

STRATA PLAN LMS3459

Bylaws

The Vogue

124 – West 3rd Street (residential)

116/118/120/126/128 – West 3rd Street (commercial)

North Vancouver, BC V7M 0A9

Attached hereto is a copy of the bylaws for the strata corporation taken from the records that C & C Property Group Ltd. maintains for the strata corporation. These are provided to you on a “without prejudice basis”. For legal purposes, please obtain a true copy, as currently registered at the Land Title Office. Please also consider if, and to what extent, the “Schedule of Standard Bylaws” in the *Strata Property Act* applies. Bylaws are an extensive legal document and it is recommended that you obtain and rely on professional legal counsel and advice on the content.

Note: This package may or may not contain all, or portions of, the “Schedule of Standard Bylaws” of the *Strata Property Act* of British Columbia.

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BR072106

Mar 28, 2001

SURVEY DEPT.

REGISTRAR
LAND TITLE OFFICE
NEW WESTMINSTER, B.C.

Please receive herewith the following document(s) for filing _____

Amendment to Bylaws

88 01/03/28 14:58:30 01 LN
DOC FILE

275717
\$20.00

Kim Veilleux
(Print Name) *Agent Kim Veilleux*

Baywest Management Corp.
(Office Name)

319-1600 West 6th Avenue
(Address & phone no.)

Vancouver, B.C. V6J 1R3

DYE & DURHAM


Strata Property Act
FORM I
AMENDMENT TO BYLAWS
(Section 128)

The Owners, Strata Plan LMS 3459 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 or special general meeting held on February 12, 2001.*

Please see attached.



Signature of Council Member



Signature of Second Council Member (not required if council consists of only one member)



* Section 128(3) of the Act provides that an Amendment to Bylaws must be filed in the land title office within 60 days of the amendment being approved.

**LMS 3459 – THE VOGUE
¾ VOTE “B”– BYLAWS**

Be it resolved by the Owners of Strata Plan LMS 3459 – The Vogue, that any and all current Bylaws of the Strata Corporation be repealed in their entirety and the following Bylaws be adopted to replace them.

Rationale:

As the Condominium Act has now been replaced by the Strata Property Act, it has become necessary for the Strata Corporation to update and change its Bylaws. In addition, the current set of Bylaws is a generic set with amendments and does not completely address issues that affect The Vogue. It is Council's suggestion that the following Bylaws be adopted to ensure that The Vogue remains a desirable place to live and have a business.

**STRATA PLAN LMS 3459
THE VOGUE
116 – 128 West 3rd Street
North Vancouver, BC**

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.

(1) Maintenance fees not received by the fifteenth day of the month in question will be subject to an additional \$25.00 penalty. At the end of a ninety-day period, a lien shall be placed on the strata lot involved, at the owner's expense, for the total monies owed.

(2) Common expenses attributable to each strata lot shall be borne by the owners in proportion to the unit entitlement of their strata lot to the total aggregate unit entitlement.

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) An owner must promptly carry out any work ordered by a competent public or local authority in respect to the strata lot and pay all taxes, charges, outgoings, and assessments that may be payable in respect of the strata lot.

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 in the opinion of the Strata Council.

(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, contravenes City Bylaws, 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. A residential strata lot owner may not operate a business enterprise that would create public foot traffic, or signage, or unreasonable noise.
- (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 in a tank not to exceed 50 gallons;
 - (b) A reasonable number of small caged mammals;
 - (c) Up to 2 caged birds;
 - (d) Two dogs and/or two cats.
- (5) The Strata Council may order a pet to be removed from the premises if the pet violates the Bylaws.
- (6) Mops, dusters, or cloths of any kind shall not be shaken, and nothing shall be thrown or poured from any window or balcony, or onto or from any other part of the strata lot or common property.
- (7) An owner shall not
 - (a) park within any driveway or designated fire lane,
 - (b) smoke or permit visitors, guests, or tenants to smoke in any interior common areas of the building,
 - (c) keep any propane cylinders on any common areas,
 - (d) display Christmas lights except during the period of December 1 through January 31,
 - (e) be permitted to trespass on the part of the property to which another owner is entitled to exclusive use, or

(8) An owner shall only permit beige or neutral coloured window coverings to be placed in exterior facing windows.

