

TUDOR MANOR

BYLAWS

Preamble

These bylaws bind the strata corporation and the owners, tenants and occupants to the same extent as if the bylaws had been signed by the strata corporation and each owner, tenant and occupant and contained covenants on the part of the strata corporation with each owner, tenant and occupant and on the part of each owner, tenant and occupant with every other owner, tenant and occupant and with the strata corporation to observe and perform their provisions.

Unless otherwise stated, all terms have the meanings prescribed in the **Strata Property Act**, S.B.C. 1998, c. 43. For the purposes of these bylaws, "residents" means collectively, owners, tenants and occupants and "a resident" means collectively, an owner, a tenant and an occupant.

The Schedule of Standard Bylaws to the Act does not apply to the strata corporation.

Duties of Owners, Tenants, Occupants and Visitors

1. Compliance with bylaws and rules

- 1.1 All residents and visitors must comply with the bylaws and rules of the strata corporation adopted from time to time.

2. Payment of strata fees and special levies

- 2.1 An owner must pay strata fees on or before the first day of the month to which the strata fees relate.
- 2.2 An owner may 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.
- 2.3 An owner may elect to prepay the annual strata fees upon receiving notice of budgetary approval.
- 2.4 Where an owner fails to pay strata fees in accordance with bylaw 2.1, outstanding strata fees will be subject to an interest charge of 10% per annum, compounded annually. In addition to interest, failure to pay strata fees on the due date will result in a fine of \$100 for each contravention of bylaw 2.1.

- 2.5 Each dishonoured cheque or dishonoured automatic debit will be subject to a fine of \$100 and an administration fee of \$25.
- 2.6 A special levy is to be due and payable on the date or dates specified in the resolution authorizing the special levy.
- 2.7 Failure to pay a special levy by the first of the month following which it is due or is unpaid on the first of any subsequent month will result in a fine of \$100 for each such month until the due amount is paid in full.
- 2.8 Where an owner fails to pay a special levy in accordance with bylaw 2.6, outstanding special levies will be subject to an interest charge of 10% per annum, compounded annually.

3. Fee for use of common property

- 3.1 The strata corporation may charge the owner of a strata lot a fee for the exclusive use of common property, as identified on the strata plan filed in the land title office. This fee will be equivalent to the unit entitlement calculation and will be directly related to the area of common property referred to.

4. Repair and maintenance of property by owner

- 4.1 An owner must repair and maintain the owner's strata lot.
- 4.2 An owner who has the use of limited common property is responsible for keeping it in good repair (including, but not exhaustively, keeping drains clear, replacing worn patio door rollers or a worn-out passage-way lock set on a door which is on the exterior of the building).

5. Use of property

- 5.1 A resident 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.

5.2 A resident 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.

5.3 An owner is responsible for any damage caused by occupants, tenants or visitors to the owner's strata lot.

5.4 An owner shall indemnify and save harmless the strata corporation from the expense of any maintenance, repair or replacement necessary to the common property, limited common property, common assets or to any strata lot by the owner's act, omission, negligence or carelessness or by that of an owner's visitors, occupants, guests, employees, agents, tenants or a member of the owner's family, but only to the extent that such expense is not reimbursed from the proceeds received by operation of any insurance policy. In such circumstances, and for the purposes of bylaws 5.1, 5.2 and 5.3, any insurance deductible paid or payable by the strata corporation shall be considered an expense not covered by the proceeds received by the strata corporation as insurance coverage and will be charged to the owner.

5.5 A resident must not use, or permit to be used, the strata lot except as a private dwelling home and limits of occupancy of the strata lot will be governed by municipal bylaws of the City of Vancouver.

6. Pets and animals

6.1 A resident or visitor must not keep any pets on a strata lot or common property or on land that is a common asset except in accordance with these bylaws.

6.2 A resident must not keep a pet 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 animals;
- (c) up to 2 caged birds;

(d) two dogs or two cats.

