (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.

- (2) Despite subsection (1), a council member may spend the strata corporation's money to repair or replace common property or common assets if the repair or replacement is immediately required to ensure safety or prevent significant loss or damage.

Limitation on Liability of Council Member

Bylaw 28

- (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.
- (2) Subsection (1) does not affect a council member's liability, as an owner, for a judgment against the strata corporation.

Orientation of New Council Members

Bylaw 29

- (1) All new council members are to be given an orientation package containing a copy of the:
 - (a) Strata Property Act
 - (b) Compass Point Schedule of Bylaws
 - (c) Minutes of the previous year council meetings.
- (2) The new council members will receive a briefing from the council President and Property Manager on the duties of the council.

Division 4 — Enforcement of Bylaws and Rules

Maximum Fine

Bylaw 30

- (1) The strata corporation may fine an owner or tenant a maximum of
 - (a) \$500 for each contravention of a rental restriction Bylaw;
 - (b) 200 for each contravention of any other bylaw; and
 - (c) \$50 for each contravention of a rule.

Continuing Contravention

Bylaw 31

- (1) 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.

Division 5 — Annual and Special General Meetings

Person to Chair Meeting

Bylaw 32

- (1) Annual and special general meetings must be chaired by the president of the council.
- (2) If the president of the council is unwilling or unable to act, the meeting must be chaired by the vice president of the council.
- (3) If neither the president nor the vice president of the council chairs the meeting, a chair must be elected by the eligible voters present in person or by proxy from among those persons who are present at the meeting.

Participation by Other Than Eligible Voters

Bylaw 33

- (1) Tenants and occupants may attend annual and special general meetings, whether or not they are eligible to vote.
- (2) Persons who are not eligible to vote, including tenants and occupants, may participate in the discussion at the meeting, but only if permitted to do so by the chair of the meeting.
- (3) Persons who are not eligible to vote, including tenants and occupants, must leave the meeting if requested to do so by a resolution passed by a majority vote at the meeting.

Voting

Bylaw 34

- (1) At an annual or special general meeting, voting cards must be issued to eligible voters.
- (2) 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.
- (3) 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.
- (4) 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.

- (5) 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.
- (6) Despite anything in this section, an election of council or any other vote must be held by secret ballot, if the secret ballot is requested by an eligible voter.
- (7) An owner who is otherwise an eligible voter may not exercise his or her vote for a strata lot, except on matters requiring an unanimous vote, if the strata corporation is entitled to register a lien against that strata lot.

Order of Business

Bylaw 35

- (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.

Quorum

Bylaw 36

- (1) If within ½ hour from the time appointed for a general meeting a quorum is not present, the meeting stands adjourned for a further five minutes, whereupon those persons present and entitled to vote shall constitute a quorum.

Note; See also the Strata Property Act Part 4 – Strata Corporation Governance Division 4 - Annual General Meetings and Special General Meetings.

Division 6 — Voluntary Dispute Resolution

Voluntary Dispute Resolution

Bylaw 37

- (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.
- (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.
- (3) The dispute resolution committee must attempt to help the disputing parties to voluntarily end the dispute.

Upon registration these approved Bylaws will replace all previously registered Bylaws and the Schedule of Standard Bylaws in the Strata Property Act