



**STRATA PLAN LMS-1725
GOVERNORS TOWER & VILLAS**

BYLAWS

**STRATA PLAN LMS-1725
GOVERNORS TOWER & VILLAS BYLAWS**

Amendments:

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ALL PRESENT AND FUTURE OWNERS OF STRATA LOTS IN STRATA PLAN LMS-1725

are prohibited from commencing legal proceedings against any of the following parties, or any of their insurers, successors, assigns, officers, directors, servants, agents, trustees or beneficiaries:

- 1 CONCORD PACIFIC GROUP INC. (formerly known as PACIFIC PLACE HOLDINGS LTD., CONCORD PACIFIC HOLDINGS LTD. and CONCORD PACIFIC DEVELOPMENTS LTD.), GOVERNORS TOWER LIMITED and CENTREVILLE CONSTRUCTION LTD.;
- 2 VICTOR TZAR KUO LI and FRANK JOHN SIXT;
- 3 DAVIDSON YUEN PARTNERS (a firm), JOHN B. DAVIDSON, DAVID H. SIMPSON, DAVIDSON YUEN SIMPSON ARCHITECTS (a firm), DAVID SIMPSON ARCHITECT INC., JOHN B. DAVIDSON ARCHITECT INC., RONALD YUEN, CALVIN CARNEGIE, ROBIN HALL, RAYMOND MURRAY, MILAN NOVACEK and PAUL SCHOUW;
- 4 RALPH P. MELLEMA and RALPH P. MELLEMA doing business as RALPH P. MELLEMA ENGINEERING LTD.;
- 5 NDL CONSULTANTS LTD., GREENLAND INDUSTRIES LTD. (formerly known as POON, WONG & ASSOCIATES INC. and J. POON & ASSOCIATES) and J. POON;
- 6 JMB CONSULTANTS (a firm) and JORGE BEJA doing business as JMB CONSULTANTS;
- 7 FREDERICK W. WELSH and FRED WELSH LTD.;
- 8 RICHARD RYAN doing business as INTERTECH GLAZING and as FLARE GLASS & ALUMINUM;
- 9 CITY OF VANCOUVER;
- 10 ELTEX ENTERPRISES (1990) LTD.;
- 11 191766 HOLDINGS LTD. (formerly known as SEYMOUR BUILDING SYSTEMS LTD.);
- 12 AVALAR CAULKING SERVICES LTD.;
- 13 KIBAR CONTRACTORS LTD.;
- 14 PETER ROSS LIMITED and PETER ROSS;
- 15 INTER-PROVINCIAL INSPECTORS (1982) LTD.;
- 16 UNITED METALS LTD., UNITED METALS LTD. doing business as UNITED METALS A DIVISION OF DURASON HOLDINGS LTD., UNITED METALS (a firm) and DURASON HOLDINGS LTD.;
- 17 STEVEN MOSKALYK and INTERTEK TESTING SERVICES NA LTD.;
- 18 STAR MASONRY LTD.;
- 19 TREMCO LTD./TREMCO LTEE. (now known as TREMCO CANADA DIVISION, RPM CANADA);
- 20 W.R. SHIELDS CONTRACTORS LTD.:=
- 21 3RD BROS. INDUSTRIES INC. (formerly known as GEO. THIRD & SON LTD.);
- 22 BERKELEY ENGINEERING LTD. and GARY W. BERKELEY;

In relation to defects that have existed in any part of the building envelope of the condominium buildings up to the date on which the resolution is approved, unless the commencement of such proceedings is first approved by a 3/4 vote resolution of the Owners.

Preamble

These bylaws bind the strata corporation and the owners, tenants and occupants to the same extent as if the bylaws had been signed by the strata corporation and each owner, tenant and occupant and contained covenants on the part of the strata corporation with each owner, tenant and occupant and on the part of each owner, tenant and occupant with every other owner, tenant and occupant and with the strata corporation to observe and perform their provisions.

Unless otherwise stated, all terms have the meanings prescribed in the *Strata Property Act*, S.B.C. 1998, c. 43. (the "Act") For the purposes of these bylaws, "residents" means collectively, owners, tenants and occupants and "a resident" means collectively, an owner, a tenant and an occupant.

The schedule of Standard Bylaws to the Strata Act does not apply to the Strata Corporation.

GOVERNORS TOWER & VILLAS Strata Plan LMS-1725

SCHEDULE OF STANDARD BYLAWS

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

Compliance with bylaws and rules

- 1 (1) All residents and visitors must comply strictly with the bylaws and rules of the strata corporation adopted from time to time

Payment of strata fees

- 2 (1) An owner must pay strata fees on or before the first day of the month to which the strata fees relate.
- (2) An owner must provide the strata corporation or its agents with twelve consecutive monthly post-dated cheques for Strata fees for the fiscal year of the strata corporation, dated as the first date of each month or, if applicable, written authorization for monthly automatic debit from the owner's bank account. An owner may also complete online banking on the first date of each month.
- (3) Failure by an owner to submit twelve (12) monthly, post-dated strata fee cheques, online banking the first date of the month or written authorization for automatic debit in accordance with bylaw 2 (2) is a contravention of bylaw 2.2 and the strata corporation may a \$150 for each contravention. Each dishonored cheque or dishonored automatic debit may be subject to a fine of up to \$150 and the relevant bank charges for administration costs.
- (4) Where an owner fails to pay strata fees in accordance with bylaw (1) outstanding strata fees will be subject to an interest charge of 10% per annum, compounded annually. In addition to interest, failure to pay strata fees on the due date will result in a fine of \$100.00 for each contravention of bylaw 1(1).

