

**Strata Corporation LMS 482
BYLAWS**

**Registration #CA 5750797
January 6, 2017**

STRATA PLAN LMS 482

Wesbrook Village

BYLAWS

For legal purposes, a true copy of the bylaws is available at the Land Titles Office.

Please retain these bylaws for your records as there is a charge for additional copies.

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**STRATA PLAN L.M.S. 482
APPROVED NEW BYLAWS**

Division 1 – Duties 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.
- (2) Maintenance fees not received by the tenth (10th) day of the month in question will be subject to an additional \$25.00 penalty. At the end of a 90 day period, a lien will be placed on the strata lot involved at the owner's expense for total monies.

Repair and Maintenance of Property By Owner

[November 2016]

2. (1) An owner must repair and maintain the owner's strata lot, except for repair and maintenance that is the responsibility of the strata corporation under these bylaws.
- (2) An owner who has the use of limited common property must repair and maintain it, except for repair and maintenance that is the responsibility of the strata corporation under these bylaws.
- (3) The Strata Corporation shall not be responsible to Owners for any loss, damage or expense related to personal property and/or unit improvements. Owners shall indemnify and save harmless the Strata Corporation from any expense related to damage of services or property of a strata lot, common property, limited common property and/or any assets of the Strata Corporation by their act, omission, negligence, or carelessness, or by that of any member of their family, or their guests, employees, agents, or tenants, for any and all expenses related to such damage, that is not covered by the Strata Corporation's insurance.
- (4) Owners shall indemnify and save harmless the Strata Corporation from any loss to services or property, originating within the interior confines of their strata lot, for any expense relating to lack of maintenance, repair or replacement rendered necessary to a strata lot, common property, limited common property, and/or any assets of the Strata Corporation. The "originating" strata lot will be responsible for any and all expenses not covered by the Strata Corporation's insurance. A strata lot includes the centre where the floor, wall, or ceiling forms the common boundary of a strata lot with another strata lot or with the common property.

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- (5) Owners responsible for damage to their strata lot, any other strata lot, common property, limited common property or other assets of the Strata Corporation shall pay for the cost of repairs or replacement, which must be made in a professional manner with regard to proper restoration methods and/or building practices, which may be ordered by the Strata Corporation or any competent public or local authority. Owners will be responsible for any and all costs not covered by the Strata Corporation's insurance.
- (6) In such circumstances and for the purpose of these bylaws, any expense or insurance deductible paid or payable by the Strata Corporation shall be considered an expense payable by the strata lot Owner responsible or in whose strata lot the cause of the damage originated. This expense will be charged to the Owner and shall be added to, and become part of, the maintenance fee of that Owner for the month next following the date on which the expense was incurred.
- (7) The only exception to the foregoing is where loss originates from the rupture or malfunction of a permanent facility supply line or sewer system that extends from the common property into the individual unit, in which case the deductible shall be the responsibility of the Strata Corporation. It is further agreed and understood that where any loss or damage originating from "common property" as defined in the Strata Property Act, which is not the responsibility of the strata lot owners as previously defined, the deductible shall then be the responsibility of the Strata Corporation.
- (8) Owners or occupants of a strata lot shall be held responsible for the actions of any person or persons of his, her or their household or any guests of any owners or occupants or residents of an owners or occupants household who wrongfully or negligently causes any damage to any part of the building or any facility within or without the building to the extent of the cost of replacing or repairing such damage plus any and all fines that may be imposed by council as a result.
- (9) Owners or occupants of a strata lot shall not do anything or permit anything to be done on their strata lot or on the common property which will or would tend to increase the risk of fire or the rate of fire insurance premiums with respect thereto.
- (10) All owners and tenants must obtain a Tenant's or Condominium Homeowner's insurance policy for their personal belongings and liability.

