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**APPROVED
SCHEDULE OF
BYLAWS**

**LONDON PLACE STRATA
NW 2242**

REVISED: FEB. 13, 2008

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Approved Schedule of Bylaws The Owners, Strata Plan NW 2242

Be it resolved that all previous bylaws and rules and regulations be repealed, and replaced with the following bylaws. These bylaws replace all previously registered bylaws, the rules and regulations, Part 5 of the *Condominium Act* and the Schedule of Bylaws in the *Strata Property Act*:

Division I -- Duty of owners, tenants, occupants and visitors

Payment of strata fees

1

(1) An owner must pay strata fees on or before the first day of the month to which the strata fees relate. If an owner fails to pay strata fees at the required time the Strata Corporation may charge interest at the rate of 10% per annum compounded annually and a late payment fee of \$25 per month. If an owner fails to pay a special levy at the required time he may be fined \$50 for each month the special levy payment remains unpaid.

(2) If an owner fails to pay his strata fees and/or a special levy, then the council may, after giving owner two weeks notice in writing, place a lien on the owner's strata lot and add the cost of all reasonable legal costs, land title and court registry fees and all other reasonable disbursements including NSF charges to the amount owing under the lien.

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 a 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 a responsibility of the Strata Corporation under these bylaws. If an owner fails to repair and maintain the said limited common property then the Strata Corporation, after giving reasonable written notice, will carry out the needed repairs and maintenance and place a lien on the owner's strata lot and add the cost of all reasonable legal costs, land title and court registry fees and all other reasonable disbursements including NSF charges to the amount owing under the lien.

(3) All owners and or their tenants must keep their patios, decks and/or balconies clean at all times. The main floor patios must be pressure washed or cleaned by some other method to remove algae. Seasonal leaves must be cleaned up at all times and owners and their tenants must ensure that the drains are kept clear of debris.

(4) The wood decking is the owners responsibility to maintain the stain. The stain must be approved in advance by the Strata Corporation. Owners must obtain the stain from the Strata caretaker. Failure to comply may result in the deck having to be replaced and re-stained at the owners cost. Should an owner be put on notice to stain their deck, it must be complied with within 30 days. Noncompliance will result in the staining being done by the Strata Corporation and all costs incurred charged back to the strata lot owner.

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, occupants 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, tenants or occupant shall not use or permit the use of his strata lot for a professional, commercial or business purpose that:
 - a. may or will increase the amount of foot traffic or motor vehicle traffic in the common property or the strata lot; or
 - b. in any way increases or may increase the liability risk of the Strata Corporation.
- (4) An owner, tenant or occupant shall not use any portion of the common property for a professional, commercial or business purpose.
- (5) No owner, tenant, occupant, or visitor of a strata lot shall cause damage to the common property including but not limited to plants, bushes, flowers or lawn.
- (6) The sidewalks, walkways, passages and driveways of the common property shall not be obstructed or used for any purpose other than ingress or egress from or to the strata lot and parking areas within the common property.
- (7) No owner, tenant or occupant shall do anything or permit anything to be done that will increase the risk of fire or the rate of fire insurance on the buildings or any part thereof.
- (8) No owner, tenant, occupant or visitor of a strata lot shall use the common property for the erection or placement of incinerators, garbage disposal equipment, recreation or athletic equipment, fencing or gardens without the prior written consent of the council.
- (9) Patio furniture and a reasonable number of plants are the only items allowed on the decks, patios and balconies. An owner, tenant or occupant shall be required to remove from his deck, patio or balcony any object that, in the opinion of the Strata Corporation, detracts from the exterior appearance of the building within seven days of receipt of notice from the council or its Agent.
- (10) No laundry, washing, clothing, bedding or other article shall be hung or displayed from a strata lot in a manner that the item is visible from outside the strata lot.

(11) No owner, tenant or occupant shall do anything or permit anything to be done that is contrary to any of the provisions, rules or ordinances of any statute or municipal bylaw.

(12) Without the prior written consent of the council, no part of the common property shall be used for storage.

(13) No one shall deface or damage any part of the common property including the woodwork, paintwork, walls, and carpets.

(14) Barbecues (except charcoal barbecues) are permitted on patios and balconies providing that they are not offensive to other residents, and are used according to the manufacturer's specifications, but are not permitted on roof decks due to a lack of water.

(15) An owner, tenant or occupant shall not allow the area around his strata lot to become unsanitary or untidy.

(16) Laundry room use: an owner, tenant or occupant shall leave the laundry room clean and ready for use by the next person by:

- a. cleaning the dryer and wash or lint traps;
- b. wiping down the washers and dryers;
- c. cleaning the sink; and
- d. observing the rules posted in the laundry room.

