

# **RULES**

## **BCS 4330**

District South Main

Adopted: May 23, 2012

Revised: July 23, 2012  
Revised: August 31, 2012  
Revised: April 30, 2013  
Revised: July 26, 2013  
Revised: October 1, 2013  
Revised: December 11, 2013  
Ratified; March 30, 2015  
Revised: February 25, 2016  
Ratified: April 18, 2016  
Revised: June 15, 2016  
Revised; January 18, 2017  
Revised: February 15, 2017  
Ratified: March 15, 2017  
Revised: May 21, 2021

## **1. Amendments to the Rules**

Council (not including any committees of the Strata Corporation) may amend the Rules at any time. Owners of the Strata Corporation will have a role in deciding the terms of the Rules through your right to vote on ratifying the Strata Corporation's Rules at every Annual General Meeting of the Strata Corporation.

## **2. Severability**

If any single part of the Strata Corporation's Rules is found to be legally ineffective it shall not affect the validity of the rest.

## **3. Notice**

If this Manual requires the Strata Corporation or the Council to give you notice, notice will be sent to you at the mailing or emailing address provided in your Owner Information Form. If either of your addresses changes you must notify Remax Management via the Strata Manager in writing.

**Note:** Definition of "Limited Common property" is Common property designated for the exclusive use of the owners of one or more strata lots, ie. balconies.

## **Parking Area**

1. All residents must wait for the parkade gates to close completely when exiting and entering the parking areas. Residents should not follow other vehicles through the parkade gate(s) (i.e. tailgating). Only one vehicle should enter or exit the gate at a time for security reasons.

2. Only vehicles with current registration and insurance in force shall be allowed in the parking areas, unless a copy of a valid "unlicensed vehicle policy" with a minimum of one million dollars (\$1,000,000) "basic third party legal liability" coverage is prominently displayed in the vehicle. A copy of the policy must be provided to the Property Manager.

3. Owners/tenants or residents are responsible for the cost of repairing damage to their assigned parking stall as a result of leakage of gas, oil or other negligent act. No cardboard allowed on garage floor to catch oil spill as this is a fire hazard. Any vehicle that leaks fluids cannot be stored or parked on common property and will be removed at the owner's expense. **[Ratified at AGM-2017-03-15]**

4. No repairs or oil changes to vehicles or other mechanical equipment are permitted

anywhere on the common property.

5. The parking area is not to be used for recreational purposes (i.e. skateboarding, rollerblading, etc.).

6. Parking spaces are for motorized vehicles only. Storage of any other item is not permitted. Items stored are subject to removal without notice.

7. The Strata Corporation may have a vehicle in violation of any of the Bylaws or Rules towed and impounded at the vehicle owner's risk and expense.

8. Food storage is not permitted in the parking area.

9. Do not store flammables or explosives including, but not limited to, pressurized containers, propane tanks, petroleum products, oily rags and paint thinner, in the storage lockers.

10. It is not permitted to rent out a parking stall to someone who does not reside in the building. This is for security purposes.

11. Owners of electric vehicles shall be permitted to use the common electrical outlets to charge their vehicles in exchange for a rental fee of \$35.00/month for Cars & SUV's, or \$6.50/month for E-bikes & Electric Scooters. This fee is subject to review and may be adjusted at the discretion of the Strata Council. Any Owner using an electrical outlet to charge their electric vehicle does so at their own risk. **[Ratified at AGM-2017-03-15]**

## **Common Area**

1. All Common area traffic ways (including, but not limited to: hallways, stairwells, equipment areas and unassigned lockers) must remain clear at all times (i.e. no mats, shoes, trash, statues, etc.). Storage of any item for more than 10 minutes is not permitted and is subject to removal without notice.

2. None of the Common areas, including the gym facilities, may be used by tenants or owners for commercial or business ventures, except those that are outlined in the Live/Work Studio Definition provided by the City of Vancouver.

