

What Should Owners Do With The Standard Unit Bylaw?

As you know, it is our opinion that the *Condominium Act, 1998* requires that all existing condominium corporations pass by-laws to define the "standard units" in the condominium. According to the Act, the by-law must be passed before the corporation's first insurance renewal after May 5, 2001.

The standard unit by-law gives a description of the unit as unimproved. It is the responsibility of the condominium corporation to obtain insurance covering the unimproved or "standard" unit (subject to a reasonable deductible). Insurance for any improvement to the unit is the responsibility of the owner.

An improvement is any feature, which is not part of the standard unit description.

Therefore, when the standard unit by-law is passed, each owner should take a copy of the by-law to the owner's insurance broker. The owner should also give the broker a list of all features of the unit, which are not included in the standard unit description. Those are the unit improvements. The broker should then be asked to make sure that the owner's insurance policy provides adequate coverage for those improvements.

At present, most unit insurance policies provide an arbitrary amount of coverage for unit improvements - usually set at a percentage of the coverage for the owner's personal property or "contents". With a precise list of the unit improvements in hand, many owners and brokers may find that they can actually reduce the coverage for improvements. [They may find that they have actually been over-insured up until this time.] On the other hand, in some cases the insurance coverage may have to be increased.

At the end of the day, the standard unit description should enable owners and their brokers to more carefully assess the insurance requirements of the owner.

Schedule "A"

CARLETON CONDOMINIUM CORPORATION NO. 234

BY-LAW NO. 9

BE IT ENACTED as By-Law No. 9 (being a by-law to define standard units) of Carleton Condominium Corporation No. 234 (hereinafter referred to as the "Corporation") as follows:

ARTICLE I
DEFINITIONS

All words used herein which are defined in the *Condominium Act, 1998*, or any successor, ("the Act") shall have ascribed to them the meanings set out in the Act as amended from time to time.

ARTICLE II
GENERAL

- (1) The purpose of this by-law is to define the standard unit in this condominium, for the purpose of Section 99 of the Act (insurance).
- (2) Where the materials or specifications set out in this by-law are uncertain or incomplete, the standard unit specifications and materials shall be consistent with "Builder's Standard" construction. In the case of any dispute as to what constitutes "Builder's Standard", a comparison shall be had to the quality of the particular feature being offered by builders of comparable construction at the time of the damage.
- (3) The standard unit does not include features, which are part of the common elements. The Corporation's declaration determines which features are part of the common elements and which features are part of the units. To the extent that the attached schedule include features which are part of the common elements, they are included for reference and information purposes. They are not intended to be part of the standard unit.
- (4) Except as otherwise indicated in this by-law, the standard unit(s) shall include all features of the units mentioned in the declaration or shown in the description (including all registered architectural and structural drawings) of the condominium. In the case of any inconsistency between the declaration or description and the schedules to this By-Law, the schedules to this By-Law shall prevail.
- (5) All replacement materials and re-construction shall conform to the current Ontario Building Code, Ontario Fire Code, Ontario Electrical Safety Code, current Municipal regulations and by-laws, and all applicable bulletins in force. If any component of the standard unit must be upgraded or changed in order to comply with any applicable governmental regulation or code or other law applicable to the repair of insured damage or destruction, the said upgrade or change shall be considered part of the standard unit despite not being clearly defined herein as being part of the standard unit.
- (6) Where the schedules to this By-Law refer to specific brands of equipment or materials, this shall be deemed to include equivalent brands.
- (7) In this condominium, there are four (4) different classes of standard units. Each class is based upon a different model of unit in this condominium. The standard unit for each class or model is defined and described further in the structural drawings which are Sheets 1 to 15 of Part 2 of the Condominium Description filed with the Registry Office (the "structural drawings"), and the specifications contained in the Schedule "1" attached hereto. The classes are as follows:

| Class Number | Class Description | Units |
|--------------|---------------------|---|
| 1 | The Alder – Model 1 | Units 1, 5, 9, 12, 15, 18, 23, 25, 26, 29, 31, 33, 34, 36, 39, 41, 48 and 51, Level 1 |
| 2 | The Adler – Model 2 | Units 2, 6, 11, 17, 22, 28, 30, 37, 42 and 49, Level 1 |
| 3 | The Birch | Units 3, 7, 10, 13, 16, 19, 21, 24, 27, 32, 35, 38, 40, 43, 45, 47 and 50, Level 1 |
| 4 | The Chestnut | Units 4, 8, 14, 20, 44 and 46, Level 1 |

