

**EPS 4937 “The Vantage”**  
**Schedule of Bylaws Amended**  
**2021-02-21 (CA9059662) Amended**  
**2023-05-10 (CB610724)**

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

**Payment of Strata Fees and Special Levies** *(Amended 2023-05-10, CB610724)*

- 1** (1) An owner must pay strata fees on or before the first day of the month to which the strata fees relate
- (2) Where an owner fails to pay strata fees in accordance with bylaw 1(1), outstanding strata fees will be subject to:
- (a) an interest charge of 10% per annum, compounded annually; and
  - (b) a fine of up to \$200.00
- (Amended 2023-05-10, CB610724)*
- (3) An owner must provide the strata corporation or its agent with
- (a) a cheque for strata fees on or before the first day of the month to which the strata fees relate;
  - (b) twelve (12) consecutive, monthly post-dated cheques for strata fees for the fiscal year of the strata corporation, date as of the first day of each month; or
  - (c) if applicable, written authorization for monthly automatic debit from the owner’s bank account
- (Amended 2023-05-10, CB610724)*
- (4) Failure by an owner to submit a strata fee cheque, twelve (12) monthly, post-dated strata fee cheques or written authorization for automatic debit in accordance with bylaw 1(3) is a contravention of bylaw 1(3) and is subject to a fine of up to \$200.00 for each contravention
- (Amended 2023-05-10, CB610724)*
- (5) Each dishonoured cheque or dishonoured automatic debit will be subject to a fine of up to \$200.00 and an administration charge of \$50.00
- (Amended 2023-05-10, CB610724)*
- (6) A special levy is due and payable on the date or dates noted in the resolution authorizing the special levy.
- (Amended 2023-05-10, CB610724)*
- (7) where an owner fails to pay a special levy in accordance with bylaw 1(6), the outstanding special levy contributions will be subject to:

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- (a) an interest charge of 10% per annum, compounded annually; and
  - (b) a fine of up to \$200.00
- (Amended 2023-05-10, CB610724)*

**Repair and maintenance of property by owner**

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

**Use of property**

- 3** (1) An owner, tenant, occupant or visitor must not use a strata lot, the common property or common assets in a way that
- (a) causes a nuisance or hazard to another person,
  - (b) causes unreasonable noise,
  - (c) unreasonably interferes with the rights of other persons to use and enjoy the common property, common assets or another strata lot,
  - (d) is illegal, or
  - (e) is contrary to a purpose for which the strata lot or common property is intended as shown expressly or by necessary implication on or by the strata plan.
- (2) An owner, tenant, occupant or visitor must not cause damage, other than reasonable wear and tear, to the common property, common assets or those parts of a strata lot which the strata corporation must repair and maintain under these bylaws or insure under section 149 of the Act.
- (3) An owner, tenant, occupant or visitor must ensure that all animals are leashed or otherwise secured when on the common property or on land that is a common asset.
- (4) An owner, tenant or occupant must not keep any pets on a strata lot other than one or more of the following:
- (a) a reasonable number of fish or other small aquarium animals;
  - (b) a reasonable number of small caged mammals;
  - (c) up to 2 caged birds;

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- (d) up to two dogs, or two cats, or one dog and one cat, provided that any dogs are not Pit Bulls, Rottweilers or any other dog classified as a “dangerous dog” in any municipal Bylaw. Pets presently registered are “grandfathered” until they expire or there is a change in residency. *(Amended 2021-02-21, CA9059662)*
- (e) a dog must be:
  - a. spayed or neutered; and
  - b. no greater than 9 kilograms in weight when fully grown; and
  - c. no greater than 34 inches in height, when fully grown, measured from the floor to the withers.
  - d. Pets presently registered are “grandfathered” until they expire or there is a change in residency.  
*(Amended 2021-02-21, CA9059662)*
- (5) All pets shall be kept under the control of the owner, tenant, occupant or visitor to who the pet belongs, at all times while on the common property and must not interfere with or damage the common property or interfere with the use and enjoyment of the common property by other owners, tenants and occupants. *(Amended 2021-02-21, CA9059662)*
- (6) An owner of a pet shall not knowingly permit the pet to defecate on the common property. Where a pet does defecate on the common property, the owner of the pet shall immediately remove all of the pet’s waste from the common property and dispose of it in a waste container or by some other sanitary means. The strata corporation may charge the owner of a strata lot with which the pet is associated the costs incurred by the strata corporation to remove the waste and/or any costs incurred to restore or clean the common property. *(Amended 2021-02-21, CA9059662)*
- (7) An owner, tenant or occupant must also ensure that their pets or those of their visitors do not cause damage to buildings, improvements, trees, plants, bushes, flowers or lawns within the Development. *(Amended 2021-02-21, CA9059662)*
- (8) 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. *(Amended 2021-02-21, CA9059662)*
- (9) An owner, tenant, occupant or visitor must not:

