

**RATIFICATION OF HOUSE RULES
MAYFAIR WALK, SP VIS6380
ANNUAL GENERAL MEETING
December 9, 2010**

1. Real Estate signs are not to be erected on the common property unless there is an active listing in the building, and are to be removed immediately after possession.
2. No real estate lock boxes are to be placed on the property, other than the single real estate board Master lock box attached to the building.
3. All real estate signs are to be placed in the flowerbed on the right (east) side of the driveway and not on the left where they will block the building sign.
4. No real estate sign shall be taller than 4 feet above the ground.

Supplied to StrataDocs on 2/27/2019
Ordered by Troy Petersen on 2/27/2019

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MAYFAIR WALK BYLAWS

STRATA PLAN NO. VIS6380

LAST UPDATE: APRIL 5, 2016

(Please note that these bylaws have been consolidated for convenience only. The official bylaws of the Strata Corporation are those approved by the owners in accordance with the Act and filed in the Land Title Office from time to time.)

PLEASE ENSURE THIS COPY REMAINS IN THE UNIT AT ALL TIMES.

Supplied to StrataDocs on 2/18/2019
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**STRATA PLAN VIS6380
Mayfair Walk**

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STRATA PLAN VIS6380
Mayfair Walk
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.

- 1B** The strata corporation will apply any funds received from an owner towards any amounts outstanding from an owner to the Strata Corporation in the following order:
(added January 27, 2014 CA3593865)
 - (1) unpaid fines; **(added January 27, 2014 CA3593865)**
 - (2) unpaid insurance deductibles for which an owner is responsible;
(added January 27, 2014 CA3593865)
 - (3) any other amounts owing by an owner not otherwise identified in this bylaw;
(added January 27, 2014 CA3593865)
 - (4) interest payable on unpaid strata fees and special levies;
(added January 27, 2014 CA3593865)
 - (5) unpaid strata fees; and **(added January 27, 2014 CA3593865)**
 - (6) unpaid special levies. **(added January 27, 2014 CA3593865)**

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.

 - (3) Without limiting the generality of bylaw 2(1), an owner must replace a hot water heater in their strata lot within the warranty period for such heater. In the event that an owner fails to replace the heater by the end of the applicable warranty period, such infraction is subject to a \$200 fine if the tank fails.
(added March 22, 2016 CA5089986)

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 (*amended December 9, 2010 FB396638*)
 - (b) up to two (2) caged birds; (*amended December 9, 2010 FB396638*)
 - (c) two (2) cats; (*amended December 9, 2010 FB396638*)
 - (d) one (1) spayed or neutered dog under 30 pounds and under 18” at the shoulder at maturity that must be leashed and under control at all times when in the building or on the common property; (*repealed & replaced February 18, 2015 CA4239671*)
 - (e) all owners must ensure that their pets do not urinate or defecate in the building or on common property and must immediately cleanup and pick up after their pets. (*amended January 27, 2014 CA3593865*)
 - (5) Unless first approved by the Strata Council, a unit owner, tenant, occupant or visitor as the case may be, shall not:
 - (a) allow the strata lot to become unsanitary
 - (b) change the style or appearance of the interior blinds supplied by the developer next to the windows;
 - (c) place window coverings, including coloured or patterned drapes, sheets, blankets, tin foil, or other similar type of coverings, showing from the outside of the building in the windows;
 - (d) bring a motorized vehicle into the building.
 - (6) Parking stalls may not be used to store any items except cars, motorbikes or bicycles.

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 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.

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

Move in /Move out

- 23A** A non refundable move in fee of \$200.00 will be charged by the Strata Corporation to an owner when the owner or his or her tenants move into their Strata Unit. **(repealed and replaced December 9, 2010 FB396638)**
- 23B** No owner may rent their unit for a term less than one year. **(added December 9, 2010 FB396638)**

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.

Quorum for Annual and Special General Meetings

- 26A** If a quorum for an annual or special general meeting is not achieved within 15 minutes of the start time for the meeting, the meeting is adjourned for 15 minutes. If a quorum is not achieved when the meeting is reconvened then the meeting may proceed with those present representing 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.

