

**Carleton Condominium
Corporation No. 127**

GREEN BANNER PLACE

CONDOMINIUM RULES

DECEMBER 15, 1990

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CONDOMINIUM RULES
CARLETON CONDOMINIUM CORPORATION NO. 127

Resolutions passed by the Directors of Carleton Condominium Corporation No. 127 (Corporation) at a Board of Directors (Board) Meeting held on the 15th day of December, 1990.

BE IT RESOLVED that the Corporation enact the following rules respecting the use of the common elements and units to promote the safety, security, or welfare of the unit owners and of the Corporation property (property) or to prevent unreasonable interference with the use and enjoyment of the common elements and of other units.

The following rules shall be observed by the unit owners and the term "owner" shall include the unit owner, his/her family, guests (long term), visitors (short term), servants, clerks, agents or any other persons occupying the unit with the owner's approval and including that person's family, guests, visitors, servants, clerks or agents:

1. **Additional accommodation**

No building or structure or tent shall be erected and no trailer either with or without living, sleeping or eating accommodations shall be placed, located, kept or maintained on: the common elements. Refer to paragraph 19 for restrictions regarding boats, trailers and motorcycles.

2. **Air conditioners**

Air conditioners may be installed with prior written consent of the Board. They must be of a high quality and such standard as to minimize noise disturbance to neighbors. No water-cooled air conditioners will be permitted due to the large quantity of water required and the subsequent increased water cost. Plexiglass must be used for the installation of window air conditioners when the air conditioner does not fill the normally glassed area. All air conditioners must be properly and neatly installed.

3. **Alterations**

- a. No owner shall make any change to the interior of his/her unit or to an installation upon the common elements without the prior written consent of the Board, and subject to the Condominium Act, and the Declaration.
- b. Such alterations will be at the risk and expense of the owner; and
- c. The Corporation shall not assume the responsibility to repair or maintain any such alterations.

4. **Auction sales**

Shall not be held on the property.

5. **Business**

Comply with By-laws of Ottawa. Traffic generators are not permitted.

6. **Electrical**

Owners shall not overload electrical circuits.

7. **Exterior**

- a. Nothing shall be placed on the outside of window sills or any projections. No awning, flower box, shade or shutters shall be erected over or outside of the windows, doors, porch or front yard;
- b. No owner shall decorate, landscape or cover by any awnings or otherwise the yard lying to the front of his unit, without the prior written consent of the Board;
- c. Nothing shall be thrown out of the windows or doors of the units;
- d. No mops, brooms, dusters, rugs or bedding shall be shaken or beaten from any window or door. No hanging or drying of clothes is allowed on the common elements;
- e. The front yards and parking spaces shall not be used for storage and each front yard and parking space shall be kept clean by the owner having the right to use it;
- f. No part of the common elements shall be used for the erection, placing or maintenance of clotheslines, incinerators, garbage disposal equipment, recreational or athletic equipment, fences or other barriers, hedges, gardens or other vegetation, or for the disposal of rubbish, garbage or waste, unless such are authorized by the Board or were in existence at the date of the Corporation's Declaration;
- g. Front yards cannot be enclosed.

8. **Fire & health**

- a. No owner shall do, or permit, anything to be done in his unit or bring or keep anything therein which will in any way increase the risk of fire or the rate of fire insurance on any building or on property kept therein, or obstruct or interfere with the rights of other owners, or in any way injure or annoy them, or conflict with the laws relating to fire or with the regulations of the Fire Department or with any insurance policy carried by the Corporation or any owner or conflict with any of the rules and ordinances of the Board of Health (of para 22, Municipal Statutes); and
- b. No stores of coal or any combustible or offensive goods, provisions or materials shall be kept in or on the property.

9. **Foundation holes**

With the prior written consent of the Board, a maximum of two holes may be drilled in the foundation walls, each no more than four inches in diameter. They must be drilled by, or under the supervision of a person competent in this type of work. Any leakage or maintenance problems

developing as a result of foundation hole drilling shall be at the risk and the expense of the owner.

