

## **Exhibit E**

### **RE: Strata Plan EPS7328**

The Schedule of Standard Bylaws to the *Strata Property Act* are deleted in their entirety, as permitted by section 120 of the *Act* and are REPLACED WITH THESE BYLAWS.

## **DIVISION 1 DUTIES OF OWNERS, TENANTS, OCCUPANTS AND VISITORS**

### **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) If an owner is late in paying his or her strata fees, the owner must pay to the strata corporation interest on the late payment at the Prime Rate as hereinafter defined plus 5 percentage points per annum, compounded annually, and calculated on a monthly basis commencing from the date the payment was due and continuing until the last day of the month in which it is paid. In no event shall this rate of interest exceed the amount set as the maximum interest rate for such charges and presently set at 10% per annum, compounded annually.

For the Purposes of this Bylaw, "Prime Rate" means that annual rate of interest (commonly called the prime rate) charged by Royal Bank of Canada at its main branch, Vancouver, British Columbia from time to time and designated by it as the prime rate (or if Royal Bank of Canada shall cease to quote such rate, such rate is quoted by any other Canadian Chartered Bank designated by the Strata Corporation, or if all Canadian Chartered Banks cease to quote such rate, the last quoted rate by Royal Bank of Canada or if applicable, the designated Canadian Chartered Bank), and if such rate shall be changed during any day the rate payable hereunder shall be the rate applicable at the commencement of such day, the intention being that the interest rate applicable and payable hereunder shall fluctuate from time to time as and when the prime rate fluctuates.

- (3) The strata corporation may sue as representative of all owners, without requiring authorization by a resolution passed by a  $\frac{3}{4}$  vote of the strata corporation and without condition, in a proceeding under the *Small Claims Act* against an owner of other person to collect money owing to the strata corporation, including money owing as a fine.

### **2. Repair and Maintenance of Property by Owner**

- (1) An owner must repair and maintain the owner's strata lot, and keep such in a neat, clean and tidy state of appearance.

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

### **3. Use of Property**

- (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 shall not:
  - (a) use his strata lot for any purpose which may be injurious to the reputation of the strata corporation;
  - (b) make undue noise in or about any strata lot or common property, and in particular, between the hours of 11:00 PM and 7:00 AM, make any noise which disturbs, or may disturb, the owner or occupant of any other strata lot;
  - (c) keep any livestock, poultry, rodents, snakes or any other animals on his strata lot except as otherwise permitted by these bylaws;
  - (d) make or cause to be made any alteration to the exterior of any improvement upon or vacant areas of the Strata Lot in any manner whatsoever, including, but not limited to fencing which will alter either the appearance or grade of the Strata Lot or any other Strata Lots without first obtaining the written consent of the strata council, except as permitted by any statutory building scheme registered on title to the Strata Lot;
  - (e) do anything or permit to be done anything by an occupier of a Strata Lot, or the common property, that is contrary to any statute, regulation, bylaw or ordinance or any government authority whether Federal, Provincial, Municipal or otherwise;
  - (f) not deposit refuse or garbage on or outside the Strata Lot other than in proper refuse receptacles designated for such purpose;
  - (g) not keep or store on any Strata Lot any motor vehicle which is not in operating condition except indoors;

- (h) subject to the further restrictions contained in this bylaw not keep any pets or animals on a Strata Lot except the following:
    - i) two (2) dogs and / or two (2) cats;
    - ii) an unlimited number of aquarium kept fish; and
    - iii) four (4) caged birds each not exceeding 500 grams in weight.
  - (i) not allow any dog, cat or other pet or animal outside of the residential buildings on the Strata Lot or on the common property unless leased and under appropriate control;
  - (j) not keep any dog with a weight in excess of 27 kilograms (60 pounds) or of the Doberman, Rottweiler, or Pit Bull breeds of dog without the written consent of the Strata Corporation, which consent may be arbitrarily withheld;
  - (k) keep vacant areas of the Strata Lot free of deadfall, brush and any other combustible material to reduce the hazard of wild fire and remove any tree that is subject to insect infestation;
  - (l) not cut any trees with a trunk diameter in excess of 20 cm on the Strata lot without the written consent of the Strata Corporation, EXCEPTING to construct a residential dwelling on the Strata Lot; and
  - (m) have any open fire that cause undue smoke or effects the reasonable use and enjoyment of another Strata Lot, or causes any risk of forest fire. All outdoor fires must be attended by a competent person at all time when burning.
- (3) An owner shall comply, and shall be responsible for the compliance by an owner's tenants, occupants or visitors, with all rules of the Strata Corporation regarding the use of common property.
- (4) An owner, tenant, occupant or visitor must not cause damage or make any alterations whatsoever 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.
- (5) An owner, tenant, occupant or visitor shall be permitted to operate any snowmobile or off-highway vehicle ("OHV") on vehicular accessways comprising the Common Property of the strata corporation provided that
- (i) speed shall be limited to 10km/h;
  - (ii) times of operation shall be restricted to between 6:30AM and 11:00 PM;
  - (iii) use of vehicular accessways shall be strictly for the purpose of traveling to and from snowmobile and OHV trails and no other purpose;
  - (iv) the operator of the snowmobile or OHV holds a valid driver's license and is a minimum 16 years of age;
  - (v) evidence of satisfactory insurance of the snowmobile or OHV, as