- 6.3 A resident must not harbour exotic pets, including not exhaustively, snakes, reptiles, spiders or large members of the cat family.
- 6.4 A resident must apply to the council for approval to keep a pet (a "Permitted Pet") by registering the pet with the council within 30 days of the pet residing on a strata lot (or the passage of this bylaw) and by providing, in writing, the name of the Permitted Pet, breed, colour and markings, together with the name, strata lot number and telephone number of the pet owner.
- 6.5 A resident or visitor must ensure that all animals are leashed or at least behaving in a manner which is not perceived as a threat or concern to other residents when the animal is on the common property or on land that is a common asset. A Permitted Pet found loose on common property or land that is a common asset may be delivered to the municipal pound at the cost of the strata lot owner.
- 6.6 A resident must not keep a Permitted Pet which is a nuisance on a strata lot, on common property or on land that is a common asset. If a resident has a pet which is not a Permitted Pet or if, in the opinion of council, the Permitted Pet is a nuisance or has caused or is causing an unreasonable interference with the use and enjoyment by residents or visitors of a strata lot, common property or common assets, the council may order such pet to be removed permanently from the strata lot, the common property or common asset or all of them.
- 6.7 If a resident contravenes bylaw 6.6, the owner of the strata lot will be subject to a fine of \$100.
- 6.8 Notwithstanding bylaw 6.7, a resident whose pet contravenes bylaw 6.6 will be subject to an immediate injunction application and the owner of the strata lot will be responsible for all expenses incurred by the strata corporation to obtain the injunction, including legal costs.
- 6.9 A pet owner must ensure that a Permitted Pet is kept quiet, controlled and clean. Any excrement on common property or on land that is a common asset must be immediately disposed of by the pet owner.
- 6.10 A pet owner must keep a Permitted Pet only in a strata lot, except for ingress and egress.
- 6.11 A strata lot owner must assume all liability for all actions by a Permitted Pet, regardless of whether the owner had knowledge,

notice or forewarning of the likelihood of such action.

- 6.12 A resident or visitor must not feed birds, rodents or other wild animals from any strata lot, limited common property, common property or land that is a common asset. No bird feeders of any kind are permitted to be kept on balconies, strata lots, common property or land that is a common asset.
- 6.13 A resident who contravenes any of bylaws 6.1 to 6.5 (inclusive) or 6.9 to 6.12 (inclusive) will be subject to a \$50 fine.

7. Inform strata corporation

- 7.1 An owner must notify the strata corporation:
- (a) within two weeks of becoming an owner; the owner's name and any occupants' names, strata lot number and mailing address outside the strata plan, if any; and
 - (b) of any mortgage or other dealing in connection with the strata lot within two weeks of such mortgaging or other dealing.
 - (c) of a tenant's name.

8. Obtain approval before altering a strata lot

- 8.1 An owner must obtain the written approval of the strata corporation before making or authorizing an alteration to a strata lot that involves any of the following:
- (a) the structure of the building;
 - (b) the exterior of the building;
 - (c) patios, chimneys, stairs, balconies or other things attached to the exterior of the building;
 - (d) doors, windows or skylights on the exterior of the building, or that front on the common property;
 - (e) fences, railings or similar structures that enclose a patio, balcony or terrace;
 - (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; and
- (h) wiring, plumbing, piping, heating, air conditioning and other services.

8.2 An owner intending to apply to the strata corporation for permission to alter a strata lot must submit, in writing, detailed plans and written description of the intended alteration.

8.3 The strata corporation must not unreasonably withhold its approval under bylaw 8.1 and 8.2, but may require as a condition of its approval that the owner agree, in writing, to take responsibility for any expenses related to the alteration and to indemnify and hold harmless the corporation for any future costs in connection with the alteration.

8.4 Notwithstanding Bylaw 8.3, where alterations or renovation of a strata lot involve the need to shut off building utilities, and where practicable, shut-off valve(s) for such utilities shall be installed in the lines feeding that strata lot. The owner will be reimbursed for the cost of such valve(s) installation.

8.5 The owner must obtain all applicable permits, licences and approvals from the appropriate governmental authorities and provide copies to the strata council.

