

Strata Living

Headline: Pet exemptions

Topic: Pets

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Dear Tony: What pets exactly are exempt when a new pet bylaw is passed? At our annual meeting in August, we adopted a new pet bylaw that limits pets to one cat and one dog per strata lot. The president of the council and manager told us at the time we had 3 weeks to adopt any new pets because the bylaw would not be filed until the following month. It seems rather silly to adopt a pet restriction bylaw and then allow owners to bulk up on pets, thereby contradicting what we decided would be a reduction.

Jason J.L. Richmond

Dear Jason: The schedule of standard bylaws of the Strata Property Act, unless amended or repealed, already maintains a pet restriction, limiting the number of pets. If this bylaw has not been amended or repealed prior, then at the very least those limitations would apply to any current pets in residence. The Act also grants a very specific provision that contemplates pets already living with residents at the time a new bylaw passes. The pet bylaw exemption takes effect when the bylaw is passed, not when it is filed. When the resolution adopting the new bylaw was passed, only

those pets in residence at that time were exempt. The exemption occurred when the bylaw passed, the enforcement of the new bylaw comes into effect once it has been filed in the Land Title Registry. Any pets that are brought into residence after the bylaw was passed could likely be in violation of the new bylaws. The manager and president should seek legal advice regarding the information they provided to the owners at the meeting. It is also important to understand that while a strata corporation may limit the number of pets, or even prohibit pets entirely, the strata corporation still has an obligation to accommodate any person with a certified assistance pet for either a medical condition or impairment.

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