

- Your electronic signature is a representation by you that:
 - you are a subscriber; and
 - you have incorporated your electronic signature into
 - this electronic application, and
 - the imaged copy of each supporting document attached to this electronic application,and have done so in accordance with Sections 168.3 and 168.41(4) of the *Land Title Act*, RSBC 1996, C.250.
- Your electronic signature is a declaration by you under Section 168.41 of the *Land Title Act* in respect of each supporting document required in conjunction with this electronic application that:
 - the supporting document is identified in the imaged copy of it attached to this electronic application;
 - the original of the supporting document is in your possession; and
 - the material facts of the supporting document are set out in the imaged copy of it attached to this electronic application.Each term used in the representation and declaration set out above is to be given the meaning ascribed to it in Part 10.1 of the *Land Title Act*.

1. CONTACT: (Name, address, phone number)

Deduct LTSA Fees? Yes

2. IDENTIFICATION OF ATTACHED STRATA PROPERTY ACT FORM OR OTHER SUPPORTING DOCUMENT:

LTO Document Reference:

3. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]

Supplied
Ordered

Strata Property Act

FORM I

AMENDMENTS TO BYLAWS

(Section 128)

The Owners, Strata Plan VIS6974 certify that the following or attached amendments to the bylaws of the strata corporation were approved by resolutions passed in accordance with Section 128 of the Strata Property Act at an Annual General Meeting held on April 3, 2019.

Resolutions:

1. **BE IT RESOLVED BY A $\frac{3}{4}$ VOTE OF THE OWNERS STRATA PLAN VIS6974 that the Strata Corporation amend its bylaws by moving bylaws 31 to 33 into a new division, Division 8 - Miscellaneous Bylaws.**

2. **BE IT RESOLVED BY A $\frac{3}{4}$ VOTE OF THE OWNERS STRATA PLAN VIS6974 that the Strata Corporation amend its bylaws by repealing existing bylaw 23 and replacing it with the following:**
 - 23. Maximum Fines and Enforcement Options**
 - (1) The Strata Corporation may, after complying with the provisions of section 135 of the *Strata Property Act*:
 - a. fine an owner a maximum of:
 - (1) up to TWO HUNDRED DOLLARS (\$200), at the discretion of the Council, for each contravention of a bylaw (save and except for a breach of a rental restriction bylaw, or a breach of a short term rental restriction bylaw);
 - (2) up to FIFTY DOLLARS (\$50), at the discretion of the Council, for each contravention of a rule;
 - (3) up to FIVE HUNDRED DOLLARS (\$500) for a breach of the Rental Restriction Bylaw; and
 - (4) up to ONE THOUSAND DOLLARS (\$1,000) a night for a breach of the short term rental restriction bylaw.
 - b. do what is reasonably necessary to remedy a contravention of its bylaws or rules, including:
 - (1) entering into and doing work on or to a strata lot, the common property or common assets, and,
 - (2) removing objects from the common property or common assets.
 - c. charge the reasonable costs of remedying the contravention to the person who may be fined for the contravention under section 130.

and adopting the following bylaw:

34. Short Term Rentals Restricted

- (1) For the purposes of this bylaw "short term rental" means:
 - (a) the use of a strata lot for the accommodation of persons including but not limited to travellers and the vacationing public for periods of under one month, and without limitation includes vacation rentals, boarding, hostel use, and bed and breakfast accommodation; but
 - (b) does not include:
 - (i) the accommodation of visitors without receipt of remuneration; or
 - (ii) the rental or provision of a license of occupancy of a bedroom in a strata lot where the registered owner, or a member of the registered owner's family, resides in that strata lot.
- (2) Owners, occupants and tenants may not:
 - (a) rent, lease, or provide a license of occupancy to all or any part of their strata lot for use as a short term rental; or
 - (b) market, list, offer or advertise all or any part of their strata lot as being available for use as a short term rental.
- (3) Where an owner, occupant or tenant contravenes subsection (2)(a), the owner will be subject to a fine of up to \$1,000.00 or such higher amount as then permitted under the *Strata Property Regulation* for each night the strata lot is used as a short term rental.
- (4) Where an owner, occupant or tenant contravenes subsection (2)(b), the owner will be subject to a fine of up to \$200.00 or such higher amount as then permitted under the *Strata Property Regulation* for each time the strata lot is advertised or marketed as being available for use as a short term rental.

3. **BE IT RESOLVED BY A ¾ VOTE OF THE OWNERS STRATA PLAN VIS 6974 THAT THE STRATA CORPORATION amend its bylaws by adopting the following bylaw:**

35. Restrictions Against Growing, and Processing of Cannabis

- (1) For the purposes of these bylaws, "cannabis" means the *Cannabis sativa*, *Cannabis indica*, and *Cannabis ruderalis* plants or any similar member of the *Cannabaceae* family, and any products derived therefrom.
- (2) Owners, occupants, tenants, and visitors may not:
 - (a) grow or cultivate cannabis in or on a strata lot, the limited common property of a strata lot, or the common property; or
 - (b) produce, process, or manufacture cannabis or any derivative thereof in or on a strata lot, the limited common property of a strata lot, or the common property; or

(c) share, trade, barter, or sell cannabis or any derivative thereof, in or from a strata lot, the limited common property of a strata lot, or the common property.

(3) In the event that the Strata Corporation receives a written complaint regarding an alleged contravention of subsection (2), the Strata Corporation, in addition to any other right of entry it has under these bylaws, may enter into a strata lot or the limited common property of a strata lot on 24 hours' written notice to carry out an inspection of that strata lot or the limited common property to determine if a contravention of subsection (2) has occurred.

