

The Owners Strata Plan VR-755 "Alpha Lake Village"
(the "Corporation")

CONSOLIDATED BYLAWS

(as of December 17, 2018)

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

Payment of strata fees

- 1 (1) An owner must pay strata fees either in one lump sum on or before February 28 in each year, for that year; or, at the owner's option, in equal monthly sums at the beginning of each month during the fiscal year for that fiscal year, provided that any owner's failure to strictly adhere to the second option (monthly payments) shall be deemed an election of the first option (annual lump sum payment).
- (2) The amount of the annual strata fees payable by each owner on an annual or monthly basis shall be equal and shall be decided upon at each Annual General Meeting for the following fiscal year.
- (3) Notwithstanding the foregoing, owners of units 2001, 2002, 2007, 2008, 2011, 2012, 2016 and 2017 shall pay and be assessed an extra \$25.00, or such other sum or amount as the corporation may decide, as their units contain second flue chimneys.

Owner's Property Insurance

- 1A (1) Each owner must obtain and maintain in good standing, property insurance on:
 - (a) the building on the owner's strata lot and;
 - (b) any fixtures built or installed on the owner's strata lot.
- (2) "Fixtures" shall include items attached to a building, including floor and wall coverings, and electrical and plumbing fixtures, but does not include, if they can be removed without damage to the building, refrigerators, stoves, dishwashers, microwaves, washers, dryers, or other items.
- (3) The property insurance must:
 - (a) be on the basis of full replacement value, but in any event, shall not be in an amount less than \$400,000.00 and;
 - (b) insure against:

- (i) Major perils, as defined in the Regulations to the *Strata Property Act* from time to time, and which shall include the perils of fire, lightening, smoke, wind storm, hail, explosion, water escape, strikes, riots or civil commotion, impact by aircraft and vehicles, vandalism, and malicious acts;
- (ii) Any other perils specified in the bylaws

Owner's Liability Insurance

- (4) Each owner must obtain and maintain in good standing, liability insurance to ensure that owner against liability for property damage andbodily injury.
- (5) The liability insurance must be of at least the amount required in the Regulations to the *Strata Property Act*, but, in any event, shall be no less than \$2 million.

Compliance and Enforcement

- (6) Each owner shall, within 30 days of being requested by the strata corporation, provide such written documentation in evidence, as would reasonably prove compliance with this bylaw.
- (7) The Strata Corporation may fine an owner a maximum of \$200.00 for each contravention of thisbylaw.
- (8) If an activity or state of affairs, or lack thereof, that constitutes a contravention of this bylaw 1A continues, without interruption for longer than 7 days, a fine of a maximum of \$200.00 may be imposed at intervals thereafter, as frequently as every 7 days, for so long as the contravention continues.

Repair and maintenance of property by owner

- 2 (1) An owner must repair and maintain the owner's strata lot in good order and condition as a prudent owner at their own cost (reasonable wear and tear excepted, so long as the reasonable wear and tear does not unreasonably affect the exterior appearance of the improvements or buildings constructed on the strata lot), except for repair and maintenance that is the responsibility of the Strata Corporation under these bylaws. An owner's obligation to repair and maintain pursuant to this bylaw shall include, without limitation, the following:
 - (a) all necessary repairs, replacements and alterations as necessary to keep the building and improvements located on the strata lot to the standard at least substantially equal in quality of material and workmanship to the original work and materials employed in the original buildings and improvements constructed on the strata lot;and
 - (b) all necessary repairs, replacement and alterations necessary to comply with policies of council promulgated from time to time actingreasonably.
- (2) An owner who has the use of limited common property must repair and maintain it,

except for repair and maintenance that is the responsibility of the Strata Corporation under these bylaws.

- (3) All owners shall ensure at all times that their unit external street lighting, that illuminates common drive ways, is *in* proper working order and that such lights are illuminated from dusk until dawn and, if any owner is in breach of this bylaw, the corporation shall be entitled to, at the owner's expense, remedy such breach.

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, and no noise audible to the outside of any strata lot is permitted to be made between the hours of 11:00pm and 7:00am. The use of the beach and the dock area between these hours is prohibited.
 - (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) No person other than an owner shall be entitled to keep any animal(s) in a strata lot, common property and/or limited common property other than one or more of the following:
- A. a reasonable number of fish or other small aquarium animals;
 - B. a reasonable number of small caged mammals;
 - C. up to 2 caged birds;
 - D. two dogs, two cats or one dog and one cat.
- (4) An owner must ensure that any dog of his or hers is under control when on common property.
- (5) If any dog of an owner defecates on common property, that owner shall immediately and completely remove all of that dog's waste from the common property and dispose of it in a waste container or by some other sanitary means.
- (6) No owner shall permit his or her dog to interfere with any other person or permit his or her dog to disturb any other person with uncontrolled barking or howling.
- (7) The corporation may from time to time enact such rules with respect to the keeping of pets as the corporation acting reasonably deems necessary and desirable provided that, in the event of any conflict between these bylaws and any such rule, the provision of these bylaws shall prevail.

