

- 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 to StrataDocs 2018/08/21
Ordered by Ron Neal 2023/10/04

Ordered By: Ron Neal of RE/MAX Generation - The Neal Estate Group on 2023/10/04

Strata Property Act

FORM I

AMENDMENTS TO BYLAWS

(Section 128)

The Owners, Strata Plan EPS2439 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 a Special General Meeting held on June 14, 2018.

Resolution:

BE IT RESOLVED by a $\frac{3}{4}$ vote of The Owners Strata Plan EPS2439 (the "Strata Corporation") that bylaw 38 of the Strata Corporation's bylaws be and are hereby amended to read as follows:

38 Prohibition on Smoking

- (a) Smoking of tobacco, marijuana or other chemicals or e-cigarettes is prohibited on the interior common property, including hallways, lobbies, elevators, parking areas, electrical and mechanical rooms, and all exterior common property.
- (b) Smoking of tobacco, marijuana or other chemicals or e-cigarettes is prohibited in all strata lots including on patios and balconies which have been designated limited common property.
- (c) All persons, including but not limited to owners, tenants, occupants and visitors, must comply with this bylaw.

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



Signature of Council Member



Signature of Second Council Member

Date: Aug 8/18

**UPTOWN PLACE EPS2439
BYLAWS
June 14, 2018**

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 Use of Property

An owner, tenant or occupant of a strata lot will not:

- (a) keep any animals or pets of any kind in his or her strata lot or on or about the common property, which includes the outside grounds of the strata plan, except in accordance with these bylaws and any rules and regulations established by the strata council from time to time;
- (b) use any part of the common property (other than established storage lockers) for storage, without the prior written consent of the strata council;
- (c) use, or permit any tenant or occupant of his or her strata lot to use, his or her strata lot for any purpose which involves undue traffic or noise in or about the strata lot or common property between the hours of 10:30 p.m. and 7:00 a.m. or that encourages loitering by persons in or about the strata lot or common property;
- (d) make, cause or produce or permit any tenant or occupant of his or her strata lot or any tenant, employee, agent, invitee, guest or visitor of the owner or occupant to make, cause or produce, undue noise, smell, vibration or glare or nuisance or hazard in or about any strata lot or common property or to do anything which will interfere unreasonably with any other owner, tenant or occupant;
- (e) use, or permit any tenant or occupant of his or her strata lot or a tenant, employee, agent, invitee, guest or visitor of the owner, tenant or occupant to use, any musical instrument, amplifier, sound reproduction equipment or other device within or about any strata lot or, the common property or any limited common property such that it causes a disturbance or interferes with the comfort of any other owner, tenant or occupant;
- (f) obstruct or use, or permit any tenant or occupant of his or her strata lot or a tenant, employee, agent, invitee, guest or visitor of the owner, tenant or occupant to obstruct or use, the sidewalks, walkways, passages and driveways of the common property for any purpose other than ingress or egress from the strata lots or parking areas within the common property of the strata plan;

