

SIMCOE CONDOMINIUM CORPORATION NO. 11

RULES & REGULATIONS AS OF JUNE 15, 2021

THE FOLLOWING RULES AND REGULATIONS SUPERSEDE THOSE PUBLISHED IN THE DECLARATION OF SIMCOE CONDOMINIUM CORPORATION NUMBER 11 IN ARTICLE XIII OF THE 'BYLAWS' OF DECEMBER 23, 1975, AND ANY OTHERS ISSUED SINCE THAT TIME.

The following Rules and Regulations shall be adhered to by the Owner(s), and the term "Owner" shall include the Owner and any other person occupying the unit.

Property shall mean the entire complex of Simcoe Condominium Corporation No 11

"The Corporation" shall mean Simcoe Condominium Corporation No 11, also referred to as Kidd's Creek Condominium.

"Management" shall mean the property management company employed by the Corporation.

City of Barrie By-Laws referred to may be viewed on the City of Barrie website www.barrie.ca

All costs incurred by the Corporation in enforcing the Rules & Regulations with any particular unit will be charged to and paid for by the said unit owner. Charges not paid within 90 days will result in a lien being applied to the unit and all legal expense incurred by the Corporation will be charged to the owner.

Occupancy

Each unit shall be occupied and used only as a residence for a single housekeeping unit and for no other purpose. This is in accordance with the Declaration of the Corporation.

Single Housekeeping Unit shall mean one or more persons who agree to reside together within a dwelling unit, sharing responsibilities of household duties such as cleaning, maintenance and meal preparation.

An owner is not allowed to subdivide a unit into two or more separate apartments.

Unit Owners Living in their Unit

Unit owners living in their units are responsible for completing the "Owner Information form, submitting it to Management and for keeping this information up-to-date.

Information must be received within 10 days of purchasing your unit. Any changes to information on file must be updated within 10 days of any change.

The Owner Information Form is available on our website: www.kiddscreekcondo.ca then "**Legal**"

Unit Owner Renting and Terminating a Lease to a Unit

If you decide to rent your unit it must be to a single household unit, as defined above. As a requirement of the Condominium Act 1998, section 83, (Below) off-site landlords are required to provide the following information to Management within 10 days of renting by completing the necessary forms (available on our web site).

83 (1) *The owner of a unit who leases the unit or renews a lease of the unit shall, within 10 days of entering into the lease or the renewal, as the case may be,*

(a) *notify the corporation that the unit is leased;*

(b) *provide the corporation with the lessee's name, the owner's address and a copy of the lease or renewal or a summary of it in the form prescribed by the Minister; and*

(c) *provide the lessee with a copy of the declaration, by-laws and rules of the corporation. 1998, c. 19, s. 83 (1); 2015, c. 28, Sched. 1, s. 75 (1).*

Termination of lease

(2) *If a lease of a unit is terminated and not renewed, the owner of the unit shall notify the corporation in writing within 10 days of the termination. 1998, c. 19, s. 83 (2); 2015, c. 28, Sched. 1, s. 75 (2).*

Record of notices

(3) *A corporation shall maintain a record of the notices that it receives under this section. 1998, c. 19, s. 83 (3).*

Additional Information required by the Corporation:

- Date unit is rented and copy of lease or tenant agreement. Sub leasing *by a tenant* is not permitted.
- Owner(s) name, off site address, and contact phone number.
- Tenant(s) name, a list of all occupants living in the unit and family relationship of each. Pets and their type (cat or dog) and names are to be included.
- Tenant(s) vehicle information

The Owner must provide the tenant with a current copy of the Rules & Regulations of the Corporation. The owner must also provide Management with our form, signed by the tenant acknowledging that they have received them and that they agree to abide by these Rules & Regulations.

It is the Owner's responsibility to keep Management up-to-date on information of all persons living in the unit, vehicles, pets, etc. as indicated on the Landlord Information form and notify Management within 10 days of any changes.

The Declarations, By-laws, Rules & Regulations, Landlord Information Form and Acknowledgement Form are available on our website: www.kiddscreekcondo.ca then "**Legal**"

Short Term Rentals

Short term rentals under six months duration, such as Air B&B, weekend rentals etc. are not permitted. Rental tenants are not permitted to sub-let.

