

# STRATA PLAN BCS 2555, CIELO

## RULES

### **ALTERING COMMON PROPERTY**

Owners, tenants or the Strata Corporation cannot significantly change the use or appearance of common property [defined in Appendix "A"] unless the change is approved by a resolution passed by a 3/4 vote at an AGM or SGM, or unless the change is necessary to ensure safety or prevent significant loss or damage.

### **ALTERING LIMITED COMMON PROPERTY**

Limited common property [defined in Appendix "A"] includes areas such as balconies, roof decks, exercise room and parking areas. They must not be altered in use or appearance without the prior, written approval of Council.

### **ALTERING OWNERS' STRATA LOTS**

An owner must obtain the written approval of the Council before altering a strata lot [defined in Appendix "A"] if the change involves:

- (a) the structure of a building;
- (b) the exterior of a building;
- (c) chimneys, stairs, balconies or other things attached to the exterior of the building;
- (d) doors, windows or skylights, on the exterior of the building, or that front on the common property;
- (e) fences, railings or similar structures that enclose a patio, balcony or yard;
- (f) **Flooring:** An owner or owners may, with prior written approval from the strata council make changes to the floor finishing in their strata lot from carpet to any hard surface floor finish (ie. Tile or hardwood flooring), and the owner must comply with guidelines as set out by council inclusive of insuring that the install will include floor underlay with the highest impact installation class or IIC rating. The IIC rating shall be a minimum of 60 or better. Underlay is to be installed between the finished floor and concrete base, ensuring that no less than 60% of such hard floor surfaces excepting only kitchens, bathrooms, laundry rooms and entry areas are covered with area rugs or carpet unless otherwise dictated by medical conditions.
- (g) Common property located within the boundaries of a strata lot;
- (h) Those parts of a strata lot which the Strata Corporation must insure [Act, s.149].

The Strata Corporation must not unreasonably withhold its approval, 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. Assume liability to any damage to common or limited common property due to the alteration.

Each owner of a strata lot must notify the property manager of any alterations/renovations to take place within a strata lot so that movement of materials and trades can be coordinated with the resident manager. Movement of alteration/renovation materials must be done by the same procedure as moving into the building(see moving rules).

Renovations/alteration work must not commence before 9 a.m. and cannot continue past 6:00 p.m. Monday through Saturday. No renovation/alteration work permitted on Sunday's.

## **BALCONIES**

Balconies must not be changed in use or appearance without the prior, written approval of the Council.

Satellite dishes, aerials, plant hangers, flags, awnings, shades, shutters, hammocks, or advertising, or signs [including realtor and other for sale signs], etc., must not be installed or affixed to the building, balconies, or railings without the prior, written approval of the Council.

Laundry, clothing, bedding or other such items must not be hung or displayed from windows, balconies, patios or any other area of the buildings that are visible from any common areas or from the street. Mops or dusters must not be shaken from any window, patio or balcony.

Cigarette butts, food or beverage containers, or other garbage or litter must not be thrown from windows, balconies or patios.

When washing balconies, residents must not let the water overflow or be swept onto the property of another unit or onto other common or limited common property.

Outdoor furniture and equipment must be appropriate for the size of the area, and must not detract from the appearance of the structure.

Plants must be of a reasonable size for a balcony/patio and must not be placed directly onto the balcony or patio membranes.

“Crawling plants”, such as ivy, morning glory or clematis must not attach to any area of the building and/or patio/balcony railings and/or fences. This type of plant must have a space between the building envelope and the plant of at least 4”.

Owners, tenants, and occupants are responsible for reporting mould, moss or mildew on patio/balcony areas to Council through the caretaker or Property Manager.

## **BBQS**

Barbecues must be moved away from the building walls while in use. Wood-burning or briquette barbecues are not permitted for balcony use. Propane must be properly vented and stored, with the tank and attachments maintained according to fire safety regulations.

Any damage done to the building or another strata lot as a result of unattended or improperly placed barbecues shall be the responsibility of the owner of strata lot where the damage originated. All related costs to repair the building, strata lots, or common/limited property or common assets will be assessed against the owner of strata lot where the damage originated.