(9) Owners shall be responsible for cleaning any needles or debris left in hallways or lobby from live Christmas trees.

(a) Trees are to be disposed of off site.

(10) Rubbish and waste material shall not be left on common property, except in the containers provided for that purpose.

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.

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.

(3) A residential owner shall not make any decoration, repairs, or alterations to the exterior or structure of a strata lot without the previous written consent of Council. In particular, the application of any material to the exterior such as lights, fence, trellis, antenna, screen, complete or partial enclosure of any balcony, air conditioning unit, or wind chime that may be heard or felt by others, is subject to this Bylaw.

(4) A residential owner shall not allow advertising or promotional matter of any kind on any part of an exterior facing part of a strata lot or common property, except for a conventional sign that a unit is for sale. Said signs shall be reasonably placed outside the entrance of the building.

(5) A commercial owner shall abide by all Municipal sign bylaws and may erect a sign on common property which is approved by Strata Council. The Strata Council shall not act in an unreasonable or arbitrary manner.

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, or that may be used in connection with the enjoyment of any other strata lot,

© To promptly carry out all work that may be ordered by any competent public or local authority

(2) The notice referred to in subsection (1) (b) must include the date and approximate time of entry, and the reason for entry.

(3) Notice shall be given to the owner or mortgagee by sending by post at the address supplied to the Strata Corporation by the owner or mortgagee for giving notices, or should no such address be supplied, then to the last address known to the Strata Corporation for the owner or mortgagee; or where the owner is a resident, notice shall be delivered to the door.

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, 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 Corporation may make a claim against an owner who causes negligence in the necessary repairs to a window or door that is part of the building envelope.
 - (i) Damages caused by a negligent act to these windows and doors are the responsibility of the owner of the strata lot.
- (f) The Strata Council is responsible for placing insurance and obtaining an annual appraisal.
 - (i) The Strata Corporation shall insure against earthquake damage.

Division 3 – Council

Council size

- 9 (1) Council must have at least 3 and not more than 7 members.

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.
- (5) An owner may not sit on Council if the Strata Corporation is entitled to register a lien against the strata lot.

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.

(4) Owners requesting hearings must obtain contact with Council Members by verbal means only.

- (a) Owners must also contact the Property Management company with the written request for a 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.

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) 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 and General 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 or delegated representative 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.
- (3) The Strata Council may authorize, except in emergency situations, to expend up to a maximum of \$1,000.00 for any one item or service that was not set out in the annual budget approved by the owners at a General Meeting.

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) \$50 for each contravention of a bylaw, and
- (b) \$25 for each contravention of a rule.

Continuing contravention

- 24 (1) 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.
- (2) The Strata Council may on behalf of the Strata Corporation sue or bring for sale proceedings against an owner for outstanding fines.
- (3) An infraction or violation of these Bylaws or any Rules established under them on the part of an owner, his employees, agents, invitees, or tenants may be corrected, remedied, or cured by the Strata Corporation and costs shall be charged back to that owner.

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) 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.
- (7) An owner of a strata lot that is in arrears is not eligible to vote at a General Meeting.

Order of business

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

- (a) determine that there is a quorum;
- (b) Certify proxies and corporate representatives and issue voting cards;
- (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 minutes from the last annual or special general meeting;
- (f) President's Report;
- (g) Ratify any new rules made by the Strata Corporation under section 125 of the Act;
- (h) Report on insurance coverage in accordance with section 154 of the Act, if the meeting is an annual general meeting;
- (i) Approve the budget for the coming year in accordance with section 103 of the Act, if the meeting is an annual general meeting;
- (j) Deal with new business, including any matters about which notice has been given under section 45 of the Act;
- (k) Elect a council, if the meeting is an annual general meeting;

(l) Open the floor to general discussion and questions if the meeting is an Annual General Meeting;

(m) Terminate the meeting.

