

19 MAR 2010 13 31

FB336845

VICTORIA, BC

Registrar
Land Title Office
Victoria, BC

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

FORM I – NOTIFICATION OF CHANGE OF BYLAWS



Signature

NAME OF APPLICANT: STRATA PLAN VIS 6290

ADDRESS: C/O PROLINE MANAGEMENT LTD.
201-20 BURNSIDE ROAD WEST, VICTORIA, BC V9A 1B3

TELEPHONE: 475-6440

Strata Property Act
FORM I
AMENDMENT TO BYLAWS

(Section 128)

The Owners, Strata Plan VIS6290 (commonly known as The Julia) certify that the following or attached amendment to the bylaws of the Strata Corporation was approved by a resolution passed in accordance with section 128 of the *Strata Property Act* at the Annual General Meeting held on January 28, 2010.

3/4 VOTE RESOLUTION #1 – Moving In

Motion: BE IT RESOLVED as a 3/4 Vote Resolution of the Owners of Strata Plan VIS 6290 that Bylaw 37 be added as follows:

Moving In

“The owner of a strata lot must pay the Strata Corporation a fee of \$100.00 whenever the owner or a tenant of the owner moves into the complex, to cover the general wear and tear and additional maintenance of the hallways, elevators and foyer caused during a move. This fee shall be paid prior to or concurrently with the time of the move.”

3/4 VOTE RESOLUTION #2 – Quorum

Motion: BE IT RESOLVED as a 3/4 Vote Resolution of the Owners of Strata Plan VIS 6290 that Bylaw 28(a) be added as follows:

Quorum

“Notwithstanding section 48 (3) of the act, if within 1/2 hour of the time appointed for an annual or special general meeting a quorum is not present, the meeting shall be terminated if the meeting was convened upon the requisition of members; but in any other case, the meeting shall stand adjourned for a further 1/4 hour from the time appointed and, if within 1/2 hour from the time appointed a quorum is not present for the meeting, the eligible voters present in person or by proxy shall constitute a quorum”

3/4 VOTE RESOLUTION #3 – Use of Property

Motion: BE IT RESOLVED as a 3/4 Vote Resolution of the Owners of Strata Plan VIS 6290 that Bylaw 3(2)(d,e) be added as follows:

“An owner, tenant or occupant shall not:

- d. erect or install on any part of a strata lot any television antenna, radio antenna or any other electronic receiving or transmitting device;***

- e. *erect or install anywhere on the common property or limited common property any satellite dish aerial, television antenna, radio antenna or any other electronic receiving or transmitting device;”*

3/4 VOTE RESOLUTION #4 – Parking

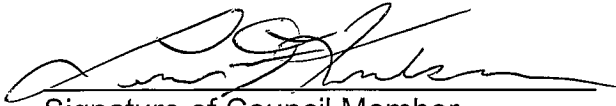
Motion: **BE IT RESOLVED** as a 3/4 Vote Resolution of the Owners of Strata Plan VIS 6290 that Bylaw 38 be added as follows:

“Each strata lot is assigned one parking stall. All additional parking stalls must be rented from the Strata Corporation at the current monthly rental rate;