- (5) A special levy is due and payable on the date or dates noted in the resolution authorizing the special levy.
- (6) Failure to pay a special levy on the due date is subject to penalties as noted in by-law 2.4.

Repair and maintenance of property by owner

- 3 (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

- 4 (1) A resident 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) A resident 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 is responsible for any damage caused by occupants, tenants or visitors to the owner's strata lot.
- (4) (a) An owner, tenant or occupant must not do, or omit to do, whether deliberately or negligently, any act that would result in costs being incurred by the strata corporation.
- (b) Strata lot owners must carry current homeowner's insurance for all contents and betterments made to their strata lot, and for the strata corporation's insurance deductible should they be deemed responsible for damages.
- (c) Strata lot owners must ensure that tenants occupying their strata lots must carry current tenant's insurance for all personal effects.
- (d) An owner shall indemnify and save harmless the strata corporation from the expense of any maintenance, repair or replacement rendered

necessary to the common property, limited common property, common assets or to any strata lot by the owner's act, omission, negligence or carelessness or by that of an owner's visitors, occupants, guests, employees, agents, tenants or a member of the owner's family, but only to the extent that such expense is not reimbursed from the proceeds received by operation of any insurance policy. In such circumstances, and for the purposes of bylaws 4.1, 4.2 and 4.3, any insurance deductible paid or payable by the strata corporation shall be considered an expense not covered by the proceeds received by the strata corporation as insurance coverage and will be charged to the owner.

Pets and animals

- 5** (1) A resident or visitor must not keep any pets on a strata lot or common property except in accordance with these bylaws. No pets or animals not mentioned in these bylaws may be kept on strata property.
- (2) Dogs and cats:
- (a) residents must not keep more than a total of three dogs or cats in any combination in a strata lot;
 - (b) no pit bulls or pit bull crosses, Staffordshire terriers or crosses, or Rottweilers or crosses, Presa Canario (Canary Island dogs) or crosses are allowed to be kept as pets on the property.
 - (c) council will determine whether a dog in question appears to be a cross breed of breeds not allowed in the building or an otherwise problem dog;
 - (d) dogs must be leashed and controlled while on common property including patios; cats must not be allowed to roam common property;
 - (e) dogs and cats may not be bred on the property for sale or any other purpose. Spaying or neutering is strongly suggested to all pet owners;
 - (f) dogs and cats must not be allowed to defecate and urinate on common property. Pet owners are responsible for proper clean up and removal of excrement, including on the sidewalks surrounding LMS-1725.
- (3) Other types of pets:
- (a) no reptiles, spiders, pigeons, large exotic cats or wild animals may be kept on strata property.
- (4) Residents must keep all pets quiet, clean and controlled and are responsible for the proper removal of excrement from all units, common areas and sidewalks on our block surrounding LMS-1725.
- (5) A strata lot owner must assume liability for all actions by a pet or a visitor's pet, regardless of whether the owner had knowledge, notice or forewarning of the likelihood of such action.
- (6) Residents must not feed wild birds, rodents, raccoons or other wild animals from any strata lot, limited common property or common property. Bird feeders are not permitted on balconies, patios, strata lots, limited common property or common property.

Inform strata corporation

- 6** An owner must notify the strata corporation:
- (a) within two weeks of becoming an owner, the owner's name and any occupants' names, strata lot number and mailing address outside the strata plan, if any; and
 - (b) the tenants' name and strata lot number,
 - (c) within two weeks of renting a strata lot, or within one month of these bylaws becoming effective, the landlord must give the strata corporation a copy of Form K – Notice of Tenants' Responsibilities signed by the tenant, in accordance with section 146 of the Act.
- (2) Building entry fobs are limited to one per person listed on the Form K and one extra to a maximum of 5 for rental units.

Obtain approval before altering a strata lot

- 7** (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) patios, 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; and
 - (g) those parts of the strata lot which the strata corporation must insure under section 149 of the *Act*.
 - (h) Wiring, plumbing, piping, heating, air conditioning and other services.
- (2) The strata corporation must not unreasonably withhold its approval under subsection 7 (1), but:
- (a) may require as a condition of its approval that the owner agree, in writing, to take responsibility for any expenses relating to the alteration and to indemnify and hold harmless the strata corporation for any future costs in connection with the alteration.
 - (b) if LMS-1725 is required to consult with a building expert regarding an owner's alteration or request, the owner may be required to pay for any costs involved in the consultation. Owners who undertake unauthorized alterations assume an enormous financial risk for all immediate and

subsequent problems and/or remediation as well as fines and/or litigation resulting from the unauthorized alteration.