applicable, is provided to the strata corporation on request;  
(vi) the snowmobile or OHV must be operated so as to minimize noise and smoke. **Blipping of throttles, engine revving and stunting are strictly prohibited.**

#### **4. Inform Strata Corporation**

- (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.

#### **5. Obtain Approval Before Altering Common Property**

- (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.

#### **6. Permit Entry to Strata Lot**

- (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 prevent property damage to the common property or another strata lot or those portions of a strata lot that are the responsibility of the strata corporation under these bylaws; and
  - (b) at a reasonable time, on a minimum of 24 hours written notice:
    - (i) to inspect, repair or maintain common property, common assets; or
    - (ii) to insure the *Act* and these bylaws are being complied with.
- (2) The notice referred to in subsection (1) (b) must include the date and approximate time of entry, and the reason for entry.
- (3) If the authorization cannot be obtained then the person authorized by the strata corporation to enter the strata lot may do so by using reasonable force on the locking devices, and the replacement of the locking device and any resulting damage to the door and door frame will be at the expense of the strata lot owner.

**DIVISION 2**  
**POWERS AND DUTIES OF STRATA CORPORATION**

**7. Repair and Maintenance of Property by Strata Corporation**

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; and
- (c) limited common property, but the duty to repair and maintain it is restricted to repair and maintenance that in the ordinary course of events occurs less often than once a year.

**DIVISION 3**  
**COUNCIL**

**8. Council Size**

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

**9. Council Members' Terms**

- (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) No person may be elected to council or continue to be on council if the strata corporation is entitled to register a lien under the *Act* against a strata lot in which that person has an interest.

**10. Removing Council Member**

- (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.

**11. Replacing Council Member**

- (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.

## **12. Officers**

- (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.

## **13. Calling Council Meetings**

- (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.

#### **14. Requisition of Council Hearing**

- (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.

#### **15. Quorum of Council**

- (1) A quorum of the council is:
  - (a) 2, if the council consists of 2, 3 or 4 members,
  - (b) 3, if the council consists of 5 or 6 members, and
  - (c) 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.

#### **16. Council Meetings**

- (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.

#### **17. Voting at Council Meetings**

- (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.

#### **18. Council to Inform Owners of Minutes**

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.

#### **19. Delegation of Council's Powers and Duties**

- (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.

#### **20. 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) 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.

**21. Limitation on Liability of Council Member**

- (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**

**22. Maximum fine**

- (1) The strata corporation may fine an owner or tenant a maximum of
  - (a) \$500 for each contravention of a bylaw, and
  - (b) \$100 for each contravention of a rule.
- (2) The strata corporation may impose a fine on an owner or tenant for a continuing contravention of a bylaw or rule every 7 days.
- (3) Additional assessments, fines authorized by these bylaws, banking charges, filing costs, expenses, interest charges and any other expenses incurred by the strata corporation to enforce these bylaws, as they may be amended from time to time, or any rule which may be established from time to time by the council pursuant to the *Act* or these bylaws, shall become part of the assessment of the owner responsible and shall become due and payable on the first day of the month next following, except that any amount owing in respect of a fine or the cost of remedying the contravention of a bylaw will be calculated as a separate component of such assessment and the strata corporation may not register a lien against such separate component.
- (4) In addition to any fine imposed, an Owner shall pay to the Strata Corporation an amount equivalent to replace any trees cut on a Strata Lot in contravention of Section 3(2)(k).

### **23. Continuing contravention**

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**

### **24. Person to Chair Meeting**

- (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.

### **25. Participation By Other Than Eligible Voters**

- (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.