- (g) leave, or permit any tenant or occupant of his or her strata lot or any tenant, employee, agent, invitee, guest or visitor of the owner, tenant or occupant to leave, on the common property or any limited common property, any shopping cart or any other item designated from time to time by the strata council;
- (h) use, or permit any tenant or occupant of his or her strata lot or any tenant, employee, agent, invitee, guest or visitor of the owner, tenant or occupant to use, a barbecue, hibachi or other like cooking device on a balcony, deck or patio unless such barbecue, hibachi or cooking device is powered by propane or electricity and such propane or electricity powered barbecues, hibachis and other light cooking devices will not be used except in accordance with rules and regulations made by the strata corporation from time to time;
- (i) shake, or permit any tenant or occupant of his or her strata lot or any tenant, employee, agent, invitee, guest or visitor of the owner, tenant or occupant to shake, any mops or dusters of any kind, nor throw, or permit any tenant or occupant of his or her strata lot or any tenant, employee, agent, invitee, guest or visitor of the owner, tenant or occupant to throw, any refuse, out of the windows or doors or from the balcony of a strata lot;
- (j) do, or permit any tenant or occupant of his or her strata lot or any tenant, employee, agent, invitee, guest or visitor of the owner, tenant or occupant to do, anything that will increase the risk of fire or the rate of insurance on the building or any part thereof;
- (k) permit a condition to exist within his or her strata lot which will result in the waste or excessive consumption of the building's domestic water supply or heated water;
- (l) allow his or her strata lot to become unsanitary or a source of odour;
- (m) feed, or permit any tenant or occupant of his or her strata lot or a guest, employee, agent or invitee of the owner, tenant or occupant to feed, crows, pigeons, gulls or other birds, squirrels, rodents or other animals from the strata lot or anywhere on or in close proximity to the common property or any limited common property, but this will not apply to a pet permitted to be kept in his or her strata lot pursuant to these by laws and the rules and regulations made hereunder, which pet will be fed only in his or her strata lot;
- (n) install, or permit any tenant or occupant of his or her strata lot or any guest, employee, agent or invitee of the owner, tenant or occupant to install, any window coverings, visible from the exterior of his or her strata lot which are different in size or colour from those of the original building specifications;
- (o) hang or display, or permit any tenant or occupant of his or her strata lot or any guest, employee, agent or invitee of the owner, tenant or occupant to hang or display, any laundry, washing, clothing, bedding or other articles from windows, balconies or other parts of the building so that they are visible from the outside of the building;
- (p) use or install or permit any tenant or occupant of his or her strata lot or any guest, employee, agent or invitee of the owner, tenant or occupant use or install, in or about the strata lot any shades, awnings, window or balcony guards or screens, ventilators, supplementary heating or air conditioning devices, or hard surface flooring, except those installations approved in writing by the strata council;
- (q) erect on or fasten to, or permit any tenant or occupant of his or her strata lot or any guest, employee, agent or invitee of the owner, tenant or occupant to erect on or fasten to, the strata lot, the common property or any limited common property any

- (r) television or radio antenna, dish or similar structure or appurtenance thereto; place, or permit any tenant or occupant of his or her strata lot or any guest, employee, agent or invitee of the owner, tenant or occupant to place, any signs, billboards, notices or other advertising matter of any kind on, or visible from, the exterior of a strata lot;
- (s) place, or permit any tenant or occupant of his or her strata lot or a guest, employee, agent or invitee of the owner, tenant or occupant to place any indoor-outdoor carpeting on any deck, patio or balcony, or place any items on any deck, patio or the balcony except free-standing, self-contained planter boxes, summer furniture and accessories (subject to bylaw 2) nor install or permit any tenant or occupant of his or her strata lot or a guest, employee, agent or invitee of the owner, tenant or occupant to install, any hanging plants or baskets or other hanging items within three feet of a balcony railing line;
- (t) give, or permit any tenant or occupant of his or her strata lot to give, any keys, combinations, security cards or other means of access to the building, the parking garage or common areas to any person other than an employee, contractor, occupant or guest of the strata lot permitted by these bylaws;
- (u) have, install or use a hot tub, jacuzzi, spa, whirlpool or swirlpool on the balcony, deck or patio of the strata lot or any area in the limited common property or the common property;
- (v) alter or renovate his or her strata lot or install any device or material within or about his or her strata lot or the common property, including limited common property, such that such alteration, renovation or installation or use thereof causes or has the potential to cause unreasonable disturbance or unreasonably interferes with the comfort of any other owner, tenant or occupant;
- (w) alter or remove any carpeting or other floor covering from the floors of his or her strata lot without first obtaining the prior written approval of the strata council;
- (x) use a strata lot, the common property or common assets in a way that is illegal;
- (y) use a strata lot, the common property or common assets in a way that unreasonably interferes with the rights of other persons to use and enjoy the common property, common assets or another strata lot;
- (z) 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 ensure under section 149 of the Act;
- (aa) use a strata lot, the common property or common assets in any way that is contrary to a purpose for which the strata lot or the common property is intended as shown expressly or by necessary implication on or by the strata plan; or
- (bb) install a hook, hanger, bracket or other device to the exterior of the building which could potentially cause a breach of the integrity of the building envelope.

3.2 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) reasonable number of small caged animals;
- (c) up to two (2) caged birds;
- (d) one dog and/or one cat or two dogs or two cats.
- (f) landscaping and lawns.

