



1. Contact

Document Fees: \$33.01

Colyvan Pacific Real Estate Management Services Ltd
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2. Identification of Attached Strata Property Act Form or Other Supporting Document

Application Type

LTO Document Reference

Form-I Amendment to Bylaws

3. Description of Land

PID/Plan Number

Legal Description

VIS830

THE OWNERS, STRATA PLAN VIS830

Electronic Signature

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

Alan Ives Chim
X41LC2

Digitally signed by
Alan Ives Chim X41LC2
Date: 2025-11-20
09:44:06 -08:00

Strata Property Act
Form I
Amendments to Bylaws
(Section 128)

The Owners, **Strata Plan VIS 830** certify that the following or attached amendments to the bylaws of the strata corporation were approved by a resolution passed in accordance with section 128 of the *Strata Property Act* at an annual general meeting held on November 19, 2025.

WHEREAS the current Bylaw of the Strata Corporation provides for a 30-minute delay before a general meeting may proceed without quorum; and

AND WHEREAS the Council has determined that this delay causes unnecessary inconvenience and administrative inefficiency; and

AND WHEREAS the Strata Property Act permits the Strata Corporation to establish its own procedures for adjournment and quorum through bylaw amendment;

THEREFORE, BE IT RESOLVED by **THE OWNERS, STRATA PLAN VIS 830** (the "Strata Corporation") hereby agree to repeal the following bylaw provision:

Division 6 - Quorum

1. If within fifteen (15) minutes from the time appointed for an annual or special general meeting a quorum is not present, the meeting stands adjourned to thirty (30) minutes from the appointed time at the same place but, if at the appointed time to which the meeting is adjourned a quorum is still not present, the eligible voters present in person or by proxy shall be deemed to constitute a quorum.

And approve by a $\frac{3}{4}$ vote to amend the Strata Corporation Bylaws to include the following new Bylaw provision:

Division 6 - Quorum

1. Quorum Requirement: (a) A quorum for an annual or special general meeting is as required by the Strata Property Act or the strata corporation's bylaws. (b) If a quorum is not present at the scheduled start time of the meeting, the meeting will be adjourned for a period of 15 minutes.
2. Proceeding Without Quorum: (a) If a quorum is still not present after the 15-minute adjournment, the eligible voters present in person or by proxy at that time shall constitute a quorum for the purpose of conducting the business of the meeting. (b) Decisions made in a meeting proceeding under this bylaw shall have the same force and effect as if a quorum had been present at the originally scheduled start time.



Signature of Council Member



Signature of Council Member

Strata Property Act
Form I
Amendments to Bylaws
(Section 128)

The Owners, **Strata Plan VIS 830** certify that the following or attached amendments to the bylaws of the strata corporation were approved by a resolution passed in accordance with section 128 of the *Strata Property Act* at an annual general meeting held on November 17, 2022.

BE IT RESOLVED that The Owners, Strata Plan VIS 830 agree by a $\frac{3}{4}$ vote to amend the strata corporation bylaws to include the following bylaw provision:

Part 4 – Use of Property

Division 13 - Garbage

Environmental Violations include illegal waste disposal and leaving attractants (e.g. garbage) accessible to dangerous wildlife. A person leaving attractants accessible to dangerous wildlife may be subject to fine(s) by the [BC Conservation Office](#) per clause [33.1\(2\) in the Wildlife Act](#):

A person must not leave or place an attractant in, on or about any land or premises where there are or where there are likely to be people, in a manner in which the attractant could

(a) attract dangerous wildlife to the land or premises, and

(b) be accessible to dangerous wildlife.



Signature of Council Member



Signature of Council Member

BYLAWS

OF

LONG LAKE

HEIGHTS ESTATES

STRATA PLAN VIS 830

***** Approved by 3/4 vote at the Annual General Meeting November 2, 2015***

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Part 1 - Definitions

Unless otherwise indicated, terms in these bylaws have the same meaning as those contained in the *Strata Property Act*, SBC 1998, Chapter 43 (the “Act”) and the *Strata Property Regulation*, BC Reg 43/2000 (the “Regulations”), as each may be amended from time to time.

Annual General Meeting (AGM) means the annual meeting of all owners of the strata corporation, generally held shortly after the strata corporation’s fiscal year end of September 30th.

Bylaw means the bylaws of the strata corporation, as amended from time to time.

Dispute Resolution Committee means the committee formed as part of the voluntary dispute resolution process referred to in Part 8 of these bylaws.

Eligible Voter means those persons defined in the *Act* as persons eligible to vote at an annual general meeting or special general meeting.

Council Member means a registered owner of a strata lot elected to serve on council by registered owners of the strata corporation. The spouse of an owner, who is not a registered owner, is eligible to be a council member.

Fence includes fencing structures composed of any material including, but not limited to, wood, metal, plants, or hedges.

Hearing means an opportunity to be heard in person.

Home Based Business includes any business enterprise conducted by an owner, tenant, occupant, or paying occupant from or within a strata lot which, in the opinion of the strata council creates an increased demand on strata corporation facilities and services than normally anticipated for a strata lot (e.g. additional usage of sewer, water, and garbage).

