

STRATA PLAN VR 495 BYLAWS

Preamble

The attached Strata Bylaws, Strata Rules and the Strata Property Act (SPA) Schedule of Standard Bylaws 1 – 9 collectively apply to the Strata Corporation. These bylaws bind the strata corporation and the owners, tenants and occupants to the same extent as if the bylaws had been signed by the strata corporation and each owner, tenant and occupant and contained covenants on the part of the strata corporation with each owner, tenant and occupant and on the part of each owner, tenant and occupant with every other owner, tenant and occupant and with the strata corporation to observe and perform their provisions.

Unless otherwise stated, all terms have the meanings prescribed in the *Strata Property Act*, S.B.C 1998, c. 43 (the “Act”). For the purposes of these bylaws, “residents” means collectively, owners, tenants and occupants and “a resident” means collectively, an owner, a tenant and an occupant.

BYLAWS

1. Maximum Fines

1.1 For each contravention of a Bylaw or Rule, the Strata Corporation may fine an owner or tenant a maximum of: the fine is:

- (a) \$200 for each contravention of a Bylaw, and
- (b) \$50 for each contravention of a Rule,

Amended: Resolution #3 at Annual General Meeting May 29, 2017 – Filed #CA6082798 Jun 21, 2017

1.2 Continuing Contravention: If an activity or lack of activity that constitutes a contravention of a Bylaw or Rule continues, without interruption, for longer than seven (7) days, a fine may be imposed every seven (7) days.\$50. An additional \$50 will be fined every month until the rule is no longer in contravention.

Amended: Resolution #3 at Annual General Meeting May 29, 2017 – Filed #CA6082798 Jun 21, 2017

2. Monthly Strata Fees

2.1 Strata fees are due each and every month on the first day of the month.

2.2 Strata fees outstanding for more than 30 days will be considered overdue.

2.3 A \$50 fine on an overdue strata fee, interest at the rate of 3% monthly will be imposed on all overdue strata fees.

2.4 A \$25 service charge will be imposed on a Strata fee that doesn't clear the owner's bank account and get covered during the month it is due. The service charge will be waived on the first missed strata fee for all owners. Strata fees due after thirty days are enforced under the category (2.3).

2.5 Strata fees and/or special levy payments for rental units are the responsibility of the individual strata lot owner and not the tenant.

2.6 Whereas an owner fails to pay a special levy due and payable on the approved vote of the owners agreement, a \$50 fine will be imposed immediately. Outstanding special levies will be subject to a monthly interest charge of 3% on the balance.

3. **Security**

3.1 *Deleted: Resolution #3 at Annual General Meeting August 27, 2012 – Filed #CA3294441 Aug 15, 2013*

3.2 An owner, tenant or visitor must not leave the outside doors open at any time.

3.3 *Deleted: Resolution #3 at Annual General Meeting August 27, 2012 – Filed #CA3294441 Aug 15, 2013*

3.4 All owners, tenants and visitors must wait for the garage door to fully close after entering or exiting the underground parkade.

4. **Parking Garage**

4.1 Parking stalls must not be used for storage and must be kept clean and clear of any type of debris items other than a vehicle.

4.2 An owner and/or tenant is responsible for promptly removing and cleaning all oil spills, leakage and/or staining from a parking stall. Pursuant to the City of Vancouver Fire Department regulations, leaking vehicles must use foil oven trays under their vehicles and not cardboard to collect leaking materials.

4.3 Inflammable items must not be kept in parking stalls and the stalls must be kept free of congestion.

4.4 All vehicles kept in the underground parkade must be insured, either with current & valid licence plates & \$1 million third party legal liability insurance or, if unlicensed, with a Storage Policy carrying \$1 million third party legal liability. The Storage Policy must be displayed in the windshield and a copy of the policy given to the in-house building manager and Council.

5. **Pets**

5.1 An owner or tenant may keep one small dog or two cats in their unit. The animals must be no bigger than 20 lbs or less.

5.2 Pet owners must keep their pet quiet, controlled and clean.

6. **Building Renovations**

6.1 An owner intending to make any proposed interior or exterior alterations or changes to their strata lot must first submit their written description of the proposed alterations, detailed plans and diagrams to the Strata Council. Copies of all required Permits must also be submitted to the Strata Council before approval can be considered and authorized.

6.2 The design must be detailed and include specific dimensions, design, materials, style and color. Any alterations impacting the exterior appearance must use a color that blends with the exterior structure.