(i) Should a quorum not be present after waiting for one half hour after call to order, those who are present shall proceed with the meeting at hand.

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 – Rentals

30 (1) The Strata Corporation has limited the number of residential strata lots that may be rented to 8.

(a) The Strata Council shall enforce this Bylaw by levying fines for violation of \$500.00 every seven days of the violation.

(2) There shall be no limit to the number of commercial strata lots that may be rented.

(3) A Form K must be submitted to the Strata Corporation within two weeks of tenant occupancy in either a residential or commercial strata lot. A fine of \$250.00 shall be levied against the strata lot every seven days, until the signed Form K is received.

(4) The Bylaws and Rules of the Strata Corporation shall be binding upon a tenant(s).

Division 8 – Pets

- 31 (1) The owners of pets shall be responsible for the behaviour of within the common property. If a pet is deemed to be nuisance by the Strata Council, it shall be removed from the strata lot and common property within 30 days of notification to the pet owner.
- (a) visitors shall be informed of the Bylaws and Rules concerning pets and the owner shall be responsible for clean up and/or repairs resulting from the visitor's pet.
- (2) Pet owners shall be responsible for flea maintenance within their own unit.

Division 9 – Hazards

- 32 (1) No restrictions or hindrances shall be caused to sidewalks, driveways, entrances, exits or other parts of the common property.
- (2) Skating and skateboarding on common property is prohibited.
- (3) Everything is to be done to reduce fire hazards and nothing hazardous is to be brought or stored in a strata lot or on common property including flammable fuels which will, in anyway, increase the risk of fire or the rate of insurance held by the Strata Corporation, or which may invalidate the insurance policy.
- (a) Only certified electric or propane barbecues are permitted to be used, and must be used only on balconies or patios.
- (b) No hazardous, toxic or flammable material shall be kept in storage lockers or parking stalls at any time.
- (4) The leaving open of any outside door or gate without attendance is prohibited as it considered a security risk.
- (5) No material substances especially burning material such as cigarettes or matches shall be thrown or permitted to fall out of any window, door, balcony, or other part of a strata lot or common property.

Division 10 – Damage to Property

- 33 (1) In the event of an emergency emanating from a strata lot whose occupant can not be contacted, access for protection of common property and safety, may be gained by force at the owner's expense.
- (2) In the event that an owner or any member of their family, or their guests, servants, agents, or tenants cause damage to common property, limited common property or common facilities, the owner or tenant shall be held responsible for such loss and promptly re-imburse the Strata Corporation for full costs of repair or replacement of the damage done.

- (a) Exceptions to the foregoing are where loss originates from the rupture or malfunction of a permanent public supply line or sewer system, or where the damage originates from common property. These are not the responsibility of the strata lot owner as previously defined, and all damages shall be the responsibility of the Strata Corporation.
- (b) Damages to the personal property of an owner or occupant of the unit, together with any upgrading, substituting, improvements or betterments to the unit that have been made or acquired by the owner from those originally installed shall be the responsibility of the owner.

Division 11 – Parkade

- 34 (1) Any oil spills within a parking stall shall be cleaned by the owner. If not cleaned in a reasonable time, the Strata Corporation may hire a cleaning service and the costs charged back to the owner assigned the stall.
- (a) No vehicle work shall be performed in parking stalls or on common property.
 - (b) No items other than a currently insured vehicle, bicycles, and/or a motorcycle shall be stored in a parking stall.
- (2) Visitor Parking shall be used only for the use of visitors. Residents are not permitted to park in stalls allocated for Visitor Parking.
- (a) Guests and visitors may be parked in visitor parking for a maximum of 3 days. Extensions to maximum of 1 week may be granted by the Strata Council only.
- (3) Vehicles parked in violation of any Bylaws or Rules shall be towed at the vehicle owner's expense.
- (4) Bicycles are restricted to the assigned bike storage area provided and/or the resident's own parking stall.
- (5) An owner may permit any occupant of any strata lot to use a stall assigned to such owner's exclusive use, but shall not permit others to use said parking stall.
- (6) Recreation vehicles shall not be parked on the common property.