Occupant means a person who resides on a strata lot at a given time.

Owner means a person, including an owner developer, who is a person shown in the register of a land title office as the owner of a freehold estate in a strata lot, whether entitled to it in the person’s own right or in a representative capacity.

Paying Occupant means an occupant residing on a strata lot, paying a rent to the tenant or the owner as remuneration for a room or suite within the residence.

Property Manager (aka Strata Manager) means the company or entity retained, from time to time, to assist with management of the affairs of the strata corporation.

Rules mean rules enacted by the strata corporation under the *Act* to govern use, safety, and condition of common property and common assets.

Single Family Dwelling means a building that consists of one dwelling unit used, or intended to be used, as a residence for only one family.

Special General Meeting (SGM) means a meeting of the owners of the strata corporation, other than an annual general meeting.

Standard Motor Vehicle gross vehicle weight rating under 5,500 kg, under 6.1m (20ft) length & under 2.1m (7ft) high that can park within a 200 square foot parking space.

Strata Corporation means The Owners, Strata Plan VIS 830.

Strata Council means the group of persons elected to exercise the powers and perform the duties of the strata corporation in accordance with Part 4 of these bylaws.

Strata Fees means the fees to be paid by all owners to cover expenses of the strata corporation to be paid in accordance with Part 3 of these bylaws.

Tenant means a renter of an entire strata lot as registered with the strata corporation.

Tree means a tree as defined by the City of Nanaimo bylaws.

User fees means the fees assessed under Part 3 regarding home based businesses.

Part 2 – Duties of the Strata Corporation

1. The duty of the strata corporation is to manage and regulate Long Lake Heights Estates STRATA PLAN VIS 830 for the benefit of all owners.

Part 3 – Payment of Strata Fees and User fees

Division 1 – 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.
2. Payments of strata fees must be made by post-dated cheque, money order, or electronic pre-authorized payment (if available) and must be received by the property manager by 12:00 noon on the due date.
3. If an owner is late in paying any strata fees on or before the due date, interest may be applied to all overdue amounts at the rate of 10% per annum.
4. In the event that an owner's cheque for payment of strata fees is returned "Not Sufficient Funds", the owner will be charged all user fees and costs incurred by the strata corporation relating to the returned cheque, including administrative fees.
5. A fine of \$25.00 per month, or any portion of the month, may be imposed for late payment of strata fees.

Division 2 – Payment of User fees

1. An owner, tenant, occupant, or paying occupant of a strata lot that carries on a home based business creating increased demand on the facilities/services are required to register same with the strata council and will be required to pay a monthly user fee equivalent to the monthly strata fee in force at the time for that strata lot.

Part 4 – Use of Property

Division 1 – Home Based Businesses

1. An owner, tenant, occupant, or paying occupant of a strata lot who proposes to carry on a home based business in that strata lot is required to make a prior written request to the strata council for approval of such business.
2. The strata council has the authority to prohibit the operation of a home based business if it would be detrimental, inconvenient, or a nuisance to any other owner, tenant, occupant, or paying occupant.

Division 2 – Repair and Maintenance of Property by owner

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 the *Act, Regulations*, or the 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 the *Act, Regulations* or the bylaws.
3. If an owner of a strata lot fails to do work required by a work order or notice received under the *Act*, the strata corporation may do the required work. Except in an emergency, the strata corporation must give the owner one weeks' written notice before starting the work. The owner is required to reimburse the strata corporation for the costs of the work done to comply with the work order.

Division 3 – Repair and Maintenance of Property by Strata Corporation

1. The strata corporation must repair and maintain all of the following:
 - a. common assets of the strata corporation; and
 - b. common property that has not been designated as limited common property.
2. An owner, tenant, occupant, or visitor must allow a person authorized by the strata corporation to enter the strata lot (except the residence on the Strata lot):
 - a. in an emergency, without notice, to ensure safety or prevent significant loss or damage to common property or common assets; and
 - b. at a reasonable time on 48 hours' written notice, to inspect, repair, or maintain common property, or common asset.

Division 4 — General Use of Property

1. An owner, tenant, occupant, or visitor must not use a strata lot or the common property or common assets of the strata corporation 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;
 - e. is contrary to a purpose for which the strata lot, common property, or common asset is intended as shown expressly or by necessary implication on or by the strata plan, or by these bylaws.
 - f. wastes or results in the excessive consumption of water.
2. An owner, tenant, occupant, or visitor must not cause damage to the common property, or common assets.
3. All owners, tenants, occupants, and visitors must comply with all terms and conditions of registered charges on the titles to the strata lots and on the common property register, including, but not limited to, building schemes, covenants, statutory rights of way, and easements. (See Schedule B to these bylaws for the building scheme relating to the strata lots comprising Strata Plan VIS 830).
4. Subject to the *Act*, the strata council may give an owner, tenant, occupant, or paying occupant permission to exclusively use the common assets or the common property that is not designated as limited common property.