- (c) owners must sign an indemnification agreement accepting responsibility for any immediate or consequent damage to the common property or any other suite resulting from the renovation as a condition of approval for the renovation.
 - (d) contractors must complete and sign a Renovation Trades Undertaking form in good faith as a condition of being given access to the building and suite. Contractors who fail to follow the undertaking that they have signed will be denied access to the building and owners may be fined for renovation contractor's procedural infractions.
- (3) An owner must give the council two working days' prior notice of the scheduled arrival of tradespersons or delivery of materials. Tradespersons must be licensed and bonded. Inadequate notice or work by unlicensed or unbonded tradespersons for major alterations may result in the levy of fines.
- (4) A resident must not permit any construction debris, materials or packaging to be deposited in the strata corporation's disposable containers.
- (5) A resident must be responsible to ensure:
- (a) drop cloths are installed and removed daily between the elevators and the strata lot as well as between other doors to protect common areas from any spillage or dripping; and
 - (b) stairs, lobbies and paths through the parking areas are regularly and thoroughly cleaned.
- (6) An owner must ensure that the hours of work are restricted to:
- (a) 8:00 a.m. to 7:00 p.m., Monday through Friday, and 10:00 a.m. to 5:00 p.m., Saturdays, Sundays and statutory holidays with the exception of flooring and jackhammering seen below.
 - (b) flooring, other than carpet, may not be removed or installed and jackhammering of concrete is not permitted on Sundays or statutory holidays.
- (7) An owner in contravention of any of bylaws in section shall be subject to fines as listed in "Enforcement of Bylaws" under "Bylaw 27. Fines".
- (8) All flooring must be installed with sound deadening underlay strictly adhering to the following guidelines:
- (a) elevator must be pre-booked to transport any construction material to and from the suite.
 - (b) underlay (sound deadening material) under the hardwood floor: if cork is chosen, it must be AT LEAST 6 millimeters thick and possess a Sound Transmission Class (STC) rating of >50 and an Impact Insulation Classification (IIC) >60.

- (c) other underlay: The Sound Transmission Class (STC) must be >60 and the Impact Insulation Classification (IIC) must be >60. Underlay foam must be at least 6 mm thick.
 - (d) council requires proof of purchase and the STC and IIC ratings for the above underlay materials.
 - (e) ceramic tiles in hallways, living rooms, or bedroom floors must be also installed with sound deadening underlay material, and the details of this material must be submitted to Council.
 - (f) in the event that the City of Vancouver raised the Sound Transmission Class (STC) and/or the Impact Insulation Classification (IIC) recommendations or requirements, the new City standard would be used as the standard except in situations where an owner is attempting to meet the existing hardwood flooring which has the original 6 mm cork underlay. In such cases, the strata council will study the situation and render a situation.
- (9) No radiant heat systems are allowed to be installed under flooring.
- (10) A \$200.00 refundable damage deposit must be made to the strata prior to the commencement of alternations and renovations. This is to cover any damage or cleaning required by building staff following these actions.

Obtain approval before altering common property

- 8**
- (1) An owner must obtain the written approval of the strata corporation before making or authorizing an alteration to common property, including limited common property or common assets (including courtyard, common and limited common areas, planters and gardens).
 - (2) An owner, as part of its application to the strata corporation for permission to alter common property, limited common property or common assets, must:
 - (a) submit, in writing, detailed plans and description of the intended alteration;
 - (b) obtain all applicable permits, licences and approvals from the appropriate governmental authorities and provide copies to the strata council;
 - (3) The strata corporation may require, as a condition of its approval, that the owner agree, in writing, to certain terms and conditions, including, not exhaustively, the following:
 - (a) that alterations be done in accordance with the design or plans approved by the strata council or its duly authorized representatives;
 - (b) that the standard of work and materials be not less than that of the existing structures;
 - (c) that all work and materials necessary for the alteration be at the sole expense of the owner;

- (d) that the owner from time to time of the strata lot receiving the benefit of an alteration to common property, limited common property or common assets must, for so long as he or she remains an owner, be responsible for all present and future maintenance, repairs and replacements, increases in insurance, and any damage suffered or cost incurred by the strata corporation as a result, directly or indirectly, of the alterations to common property, limited common property or common assets;
 - (e) that the owner and any subsequent owner on title who receives the benefit of such alteration, must, with respect only to claims or demands arising during the time that they shall have been owner, indemnify and hold harmless the strata corporation, its council members, employees and agents from any and all claims and demands whatsoever arising out of or in any manner attributable to the alteration. Any costs or expenses incurred by the strata corporation as the result of such claim or demand will be the responsibility of the owner from time to time of the strata lot who has benefited from the alteration and the said costs or expenses incurred must be charged to that owner and shall be added to and become part of the strata fees of that owner for the month next following the date upon which the cost or expenses are incurred, but not necessarily paid by the strata corporation, and shall become due and payable on the due date of payment of monthly strata fees.
- (4) An owner who has altered common property, limited common property or common assets prior to the passage of these bylaws shall be subject to their content and intent to the extent that any damages suffered or costs incurred by the strata corporation as a result, directly or indirectly, of the alteration, must be borne by the owner who has benefited from the alteration.
 - (5) An owner who, subsequent to the passage of bylaws 8.1 to 8.3 inclusive, alters common property or limited common property without adhering strictly to these bylaws, must restore, at the owner's sole expense, the common property, limited common property or common assets, as the case may be, to its condition prior to the alteration. If the owner refuses or neglects to restore the alteration to its original condition, the strata corporation may conduct the restoration, at the expense of the owner who altered the common property or limited common property. The cost of such alteration shall be added to and become part of the strata fees of that owner for the month next following the date on which the cost was incurred and will become due and payable on the due date of payment of monthly strata fees.
 - (6) A landscaping plan is in place for the strata corporation.
 - (a) all residents must adhere to the landscaping plan for all common property and limited common property which includes all gardens, planters, lawns and landscape areas.
 - (b) changes may not be made to any landscaped area without the consultation and consent of the strata council. Requests for any changes must be done in writing to the strata council.
 - (7) A resident must not, without the prior written permission of the strata council, erect, hang, nail, screw or compromise the exterior rain screen of the common property including limited common property, in any way. This includes, but is not limited to the installation of awnings, flags and flag poles, clotheslines, satellite