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,

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- (c) unreasonably interferes with the right 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)
- (a) An owner, tenant, occupant, visitor or guest 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.
 - (b) The owner, tenant or occupant shall be held responsible for the actions of any person or persons of his, her or their household or any guests of an owner, tenant or occupant who wrongfully or negligently causes any damage to any part of the building or any facility within or without the building to the extent of the cost of replacing or repairing such damage plus any and all fines that may be imposed by the Strata Corporation as a result.
- (3) An owner, tenant, occupant or visitor must ensure that animals are leashed or otherwise secured when on the common property or on land that is a common asset. Owners are responsible for picking up after their pets on a daily basis.
- (4) An owner, tenant, occupant or visitor who permits his animal to defecate upon common property, or fails to exercise prudent control over same, shall be subject to punitive action in the nature of a fine not exceeding \$25.00 when such offenses are reported in writing to council.
- (5) An owner, tenant or occupant must not keep any pets on a strata lot other than one or more of the following:
- (a) a reasonable number of fish or other small aquarium animals;
 - (b) a reasonable number of small caged mammals;
 - (c) up to 2 caged birds;
 - (d) two dogs or two cats.
- (6) An owner of a dog or cat shall attach a collar to the pet with a tag identifying the owner.
- (7) No owner, tenant or occupant shall permit its pet to interfere with any other person, pet or object, or permit its pet to disturb any other owner, tenant or occupant with uncontrolled barking or howling.
- (8) 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

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- hours of 10:30 p.m. and 7:00 a.m. or that encourages loitering by persons in or about the strata lot or common property;
- (b) Make, 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 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 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 area 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) Use a barbecue, hibachi or other like cooking device on a balcony, deck or patio unless such 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 Corporation from time to time. Any damage caused by neglect shall be repaired at the owner's expense;
 - (g) Shake any mops or dusters of any kind, nor throw any refuse, out of the windows or doors or from the balcony of a strata lot;
 - (h) Do anything that will increase the risk of fire or the rate of insurance on the building or any part thereof;
 - (i) Allow a strata lot to become unsanitary or a source of odour. Garbage and recycling is not be to be accumulated in garbage cans on balconies or patios or left on common property prior to the evening before pick-up day and must be put away the same day, after pick-up;
 - (j) Feed pigeons, gulls or other birds, squirrels, rodents or other animals from a strata lot or anywhere on or in close proximity to

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- the common property or any limited common property, but this shall not apply to a pet permitted to be kept in a strata lot pursuant to these bylaws and the rules made hereunder, which pet shall be fed only in a strata lot;
- (k) Install any window coverings, visible from the exterior of his strata lot, which are different in size or colour from those of the original building specifications;
 - (l) Hang or display any clothes lines, laundry, washing, clothing, bedding or other articles from windows, balconies or other parts of the building so that they are visible from the outside of the building;
 - (m) Use or install in or about a strata lot any shades, awnings, window or balcony guards or screens, ventilator, supplementary heating or air conditioning devices, except those installations approved in writing by the council;
 - (n) Erect on or fasten to the strata lot, the common property or any limited common property any television or radio antenna or similar structure or appurtenance thereto;
 - (o) Place any signs, billboards, notices or other advertising matter of any kind on, or visible from, the exterior of a strata lot. Real Estate signs may be posted only on the arm sign at the side or the entrance to the complex. Unit number must be posted on Realtor's sign.
 - (p) Place any indoor-outdoor carpeting on any deck, patio or balcony, or place any items on any deck, patio or balcony except free-standing, self-contained planter boxes, barbecues, summer furniture and accessories;
 - (q) Install screens and/or paper holders that are not white in colour. No storm doors to be installed on front doors.
 - (r) Use common property for storage purposes;
 - (s) Leave garage doors open for extended periods of time.
- (9) An owner, tenants or occupant may make additions to front and back landscaping but where an owner desires to plant additional flowers, shrubs, or plants with existing beds the owner will be responsible for maintenance of same. Owner who wishes to add flowers, flowerpots, and hanging

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baskets may do so, but no garden ornaments will be permitted in the front of the units.

- (10) An owner, tenant or occupant with a hot tub is responsible for providing proof of extended liability insurance for a minimum of \$2,000,000.00.
- (11) An owner, tenant or occupant of a strata lot shall not use or permit the use the strata lot other than as a single-family dwelling.
- (12) An owner, tenant or occupant is responsible for watering their own yards and shrubs on a regular basis, as well as any common area grass within reach of their hoses and sprinklers. Anyone having difficulties in doing so should notify the Strata Corporation.
- (13) An owner, tenant or occupant shall not cause damage to trees, plants, bushes, flowers or lawns and shall not place chairs, tables or other objects on the lawns or grounds so as to damage them or to prevent growth or to interfere with the cutting of the lawns or the maintenance of the grounds. No wading pools are permitted on lawns for extended periods of time.
- (14) All Christmas lights and decorations may be put up no sooner than November 25th and must be taken down no later than January 31st, including all clips used to attach items.
- (15) Owners, tenants or occupants are responsible for keeping their walkways and driveways clear of snow during the winter.
- (16) Owners are responsible for facilitating the servicing of their gas fireplaces every two years. The effective date of the first servicing year is no later than September 30, 2014. Servicing must be done by a qualified, certified gas fitter. Proof of such service is to be provided immediately to the council or the managing agent. [November 6, 2013]
- (17) A strata lot or a portion of a strata lot must not be used for short-term accommodation purposes, such as a fed-and-breakfast, lodging house, hotel, home exchange, time share or vacation rental. Without limiting the generality of the foregoing, a resident must not enter into a license for the use of all or part of a strata lot. [December 2, 2015]

