

HALTON CONDOMINIUM CORPORATION NO. 225

Condominium Rules and Regulations

The board of directors recognizes that pride of ownership and the value of each owner's investment in this condominium community are both seriously affected by the appearance of the buildings and by the conduct of the unit owners, their guests, employees, and of the other occupants of units.

The board of directors also recognizes that the quality of the lifestyle enjoyed by the unit owners of this condominium community will be enhanced by a spirit of mutual co-operation and consideration among the unit owners and residents.

Accordingly, the board of directors has passed the following Rules:

- i) to promote the safety, security or welfare of the owners and the property; and
- ii) for the purpose of preventing the unreasonable interference with the use and enjoyment of the common elements and of other units.

1. DUTIES UNDER THE CONDOMINIUM ACT

The *Condominium Act* provides that:

- i) the Condominium Corporation has a duty to effect compliance by the owners with the Act, the Declaration, the Bylaws and the Rules;
- ii) each owner is bound by and shall comply with the Act, the Declaration, the Bylaws and the Rules;
- iii) each owner has a right to the compliance by the owners with the Act, the Declaration, the Bylaws and the Rules;
- iv) the Corporation, and every person having an encumbrance against any unit and collision interest, has a right to the compliance by the owners with the Act, the Declaration, the Bylaws and the Rules; and
- v) the lessee (tenant) of a unit is subject to the duties imposed by the Act, the Declaration, the Bylaws and the Rules on an owner, except those duties respecting common expenses.

Accordingly, it is the Corporation's duty to ensure that the Rules are complied with. Individual unit owners do not have the right or power to enforce Rules. The board of directors requests that complaints concerning Rule violations be made in writing to the property manager who will

bring them to the attention of the board of directors for immediate consideration. Usually, a friendly letter will be sent as a notice or reminder that a Rule is being violated.

If necessary a more insistent letter will be sent, and, after a reasonable period to comply is given, appropriate legal action will be taken. Please remember that this will only be done for the common benefit of all the residents, and for the protection of the investment in property that we, the residents, all share.

Owners and residents are reminded that they are responsible for ensuring that their guests, families and other visitors are familiar with and comply with these Rules.

In addition to all other means of the enforcement available to the Corporation, your attention is directed to Section 49(1) of the Act which provides that where a duty imposed by the Act, the Declaration, the Bylaws or the Rules is not performed, the Corporation may obtain a court order directing the performance of the duty.

You are urged to familiarize yourself with the Rules and ensure that you, the members of your family and your guests all comply with them. You will, in this way, assist the Board, its committees and the manager in keeping your condominium a community which we can enjoy.

It is the Board's intention that this introduction, all titles, headings and preambles shall be considered to be part of these Rules.

2. DEFINITIONS

COMMON ELEMENTS: Everything except the interiors of the dwelling units. Exterior walls, front and back yards, parking lots, the roadway, grassed areas, etc., are all common elements of one sort or another. Common elements are for everyone's use, except for those elements designated for someone's exclusive use.

NOTE: The exact boundaries of your dwelling unit can be found in Schedule "C" to the Declaration. Everything that is not a unit is part of the common elements.

EXCLUSIVE USE COMMON ELEMENTS: Positions of the common elements defined above which are normally for use by you or your family alone. These include your front yard and rear patio. You alone can use them, but you don't have absolute control over them. You don't own them in the same way you own the inside of your unit. They still fall under the Corporation's Rules and the control of its Board. As an owner, you must keep in mind that you cannot compromise the integrity of, or alter the continuity of the common elements through changes that you may wish to make in the areas which you control. Changes can be made, with and subject to the prior written consent of the Corporation.

3. GENERAL

- a) The management company is authorized to act on behalf of the Board to enforce the Rules.
- b) Any costs for repairs to the common elements or for reconstruction of the common elements made necessary because of an owner's failure to comply with the Rules shall be assessed to that owner.
- c) No signs or advertisements, inside or outside your unit, can be displayed with the exception of an "open house" sign on the day of an open house, as well as the posting of one (1) "For Sale" sign with dimensions not exceeding two feet by three feet.
- d) Same as hereinafter specifically excepted (for large items) all garbage shall be properly packaged for disposal by unit residents. "Properly Packaged Garbage" shall mean garbage which is contained in properly tied full size plastic garbage bags, (not shopping bags) not exceeding twenty-five pounds per bag in weight. This garbage and recycling must be deposited the night before pick-up after 7:00 p.m., but before 7:00 a.m. the day of pick-up, in front of each respective unit. Large items may not be placed here for pick up. These items include appliances, furniture; car parts, etc.

