

Waterleaf
STRATA PLAN EPS 2457
BYLAWS
(2024)

Division 1 – Duties of Owners, Tenants, Occupants and Visitors

1. Payment of strata fees and special levies (CA5605058, AGM, September 7, 2016)

- 1.1 An owner must pay strata fees on or before the first day of the month to which the strata fees relate.
- 1.2 Where an owner fails to pay strata fees in accordance with bylaw 1.1, outstanding strata fees will be subject to:
 - (a) an interest charge of 10% per annum, compounded annually; and
 - (b) a fine of \$100.00.
- 1.3 An owner must provide the strata corporation or its agent with twelve (12) consecutive, monthly post-dated cheques for strata fees for the fiscal year of the strata corporation, dated as of the first day of each month or, if applicable, written authorization for monthly automatic debit from the owner's bank account.
- 1.4 Failure by an owner to submit twelve (12) monthly, post-dated strata fee cheques or written authorization for automatic debit in accordance with bylaw 1.3 is a contravention of bylaw 1.3 and the Strata Corporation will levy a fine of \$100.00 for each contravention. Each dishonored cheque or dishonored automatic debit will be subject to a fine of \$100.00 and an administration charge of \$25.00.
- 1.5 A special levy is due and payable on the date or dates noted in the resolution authorizing the special levy.
- 1.6 Where an owner fails to pay a special levy in accordance with bylaw 1.5, the outstanding special levy contributions will be subject to:
 - (a) an interest charge of 10% per annum, compounded annually; and
 - (b) a fine of \$100.00.

2. Repair and maintenance of property by owner

- 2.1 An owner must repair and maintain the owner's strata lot, except for repair and maintenance that is the responsibility of the strata corporation under these bylaws.
- 2.2 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

- 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.
- 3.2 An owner, tenant, occupant or visitor must not cause damage, other than reasonable wear and tear, to the common property, common assets or those parts of a strata lot which the strata corporation must repair and maintain under these bylaws or insure under section 149 of the Act.
- 3.3 An owner, tenant, occupant or visitor must ensure that all animals are leashed or otherwise secured when on the common property or on land that is a common asset.
- 3.4 An owner, tenant or occupant must not keep any pets on a strata lot other than on 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) Up to two cats, or up to two dogs, or up to one cat and one dog with a maximum weight of 30 lbs. per pet. (CA7858050, AGM, September 19, 2019)

- 3.5 An owner must not use a strata lot, the common property, limited common property or common assets for the purpose of growing, producing, harvesting, storing, marketing, selling or distribution of marijuana or any other “controlled substance” as that term is defined in the Controlled Drugs and Substances Act, S.C. 1996, c19, as amended. Despite the foregoing, an owner or resident who has a medical prescription for medical marijuana may store medical marijuana in their strata lot.
(CA7194196, AGM, September 12, 2018)

4. 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.
4.2 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

- 5.1 An owner must obtain the written approval of the strata corporation before making an alteration to a strata lot that involves any of the following:
- (a) The structure of a building;
 - (b) The exterior of a building
 - (c) Chimneys, stairs, balconies or other things attached to the exterior of a building;
 - (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
- 5.2 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.
- 5.3 This section does not apply to a strata lot in a bare land strata plan

6. 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.
6.2 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

- 7.1 An owner, tenant, occupant or visitor must allow a person authorized by the Strata Corporation to enter the strata lot
- (a) In an emergency, without notice, to ensure safety or prevent significant loss or damage, and
 - (b) At a reasonable time, on 48 hours’ written notice, to inspect, repair or maintain common property, common assets and any portions of a strata lot that are the responsibility of the strata corporation to repair and maintain under these bylaws or insure under section 149 of the Act.
- 7.2 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

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) Chimneys, stairs, balconies and other things attached to the exterior of a building
 - (D) Doors, windows and skylights on the exterior of a building or that front on the common property;
 - (E) Fences, railings and similar structures that enclose patios, balconies and yards;
- (d) a Strata Lot in a strata plan that is not a bare land strata plan, but the duty to repair and maintain it is restricted to
 - (i) the structure of a building,
 - (ii) the exterior of a building,
 - (iii) Chimneys, stairs, balconies and other things attached to the exterior of a building
 - (iv) Doors, windows and skylights on the exterior of a building or that front on the common property, and
 - (v) Fences, railings and similar structures that enclose patios, balconies and yards.

