

METROPOLITAN TORONTO CONDOMINIUM CORPORATION NO. 674

RULES

Be it resolved that the Corporation approve and adopt the following rules respecting the use of the common elements and units to promote the safety, security or welfare of the owners and to prevent unreasonable interference with the use and enjoyment of the common elements and of other units.

The following rules shall be observed by the owners and the term "owner" includes the owner or any other person occupying the unit with the owner's approval.

1. The water closets and other water apparatus shall not be used for purposes other than those for which they are constructed and no sweepings, garbage, rubbish, rags, ashes or other substances shall be thrown therein. Any damage resulting to them from misuse or from unusual or unreasonable use shall be borne by the owner who, or whose family, guests, visitors, servants, clerks or agents shall cause it.
2. The owner shall not bring into the Unit any washing machine or clothes dryer, including without limitation portable, apartment size models as well as full size models.
3. All floors, with the exception of the kitchen, storage rooms, bathrooms and glass-enclosed balconies shall be covered by carpets, rugs, broadloom or other soft coverings so as to suppress any noise that might disturb other owners or occupants. The installation of hard surfaced flooring (e.g. hardwood floors, tiles, marble) is not permitted except in kitchen, storage rooms, bathrooms and glass-enclosed balconies unless:
 - (a) the installation includes an effective sound barrier of a nature standard in the industry that is applied to the surface of the concrete floor prior to installation of the hard surfaced flooring in order to suppress any noise that might disturb other owners or occupants;
 - (b) a professional architect or engineer designated by the Condominium Corporation certifies in writing to the Corporation that in his or her professional opinion the installation satisfies the stipulation set forth in (a) above; and
 - (c) The Board of Directors provides written approval for the installation.
4. No owner shall do or permit anything to be done in his unit to bring or keep anything therein which will in any way increase the risk of fire or the rate of fire insurance on any building or on property kept therein or obstruct or interfere with the rights of other owners or in any way injure them or conflict with the laws relating to fire or with the regulations of the Fire Department or with any insurance policy carried by the Corporation or conflict with any of the rules and ordinances of the Board of Health or any statute of municipal law.
5. Owners shall be responsible for keeping locks and trimming in good condition on any doors and windows of the unit. No additional locks shall be placed upon or on any door without the prior written consent of the Corporation.
6. Water shall not be left running unless in actual use.

7. The owner shall not place, leave or permit to be placed or left in or upon the common elements including those of which he has the exclusive use, any debris, refuse or garbage; rather, he shall directly carry or place same in any area designated by the Corporation as a garbage depository. All debris, refuse or garbage shall be contained in properly tied polyethylene or plastic garbage bags not exceeding ten (10) kilograms per bag in weight. Where such debris, refuse or garbage consists of packing cartons or crates, the owner shall arrange with the manager for a pick-up thereof and such packing cartons or crates shall not in any event be left outside the unit.
8. Owners shall not create or permit the creation of or continuation or any noise of nuisance which, in the opinion of the board or the manager, may or does disturb the comfort or quiet enjoyment of the property by other owners.
9. Nothing shall be thrown out of the windows or doors of the building.
10. Owners shall not overload existing electrical circuits.
11. No garage sale or form of auction shall be held in any of the Units or on the common elements.
12. No stores of any combustible or offensive goods, provisions or materials shall be kept on the property, including the common elements.
13. The sidewalks, entries, passageways, walkways and driveways used in common by the owners shall not be obstructed by any of the owners or used by them for any purpose other than for ingress or egress to and from their respective units or parking spaces.
14. No motor vehicle, camper, van, trailer, boat, snowmobile, mechanical toboggan, machinery or equipment of any kind other than private passenger automobiles shall be parked on any part of the common elements or in the parking spaces and no motor vehicle of any kind shall be driven on any part of the common elements other than on the driveways, ramps and parking areas.
15. No television antenna, aerial, tower or similar structure and appurtenances thereto shall be erected on or fastened to any unit or on to any portion of the common elements except by the Corporation in connection with a common television cable system.
16. No one shall harm, mutilate, destroy, alter or litter any of the landscaping work on the property, including grass, trees, shrubs, hedges, flowers or flower beds.
17. No building or structure or tent shall be erected and no trailer either with or without living, sleeping or eating accommodations shall be placed, located, kept or maintained on the common elements.
18. Moving of household furniture or effects within or in or out of the property shall be by appointment only as arranged with the manager and at designated exits only. All moves are to be made without damage to any of the common elements.
19. Bicycles must be carried at all times while being transported through or on any of the common elements within the building, including corridors, stairwells and elevators. Bicycles may not be parked or stored on any of the common elements except in designated bicycle storage areas.
20. Children are not to play or congregate in the hallways, lobbies, entrances, stairways, laundries or elevators.

21. No sign or advertisement or notice indicating that a unit is for sale or for rent shall be inscribed, painted, affixed or placed on any part of the inside or outside of any unit, or any portion of the common elements, except by the Declarant in connection with the leasing or the original sale of the units in Metropolitan Toronto Condominium Plan No. 674 or in any of the Condominium Plans forming part of the Summit Complex.

