

## 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"

**OTTAWA-CARLETON STANDARD CONDOMINIUM  
CORPORATION NO. 859**

**BY-LAW NO. 5**

BE IT ENACTED as By-law No.5 (being a By-law to define standard units) of Ottawa-Carleton Standard Condominium Corporation No.859 (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 units in this condominium.
- (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 parts of the units. To the extent that the attached schedules 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 description and the schedules to this By-law, the schedules to this By-law shall prevail.
- (5) Unless otherwise indicated herein, the following items shall form part of the standard unit and shall simply be of standard quality and installation and in accordance with all relevant or applicable codes and regulations:

- light switches and cover plates
- electrical outlets and cover plates
- plumbing
- drains
- insulation
- ducting, venting and associated fans
- smoke detectors, heat detectors and carbon monoxide detectors
- vapour barrier
- drywall, taped and sanded, with one coat of primer and one coat of white latex paint
- electrical wiring
- cable and phone connections
- trim, with one coat of primer and one coat of white latex paint
- interior door hardware
- cabinet hardware (bathroom(s) and kitchen)

- (6) 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.
- (7) Where the schedules to this By-law refer to specific brands of equipment or materials, this shall be deemed to include equivalent brands.
- (8) In this condominium, there are six (6) 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 plans and specifications contained in the schedule(s) indicated for the particular class. The classes and schedule(s) are as follows:

Class Number	Class Description	Units	Schedule(s)
1	Storage Units	Units 1 to 24 inclusive, Level A	1
2	Parking Units	Units 9 to 20 inclusive, Level 1	2
3	The Aberdeen	Units 2, 3, 6 & 7, Level 1	3 & 4
4	The Glasgow	Units 1, 4, 5 & 8, Level 1	3 & 5
5	The Kintyre	Units 1 to 8 inclusive, Level 2	3 & 6
6	The Castlebay	Units 1 to 8 inclusive, Level 3	3 & 7

### ARTICLE III MISCELLANEOUS

- (1) The standard unit description(s) in this by-law replace(s) any previous standard unit description(s) (for the same classes of unit), including any such description(s) provided by the declarant pursuant to Section 43 (5) (h) of the Act. Any such previous description(s) no longer apply.
- (2) **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.
- (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 parts thereof may be varied, altered or repealed by a By-law passed in accordance with the provisions of the Act, and the Declaration.
- (6) **Preparation:** This document was prepared in the year 2014 by Neilligan O'Brien Payne 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 18 day of October, 2014.

**OTTAWA-CARLETON STANDARD CONDOMINIUM  
CORPORATION NO. 859**



Print Name: François Clivette  
Print Title: President

I have authority to bind the Corporation.

**Schedule "1"**  
**Ottawa-Carleton Standard Condominium Corporation No. 859**  
**Specifications (Storage Units)**

There are no standard features other than a concrete floor and metal screen walls.

**Schedule "2"**  
**Ottawa-Carleton Standard Condominium Corporation No. 859**  
**Specifications (Parking Units)**

There are no standard features other than a concrete floor.

