

**THE BENTLEY PLACE – W.C.C. # 171 –  
AMENDED RULES AND REGULATIONS – October 2014**

In order to better reflect the needs of our condominium the Board has reviewed all our Rules & Regulations. The first major update was completed in 2004, with some revisions completed in November 2014. THIS FIRST PAGE HIGHLIGHTS WHAT THE CORPORATION DEEMS TO BE SOME OF THE MORE IMPORTANT ITEMS. We respectfully ask all owners and residents to carefully review this important document.

- Visitors Parking. Our 6 outside spots are for visitors only, not residents (see 17.2)
- Leasing. As of May 17, 2004 we have a minimum leasing period of 6 months. Owners must submit a completed Form 5 to the Corporation each time their unit is rented (see 26)
- Noise levels. E.g. music, unit repairs, bathtub jets (see 2.1 and 2.2)
- Propane-driven cars are prohibited in underground parking levels P1/P2 (see 3.2)
- Satellite Dishes. Any installation requires prior Board approval (see 14)
- Barbecues. City Fire Regulations prohibit barbecuing on balconies (see 3.3)
- Grease shall not be disposed of down the kitchen sink; it causes major back-ups (see 4.1)
- Garburators. As of May 17, 2004 new garburators are not permitted (see 5)
- Pets (see 18.1, 18.2, 18.3, 18.4) These are new rules as of May 17, 2004. Current occupants with pets that contravene these rules are asked to contact the Property Manager. The Corporation will follow the legal precedent known as "grandfathering".
- Balcony carpets, are permitted under certain conditions (see 16)
- Storage. Balconies or P1/P2 parking spots shall not be used as storage areas (see 13)
- Winter temperatures. Units shall be kept no lower than 15°C or 60°F (see 8)
- Installation of hardwood floors (see 9)
- Real Christmas trees are not allowed (see 24)
- Unit door locks and keys (10)
- Pigeons (19)
- Moving furniture, appliances, etc Only the back door shall be used (see #21)
- Metal safety bars on operative windows must not be removed (see 7.2)
- "Minors" must be supervised in the exercise, or pool/spa areas (see 11.1 and 11.2)

## **RULES AND REGULATIONS FOR W.C.C. #171**

*The following Rules and Regulations shall be observed by the owners and the term "occupant" shall include the registered owner(s) and any other persons who occupy the unit. The terms of the Declaration are hereby deemed to be part of these rules. The terms of any by-laws enacted are hereby deemed to be part of these Rules & Regulations.*

- 1.1. Damages. Any loss, cost, or damages incurred by the Corporation (including legal fees and disbursements determined on a solicitor client basis), by reason of a breach of any rules and regulations in force from time to time by any owner, his/her family, guests, agents or occupants of his/her unit, shall be borne by such owner and may be recovered by the Corporation against such owner in the same manner as common expenses.
- 1.2. Occupants shall report as soon as possible any spill or mess that occurs anywhere on the common elements. Since strong cleaners can discolour or damage hallway carpets, only the Building Superintendent is authorized to use carpet cleaners on our hallway carpets.
- 2.1 Noise. Occupants shall not permit any noise or nuisance, which may disturb the comfort and quiet enjoyment of the units and common elements by other occupants. Occupants shall comply with all Municipal noise By-laws.
- 2.2 Occupants shall use their bathroom jet tubs only between the hours of 8:00 a.m. and 11:00 p.m. so as not to disturb neighbours in adjoining units.
- 2.3 Occupants or tradesmen are to carry out repairs, maintenance work or installations only between the hours of 8:00 am and 8:00 pm. Monday through Friday and 9:00 a.m. and 6:00 p.m. on Saturdays and Sundays.

### **FIRE SAFETY REGULATIONS**

- 3.1 Owners shall not overload existing electrical circuits. Occupants shall not do, or permit anything to be done in their units or bring or store anything therein which will in any way increase the risk of fire or the rate of fire insurance on the building, or the parking areas of the condominium. All owners shall comply with the laws or by-laws of the City of Hamilton relating to fires, the code of the Fire Department, the insurance policy of the corporation, and all rules of the Board of Health. Smoking is not permitted in the common elements.
- 3.2 Cars, which use propane or natural gas, are not permitted to park in the underground parking levels of P1 or P2. This is a City of Hamilton Fire regulation.
- 3.3 Occupants shall not store or use any type of barbecue on their balconies.
- 3.4 Fireworks are not permitted.
- 3.5 Due to fire regulations owners/residents may not use their allocated parking spots for storage.
- 4.1 Water shall not be left running unless in actual use. The water fixtures (such as sinks, toilets, laundry tubs, showers and bathtubs) shall not be used for purposes other than those for which they are constructed. No grease, sweepings, garbage or rags shall be thrown therein. Grease, in particular, clogs the kitchen and toilet drain pipes.