5. Without restricting the generality of Part 4, Division 8 and Part 4, Division 2, construction or operation of machinery in or on a strata lot shall only take place during the following hours:
 - a. on Sundays and statutory holidays, from 9:00 a.m. to 5:00 p.m.; and
 - b. on all other days, from 7:00 a.m. to 8:00 p.m.

Division 5 – Dogs

1. An owner of a strata lot within which a dog is being kept shall not allow the dog to run at large.
2. A dog owner must clean up after their dog if such dog defecates on any property within the strata plan.

Division 6 – Paid Additional Occupancy of Strata Lot

1. Any use of a strata lot where the owner or tenant receives remuneration for an occupant(s) residing in the strata lot shall result in an additional user fee for such paying occupant(s). Examples of such rental use include but are not limited to, boarders and secondary suite occupants.
2. Strata lot owners or their tenants that intend to receive remuneration from an occupant are required to register the same with the strata corp. and are required to provide proof satisfactory to the strata corp. that there is sufficient designated parking on the strata lot to accommodate any additional vehicles of the additional occupants.
3. Owners must provide the strata corporation (thirty) 30 days notice of change in occupancy to obtain relief from additional user fees.

Division 7 – Rental of Entire Strata Lot

1. The number of single family dwellings on the lands of the strata corporation that may be rented shall not exceed forty-six (46).
2. The rental restriction limit does not apply to prevent the rental of a strata lot to family or a family member of the owner; however, the family or family member may not further sub-lease the strata lot to a non-family member. The owner of the strata lot must provide written notice to the property manager or strata council if the strata lot is to be rented to a family or family member of the owner.
3. An owner who wishes to rent a strata lot must make written application, in advance, to the strata council and must not rent the strata lot until written permission has been received from the strata council.
4. Approvals to rent strata lots will be granted by the strata council on a first come, first served basis in the order of the date that written applications are received by the strata council.
5. In the event that the rental limit is reached, the strata council will maintain a waiting list. Owners will be placed on the waiting list in the order that their written requests for approval are received by the strata council. When a rental space becomes available, the

strata council may grant approval to rent to the owners on the waiting list in the order that they appear on the list.

6. An owner receiving permission to rent a strata lot must exercise the permission to rent within ninety (90) days from the date that the council granted same, otherwise the permission expires. During the ninety (90) days immediately following the grant of permission, the strata lot will be deemed rented for the purposes of the limit stated in Part 4, Division 7, Bylaw 1.
7. Permission to rent a strata lot granted pursuant to this Part 4, Division 7 ceases on the earlier of:
 - a. the end of the tenancy entered into immediately following the grant of permission to rent;
 - b. the date on which the owner who received permission to rent ceases to be a registered owner of the strata lot;
 - c. the date on which the owner who received permission to rent commences residing in the strata lot; and
 - d. in accordance with Part 4, Division 7, Bylaw 5, 90 days from the date permission to rent is granted if the strata lot is not rented within that period.
8. 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.
9. Within two weeks of renting a strata lot, the landlord must give the strata corporation a copy of the Form K - Notice of Tenant's Responsibilities signed by the tenant, in accordance with section 146 of the Act.
10. Where an owner rents a strata lot in contravention of bylaws 1, 2, 3, 5, and 6 of this Part 4, Division 7, the owner will be subject to a fine of \$500.00, and the strata corporation will take all necessary steps to terminate the lease or tenancy, including, but not limited to, seeking a declaration or court injunction to enforce the bylaw. Any legal costs incurred by the strata corporation in enforcing the rental restriction bylaws will be the responsibility of the contravening owner and will be recoverable from the owner or a solicitor and own client basis by the strata corporation.

Division 8 – Obtain Approval before Altering Strata Lot or Common Property

1. Obtain Approval before Altering a Strata lot:
 - a. An owner must obtain the written approval of the strata corporation before making an alteration to a strata lot that involves changes from the originally approved building plan.
2. Obtain Approval before Altering Common Property:
 - a. 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.
 - b. The strata corporation may require as a condition of its approval that the owner agree, in writing, to take responsibility for any expense relating to the alteration.

3. Long Lake Heights Estates Trees

The mature native trees clinging to massive rock outcrops are defining features of Long Lake Heights Estates, and as such all native trees are to be protected wherever practicable. No approval for removing an entire tree will be granted if the issue could be resolved by pruning. Council will require the owner to obtain the opinion of a certified arborist or registered professional forester if the proposed alteration to a tree is deemed by council to be significant. Purely aesthetic determinations on the amount of pruning will remain the prerogative of council.

- a. Conditions for removal of trees must be one of the following:
 - i Dangerous tree – a threat to human safety, like a windfall or leaner.
 - ii Dead, damaged, or dying tree, that is not a dangerous tree, unless it is also a wildlife tree supporting bird nests.
 - iii Tree in the way of a permitted project, like a new house, or addition.
 - iv Trees that are growing close to a house and damaging structures including, but not limited to, walls, drains, roofs, or eaves.
 - v Trees that have matured since the current owner purchased the lot that are increasingly blocking a view that was present when the lot was originally purchased, and are located on the owner's strata lot. Council must approve any decision on what a previous view was if pruning is intended to restore that view.