Division 3 – Council

9. Council Size

- 9.1 Subject to subsection (2), the council must have at least 3 and not more than 7 members.
- 9.2 If the strata plan has fewer than 4 strata lots of the Strata Corporation has fewer than 4 owners, all the owners are on the council.

10. Council member's terms

- 10.1 The term of office of a council member ends at the end of the Annual General Meeting at which the new council is elected.
- 10.2 A person whose term as council member is ending is eligible for re-election.

11. Removing council member

- 11.1 Unless all the owners are on the council, the strata corporation may, by a resolution passed by a majority vote at an annual or special general meeting, remove one or more council members.
- 11.2 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

- 12.1 If a council member resigns or is unwilling or unable to act for a period of 2 or more months, the remaining members of the council may appoint a replacement council member for the remainder of the term.
- 12.2 A replacement council member may be appointed from any person eligible to sit on the council.
- 12.3 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.
- 12.4 If all the members of the council resign or are unwilling or unable to act for a period of 2 or more months, person 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

- 13.1 At the first meeting of the council held after each annual general meeting of the Strata Corporation, the council must elect, from among its members, a president, a vice president, a secretary and a treasurer.
- 13.2 A Person may hold more than one office at a time, other than the offices of president and vice president.
- 13.3 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.
- 13.4 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 amongst themselves for the remainder of the term.

14. Calling council meetings

- 14.1 Any council member may call a council meeting by giving the other council members at least one week's notice of the meeting, specifying the reason for calling the meeting.
- 14.2 The notice does not have to be in writing.
- 14.3 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.
- 14.4 The council must inform owners about a council meeting as soon as feasible after the meeting has been called.

Repealed

- 15. [Repealed 2009-17-35.]

16. Quorum of council

- 16.1 A quorum of the council is
 - (a) 1, if the council consists of one member,
 - (b) 2, if the council consists of 2, 3 or 4 members,
 - (c) 3, if the council consists of 5 or 6 members, and
 - (d) 4, if the council consists of 7 members.

- 16.2 Council members must be present in person at the council meeting to be counted in establishing quorum.
- 17.1 At the option of the council, council meetings may be held by electronic means, so long as all council members and other participants can communicate with each other.
- 17.2 If a council meeting is held by electronic means, council members are deemed to be present in person.
- 17.3 Owners may attend council meetings as observers.
- 17.4 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

- 18.1 At council meetings, decisions must be made by a majority of council members present in person at the meeting.
- 18.2 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.
- 18.3 The results of all votes at a council meeting must be recorded in the council meeting minutes.

19. Council to inform owners of minutes

- 19 The council must inform owners of the minutes of all council meetings within 2 weeks of the meeting, whether or not the minutes have been approved.

20. Delegation of council's powers and duties

- 20.1 Subject to subsections (2) to (4), the council may delegate some or all of its powers and duties to one or more council members or persons who are not members of the council and may revoke the delegation.
- 20.2 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).
- 20.3 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.
- 20.4 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

- 21.1 A person may not spend the strata corporation's money unless the person has been delegated the power to do so in accordance with these bylaws.

- 21.2 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

- 22.1 A council member who acts honestly and in good faith is not personally liable because of anything done or omitted in the exercise or intended exercise of any power of the performance or intended performance of any duty of the council.
- 22.2 Subsection (1) does not affect a council member's liability, as an owner, for a judgement against the strata corporation.

Division 4 – Enforcement of Bylaws and Rules

23. Fines (CA5605058, AGM, September 7, 2016)

Except where specifically stated to be otherwise in these bylaws, the Strata Corporation may fine an owner or tenant:

- (a) \$200.00 for each contravention of a bylaw, and
- (b) \$50.00 for each contravention of a rule.

24. Continuing contravention

24. If an activity or lack of activity that constitutes a contravention of a bylaw or rule continues, without interruption, for longer than 7 days, a fine may be imposed every 7 days.

Division 5 – Annual and Special General Meetings

- 25.1 Annual and special general meetings must be chaired by the president of the council.
- 25.2 If the president of the council is unwilling or unable to act, the meeting must be chaired by the vice president of the council.
- 25.3 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

- 26.1 Tenants and occupants may attend annual and general meetings, whether or not they are eligible to vote.
- 26.2 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.
- 26.3 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

- 27.1 At an annual or special general meeting, voting cards must be issued to eligible voters.
- 27.2 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.
- 27.3 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.

