

CORAZON- VIS 5950

REGISTERED BYLAWS

Registration Number	Comments	Date of Registration
FA 16524	Strata Plan Bylaws	2 February 06
FB12361	Strata Plan Bylaws	09 February 2007
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These are copies of the building bylaws for Strata Corporation VIS 5950. For a true copy of all registered building bylaws and amendments, please obtain the necessary records from the Land Titles Office.

Corazon Strata Plan VIS 5950

Schedule of Standard Bylaws

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

Payment of strata fees

1

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

Repair and maintenance of property by owner

2

(1) An owner must repair and maintain the owner's strata lot, except for repair and maintenance that is the responsibility of the strata corporation under these bylaws.

(2) An owner who has the use of limited common property must repair and maintain it, except for repair and maintenance that is the responsibility of the strata corporation under these bylaws, provided that the Owner shall be totally responsible to pay the cost of the repairs and maintenance so carried out by the Strata Corporation and the Strata Council on its behalf.

Use of property

3

(1) An owner, tenant, occupant or visitor must not use a strata lot, the common property or common assets in a way that

(a) causes a nuisance or hazard to another person,

(b) causes unreasonable noise,

(c) unreasonably interferes with the rights of other persons to use and enjoy the common property, common assets or another strata lot,

(d) is illegal, or

(e) is contrary to a purpose for which the strata lot or common property is intended as shown expressly or by necessary implication on or by the strata plan.

(2) An owner, tenant, occupant or visitor must not cause damage, other than reasonable wear and tear, to the common property, common assets or those parts of a strata lot which the strata corporation must repair and maintain under these bylaws or insure under section 149 of the Act.

(3) An owner, tenant, occupant or visitor must ensure that all animals are leashed or otherwise secured when on the common property or on land that is a common asset.

(4) An owner, tenant or occupant must not keep any pets on a strata lot other than one or more of the following:

- (a) a reasonable number of fish or other small aquarium animals;
- (b) a reasonable number of small caged mammals;
- (c) up to 2 caged birds;
- (d) two dogs, or one dog and one cat, or two cats.

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.

(4) Window coverings which are visible from the exterior of the building must be of a silver or off-white colour.

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.
- (3) For greater certainty, the right of entry into a Strata Lot pursuant to paragraph 7(1)(b) includes, without limitation, the entry by persons authorized by the Strata Corporation who require access to common property or limited common property which is appurtenant to the Strata Lot upon which landscaping or irrigation or other building systems are located.

Division 2 -- Powers and Duties of Strata Corporation

Repair and maintenance of property by strata corporation and restrictions on rental and use of strata lots

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.
- (e) the Strata Council shall allocate the total cost of repairs and maintenance carried out on or to any Limited Common Property which the Strata Corporation is obligated herein to maintain, to the Strata Lot or Lots having exclusive use of such Limited Common Property. The Strata Council may either issue a specific levy for such costs and expenses incurred with respect to any Limited Common Property or if the cost is included in the annual budget; adjust the monthly assessment of the said Strata Lots having the exclusive use of such Limited common Property so as to include as an obligation of such Strata Lot, payment of the cost of such repairs and maintenance.

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

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- (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,

* [SPA Reg.]

Definition for section 15 of Standard Bylaws

18.1 For the purposes of section 15 of the Standard Bylaws, "hearing" means an opportunity to be heard in person at a council meeting.

- (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 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.

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 Display lot

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 -- General

31

A late payment fine of \$25.00 may be applied to strata lots whose fees are not received by the first day of each month. Monies received by the Strata Corporation will be applied against the oldest outstanding receivable for that strata lot.

32

A \$25.00 administration fee may be charged to a strata lot for any NSF cheques or automatic withdrawal rejections.

33

Owners will be ineligible to vote at an Annual General Meeting or Special General Meeting, and may not serve as a member of the Strata Council, if any of the following conditions apply to the owner's strata lot:

- (a) the assessment fees for the strata lot are in arrears;
- (b) a special levy on the strata lot is in arrears;
- (c) a reimbursement of the cost of work referred to in Section 85 of the Act has not been paid;
- (d) a strata lot's share of a judgment against the strata corporation is unpaid;
- (e) the Strata Corporation is entitled to register a lien against the strata lot in accordance with Section 116(1) of the Act.

34

Only registered and currently licensed vehicles will be permitted on the Common Property of the Strata Plan.

An Owner, tenant or occupant shall not rent their assigned parking stall to anyone other than another Owner, tenant or legal occupant of a strata lot.

35

An Owner wishing to lease or rent her/his Strata Lot must provide the strata manager with their own contact numbers and at least one backup contact number. Owners are responsible for the conduct of their tenants.

36

Before a Strata Lot Owner rents all or part of a Strata Lot, the Owner must give the prospective tenant a copy of the current bylaws and rules of the Strata Corporation, and Notice of Tenants responsibilities (Form K). Within two weeks of renting all or part of a Strata Lot the owner must give the strata corporation a completed and signed Form K relative to the tenancy. Failure to comply with all aspects of this bylaw will result in a fine of \$50.00 being levied against the Strata Lot Owner. Fines can be assessed every 7 days if the violation is not rectified.

37

Window coverings (drapes, blinds, etc.) which are visible from the exterior of the building are to be kept in good repair and be of a silver or off-white colour. The Strata Council shall determine the acceptability of such coverings if the Strata Council or the management agent receives complaints from Owners, in writing. The Owner shall not cover any window with aluminum foil, paper, sheets, plastic or similar covering.

