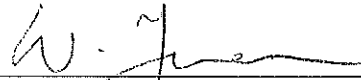


March 12, 2010

REGISTRAR
LAND TITLE OFFICE
88-6th Street
New Westminster, BC
V3L 5B3

Please receive herewith the following document(s) for filing:

Form I Amendment to Bylaws regarding Strata Plan LMS 377



Gammon International Real Estate Corporation
#500-1501 West Broadway,
Vancouver, BC V6J 4Z6
Tel: 604-736-6761
Fax: 604-736-6768

Strata Property Act
FORM I
AMENDMENT TO BYLAWS

(Section 128)

The Owners, Strata Plan LMS 377 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 General Meeting held on January 19, 2010.

SPECIAL RESOLUTION #10.3

Council received complaints from owners that residents had been smoking on common property such as courtyard and parking garage and limited common property such as balcony, deck or patio. The smoke causes nuisance or hazard to other occupants of the building. Council proposed to AMEND the Current Bylaw 3(5)(f): An Owner, tenant or occupant must not smoke in or on any common area.

Be it resolved as a Special Resolution by a $\frac{3}{4}$ vote of the Owners, Strata Plan LMS 377, to amend Bylaw 3(5)(f): An Owner, tenant or occupant must not smoke in or on any common property or limited common property.

After some discussions, it was moved (107) and seconded (103) to approve Special Resolution #10.3. 13 votes cast voted in favour of the motion and 0 against. CARRIED.

SPECIAL RESOLUTION #10.4

Council received complaints from owners that residents discharged fireworks on common property and had caused nuisance or hazard to other occupants of the building. There is no current Bylaw restricting firework. Council proposed to ADD a new Bylaw 3(5)(x).

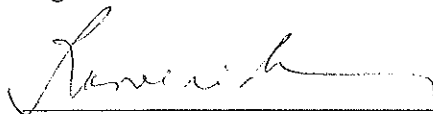
Be it resolved as a Special Resolution by a $\frac{3}{4}$ vote of the Owners, Strata Plan LMS 377, to approve Bylaw 3(5)(x) as follows:

An Owner, tenant or occupant must not possess or discharge fireworks on common property or limited common property.

After some discussions, it was moved (409) and seconded (103) to approve Special Resolution #10.3. 13 votes cast voted in favour of the motion and 0 against. CARRIED.



Signature of Council Member



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

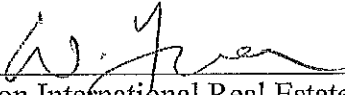
- Section 128 (3) of the Act provides that an Amendment to Bylaws must be filed in the land title office within 60 days of the amendment being approved.

May 21, 2009

REGISTRAR
LAND TITLE OFFICE
88-6th Street
New Westminster, BC
V3L 5B3

Please receive herewith the following document(s) for filing:

Form I Amendment to Bylaws regarding Strata Plan LMS 377



Gammon International Real Estate Corporation
#500-1501 West Broadway,
Vancouver, BC V6J 4Z6
Tel: 604-736-6761
Fax: 604-736-6768

Strata Property Act
FORM I
AMENDMENT TO BYLAWS

(Section 128)

The Owners, Strata Plan LMS 377 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 Special General Meeting held on March 19, 2009.

SPECIAL RESOLUTION #09.6

The current Bylaw 31 in Division 7 – Rentals allows 3 rental strata lots and a rental strata lot owner may continue to rent. Extracts of current Bylaws:

- 31 (1) Subject to the provisions of this bylaw strata lots shall be owner-occupied only, with the following considerations and exceptions:
- (a) any given time up to *three* strata lots may be leased for terms of not less than one year, and the procedure to be followed by the strata corporation in administering this limit will be as follows:
 - (i) any owner wishing to rent a strata lot must make an application writing to the council;
 - (5) Those strata lots that are presently leased as of February 1, 2005, will be permitted to continue to be leased, rented, but at the time of re-occupation of the strata lot by the owner or change of ownership, this permission shall terminate automatically and without condition.

Council would like to propose reducing the rental strata lots from 3 to 2. Council would like other strata lot owners have the opportunity to rent their strata lots. Proposed amendments are in underline.

