

1. Contact

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File No. MAT16140 / JJH

2. Identification of Attached Strata Property Act Form or Other Supporting Document

Application Type

LTO Document Reference

Form-I Amendment to Bylaws

3. Description of Land

PID/Plan Number

Legal Description

EPS965

THE OWNERS, STRATA PLAN EPS965

Electronic Signature

Your electronic signature is a representation that you are a designate authorized to certify this application under section 168.4 of the *Land Title Act*, RSBC 1996, c.250, that you certify this application under section 168.43(3) and that the supporting document is in your possession.

**Johnathan Justin
Hanson WBL869**

**Digitally signed by
Johnathan Justin Hanson
WBL869
Date: 2024-06-11
13:00:37 -07:00**

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Ordered by Maria Furtado 2024/09/04

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Strata Property Act

FORM I

AMENDMENTS TO BYLAWS

(Section 128)

The Owners, Strata Plan EPS965 certify that the following or attached amendments to the bylaws of the strata corporation were approved by a resolution passed in accordance with Section 128 of the Strata Property Act at an Annual General Meeting held on April 18, 2024.

Resolution: **Smoking Prohibition**

Motion: **Be it resolved as a ¾ vote resolution of the owners of strata plan EPS965 that the strata corporation adopt the following bylaw:**

34. Smoking Restrictions

- 1) For the purposes of this bylaw, "smoke" and "smoking" mean the release into the air of gases, particles, or vapours as a result of combustion, electrical ignition or vaporization of a substance including but not limited to tobacco, cannabis, e-juice, and vape juice, when the apparent or usual purpose of the combustion, electrical ignition or vaporization is human inhalation of the by-products.
- 2) Owners, occupants, tenants, and visitors must not smoke in any of the following areas:
 - a) any part of the interior common property;
 - b) any part of the exterior common property;
 - c) on a deck, patio, or balcony.

Designated open air smoking areas

- 3) Notwithstanding (2)(b), the Strata Council shall designate two areas on the exterior common property where owner, occupants, tenants, and visitors may smoke.

Requirement to take steps to prevent escape of second hand smoke

- 4) Smokers must:
 - a) make reasonable efforts to prevent secondhand smoke from infiltrating other strata lots or the interior common property; and
 - b) not cause a hazard or nuisance.

Enforcement


- 5) If the Strata Council receives complaints of smoke


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- infiltrating other strata lots or the interior common property, it must investigate the complaint.
- 6) In accordance with bylaw 7, the Strata Council may enter the strata lot of a smoker and an individual who has submitted a smoking related complaint for the purposes of investigating the complaint.
 - 7) If after investigating the complaint, the Strata Council determines that smoke is infiltrating another strata lot, and / or causing a nuisance or a hazard, then the Strata Council may, after fulfilling the procedural requirements of section 135 of the *Strata Property Act*:
 - a) fine the smoker;
 - b) make the smoker carry out work to their strata lot to prevent the escape of secondhand smoke; and / or revoke the smoker's right to smoke in their strata lot on at least 60 days written notice.

Moved: SL74
Seconded: SL72
Motion Carried: 23 In Favour, 3 Opposed, 7 Abstentions

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


Signature of Council Member


Signature of Second Council Member

Date: May 23/24

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The Coho
Strata Plan EPS965



Bylaws
Approved April 18, 2024

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

Payment of strata fees

- 1 (1) An owner must pay strata fees on or before the first day of the month to which the strata fees relate.
- (2) A late payment penalty may be assessed against an owner who is in default of payment of his or her strata fees or special levies in the amount of \$25.00 for each and every month that payment remains in default. A charge of \$25.00 shall be made against an owner for any N.S.F. cheque issued by that owner.
- (3) The Strata Corporation may charge interest at the rate of TEN (10%) percent per annum compounded monthly, on all late monthly assessments, and user fees. Such interest shall be deemed to be part of unpaid strata fees for the purposes of Section 116 of the Strata Property Act.
- (4) The Strata Corporation may charge interest at the rate of TEN (10%) percent per annum, compounded monthly, on all late special levies. Such interest shall be deemed to be part of unpaid strata fees for the purposes of Section 116 of the Strata Property Act.