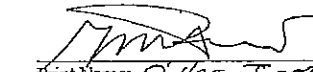
**ARTICLE III
MISCELLANEOUS**

- (1) **Invalidity:** The invalidity of any part of this by-law shall not impair or affect in any manner the validity and enforceability or effect of the balance thereof.
- (2) **Waiver.** No restriction, condition, obligation or provision contained in this by-law shall be deemed to have been abrogated or waived by reason of any failure to enforce the same irrespective of the number of violations or breaches thereof which may occur.
- (3) **Headings:** The headings in the body of this by-law form no part thereof but shall be deemed to be inserted for convenience of reference only.
- (4) **Alterations:** This by-law or any parts thereof may be varied, altered or repealed by a by-law passed in accordance with the provisions of the Act, and the Declaration.

The foregoing by-law is hereby passed by the Directors and confirmed by the owners pursuant to the *Condominium Act, 1998* of Ontario.

DATED this 29th day of June, 2004.

CARLETON CONDOMINIUM CORPORATION NO. 234


 Print Name: *Gilles J.-M. PARENT*
 Print Title: *President*

I have authority to bind the Corporation.

Version 5.2 – February 2003

© All rights reserved.

This document was prepared by Nelligan O'Brien Payne LLP for CCC #234 based on a thorough review of all relevant documentation and the specific circumstances of this condominium. This document may not be appropriate for another condominium.

Please note: The form from which this document was prepared is regularly revised and updated.

Schedule "I"
 Carleton Condominium Corporation No. 234
 Specifications

SECTION ONE: GENERAL SPECIFICATIONS

| | |
|------------------------|---|
| Interior Doors: | Painted hollow core interior doors with polished brass finished doorknobs |
| Floors: | Wall to wall carpeting in Living Room, Dining Room, Hallways, Staircase and Bedrooms. Cushioned flooring in Kitchen, Vestibule and Bathrooms. |
| Trim: | Pine trim painted with one coat of semi-gloss paint |
| Walls: | ½" drywall painted with one coat of latex flat finish paint except Bathrooms and Kitchen which have one coat of semi-gloss paint |
| Ceilings: | ½" drywall, stippled except in Kitchen and Bathrooms |

Electrical, Plumbing and Mechanical Systems:

- 40 gal hot water tank (rental)
- Gas fired warm air system
- 100 amp underground service
- Copper wiring throughout
- Washer and dryer connections
- Hardwired smoke detector
- Pre-wired for cable and telephone
- Heating ducts sized for future air-conditioning

SECTION TWO: INDIVIDUAL AREAS

Vestibule/Foyer

- Coat closet with vinyl bypass sliding doors, hanging rod and one interior shelf the length of the closet
- Standard single bulb ceiling light fixture

Hallways and Stairs

- Standard single bulb ceiling light fixture (with a two way switch located at both top and bottom of stairs)
- Woodstringers painted with semi-gloss paint
- Plastic handrail on wrought iron railing
- Linen closet with bi-fold door and 5 interior shelves

Powder Room

- Post formed formica counter tops
- Standard melamine vanity with solid oak bar handle along the top of the doors
- Plate glass mirror
- Chromium plated towel bar and toilet paper holder
- Chrome finished faucets
- Enamel coated sink
- 2-bulb light fixture with glass lens
- Exhaust fan (vented in accordance with code requirements)

Living/Dining Room (Open concept)

- 1 switched outlet in Living room
- 1 switched 3-bulb light fixture with 3 glass globes and dimmer control in Dining Room

Schedule "J" (Continued)
 Carleton Condominium Corporation No. 234
 Specifications

Kitchen

- Post formed formica counter tops
- Cupboards with melamine shelves, solid oak doors and metal hardware as per builder's samples
- Stainless steel sink with double handle faucets
- One single globe light fixture over sink
- One single globe light fixture over eating area
- Range hood (vented in accordance with code requirements)
- Rough-in for a dishwasher

Main Bathroom

- Post formed formica counter tops
- Standard melamine vanity with solid oak bar handle along the top of the doors
- Plate glass mirror
- Mirrored 14" x 18" medicine cabinet
- Standard bathtub with shower curtain rod
- Ceramic tile full height to bulkhead above bathtub
- Chromium plated towel bar, soap dish and toilet paper holder
- Chrome finished faucets
- Enamel coated sink
- Light fixture containing 4 bulbs with a glass lens
- Exhaust fan (vented in accordance with code requirements)
- Linen closet with bi-fold door and 5 interior shelves

