

***Bylaws***  
***of***  
***Vivo Gallery Residences VIS 6725***

555 Franklyn Street, Nanaimo, BC V9R 2X9

The Bylaws of Vivo Gallery Residences VIS 6725 are those contained in the attached Schedule of Standard Bylaws of the Strata Property Act, together with those contained in the attached Exhibit B – Owner Developers’ Notice of Different Bylaws.

The Bylaws of Vivo Gallery Residences VIS 6725 were amended to include new Bylaws #31 – Move-in Fee and #32 – Form K Document, which were approved by owners at the February 25, 2010 Annual General Meeting. Registered at Land Title Office on March 23, 2010 under Registration # FB337274.

The Bylaws of Vivo Gallery Residences VIS 6725 were amended to include new Bylaw #33 – Christmas Trees, which was approved by owners at the March 1, 2011 Annual General Meeting. Registered at Land Title Office on April 15, 2011, under Registration # FB410011.

The Bylaws of Vivo Gallery Residences VIS 6725 were amended to include new Bylaws: # 7(h) Cannabis and/or Any Other Drugs; and # 34 – Smoking; and # 35 – Security & Video Surveillance. These new bylaws were approved by owners at the March 21, 2018 Annual General Meeting. Registered at Land Title Office on May 8, 2018 under Registration # CA6785346.

Exhibit B

**Strata Property Act**

**FORM Y**

**OWNER DEVELOPERS' NOTICE OF DIFFERENT BYLAWS**

*(Section 245(d); Regulations section 14.6(2))*

Re: PID: 028-372-967  
Lot 1 Section 1 Nanaimo District, Plan VIP79283

The following or attached bylaws differ from the Standard Bylaws to the *Strata Property Act* permitted by section 120 of the Act:

1. Bylaw 3(4) is amended by:
  - (a) deleting the words "on a strata lot other than one or more of the following;" therefrom and substituting the words "on or in a strata lot other than as follows:" therefor;
  - (b) deleting sub-paragraphs (a), (b), (c) and (d) thereof and substituting the following therefor:
    - "(a) a reasonable number of fish or other small aquarium animals; and
    - (b) any combination of the following not exceeding a total of three (3) animals:
      - (i) no more than three (3) small caged mammals;
      - (ii) no more than two (2) caged birds;
      - (iii) no more than two (2) dogs (each of which may not exceed 15 kilograms when fully grown); and
      - (iv) no more than two (2) cats."; and
    - (c) adding the following to the end thereof: "Under no circumstances shall a pet be kept on or in the common property of the strata corporation unless travelling to and from the owner's suite in which case the pet shall be leashed. A pet kept on limited common property shall be leashed."
2. Bylaw 3 is further amended by adding the following as Bylaws 3(5), 3(6), 3(7), 3(8) and 3(9):

- "(5) Parking stalls shall only be used for parking passenger vehicles owned or leased by persons who are occupants of the building or temporary visitors of such residents. The right to use the parking stalls shall cease upon a person ceasing to reside in the building.
- (6) All owners are responsible for minimizing noise in their suites. If hard surface floors are installed after the original occupancy, they must be installed with proper acoustic materials to minimize any noise emanating therefrom.
- (7) An owner, tenant, occupant or visitor shall not:
  - (a) hang or place any window drapes, blinds, signs or other objects which will adversely affect the consistency of the exterior appearance of the building;
  - (b) use or permit the use of a strata lot in the Residential Section (as defined hereof) other than as a single family residence;
  - (c) erect, place, keep or display signs, billboards, advertising matter or notice or display of any kind on the common property, limited common property or, in a strata lot in any manner which may be visible from the outside of the strata lot (other than "for sale" signs which may be placed in that area of the common property designated for that purpose from time to time by the strata council);
  - (d) deposit household refuse and garbage on or about the common property or limited common property except in places designated by the strata council from time to time. Any materials, other than ordinary household refuse and garbage, shall be disposed of either by or at the expense of the owner;
  - (e) throw out material, especially burning material such as cigarettes or matches or permit material to fall out of any window, door, balcony, patio, stairwell, passage or other part of the strata lots or common property;
  - (f) allow or permit his or her pet's waste to remain on the common property and shall take all reasonable measures to control and be responsible for any approved pets in or about the strata lot, common property and limited common property;
  - (g) store any perishable or hazardous material or items that may deteriorate or attract pests in the locker area."
- 3. Bylaw 5 is amended by adding the following to the end thereof as Bylaw 5(4):
  - "(4) Only licensed and qualified plumbers, electricians and other trades shall be retained by an owner to carry out electrical, plumbing or other work in a strata lot."
- 4. Bylaw 6 is amended by adding the following to the end thereof as Bylaw 6(3):

"(3) Any maintenance or alteration to the heating and ventilating system and the fire sprinkler system shall be carried out by a company retained by the strata corporation to maintain the heating and ventilating system, and/or the fire sprinkler system."