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- (a) Display or hang laundry, clothing, bedding or other articles from windows, decks, patios or other parts of a strata lot or common property so that they are visible from the outside of the buildings; *(Amended 2023-05-10, CB610724)*
- (b) Store Garbage bins on common property or limited common property. Garbage bins can only be placed on common property from the day before pickup to the day after pickup; *(Amended 2023-05-10, CB610724)*
- (c) Store items on common property; *(Amended 2023-05-10, CB610724)*
- (d) Store items on decks or patios that is not approved patio or deck furniture. *(Amended 2023-05-10, CB610724)*
- (e) Have open flames unattended on common or limited common property *(Amended 2023-05-10, CB610724)*
- (f) Increase the fire risk to the strata corporation *(Amended 2023-05-10, CB610724)*

**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.

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(3) This section does not apply to a strata lot in a bare land strata plan.

**Obtain approval before altering common property**

- 6** (1) An owner must obtain the written approval of the strata corporation before making an alteration to common property, including limited common property, or common assets.
- (2) The strata corporation may require as a condition of its approval that the owner agree, in writing, to take responsibility for any expenses relating to the alteration.

**Permit entry to strata lot**

- 7** (1) An owner, tenant, occupant or visitor must allow a person authorized by the strata corporation to enter the strata lot
- (a) in an emergency, without notice, to ensure safety or prevent significant loss or damage, and
  - (b) at a reasonable time, on 48 hours' written notice, to inspect, repair or maintain common property, common assets and any portions of a strata lot that are the responsibility of the strata corporation to repair and maintain under these bylaws or insure under section 149 of the Act.
- (2) The notice referred to in subsection (1) (b) must include the date and approximate time of entry, and the reason for entry.

**Division 2 — Powers and Duties of Strata Corporation**

**Repair and maintenance of property by strata corporation**

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

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

**Division 3 — Council**

**Council size**

- 9** (1) Subject to subsection (2), the council must have at least 3 and not more than 7 members.
- (2) If the strata plan has fewer than 4 strata lots or the strata corporation has fewer than 4 owners, all the owners are on the council.

**Council members' terms**

- 10** (1) The term of office of a council member ends at the end of the annual general meeting at which the new council is elected.
- (2) A person whose term as council member is ending is eligible for reelection.
- (3) to (5)[Repealed 1999-21-51.]

**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.

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**Replacing council member**

- 12** (1) If a council member resigns or is unwilling or unable to act for a period of 2 or more months, the remaining members of the council may appoint a replacement council member for the remainder of the term.
- (2) A replacement council member may be appointed from any person eligible to sit on the council.
- (3) The council may appoint a council member under this section even if the absence of the member being replaced leaves the council without a quorum.
- (4) If all the members of the council resign or are unwilling or unable to act for a period of 2 or more months, persons holding at least 25% of the strata corporation's votes may hold a special general meeting to elect a new council by complying with the provisions of the Act, the regulations and the bylaws respecting the calling and holding of meetings.

