

NORTHWEST STRATA MANAGEMENT LTD.

STRATA PLAN VR-788 BY-LAWS

**BRITANNIA PLACE
251 WEST 4TH STREET
NORTH VANCOUVER BC
V7M 1H8**

Attached hereto is a copy of the bylaws for the strata corporation taken from the records that Northwest Strata Management Ltd. maintains for the strata corporation. These are provided to you on a "without prejudice basis". For legal purposes please obtain a true copy as currently registered at the Land Title Office. Please also consider if, and to what extent, the Schedule of Standard Bylaws in the *Strata Property Act* applies. Bylaws are an extensive legal document and it is recommended that you obtain and rely on professional legal counsel and advice on the content.

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NOTE: This by-law package may or may not contain all, or portions of, the "Schedule of Standard Bylaws" of The Strata Property Act Of British Columbia.

SCHEDULE OF BYLAWS - VR788 (Britannia Place)

It is intended that these bylaws replace and supercede the standard bylaws found under the Strata Property Act S.B.C 1998 c.43 and amendments thereto (herein "the Act").

Division 1 – Duties of Owners, Tenants, Occupants and Visitors

Payment of strata fees

- 1 (1) An owner must pay strata fees on or before the first day of the month to which the strata fees relate.
- (2) Interest shall be charged on overdue strata fees (including special levies) and shall be calculated at ten percent (10%) per annum, compounded annually.
- (3) Strata fees not received by the tenth day of the month in which they are due are subject to a \$50.00 fine, which is in addition to any interest charged under bylaw 1(2).

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 (the period between 10pm and 8am shall be considered as "quiet hours"),
 - (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) unreasonably increases the risk of fire, or
 - (f) 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, namely as residential premises.

- (iii) Allow any person not known to them into the building.
- (iv) Store in or about a strata lot, the limited common property or the common property any item or substance which would be considered an extreme fire hazard, except for propane for use with barques, provided that it stored outdoors only.
- (v) Place any item on the common property or take any action which would be likely to damage or interfere with the growth or maintenance of the lawn, trees, plants, bushes and other vegetation on the common property.
- (vi) Plant, remove, cut or trim any tree, shrub or vine without prior written approval of the council.
- (vii) Hang, or attache any item to balcony railings without the prior written approval of the council.
- (viii) keep any shopping cart on the common property.

Resale of Strata Lots

- 4 For Sale signs and other advertising regarding strata lots for sale shall only be posted on the directory board(s) created for that purpose. For Sale signs must be removed within 7 days of a binding contract for purchase and sale being entered into.

Pets

- 5 (1) Subject to sub-paragraph (2) an owner, tenant or occupant may keep a reasonable number of pets in a strata lot other than the following:
 - (a) dogs in excess of 25 pounds in weight or 12 inches in height at the shoulder;
 - (b) reptiles;
 - (c) animals not normally considered domestic animals or pets.
- (2) An owner, tenant or occupant must not keep more than one dog or one cat in a strata lot.
- (3) All pets must be leashed and under the control of their owner while on the common property.
- (4) A pet's owner must remove any waste or excrement left by the pet on the common property;
- (5) Pets which are, at the discretion of the strata council, considered to be a nuisance shall be ordered in writing to be removed from the strata lot. An owner, tenant or occupant shall have twenty-one (21) days to comply with any such order.

Obtain approval before altering common property

- 8 (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 must:
- (a) present design drawings and specifications pertaining to the proposed alteration;
 - (b) ensure that all work is done to a standard and is of a quality consistent with that of the rest of the building;
 - (c) obtain all necessary permits and governmental approvals and provide copies thereof to the strata corporation;
 - (d) enter into a written agreement that they shall be responsible for any future repair and maintenance costs relating directly or indirectly to the alteration. The owner shall, prior to transferring title to the strata lot cause any future owner to agree in writing to be bound by the terms of such agreement; and
 - (e) Provide proof of third party liability insurance in an amount specified by the strata corporation.
- (3) The strata corporation, at an owner's expense, may return to its previous condition any alteration which has been made and has not been approved.

Permit entry to strata lot

- 9 (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.

Moving

- 10 (1) A move-in fee, as set out in the Rules, will be assessed to a strata lot each time owners, tenants or occupants move into the strata lot. The said fee shall become due and payable at the same time as the following month's strata fees.