- (8) If any owner violates any provision of these bylaws or if the strata council, on reasonable grounds, considers a dog to be a nuisance the strata council, by written notice to such owner, may cause such owner to have the dog removed from the strata lot within 30 days of receiving such notice at the expense of that owner.
- (9) No owner or occupant shall have open fires on the beach or on any other common property.
- (10) All garbage kept outside a living premises must be kept in an animal proof container or other animal proof manner, and must be regularly disposed of in a timely manner at the Function Junction, or other proper, disposal facility.
- (11) Litter, including cigarette butts, must not be dropped anywhere within Alpha Lake Village, including the beach, dock, and lake.
- (12) An owner, tenant, occupant or visitor must not smoke on the trail down to the beach, the beach and the dock.
- (13) Short-term rentals and/or advertising for short-term rentals is prohibited. Long-term rentals are permitted (minimum 30 consecutive days). Rental restriction infractions carry a fine of up to \$500 per infraction.
- (14) The occupancy limit of each strata lot must be reasonable / appropriate per the size and the layout of the strata lot.
- (15) All residents must keep all visible exterior areas clean & tidy at all times. Storage of items must be appropriate to the usage of the property.

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. An owner may elect to receive, for all purposes, any written correspondence from the corporation via email, by so advising the strata corporation and designating an email address in writing.
- (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*;
- (h) the painting of the exterior of an owners building, using paint or stain of a different colour or tone from its present existing colour or tone.

(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) The Strata Council must approve in writing (prior to commence of work) of any change in the painting of the exterior of an owners building (i.e. using paint or stain of a different colour or tone from its present existing colour or tone).

(4) An owner must obtain the written approval of the strata council before installing a hot tub.

a) The owner must send a request to council to install a hot tub including:

- i) a photo or map of the proposed location of the hot tub, and
- ii) specifications of the particular hot tub to be installed, including size, capacity, type of motor, and number of decibels.

b) Council will circulate the request to other owners who could be affected by the operation of the hot tub, including attached strata lots, those within sight lines, and those who could reasonably expect to hear the operation or occupants of the hot tub.

c) Council will objectively review the application and feedback received from potentially affected owners, and will approve or deny the hot tub request.

d) Where a hot tub request is approved, the following rules apply:

- i. Owners who install a hot tub will accept full responsibility for any property damage or personal injury that may result from the installation and/or use of their hot tub. All owners with hot tubs must provide the management company with insurance documentation, which states coverage for any property damage or personal injury, which may result from the installation and/or use of the hot tub.
- ii. The size / occupancy limit of hot tubs is limited to 4-6 people
- iii. When not in use, hot tubs must be covered and locked.

- iv. Hot tubs may only have a silent running circulation pump system.
- v. Hot tubs may only be used between the hours of 9am - 10pm.
- vi. The exterior receptacle for hot tubs must be GFI protected in a waterproof enclosure
- vii. Hot tubs must be drained into the strata lots sewer system and not onto the grounds of Alpha Lake Village or surrounding properties.
- viii. A final inspection by the Strata Property Agent or appointed Strata Council Representative is required after the installation has been completed
- ix. Ongoing upkeep and maintenance must be undertaken in a timely manner to ensure that operational noise is kept at a minimum.
- x. It is the owner's responsibility to inform any guests, visitors, tenants and/or rental management company of these rules and fines.
- xi. Bylaw infraction complaints due to the usage / subsequent noise related issues will be deliberated on by council. Fines and / or other types of remedies for contraventions will apply.

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, with 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.
- (3) Any council member is a "person authorized" for the purposes of Section 7.

Parking

- 7A**
- (1) The corporation shall issue (or has issued) to each owner two parking tags, in prescribed form, for the use of the owners, their guests and tenants, at no charge, provided that the corporation may revise the prescribed form from time to time;
 - (2) Replacement tags may be acquired from the corporation at a cost of \$20.00 per tag;
 - (3) Each owner, and their respective tenants and guests (if permitted by that owner), shall park only, with respect to, any designated parking space and to the upper common area, as that area is defined on the map attached hereto as Schedule "A," in those spaces designated by the number of their respective strata lot;
 - (4) Each owner and their respective tenants and guests may park in the guest and overflow parking lot common area, as that area is defined on Schedule "A" hereto, provided that each such vehicle so parked has affixed to it a valid parking tag, provided further that:
 - (a) No commercial and/or oversize vehicle shall park in any common area, which vehicle shall include any vehicle by necessity taking up more than one space;
 - (b) No motor homes, trailers, boats or equipment of any kind shall be parked or stored on any common property;
 - (c) No repairs or adjustments to vehicles shall be carried out on any common property;
 - (d) The use of any off-road vehicles, including snowmobiles and ATVs, on any common property is prohibited;
 - (e) During snow fall season, vehicles must be moved regularly to prevent snow build up and to facilitate snow removal;
 - (f) No vehicle shall be stored on common property. Any vehicle otherwise validly parked on common property must bear valid license plates and be fully insured for regular operation;
 - (g) Any vehicle parked or stored in contravention of these bylaws is subject to fines and/or removal (towing) at the vehicle owner's expense.
 - (5) Any council member shall have the authority to grant to a local towing company the right to enter upon the upper common lot area, the guest and overflow parking lot common area, and any designated parking space, and to remove from there, at the expense of the owner of the motor vehicle in question, any vehicle parked in contravention of the bylaws.