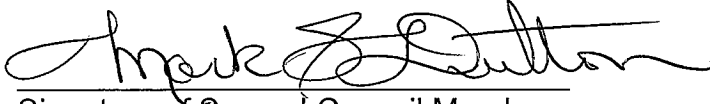
- 1) *A resident must park only in the parking stall assigned to the resident; residents may not park in any designated Visitors or Handicapped (without permit) spaces at any time.*
- 2) *Outdoor Visitors Parking Spaces (two spaces) are for short term parking from 7:00 a.m. to 11:00 p.m. No overnight parking is permitted in the outdoor parking spaces.*
- 3) *Visitors staying longer than two hours must have a green Visitors Pass displayed on the windshield and the vehicle must be parked below in the parkade.*
- 4) *Long Term visitors (greater than 14 days) are required to apply and pay for an additional parking space which will be assigned based on availability.*
- 5) *All vehicles occupying an inside Visitor Parking Stall must clearly display a laminated Visitor Parking Pass. Two passes will be issued for each unit. Extended visitor passes will be made available by the Strata Council at its discretion;*
- 6) *Residents*
 - a) *are required to register the license plate, make and model of the vehicle(s) with the Strata Council;*
 - b) *shall only keep vehicles in the parkade that are licensed, insured and in running order;*
 - c) *shall not complete vehicle maintenance or repairs in the parkade including use of plugs, hydro, oil changes, battery replacement other than emergency service (example CAA tow truck);*
 - d) *shall clean-up any fluid spills or leaks from their vehicle and repair to ensure no fluid leaks from the vehicles. Immediate clean-up of any fluid spills or leaks is the responsibility of the vehicle owner and/or the parking stall tenant including placement of garage floor protectors on the concrete floor to prevent oil spills*
 - e) *shall not park vehicles in any designated visitor parking stalls;*

Any resident’s vehicle parked in violation of above Bylaw will be subject to removal by a towing company authorized by Council, and all costs associated with such removal will be the responsibility of the vehicle owner.”

A revised set of bylaws is attached.



Signature of Council Member



Signature of Second Council Member

Date: March 16, 2010

This document was obtained from the StrataDocs System. Its use is subject to agreed upon terms and disclaimers.

Uploaded: Aug 02, 2011 Verified: Aug 04, 2011

EXHIBIT H
Strata Property Act
Form Y
OWNER DEVELOPER'S NOTICE OF DIFFERENT BYLAWS
(Section 245(d); Regulations section 14.6(2))
Strata Plan VIS6290,

The following or attached bylaws replace the Standard Bylaws to the *Strata Property Act (British Columbia)* (the "Act"), as permitted by section 120 of the Act:

DIVISION 1 - DUTIES OF OWNERS, TENANTS, OCCUPANTS AND VISITORS

1. 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.
- (2) An owners' contribution to the common expenses of the strata corporation shall be levied in accordance with this bylaw.
- (3) Common expenses attributable to any one strata lot shall be allocated to such strata lot.
- (4) Where the strata plan includes limited common property, expenses attributable to the limited common property which would not have been expended if the area had not been designated as limited common property shall be borne by the owners of the strata lots entitled to use the limited common property in the proportion that the unit entitlement of such strata lot bears to the aggregate unit entitlement of all strata lots whose owners are entitled to use the limited common property to which the contribution relates.
- (5) If a strata lot requires a utility service or other common expense not supplied to all lots the cost shall not be a common expense and if this utility is not separately metered or billed so as to measure the use thereof by the strata lot the cost of such utility shall be apportioned and charged to the strata lot based on the unit entitlement of the strata lot.
- (6) If an owner is late in paying his or her strata fees, the owner must pay to the strata corporation interest on the late payment in the amount of 10% per annum, compounded annually, and calculated on a monthly basis commencing from the date the payment was due and continuing until the last day of the month in which it is paid.

2. Repair and maintenance of property by owner

- (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.

3. Use of property

- (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.
 - (f) involves undue traffic or noise especially between the hours of 11:00 p.m. and 7:00 a.m. or that encourages loitering by persons in or about the common property or limited common property.
 - (g) will cause or produce undue noise, smell, vibration or glare on common property including limited common property or do anything which will interfere unreasonably with any other owner, tenant or occupant.
- (2) An Owner, tenant or occupant shall not:
- (a) use a strata lot for any purpose which may be injurious to the reputation of the building;
 - (b) make undue noise in or about any strata lot or common property; or
 - (c) keep any animals on a strata lot or the common property after notice not to do so from the strata council;
 - (d) erect or install on any part of a strata lot any television antenna, radio antenna or any other electronic receiving or transmitting device;
 - (e) erect or install anywhere on the common property or limited common property any satellite dish aerial, television antenna, radio antenna or any other electronic receiving or transmitting device;
- (3) 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.
- (4) Subject to any direction from the strata council to the contrary, an owner, tenant or occupant must not keep any pets on a strata lot except as follows:
- (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) up to two dogs or two cats or one dog and one cat which in total must not exceed a weight of 10 kilograms.
- (5) An Owner, tenant, occupant of a strata lot or visitor of an owner, tenant or occupant shall remove all excrement deposited by their pet immediately from the common property and ensure that the common area lawns are not damaged from regular urination by their pet.
- (6) 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. Inform Strata Corporation

- (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.

