

# **VANIER COURT RULES**

Ratified by the Owners at AGM held on Tuesday, 25th February 2020

Rule 10 adopted by Council on Tuesday, 2<sup>nd</sup> February 2021, and Rule 1 revised by Council on Tuesday, 6<sup>th</sup> April 2021 – ratified by the Owners at AGM held on Tuesday, 27<sup>th</sup> April 2021 and at SGM held on Tuesday, 21<sup>st</sup> September 2021

Rule 3(ii) and 3(iii) and Rule 5(c) amended by Council on 1<sup>st</sup> July 2021 – ratified by the Owners at SGM held on Tuesday, 21<sup>st</sup> September 2021

Rule 11 adopted by Council on September 7, 2021 – modified and ratified by the Owners at AGM held Tuesday, March 1, 2022]

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Extracts from the *Strata Property Act* [SBC 1998] CHAPTER 43 . . .

- 119** (1) The strata corporation must have bylaws.
- (2) The bylaws may provide for the control, management, maintenance, use and enjoyment of the strata lots, common property and common assets of the strata corporation and for the administration of the strata corporation.
- 125** (1) The strata corporation may make rules governing the use, safety and condition of the common property and common assets.
- (2) A rule is not enforceable to the same extent that a bylaw is not enforceable under section 121 (1).
- (3) All rules, including those posted on signs, must be set out in a written document that is capable of being photocopied.
- (4) The strata corporation must inform owners and tenants of any new rules as soon as feasible.
- (5) If a rule conflicts with a bylaw of the strata corporation, the bylaw prevails.
- (6) A rule ceases to have effect at the first annual general meeting held after it is made, unless the rule is ratified by a resolution passed by a majority vote
- (a) at that annual general meeting, or
  - (b) at a special general meeting held before that annual general meeting.
- (7) Once a rule has been ratified under subsection (6), it is effective until it is repealed, replaced or altered, without the need for further ratification.

Extracts from the *Strata Property Regulation* . . .

- 6.9** (1) For the purposes of section 110 of the Act, a strata corporation may impose user fees for the use of common property or common assets only if all of the following requirements are met:
- (a) the amount of the fee is reasonable;
  - (b) the fee is set out
    - (i) in a bylaw, or

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(ii) in a rule and the rule has been ratified under section 125 (6) of the Act.

(2) A user fee imposed by a strata corporation may be a fixed amount or an amount determined on a reasonable basis, including, but not limited to, the following:

- (a) the user's rate of consumption;
- (b) the recovery of operating or maintenance costs by the strata corporation;
- (c) the number of users;
- (d) the duration of use.

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## DEFINITIONS

In these Rules, the following terms shall have the following meanings:

**“Occupant”** means any person, other than an owner or tenant, residing in or occupying a strata lot for more than 28 consecutive days.

**“Resident”** means an owner, tenant, and occupant, residing in or occupying a strata lot.

## 1. GARBAGE DISPOSAL

Domestic garbage pick-up occurs twice a week on Tuesday and Friday. Recycling pick-up occurs on Thursday. Vanier Court does not engage disposal services for construction and or renovation material, and or any other material other than domestic waste. Owners and residents are responsible for the removal from the common property all non-domestic waste and or recycling materials at their own cost.

- a. Our garbage pick-up contract only includes the collection of regular day-to-day household refuse.
- b. All non-construction/non-renovation garbage shall be disposed of in the waste disposal bin or in the recycling bins located on the upper parking level.
- c. Place ‘organics’ in the green organics-specified bin (with yellow lid) which is located on the upper parking level.
- d. Place recyclable ‘container’ items in the blue ‘container’ recycling bins which are located beside the main disposal bin on the upper parking level.
- e. Place recyclable ‘paper’ items in the blue ‘paper’ recycling bins which are located beside the main disposal bin on the upper parking level.
- f. Place refundable bottles/cans, etc. in the appropriate recycling bins.
- g. Place glass jars and bottles in the ‘glass’ recycling containers. Remove jar lids and bottle caps and place them in the blue ‘container’ recycling bins.
- h. Place all paper shredding in paper bags, staple the bags closed and place the paper-shredding bags in the ‘paper’ recycling bin. Non-bagged shredding must be placed in the ‘shredding’ recycling bin.
- i. Place batteries in the container provided and not in the garbage disposal bin or recycling bins.
- j. Cardboard boxes shall be EMPTY, COLLAPSED and LEFT PILED on the designated shelf over the garbage bin or adjacent to the garbage bin. Under no circumstances shall cardboard boxes be thrown into the disposal bin. The

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cardboard, once cut up into a manageable size, will be placed in appropriate recycling bin.