Repair and maintenance of property by owner

- 2 (1) An owner must repair and maintain the owner's strata lot, except for repair and maintenance that is the responsibility of the strata corporation under these bylaws.
- (2) An owner who has the use of limited common property must repair and maintain it, except for repair and maintenance that is the responsibility of the strata corporation under these bylaws.

Use of property

- 3 (1) An owner, tenant, occupant or visitor must not use a strata lot, the common property or common assets in a way that
 - (a) causes a nuisance or hazard to another person,
 - (b) causes unreasonable noise,
 - (c) unreasonably interferes with the rights of other persons to use and enjoy the common property, common assets or another strata lot,
 - (d) is illegal, or
 - (e) is contrary to a purpose for which the strata lot or common property is intended as shown expressly or by necessary implication on or by the strata plan.
- (2) An owner, tenant, occupant or visitor must not cause damage, other than reasonable wear and tear, to the common property, common assets or those parts of a strata lot which the strata corporation must repair and maintain under these bylaws or insure under section 149 of the Act.
- (2.1) Owners, occupants, tenants and their visitors must not feed wild birds and animals from their strata lots, decks, patios or the common property except hummingbirds.
- (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 in a strata lot other than:

- (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 two cats, or one dog and one cat.
- (5) The owners of pets shall be fully responsible for the behaviour of their animals within strata lots and on common property. If the strata council deems that a pet is a nuisance, the following procedure will be initiated:
- i. The strata council shall forward a warning letter to the owner describing the nature of the nuisance and requesting that the owner take steps to ensure such nuisance ends.
 - ii. If the animal continues to be a nuisance, a further letter will be issued ordering the offending pet removed from the building permanently. Failure to remove the pet within 21 days from the date of the letter will result in a fine of \$100.00 per every seven (7) day period that the pet remains within the building or on common property
- (6) Owners are responsible to advise their visitors of these bylaws, and are responsible for cleaning up after or the repair of any damage caused by animals brought onto the common property by owners' visitors. If pets should soil carpets in any part of the common property the strata corporation may have the carpet cleaned professionally at the expense of the owner.
- (7) No dangerous animals or pets shall be permitted to be in or about any unit or the common property at any time. No breeding of pet(s) or animal(s) for sale shall be carried on in a strata lot or on the common property.
- (8) Owners and occupiers are permitted to use propane or electric barbeques on balconies. Owners and occupiers may not use any other type of barbeques or cooking devices on balconies.
- (9) Owners and occupiers are prohibited from keeping bicycles on balconies.
- (10) (a) Vehicles shall be properly insured for liability (i.e. valid insurance or storage insurance with a minimum of \$2,000,000 liability) and shall be parked in assigned parking spaces only. A copy of any storage insurance must be clearly visible on the dashboard of an unlicensed vehicle
- (b) Without the approval of the strata corporation, no motor vehicle, boat, or equipment of any kind shall be parked on any part of the common property or parking areas other than as may be otherwise specified in these bylaws. No motor vehicle shall be driven on any part of the common areas other than the driveways and parkade surface. A vehicle, trailer, boat, or equipment parked in contravention of this bylaw is subject to removal at the owner's risk and expense.
- (c) Non-authorized vehicles parked in the limited common property parking spaces 59-70 marked as "Reserved 24 Hrs" in front of the Phase 1 (286) Building and marked as "Reserved 46" in front of Phase 2 (290) are subject to removal at the owner's risk and expense.
- (d) An owner, tenant, occupant of a strata lot or visitor of an owner, tenant or occupant shall not:
- i. undertake major repairs or adjustments to motor vehicles or other

- ii. mechanical equipment on any common property or parking area;
- iii. park or store more than one vehicle per stall unless more than one vehicle can be parked in the stall without obstructing the drive aisle;
- iv. camp overnight in any type of vehicle on common property or parking area;
- v. wash any motor vehicles, boats, trailers or other equipment on common property or parking area;
- vi. use any parking stall other than the designated stall assigned to their unit;
- vii. rent or lease the designated stall(s) assigned to their unit to non-residents of the building;
- viii. store items of any description in their parking stalls or hang any items above their designated parking stalls.