3. The appearance of outside of doors must remain the same throughout building, provided, however, that astragal or other security devices may be used, if they do not unreasonably restrict airflow or substantially change the outside appearance of the door.

4. Smoking, drinking or use of any illegal drugs is not permitted in any of the Common areas. Anyone found to be using illegal drugs will be reported to the Vancouver police.

5. Smoking is not permitted within six metres of an entryway as per the City of Vancouver Smoking Bylaw.
6. Anyone noticing any suspicious people inside the building(s) or in the Common areas should notify the Strata Manager or any member of the Strata Council and contact Police by calling 911.
7. Loud noise is not permitted in any of the Common areas. City of Vancouver noise bylaws apply from 7:00 o'clock in the evening to 10 o'clock in the morning on any weekday or Saturday, and from 10 o'clock in the evening to 10 o'clock in the morning on any Sunday or holiday.
8. Current residents bringing in or having large items delivered, must reserve the elevator with the Site Manager so that the elevator can be locked off and padding installed to prevent damage to the elevator. There is no charge for this service. Anyone moving large furniture without having blocked off the elevator is subject to a fine.

In the event that a renter is moving in, a completed Form K must be delivered to Remax prior to the tenant moving in. The new occupant's name will not be put into the enter phone system until the Form K is on file with Property Management.

The elevator must be booked in advance before moving in or out from District South Main.

If the Owner or renter needs to reschedule the move, the Site Manager must be notified no later than 24 hours before the scheduled move. If Management is not notified within this time frame, the moving fee will be non-refundable.

9. Any damage that occurs to any walls, floors or other common area must be reported to the Site Manager.
10. Bulletin boards are to be used for posting individual notices. Notices are to display unit number of issuer and date of placement. The Bulletin Boards are not to be used for outside advertising.
11. The Strata Council must approve signs, arrows or real estate notices and their placement. No other signage is allowed.
12. Lock boxes to store keys for owners or realtors are not allowed.
13. Due to liability and nuisance concerns, no professional filming (for television, motion picture, or other commercial enterprise) shall be permitted on the common property. (Rule # 12 added ratified - AGM March 30, 2015)

## **Pets**

1. An Owner, tenant, resident, employee or visitor must ensure that all animals are leashed or otherwise secured when on the Common property or on land that is a common asset.
2. No Owner or resident of a strata lot will permit his or her pet to urinate or defecate on the Common property or on any Limited Common property, and if any pet does urinate or defecate on the Common property or Limited Common property, the owner or resident will immediately and completely remove all of his or her pet's waste from the Common property or Limited Common property, as the case may be, and dispose of it in a waste container or by some other sanitary means and if, in the reasonable opinion of the Strata Corporation, any special cleaning is required as a result of the pet urinating or defecating, the Owner or resident will pay all costs of such special cleaning.
3. An Owner of a strata lot whose guest, employee or invitee brings an animal or pet onto the Common property or any Limited Common property will be responsible to ensure that the guest or invitee complies with all requirements of these Bylaws as they relate to pets and will perform all of the duties and obligations with respect to that animal as set out in these Bylaws as if the animal were one kept by the Owner or resident in his or her strata lot.
4. The Strata Corporation may request removal by an Owner or resident of any strata lot of any pet or other animal kept by the Owner or resident in a strata lot if such pet or animal, in the opinion of the Strata Council, constitutes a nuisance to any Owner or resident of a strata lot, or causes danger or damage to any Owner or resident of a strata lot or to any property of the Strata Corporation or an Owner or resident of a strata lot.
5. Pets are not permitted in the Artists Workshop, Meeting Room, Fitness Room or Rooftop Patio.