- k. Christmas trees shall be disposed of by depositing them in an industrial garbage bag which can be obtained from the Property Manager or their designate or from any hardware store and then by delivering them to a City recycling center. An old bed sheet also makes an effective wrap for bringing trees onto and off the premises.

## 2. VISITORS

- i. An individual ceases to be a visitor in Vanier Court at the conclusion of 28 consecutive days and is deemed an occupant.
- ii. Owners, tenants, and occupants, who will be absent from their strata lot, should inform the Property Manager or designate, or a Strata Council member so that your strata lot door can be checked to determine if your strata lot door to the common hallway is still locked whenever rounds are made. Take a moment to inform us if a friend will be checking on your property and the name of the friend.

## 3. RECREATION ROOM

This Rule shall be posted in the Recreation Room.

- i. **Location:** The recreation room is located at the north end of the building's 2nd floor east wing, adjacent to the back door stairwell exit.
- ii. **Single-Day Event Bookings:** All owners, tenants and occupants are eligible to book the recreation room for parties, meetings, and similar non-profit events. Bookings for single events are free. The room must be cleaned and restored to its original condition. Bookings are arranged through the Property Manager or their designate. Keys should be returned to the Property Manager or their designate, or Strata Council member as soon as possible after the event.
- iii. **Other Rentals:** Owners, tenants and occupants may rent the room for a maximum of 5 consecutive nights, through the Property Manager or their designate, for multi-day event bookings at a charge of \$25 per day; or for temporary storage of goods at a charge of \$10 per night and the room must be cleaned and restored to its original condition. Longer usage must be approved in writing by the Strata Council. Rentals are limited to a maximum of 10 consecutive nights. Priority will be given to single-day event bookings before extended rentals. Room rentals for commercial purposes must be approved by the Strata Council. An "occupied" sign should be posted on the Recreation Room door while the room is in use.

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- iv. **Noise:** Owners, tenants and occupants should be mindful that the recreation room is not soundproof. For the comfort of other owners, tenants and occupants, music and conversation must be confined to the recreation room and kept below a level that is audible in adjacent suites after 10 p.m. The recreation room door should be kept closed during events. Entering and exiting guests should be cautioned to be quiet when using the lobby, elevator and common hallways. Owners, tenants and occupants should be present at all times during the event, and are responsible for the conduct of their guests.
- v. **Amenities:** The recreation room contains tables, chairs, lamps, cocktail and side tables; microwave oven, stove-top burners, fridge, sink, fan; a fire extinguisher; a bar area. Owners, tenants and occupants are responsible for the proposed use of amenities and for restoring them to their original position and condition, and are responsible for any damages or loss. Cooking should be kept to a minimum as the room is not well ventilated. Owners, tenants and occupants should not store items on the stove burners, and before closing down the recreation room should check to ensure that heat, lights, water, and fans are turned off.
- vi. **Washrooms/Sauna:** Men's and women's washrooms are located in the sauna facilities to the right of the recreation room and contain sinks, toilets and showers. Owners, tenants and occupants must supply their own towels and toiletries, and are required to restore these areas to their original condition. Alcohol shall not be consumed in the sauna.
- vii. **Telephone/Intercom:** The recreation room has a telephone so that guests can announce their arrival. The phone is not equipped for making outgoing calls, or for buzzing guests into the building: owners, tenants and occupants must go down to open the front entry door. So as to protect building security, owners, tenants and occupants should acquaint guests with the recreation room's front door access code (617) before the event, and should never post a note on the outside access that might alert non-guests to the event.
- viii. **Smoking:** All common areas including the lobby, elevator, hallways and sauna are non-smoking. For building security, the back door and lane gate should never be propped open.
- ix. **Fireplace:** Fires must never be lit.