- 6.3 An owner must ensure that all trades workers performing the alterations must be certified and/or licenced and carry liability insurance.
- 6.4 All trades workers are to keep the common or limited common areas clean and free from damage. Damages or repairs necessary to common areas as a result of their trades workers shall be charged to the strata lot owner.
- 6.5 The strata lot owner receiving the benefit of a change or alteration to common property, limited common property or common assets must cover the full cost, be responsible for possible future damages and any insurance liabilities for all present and future maintenance, repairs and replacements. The Strata Corporation will not be held responsible for any change from the original strata plan.
- 6.6 Renovations are to be conducted pursuant to the noise bylaws of the City of Vancouver Regulations and are to be strictly followed. The Regulations state that construction noise is limited to the following hours:
7:30 am to 8:00 pm Monday thru Friday
10:00 am to 8:00 pm Saturdays
Construction noise is prohibited on Sundays and holidays
The Regulations are subject to change at any time and it is an owner's responsibility to ensure that their trades workers are meeting compliance.
- 6.7 Installation of insuite washers, dryers and/or dishwashers prior to August 27, 2012 are grandfathered for approval. Effective August 27, 2012, the installation of insuite washers, dryers and dishwashers is not allowed.
New Bylaw: Resolution #3 at Annual General Meeting August 27, 2012 – Filed #CA3294441 Aug 15, 2013

7. Rentals

- 7.1 A strata lot may be leased for terms of not less than four (4) months.
- 7.2 An owner, tenant or occupant must not rent less than all of a strata lot.
- 7.3 A strata lot must not be used for short-term accommodation purposes, such as a bed-and-breakfast, Air BnB, lodging house, hotel, home exchanged, time-share or vacation rental.
- 7.4 The owner must complete and submit a Form K – Notice of Tenants' Responsibilities to the property management company and/or Strata Council if the strata is self-managed. The Form K must be submitted within two (2) weeks of the tenant moving into the strata lot.
- 7.5 Pursuant to completion of the Form K, the owner must provide the tenant with a copy of the Strata Corporation's bylaws and rules. The owner must advise the tenant that, as occupants of the building, they must meet compliance with the bylaws and rules just as any owner must.
- 7.6 The owner of the strata lot Unit must provide the name and contact information to the property management company and/or Strata Council if the strata is self-managed.
- 7.7 An owner is responsible for the actions and conduct of their renters, insofar as it may impact other resident owners and tenants.
Amended: Resolution #4 at Annual General Meeting May 29, 2017 – Filed #CA6082798 Jun 21, 2017

8. Insurance

- 8.1 An owner will be responsible for the insurance deductible portion of the Strata Corporation's insurance policy where the owner and/or tenant is deemed negligent for any and all damages resulting from their strata lot.

- 8.2 Each owner will be responsible for their own contents (condo) insurance, which includes appliances.
- 8.3 An owner who has made alterations to their strata lot will be responsible for insuring their Betterments and Improvements.
- 8.4 Each tenant will be responsible for their own contents insurance. A tenant's policy does not include an owner's appliances.

9. Use of Property

A resident 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 enjoy the common property , common assets or another strata lot
- d. is illegal
- e. undue and excessive noise such as sound from music systems, televisions, live music at a volume that can be heard by people in any other strata lot or in the common property after between the hours of 11 pm to 8 am.

10. Small Claims and Forced Sale Actions:

- 10.1 The Strata Council may commence and prosecute small claims actions for the recovery of any monies owing to the Strata Corporation without the necessity of having the same approved by a three-quarter (3/4) vote.
- 10.2 The Strata Council may commence and prosecute a forced sale action against any owner who is in arrears of strata fees or special levies without the necessity of having the same approved by a three-quarter (3/4) bote and may expend funds up to \$5,000.00 from the Contingency Reserve Fund on the fees necessary to conduct the proceedings.

New Bylaw: Resolution #5 at Annual General Meeting December 1, 2015 – Filed #CA5094689 Apr 7, 2016

11. Full Indemnity Legal Costs:

- 11.1 A unit owner in default of the payment of common expenses, strata fees, special levies, interest, fines and any other amounts owing pursuant to the *Strata Property Act* (the “Arrears”) shall reimburse the Strata Corporation and hold it harmless against any and all costs and expenses require to collect such arrears, including legal costs, comprised of legal fees, taxes, disbursements and other related expenses, as between a solicitor and his own client or on a full indemnity basis.
- 11.2 For purposes of section 133(2) of the *Strata Property Act*, “unreasonable costs of remedying the contravention; of the Strata Corporation’s bylaws or rules shall be interpreted to include, but not be limited to, legal costs, comprised of legal fees, taxes disbursements and other related expenses, as between a solicitor and his own client or on a full indemnity basis.
- 11.3 To the discretion of the Strata Council, any legal costs or expenses so incurred by the Strata Corporation may be charged to that owner and shall be added to and become part of the assessment of that owner for the month next following the date on which the legal costs or expenses are incurred, but not necessarily paid ty the corporation, and shall become due and payable on the date of payment of the monthly assessment.


