

Please find attached a copy of the **Bylaws** and/or amendments for

**Strata Corporation LMS 2039**

These Bylaws are provided on a “without prejudice” basis. If you require Bylaws for legal purposes, we recommend you obtain an exact copy of the Strata Corporation’s registered Bylaws from the Land Title Office and consult professional legal counsel regarding their content.

National Pacific Real Estate Services Inc.  
Strata Property Managers for Strata Plan LMS 2039

**BY-LAW NO. 6555**  
**A By-Law To Regulate Noise or Sound**  
**Within the City of Vancouver**

**Clause 4**

Notwithstanding any other provision of this By-Law, the following are declared by Council to be noises or sounds which are, in its opinion, objectionable or liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public and are hereby prohibited, and no person being the owner or occupant of any premises shall make, cause, allow or permit:

- a) the noise resulting from a gathering of two or more persons at any time, where one or more human voice is raised beyond the level of ordinary conversation, or
- b) the sound of a radio, television, player or other sound playback device, public address system, or any other music or voice amplification equipment, musical instrument, whether recorded or live, whether amplified or not, provided that the sound does not emanate from a commercial premises, or
- c) the sound of a barking dog or the cry of an animal or bird, which can be easily heard by an individual or member of the public who is not on the same premises, notwithstanding that such noise or sound might not constitute a breach of any other provision of this by-law.

- 4A Notwithstanding any other provision of this By-Law the sound from a vehicle-mounted carpet cleaning equipment made before noon (1200 hours) and after 5 o'clock in the afternoon (1700 hours) on a Sunday or holiday is declared by Council to be a noise or sound which is, in its opinion, objectionable or liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public and is hereby prohibited, and no owner or operator of vehicle-mounted carpet cleaning equipment shall during those times make, cause, allow or permit such noise or sound to be made.

For further information, please contact Al Guthrie, Head of the Environmental Health Division, 736-2866/736-8651 (fax).

- (b) enact additional provisions respecting the surrendered land, any leases and any person or strata corporation even though the additional provisions may be wholly or partially inconsistent with this Act.

**Transitional**

- 293 (1) Except as otherwise provided by this Act and the regulations, this Act and the regulations apply to a strata plan deposited and a strata corporation created under the *Condominium Act*, R.S.B.C. 1996, c. 64 or any former Act.
- (2) On the coming into force of this subsection, a regulation of a strata corporation is deemed to be a rule and the provisions of this Act that apply to rules apply to regulations made by a strata corporation.
- (3) The coming into force of this Act does not affect the deposit of a strata plan if the application for deposit was made before the coming into force of this Act.
- (4) The Lieutenant Governor in Council may make regulations for meeting or removing any difficulty arising out of the transition to this Act from the *Condominium Act*, R.S.B.C. 1996, c. 64, and for that purpose disapplying or varying any provision of this Act.

294 to 321 [Repeal and consequential amendments. Spent. 1998-43-294 to 321.]

**Commencement**

- 322 This Act comes into force by regulation of the Lieutenant Governor in Council.

**SCHEDULE OF STANDARD BYLAWS****Division 1 - Duties of Owners, Tenants, Occupants and Visitors****Payment of strata fees**

- 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**

- 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.
- (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.

**Use of property**

- 3 (1) An owner, tenant, occupant 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.
- (2) An owner, tenant, occupant 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.
- (3) An owner, tenant, occupant or visitor must ensure that all animals are leashed or otherwise secured when on the common property or on land that is a common asset.
- (4) An owner, tenant or occupant must not keep any pets 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) one dog or one cat.

**Inform strata corporation**

- 4 (1) Within 2 weeks 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**

- 5 (1) An owner must obtain the written approval of the strata corporation before making 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) chimneys, stairs, balconies or other things attached to the exterior of a building;

Schedule of Standard Bylaws

---

- (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.
- (2) The strata corporation must not unreasonably withhold its approval under subsection (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.
- (3) This section does not apply to a strata lot in a bare land strata plan.

