

Schedule "A"

**CARLETON CONDOMINIUM CORPORATION NO. 67**

**BY-LAW NO. 14**

BE IT ENACTED as By-Law No. 14 (being a by-law to amend By-law No. 12) of CARLETON CONDOMINIUM CORPORATION NO. 67 (hereinafter referred to as the "Corporation") as follows:

**ARTICLE I.  
DEFINITIONS**

All words used herein which are defined in the *Condominium Act, 1998*, as amended, or any successor thereto (the "Act"), shall have ascribed to them the meanings as set out in the Act.

**ARTICLE II.  
AMENDMENTS TO BY-LAW NO. 12**

The corporation's By-law No. 12 is hereby amended by adding the following items 19 and 20 to Article III of the said By-law No. 12:

19. Shrubs and trees in exclusive-use areas:

[NOTE: Certain shrubs and trees have been installed by the corporation in exclusive-use areas. Those shrubs and trees will be repaired and maintained (including replacement, if required) by the Corporation. Those shrubs and trees are currently listed in Schedule "1" attached hereto.

This "List of Condominium Trees, Shrubs and Fences Installed by the Corporation in Exclusive Use Common Elements" (Schedule "1") shall be maintained by the corporation and up-dated any time such trees and shrubs are removed or replaced. A copy of this Schedule, in its then current form, shall be attached to each status certificate issued by the corporation.

All other shrubs and trees in exclusive-use areas are modifications by owners.]

20. Fences, hedges, gates, shrubs, and similar features which serve to delineate the "back boundary" of exclusive-use rear yards. [NOTE: The original construction included fences along the side boundaries of all exclusive-use rear yards. Those side fences are repaired and maintained by the corporation. Certain fences along the back boundaries of exclusive-use rear yards were included in the original construction. Those back boundary fences are listed in Schedule "1" hereto and are repaired and maintained (including replacement, if required) by the Corporation. All other fences along the back boundaries of exclusive use rear yards are modifications by owners. (Owners are permitted to make certain modifications in order to delineate that back boundary, subject to the terms of this by-law.)]

[FURTHER NOTE: Although it is not obligated to do so, the corporation may, on occasion (at its expense and provided the corporation gives reasonable notice to the owner in question) carry out the following work:

- Limited pruning or shaping of trees, shrubs or hedges which are the responsibility of owners under the terms of this by-law. (This would primarily involve clearance pruning near buildings, lights, signs, walkways, driveways, roadways, pathways, utility structures or any other structures or plants.);
- Minor pruning or trimming (minor 'shaping') of hedges or shrubs which delineate back boundaries of exclusive-use areas;

- Painting or staining of fences or gates which delineate the back boundaries of exclusive-use rear yards, and which are the responsibility of owners under the terms of this by-law.

However, the corporation is under no obligation to carry out such work. These features are the responsibility of the owners, as described herein.]

### ARTICLE III. MISCELLANEOUS

1. Invalidity: The invalidity of any part of this by-law shall not impair or affect in any manner the validity and enforceability or effect of the balance thereof.
2. Waiver: No restriction, condition, obligation or provision contained in this by-law 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 occur.
3. Headings: The headings in the body of this by-law form no part thereof but shall be deemed to be inserted for convenience of reference only.
4. Alterations: This by-law or any part thereof may be varied, altered or repealed by a by-law passed in accordance with the provisions of the Act, and the Declaration.
5. Copyright: This document was prepared by Nelligan O'Brien Payne LLP exclusively for the Corporation. © All rights reserved (on behalf of Nelligan O'Brien Payne LLP).

The foregoing by-law is hereby passed by the Directors and confirmed by the owners pursuant to the *Condominium Act*, 1998 of Ontario.

DATED this 9 day of December, 2005.

#### CARLETON CONDOMINIUM CORPORATION NO. 67

  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

I have authority to bind the Corporation.

