

**YORK CONDOMINIUM CORPORATION NO 323**  
**REVISED CONSOLIDATED RULES AND REGULATIONS**

**Article II**  
**Units and Exclusive Use Common Elements**

1. No owner shall place any reflective or insulating materials or coverings in or on any exterior window or door unless written approval is given by the Board of Directors.
2. Renovations, improvements and other installations,
  - a) Owners should be aware that renovations, improvements and other installations made to their units by them or by former owners and/or residents of the unit are not covered under the corporation's insurance and that they are therefore responsible to obtain any necessary coverage under their personal insurance.
  - b) Any changes or additions that are proposed to the Common Elements or to the "Exclusive Use" Common Elements are subject to Section 98 of the Condominium Act and require a signed agreement with the corporation to be registered on Title *prior to the commencement of any work on the installation.*
  - c) An owner may make, install, or may cause to be made or installed, any fixture, improvement or other installation in his or her unit, and shall be responsible for the cost of the removal and replacement of the same should it be necessary for the maintenance or repair of any common element. No plumbing or electrical alterations within any unit or within any partition, load-bearing or party wall, shall be made without the prior written consent of the Board. The Board reserves the right to require the employment of professional, licensed plumbers and/or electricians who are familiar with hi-rise apartment buildings and the fire code.
  - d) If an owner makes, installs, or has caused to be made or installed, any fixture, improvement or other installation in his or her unit, he or she shall be responsible to obtain and fully comply with the Declaration and By-laws of the Corporation as well as any necessary building, construction and/or other permits (proof of which may be required by the Board.) Nothing in these Rules entitles an owner to Board approval of any particular change, which approval shall be in the absolute discretion of the Board.
  - e) The installation of hardwood and/or tiled flooring is permitted subject to the written approval of the Board which approval will only be granted following provision of a sample and/or technical description of the material being used for impact and sound insulation together with certification, by YCC 323 Management, that the proposed material qualifies for the Impact Insulation Class rating established by the Board at the time of the installation.

*Article II - Units and Exclusive Use Common Elements - continues overleaf*

**YORK CONDOMINIUM CORPORATION NO 323**  
**REVISED CONSOLIDATED RULES AND REGULATIONS**

*Article II - Units and Exclusive Use Common Elements*

f) Regardless of prior written approvals given under e) above, if complaints about noise due to the installation of the hardwood/tile flooring are subsequently received, which the Board, in its sole discretion, may consider to constitute a disturbance to other residents, the Corporation may require the owner of the unit to carpet the areas of concern and/or to take such other remedial steps as may be reasonably necessary, all at such owner's sole expense.

3. The balconies are not part of an owner's suite but are common elements of which an owner has exclusive use. Nothing shall be placed on the balconies without the consent in writing of the Board of Directors provided always that an owner may leave seasonal furniture or plants on a unit's balcony or terrace.

a) Without limiting the foregoing, owners may not cover the balcony floors with glued down carpeting and, if tiles or other permanent coverings are proposed, owners must first obtain the consent in writing of the Board of Directors and will be required to comply with such engineering and materials standards as may have been approved by the Board and, even if consent is given, the Corporation will not be responsible for any damage occurring to such tiling or other covering in the course of maintenance or repair of the exclusive use or non-exclusive use common elements by the Corporation.

b) Owners shall remove and are responsible for removing and replacing such tiling or other covering at the request of the Corporation to permit the Corporation to carry out repairs and/or maintenance of the exclusive use or non-exclusive use common elements.

4. Where an owner has placed seasonal furniture or plants or any other object on or within a balcony or patio area, the owner shall indemnify and save harmless the Corporation from any claim for loss or damage incurred or sustained by the Corporation as a result of such use of the balcony or patio area. An owner must remove any such furniture, plants or other objects when requested to do so by the Corporation, if such removal is required to permit access for the carrying out of repairs or maintenance of the exclusive use common elements by the Corporation.

5. Balconies shall not be used for storage, nor for cooking or barbecuing. .

6. No owner shall enclose any portion of a balcony or patio area.

7. No hanging or drying of clothes is permitted on balconies or patios.

8. No portion of the common elements shall be painted, decorated or otherwise dealt with by anyone other than the Corporation without the express written consent of the Corporation. However, the Corporation may permit owners to paint the concrete surface of balcony walls, ceilings and floors, provided that the paint used is the specific type and colour approved by the Corporation and purchased from the Management Office.

*Article II - Units and Exclusive Use Common Elements - continues overleaf*

**YORK CONDOMINIUM CORPORATION NO 323**  
**REVISED CONSOLIDATED RULES AND REGULATIONS**

*Article II- Units and Exclusive Use Common Elements*

9. Each owner shall deposit with the Management Office one duplicate of each key necessary to allow access to that owner's unit, to be kept and used only according to a strict procedure laid down by the Board of Directors to safeguard individual privacy and security.
10. The Corporation, or any insurer of the property or any part thereof, their respective agents, or any other person authorized by the Board, shall be entitled to enter any unit or any part of the common elements over which any owner has the exclusive use, at reasonable times and upon giving reasonable notice, for the purpose of making inspections, adjusting losses, making repairs, correcting any conditions which violate the provisions of any insurance policy or policies, remedying any conditions which might result in damage to the property, or carrying out any duty imposed upon the Corporation.
11. In case of an emergency, an agent of the Corporation may enter a unit at any time and without notice, for the purpose of repairing the unit, common elements or part of the common elements over which any owner has the exclusive use, or for the purpose of correcting any conditions which might result in damage or loss to the property. The Corporation or anyone authorized by it may determine whether an emergency exists.
12. If an owner shall not be personally present to grant entry to the unit, the Corporation, or its agents, may enter upon such unit without rendering it, or them, liable to any claim or cause of action for damage by reason thereof, provided that reasonable care is exercised by the Corporation or its agents.
13. The rights and authority hereby reserved to the Corporation, its agents, or any insurer or its agents, do not impose any responsibility or liability whatever for the care or supervision of any unit except as specifically provided in the Declaration or the By-laws.
14. No owner shall permit an infestation of pests, insects, vermin or rodents to exist at any time in a unit or adjacent common elements. Owners shall immediately report to the Property Management Office all incidents of pests, insects, vermin or rodents.
15. Upon receipt of at least one (1) week's notice in writing, each unit owner shall permit entry to his or her unit for the purpose of the conducting of pest control operations including any spraying program. Each unit owner shall prepare the unit in the manner prescribed in the aforesaid notice and shall permit and facilitate entry into the unit by any pest control personnel authorized by the Board and shall cooperate in order to carry out the full intent of this Rule.

*Article III - Common Elements follows overleaf*