dishes, trellises, watering devices and systems, flower boxes and new fireplace inserts. Installation of different decking material/surface and changes in exterior electrical wiring is also not permitted unless prior written permission from the strata council has been obtained. If such activity is carried out by or on behalf of a resident without the permission of the strata council, the strata council may order the owner to remove such installation and, if the common property or limited common property is compromised or damaged, remediation will be coordinated by strata council and all costs and expenses incurred in returning the common property or limited common property to its original condition will be charged to the strata owner.

- (8) An owner must obtain the written approval of the Strata Corporation before installing an A/C unit in the unit which requires the A/C condenser hose to vent on the exterior of the unit.
- (a) The A/C unit and hose must not be visible from the exterior of the building.
- (b) All A/C units must be installed with the engineers approved contractors and the following guidelines:

Instructions:

- Remove glazing stop and remove IGU from window frame.
- Store IGU with identification label for future reinstallation.
- Install new glazing tape at perimeter of glazing cavity.
- Install pre-manufactured composite aluminum panel with hose adapter and hood vent.
- Reinstall glazing stop.
- Attach hose from air conditioning unit to hose-adapter in aluminum panel.

Specifications: (Residents must use engineer approved contractors)

- a. Aluminum panel
- Description: Sandwich panel with extruded polystyrene insulation core with aluminum panels on both faces.
 - Thickness: 24mm overall (aluminum panels 1.5mm each) to fit in existing glazing cavity.
 - Size: dimensions to match IGU to be replaced.
 - Colour:
 - (i) Exterior aluminum panel: to match existing exterior window frames (Seawolf Grey Arynar coating, PPG code UCFX10081).
 - (ii) Interior aluminum panel: to match existing exterior window (Glossy White Duranar coating, PPG code K1285).
 - Hole: Cored hole diameter **to be verified.** Maximum diameter 6”.
 - Adapter: Custom made metal hood vent and duct extension.
 - Approved products: **Stadur FB-4/PP sandwich panel (to be verified).**

- b. Air condition unit type
 - Portable floor unit with single exhaust hose

Permit entry to strata lot

- 9** (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,
 - (b) at a reasonable time, on 48 hours' written notice, including date, approximate time and the reason for entry,
 - (i) to inspect, repair, renew, replace or maintain common property, common assets and any portions of a strata lot that are the responsibility of the strata corporation to repair, replace, renew and maintain under these bylaws or the Act or to insure under section 149 of the Act;
- (2) If forced entry to a strata lot is required due to required emergency access and the inability to contact the owner of the strata lot, the owner shall be responsible for all costs of forced entry incurred by the strata corporation.

Division 2 -- Powers and Duties of Strata Corporation

Repair and maintenance of property by Strata Corporation

- 10** (1) The strata corporation must repair and maintain all of the following:
- (a) common assets of the strata corporation;
 - (b) common property that has not been designated as limited common property;
 - (c) limited common property, but the duty to repair and maintain it is restricted to
 - (i) repair and maintenance that in the ordinary course of events occurs less often than once a year, and
 - (ii) the following, no matter how often the repair or maintenance ordinarily occurs:
 - (A) the structure of a building;
 - (B) the exterior of a building;
 - (C) chimneys, stairs, balconies and other things attached to the exterior of a building;
 - (D) doors, windows and skylights on the exterior of a building or that front on the common property;

- (E) fences, railings and similar structures that enclose patios, balconies and yards;
- (d) a strata lot in a strata plan that is not a bare land strata plan, but the duty to repair and maintain it is restricted to
 - (i) the structure of a building,
 - (ii) the exterior of a building,
 - (iii) chimneys, stairs, balconies and other things attached to the exterior of a building,
 - (iv) doors, windows and skylights on the exterior of a building or that front on the common property, and
 - (v) fences, railings and similar structures that enclose patios, balconies and yards.

Division 3 — Council

Council size

- 11** (1) The council must have at least 3 and not more than 7 members.

Council eligibility

- 12** (1) The spouse of an owner may stand for council.
- (2) Where a strata is owned by more than one person, or the spouse of an owner stands for council, only one representative of the strata lot shall be a member of the council at any one time.
- (3) No person may stand for council or continue to be on council with respect to a strata lot if the strata corporation is entitled to register a lien against that strata lot under section 116 (1) of the Act.
- (4) No person may stand for council or continue to be on council with respect to a strata lot if there are amounts owing to the strata corporation charged against the strata lot in respect of administration fees, bank charges, fines, penalties, interest or the costs, including the legal costs, of remedying a contravention of the bylaws or rules.
- (5) No person may stand for council or continue to be on council with respect to a strata lot if there are amounts owing to the strata corporation charged against the strata lot in respect of administration fees, bank charges, fines, penalties, interest or the costs, including the legal costs, of remedying a contravention of the bylaws or rules for which the owner is responsible under section 131 of the Act.