**Obtain approval before altering common property**

- 6 (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**

- 7 (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.
- (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**

- 8 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) 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 the common property;
  - (E) fences, railings and similar structures that enclose patios, balconies and yards;
- (d) a strata lot in a strata plan that is not a bare land strata plan, but the duty to repair and maintain it is restricted to
  - (i) the structure of a building,
  - (ii) the exterior of a building;
  - (iii) 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 the common property, and
  - (v) fences, railings and similar structures that enclose patios, balconies and yards.

### Division 3 – Council

#### Council size

- 9 (1) Subject to subsection (2), the council must have at least 3 and not more than 7 members.
- (2) If the strata plan has fewer than 4 strata lots or the strata corporation has fewer than 4 owners, all the owners are on the council.

#### Council members' terms

- 10 (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.
- (3) to (5) [Repealed 1999-21-51.]

#### Removing council member

- 11 (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.

Schedule of Standard Bylaws

---

- (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**

- 12 (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**

- 13 (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**

- 14 (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**

- 15 (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**

- 16 (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**

- 17 (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.



Schedule of Standard Bylaws

---

**Voting at council meetings**

- 18 (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**

- 19 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**

- 20 (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**

- 21 (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**

- 22 (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.

**Division 4 – Enforcement of Bylaws and Rules****Maximum fine**

- 23 The strata corporation may fine an owner or tenant a maximum of
- (a) \$50 for each contravention of a bylaw, and
  - (b) \$10 for each contravention of a rule.

**Continuing contravention**

- 24 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**

- 25 (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**

- 26 (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**

- 27
- (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) If there are only 2 strata lots in the strata plan, subsection (5) does not apply.
  - (7) 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.

**Order of business**

- 28 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.

### Division 6 – Voluntary Dispute Resolution

#### Voluntary dispute resolution

- 29
- (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.

### Division 7 – Marketing Activities by Owner Developer

#### Display lot

- 30
- (1) An owner developer who has an unsold strata lot may carry on sales functions that relate to its sale, including the posting of signs.
  - (2) An owner developer may use a strata lot, that the owner developer owns or rents, as a display lot for the sale of other strata lots in the strata plan.

96 DEC 16 09 41

BK404185

LAND TITLE OFFICE  
MINISTER

**FORM 9**  
**NOTIFICATION OF CHANGE OF BY-LAWS**  
**(Section 26, Section 28 (2))**

The Owners, Strata Plan LMS 2039, (a strata corporation) hereby certifies that by special resolution duly passed on Tuesday September 24, 1996, the by-laws contained in Part 5 of the Act, as they applied to the said strata corporation, were added to, amend or repeal as follows:

"RESOLVED that the By-Laws attached hereto as Schedule "A" be adopted as the By-Laws of the Strata Corporation in addition to those provided for in Part 5 of the Act".

The Common Seal of the Owners, Strata Plan LMS 2039 was hereto affixed this 14th day of November, 1996.

Cheryl Jacobson (chairperson)

Ed Thomas (SECRETARY)

96 DEC 16 09 41

BK404185

LAND TITLE OFFICE  
REGISTER

**MAINSACE - STRATA PLAN LMS 2039  
BY-LAWS ADOPTED AT THE ANNUAL GENERAL MEETING HELD ON TUESDAY  
SEPTEMBER 24, 1996**

**RENTAL DEPOSIT BY-LAW 1.01**

The Strata Corporation shall have deposited by each owner who rents his suite, a bond in the amount of \$500.00 or a cash deposit to be held in trust, from which the Strata Corporation may withdraw funds to repair damages to common property as done by tenants of the owners suite as well as payment of fines levied due to the violation of by-laws by the owners tenants.

**VIOLATION OF BY-LAWS - SCHEDULE OF ASSESSMENT OF FINES PURSUANT TO  
THE BY-LAWS**

That the Strata Corporation, as administered by the Strata Council be allowed to assess by way of fines for a violation of the by-laws or for non-payment of maintenance fees (common expenses) on the basis that if a written warning is not adhered to, violations will be assessed as follows: 1st violation - \$25.00, 2nd violation - \$100.00, 3rd violation \$500.00, 4th violation - \$1000.00.