(4) If, after having complied with the procedural requirements of section 135 of the *Strata Property Act*, the Strata Corporation determines that an owner, occupant, tenant or visitor has violated subsection (2), then it may:

- (a) fine the owner or tenant of the subject strata lot up to \$200 per contravention or such higher amount as then permitted under the *Strata Property Act* and *Strata Property Regulation*;
- (b) remove and dispose of any cannabis plants, cannabis processing or cannabis manufacturing equipment discovered during the inspection;
- (c) clean and make good any damage to the strata lot, limited common property caused by or arising out of the growing, cultivating, production, processing or manufacturing of cannabis; and
- (d) charge back the cost of the inspection, removal, cleaning and restoration of the property back to the offending owner or tenant of the subject strata lot.

4. BE IT RESOLVED BY A $\frac{3}{4}$ VOTE OF THE OWNERS STRATA PLAN VIS 6974 THAT THE STRATA CORPORATION amend its bylaws by adopting the following bylaw:

36. Ban on smoking cannabis or drugs on the common property and limited common property

- (1) For the purpose of these bylaws: "smoking cannabis or drugs" or "smoke or drugs" means releasing into the air, gases, particles, or vapours as a result of combustion, electrical ignition or vaporization of cannabis, crack cocaine, hashish, methamphetamines and heroin when the apparent or usual purpose of the combustion, electrical ignition or vaporization is human inhalation of the by-products. For the purposes of these bylaws, "cannabis" means the *Cannabis sativa*, *Cannabis indica*, and *Cannabis ruderalis* plants or any similar member of the *Cannabaceae* family, and any products derived therefrom.
- (2) Owners, occupants, tenants, and visitors may not smoke cannabis or drugs:
 - (a) on the patios and balconies;
 - (b) in the interior common property; or

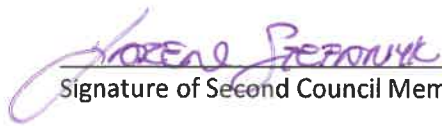
- (c) anywhere on the exterior common property that is within 6 meters of a door, window or air intake.
- (3) All owners, occupants, and tenants who smoke cannabis or drugs in their strata lots bylaw (a "Smoker") must make reasonable efforts to seal their strata lots, purify the air within their strata lots through the use of air purifiers and or smoke eaters, to prevent secondhand smoke from infiltrating the interior common property, or other strata lots.

If the Strata Corporation receives complaints and determines that a Smoker is causing a nuisance or a hazard to the health of other owners, occupants or tenants, then the Strata Council may on 60 days' written notice, revoke the Smoker's right to smoke cannabis or drugs in their strata lots.

A revised set of bylaws, incorporating these amendments, is attached.



Signature of Council Member



Signature of Second Council Member

Date: May 15/19

Supplied to StrataDocs on 2019/05/22
Ordered by Ron Neal on 2019/07/18

Stonecliffe Bylaws

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

Payment of strata fees

1. An owner must pay strata fees on or before the first day of the month to which the strata fees relate.

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) 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.

Use of property

3. (1) An owner, tenant, occupant or visitor must not use a strata lot, the common property or common assets in a way that
 - (a) causes a nuisance or hazard to another person,
 - (b) causes unreasonable noise,
 - (c) unreasonably interferes with the rights of other persons to use and enjoy the common property, common assets or another strata lot,
 - (d) is illegal, or
 - (e) is contrary to a purpose for which the strata lot or common property is intended as shown expressly or by necessary implication on or by the strata plan.(2) An owner, tenant, 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) An owner, tenant, occupant or visitor must ensure that all animals are leashed or otherwise secured when on the common property or on land that is a common asset.
(4) 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 animals;
 - (c) up to 2 caged birds;
 - (d) up to a total of 3 cats, dogs, or a combination of both.
 - (e) all other pets are governed by the Town of View Royal Animal Control Bylaw.

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.

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.
- (2) The strata corporation must not unreasonably withhold its approval under subsection (1), but may require as a condition of its approval that the owner agree, in writing, to take responsibility for any expenses relating to the alteration.
- (3) This section does not apply to a strata lot in a bare land strata plan.

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 section 149 of the Act.

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

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, balconies and 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 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 and windows on the exterior of a building or that front on the common property, and
 - (v) fences, railings and similar structures that enclose patios, balconies and yards.

Division 3 -- Council

Council size

9. (1) Subject to subsection (2), the council must have at least 3 and not more than 7 members.

- (2) If the strata plan has fewer than 4 strata lots or the strata corporation has fewer than 4 owners, all the owners are on the council.

10. Council Member's Terms

1. The term of office of a council member ends at the end of the annual general meeting at which the new council is elected.
2. A person whose term as a council member is ending is eligible for reelection.
3. In the election of council members held at the first annual general meeting after passage of these bylaws:
 - a) If the council has an even number of members $\frac{1}{2}$ the members must be elected for a term of two years and the remainder elected for a term of one year, or
 - b) If the council has an odd number of members a simple majority must be elected for a term of two years and the remainder elected for a term of one year.
4. In the election of council members held at each annual general meeting after the second general meeting (after which these bylaws were passed), the members elected to fill the positions must be elected for a term of two years.

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.
 - (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.

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.
 - (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

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.

- (2) A person may hold more than one office at a time, other than the offices of president and vice president.
- (3) The vice president has the powers and duties of the president
- (a) while the president is absent or is unwilling or unable to act, or
 - (b) for the remainder of the president's term if the president ceases to hold office.
- (4) If an officer other than the president is unwilling or unable to act for a period of 2 or more months, the council members may appoint a replacement officer from among themselves for the remainder of the term.