Special Resolution #09.6

Be it hereby resolved as $\frac{3}{4}$ vote Resolutions of the Owners, Strata Plan LMS 377, amend Bylaw 31 as follows:

- 31 (1) Subject to the provisions of this bylaw strata lots shall be owner-occupied only, with the following considerations and exceptions:
- (a) any given time up to two strata lots may be leased for terms of not less than one year, and the procedure to be followed by the strata corporation in administering this limit will be as follows:
 - (i) any owner wishing to rent or continue to rent after the tenant has moved out, a strata lot must make an application writing to the council;
 - (ii) approvals will be granted by the council on a first come first serve basis in the order of the date such applications are received by the council;

- (iii) the council will not screen tenants, establish screening criteria, require the approval of tenants, require the insertion of terms in tenancy agreements or otherwise restrict the rental of a strata lot except as set out in this bylaw;
 - (iv) the council will consider each application upon receipt and will respond to each application in writing within two weeks of receipt;
 - (v) The council will keep a list of owners who wish to rent their strata lot and the priority of their application, and will advise each owner as soon as their application can be accepted;
 - (vi) upon acceptance of an application to rent, an owner must enter into a lease of a strata lot within three months from acceptance by the council of such owner's application or the acceptance will be automatically revoked and the council will be entitled to advise the owner next following on the list that its application to rent a strata lot has been approved;
- (b) notwithstanding paragraph (a), where cases of undue physical or financial hardship of a personal nature arise, the owner may make a written request to the council for permission to rent a strata lot for a limited period of time, and where the council has been provided with evidence that undue hardship will result if limited rental approval is not given, the council shall not unreasonably withhold permission for limited rental;
- (c) the strata corporation is entitled to impose a fine of up to \$500 for a contravention of this bylaw, and may impose such fine for a continuing contravention every seven days.

(2) In accordance with Section 146 of the Strata Property Act, the owner must give the strata corporation a copy of a signed Notice of Tenant's Responsibilities in Form K. Failure of the owner to provide a Form K within the required time shall result in a fine of \$100 per month or portion thereof until the form is provided and the strata corporation may contact the tenant and request that the tenant provide same.

(3) No more than three persons including children may occupy a one bedroom suite, no more than four persons including children may occupy a two bedroom suite.


(4) When an owner rents / leases his / her strata lot in breach of subsection (2), Strata Corporation shall levy a fine of \$200.00. The Strata Corporation will continue to levy fines of \$200.00 per month during the period of the tenancy agreement or lease until such time as the strata lot owner corrects the breach.

(5) Those strata lots that are presently leased as of February 1, 2005, will be permitted to continue to be leased, rented to the existing tenants, but at the time of re-occupation of the strata lot by the owner or change of ownership, this permission shall terminate automatically and without condition.

After some discussions, it was moved (208) and seconded (107) to approve Special Resolution #09.3. 9 votes cast voted in favour of the motion, 1 abstain and 1 against.
MOTION CARRIED.



Signature of Council Member



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

THE OWNERS, STRATA PLAN LMS 377
COBBLE LANE

SCHEDULE OF BYLAWS

Division 1 - Duties of Owners, Tenants, Occupiers and Visitors

Payment of strata fees

- 1 (1) An owner must pay, without invoice, strata fees on or before the first day of the month to which the strata fees relate, and any other monies to the Strata Corporation as provided in these bylaws.

(2) Any owner owing monies after the 15TH day of the month will be assessed a late charge fee of \$50.00 per month. If the monies are outstanding after 30 days, a further late charge of \$25 will be added every seven days until all monies, including late charges are paid. Owners will be assessed \$25.00 for any cheques returned by the bank unpaid.

(3) The strata corporation may file a lien against a strata lot in accordance with section 116(1) of the Strata Property Act.

Repair and maintenance of property by owner

- 2 (1) An owner must repair and maintain the owners 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.

(3) The Strata Corporation may file a lien against a strata lot in accordance with section 116(1) of the Strata Property Act.

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 for commercial or professional purposes; 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. Owners will be held responsible for all actions / damages so caused and will be charged the cost of repairs.