- 27.4 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.
- 27.5 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.
- 27.6 If there are only 2 strata lots in the strata plan, subsection (5) does not apply.
- 27.7 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.

28. Order of business

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

- (a) Certify proxies and corporate representatives and issue voting cards;
- (b) Determine that there is a quorum;
- (c) Elect a person to chair the meeting, if necessary;
- (d) Present to the meeting proof of notice of meeting or waiver of notice;
- (e) Approve the agenda;
- (f) Approve minutes from the last annual or special general meeting;
- (g) Deal with unfinished business;
- (h) Receive reports of council activities and decisions since the previous annual general meeting, including reports of committees, if the meeting is an annual general meeting;
- (i) Ratify any new rules made by the strata corporation under section 125 of the Act;
- (j) Report on insurance coverage in accordance with section 154 of the Act, if the meeting is an annual general meeting;
- (k) Approve the budget for the coming year in accordance with section 103 of the Act, if the meeting is an annual general meeting;
- (l) Deal with new business, including any matters about which notice has been given under section 45 of the Act;
- (m) Elect a council, if the meeting is an annual general meeting;
- (n) Terminate the meeting.

Division 6 – Voluntary Dispute Resolution

29. 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.
- 29.2 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.
- 29.3 The dispute resolution committee must attempt to help the disputing parties to voluntarily end the dispute.

Division 7 – Marketing Activities by Owner Developer

30. Display lot

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

31. Parking

- 31.1 An owner, tenant or occupant (for the purposes of this section 32, a “Resident”) must only use the parking stall which is specifically assigned to the strata lot in which he or she resides and no other person shall use such parking stall without the owner’s permission.
- 31.2 Notwithstanding anything to the contrary herein, for the period between the filing of the Phase 1 Strata Plan and the Phase 2 Strata Plan for the Development, that portion of the parking facility located in Phase 2 of the Development, is subject to these Bylaws and Council has the exclusive discretion and right to allocate and administer the exclusive use of the parking stalls located herein. Upon the filing of the Strata Plan for Phase 2, this Section 32(2) of the Bylaws will be of no force and effect.
- 31.3 Any vehicle found to be in violation of any provision of these Bylaws or of a rule pertaining to parking of vehicles may, at the discretion of the council, be towed at the expense of the owner of the vehicle and such expense will be assessed as a charge against the owner of the strata lot to whom the parking stall is assigned.
- 31.4 Any person parking a vehicle on a regular basis, in excess of two (2) days per week, in visitors parking, will not be granted visitors parking privilege; therefore, may be subject to removal by a towing company authorized by council, and all costs associated with such removal will be charged to the owner of the strata lot and/or the vehicle owner. Parking needed in excess of two (2) days per week requires the written permission of the strata council. **(CA6428681, AGM, September 28, 2017)**
- 31.5 A resident must not permit any oversized, commercial or recreational vehicles including, but not exhaustively, boats, trailers and campers to enter or be parked or stored on exterior common or land that is a common asset. **(CA7858050, AGM, September 19, 2019)**
- 31.6 A resident must not store unlicensed or uninsured vehicles on the common, limited common property or on land that is a common asset. **(CA7858050, AGM, September 19, 2019)**
- 31.7 A resident storing a vehicle must provide a copy of their third-party liability insurance coverage to the strata corporation on the commencement date of the storage. Every owner of a vehicle that does not have a current BC license plate or has an out-of-province license plate must provide proof of third-party liability insurance coverage each year. If proof of liability insurance is not provided within fifteen (15) days of being requested, the vehicle may be towed at the owner’s expense. **(CA7858050, AGM, September 19, 2019)**
- 31.8 A resident must park only in the parking stall assigned to the resident, and not that assigned to another resident. No other resident, owner, tenant or occupant shall use such parking stall without the strata lot owner’s permission. **(CA7858050, AGM, September 19, 2019)**
- 31.9 A resident or visitor must not permit a vehicle to be parked or left unattended in a manner that interferes with parking stalls, access lanes or no parking zones, except for temporary parking for 15 minutes for loading and unloading. The vehicle must be attended to at all times. **(CA7858050, AGM, September 19, 2019)**