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.
- (2) The notice does not have to be in writing.
- (3) A council meeting may be held on less than one week's notice if
- (a) all council members consent in advance of the meeting, or
 - (b) the meeting is required to deal with an emergency situation, and all council members either
 - (i) consent in advance of the meeting, or
 - (ii) are unavailable to provide consent after reasonable attempts to contact them.
- (4) The council must inform owners about a council meeting as soon as feasible after the meeting has been called.

Requisition of council hearing

15. (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

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.

- (2) Council members must be present in person at the council meeting to be counted in establishing quorum.

Council meetings

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.
- (2) If a council meeting is held by electronic means, council members are deemed to be present in person.
- (3) Owners may attend council meetings as observers.
- (4) Despite subsection (3), no observers may attend those portions of council meetings that deal with any of the following:
- (a) bylaw contravention hearings under section 135 of the Act;
 - (b) rental restriction bylaw exemption hearings under section 144 of the Act;
 - (c) any other matters if the presence of observers would, in the council's opinion, unreasonably interfere with an individual's privacy.

Voting at council meetings

18. (1) At council meetings, decisions must be made by a majority of council members present in person at the meeting.
- (2) Unless there are only 2 strata lots in the strata plan, if there is a tie vote at a council meeting, the president may break the tie by casting a second, deciding vote.
- (3) The results of all votes at a council meeting must be recorded in the council meeting minutes.

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.

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.
- (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 specific purpose, or
 - (b) delegates the general authority to make expenditures in accordance with

subsection (3).

- (3) A delegation of a general authority to make expenditures must:
 - (a) set a maximum amount that may be spent, and
 - (b) indicate the purposes for which, or the conditions under which, the money may be spent.
- (4) The council may not delegate its powers to determine, based on the facts of a particular case,
 - (a) whether a person has contravened a bylaw or rule,
 - (b) whether a person should be fined, and the amount of the fine, or
 - (c) whether a person should be denied access to a recreational facility.

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.
- (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.

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 or the performance or intended performance of any duty of the council.
- (2) Subsection (1) does not affect a council member's liability, as an owner, for a judgment against the strata corporation.

Division 4 -- Enforcement of Bylaws and Rules

Maximum Fines and Enforcement Options

23. (1) The Strata Corporation may, after complying with the provisions of section 135 of the Strata Property Act:
 - (a) fine an owner a maximum of:
 - (i) up to TWO HUNDRED DOLLARS (\$200), at the discretion of the Council, for each contravention of a bylaw (save and except for a breach of a rental restriction bylaw, or a breach of a short term rental restriction bylaw);
 - (ii) up to FIFTY DOLLARS (\$50), at the discretion of the Council, for each contravention of a rule;
 - (iii) up to FIVE HUNDRED DOLLARS (\$500) for a breach of the Rental Restriction Bylaw; and

(iv) up to ONE THOUSAND DOLLARS (\$1,000) a night for a breach of the short term rental restriction bylaw.

(b) do what is reasonably necessary to remedy a contravention of its bylaws or rules, including:

(i) entering into and doing work on or to a strata lot, the common property or common assets, and,

(ii) removing objects from the common property or common assets.

(c) charge the reasonable costs of remedying the contravention to the person who may be fined for the contravention under section 130.

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

Person to chair meeting

- 25.** (1) Annual and special general meetings must be chaired by the president of the council.
- (2) If the president of the council is unwilling or unable to act, the meeting must be chaired by the vice president of the council.
- (3) If neither the president nor the vice president of the council chairs the meeting, a chair must be elected by the eligible voters present in person or by proxy from among those persons who are present at the meeting.

Participation by other than eligible voters

- 26.** (1) Tenants and occupants may attend annual and special general meetings, whether or not they are eligible to vote.
- (2) Persons who are not eligible to vote, including tenants and occupants, may participate in the discussion at the meeting, but only if permitted to do so by the chair of the meeting.
- (3) Persons who are not eligible to vote, including tenants and occupants, must leave the meeting if requested to do so by a resolution passed by a majority vote at the meeting.
- (4) Quorum

If within ONE-HALF (1/2) hour of the commencement of the Annual or Special General Meeting a quorum is not present, the meeting shall be terminated if the meeting was convened upon the requisition of members; but in any other case, then the eligible voters present shall constitute a quorum.

Voting

- 27.** (1) At an annual or special general meeting, voting cards must be issued to eligible voters.

- This document was obtained from the StrataDocs System. Its use is subject to agreed upon terms and disclaimers.
- (2) At an annual or special general meeting a vote is decided on a show of voting cards, unless an eligible voter requests a precise count.
 - (3) If a precise count is requested, the chair must decide whether it will be by show of voting cards or by roll call, secret ballot or some other method.
 - (4) The outcome of each vote, including the number of votes for and against the resolution if a precise count is requested, must be announced by the chair and recorded in the minutes of the meeting.
 - (5) If there is a tie vote at an annual or special general meeting, the president, or, if the president is absent or unable or unwilling to vote, the vice president, may break the tie by casting a second, deciding vote.
 - (6) If there are only 2 strata lots in the strata plan, subsection (5) does not apply.
 - (7) Despite anything in this section, an election of council or any other vote must be held by secret ballot, if the secret ballot is requested by an eligible voter.

Order of business

28. 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

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 -- Marketing Activities by Owner Developer

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.
- (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.