5. Obtain approval before altering a strata lot

- (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) 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.
- (3) An owner of a strata lot may from time to time and at any time make such changes, additions, improvements, alterations, enlargements, decorations, subtractions from, rearrangements of and subdivisions (collectively called the "**Improvements**") of the interior of such strata lot which they in their sole

discretion may consider necessary or desirable, but which do not affect any structural or supporting members of the building, including, without limiting the generality of the foregoing but subject to these bylaws, the right to use the same for whatever lawful purpose or purposes which such owners deem necessary or desirable, so long as the owner of the strata lot in question shall not interfere with other strata lots owners more than is reasonably necessary in the conduct of such Improvements.

6. Obtain approval before altering common property

- (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. For greater certainty and without limiting the foregoing, an owner of a strata lot will not make or cause to be made any structural alteration to a strata lot, or paint, decorate, or add to or remove any structure from the exterior of the building or the strata lot or add to or alter the wiring, plumbing, piping, or other services on a strata lot, or within any bearing or party wall or the common property (an "**Alteration**") without first obtaining written consent from the strata corporation if such Alteration is to the common property, common assets or limited common property of the strata corporation.
- (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.

7. Permit entry to strata lot

- (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 prevent property damage to the common property or another strata lot or those portions of a strata lot that are the responsibility of the strata corporation under these bylaws; and
 - (b) at a reasonable time, on a minimum of 24 hours written notice:
 - (i) to inspect, maintain or repair common property or common assets; or
 - (ii) to ensure the Act, as amended or replaced, these bylaws and the rules and regulations of the strata corporation and the sections are being complied with.
- (2) The notice referred to in subsection (1)(b) must include the date and approximate time of entry, and the reason for entry.
- (3) If the authorization cannot be obtained then the person authorized by the strata corporation to enter the strata lot may do so by using reasonable force on the locking devices, and the replacement of the locking device and any resulting damage to the door and door frame will be at the expense of the strata lot owner.

DIVISION 2 - POWERS AND DUTIES OF STRATA CORPORATION

8. Repair and maintenance of property by Strata Corporation

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) 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) the duty to repair and maintain it is restricted to
 - (i) the structure of a building,
 - (ii) the exterior of a building,
 - (iii) 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

9. Council size

- (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.

10. Council members' terms

- (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) No person may be elected to council or continue to be on council if the strata corporation is entitled to register a lien under the Act against a strata lot in which that person has an interest.

11. Removing council member

- (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.

12. Replacing council member

- (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.

13. Officers

- (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.

14. Calling council meetings

- (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.

15. Requisition of council hearing

- (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.

16. Quorum of council

- (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.

17. Council meetings

- (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.

18. Voting at council meetings

- (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.

19. Council to inform owners of minutes

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.

20. Delegation of council's powers and duties

- (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.

21. Spending restrictions

- (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.

22. Limitation on liability of council member

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

DIVISION 4 - ENFORCEMENT OF BYLAWS AND RULES

23. Maximum fine

- (1) The strata corporation may fine an owner or tenant a maximum of
 - (a) \$200 for each contravention of a bylaw, and
 - (b) \$50 for each contravention of a rule.
- (2) The strata corporation may impose a fine on an owner or tenant for a continuing contravention of a bylaw or rule every 7 days.
- (3) Additional assessments, fines authorized by these bylaws, banking charges, filing costs, expenses, interest charges and any other expenses incurred by either the strata corporation to enforce these bylaws, as they may be amended from time to time, or any rule which may be established from time to time by the council pursuant to the Act or these bylaws, shall become part of the assessment of the owner responsible and shall become due and payable on the first day of the month next following, except that any amount owing in respect of a fine or the cost of remedying the contravention of a bylaw will be calculated as a separate component of such assessment and the strata corporation may not register a lien against such separate component.

