

Strata Corporation VR855 – “Shawnoaks”

5505-5585 Oak Street
Vancouver, BC
V6M 2V5

BYLAWS

The attached bylaws for Strata Plan VR855 are in addition to those bylaws contained in Part 5 of the *Condominium Act of B.C.* In addition to bylaws, there could also be “Rules and Regulations” which are not registered at the Land Titles Office, but are attached here in.

For legal purposes, you should obtain a true copy of the bylaws from the Land Title Office.

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GENERAL

Part 5, Section 115 to 132 inclusive, of the *Condominium Act of British Columbia*, are the Statutory By-Laws for all condominium developments in British Columbia.

The following by-laws apply to Strata Corporation VR855, "Shawnoaks", and are in addition to, or supplementary to, the by-laws of the *Condominium Act*.

BY-LAW: 1 USE OF STRATA LOTS

- 1.1 The strata lot shall be used exclusively, by the owner, as a private dwelling home for 1 family, and unless the Council otherwise approves in writing the strata lot shall be occupied in accordance with C.M.H.C. standards.
- 1.2 No owner shall permit any activity on their strata lot, or on any common property, that is contrary to any statute, ordinance, by-law, rule or regulation of any authority, whether Federal, Provincial, Municipal or Strata Corporation.

BY-LAW: 2 MONTHLY MAINTENANCE PAYMENTS

- 2.1 Monthly maintenance payments must be received by the management company on or before the 1st day of each month. Any owner failing to comply will be considered to be in arrears, and may be subject to a fine for each month or portion thereof that he/she remains in arrears.

Late monthly maintenance payments: \$25 for each month or portion thereof.

- 2.2 When arrears exceed 45 days, a lien will be placed on the strata lot involved at the owner's expense for the total monies due, including all legal and other coincidental expenses.
- 2.3 The Strata Corporation may proceed with foreclosure of a strata lot that owes \$2,000 or more in strata fee payments, lien fees, fines and/or special levies assessment.

BY-LAW: 3 STRATA LOT OCCUPANCY

- 3.1 With the exception of those strata lots listed in Section 3.2, all strata lots are to be occupied by the owner, or their immediate family.

For clarity, immediate family, means anyone being 19 years of age, or over, who is a sibling of the husband /wife, or the son/daughter, father/mother, grandparents or grandchildren of the owner of a strata lot.

Before the owner of a strata lot permits a member of their immediate family to occupy the strata lot they shall advise Council, and furnish the name(s) and the relationship of the individual(s) concerned.

Unauthorized renting/leasing, or actions which may be constructed as renting/leasing of any strata lot not listed in By-laws 3.2: up to \$500 monthly or any portion thereof.

- 3.2 Subject to the *Condominium Act of British Columbia*, the number of strata lots within Strata Plan VR855 that may be leased/rented is restricted to 4, namely;

Strata Lot #16:	6-5505 Oak Street
Strata Lot #8:	6-5515 Oak Street
Strata Lot #17:	1-5525 Oak Street
Strata Lot #72:	8-5585 Oak Street

in the City of Vancouver, B.C. V6M 2V5

- 3.3 Any owner of the strata lots listed in Section 3.2, who leases their lot shall submit a completed Form "K" to the management company within 15 days of commencement of the lease. Failure to comply will incur a fine of \$50 monthly or portion thereof.
- 3.4 Those strata lots, listed in Section 3.2, which are now leased/rented will be permitted to continue to be leased/rented until the sale of such strata lot(s), at which time this permission shall terminate automatically.
- 3.5 In accordance with By-Law 3.2, owners who are allowed to rent/lease their strata lot must advise their lessees of the existence of the *Strata Property Act*, By-Laws and the current Rules and Regulations of the Strata Corporation VR855. Upon each leasing or renting of their strata lot, the owner shall be charged a non-refundable of \$50 payable to the Strata Corporation to cover future admission costs to contact the owner and/or the tenant.

BY-LAW: 4 DISTURBANCE OF OTHERS

- 4.1 No noise shall be made in or about any strata lots or on the common property, which in the opinion of the Strata Council, interferes with the peaceful enjoyment by others of their strata lot or the common property.
- 4.2 No obstructions, restrictions or hindrances shall be caused to entrances, exits, sidewalks, passageways, stairways or other parts of the common property.
- 4.3 Mops or dusters of any kind shall not be shaken from, and nothing shall be thrown out of any window, door, stairway, passage, or other parts of the strata lot or the common property.
- 4.4 The gardens and common property shall not be used by any person in any way which, in the opinion of the Council, affects the quiet enjoyment of the strata lots.
- 4.5 Cycling or skating/skateboarding and rollerblading shall not be permitted on any common property, including sidewalks and pathways.
- 4.6 No owner, guest or visitor shall be permitted to trespass on limited common property to which another owner is entitled to exclusive occupancy.