## SCHEDULE 1, BY-LAW 14

### List of Condominium Trees, Shrubs and Fences Installed by the Corporation in Exclusive Use Common Elements

NOTE: This listing includes both the numerical sequence identification and municipal addresses of condominium units for the Bethune Condominium (CCC # 67). Front-yard condominium shrubs and trees are identified with the viewer standing at the roadway and facing the front of each unit. Back yard trees and back yard rear fences are listed with the viewer standing at the back wall of each unit and facing out toward the back property line. There are no condominium shrubs in back yards.

Issue Date: May 2, 2006

Schedule 1 Updates shown in brackets: last updated July 21, 2010

[Note: some trees and plants not replaced at poor locations; some rear fences removed or replaced by owners]

<b>Bethune Condominium Schedule 1 to Bylaw 14</b>				
Unit #	Street Address	Front Yard	Back Yard	Fences
001	2 Chisholm Ct	Cedar at Left of Entry, White Birch Clump		
002	4 Chisholm Ct	Japanese Lilac tree centered between 4 & 6 Chisholm		
003	6 Chisholm Ct	Lilac shrub at left of entrance; Japanese Lilac tree centered between 4 & 6 Chisholm		
004	8 Chisholm Ct			
005	10 Chisholm Ct			
006	12 Chisholm Ct	Globe cedar shrub at driveway	Maple tree near rear boundary [removed 2008]	
007	14 Chisholm Ct	Red cedar tree at walk; Red cedar tree at driveway		
008	16 Chisholm Ct	Sherbet Chokecherry tree beside driveway		
009	18 Chisholm Ct	White cedar trees grouped near walkway, pruned as hedge		

Unit #	Street Address	Front Yard	Back Yard	Fences
010	20 Chisholm Ct		Amur Maple mid-yard [was listed in front yard, corrected 2010]	
011	37 Chisholm Ct		Maple tree ¾ back toward rear boundary [removed and replaced with Serviceberry 2008]	
012	35 Chisholm Ct	Blue Spruce tree centered between 33 & 35 Chisholm	Maple tree, back toward rear boundary [removed and replaced with Serviceberry 2008]	
013	33 Chisholm Ct	Blue Spruce tree centered between 33 & 33 Chisholm		
014	31 Chisholm Ct			
015	29 Chisholm Ct			
016	27 Chisholm Ct	White Birch Clump [removed and replaced with Japanese Lilac 2007]		
017	25 Chisholm Ct	Red cedar tree at left corner of building		
018	23 Chisholm Ct			
019	21 Chisholm Ct			
020	19 Chisholm Ct	Leafy shrubs in row at right of entrance		
021	17 Chisholm Ct			
022	15 Chisholm Ct	Honeysuckle shrub grouping at left corner of building		Full Rear Fence
023	13 Chisholm Ct	Japanese Lilac tree centered between 13 & 11 Chisholm		Full Rear Fence
024	11 Chisholm Ct	Japanese Lilac tree centered between 13 & 11 Chisholm	Ash tree near rear boundary	Full Rear Fence
025	9 Chisholm Ct			Full Rear Fence
026	7 Chisholm Ct			Full Rear Fence

Unit #	Street Address	Front Yard	Back Yard	Fences
027	5 Chisholm Ct			Full Rear Fence
028	3 Chisholm Ct	Virburnum shrub at left of walk		Full Rear Fence [not a condominium fence; was installed by former owner]
029	1 Chisholm Ct	Virburnum shrub at right corner of building		[No rear fence at this location]
030	1 Bethune Way			
031	3 Bethune Way	Leafy shrub centered between 3 & 5 Bethune Way		
032	5 Bethune Way	Leafy shrub centered between 3 & 5 Bethune Way		Partial Rear Fence [removed and replaced by owner's full rear fence in 2005]
033	7 Bethune Way			Partial Rear Fence
034	9 Bethune Way	Red cedar tree at left corner of building		Partial Rear Fence
035	11 Bethune Way	Ash tree mid-right of yard		Partial Rear Fence
036	13 Bethune Way	Red cedar tree [removed and replaced with white cedar 2008] right of entrance; Globe cedar shrub mid-yard	Maple tree at right rear corner	Partial Rear Fence
037	15 Bethune Way	Globe cedar shrub at left of walk		Partial Rear Fence
038	17 Bethune Way			Partial Rear Fence
039	19 Bethune Way			Partial Rear Fence
040	21 Bethune Way	Ash tree near roadway		Partial Rear Fence
041	23 Bethune Way			Partial Rear Fence
042	25 Bethune Way		Maple tree at rear boundary	Partial Rear Fence [Replaced by owner's full rear fence in 2005]
043	20 Bethune Way		Maple tree at left rear corner	