Residents with barbecues must have a fully charged “Type B” fire extinguisher on their patio/balcony whenever the barbeque is being used.

### **BICYCLES, MOTORBIKES, SKATEBOARDS, ROLLERBLADES**

Bicycles, motorbikes, skateboards, rollerblades and other such recreational equipment must be stored in the bicycle rooms, or storage lockers. They must not be stored on balconies, in hallways, in visitor parking, in other residents’ parking stalls, or in any common areas.

Residents and visitors may not enter, exit, or move within the building on bicycles, motorbikes, skateboards, rollerblades and other such recreational equipment, other than via the garage or the patio entrances of ground level townhomes. In addition to being subject to a fine for contravening the Rules, offenders may also be liable for the cost of repairing or replacing damaged tiles and carpets.

Bicycles, motorbikes, skateboard, rollerblades and other such recreational equipment are not permitted in the lobby, or common areas, and must not be parked at the front of the building, or in front of, or adjacent to, the front entrance.

### **COUNCIL MEMBERS**

The names and positions of Council Members are shown in the Council Minutes. Council Members do not manage the building on a day-to-day basis, collect fees or arrange for maintenance calls. Owners concerns should be forwarded to property manager not strata council.

### **COURIERS & OTHER DELIVERERS**

Couriers, pizza deliverers, and persons delivering food, beverage or other items, must not be admitted to the building other than by the addressee/consignee, resident manager/concierge or an occupant of the addressee’s suite.

### **DAMAGE TO COMMON PROPERTY**

Owners are responsible for the cost of repairing any damage to common property that they, their tenants, their visitors or their tenants’ visitors cause.

Repeated instances of damage may result in fines, tenant evictions and/or assessments against the strata lot.

### **ENFORCEMENT AGAINST TENANTS**

There are additional requirements for enforcing Bylaws and Rules against tenants:

- an owner who rents his or her unit shall provide the tenant with:
  - (a) a “Notice of Tenant’s Responsibilities” (*Form K*), which must be signed by the tenant;
  - (b) a copy of the Bylaws; and

- (c) a copy of the Rules;
- within one week of renting to a tenant, the landlord must give the Council the *Form K* signed by the tenant.

## **FINES**

The Schedule of Standard Bylaws authorizes the Council to fine an owner or tenant a maximum of \$200.00 for each contravention of a Bylaw and \$50.00 for each contravention of a Rule.

If a contravention continues without interruption for longer than 7 days, a fine may be imposed every 7 days.

Council can take the following actions regarding fines and other costs incurred in remedying breaches of Bylaws or Rules:

- sue the owner or tenant in Court;
- arbitrate the matter.

## **FOBS & KEYS**

Owners are issued two FOBs and two keys by the developer. Additional or replacement FOBs must be requested by the owner to the resident/property manager, at a cost of \$100.00 each for full access FOBs and \$50.00 for partial access FOBs at a maximum of four FOBs total per strata unit. Written request to the resident/property manager if more than 4 are required.

## **FOOD, DRINK, TOBACCO IN COMMON AREAS**

Residents and their visitors must not eat, drink alcoholic beverages, or smoke in the lobby, hallways, stairways, elevators, meeting room, gym or in any other common area. There is also no smoking permitted within 6 meters to any entrance of the building.

## **GARAGE SALES**

Garage sales will not be permitted in the building or on any common property.

## **GARAGE/PARKING**

10 km/h speed limit in parking area.

## **GARBAGE**

- No garbage is to be left in refuse rooms on each floor
- No garbage disposal in refuse rooms/chute between the hours 11 p.m.-6 a.m.
- Garbage must be secured in spill-proof containers/bags before being taken to the refuse room for disposal into chute.
- Recyclable and construction related items should NOT be put into the garbage. As of January 1<sup>st</sup> 2008 the City of Vancouver has initiated its Zero Waste Challenge. The following items should not be placed in the garbage: cardboard, newsprint, electronic waste(T.V.'s, computers etc.), refundable beverage containers, blue box recyclables, petroleum products, any household hazardous waste(cleaning products, paint, solvents and other chemicals), pharmaceuticals, pesticides, batteries, propane tanks, ammunition, tires, drywall, garden waste. Residents found to be disposing of recyclable debris and hazardous materials will have the cost charged back to their strata lot.