Roadway and Parking

The internal roadway is one-way traffic and is a registered fire route per City of Barrie and Barrie Fire Department and falls under the jurisdiction of the Highway Traffic Act, R.S.O. 1990. The one-way must be adhered to by everyone, including visitors. Persons seen violating the one-way provision may be verbally warned by resident(s) to obey the rule. Consistent violators will have their vehicle make and license number reported to the Barrie Police, as well as Management for further action.

Parking on the roadway is for visitors (not residents) in designated spots only. Parking signs have arrows to help indicate parking spaces. The fire route is clearly marked with signage as well as yellow curbs and vehicles are not to be stopped or parked in the fire route at any time.

Overnight parking is prohibited from November 1st to April 15th. The Corporation has the right to issue fines for illegal parking and they will be issued to the unit owner irrespective of who owns the vehicle. Each unit has two parking spaces, one in the garage and the other on the driveway. If additional parking is required for guests in the winter, the unit owner or vehicle owner is responsible for obtaining off street parking by arranging the use of another owner's driveway (with their permission) or by finding off-site parking.

Vehicles

All vehicles must be currently plated, insured and roadworthy. Maximum passenger size vehicles must fit the unit's driveway. Oversize vehicles are not permitted on the property except for loading and off-loading. "Oversize vehicles" also include transport truck "rigs", dump trucks, busses, camper vans, trailers, etc. Owners of such vehicles must make off-site parking arrangements for the vehicle(s). Recreational vehicles including camper vans, boats on trailers, snowmobiles on trailers, cannot be stored on driveways or common elements.

No vehicle repairs, including oil and fluid changes, are to be done on driveways, in garages or anywhere on the common elements. Any vehicle leaking fluids onto driveways and/or the roadways must be immediately removed from the Corporation's property until vehicle is repaired. If any significant damage, in the opinion of the property manager or the board of directors, occurs to the paved surfaces the unit owner where the vehicle is connected will be liable for costs associated with asphalt pavement repair or replacement.

Any vehicle that is parked in contravention of these parking rules, is not currently plated, not in operating condition, is leaking fluids, etc. and is not immediately removed by the owner at the owner's expense as requested by the Corporation, the Corporation will have said vehicle towed off the property. The Condominium Corporation and its agents shall not be liable for any damage, costs or expenses whatsoever caused in respect to any vehicle so removed from the property. If vehicle owner does not pay charges owing to the towing company and costs are charged back to the Corporation, these costs will be assessed to the unit owner of the offending vehicle plus an additional \$200.00 administration fee.

Seasonal Decorations

Seasonal decorations (such as Halloween and Christmas) must be neat, maintained and removed promptly after the holiday. Halloween decorations are not to be put up prior to October 15th and must be removed within the first week of November. Pumpkins are to be disposed of in your green bin as part of the organics collection within the first week of November.

Christmas decorations are not to be put up prior to December 1st and are to be taken down by the end of January. Christmas lights are to be mounted using clips only – no screws, nails, etc. Owners using screws, nails etc. will be charged for repairs plus a \$50.00 administration fee. Christmas lights and clips may be removed at a warmer time provided they are unplugged but are to be removed no later than the end of March.

Air Conditioning Units

Central air-conditioning units can only be installed in the backyard. This includes end units. Installation must have written approval from the Corporation prior to installation. The compressor must be located on the ground, not on the outside wall. Drilling for the hoses to the furnace must be through the foundation blocks, not through the brickwork.

Window air-conditioning units can only be installed at rear of unit and must be installed using an unobtrusive window bracket that is designed to protect the window track and mounted without using nails or screws. Window fills above or around the air conditioner must be clear Plexiglas or if wood, the outside painted the same cream colour as the building siding. Newer room air-conditioning units that are portable may be placed in the front bedrooms providing the exhaust hose is neatly mounted in a window.

Pets and Animals

No exotic animal or animal that is known to be inherently dangerous is allowed on the property. Barrie By-Law 2010-035 as amended, covers all aspects of animal control and section 17.1.0.0.0 provides a list of exotic animals. The Barrie By-Law permits a maximum of three dogs and six cats per household. However, because of close living within our complex, a maximum of four pets, with a maximum of two dogs, or any combination (for example one dog and three cats, or two dogs and two cats or four cats and no dogs) are allowed per unit. Cats and dogs are not allowed to roam freely and must remain in your unit, back yard or be on a leash. All animals in the unit's back yard must be confined to the unit's back yard and not allowed out the gate or if a cat, able to escape the back yard. Pets restrained on a leash cannot be tied to a tree or stake on the front lawn. Unit property and common elements must be kept free of pet feces at all times and pet owner must, "Stoop and Scoop," when walking an animal.