8.6 The owner must ensure that alterations be done in accordance with the design or plans approved by the strata council or its duly authorized representatives. A detailed set of "As Built" drawings [indicating changes made involving bearing walls, changes to the nature of plumbing, electrical, mechanical systems and/or fire-alarm system or other building service components within the strata lot] must be presented to the strata within 90 days of the project's completion.

9. Alteration/renovation of strata lot

9.1 Alterations to a strata lot, or renovations, requiring the transporting of materials to or from the strata lot, that exceed two weeks from start to finish, may be subject to a fee of up to \$100 per week, this sum payable to the strata corporation.

9.2 An owner must give the council two working days' prior notice of the scheduled arrival of tradespersons or delivery of materials. Tradespersons must be licenced and bonded.

- 9.3 An owner must not permit any construction debris, materials or packaging to be deposited in the strata corporation's disposal containers.
- 9.4 An owner must ensure that the delivery of any construction materials is through the parkade and, if in an elevator, the owner must ensure the elevator is protected with proper wall pads and floor coverings. An owner must not permit any renovations/alterations materials to be delivered through the main lobby.
- 9.5 An owner is responsible to ensure:
- (a) drop cloths are installed and removed daily between the elevators and the strata lot as well as between other doors to protect common areas from any spillage or dripping; and
 - (b) stairs, lobbies and paths through the parking areas and the residential corridor are left in a clean state daily.
- 9.6 An owner must ensure that the hours of work are restricted to 9:00 a.m. to 5:00 p.m., Monday through Friday.
- 9.7 An owner performing or contracting with others to perform renovations or alterations will be responsible, financially and otherwise, for ensuring that any and all required permits and licences are obtained and is responsible for the conduct of any such contractor or others performing renovations or alterations with respect to honouring the strata's bylaws and rules.
- 9.8 An owner in contravention of any of bylaws 9.2 to 9.7 (inclusive) shall be subject to a fine of \$100 for each contravention, as well as be responsible for any clean up or repair costs.

10. Permit entry to strata lot

- 10.1 A resident or visitor must allow a person authorized by the strata corporation to enter the strata lot or limited common property
- (a) in an emergency, without notice, to ensure safety or prevent significant loss or damage;

- (b) at a reasonable time, on 48 hours' written notice,
 - (i) to inspect, repair, renew, replace or maintain common property, common assets and any portions of a strata lot that are the responsibility of the strata corporation to repair, replace, renew and maintain under these bylaws or the Act or to insure under section 149 of the Act; or
 - (ii) to ensure a resident's compliance with the Act, bylaws and rules.

10.2 If forced entry to a strata lot is required due to required emergency access and the inability to contact the owner of the strata lot, the owner shall be responsible for all costs of forced entry incurred by the strata corporation.

10.3 The notice referred to in bylaw 10.1(b)(i) must include the date and approximate time of entry, and the reason for entry.

Powers and Duties of Strata Corporation

11. Repair and maintenance of property by strata corporation

11.1 The strata corporation must repair and maintain all of the following:

- (a) common assets of the strata corporation;
- (b) common property that has not been designated as limited common property;
- (c) limited common property, but the duty to repair and maintain it is restricted to
 - (i) the following, no matter how often the repair or maintenance ordinarily occurs:
 - A. the structure of a building;
 - B. the exterior of the building;
 - C. patios, chimneys, stairs, balconies and other things attached to the exterior of the building;

D. doors, windows and skylights on the exterior of the building or that front on common property;

E. fences, railings and similar structures that enclose patios, balconies and terraces;

- (d) a strata lot, but the duty to repair and maintain it is restricted to
- (i) the structure of a building,
 - (ii) the exterior of the building,
 - (iii) patios, chimneys, stairs, balconies and other things attached to the exterior of the building,
 - (iv) doors, windows and skylights on the exterior of the building or that front on common property, except as provided for in Bylaw 4, and
 - (v) fences, railings and similar structures that enclose patios, balconies and terraces.

Council

12. Council size

12.1 The council must have at least 3 but not more than 7 members.

13. Council eligibility

13.1 An owner or the spouse of an owner may stand for council, but not both.

13.2 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 section 115(1) of the Act.