## **Patios and Balconies**

1. The only items permitted on the balconies and patios are bona fide patio furniture, plants and propane or gas barbeques (no laundry, no appliances, bicycles, etc). Balconies or patios are not be used for storage. Outdoor storage units or any other items must be approved by Strata Council.
2. Nothing (such as, but not limited to, plant containers) should be attached in such a way that causes damage to the building envelope.
3. Nothing should ever be thrown over or caused to drop off a balcony (including but not limited to: spitting, cigarette butts, shaking mops or rugs, wash/plant water etc.) Any

damage caused by falling debris will be the responsibility of the offending owner.

### **Storage Facilities**

1. Do not store flammables or explosives including, but not limited to, pressurized containers, propane tanks, petroleum products, oily rags and paint thinner in the storage lockers. Food storage is also not permitted in the storage lockers. For fire and safety reasons, do not store any items on top of your locker. Any items found on top of the lockers will be removed and disposed of.

2. Secure bike storage is available in 250 East 6th. Contact the Strata Manager for the current procedure for access. Bikes found in the bike storage without a valid tag will be removed at the owner's expense.

### **Bike Storage Rooms / Areas Rules**

1. The bike storage rooms/areas are for the exclusive use of DSM **residents only** – no storage of bikes not belonging to DSM owners or tenants is allowed.
  2. Each bike rack is designed to accommodate 10 bikes (8 in centre slots, 1 on each end) – please park your bike straight in the slot, with no panniers or helmets mounted to the side/bottom, in order to maximize the storage capacity of each rack.
  3. All bikes placed in the rooms/areas should be in riding/working condition; the bike room is not to be used as storage for non-working bikes or bike parts.
  4. Bike rooms/areas can be only used to park bikes; any other items stored on the floor or attached to the bike racks will be removed immediately, and at the owner's expense.
  5. DSM BCS 4330 is not responsible for any loss or damage to bikes stored on common property; insurance coverage is the responsibility of the bike owner.
  6. Strata Council reserves the right to remove any bikes for any contravention of bike room/area rules; in the case of abandonment; and/or to remove ALL bikes (bi) annually for room cleaning.
- [Ratified at AGM-2017-03-15]**

### **Garbage and Recycling:**

1. Paper, cardboard, glass, tin cans and recyclable plastics should be placed IN their respective recycle bins.

2. Garbage is to be bagged, tied and placed IN the blue compactor garbage bin; garbage must be placed in the bin. No dumping of illegal waste (furniture, tires, batteries, construction debris, mattress, etc.) is allowed. Cost for disposal of illegal items will be billed to the owner.

3. Please note that DSM now has organic waste collection bins (in compliance with new City of Vancouver requirements), located in the south corner of the building's loading bay (off the alley, 251 E. 7<sup>th</sup> building).

Residents need to divert all household organic waste to these bins and no longer deposit them in the trash compactor.

Acceptable items for the organic bins include: Food scraps (meat, bones, vegetables, bread, noodles) + food-soiled paper + (uncoated) paper cups + coffee grounds & tea bags.

Not Allowed: plastic, packaging, food containers, foam (all these items can be recycled in appropriate bins in Garbage/Recycling room on P1).

4. Please be advised that the garbage & cardboard bins located in this loading bay area are for the exclusive use of the Commercial Tenants of the adjacent Heritage Building.

Owners and Residents of District South Main MUST NOT USE these bins, or leave garbage/items in this area. DSM resident garbage is ONLY in the designated Garbage / Recycling Room on parking level 1.

### **Amenity Room Rules (Artists Workshop and Meeting Room)**

1. Owners and Residents of District South Main are welcome to use the facilities. Guests of owners or residents may use the Artists Workshop when accompanied by the owner or resident.
2. The Meeting Room may be used daily between 6:00 AM to 11:00 PM. The Artists Workshop may be booked for exclusive use daily between 8:00 AM to 11:00 PM up to a maximum of 8 hours for any single booking. Owners and Residents wishing to use the amenity rooms for exclusive use must book the room at least 4 days in advance, and no more than 8 weeks in advance, with the Site Manager. The amenity rooms may not be booked more than three (3) days in any calendar month by any single Strata Unit, and these days cannot be the same day of the week (i.e. every second Sunday). Application Forms for exclusive use can be obtained from the notice holder located in mailroom of each building.
3. To have exclusive usage of the Artistic Room or Meeting Room there will be a charge of 25.00 per usage. Owners and Residents booking the rooms will be required to leave a refundable damage deposit of \$300, which will be returned to the person who booked the room, subject to inspection by the building caretaker or Council member for cleanliness and/or damage.