Any fines over \$100.00 must have a unanimous vote of Council.

**PET BY-LAW 3.01**

No strata lot owner, guest or tenant will be permitted to have a dog on any common areas of the strata plan unless controlled on a leash and no owner, guest or tenant will permit the dog or any other pet to foul any areas within the strata plan. All excrement deposited on common property by dogs or any other pets must be removed by the owner. Failure to do so will result in a fine as per the fines schedule in the by-laws.

Any owner who keeps a pet which proves to be a nuisance, whether on the strata lot or common property, may be ordered by the Strata Council to remove the animal permanently from the premises.

**BY-LAW 4.01 - MOTORIZED VEHICLES BY-LAW**


That no owner, tenant or guest shall be allowed to bring a motorized vehicle onto common property consisting of all of the residential halls, elevators, foyers, including the ground floor hall. ,

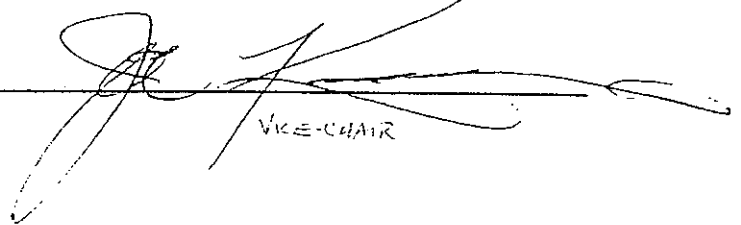
**FORM 9**  
**NOTIFICATION OF CHANGE OF BY-LAWS**  
**(Section 26, Section 28 (2))**

The Owners, Strata Plan LMS 2039, (a strata corporation) hereby certifies that by special resolution duly passed on Saturday September 11, 1999, the by-laws contained in Part 5 of the Act, as they applied to the said strata corporation, were added to, amend or repeal as follows:

"RESOLVED that the By-Laws attached hereto as Schedule "A" be adopted as the By-Laws of the Strata Corporation in addition to those provided for in Part 5 of the Act".

The Common Seal of the Owners, Strata Plan LMS 2039 was hereto affixed this 14th day of September, 1999.

  
\_\_\_\_\_  
CHAIR

  
\_\_\_\_\_  
VICE-CHAIR

**MAinspace - STRATA PLAN LMS 2039  
BY-LAWS ADOPTED AT THE ANNUAL GENERAL MEETING HELD ON SATURDAY  
SEPTEMBER 11, 1999**

**MOVE IN/OUT BY-LAW**

A move in fee shall be charged all owners/tenants of \$50.00, each time a move takes place into a suite in Mainspace. These funds are payable to the Strata Corporation in advance of the move, and if not paid, can be assessed against the strata lot in question.

If the \$50.00 assessment against the strata lot is not paid within 30 days of the move in date, a \$25.00 fine for violation of this by-law will be applied. For every subsequent month that the move in/out fee is not paid, an additional \$25.00 per month will be applied to a maximum of \$1000.00. The Strata Corporation will then collect the outstanding amounts as provided for in the Condominium Act."

**VIOLATION OF BY-LAWS - SCHEDULE OF ASSESSMENT OF FINES PURSUANT TO  
THE BY-LAWS**

That the Strata Corporation, as administered by the Strata Council be allowed to assess by way of fines for a violation of the by-laws or for non-payment of maintenance fees (common expenses) on the basis that if a written warning is not adhered to, violations will be assessed as follows: **1st violation - \$25.00, 2nd violation - \$100.00, 3rd violation \$500.00, 4th violation - \$1000.00.**

**Any fines over \$100.00 must have a unanimous vote of Council.**

**PET BY-LAW 3.01**

No strata lot owner, guest or tenant will be permitted to have a dog on any common areas of the strata plan unless controlled on a leash and no owner, guest or tenant will permit the dog or any other pet to foul any areas within the strata plan. All excrement deposited on common property by dogs or any other pets must be removed by the owner. Failure to do so will result in a fine as per the fines schedule in the by-laws.