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- (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 – Victoria Car Share Cooperative Shares

(Previously filed as Division 6 – Bylaws 26 (1 – 19))

Victoria Car Share Cooperative Shares

- 31** (1) The strata corporation has entered into the VCSC agreement with VCSC whereby VCSC has issued four shares for the benefit of the current owner of each strata lot in the Residential Section.
- (2) Each owner of a strata lot is entitled to four shares of VCSC without payment. If there is more than one owner of a strata lot, the shares will be held jointly.
- (3) Tenants of an owner of a strata lot may make use of the Vehicles as if the tenant were a member of VCSC, subject to the limitations set out herein. In order for a tenant to make use of the Vehicles:
 - (a) The owner must provide written notice to VCSC of the name of the tenant or tenants that are to exercise the benefits of VCSC membership;
 - (b) The owner must provide contact information for the tenant; and

- (c) The tenant must provide any information required by VCSC regarding The tenant in order for VCSC to determine if the tenant qualifies to exercise the rights and benefits of membership as provided herein and by the Rules and policies of VCSC.
- (4) An owner or owners will immediately inform VCSC in writing when a tenant who Applied to use a vehicle under bylaw 12.3 has ceased to be a tenant of the owner.
 - (5) An owner shall not make use of the Vehicles where the owner has provided notice to VCSC that a tenant will make use of Vehicles as provided by bylaw 12.3.
 - (6) Each owner entitled to a share in VCSC may only exercise the rights and benefits of shareholding if the person or persons would otherwise qualify and /or meet the requirements for those rights and benefits as they are from time to time.
 - (7) Each tenant may only exercise the rights and benefits of membership if the tenant would otherwise qualify and /or meet the requirements for those rights and benefits as they are from time to time.
 - (8) If, at anytime, an owner or tenant does not meet the criteria for the rights and benefits of membership, then the owner or tenant may not exercise any VCSC membership rights and benefits until such time that the owner or tenant may again qualify for the rights and benefits under the criteria set by VCSC.
 - (9) Each shareholder or joint shareholder may exercise all rights and remedies available to shareholders of VCSC, including voting rights, subject to the rules of VCSC.
 - (10) Tenants are not entitled to a share in VCSC, nor are they entitled to vote the owners shares unless the owner(s) provide the appropriate proxy, if proxy voting is allowed under the rules of VCSC.
 - (11) Except as provided under this bylaw, the benefits of VCSC membership may only be exercised by the owners of the shares and may not under any circumstances be assigned, transferred or sold by the shareholder(s) except as provided herein.
 - (11) A share in VCSC attaches to the strata lot and belongs to the current owner of the strata lot and the owner agree that any sale by the owner of the strata lot will also include, as a benefit of that sale, a transfer of the share in VCSC to the new owner.
 - (13) Upon entering into a binding agreement for the sale of a strata lot, an owner will forthwith notify VCSC of the impending sale and notify VCSC of:
 - (1) The proposed completion date; and
 - (2) The name(s) of the proposed purchaser.

- (14) Unless otherwise advised, VCSC will cancel the vendor/owners share on the completion of sale date and issue a new share to the new owner of the strata lot.
- (15) No owner is entitled to compensation or a refund of share purchase price upon the transfer of a share as provided herein.
- (16) No owner may demand or otherwise require VCSC to refund or redeem the share issued by VCSC.
- (17) No owner may withdraw from membership in VCSC.
- (18) Upon the destruction of the strata lot, and if there is a decision not to rebuild the strata lot, then the share and share purchase price of the owner is absolutely forfeited to VCSC without right of compensation of any kind.
- (19) If this bylaw is repealed or replaced, then the share and share purchase price of each of the shares of the owner is absolutely forfeited to VCSC without right of compensation of any kind.
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- 1** An owner must pay strata fees on or before the first day of the month to which the strata fees relate.
- 1B** The strata corporation will apply any funds received from an owner towards any amounts outstanding from an owner to the Strata Corporation in the following order:
(added January 27, 2014 CA3593865)
 - (1) unpaid fines; **(added January 27, 2014 CA3593865)**
 - (2) unpaid insurance deductibles for which an owner is responsible;
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 - (3) any other amounts owing by an owner not otherwise identified in this bylaw;
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 - (4) interest payable on unpaid strata fees and special levies;
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Repair and maintenance of property by owner

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 - (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 (*amended December 9, 2010 FB396638*)
 - (b) up to two (2) caged birds; (*amended December 9, 2010 FB396638*)
 - (c) two (2) cats; (*amended December 9, 2010 FB396638*)
 - (d) one (1) spayed or neutered dog under 30 pounds and under 18" at the shoulder at maturity that must be leashed and under control at all times when in the building or on the common property; (*repealed & replaced February 18, 2015 CA4239671*)
 - (e) all owners must ensure that their pets do not urinate or defecate in the building or on common property and must immediately cleanup and pick up after their pets. (*amended January 27, 2014 CA3593865*)
- (5) Unless first approved by the Strata Council, a unit owner, tenant, occupant or visitor as the case may be, shall not;
- (a) allow the strata lot to become unsanitary
 - (b) change the style or appearance of the interior blinds supplied by the developer next to the windows;
 - (c) place window coverings, including coloured or patterned drapes, sheets, blankets, tin foil, or other similar type of coverings, showing from the outside of the building in the windows;
 - (d) bring a motorized vehicle into the building.
- (6) Parking stalls may not be used to store any items except cars, motorbikes or bicycles.