**Officers**

- 13** (1) At the first meeting of the council held after each annual general meeting of the strata corporation, the council must elect, from among its members, a president, a vice president, a secretary and a treasurer.
- (2) A person may hold more than one office at a time, other than the offices of president and vice president.
- (3) The vice president has the powers and duties of the president
- (a) while the president is absent or is unwilling or unable to act, or
- (b) for the remainder of the president's term if the president ceases to hold office.
- (4) If an officer other than the president is unwilling or unable to act for a period of 2 or more months, the council members may appoint a replacement officer from among themselves for the remainder of the term.

**Calling council meetings**

- 14** (1) Any council member may call a council meeting by giving the other council members at least one week's notice of the meeting, specifying the reason for calling the meeting.

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- (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.

**Repealed**

**15** [Repealed 2009-17-35.]

**Quorum of council**

**16** (1) A quorum of the council is

- (a) 1, if the council consists of one member,
  - (b) 2, if the council consists of 2, 3 or 4 members,
  - (c) 3, if the council consists of 5 or 6 members, and
  - (d) 4, if the council consists of 7 members.
- (2) Council members must be present in person at the council meeting to be counted in establishing quorum.

**Council meetings**

- 17** (1) At the option of the council, council meetings may be held by electronic means, so long as all council members and other participants can communicate with each other.
- (2) If a council meeting is held by electronic means, council members are deemed to be present in person.
- (3) Owners may attend council meetings as observers.



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(4) Despite subsection (3), no observers may attend those portions of council meetings that deal with any of the following:

- (a) bylaw contravention hearings under section 135 of the Act;
- (b) rental restriction bylaw exemption hearings under section 144 of the Act;
- (c) any other matters if the presence of observers would, in the council's opinion, unreasonably interfere with an individual's privacy.

**Voting at council meetings**

**18** (1) At council meetings, decisions must be made by a majority of council members present in person at the meeting.

(2) Unless there are only 2 strata lots in the strata plan, if there is a tie vote at a council meeting, the president may break the tie by casting a second, deciding vote.

(3) The results of all votes at a council meeting must be recorded in the council meeting minutes.

**Council to inform owners of minutes**

**19** The council must inform owners of the minutes of all council meetings within 2 weeks of the meeting, whether or not the minutes have been approved.

**Delegation of council's powers and duties**

**20** (1) Subject to subsections (2) to (4), the council may delegate some or all of its powers and duties to one or more council members or persons who are not members of the council, and may revoke the delegation.

(2) The council may delegate its spending powers or duties, but only by a resolution that

- (a) delegates the authority to make an expenditure of a specific amount for a specific purpose, or
- (b) delegates the general authority to make expenditures in accordance with subsection (3).

(3) A delegation of a general authority to make expenditures must

- (a) set a maximum amount that may be spent, and

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- (b) indicate the purposes for which, or the conditions under which, the money may be spent.
- (4) The council may not delegate its powers to determine, based on the facts of a particular case,
  - (a) whether a person has contravened a bylaw or rule,
  - (b) whether a person should be fined, and the amount of the fine, or
  - (c) whether a person should be denied access to a recreational facility.

**Spending restrictions**

- 21** (1) A person may not spend the strata corporation's money unless the person has been delegated the power to do so in accordance with these bylaws.
- (2) Despite subsection (1), a council member may spend the strata corporation's money to repair or replace common property or common assets if the repair or replacement is immediately required to ensure safety or prevent significant loss or damage.

**Limitation on liability of council member**

- 22** (1) A council member who acts honestly and in good faith is not personally liable because of anything done or omitted in the exercise or intended exercise of any power or the performance or intended performance of any duty of the council.
- (2) Subsection (1) does not affect a council member's liability, as an owner, for a judgment against the strata corporation.

**Division 4 — Enforcement of Bylaws and Rules**

**Maximum fine**

- 23** The strata corporation may fine an owner or tenant a maximum of
- (a) \$200 for each contravention of a bylaw, and
  - (b) \$50 for each contravention of a rule.
- (Amended 2021-02-21, CA9059662)*

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**Continuing contravention**

**24** If an activity or lack of activity that constitutes a contravention of a bylaw or rule continues, without interruption, for longer than 7 days, a fine may be imposed every 7 days.