- b. Conditions that do not justify removing a mature tree include, but are not limited to:
 - i Needles and cones landing on a roof or filling gutters.
 - ii Creating a view that was not there when the current owner purchased the lot.
 - iii Eliminating a shady spot by letting the sun in.

Division 9 – Sale/Purchase of Strata lot

1. Any owner selling his/her strata lot must provide the strata council or the strata corporation's management company with the name and mailing address of the new purchaser and the completion date. This information must accompany the request for the Form F document (Certificate of Payment), no later than three (3) days before the completion date.
2. Within two weeks of becoming an owner, an owner must inform the strata council of the owner's name, strata lot number, and any mailing address outside of the strata corporation.

Division 10 – Parking and Use of Vehicles

1. A speed limit of thirty (30) kilometers per hour shall apply to all roads within the strata corporation.
2. An owner, tenant, occupant, or paying occupant must not park in any manner that would inconvenience neighbours or hinder the movement of emergency and essential service vehicles. The parking of commercial or large vehicles, with the exception of machinery or vehicles used to carry out maintenance or construction work on strata lots or common property, shall **be subject to the following conditions and restrictions;**

- a. Vehicles in excess of 1 ton carrying capacity shall not be parked on any portion of the lands of the strata corporation except as provided for in Part 4, Division 10, Bylaw 2(b);
 - b. Vehicles or machinery such as bulldozers, dump trucks, logging trucks, tractors, tractor trucks, forklifts, commercial/construction trailers, or back hoes shall not be parked anywhere within Strata Plan VIS 830 without the prior written permission of the strata council;
 - c. Recreational vehicle or trailers in excess of thirty (30) feet must not be parked regularly within Strata Plan VIS 830, with "regularly" to be determined by the strata council, acting reasonably.
3. Vehicles parked within strata plan VIS 830 must be in good repair and bear a current motor vehicle licence plate.
 4. Parking on the roadways within strata plan VIS 830 is strictly prohibited except for the limited purpose of loading and unloading.
 5. Common property designated for use as visitor parking is as follows:

Summit Drive	Beside Lot #93
Charfinch Place	Beside Lot #84
Summit Drive	Beside Lot #70
Summit Drive	Below Lot #61
Rainbow Crescent	Below Lots #25 & #26
Marsh Wren Place	Below Lots #223 & #224
Squirrel Lane	Beside Lot #218
Woodhaven Drive	Below Lot #162
Ferntree Place	Beside Lot #207

- a. Parking on common property designated and posted for visitor parking (per schedule D at the end of this document) is restricted for the use solely by visitors to strata plan VIS 830. Despite the foregoing, an owner may vacate an individual parking spot within the owner's strata lot in favour of a visitor to his/her lot and such owner may park his/her vehicle in a designated visitor parking spot during the visit of his/her visitor when the visitor arrives. Any vehicle parked in an area designated for visitor parking must have a notice prominently displayed on the vehicle's dashboard indicating the following:
 - i. The street address of the house being visited.
 - ii. The date and time frame the vehicle will be parked there.
6. No vehicle, including a visitor's vehicle, shall be parked in a designated visitor parking area in excess of a total of seven days per calendar month.
 7. Vehicles and machinery in violation of any of bylaws 1 through 6 of this Part 4, Division 10 may be towed at the direction of the Strata Council and at the expense of the applicable owner, tenant, occupant, or the vehicle owner, as the case may be.

Division 11 - Approval of New Construction and Statutory Building Schemes

1. A new construction and completion deposit of \$1,000.00 must be paid to the strata

corporation by the owner or builder, as the case may be, prior to commencement of new home construction or excavation on any strata lot. The deposit will be held by the strata corporation in a non-interest bearing account.

2. The deposit will be refunded upon completion (including landscaping) of the new home construction, provided that any damages to the common property or common assets have been remedied by the owner or builder. Should any damage to common property or common assets occur in excess of \$1,000.00, the owner or builder will be required to repair the damage or pay to the strata corporation the costs and expenses it incurs to fix the damage.
 - a. All buildings constructed on lands of the strata corporation must be approved as to their design, exterior siding, and exterior colour, roofing material, floor area, roof colour, and set-backs by the strata council. A strata plan VIS 830 building plan (schedule C of this document) approval form must be completed and the appropriate damage/completion deposit, sewer/water hook-up fee and inspection fee paid. This approval must be obtained by the owner from the strata council before clearing or excavation of the strata lot. All new homes to be constructed must provide off street parking of a minimum size of 400 sq. feet (37.16 sq. meters), and the area must be able to accommodate two vehicles. This parking requirement is in addition to any type of garage or carport.
 - b. Violations of Part 4, Division 1 and Bylaw 2(a), or the statutory building scheme approval, shall be subject to a fine of \$200.00 in addition to any remedial costs.

Division 12 - Landscaping

A strata lot may remain "**BC Natural**"; despite the foregoing, if a strata lot, or part thereof, has been totally or partially cleared of original BC natural vegetation; the cleared area must be properly landscaped, maintained, and kept weed-free. Failure to comply will result in any overgrown or neglected areas being cleared by order of the strata council and the cost charged to the owner. In addition, fines may apply for breaches of this bylaw.