22. Any losses, costs or damages incurred by the Corporation by reason of a breach of any rules in force from time to time by any owner shall be borne by such owner and may be recovered by the Corporation against such owner in the same manner as common expenses.

23. The Board of Directors may implement and enforce any other rules or regulations from time to time, where in its sole discretion it deems them reasonable or necessary for the benefit of the Condominium or the unit, and for the orderly conduct of all relations or business thereon.

Dated at Toronto
This 27th day of May, 1992

Metropolitan Toronto Condominium Corporation No. 674

Per: 

Larry J. Beeston
President

Per: 

Frederick M. Uy
Vice-President

PET RULES FOR THE EXTERIOR COMMON ELEMENTS OF MTCC 674
(hereinafter called the "Corporation")

The following Pet Rules permit pets to be controlled on a leash or carried only on the walkways, driveways and Designated Pet Areas of the exterior common elements. Pets are not allowed on any other exterior common elements of each of the six Corporations which comprise the Summit Complex. You must register your pet in the Pet Register and file any complaints regarding pets on the exterior common elements, at the Property Management Office.

WHEREAS pursuant to a Reciprocal Agreement dated August 1, 1984 among six corporations now constituted as MTCC 648, 649, 653, 674, 681 and 651 (the "Six Condominium Corporations") each of those condominium corporations share portions of their common elements as Common Facilities, as defined therein, including rights of way for pedestrian and vehicular passage;

AND WHEREAS pursuant to Articles 9.01 and 9.06 of the Reciprocal Agreement, the Recreation and Common Facilities Committee (the "Committee") has the duty, power and responsibility to promulgate reasonable Rules for the use and enjoyment of the Common Facilities;

AND WHEREAS each of the Six Condominium Corporations has agreed to take all steps necessary to implement such Rules as are promulgated by the Committee from time to time as Rules of each such Condominium Corporation binding upon each of its owners and tenants, their respective residents, guests, visitors and invitees (the "Owner");

AND WHEREAS the Corporation and other of the said Condominium Corporations have determined to pass the following Pet Rules on an identical basis in order to provide a comprehensive and practical system to regulate pets upon the exterior common elements of each of those Condominium Corporations and upon the Common Facilities and to empower the Committee to enforce these Pet Rules;

AND WHEREAS the Corporation has deliberated upon these Pet Rules and the Pet Policy and Procedures for Enforcement promulgated by the Committee and has determined they are reasonable and constitute a feasible and consistent solution to resolve and explain the ambiguities in the Declarations of the Six Condominium Corporations in a manner which will equitably protect the human rights of owners required to carry pets across the exterior common elements;

AND WHEREAS the Corporation has determined that these Pet Rules promote the safety and welfare of owners and the property and prevent unreasonable interference with the use and enjoyment of the common elements and units:

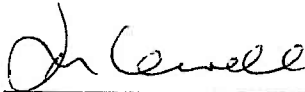
1. The Corporation adopts as a Rule of the Corporation the Pet Policy and Procedures for Enforcement promulgated by the Committee dated June 17, 1997 attached hereto as Schedule "A".
2. No Owner shall permit an animal under such Owner's possession, ownership or control to enter upon any exterior portion of the common elements of the Corporation or upon the exterior common elements of any of the Six Condominium Corporations including the Common Facilities, other than upon the permitted areas consisting of the pedestrian and vehicular passageways and upon the Designated Pet Area designated on the Plan attached hereto as Schedule "B" and designated by a sign identifying a portion of the property as a Designated Pet Area (all of which are referred to herein as "Permitted Areas").

3. For the purpose of Article III(5) of the Corporation's Amended Declaration, the word "carrying" shall be deemed to include control of the animal on a leash upon the Permitted Areas and each animal (other than a seeing-eye dog or guide dog) shall be carried across the exterior common elements by its Owner.
4. Each of the Owners of this Corporation or of another of the Six Condominium Corporations shall comply with all provisions of these Pet Rules and the Pet Policy and Procedures for Enforcement upon the exterior common elements of the Corporation and upon the Common Facilities, failing which each such Owner shall be in breach of these Pet Rules and shall be subject to all other applicable provisions set out in the Declaration, By-laws and Rules of this Corporation and an Owner of another of the Six Condominium Corporations shall be deemed to be in breach of the equivalent Pet Rules of such other Condominium Corporation and shall be subject to all other applicable provisions set out in the Declaration, By-laws and Rules of such other Condominium Corporation and any such non-complying Owner is hereby notified that such Owner may be deemed to be a trespasser upon the exterior common elements of this Corporation and may be subject to all of the obligations, damages, fines and penalties set out in the *Trespass to Property Act*.
5. Each of the Owners of this Corporation shall comply with these Pet Rules and the Pet Policy and Procedures for Enforcement upon the exterior common elements of each of the Six Condominium Corporations and upon the Common Facilities, failing which such Owner shall be in breach of these Pet Rules and the equivalent Pet Rules of such other of the Six Condominium Corporations where such breach took place as well as any applicable provisions set out in the Declaration, By-laws and Rules of such other of the Six Condominium Corporations and such Owner is hereby notified that such Owner may be deemed to be a trespasser upon the exterior common elements of such other of the Six Condominium Corporations and may be subject to all of the obligations, damages, fines and penalties set out in the *Trespass to Property Act*.
6. The Corporation grants to the Committee the right, power, obligation and authorization to determine whether or not a breach of any of the Corporation's Pet Rules has occurred and to enforce any applicable Pet Rules of the Corporation, whether in court or otherwise, as agent for the Corporation, subject to the Committee's determination in the reasonable exercise of its discretion in accordance with the specific criteria set out in these Pet Rules and the Pet Policy and Procedures for Enforcement, and the Committee may recover any costs arising with respect thereto pursuant to the Corporation's Declaration, By-laws or Rules and subject to any other applicable provisions set out therein.
7. Each Owner shall register in the Pet Register maintained by the Committee any animal under the Owner's possession, ownership or control kept within the Owner's unit or entering upon the exterior common elements of the Corporation or upon the Common Facilities during a period longer than two days and the Owner shall complete such written forms, shall provide any required photographs of the animal and shall comply with such applicable procedures as may be established by the Committee from time to time.
8. Any event resulting in breach of any of the Pet Rules or the Pet Policy and Procedures for Enforcement shall be documented by a complainant and shall be processed by the Committee in accordance with the Pet Policy and Procedures for Enforcement in effect from time to time.