BY-LAW: 5 HAZARDS

- 5.1 Everything should be done to reduce fire hazards, and nothing should be brought onto or stored on a strata lot or common property which will in any way increase, or tend to increase, the risk of fire, or the rate of fire insurance, or any other insurance policy held by the Strata Corporation, or which will invalidate any insurance policy.
- 5.2 The cost of repair or any damage to common property, or limited common property, caused by an owner, occupant, or a guest, will be charged to the owner of the strata lot.
- 5.3 Only electric barbecues may be used on the balconies and patios.
- 5.4 Fire Marshall Regulations require that fire doors should be kept closed at all times.

BY-LAW: 6 CLEANLINESS

- 6.1 Rubbish, garbage, boxes, packing cases, shoes, carpets or the like, shall not be thrown, piled or stored in corridors, stairways, or any parts of the common property, including patios and balconies.
- 6.2 Household garbage and refuse must be sealed in plastic bags, and deposited in the proper garbage containers in the assigned garbage rooms.
- 6.3 Any material other than ordinary household refuse and garbage shall be removed from the common property by the individual owner or resident of the strata lot.
- 6.4 Nothing shall be stored on patios, balconies or common property other than that which is permitted by the by-laws or rules and regulations. Any items stored in violation of the by-laws or rules and regulations will be removed by the Strata Council with notification, and the cost of removal charged to the owner.

BY-LAW: 7 EXTERIOR APPEARANCE AND ALTERATIONS

- 7.1 No signs, fences, gates, billboards, placards, advertising, or notices of any kind shall be erected or displayed on the common property, or external to a strata lot, without prior approval of the Strata Council.
- 7.2 (a) No T.V. or radio antenna, satellite dish, or any other objects may be affixed to the roof of any building without permission of Strata Council.
- (b) Awnings, shades or screens, air-conditioning units may be installed with prior written permission of the Strata Council.
- 7.3 No laundry, washing, clothing, bedding or other articles shall be hung or displayed from windows, balconies, patios or other parts of the building so that they are visible from the outside of the building.
- 7.4 Balconies and patios shall not be used for storage purposes. Any damage other than normal wear and tear to patios or balconies shall be repaired at the expense of the owner of the strata lot.
- 7.5 All window coverings visible from the exterior of the building or strata lot, shall be of a neutral color.
- 7.6 An owner or resident shall not do, or permit to be done, anything that may cause damage to trees, shrubs, plants, flowers or lawns, or otherwise interfere with the maintenance or growth of same.

BY-LAW: 8 OBTAIN APPROVAL BEFORE ALTERING A STRATA LOT

- 8.1 All future requests from individual strata lot owners, whether it is current or perspective owners, wanting to carry out renovations in their strata lot will only be considered by Council at its next scheduled Strata Council Meeting. Work may only begin after permission has been granted by the Council. Council will only entertain requests which are backed by Certified Professionals. Council may specify specific professionals to do specific portions of the alterations.
- 8.2 An Owner must obtain the written approval of the council 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, or windows on the exterior of a building.
 - (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;
 - (h) antenna, satellite dishes or similar structures or appurtenances hung from, placed on, erected or attached to the exterior of a Strata Lot;
- 8.3 The council must not unreasonably withhold its approval under subsection (1), but may require as a condition of its approval that the Owner agrees, in writing, to take responsibility for any expenses relating to the alteration.
- 8.4 Replacing of flooring is allowed only with prior written consent from the Council using the following specifications:
- (a) Hours of work: Mondays to Fridays from 9:00 a.m. to 6:00 p.m., and Saturdays from 10:00 a.m. to 5:00 p.m. No work on Sundays or Holidays.
 - (b) The Owner is responsible for removing all debris, old carpet, boards, drywall, etc. from the building. No debris of any kind is to be placed in the dumpster or the recycling bins.
 - (c) The Owner is responsible for cleaning the stairwells, breezeways and all common property of any dust, dirt, debris, etc. at the end of each working day.
 - (d) Security: Owner and contractor are responsible for the security of the building at all times.
 - (e) Underlay (sound deadening material) under the floating hardwood floor chosen must possess an IIC (impact insulation class) of 65 dB or greater.
 - (f) Council requires proof of purchase and the IIC ratings for all underlay materials.
 - (g) Ceramic tiles on the kitchen and bathroom floors must be also be installed with sound deadening underlay material and the details of
 - (h) this material must be submitted to Council for approval and they must have an acoustical rating with a minimum IIC of 63 dB.
 - (i) Any work involving jack hammering, chipping or grinding is limited to the hours of 11:00 a.m. to 3:00 p.m. (maximum 4 hours per day), Monday to Fridays only. There is to be no jack hammering, chipping or grinding on weekends or on statutory holidays. Removal of tile floors also requires special council approval.