Part 5 - Strata Council

Division 1 - Strata Council Size

1. The strata council must have at least three members and not more than seven members.

Division 2 - Qualifications and Terms of Strata Council Members

1. Subject to paragraph 65, the persons who may serve as strata council members include:
 - a. Owners, provided that if a strata lot is owned by more than one person, only one owner of that strata lot may be a strata council member at the same time;
 - b. Individuals representing corporate owners, provided that only one representative for the corporate owner may be a strata council member with respect to that strata lot at the same time; and
 - c. Tenants who have been assigned a landlord's right to stand for strata council.
2. An owner or a spouse of an owner, but not both, may stand for council.

3. No person may stand for, or continue to be a member of, the strata council if the strata corporation is entitled to register a lien against that person's strata lot.
4. The term of office of a strata council member ends at the end of the annual general meeting at which the new strata council is elected. A strata council member whose term is expiring is eligible for re-election to strata council.
5. The strata corporation may, by a resolution passed by a majority vote at an annual general meeting or a special general meeting, remove one or more members of the strata council.
6. After removing a strata council member, the strata corporation must hold an election at the same annual general meeting or special general meeting to replace the strata council member for the remainder of the term.
7. If a strata council member resigns or is unwilling or unable to act for a period of two or more months, the remaining members of the strata council may appoint a replacement strata council member for the remainder of the term.
8. A replacement strata council member may be appointed from among those eligible to sit on the strata council.
9. The strata council may appoint a replacement member even if the absence of the member being replaced leaves the strata council without a quorum.
10. If all the members of the strata council resign or are unwilling or unable to act for a period of two or more months, persons holding at least 20% of the strata corporation's votes may hold a special general meeting to elect a new strata council by complying with the provisions of the *Act*, the *Regulations*, and the bylaws regarding calling and holding meetings.

Division 3 – Strata Council Officers

1. At the first meeting of the strata council held after each annual general meeting the strata council must elect, from among its members, a president, vice-president, secretary, and 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 two or more months, the strata council members may appoint a replacement officer from among themselves for the remainder of the term.

Division 4 – Calling Strata Council Meetings

1. Any strata council member may call a strata council meeting by giving the other members at least one weeks' notice (which does not have to be in writing) of the meeting, specifying the reason for calling the meeting.
2. A strata council meeting may be held on less than one weeks' notice if:
 - a. all strata council members consent in advance of the meeting; or
 - b. the meeting is required to deal with an emergency situation and all strata council members either:
 - i. consent in advance of the meeting; or
 - ii. are unavailable to provide consent after reasonable attempts to contact them.
3. The strata council will inform owners of all scheduled strata council meetings as soon as possible following the annual general meeting.

Division 5 – Strata Council Meetings

1. A quorum of the strata council is:
 - a. two, if the council consists of three or four members;
 - b. three, if the council consists of five or six members; and
 - c. four, if the council consists of seven members.
2. Strata council members may attend strata council meetings by electronic means, so long as all strata council members and other participants can communicate with each other. If a strata council meeting is held by electronic means, strata council members are deemed to be present in person for purposes of constituting a quorum and for conducting business.
3. Owners may attend council meetings as observers.
4. No observers may attend those portions of strata council meetings that deal with any of the following:
 - a. bylaw contravention hearings held under the *Act*;
 - b. rental restriction exemption hearings held under the *Act*; and
 - c. for any other matters if the presence of observers would, in the strata council's opinion, unreasonably interfere with an individual's privacy.
5. At strata council meetings, decisions must be made by a majority of strata council members present at the meeting. If there is a tie vote, the president may break the tie by casting a second, deciding vote. The results of all votes at a strata council meeting must be recorded in the strata council's minutes of meeting.
6. The strata council will make available to all owners the minutes of all strata council meetings within two weeks of the meeting, whether or not the minutes have been formally approved.
7. Owners may obtain an electronic copy of the latest, or past, strata council minutes at no charge from the strata management office. Paper copies of past strata council meeting

minutes will be provided to an owner within two weeks of request at the cost to the owner of \$0.25 cents per page.

Division 6 – Strata Council Hearings

1. An owner or tenant may request a hearing at a strata council meeting:
 - a. An owner or tenant must apply for a hearing and state the reason for the request in writing;
 - b. the strata council must hold the hearing within 4 weeks of the request;
 - c. if a decision was requested, the strata council must give the applicant a written decision within one week of the hearing.

Division 7 – Delegation of Strata Council’s Powers and Duties

1. Subject to the *Act*, the *Regulations* and the bylaws, the strata council may delegate some or all of its powers and duties to one or more strata council members or other persons and may revoke the delegation at any time.
2. The strata 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 these bylaws.
3. A delegation by the strata council 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 strata council may not delegate its powers to determine, based upon the facts of a particular case:
 - a. whether a person has contravened a bylaw or rule; or
 - b. whether a person should be fined or the amount of the fine.