No farm type animals, such as chickens, pigs, horses, or any wild fowl are permitted and no animal may be permanently housed or caged outside a unit.

Pet feces MUST be cleaned up immediately by pet owners from back yards and common elements regardless of the season. Back yards with feces create a smell and health hazard to other residents. Non-complying owners will receive a warning letter from Management and will have 24 hours to clean up feces. If not completed within 24 hours, Management will arrange for clean-up and the unit owner will be charged for the cleanup. The first offence charge will be \$150.00. Any further inspections by the property manager or by board members or from complaints by other unit owners will not have any further notice issued. Management will arrange for a cleanup and the unit owner will be charged \$300.00 for each subsequent offence.

Recycling, Garbage and Organics

Garbage must be kept in a sealed container or stored in such a manner as to discourage visitation from wildlife. Nothing is to be stored at the front of your unit at any time including garbage bins, green bins, and recycling containers. Garbage, green bins, and recycling is not to be placed at the curb before 6:00 p.m. of the evening prior to collection day and containers must be removed from the curb and put away the same day as collection.

Recycling is picked up by the City of Barrie, on Tuesday morning of each week, except if there is a holiday on the Monday, then recycling is picked up on Wednesday morning. Green bins are picked up by the city of Barrie, on Tuesday morning of each week, except if there is a holiday on the Monday, then green bins are picked up on Wednesday morning. The green bins must be placed at the roadside on Donald Street early in the morning of Tuesday. There is no pickup within the complex.

Recycling, Garbage and Organics (Continued)

A private contractor hired by the Corporation picks up the regular garbage and it will always be on Wednesday unless Christmas or New Year falls on this day. Currently each unit is allowed two green garbage bags but this may change in the near future. Individual composters are not allowed.

Chiminenas, Antennas, Signs Etc.

Chiminenas are not allowed in back yards as smoke will enter windows of adjoining units. BBQ's should be located away from fences in consideration of your neighbour. Also cooking grease can splatter to the fence and ignite the fence.

No antenna, satellite dish, aerial, or similar structure shall be erected or fastened to any unit. Cable services are provided, under contract, with Rogers Cable.

No sign, advertisement or notice is to be affixed or placed on the building or fixed to the common elements without prior written consent of the Corporation, other than the usual signs offering a unit for sale with dimensions not exceeding two feet by three feet.

Mounting flags, garbage bags, newspapers etc. in place of regular window coverings in either front or rear windows or the patio door is not allowed. Flags may be displayed inside or outside on July 1, Canada Day and removed the following day.

No election signs are permitted at individual units. One election sign for each candidate of a federal, provincial or municipal election may be placed at the entrance to the complex but must be free-standing and not be affixed to the fence or building.

Neighbourhood Issues

All owners, residents and guests, shall not create or permit any noise or nuisance which, in the opinion of the Board of Directors or Property Manager, may disturb the comfort or quiet enjoyment of the property by other owners.

This rule is in accordance with City of Barrie By-Law 2006-140 section 5.1.0.

“Notwithstanding any other provision of this by-law, no person shall emit or cause or permit the emission of sound likely to disturb another person in a residential area between 9:00 p.m. of one day and 7:00 a.m. of the following day when the noise is clearly audible at the point of reception.”

Complaints are to be referred to the City of Barrie Police (705-725-7025) and/or By-Law Enforcement (705739-4241) by residents.

For persistent problems, please contact the Management Company.

Unit owners are responsible for their own actions as well as the actions of any other person that they allow or permit to come onto the property, including their children and children's guests. Unit owners who rent units are responsible for their tenants and any persons their tenants allow on the property.

Smoking

There shall be no smoking, as that term is hereinafter defined, anywhere on, within or upon the Units of the Corporation or the common elements of the Corporation (which shall include all exterior common elements of the Corporation, whether designated for the exclusive use of an owner or otherwise, (which includes front and back yards, driveways, walkways, roadway, inner park) except in areas as may specifically be designated by the Board from time to time, if any.