24. Continuing contravention

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

25. Person to chair meeting

- (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.

26. Participation by other than eligible voters

- (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.

27. Voting

- (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.
- (8) An owner may not exercise the owner's vote in respect of the owner's strata lot if the strata corporation is entitled to register a lien under the Act against that owner's strata lot, except on matters requiring a unanimous vote.

28. Order of business

The order of business at annual and special general meetings is as follows:

- (1) certify proxies and corporate representatives and issue voting cards;
- (2) determine that there is a quorum;
- (3) elect a person to chair the meeting, if necessary;
- (4) present to the meeting proof of notice of meeting or waiver of notice;
- (5) approve the agenda;
- (6) approve minutes from the last annual or special general meeting;
- (7) deal with unfinished business;
- (8) 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;
- (9) ratify any new rules made by the strata corporation under section 125 of the Act;
- (10) report on insurance coverage in accordance with section 154 of the Act, if the meeting is an annual general meeting;
- (11) approve the budget for the coming year in accordance with section 103 of the Act, if the meeting is an annual general meeting;
- (12) deal with new business, including any matters about which notice has been given under section 45 of the Act;
- (13) elect a council, if the meeting is an annual general meeting;
- (14) terminate the meeting.

28. (a) Quorum

Notwithstanding section 48 (3) of the act, if within 1/2 hour of the time appointed for an annual or special general meeting a quorum is not present, the meeting shall be terminated if the meeting was convened upon the requisition of members; but in any other case, the meeting shall stand adjourned for a further 1/4 hour from the time appointed and, if within 1/2 hour from the time appointed a quorum is not present for the meeting, the eligible voters present in person or by proxy shall constitute a quorum;

DIVISION 6 - VOLUNTARY DISPUTE RESOLUTION

29. Voluntary dispute resolution

- (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

30. Promotion

- (1) During the time that the owner developer of the strata corporation is a first owner of any units, it shall have the right to maintain any unit or units, whether owned or leased by it, as a display unit, and to carry on sales or leasing functions it considers necessary in order to enable it to sell or lease the units.
- (2) At the reasonable discretion of the owner developer, it may use the common property to conduct the sale or lease of strata lots in the strata plan up to 36 months after the date of first occupancy of any such strata lot.
- (3) Signs advertising the sale, lease or open house of a strata lot must be displayed on the common post supplied by the strata corporation and may not be displayed in the windows or on the balcony of a strata lot. Despite the foregoing, marketing signs of the owner developer may be displayed on the common property and/or the limited common property or window of any strata lot owned or leased by the owner developer at the reasonable discretion of the owner developer.

DIVISION 8 - MISCELLANEOUS

31. Small claims actions

Despite any provision of the Act, the strata corporation may proceed under the ***Small Claims Act (British Columbia)*** against an owner or other person to collect money owing to the strata corporation, including money owing as a fine, without requiring authorization by a resolution passed by a 3/4 vote of the strata corporation.

32. Planters/landscaped areas

Owners of the strata lots which do not have enclosed balconies will not place planters, landscaping or other such items or equipment within any part of the limited common property designated on the strata plan exclusively for the use of such owner unless, in the opinion of the strata council, such planters, items or equipment are in keeping with the balance of the development in terms of design, quality, proportion and colour. Any such planters, landscaping items or equipment (including, without limitation, landscaped areas and/or planters designated as limited common property

and installed as part of the original development) will be maintained in good and tidy condition on an ongoing basis and the responsibility for such maintenance will be solely for the account of the owner of the strata lot entitled to the use of the limited common property on which they are placed. No strata lot owner within a landscaped area and/or planter designated as limited common property will change, alter or amend the plantings within such landscaped areas and/or planters without the written consent of the strata council.