(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

(a) A maximum of two cats per unit shall be permitted, otherwise there shall be no further pets (dogs, birds, reptiles, rabbits, gerbils, hamsters, or rodents of any kind) brought into the buildings of the strata corporation, so that eventually all pets except cats will be phased out.

(b) The owner of each cat shall cause his cat to be registered in the council's register without delay. Only those cats registered in the council's register shall be permitted to reside within the buildings of the strata corporation.

(c) No pets permitted in the common areas of the property.

(d) No animals, livestock or pets shall be kept within any strata lot or on the common property after notice in that behalf from council.

(e) Pets being defined as domesticated animals kept for pleasure rather than utility.

(f) An owner of a pet shall not permit the pet to urinate or defecate on the common property, and if any pet does urinate or defecate on the common property, the owner shall immediately and completely remove all of the pet's waste from the common property and dispose of it in a waste container or by some other sanitary means.

(g) No owner, tenant or occupant shall permit his/her pet to interfere with any other persons pet or object, or permit its pet to disturb any other owner, tenant, or occupant with uncontrolled barking or howling.

(h) If any owner, tenant or occupant violates any provision of these bylaws or if the strata council on reasonable grounds consider a pet to be a nuisance the strata council may, by written notice to such owner, tenant or occupant cause such owner, tenant or occupant to have a pet removed from the strata lot.

(5) An Owner, tenant or occupant must not:

(a) Use a strata lot for any purpose which involves undue traffic or noise in or about the strata lot or common property between the hours of 10:00pm and 8:00am or that encourages loitering by persons in or about the strata lot or common property;

- (b) make, or cause or produce undue noise, smell, vibration or glare in or about any strata lot or common property or do anything which will interfere unreasonably with any other owner, tenant, or occupant;
- (c) use any musical instrument, amplifier, sound reproduction equipment, dishwasher, washer, dryer, garburator or other device within or about any strata lot, the common property or any limited common property such that it causes a disturbance or interferes with the comfort of any other owner, tenant or occupant;
- (d) obstruct or use the sidewalks, walkways, passages and driveways of the common property for any purpose other than ingress or egress from the strata lots or parking areas within the common property of the strata plan;
- (e) leave on the common property or any limited common property, any shopping cart or any other item designated from time to time by the strata council;
- (f) smoke in or on any common area;
- (g) use a barbecue, hibachi, or other like cooking device on a balcony, deck or patio unless such a barbecue, hibachi, or cooking device is powered by propane, natural gas or electricity and such propane, natural gas or electricity powered barbecues, hibachis, and other light cooking devices shall not be used except in accordance with rules made by the strata council from time to time;
- (h) allow people into any area of the building for which they do not have a proper key nor allow people they do not know to enter the buildings or common property.
- (i) shake any mops or dusters of any kind, nor throw any refuse, out of the windows or doors or from the balcony of the strata lot;
- (j) do anything that will increase the risk of fire or the rate of insurance on the building or any part thereof.
- (k) permit a condition to exist within the strata lot which will result in the waste or excessive consumption of the building's domestic water supply or heated water;
- (l) allow a strata lot to become unsanitary or a source of odor, nor leave any garbage of any kind in the common areas.
- (m) feed pigeons, gulls or other birds, squirrels, rodents or other animals from a strata lot or anywhere on or in close proximity to the common property or any limited common property;
- (n) install any window coverings visible from the exterior of his strata lot, which are different in size and color from those of the original building specifications;
- (o) hang or display any laundry, washing, clothing, bedding or other articles from the windows, balconies or other parts of the building so that they are visible from the

outside of the building. Christmas decorations are permitted from December 1 through January 31.