Council members' terms

- 13** (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

- 14**
- (1) The strata corporation may, by a resolution passed by a majority vote at a special general meeting, remove one or more council members. The strata corporation must pass a separate resolution for each council member to be removed.
 - (2) After removing a council member, the strata corporation may hold an election at the same special general meeting to replace the council member for the remainder of the term or the remaining members of the council may appoint a replacement council member for the remainder of the term.
 - (3) If the strata corporation removes all of the council members, the strata corporation must hold an election at the same special general meeting to replace the council members for the remainder of the term up to, at least, the minimum number of council members required by bylaw of the strata corporation for the remainder of the term.
 - (4) The council may appoint the remaining council members necessary to achieve a quorum for the strata corporation, even if the absence of the members being replaced leaves the council without a quorum.
 - (5) A replacement council member appointed pursuant to bylaws 15.2 and 15.4 may be appointed from any person eligible to sit on the council..

Replacing council member

- 15**
- (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 bylaw 16)(2) 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, 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

- 16**
- (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, and a financial officer.
 - (2) A person may not hold more than one office at a time.
 - (3) The vice president has the powers and duties of the president
 - (4) while the president is absent or is unwilling or unable to act,
 - (5) for the remainder of the president's term if the president ceases to hold office.
 - (6) The strata council may vote to remove an officer.

- (7) If an officer other than the president is removed or ceases to hold office, the council members may elect a replacement officer from among themselves for the remainder of the term.

Calling council meetings

- 17 (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 in bylaw 18(1) does not have to be in writing.
- (3) A council meeting may be held on less than one week's notice if
 - (a) the meeting is required, 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.

Requisition of council hearing

- 18 (1) By application in writing, a resident may request a hearing at a council meeting stating the reasons for the request.
- (2) Except for a hearing pursuant to section 144 of the Act, if a hearing is requested under bylaw 19.1, the applicant must forward a request to the agent at least 7 days prior to the next council meeting.
- (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 date of the hearing.

Quorum of council

- 19 (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

- 20 (1) The council may meet together for the conduct of business, adjourn and otherwise regulate its meetings as it thinks fit.
- (2) 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.

- (3) If a Council meeting is held by electronic means, council members are deemed to be present in person. .

Voting at council meetings

- 21 (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

- 22 (1) The council must circulate to the owners the minutes of all council meetings, with the exception of in camera meetings, within 2 weeks of the meeting, whether or not the minutes have been approved.

Delegation of council's powers and duties

- 23 (1) Subject to bylaws 24(2), 24(3) and 24(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

- 24 (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) The strata council shall have the authority to spend from the operating fund, on an unapproved expenditure, if the expenditure together with all other unapproved expenditures in the same fiscal year is less than \$10,000.

Limitation on liability of council member

- 25 (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) Bylaw 26(1) does not affect a council member's liability, as an owner, for a judgment against the strata corporation.
- (3) All acts done in good faith by the council are, even if it is afterwards discovered that there was some defect in the appointment or continuance in office of a member of council, as valid as if the council member had been duly appointed or had duly continued in office

Division 4 — Enforcement of Bylaws and Rules

Fine

- 26 (1) Except where specifically stated to be otherwise in these bylaws, the strata corporation may fine an owner or tenant:
 - (a) \$200 for each contravention of a bylaw, and
 - (b) \$50 for each contravention of a rule.
 - (c) \$500 for each contravention of the rental bylaws.
- (2) The council must, if it determines in its discretion that a resident is in repeated contravention of any bylaws or rules of the strata corporation, levy fines and the fines so levied shall be immediately added to the strata fees for the strata lot and shall be due and payable together with the strata fees for the strata lot in the next month following such contravention.
- (3) Except where specifically stated to be otherwise in these bylaws, 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 day.

Division 5 — Annual and Special General Meetings

Quorum of meeting

- 27 (1) If within ¼ hour from the time appointed for an annual or special general meeting, a quorum is not present, the meeting stands adjourned for a further ¼ hour, and the persons entitled to vote who are present constitute a quorum.

This bylaw 28.1 is an alternative to section 48 (3) of the Act. This bylaw does not apply to a meeting demanded pursuant to section 48 of the Act and failure to obtain a quorum for a meeting demanded pursuant to section 43 terminates, and does not adjourn, that meeting.

Person to chair meeting

- 28** (1) The president of the council or in the absence of the president, the vice president shall be the chairman of all general meetings, or they may appoint a chairman if so agreed by a majority of the owners presents.

Participation by other than eligible voters

- 29** (1) Tenants and occupants may attend annual and special general meetings.
- (2) Persons who are not eligible to vote, may not participate in the discussion at the meeting, unless permitted to do so by the chair of the meeting.
- (3) Persons who are not eligible to vote, must leave the meeting if requested to do so by a resolution passed by a majority vote at the meeting.