- 31.10 A resident or visitor must not use any parking area as a work area for carpentry, renovations, repairs (including, but not exhaustively, sawing, drilling and the use of any adhesive or hardening compounds) or work on vehicles involving any automotive fluids or paints, motor tune ups or mechanical repairs. **(CA7858050, AGM, September 19, 2019)**
- 31.11 A resident or visitor operating a vehicle in the parking areas must activate the vehicle's headlights and not exceed 15 km/hour. **(CA7858050, AGM, September 19, 2019)**
- 31.12 A resident must not park or store any vehicle that drips gasoline or excessively drips oil. A resident must remove any dripped oil, gasoline or other automotive residue. **(CA7858050, AGM, September 19, 2019)**
- 31.13 P1 visitor parking spaces may not be rented to residents. These are available for visitors parking only. **(CA7858050, AGM, September 19, 2019)**
- 31.14 Residents shall not use the spaces assigned to visitors. **(CA7858050, AGM, September 19, 2019)**
- 31.15 Storage in parking stalls is not permitted. **(CA7858050, AGM, September 19, 2019)**
- 31.16 No parking in Fire Lanes. **(CA7858050, AGM, September 19, 2019)**
- 31.17 No overnight parking in traffic circle. **(CA7858050, AGM, September 19, 2019)**
- 31.18 Overnight visitors must display a visitor parking pass. Failure to display a valid visitor parking pass will result in the vehicle being removed by a towing company authorized by council, and all costs associated with such removal will be charged to the owner of the vehicle. **(CA7858050, AGM, September 19, 2019)**
- 31.19 When parking in the designated disabled parking stalls, an official disabled parking pass must be displayed. Parking is for a maximum of sixty (60) minutes. Violators will be towed. **(CA7858050, AGM, September 19, 2019)**
32. No recreational vehicles (including without limitation, any motorhome, house trailer, camper, tent trailer, or fifth wheel), boat, trailer or any other type of recreational vehicle shall be parked, stored, or kept on any portion of the Common Property or Limited Common Property.
33. No owner shall park, store, or keep an automobile, truck, or other vehicle upon the Common Property or upon the Limited Common Property if such automobile, truck or other vehicle is not licensed or is not roadworthy or is in a state of disrepair.
34. During the time that the Developer of the Strata Lots remains the registered owner of any Strata Lots in the Development, the Developer shall have the exclusive right to control, occupy, and use the Common Property and such unsold Strata Lots as display units and sales offices and carry out such sales functions as the Developer deems necessary or desirable to enable the sale and marketing of all Strata Lots in the Development including, without limitation:
- (a) Erecting and placing directional, locational, and advertising signage on and in the Common Property and on the Strata Lots owned by the Developer;
 - (b) Encouraging and allowing prospective purchasers to view the Strata Lots owned by the Developer and the Common Property; and
 - (c) Erecting and maintaining placards, flags, and other like items for marketing, sales, and advertising on the Common Property of the Development which shall be removed at the Developer's expense once all Strata Lots have been sold by the Developer.

35. In order to allow the Developer of the Strata Lots to market and sell any Strata Lots owned by the Developer, the Developer may, until the last Strata Lot has been sold by the Developer:
- (a) Designate for the Developer's exclusive use, up to 10 parking stalls located within the Common Property of the Development and intended for visitor use, provided that such parking stalls have not previously been designated as Limited Common Property on the Strata Plan, for use by the Developer and its sales staff, agents, and prospective purchasers;
 - (b) Allow any project to remain open during regular business hours including weekends to allow perspective purchasers reasonable and unimpeded access to the Strata Lots owned by the Developer and access to the Common Property and facilities of the Development; and
 - (c) Have unimpeded access for the Developer, its sales staff, agents, and prospective purchasers to the Common Property and common facilities of the Development.
36. An owner of a residential strata lot shall not:
- (a) Use, or permit any occupant of his strata lot or any guest, employee, agent or invitee of the owner or occupant to use, a barbecue, hibachi, or other like cooking device on a balcony, deck, or patio unless such a barbecue, hibachi, or cooking device is powered by propane or electricity and such propane or electricity powered barbecues, hibachis and other light cooking devices shall not be used except in accordance with rules made by the strata corporation.
 - (b) Install or permit any occupant of his strata lot or any guest, employee, agent or invitee of the owner or occupant to install any window coverings, visible from the exterior of his strata lot, which are different in size or color from those of the original complex specifications.
 - (c) Hang or display, or permit any occupant of his strata lot or any guest, employee, agent of invitee of the owner or occupant to hang or display, any 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.
 - (d) Place, or permit any occupant of his strata lot or any guest, employee, agent or invitee of the owner or occupant to place, any signs, billboards, notices, or other advertising matter of any kind (other than a "for sale" sign) on, or visible from, the exterior of a strata lot.
37. **Rentals**
37. (a) Before a tenant may move into any residential strata lot, the owner shall deliver or cause to be delivered to the strata corporation a "Form K – Notice of Tenant's Responsibilities" in the form set out in the Act, signed by the tenant
- (b) If an owner intends to rent his strata lot, all rentals must be managed by a single rental management company chosen by the strata council. All potential tenants must be interviewed and approved by such rental management company who will apply requirements established by a committee of strata owners who will be elected at each Annual General meeting of the Strata Corporation.
- (c) A strata lot must not be used for short-term accommodation purposes, including, but not limited to, a bed-and-breakfast, lodging house, hotel, motel, home exchange, time share, temporary