**Schedule "3"**  
**Ottawa-Carleton Standard Condominium Corporation No. 859**  
**Specifications (Residential Units)**

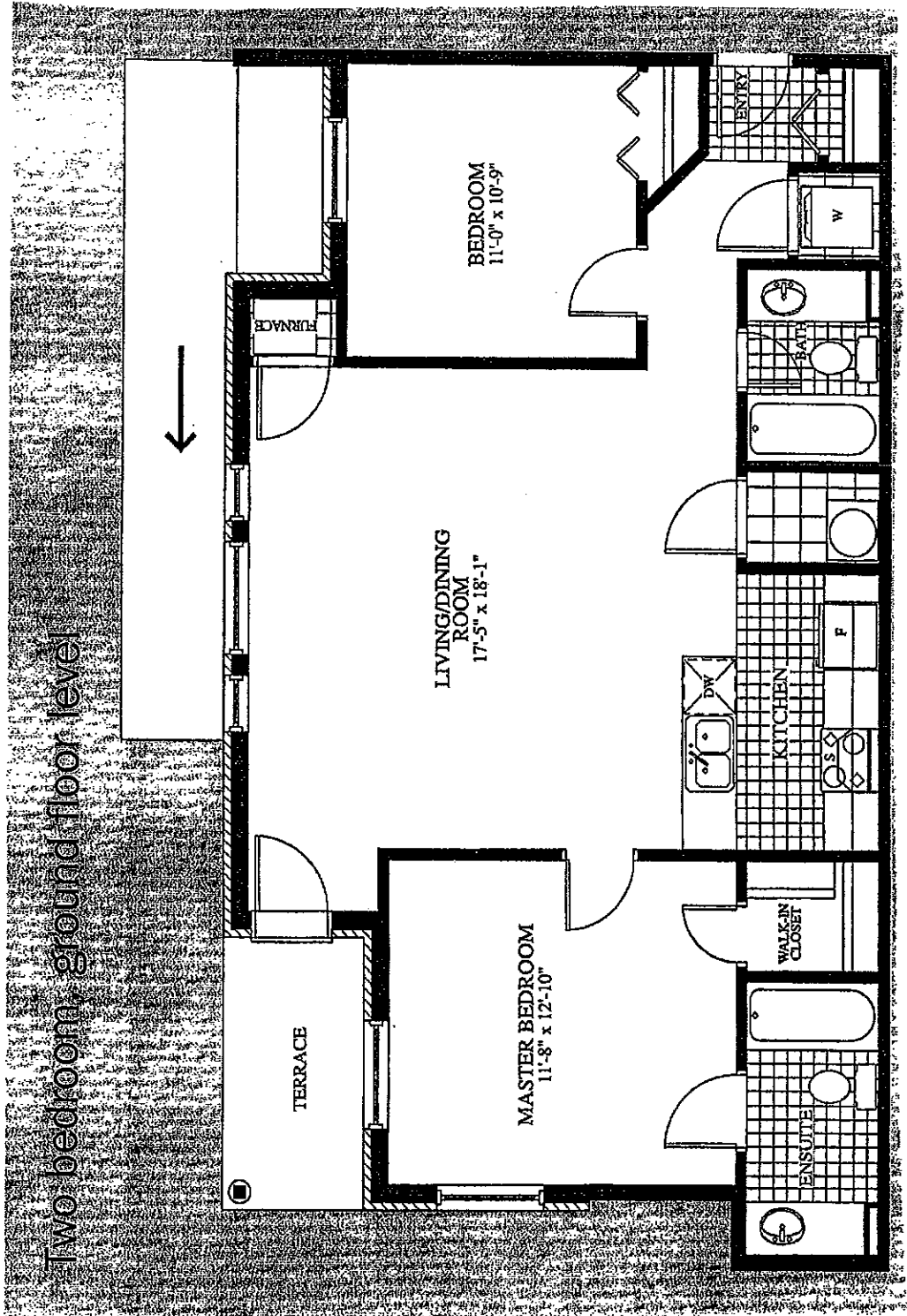
Walls & Ceilings	<ul style="list-style-type: none"> <li>• 9' framed walls (ceiling height in foyer, bathrooms and kitchen may be dropped)</li> <li>• cement parping to exterior of exposed concrete walls</li> <li>• exterior walls 2"x6" studs at 16" centres</li> <li>• internal walls 2"x4" or 2"x6" studs as per plan</li> <li>• party wall 2"x4" staggered studs on a 2"x6" plate, with sounds deadening insulation and two layers of fire-resistant gypsum board each side</li> </ul>
Railing, Trim and Cabinetry	<ul style="list-style-type: none"> <li>• colonial swing interior doors and flat panel sliding closet doors</li> <li>• colonial baseboards, window casing</li> <li>• choice of cabinetry, countertops and cabinet hardware from builders standard</li> <li>• medicine cabinets in all bathrooms</li> <li>• satin, chromium type finish interior door hardware with privacy sets at bathrooms</li> </ul>
Flooring	<ul style="list-style-type: none"> <li>• 40oz carpet with quality underpad from builder's standard samples</li> <li>• ceramic tile in foyer and powder room from builder's standard samples</li> <li>• vinyl in laundry area and mechanical area</li> </ul>
Mechanical	<ul style="list-style-type: none"> <li>• high efficiency, high velocity air handler with hot water heating system</li> <li>• hot water tank (rental)</li> <li>• separately switched exhaust fans in all bathrooms, vented to exterior</li> <li>• hood fan vented to exterior</li> <li>• central air conditioning</li> </ul>
Insulation, Drywall & Paint	<ul style="list-style-type: none"> <li>• R20 insulation in all exterior walls</li> <li>• R12 insulation in all exterior basement walls 2 feet below grade</li> <li>• polyethylene vapour barrier</li> <li>• stippled plaster finish on all ceilings (with 4" smooth border) except kitchen, bathrooms, and powder rooms where finish will be smooth</li> <li>• wall paint to be white latex flat finish; bathroom and kitchen walls to be white semi-gloss finish</li> </ul>
Plumbing	<ul style="list-style-type: none"> <li>• all white bathroom fixtures</li> <li>• ceramic towel bars, tissue holders and soap dishes</li> <li>• kitchen and bathrooms equipped with washer less single lever faucets</li> <li>• pressure balanced mixing valves in all showers</li> <li>• acrylic tub (or equivalent) with full height ceramic surround and shower fixture in main bath (as per plan)</li> </ul>
Electrical	<ul style="list-style-type: none"> <li>• white light switches and outlets</li> <li>• ceiling fixtures in kitchen, hall and living/dining area (as per plan)</li> <li>• bedroom lighting to be switched to wall outlet</li> <li>• smoke and CO2 detector where required by the building code</li> <li>• bathroom mirror and "Hollywood" light fittings</li> </ul>