Any owner who keeps a pet which proves to be a nuisance, whether on the strata lot or common property, may be ordered by the Strata Council to remove the animal permanently from the premises.

**BY-LAW 4.01 - MOTORIZED VEHICLES BY-LAW**

That no owner, tenant or guest shall be allowed to bring a motorized vehicle onto common property consisting of all of the residential halls, elevators, foyers, including the ground floor hall.



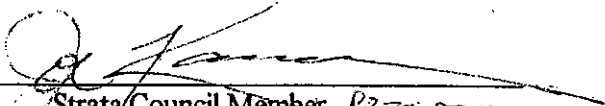
RESCIND THE FOLLOWING:

**RENTAL DEPOSIT BY-LAW 1.01**

The Strata Corporation shall have deposited by each owner who rents his suite, a bond in the amount of \$500.00 or a cash deposit to be held in trust, from which the Strata Corporation may withdraw funds to repair damages to common property as done by tenants of the owners suite as well as payment of fines levied due to the violation of by-laws by the owners tenants.

**FORM I**  
**AMENDMENT TO BYLAWS**  
**(Section 128)**

The Owners, Strata Plan LMS 2039, certify that the following or 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 09/28/02.

  
\_\_\_\_\_  
Strata Council Member *PRESIDENT*

  
\_\_\_\_\_  
Strata Council Member *VICE PRESIDENT*

\* Section 128 (3) of the Act provides that an Amendment to Bylaws must be filed in the land title office within 60 days of the amendment being approved.

**Schedule "A"**

**Strata Corporation LMS 2039**

**MAINSPEACE**

**(In addition to those provided for under the Schedule of Standard Bylaws of the Strata Property Act)**

**VIOLATION OF THE BYLAWS - SCHEDULE OF ASSESSMENT OF FINES PURSUANT TO THE BY-LAWS**

The Strata Corporation, as administered by the Strata Council will be allowed to assess by way of fines for a violation of the by-laws. On the basis that if a written warning is not adhered to, violations will be assessed as follows: 1st violation - \$25.00, 2nd violation \$100.00, 3rd violation \$500.00, 4th violation - \$1000.00.

All owners who reside in their suite will have the Schedule of Fines revert back to zero if there are no violations for two years. All owners who rent out their suite shall have the Schedule of Fines revert back to zero each time a new tenant is placed in the suite and when a Form "K" (Notice of Tenants Responsibilities) is submitted. And if a Form "K" is not submitted, the Schedule of Fines is not returned to zero.

Any fines over \$100.00 must have a unanimous vote of Council. Fines levied for non-compliance with adopted Strata Corporation By-laws, form part of the monthly maintenance contribution and are due and payable on the 1st day of the month following the infraction.

**MAINTENANCE CONTRIBUTIONS**

Any Owner owing their monthly contribution to the administrative expenses and contingency reserves as set from time to time shall pay their monthly contribution on the first day of each month. Any Owner owing their monthly contribution after the due date will be assessed an administrative fee of \$50.00 per occurrence on a cumulative basis, per month not paid. A lien may be placed on a strata lot whenever payment is 30 days or more in arrears.

An administrative fee of \$25.00 will be charged for any Non-Sufficient Funds cheques received by the Management Company or if there are

insufficient funds to cover a Pre authorized withdrawal agreement between the Owner and the Strata Corporation.

#### **PET BY-LAW 3.01**

No strata lot owner, guest or tenant will be permitted to have a dog on any common areas of the strata plan unless controlled on a leash and no owner, guest or tenant will permit the dog or any other pet to foul any areas within the strata plan. All excrement deposited on common property by dogs or any other pets must be, removed by the owner. Failure to do so will result in a fine as per the fines schedule in the by-laws.

Any owner who keeps a pet, which proves to be a nuisance, whether on the strata lot or common property, may be ordered by the Strata Council to remove the animal permanently from the premises.