5. The following shall be added to the end of the Bylaws as Division 8 - Separate Sections within Strata Corporation:

**"Division 8 — Separate Sections within Strata Corporation**

**8. Creation of separate sections**

31.

- (1) The owners of all the residential strata lots, excluding strata lot 15, 43, 61, 62, and 63, shall form a separate section (the "Residential Section") within the strata corporation consisting of all the residential strata lots in the Strata Plan.
- (2) The owners of all the non-residential strata lots, being strata lot 15, 43, 61, 62 and 63, shall form a separate section (the "Commercial Section") within the strata corporation consisting of all the non-residential strata lots in the Strata Plan.

**Obligations of separate sections**

32.

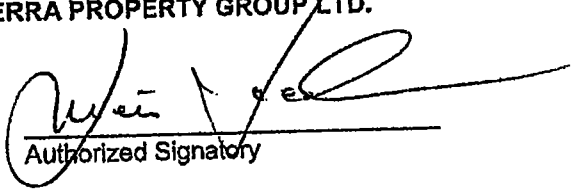
- (1) Subject to the provisions of the Strata Property Act and without limiting the generality of Section 194 of the Strata Property Act, each of the Residential Section and the Commercial Section shall:
  - (a) control, manage and administer the limited common property appurtenant to the separate section, facilities common to the separate section and other assets of the strata corporation for the benefit of all members of the separate section;
  - (b) keep in a state of good and serviceable repair and properly maintain the fixtures, fittings, including without limitation the elevators and other apparatus and equipment used in connection with the limited common property appurtenant to the separate section and common property to be controlled, managed and administered by either separate section, as described below, facilities common to the separate section or other assets of the separate section;
  - (c) maintain all areas common to the separate section, both internal and external, including without limitation storage areas, public halls and parking areas; and
  - (d) maintain the limited common property appurtenant to the separate section in a safe and attractive condition.

- (2) For the purposes of allocating common expenses between the Residential Section and the Commercial Section and subject to the provisions of the Strata Property Act (in particular, Section 195 thereof), the following shall apply:
- (a) the Commercial Section shall be responsible for all expenses of the strata corporation that relate solely to the limited common property designated for the exclusive use of the Commercial Section;
  - (b) the Residential Section shall be responsible for all expenses of the strata corporation that relate solely to the limited common property designated for the exclusive use of the Residential Section;
  - (c) the Residential Section and the Commercial Section shall share all expenses in connection with any common property shared by both sections as allocated by the strata corporation; and
  - (d) any other strata corporation expenses that benefit only the Residential Section or the Commercial Section shall be borne by such benefiting section."

Date: March 3, 2006.

**ALTERRA PROPERTY GROUP LTD.**

Per:

  
Authorized Signatory

## Schedule of Standard Bylaws

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

#### Payment of strata fees

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

#### Repair and maintenance of property by owner

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

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

#### Use of property

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

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

(b) causes unreasonable noise,

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

(d) is illegal, or

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

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

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

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

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

**Inform strata corporation**

4 (1) Within 2 weeks of becoming an owner, an owner must inform the strata corporation of the owner's name, strata lot number and mailing address outside the strata plan, if any.

(2) On request by the strata corporation, a tenant must inform the strata corporation of his or her name.

**Obtain approval before altering a strata lot**

5 (1) An owner must obtain the written approval of the strata corporation before making an alteration to a strata lot that involves any of the following:

- (a) the structure of a building;
- (b) the exterior of a building;
- (c) chimneys, stairs, balconies or other things attached to the exterior of a building;
- (d) doors, windows or skylights on the exterior of a building, or that front on the common property;
- (e) fences, railings or similar structures that enclose a patio, balcony or yard;
- (f) common property located within the boundaries of a strata lot;
- (g) those parts of the strata lot which the strata corporation must insure under section 149 of the Act.