Division 12 – Balconies & Patios

- 35 (1) There shall be no storage of bicycles, packing boxes or other items not considered normal patio living items on balconies or patios.
- (2) Only usual patio furniture and garden items are permitted on balconies and patios.

- (a) No dead plants or unsightly mess shall be left on balconies or patios that is visible from common property.
- (3) Cleaning of balconies shall be restricted to ensure water and other debris is not permitted to flow over the edges of a balcony.
- (4) Laundry shall not be hung or dried so as to be visible from the building exterior or another strata lot.
- (5) No hot tubs shall be placed on patios or balconies without prior Council approval
- (6) Owners may not remove or add trees or large shrubs in the permanent planter boxes surrounding patios without prior Council approval.
- (a) Owners may remove or add bedding plants and small shrubs in the permanent planter boxes, provided the owner maintains the added plants.

Division 13 – Insurance

- 37 In the event that loss or damage occurs to common property or limited common property or common facilities that gives rise to a valid claim under the Strata Corporation's Insurance policy, it is agreed and understood that: if the origin of the loss is within the interior confines of an individual Strata Lot, the deductible of the Strata Corporation's policy relative to the loss shall be paid by the individual Strata Lot owner in whose lot the cause of the damage originated.

The foregoing will also hold true if the careless, negligent or inattentive acts of a Strata Lot owner causes damage outside the Strata Lot and the origination of the loss is anywhere on the premises.

In the event that an owner or any member of their family or their guests, servants or agents cause damage to common property, limited common property or common facilities and the damage so caused is not covered by insurance, the Strata Lot owner shall be held responsible for such loss and promptly reimburse the Strata Corporation for the full costs of repair or replacement of the damage done.

The only exception to the foregoing is where loss originates from the rupture or malfunction of a permanent public facility supply line or sewer system that extends from common property into an individual unit, in which case the deductible shall be the responsibility of the Strata Corporation. It is further agreed and understood that where any loss or damage originates from "common property" as defined in the Strata Property act and is not the responsibility of the Strata Lot owner as previously defined, the deductible shall then be the responsibility of the Strata Corporation.

Damage to personal property of an owner or occupant of the unit, together with any upgrading, substituting or improvements or betterments to the unit that have been made or acquired by the present owner from those originally installed shall be the responsibility of the owner.

26 MAR 2003 09 51

BV101927

REGISTRAR
LAND TITLE OFFICE
NEW WESTMINSTER, BC

14 03/03/26 09:53:31 02 LH 447128
DOC FILE \$20.00

Mar 26 2003

SURVEY DEPT.

Please receive herewith the following document(s) for filing:

Form I Amendment to

Bylaws LMS 3459

[Signature]
Signature Agent Fin. Veilleux
Baywest Management Corp (Var)
101-1965 West 4th Ave,
Vancouver, BC. V6T 1M8

DYE & DURHAM

CLIENT # 11061

ATTN: Mitello

PHONE # 604-257-0325

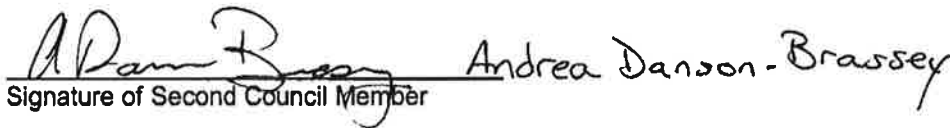
Strata Property Act
FORM I
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(Section 128)

The Owners, Strata Plan **LMS 3459 (The Vogue)** 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 or special general meeting held on **March 5, 2003**.

As Attached.



Signature of Council Member **LINNEA JANSSON**



Signature of Second Council Member

3/4 VOTE A

BYLAW AMENDMENTS

Be it resolved by the owners of LMS 3459 – The Vogue, that Strata Corporation Bylaw 7 (1) (b) be amended by inserting “any fire safety systems” after the words “common assets,”.