### **26. Voting**

- (1) At an annual or special general meeting, voting cards must be issued to eligible voters.
- (2) At an annual or special general meeting a vote is decided on a show of voting cards, unless an eligible voter requests a precise count.
- (3) If a precise count is requested, the chair must decide whether it will be by show of voting cards or by roll call, secret ballot or some other method.
- (4) The outcome of each vote, including the number of votes for and against the resolution if a precise count is requested, must be announced by the chair and recorded in the minutes of the meeting.

- (5) If there is a tie vote at an annual or special general meeting, the president, or, if the president is absent or unable or unwilling to vote, the vice president, may break the tie by casting a second, deciding vote.
- (6) Despite anything in this section, an election of council or any other vote must be held by secret ballot, if the secret ballot is requested by an eligible voter.
- (7) An owner may not exercise the owner's vote in respect of the owner's strata lot if the strata corporation is entitled to register a lien under the *Act* against that owner's strata lot, except on matters requiring a unanimous vote.

## **26.1 Attendance by Electronic Means**

Attendance is permitted by an owner at an annual or special general meeting by electronic means, including telephone or any other method, including video conference over the internet or otherwise, if the method in actual fact permits all persons participating in the meeting to communicate with each other during the meeting PROVIDED THAT:

- (a) Such attendance is authorized at least 48 hours in advance by the Strata Council,
- (b) If attendance by electronic means is at the request of an owner, the cost and risk of success of such a method of attendance shall be that of the owner requesting it. If an owner requests such attendance, and if the attendance is unable to occur, or is unable to continue as a result of technical or other difficulties, then the owner in question is deemed not to have attended, or to have left the meeting.

## **27. Order of Business**

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; and
- (n) terminate the meeting.

## **DIVISION 6**

### **VOLUNTARY DISPUTE RESOLUTION**

#### **28. Voluntary Dispute Resolution**

- (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**

#### **29. Display Lot**

- (1) During the time that the owner developer of the strata corporation is a first owner of any strata lots, it shall have the right to maintain any strata lot or strata lots, whether owned or leased by it, as a display unit or units, and to carry on sales or leasing functions it considers necessary in order to enable it to sell or lease the strata lots.
- (2) At the reasonable discretion of the owner developer, it may use the common property to conduct the sale or lease of strata lots in the strata plan up to 24 months after the date of first occupancy of any such strata lot.
- (3) Signs advertising the sale, lease or open house of a strata lot may not be displayed on any strata lot or on any common property of the strata corporation. Notwithstanding the foregoing, marketing signs of the owner

developer may be displayed on the common property and/or the limited common property or any strata lot owned or leased by the owner developer at the reasonable discretion of the owner developer.

## **DIVISION 8 SPECIAL PROVISIONS**

### **30. Leasing / Rental Requirements**

- (1) Upon request of the Strata Corporation, an Owner must provide the strata corporation with a true and complete copy of every written tenancy agreement (as defined in the *Residential Tenancy Act* (British Columbia) (the “RTA”) as amended or replaced) except that financial terms may be redacted. For greater certainty, this provision does not apply to tenancies to which the RTA does not apply.
- (2) An Owner must cause the tenant to execute a Form K Notice of Tenant’s Responsibilities as provided in the *Strata Property Act* (British Columbia), as amended or replaced, prior to his or her occupation of the strata lot and provide the strata corporation with a copy of thereof upon request.

### **31. Extra-Ordinary Expenditures**

- (1) The strata corporation may acquire or dispose of personal property if the personal property has a market value of not more than \$2,000.00 per item or \$10,000.00 in the aggregate for purchases in any one year, unless authorized by a  $\frac{3}{4}$  vote at an annual or special general meeting.
- (2) If a proposed expenditure has not been approved in the budget or at an annual or special general meeting, the strata corporation may make the expenditure out of the operating fund if the expenditure, together with all other unapproved expenditures, whether of the same type or not, that were made under this subsection in the same fiscal year, in less than \$10,000.00 per item or \$25,000.00 in the aggregate for expenditures in any one year, unless authorized by a  $\frac{3}{4}$  vote at an annual or special general meeting.

### **32. Extra Services**

- (1) The strata corporation may, on the written request of any Owner, collect from that Owner, in monthly instalments, an amount set by the Strata Corporation, sufficient to pay all municipal taxes, utility charges and similar or other regular charges that are necessary or reasonable in relation to the strata lot, and pay such costs or charges on behalf of the owner when due.