Master Bedroom

- Closet with vinyl bypass sliding doors, hanging rod and one interior shelf the length of the closet in Classes 1 and 2
- Walk-in Closet with standard interior door, two hanging rods and two interior shelves in Class 3
- Walk-in Closet with bi-fold door, two hanging rods and two interior shelves in Class 4
- Ensuite in Classes 3 and 4
- Switch outlets (no fixture)

Ensuite Bathroom (Classes 3 and 4)

- Post formed formica counter tops
- Standard melamine vanity with solid oak bar handle along the top of the doors
- Plate glass mirror
- Mirrored 14" x 18" medicine cabinet
- Chromium plated towel bar and toilet paper holder
- Chrome finished faucets
- Enamel coated sink
- Lighting is a single switch with a glass lens

Secondary Bedrooms

- Closet with vinyl bypass sliding doors, hanging rod and one interior shelf the length of the closet
- Switched outlets (no fixture)

Schedule "1" (Continued)
 Carleton Condominium Corporation No. 234
 Specifications

Basements (Unfinished)

- Plastic laundry tub, center sink supply with swinging spout and double handles
- Two-way switch for lightning in staircase, one fixture at the bottom of the stairs and one fixture on the stair landing.
- 3" thick 2500 p.s.i. concrete basement floor with trowelled finish
- 8" thick 2500 p.s.i. concrete foundation walls
- Steel beams supported on steel teleposts
- R-12 Fiberglass insulation to 2' below grade

GARAGE

- ½" gypsum drywall to garage ceiling and wall next to house
- Asphalt on 6" crushed stone
- Single bulb light switched at garage door (no fixture)
- Steel panel garage door with lock

EXTERIOR

| | |
|------------------------------|--|
| Finish: | Brick vinyl siding |
| Exterior Door: | Insulated metal doors with weatherstripping, aluminum thresholds and polished brass handle with dead bolt as indicated on door schedule |
| Windows: | Wood casement, slider and awning or vinyl slider windows as per registered window schedule. All windows will be double glazed with sealed thermal units. All opening lights will have screens. |
| Insulation: | R-20 Batt |
| Vapour Barrier: | 6 mil polyethylene vapour barrier |
| Roof: | R-32 Fiberglass insulation at roof |
| Facias and Eaves: | Aluminum as indicated on plans |
| Footings: | 2500 p.s.i. concrete |
| Parging: | Cement parging to expose portions of foundation wall externally |
| Damproofing: | Heavy duty damp proofing |
| Drainage: | 4" diameter perimeter drainage system |
| Hose Bibs: | Two non-freeze hose bibs |
| Driveway: | Asphalt paved driveway on crushed stone base |
| Walkway: | Concrete walkway from driveway to front door |
| Sod: | The site will be graded, covered with 4" top soil and sodded to grades as approved by the City of Ottawa |
| Trees: | Trees will be provided and planted in accordance with planting plans approved by the City of Ottawa |
| Fences and/or Hedges: | In accordance with landscape plan approved by the City of Ottawa |
| <u>Framing:</u> | |
| Material: | #1 Spruce |
| Joists: | 2" spruce - depths and spacing as shown on registered plans |
| Sub Floor: | ½" t&g subfloor with ½" t&g plywood underlay for cushion floor |
| External Walls: | 2" x 6" studs at 24" centers |
| Internal Walls: | 2" x 4" studs at 16" centers |
| Roof Construction: | Prefabricated roof trusses at 24" centers |
| Roof Sheathing: | 3/8" sheathing with "H" clips |
| Shingles: | Self-sealing asphalt |

Schedule "1" (Continued)
Carleton Condominium Corporation No. 234
Specifications

Standard Features

Unless otherwise indicated herein, the following items shall simply be of standard quality and installation and in accordance with all relevant or applicable codes and regulations:

- light switch and cover plates
- electrical outlets and cover plates
- plumbing
- drains
- ducting, venting and associated fans
- door hardware
- smoke detectors
- electrical wiring
- paint
- trim
- cabinet hardware (bathroom(s) and kitchen)
- door bells – front and back

N:\REC\C\CCC234\Bylaw 5 - standard unit.doc