**Division 5 — Annual and Special General Meetings**

**Person to chair meeting**

- 25** (1) Annual and special general meetings must be chaired by the president of the council.
- (2) If the president of the council is unwilling or unable to act, the meeting must be chaired by the vice president of the council.
- (3) If neither the president nor the vice president of the council chairs the meeting, a chair must be elected by the eligible voters present in person or by proxy from among those persons who are present at the meeting.

**Participation by other than eligible voters**

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

**Quorum at General Meetings**

- 26.1** If at call to order, there is at least three (3) units represented, those present in person or by proxy constitute a quorum

This bylaw 26.1 is an alternative to section 49(3) of the Act. This bylaw does not apply to a meeting demanded pursuant to section 43 of the Act and failure to obtain a quorum for a meeting demanded pursuant to section 43 terminates, and does not adjourn, that meeting. *(Amended 2021-02-21, CA9059662)*

**Voting**

- 27** (1) At an annual or special general meeting, voting cards must be issued to eligible voters.

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- (2) At an annual or special general meeting a vote is decided on a show of voting cards, unless an eligible voter requests a precise count.
- (3) If a precise count is requested, the chair must decide whether it will be by show of voting cards or by roll call, secret ballot or some other method.
- (4) The outcome of each vote, including the number of votes for and against the resolution if a precise count is requested, must be announced by the chair and recorded in the minutes of the meeting.
- (5) If there is a tie vote at an annual or special general meeting, the president, or, if the president is absent or unable or unwilling to vote, the vice president, may break the tie by casting a second, deciding vote.
- (6) If there are only 2 strata lots in the strata plan, subsection (5) does not apply.
- (7) Despite anything in this section, an election of council or any other vote must be held by secret ballot, if the secret ballot is requested by an eligible voter.

**Order of business**

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

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

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- (l) deal with new business, including any matters about which notice has been given under section 45 of the Act;
- (m) elect a council, if the meeting is an annual general meeting;
- (n) terminate the meeting.

**Division 6 — Voluntary Dispute Resolution**

**Voluntary dispute resolution**

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

**Division 7 — Marketing Activities by Owner Developer**

**Display lot**

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

**Motor Vehicles and Parking**

- 31** (1) No owner, nor any tenant or resident of such owner’s strata lot, shall park any vehicles except within the garage attached to his strata lot or upon the driveway designated as Limited Common

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Property to this strata lot but if and only if it fits wholly within such driveway. *(Amended 2021-02-21, CA9059662)*

- (2) A maximum speed of 10 km/h shall apply within the common property. *(Amended 2021-02-21, CA9059662)*
- (3) No commercial vehicles nor any vehicles exceeding 9,000 lbs G.V.W. shall be parked or brought onto the common property without consent of the Strata Council, except when used in delivery to or removal from the Development. *(Amended 2021-02-21, CA9059662)*
- (4) No owner, nor any tenant or resident of such owner’s strata lot, shall park or bring onto the common property any trailers, boats, campers or recreation vehicles which cannot be parked or stored within the garage of his strata lot. *(Amended 2021-02-21, CA9059662)*
- (5) No parking is allowed anywhere along the common property roadways, nor in any area not specifically designated as a parking space, nor shall any vehicle be parked in a manner which will reduce the width of a common property roadway. *(Amended 2021-02-21, CA9059662)*
- (6) No major repairs or adjustments shall be made to vehicles anywhere on or about the common property nor within any Limited Common Property driveway. *(Amended 2021-02-21, CA9059662)*
- (7) An owner shall be responsible for the cleaning of any oil or fuel leakage or spills in the Limited Common Property driveway designated to his strata lot, and for any charges incurred by the Strata Corporation for cleaning such spills if he fails to do so after written notice. *(Amended 2021-02-21, CA9059662)*
- (8) An, owner, tenant or occupant must not store unlicensed or uninsured vehicles on the common property, limited common property or on land that is a common asset. *(Amended 2021-02-21, CA9059662)*
- (9) Visitors are allowed only to park in the designated Visitor areas for 3 consecutive days. Should a visitor be staying beyond this limit, written notification must be given to the strata council. *(Amended 2021-02-21, CA9059662)*
- (10) Residents are not allowed to park in the Visitor Parking Stalls. *(Amended 2021-02-21, CA9059662)*