New Bylaw: Resolution #5 at Annual General Meeting December 1, 2015 – Filed #CA5094689 Apr 7, 2016

Strata Property Act
Form I
AMENDMENT TO BYLAWS
(Section 128)

The Owners, Strata Plan VR495, 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 or special general meeting held on December 9, 2009 (copy of the Annual General Meeting Minutes attached).

RESOLUTION #4:

BE IT RESOLVED by a $\frac{3}{4}$ vote that the Owners of Strata Plan VR495 approve (as presented to the Ownership) to add/incorporate the proposed supplementary Bylaws 1 – 9 to the Schedule of Standard Bylaws of the Strata Property Act to govern the strata corporation.


Signature of Council Member


Signature of Second Council Member

Section 128 (3) of the Act provides that an Amendment to Bylaws must be filed in the land title office.

This Act is current to June 28, 2017

See the [Table of Legislative Changes](#) for this Act's recent legislative history, including any changes not in force.

STRATA PROPERTY ACT

[SBC 1998] CHAPTER 43

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.

STRATA PLAN VR495 – THE OASIS

RULES OF THE STRATA CORPORATION

Approved at AGM Aug 27, 2012 – Resolution #3
Amendments Registered Aug 15, 2013 #CA3294441

1. Owners and tenants must submit all requests, problems or complaints in writing and deliver to any of the current Strata Council members or the property management company. These will be dealt with accordingly.
2. There is to be a \$50 Moving In fee and a \$50 Moving Out fee. An owner who rents their strata lot will be responsible for remitting the Move-In and Move-Out fee and not the renter. The fees must be remitted to the property management company.
3. ***Deleted and added as a new Strata Bylaw #6.7 per Resolution #3 at AGM August 27, 2012.***
4. The laundry room is to be kept clean at all times. Any clothes left in the laundry room or machines for more than two (2) days will be disposed of.
5. ***Replaced with: Owners may purchase 'access fobs' for \$50.00 each. This includes replacement, lost, stolen, broken, additional or new fobs. Fobs can be obtained from Council. (per AGM held August 27, 2012)***
6. Garbage:
 - the garbage area must be kept clean;
 - items, articles or refuse not acceptable to be disposed of in the dumpster must not be placed around the dumpster area, but must be removed and disposed of by the owner or tenant
 - ensure that both sides of the dumpster lid are locked after closing
 - strict rules from the City are enforceable and failure to comply will result in additional disposal costs to the owners of the strata corporation and/or City fines
 - before putting items in the recycling boxes, please read the labels and properly sort to ensure they are being placed into the correct designated bins. Glass bottles and tin cans must be rinsed. Recycling does not accept Styrofoam and pizza boxes.
7. Only artificial Xmas trees may be used in the building at Christmas time.
8. Every precaution is to be taken to avoid slamming of the steel gates and apartment doors.
9. Lobby junk mail is to be deposited into the refuse basket or is to be placed in the appropriate recycling container. Do not put any other garbage other than paper into the basket.
10. Motor or pedal bikes are not to be parked in the front walkway to the building. There is a bicycle area in the underground parkade for bicycle parking.
11. ***Amended to read: Nothing is to be left or placed in the lobby or building hallways including mats or carpets in front of strata lot doors. (per AGM held August 27, 2012)***
12. Balconies are to be kept clean and neat in appearance, as viewed from the street level or by neighbours. A balcony area is not to become unsightly. Laundry, patio furniture, etc. is not to be hung over the balcony railings.

Rules of the Strata Corporation Continued....

13. Only the use of propane or electric BBQs shall be permitted. They must be kept away from the wooden exterior of the building, not represent a fire hazard or be a nuisance to other owners. Propane tanks shall not be stored anywhere other than the balcony/deck area. No gas or briquette BBQs are allowed.
14. To deter rodents, balcony areas must remain free from food sources.
15. Draperies, blinds and curtains must be off-white, cream, beige or neutral in color to maintain a pleasant color-coordinated exterior building appearance.
16. Owners are responsible for their tenants. Tenants are responsible for their visitors. Remember to abide by the Strata Corporation's bylaws and rules.
17. ***New Rule: Owners are not to pour grease, fats, oils, butter or any other fatty/greasy substance down any of the kitchen or bathroom drains & toilets.***
18. ***New Rule: Owners are not to flush feminine hygiene products, cotton swabs, compost or kitty litter down the toilet. This is especially important if you have installed low flush toilets.***