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;
 - (h) play structures or any improvement.
- (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) No alterations to any part of any strata lot shall be commenced unless the owner of that strata lot has first obtained the building or other permits necessary for such alterations from the Town of View Royal or other appropriate regulatory authority.

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, play structures or improvements 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.

- (3) No alteration to any part of the common property, including limited common property, play structures or improvements or common assets shall be commenced unless the owner has first obtained the building or other permits necessary for such alterations from the Town of View Royal or other regulatory authority.

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, including play structures or improvements and the common access roads and driveways including without limitation keeping those access roads and driveways free and clear of ice and snow;
 - (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.

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.
 - (a) requests to attend council meetings must be given to the strata council at least one week in advance, stating matters to be raised;
 - (b) each speaker will be limited to a maximum of ten minutes speaking time.
 - (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.

Electronic General Meetings

- 27.1** (1) The Strata Corporation may hold annual or special general meetings, including special general meetings demanded by 20% of the strata lot owners' votes pursuant to section 43 of the *Strata Property Act* (the *Act*), by electronic means including by telephone conference call, video conferencing or any other electronic means, so long as all authorized participants and eligible voters may communicate with each other during the meeting either through an electronic platform or teleconference, referred to herein as an "electronic meeting").
- (a) An 'authorized participant' means an agent of the strata corporation, legal counsel, insurance agent, or any other person authorized by the *Strata Property Act*, bylaws or Strata Council to attend prior to the meeting.
- (2) **Notice of Electronic Meetings:** The Corporation must specify the following in the notice of the electronic general meeting:
- (a) the electronic means by which it intends to hold the electronic meeting;
- (b) how voters may attend the electronic meeting; and,
- (c) how votes may be cast at the electronic meeting.
- (3) **Attendance at Electronic Meetings:**
- (a) Eligible voters may only attend an electronic meeting by proxy or in person in the other manner or manners specified in the notice of meeting.
- (b) If an eligible voter attends an electronic meeting in the manner specified in the notice of meeting, then such voter is deemed to be present in person.
- (c) Eligible voters who wish to attend an electronic meeting by proxy must deliver a copy of their proxy to Council at least 48 hours before the meeting's start.
- (d) Eligible voters attending an electronic meeting in person by electronic means acknowledge and accept that the risks associated with such attendance including but not limited to:
- i. a loss of privacy;
- ii. connection and/or other technological problems;
- iii. an inability to participate in discussions; and
- iv. an inability to vote.
- (e) Eligible voters who attend an electronic meeting are responsible for the manner or manners in which they attend, and the Corporation is not responsible for the quality or consistency of their connection or their inability to connect or maintain connection.
- (f) The council will keep a register and tally of eligible voters attending in person and by proxy and update it as the meeting progresses.
- (g) If an eligible voter loses their connection to the meeting:
- a. their vote will not be counted towards quorum for any period that they are absent from the meeting; and
- b. the meeting will continue in their absence unless their absence results in a loss of quorum.