- (9) Motor vehicles dripping oil, gasoline or any other fluid may, at the discretion of the council, be prohibited from entering upon the common property including the parking garage until repaired. Owners of motor vehicles causing floor stains or leaving fluids shall, upon notice of the council, clean up all drippings including stains or, failing to do so within seven days, the strata corporation may do so and the costs of such cleaning shall be assessed as a charge against the owner of the strata lot to whom the parking space is assigned.

- (10) Unlicensed vehicles must be covered by insurance for third party liability (minimum \$2 million limit), and a copy of the said insurance must be delivered to the council. If evidence of insurance on the unlicensed vehicles is not provided to the council, and the Resident to whom the parking space has been assigned has been requested in writing to provide a copy but has not done so within a reasonable time, the council may arrange to have the unlicensed vehicle removed from the parking garage and the cost of removal shall be charged to the owner of the strata lot to whom the parking space has been assigned and become due and shall be payable with his next monthly maintenance fee.

- (11) Vehicles in violation of this bylaw may be towed at the owner's expense.

Division 2 – Powers and Duties of Strata corporation

Repair and maintenance of property by strata corporation

- 13 (1) 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 (including frames) and skylights on the exterior of a building or
 - that front on the common property; and
 - (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

Replacing council member

- 18 (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 must appoint a replacement council member for the remainder of the term, unless there is no person who is willing to fill the position.
- (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.

Officers

- 19 (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.

Limit on Liability of Council Member

- 20 (1) A council member who acts honestly and in good faith is not personally liable because of anything done or omitted to be done in the exercise or intended exercise of any power or duty of the council.
- (2) Subparagraph (1) does not affect a council member's liability, as an owner, for a judgment against the strata corporation.

- (2) If a council meeting is held by electronic means, council members are deemed to be present in person.

Voting at council meetings

- 25 (1) At council meetings, decisions must be made by a majority of council members present in person at the meeting.
- (2) 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.

Council to inform owners of minutes

- 26 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.

Delegation of council's powers and duties

- 27 (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.

- (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.

Participation by other than eligible voters

- 33 (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.
- (4) A vote for strata lot may not be exercised, except on matters requiring a unanimous vote, if the Strata corporation is entitled to register a lien against that strata lot under s. 116 of the Act.

Voting

- 34 (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.

Insurance

- 37 For the purposes of section 149(4)(b) "major perils" shall include the peril of "earthquake" in addition to those perils listed under Regulation 9.1(2).

Court Actions

- 38 In accordance with section 171(4) the authorization referred to under section 171(2) is not required for a proceeding under the Small Claims Act. Such proceedings may be commenced with the approval of the council only.

Rental Restrictions

- 41 (1) The number of strata lots which may be rented is limited to three (3).
- (2) An owner seeking to rent their strata lot shall apply in writing to the strata council for permission. Such permission shall only be granted if the maximum number of strata lots set out in (1) has not been reached. Applications shall be approved in order of their receipt by the strata council. Applications received after the maximum number of rentals has been reached will be held and approved in order of their receipt unless withdrawn.
- (3) A strata lot being rented under s. 144 of the Act shall be deemed to have submitted an application under subsection (2) on the date on which permission to rent under that section was granted and shall fill any vacancy which arises.
- (4) Should an owner rent a strata lot in accordance with this bylaw, or to a family member under the Act, or obtain permission under the Act to rent on the basis of a hardship, that owner must submit a signed Notice of Tenant's Responsibility to the Strata corporation within the time limit allowed under the Act.
- (5) An owner who fails to submit a signed Notice of Tenant's Responsibility within the time limit allowed under the Act shall be subject to a fine in the amount of \$100.00 for every month or part thereof that the strata lot is rented and the strata corporation is not in receipt of a signed Notice of Tenant's Responsibility.
- (6) A tenancy shall be deemed to come to an end when a tenant vacates the strata lot. The owner of that strata lot shall be required to reapply pursuant to (1) above.
- (7) An owner who rents a strata lot contrary to this bylaw shall be subject to a fine of \$500.00.