Inform Strata Corporation

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

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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 the strata lot that involves any of the following:
- (a) the structure of a building;
 - (b) the exterior of a building;
 - (c) chimneys, stairs, patios, decks, driveways, or other things attached to the exterior of a building;
 - (d) wiring, plumbing, piping, or other services. Owner must obtain city permits for alterations prior to commencing work;
 - (e) doors, windows or skylights (including the casing, the frames and the sills of such doors, windows and skylights) on the exterior of a building, or that front on the common property (ie. including, for example, adding security devices to the entrance door to a strata lot);
 - (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 agrees, in writing, to take responsibility for any expenses relating to the alteration.

Obtain Approval Before Altering Common Property

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

Permit Entry to Strata Lot

7. (1) An owner, tenant, occupant or visitor must allow a person authorized by the Strata Corporation to enter the strata lot:
- (a) in an emergency, without notice, to ensure safety or prevent significant loss or damage, and
 - (b) at a reasonable time, on 48 hours' written notice, to inspect, repair or maintain common property, common assets and any portions of a strata lot that are the responsibility of the Strata Corporation to repair and maintain under these bylaws or insure under the Act; and to ensure compliance with the Act and these bylaws.

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- (2) The notice referred to in subsection (1)(b) must include the date and approximate time of entry, and the reason for entry.

Division 2 – Powers and Duties of Strata Corporation

Repair and Maintenance of Property by Strata Corporation

8. The Strata Corporation must repair and maintain all of the following:
- (a) common assets of the Strata Corporation;
 - (b) common property that has not been designated as limited common property;
 - (c) limited common property, but the duty to repair and maintain it is restricted to:
 - (i) repair and maintenance that in the ordinary course of events occurs less often than once a year, and
 - (ii) the following, no matter how often the repair or maintenance ordinarily occurs:
 - (A) the structure of a building;
 - (B) the exterior of a building;
 - (C) chimneys, stairs, patios, decks, driveways, and other things attached to the exterior of a building;
 - (D) doors, windows, and skylights (including the casings, the frames and the sills of such 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.* [November 6, 2013]

Division 3 – Council

Persons Permitted on Council

9. (1) An owner, or a spouse, including a common law spouse may be a member of the council.
- (2) No person may stand for council if the Strata Corporation is entitled to register a lien against that strata lot under the Act.

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Council Size

10. The council must have at least 3 and not more than 7 members.

Council Member's 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 as 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.
- (3) No person may stand for council or continue to be on council with respect to a strata lot if the Strata Corporation is entitled to register a lien against that strata lot under the Act.

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, a vice president, a secretary and a treasurer.

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- (2) A person may hold more than one office at a time, other than the offices of the 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) reasonable attempts to contact them.

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) 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
 - (d) 4, if the council consists of 7 members
- (2) Council members must be present in person at the council meeting to be

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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.
 - (c) rental restrictions bylaw exemption hearings under section 144 of the Act;
 - (d) 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 the meeting.
- (2) 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 subsection (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) Prior to the first day of October in each calendar year the Strata Corporation will cause to be prepared a budget setting out by categories,

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its best estimate of the common expenses of the Strata Corporation for the next fiscal year. The budget shall include a reasonable provision for contingencies and replacements. The Strata Corporation shall deliver or mail to each owner at their legal address, a copy of the budget for the ensuing fiscal year, together with a notice of the assessment for the owner's contribution towards the common expenses for that year.

- (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) Subject to subsection (3) below, if a proposed expenditure has not been approved in the budget or at an annual or special general meeting, the Strata Corporation may only make such expenditure out of the operating fund if the expenditure, together with all other unapproved expenditures, whether of the same type or not, that were made pursuant to this subsection (1) in the same fiscal year, is less than:
- (a) \$2,000.00; or
 - (b) 5% of the total contribution to the operating fund for the current year; which ever is less.
- (2) If the Strata Corporation makes an expenditure under subsection (1) above, the Strata Corporation must inform owners as soon as feasible about any expenditure of more than \$2,000.00 on any single item.
- (3) Notwithstanding subsection (1) above, the Strata Corporation can make an expenditure out of either the operating fund or the contingency reserve fund if there are reasonable grounds to believe that an immediate expenditure is necessary to ensure safety or to prevent significant loss or damage, whether physical, financial or otherwise.