(Amenity Room Rule # 3 Amended and Ratified – AGM – March 30, 2015)

1. The Owners and Residents renting the amenity rooms shall arrange an inspection with the building caretaker or Council member prior to the event and at the time of inspection the renting person(s) must sign the "Application for Use of the Amenity Room" form.

2. The Owners and Residents renting the amenity rooms are responsible for returning the room to its original condition that it was in when rented, and cleaning must be done directly after the completion of the rental. The Owners and Residents renting the amenity room will be liable for all costs of cleaning and repairs resulting from their usage of the space during the time it was booked.
3. There is absolutely no smoking or alcohol permitted in the Artists Workshop or Meeting Room. Alcohol is only permitted if you obtain a liquor license and you have booked the room for exclusive use. The license must be properly displayed on the premises. No cooking is allowed in the rooms; the use any portable BBQ's immediately outside the room in the common courtyard area is not allowed. No pets are permitted at any time in the amenity rooms.
4. All Furnishings/TVs/Audio Equipment/Appliances in the Amenity Rooms are to be used at guests own risk. Furnishings/Equipment are not to be moved about, or removed from the room. If you notice any damage, please report this to the Strata Manager immediately. Any damage to equipment or furnishings resulting from a room booking will be charged back to the person(s) booking the room.
5. The Owners and Residents renting the amenity rooms must abide by all noise bylaws of DSM and not negatively impact other Strata unit owners; any violation of noise bylaws will be subject to fines, upon receipt of a complaint by DSM Strata Council.
6. Failure to comply by the Amenity Rooms Rules may result in that owner be subject to Rule and/or Bylaw infraction fines; and/or restricted for future use of the amenity room for a period of time, at the discretion of, and subject to a decision of Strata Council.

[Amenity Room Rules Amended October 1, 2013]

### **Fitness Room Rules**

1. Daily Hours of Operation: 5:00 AM – 11:00 pm.
- ~~2. Owners & Residents of District South Main are welcome to use the facilities.~~
3. Guest Use: guests of owners and Residents may use the Fitness Room when accompanied by the owner or Resident.
4. Age Restriction: users of the Fitness Room must be at least 16 years old, unless supervised by an adult. No children under the age of 12 are permitted to use the facilities.
5. Personal Trainers: residents are welcome to work out in the gym with their personal trainers, and bring in a maximum of one guest for those sessions (group classes are not allowed). Personal trainers (whether resident at DSM or visiting) are NOT allowed to train any clients who are not residents/owners of the building. Trainers found bringing in non-resident clients will have their access permanently revoked.
6. Equipment Use: Use equipment at your own risk. No equipment is to be removed



from the room at any time – removal will constitute theft and will be prosecuted. Maximum 30 minutes on cardio machines if there are others waiting.

7. Personal fitness equipment is not to be left unattended in the fitness room. Strata will not be responsible for any lost or stolen personal equipment.
  8. Hygiene: please wipe down the equipment after use, using the disinfectant spray & towels provided (please do not use spray on the mirrors as it stains the glass).
  9. No pets are permitted at any time in the fitness room.
  10. No food or alcohol beverages are permitted in the fitness room.
  11. Please put equipment away to its proper place, turn off the lights, TV's and fans if you are the last one to leave.
  12. Appropriate footwear is required.
1. All weight plates, mats and dumbbells must be returned to their proper location.
  1. It is not permitted to leave personal items in the fitness room, including weights.
  1. The fitness room may not be used by tenants or owners for commercial or business ventures.