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 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 and 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.

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.

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 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

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, or if a state of affairs or lack thereof, that constitutes a contravention of a bylaw or rule continues, without interruption, for longer than 7 days, a fine of a maximum of \$200.00 may be imposed at intervals thereafter, as frequently as every 7 days, for so long as the contravention continues.

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 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:

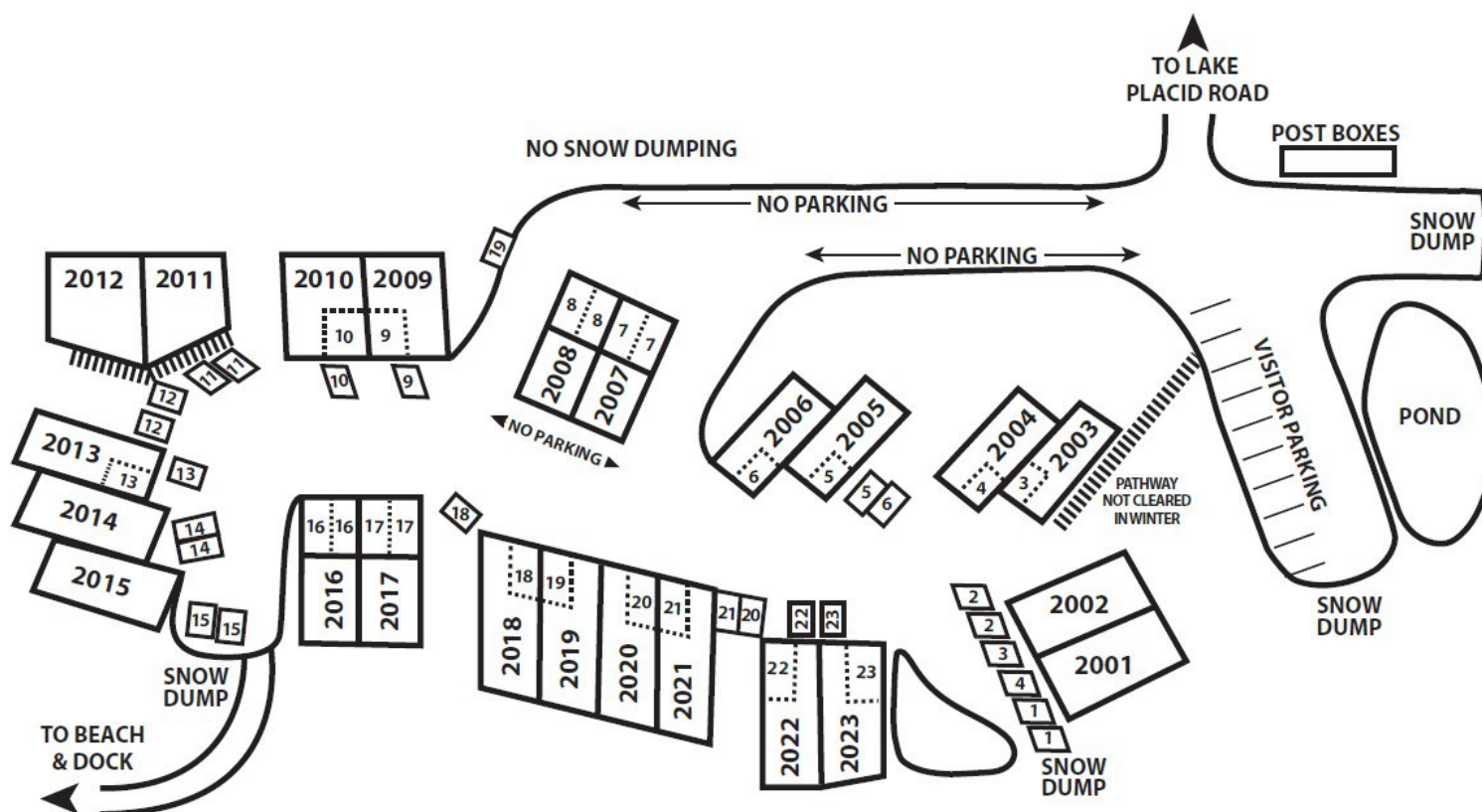
- (a) certify proxies and corporate representatives and issue voting cards;
- (b) determine that there is a quorum;
- (c) elect a person to chair the meeting, if necessary;
- (d) present to the meeting proof of notice of meeting or waiver of notice;
- (e) approve the agenda;
- (f) approve minutes from 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;
- (j) elect a council, if the meeting is an annual general 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.

ALPHA LAKE VILLAGE VR755 PARKING MAP



PARKING IS PROHIBITED IN ALL AREAS OTHER THAN DESIGNATED STALLS AND VISITOR STALLS