(2) The strata corporation must not unreasonably withhold its approval under subsection (1), but may require as a condition of its approval that the owner agree, in writing, to take responsibility for any expenses relating to the alteration.

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

**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;

(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.

#### **Replacing council member**

12 (1) If a council member resigns or is unwilling or unable to act for a period of 2 or more months, the remaining members of the council may appoint a replacement council member for the remainder of the term.

(2) A replacement council member may be appointed from any person eligible to sit on the council.

(3) The council may appoint a council member under this section even if the absence of the member being replaced leaves the council without a quorum.

(4) If all the members of the council resign or are unwilling or unable to act for a period of 2 or more months, persons holding at least 25% of the strata corporation's votes may hold a special general meeting to elect a new council by complying with the provisions of the Act, the regulations and the bylaws respecting the calling and holding of meetings.

#### **Officers**

13 (1) At the first meeting of the council held after each annual general meeting of the strata corporation, the council must elect, from among its members, a president, a vice president, a secretary and a treasurer.

(2) A person may hold more than one office at a time, other than the offices of president and vice president.

(3) The vice president has the powers and duties of the president

(a) while the president is absent or is unwilling or unable to act, or

(b) for the remainder of the president's term if the president ceases to hold office.

(4) If an officer other than the president is unwilling or unable to act for a period of 2 or more months, the council members may appoint a replacement officer from among themselves for the remainder of the term.

**Calling council meetings**

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

(2) The notice does not have to be in writing.

(3) A council meeting may be held on less than one week's notice if

(a) all council members consent in advance of the meeting, or

(b) the meeting is required to deal with an emergency situation, and all council members either

(i) consent in advance of the meeting, or

(ii) are unavailable to provide consent after reasonable attempts to contact them.

(4) The council must inform owners about a council meeting as soon as feasible after the meeting has been called.

**Requisition of council hearing**

15 (1) By application in writing, stating the reason for the request, an owner or tenant may request a hearing at a council meeting.

(2) If a hearing is requested under subsection (1), the council must hold a meeting to hear the applicant within one month of the request.

(3) If the purpose of the hearing is to seek a decision of the council, the council must give the applicant a written decision within one week of the hearing.

**Quorum of council**

16 (1) A quorum of the council is

(a) 1, if the council consists of one member,

(b) 2, if the council consists of 2, 3 or 4 members,

(c) 3, if the council consists of 5 or 6 members, and

(d) 4, if the council consists of 7 members.

(2) Council members must be present in person at the council meeting to be counted in establishing quorum.

#### **Council meetings**

17 (1) At the option of the council, council meetings may be held by electronic means, so long as all council members and other participants can communicate with each other.

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

(3) Owners may attend council meetings as observers.

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

(a) bylaw contravention hearings under section 135 of the Act;

(b) rental restriction bylaw exemption hearings under section 144 of the Act;

(c) any other matters if the presence of observers would, in the council's opinion, unreasonably interfere with an individual's privacy.

#### **Voting at council meetings**

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

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

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

#### **Council to inform owners of minutes**

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

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

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

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

(a) delegates the authority to make an expenditure of a specific amount for a specific purpose, or

(b) delegates the general authority to make expenditures in accordance with subsection (3).

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

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

(b) indicate the purposes for which, or the conditions under which, the money may be spent.

(4) The council may not delegate its powers to determine, based on the facts of a particular case,

(a) whether a person has contravened a bylaw or rule,

(b) whether a person should be fined, and the amount of the fine, or

(c) whether a person should be denied access to a recreational facility.

#### **Spending restrictions**

**21** (1) A person may not spend the strata corporation's money unless the person has been delegated the power to do so in accordance with these bylaws.

(2) Despite subsection (1), a council member may spend the strata corporation's money to repair or replace common property or common assets if the repair or replacement is immediately required to ensure safety or prevent significant loss or damage.

#### **Limitation on liability of council member**

**22** (1) A council member who acts honestly and in good faith is not personally liable because of anything done or omitted in the exercise or intended exercise of any power or the performance or intended performance of any duty of the council.

(2) Subsection (1) does not affect a council member's liability, as an owner, for a judgment against the strata corporation.

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

##### **Maximum fine**

**23** The strata corporation may fine an owner or tenant a maximum of

- (a) \$50 for each contravention of a bylaw, and
- (b) \$10 for each contravention of a rule.