Division 8 – Spending Restrictions

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. A strata 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.
3. The strata council shall not, except in emergencies, authorize an expenditure exceeding \$5,000.00 which was not included in the current budget of the strata corporation, without authorization by a special resolution of the strata corporation made by the owners at an annual general meeting or special general meeting.

Division 9 – Limitation of Liability of Strata Council Member

1. A strata 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 strata council. This; however, does not affect a strata council member's liability, as an owner, for a judgment against the strata corporation.

Part 6 – Annual General Meetings & Special General Meetings

Division 1 – Chair of Annual General Meetings and Special General Meetings

1. Annual and special general meetings must be chaired by the president of the strata council.
2. If the president is unwilling or unable to act, the meeting must be chaired by the vice president of the strata 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.

Division 2 – Attendance at Meetings

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.

Division 3 – Voting at Meetings

1. An owner may not exercise the right to vote, except on matters requiring a unanimous vote, if the strata corporation is entitled to register a lien against that strata lot under section 116 (1) of the Strata Property Act.
2. The quorum for transacting business at an annual general meeting or special general meeting is as set out in the *Act* (as of the date of these bylaws, eligible voters holding one-third of the votes of the strata corporation, present in person or by proxy).
3. An eligible voter may vote by proxy. Those persons eligible to serve as proxies are set out in the *Act* and include another Owner and, under certain circumstances, an employee of the strata corporation or property manager.
4. At an annual general meeting or special general meeting, voting cards must be issued to eligible voters.

5. A vote is decided upon a show of voting cards, unless an eligible voter requests a precise count.
6. If a precise count is requested, the chair must decide whether it will be by show of voting cards, roll call, secret ballot, or some other method.
7. 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.
8. If there is a tie vote at an annual general meeting 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.
9. Despite the foregoing, an election of strata council or any other vote must be held by secret ballot, if a secret ballot is requested by an eligible voter.

Division 4 – Order of Business at Meetings

1. The order of business at annual general meetings and special general meetings is determined by the strata council from time to time subject to any requirements of the *Act*, the *Regulations* or these bylaws.

Division 5 – New Bylaws

1. An owner who wishes to propose a new bylaw or amend an existing bylaw must submit a proposed resolution in writing to the strata council by no later than September 1 for the next annual general meeting, which is usually held in October of each year.

Division 6 – Quorum

1. If within fifteen (15) minutes from the time appointed for an annual or special general meeting a quorum is not present, the meeting stands adjourned to thirty (30) minutes from the appointed time at the same place but, if at the appointed time to which the meeting is adjourned a quorum is still not present, the eligible voters present in person or by proxy shall be deemed to constitute a quorum.

Part 7 – Fees / Enforcement of Bylaws and Rules

Division 1 - Fees

1. Schedule A to these bylaws sets out a summary of fees, costs, and charges that may be assessed under the *Act*, the *Regulations*, the bylaws or rules.
2. The maximum fee for providing copies of any records or documents pursuant to the *Act* is set out in the *Regulations*. An owner, tenant, or person authorized in writing by an owner or tenant may examine, without charge, the records referred to in the *Act*.
3. The maximum fee for providing an Information Certificate under s. 59 of the *Act* is set out in the *Regulations*. A rush fee may be charged by the property manager to the owner if the Information Certificate is required before the period prescribed in the *Act*.

4. The maximum fee for providing a Certificate of Payment under s. 115 of the *Act* is set out in the *Regulations*. A rush fee may be charged by the property manager to the owner if the Information Certificate is required before the period prescribed in the *Act*.

Division 2 – Maximum Fines

1. Except as expressly provided elsewhere in these bylaws, the strata corporation may fine an owner or tenant up to a maximum of:
 - a. \$200.00 for each violation of a bylaw;
 - b. \$50.00 for each violation of a rule.

Division 3 – Continuing Contravention

1. If an activity or lack of activity that constitutes a contravention of a bylaw or rule continues, the strata council may provide that the fine be imposed every seven days.

Part 8 – Voluntary Dispute Resolution

1. A dispute among owners, tenants, occupants, or paying occupants 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 will consist of:
 - a. one owner or tenant nominated by each of the disputing parties, and one owner or tenant chosen by the persons nominated by the disputing parties who will act as chair of the Dispute Resolution Committee; 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 voluntarily end the dispute.
4. The use of voluntary dispute resolution does not affect a person’s right or ability to pursue arbitration or litigation.