- (p) use or install in or about a strata lot any shades, awnings, windows or balcony guards, or screens, ventilators, supplementary heating or air conditioning devices, except those installations approved in writing by strata council;
- (q) fasten to the strata lot, the common property or any limited common property any television or radio antenna or similar structure or appurtenance thereto but any such item must be properly mounted on a tripod and unobtrusive to the eye.
- (r) do anything to penetrate the exterior surface of the building including the drilling of holes onto the window frames, door frames and exterior walls. Strata Corporation will hold the owner responsible for repairs of any damages caused from this action.
- (s) place any signs, billboards, notices or other advertising matter of any kind on, or visible from, the exterior of a strata lot;
- (t) place any indoor - outdoor carpeting on any patio or balcony, or place any items on any patio or the balcony except free-standing, self contained planter boxes, barbecues, summer furniture and accessories nor install any hanging plants or baskets or other hanging items within three feet of a balcony railing line; and
- (u) allow water to run off a balcony, while washing the balcony, except where it goes into a drain pipe.
- (v) give any keys, combinations, security cards or other means of access to the building, the parking garage or common areas to any person other than an employee, contractor with prior arrangement with management company, occupant or guest of the strata lot permitted by these bylaws;
- (w) no owner and/or resident will alter the finish or appearance of the fencing, railings, floors, walls or ceilings of the patios or balconies adjoining any strata lot. An owner and/or resident wishing to make any changes or improvements to these areas must submit in writing their proposal to the strata council. If the strata council approves any changes or improvements, such approval must be in writing.

Inform strata corporation

- 4 (1) Within 2 weeks of becoming an owner, an owner must inform the strata corporation of the owners 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 the building, including interior walls;
- (b) the exterior of the building;
- (c) 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.

(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.

Altering common property

- 6 (1) An owner must obtain 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.
- (3) Balconies and patios are common property and must be kept neat and clean at all times.

Permit entry to a 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 reason for entry.

Division 2 - Powers and Duties of Strata Corporation

Repair and maintenance of property by strata corporation

- 8 (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) 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.

Loss Damage or Theft

- 9 (1) The strata corporation and its managing agents are not responsible for any loss, damage or theft of an owners, tenants, occupants, or visitors goods or chattels in a strata lot or in any storage locker or parking stall.

(2) 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 or to any strata lot by the owner's act, omission, negligence or carelessness or by that of any member of the owners family or the owners guests, employees, agents, or tenants, but only to the extent that such expense is not reimbursed from the proceeds received by operation of any insurance deductible paid or payable by the Strata Corporation shall be considered an expense not covered and shall be charged to the owner and shall be added to and become a part of the assessment of that owner for the month next following the date on which such expense was incurred, and shall become due and payable on the date of the monthly assessment.

Division 3 - Council

Council size

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

Council members' terms

- 11 (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 a council member is ending is eligible for re-election.

Removing council member

- 12 (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

- 13 (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

- 14** (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, and a vice president. A secretary and a treasurer may be elected.
- (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

- 15** (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

- 16 (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

- 17 (1) A quorum of the council is
- (a) 2, if the council consists of 3 or 4 members,
 - (b) 3 if the council consists of 5 or 6 members, and
 - (c) 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

- 18 (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 as the conduct of the meeting.

Voting at council meetings

- 19 (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

20 The council must inform owners of the minutes of all council meetings within 18 days of the meeting, whether or not the minutes have been approved.

Delegation of council's powers and duties

21 (1) Subject to subsections (2) to (4), the council may delegate some or all of its powers and duties, subject to specific guidelines, 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

22 (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 corporations 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

- 23 (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 judgement against the strata corporation.

Division 4 - Enforcement of Bylaws and Rules

Fines and Deposits

- 24 (1) The strata corporation may fine an owner or tenant a maximum of
- (a) \$100 for each contravention of a bylaw, and
 - (b) \$ 50 for each contravention of a rule.
- (2) Fines are payable to the resident manager or the property manager within 30 days of the fine being levied.
- (3) Complaints must be made in writing to the strata council, including evidence and all pertinent information, the date, time and offending party. The strata council may will issue a warning letter as appropriate. Subsequent complaints will result in a fine being levied against the owner.
- (4) If a tenant contravenes any bylaw or regulation of the Strata Corporation, or in the opinion of the council becomes a nuisance to the other owners, the council will advise the owner in writing and demand that the owner cause the tenant to cease his offensive behaviour forthwith. If the behaviour or condition is not corrected to the satisfaction of the council within seven (7) days, the owner may be required to terminate the present tenancy in accordance with the Residential Tenancy act. Failure to terminate the tenancy within the required time will cause a fine of \$200.00 to be levied against the strata lot, commencing thirty days (30) after notice was given to the owner. In that event, the Strata Corporation may terminate the tenancy.