- Do not put garbage in the blue recycle bins. Recycled goods must be placed into the appropriately labeled recycle bins.
- Residents must not leave garbage outside their suites for any length of time, in the stairways, in the elevators, in elevator lobbies, outside the garbage room door, in the garage, in parking stalls, in the recycle containers, or anywhere on the strata land.
- Spills of food or beverage in the elevators or common areas should be cleaned up immediately, not left until the caretaker does their rounds.
- Furniture, appliances, trees, large plants, must not be left in the garbage room or in common areas or on the property outside. Removal of these items from the property is the sole responsibility of the strata lot owner.

In addition to being subject to fines, those responsible for leaving furniture, trees, etc., in the garbage room or other common areas will also be charged for the cost of removal.

### **HOLIDAY DECORATIONS**

No live Christmas trees allowed.

No Holiday decorations are allowed outside of each individual strata lot.

Strata will appoint a decoration committee for common area decorations during the Holiday season.

### **LANDLORD OBLIGATIONS**

A landlord is an owner who rents a strata lot to a tenant, or a tenant who rents a strata lot to a sub-tenant. Each change in tenancy, including additional tenants or occupants in a unit, requires the landlord to send a new “Notice of Tenant’s Responsibilities” (*Form K*) to the Property Manager immediately.

A landlord has a right under the Strata Property Act to assign all or some of his or her powers and duties to a tenant, except his or her responsibilities in relation to fines or other costs for the breach of Bylaws or Rules by a tenant; and to collect any sums from the tenant paid to the Strata Corporation for fines the tenant owes to the Strata Corporation for Bylaw or Rule breaches; and, remedying a tenant’s contravention of the Bylaws and Rules.

#### **A landlord has the following obligations under the Act:**

- to give tenants a copy of the current Bylaws and Rules and a “Notice of Tenant’s Responsibilities” (*Form K*);
- to give the Strata Corporation a copy of the *Form K* signed by the tenant within two weeks of renting to the tenant;
- to pay to the Strata Corporation his or her tenant’s fines and any costs incurred for remedying a contravention of the Bylaws or Rules, if required by the Strata Corporation;
- to not interfere with the strata lot, common property, or land that is a common asset in a way that would be unreasonable if a three year lease or longer has been entered into with a tenant.

## **LITTERING & GRAFFITI**

Residents and visitors must not discard food or beverage containers and wrappers, cigarette butts, junk mail, transit tickets, leftover food, etc., in the lobby, elevators, hallways, recreational facilities, or in or on any common property or land. Nor must they deface safety and other signs, or write or draw on elevator surfaces or on other doors or walls in common areas.

Residents must not throw cigarette butts on the lawns, in the shrubbery, or on the walkways in front of the building and in the courtyard.

## **MEETING ROOM – 31<sup>ST</sup> FLOOR**

The meeting room on the 31<sup>ST</sup> floor is used primarily for Council meetings and other building management purposes. However, residents may request the use of the room by contacting the Council via the property manager. If the stated use has a commercial purpose, Council must give prior, written approval.

There will be a \$200.00 damage deposit for all activities. The renter of the room is responsible for leaving the room to its pre-function condition, including cleaning and vacuuming, if necessary. Any damage or cleaning fees incurred from the rental or use will be deducted from the deposit and may be billed to the tenant or owner responsible.

No one person or group shall be permitted to use the room on a regular and frequent basis. Smoking is not permitted in the room or balcony. Events that interfere with other residents' use and enjoyment of their suites and common property will not be permitted. If the balcony is to be used in conjunction with the meeting room the property manager must be notified.

## **MOVES**

**Owners and tenants must book their moves – in and out – with the Resident Manager/Concierge at least seven (7) days in advance**, to receive the specific move-in procedures, to avoid conflicts with other moves, to have the elevator booked, and to have security arranged. They must also provide the information to the Property Manager required to complete the "Move In / Out Log". A security charge will be assessed for each move. A security charge of \$100 for the first hour & \$25 per hour for each additional hour. Once the move is booked with the resident manager the owner will be provided detailed instructions on how to make their move run smoothly. They will be provided with move-in rules and move-in map by the resident manager.