Schedule "4"  
Ottawa-Carleton Standard Condominium Corporation No. 859  
Floor Plan (The Aberdeen)



*The Aberdeen* 985 sq ft

Two bedroom, ground floor level



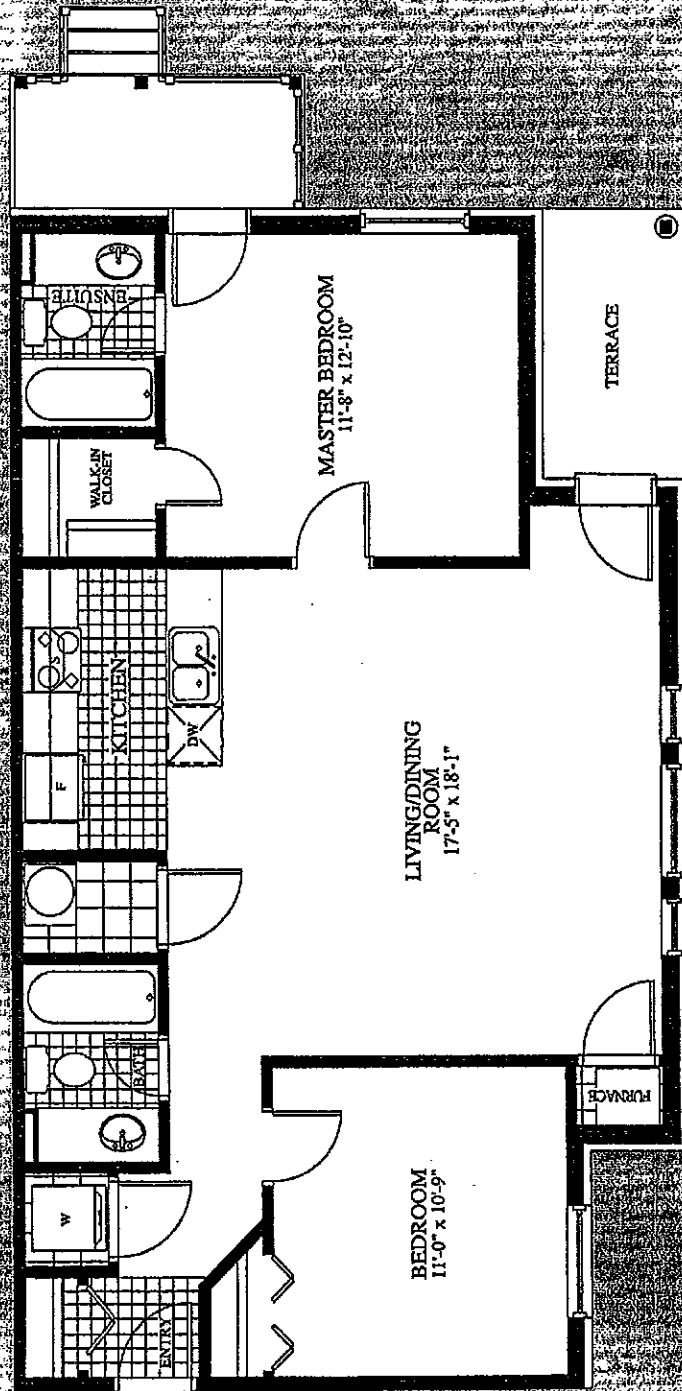


Schedule "5"  
Ottawa-Carleton Standard Condominium Corporation No. 859  
Floor Plan (The Glasgow)