### **Additional Rules Due to Covid Health Restrictions**

- **Max 1 hr session / 3x a week**
- **One household max in the Fitness Room at one time**
- **For Resident Use Only.** No Guests, Short Term Rentals or Personal Trainers
- **Masks are mandatory.**
- Wash your hands before entering the Fitness Room, and use the provided hand sanitizer.
- Hygiene: please wipe down the equipment **before** and **after** use, using the disinfectant spray & towels provided (please do not use spray on the mirrors as it stains the glass).
- Use of floor fans and wind based cardio machines are temporarily banned.
- Keep windows open at all times.
- **Advanced Booking Only using the free on-line app**

[Amended: May 21, 2021]

### **Common Rooftop Patios**

1. Owners and Residents and their guests of District South Main are welcome to use the facilities. Guests must be accompanied by a resident of District South Main.

2. Hours of operation are 6:00 am to 11:00 pm daily.
3. Please ensure that the Rooftop Patio is clean after use – use garbage containers and remove all recyclables to containers in Garbage Room (off P1).
4. If you plan on having more than 10 guests, you must book the patio for exclusive use. Application Forms for exclusive use can be obtained from notice holder located in the mailroom of each building.
5. The fireplace and barbeque on the Rooftop Patio are to be used at guests own risk.
6. Please clean the BBQ after use, with the brushes provided. Please ensure that the BBQ gas is turned off after use.
7. Please do not throw garbage, liquids or any materials into the gas fireplaces, as it will clog & rust the gas vents, and causes significant damage. Please ensure that the fireplace is turned off after use.
8. Patio Furniture is not to be moved about the patio. If you notice any damage, please report this to the Strata Manager immediately.
9. No Smoking is permitted at any time on the Rooftop Patio. DSM Council has adopted a zero-tolerance policy for all smoking on roof top decks. If any resident or their guests are caught smoking on the roof, they will be fined and their rooftop access privileges revoked for a period of time. Smoking in this area is against building and City bylaws, has been the cause of a previous roof fire and adversely affects the health of your fellow residents.
10. No Alcohol is permitted at any time on the Rooftop Patio.
11. No Pets are permitted at any time on the Rooftop Patio.
12. All usage must comply with the Bylaws and Rules for District South Main. Failure to do so will result in fines and/or denied access to the Rooftop in future.

## **Security Measures**

1. Closed circuit television and video surveillance are located throughout the building. The system operates 24 hours a day and the Strata Corporation collects data from the closed circuit television and video surveillance. The surveillance cameras may be relocated at any time with the approval of the Council.
2. The Strata Corporation collects data with respect to the usage of each security fob programmed for use at Strata Plan BCS 4330.
3. The video files and/or security fob usage records will be used only for the purposes of law enforcement and/or for the enforcement of those Strata Corporation Bylaws and Rules which relate to the safety and security of the building and its occupants.
4. In installing and/or maintaining systems described herein, the Strata Corporation makes no representations or guarantees that any of the systems will be fully operational at all times. The Strata Corporation is not responsible or liable to any Owner, tenant,

occupant or visitor in any capacity (including failure to maintain, replace, repair, locate or monitor any of the systems, whether arising from negligence or otherwise) for personal security or personal property in any area monitored by any of the systems.

### **Renovations and Suite Alterations**

1. Any and all alterations to the suite must first be approved by Council. Submit your request to the Strata Manager.
2. Renovations can only be conducted between the hours of 7:30 am and 8:00 pm on any weekday that is not a holiday, Saturday 10:00 am to 8:00 pm. No construction is allowed on Sundays.