For the purposes of this Rule, "smoking" includes, but is not limited to, the combustion, vaporization and/or inhalation of tobacco or tobacco products, herbal products, cannabis (marijuana) or cannabis products, or such other substances as the Board may prohibit, in its absolute discretion, by any means or method including, but not limited to, cigarettes, cigars, cigarillos, joints, pipes, vaporizers or other means or methods as the Board may prohibit, in its absolute discretion.

Grandfathering Exemption: Residents who, at the time this rule comes into force, and who are smokers (as defined above) may request of the Corporation, in writing, an exemption to the no smoking rule. Residents receiving the grandfathering exemption are limited to smoking within the confines of their unit and as noted below.

Smokers who are grandfathered can smoke only on their exclusive use areas, being the front and rear of their units. Notwithstanding the Grandfathering Exemption, in the event that complaints are received by the Corporation that smoke or smoke odors are entering other units or the common elements as a result of smoking by a resident who is registered in the Smoking Register, and the complaint(s) are not resolved following the receipt of written notice of the complaint(s) from the Board or the Property Manager, the Board and/or the Property Manager may, by written notice, prohibit smoking by the registered resident in the resident's Unit and/or on the exclusive use common elements appurtenant to his/her Unit.

Residents smoking within their unit are recommended to purchase air cleaning equipment, at their personal expense, such as a room or furnace installed air cleaner and keep this equipment cleaned and serviced on a regular basis. The Corporation will provide no financial support for any purchases.

Children

Children are encouraged to play safely on the property. Children must wear a helmet when riding bicycles, skateboards, scooters etc. on the property. Playground equipment is provided in the middle of the complex for the use of our very young children (age 10 and under).

The roadway is for vehicles and children playing on the road must use caution. It is the responsibility of parents or guardians to educate their children about the condominium rules with regards to noise, other people's property, and safety on the roadway.

Children under 16 years of age are the responsibility of their parents or guardians while on the property. The Corporation assumes no responsibility for injury or accident and parents and/or guardians are responsible for supervising their children.

UNIT - INSIDE

No owner shall do or permit anything to be done in or about their unit that may in any way increase the risk of fire such as, but not limited to, overloading electrical circuits or storing flammable material in a hazardous manner.

Most units contain aluminum wiring. Aluminum wiring is safe providing the correct switches and receptacle are used in a proper manner. (Information is available on our website.) Any major upgrades to wiring must be done by or at least inspected by a qualified and licensed electrical contractor. The electrical panel is not to be accessed or modified in any way by unit owners and can only be accessed by a qualified and licensed electrical contractor.

All inside plumbing and fixtures are the responsibility of the unit owner.

Any structural changes in your unit will require a City of Barrie building permit.

The inside water shut off is the unit owner's responsibility for maintenance and replacement, as required. The unit owner is responsible for costs and contacting the City of Barrie Water Department (705-726-4242) if the outside water line must be accessed to shut off the water to the unit.

UNIT - OUTSIDE

Exterior rules are designed to help increase the value of your unit. It is well recognized, especially in the real estate world that first impressions are very important to a potential purchaser. In a condominium uniformity goes a long way in promoting a neat and pleasing look that appeals to prospective buyers.

The windows and patio door belong to the corporation as per the "Standard Unit By-law." The front door is the responsibility of the unit owner for maintenance or replacement.

Window and door screens are the responsibility of the unit owner to maintain and keep in good repair. Windows must be screened. Screens or windows that are damaged are to be reported to the Management. Upon inspection these may be replaced by the Corporation if deemed to be normal wear and tear.

Folding clothes racks, clotheslines or clothes umbrellas are permitted in your back yard or back patio but must be taken down and stored after each use.

Dryer vents and range top vents can only be vented to the rear of the unit and must not be vented within 3 feet of a gas meter. End units must not be vented to the side of end units. Written permission is required from Management prior to any "through the wall" installation of a dryer vent or a range top vent.

Garage doors are the responsibility of the Corporation and those damaged due to normal wear and tear or where lower panels are deteriorating due to age and/or weather will be replaced by the Corporation. Damage caused by the unit owner or others is the responsibility of the unit owner. However, only the Corporation's garage door contractor may repair any garage door damage. Please contact Management for garage door repair.