Division 8 – Miscellaneous Bylaws

Speed Limit

31. No vehicle may be operated on the Common Property roadways at a speed in excess of 20 kilometres per hour (12 miles per hour).

Awnings

32. (1) With the written permission of Council, an owner may install an awning of a neutral colour, which blends with the exterior of that unit. Before such permission is given, Council may require pictures and specifications of the proposed installation including, but not limited to: colour of the product, proposed location of the awning and the name of the installer.
- (2) The owner will be responsible for any costs associated with or resulting from the

installation and will be responsible for the costs of restoring the exterior of the townhouse to its original condition should the awning be removed.

- (3) The Strata Council has the discretion to require an owner to repair or remove an awning if its condition is found to have deteriorated to the point that it is adversely affecting the aesthetic of the exterior of the building.

Parking

33. (1) An owner, tenant, occupant or visitor (as defined in the BC strata Property Act) shall not use any part of the common property, other than designated parking spaces, for the parking of motor vehicles. Parking is not permitted on the roadway of the complex at any time. The Township of View Royal's Fire Department requires that there be a clear 18 foot access available at all times. Vehicles parked on the roadway of the complex will be towed.
- (2) Visitor parking is for guests only. An owner, tenant or occupant shall not park in parking stalls that are designated as Visitor Parking.
- (3) All vehicles on common or limited common property must be licensed and insured.
- (4) There shall be no major repairs, oil, liquid or fluid changes, body work, or other major maintenance operations carried out on the common or limited common property.
- (5) Owners shall clean up any automotive fluid spillage from their vehicles, and in the event a spillage is not properly cleaned the strata council may order the work done and shall hold the owner liable for the expense of such clean up.
- (6) No owner shall park or permit to be parked on the Common property or in the driveways of their units, any recreational vehicle, motor-home, boat, trailer, or any vehicle that encroaches on the roadway.
- (7) The strata council may, after giving an owner written notice for a breach of any part of this bylaw, impose a fine for continued breach, and may thereafter have any vehicle removed from the common property and stored at the vehicle owner's expense. Thereafter, any repeat offence may lead to immediate towing with no notice.
- (8) Council may create an exemption to any of the above subsections following a written request.

Short Term Rentals Restricted

34. (1) For the purposes of this bylaw "short term rental" means:
 - (a) the use of a strata lot for the accommodation of persons including but not limited to travellers and the vacationing public for periods of under one month, and without limitation includes vacation rentals, boarding, hostel use, and bed and breakfast accommodation; but
 - (b) does not include:
 - (i) the accommodation of visitors without receipt of remuneration; or

- (ii) the rental or provision of a license of occupancy of a bedroom in a strata lot where the registered owner, or a member of the registered owner's family, resides in that strata lot.

- (2) Owners, occupants and tenants may not:
 - (a) rent, lease, or provide a license of occupancy to all or any part of their strata lot for use as a short term rental; or
 - (b) market, list, offer or advertise all or any part of their strata lot as being available for use as a short term rental.
- (3) Where an owner, occupant or tenant contravenes subsection (2)(a), the owner will be subject to a fine of up to \$1,000.00 or such higher amount as then permitted under the Strata Property Regulation for each night the strata lot is used as a short term rental.
- (4) Where an owner, occupant or tenant contravenes subsection (2)(b), the owner will be subject to a fine of up to \$200.00 or such higher amount as then permitted under the Strata Property Regulation for each time the strata lot is advertised or marketed as being available for use as a short term rental.

Restrictions Against Growing, and Processing of Cannabis

- 35. (1) For the purposes of these bylaws, "cannabis" means the Cannabis sativa, Cannabis indica, and Cannabis ruderalis plants or any similar member of the Cannabaceae family, and any products derived therefrom.
- (2) Owners, occupants, tenants, and visitors may not:
 - (a) grow or cultivate cannabis in or on a strata lot, the limited common property of a strata lot, or the common property; or
 - (b) produce, process, or manufacture cannabis or any derivative thereof in or on a strata lot, the limited common property of a strata lot, or the common property; or
 - (c) share, trade, barter, or sell cannabis or any derivative thereof, in or from a strata lot, the limited common property of a strata lot, or the common property.
- (3) In the event that the Strata Corporation receives a written complaint regarding an alleged contravention of subsection (2), the Strata Corporation, in addition to any other right of entry it has under these bylaws, may enter into a strata lot or the limited common property of a strata lot on 24 hours' written notice to carry out an inspection of that strata lot or the limited common property to determine if a contravention of subsection (2) has occurred.
- (4) If, after having complied with the procedural requirements of section 135 of the Strata Property Act, the Strata Corporation determines that an owner, occupant, tenant or visitor has violated subsection (2), then it may:
 - (a) fine the owner or tenant of the subject strata lot up to \$200 per contravention or such higher amount as then permitted under the *Strata Property Act* and *Strata Property Regulation*;
 - (b) remove and dispose of any cannabis plants, cannabis processing or cannabis manufacturing equipment discovered during the inspection;

- (c) clean and make good any damage to the strata lot, limited common property caused by or arising out of the growing, cultivating, production, processing or manufacturing of cannabis; and
- (d) charge back the cost of the inspection, removal, cleaning and restoration of the property back to the offending owner or tenant of the subject strata lot.