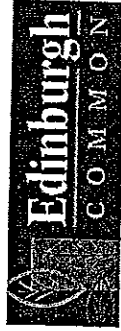


*The Glasgow* 985 sq ft

Two bedroom, ground floor level

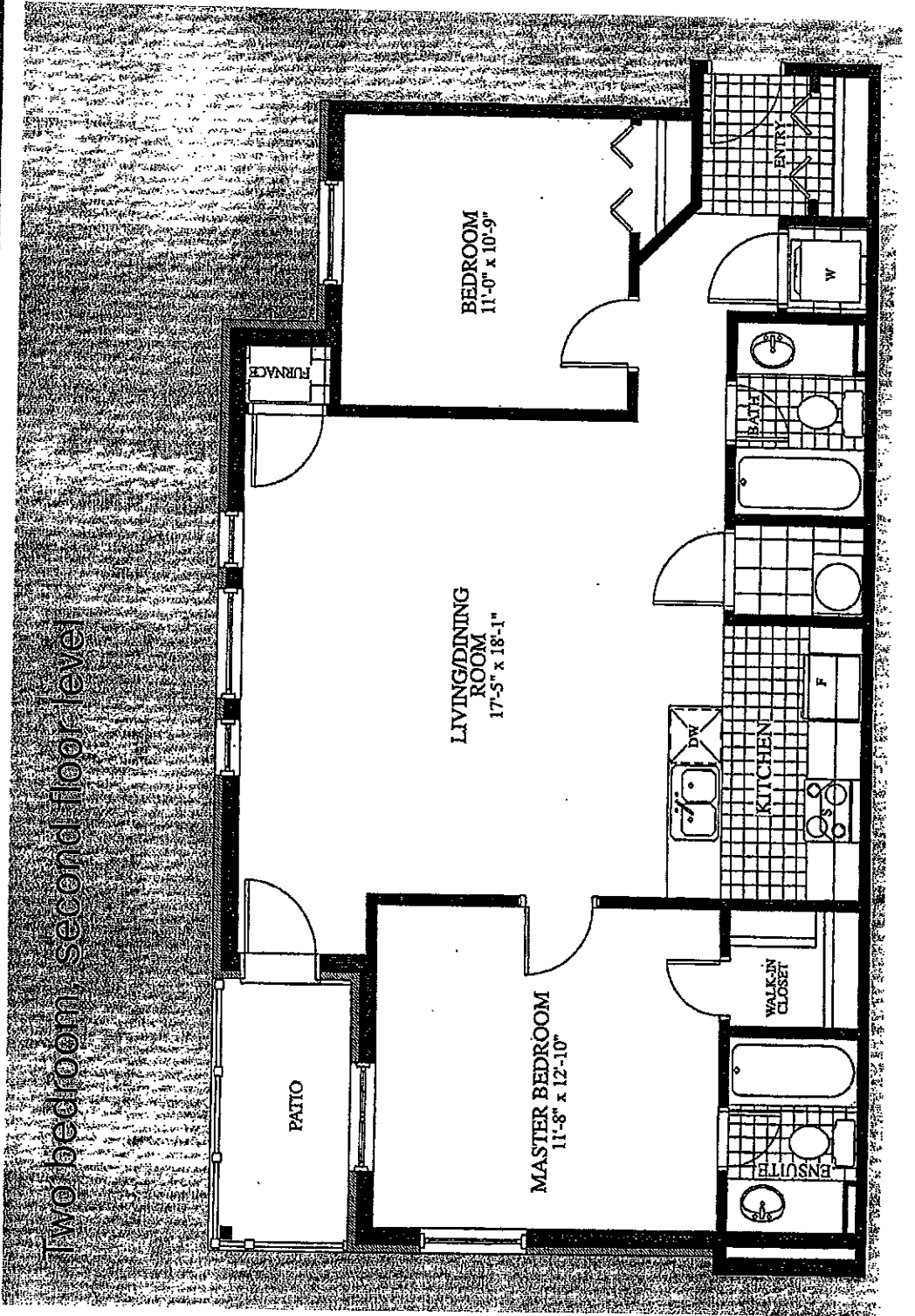


Schedule "6"  
Ottawa-Carleton Standard Condominium Corporation No. 859  
Floor Plan (The Kintyre)



*the Kintyre* 985 sq. ft.

Two bedroom, second floor level



Schedule "7"  
Ottawa-Carleton Standard Condominium Corporation No. 859  
Floor Plan (The Castlebay)



*The* Castlebay 985 sq. ft.

Two bedroom, third floor level