##### **Continuing contravention**

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

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

##### **Person to chair meeting**

**25** (1) Annual and special general meetings must be chaired by the president of the council.

(2) If the president of the council is unwilling or unable to act, the meeting must be chaired by the vice president of the council.

(3) If neither the president nor the vice president of the council chairs the meeting, a chair must be elected by the eligible voters present in person or by proxy from among those persons who are present at the meeting.

##### **Participation by other than eligible voters**

**26** (1) Tenants and occupants may attend annual and special general meetings, whether or not they are eligible to vote.

(2) Persons who are not eligible to vote, including tenants and occupants, may participate in the discussion at the meeting, but only if permitted to do so by the chair of the meeting.

(3) Persons who are not eligible to vote, including tenants and occupants, must leave the meeting if requested to do so by a resolution passed by a majority vote at the meeting.

### **Voting**

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

### **Order of business**

- 28** The order of business at annual and special general meetings is as follows:
- (a) certify proxies and corporate representatives and issue voting cards;
  - (b) determine that there is a quorum;
  - (c) elect a person to chair the meeting, if necessary;
  - (d) present to the meeting proof of notice of meeting or waiver of notice;
  - (e) approve the agenda;
  - (f) approve minutes from the last annual or special general meeting;
  - (g) deal with unfinished business;
  - (h) receive reports of council activities and decisions since the previous annual general meeting, including reports of committees, if the meeting is an annual general meeting;

- (i) ratify any new rules made by the strata corporation under section 125 of the Act;
- (j) report on insurance coverage in accordance with section 154 of the Act, if the meeting is an annual general meeting;
- (k) approve the budget for the coming year in accordance with section 103 of the Act, if the meeting is an annual general meeting;
- (l) deal with new business, including any matters about which notice has been given under section 45 of the Act;
- (m) elect a council, if the meeting is an annual general meeting;
- (n) terminate the meeting.

### **Division 6 — Voluntary Dispute Resolution**

#### **Voluntary dispute resolution**

**29 (1)** A dispute among owners, tenants, the strata corporation or any combination of them may be referred to a dispute resolution committee by a party to the dispute if

- (a) all the parties to the dispute consent, and
- (b) the dispute involves the Act, the regulations, the bylaws or the rules.

**(2)** A dispute resolution committee consists of

(a) one owner or tenant of the strata corporation nominated by each of the disputing parties and one owner or tenant chosen to chair the committee by the persons nominated by the disputing parties, or

(b) any number of persons consented to, or chosen by a method that is consented to, by all the disputing parties.

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



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

**Display lot**

**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.

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**Strata Property Act**

**Form I**

**AMENDMENT TO BYLAWS**

*(Section 128)*

The Owners, Strata Plan VIS 6725 certifies that the following or attached amendments to the bylaws of the Strata Corporation were approved by a resolution passed in accordance with Section 128 of the *Strata Property Act* at an Annual General Meeting held on February 25, 2010. \*

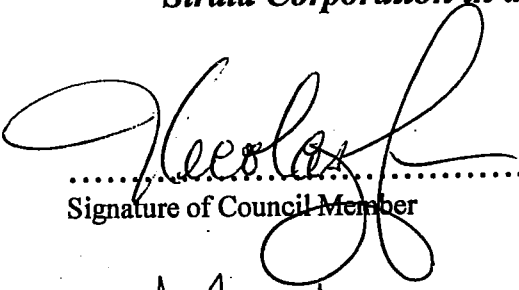
**Two New Bylaws:**

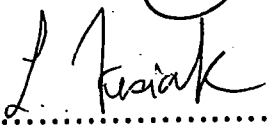
**Bylaw #31 – Move-in Fee**

*“Be it resolved that all owners at Vivo Gallery Residences VIS 6725 shall pay a \$50.00 (fifty dollar) non-refundable move-in fee to the Strata Corporation, before each and every move into their unit by the owner or their tenant.”*

**Bylaw #32 – Form K Document**

*“The Form K (Notice of Tenant’s Responsibilities) must be provided to the Strata Corporation in accordance with Section 146 of the Strata Property Act.”*

  
.....  
Signature of Council Member

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

\* Section 128 (3) of the Act provides that an Amendment to Bylaws must be filed in the Land Title Office within 60 days of the amendment being approved.