Ban on Smoking Cannabis or Drugs on the Common Property and Limited Common Property

36. (1) For the purpose of these bylaws: “smoking cannabis or drugs” or “smoke or drugs” means releasing into the air, gases, particles, or vapours as a result of combustion, electrical ignition or vaporization of cannabis, crack cocaine, hashish, methamphetamines and heroin when the apparent or usual purpose of the combustion, electrical ignition or vaporization is human inhalation of the by-products. For the purposes of these bylaws, “cannabis” means the Cannabis sativa, Cannabis indica, and Cannabis ruderalis plants or any similar member of the Cannabaceae family, and any products derived therefrom.

- (2) Owners, occupants, tenants, and visitors may not smoke cannabis or drugs:
- (a) on the patios and balconies;
 - (b) in the interior common property; or
 - (c) anywhere on the exterior common property that is within 6 meters of a door, window or air intake.

- (3) All owners, occupants, and tenants who smoke cannabis or drugs in their strata lots bylaw (a “Smoker”) must make reasonable efforts to seal their strata lots, purify the air within their strata lots through the use of air purifiers and or smoke eaters, to prevent secondhand smoke from infiltrating the interior common property, or other strata lots.

If the Strata Corporation receives complaints and determines that a Smoker is causing a nuisance or a hazard to the health of other owners, occupants or tenants, then the Strata Council may on 60 days’ written notice, revoke the Smoker’s right to smoke cannabis or drugs in their strata lots.

Stonecliffe Bylaws

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

Payment of strata fees

1. An owner must pay strata fees on or before the first day of the month to which the strata fees relate.

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) 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.

Use of property

3. (1) An owner, tenant, occupant or visitor must not use a strata lot, the common property or common assets in a way that
 - (a) causes a nuisance or hazard to another person,
 - (b) causes unreasonable noise,
 - (c) unreasonably interferes with the rights of other persons to use and enjoy the common property, common assets or another strata lot,
 - (d) is illegal, or
 - (e) is contrary to a purpose for which the strata lot or common property is intended as shown expressly or by necessary implication on or by the strata plan.
- (2) An owner, tenant, 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) An owner, tenant, occupant or visitor must ensure that all animals are leashed or otherwise secured when on the common property or on land that is a common asset.
- (4) 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 animals;
 - (c) up to 2 caged birds;
 - (d) up to a total of 3 cats, dogs, or a combination of both.
 - (e) all other pets are governed by the Town of View Royal Animal Control Bylaw.

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.

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.
- (2) The strata corporation must not unreasonably withhold its approval under subsection (1), but may require as a condition of its approval that the owner agree, in writing, to take responsibility for any expenses relating to the alteration.
- (3) This section does not apply to a strata lot in a bare land strata plan.

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 section 149 of the Act.

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

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, balconies and 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 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 and windows on the exterior of a building or that front on the common property, and
 - (v) fences, railings and similar structures that enclose patios, balconies and yards.

Division 3 -- Council

Council size

9. (1) Subject to subsection (2), the council must have at least 3 and not more than 7 members.

- (2) If the strata plan has fewer than 4 strata lots or the strata corporation has fewer than 4 owners, all the owners are on the council.

10. Council Member's Terms

1. The term of office of a council member ends at the end of the annual general meeting at which the new council is elected.
2. A person whose term as a council member is ending is eligible for reelection.
3. In the election of council members held at the first annual general meeting after passage of these bylaws:
 - a) If the council has an even number of members $\frac{1}{2}$ the members must be elected for a term of two years and the remainder elected for a term of one year, or
 - b) If the council has an odd number of members a simple majority must be elected for a term of two years and the remainder elected for a term of one year.
4. In the election of council members held at each annual general meeting after the second general meeting (after which these bylaws were passed), the members elected to fill the positions must be elected for a term of two years.

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.
- (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.

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.
- (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

- 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.

- (2) A person may hold more than one office at a time, other than the offices of president and vice president.
- (3) The vice president has the powers and duties of the president
- (a) while the president is absent or is unwilling or unable to act, or
 - (b) for the remainder of the president's term if the president ceases to hold office.
- (4) If an officer other than the president is unwilling or unable to act for a period of 2 or more months, the council members may appoint a replacement officer from among themselves for the remainder of the term.

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.
- (2) The notice does not have to be in writing.
- (3) A council meeting may be held on less than one week's notice if
- (a) all council members consent in advance of the meeting, or
 - (b) the meeting is required to deal with an emergency situation, and all council members either
 - (i) consent in advance of the meeting, or
 - (ii) are unavailable to provide consent after reasonable attempts to contact them.
- (4) The council must inform owners about a council meeting as soon as feasible after the meeting has been called.

Requisition of council hearing

15. (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

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.

- (2) Council members must be present in person at the council meeting to be counted in establishing quorum.

Council meetings

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.
- (2) If a council meeting is held by electronic means, council members are deemed to be present in person.
- (3) Owners may attend council meetings as observers.
- (4) Despite subsection (3), no observers may attend those portions of council meetings that deal with any of the following:
- (a) bylaw contravention hearings under section 135 of the Act;
 - (b) rental restriction bylaw exemption hearings under section 144 of the Act;
 - (c) any other matters if the presence of observers would, in the council's opinion, unreasonably interfere with an individual's privacy.

Voting at council meetings

18. (1) At council meetings, decisions must be made by a majority of council members present in person at the meeting.
- (2) Unless there are only 2 strata lots in the strata plan, if there is a tie vote at a council meeting, the president may break the tie by casting a second, deciding vote.
- (3) The results of all votes at a council meeting must be recorded in the council meeting minutes.

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.