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- (11) There shall be no derelict vehicles parked anywhere on the common property. A derelict vehicle is one, which shall be defined as being not presently roadworthy or is, in the opinion of the majority of the strata council, unsightly. (Amended 2021-02-21, CA9059662)
- (12) Vehicles shall not be parked in such a way that causes restriction to another owner’s garage or parked in the fire lane. (Amended 2021-02-21, CA9059662)
- (13) All vehicles owned and/or used by the strata lot residents must be registered with the Strata Corporation within two (2) weeks of acquisition. The registration of the vehicle(s) must include:
- the vehicle Make;
  - the vehicle Model;
  - the vehicle Colour;
  - the current License Plate Number of the vehicle.
- (Amended 2021-02-21, CA9059662)*
- (14) A vehicle cannot take up more than one parking space, or park in areas not designated as parking areas. (Amended 2021-02-21, CA9059662)
- (15) That a visiting vehicle may park a maximum of 7 out of 30 days in each 30 day period, unless pre-arranged with the strata council. (Amended 2021-02-21, CA9059662)
- (16) Any owner, tenant, occupant or visitor parked in violation of these bylaws 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. (Amended 2021-02-21, CA9059662)
- (17) Vehicles parked in such a way that causes restriction to another owner’s garage or parked in the fire lane shall be subject to tow-away at Owner’s expense. (Amended 2021-02-21, CA9059662)
- (18) If a vehicle is taking up more than one parking space, or parked in areas not designated as parking areas, it will be subject to tow-away, at the Owner’s expenses. (Amended 2021-02-21, CA9059662)
- (19) At least two (2) council members are required to make a decision as to whether an offending vehicle is to be towed. (Amended 2021-02-21, CA9059662)

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**Strata Corporation Video Surveillance**

- 31** (1) The strata corporation may install and operate a video surveillance system on the common property and shall establish a policy in compliance with the Personal Information Protection Act for the operation of the system and the use and storage of information collected by it. Owners, tenants and occupants of the strata corporation are hereby deemed to have consented to the use, collection and disclosure of information recorded by the system so long as the same is done in accordance with the terms of the policy established pursuant to this bylaw. Such use, collection and disclosure shall include the investigation of serious breaches of the bylaws (as defined by the policy). *(Amended 2021-02-21, CA9059662)*

**Owner Video Surveillance**

- 32** (1) Video equipment may be installed and operated to surveil strata lot entrances subject to Council approval of the equipment and installation location and subject to a policy that shall be established in compliance with the Personal Information Act for the operation of the equipment and the use and storage of information collected by it.

Owners, tenants and occupants of the strata corporation are hereby deemed to have consented to the use, collection and disclosure of information recorded by the system so long as the same is done in accordance with the terms of the policy established pursuant to this bylaw. *(Amended 2021-02-21, CA9059662)*

**Smoking**

- 33** (1) Smoking (Tobacco and Marijuana) and vaping is prohibited:

- (a) On common property including the child's play ground and the Amenity Centre
- (b) Within 7.5 meters near any door, window or air intake per the City of Surrey bylaw; and
- (c) Any land that is a common asset.

*(Amended 2021-02-21, CA9059662)*

- (2) All persons, including but not limited to owners, tenants, occupants and visitors must comply with this bylaw. *(Amended 2021-02-21, CA9059662)*

- (3) Council must make reasonable accommodation, pursuant to section 8 of the Human Rights Code and the whole of the Code for a resident who has proven by medical evidence that he or she is physically and or mentally disabled and is unable to control his or her addiction to nicotine or marijuana. Whether the resident has proven the disability will be determined at the sole reasonable discretion of the Strata Council. What accommodation will be made will be based on all of the circumstances and the accommodation may include but is not limited to:



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- (a) allowing smoking in one or more designated areas of the common property; and or  
(Amended 2021-02-21, CA9059662)
- (2) Reasonable accommodation granted to pursuant to subsection 3 may be for a fixed period of time at which time the resident is free to re-apply to the Strata Council for further reasonable accommodation to be made. (Amended 2021-02-21, CA9059662)
- (3) In addition to accommodation made under subsection 3, reasonable accommodation will be made by the Strata Council if a resident proves that to not allow smoking would result in other discrimination prohibited by the Human Rights Code. Strata Council, in its sole reasonable discretion, will determine whether or not the resident has proven that to not allow smoking would be discriminatory pursuant to the Human Rights Code. The Strata Council will make reasonable accommodation in the case where a resident intends to use tobacco or marijuana in relation to a traditional aboriginal, cultural activity or smoking is intended to be done by a prescribed group for prescribed purpose. In making the accommodation, the Strata Council will only do so in writing and may prescribe in writing when the permission is granted for, the duration of the permission and where smoking will be allowed. *(Amended 2021-02-21, CA9059662)*

**Production of Medical Marijuana**

- 34** (1) An owner, tenant or occupant must not permit a marijuana grow operation or production facility or allow such activities to operate or function within or outside of a strata lot, regardless of whether such operation is licensed or otherwise permitted by a government authority. *(Amended 2021-02-21, CA9059662)*
- (2) Should any owner, tenant or occupant violate this bylaw, any resultant increase in the insurance premium of the Strata Corporation must be borne solely by the owner of the strata lot regardless whether the owner had any knowledge or involvement in such violation. These costs will be payable within fourteen (14) days of written notification from the Strata Corporation. Nothing in this bylaw will be construed as a restriction on the rights of the strata corporation to pursue all remedies against the offending owner, tenant or occupant at law injunctive relief. *(Amended 2021-02-21, CA9059662)*

**Production of Illegal Substances**

- 35** (1) An owner, tenant or occupant must not produce illegal substances or all such activities to operate or function within or outside of a strata lot. *(Amended 2021-02-21, CA9059662)*

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- (2) Should any owner, tenant or occupant violate this bylaw, any resultant increase in the insurance premium of the Strata Corporation must be borne solely by the owner of the strata lot regardless whether the owner had any knowledge or involvement in such violation. These costs will be payable within fourteen (14) days of written notification from the Strata Corporation. Nothing in this bylaw will be construed as a restriction on the rights of the strata corporation to pursue all remedies against the offending owner, tenant or occupant at law injunctive relief. *(Amended 2021-02-21, CA9059662)*

**Indemnification and Insurance Deductible** *(Amended 2023-05-10, CB610724)*

- 36** (1) 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, common assets or a strata lot for which the owner, or any member of his or her family or tenant or their guests, servants, agents or invitees is responsible but only to the extent that such expense is not met by the proceeds of insurance carried by the strata corporation. *(Amended 2023-05-10, CB610724)*
- (2) An owner shall indemnify and save harmless the strata corporation from the expense of any investigation rendered necessary to the common property, common assets or a strata lot if, at the conclusion of the investigation, it is determined that the cause of the problem is either a part of a strata lot that is the responsibility of an owner to repair, or arises as a result of an alteration to a strata lot or common property for which the owner is responsible to repair. *(Amended 2023-05-10, CB610724)*
- (3) In the event that loss or damage occurs to common property, common assets or any strata lot that gives rise to a valid claim under the strata corporation’s insurance policy, the owner shall reimburse the strata corporation for the deductible portion of the insurance claim if the owner or any member of his or her family or tenant or their guests, servants, agents or invitees is responsible for the loss or damage that gave rise to the claim. *(Amended 2023-05-10, CB610724)*
- (4) Where an owner, tenant, occupant or visitor does or permits anything to be done that is illegal or for any reason invalidates the strata corporation’s insurance, the owner must indemnify and save harmless the strata corporation from the expense of any maintenance, repair or replacement of any damage to the common property, common assets or strata lots. *(Amended 2023-05-10, CB610724)*
- (5) For the purpose of this bylaw, any costs for which a strata lot owner is responsible shall be considered as an expense chargeable to the owner and shall be added to and become a part of the assessment of that owner for the month next following the date on which the expense was