No debris, refuse, or garbage shall be placed or stored on any of the common elements, including exclusive use common elements.
- e) Owners, their families, guests, visitors, tenants, servants, agents, etc., shall not create any noise or nuisance which, in the opinion of the Board or the manager, is likely to disturb the comfort or quiet enjoyment of the units or common elements by the residents of the other units.
- f) All toys, bicycles, tricycles, and like objects shall be removed from the common elements and stored within each owner's rear patio.
- g) Children are not to use the parking areas as play areas.
- h) No tents or other structures are to be erected or stored on the common elements, including exclusive use common elements, except as may be permitted by the approval of the Board. Front porches, rear patios or any other areas of the common element are not to be used for storage.
- i) Residents and guests are responsible for cleaning up any spill or mess they made (including engine oil) on the common elements, including the exclusive use common elements.
- j) Nothing shall be thrown out of the windows or doors of the units, nor shall laundry be hung outside on laundry racks, or fences.

- k) No mops, brooms, dusters, rugs or bedding shall be shaken from any external windows or doors.
- l) No sale of goods or personal property, auction sale or garage sale or yard sale shall be held in any of the units or on the common elements, except for a garage sale held with the Board's prior written approval.
- m) No unit shall be used in whole or in part for any commercial or professional purpose involving the attendance of the public.
- n) When a unit is not occupied, it is the owner's responsibility to give it the appearance of being occupied by having conventional window coverings on the unit. The Corporation is not responsible for damage from vandalism that may ensue from non-compliance with this Rule.
- o) When a unit is not occupied or an owner or resident is away from the unit for any extended period of time, the interior room temperature shall be maintained to at least 15 degrees Celsius and water must be turned off and the pipes drained in order to avoid damage to the unit, the common elements, and other units caused as a result of a flood.
- p) No owner or resident shall willfully harass, threaten, intimidate, engage in vexatious retaliation, falsely accuse, or cause mischief to another owner or resident, to the directors, agents or property manager of the Corporation, or to the property of the Corporation. Without limiting the generality of the foregoing, the definition of harassment shall include that as used and detailed in the *Condo Authority of Ontario's 'Anti-Harassment Rule Sample'* as published from time to time. For greater certainty, fair comment that may be critical of someone or the Corporation but that is done in a respectful manner is not harassment and is exempt from this provision.

4. PETS

- a) A "household pet" is defined as a dog, a domestic cat, a caged bird or fish. No animal, reptile, fowl, or other exotic pet other than a household pet as defined here shall be kept on the common elements or in any unit.
- b) No breeding of any type of animal for sale shall be permitted.
- c) No household pet that is considered by the Board or the manager to be a nuisance shall be kept by any resident. Any household pet owner shall remove the household pet permanently from the property within two (2) weeks of receipt of written notification from the Board or the manager that the household pet has been considered a nuisance.
- d) (Not used)

- e) The lawns of all units are for the enjoyment of all owners, tenant and their visitors, including infants, toddlers and young children. Household pet owners must ensure that their household pets do not defecate upon the common elements including exclusive use common elements. If a household pet does defecate upon the common elements, the unit owner shall immediately clean up after the household pet. No build-up of feces will be tolerated. Should the household pet owner fail to clean up, the household pet may be considered by the Board to be a nuisance.
- f) Residents shall be solely responsible for any damage to the common elements caused by their household pets, and the unit owner shall be assessed and shall pay forthwith to the Corporation the cost of restoring the common elements.
- g) All household pets shall be kept indoors at night or when no one is home.
- h) No doghouses or other household pet containers shall be constructed or placed permanently, on the common elements, including the exclusive use common elements.
- i) Household pets may be tethered in the exclusive use common elements of the owner of the pet and must be on a leash securely fastened. Such leash must confine the pet to the "exclusive use common elements" of the owner of the pet.
- j) No resident shall keep, harbour or maintain an animal which habitually barks or cries so as to disturb the public peace.