- (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) Owners are not permitted to apply an after-market film to either the interior or exterior of any windows.
- (3) 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 and skylights on the exterior of a building or that front on the common property;
 - (E) fences, railings and similar structures that enclose patios, balconies and yards;
 - (d) a strata lot in a strata plan that is not a bare land strata plan, but the duty to repair and maintain it is restricted to
 - (i) the structure of a building,
 - (ii) the exterior of a building,
 - (iii) chimneys, stairs, balconies and other things attached to the exterior of a building,
 - (iv) doors, windows and skylights on the exterior of a building or that front on the common property, and
 - (v) fences, railings and similar structures that enclose patios, balconies and yards.

Division 3 — Council

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.

Council members' terms

- 10** (1) The term of office of a council member ends at the end of the annual general meeting at which the new council is elected.
(2) A person whose term as council member is ending is eligible for reelection.
(3) to (5) [Repealed 1999-21-51.]

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.

Repealed

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

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

Bylaws

establishing quorum.

(3) **Quorum for Annual or Special General Meeting**

If within 15 minutes from the time appointed for an annual or special general meeting a quorum is not present, the meeting shall be terminated if the meeting was convened upon the requisition of members, and in any other case, the meeting stands adjourned to 15 minutes from the time appointed for the meeting, at the same place, but, if at the end of that period a quorum is still not present, the eligible voters present in person or by proxy shall be deemed to constitute a 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 a specific purpose, or
 - (b) delegates the general authority to make expenditures in accordance with subsection (3).
- (3) A delegation of a general authority to make expenditures must
- (a) set a maximum amount that may be spent, and
 - (b) indicate the purposes for which, or the conditions under which, the money may be spent.
- (4) The council may not delegate its powers to determine, based on the facts of a particular case,
- (a) whether a person has contravened a bylaw or rule,

- (b) whether a person should be fined, and the amount of the fine, or
- (c) whether a person should be denied access to a recreational facility.

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** The strata corporation may fine an owner or tenant a maximum of
- (a) \$200 for each contravention of a bylaw, and
 - (b) \$50 for each contravention of a rule.

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.
- 24** (a) **Authority to bring Small Claims Court Actions**
- (1) Pursuant to section 171(4) of the Act, a 3/4 vote of owners to bring a suit against an owner or other person to collect money owing to the strata corporation under the Small Claims Act, including money owing as a fine, is not required.
 - (2) The strata council is hereby authorized in its sole discretion to authorize legal proceedings in Small Claims Court to collect money owing without the requirement for a further vote or approval of the unit owners at a general meeting.

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.

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

30 Marketing Activities by Owner Developer for Display Lot

During the time that the owner developer of the strata corporation is a first owner of any strata lot, it will have the right to maintain any such strata lot or strata lots, whether owned or leased by it, as a display lot or lots, and to carry on sales functions, including, without limitation, placing and displaying of signs, the advertising and holding of special promotions and open houses and other marketing events, it considers necessary in order to enable it to sell such strata lot or strata lots.

Division 8 — Miscellaneous

31 Christmas Trees

An owner, tenant, occupant or visitor shall not use anything but artificial or live with roots growing as potted trees within any strata lot or common property as Christmas trees.

32 Use of Limited Common Property

Owners of strata lots will not place planters or other such items or equipment within any part of the limited common property designated on the strata exclusively for the use of such owner unless, in the opinion of the strata council, such planters, items or equipment are in keeping with the balance of the development in terms of design, quality, proportion and colour. Any such planters, items or equipment will be maintained in good and tidy condition on an ongoing basis and the responsibility for such maintenance will be solely for the account of the owner of the strata lot entitled to the use of the limited common property on which they are placed. If, in the opinion of the strata council, an owner is in breach of this bylaw 31 the strata council may give that owner 60 days written notice in which to correct that breach. If that breach is not corrected by that owner within the 60 day period the strata council shall have the right to hire such parties as it deems appropriate to remedy the breach and such parties shall have the right to enter the limited common property of that owner as may be necessary and all costs to remedy the breach shall be paid forthwith by the owner who is in breach of this bylaw 31 at the request of the strata council.

33 Garbage Disposal

An owner of a strata lot will remove ordinary household refuse and garbage from his or her strata lot and deposit it in the containers provided by the strata corporation for that purpose; all garbage will be bagged and tied before so depositing and the owner will remove any materials other than ordinary household refuse and garbage from the strata plan property at his or her expense.