Voting

- 30** (1) Except on matters requiring a unanimous vote, the vote for a strata lot may not be exercised if the strata corporation is entitled to register a lien against that strata lot under section 116 (1) of the Act.
- (2) Except on matters requiring a unanimous vote, the vote for a strata lot may not be exercised if there are amounts owing to the strata corporation charged against the strata lot in respect of administration fees, bank charges, fines, penalties, interest or the costs. Including the legal costs, of remedying a contravention of the bylaws or rules.
- (3) Except on matters requiring a unanimous vote, the vote for a strata lot may not be exercised if there are amounts owing to the strata corporation charged against the strata lot in respect of administration fees, bank charges, fines, penalties, interest or the costs including the legal costs, of remedying a contravention of the bylaws or rules, including legal costs, for which the owner is responsible under section 131 of the Act.
- (4) At an annual or special general meeting, voting cards must be issued to eligible voters the chair must decide whether voting will be by a show of voting cards, or by roll call, secret ballot or some other method.
- (5) The outcome of each vote, must be announced by the chair and recorded in the minutes of the meeting.
- (6) If a precise count is requested by an eligible voter, the outcome of the vote including the number of votes for and against and the number of abstentions must be announced by the chair and recorded in the minutes.
- (7) 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.
- (8) Despite anything in bylaws 31(1) to 31(5) (inclusive), an election of council or removal of a council member must be held by secret ballot, if the secret ballot is requested by an eligible voter, and approved by a majority vote.

Electronic attendance at meetings

- 31** (1) A person who is eligible to vote may attend an annual or special general meeting by electronic means so long as the person and the other participants can communicate with each other
- (2) If an annual or special general meeting is held by electronic means with a person, the person is deemed to be present in person for the purposes of the meeting.

Order of business

- 32** (1) 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 since the previous annual general meeting, 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.
- (2) If a majority of eligible voters agree, the agenda may be modified.

Division 6 — Small Claims Court Proceedings

Authorization to proceed

- 33** (1) The strata corporation may proceed under the Small Claims Act, without further authorization by the owners, to recover from an owner, or other person, by an action in debt in Small Claims Court, money owing to the strata corporation,

including money owing as administration fees, bank charged, fines, penalties, interest or the costs, including legal costs, of remedying a contravention of the bylaws or rules and to recover money which the strata corporation is required to expend as a result of the owner's act, omission, negligence or carelessness or by that of an owner's visitors, occupants, guests, employees, agents, tenants or a member of the owner's family.

Division 7 — Marketing Activities by Owner Developer

Sale of a strata lot

- 34** Real estate signs must not be displayed in a strata lot or on the common property except in the location designated by the strata corporation for real estate signs.

Parking

Parking

- 35** (1) (a) an owner must not lease, license or loan their allotted parking stalls and lockers to any person other than another owner or resident.
- (b) tenants must not sublet parking stalls to anyone other than an owner or another building resident.
- (c) While parking stalls and storage units may be rented to residents of Governors Tower and Villas, they may not be sold as each was originally part of an entitlement to a specific unit.

For longer stays residents will need the approval of council, in writing

- (2) A resident must park only in the parking stall assigned to the resident.
- (3) A resident or visitor must not permit a vehicle to be parked or left unattended in a manner that interferes with parking stalls, access lanes or no parking zones.
- (4) Any resident's vehicle parked in violation of bylaw 36.3 will be subject to removal by a towing company authorized by council, and all costs associated with such removal will be charged to the owner of the strata lot.
- (5) A resident or visitor operating a vehicle in the parking areas must activate the vehicle's headlights and not exceed 10 km/hour.
- (6) A resident must wash a vehicle in the location designated for vehicle washing only. Once washing is completed, the resident must hose down excess water from the washing area and remove all dirt and refuse.
- (7) A resident shall not store any articles in the parking area.
- (8) A resident or owner must not store unlicensed or uninsured vehicles on the common, limited common property or on land that is a common asset.
- (9) Visitor parking P1A and P1B:
- (a) all vehicles owners using visitor parking must fill out the visitor parking forms required which can be found in the parkade. Unregistered vehicles may be towed at the owner's expense.

- (b) visitor parking is not to be used by relatives or friends as a regular downtown parking space (example for someone who works downtown).
- (c) using visitor parking for more than 12 hours and/or more than 3 consecutive days is prohibited as is use of visitor parking by any vehicle for more than seven days in one month.
- (d) If a resident has an overnight guest in guest parking for more than 24 hours, that guest may fill out a new guest parking form explaining the situation.
- (e) Out-of-town guests: An out-of-town guest is a person or persons from outside the GVRD area visiting a resident, they may use guest parking for up to 7 nights if the resident arranges this ahead of time with building staff. Residents must fill out the required form provided by the building staff:

For longer stays residents will need the approval of council, in writing.

- (10) Vehicle repairs and maintenance are not to be carried out in the parkade.
- (11) Residents must immediately address oil leakage from vehicles and are responsible for oil leak cleanup. Vehicle owners may be required to find alternate parking if they do not attend to oil leaks or other repair items.
- (12) The following strict guidelines must be adhered to when using electrical outlets in the parkade for a vehicle trickle charger:
 - (a) all chargers must automatically switch to a maintenance mode when a charge is complete.
 - (b) all chargers must be warranted as free of creating a fire hazard.
 - (c) chargers must have a CSA or ULC safety certification.
 - (d) residents' dates of usage must be reported to and approved by Head Concierge.
 - (e) any requirement for an extension cord must have a heavy duty rating of 12/2 or 10/2.
 - (f) any permitted use of extension cords may not be unsightly or wrapped along or around metal fire sprinkler piping.
 - (g) owners may use strata's battery booster at their own risk for vehicles that have lost their charge.
 - (h) details of a vehicle trickle charger must be submitted to Head Concierge for approval prior to usage.
- (13) For safety reasons, propane and natural gas powered vehicles are prohibited from all areas of the parkade.
- (14) Parking stalls must be kept clean.