- (j) In the event that there are noise complaints, the owner will be required to address the issue by placing carpets or mats in the problematic area or by other means in order to reduce the noise to a reasonable level.

The failure of an Owner to comply with this section will result if a fine of \$200.00 for each contravention. A fine may be imposed every seven (7) days.

BY-LAW: 9 OBTAIN APPROVAL BEFORE ALTERING COMMON PROPERTY

- 9.1 An Owner must obtain the written approval of the council before making an alteration to limited common property.
- 9.2 The council will require as a condition of its approval that the Owner agree, in writing, to take responsibility for any expenses relating to the alteration.

The failure of an Owner to comply with this section will result in a fine of \$200.00 for each contravention. A fine may be imposed every seven (7) days.

BY-LAW: 10 ALTERATIONS TO A STRATA LOT OR COMMON PROPERTY

- 10.1 Any alteration to a Strata Lot or to common property that has not received the prior written approval of council must be removed at the Owner's expense if the council orders that the alteration be removed. An Owner who receives approval will be liable for all costs connected to the alteration, including the cost of repairing and maintaining the alteration and the cost of repairing and maintaining the common property or a Strata Lot if such repair is required as a result of the alteration. An Owner who receives approval may be required by the council to sign an Assumption of Liability Agreement.
- 10.2 The Owner will be responsible to obtain the applicable permits prior to commencing the work, and obtaining such permits is a condition of the council's approval.
- 10.3 Owners who undertake alterations in accordance with these Rules and Regulations, and subsequent Owners, are responsible for all costs relating to:
- (a) the maintenance and repair of the alterations, and
 - (b) the effects on all adjacent Strata Lots or common property, and
 - (c) the effects of rain and weathering, staining, discoloration.
- 10.4 The council may maintain, repair, or remove alterations to common property if in the opinion of the council:
- (a) the alterations are not maintained or repaired, or
 - (b) the alterations are damaged.
- All costs incurred in the maintenance, repair, and/or removal will be charged to the Owner of the Strata Lot and are his responsibility.
- 10.5 On the sale of a Strata Lot, Owners must include all obligations and costs that may be applied relating to alterations in any agreement of sale. If the subsequent Owner refuses to sign an Assumption of Liability Agreement with the Strata Corporation the alteration may be removed by council and the cost of the removal will be charged to the new Owner.
- 10.6 To remove an approved alteration or attachment, an Owner must negotiate the terms of removal with the council.
- 10.7 The council reserves the right to require, or have an Owner provide, specified professional supervision or inspection, or both, of approved alterations. The council may include specified supervision or inspection as a requirement of approval.
- 10.8 When approval is granted by the council to any Owner for modifications to the interior of the Strata Lot, work must commence within sixty (60) days of approval and be completed within sixty (60) days from the date approval was given.
- 10.9 An approved alteration shall be done between the hours of Mondays to Fridays from 9:00 a.m. to 6:00 p.m., and Saturdays from 10:00 a.m. to 5:00 p.m. No construction work to be done on Sundays or statutory holidays.

- 10.10 An Owner who is permitted to make an alteration shall be responsible for the removal of any construction debris and the common property shall be completely cleaned up prior to the site being left each day.

The failure of an Owner to comply with this section will result in a fine of \$200.00 for each contravention. A fine may be imposed every seven (7) days."

BY-LAW: 11 PETS

- 11.1 Pets are not allowed within boundaries of "Shawnoaks", Strata Corporation VR855.
- 11.2 Any owner violating By-Law 8.1 will be subject to a fine of \$50 per every 7 days the pet resides on the premises.
- 11.3 No strata lot resident, guest or visitor shall feed birds, squirrels, rodents or other animals within the boundaries of the Strata Corporation.