### 4. ENCLOSING BALCONIES, DECKS and PATIOS

The following are the procedures and policies for applying for Council's permission under sections 6 and 7 of the Bylaws for the enclosing balconies, decks, and patios:

- i. Approval must be given in writing by Council;
- ii. All necessary City building permits, licenses, inspections, etc. must be obtained by the owner and copies provided to Council;

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- iii. Enclosure to be built according to the plans and specifications submitted to and approved by Council;
- iv. Enclosed balconies, decks or patios shall not be used as sleeping accommodations and/or bedrooms;
- v. The existing strata lot sliding glass doors and windows shall remain and not be altered or removed;
- vi. All current and future expenses for upkeep, maintenance, and repairs shall be the sole responsibility of the strata lot owner, both present and subsequent, upon the completion/assignment of *Assumption of Liability Agreement*.

### 5. MOVEMENTS IN OR OUT OF STRATA LOTS

- a. The Property Manager or their designate must be advised by written or email notices a minimum of forty-eight (48) hours in advance of a move, delivery or removal. The notice must provide the strata lot owner's name, strata lot number, date and time of the move, nature of the move and the articles being moved. Even if the move, delivery, or removal is of a size not likely to damage the elevator areas and its interior, or the building's common property, the Property Manager or their designate still must be notified.
- b. Ask the Property Manager or their designate for guidance and installation of elevator wall pads.
- c. The Property Manager or their designate will loan the elevator lock key to the strata lot owner, tenant, or occupant. The elevator shall not be locked off between 4:30 pm and 8:00 am.
- d. If the key is lost, stolen or damaged, the strata lot owner, tenant or occupant is responsible for the costs of key replacement, tumbler repair, lock re-keying and/or resulting service call.
- e. Where damage costs are not covered by the deposits, additional costs may be deducted from any other monies owing to the strata lot owner, tenant or occupant by the strata corporation or recovered from that strata lot owner by any other means by the strata corporation.
- f. The owner or tenant moving in or out of, or having goods/materials delivered to or removed from, the building is/are responsible for:
  - i. obtaining "Move In Progress" signs from the Property Manager or their designate,
  - ii. affixing them on each floor to the elevator call box, and
  - iii. returning same to the Property Manager or their designate.
- g. All moves in and out, and all deliveries and removals, shall be done through the upper parking garage, using the east driveway garage entrance. No moves,



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deliveries, etc. shall be made through the building front door and lobby. Alternate routes, as set out in Rule 6 iii), are encouraged and permitted.

- h. All common areas accessed by the movers and the moving strata lot owner, tenant or occupant shall be vacuumed after the move/delivery is completed. All debris deposited inside, outside and/or around the building resulting from the move/delivery shall be removed. The cost of cleaning common areas left un-vacuumed or debris left over after a move/delivery shall be the responsibility of the respective strata lot owner, tenant, or occupant. If not paid by the strata lot owner, tenant or occupant, the cost shall be deducted from any monies owing to the strata lot owner, tenant or occupant.
- i. During all moves, deliveries, etc., no entrance/exit doors, garage door, etc. shall be left open or wedged open without the constant attendance of someone from the moving party and/or the movers.
- j. Furniture, deliveries, removals, etc. shall not be placed against the lobby mail boxes, denying owners, tenants, or occupants access to their mail.
- k. All cardboard boxes are to be collapsed (not crushed) and placed on the designated shelf over the garbage bins or adjacent to the bins. No trash-filled boxes are to be placed in, or adjacent to, the disposal bins.
- l. All deficiencies in the common areas shall be identified before and after any move, delivery, etc. and shall be listed on a form and acknowledged by the Property Manager or designate, and by the party moving in or out, or having goods/materials delivered or removed.
- m. The Property Manager or their designate and the persons moving in or out, or having goods/material delivered or removed, shall both sign a Delivery and Moving Rules form.
- n. Failure to comply with any provision of this rule may result in forfeiture of the entire cash deposit fee.
- o. Deposits, minus any assessed damages, shall be returned, to the owner upon inspection of the limited common property, common property and land that is a common asset, within 14 days of the moving/delivery day, unless damage has been noticed.