*Strata Property Act*

Form I

AMENDMENT TO BYLAWS

COPY

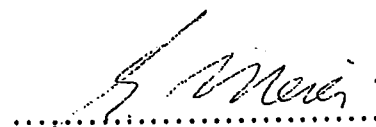
(Section 128)

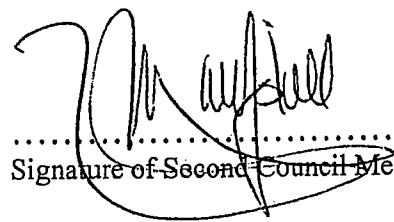
The Owners, Strata Plan VIS 6725 certifies that the following or attached amendments to the bylaws of the Strata Corporation were approved by a resolution passed in accordance with Section 128 of the *Strata Property Act* at an Annual General Meeting held on March 1, 2011.

**New Bylaw:**

**Bylaw # 33 – Christmas Trees**

*“Be it resolved that only potted Christmas trees or artificial Christmas trees are allowed in any Strata Lot or any part of the common property at Vivo Gallery Residences VIS 6725.”*

  
.....  
Signature of Council Member

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

- Your electronic signature is a representation by you that:
  - you are a subscriber; and
  - you have incorporated your electronic signature into
    - this electronic application, and
    - the imaged copy of each supporting document attached to this electronic application,
 and have done so in accordance with Sections 168.3 and 168.41(4) of the *Land Title Act*, RSBC 1996, C.250.
- Your electronic signature is a declaration by you under Section 168.41 of the *Land Title Act* in respect of each supporting document required in conjunction with this electronic application that:
  - the supporting document is identified in the imaged copy of it attached to this electronic application;
  - the original of the supporting document is in your possession; and
  - the material facts of the supporting document are set out in the imaged copy of it attached to this electronic application.

Steele Althouse AFVQU4	Digitally signed by Steele Althouse AFVQU4 Date: 2018.05.08 08:13:03 -07'00'
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Each term used in the representation and declaration set out above is to be given the meaning ascribed to it in Part 10.1 of the *Land Title Act*.

1. CONTACT: (Name, address, phone number)

**ALTHOUSE NOTARY CORPORATION**  
**6 - 1200 PRINCESS ROYAL AVENUE**

File No: 21553  
File Name: Westcoast Strata

NANAIMO BC V9S 3Z7

Document Fees: \$28.63

Deduct LTSA Fees? Yes

2. IDENTIFICATION OF ATTACHED STRATA PROPERTY ACT FORM OR OTHER SUPPORTING DOCUMENT:

Form-I Amendment to Bylaws

LTO Document Reference:

3. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID] [LEGAL DESCRIPTION]

**NO PID NMBR THE OWNERS, STRATA PLAN VIS6725**

Related Plan Number: **VIS6725**

# ***Strata Property Act***

## **Form I**

### **AMENDMENT TO BYLAWS**

#### ***(Section 128)***

The Owners, Strata Plan VIS 6725 certify that the following, or attached amendments to the bylaws of the Strata Corporation were approved by a resolution passed in accordance with Section 128 of the *Strata Property Act* at the Annual General Meeting held on March 21, 2018.

#### **New Bylaw # 7(h) - Cannabis and/or any other drugs**

***"An owner, tenant, occupant, or visitor shall not:***

***grow, produce, process, or manufacture cannabis or any other drugs in a Strata Lot, on Common Property, or Limited Common Property."***

#### **New Bylaw # 34 - Smoking**

***34 (a) Smoking is prohibited:***

- (i) on a Limited Common Property patio, deck or balcony;***
  - (ii) in a Strata Lot;***
  - (iii) within three (3) metres of an exterior door, window or air intake; and***
  - (iv) on the exterior Common Property, including but not limited to, the parkade, stairwells, hallways, elevators, electrical, mechanical and other rooms, stairs and other interior common areas.***
- (b) "Smoking" for the purposes of this bylaw, means releasing into the air gases, particles, or vapors as a result of combustion, electrical ignition or vaporization, when the apparent or usual purpose of the combustion, electrical ignition or vaporization is human inhalation of the by-products, except when the combusting or vaporizing material contains no tobacco or nicotine and the purpose of inhalation is solely olfactory, such as, for example, smoke from incense. The term "Smoking" includes, but is not limited to, tobacco smoking, smoking using electronic vapors, marijuana smoking, crack cocaine smoking and other similar substances.***
- (c) Subject to the Human Rights Code, all persons, including but not limited to, owners, tenants, occupants ("Residents") and visitors, must comply with this bylaw.***