BY-LAW: 12 LOCKER ROOMS

- 12.1 No items shall be stored in the aisle or floor area of the locker room. Lights must be turned off and the door must be locked.
- 12.2 No materials of an inflammable nature, carpets, mattresses, or dangerous items forbidden by law, may be stored in the lockers or storage rooms.
- 12.3 Stored items must not interfere with, or obstruct, the sprinkler system.

BY-LAW: 13 EXTERIOR APPEARANCE AND ALTERATIONS

- 13.1 Bicycles may not be ridden on paths, sidewalks or common areas.
- 13.2 Bicycles are not to be stored on balconies or patios.
- 13.3 Bicycles may be stored in the designated area in the garage containing bicycle stand for which a one-time fee of \$50 should be paid by the user.

BY-LAW: 14 FOR SALE SIGNS

- 14.1 Real estate listing agents and the owners must obtain permission from the management company before posting name and phone number and then only on the notice board at the entrance of the complex.

BY-LAW: 15 FINES

- 15.1 Fines, after due notice, imposed by the Strata Council, shall have the same status and priority in law as delinquent maintenance fees or special assessments, as defined in the *Strata Property Act* of British Columbia. For greater clarity, fines levied by the Strata Council shall be accrued from the 1st day of the following month and become part of the maintenance payment due on that date.
- 15.2 The amount of the fines and/or penalties will be determined solely by the Strata Council.
- 15.3 The amount of the fine for each infraction will be listed separately and included in the rules and regulations of the Strata Corporation.

BY-LAW: 16 INSURANCE CLAIMS

- 16.1 In the event that loss or damage occurs to common or limited common property that gives rise to a valid claim under the Strata Corporation's insurance policy, it is agreed and understood that if the origination of the loss is within the interior confines of an individual strata lot the deductible of the Strata Corporation's policy relative to the loss shall be paid by the individual strata lot owner in whose lot the cause of the damage originated, only if negligence or willful neglect can be proven.
- 16.2 The only exception to the foregoing By-law 13.1, is where loss originates from the rupture or malfunction of a permanent public facility supply line or sewer system that extends from common property into an individual unit, in which case the deductible shall be the responsibility of the Strata Corporation. It is further agreed and understood that where any loss or damage originates from "Common Property" as defined in the *Condominium Act* (1979 (B.C)) the deductible is the responsibility of the Strata Corporation.

LIST OF FINES

- BY-LAW: 2.1** Late monthly maintenance payments
\$25 for each month or portion thereof.
- BY-LAW: 3.1** Unauthorized renting/leasing, or action which may be construed as
renting/leasing of any strata lot not listed in By-law 3.2
up to \$500 monthly or any portion thereof.
- BY-LAW: 3.3** Renting/leasing strata lot without submitting Form "K".
\$50 for each month or portion thereof.
- BY-LAW: 11.1** Keeping a pet
\$50 every 7 days the pet is on the premises.
- GENERAL** For violation of any by-laws, rule or regulation other than those specifically
outlined above, there will be a fine, the amount of which will be determined
by Council on a case-by-case basis.

RULES & REGULATIONS

PARKING

1. Occupants shall park their vehicle(s) only in the spaces assigned or rented to them.
2. No one shall park, or leave unattended, a vehicle in such a position that it interferes or infringes upon other spaces. Nor shall a vehicle be left in such a way that it blocks or infringes on access lanes, or in no parking zones.
3. Vehicles may be washed only at the designated location, and persons washing vehicles must hose down all dirt and remove excess water resulting from the vehicle washing.
4. Vehicles dripping oil, or any gasoline, will be prohibited from parking until repaired, and the cost of clean-up or damage to the parking space will be charged to the owner. Violation thereof will result in having the vehicle towed at the owner's expense.
5. Assigned parking areas may not be used for storage of other than a vehicle, unless approved by Council.
6. All garage areas are common property and may not be altered or defaced in any manner.
7. Maximum speed in the garage is 8 kph (5 mph).
8. Residents must provide the resident manager with the description of their vehicle(s) and license number(s) within seven (7) days of taking up residency.
9. Residents should ensure the security door is firmly closed after entering or leaving the garage.
10. Residents should exercise vigilance on entering the garage to ensure that unauthorized vehicles do not follow behind them.
11. No major repairs will be permitted to be carried out on resident's vehicle in the garage.
12. The Strata Corporation reserves the right to have vehicles towed out at owner's expense at any time for the safety of the building, or when the use of the common property is obstructed.
13. Where a garaged vehicle does not have a valid insurance decal affixed to the license plate, Council requires the display on the dashboard or current liability insurance certificate. Failure to do so will result in the vehicle being towed at the owner's expense.
14. Only bicycles with an official parking sticker displayed on the bicycle will be permitted to store the bicycle on the rack.