Moving

Moving in/out procedures

- 36**
- (1) An owner must confirm and ensure that any tenants conform to the Move In and Move Out rules established by council from time to time.
 - (2) A resident must provide notice to the strata corporation of all moving arrangements at least 48 hours before the moving date. All moves must take place between 9:00 a.m. and 8:00 p.m., Monday through Friday and 10:00 a.m. to 6:00 p.m. on Saturdays, Sundays and statutory holidays.
 - (3) A resident using the elevator during a move must ensure that the ELEVATOR SERVICE KEY is used to control the elevator and the doors not jammed open in any manner.
 - (4) A resident must ensure that all common areas are left damage free and clean.
 - (5) A move in fee of \$200.00 will be charged to all residents.

Appearance of strata lots

Cleanliness

- 37**
- (1) A resident must ensure that ordinary household refuse and garbage is securely wrapped and placed in the containers provided for that purpose, recyclable material is kept in designated areas and material other than recyclable or ordinary household refuse and garbage is removed appropriately.
 - (2) Residents must comply with the latest garbage and recycling procedures.
 - (3) Residents must remove and dispose of their own furniture, tools, carpet, renovation waste, electronics and any other waste that does not fall under our waste removal, garbage and recycling protocols.
 - (4) Balconies, decks, patios and adjoining areas must be kept in reasonable order as determined by the strata council.
 - (5) Littering (including cigarette butts) is not allowed anywhere on the common property or limited common property.

Rentals

Residential Rentals

- 38**
- (1) Prior to possession of a strata lot by a tenant, an owner must deliver to the tenant the current bylaws and rules of the strata corporation and a Notice of Tenant's Responsibilities in Form K, a signed copy of which must be forwarded to the strata corporation within two weeks' time as per bylaw 6.1
 - (2) A tenant is defined as someone who normally resides at the strata lot, and is noted on the required Form K – Tenants Undertaking as opposed to a property management firm.
 - (3) (a) The minimum period for all rentals including short term rentals and sublet rentals is three months. Lesser rental periods are not permitted.

- (b) Notwithstanding bylaw 38.3 no residential strata lot shall be occupied under a residential tenancy lease, contractor, or license arrangement for transient, hotel or commercial purposes, VRBO, Premier Executive Suites, Airbnbs, or any newspaper, magazine or web based residential home rental entities, and shall only be leased or rented as a private residential dwelling for a minimum of three months.

Miscellaneous

- 39**
- (1) A resident or visitor must not smoke on common property, limited common property or in a strata suite.
 - (2) A resident or visitor must not hinder or restrict sidewalks, entrances, exits, halls, passageways, stairways and other parts of the common property. Hindrance and restriction includes the keeping of personal items and garbage.
 - (3) A resident or owner must not erect or display or permit to be erected or displayed any signs, fences, billboards, placards, advertising, notices or other fixtures of any kind on the common property or in a strata lot, unless authorized by the council with the exception of real estate signs subject to bylaw 35.1.
 - (4) A resident may post notices on the designated bulletin board, subject to being removed by the council if deemed inappropriate.
 - (5) A resident must ensure that drapes or blinds visible from the outside of the building are cream or white in colour.
 - (6) A resident must not tint or alter the glass in any way on the windows that are visible from the outside of the building.
 - (7) An owner must not throw items over the balconies or out of window to the street or common areas below. e.g. cigarettes, papers, cans, bottles etc.
 - (8) A resident must not store any hazardous or flammable materials in storage lockers or parking stalls.
 - (9) Pursuant to Regulation 6.7 (1), of the Strata Property Act, the financial information for the notice or Annual General Meeting required under subsection (c) to (e), may be provided to the owners in summary form.
 - (10) Any owner, resident or occupant who uses profane, abusive or threatening language or engages in abusive or threatening behaviour that is directed towards the building staff, the strata agent, a member of the strata council or any tradesperson working at LMS-1725, shall be assessed a fine for each offence, in accordance with the bylaws of the strata corporation. Residents must not produce a continuous lingering odour in common areas as determined by strata council.
 - (12) Residents must not store any articles in any of the fire escape stairwells located throughout the property.
 - (13) Fire escape stairwells are not to be used as regular entrance and exits except in emergencies and power or elevator failures.

- (14) No resident may leave open any secured doorway or gate including all courtyard and parkade gates, fire escape doors; this includes any door or gate that requires an entry fob or that has a security lock.
- (15) Bikes:
- (a) Adult bikes are to be stored in the parkade in storage locker areas assigned to each unit, or on wall racks owners have installed in their parking spaces;
 - (b) Adult bikes are not to be taken through lobbies or transported on the elevators;
 - (c) Guests with bikes may use the guest bike rack in the guest parking area of parkade level P1. Guests must fill out a guest parking form provided at the rack;
 - (d) Bikes must not be locked to railings and fences on the common or limited common property to prevent common property damages.