- (d) *The Council may upon written application from an owner or tenant provide reasonable accommodation to a Resident if it is satisfied based on medical or satisfactory evidence that the refusal to allow smoking would result in discrimination prohibited by the Human Rights Code.*
- (e) *Once the Council establishes that the Resident is suffering from a disability, then the Council will determine the nature and extent of any accommodation based on a review of all the facts and circumstances, including input from other occupants, and may provide reasonable accommodation including, but not limited to, the following:*
  - (i) *allow smoking in one or more of the designated areas of the Common Property; and*
  - (ii) *impose conditions on the grant of reasonable accommodation related to the scope, duration and purpose for the accommodation and any requirement to reapply for future accommodation.*

**New Bylaw # 35 - Security and Video Surveillance**

***Security Camera***

- (1) *The owners authorize the Strata Corporation to install and operate a closed-circuit television camera system ("CCTV") solely for purposes of the safety and security of Residents of the Strata Corporation and the protection of common property and common assets.*
- (2) *The Strata Corporation shall be responsible to maintain the computerized records for the CCTV systems in a secure location to prevent unauthorized access to the records and to protect the personal information collected by the CCTV systems.*
- (3) *The privacy office shall be responsible to address all requests for access to the records of the CCTV system in accordance with the provisions of the Personal Information and Privacy Act ("PIPA").*
- (4) *The CCTV camera system is a video surveillance system with cameras that are motion-activated and operate 24 hours a day and 7 days a week.*
- (5) *The owners authorize the Strata Corporation to install CCTV cameras as the Council in its discretion considers necessary to meet the objectives of safety and security of the Strata Corporation and its residents.*

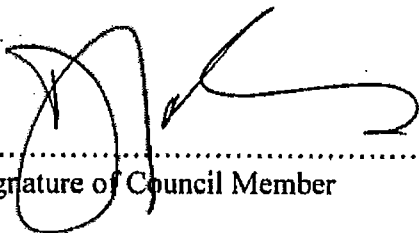
- (6) *The Strata Corporation will install signs warning that an area is monitored by video surveillance.*
- (7) *No cameras shall be positioned to record areas beyond the boundaries of the Strata Corporation's lands, to capture images peripherally or to capture images through a window of any building.*
- (8) *Recordings from the CCTV cameras shall be stored on a DVR hard drive located in a secured location designated by the Council from time to time.*
- (9) *The video records shall only be accessed in the event of a breach of safety or security, and 2 Council members or a Council member and the strata manager must be present at all times during to view the recording.*
- (10) *Video recordings on the DVR hard drive are stored for approximately 30 days, at which time they will be overwritten with new recordings.*

**Privacy Policy**

- (11) *The Strata Corporation will not collect, use or disclose personal information of a Resident except for the identified purposes set out in this bylaw or as otherwise permitted by law without the Resident's consent which may be given either orally or in writing.*

**Electronic Recording**

- (12) *The Strata Corporation will only collect, use or disclose the personal information that is necessary to fulfill the identified purposes set out in this bylaw and will not collect, use or disclose personal information in other circumstances without the prior consent of the Resident.*



.....  
Signature of Council Member



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

## **Vivo Gallery Residences VIS 6725**

### **Strata Corporation Rules**

These Strata Corporation Rules were approved by Strata Council at the April 14, 2009 Strata Council Meeting.

Ratified by The Owners VIS 6725 at the February 25, 2010 Annual General Meeting.

- 1. Smoking is strictly prohibited on common property.**
  - 2. All vehicles in the underground parking garage must be insured.**
  - 3. No storage of any kind is allowed in the underground parking garage, with the exception of bicycles on the racks installed by Strata Council.**
  - 4. The lawns, landscaping and walkways shall not be used for storage or parking or be obstructed in any way. No bicycles, toys, trash cans or recycle bins, or other personal property shall obstruct the entrance ways, walkways, parking or other common areas.**
  - 5. Westcoast Strata Management Services must be notified at least 72 hours, prior to an owner or tenant moving in or out.**
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A motion was made to adopt the following Strata Corporation rule at the March 1, 2011 Annual General Meeting:

- 6. No sheds may be erected on ground floor patios at Vivo Gallery Residences.**