34 Storage And Parking

- (a) Bicycles (electric or otherwise) and scooters (electric or otherwise) are not permitted in elevators, hallways or any other indoor common areas, except to the extent necessary to access the bicycle or scooter storage rooms of the development. No bicycles (electric or otherwise) or scooters (electric or otherwise) are to be kept on the balconies or patios; instead, they will be stored within the bicycle/scooter storage areas or such other area as may be prescribed by the strata council. All bicycles (electric or otherwise) and scooters (electric or otherwise) must enter or exit the building as required by the strata council. Storage of bicycles (electric or otherwise) and scooters (electric or otherwise) will be available on a first come first serve basis or as otherwise determined by the strata council.
- (b) The strata council will, subject to the provisions of the Act, be responsible for the orderly administration of the use of spaces within the bicycle/scooter storage areas. Such administration may also include, without limitation, the issuance of keys or security passes and rights to store additional bicycles/scooters within the bicycle/scooter storage areas, including charging fees to users if approved by resolution of the strata corporation.
- (c) The strata council will, subject to the provisions of the Act, be responsible for the orderly administration of the use of storage lockers within the development. Such administration may also include, without limitation, the issuance of keys or security passes, including charging fees to users if approved by resolution of the strata corporation. Each owner of a strata lot is entitled to the use of one storage locker free of charge.
- (d) Any owner, tenant, occupant of any strata lot or guest, employee, agent or invitee of any owner or occupant, that leaves any item anywhere on or in the common property or on any limited common property does so at his or her own risk, subject to any claim that may properly be made under any insurance policy maintained by the strata corporation by anyone that is an insured under that policy.
- (e) An owner, tenant or occupant of any strata lot must use parking stalls only for the parking of licensed and insured motor vehicles, trailers, motorcycles or bicycles, and not for the parking of any other type of vehicle or the storage of any other item, unless otherwise approved in writing by the strata council.
- (f) An owner of a strata lot will not:
- (i) use, or permit any occupant of his or her strata lot to use, any parking space in the building or on the common property or on any limited common property, except the parking space which has been specifically assigned to his or her strata lot, a parking space leased by the owner or, when specifically agreed with another owner, the parking space assigned to the strata lot of that other owner;
 - (ii) carry out, or permit any occupant of his or her strata lot or a guest, employee, agent or invitee of the owner or occupant to carry out, any oil changes, major repairs or adjustments to motor vehicles or other mechanical equipment on common property or on any limited common property, except in the case of emergency;
 - (iii) rent or lease the parking space leased by the owner or the parking space assigned by the strata corporation to his or her strata lot or otherwise permit that parking space to be regularly used by anyone that is not a resident of the

- (iv) building without the prior written consent of the strata council;
park, or permit any occupant of his or her strata lot or a guest, employee, agent or invitee of the owner or occupant to park any vehicle, in a manner which will reduce the width of the garage roadway or ramp or any roadway on the common property or on any limited common property; and
- (v) use, or permit any occupant of his or her strata lot or a guest, employee, agent or invitee of the owner or occupant to use, any part of the common property (other than established storage rooms or lockers) for storage, without the written consent of the strata council.
- (g) An owner, tenant or occupant of a strata lot must promptly and at its own expense clean up any oil or other substance which spills or leaks onto the common property as a result of any activity prohibited by these bylaws.
- (h) Each owner of a strata lot may be entitled to the exclusive use of one or more parking stalls located in the underground parking facility which forms part of the common property of the strata corporation pursuant to a partial assignment of the Parking Facility Lease (the "Parking Facility Lease") between Uptown Place Inc., as the owner developer and Uptown Place (Parking) Inc. as lessee. Pursuant to the Parking Facility Lease the strata corporation will automatically assume all of the covenants and obligations of the owner under the Parking Facility Lease upon registration of the Strata Plan for the strata development.