**Moves must be confirmed by the resident manager.** Moves must be booked between 9 a.m.-12 noon, 1p.m.-4 p.m., or 6 p.m. – 9 p.m. All attempts should be made to book deliveries with the building manager as well. If a delivery cannot be booked at a certain time the resident manager should be notified when it arrives to assure access to the owner's suite.

Moves will take place at the loading dock and adjacent service elevator using the corridor to access main elevator on "B" level. No move-ins are allowed through the main lobby. Only the booked/protected elevator should be used. Vehicles used in moves shall not be permitted to park and load or unload in or to block the garage driveway, on the sidewalk and areas at or near the entrance to building, and particularly not near or underneath the glass canopy.

Furniture and other items must not be stacked in the lobbies or hallways in a manner that is a nuisance or hazard for other residents, or that would be a safety or security concern in an emergency. Furniture or other household effects must not be leaned against the walls, doors, elevators, or other structures such that it would cause damage. Cardboard boxes must be flattened and properly disposed of in the cardboard recycle bin in the garbage room. All other waste packaging that cannot be recycled or put in the garbage must be removed from the property by the strata lot owner.

### **NEWSPAPERS**

Residents must not provide FOBs or keys to newspaper carriers. This has been arranged by the Property Manager.

### **NOISE, NUISANCES AND HAZARDS**

Owners and tenants will be subject to fines and other sanctions if they or their visitors cause unreasonable noise, or create a nuisance or hazard to other residents or visitors.

### **NOTICES & ADS**

Advertising material (flyers, notices, cards, coupons, etc., for restaurants, pubs, clubs, realtors) must not be displayed in the lobby or any other common area.

Residents may post personal ads or to sub-let parking spaces to Cielo residents on the common bulletin board located on the P2 level near the elevator. Only ads with date of posting are permitted. These ads are to be first given to the resident manager for approval and posting.

The ads must not be posted in hallways, elevators, recreational facilities, or other common areas. The Council and caretaker will ensure that personal ads are posted only in the designated areas, and that they do not detract from the appearance of, or damage, walls or other common property.

Please recycle junk mail and other such material delivered to residents' mailboxes. Junk mail can be left in lobby recycling bin or in appropriate recycling bin. It must not be left in the lobby, elevators, or hallways.

### **PARKING STALLS & LOCKERS**

**Owners and tenants must not loan, rent or assign their parking stall to any person who is not a resident or owner of the Cielo Strata.** Permissible loans, rentals (other than as part of a landlord/tenant agreement), or assignments must be in writing and copied to Council.

Parking stalls are for the storage of motor vehicles that are mobile under their own power, or can be readily moved by pushing/towing in case of fire, and must be equipped with wheels and inflated pneumatic tires suitable for movement on a road surface.

Permitted uses include all road-worthy motor vehicles including RV's provided they do not extend beyond the limits of the parking stall. Other permitted uses include motorcycles, motor scooters, boats, jet skis, etc., on trailers, and roadworthy trailers if they can be readily removed by towing in case of fire or other emergency.

Immobile vehicles or parts must not be stored on the ground without wheels for towing them from the building. Vehicles must have current, valid license plates or, alternatively, carry storage insurance which includes \$1 Million Public Liability Insurance. These details must be clearly displayed and/or presented to the Property Manager. Only one (1) passenger vehicle is permitted per parking space.

Vehicle repairs or maintenance for commercial purposes must not be conducted in the garage or other common areas of the strata.

Mechanical work on a vehicle (brake jobs, transmission changes, etc.), other than the checking of fluid levels, inflating of tires, basic adjustment to components, or the replacement of a dead battery (which must be removed from the premises for disposal and not placed in the garbage dumpster), is not permitted.

Furniture, household effects, etc., must not be stored anywhere on the floor in the garage or other common areas.

Parking stalls must not be used for the storage of any quantity of flammable fluids such as gasoline, diesel, brake fluid etc., or of any material known to be harmful to the environment if spilled.

Vehicles that protrude past the extremity of the stall (width or length) may be subject to fine or removal at the vehicle owner's expense.