Garage doors are to be kept closed at all times, other than when someone is working inside the garage. This helps to maintain a neat appearance within the complex.

No one is permitted on any part of the roof at any time.

Outside Changes

No changes may be made to the exterior of your unit without advance written permission from property manager. Nothing is to be attached to the outside of the building except for a hose hanger as noted below.

Exterior Front Door

Door must be made of steel or solid wood construction. Owner has the choice as to style of door, with or without a window. Paint colour must be Benjamin Moore "Mohegan Sage" number 2138-30. Handle – choice by owner. Front door paint may be supplied by the Corporation. Please contact Management.

Storm Door

Must be aluminum and brown in colour. Handle – choice by owner.

Exterior Light Fixtures

Front: Supplied by the Corporation and is not to be changed or altered in any way.

Rear: Supplied by the Corporation on request. Owner may install their own choice, but motion detector lights are not allowed.

Mailbox & Unit Number Sign

Supplied by the Corporation and are not to be changed or altered in any way.

Walkways

Walkways are the responsibility of the Corporation. Unit owners wishing to make any changes to the front walkway must submit plans and a drawing to the Management Corporation for approval prior to any work being done.

Hose Hangers

Hose hangers may be attached to the brick by the tap at the front of your unit but the top is to be no higher than 40 inches from the ground. They are not to be hung on the garage outside wall. The Corporation's preference is to have no hoses at the front of the unit. Taps installed at the front of units were done by previous owners and the taps are the responsibility of the unit owner. A suggestion would be to have a tap installed in your garage along with the hose hanger.

Flower Garden

Flower gardens are the responsibility of the unit owner. Front garden may extend out from the front of the unit up to four feet (4') and down the length of your walkway to a width of one and a half feet (1-1/2') but must not extend past the garage or turn in the walkway.

Alternatively, the space between your walkway and your neighbour may be full garden but must not extend past the garage or the turn in the walkway. If unsure, please consult a director.

Owner is required to keep flower beds tidy, edged and weeded. Gardens not maintained will be removed and replaced with sod and the cost charged to the unit owner.

Flowerpots & Hanging Baskets

Each unit is allowed up to three large pots, that sit on the ground, at the front of unit but not on the grass. They may be placed on your walkway as long as they do not obstruct traffic (mail carrier, paper carrier, etc.) They must not be placed between garages at units with double garages.

Each unit is allowed one hanging basket on the hook already provided as long as the plant is watered and maintained. No other hooks are allowed.

Free standing plant holders such as, "Shepherd's Hooks," or plant stands that hold multiple plants are not permitted at the front of units.

Trellis

At the front of the unit, it must be placed up against the wall but free standing, wrought iron or if wood must be brown in colour. Maximum 5 ft. high and 3 ft. wide.

At the rear of the unit, it is the owner's choice of colour and style. May be free standing or attached to the fence, but not the building.

Arbour

Only permissible in the back yard and requires prior permission from Management.

Fences & Gates:

Must not be painted or altered in any way. Any fences or gates that are painted will be required to be replaced at the unit owner's expense. Hanging pots may be affixed to the fence. Gates are not to be padlocked as entry is required by meter readers, yard staff, and building maintenance.

Front Outdoor Furniture

Each unit may have a small bench or a table and a couple of chairs (not all three) at the front and may be placed on the sidewalk provided they do not obstruct traffic. Furniture cannot be placed on the grass area and umbrellas are not permitted at the front.

Garden Decorations

Not permitted at front of unit. This includes garden gnomes, windmills, little signs, statues, etc. Items not immediately removed by request **will** be removed by the Corporation.

Garden Shed

A garden shed may be erected in a unit's back yard with prior written approval from the Management Corporation. The shed cannot exceed seven feet in height, cannot block access to the unit or gas meters and must be maintained in good order.

Winter Maintenance

The Corporation is responsible for plowing, sanding, and salting the roadway for the complex. Each unit owner is responsible for maintaining their own driveway and pathway free from snow and ice.

Front Yard Garden Layouts

The next page shows recommended layouts of front gardens so that regular grass cutting by the maintenance staff is unencumbered.