#### **BY-LAW 4.01 - MOTORIZED VEHICLES BY-LAW**

That no owner, tenant or guest shall be allowed to bring a motorized vehicle onto the common property consisting of all of the residential halls, elevators, foyers, including the ground floor hall.

#### **MOVE IN/ MOVE OUT**

A move in fee shall be charged all owners/tenants of \$50.00 each time a move takes place into a suite in Mainspace. These funds are payable to the Strata Corporation in advance of the move, and if not paid, can be assessed against the strata lot in question.

#### **VOTING AT ANNUAL OR EXTRAORDINARY GENERAL MEETINGS**

Any Owner in arrears to the Strata Corporation shall not be allowed to exercise their vote.

**Strata Property Act  
FORM I  
AMENDMENT TO BYLAWS  
(Section 128)**

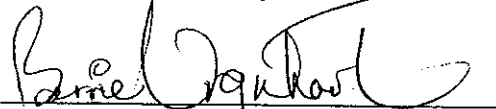
The Owners, Strata Plan LMS 2039 - Mainspace certify that the following or attached amendments to the bylaws of the strata corporation were approved by a resolution passed in accordance with section 128 of the Strata Property Act at an annual or special general meeting held on Saturday, September 10, 2005 \*:

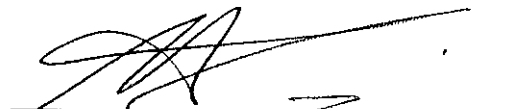
**SPECIAL RESOLUTION #3 - Insurance Deductible**

WHEREAS the Strata Council is concerned about the possibility of drawing down the Strata Corporation's Contingency Funds in an excess manner due to the Strata Corporation's Insurance Policy's, \$2,500.00 deductible having to be applied against the Strata Corporation in case of any insurable incident. There was recently an insurable incident by way of water damage to more than one dozen suites, as well as three hallways;

BE IT RESOLVED that the Strata Corporation shall not be financially responsible to an owner for any loss, damage or expenses to the owner for overflows or leakage of water arising from the strata lot or any adjoining strata lot where such a leakage or overflow results from the wrongful act or negligence of an owner/tenant, or the failure of pipes, wires, cables, chutes, ducts, fixtures for the time being existing wholly or partially within the strata lot and not capable of being used in connection with the enjoyment of more than one strata lot. The owner of the strata lot is fully responsible for the deductible portion of the Strata Corporation's Policy for any such leakages or failures, and shall be responsible for the deductible portion or any loss as a result of failure to repair and maintain the owner's property within the owner's strata lot as provided for under the Strata Property Act.

TO FURTHER CLARIFY, the deductible portion of any claim against the building's insurance shall be paid by the owner of the strata lot from which the claim originated, and the deductible portion of any claim against the owner's insurance as it pertains to their strata lot, shall be borne by the owner.

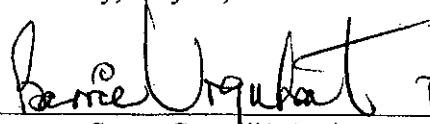
  
Signature of Council Member


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

\* Section 128 (3) provides that an Amendment to Bylaws must be filed in the land title office within 60 days of the amendment being approved.

FORM I  
AMENDMENT TO BYLAWS  
(Section 128)

The Owners, Strata Plan LMS 2039, certify that the following or 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 a *special* general meeting held on Saturday, May 26, 2007

 TREAS.  
\_\_\_\_\_  
Strata Council Member

 President  
\_\_\_\_\_  
Strata Council Member

Special Resolution No. 2 – Quorum for General Meetings

BE IT RESOLVED that Strata Plan LMS 2039 – Mainspace, adopt a By-law to allow for the quorum for a General Meeting, as per *the Strata Property Act*, to be changed to read; “If within one half hour from the time appointed for a General Meeting, a quorum is not present, the Meeting shall proceed, and the persons entitled to vote present, shall be a quorum.”

**FORM I  
AMENDMENT TO BYLAWS  
(Section 128)**

The Owners, *Strata Plan LMS 2039* certify that the following 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 the Annual General Meeting held on October 6, 2007.