housing, corporate housing, vacation rental or extended vacation rental, whether arranged through websites such as Air BnB, VRBO, Premiere Executive Suites, Corporate Stays or through companies that advertise this type of accommodation. 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 for short-term accommodation. Effective September 14, 2023, any breach of this bylaw 37 (d) is subject to a fine of up to \$1,000 per day. **(CB1004225 AGM September 14, 2023)**

38. Pets

An owner or occupant of a residential strata lot that keeps a dog, cat or other non-caged animal in his or her strata lot, either permanently or temporarily, will register that pet with the strata council by providing to the strata council a written notice signed by the owner setting out the name, breed, weight and color of the pet, the strata lot number of which the pet is kept, the name and telephone number of the owner of the pet and the license number of the pet (when the pet is required to be licensed) and will only keep a pet in his or her strata lot in compliance with these bylaws. No exotic caged or un-caged pets allowed such as but not limited to reptiles, snakes, spiders, rodents, or insects. **(CA7858050, AGM, September 19, 2019)**

39. Resident Insurance

A resident is responsible for obtaining insurance coverage to cover risks that are not covered by the strata insurance and providing proof of insurance to the Strata Corporation annually. Without limiting the foregoing, an owner is responsible for obtaining insurance coverage to pay any deductibles payable under the strata insurance for which the owner is responsible. **(CA5605058, AGM, September 7, 2016)**

40. Responsibility of Owners

40.1 If an owner is responsible for any loss or damage to a strata lot, common property, limited common property, or common assets, that owner must indemnify and save harmless the strata corporation from the expense of any maintenance, repair or replacement rendered necessary to the strata lot, common property, limited common property or common assets but only to the extent that such expense is not reimbursed from the proceeds received by operation of any strata insurance policy. Without limiting the generality of the word “responsible”, an owner is responsible for the owner’s own acts or omissions, as well as those of any of the tenants, occupants, visitors, agents, contractors or employees of the strata lot or the owner.

40.2 For the purposes of bylaws 3.2 and 40.1 any insurance deductible paid or payable by the strata corporation will be considered an expense not covered by the strata insurance proceeds received by the strata corporation and will be charged to the owner. **(CA5605058, AGM, September 7, 2016)**

41. Moving in/out procedures (CA5605058, AGM, September 7, 2016)

41.1 A resident must provide notice to the Strata Corporation, by way of notification to the management company, of all moving arrangements at least 7 days before the moving date. All moves must take place between 9:00 AM and 6:00 PM, Monday through Friday and 9:00 AM to 5:00 PM on Saturdays, Sundays and statutory holidays.

41.2 A resident using the elevator during a move must ensure that the elevator service key is used to control the elevator and the doors are not jammed open in any manner. An elevator key can be obtained by contacting a strata council member. Protective covering will be placed on the walls of the elevator.

- 41.3 A resident must ensure that the lobby, parkade, and/or exterior doors are not left open, ajar or unattended and that furniture is not left piled in any lobby area.
- 41.4 A resident must ensure that all common areas are left damage free and clean up upon completion of the move. The owner is responsible for any damage to the building or the elevators. If a moving company is employed, they are to be informed of this policy.
- ~~41.5 A resident must pay a \$100 move-in and a \$100 move-out fee at the time of the move. First-time owners are exempt from the move-in fee.~~
- 41.5 A resident must pay a \$150 move-in and a \$150 move-out fee at the time of the move. (CA9693489, AGM December 7, 2021)