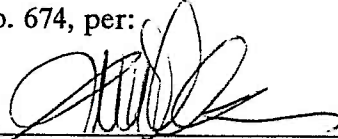
9. If any of the provisions set out in these Pet Rules are inconsistent with any preexisting Rule of any the Corporation pertaining to animals, the provisions set out in these Pet Rules shall supersede and repeal the inconsistent portion of any such preexisting Rules pertaining to animals.

The foregoing Pet Rules were passed by the Board of Directors on the 24th day of June, 1996 and came into full force and effect on the 21st day of September, 1996.

Metropolitan Toronto Condominium Corporation No. 674, per:



Authorized Signing Officer



Authorized Signing Officer

SCHEDULE A - 1

- PET POLICY -

Prepared by: Pet Sub-Committee

June 17, 1996.

Introduction

As a result of recent events, the Boards of the six Condominium Corporations have been asked to re-examine the pet policy and have been delegated the task of creating a uniform set of reasonable and enforceable rules to govern the use of the common exterior areas by pet owning residents.

To that end, the Committee has:

- 1) reviewed prior history and practice of the pet policies at the Summit;
- 2) received correspondence from residents regarding the issues;
- 3) solicited input from Management and the Boards;
- 4) received a presentation from an organized group of pet owners; and
- 5) obtained legal advice.

The purpose of this discussion paper is to briefly summarize the information received and make recommendations to the Recreation and Common Facilities Committee to assist in the formation and codification of a pet policy.

Legal Position

An opinion was obtained from Mr. Gardiner of the Gardiner, Blumberg law firm. Some of the issues addressed therein which the Committee must consider are:

- 1) the scope of rule making authority of the Committee in respect to pets;
- 2) the amended declarations which apply to 5 of the 6 corporations, which permit only one pet per unit "small enough in size that it may be carried across the common elements" and which state that such pets must be carried across the common elements of each particular corporation; and
- 3) the existing rules and what they permit.

Each declaration is the fundamental constitutional document for each corporation, from which rule making authority is derived in accordance with the Condominium Act. Each declaration, whether reasonable or not, Mr. Gardiner believes, would likely be upheld in court. In order to amend each declaration, unanimous consent from all owners would be necessary or a court application with appropriate notice. Mr. Gardiner was of the view that the cost and uncertainty of success made the option of amending the declarations exceedingly hard to accomplish.

The reciprocal agreement delegates the power to manage the Common Services and Recreational Facilities to this Committee, including the express power to make reasonable rules as stated in sections 5.06(b) and 9.06(b). One of the major problems facing the Committee is that, in its desire to make reasonable rules, its discretion may be fettered by the existing declarations. We note that the reciprocal agreement predates the constituting documents of each of the six Boards and binds them with respect to making joint decisions about the recreation and common facilities, but not each corporation's common elements.

The reciprocal agreement governs the use of the exterior areas which are both common facilities and recreational facilities (such as the pool and the surrounding landscaped areas), and the use of them has always been treated, decided upon and paid for, in accordance with the reciprocal agreement and exterior use areas are properly subject to the rule making authority of the Recreation and Common Facilities Committee. This rule making authority is limited only to making reasonable rules.

Background Information

Prior to 1992, the Summit Complex had not established a pet policy and a set of rules for the pet owners to follow. At this time (in 1992), there was only one active condominium corporation (MTCC #648) and a two member owner occupied Board for MTCC #674.

The need to create a pet policy and a set of rules became apparent. The points listed below summarize the problems encountered:

- 1) residents complained that pet owners were not picking up after their pets;
- 2) parents became concerned because their children couldn't enjoy the playground and the surrounding grassed areas, because of dog feces and urine;
- 3) residents were unable to enjoy the grounds because of the resultant smell etc.;
- 4) pet urine and feces were damaging the landscaped areas. In some areas the grass was so severely damaged that it became either too costly or impossible to repair on a continuing basis;

- 5) although, according to the declarations, pets were to be carried over the common elements, this was not being done because pets were clearly too large or too heavy to be carried, or because pet owners simply did not comply; and
- 6) pets were not leashed and under control.