- 4.2 Occupants shall not operate clothes washers, dryers or dishwashers unless a person is present in the unit. If a water pipe bursts, the occupant is thus able to minimize damage.
5. Garburators, as of May 17, 2004, shall no longer be installed because in high-rise buildings they often cause expensive back-ups.
6. No signs (e.g. offering a unit for sale) shall be placed in a window by an occupant.
- 7.1 No awnings or shades shall be erected over or outside the windows of the building. Flags and other objectionable objects may not be used as window coverings and must be removed.
- 7.2 Occupants shall not remove the metal safety bars on operative windows. This is an important safety issue.
8. All occupants absent from their units must keep a minimum temperature of 15°C or 60°F. This is particularly pertinent for those vacationing in winter in consideration of their neighbours. Water supply must be shut off, (main shut-off valve located in the laundry room), when the unit will be unoccupied for more than 7 days.
9. Hardwood floors. As of May 17, 2004, installation must include sufficient noise-absorbing sub-material, with prior written approval by the Corporation.
10. The Corporation shall retain a key to all locks to each unit. No occupant shall change any lock or place any additional locks on the doors of any unit without prior permission from the Corporation.
- 11.1. Immediately before using the pool or spa, all persons must take a shower in either the men's or women's change room. In addition all persons with long hair must wear a swimming cap while in the pool or spa. Persons under the age of 12 are not allowed within the pool/spa area unless accompanied by a parent or agent who is not less than 16 years of age.
- 11.2. Children under the age of 16 shall not use the exercise room unless accompanied by an adult.
12. No mops, brooms, dusters, rugs or bedding shall be shaken or beaten from any window, door, balcony or in the stairwells of the building. Nothing is to be thrown from balconies, especially cigarettes.
13. Occupants shall not use balconies to dry their laundry or as a storage area. The Corporation has designated two bicycle storage areas. Thus, bikes are not permitted in elevators or on balconies. Seasonal furniture is permitted and should be of sufficient weight so as not to be blown away in high winds.
14. Occupants shall not install or attach any satellite dish, television antenna, or tower without prior, written permission from the Corporation.

15. Occupants shall not hang flower containers from balcony edges or balcony ceilings. This is a liability issue. Flowers may be grown in planter boxes or in pots located on the floor of the balcony.
16. "Occupants may install carpets on balconies, once the new protective membrane has been applied. In order to facilitate future inspections (for floor cracks), carpets are to be secured with double sided tape or by using small quantities of water resistant glue dabbed on carpet edges only."
- 17.1 Occupants shall not carry out vehicle repairs on either the common elements or their own allocated parking spot.
- 17.2 Parking. Occupants are not permitted to park their cars in any of the 6 visitor's parking spots unless requested to do so by the property manager or superintendent due to repairs and maintenance. VIOLATORS WILL BE TICKETED. An occupant's vehicle shall not extend into the common driveways.
- 17.3 Occupants shall instruct guests who use a visitor's parking spot to leave a note on the dashboard in which they give either the name or unit number of the host occupant.
- 17.4 Motor homes, trailers, snowmobiles, or boats shall not be parked in either the occupant's exclusive, allocated parking space or any of the Visitor's Parking spots.
- 17.5 Vehicles leaking fluids must be repaired. Any asphalt or membrane repairs required as a result of leaking vehicles will be charged back to the occupant.
- 17.6 When entering or exiting the garage, drivers must not attempt to follow the car immediately ahead of them without activating a security door themselves. Drivers, who try to pass through and open garage door without activating it, bear the responsibility for damage or injury caused by collision with the garage door.
- 17.7 Guests may only use a visitor's parking space for a maximum of 14 consecutive days.

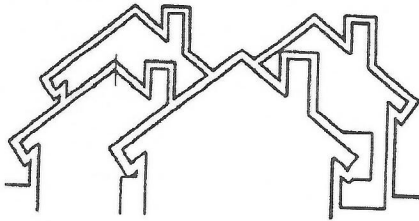
## PETS

- 18.1. Pets will be allowed on the property provided they do not interfere with the safety, security or welfare of the occupants of the condominium. No animals, reptiles, rodents, livestock or fowl of any kind shall be permitted within any unit or common element area. The following pets are permitted within an occupant's unit, no more than two:
  - canaries, budgies, or any other small bird;
  - hamsters, gerbils, guinea pigs, mice, or rabbits;
  - turtles that are kept in a closed container at all times;
  - dogs weighing less than 35 lbs excluding Pit Bulls, Dobermans, Mastiffs, Rottweilers or any other breed that is customarily bred or trained as "guard" or "attack dogs";
  - cats;
  - an aquarium of goldfish and/or tropical fish.

- 18.2. No pet that is deemed to be a nuisance by the Corporation (in their sole and absolute discretion) shall be kept by any occupant in any unit or on any part of the common elements. Each occupant must ensure that his/her pet does not defecate and/or urinate upon any common element area and shall be obligated to clean up any mess that occurs thereon immediately thereafter. Should a pet owner fail to clean up after his/her pet as aforesaid, then the pet shall be deemed to be a nuisance, and the owner of said pet, within two weeks after receiving a written request from the Corporation, shall permanently remove such pet from the property.
- 18.3. All dogs and cats must be on a leash (or otherwise adequately restrained) while on the common elements.
- 18.4. No breeding of animals, whether for sale or other purposes, shall be carried on within any unit and or the common elements.
19. No occupant shall permit or suffer the infestation of his/her unit (or any exclusive use common element areas such as the balcony) by pests, insects, pigeons, rodents or other vermin. Failure to comply with the foregoing, or the failure to report such infestation to the Corporation as soon as the occupant is aware of same, will render such occupant liable for all costs and expenses incurred in having to eradicate such infestation from any other unit(s) and /or the common elements.
20. Notwithstanding any definition or provision in any By-law of the Municipality, no unit shall be used in whole or part for any commercial or professional purposes that interfere with the safety, security, welfare and quiet enjoyment of other occupants.
21. No one shall move any furniture or appliances in or out of the building without reserving the elevator with the superintendent or property manager in advance. All moving and deliveries must be made through the back door not through the expensive glass doors at the front entrance. Moving and deliveries shall be done between the hours of 8:00 a.m. and 8:00 p.m.
22. Hallways and stairwells shall not be obstructed by occupants who place items, such as shoe wear or small mats in hallways. They are unsightly and cause extra custodial work.
- 23.1. Only small, tied, plastic bags shall be dropped down the garbage chutes. Loose cardboard and chunks of carpet can block the chutes causing unnecessary work for the superintendent.
- 23.2. Occupants shall not place, leave or permit to be left in the common or exclusive elements, any debris, or garbage. Where such debris consists of cartons or packing materials occupants must confer with the superintendent or property manager for disposal instructions. Occupants who wish to dispose of large items must contact the City of Hamilton directly to determine a pick-up time (905) 546-2489.
24. Real Christmas trees are prohibited. They cannot be disposed through the garbage chute and they leave a trail of hard-to-vacuum needles on the hallway carpets and elevators. Accordingly, occupants shall not bring needle-shedding Christmas trees into their units.
25. Alterations to a unit involving a load-bearing wall. Owners must have prior written approval from the Corporation.