35 Move In / Move Out

- (a) The strata corporation may regulate the times and manner in which any moves into or out strata lots may be made and require that such moves be co-ordinated with the manager of the building at least seven days in advance of such moves, or such lesser period as the strata council may, in its sole discretion, permit, provided that if an owner carries out, or permits any tenant or occupant, or any guest, employee, agent or invitee of the owner or his or her tenant or an occupant of the strata lot, to carry out, any move into or out of his or her strata lot otherwise than in accordance with such prior arrangements made with the manager of the building, the owner will be subject to a fine of \$100.00, such fine to be paid on or before the due date of the next monthly assessment payable by such owner.
- (b) An owner of a strata lot must notify the strata corporation in advance of the date and time that the owner or an occupant of his or her strata lot will be moving into or out of the strata lot.
- (c) The owner of a strata lot must pay the Strata Corporation a fee of \$100.00 whenever the owner or a tenant of the owner moves into the complex, to cover the general wear and tear and additional maintenance of the hallways, elevators and foyer caused during a move. This fee shall be paid prior to or concurrently with the time of the move.

36 Rentals

- (a) Before a tenant may move into any strata lot, the owner will deliver or cause to be delivered to the strata corporation a Notice of Tenant Responsibilities in Form K under the Act.
- (b) An owner will advise the strata council in writing of the time and date that any tenant intends to move in or out of the strata lot, at least seven days in advance and will

make arrangements with the manager of the building to co-ordinate any such move in accordance with bylaw 34.

37 Selling of Strata Lots

- (a) An owner of a strata lot, when selling his or her strata lot, will not permit "For Sale" signs to be placed on or about the common property except on a signage board located near the entrance to the building (if any such signage board is provided for such purpose) which is designated for such purpose.
- (b) An owner of a strata lot, when selling his or her strata lot, will not hold or permit to be held, any public open house except in the manner prescribed by the strata council. One open house for agents will be allowed per listing. Unless the strata council otherwise prescribes, all showings must be by appointment only.

38 Prohibition on Smoking

- (a) Smoking of tobacco, marijuana or other chemicals or e-cigarettes is prohibited on the interior common property, including hallways, lobbies, elevators, parking areas, electrical and mechanical rooms, and all exterior common property.
- (b) Smoking of tobacco, marijuana or other chemicals or e-cigarettes is prohibited in all strata lots including on patios and balconies which have been designated limited common property.
- (c) All persons, including but not limited to owners, tenants, occupants and visitors, must comply with this bylaw.

39 Electric Motor Vehicles

Parking stalls 1, 2, 3, 90, 91 and 92 (the "Conduit Parking Stalls") within part of the underground parking area of the common property each contain one roughed in conduits, chases and other equipment (collectively the "Conduits") to support charging stations for six (6) electric motor vehicles and the costs relating thereto have been paid by the Developer. The assignee of a Conduit Parking Stall as referred to in Section 3.6 of the Developer's Disclosure Statement will be required at his or her cost to do all other work that is necessary to ensure that the Conduits situated therein can fully service an electric motor vehicle and all costs to operate, maintain, repair and replace a Conduit shall be paid by the owner, from time to time, who has a lease, by way of an assignment of a Conduit Parking Stall containing that Conduit. The cost of all electricity supplied to Conduit Parking Stalls will be shared equally by the owners, from time to time, of the Strata Lots whose owners have a lease, by way of assignment, of a Conduit Parking Stall and who use the Conduit situated therein. A separate electrical meter will determine the amount of electricity consumed within the Conduit Parking Stalls and the Strata Corporation will be billed the cost relating thereto and each owner of a Strata Lot who has a Conduit Parking Stall and that uses the Conduit within the Conduit Parking Stall will pay his or her share of electricity as and when required by the Strata Corporation.

40 Electrical Bicycle and Electrical Scooter Outlets

All costs associated with operating, maintaining, securing and repairing the electrical bicycle and scooter recharge outlets shall be paid as part of monthly assessments by the owners of all strata lots in proportion to the unit entitlement for their strata lots.

41 Residential Use Only

Strata lots shall be used only for residential purposes and, without restricting the generality of the foregoing, no strata lot shall be used for congregate housing, or home office and

daycare for preschool children as referred to Schedule 710.1 (Use Permitted) of The Corporation of the District of Saanich's RA-3 (Apartment Zone) Bylaw.

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Ordered by Ron Neal 2023/10/04

Ordered By: Ron Neal of RE/MAX Generation - The Neal Estate Group on 2023/10/04

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