3/4 Vote Resolution #1-04

Be it hereby resolved to amend the existing bylaws of Strata Plan VR-788 by adding the following bylaws:

- 42 (1) A member of the strata council must vacate his/her seat on council immediately at the time his/her property is listed for sale.
- 42 (2) The strata council is not empowered to exempt an owner from any bylaw and is not to consider requests for exemptions from a prospective buyer.

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Be it hereby resolved to amend the existing bylaws of Strata Plan VR-788 by changing the existing Strata Corporation "Moving" bylaw to read as follows;

10 (1) A move-in fee of \$300 will be assessed to a strata lot each time owners, tenants or occupants move into the strata lot. The said fee shall become due and payable at the same time as the following month's strata fees.

Be it hereby resolved to amend the existing bylaws of Strata Plan VR-788 by changing Strata Corporation bylaw 3 (7) "Use of Property" to read as follows;

3 (7)(b) Subject to prior written approval of the council, bamboo privacy screens of a neutral colour only, to a maximum height of the existing balcony railings only, may be permitted on the South side only of Britannia Place.

SCHEDULE "D"

BRITANNIA APARTMENTS

CONDOMINIUM ACT
(Section 31)

RENTAL DISCLOSURE STATEMENT

1. The strata plan in respect of which this statement is made is described as Britannia Apartments located on Lot "E", Block 134, District Lot 271, Plan 17948 in the City of North Vancouver, British Columbia and contains 44 residential strata lots.
 2. The owner-developer has not leased any of the strata lots as of this date.
 3. The owner-developer intends to rent all of the residential strata lots on a month-to-month basis.
 4. There is presently no by-law of the strata corporation which limits the number of strata lots that may be leased by the owners.
- DATED this /^{5th} day of August, 1980.

BRITANNIA APARTMENTS LTD.

Per:


Director

June 2, 2011

BRITANNIA PLACE - 251 4th ST W., North Vancouver
211

Owners Of Strata Plan VR788
C/O NORTHWEST STRATA MGMT
205-1515 Pemberton Ave
North Vancouver BC V7P 2S3

COPY



Re: Life Safety Upgrade Bylaw – Pre-1992 Multi-Unit Residential Buildings

To whom it may concern:

A Life Safety Upgrade Bylaw (LSUB) was adopted by City Council on February 28, 2011. The purpose of the LSUB is to enhance the health and safety of individuals and improve life safety through the protection of persons and property from fire. The Bylaw is specific to approximately 325 pre-1992 multi-unit wood-frame residential buildings.

The above noted building has been identified as one that falls within the parameters of the LSUB, and as the registered owner or owner's agent, this information package is provided to advise you of the new Bylaw requirements. The Bylaw provides for the upgrading of existing fire alarm systems to meet current code standards, including the provision of a signal to the Fire Department (monitoring) and in-suite heat detectors in unsprinklered buildings.

In acknowledging the potential cost of this upgrade, ample time has been provided to complete the work required under this Bylaw. A Life Safety Upgrade Permit Application, complete with all required documentation (see attached guidelines), is required to be submitted prior to **January 1, 2014**. The installation of the monitored fire alarm system and final City approval must be completed within 2 years of the date of the permit issuance.

In addition to the Bylaw, the Office of the Fire Commissioner has initiated a code change that requires a smoke alarm to be installed in every dwelling unit. Be advised that you are required to install a smoke alarm in each dwelling unit immediately (see: http://www.pssa.gov.bc.ca/firecom/rd_legislation/index.htm). For buildings constructed prior to 1979 smoke alarms may be battery operated. If constructed in 1979 or newer, then the smoke alarms are to be hard wired.

The Fire Safety Plan required by the BC Fire Code will need to be updated to reflect changes prior to obtaining final approval.

In order to review the Bylaw in its entirety, please do so through the following link on the City's Website at <http://www.cfv.org/bylaws/bylaws/8090.pdf>.

Should you require a paper copy of the Bylaw, or any further information regarding the LSUB, please contact Lieutenant David Owens, City Fire Department, at 604-904-5206 or John de Ruiter, Assistant Manager of Inspections, City Hall at 604-983-7374.

Thank you for your cooperation in making our community a safer place to live and work.

