

Schedule "A"

CARLETON CONDOMINIUM CORPORATION NO. 76

BY-LAW NO. 20

BE IT ENACTED as By-law No. 20 (being a By-law respecting the installation of water sub-meters) of CARLETON CONDOMINIUM CORPORATION NO. 76 (hereinafter referred to as the "Corporation") as follows:

WHEREAS the Corporation wishes to install water sub-meters and to collect the costs of water consumed by each unit owner from such unit owner, on a user-pay basis;

AND WHEREAS Section 56 of the *Condominium Act, 1998*, allows the Corporation to pass by-laws to govern the management of the property;

AND WHEREAS Section 56 of the Act requires that by-laws be confirmed by owners of a majority of the units;

AND WHEREAS the installation of water meters will also involve certain alterations to the common elements which require the approval of the unit owners pursuant to Section 97 of the Act (the Modifications);

AND WHEREAS the confirmation of this special By-law will therefore also constitute approval under Section 97 of the Act for the said alterations to the common elements, subject to the terms and conditions set forth herein;

NOW THEREFORE be it enacted as a By-law of the Corporation as follows:

**ARTICLE I
DEFINITIONS**

1. All words used herein which are defined in the *Condominium Act*, or any successor ("the Act"), shall have ascribed to them the meanings set out in the Act as amended from time to time.
2. For the purpose of this By-law, water charges shall include all water and sewer charges payable to the City of Ottawa, or any successor, or other responsible authority.

**ARTICLE II
INSTALLATION OF INDIVIDUAL WATER METERS**

1. The Corporation is hereby authorized to enter into all units (upon reasonable notice), or into any part of the common elements of which the owner has the exclusive use, for the purpose of installing a water sub-meter and a remote reader to measure the total volume of water consumed within each unit. The remote reader may be installed on an exterior wall of each dwelling unit.
2. The cost of the sub-meter and the remote reader, including all costs of installation, shall be paid by each of the owners in accordance with a payment schedule to be prepared by the Board of Directors. The Corporation shall provide each owner with a copy of the payment schedule.
3. Any amounts not paid by any owner when due, having regard to the due dates established in the payment schedule, shall be added to the common expenses of the unit and shall be collectible in accordance with Article IV herein.

**ARTICLE III
INDIVIDUAL METERING OF WATER**

1. The Corporation is hereby authorized to enter into all units (upon reasonable notice), or into any part of the common elements of which the owner has the exclusive use, for the purpose of reading and inspecting the water sub-meters and remote readers.
2. Each owner shall pay to the Corporation his or her share of the total water charges. The share payable by each owner on account of water charges shall be based on the total amount of water consumed in his or her unit, as recorded by the water sub-meter and the remote reader.
3. The water charges shall be payable as follows:
 - a) Following the preparation of any budget of the Corporation, the Corporation shall provide each owner with a payment schedule indicating his or her quarterly estimated water charges. Each owner shall pay his or her quarterly estimated water charges on the first day of ~~January, April, July, and October~~ of each year. *JANUARY, MAY, AUGUST AND NOVEMBER* L2
 - b) The Board shall calculate each owner's estimated water charges on such reasonable basis as it deems appropriate.
 - c) Within 60 days following each fiscal year end (or more frequently, as determined by the Board), the Corporation shall provide each owner with an invoice based on an actual reading taken for each sub-meter, indicating the total outstanding volume and cost of water consumed in his or her unit and indicating whether such owner:
 - i) is entitled to a refund of an excess amount prepaid on account of water charges; or alternatively,
 - ii) owes the Corporation an additional amount representing the difference between the cost of all water consumed and the amount prepaid on account of water charges.
 - d) Any amount owing by any owner to the Corporation pursuant to Article III(3)(c)(ii) herein shall be payable within 30 days following delivery of the invoice and shall be collectible in accordance with Article IV herein.
 - e) Any refunds due to owners pursuant to Article III(3)(c)(i) herein shall be distributed when the said amounts due pursuant to Article III(3)(c)(ii) herein have been collected and are available for redistribution.