The new bylaw 7 (1) (b) would read:

“(b) At a reasonable time, on 48 hours' written notice, to inspect, repair or maintain common property, common assets, any fire safety systems, 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, or that may be used in connection with the enjoyment of any other strata lot,”

27 ^{APR} MAR 2007 13 11

BB258218

REGISTRAR
LAND TITLE OFFICE
NEW WESTMINSTER, BC

20 07/04/27 13:12:34 03 LM 772139
DOC FILE \$21.75

Date: April 27, 2007

Please receive herewith the following document(s) for filing:

Form I – Amendment to Bylaws (passed on April 12, 2007.

Section 128

Strata Plan LMS 3459



Jackie Bowen
Administrative Assistant
Ascent Real Estate Management Corporation

2176 Willingdon Avenue
Burnaby, BC V5C 5Z9
Phone: (604) 431-1800

BYE & DURHAM CLIENT No. 11061

27 MAR 2007 13 11

BB258218

ASCENT REAL ESTATE MGMT CORP
APR 20 2007
RECEIVED

Strata Property Act
FORM 1
AMENDMENT TO BYLAWS
(Section 128)

The Owners, Strata Plan LMS 3459 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 or special general meeting held on April 12, 2007:

3/4 VOTE RESOLUTION #2 – BYLAW AMENDMENT – INCREASE OF FINES FOR LATE STRATA FEE PAYMENTS

WHEREAS, A Strata Corporation pursuant to section 128 of the Strata Property Act, S.B.C. 1998. C. 43 may amend it's bylaws by a resolution passed by a 3/4 vote; and,

WHEREAS, the current bylaws of the strata corporation allow for a fine of \$25.00 for late payment of strata fees; and,

WHEREAS, the strata council is recommending increasing the amount of the fine for late payment of strata fees to \$50.00,

BE IT RESOLVED, that the owners of strata plan LMS 3459 do hereby authorize by a 3/4 vote resolution that Bylaw 1. (1) be amended to increase the fine for late payment of strata fees to \$50.00. All other existing clauses relating to this bylaw will remain in effect.

It was **MOVED** by Renee Lafontaine (Unit 402) and **SECONDED** by Janine De Wet (Unit 503) to approve the resolution as presented.

Votes For: 14 Votes Against: 2

MOTION CARRIED.

3/4 VOTE RESOLUTION #3 – BYLAW AMENDMENT – INCREASE OF FINES FOR BYLAW/RULE INFRINGEMENTS

WHEREAS, A Strata Corporation pursuant to section 128 of the Strata Property Act, S.B.C. 1998. C. 43 may amend it's bylaws by a resolution passed by a 3/4 vote; and,

WHEREAS, the current bylaws of the strata corporation allow maximum fines of

- a) \$50.00 for each contravention of a bylaw, and
- b) \$25.00 for each contravention of a rule, and

WHEREAS, the strata council is recommending increasing the maximum fines to

- a) \$250.00 for each contravention of a bylaw, and

*Section 128 (3) of the Act provides that an Amendment to Bylaws must be filed in the land title office within 60 days of the amendment being approved.

b) \$50.00 for each contravention of a rule,

BE IT RESOLVED, that the owners of strata plan LMS 3459 do hereby authorize by a ¾ vote resolution that Bylaw 23 (a) be amended to increase the maximum fine for each bylaw contravention to \$250.00, Bylaw 23 (b) be amended to increase the maximum fine for each rule contravention to \$50.00. All other clauses relating to this bylaw will remain in effect.