*****End*****

SCHEDULE A

Long Lake Heights Estates STRATA PLAN VIS 830 – Schedule A Fees and Costs

Bylaw, Act, Regulation	Description	Amount
Part 3, Div 1, s. 6	Fine for late payment of strata fee	\$25 per month, or part thereof
Part 3, Div 1, s.4 Regs s.6.8, Act s. 107	Interest rate charge on late/unpaid Strata Fees	10% per annum, compounded annually
Part 3, Div 2, s.5	NSF cheque fees and charges	\$25 - Costs & admin fees incurred by Strata Council
Part 3, Div 2, s.7	User fee for Home Based Business	Equal to Strata Fee
Part 4, Div 1, s.7	Fine for violation of Home Based Business	\$200
Part 4, Div 2, s.12	Failure to comply with work order	Costs incurred
Part 4	Fine for breach of General Use (where no other fine specifically stated)	\$200
Part 4, Div 6	Fine for rental or lease provision violations	\$500 per occurrence
Part 4, Div 9, s.51	Fine for parking and use of vehicle violation	\$200
Part 4, Div 10, s.53	New Construction & Completion Deposit	\$1000 refundable, non-interest bearing
Part 4, Div 10, s. 54	Failure to clean up after new construction	Cost of clean up
Part 4, Div 12, s. 59	Expenses or damages re: Strata Corporation property	Costs incurred
Part 5, Div 6, s.86 Regs 4.2 (Act s. 36)	Charge for copies of past minutes of meetings	\$0.25 per page
Part 7, Div 1, s. 114 Part 4, Div, Div 4, s.17	Fee for providing copies of records or documents under the Act	\$0.25 per page
Part 7, Div 1, s. 114 Regs 4.2 (Act s.36)	Inspection of Strata records as set out in Act	No charge
Part 7, Div 1, s.115 Regs s. 4.4, Act s.59	Information Certificate	\$35 plus copy costs (plus rush fee if required before statutory period)
Part 7, Div 1, s. 116 Regs s 6.10, Act s. 115	Certificate of Payment	\$15 (plus rush fee if required before statutory period)
Part 7, Div 2, s. 118 Act s. 132, Reg 7.1 Part 7, Div 5, s. 123	For any violation not specified, a maximum of \$200 per occurrence for Bylaw other than rental restriction Bylaw, \$500 per occurrence if rental restriction Bylaw. Fine can be assessed every 7 days if continuing violation	\$200
Part 7, Div 4, s.122 Act s. 132, Regs 7.1 Part 7, Div 5, s.123	Fine for breach of a rule \$50 per occurrence. Fine can be assessed for continuing violation every seven days	\$50

SCHEDULE B

BUILDING SCHEME

SCHEDULE OF RESTRICTIONS

(From original Building Scheme Exhibit "E")

1. No changes in the exterior of any buildings to be constructed on the strata lots including changes as to colour schemes shall be made without the prior written approval of Long Lake Heights Estates Inc.
2. No wall, fence, clothesline pole, tent, awning, or any other similar structure or any outbuilding of any nature whatsoever shall be maintained upon the strata lots, save and except with prior written approval of Long Lake Heights Estates Inc.
3. No lot or lots shall be used either principally or subsidiary for commercial purposes.
4. No livestock may be kept on any such lot, excepting the usual household pets.
5. No person shall habitually park or cause to be habitually parked in or about the building site or the lands comprising the lot or lots, any vehicle or machinery in the nature of logging trucks, bulldozers, or the like conveyances, nor any vehicle or machinery of a like kind or character, or any house-trailer of a like kind or character.

PROVIDED THAT this clause shall not be deemed to affect or prohibit the parking for the specified purpose of doing construction or maintenance work upon the strata lots for the improvement and benefit thereof, or of commercial vehicles parking temporarily for the purpose of conducting their regular business in or about the strata lots.

6. No trees shall be planted without the prior consent of Long Lake Heights Estates Inc. and where consent is given only trees native to the area shall be permitted.
7. No buildings shall be constructed on the strata lots until statutory building schemes for the proposed construction are submitted and approved by Long Lake Heights Estates Inc. prior to commencement of construction of any residences on the said Strata lots. Building designs shall be in keeping with the development of strata lots 1 to 18 of strata plan 762 with a minimum floor area of 1200 square feet (111 square meters) or in the case of a two storey building, a minimum ground floor area of 1000 square feet (92.9 square meters). No approval shall be unreasonably withheld by Long Lake Heights Estates Inc.
8. Construction of any dwelling on the individual strata lots shall be completed within twelve (12) months from the date of commencement of such construction.
9. The purchaser may cut and remove trees only after having his statutory building schemes approved by Long Lake Heights Estates Inc. as aforesaid and having obtained a building permit from the City of Nanaimo. Cutting and removal of trees shall be restricted to the areas actually occupied by the residence plus one (1) meter around the perimeter of the

residence. A driveway not exceeding six (6) meters in width may be cleared. Long Lake Heights Estates may grant in writing permission to remove additional trees or branches.

Other than aforesaid, it is intended that the landscaping surrounding the first phase of the project and all other proposed phases included within the project shall remain in its natural state.

Additional Building Scheme

1. No building or buildings shall be constructed for residential or other purposes on any lot included within phase 3 of Strata Plan 830 without a provision being made for a minimum of two on-site/off-road parking areas to accommodate two standard motor vehicles.

SCHEDULE C

(Note to owners – this Statutory Building Scheme approval document is subject to amendments as determined by the strata council, in its discretion.)