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

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Maximum Fine

- 24.** 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) Infraction of any bylaws may be subject to a penalty at the council's discretion. (A first infraction of Bylaws or Rules and Regulations shall result in a fine of \$25.00 being levied. A second infraction shall be \$50.00 and subsequent infractions shall be \$100.00 fine.) All fines levied shall form a part of the monthly assessment fee and become due and payable the month following the fine. Fines not paid with the assessment fee will be subject to having a lien placed against the strata lot as per Section 37(1) of the Condominium Act.
- 4) Additional assessments, fines authorized by these bylaws, banking charges, filing costs, legal 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 separated component of such assessment and the Strata Corporation may not register a lien against such separate component.

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.

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- (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.

Voting

- 27.** (1) At an annual or special general meeting, voting cards must be issued to eligible voters.
- (2) At an annual or special general meeting a vote is decided on a show of voting cards, unless an eligible voter requests a precise count.
- (3) If a precise count is requested, the chair must decide whether it will be by show of voting cards or by roll call, secret ballot or some other method.
- (4) The outcome of each vote, including the number of votes for and against the resolution if a precise count is requested, must be announced by the chair and recorded in the minutes of the meeting.
- (5) If there is a tie vote at an annual or special general meeting, the president, or, if the president is absent or unable unwilling to vote, the vice president, may break the tie by casting a second, deciding vote.
- (6) Despite anything in this section, an election of council or any other vote must be held by secret ballot, if the secret ballot is requested by an eligible voter.
- (7) An owner who is otherwise an eligible voter may not exercise his or her vote for a strata lot, except on matters requiring an unanimous vote, if the Strata Corporation is entitled to register a lien against that strata lot.

Order of Business

- 28.** (1) The order of business at annual and special general meetings is as follows:
- (a) certify proxies and corporate representatives and issue voting cards;
- (b) determine that there is a quorum;
- (c) present to the meeting proof of notice of meeting or waiver of notice;
- (d) approve the agenda;
- (e) approve the minutes from the annual or general meeting;
- (f) deal with unfinished business;
- (g) 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;
- (h) ratify any new rules made by the Strata Corporation under section 125 of the Act;

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- (i) report on insurance coverage in accordance with section 154 of the Act, if the meeting is an annual general meeting;
- (j) approve the budget for the coming year in accordance with section 103 of the Act, if the meeting is an annual general meeting;
- (k) deal with new business, including any matters about which notice has been given under section 45 of the Act;
- (l) elect a council, if the meeting is an annual general meeting;
- (m) terminate the meeting.

Division 6 – Voluntary Dispute Resolution

Voluntary Dispute Resolution

- 29.** (1) A dispute among owners, tenants, the Strata Corporation or any combination of them may be referred to a dispute resolution committee by a party to the dispute if:
- (a) all the parties to the dispute consent, and
 - (b) the dispute involves the Act, the regulations, the bylaws or the rules.
- (2) A dispute resolution committee consists of:
- (a) one owner or tenant of the Strata Corporation nominated by each of the disputing parties and one owner or tenant chosen to chair the committee by the persons nominated by the disputing parties, or
 - (b) any number of persons consented to, or chosen by a method that is consented to, by all the disputing parties.
- (3) The dispute resolution committee must attempt to help the disputing parties to voluntarily end the dispute.

Division 7 – Miscellaneous Matters

Small Claims Actions

- 30.** Notwithstanding 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 $\frac{3}{4}$ vote.

Use of Patios and Balconies

- 31.** An owner, tenant, or occupant of a strata lot which does not have enclosed balconies shall not place planters 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 council, such planter, items or equipment are in keeping with the balance of the development in terms of design,

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quality, proportion and colour. Any such planters, items or equipment 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, tenant or occupant entitled to the use of the limited common property on which they are placed.