Yours truly,

Dave Burgess
Dave Burgess
Deputy Fire Chief



Life Safety Upgrade Program

Overview

The adoption and implementation of the Life Safety Upgrade Program is in response to Council's concern with regard to a series of fires that have occurred in the City in older (constructed before 1992) multi-unit residential wood frame buildings. The Program enhances the health and safety of its buildings occupants by upgrading existing older outdated fire alarm systems by replacing them with modern systems that improve audibility and fire detection, and will also notify the Fire Department in the event that a fire should occur.

To carry out this work, the building owner and/or Strata will need the services of a certified electrical contractor and a registered professional (electrical engineer) skilled in the work concerned. The Strata or building owner or their agents (the engineer or contractor) will be required to apply for a Life safety Upgrade permit to perform this work. The fee for this permit is \$100. Permit applications are made in the Community Development Department at City Hall. Three sets of design drawings prepared and sealed by the engineer will be required. The drawing must comply with the requirements listed below under "Permit Application Requirements."

The Engineer of Record will take full responsibility for the design and installation of the project. He/She will conduct all field reviews and submit all the necessary documents (see "Permit Application Requirements") at the project's completion including a sealed letter of assurance stating that the work completed complies with the Bylaw. The Fire Department will witness a functional test of the fire alarm system when the work is complete. The engineer or contractor will contact the Fire Department directly (604.980.5021) to arrange this inspection.

Permits will be issued within a day or two of the application date. Applications must be made by no later than Jan 1, 2014.

As a result of the Fire Alarm upgrade, the building's existing Fire Safety Plan must also be updated to reflect the changes to the Fire Alarm system. The updated Plan must be submitted to the Fire Department for review and approval.

Please review the Bylaw in detail; it's available online on the City web site at www.cny.org. When you are on the City web site enter the following link in the address bar at the top of the page: <http://www.cny.org/bylaws/bylaws/8090.pdf>

Provisions and Standards

- New or upgraded Fire Alarm Systems required to be installed in a building as required by the City's Life Safety Upgrade Program the following provisions and standards of the BC Building Code are to be considered and incorporated in its design and installation:
 - The provisions of 3.2.4 and 9.10.18 of Division B of the 2006 BC Building Code
 - CAN/ULC S524 "Installation of Fire Alarm Systems"
 - CAN/ULC S537 "Verification of Fire Alarm Systems"
 - Section 32 of the Canadian Electrical Code (CEC Part 1)
 - 2006 British Columbia Fire Code

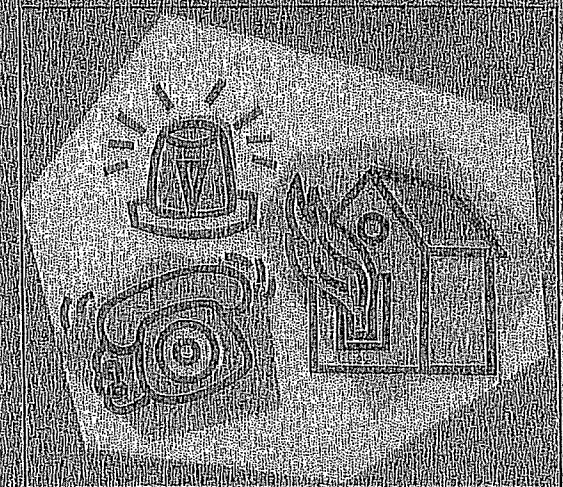
Life Safety Upgrade Permit Application Requirements

- Complete Life Safety Permit application form (see attached)
- The owner or their agent is required to complete "Acknowledgement of Responsibility Form" (see attached)
- The permit fee is \$100 and is required at the time of application
- Three sets of drawings prepared and sealed by a registered professional (electrical engineer) skilled in the work concerned. The drawings must indicate the following:
 - Location of fire alarm panel
 - Location of fire alarm initiating devices (e.g., smoke, heat, manual pulls, bells)
 - Smoke alarm in suites
 - Heat detectors in suites
 - Fire alarm monitoring
 - Method of protection of emergency conductors
 - Wiring fire-stopping method
- Fire alarm equipment shop drawings are to be reviewed and sealed by the engineer and be submitted with the design drawings when the permit application is being made.

Life Safety Upgrade Program

Adopted February 28, 2013

Permits and Licenses



Community Development
Department

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www.city.org

the
city

of
north
VANCOUVER