After many discussions at Board level, during annual meetings and at special meetings among Board members, Management and pet owners, a set of rules was drawn up.

Established Rules

- 1) To alleviate the problem of pets needing to relieve themselves as soon as they were outside, Management was directed to create two "Designated Pet Areas", on the property. Pet owners were directed to be responsible for cleaning up after their pets used these areas.
- 2) Pets were not allowed on the landscaped areas.
- 3) Pets were allowed on the walkways and driveways, but they had to be leashed and under control.

Enforcement Policy

Two of the Boards have established enforcement policies. MTCC #648 devised a general enforcement policy and MTCC #681 established an enforcement policy to handle breaches to the pet rules.

This partial establishment of enforcement policies, makes the policing of pets and the handling of residents who disregard the existing rules an impossible task.

A pet owners' group has asked the Recreation and Common Facilities Committee to review the existing policies and make suggested changes to the rules.

The following is a list summarizing their requests and suggestions:

- 1) registering all the pets at the Summit;
- 2) creating strict "off limit" areas for pets, such as the playground and the surrounding grassed areas;

- 3) allowing pets to use the landscaped areas, this would be restricted to specific times and seasons of the year;
- 4) changing the existing gravel in the "Designated Pet Areas" to grass;
- 5) creating a core group of pet owners who would police other pet owners and report to the Committee persistent offenders; and
- 6) fencing in one specific area of the property to be used as an "off leash" area for dogs.

Recommendations and Solutions

The majority of the corporations have expressed the desire to retain the existing rules as established in 1992. One corporation believes these rules are too liberal, and aside from providing "Designated Pet Areas", the rules should reflect what the declarations state.

The Declaration, By-laws, Rules and Regulations of the six Condominium Corporations provide for restrictions on keeping pets within the units and on the interior common elements. The Recreation and Common Facilities Committee is not responsible for enforcing rules that apply to the interior areas of any of the six corporations.

The request by the dog owners' group to permit the dogs on certain parts of the landscaped area, would not be possible at this time. This request is similar to the City of Toronto policies that designate certain sections of parks as "off leash" areas. As noted on the map on page 6, one of the parks in the neighbourhood (Trinity-Bellwoods), has an "off leash" area and although it is not fenced in, the size of the park is such that the policy is workable. Such an "off leash" policy at the Summit, in the absence of a fenced in area, is not really possible. If the situation changes in the future, then this specific request could be considered.

Pets needing to relieve themselves late at night or when it is not convenient for their owners to take them to a nearby park, would still be accommodated by the "Designated Pet Areas", which could be changed from gravel to grass in order to make them more "user friendly".

Pets would be permitted on the walkways and driveways, but they must be leashed and under control.

The establishing of a core group of pet owners who would be willing to see to it that other pet owners complied with the rules, would be a welcomed suggestion. However, the whole issue of self-policing would have to be handled very gingerly, to avoid any militancy among the residents. This core group would report to the Recreation and Common Facilities Committee, who would take the matter(s) further.

Enforcement Policy

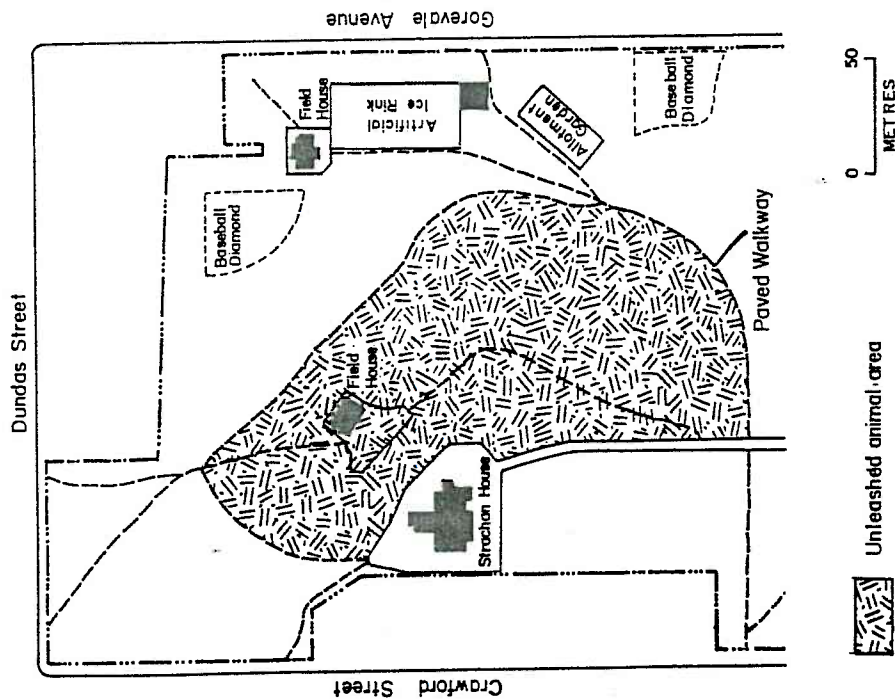
It is believed that the establishment of a uniform policy is desirable. Whatever final rules are devised to govern pets on the exterior areas, a uniform **enforcement** policy, endorsed by the six corporations and mandated by the reciprocal agreement, is essential.

Notices and warning letters would be the responsibility of the Recreation and Common Facilities Committee and legal proceedings would be the responsibility of the Committee after consultation with the individual Condominium Corporation concerned, as a shared expense in accordance with the reciprocal agreement.

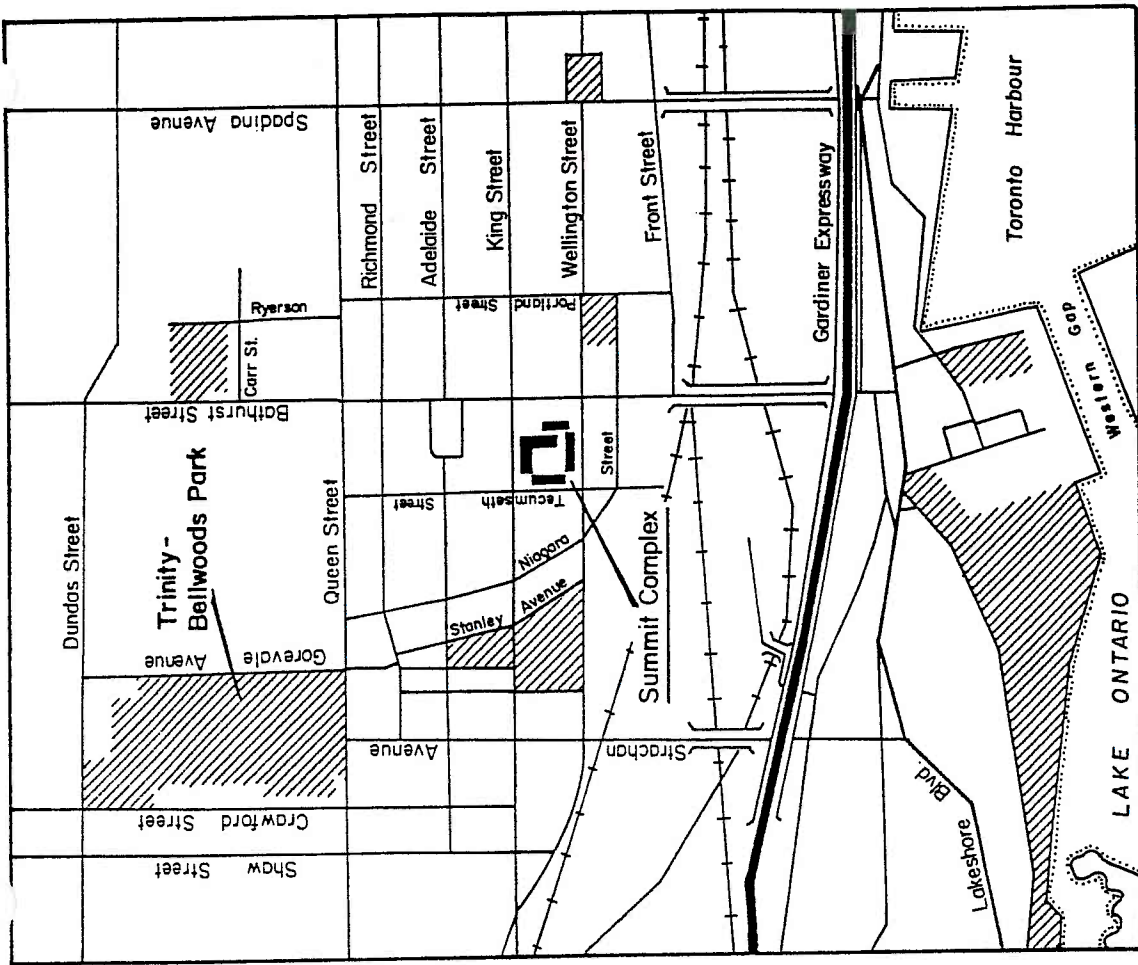
Enforcement measures would be handled by the Recreation and Common Facilities Committee in the following manner:

- 1) A pet owner who has been reported shall be sent a notice and a copy of the pet rules, together with an invitation to respond in writing within 14 days. The designated member of the core group of pet owners will also receive a copy of the notice.
- 2) If the pet owner fails to respond to the notice, then the Management Company will advise the Committee as to their suggested course of action. The Committee may, however, take any such initiatives as they deem responsive including but not limited to, additional warning letters, referral to a lawyer.
- 3) The core group of pet owners has the ability to self-police and should be given full support. The core group of pet owners should be invited to make recommended guidelines and procedures to the Committee, but the suggestions do not bind the Committee, unless adopted.

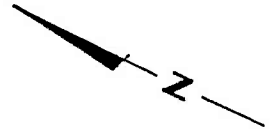
TRINITY - BELLWOODS PARK UNLEASHED ANIMAL AREA



PARKS IN THE VICINITY OF THE SUMMIT COMPLEX



Park land



RECREATION AND COMMON FACILITIES COMMITTEE
THE SUMMIT CONDOMINIUMS

SUBJECT: Pet Policy & Procedures for Enforcement - Exterior Common Elements

1. Introduction

The Reciprocal Agreement between the six Condominium Corporations which comprise The Summit Complex provides for the Common Facilities Committee to make reasonable rules in regard to the use of the Common Facilities. Articles 9.06(b) of the Reciprocal Agreement states the following:

"9.06 The Common Facilities and Services Committee shall have and is hereby appointed by each of the parties to this Agreement to exercise the following duties, powers and responsibilities:

- (b) to promulgate reasonable rules for the use and enjoyment of the Common Facilities for the purpose of ensuring the safety and comfort of those using and enjoying the Common Facilities and for ensuring the orderly and efficient management, maintenance and repair of the Common Facilities. Each of the Condominium Corporations which is a party to this Agreement agrees to take all steps necessary to implement the rules promulgated by the Common Facilities and Services Committee from time to time as rules of each such Condominium Corporation passed pursuant to the provisions of the Condominium Act;"

The Recreation and Common Facilities Committee has created a rule pursuant to a pet policy dated April 3, 1996 which permits dogs who are on a leash and under control to walk on all walkways and driveways (the easement areas) of The Summit Complex.

Further, each Condominium Corporation has a rule which prohibits pets from being on any of the landscaped areas on the grounds of the Complex and each Corporation has passed a rule adopting the Recreation and Common Facilities Committee Pet Policy and this Pet Policy and Procedures for Enforcement.

The six Condominium Corporations have requested that the Recreation and Common Facilities Committee take steps to enforce the rules in regard to pets on the exterior common elements and have granted to the Recreation and Common Facilities Committee each of their respective rights, authority and authorization to enforce those rules whether in court or otherwise in accordance with their Pet Policy and procedures as agent for each such Condominium Corporation, subject to the Committee's discretion and cost which may be recovered pursuant to the Condominium Corporations Declaration Bylaws or Rules and any other applicable provisions set out therein. The Pet Policy and Procedures for Enforcement is a response to this situation.

Date: May 17, 1997

Supersedes: All previous guides and procedures

**SUBJECT: Recreation and Common Facilities Committee
Pet Policy and Procedures for Enforcement - Exterior Common
Elements (continued)**

2. Pet Registration

The Recreation and Common Facilities Committee, working with a committee of responsible dog owners, has developed the concept of a pet register. The register will contain a photograph of every pet which resides in The Summit Complex along with the name and unit number of the owner.

If a violation is observed and the identity of the resident is unascertainable, the person should go to the Management Office to review the pet register in order to identify the animal and the resident/unitowner.

3. Documentation of the Complaint

All owners, residents and employees may make a report in writing of any infraction of the above noted rules. The complainant must supply their name and unit number, the time, date and particulars of the infractions and the identity of the resident/unitowner involved. To the extent permitted by the law, the identity of the complainant will be kept confidential.

The above noted information will be documented by the Management Office in response to a verbal complaint.

Complaints may be submitted to the Management Office or Security. The Security Shift Supervisor will deliver all complaints received by Security to the Management Office.

A copy of all reports should go to the Recreation and Common Facilities Committee and the designated representative from the core group of pet owners.

4. Handling of the Complaint

- (a) Upon receipt of a complaint, the Management Company will contact the pet owner (either verbally or in writing), politely advise that there has been a complaint in regard to a breach of the pet rules, provide a description of the nature of the complaint and invite the pet owner to respond. The Recreation and Common Facilities Committee and the designated member of the core group of pet owners will also receive a copy of any written correspondence.

It is anticipated that this reminder will achieve compliance with the rules, accordingly the Management Company is not required to perform additional steps regardless of whether the pet owner responds in writing.

Date: May 17, 1997

Supersedes: All previous guides and procedures

**SUBJECT: Recreation and Common Facilities Committee
Pet Policy and Procedures for Enforcement - Exterior Common
Elements (continued)**

4. Handling of the Complaint (continued)

- (b) If the pet owner breaches the pet rules a second time:

The Management Company will contact the pet owner in writing advising of the second breach and requesting corrective action. The letter is to be delivered to the security desk to be "tagged" in order that the pet owner must sign for receipt of the letter. The Recreation and Common Facilities Committee and the designated member of the core group of pet owners will also receive a copy of the correspondence.

- (c) If the pet owner is a tenant, a copy of the letter will also be forwarded to the unit owner, with a warning that a further breach of the pet rules may result in legal actions by the Board of Directors. A copy will also be issued to the Board of Directors of the specific Condominium Corporation.

- (d) If the pet owner breaches the pet rules a third time:

The Recreation and Common Facilities Committee will request that the Board of Directors of the specific Condominium Corporation issue a final warning letter. The final warning letter will state that if there is another breach of the pet rules, the Board will have the pet in question designated "dangerous or unduly annoying to occupants of other units in the Condominium" (as per Article 7 of the Amendment to Declaration) and take appropriate action to have the pet removed.