It was **MOVED** by Leah Gordon (Unit 204) and **SECONDED** by Lynne McInally (Unit 507) to approve the resolution as presented. **MOTION CARRIED UNANIMOUSLY.**

¾ VOTE RESOLUTION #4 – BYLAW AMENDMENT – MOVE IN/OUT FEES

WHEREAS, A Strata Corporation pursuant to section 128 of the Strata Property Act, S.B.C. 1998. C. 43 may amend it's bylaws by a resolution passed by a ¾ vote; and,

WHEREAS, currently there is a rule in place governing move-in/out fees, and

WHEREAS, the strata council is recommending replacing the rule by adding a new bylaw setting the move-in/out fees at \$100.00,

BE IT RESOLVED, that the owners of strata plan LMS 3459 do hereby authorize by a ¾ vote resolution to amend the bylaw and add a new bylaw to show:

Division 14 – Moving:

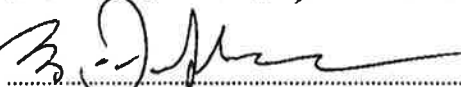
38. A non-refundable assessment of one hundred dollars (\$100.00) or such other fee as set out by council, which may change from year to year, will be levied on a move-in and/or move out to offset costs to the strata corporation.

It was **MOVED** by James Taylor (Unit 205) and **SECONDED** by Janine De Wet (Unit 503) to approve the resolution as presented.

Votes For: 15: Votes Against: 1:

MOTION CARRIED.


.....
Signature and Name (please print) of Council Member
RENEE LAFONTAINE, STRATA COUNCIL PRESIDENT


.....
Signature and Name (please print) of Second Council Member **MARK DUFFELL, DEPARTMENT**
(not required if council consists of only one member)

*Section 128 (3) of the Act provides that an Amendment to Bylaws must be filed in the land title office within 60 days of the amendment being approved.

-3 JUN 2008 09 43

BB0671265

REGISTRAR
LAND TITLE OFFICE
NEW WESTMINSTER, BC

Date: April 7, 2008

Please receive herewith the following document(s) for filing:

Form I – Amendment to Bylaws (passed on April 3, 2008).

Section 128

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DOC FILE

842617
\$21.75

STRATA PLAN LMS 3459



Ruth Andersen
Administrative Assistant
Ascent Real Estate Management Corporation

2176 Willingdon Avenue
Burnaby, BC V5C 5Z9
Phone: (604) 431-1800

DYE & DURHAM CLIENT No. 11061

Strata Property Act
FORM I
AMENDMENT TO BYLAWS
(Section 128)

The Owners, Strata Plan LMS 3459 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 or special meeting held on April 3, 2008.

3/4 VOTE RESOLUTION #2 – BYLAW AMENDMENT

Whereas, recovering move out expenses from owners who have already moved out of the building is not always possible, and

Whereas, Council recommends amending the existing bylaw to increase the Move-In fee from \$100.00 to \$200.00 to cover incidental costs associated with the move-in and out, and eliminate the \$100.00 move out fee,

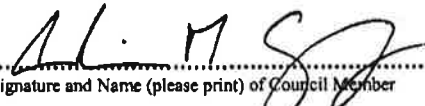
BE IT RESOLVED THAT, We the Owners of Strata Plan LMS 3459, by way of a 3/4 vote hereby agree that the Bylaws of Strata Plan LMS 3459 "The Vogue" be amended and the following new Bylaw with regard to moving in or out of the building be adopted:

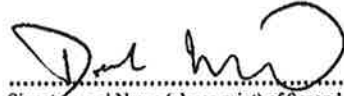
A non-refundable move-in fee of two hundred dollars (\$200.00) will be charged to the strata lot concerned to cover incidental costs associated with the move-in or out and the move out fee of \$100.00 will be eliminated. Failure to abide by this bylaw will result in a fine being levied against the owner of the strata lot concerned.

It was **MOVED** by Unit 301 and **SECONDED** by Unit 503 to approve the resolution as presented. The issue was then opened to the floor for discussion. After answering questions regarding the rationale for the bylaw amendment a vote was called.

Votes For: 16 Votes Against: 1

MOTION CARRIED.


.....
Signature and Name (please print) of Council Member ANNAISE CZERNY


.....
Signature and Name (please print) of Second Council Member
(not required if council consists of only one member) DEREK MOSCATO