13.3 No person may stand for council or continue to be on council with respect to a strata lot if there are amounts owing to the strata corporation charged against the strata lot in respect of administration fees, bank charges, fines, penalties, interest or the costs, including the legal costs, of remedying a contravention of the bylaws or rules for which the owner is responsible under section 131 of the Act.

14. Council members' terms

14.1 The term of office of a council member ends at the end of the annual general meeting at which the new council is elected.

14.2 A person whose term as council member is ending is eligible for reelection.

15. Removing council member

15.1 The strata corporation may, by a resolution passed by a two-thirds (2/3) vote at an annual or special general meeting, remove one or more council members. The strata corporation must pass a separate resolution for each council member to be removed.

In this bylaw 15.1, a 2/3 (two-thirds) vote means a vote in favour of a resolution by at least 2/3 of the votes cast by eligible voters who are present in person or by proxy at the time the vote is taken and who have not abstained from voting.

15.2 After removing a council member, the strata corporation may hold an election at the same annual or general meeting to replace the council member for the remainder of the term or the remaining members of the council may appoint a replacement council member for the remainder of the term.

15.3 If the strata corporation removes all of the council members, the strata corporation must hold an election at the same annual or special general meeting to replace the council members for the remainder of the term up to, at least, the minimum number of council members required by bylaw of the strata corporation for the remainder of the term.

15.4 The council may appoint the remaining council members necessary to achieve a quorum for the strata corporation, even if the absence of the members being replaced leaves the council without a quorum

15.5 A replacement council member appointed pursuant to bylaws 15.2 and 15.4 may be appointed from any person eligible to sit on the council.

16. Replacing council member

- 16.1 If a council member resigns or is unwilling or unable to act, the remaining members of the council may appoint a replacement council member for the remainder of the term.
- 16.2 A replacement council member may be appointed from any person eligible to sit on the council.
- 16.3 The council may appoint a council member under bylaw 16.2 even if the absence of the member being replaced leaves the council without a quorum.
- 16.4 If all the members of the council resign or are unwilling or unable to act, 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.

17. Officers

- 17.1 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 treasurer.
- 17.2 A person may hold more than one office at a time, other than the offices of president and vice president.
- 17.3 The vice president has the powers and duties of the president
- (a) while the president is absent or is unwilling or unable to act,
 - (b) if the president is removed, or
 - (c) for the remainder of the president's term if the president ceases to hold office.
- 17.4 The strata council may vote to remove an officer.
- 17.5 If an officer other than the president is removed, resigns, is unwilling or unable to act, the council members may elect a replacement officer from among themselves for the remainder of the term.

18. Calling council meetings

18.1 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.

18.2 The notice in bylaw 18.1 does not have to be in writing.

18.3 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) are unavailable to provide consent after reasonable attempts to contact them.

19. Requisition of council hearing

19.1 By application in writing, a resident may request a hearing at a council meeting stating the reasons for the request.

19.2 Except for a hearing pursuant to section 144 of the Act, if a hearing is requested under bylaw 19.1, the council must hold a meeting to hear the applicant within one (1) month of the date of receipt by the council of the application.

19.3 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 date of the hearing.

20. Quorum of council

20.1 A quorum of the council is

- (a) 2, if the council consists of 3 or 4 members,
- (b) 3, if the council consists of 5 or 6 members, and
- (c) 4, if the council consists of 7 members.

20.2 Council members must be present in person at the council meeting to be counted in establishing quorum.

21. Council meetings

21.1 The council may meet together for the conduct of business, adjourn and otherwise regulate its meetings as it thinks fit.

- 21.2 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.
- 21.3 If a council meeting is held by electronic means, council members are deemed to be present in person.
- 21.4 Owners and spouses of owners may attend council meetings as observers.
- 21.5 Despite bylaw 21.4, 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.

22. Voting at council meetings

- 22.1 At council meetings, decisions must be made by a majority of council members present in person at the meeting.
- 22.2 If there is a tie vote at a council meeting, the presiding officer may break the tie by casting a second, deciding vote.
- 22.3 The results of all votes at a council meeting must be recorded in the council meeting minutes.