- (4) **Registration and Voting at Electronic General Meetings:**
- (a) At an electronic meeting, registration, verification of proxies, participation, and quorum of eligible voters in person or by proxy must be confirmed by the chair at the beginning of the meeting by calling the roll or any other method that confirms eligible voters present in person or by proxy.
 - (b) Attendees and voters at the electronic meeting must provide proof of their identity if requested to do so by the Council.
 - (c) Quorum will be determined by the number of eligible voters attending in person by the specified manner or manners or by proxy.
 - (d) The Council will keep a register and tally of eligible voters attending in person and by proxy and update it as the meeting progresses.
 - (e) If an eligible voter loses their connection to the meeting:
 - i. their vote will not be counted towards quorum for any period that they are absent from the meeting; and
 - ii. the meeting will continue in their absence unless their absence results in a loss of quorum.
 - (f) Notwithstanding any other bylaw, a vote may not be conducted by secret ballot at an electronic annual or special general meeting.
 - (g) The votes on a resolution at an electronic meeting may be cast by eligible voters using any one of the following voting methods:
 - i. email to a designated email address during a designated voting window;
 - ii. show of voting cards if visual electronic communication is available;
 - iii. call of the roll;
 - iv. hand delivery of the ballots to a designated location;
 - v. any other electronic method that identifies votes of eligible voters.
 - (h) After the chair of the meeting determines that all votes have been cast the chair will announce the outcome of the vote for each resolution including the total number of votes cast, the number of votes in favor and against, and whether the resolution was approved or defeated; and the outcome of the vote must be recorded in the minutes of the meeting.
 - (i) The corporation must keep all ballots and proxies for an electronic annual or special general meeting for a period of two (2) years, or as otherwise determined by the eligible voters by majority vote, after which they will be destroyed.
- (5) **Recording of Electronic Meetings:** Audio and/or visual recording of an electronic meeting, in part or in whole:
- (a) is permitted by the Council or it's designated agent for the purpose of facilitating accurate development of meeting minutes and confirming voting results post-meeting:
 - (b) is permitted by an owner, occupant, or tenant only if such owner, occupant or tenant, first obtains the express permission of the voters by a majority vote
 - (c) made by the Council must be retained/stored until the day after the next annual or special general meeting at which minutes of the previously recorded general meeting have been adopted/approved by owners; and
 - (d) that are not made by the Council or authorized by a majority vote of the owners at the meeting, shall be deemed to be invalid and inaccurate.

(6) Application of other bylaws and conflict:

- (a) Subject to subsection 40.6 (b), all other bylaws pertaining to the calling and holding of general meetings continue to apply.
- (b) Where a conflict exists between a section or subsection of this bylaw and any other bylaw, the provisions of this bylaw take precedence over the other bylaw .

Order of business

28 The order of business at annual and special general meetings is as follows:

- (a) certify proxies and corporate representatives and issue voting cards;
- (b) determine that there is a quorum;
- (c) elect a person to chair the meeting, if necessary;
- (d) present to the meeting proof of notice of meeting or waiver of notice;
- (e) approve the agenda;
- (f) approve minutes from the last annual or special general meeting;
- (g) deal with unfinished business;
- (h) receive reports of council activities and decisions since the previous annual general meeting, including reports of committees, if the meeting is an annual general meeting;
- (i) ratify any new rules made by the strata corporation under section 125 of the Act;
- (j) report on insurance coverage in accordance with section 154 of the Act, if the meeting is an annual general meeting;
- (k) approve the budget for the coming year in accordance with section 103 of the Act, if the meeting is an annual general meeting;
- (l) deal with new business, including any matters about which notice has been given under section 45 of the Act;
- (m) elect a council, if the meeting is an annual general meeting;
- (n) terminate the meeting.

Division 6 — Voluntary Dispute Resolution

Voluntary dispute resolution

- 29** (1) A dispute among owners, tenants, the strata corporation or any combination of them may be referred to a dispute resolution committee by a party to the dispute if
- (a) all the parties to the dispute consent, and
 - (b) the dispute involves the Act, the regulations, the bylaws or the rules.
- (2) A dispute resolution committee consists of
- (a) one owner or tenant of the strata corporation nominated by each of the disputing parties and one owner or tenant chosen to chair the committee by the persons nominated by the disputing parties, or
 - (b) any number of persons consented to, or chosen by a method that is consented to, by all the disputing parties.

- (3) The dispute resolution committee must attempt to help the disputing parties to voluntarily end the dispute.