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.
- (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 specific purpose, or
 - (b) delegates the general authority to make expenditures in accordance with subsection (3).
- (3) A delegation of a general authority to make expenditures must:

- (a) set a maximum amount that may be spent, and
 - (b) indicate the purposes for which, or the conditions under which, the money may be spent.
- (4) The council may not delegate its powers to determine, based on the facts of a particular case,
- (a) whether a person has contravened a bylaw or rule,
 - (b) whether a person should be fined, and the amount of the fine, or
 - (c) whether a person should be denied access to a recreational facility.

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.
- (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.

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 or the performance or intended performance of any duty of the council.
- (2) Subsection (1) does not affect a council member's liability, as an owner, for a judgment against the strata corporation.

Division 4 -- Enforcement of Bylaws and Rules

Maximum fine

23. **Maximum fine**

The strata corporation may fine an owner or tenant a maximum of;

- a) \$200 for each contravention of a bylaw, and
- b) \$50.00 for each contravention of a rule.
- c) prior to imposing a fine, the strata council shall give the alleged bylaw or rule offender written notice of the complaint and allow for an opportunity to respond to the complaint.

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

Person to chair meeting

25. (1) Annual and special general meetings must be chaired by the president of the council.
- (2) If the president of the council is unwilling or unable to act, the meeting must be chaired by the vice president of the council.
- (3) If neither the president nor the vice president of the council chairs the meeting, a chair must be elected by the eligible voters present in person or by proxy from among those persons who are present at the meeting.

Participation by other than eligible voters

26. (1) Tenants and occupants may attend annual and special general meetings, whether or not they are eligible to vote.
- (2) Persons who are not eligible to vote, including tenants and occupants, may participate in the discussion at the meeting, but only if permitted to do so by the chair of the meeting.
- (3) Persons who are not eligible to vote, including tenants and occupants, must leave the meeting if requested to do so by a resolution passed by a majority vote at the meeting.

(4) Quorum

If within ONE-HALF (1/2) hour of the commencement of the Annual or Special General Meeting a quorum is not present, the meeting shall be terminated if the meeting was convened upon the requisition of members; but in any other case, then the eligible voters present shall constitute a quorum.

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 or unwilling to vote, the vice president, may break the tie by casting a second, deciding vote.
- (6) If there are only 2 strata lots in the strata plan, subsection (5) does not apply.

- (7) Despite anything in this section, an election of council or any other vote must be held by secret ballot, if the secret ballot is requested by an eligible voter.

Order of business

28. 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

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 -- Marketing Activities by Owner Developer

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.

(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.

Speed Limit

31. No vehicle may be operated on the Common Property roadways at a speed in excess of 20 kilometres per hour (12 miles per hour).

Awnings

32. (1) With the written permission of Council, an owner may install an awning of a neutral colour, which blends with the exterior of that unit. Before such permission is given, Council may require pictures and specifications of the proposed installation including, but not limited to: colour of the product, proposed location of the awning and the name of the installer.

(2) The owner will be responsible for any costs associated with or resulting from the installation and will be responsible for the costs of restoring the exterior of the townhouse to its original condition should the awning be removed.

(3) The Strata Council has the discretion to require an owner to repair or remove an awning if its condition is found to have deteriorated to the point that it is adversely affecting the aesthetic of the exterior of the building.

Parking

33. (1) An owner, tenant, occupant or visitor (as defined in the BC strata Property Act) shall not use any part of the common property, other than designated parking spaces, for the parking of motor vehicles. Parking is not permitted on the roadway of the complex at any time. The Township of View Royal's Fire Department requires that there be a clear 18 foot access available at all times. Vehicles parked on the roadway of the complex will be towed.

(2) Visitor parking is for guests only. An owner, tenant or occupant shall not park in parking stalls that are designated as Visitor Parking.

(3) All vehicles on common or limited common property must be licensed and insured.

- (4) There shall be no major repairs, oil, liquid or fluid changes, body work, or other major maintenance operations carried out on the common or limited common property.
- (5) Owners shall clean up any automotive fluid spillage from their vehicles, and in the event a spillage is not properly cleaned the strata council may order the work done and shall hold the owner liable for the expense of such clean up.
- (6) No owner shall park or permit to be parked on the Common property or in the driveways of their units, any recreational vehicle, motor-home, boat, trailer, or any vehicle that encroaches on the roadway.
- (7) The strata council may, after giving an owner written notice for a breach of any part of this bylaw, impose a fine for continued breach, and may thereafter have any vehicle removed from the common property and stored at the vehicle owner's expense. Thereafter, any repeat offence may lead to immediate towing with no notice.
- (8) Council may create an exemption to any of the above subsections following a written request.

Supplied to StrataDocs on 2013/07/18
Ordered by Ron Neal on 2013/07/18

- Your electronic signature is a representation by you that:
 - you are a subscriber; and
 - you have incorporated your electronic signature into
 - this electronic application, and
 - the imaged copy of each supporting document attached to this electronic application,and have done so in accordance with Sections 168.3 and 168.41(4) of the *Land Title Act*, RSBC 1996, C.250.
- Your electronic signature is a declaration by you under Section 168.41 of the *Land Title Act* in respect of each supporting document required in conjunction with this electronic application that:
 - the supporting document is identified in the imaged copy of it attached to this electronic application;
 - the original of the supporting document is in your possession; and
 - the material facts of the supporting document are set out in the imaged copy of it attached to this electronic application.Each term used in the representation and declaration set out above is to be given the meaning ascribed to it in Part 10.1 of the *Land Title Act*.