An owner, tenant or occupant shall not permit the use of the laundry room facilities by a nonresident(s).

(17) Smoking is prohibited anywhere on the interior common property.

(18) Real estate signs must not be displayed in a strata lot or on the common property except in the location designated by the Strata Corporation for real estate signs.

(19) Children or pets are not permitted to run or play in the common areas.

(20) Riding bicycles or scooters, rollerblading, roller skating, and skateboarding are prohibited anywhere in the common areas.

(21) No vehicles that are not road insured (i.e., being stored) are permitted to be parked on the upper level parking. No upper level parking stalls will be allowed to be rented. Vehicles that have storage insurance may be assigned a stall on the lower level, once proof of insurance is provided to the Strata Corporation. No oversize vehicles, trailers, campers, or other similar items will be permitted. *(See also Division 9 – Parking)*

(22) No realtor lockboxes are permitted anywhere on the common or limited property.

Inform strata corporation

4

(1) Within two weeks of becoming an owner, an owner must inform the council of the owner's name, strata lot number and mailing address outside the strata plan, if any.

(2) On request by the council, a tenant must inform the Strata Corporation of his or her name.

(3) A new occupant shall pay a "move in" fee of \$100 and the new occupant will be held financially responsible for any damage to common property that may have been caused by the "move in" activities.

Obtain approval before altering a strata lot

5

(1) An owner must obtain the written approval of the council before making an alteration to the strata lot that involves any of the following:

- a. the structure of the building;
- b. the exterior of the building;
- c. chimneys, stairs, decks, patios, and balconies or other things attached to the exterior of the 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 and enclose a deck, patio or balcony;
- f. common property located within the boundaries of the strata lot;
- g. those parts of the strata lot which the Strata Corporation must ensure under Section 149 of *the Act*;
- h. installing or placing shades, sheds, hot tubs, wind screens, awnings, window or balcony guards or screens, ventilators, supplementary heating devices, satellite dishes, or air conditioning devices to the outside of the building, including but not limited to a deck, patio or balcony.

(2) Wooden and tile floors:

- a. No owner or occupant shall replace any existing flooring material with a material which will transmit sound more than the original material.
- b. An owner or occupant of the strata lot which has hard floor surfaces such as wooden floors or tile floors must take all reasonable steps to satisfy a noise complaints from residents within audible range. The Strata Corporation has the authority to require that the strata lot owner
 - (i) insures that no less than 60% of such hard floor surfaces, excepting only kitchens, bathrooms and entry areas are covered with area rugs or carpets unless otherwise dictated by a medical condition,
 - (ii) avoids walking with hard shoes or dragging furniture or other heavy objects across the floor surfaces,
 - (iii) avoids activities involving balls or other hard objects that bounce across floor surfaces and transmit noise to other strata lots, and
 - (iv) insures that chair and furniture legs are fitted with felt pads.

6

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

Alterations to a strata lot or common property

7

- (1) Any alteration to a strata lot or to common property that has not received the prior written approval of council must be removed at the owner's expense if the council orders that the alteration be removed. An owner who receives approval will be liable for all costs connected to the alteration, including the cost of repairing and maintaining the alteration and the cost of repairing and maintaining the common property or a strata lot if such repair is required as a result of the alteration. An owner who receives approval may be required by the council to sign an Assumption of Liability Agreement.
- (2) The owner will be responsible to obtain the applicable building permits prior to commencing the work, and obtaining such permits is a condition of the council's approval.
- (3) Owners who undertake alterations in accordance with these bylaws, and all subsequent owners, are responsible for all costs relating to:
 - a. the maintenance and repair of the alterations, and
 - b. the effects on or damage to all adjacent strata lots or common property, and
 - c. the effects of and damage caused by rain and weathering, staining, and discoloration.
- (4) The council may maintain, repair or, or remove alterations to common property if in the opinion of council:
 - a. the alterations are not maintained or repaired, or
 - b. the alterations are damaged.

All costs incurred in the maintenance, repair, and/or removal will be charged to the owner of the strata lot and are his responsibility.

- (5) On the sale of a strata lot, the strata lot owner must include all obligations and costs that may be applied relating to alterations in any agreement of sale. If the subsequent owner refuses to sign an Assumption of Liability Agreement with the Strata Corporation the alteration may be removed by council and the cost of the removal will be charged to the new owner.
- (6) To remove an approved alteration or attachment, an owner must negotiate the terms of removal with the council and receive written approval from the strata council to proceed.
- (7) The council reserves the right to require, or have an owner provide, specified professional supervision or inspection, or both, for approved alterations. The council may include specified supervision or inspection as a requirement of approval.
- (8) The exterior appearance of the building shall not be altered by painting wood, ironwork, concrete or other exterior areas of the building without the prior written consent of the council. This includes decks, patios and balconies.