23. Council to inform owners of minutes

- 23.1 The council must circulate to or post for owners the minutes of all council meetings within 2 weeks of the meeting, whether or not the minutes have been approved.

24. Delegation of council's powers and duties

- 24.1 Subject to bylaws 24.2, 24.3 and 24.4, 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.

24.2 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 bylaw 24.3.

24.3 A delegation of general authority to make expenditures must

- (a) set a maximum amount that may be spent, and
- (b) indicate the purpose for which, or the conditions under which, the money may be spent.

24.4 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,
- (c) whether a person should be denied access to a recreational facility or the Guest Suite, or
- (d) whether an owner should be granted an exemption from a rental restriction bylaw under section 144 of the Act.

25. Spending restrictions

25.1 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.

26. Limitation on liability of council member

26.1 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.

26.2 Bylaw 26.1 does not affect a council member's liability, as an owner, for a judgement against the strata corporation.

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

Enforcement of Bylaws and Rules

27. Fines

- 27.1 Except where specifically stated to be otherwise in these bylaws, the strata corporation may fine an owner or tenant:

- (a) \$50 for each contravention of a bylaw, and
- (b) \$25 for each contravention of a rule.

- 27.2 The council must, if it determines in its discretion that a resident is in repeated contravention of any bylaws or rules of the strata corporation, levy fines and the fines so levied shall be immediately added to the strata fees for the strata lot and shall be due and payable together with the strata fees for the strata lot in the next month following such contravention.

28. Continuing contravention

- 28.1 Except where specifically stated to be otherwise in these bylaws, 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.

Annual and Special General Meetings

29. Quorum requirements

- 29.1 If within _ an hour from the time appointed for the General Meeting a quorum is not present, the eligible voters, present in person or by proxy, constitute a quorum.

This bylaw is an alternative to section 48(3) of the Act. This bylaw does not apply to a meeting demanded pursuant to Section 43 of the Act and failure to obtain quorum for a meeting demanded pursuant to Section 43 terminates, and does not adjourn, that meeting.

30. Person to chair meeting

- 30.1 Annual and special general meetings must be chaired by the president of the council.
- 30.2 If the president of the council is unwilling or unable to act, the meeting must be chaired by the vice president of the council.
- 30.3 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, eligible to vote, who are present at the meeting.

31. Participation by other than eligible voters

- 31.1 Tenants and occupants may attend annual and special general meetings, whether or not they are eligible to vote.
- 31.2 Persons who are not eligible to vote may not participate in the discussion at a meeting.
- 31.3 Tenants who are not eligible to vote must leave the meeting if requested to do so by a resolution passed by a majority vote at the meeting.

32. Voting

- 32.1 Except on matters requiring a unanimous vote, the vote for a strata lot may not be exercised if the strata corporation is entitled to register a lien against that strata lot under section 116(1) of the Act.
- 32.2 Except on matters requiring a unanimous vote, the vote for a strata lot may not be exercised if there are amounts owing to the strata corporation charged against the strata lot in respect of administration fees, bank charges, fines, penalties, interest or the costs, including the legal costs, of remedying a contravention of the bylaws or rules, including legal costs of remedying a contravention of the bylaw or rules.
- 32.4 At an annual or special general meeting, voting cards must be issued to eligible voters.
- 32.5 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.
- 32.6 If a precise count is requested, the chair must decide whether it will be by a show of voting cards or by roll call, secret ballot or some other method.

- 32.7 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.
- 32.8 If there is a tie vote at an annual or special general meeting, the president, or, if the president is absent or unwilling to vote, the vice president, may break the tie by casting a second, deciding vote.
- 32.9 Despite anything in bylaws 32.1 to 32.8 (inclusive), an election of council or removal of a council member must be held by secret ballot, if the secret ballot is requested by an eligible voter.

33. Electronic attendance at meetings

- 33.1 A person who is eligible to vote may attend an annual or special general meeting by electronic means so long as the person and the other participants can communicate with each other.
- 33.2 If an annual or general meeting is held by electronic means with a person, the person is deemed to be present in person for the purposes of the meeting.