1. CONTACT: (Name, address, phone number)

Deduct LTSA Fees? Yes

2. IDENTIFICATION OF ATTACHED STRATA PROPERTY ACT FORM OR OTHER SUPPORTING DOCUMENT:

LTO Document Reference:

3. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]

Supplied
Ordered

Strata Property Act
FORM I
AMENDMENTS TO BYLAWS
(Section 128)

The Owners, Strata Plan 6974 ^{VFS} certify that the following or attached amendments to the Bylaws of the Strata Corporation were approved by a resolution passed in accordance with Section 128 of the *Strata Property Act* at an Special General Meeting held on September 13, 2012.

¾ Vote Resolution – Speed Limit Bylaw

Motion: BE IT RESOLVED by a ¾ Vote Resolution of the Owners of Strata Plan VIS6974 that the following bylaw be adopted:

Speed Limit

No vehicle may be operated on the Common Property roadways at a speed in excess of 20 kilometres per hour (12 miles per hour).

¾ Vote Resolution – Quorum Bylaw

Motion: BE IT RESOLVED by a ¾ Vote Resolution of the Owners of Strata Plan VIS6974 that the following bylaw be adopted:

Quorum

If within ONE-HALF (1/2) hour of the commencement of the Annual or Special General Meeting a quorum is not present, the meeting shall be terminated if the meeting was convened upon the requisition of members; but in any other case, then the eligible voters present shall constitute a quorum.

¾ Vote Resolution - Council Members' Terms

Motion: BE IT RESOLVED by a ¾ Vote Resolution of the Owners of Strata Plan VIS6974 that bylaw 10 be repealed and replaced with the following:

Council Member's Terms

- 1. The term of office of a council member ends at the end of the annual general meeting at which the new council is elected.***
- 2. A person whose term as a council member is ending is eligible for reelection.***
- 3. In the election of council members held at the first annual general meeting after passage of these bylaws:***

- a) *If the council has an even number of members ½ the members must be elected for a term of two years and the remainder elected for a term of one year, or*
 - b) *If the council has an odd number of members a simple majority must be elected for a term of two years and the remainder elected for a term of one year.*
4. *In the election of council members held at each annual general meeting after the second general meeting (after which these bylaws were passed), the members elected to fill the positions must be elected for a term of two years.*

¾ Vote Resolution - Awnings

A number of owners have contacted Council about their wish to install an awning on the exterior of their unit. In order to accommodate these owners and to maintain a consistent aesthetic, the Strata Council is proposing the following bylaw:

Moved: BE IT RESOLVED by a ¾ Vote Resolution of the Owners of Strata Plan VIS6974 that the following bylaw be adopted:

Awnings

1. *With the written permission of Council, an owner may install an awning of a neutral colour, which blends with the exterior of that unit. Before such permission is given, Council may require pictures and specifications of the proposed installation including, but not limited to: colour of the product, proposed location of the awning and the name of the installer.*
2. *The owner will be responsible for any costs associated with or resulting from the installation and will be responsible for the costs of restoring the exterior of the townhouse to its original condition should the awning be removed.*
3. *The Strata Council has the discretion to require an owner to repair or remove an awning if its condition is found to have deteriorated to the point that it is adversely affecting the aesthetic of the exterior of the building.*

¾ Vote Resolution – Maximum Fine

Moved: BE IT RESOLVED by a ¾ Vote Resolution of the Owners of Strata Plan VIS6974 that bylaw 23 (1) be amended as follows:

Maximum fine

The strata corporation may fine an owner or tenant a maximum of;

- a) *\$200 for each contravention of a bylaw, and*
- b) *\$50.00 for each contravention of a rule.*

c) prior to imposing a fine, the strata council shall give the alleged bylaw or rule offender written notice of the complaint and allow for an opportunity to respond to the complaint.

A revised set of bylaws is attached


Signature of Council Member


Signature of Second Council Member

Date: November 20, 2012

Ordered By: Ron Neal of Proxy Alliance

Supplied to StrataDocs on 2013/02/15
Ordered by Ron Neal on 2019/07/18

Stonecliffe Bylaws

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

Payment of strata fees

1. An owner must pay strata fees on or before the first day of the month to which the strata fees relate.

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) 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.

Use of property

3. (1) An owner, tenant, occupant or visitor must not use a strata lot, the common property or common assets in a way that
 - (a) causes a nuisance or hazard to another person,
 - (b) causes unreasonable noise,
 - (c) unreasonably interferes with the rights of other persons to use and enjoy the common property, common assets or another strata lot,
 - (d) is illegal, or
 - (e) is contrary to a purpose for which the strata lot or common property is intended as shown expressly or by necessary implication on or by the strata plan.
(2) An owner, tenant, 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) An owner, tenant, occupant or visitor must ensure that all animals are leashed or otherwise secured when on the common property or on land that is a common asset.

(4) 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) one dog or one cat.

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.

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.
- (2) The strata corporation must not unreasonably withhold its approval under subsection (1), but may require as a condition of its approval that the owner agree, in writing, to take responsibility for any expenses relating to the alteration.
- (3) This section does not apply to a strata lot in a bare land strata plan.

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 section 149 of the Act.
- (2) The notice referred to in subsection (1) (b) must include the date and approximate time of entry, and the reason for entry.

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, balconies and 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 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 and windows on the exterior of a building or that front on the common property, and
 - (v) fences, railings and similar structures that enclose patios, balconies and yards.

Division 3 -- Council

Council size

9. (1) Subject to subsection (2), the council must have at least 3 and not more than 7 members.
- (2) If the strata plan has fewer than 4 strata lots or the strata corporation has fewer than 4 owners, all the owners are on the council.