Workshop

- 40** (1) When necessary, wearing protective clothing, gloves and goggles is recommended.
- (2) Use and handling of flammable fuels (petroleum – based products) such as gasoline, propane, butane or the use of equipment with an open flame is prohibited.
- (3) All users must clean up after each visit. Locker use is limited to a one (1) week period. The strata corporation has the right to remove locks after one (1) week period. **Illegal Use of Strata Lot Prohibited**
- 41** (1) The owner of a strata lot shall not permit it to be used for any purpose that is prohibited by any law, regulation or bylaw, whether federal, provincial or municipal; or in any way that contravenes these bylaws or the rules of the strata corporation, or which, in the opinion of the strata council acting reasonably, is injurious to the good reputation of the strata corporation. Without in any way limiting the generality of the foregoing, this includes producing or trafficking, or both, any controlled substances within the meaning of the Controlled Drugs and Substances Act.
- (2) Where a strata lot is rented in accordance with Bylaw 39.1 – Residential Rentals, it is the responsibility of the strata lot owner to be in contact with the tenant and ensure that the strata lot is inspected on a regular basis, and in any event no less than once every six (6) months, to ensure that there is no illegal activity taking place within the strata lot as described in Bylaw 42 (1), and upon request of the strata council to provide written confirmation to the strata council that the inspection took place.
- (3) Where a strata lot is used in a manner prohibited by this bylaw, the strata corporation may also charge back to, or sue to recover from, the owner of the strata lot all costs resulting from any loss, liability or damage to other strata lots in the strata corporation and their contents, owners and occupants, and/or to the common property or common assets of the strata corporation, whether or not the owner is or was aware of such prohibited use of the strata lot.

- (4) Where a strata lot is used in a manner prohibited by this bylaw, the owner of the strata lot may be fined up to \$200. For so long as the contravention continues, the owner may be fined every seven days.

Privacy Policy

- 42** Strata Plan LMS-1725 adheres to the BC Personal Information Protection Act. PIPA sets out how BC organizations, including corporations (including strata corporations), sole-proprietorships, partnerships, and non-profit organizations, may collect, use and disclose personal information about individuals.

Under PIPA:

- (1) The strata corporation may collect, from time to time, certain personal information of owners, tenants, and occupants including but not limited to:
 - (a) the name, home address, and home telephone and/or cell phone numbers of owners, tenants and occupants
 - (b) e-mail addresses
 - (c) banking information, in the case of owners, for payment of strata fees
 - (d) video images and voice recordings obtained during the use and operation of the video surveillance system (VSS) installed or to be installed in the building by the strata corporation in the following locations, with signage noting the operation and monitoring and operational 24 hours a day, 7 days a week: Exterior entrance/exit locations for pedestrian and vehicle traffic.
 - (ii) Interior entrance/exit locations in common areas.
 - (iii) Common activity areas such as gym, spa, meeting room, and workshop.
 - (iv) As needed in other interior/ exterior common property or limited common property areas to address security and physical safety illegal actions.
 - (v) Information and data recorded and collected during the use and operation of the access control system (e.g., key fobs) installed in the building that monitors access to and from the common areas of the building 24 hours a day, 7 days a week.
- (2) Personal information recorded and collected will not be disclosed to any person, other than: the building manager; the strata corporation's strata agent; elected members of the strata council during the course of exercising the powers and performing the duties of the strata corporation; the strata corporation's legal counsel; or law enforcement personnel, except:
 - (a) when required or authorized by law to do so
 - (b) when disclosure is consented to in writing by an owner, tenant, or occupant
 - (c) to up-date banking or financial records

- (d) when required to collect outstanding strata fees
 - (e) during the course of a criminal investigation involving vandalism to or theft of common property or common assets of the strata corporation, vandalism to or theft of personal belongings of owners, tenants, occupants, visitors and invitees, or the physical assault of an owner, tenant, occupant, visitor, or invitee
- (3) The strata corporation will take all reasonable precautions to ensure that personal information is kept safe from loss, unauthorized access, modification or disclosure.
- (4) This bylaw authorizes the collection of personal information using the video surveillance system and access control system for the following purposes only:
- (a) to monitor access to and from the common property areas of the building
 - (b) to protect personal property of owners, tenants, occupants, visitors and invitees
 - (c) to protect common property and common assets of the strata corporation
 - (d) to protect the security and physical safety of owners, tenants, occupants, visitors and invitees to the building
- (5) Personal information collected from the use and operation of the video surveillance system and access control system is retained by way of electronic data storage for up to 3 days on the strata corporation's computer data storage system, at which time the personal information recorded is permanently deleted from the systems' computer hard drives. If an incident is reported within the 3-day period and a request is made to view the recording of a specific individual's personal information, relevant portions of the stored data can be copied to an exterior storage device for future review.
- (6) Requests for access to view a specific individual's personal information, other than access to view those portions of the video surveillance or access control system that contain personal information for the individual requesting access, must be made in writing and delivered to the strata corporation's strata agent. The strata agent will make the requested information available within 14 days from the date of the request and copies will be provided for a reasonable fee.
- (7) Request for access to view personal information recorded and collected using the video surveillance system and the access control system must be made in writing and may be emailed to the building manager. Provided that the personal information has not previously been recorded over, the building manager will make the requested stored data available for inspection within 24 hours from the date of the request.