## **REALTORS**

Realtors must not use any common areas (e.g., lobbies, billiards room, gym or meeting room) to conduct their business. Signs, listings, business cards, or other advertising must not be taped to the windows, doors, or enter phones at the building entrances.

Realtors must accompany their visitors to and from the suite.

Real Estate signs shall not be displayed on balconies or railings. Except for townhouses, lock boxes are not permitted. Except for townhouses, when an open house is held, a notice must be posted in advance, at the mailbox location, showing the name(s) of the realtor(s), the suite #(s), and the dates and times of the open house.

Realtors and their visitors must display an approved permit if using visitor parking. Except for townhouses, if visitors cannot be buzzed in, they must be met at the entrance to the building, and escorted to and from the floor where the open house is being held.

Visitors to open houses shall not be permitted to wander unescorted on any common area of the property. Nor should visitors be loaned FOBs or keys. The entrance door to the building shall be not being kept open during open houses.

## **RECREATIONAL FACILITIES**

The recreational facilities are for the use of residents and their guests. Residents are not permitted to use the facilities with their clients for business purposes.

Each strata lot owner is permitted a maximum of (2) guests at any one time in the exercise area.

Children under 10 are not allowed in exercise area for their own safety. Children 10-16 must be supervised by an adult at all times. The adult must take full responsibility for the child's activities while using the facilities. The equipment in the exercise area is extremely hazardous to all children and may cause serious injury.

## **SECURITY**

**Visitors can be viewed on TV cable channel 116.**

When entering or exiting the garage, whether in a vehicle or on foot, **RESIDENTS MUST WAIT FOR THE GATE TO CLOSE BEFORE PROCEEDING.**

## **SOLICITING**

Residents and visitors must not solicit, or allow soliciting, in any common areas or on the land, other than in their own units. Residents will be notified when political candidates and their official representatives wish to enter the building to campaign.

## **STORAGE**

Bicycles, skateboards and other such recreational equipment must be stored in the bicycle rooms and lockers. Items must be stored so as not to create a nuisance or hazard for residents, e.g., bicycles should be attached to the racks provided for that purpose. No other goods are to be stored in the parking lots.

## **STORAGE LOCKERS**

All items in the storage room must be kept inside the lockers. Items left outside of lockers will be disposed of.

Nothing must be stored on or in a strata lot or the common or limited common property that is a fire or safety hazard. Nothing must be stored in the parking stalls.

## **STRATA FEES**

The Strata Bylaws require that owners must pay strata fees on or before the 1<sup>st</sup> day of the month to which the fees relate. The Bylaws also allow the Council to fine an owner a maximum of \$200.00 for each contravention of a Bylaw, and to re-impose the fine every 7 days if the contravention continues without interruption for longer than 7 days.

## **VISITOR PARKING**

Visitor parking is for non-residents only and any resident found parking in visitor parking within the Cielo Visitor Parking in the underground parkade will be fined according to Bylaw 23.

**RESIDENTS MUST NOT USE THE VISITOR PARKING.** Neither visitors nor owners or tenants are permitted to park in unmarked areas such as near the garbage room, in front of doorways to elevators, or at the entrance/exit of the garage. Nor should any person park on the street in such a manner as to obstruct access to and from the garage, or on the sidewalk in front of the building.

Each strata lot is provided with one (1) visitor parking permit. The permit must be clearly displayed on the dash of the vehicle whenever a visitor space is being used. If visitor parking, whether or not it is the same space, is to be used for more than a 24-hour consecutive period, the resident must request a signed authorization from the resident manager showing: the visitor's name, visitor vehicle license #, the suite # and name of the resident they're visiting; and the dates and times that the space(s) will be used. This authorization form must be displayed on the dash of the vehicle. The maximum visitor-parking period is 3 consecutive days.

**VISITORS WHO DO NOT COMPLY WITH THE RULES, AND RESIDENTS WHO PARK IN VISITOR SPACES, WILL HAVE THEIR VEHICLES TOWED – WITHOUT NOTICE.**

If residents repeatedly fail to ensure that their visitors comply with the Rules, they may be asked to return the parking permit(s), and could also be fined.

#### **WINDOW COVERINGS**

Drapes, blinds, and other window coverings must not detract from the appearance of the building.

Council approval must be obtained before installing solar control film or screen