Continuing contravention

- 25 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

- 26 (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

27 (1) Tenants and occupants may not attend annual and special general meetings except as a proxy or by invitation.

(2) Persons who are not eligible to vote, other than owners and proxies, 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, other than owners and proxies, must leave the meeting if requested to do so by a resolution passed by a majority vote at the meeting.

Voting

28 (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) No owner of a strata lot is entitled to vote at an Annual General Meeting or Special General Meeting if the Strata Corporation is entitled to register a lien against that Strata lot under section 116 (1) of the Strata Property Act including:

(a) strata fees;

(b) a special levy;

(c) reimbursement of the cost of work referred to in Section 85;

(d) the strata lots share of a judgement against the Strata Corporation.

Order of business

29 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

- 30 (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 of the strata corporation nominated by each of the disputing parties and one owner 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 - Rentals

31 (1) Subject to the provisions of this bylaw strata lots shall be owner-occupied only, with the following considerations and exceptions:

- (a) any given time up to two strata lots may be leased for terms of not less than one year, and the procedure to be followed by the strata corporation in administering this limit will be as follows:
 - (i) any owner wishing to rent or continue to rent after the tenant has moved out, a strata lot must make an application writing to the council;
 - (ii) approvals will be granted by the council on a first come first serve basis in the order of the date such applications are received by the council;
 - (iii) the council will not screen tenants, establish screening criteria, require the approval of tenants, require the insertion of terms in tenancy agreements or otherwise restrict the rental of a strata lot except as set out in this bylaw;
 - (iv) the council will consider each application upon receipt and will respond to each application in writing within two weeks of receipt;
 - (v) The council will keep a list of owners who wish to rent their strata lot and the priority of their application, and will advise each owner as soon as their application can be accepted;
 - (vi) upon acceptance of an application to rent, an owner must enter into a lease of a strata lot within three months from acceptance by the council of such owner's application or the acceptance will be automatically revoked and the council will be entitled to advise the owner next following on the list that its application to rent a strata lot has been approved;
- (b) notwithstanding paragraph (a), where cases of undue physical or financial hardship of a personal nature arise, the owner may make a written request to the council for permission to rent a strata lot for a limited period of time, and where the council has been provided with evidence that undue hardship will result if limited rental

approval is not given, the council shall not unreasonably withhold permission for limited rental;

- (c) the strata corporation is entitled to impose a fine of up to \$500 for a contravention of this bylaw, and may impose such fine for a continuing contravention every seven days.

(2) In accordance with Section 146 of the Strata Property Act, the owner must give the strata corporation a copy of a signed Notice of Tenant's Responsibilities in Form K. Failure of the owner to provide a Form K within the required time shall result in a fine of \$100 per month or portion thereof until the form is provided and the strata corporation may contact the tenant and request that the tenant provide same.

(3) No more than three persons including children may occupy a one bedroom suite, no more than four persons including children may occupy a two bedroom suite.

(4) When an owner rents / leases his / her strata lot in breach of subsection (2), Strata Corporation shall levy a fine of \$200.00. The Strata Corporation will continue to levy fines of \$200.00 per month during the period of the tenancy agreement or lease until such time as the strata lot owner corrects the breach.

(5) Those strata lots that are presently leased as of February 1, 2005, will be permitted to continue to be leased, rented to the existing tenants, but at the time of re-occupation of the strata lot by the owner or change of ownership, this permission shall terminate automatically and without condition.

Division 8 - Miscellaneous

Bicycles, Storage and Parking

32 (1) Bicycles are not permitted in elevators, hallways, or any other common areas. No bicycles are to be kept on balconies or patios, instead they shall be stored within the owner's designated area as may be prescribed by the council. All bicycles must enter or exit the building by way of the vehicle entry to the parking garage only.

(2) Any owner, tenant or occupant that leaves any item anywhere on or in the common property or on any limited common property does so at his own risk, subject to any claim that may properly be made under any insurance policy maintained by the Strata Corporation by anyone that is an insured by that policy.

(3) An owner, tenant, or occupant entering or leaving the parking garage must stop after passing through the gate and wait for it to close before proceeding.

(4) An owner, tenant or occupant must use parking stalls only for the parking of licensed and insured motor vehicles, trailers, motorcycles, or bicycles, and not for the parking of any other type of vehicle or the storage of any other item, unless otherwise approved in writing by the council.