(9) No structural alterations either to the interior or the exterior of the building shall be made, nor the wiring, plumbing, piping or other services shall be altered or supplemented on the strata lot or within any walls or on the common property without the prior written approval of the council. Any alterations or additions made by an owner without such approval may be restored or removed by the council or its duly authorized representative and any costs incurred by the Strata Corporation as a result thereof shall forthwith be paid by such owner to the Strata Corporation.

(10) The approved alterations shall be done in a workman-like manner, to standards set by the council, and shall be done between the hours of 9 AM and 5 PM or as prescribed by the council.

(11) An owner who is permitted to make alterations shall clean up the site on a daily basis, at his own expense. Where daily cleanup is unsatisfactory in the opinion of the council, the council shall have the authority to have the area cleaned and to charge the cost incurred to the owner involved.

(12) No signs, billboards, notices or advertising material of any kind shall be placed on any part of a strata lot or on common property without the prior written consent of the council. This bylaw shall be interpreted in a manner consistent with elections legislation.

Permit entry to strata lot

8

(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 portion 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.

(3) Where the Strata Corporation is required to enter a strata lot for the purpose of maintenance or repairs, the Strata Corporation and its Agents must carry out the work and repairs in a proper and workman-like manner and shall make good any damage to the strata lot.

Division 2 -- Powers and duties of strata corporation

Repair and maintenance of property by strata corporation

9

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 maintained 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, decks 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

10

The council must have at least three and not more than seven members.

Council members' terms

11

(1) The term of office of the council member ends at the end of the annual or special 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

12

(1) Unless all the owners and are on the council, the Strata Corporation may, by a resolution passed by a majority vote at an annual or special general meeting, removed 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 remaining of the term.

Replacing council member

13

(1) If a council member resigns or is unwilling or unable to act for a period of two 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 two or more months, person's 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 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, a Vice-President 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 two or more months, the council members may appoint a replacement officer from among themselves to 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 must 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, and owner or tenant may request a hearing a council meeting.

(2) If a hearing is requested under subsection (1), the council must hold a meeting to hear the applicant within 30 days 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. One, if the council consists of 1 member,
- b. Two, if the council consists of 2, 3, or 4 members,
- c. Three, if the council consists of 5 or 6 members, and
- d. Four, 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.

Voting at council meetings

19

- (1) At council meetings, decisions must be made by a majority of council members present in person at for meeting.
- (2) If there is a tied vote at a council meeting, the Chair 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 two weeks 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 power and duties to one or more council members or persons were 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. delegate the authority to make an expenditure of a specific amounts 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 amounts 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) Pursuant to section 98 of the *Strata Property Act*, all unapproved expenditures, whether the same type or not, made in the same fiscal year shall not exceed \$3000.

(3) Despite subsections (1) and (2), 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

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 judgment against the Strata Corporation.

Division 4 -- Enforcement of bylaws and rules

Maximum fine

24

Unless otherwise provided for in the bylaws the Strata Corporation may fine an owner or tenant a maximum of \$200 for each contravention of a bylaw.

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 that eligible voters

27

(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 were 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

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 voting cards, unless an eligible voter requires 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 chair 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) Subject to section 28(3) and 53(2) of *the Strata Property Act*, an owner will not be entitled to vote at a general meeting except on matters requiring a unanimous vote or be elected to council or continue to stand on council if the Strata Corporation is entitled to register a lien against that strata lot under section 116(1) of *the Strata Property Act*.

Order of business

29

The order of business act 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 the minutes of 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 for annual or special general meeting:

30

If at the time appointed for general meeting, a quorum is not present, the meeting shall stand adjourned for a period of 30 minutes whereupon the adjourned meeting shall be reconvened at the same place a person's presence in person or by proxy is entitled to vote, shall constitute a quorum.

Division 6 -- Voluntary dispute resolution

Voluntary dispute resolution

31

(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 at 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 -- Rental restriction bylaw

32

(1) The number of strata lots that may be rented within the strata plan shall be limited to 3 except for those rented pursuant to a successful appeal on the basis of hardship or except those owners who owned their strata lots prior to January 26, 2000. Prior to offering the rental of a strata lot, the owner thereof shall make a written request to council for permission to rent his strata lot. The council shall reply in writing stating whether or not 3 strata lots have been rented, (excluding those where permission to rent the strata lot was granted under hardship), and whether or not be owner can proceed to rent the strata lot in question. The council shall keep a register of those strata lots rented at a waiting list for owners to rent their strata lots. Requests to rent shall be honored on a first come first served basis. A strata lot must be rented within 60 days of permission being granted or the owner will lose his place on the waiting list.

