

Part 1. Application and Object of the Bylaws

1. Notwithstanding the fact that a strata plan under the *Strata Property Act* cannot be filed in respect of the Lands, and without limiting the provisions of the Sublease, the parties to each Sublease have expressly agreed to be bound by these bylaws as amended from time to time, and have accepted the intention that this Development and the Homeowners Corporation will be bound by the *Strata Property Act* and operate in a manner which is as compliant as possible to the obligations and standards which would exist if a strata plan was filed in respect of the Lands, and the Homeowners Corporation was a Strata Corporation duly incorporated in the province of British Columbia. In the event of a disagreement as to the applicability of a provision of the *Strata Property Act*, and amendments, replacement legislation or successor statutes, the matter may be referred to arbitration, provided that the provisions of the Sublease and applicable laws are paramount.
2. Subject to the limits of authority permitted by the provisions of the governing legislation and agreements in place, these bylaws are intended to regulate and govern:
 - (1) Compliance with and full observation of the terms of the Headlease;
 - (2) The conduct of all persons while within the physical bounds of the Development shown on the registration plan;
 - (3) The use, control, maintenance and enjoyment of the residential units, common areas, exclusive use areas and common assets;
 - (4) The administration, management and governance of the Homeowners Corporation, including conduct of the Homeowners Corporation's meetings and affairs, whether held within the bounds of the registration plan or otherwise;
 - (5) Specific obligations imposed herein on owners (sublessees), tenants, occupants and the Homeowners Corporation itself; and
 - (6) Such other specific matters as are addressed herein.
3. Subject to and without limiting the statutory duties imposed by governing legislation; the object of these bylaws is to allow for fair and proper governance of the Homeowners Corporation as well as responsible stewardship of the assets and fulfillment of duties which are of common interest; for the purpose of encouraging the peaceful enjoyment of units, and preservation of common interests and equity in a manner which fairly and properly reflects the best interests of all owners.
4. Owners and tenants are jointly and severally responsible to ensure that they and their respective tenants or subtenants, occupants, visitors, and any other people or pets invited or admitted to the property by any of the foregoing, do not contravene or cause a contravention of the bylaws or rules, or cause undue risk of injury or property damage.