(5) An owner, tenant or occupant shall not:

- (a) use any parking space in the building or on the common property or on any limited common property, except the parking space which has been specifically assigned to his strata lot, a parking space leased by the owner or, when specifically agreed with another owner, the parking space assigned to the strata lot of that other owner;
- (b) carry out any oil changes, major repairs or adjustments to motor vehicles or other mechanical equipment on common property or on any limited common property, except in the case of an emergency;
- (c) rent or lease the parking space assigned by the strata corporation to his strata lot to or otherwise permit that parking space to be regularly used by anyone that is not a resident of the building.
- (d) park any vehicle in a manner which will reduce the width of another parking stall, the garage roadway or ramp or any roadway on the common property or on the limited common property.
- (e) wash a vehicle in the underground parking lot except in the wash area provided and the wash area must be left clean and tidy.
- (f) use any part of the common property (other than established storage rooms or lockers) for storage, without the written consent of the council.
- (g) allow guests to wander around the parking garage alone nor allow children to play, ride bicycles or scooters or roller blade in the parking areas.

(6) Occupants shall not park in visitor parking area at any time, except in cases of emergency or when overhead garage door is inoperable, without the express written permission of the council;

- (a) visitors shall not park in the visitors parking area for more than a 24 hour period (continuous or otherwise) without the express written consent of the council;
- (b) vehicles parked in violation of the foregoing shall be subject to a fine of \$25.00 per day or may be towed at the vehicle owners expense, at the discretion of the council;

(7) Incorrectly parked vehicles may be towed at the owners expense

(8) An owner, tenant or occupant must promptly and at its own expense clean up any oil or other substance which spills or leaks onto the common property.

(9) The maximum speed limit in the parking garage is 5 Kilometers per hour and all traffic signs must be adhered to.

(10) Lock boxes, except a fire department lock box, are prohibited.

Move In / Move Out

- 33** (1) An owner or tenant must notify the strata corporation manager at least three days in advance of the date and time that the owner or tenant will be moving into or out of the strata lot.
- (2) If an owner or tenant carries out any move into or out of a strata lot otherwise than in accordance with prior arrangements made with the manager of the building, the owner or tenant will be subject to a fine of \$100.00, such fine to be paid on or before the due date of the next monthly strata fees.
- (3) An owner or tenant will be held responsible for any damage caused as a result of a move in or out of a strata lot.
- (4) No personal goods and chattels may be moved via a balcony except with the written approval of the council.
- (5) Elevator pads must be installed for all that require the use of the elevator.
- (6) No one shall leave open or unlocked any outside entrance or fire escape unless they are in constant supervision of the entrance.
- (7) No moves may be made in or out of a strata lot except between the hours of 9am to 6pm.
- (8) An owner (including an owner's tenant, regardless of length of tenancy) moving in of the building or changing occupancy of a strata lot, will be charged a \$100.00 moving charge payable to The Owners Strata Plan LMS 377. The charge will be assessed upon the account of the owner and become due and payable immediately. The owner is responsible for full payment on behalf of himself or occupants and of his tenants.

Selling of Strata Lots

- 34** (1) An owner of a strata lot when selling his lot, will not permit "For Sale" signs to be placed on or about the common property except on the "Open house" or shingle post located adjacent to the entrance to the building which is designated for such purpose. Signs must be placed on the shingle post in order of listing.
- (2) An owner of a strata lot when selling a strata lot, will not hold or permit to be held, any public open house except in the manner prescribed by the council. One open house for agents will be allowed per listing. Unless the council otherwise prescribes, all showings must be by appointment only.
- (3) Entrance doors must not be blocked open at any time, The owner, the owner's agent or the perspective purchaser's agent must accompany each prospective purchaser to and from all entrance doors.
- (4) Real estate lock boxes are prohibited on the common property.

Small Claims Actions

- 35** (1) Notwithstanding any provision of the Act, the strata council may proceed under the Small Claims Act (British Columbia) against an owner or other person to collect money owing the strata corporation, including money owing as a fine, without requiring authorization by resolution passed by a $\frac{3}{4}$ vote.