- (2) Notwithstanding the preceding paragraph, an owner may apply in writing for an exemption on the grounds that this bylaw causes hardship to the owner. The application must be made in writing and must provide the reason the owner considers that an exemption should be made and must also provide whether or not the owner requires a hearing. If the owner requests a hearing, the council must hear the owner or the owner's agent within three weeks after the date the application is given to the Strata Corporation. An exemption is allowed if the Council does not give its decision in writing to the owner within one week after the hearing, or if no hearing is requested, within two weeks after the application is given to the Strata Corporation. The exemption granted by the council may be for two years or such other period of time as specified by council.
- (3) Within two weeks after renting all or part of his or her strata lot an owner must give the Strata Corporation a copy of the Notice of Tenant's Responsibilities signed by both the owner and the tenant.
- (4) The limitation on rentals is subject to section 143, as applicable of the *Strata Property Act*, and amendments thereto.
- (5) Where the council grants an exemption to an owner to rent his strata lot on the grounds of hardship, the council can specify the length of time that the exemption is granted for. Where permission to rent is granted on the grounds of hardship, the owner must rent his strata lot within 60 days, or the exemption is withdrawn.
- (6) Where permission to rent pursuant to this bylaw has been automatically revoked, withdrawn, terminated, or will expire, an owner may reapply to the council for permission to rent the strata lot and such application will be governed by the provisions of this bylaw and the *Strata Property Act* and amendments thereto.
- (7) Where an owner leases or rents his strata lot in violation of this bylaw, the Strata Corporation shall levy against the owner a fine of \$200 every seven days during the period of the lease.
- (8) For the purposes of this bylaw the terms "lease", "rent", "rents", and "rental arrangement" shall include any and all forms of tenancy or license relating to the occupancy of a strata lot.

Division 8 -- Pet restriction bylaw

33

- (1) Unless otherwise approved by the strata council, an owner, tenant or occupant must not keep any pets on a strata lot other than the following:
 - a. a reasonable number of fish or other small aquarium animals;
 - b. up to two cats.
- (2) no owner, tenant or occupant will permit their animal to be on the common property without the animal being on a leash of six feet or less. The owner, tenant or occupant is responsible for the immediate cleanup of any pet excrement that occurs on common property. The owner, tenants or occupant is also responsible to dispose of cat litter. Cat litter shall not be flushed down the toilet.
- (3) No owner, tenant or occupant shall feed pigeons, gulls or other birds, squirrels, rodents or other animals from their strata lot, or the common property.
- (4) Owners, tenants and occupants shall discourage their pets from excessive noise at all times.

(5) A pet shall not cause a nuisance to any resident. If the council receives a complaint about a pet, a bylaw enforcement hearing will be held in accordance with the provisions of the *Strata Property Act*. At the end of the hearing, the council may take no action, fine the owner, require the person to pay the costs of remedying the contravention, or order the immediate removal of the pet from the strata lot in which case the pet will be immediately removed. The owner of the pet will be advised about the outcome of the hearing in writing.

Division 9 -- Parking

34

(1) No major repairs or adjustments to motor vehicles or other mechanical equipment shall be carried out on common property.

(2) No one is allowed to park overnight on the common property except parking in an assigned parking stall.

(3) No parking spaces in the complex shall be rented or leased to non residents.

(4) Each owner is responsible for cleaning up oil leakage in his parking stall, and for maintaining the parking stall in a neat and orderly condition, failing which, after ten days written notice, the council will arrange for such cleaning at the owner's expense.

(5) The parking spaces shall not be used for storage. Only passenger vehicles shall be parked on common property and these shall be parked in designated and assigned parking spaces.

(6) No trailer, boat, recreational vehicle, or equipment of any kind shall be parked on common property within the prior written approval of the council.

(7) All motor vehicles, which are being parked or stored in the Strata Corporation's parking garage must be licensed or have the appropriate storage insurance in place, including fire and liability insurance. Proof of such insurance must be provided to the strata's property manager for record-keeping purposes. Failure to provide proof of such insurance within seven days after receiving written notification from the Strata Corporation will result in the removal of said vehicle from the parking garage by the Strata Corporation without further notice at the owners risk and expense.

(8) Extra parking spaces, when available, shall cost an occupant \$240 per annum payable in advance on January 1 of the current year, by cash, post-dated cheques or by arranging automatic withdrawals each month from the resident's bank account.