10. Council Member's Terms

1. The term of office of a council member ends at the end of the annual general meeting at which the new council is elected.
2. A person whose term as a council member is ending is eligible for reelection.
3. In the election of council members held at the first annual general meeting after passage of these bylaws:
 - a) If the council has an even number of members $\frac{1}{2}$ the members must be elected for a term of two years and the remainder elected for a term of one year, or
 - b) If the council has an odd number of members a simple majority must be elected for a term of two years and the remainder elected for a term of one year.
4. In the election of council members held at each annual general meeting after the second general meeting (after which these bylaws were passed), the members elected to fill the positions must be elected for a term of two years.

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.
- (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.

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.
- (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

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.
- (2) A person may hold more than one office at a time, other than the offices of president and vice president.
- (3) The vice president has the powers and duties of the president
 - (a) while the president is absent or is unwilling or unable to act, or

(b) for the remainder of the president's term if the president ceases to hold office.

- (4) If an officer other than the president is unwilling or unable to act for a period of 2 or more months, the council members may appoint a replacement officer from among themselves for the remainder of the term.

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.

(2) The notice does not have to be in writing.

(3) A council meeting may be held on less than one week's notice if

(a) all council members consent in advance of the meeting, or

(b) the meeting is required to deal with an emergency situation, and all council members either

(i) consent in advance of the meeting, or

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

(4) The council must inform owners about a council meeting as soon as feasible after the meeting has been called.

Requisition of council hearing

15. (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

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.

(2) Council members must be present in person at the council meeting to be counted

in establishing quorum.

Council meetings

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.
- (2) If a council meeting is held by electronic means, council members are deemed to be present in person.
- (3) Owners may attend council meetings as observers.
- (4) Despite subsection (3), no observers may attend those portions of council meetings that deal with any of the following:
 - (a) bylaw contravention hearings under section 135 of the Act;
 - (b) rental restriction bylaw exemption hearings under section 144 of the Act;
 - (c) any other matters if the presence of observers would, in the council's opinion, unreasonably interfere with an individual's privacy.

Voting at council meetings

18. (1) At council meetings, decisions must be made by a majority of council members present in person at the meeting.
- (2) Unless there are only 2 strata lots in the strata plan, if there is a tie vote at a council meeting, the president may break the tie by casting a second, deciding vote.
- (3) The results of all votes at a council meeting must be recorded in the council meeting minutes.

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.

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.
- (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 specific purpose, or
 - (b) delegates the general authority to make expenditures in accordance with subsection (3).
- (3) A delegation of a general authority to make expenditures must
 - (a) set a maximum amount that may be spent, and

- (b) indicate the purposes for which, or the conditions under which, the money may be spent.
- (4) The council may not delegate its powers to determine, based on the facts of a particular case,
 - (a) whether a person has contravened a bylaw or rule,
 - (b) whether a person should be fined, and the amount of the fine, or
 - (c) whether a person should be denied access to a recreational facility.

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.
- (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.

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 or the performance or intended performance of any duty of the council.
- (2) Subsection (1) does not affect a council member's liability, as an owner, for a judgment against the strata corporation.

Division 4 -- Enforcement of Bylaws and Rules

Maximum fine

23. Maximum fine

The strata corporation may fine an owner or tenant a maximum of;

- a) *\$200 for each contravention of a bylaw, and*
- b) *\$50.00 for each contravention of a rule.*
- c) *prior to imposing a fine, the strata council shall give the alleged bylaw or rule offender written notice of the complaint and allow for an opportunity to respond to the complaint.*

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

Person to chair meeting

- 25. (1) Annual and special general meetings must be chaired by the president of the council.
- (2) If the president of the council is unwilling or unable to act, the meeting must be chaired by the vice president of the council.

- (3) If neither the president nor the vice president of the council chairs the meeting, a chair must be elected by the eligible voters present in person or by proxy from among those persons who are present at the meeting.

Participation by other than eligible voters

26. (1) Tenants and occupants may attend annual and special general meetings, whether or not they are eligible to vote.
- (2) Persons who are not eligible to vote, including tenants and occupants, may participate in the discussion at the meeting, but only if permitted to do so by the chair of the meeting.
- (3) Persons who are not eligible to vote, including tenants and occupants, must leave the meeting if requested to do so by a resolution passed by a majority vote at the meeting.

(4) Quorum

If within ONE-HALF (1/2) hour of the commencement of the Annual or Special General Meeting a quorum is not present, the meeting shall be terminated if the meeting was convened upon the requisition of members; but in any other case, then the eligible voters present shall constitute a quorum.

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 or unwilling to vote, the vice president, may break the tie by casting a second, deciding vote.
- (6) If there are only 2 strata lots in the strata plan, subsection (5) does not apply.
- (7) Despite anything in this section, an election of council or any other vote must be held by secret ballot, if the secret ballot is requested by an eligible voter.

Order of business

28. 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

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 -- Marketing Activities by Owner Developer

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.

- (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. Speed Limit

No vehicle may be operated on the Common Property roadways at a speed in excess of 20 kilometres per hour (12 miles per hour).

32. Awnings

1. With the written permission of Council, an owner may install an awning of a neutral colour, which blends with the exterior of that unit. Before such permission is given, Council may require pictures and specifications of the proposed installation including, but not limited to: colour of the product, proposed location of the awning and the name of the installer.
2. The owner will be responsible for any costs associated with or resulting from the installation and will be responsible for the costs of restoring the exterior of the townhouse to its original condition should the awning be removed.
3. The Strata Council has the discretion to require an owner to repair or remove an awning if its condition is found to have deteriorated to the point that it is adversely affecting the aesthetic of the exterior of the building.