10. **Garbage**

In accordance with the City of Ottawa By-law, the owner shall not place, leave or permit to be placed or left in or upon the common elements, including those of which he has the exclusive use, any debris, refuse or garbage, except in accordance with the instructions of the Board and the owners must maintain strict sanitary conditions at all times. Garbage cannot be placed out before 7:00 p.m. on Sunday evenings except in the case of statutory holidays when pick-up will be one day later.

11. **Landscaping**

- a. No one shall harm, mutilate, destroy or litter any of the landscaping work on the property, including grass, trees, shrubs, hedges, flowers or flowers beds without the written consent of the Board of Directors;
- b. The outside circumference of any flower bush or shrub is not to extend beyond 36 inches from the building or the inside face of the fence. In planting such flower bush or shrub, no more than a 24-inch width of sod may be dug up;
- c. Perennial ivy or other perennial climbing flora are permitted only if they are not supported by the building or the fence;
- d. Growing of vegetables in excess of 4 feet in height is not permitted on any common element. No more than a 24-inch width of sod may be dug up in planting vegetables.
- e. In the event of abandonment, poor husbandry practices, disease or pest damage, the Board reserves the right to return the area to its original state at the expense of the owner;
- f. Owners who plant flowers around the base of any tree or shrub are responsible for the expense and maintenance of such flowers; and
- g. Any departure from the provisions of this paragraph require the prior written consent of the Board.

12. **Loss or damage**

Any loss, cost or damages incurred by the Corporation by reason of a breach of any rules, in force from time to time, by any owner, his family, guests, visitors, servants, clerks, agents or approved occupants/tenants of his unit and including that person's family, guests, visitors, servants, clerks or agents shall be borne by such owner and may be recovered by the Corporation from such owner in the same manner as common expenses.

13. **Nuisance**

- a. Owners and approved occupants/tenants, their families, guests, visitors and servants shall not create or permit the creation of, or continuation of any noise or nuisance which, in the opinion of the Board may or does disturb the comfort and quiet enjoyment

of the property by other owners and approved occupants/tenants, their families, guests, visitors, servants and persons having business with them; and

- b. No noise, caused by any instrument or other device, or otherwise, that, in the opinion of the Board, may be calculated to disturb the comfort of the other owners, shall be permitted.

14. **Pets**

- a. No animal, livestock or fowl of any kind other than one dog or one cat or caged birds (other than pigeons) shall be kept as pets in any unit;
- b. No dog, cat or other animal that is deemed by the Board (on reasonable grounds) to be a nuisance shall be allowed or be kept in any unit or on the property; and
- c. No animal, livestock or fowl of any kind shall be kept on any part of the common elements.

15. **Right of way**

The sidewalks, passageways, walkways and parking spaces used in common by the owners shall not be obstructed by any of the owners or used by them for any purpose other than for ingress and egress to and from their respective units or parking areas.

16. **Signs**

No sign, advertisement or notice, other than the usual signs for offering a unit for sale or rent with dimensions not exceeding 2 feet by 3 feet, shall be inscribed, painted, affixed or placed on any part of the inside or outside of the building or common elements whatsoever without the prior written consent of the Board.

17. **Storm doors**

Storm doors which are installed shall be new, dark brown in color, a minimum of 1-1/4 inches thick and the type and appearance must be acceptable to the Board.

18. **TV antenna**

No television antenna, aerial, tower or similar structure and appurtenances thereto shall be erected or fastened to any unit or on to any portion of the common elements, except by the Corporation in connection with a common television cable system, and no cable shall be strung on the outside of the building.

19. **Vehicles/Parking**

a. **Parking spaces:**

- 1) Each unit has one parking space;