(9) Similarly extra locker space, when available, shall cost a resident \$120 per annum payable in advance on January 1 of the current year, by cash, post dated cheques or by arranging automatic withdrawals each month from the resident's bank account.

Division 10 -- Hobby room

35

(1) For the betterment, safety and enjoyment of all residents the following bylaws apply to this area:

- a. This area is only for residents and their accompanying visitors;
- b. no smoking or drinking alcoholic beverages is allowed;

- c. individuals under age of 18 years are not permitted to use this area unless accompanied by an adult;
- d. no radios or sound equipment shall be permitted except on council approved activities;
- e. no animals are permitted in this area;
- f. if the area is damaged the resident(s) involved shall immediately inform the resident manager or the property manager;
- g. residents shall ensure that the access doors are locked at all times and the power and lighting is off when they leave the area;
- h. the hobby room can be used only between the hours of 6 AM to 1 AM.
- i. a deposit of \$200 will be due at the time of booking this area with the resident manager and \$175 is refundable upon returning the hobby room to the condition it was received in;
- j. individuals noting matters which require repair or maintenance shall immediately report such items to the resident manager or property manager;
- k. the hobby room must be booked with the resident manager at least 48 hours prior to its intended use; and
- l. persons breaching the above hobby room bylaws are subject to fines and/or removal of the privilege of using the hobby room.

(2) Persons using the hobby room do so at their own risk and release and indemnify the Strata Corporation and managing Agents from any and all claims arising from the use of this facility.

Division 11 -- Small claims

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Pursuant to section 171 of the *Strata Property Act*, the council may commence a proceeding under the small claims act against an owner or other person to collect money owing to the Strata Corporation without further authorization from the Strata Corporation. The council may commence the proceedings to collect money owing to the Strata Corporation for any reason, including but not limited to monies owing by an owner or tenant or a fine or to recover the deductible portion of an insurance claim if the person is responsible for the loss or damage that gave rise to the claim. The council has full authority to negotiate a settlement or discontinue or dismiss the action.

Division 12 -- Severability

37

(1) Should any portion of these bylaws be deemed unenforceable by any court of competent jurisdiction, then for the purposes of interpretation and enforcement of the bylaws, each paragraph, subparagraph or clause hereof shall be deemed a separate provision and severable, and the balance of the provisions contained herein shall remain in full force and effect.

(2) For the purposes of all bylaws, whenever the singular or masculine is used, it shall be construed as meaning to the plural or feminine body corporate where the context requires.

Division 13 -- Rooftop Decks

38

- (1) No permanent attachments are allowed to the railings of the rooftop decks and/or the stucco walls of the building – items must be free-standing. *(Nothing can be screwed, tied or attached to the side or top of the railings).*
- (2) Canopies are allowed to be erected on the decks; may only be in a neutral solid colour -- maximum dimensions 10' x 10'. *(If necessary, they can be anchored to the deck floor only with small screws)*
- (3) No barbecues of any kind, fire-pits, and/or any open-flamed apparatus are allowed on the rooftop decks as these constitute a fire hazard to the building, and there is no water source on the roof.
- (4) No "kiddie" pools are allowed to be erected on the rooftop decks.
- (5) Patio or garden furniture is allowed to be placed on the rooftop decks.
- (6) Freestanding planter boxes/potted plants may be placed on the rooftop decks provided they are raised and there is an air-space between the bottom of the box/pot and the deck surface. *(Planter boxes cannot be hung from or set upon the railings and top of the railings).*
- (7) The rooftop decks may not be painted with any solid-colored stain or paint – the wood of the rooftop decks may be coated with a waterproof-type clear-coat product for preservation of the wood. *(Only a transparent, natural stain approved by council will be allowed to be applied to the deck. Owners must stain their decks on a regular basis with a stain approved by the Strata every 3-4 years. No indoor or outdoor carpeting allowed on the deck surface – wood must be kept in a natural state). See also Division 1 – Section 2, (3) and (4).*
- (8) No large trees/planters are to be placed on the rooftop decks. (Also, no excessive amount of plants and/or plants to be placed on the decks).
- (9) No lattice is allowed to be attached to any part of the rooftop deck and/or the stucco walls of the building.
- (10) Permission must be requested, in writing, at all times, from the strata council prior to placing an article other than those listed above, on the rooftop decks, and council may, at its discretion, request removal of any item council deems unsuitable or unsightly.

It is expected that all owners will keep their decks clean and in good condition.

Grandfathered owners who rent their suites must ensure that their tenants are given a copy of the rules and comply with them.

Approved by owners: February 21, 2007 AGM

Revised by owners: February 13, 2008 AGM