5. PARKING

- a) Each owner, or resident, shall provide the Corporation with the licence numbers of all motor vehicles driven by residents of that particular unit. The registry of such numbers shall be used only for the conduct of Corporation business, and the information therein shall not be revealed to other than a unit owner.
- b) No motor vehicle driven by an owner, a resident, their guests or their employees having a gross weight of more than five tons may be parked or left standing on any part of the common elements for a period of time, except on that part of the common elements designated by the board of directors and for a period of time not longer than posted. This does not apply for the purposes of loading or unloading furniture or other household effects of the unit owners, provided that the length of time for the parking is limited to only what is reasonably necessary to perform the service.
- c) No trailer, boat, snowmobile, mechanical toboggan, machinery or equipment of any kind shall be left on any part of the common elements whether exclusive use or not. Any trailer, boat, snowmobile, mechanical toboggan, machinery or

equipment left on any part of the common elements shall be liable to be towed away at the owner's own risk and expense, and without prior notice by the Corporation or its agents. The Corporation and/or its agents shall not be liable for any damage howsoever caused to any chattel which in contravention of this Bylaw, is towed away.

- d) The following licensed motor vehicles are permitted to be parked in your parking spaces: private passenger automobiles, station wagons, vans, pick-up trucks, motorcycles. No unlicensed motor vehicles of any kind shall be parked on visitors' parking lots.

For greater certainty, no commercial vehicle, or commercial-use private passenger vehicle that features commercial advertising wrap or business signage and that belongs to an owner or resident or his or her business, shall be parked in an owner's driveway or visitor's parking lot, including but not limited to automobiles, mini vans, panel vans, cube vans, heavy duty pick up trucks, flat bed trucks, school buses, taxis, passenger buses, and limousines for hire. 'Commercial vehicle' shall have the same meaning as 'trades vehicle'.

- e) No repairs other than minor repairs may be made to any motor vehicle parked or left standing on the common elements. Minor repairs are to be performed only on the owner's designated space and the owner of the unit shall be responsible to the Corporation to clean up the common elements after the minor repairs have been completed. The owner shall be assessed as a breach common expense for any costs incurred by the Corporation to clean up or restore the common elements to their original state in the event the cleanup by the owner is not satisfactory. This determination shall be in the sole discretion of the Board.
- f) In the event of mechanical breakdown, the owner of the motor vehicle shall notify management of the breakdown and after doing so shall have 24 hours within which to remove the motor vehicle unless the motor vehicle is parked on the designated space and is not deemed a nuisance or found to be unsightly by the Board. The determination of these facts shall be in the sole discretion of the Board.
- g) Visitors of residents of the property (only) are permitted to park in areas upon the common elements indicated by signs designating Visitors' Parking, and residents shall not park their vehicles, at any time, in Visitors' Parking.
- h) No motor vehicle shall be driven on any part of the common elements other than on the private road, or in a parking spot.
- i) No trail bikes, dirt bikes, all-terrain vehicles, go-karts or snowmobiles, whether licensed or unlicensed, shall be driven on the common elements.
- j) No motor vehicle shall be driven at excessive speed on the property.

- k) No parking is permitted on posted fire routes, including both sides of the private road.
- l) Any motor or other vehicle herein before referred to in Section 5 of these Rules which is left standing on the property contrary to one or more of these Rules, may be ticketed and/or removed from the property without notice to and at the owner's sole expense, and neither the Corporation nor its directors, officers and agents shall be held liable whatsoever for any damage, cost or expenses however caused to such vehicle or to the owner thereof arising from the enforcement of these Rules and any other (future) Rules respecting the parking of vehicles within the common elements of Halton Condominium Corporation No. 225.

6. IN-UNIT LIVING

- a) **PEST CONTROL:** No owner or tenant shall permit an infestation of pests, insects, vermin or rodents to exist at any time in the unit or adjacent common elements. Any known incidents of this nature shall be reported immediately to the manager.
- b) Owners and tenants shall permit the manager or his agents, (pest control personnel), to enter their units for the purpose of conducting pest control operations, including a spraying program when necessary. Owners and tenants are required to prepare their units in the manner prescribed by the manager to facilitate the appropriate pest control operations.

