

## **HALTON CONDOMINIUM CORPORATION NO. 78**

### **Notice of New Parking Rules**

Effective: August 5, 2021

#### **Introduction**

The Board of Directors of Halton Condominium Corporation No. 78 (the "Corporation") is authorized to amend rules governing parking activities on the Corporation's property. The Board has decided to amend some of the rules regarding parking in light of recent developments in the regulation of condominiums. The Board is authorized by section 58(1) of the Condominium Act, 1998 (the "Act") to make, amend or repeal rules respecting the use of the units, the common interests or the assets, if any, of the Condominium to:

- a. Promote the safety, security, or welfare of the owners and the property and assets, if any, of the Corporation; or,
- b. Prevent unreasonable interference with the use and enjoyment of the units, common elements, or the assets, if any, of the Corporation.

#### **Rule Changes**

The Board hereby repeals rule 19 (covering permitted vehicle types) and rule 20 (covering access to visitor parking) which read:

19. Only the following will be permitted to be parked on the driveway being part of common elements of which such owner has exclusive use:
  - Vehicles in good repair which include:
  - Private passenger auto, station wagon, or SUV;
  - One-half ton pick-up truck with uncovered rear end and sills not exceeding 4 ft. in height;
  - Vans designated and used solely for the transportation of passengers for non-commercial uses.
20. Without limiting the generality of anything contained in this regulation, the portion of the common elements which is designated as Visitors' Parking shall not be used by the owners for any purpose.

and replaces them with the following new rules:

19.1 Without the prior written permission of the Board, no items other than permitted vehicles may be left or parked in the designated parking areas, being the exclusive use common element driveways, visitors' parking, and common element parking areas only. No one shall park or leave a vehicle on any part of the property other than a designated parking area. Without the prior written permission of the Board, no one shall leave a large bin or container on the designated parking areas.

19.2 Permitted vehicles means motorcycles, private passenger automobile, SUV, one-half ton pick-up truck with uncovered rear and sills not exceeding 4 ft in height, and vans designated and used solely for the transportation of passengers for non-commercial uses. Commercial vehicles of any kind are not permitted except in the visitors' parking area for on-site service calls during the day.

19.3 All vehicles must be capable of being legally and safely operated on roads in Ontario. Without limiting the foregoing, all vehicles must have a current registration depicted by a valid provincially issued sticker on the license plate, be properly insured, and be in good operating condition.

20.1 Only a person who is an Owner, Legal Tenant or Visitor may use areas designated for visitor parking. A Visitor is defined to be a person who visits the Corporation at the invitation of a unit Owner or Legal Tenant and has a legal address other than a unit of the Corporation.

20.2 Daytime parking, between the hours of 07:00 am and 03:00 am the following day, is permitted for vehicles of Visitors, Owners and Legal Tenants.

20.3 Overnight parking, between the hours of 03:00 am and 07:00 am, is only permitted for vehicles of Visitors, and is limited to a maximum of 8 nights per unit/household in any calendar month. Usage in excess of 8 nights requires prior permission from the Board. Owners and Legal Tenants may not leave their own vehicles in Visitor Parking overnight without prior permission from the Board.

20.4 To control access to visitor parking, the Board may:

- a. implement a system which collects and maintains Owners' and Tenants' vehicle license numbers.
- b. implement a 'permit' system which requires Owners and Tenants to pre-register and receive authorization for their Visitors' cars to be parked overnight in visitor parking.
- c. implement a system of enforcement whereby any vehicle not complying with these parking systems and/or rules may be ticketed and/or towed at the expense of the vehicle owner.

Notice Requirements

The Board proposes that the proposed amendments become effective the 31st day after notice of this rule amendment is provided to the owners. The rules become effective in accordance with subsections 58(7) and (8) of the Condominium Act, 1998, which are attached to this notice.

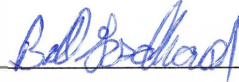
Pursuant to section 46 of the Condominium Act, 1998, unit owners are entitled to requisition a meeting of owners to vote on the rules. A requisition must be signed by unit owners who own at least fifteen (15) per cent of the units and must be served on the Condominium within thirty (30) days of this notice. The rules will become effective on the 31st day after notice is provided unless the Condominium receives a requisition for an owners' meeting to vote on the proposed rules within thirty (30) days of this notice. If a requisition is received within thirty (30) days of this notice, the rule becomes effective on the earlier of: i) the time at which a quorum is not present at the first attempt to hold the owners' meeting and ii) the time at which a quorum is present at the first attempt to hold the owners' meeting and the owners do not vote against the rule at the meeting.

Passed by the Board of Directors of Halton Condominium Corporation No. 78 on the 30<sup>th</sup> day of June, 2021.

**HALTON CONDOMINIUM CORPORATION NO. 78**

Per:

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary

"We have the authority to bind the Corporation."

## **CONDOMINIUM ACT, 1998, S.O. 1998, CHAPTER 19**

### ***Requisition for meeting***

**46** (1) A requisition for a meeting of owners may be made by those owners who at the time the board receives the requisition, own at least 15 per cent of the units, are listed in the record maintained by the corporation under subsection 47 (2) and are entitled to vote. 1998, c. 19, s. 46 (1).

### ***Form of requisition***

(2) The requisition shall,

- (a) be in writing and be signed by the requisitionists;
- (b) state the nature of the business to be presented at the meeting; and
- (c) be delivered personally or by registered mail to the president or secretary of the board or deposited at the address for service of the corporation. 1998, c. 19, s. 46 (2).

### ***Same, removal of directors***

(3) If the nature of the business to be presented at the meeting includes the removal of one or more of the directors, the requisition shall state, for each director who is proposed to be removed, the name of the director, the reasons for the removal and whether the director occupies a position on the board that under subsection 51 (6) is reserved for voting by owners of owner-occupied units. 1998, c. 19, s. 46 (3).

### ***Duty of board***

(4) Upon receiving a requisition mentioned in subsection (1), the board shall,

- (a) if the requisitionists so request in the requisition or consent in writing, add the business to be presented at the meeting to the agenda of items for the next annual general meeting; or
- (b) otherwise call and hold a meeting of owners within 35 days. 1998, c. 19, s. 46 (4).

### ***Non-compliance***

(5) If the board does not comply with subsection (4), a requisitionist may call a meeting of owners which shall be held within 45 days of the day on which the meeting is called. 1998, c. 19, s. 46 (5).

### ***Reimbursement of cost***

(6) Upon request, the corporation shall reimburse a requisitionist who calls a meeting under subsection (5) for the reasonable costs incurred in calling the meeting. 1998, c. 19, s. 46 (6).

### ***Rules***

**58** (1) The board may make, amend or repeal rules under this section respecting the use of the units, the common elements or the assets, if any, of the corporation to,

- (a) promote the safety, security or welfare of the owners and of the property and the assets, if any, of the corporation; or
- (b) prevent unreasonable interference with the use and enjoyment of the units, the common elements or the assets, if any, of the corporation. 2015, c. 28, Sched. 1, s. 54 (1).

### ***Rules to be reasonable***

(2) The rules shall be reasonable and consistent with this Act, the declaration and the by-laws. 1998, c. 19, s. 58 (2).

*Same, proposed rules*

(3) Rules proposed by the declarant before the registration of a declaration and description shall be reasonable and consistent with this Act, the proposed declaration and the proposed by-laws. 1998, c. 19, s. 58 (3).

*Inconsistent provisions*

(4) If any provision in a rule or a proposed rule is inconsistent with the provisions of this Act, the provisions of this Act shall prevail and the rule or proposed rule, as the case may be, shall be deemed to be amended accordingly. 1998, c. 19, s. 58 (4).

*Amendment by owners*

(5) The owners may amend or repeal a rule at a meeting of owners duly called for that purpose. 1998, c. 19, s. 58 (5).

*Notice of rule*

(6) Upon making, amending or repealing a rule, the board shall give a notice of it to the owners that includes,

- (a) a copy of the rule as made, amended or repealed, as the case may be;
- (b) a statement of the date that the board proposes that the rule will become effective;
- (c) a statement that the owners have the right to requisition a meeting under section 46 and the rule becomes effective at the time determined by subsections (7) and (8); and
- (d) a copy of the text of section 46 and this section. 1998, c. 19, s. 58 (6); 2015, c. 28, Sched. 1, s. 54 (2).

*When rule effective*

(7) Subject to subsection (8), a rule is not effective until the following time:

1. If the board receives a requisition for a meeting of owners under section 46 within 30 days after the board has given notice of the rule to the owners, the earlier of,
  - i. the time at which a quorum is not present at the first attempt to hold the meeting, and
  - ii. the time at which a quorum is present at the first attempt to hold the meeting and the owners do not vote against the rule at the meeting.
2. If the board does not receive a requisition for a meeting of owners under section 46 within the 30 days after the board has given notice of the rule to the owners, the day after that 30th day. 2015, c. 28, Sched. 1, s. 54 (3).

*Same*

(8) A rule or an amendment to a rule that has substantially the same purpose or effect as a rule that the owners have previously amended or repealed within the preceding two years is not effective until the owners approve it, with or without amendment, at a meeting duly called for that purpose. 1998, c. 19, s. 58 (8).

*Same, proposed rule*

(9) Despite subsection (7), a rule proposed by the declarant before the registration of the declaration and description shall be effective until it is replaced or confirmed by a rule of the corporation that takes effect in accordance with subsection (7). 1998, c. 19, s. 58 (9).

*Compliance*

(10) All persons bound by the rules shall comply with them and the rules may be enforced in the same manner as the by-laws. 1998, c. 19, s. 58 (10).