Bicycles, Storage and Parking

32. (1) No bicycles are to be kept on balconies or patios.
- (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 under that policy.
- (3) Only vehicles with current registration and insurance in force shall be allowed to park in the parking area, except with special permission of the Strata Corporation. Parking of vehicles other than those owned by a resident or their house guest is prohibited.
- (4) No owner or resident of the complex will be permitted to park in Visitor Parking without permission of council.
- (5) No one shall leave unattended, any vehicle in such a position that it will interfere with other spaces. Nor shall a vehicle be left in such a way that it blocks or infringes on access lanes or “No Parking” areas.
- (6) Vehicles may be washed only at designated locations (in front of the individual units) and persons washing vehicles must hose down all dirt and remove excess water and residue resulting from vehicle washing.
- (7) Vehicles dripping excessive oil or any gasoline will be prohibited from parking in common areas until repaired. Owners of vehicles causing staining, shall at the Corporations notification, clean up all drippings, or on failure to do so in 7 days, shall be assessed the cost of clean up or repairs of any damage.
- (8) All parking areas are common property and may not be altered or defaced in any manner.
- (9) No RVs boats or commercial vehicles are permitted in the common area without permission of council.
- (10) Visitor Parking shall be for a maximum of three (3) days or (3) nights in any given week. Longer periods of time require authorization from the Strata Council.

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- (11) An owner shall not park his vehicle in the Strata complex driveway or in front of unit and/or designated fire lanes with the exception of the driveways located at units #25, #57 and #58 who have full driveways. Any vehicle found parking in these areas would be subject to towing at their expense.

Speed Limits

33. The posted speed limit in the strata complex is 10km/h. Failure to observe posted speed limit could result in a \$25.00 fine.

Move in / Move out

34. An owner or tenant must notify the Strata Corporation in advance of the date and time that the owner or tenant will be moving into or out of the strata lot. Moving in and out between 8:00 AM and 10:00 PM only.

Acquisition or Disposition of Personal Property

35. The Strata Corporation may purchase, lease or otherwise acquire personal property for the use or benefit of the owners and may sell or otherwise dispose of such personal property for any amount approved in the annual budget for the Strata Corporation, but otherwise only if approved by a resolution passed by a $\frac{3}{4}$ vote at an annual or special general meeting if the personal property has a market value of more than \$2,000.00

Rentals

36. (1) Subject to the provisions of this bylaw strata lots shall be owner-occupied only, with the following considerations and exceptions:
- (a) at any given time up to zero 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 pay all outstanding fines and fees before an application will be considered by Strata Council;
 - (ii) any owner wishing to rent a strata lot must make an application in writing to the council;
 - (iii) the Strata Council will consider each application upon receipt and will respond to each application in writing within one week of receipt;
 - (iv) upon acceptance of an application to rent, an owner must enter into a lease of a strata lot within sixty days (60) from acceptance by the council of such owner's application or the acceptance will be automatically revoked;

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- (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) this bylaw does not apply to prevent the rental of a strata lot to a member of the “family” of an owner, meaning:
 - (i) the spouse of the owner;
 - (ii) a parent or child of the owner; or
 - (iii) a parent or child of the spouse of the owner,where “spouse of the owner” includes an individual who has lived and cohabitated with the owner, for a period of at least two years at the relevant time, in a marriage-like relationship, including a marriage-like relationship between persons of the same gender;
- (d) where an owner has leased a strata lot to a tenant pursuant to a tenancy agreement entered into before this bylaw was passed, this bylaw does not apply to such strata lot until the later of:
 - (i) one year after the tenant who is occupying the strata lot at the time the bylaw is passed ceases to occupy the strata lot as a tenant; and
 - (ii) one year after the bylaw has been passed; and
- (e) 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.

Use of Recreation Hall

37.

- (1) Only owners of the units in the Strata Corporation L.M.S. 482 may rent the Recreation Hall.
- (2) owners wishing to rent the Recreation Hall must pay all outstanding fines and fees before a booking will be considered by the Strata Corporation.
- (3) A deposit of \$100.00 must be made to the Strata Manager of the Strata Corporation two weeks before the booking date.
- (4) If the deposit is not paid two weeks prior to the booking date, the booking date will be canceled until the deposit is received.

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- (5) The rental cost of the Recreation Hall is set at \$50.00 per time.
- (6) Guests must park their vehicles on the street only.
- (7) The Recreation Hall shall be cleaned by the owner that applied for the booking to the satisfaction of the Strata Corporation. If no damage is done to the Recreation Hall, \$50.00 will be returned to the owner. The other \$50.00 will be the rental payment.
- (8) No smoking is allowed in the Recreation Hall.
- (9) Fire Regulations restrict maximum persons allowed in the Recreation Hall to 45.