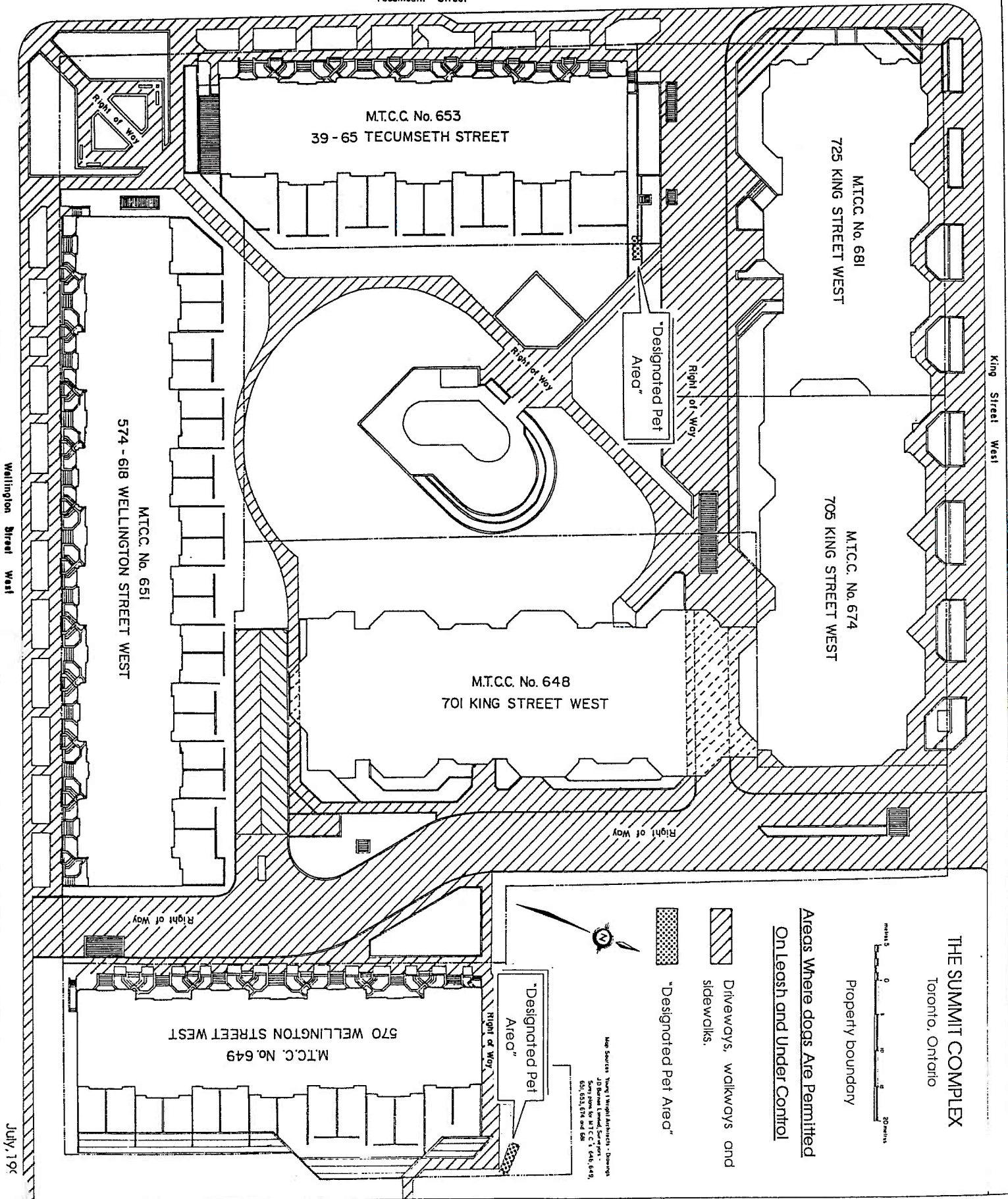
- (e) If the pet owner is a tenant, a copy of the letter will also be forwarded to the unit owner, accompanied by a written request for the unit owner to proceed with a Form 5 - Notice by Landlord of Early Termination for Breach of Obligations by Tenant under Section 109 or Form 6 - Notice by Landlord of Termination at End of Term or Rental Period under Section 110 of the Ontario Landlord and Tenant Act.

- (f) If the pet owner breaches the pet rules a fourth time:

The Recreation and Common Facilities Committee will be requested to authorize the Management Company to commence legal proceedings.

5. Flexibility

At the discretion of the Recreation and Common Facilities Committee, any of the steps in the "Handling of the Complaint" may be omitted or repeated.



Wellington Street West

King Street West

July, 1991

SCHEDULE B

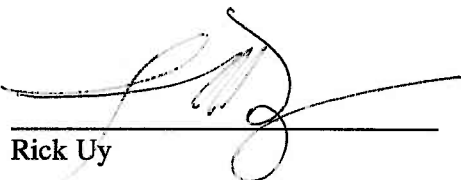
On October 21, 1997, it was moved by Ms. Walker, seconded by Mr. Uy and carried that the following rule in regard to rollerblades, roller skates and other similar recreational equipment be adopted for Metropolitan Toronto Condominium Corporation No. 674.