VISITOR'S PARKING

1. Visitors will park only in the designated parking area, namely: Spaces 94, 95, 96 and 54, 55, 56, 57 and then only for a maximum of 10 hours.
2. Overnight parking must be authorized by the resident manager.
3. Owners/residents with visitors desiring to park overnight must contact the resident manager preferably well in advance during working hours and a space will be assigned. Where longer term parking is required and upon payment of designated parking charges, the resident manager will assign a designated space to the visitor.
4. Owners/residents are responsible for their visitors abiding by all the parking regulations.
5. Any infractions of the parking regulations may result in the vehicle being towed out at the owner's expense.

SWIMMING POOL AND SAUNA

1. Anyone using these facilities should be aware that;
 - NO LIFEGUARD SERVICES ARE PROVIDED, and that they are therefore
 - ASSUME ALL RISKS FOR THEIR OWN SAFETY.

Strongly Recommended: NO PERSON SWIM IN THE POOL UNACCOMPANIED!

2. The pool will be open during daylight hours only.
3. The pool and sauna are for the exclusive use of "Shawnoaks" residents and guests.
4. Please use Cabana showers before entering the pool or sauna.
5. Guests must be accompanied by their host resident.
6. Only 2 guests are permitted per suite.*
7. No children under 16 years of age are allowed at anytime in the pool or sauna.
8. Appropriate swimwear is to be worn. Bathing caps should be worn by persons with long hair.
9. Suntan lotion or grease must be removed before entering the pool.
10. No food or alcohol is permitted in the pool area.
11. Only plastic or metal drinking containers are allowed.
12. No toys, tubes, balls, swim fins or foam objects are allowed in the pool area.

LAUNDRY ROOM

1. The laundry room equipment is for the exclusive use of the residents.
2. Washing machines and dryer filters are to be cleaned of all foreign matter after each use.
3. No one shall remove another resident's laundry from a machine before the completion of the washing or drying time allowed to the resident, as per the time-table in each laundry room.
4. The washing machines should not be over or under-loaded.

GARBAGE

1. All garbage MUST be deposited in the plastic containers situated in the 4 garbage rooms located in the garage or in the proper recycling bins.
2. To maintain cleanliness, and to avoid infestation as well as odors, all garbage is to be wrapped and tied in plastic bags before placing same in garbage containers. Failure to comply is a fineable offence.
3. Bottles, newspapers and magazines are to be placed in the proper recycling containers provided.
4. Moving cartons and other cardboard boxes must be broken down before being left at the cardboard recycling location.
5. Unusual items such as chairs, household equipment should not be left with the regular garbage, but disposed of by the resident at the proper City dump.

BYLAWS

IN ADDITION TO PART 5 OF THE CONDOMINIUM ACT

GENERAL

Refer to Part 5, Section 115 to 132 inclusive, of the *Condominium Act of British Columbia*, which are the statutory By-Laws for all Condominium Developments in British Columbia. The following By-Laws apply to "Shawnoaks" Condominium Development, and are in addition to, or supplementary to, the By-Laws of the *Condominium Act*.

NOTES:

Bylaws have been registered at Land Titles Office on an ongoing basis. These have included new bylaws and amendments to bylaws previously registered. The Bylaws listed herein are those currently in place for Strata Corporation VR855. Owners will be advised accordingly of any changes in the future. The following is a listing of registration numbers and dates of registration for owners reference.

Registration Number	Date	Bylaw Section(s)
DFM 40398	May 9, 1984	Registered full Bylaws
DFM 67223	May 30, 1984	Amendments to Bylaws
DFM 87243	October 30, 1984	Amendments to Bylaws
DFP 50287	June 6, 1986	Amendments to Bylaws
DFGC 80094	July 4, 1989	Amendments to Bylaws
BH 213793	June 7, 1994	Register Full Set of Amended Bylaws & Rules & Regulations
BH 399485	November 4, 1994	Amendments to Bylaw
BJ 205625	July 13, 1995	13, Insurance
BR 169528	July 9, 2001	2.1, 3.1, 3.3, 3.8, 8.1, Parking, Visitor's, Swimming Pool & Sauna, Laundry Room & Garbage
BV 284454	May 29, 2003 AGM	Parking, Bylaw #1 was deleted and the rest were renumbered.
BB1168555	June 28, 2010	Addition to Bylaws, Section 2.3