34. Order of business

- 34.1 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) 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.

Voluntary Dispute Resolution

35. Voluntary dispute resolution

35.1 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.

35.2 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.

35.3 The dispute resolution committee must attempt to help the disputing parties to voluntarily end the dispute.

Small Claims Court Proceedings

36. Authorization to proceed

- 36.1 The strata corporation may proceed under the **Small Claims Act**, without further authorization by the owners, to recover from an owner, by an action in debt in Small Claims Court, money owing to the strata corporation, including money owing as administration fees, bank charges, fines, penalties, interest or the costs, including legal costs, of remedying a contravention of the bylaws or rules and to recover money which the strata corporation is required to expend as a result of the owner's act, omission, negligence or carelessness or by that of an owner's visitors, occupants, guests, employees, agents, tenants or a member of the owner's family.

Marketing Activities by Owners and Occupants

37. Sale of a strata lot

- 37.1 Real estate signs must not be displayed in a strata lot or on the common property except in the location designated by the strata corporation for real estate signs.
- 37.2 An owner must ensure that real estate clients are accompanied by the agent or other person in all common property areas.

Insurance

38. The strata corporation must insure against major perils, as set out in regulation 9.1(2), including, without limitation, earthquakes.

Storage

39. Storage lockers and bicycle storage

- 39.1 A resident must store bicycles and tricycles only in parkade bicycle areas, the bicycle racks or storage lockers.
- 39.2 A resident must not store any hazardous or flammables in storage lockers.
- 39.3 A resident must store goods only in the locker or area assigned to the resident.

Parking

40. Parking

- 40.1 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 common, limited common property or land that is a common asset.
- 40.2 A resident must not store uninsured vehicles on the common property, limited common property or on land that is a common asset.
- 40.3 A resident storing a vehicle must provide proof of valid insurance to the strata corporation on the commencement date of the storage and on request thereafter.
- 40.4 An owner must not sell, lease or licence parking stalls to any person other than an owner or occupant.
- 40.5 A resident must park only in the parking stall assigned to the resident.
- 40.6 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.
- 40.7 Any resident's vehicle parked in violation of bylaw 40.6 will 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.
- 40.8 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 or use the parking area for other than parking a motor vehicle.
- 40.9 A resident or visitor operating a vehicle in the parking areas must activate the vehicle's headlights and not exceed 10 km/hour.
- 40.10 A resident or visitor must not smoke while in the parking area including inside a vehicle.

- 40.11 A resident must wash a vehicle in location designated for vehicle washing only. Once washing is completed, the resident must hose down and remove all dirt, refuse and excess water from the washing area. While washing, a resident must keep audio volume low.
- 40.12 A resident must not park or store any vehicle that drips oil or gasoline. A resident must remove any dripped oil, gasoline or other automotive residue.
- 40.13 Parking in the courtyard is for one vehicle only, for a maximum period of ten (10) minutes, in the designated place. Clear passage through the driveway must be allowed at all times. Violators will 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.

Moving

41. Moving in/out procedures

- 41.1 An owner must conform and ensure that any tenants conform to the Move In and Move Out rules established by council from time to time.
- 41.2 A resident must provide notice to the strata corporation of all moving arrangements at least 48 hours before the moving date. All moves must take place between 9:00 a.m. and 6:00 p.m., Monday through Friday and 10:00 a.m. and 5:00 p.m. on Saturdays, Sundays and statutory holidays.
- 41.3 A resident using the elevator during a move must ensure that the ELEVATOR SERVICE KEY is used to control the elevator and the doors not jammed or propped open in any manner.
- 41.4 To ensure the availability of an elevator at the required time, a booking must be made with the Concierge, if more than one elevator trip is required.
- 41.5 Protective pads and flooring must be installed prior to loading the elevator in order to protect the elevator surfaces.
- 41.6 Only the designated elevator can be used by the moving party. The other elevator must at all times be left available for the other residents.