Division 7 — Marketing Activities by Owner Developer

Display lot

- 30** (1) An owner developer who has an unsold strata lot may carry on sales functions that relate to its sale, including the posting of signs.
- (2) An owner developer may use a strata lot, that the owner developer owns or rents, as a display lot for the sale of other strata lots in the strata plan.

Division 8 — Miscellaneous

Quorum at General Meeting

- 31** (1) If within 15 minutes from the time appointed for an annual or special general meeting a quorum is not present, the meeting shall be terminated if the meeting was convened upon the requisition of members, and in any other case, the meeting stands adjourned to 15 minutes from the time appointed for the meeting, at the same place, but, if at the end of that period a quorum is still not present, the eligible voters present in person or by proxy shall be deemed to constitute a quorum.

Full Indemnity Legal Costs

- 32** (1) A unit owner in default of the payment of common expenses, strata fees, special levies, interest, fines, and any other amounts owing pursuant to the Strata Property Act (the "Arrears") shall reimburse the Strata Corporation and save it harmless against any and all costs and expenses required to collect such Arrears, including legal costs, comprised of legal fees, taxes, disbursements and other related expenses, as between a solicitor and his own client or on a full indemnity basis.
- (2) For purposes of section 133(2) of the Strata Property Act, "reasonable costs of remedying the contravention" of the Strata Corporation's bylaws or rules shall be interpreted to include, but not be limited to, legal costs, comprised of legal fees, taxes, disbursements and other related expenses, as between a solicitor and his own client or on a full indemnity basis.
- (3) Subject to the discretion of the council, any legal costs or expenses so incurred by the Strata Corporation may be charged to that owner and shall be added to and become part of the assessment of that owner for the month next following the date on which the legal costs or expenses are incurred, but not necessarily paid by the corporation, and shall become due and payable on the date of payment of the monthly assessment.
- (4) The use of natural (real) Christmas Trees in any strata lot or on limited common property or in the common property is prohibited. Only fire retardant, artificial trees shall be allowed.

Limitation on business use

- 33** (1) No owner, occupant, or tenant will use a strata lot for business, commercial, or professional purposes, that would require or encourage attendance at the strata lot by members of the public.

Smoking Restrictions

- 34
- (1) For the purposes of this bylaw, “smoke” and “smoking” mean the release into the air of gases, particles, or vapours as a result of combustion, electrical ignition or vaporization of a substance including but not limited to tobacco, cannabis, e-juice, and vape juice, when the apparent or usual purpose of the combustion, electrical ignition or vaporization is human inhalation of the by-products.
 - (2) Owners, occupants, tenants, and visitors must not smoke in any of the following areas:
 - (a) any part of the interior common property;
 - (b) any part of the exterior common property;
 - (c) on a deck, patio, or balcony.

Designated open air smoking areas

- (3) Notwithstanding (2)(b), the Strata Council shall designate two areas on the exterior common property where owner, occupants, tenants, and visitors may smoke.

Requirement to take steps to prevent escape of second hand smoke

- (4) Smokers must:
 - (a) make reasonable efforts to prevent secondhand smoke from infiltrating other strata lots or the interior common property; and
 - (b) not cause a hazard or nuisance.

Enforcement

- (5) If the Strata Council receives complaints of smoke infiltrating other strata lots or the interior common property, it must investigate the complaint.
- (6) In accordance with bylaw 7, the Strata Council may enter the strata lot of a smoker and an individual who has submitted a smoking related complaint for the purposes of investigating the complaint.
- (7) If after investigating the complaint, the Strata Council determines that smoke is infiltrating another strata lot, and / or causing a nuisance or a hazard, then the Strata Council may, after fulfilling the procedural requirements of section 135 of the *Strata Property Act*:
 - (a) fine the smoker;
 - (b) make the smoker carry out work to their strata lot to prevent the escape of secondhand smoke; and / or revoke the smoker’s right to smoke in their strata lot on at least 60 days written notice.