- 2) There is visitor parking available for short-term (72 hours) guests. It's the responsibility of the unit occupant to ensure that their guest's vehicle is registered with Carleton Parking Management 613-725-6621 between 12 midnight and 7:00 a.m.; and
 - 3) Parking spaces are indicated by yellow boundary lines and numbered posts for the units. Visitor parking areas are clearly signed and have yellow painted curbs.
- b. No motor vehicle, other than a private passenger automobile, motorcycle, station wagon, or one-half ton pick-up truck, shall be driven on any part of the common elements. Any vehicle including motorcycles, snowmobiles or trailers may not be parked or stored anywhere but in a parking space;
 - c. No motor vehicle, tent, boat or trailer, snowmobile, mechanical toboggan, machinery or equipment of any kind shall be left on any part of the common elements except motor vehicles properly parked in accordance with these rules;
 - d. No private passenger automobile which is not being used from day to day shall be parked or located upon the common elements or any part thereof;
 - e. Motor vehicles shall be parked only in parking spaces properly marked, paved, and provided for them. Only one motor vehicle may be parked in a parking space. Motor vehicles parked in unauthorized areas shall be towed at the motor vehicle owner's risk and expense;
 - f. No substantial repairs or adjustments to motor vehicles may be carried out on the common elements;
 - g. No commercial motor vehicle may be brought on the property without the prior written consent of the Board, save in the course of a delivery to the property;
 - h. Visitor parking is available for non-resident guests or visitors only. When the use of a visitor's parking space is required for more than 3 days to a maximum of 2 weeks, the owner or tenant, on behalf of the guest or visitor, must obtain permission from the parking committee (through Deerpark Management Ltd., 613-745-2389). Any use of extended visitor parking is subject to review by the Board of Directors.
 - i. Trailers, boats, and other non-motorized vehicles are not permitted on the property except for the express purpose of loading and unloading, at which time they may be parked in a visitor's parking space. Time so permitted shall be for the loading and unloading only. Violation of this rule shall be treated as any other parking violation;
 - j. Vehicles are not to be parked on the property other than that designated as parking. Vehicles parked in unauthorized areas shall be towed at the vehicle owner's risk and expense;
 - k. Inoperable vehicles shall be towed at the vehicle owner's risk and expense after one warning; and
 - l. Violations of the parking rules shall be dealt with in the following manner:
 - 1) One warning shall be issued; and
 - 2) Subsequent violations shall be referred to the Police for their action.

20. **Water**

Water shall not be left running unless in actual use.

GENERALITIES

21. **Municipal statutes**

No owner shall do anything or permit anything to be done that is contrary to any statute or municipal by-law or any rules, regulations or ordinances passed under any statute or municipal by-law.

22. **Failure to enforce rules**

No restriction, condition, obligation or provision contained in any rule or rules of the corporation shall be deemed to have been abrogated or waived by reason of failure to enforce the same irrespective of the number of violations or breaches thereof which may occur.

23. **Individual rules stand on their own**

Each of these rules shall be deemed independent and severable and the invalidity or unenforceability in whole or in part of any one or more of these rules shall not be deemed to impair or affect in any manner the validity, enforceability, or effect of the remaining part of that rule (if appropriate) or of the other rules, and in such event, the other part of the rule (if appropriate) or the other rules shall continue in full force and effect as if such invalid rule or part of a rule had never been included herein.

24. **Previous rules**

All previous rules of the Corporation are hereby repealed.

The foregoing rules are hereby passed by the Directors of the Corporation as evidenced by the respective signatures hereto of all the Directors.

SCHEDULE "1"

Acknowledgement Respecting Modification to Common Elements

TO:

CARLETON CONDOMINIUM CORPORATION NO. 127

("the Corporation")

FROM:

(please print name(s))

("the Owner")

WHEREAS:

1. The Owner is the registered owner of Unit _____, Level I, Carleton Condominium Plan No. 127.
2. Please choose one of the following [delete all that do not apply]:
 - a) The Owner is not a spouse. (*not married*)
 - b) The Owners are spouses of one another.
 - c) The Owner is a spouse. The person consenting below is the Owner's spouse.

3. The Owner wishes to carry out the following modification to the common elements:

(please print)

("the Modification")

4. The Modification is item number(s) _____ in Article IV of By-Law No. 12 of the Corporation.
5. (If appropriate, add:) Additional detail respecting the modification is contained in the drawings and/or specifications attached as Appendix "1".

NOW THEREFORE:

The Owner acknowledges that the Owner is bound by all of the terms and conditions listed in Article III of the Corporation's By-Law No. 12 and that the said terms and conditions constitute an agreement between the Corporation and the Owner as stated in that By-law. The Owner also agrees to comply with a11 other By-Laws and Rules of the Corporation that apply to the Modification.