33. Storage area

Until the owner developer has completed the first sale of all of the strata lots ("**the first sale period**"), the owner developer will be entitled to designate for its use 1 storage area of its choice within the common property and will be entitled to free access to and from such storage area through the development and the use of such storage area for the storage of building materials and equipment at all times during the first sale period. The owner developer will be entitled to install its own lock on the door and the strata corporation will not be entitled to a key during the first sale period provided that after the end of the first sale period, the owner developer will, upon request by the strata corporation, deliver up vacant possession of the storage area and all keys thereto.

34. Bicycle storage

The owners of the strata lots will be entitled to the use of one bicycle storage space within either the secured area in the parking facility designed for that purpose or within another part of the common property designed for that purpose, for which the strata council may charge a fee and/or require reasonable refundable security deposits for the issuances of keys and security passes. The strata council will, subject to the provisions of the Act, as amended or replaced, be responsible for the orderly administration of the use of bicycle storage space to each owner. Such administration may also include, without limitation, the issuance of keys or security passes and the licensing of the use of any unallocated bicycle storage spaces, including charging fees to users if approved by resolution of the strata corporation.

35. Restriction on leasing

No owner of a strata lot shall be restricted from leasing the strata lot except by a unanimous resolution of the strata corporation.

36. Leasing requirements

Every owner of a strata lot who enters a tenancy agreement must cause its tenant to execute a **Form K - Notice of Tenant's Responsibilities** as provided in the Act, as amended or replaced, prior to his or her occupation of the strata lot, and provide the strata corporation with a copy thereof. In addition, the owner of a strata lot must provide the strata corporation with a true and complete copy of every written tenancy agreement (as defined in the *Residential Tenancy Act (British Columbia)* as amended or replaced).

37. Moving In

The owner of a strata lot must pay the Strata Corporation a fee of \$100.00 whenever the owner or a tenant of the owner moves into the complex, to cover the general wear and tear and additional maintenance of the hallways, elevators and foyer caused

during a move. This fee shall be paid prior to or concurrently with the time of the move.

38. **Parking**

Each strata lot is assigned one parking stall. All additional parking stalls must be rented from the Strata Corporation at the current monthly rental rate;

- 1) A resident must park only in the parking stall assigned to the resident; residents may not park in any designated Visitors or Handicapped (without permit) spaces at any time.
- 2) Outdoor Visitors Parking Spaces (two spaces) are for short term parking from 7:00 a.m. to 11:00 p.m. No overnight parking is permitted in the outdoor parking spaces.
- 3) Visitors staying longer than two hours must have a green Visitors Pass displayed on the windshield and the vehicle must be parked below in the parkade.
- 4) Long Term visitors (greater than 14 days) are required to apply and pay for an additional parking space which will be assigned based on availability.
- 5) All vehicles occupying an inside Visitor Parking Stall must clearly display a laminated Visitor Parking Pass. Two passes will be issued for each unit. Extended visitor passes will be made available by the Strata Council at its discretion;
- 6) Residents
 - a) are required to register the license plate, make and model of the vehicle(s) with the Strata Council;
 - b) shall only keep vehicles in the parkade that are licensed, insured and in running order;
 - c) shall not complete vehicle maintenance or repairs in the parkade including use of plugs, hydro, oil changes, battery replacement other than emergency service (example CAA tow truck);
 - d) shall clean-up any fluid spills or leaks from their vehicle and repair to ensure no fluid leaks from the vehicles. Immediate clean-up of any fluid spills or leaks is the responsibility of the vehicle owner and/or the parking stall tenant including placement of garage floor protectors on the concrete floor to prevent oil spills
 - e) shall not park vehicles in any designated visitor parking stalls;

Any resident's vehicle parked in violation of above Bylaw will be subject to removal by a towing company authorized by Council, and all costs associated with such removal will be the responsibility of the vehicle owner.