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incurred and shall become due and payable on the date of payment of the monthly assessment.  
*(Amended 2023-05-10, CB610724)*

- (6) An owner who fails to pay the cost of repair or remedying the loss or damage when due shall reimburse the strata corporation and save it harmless against any and all costs and expenses required to collect such reimbursement, whether by Court action or other means and including council member or management costs associated with lost time from employment, strata management costs and legal costs, comprised of legal fees, taxes, disbursements and other related expenses, as between a solicitor and his own client or on a full indemnity basis.  
*(Amended 2023-05-10, CB610724)*

**37 - Rentals**

If the strata corporation, in accordance with section 138 of the Act, takes steps in the Residential Tenancy Branch, the Civil Resolution Tribunal and/or the courts to terminate tenancy agreement due to a repeated or continuing contravention of a reasonable and significant bylaw or rule by a tenant of a strata lot that seriously interferes with another person's use and enjoyment of another strata lot, the common property or the common assets, the landlord of the applicable strata lot must reimburse the strata corporation for its legal costs, on a full indemnity basis, in connection with any such steps.

**38 - Voting**

*The Council may discuss, vote on and decide matters outside Council meetings by telephone, email or any other electronic means and such decisions shall have the same immediate effect as if the decision was made at a Council meeting provided that:*

- (a) the decision is made by a majority of the Council members,*
- (b) all Council members are included in the electronic communication discussing and voting on the matter, and*
- (c) all Council members are given one week to respond and vote on the matter, unless:*
  - (i) all Council members agree to a shorter time period to discuss and vote on the matter, or*
  - (ii) an immediate decision is required to address an emergency.*

*Any decision made under subsection (5) shall be recorded in the minutes of the Council meeting following the decision.*

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**39 – Annual Fire Inspection**

The Annual Fire Inspection process will take place as follows:

- Technicians will be on site to perform in-suite and common area testing. This will be paid for by the Strata Corporation.
- A report will be sent to the strata advising on common area deficiencies and missed units.
- A second date will be provided for the technicians to attend the common area items as well as provide a second chance for units to provide suite access.
- A final report on missed units will be presented.
- At this time, all units who have not provided access will be sent bylaw violation letters and a demand to have their in-suite devices tested.
- Failure to provide a response or proof of inspection will result in a \$200.00 fine and a chargeback on the account for the cost of the testing.

**40 – Harassment**

Every owner, tenant or occupant of a strata lot and every employee, contractor or agent of the strata corporation is entitled to use and enjoy the strata lots and common property (including limited common property) free from harassment or abuse of any kind, (whether in person, over the telephone or in writing) which includes but is not limited to:

- (a) verbal abuse or threats of any kind,
- (b) physical abuse which includes but is not limited to unwelcome touching or threats of unwelcome touching, or
- (c) unwelcome remarks, jokes, slurs, or taunting about a person’s race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender or age.

Upon being notified by another owner, tenant or occupant verbally or in writing (a “Notifying Person”), no owner, tenant or occupant may deliver any emails, notices, or any written communications of any kind to the strata lot of any Notifying Person, except for communication that is from the strata corporation or that is authorized to be delivered to a Notifying Person under the Act, the Strata Property Regulation or these bylaws.

**41 – Yards**

Yards and beds must be kept in a tidy and presentable manner

No installation of any invasive plant species. Please use the link below for more information:  
<https://www.surrey.ca/renovating-building-development/trees-yard-garden/invasive-plants>

Plants must not attach themselves to the building envelope – this leads to moisture retention that can damage the siding, as well as provide ingress points for pests

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**42 – Blinds**

A resident must ensure that blinds visible from the outside of the building are white in colour; thereby keeping with the color of the blinds installed by the Developer.

**43 – Realtor Signage and Lockboxes**

An owner must not allow a Realtor to attach a Realtor lock box to the building exterior or to any common or limited common property.

An Owner must not allow or they themselves install any realtor signage on common or limited common property.