DATE: _____

CARLETON CONDOMINIUM CORPORATION NO. 127

Per:
Name: Title:

Per:
Name: Title:
I/We have authority to bind the Corporation

Witness

Owner

Witness

Owner

Witness

Spouse (where required)

>N:\RE.C\CCC 127\Block Fees\by-law no. 12 - common element modifications.wpd.

ARTICLE W PERMITTED MODIFICATIONS
(NOTE: *still requires WRITTEN authorization*)

Unit owners may make any one or more of the following modifications to the common elements subject in each case, to the terms and conditions set forth in Article III hereof:

1. Mail boxes.
2. Outside light fixtures.
3. Storm doors.
4. Central air conditioners installed/contained within unit.
5. Installation of a sleeve or "port" in the front exterior wall of a unit and installation of an air conditioner in the port.
6. Interlocking stone walkways or patios.
7. Landscaping including planting of bushes and shrub which may not grow taller than 6 feet, in exclusive use areas.
8. Physical aids for the disabled.
9. Climbing vines.
10. Installation of satellite dishes, provided they are not attached to the property including any building or structure on the property.
11. Garden sheds in exclusive use area.
12. Composters in exclusive use area.

CARLETON CONDOMINIUM CORPORATION NO. 127
("the Corporation")

CONDOMINIUM RULE respecting HUMIDITY
[Date of Board Resolution _____]

Introduction

The following Rules respecting the use of the common elements and units are made to promote the safety, security and welfare of the Owners and of the property or for the purpose of preventing unreasonable interference with the use and enjoyment of the common elements and of other units.

The Corporation may pass additional Rules or amend or delete existing Rules from time to time in accordance with the *Condominium Act, 1998*.

Definitions

Owner: Shall include Owners, their families, visitors, agents, tenants and occupants of the unit.

Any other words and phrases which are defined in the *Condominium Act, 1998* (as amended from time to time), or the Regulations thereunder or any successor thereto, ("the Act") shall have ascribed to them the meanings set out in the Act.

Humidity

Owners shall not allow the humidity levels in the unit to cause condensation, mold or mildew or otherwise to result in harm to the property.

NOTE: The units at CCC 127 have baseboard heating. There is no forced-air furnace. Therefore, air circulation can be a problem at times. Owners are encouraged to:

- Use kitchen and bathroom exhaust fans as appropriate and to keep those fans in proper working condition;
- Ensure that all exhaust ducting (for dryers and for exhaust fans) is regularly cleaned;
- Consider ceiling fans for air circulation;
- Consider opening a window slightly (in winter) to improve air exchange;
- Consider use of dehumidifiers as appropriate;
- Consider avoiding window coverings that may prevent air circulation in the vicinity of the windows.

Specifications for:

Garden/storage sheds at C.C.C. 127 Greenbanner Place

All requests to install readymade or to build garden/storage sheds must be first approved by the Condominium Board using the following guidelines.

1. Garden/storage sheds shall be free standing and independent of any structure. They must not be attached to any common area walls, unit walls or fences.
2. Garden/storage sheds shall not be placed in front of unit windows. Garden/storage sheds shall be placed along the fences dividing the units only.
3. Garden/storage sheds shall not exceed the height of the fence and be no longer than 7 ft. from the unit wall along the fence to the slope of the fence.
4. Garden/storage sheds should be made of suitable materials. (No scrap wood, pallet or pressed board type wood). Garden/storage sheds made of wood should be made with pressure treated wood to withstand the weather and prevent rotting. All sheds must have a floor.
5. Wooden garden/storage sheds must be a natural wood colour or the colour of the fence. If painted, it must be the colour brown used in trim of the unit. (Note: *We have this paint in the office for repairs and touch-ups.*)
6. Garden/storage sheds shall not be used to store propane, chemicals, or flammable materials.

NOTES:

Readymade plastic, poly vinyl garden/ storage sheds appear to be mostly green, tan or varying shades of brown colour. Any of these would be acceptable.

There are many types of plastic or vinyl garden/storage sheds. Owners should determine the type they want to use based on the specification laid out in this guideline.