## LEASING OF UNITS

- 26.1. Owners who lease, rent or otherwise allow a unit to be occupied for a fee, may not enter into any such lease or other arrangement or permit a sub-lease unless the term of the lease or other arrangement or sub-lease is 6 months or longer, and in no event shall a unit be leased or otherwise allowed to be used for short-term, hotel-like transient rentals.
- 26.2. In accordance with the provisions of section 83 of the Condominium Act 1998, where the owner of a unit leases his or her unit, or renews a lease in respect of his or her unit, the owner shall, within thirty (30) days of entering into a lease or any renewal thereof:
- i) Notify the Corporation in writing that his/her unit has been leased in accordance with Form 5, as prescribed by section 40 of Ontario. Reg. 49/01. Under the Act, the owner of a unit shall provide the Corporation with the lessee's name, the owner's address for service and a copy of the lease or renewal, or a summary of it, and provide the Property Manager with the names and phone numbers of all occupants of the unit as well as the vehicle license plate numbers.
  - (ii) The owner of a unit shall provide the lessee (tenant) with a copy of this Declaration and By-laws, along with a copy of the Rules & Regulations of the Corporation (W.C.C. #171).
  - iii) The owner, within 10 days of leasing their unit or if the tenant has vacated or abandoned the unit, shall notify the Corporation that the unit is no longer rented.
  - iv) In addition to the foregoing requirements, no owner shall lease his or her unit unless such owner first delivers to the Corporation a binding covenant or agreement signed by the tenant to the following effect:  
*I acknowledge and agree that I, the members of my household, and my guests from time to time, will, in using the unit rented to me and the common elements, comply with the Condominium Act 1998, S.O. 1998, as amended, as well as the declaration, by-laws and rules of the condominium corporation during the entire term of my tenancy, and will be subject to the same duties imposed by the above as if I were a unit owner, except for the payment of common expenses, unless otherwise provided by the Condominium Act 1998, S.O. 1998, as amended."*
  - v) The owner shall comply with any notice from the Corporation requiring the tenant to provide access for purposes of inspection or repairs to the common elements.



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September 10, 2018

## ***NOTICE TO ALL UNIT OWNERS***

***The Bentley Place Condominiums  
Wentworth Condominium Corporation # 171***

### **UPDATED RULES**

Further to discussion raised at the recent Annual General Meeting (June, 2018), and after careful consideration and discussion by your board, with consultation from the corporation's solicitor, attached you will find some changes to the corporation's Rules and Regulations.

The board of directors, at their meeting on Tuesday, September 4, 2018, has passed a resolution accepting the amended Rule 2.1 and the new Rule 27, (see enclosure). The rule changes will become effective Friday, October 12, 2018.

In accordance with Section 46 of the Condominium Act, 1998, (copy attached), unit owners of Wentworth Condominium Corporation # 171 have the right to requisition a meeting to discuss and/or to seek one or more rule changes.

A meeting requisition must be signed by 15% of the units, (96 units x 15% = 15 units), and should specifically identify which rule the owners wish to change and how they wish to change it.

Feel free to contact the writer if you have any questions.

Thank you.

Sincerely,  
PMC YORK PROPERTIES INC.

Paul Casuccio, AIHM, R.C.M.  
Property Manager

Existing Rule 2.1 - Noise:

2.1 Occupants shall not permit any noise or nuisance which may disturb the comfort and quiet enjoyment of the units and common elements by other occupants. Occupants shall comply with all municipal noise by-laws.

Amended Rule 2.1 - Noise and Nuisance:

- 2.1 *No person shall carry on an activity or permit an activity to be carried on in a unit, the common elements or the assets, if any, of the Corporation if the activity results in the creation of or continuation of:*
- a) *any unreasonable noise or smell that is a nuisance, annoyance or disruption to an individual in a unit or on the common elements of the corporation.*
  - b) *any other nuisance, annoyance, or disruption to an individual in a unit or on the common elements of the corporation, as determined by the Board of Manager, acting reasonably.*
  - c) *Occupants shall comply with all municipal noise by-laws and the Smoke-Free Ontario Act legislation.*

NEW Rule # 27 - Smoking

- 27.1 *“Smoking” includes inhaling any substance for the purpose of smoking tobacco, cannabis, or any derivatives therefrom or related thereto, in all manners, including but not limited to, inhaling smoke or vapors by way of a blunt, bong, bubbler, cigarette, cigar, pipe, hookah, or vaporizer.*
- a) *Smoking is strictly prohibited on any indoor common elements and outdoor common elements.*
  - b) *Smoking is only permitted within the units and the exclusive use balconies.*
  - c) *Owners and residents are strictly prohibited from growing cannabis within the units and the common elements, including the exclusive use common element balcony areas, in any way, including by the use of soil or hydroponics.*
  - d) *If a resident’s smoking causes a nuisance, unreasonably interferes with the use of the property by other residents, or is likely to damage the property, which determination shall be made by the board, acting reasonably, the board may require the resident to reduce or cease smoking within the smoking unit or take steps to prevent the nuisance, interference with the use of the property, or damage to the property.*