

CARLETON CONDOMINIUM CORPORATION NO. 297

BY-LAW NO. 4

BE IT ENACTED as By-Law No. 4 of CARLETON CONDOMINIUM CORPORATION NO. 297 (hereinafter referred to as the "Corporation" or "CCC 297") as follows:

WHEREAS:

- Hydro Ottawa Limited ("Hydro Ottawa") requires a permanent easement over a parcel of land being part of the common elements of CCC 297 and shown as Parcel 1 on the sketch attached hereto as Schedule "1" (the "Permanent Easement Lands") in order to construct, use and maintain a Hydro Ottawa guying and anchor; to construct, install, operate, maintain, repair, replace, relocate and remove Hydro Ottawa's lines of electricity and telecommunications; and to attach other wires, cables and accessories and permit the attachment of wires, cables and accessories of any other company or commission (the "Permanent Easement").
- The City of Ottawa (the "City") requires a temporary easement over a parcel of land (surrounding the Permanent Easement Lands) and shown as Parcel 2 on the sketch attached hereto as Schedule "1" (the "Temporary Easement Lands"), for one day, to construct, install, operate, maintain, repair, replace, relocate and remove all lines of electricity and telecommunications on the Permanent Easement Lands as Hydro Ottawa requires (the "Temporary Easement").
- The Corporation wishes to grant a permanent easement to Hydro Ottawa over the Permanent Easement Lands and a temporary easement to the City over the Temporary Easement Lands in order to allow for the relocation of certain works, including certain Hydro Ottawa poles and wires, onto the Corporation's common elements. These works are required by Hydro Ottawa in connection the construction and maintenance of the Stage Light Rail Project.
- The aforesaid easement must be authorized by by-law pursuant to Section 21 of the Act.
- The by-law can also fulfill the requirements of Section 97 of the Act respecting approval of all common element modifications related to the permanent easement and the temporary easement on the Corporation's property.

ARTICLE I DEFINITIONS

All words used herein 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.

ARTICLE II AUTHORITY FOR EASEMENT

- 1) In accordance with Section 21 of the Act, the Corporation is authorized to grant the Permanent Easement and the Temporary Easement on terms and conditions satisfactory to the Board.
- 2) All related modifications to the common elements are also hereby approved.

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 part thereof may be varied, altered or repealed by a by-law passed in accordance with the provisions of the Act, and then Declaration.
- 5) Preparation: This document was prepared in the year 2018 by Davidson Houle Allen LLP in conjunction with the Corporation.

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 29 day of JANUARY, ²⁰¹⁹~~2018~~

CARLETON CONDOMINIUM CORPORATION NO. 297



Name: *RICHARD WILSON*
Title: *PRESIDENT*

I have authority to bind the Corporation

SCHEDULE "1"