38

No Owner shall carry out repairs, major adjustments and oil changes to motor vehicles or other mechanical equipment on the Common Property. Residents are responsible for the condition of the assigned parking stalls and excessive oil leaks must be cleaned up promptly.

39

No Owner or tenant shall make undue noise which, in the opinion of the Strata Council, would disturb any other resident, in or about her/his Strata Lot or the Common Property between 10:00 p.m. and 7:00 a.m.

40

Patios, Balconies, Terraces and Landscaping Within Limited Common Property

(a) No owner or tenant shall store furniture, bicycles, appliances or any other chattel on a patio, balcony or terrace, with the exception of a reasonable quantity of patio furniture, one barbecue and a reasonable number of flower boxes. Any such furniture, propane barbecues and flower boxes 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, tenant or occupant entitled to the use of the limited common property on which they are placed.

(b) Under no circumstances will an Owner, tenant or occupant install a hook, hanger, bracket or other device to the exterior of the building which could potentially cause a breach of integrity of the building envelope.

(c) An Owner, tenant or occupant shall not hang clothing, laundry or other items from the patio, balcony or terrace of a Strata Lot, nor shall any Owner, tenant or occupant sweep or shake debris from the patio, balcony or terrace.

(d) Each Owner of a Strata Lot must maintain (and, if necessary, replace with equivalents) the plants and landscaping, if any, planted by the developer within the limited common property of that Strata Lot, and must not change or add to such plants and landscaping. However, in the interest of the appearance of the building along Cormorant Street, the Strata Corporation will maintain (and, if necessary, replace with equivalents) the plants and landscaping, if any, located within the limited common property of Strata Lots 1, 2, 3 and 4.

(e) No hot tubs permitted on decks/balconies.

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Moving

(a) Moving into or out of a Strata Lot must be done between the hours of 8:00 a.m. and 8:00 p.m. and the management agent must be given at least 72 hours notice of the intended date of moving so that arrangements may be made for the installation of the elevator blanket and provision of elevator lock-off keys.

(b) The Owner of a Strata Lot is responsible for any damage caused during moves into or out of a Strata Lot.

(c) Persons moving into any Strata Lot shall pay a move-in fee of \$100.00. If the party moving in is a tenant, the Owner of the suite is responsible for ensuring that the fee is paid.

42

Selling of Strata Lots

(a) An Owner of a Strata Lot, when selling a Strata Lot, will not permit "For Sale" signs to be placed on or about the common property except on the signage board located adjacent to the entrance to the building which is designated for such purpose.

(b) An Owner of a Strata Lot, when selling a Strata Lot, will not hold or permit to be held, any public open house except in the matter 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. Realtor lock boxes are not permitted.

43

Acquisition or Disposition of Personal Property: The Strata Corporation may purchase, lease or otherwise acquire personal property for the use or benefit of the owners and may sell or otherwise dispose of such personal property for any amount approved in the annual budget for the Strata Corporation, but otherwise only if approved by a resolution passed by a $\frac{3}{4}$ vote at an annual or special general meeting if the personal property has a market value of more than \$1,000.00.

44

Quorum for Adjourned Meeting: Notwithstanding section 48(3) of the Act, if with $\frac{1}{2}$ hour 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; but in any other case, the meeting shall stand adjourned for a further $\frac{1}{2}$ from the time appointed and, if within one hour from the time appointed a quorum is not present for the meeting, the eligible voters present in person or by proxy shall constitute a quorum.

45

Hardwood Floors: An Owner of a Strata Lot who has or installs hard floor surfaces such as hardwood floors or tile in a Strata Lot must:

(a) install such floors in a manner required by the Strata Council to minimize the possibility of noise; and

(b) take all reasonable steps to satisfy noise complaints from neighbours, including without limitation, ensuring that no less than 60% of such hard floor surfaces, excepting only kitchens, bathrooms and entry areas, are covered with area rugs or carpet and avoiding walking on such flooring with hard shoes.

46

Strata fees must be paid by post-dated cheque or pre-authorized payment on the first of each month. The Strata Council may levy a late payment penalty of \$25.00 against any Strata Lot for which strata fees are in arrears. This penalty will be increased by \$25.00 for each and every month for which the strata fees remain outstanding.

47

Should any Court or other authorized governing body rule that any bylaw is invalid, such ruling shall not affect the validity of the remaining bylaws.

48

For the purpose of allocating certain expenses which relate to and benefit only certain strata lots, the following strata lots will be considered different “types”:

- (a) strata lots 5, 6, 7, 8, 9 and 15 (collectively, the “Shared Gas Strata Lots”); and
- (b) all other strata lots (collectively, the “Remaining Strata Lots”).

If a contribution to the operating fund relates to and benefits only the Shared Gas Strata Lots (namely, the costs associated with the shared gas service to the Shared Gas Strata Lots), then such contribution will be shared by the owners of the Shared Gas Strata Lots in accordance with the following formula:

$$\frac{\text{Unit Entitlement of Shared Gas Strata Lot}}{\text{Total Unit Entitlement of all Share Gas Strata Lots}} \times \text{contribution relating to and benefiting only the Share Gas Strata Lots}$$

50

No owner, tenant or occupant shall place door mats in front of unit doors in the hallway.

51

No owner, tenant or occupant may hang any decorations on their unit door and/or door frames.

52

No bikes in the building except for the parkade and storage locker area.

53

Only artificial Christmas trees are allowed in suites. Real trees are a fire hazard. A \$100.00 fine may be issued for violating this Bylaw.