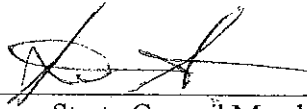
**SPECIAL RESOLUTION – AMMENDING “MOVE-IN/MOVE-OUT” BY-LAW**

WHEREAS the By-Law presently reads that a move-in fee of \$50.00 be charged each time a move takes place into a suite in Mainspace.

BE IT RESOLVED that the By-Law be amended to read as follows:

**MOVE-IN/MOVE-OUT BY-LAW**

A move-in fee shall be charged all Owners/Tenants of \$100.00 each time a move takes place into a suite in Mainspace. These funds are payable to the Strata Corporation LMS 2039, in advance of the move, and if not paid, can be assessed against the Strata Lot in questions.



Strata Council Member



Strata Council Member

\* Section 128 (3) of the Act provides that an Amendment to Bylaws must be filed in the land title office within 60 days of the amendment being approved.

-2 NOV 2009 09 15

BB1116881

**FORM I  
AMENDMENT TO BYLAWS  
(Section 128)**

The Owners, *Strata Plan LMS 2039*, certify that the following 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 the Annual General Meeting held on Saturday, September 26, 2009.


**SPECIAL RESOLUTION #1**

**GARAGE GATE SECURITY BYLAW**

BE IT RESOLVED any garage user found not to be waiting at the garage gate, when entering or leaving, until such time as the gate is fully closed behind them, will be fined \$100.00, each occurrence.

BE IT RESOLVED that any garage user who is found to have not waited at the gate, and as a result has allowed the entry of persons who cause damage to common or personal property, will be fined \$250.00, each occurrence. Evidence will be by way of the video monitoring of the garage gate area.

  
\_\_\_\_\_  
Strata Council Member

  
\_\_\_\_\_  
Strata Council Member

\* Section 128 (3) of the Act provides that an Amendment to Bylaws must be filed in the land title office within 60 days of the amendment being approved.



FORM I  
AMENDMENT TO BYLAWS  
(Section 128)

The Owners, *Strata Plan LMS 2039*, certify that the following 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 the Annual General Meeting held on Wednesday, September 29, 2010.

**SPECIAL RESOLUTION #1**

**VIOLATIONS OF BYLAWS- SCHEDULE OF ASSESSMENT OF FINES  
PURSUANT TO THE BYLAWS (AMENDMENT)**

**WHEREAS** the present Bylaw allows for a fine of \$25.00, for the first violation, \$100.00 for the second violation, \$500.00 for the third violation, and \$1,000.00 for the fourth violation;

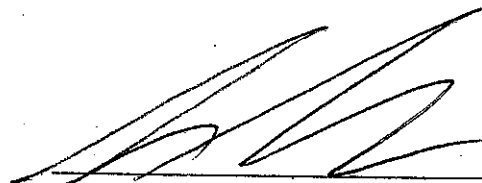
**BE IT RESOLVED** that the Bylaw be amended to read that the Strata Corporation is permitted to levy a fine of up to \$200.00 for any Bylaw violation, with fines being applicable every seven (7) days if the cause of the violation continues.

**SPECIAL RESOLUTION #2**

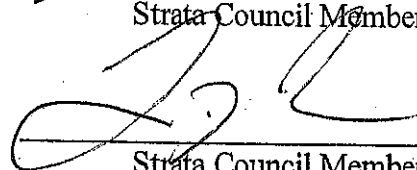
**BYLAW 4.01 – MOTORIZED VEHICLE BYLAW (AMENDMENT)**

**WHEREAS** the Strata Corporation needs to protect the physical assets of the Strata Corporation to insure that payment is available from a third party in case of damage to vehicles parked in the garage or on the mezzanine;

**BE IT RESOLVED** that no vehicle is permitted to be parked or stored in the garage or mezzanine and adjoining parking areas without being insured for road use. If stored a storage certificate must be provided. Uninsured vehicles may be towed from the Strata Corporation's property.



Strata Council Member



Strata Council Member