

Rules, Regulations & Renovations

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If you have never lived in a Condominium before, the Declaration, By-laws, Rules & Regulations can take some getting used to. Specifically, the legalese language can make them a little challenging to read. At GPM we always encourage Owners to feel safe to clarify with their Condominium Manager.

Let's start with the hierarchy of the governing documents for Condos in Ontario:

Condominium Act, 1998

Declaration

By-laws

Rules & Regulations

** It should be noted that all of the above governing documents can be superseded by the Human Rights Code.*

The Condominium Act, 1998 The Condominium Act of 1998 is Ontario Legislation that falls at the top of the hierarchy. The Condominium Act applies to and regulates all Condominium Corporation's in Ontario. The Condo Act is where we find all of the requirements for all of the other governing documents (detailed below), how they are created and amended, and the obligation that they be consistent with the Condo Act.

The Declaration : The Declaration is a legal document that creates a Condominium Corporation once the Declarant registers it with the Land Registry Office. The Declaration is often considered the constitution of a Condo Corporation. Declarations are difficult to amend since it would require a majority of Owners to vote in favour of proposed changes. Declarations have improved over the years, and they will generally include a lot of the same very important information and schedules.

Owners should always familiarize themselves with the Declaration, and specifically the following Schedules:

Schedule C: This schedule explains the unit boundaries. Owners/Managers and the Board will use this to determine where responsibilities fall when it comes to repairs.

Schedule D: This schedule lists the contributions for each residential unit to the common elements, and will be expressed in a percentage. There will be percentages for the residential units, but there may also be percentages for parking and locker units as well (if they are owned, instead of exclusive use).

Schedule E: This schedule will breakdown for owners what is included in their common element fees.

The By-laws The By-laws are often considered the administrative guide to governing the Condominium Corporation. They will include guidelines for so many key aspects of how the Condo will govern itself. The Corporation's By-laws come into play quite a lot, and from time to time the Board may amend or add new By-laws. When they do so, it will need to be voted on by the Owners.

Important! Standard Unit By-law – Many Condominiums have a standard unit by-law, but some older Condominiums may not. This is a very important by-law when it comes to insurable losses. For example, if a residential unit had major damages caused by a flood, the Corporation would intervene to restore the unit (often this would include opening a claim with the commercial insurance policy). The unit would be restored according to the provisions in the standard unit by-law. This is important to unit Owners that may have had upgrades in their unit. For upgrades the Owner may have to pay out of pocket or involve their insurance provider.

Rules & Regulations:

Most often the rules will be in more plain language, and are a guide to how the Condo runs day-to-day. Rules are intended to maintain safety, and promote a harmonious place to live. The rules should be fair, and consistent with the Condo Act. Condo rules should never discriminate.

The Rules are the easiest document for the Board to amend or add to. Once the Board approves a new rule/rule amendment, they would circulate it to all Owners for their review. If an Owner disagrees with the proposed rule, they would then requisition an Owner's Meeting to hold a vote. If this does not happen, the rule comes into effect 30 days after it was distributed to the Owners.



Tips for a Safe & Enjoyable Condominium Experience

Renovation Rules

To keep neighbourly peace, Condos usually have rules for renovations. Before Owners plan any renovations, they should reach out to their Condominium Manager to learn all the ins & outs. Common rules will include times of day for noisy work, booking the service elevator, maintaining cleanliness in the common elements, and waste disposal. Most often, renovation waste will have to be removed from site by the Owner or their contractor, and commonly most Condos do not allow renovations on Sundays. There are a few renos that may require Board approval first, such as taking down a wall. When in doubt you should ask the Manager or write to the Board.

[Review the CAO Website for more information on the governing documents](#)



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