Rollerblades, roller skates and other similar recreational equipment must be carried at all times while being transported through or on any of the common elements within the building.

The rule was issued to the unitowners on November 12, 1997 and came into effect on December 12, 1997.

Dated at Toronto
The 12th day of December, 1997

Per:


Rick Uy

Per:


Norm McDoom

RULE

On September 7, 1999, it was moved by Mr. Johannsson, seconded by Mr. Lavery and carried that the following rule in regard to adult swim time be adopted for Metropolitan Toronto Condominium Corporation No. 674.

Children under the age of 16 are not permitted in the outdoor swimming pool area at the following times:

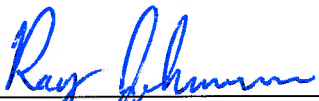
Saturday – 1:00 p.m. to 3:00 p.m.

Sunday – 1:00 p.m. to 3:00 p.m.

The rule was issued to unitowners on September 24, 1999 and came into effect on October 24, 1999.

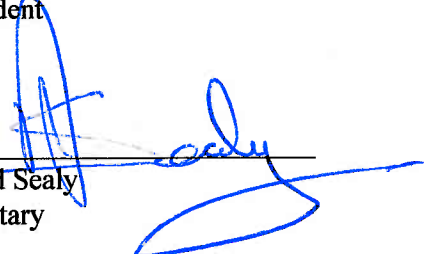
Dated at Toronto
The 12th day of May, 2000.

Per:



Ray Johannsson
President

Per:



David Sealy
Secretary

METROPOLITAN TORONTO CONDOMINIUM CORPORATION NO. 674
(the Corporation)

**RULE RESPECTING THE RESTRICTION ON THE USE AND ENJOYMENT OF THE
COMMON ELEMENTS AND ASSETS OF THE CORPORATION BY
NON-OCCUPANTS/NON-RESIDENTS**

WHEREAS the recreational committee confirms that it has passed this proposed rule in accordance with the provisions of the Corporations cost sharing agreement, registered as Instrument No. C155908;

AND WHEREAS each corporation within the Summit Condominium Complexes, in accordance with the cost sharing agreement each is bound to, and shall attend to, the implementation of a rule so passed by the recreational committee;

AND WHEREAS the Corporations board of directors, in consultation with the recreational committee, have reviewed the proposed rule and believe that it is in the best interest of the Corporation to pass it in order to: (1) promote the safety, security or welfare of the residents and of the property and assets of the Corporation; and, (2) to prevent unreasonable interference with the use and enjoyment of the common elements, the units and other assets of the Corporation;

AND WHEREAS section 58 (1) of the *Condominium Act, 1998* (hereinafter the **Act**) provides that a board of directors may make, amend and/or repeal rules respecting the use of common elements and units to promote the safety, security or welfare of the owners and of the property and assets of the Corporation, or to prevent unreasonable interference with the use and enjoyment of the common elements, the units and other assets of the Corporation;

NOW THEREFORE BE IT RESOLVED that Rule No. 27 is hereby passed by the board of directors:

Rule No. 27

1. Owners of units, and any other person, who do not reside in a unit of the Corporation, or their respective unit, shall not be entitled to use any of the common element amenities and facilities in any way whatsoever except as permitted within this rule. The common element amenities and facilities are only to be used by those individuals that reside within the Corporation and this privilege cannot be extended to anyone during the absence of a resident or residents. If there is any dispute as to whether or not an individual is a resident of the Corporation (i.e. if he/she resides within the Corporation), this issue shall be determined by the board of directors in its full and unfettered discretion. The foregoing provision shall not prevent a unit owner from entering the building for the purpose of visiting his or her unit or tenant(s), or for the purpose of communicating and dealing with the manager of the Corporation.
2. Should an owner or resident of a unit breach this rule, then the board of directors shall have the right to revoke from that owner and his/her resident, as the case may be, the right to access/use any of the common element amenities and facilities for the following periods of time:

- i) first time offenders may have his/her privileges revoked for up to a maximum period of 30 days; or,
 - ii) multiple time offenders (i.e. those which have breached this rule on more than 1 occasion in a calendar year), may have his/her privileges revoked for up to a maximum period of 180 days, but no less than 60 days.
3. Any revocation of the use of the common element amenities and facilities shall apply to all occupants of a unit, whether that be the unit owner or his/her tenant(s) (the **"Offending Unit"**). No occupants/owner(s) (current or subsequent) of an Offending Unit, may use the common element amenities or facilities during the time period that unit's privileges are revoked.
4. Once an Offending Unit's privileges have been revoked, only the board of directors may vary or amend it prior to the initial expiry date.
5. No restriction, condition, obligation or provision contained in this rule 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 or may not have occurred.

**Passed by the Board of Directors of
Metropolitan Toronto Condominium Corporation No. 674
this 18th day of July, 2003**

Name:



David Sealy
President

Name:



Lynne Gale
Secretary

We have authority to bind the corporation.