7. EXTERNAL FEATURES

Our condominium has been developed as a homogenous community of similarly designed homes, and both the Declaration and the Rules of the Corporation are intended, in part, to preserve the architectural design features and the integral, overall appearance of the property such that any changes or improvements requested by individual unit owners should be reviewed and considered by the Corporation prior to any permitted installations or alterations by a unit owner in the context of the overall architectural design features of the property. In keeping with this intent, and in order to ensure the maintenance and overall first class appearance of the property, the following, specific Rules shall apply to the external features of the property:

- a) No awnings or shades shall be erected over or outside of the windows without the prior written consent of the Board.
- b) Nothing shall be placed on the outside of window sills or projections.

- c) No television antennae, aerial, satellite dish, tower or similar structure is permitted, other than that which is in connection with the common television cable service.
- d) No owner or occupant of a unit shall install an air conditioning system which in whole, or in part, projects into or is located within or upon the common elements unless such owner or occupant has first applied for and obtained the written consent of the Corporation, which consent may set forth certain guidelines to be followed by the owner or occupant in the installation of such equipment.
- e) The sidewalks, entries, and parking space are not to be obstructed in any way, or used for any purpose other than entry and exit from the premises.
- f) Reflective or insulating materials or coverings shall not be placed on any window, door or other external features.
- g) Where the interior surfaces of windows are covered, whether by drapes, shades, curtains or other items visible from the exterior such coverings shall be standard window coverings (i.e., not newspaper sheets, flags, etc.) and shall be subject to Rules as established by the Corporation from time to time. All exterior windows of all units must be covered by standard window coverings, such as drapes, shades, curtains or blinds.
- h) No additional fireplace or stove furnace shall be installed in any unit without the prior written approval of the Board.
- i) Without limiting the generality of the foregoing, no changes to the common elements, including any portion of the common elements over which the owner has exclusive use, shall be made or carried out by any owner or occupant of a unit at any time without first obtaining the prior written approval of the board of directors and satisfying any conditions that may be imposed by the Corporation including the entering into of an agreement between the Corporation and the owner respecting such change.
- j) The Board shall require that the unit owner signs an indemnification certificate, whereby the Corporation is absolved of responsibility for future maintenance or damages or for changes which are referred to them for approval.
- k) No changes, alterations or additions to any external lighting fixtures either at the side, rear or front of any unit shall be made without prior written consent of the board of directors. The board of directors of the Corporation shall have sole authority to determine whether or not an application submitted by an owner requesting to make change(s) to the common elements will be accepted or not, and the Board may publish from time to time, in respect of any permitted changes, a set of guidelines to be followed by any owner who makes an application to the board of directors to carry out any change, alteration or addition to the common elements.

8. FIRE SAFETY

No owner shall do anything to, or bring anything into, the unit that will in any way increase the fire insurance premiums paid by the Corporation, or that will in any way increase the risk of fire.

9. TENANTS

Prior to the commencement date of tenancy, the owner shall deliver to the manager of the Corporation, in accordance with the Declaration, an agreement duly executed by the tenant in which the tenant agrees to abide by the Declaration, Bylaws and Rules and Regulations of the Corporation.

10. RESPONSIBILITY OF OWNERS FOR COSTS OF CORPORATION

Any loss, cost, damage, injury or liability incurred by the Corporation by reason of a breach of the Condominium Act, the Declaration, the Bylaws or the Rules by an owner, his family, guests, servants, agents or occupants of his unit, including but without limiting the generality of the foregoing, the full amount of any legal fees and disbursements incurred by the Corporation as a result thereof, shall be borne by such owner and may be recovered by the Corporation against such owner.

QUESTIONS related to these Rules and their administration should be referred to the property management company:

Wilson, Blanchard Management Inc.
Suite 101, 701 Main St. W.
Hamilton, ON L8S 1A2

Tel.: (905) 540-8800

Attention: Property Manager

NOTES TO UPDATE

The following updates were made to the previous version of the Rules:

1. Section 3 p) new rule added in its entirety.
2. Section 5 d) second paragraph added to existing rule.