- 41.7 All such moves are required to proceed via the P2 level, ensuring that access is not being blocked to either this garage gate or to the courtyard.
- 41.8 Both the fire door leading from the P2 parking level to the elevator lobby and the main garage entrance door must be kept closed and locked during the entire time. Both must only be open when goods are being transported through and must be allowed to close after the moving party passes through. It is the responsibility of the moving party to ensure that the security integrity of the building is not jeopardized during the move.
- 41.9 A resident must ensure that all common areas are left damage free, clean and all hallways and lobby areas vacuumed immediately upon completion of the move.
- 41.10 The sum of four-hundred dollars (\$400) will be charged against the strata lot owner on each occasion where there is a change in occupancy and the incoming person moves in furniture. This fee is designated as a "Move-In" fee, is chargeable to the strata lot and is due and payable by the owner.
- 41.11 A resident contravening any of bylaws 41.1 to 41.10 (inclusive) shall be subject to a fine of \$100.
- 41.12 All deliveries of furniture and large objects must be made through the garage, P2, level—no such deliveries are permitted through the lobby. Movement of such objects must be completed between the hours of 8:00 a.m. and 8:00 p.m. and with protective pads and flooring installed in the elevator.
- If such delivery requires the use of the elevator for two or more trips, prior approval must be obtained from the Head Concierge at the front desk to ensure availability of a dedicated elevator, as well as additional security, if necessary. The use of the ELEVATOR SERVICE KEY is required for such deliveries and the elevator doors may not be jammed or propped open in any fashion. Parking of delivery vehicles must not interfere with access to the parking area by owners. Delivery vehicles are not permitted to park in or obstruct the courtyard driveway.
- 41.13 A resident contravening bylaw 41.12 shall be subject to a fine of \$100.

Appearance of strata lots

42. Cleanliness

- 42.1 A resident must not allow a strata lot to become unsanitary or untidy. Rubbish, dust, garbage, boxes, packing cases and other similar refuse must not be thrown, piled or stored in the strata lot or on common property. Any expenses incurred by the strata corporation to remove such refuse will be charged to the strata lot owner.
- 42.2 A resident must ensure that ordinary household refuse and garbage is securely wrapped and placed in the containers provided for that purpose, recyclable material is kept in designated areas and material other than recyclable or ordinary household refuse and garbage is removed appropriately.

Rentals

43. Residential rentals

- 43.1 The number of strata lots within the strata corporation that may be leased at any one time is limited to 15.
- 43.2 An owner wishing to lease a strata lot must apply in writing to the council for permission to rent before entering into a tenancy agreement.
- 43.3 If the number of strata lots leased at the time an owner applies for permission to lease has reached the limit stated in bylaw 43.1, excluding exempt strata lots pursuant to sections 143 and 144 of the Act and section 17.15 of the Regulations, the council must refuse permission and notify the owner of the same in writing, as soon as possible stating that the limit has been reached or exceeded, as the case may be, and place the owner of the strata lot on a waiting list to be administered by the council based upon the date of the request for permission to rent.
- 43.4 An owner may apply to the strata corporation, under provisions within section 144 of the Act, for an exemption to bylaws 43.1, 43.2 and 43.3 on the grounds that these bylaws cause hardship to the owner.

- 43.5 If the limit stated in bylaw 43.1 has not been reached at the time the owner applies for permission to lease a strata lot, excluding exempt strata lots pursuant to sections 143 and 144 of the Act and section 17.15 of the Regulations, the council shall grant permission and notify the owner of the same in writing as soon as possible.
- 43.6 An owner receiving permission to lease a strata lot must exercise the permission to lease within 90 days from the date that the council granted same, otherwise the permission expires. During the 90 days immediately following the grant of permission, the strata lot shall be deemed leased for the purposes of the limit stated in bylaw 43.1.
- 43.7 Prior to possession of a strata lot by a tenant, an owner must deliver to the tenant the current bylaws and rules of the strata corporation and a Notice of Tenant's Responsibilities in Form K.
- 43.8 Within two weeks of renting a strata lot, the landlord must give the strata corporation a copy of the Form K—Notice of Tenant's Responsibilities signed by the tenant, in accordance with section 146 of the Act.
- 43.9 Where an owner leases a strata lot in contravention of bylaws 43.1, 43.2, 43.3 or 43.4, the owner shall be subject to a fine of five-hundred dollars (\$500) and the strata corporation shall take all necessary steps to terminate the lease or tenancy, including, but not limited to, seeking a declaration or Court injunction to enforce the bylaw. Any legal costs incurred by the strata corporation in enforcing the rental restriction bylaws shall be the responsibility of the contravening owner and shall be recoverable from the owner on a solicitor and own client basis by the strata corporation.