LONG LAKE HEIGHTS ESTATES

The Owners, VIS 830
C/o Concise Strata Management #202 572 Stewart Avenue Nanaimo, BC V9S 5T5
Phone: (250) 754-4001 Fax: (250) 754-4002

BUILDING PLAN APPROVAL

Lot # _____

Name: _____ (THE OWNER)

The owner agrees to the terms and conditions set out in this agreement regarding the construction of a house on the Lot.

1. **FEES & DEPOSITS:** The Owner upon approval will pay a common property and building completion/damage deposit in the amount of \$1,000.00, a sewer/water hook-up fee of \$500.00, and a Building Inspection/Administration fee of \$100.00 for a total of **\$1,600.00 payable upon submission of plans.**
2. **FLOOR AREA:** _____
3. **SET BACKS:** Shall be provided on approval plot plan.
4. **GARAGE OR CARPORT TYPE:** _____
5. **ROCK PIT REQUIRED:** Council to review and provide comment on owner's proposed location, size and specifications as shown on the approved plot plan
6. **ROOFING:** Material: _____ Colour: _____
7. **SIDING:** Material: _____ Colour: _____
8. **OFF STREET PARKING:** Minimum area of 400 sq. feet (37.16 sq. meters) required which will accommodate two (2) vehicles. This is in addition to a mandatory garage or carport. There could be exceptions which must be approved by the strata council.
9. **DRIVEWAY MATERIAL:** _____
10. **REQUIRED PLANS:** _____

(A) Plot Plans: Plot plan must be based on accurate survey of property and provide for a schematic drawing showing the parking area in square feet or meters and specifying the distance from the lot line of the proposed parking area, driveway and building location, as applicable.

Owner's Initial

(B) Statutory Building Scheme: Plans shall be architecturally prepared plans or equivalent.

Date plot plan/red set of plans received for review:

11. TREE REMOVAL: Consent is required from the council of The Owners, Strata Plan VIS 830 (the "Council") prior to ANY tree removal. All trees which are to be removed shall be marked by the owner and inspected by the site monitor prior to excavating the property. Only trees located within 1 meter of a building's foundation may be removed. Removal of any other trees outside of the 1 meter area requires special permission from council. Any unnecessary tree removal will require the owner to replant trees pursuant to council's instructions.

12. FURTHER CONDITIONS:

(A) Underground services must be located and marked by the owner and inspected by the site monitor before excavation is started.

(B) Building plans must be approved by the City of Nanaimo and by council.

(C) Building must be completed and an occupancy permit issued by the City of Nanaimo within one (1) year from the date of approval of the plans by council.

(D) Failure to complete the building and/or the foundation within the time limits specified in this agreement without just cause shall result in the forfeiture of the owners deposit of \$1,000.00 to the strata corporation as an administrative fee.

(E) Subject to any damage to the common property and providing the building and the foundation are completed within the time limits specified, the deposit monies shall be returned to the owner upon final inspection by council.

(F) No one, including building and property owners, is permitted, without prior authorization from council, to repair, modify, or perform work on utilities located within Strata Plan VIS 830 (i.e. water boxes, sewer lines, electrical boxes). This is an owner expense. Sewer and water hookup shall be arranged in advance.

(G) If the lot is sold prior to the completion of the conditions in this agreement and the final inspection by council, the owner agrees to obtain the written agreement of the new owner stating that he/she will comply with the conditions of this agreement.

(H) Any damage to common property in excess of the \$1,000.00 damage deposit will be assessed by council.

(I) If the foundation of the building has not been constructed before _____ and in the event construction is not completed by the date indicated this agreement shall expire and deposits paid will be forfeited.

Owner's Initial

- (J)** Any rocks needed to be removed must be completed in the least intrusive manner.
- (K)** If rock must be blasted, it must be done in conformance with the City of Nanaimo's manual of engineering standards and specifications and must not cause damage to common property or infrastructure. The proponent will provide to council a complete copy of a pre-condition survey prior to commencement of any blasting. The proponent will be responsible for the full repair costs associated with any damage.
- (L)** No alterations to the approved statutory building schemes are allowed without prior approval of the strata council. If prior approval has not been obtained the owner must correct/remove the alteration so that the building construction complies with the approved statutory building schemes.
- (M)** Statutory building schemes will only be approved and/or discussed at a scheduled meeting with the building committee, and if no such committee has been established, the strata council. The owner or owner's agent will bring to this meeting architecturally designed plans and a plot plan showing the location of the house. These plans must have all measurements including those from lot line to setbacks
- (N)** The height of the building is defined as follows:
 - i. the distance measured vertically from the average natural grade or finished level whichever is lower, or
 - ii. the distance measured vertically from average finished grade when a grading plan has been approved by the strata council.
 - iii. the distance measured vertically from the average grade, recorded at the outermost corners of the building, to the highest part of the building.

The Owner/undersigned has read and understands all of the bylaws and rules of the Strata Plan VIS 830 and agrees to abide by the terms and conditions of this agreement.

The Owner acknowledges and agrees that he/she aware that this lot is intended for SINGLE FAMILY DWELLING ONLY (Re: by-law #4)

WITNESS (Building Committee or Strata Management)

Name: _____

Name: _____

Signature: _____

Signature: _____

Date approval granted: _____