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 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.

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

Move in /Move out

- 23A** A non refundable move in fee of \$200.00 will be charged by the Strata Corporation to an owner when the owner or his or her tenants move into their Strata Unit. (**repealed and replaced December 9, 2010 FB396638**)
- 23B** No owner may rent their unit for a term less than one year. (**added December 9, 2010 FB396638**)

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.

Quorum for Annual and Special General Meetings

- 26A** If a quorum for an annual or special general meeting is not achieved within 15 minutes of the start time for the meeting, the meeting is adjourned for 15 minutes. If a quorum is not achieved when the meeting is reconvened then the meeting may proceed with those present representing 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.

Division 8 – Victoria Car Share Cooperative Shares

(Previously filed as Division 6 – Bylaws 26 (1 – 19))

Victoria Car Share Cooperative Shares

- 31**
- (1) The strata corporation has entered into the VCSC agreement with VCSC whereby VCSC has issued four shares for the benefit of the current owner of each strata lot in the Residential Section.
 - (2) Each owner of a strata lot is entitled to four shares of VCSC without payment. If there is more than one owner of a strata lot, the shares will be held jointly.
 - (3) Tenants of an owner of a strata lot may make use of the Vehicles as if the tenant were a member of VCSC, subject to the limitations set out herein. In order for a tenant to make use of the Vehicles:
 - (a) The owner must provide written notice to VCSC of the name of the tenant or tenants that are to exercise the benefits of VCSC membership;
 - (b) The owner must provide contact information for the tenant; and
 - (c) The tenant must provide any information required by VCSC regarding The tenant in order for VCSC to determine if the tenant qualifies to exercise the rights and benefits of membership as provided herein and

by the Rules and policies of VCSC.

- (4) An owner or owners will immediately inform VCSC in writing when a tenant who Applied to use a vehicle under bylaw 12.3 has ceased to be a tenant of the owner.
- (5) An owner shall not make use of the Vehicles where the owner has provided notice to VCSC that a tenant will make use of Vehicles as provided by bylaw 12.3.
- (6) Each owner entitled to a share in VCSC may only exercise the rights and benefits of shareholding if the person or persons would otherwise qualify and /or meet the requirements for those rights and benefits as they are from time to time.
- (7) Each tenant may only exercise the rights and benefits of membership if the tenant would otherwise qualify and /or meet the requirements for those rights and benefits as they are from time to time.
- (8) If, at anytime, an owner or tenant does not meet the criteria for the rights and benefits of membership, then the owner or tenant may not exercise any VCSC membership rights and benefits until such time that the owner or tenant may again qualify for the rights and benefits under the criteria set by VCSC.
- (9) Each shareholder or joint shareholder may exercise all rights and remedies available to shareholders of VCSC, including voting rights, subject to the rules of VCSC.
- (10) Tenants are not entitled to a share in VCSC, nor are they entitled to vote the owners shares unless the owner(s) provide the appropriate proxy, if proxy voting is allowed under the rules of VCSC.
- (11) Except as provided under this bylaw, the benefits of VCSC membership may only be exercised by the owners of the shares and may not under any circumstances be assigned, transferred or sold by the shareholder(s) except as provided herein.
- (11) A share in VCSC attaches to the strata lot and belongs to the current owner of the strata lot and the owner agree that any sale by the owner of the strata lot will also include, as a benefit of that sale, a transfer of the share in VCSC to the new owner.
- (13) Upon entering into a binding agreement for the sale of a strata lot, an owner will forthwith notify VCSC of the impending sale and notify VCSC of:
 - (1) The proposed completion date; and
 - (2) The name(s) of the proposed purchaser.
- (14) Unless otherwise advised, VCSC will cancel the vendor/owners share on the completion of sale date and issue a new share to the new owner of the strata lot.

- (15) No owner is entitled to compensation or a refund of share purchase price upon the transfer of a share as provided herein.
 - (16) No owner may demand or otherwise require VCSC to refund or redeem the share issued by VCSC.
 - (17) No owner may withdraw from membership in VCSC.
 - (18) Upon the destruction of the strata lot, and if there is a decision not to rebuild the strata lot, then the share and share purchase price of the owner is absolutely forfeited to VCSC without right of compensation of any kind.
 - (19) If this bylaw is repealed or replaced, then the share and share purchase price of each of the shares of the owner is absolutely forfeited to VCSC without right of compensation of any kind.
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