**ARTICLE IV
COLLECTION OF OWNERS' SHARES**

Any amounts owing to the Corporation pursuant to this By-law and not paid when due, including any costs relating to the collection or attempted collection of any such amount, shall be added to the common expenses of the unit and shall be collectible from the unit owner in the same manner as common expenses, including by way of condominium lien. Such amounts shall bear interest at the rate of 12% per annum calculated and compounded monthly, on such amount as from time to time remains unpaid.

**ARTICLE V
WATER COMMITTEE**

Without limiting the discretion of the Board of Directors to administer the collection of the contributions to the water charges, the Corporation may establish a Water Committee to administer the collection and payment of water charges and to attend to the reading of the water sub-meters and/or remote readers.

**ARTICLE VI
PURCHASE ADJUSTMENTS**

1. In the event of a sale of any unit in the Corporation, the vendor and the purchaser of such unit shall be responsible for adjusting water charges to the date of closing. The Status Certificate issued by the Condominium Corporation will make reference only to water charges which have been invoiced to, but not yet paid by, the unit owner.
2. Amounts prepaid by the owner on a quarterly basis on account of water charges will be based on estimates, in accordance with Article III(3) of this By-law. It is the responsibility of the vendor and the purchaser of any unit in the Corporation to read the sub-meter and/or remote reader on closing and to adjust for any excess amount or additional amount owing on account of water charges as they see fit.

**ARTICLE VII
AMENDMENT TO BY-LAW NO. 1**

1. The Corporation's By-Law No. 1 is hereby amended to delete Article V(1)(c) from the said By-law No.1.

**ARTICLE VIII
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. Plural: The use of the masculine gender in this By-law shall be deemed to include the feminine and neuter genders and the use of the singular shall be deemed to include plural wherever the context so requires, and vice versa.
3. 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.
4. 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.
5. 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 the Declaration.

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

DATED this 21 day of NOV, 2006

CARLETON CONDOMINIUM CORPORATION NO. 76

L. Norwood

Print Name: LILLIAN NORWOOD
Print Title: PROPERTY

I have authority to bind the Corporation.

The applicant(s) hereby applies to the Land Registrar.

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Properties	15076 - 0001 to 15076 - 0055
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PIN 15076 - 0056 LT
Description UNIT 56, LEVEL 1, CARLETON CONDOMINIUM PLAN NO. 76 ; PT BLK M, PL M119, PTS 1, 2 & 3 4R1534, AS IN SCHEDULE 'A' OF DECLARATION LT128960 ; OTTAWA
Address 56 NUMBER
 02669 SOUTHVALE CRES
 OTTAWA

PIN 15076 - 0057 LT
Description UNIT 57, LEVEL 1, CARLETON CONDOMINIUM PLAN NO. 76 ; PT BLK M, PL M119, PTS 1, 2 & 3 4R1534, AS IN SCHEDULE 'A' OF DECLARATION LT128960 ; OTTAWA
Address 57 NUMBER
 02669 SOUTHVALE CRES
 OTTAWA

PIN 15076 - 0058 LT
Description UNIT 58, LEVEL 1, CARLETON CONDOMINIUM PLAN NO. 76 ; PT BLK M, PL M119, PTS 1, 2 & 3 4R1534, AS IN SCHEDULE 'A' OF DECLARATION LT128960 ; OTTAWA
Address 58 NUMBER
 02669 SOUTHVALE CRESCENT
 OTTAWA

Applicant(s)

Name CARLETON CONDOMINIUM CORPORATION NO. 76
Address for Service c/o Nelligan O'Brien Payne LLP
 1900 - 66 Slater St.
 Ottawa, ON K1P 5H1

Carleton Condominium Corporation No. 76 hereby certifies that by-law number 20 attached hereto See Schedules is a true copy of the by-law. The by-law was made in accordance with the Condominium Act. The owners of a majority of the units of the corporation have voted in favour of confirming the by-law.

I, Lorraine Norwood, have the authority to bind the corporation.

Signed By

Jennifer Lynne Gagne 1900-66 Slater St. acting for Applicant(s) Signed 2006 11 29
 Ottawa K1P 5H1
 Tel 613-238-8080
 Fax 6132382098

Submitted By

NELLIGAN O'BRIEN PAYNE LLP 1900-66 Slater St. 2006 11 29
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Fees/Taxes/Payment

Statutory Registration Fee \$60.00
Total Paid \$60.00

File Number

Applicant Client File Number : 6034-1