## **6. RENOVATIONS, ALTERATIONS, UPDATES, FIXTURE OR FLOORING CHANGES**

All renovations (including alterations, additions, and attachments) to a Strata Lot, to Limited Common Property, or to the Common Property cannot commence without written Strata Council permission, as indicated in Vanier Court's bylaws. If in doubt, write to the Strata Council before proceeding as you may be required to remove unapproved renovations (including alterations, additions, and attachments) at your own expense.

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- i) Owners and/or their tradesmen are responsible for cleaning common areas on an ONGOING basis when repairs, renovations, alterations, additions, attachments or deliveries are being made on behalf of a strata lot owner. "ONGOING" means as the work progresses through the day, not just at the end of the day.
- ii) Owners shall be levied the cost of cleaning by the Strata Corporation of those common property areas not kept clean for every day of violation.
- iii) No deliveries of heavy goods, construction materials, and goods for disposal shall be made through the building's lobby and front door. Alternative access points to consider are:
  - a) via the east driveway and upper garage doorway to the lobby elevator;
  - b) via EXIT stairwells and common hallways;
  - c) directly into strata lots from common garden areas where possible; and
  - d) over a balcony railing where possible or necessary.
- iv) The cost of repairs due to damage to common areas (walls, carpets, doors, door jambs, railings, stairwell walls, etc.) due to moving of goods in or out of Strata Plan VR 255 will be assessed against the strata lot owner as set out in the Strata Corporation Bylaws.
- v) Inspections shall be conducted by the Property Manager or their designate or representative of the Strata Council.

### **7. STRATA LOT 'OPEN HOUSE' SALE VIEWINGS**

Realtors may not 'buzz' non-residents (via the Enterphone system) into the building during 'open houses'. Owners must ensure that the realtor or his/her representative remain in the lobby to let potential buyers into the building and escort them to the strata lot 'open house'.

### **8. GARAGE ENTRY HEIGHT AND VISITOR PARKING STALLS**

- a. The height of owner, tenant, occupant, and visitor motor vehicles, including any roof-top attachments, entering the common property garages must not exceed 6'6" (2.0 m) in total height from pavement.
- b. Owner, tenant, occupant, and visitor motor vehicles parked in VP1, VP2 and VP3 interior visitor parking stalls must fit within the painted outlines of the parking stalls.
- c. Over-height and/or over-sized visitor motor vehicles may not park in VP1, VP2 and VP3 interior visitor parking stalls.
- d. Service provider motor vehicles may not park in VP1, VP2 and VP3 interior visitor parking stalls.

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- e. Over-height and/or over-sized visitor and all service provider motor vehicles must park in VP4 and VP5 exterior visitor/service parking stalls (or on the street), and these vehicles must fit within the painted outlines of the parking stalls.

### **9. USE OF COMMON PROPERTY**

- a. Owners, tenants, occupants, and visitors shall not use common property electrical systems, outlets or other common utilities, common assets, or common property to recharge, use or maintain personal vehicles, appliances, or other personal property without strata council permission, except as expressly authorized by the bylaws and rules of the strata corporation. This rule is not intended to limit the reasonable use of recreational facilities for their intended purposes in accordance with the bylaws and rule.

### **10. USE OF COMMON PROPERTY CHIMNEYS**

Common property chimneys must only be used for fires that burn solid fuels, specifically:

- i) clean, seasoned wood or wood products,
- ii) manufactured fire logs,
- iii) wood pellets,
- iv) for purposes of starting a fire only, non-glossy, uncoated, uncoloured paper, and,
- v) common property chimneys must not discharge air contaminants to a particulate matter emission rate that exceeds 4.5 grams per hour.

### **11. USE OF COMMON PROPERTY LAUNDRY**

Owners, tenants, and occupants shall not use scented laundry products in the common property washers and dryers. [modified and ratified March 1, 2022]