

CARLETON CONDOMINIUM CORPORATION NO. 353

TO: All Owners
DATE: March 31, 2011

FROM: The Board of Directors

RE: Parking Rules

In an effort to promote safety and security on the property, the Board of Directors has passed the attached parking rules. These rules are being passed to complement By-Law No. 2 of the Corporation, which deals with the use of the common elements (a copy of which is also attached for your convenience).

As you may be aware, there have been increasing difficulties related to snow removal, landscaping, roadsweeping, etc. resulting from some parking arrangements at the complex. Some parking arrangements also raise concerns about access to certain portions of the property by life and safety vehicles (i.e. fire trucks). Accordingly, the attached rules have been drafted to address these safety and security issues.

The new rules were passed by resolution of the Board at a meeting of the Board held on March 23, 2011. Copies of the new rules are attached to this notice.

The Board proposes that the new rules will become effective on April 30, 2011 (30 days after this notice is given to the owners).

The new rules will become effective thirty days after the Board has given this notice to the owners unless the Board receives, within those thirty days, a requisition from the owners of 15% of the units (in accordance with Section 46 of the *Condominium Act*) for a meeting to consider the proposed rules. If a requisition is received within those thirty days, the requisitioned meeting will be called and the rules will then be effective only if the owners approve the rules (by ordinary vote) at that meeting of owners. [An "ordinary vote" is a majority of the votes cast with a quorum of at least 25% of the units represented in person or by proxy at the meeting.]

Yours very truly,

Board of Directors

Per: 

CARLETON CONDOMINIUM CORPORATION NO. 353

("the Corporation")

PARKING RULES

[Date of Board Resolution March 23, 2011]

Introduction

The following Rules respecting the use of and parking on the common elements 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. **These Rules are in addition to the current Rules.**

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"), as well as in the Corporation's By-law No.2 or any successor thereto, shall have ascribed to them the meanings set out in the Act.

1. General

1.1 This rule is to be read in conjunction with the Corporation's By-Law No. 2 which governs parking on the common elements.

1.2 Any losses, costs or damages incurred by the Corporation by reason of a breach of these Rules by any Owner, his or her family, guests, servants, agents, tenants or occupants of his or her unit shall be borne by such Owner and are deemed to be additional contributions to the common expenses and are recoverable as such. Without limiting the generality of the foregoing, such losses, costs or damages shall include, but shall not necessarily be limited to, the following:

1.2.1 All legal costs incurred by the Corporation in order to enforce, or in attempting to enforce, these Rules;

1.2.2 An administration fee in the amount of \$50.00, to be payable to the Corporation for any violation of these Rules that continues after initial notice has been sent, and further administration fees of \$50.00 per month, for each month during which the violation continues or is repeated.

- 1.3 No restriction, condition, obligation or provision contained in these Rules 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.
- 1.4 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 impair or affect in any manner the validity, enforceability, or effect of the remaining part of that Rule (if appropriate) or of the 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.
- 1.5 If a Rule is inconsistent with the provisions of the Declaration or By-Laws of the Corporation, the provisions of the Declaration and By-Laws shall prevail and the Rule shall be deemed to be amended accordingly.

2. Items on the Common Elements

- 2.1 No articles or personal effects, including vehicles, shall be left or stored on the common elements except in accordance with By-Law No. 2 of the Corporation.
- 2.2 Any item on the common elements, including a parked vehicle, in contravention of these Rules may be removed by the Board at the risk and expense of the Owner of the item, and as specifically set out in By-Law No. 2 of the Corporation.

3. Vehicles on the Common Element

In addition to the provisions set out in By-Law No. 2, the following Rules apply to ALL vehicles located on the common elements:

- 3.1 Parking spaces are not to be used for storage or any purpose other than parking of motor vehicles. For example, tires, containers, signs or furniture shall not be stored in a designated parking space. Items improperly stored in parking spaces will be removed, tagged and placed into safekeeping for a period of four (4) weeks. If not picked up by the Owner, the items will be disposed of. All storage, disposal and administrative costs for said items will be the responsibility of the Owner.
- 3.2 A protective pad shall be placed beneath the kickstand of all motorcycles when parked in a parking space.
- 3.3 No vehicle shall be parked at any time in designated fire lanes or at the front or rear entrances, in front of rear loading dock or other areas designated as "No Parking" zones.
- 3.4 Parking spaces shall be free of materials or any condition likely to cause a nuisance, a hazard or any damage to the property, or any risk of fire.
- 3.5 Only road-worthy, plated and insured motor vehicles shall be kept on the common elements. Parking spaces are designed for operating vehicles; any cars, trucks or other vehicles deemed to be abandoned or unsightly by the Board are not permitted on the

common elements. All vehicles on the common elements must be in a proper state of repair and in proper operating condition. Without limiting the generality of the foregoing, vehicles must not leak oil or other fluids.

- 3.6 No tandem parking is allowed either on the common elements or at the units of the Corporation on weekends and between 7 p.m. and 7 a.m. on weekdays.
- 3.7 Any vehicle which is not in compliance with these rules may be ticketed and/or towed at the risk and expense of the Owner of the vehicle, and as set out in By-Law No. 2 of the Corporation.
- 3.8 As required by weather conditions, during the winter season, all vehicles must be moved by the vehicle Owners to allow for snow removal operations.
- 3.9 Owners are responsible for any parking violations by visitors to the unit.