### **General**

1. Windows must not be covered by any material (i.e. tinfoil, flags, posters, sheets, cardboard, etc) other than recognized blinds or draperies.
2. Fobs, in addition to those provided upon closing, are \$75.00 per fob. "Mini-Fobs", are \$25.00 per fob. Failure to comply with the Bylaws and Rules for any of the amenity rooms may result in Fob access being revoked. All lost or stolen fobs must be reported to the Property Manager immediately, so they can be deactivated.

**[Ratified at AGM-2017-03-15]**

### **ROOFTOP GARDEN PLOTS POLICIES**

District South Main, 250 E6TH /251 E7TH Avenue

2015/16 (Rule Ratified – AGM - March 30, 2015)

#### Allocation of Plots:

Plots are allocated according to the following set of policies:

1. Plots are allocated on a yearly basis through a lottery system. Applications will be accepted between March/April and randomly selected based on the number of spaces available for the year (April 1 to March 31).
2. An applicant for a garden plot must reside at District South Main, whether as owner or tenant of a unit, and may not apply for more than one plot per unit.
3. Residents who have been allocated a plot and then decide not to reside at District South Main relinquish their plot.
4. Interested residents must apply by email to the Garden Coordinator via email: [dsm.gardens@gmail.com](mailto:dsm.gardens@gmail.com) and provide the following information: name, address,

phone number, and follow up contact preference (phone or email).

5. Strata will conduct the lottery and inform successful gardeners of their decision for available plots no later than April 15 in each year. Applicants who have been allocated plots shall plant in their space by May 15 (depending on the growing conditions that year) or relinquish their plot. If a member decides not to use their plot or the plants in a plot are determined to be abandoned at any time, in accordance to the Member Agreement the plot will be deemed relinquished or withdrawn and the procedure referred to in point 1 above will be followed.

#### Gardening Practices:

By becoming a member of the Rooftop Gardens, all gardeners agree to garden according to these practices. Failure to do so may result in the plot being withdrawn.

1. Gardeners must not add/change or alter soil in any way without the express permission of Strata Council.
2. Organic practices shall be followed and gardeners must not use synthetic herbicides, insecticides, fungicides or any other type of synthetic pesticide.
3. Gardeners are responsible for the maintenance and upkeep of their plots and surrounding area. They may only grow in their allocated plot and not elsewhere. Watering, weeding, harvesting and other garden related maintenance are also their responsibility. All plots will be aesthetically pleasing in all seasons.
4. Gardeners will keep weeds managed so that seeds do not spread to neighbouring plots. All pathways will be kept clear so that they are free of weeds, plants/planters, trash and debris.
5. Gardeners will only grow annual and perennial edibles, herbs, medicinal plants and flowers that are non-invasive. Growing of controlled/illegal plants such as marijuana is strictly prohibited.
6. Woody plants such as shrubs and trees are not permitted.
7. Trellises, pergolas, cold frames or other structures are permitted on plots if they do not exceed 2 feet in height and shade any other plot. Hoop houses to protect tomatoes and other crops susceptible to blight are also permitted but only if they do not shade other plots.
8. Gardeners shall compost weeds and plant materials in the designated areas. Any waste not suitable for compost must be removed from the garden area.
9. Gardeners may only pick from their own plot and not from their neighbour's plot unless the neighbour has given permission to do so.
10. Gardeners may use the water system as needed, but must make sure that it is turned off and not dripping when not in use.
11. Gardeners may arrange for others to water or share their plots.
12. Gardeners shall clean and return any borrowed communal tools to the storage area and will assist in keeping the area tidy.

These guidelines are designed to keep the garden a healthy, welcoming and friendly

place for everyone.

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10. Gardeners may use the water system as needed, but must make sure that it is turned off and not dripping when not in use, and returned to its storage location.
11. Gardeners may arrange for others to water or share their plots.
12. Gardeners shall clean and return any borrowed communal tools to the storage area and will assist in keeping the area tidy.

I have read, understood and agree to the garden guidelines above:

Gardener (mandatory):

Name:

Signature:

Date:

Email:

Phone:

Address: