
Strata Living

Headline: Impact of Pet Restriction Bylaws

Topics: Pet Bylaws

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Dear Tony: The strata corporation where I live recently held its AGM and passed a new bylaw that prohibits all pets. I started renting my home in 2010 and adopted the cutest little shelter dog named Chewy in 2012. He is very quiet and gets along really well with my next door neighbour's dog. The strata council is now telling me and my neighbor that we have to get rid of our dogs. They are threatening fines and legal fees to remove the dog. I really like living here but I will not give up my dog. What should I do?

Rebecca, Vancouver

Dear Rebecca: Bylaws that prohibit or restrict pets are allowable under the *Strata Property Act*. As we all know people are passionate about their pets therefore it is important that a strata corporation understand the implications and applicability when considering a new pet restriction bylaw – specifically, it is important to understand the impact the new pet restriction bylaw will have on any pets that reside within the strata corporation when the new bylaw is passed. Whether you are a tenant or the owner of a strata lot is irrelevant.

The *Strata Property Act* offers clear guidance in this situation. The Act states that a bylaw that prohibits a pet does not apply to a pet living with an owner, tenant or occupant at the time the bylaw is passed and which continues to live there after the bylaw is passed. This means when a pet restriction bylaw is adopted by a strata corporation, pets residing in the strata lot at the time the bylaw is passed are exempt until the owner moves or the pet dies. Any new residents in the building, or any residents wishing to have a new pet after the bylaw has been passed, will be in violation of the bylaw and subject to bylaw enforcement.