Visitors and Children

44. Children and supervision

- 44.1 Residents are responsible for the conduct of visitors including ensuring that noise is kept at a level, in the sole determination of a majority of the council, that will not disturb the rights and quiet enjoyment of others.
- 44.2 Residents are responsible for the conduct of children residing in their strata lot, including ensuring that noise is kept at a level, in the sole determination of a majority of the council, that will not disturb the quiet enjoyment of others.

- 44.3 Residents are responsible to assume liability for and properly supervise activities of children including, but not exhaustively, bicycling, skateboarding and hockey.

Miscellaneous

45. Miscellaneous

- 45.1 A resident or visitor must not smoke on common property.
- 45.2 No barbecues or cooking devices other than gas or electric are permitted for use on balconies, patios and common property and their emissions must not interfere with the comfort of other owners. All propane tanks must be stored on open-air balconies only; storage is forbidden within strata lots, lockers, garages or other closed areas.
- 45.3 A resident or visitor must not hinder or restrict sidewalks, entrances, exits, halls, passageways, stairways and other parts of the common property. Hindrance and restriction includes the keeping of personal items and garbage.
- 45.4 A resident or visitor must not wear or use inline skates and skateboards ANYWHERE in the building, including a strata lot.
- 45.5 A resident or visitor must not use common property electrical outlets with the exception of parking area outlets used while vacuuming a vehicle and of those electrical outlets in the hobby workshop.
- 45.6 Subject to bylaw 37.1, a resident or owner must not erect or display or permit to be erected or displayed any signs, fences, billboards, placards, advertising, notices or other fixtures of any kind on the common property or in a strata lot, unless authorized by the council. This shall include exterior painting and the addition of wood, ironwork, concrete or other materials.
- 45.7 A resident may post notices on the designated bulletin board, subject to being removed by the council if deemed inappropriate or posted for in excess of one week.
- 45.8 A resident must ensure that all entrance doors to strata lots are kept closed and kitchen extract fans are used when cooking.

- 45.9 A resident or visitor must not shake rugs, carpets, mops or dusters or throw material or objects of any kind from any balcony, window, stairway or other part of a strata lot or common property.
- 45.10 A resident must ensure that drapes or blinds visible from the outside of the building are cream or white in colour.
- 45.11 A resident must ensure that no air conditioning units, laundry, flags, clothing, bedding or other articles are hung or displayed from windows, balconies or other parts of the building so that they are visible from the outside of the building.
- 45.12 A resident must not display or erect fixtures, poles, clotheslines, racks, storage sheds and similar structures permanently or temporarily on limited common property, common property or land that is a common asset. A resident must not attach anything to the exterior of the building that requires nailing or drilling holes or in any way the breaching of the exterior of the building. Despite the foregoing, the placing of items on the limited common property balconies or patio areas shall be limited to free standing, self-contained planter boxes or containers, summer furniture and accessories.
- 45.13 An owner must ensure that Christmas lights are installed after December 1st of the year approaching Christmas and removed before January 15th of the year following Christmas.
- 45.14 For security reasons, marked fire-exit doors leading to the outside of the building shall only be used for exiting the building in cases of emergency.
- All other locked entrance doors to the building, including those leading to the garage floors, shall be kept closed and locked whenever not in actual use. They shall not be propped open.
- 45.15 A resident contravening bylaw 45.14 shall be subject to a fine of \$100.
- 45.16 The Guest Suite is for the temporary accommodation of guests in accordance with the Guest Suite rules established by the strata. Strata corporation rules and bylaws must be observed by residents and their guests. Failure to do so will subject the host resident to fines.