42. Security Measures

- 42.1 Closed circuit television and video surveillance are installed in the following common areas of the building: building entrances, lobbies, storage rooms, mail area, parking levels P1, P2, and P3, turnaround, and amenity area. The system operates 24 hours a day and the Strata Corporation collects data from the closed-circuit television and video surveillance.
- 42.2 The Strata Corporation collects data with respect to the usage of each security fob programmed for use at Strata Plan EPS 2457.
- 42.3 The video files and/or security fob usage records will be used only for the purposes of law enforcement and/or for the enforcement of those Strata Corporation Bylaws and Rules which relate to the safety and security of the building and its occupants.
- 42.4 The video files are stored for a period of up to 1 month from the date of recording, which period may be extended for those files required for law enforcement and/or Bylaw enforcement purposes.
- 42.5 The security fob usage records are stored for a period of up to 1 month from the date of the recording, which period may be extended for those the files required for law enforcement and/or Bylaw enforcement purposes.
- 42.6 The personal information of Owners, tenants or occupants will only be reviewed or disclosed as follows:
- (a) law enforcement in accordance with Bylaw Section 3 herein;
 - (b) the caretakers of the Strata Corporation and Council members in accordance with Bylaw Section 3 herein; or
 - (c) In the event of an incident in which they are involved or affected, an Owner, tenant or occupant may request a copy of the applicable video file or security fob usage records.
- 42.7 In installing and/or maintaining the systems described herein, the Strata Corporation makes no representations or guarantees that any of the systems will be fully operational at all times. The Strata Corporation is not responsible or liable to any Owner, tenant, occupant or visitor in any capacity (including a failure to maintain, repair, replace, locate or monitor any of the systems, whether arising from negligence or otherwise) for personal security or personal property in any area monitored by any of the systems. **(CA5605058, AGM, September 7, 2016)**
- 42.8 Upon entering or exiting the parkade, a resident or visitor must ensure that the gate has closed securely behind them prior to proceeding. **(CA7858050, AGM, September 19, 2019)**

43. No Smoking

- 43.1 For the purposes of this bylaw 43, the following definitions apply:

- (a) “smoke” or “smoking” includes inhaling, exhaling, burning or carrying of a lighted cigarette, cigar, pipe, hookah pipe or other lighted smoking equipment that burns tobacco or other weed substances (including, for clarity, marijuana); **(CA7858050, AGM, September 19, 2019)**
 - (b) “vape” or “vaping” includes inhaling, exhaling, vaporizing or carrying or using an activated e-cigarette. **(CA7858050, AGM, September 19, 2019)**
- 43.2 A resident or visitor must not smoke or vape anywhere on or within Strata Plan EPS 2457, including in a strata lot: **(CA7858050, AGM, September 19, 2019)**
- 44. Miscellaneous**
- 44.1 On an annual basis, all residents shall allow a strata-corporation-designated contractor access to the strata lot to inspect and certify all fire safety equipment within the strata lot in accordance with the BC Fire Code. Failure to comply will result in a fine of \$100.00 and further fines of \$100.00 for every 30 days that the strata lot remains uncertified. **(CA7858050, AGM, September 19, 2019)**
- 44.2 A maximum of one propane tank is permitted to be stored on the balcony of a strata lot. Propane tanks are not permitted to be stored within a strata lot, in storage lockers, or within other interior common areas of the building. **(CA7858050, AGM, September 19, 2019)**
- 44.3 Appliances used on balconies must be used in compliance with manufacturer’s specifications, especially as it pertains to clearance requirements, etc. **(CA7858050, AGM, September 19, 2019)**
- 44.4 No business or commercial use of the amenity room, pool and hot tub area, and gym or equipment is permitted. **(CA8859381, AGM November 16, 2020)**
- 44.5 Real Estate signs and for sale signs must not be displayed in a strata lot or on common property except signs are permitted on the sign tree in the traffic circle. **(CB1276324, AGM September 28, 2022)**
- 44.6 Residents will be given 14 days’ notice when pressure washing is to take place in the parkade area. Vehicles must be removed from the parkade area for pressure washing. Vehicles that are not removed will be subject to fines and/or towing. **(CB1276324, AGM September 28, 2022)**
- 44.7 Residents and visitors must not remove, disconnect, or tamper with smoke alarms. **(CB1276324, AGM September 28, 2022)**
- 44.8 Residents may not leave shopping carts on common property, including but not limited to the parkade, hallways and lobbies. **(CB1276324, AGM September 28, 2022)**
- 44.9 Lock boxes (including realtor lock boxes) are not permitted anywhere on strata or common property. . **(CB1276324, AGM September 28, 2022)**

END OF BYLAWS