Unit #	Street Address	Front Yard	Back Yard	Fences
044	22 Bethune Way			
045	24 Bethune Way	Ash tree centered between 24 & 26 Bethune Way [removed and replaced with Japanese Lilac 2007]		
046	26 Bethune Way	Ash tree centered between 24 & 26 Bethune Way [removed and replaced with Japanese Lilac 2007]	Maple tree at rear boundary	
047	28 Bethune Way			
048	30 Bethune Way			
049	32 Bethune Way		Ash tree 2/3 back toward rear boundary	
050	34 Bethune Way			
051	36 Bethune Way			
052	38 Bethune Way			
053	40 Bethune Way			
054	42 Bethune Way			
055	44 Bethune Way			
056	46 Bethune Way			
057	48 Bethune Way			
058	29 Bethune Way	Mugho pine shrub at right of walk		Partial Rear Fence
059	31 Bethune Way			Partial Rear Fence
060	33 Bethune Way	White cedar tree at right of entrance [removed 2008]		
061	35 Bethune Way	Red cedar at left of entrance		
062	7 Selye Crescent	Anthony Waterer spirea shrubs (3) near roadway [2 died in 2007, 1 remains]		
063	5 Selye Crescent			
064	3 Selye Crescent			
065	1 Selye Crescent			

Unit #	Street Address	Front Yard	Back Yard	Fences
066	30 Best Way	Gold Flame spirea Shrubs (2) near driveway		Partial Rear Fence [removed and replaced with owner's hedge]
067	28 Best Way			Partial Rear Fence
068	26 Best Way	Japanese Lilac tree mid-yard		Partial Rear Fence
069	24 Best Way			
070	22 Best Way	Japanese Lilac tree centered between 22 & 20 Best Way [removed 2008]		Partial Rear Fence
071	20 Best Way	Japanese Lilac tree centered between 22 & 20 Best Way [removed 2008]		Partial Rear Fence
072	18 Best Way	White cedar tree at left of walk [ removed 2007]; Globe cedar shrub at left of walk [removed 2008]	Maple tree 3/4 back, near right rear boundary	Partial Rear Fence
073	16 Best Way			Partial Rear Fence
074	1 Best Way	Ash tree at mid-point of right boundary		
075	3 Best Way			
076	5 Best Way	Amur Maple tree centered between 5 & 7 Best Way		
077	7 Best Way	Amur Maple tree centered between 5 & 7 Best Way		
078	9 Best Way	Maple tree centered between 9 & 11 Best Way		
079	11 Best Way	Maple tree centered between 9 & 11 Best Way		
080	13 Best Way	Spreading yew shrub at left of entrance		
081	15 Best Way		Maple tree 2/3 back near left boundary	
082	17 Best Way	Japanese Lilac Tree Mid Yard		

Unit #	Street Address	Front Yard	Back Yard	Fences
083	19 Best Way	Flowering Crab tree centered between 19 & 21 Best Way	Ash tree, 3/4 back to left	
084	21 Best Way	Flowering Crab tree centered between 19 & 21 Best Way		
085	23 Best Way	Gold- Flame spirea Shrubs (3) near drive-way		
086	25 Best Way	Sherbet Chokecherry tree mid-yard		
087	27 Best Way	Japanese Lilac tree centered between 27 & 29 Best Way	Ash tree on rear boundary	
088	29 Best Way	Japanese Lilac tree centered between 27 & 29 Best Way		
089	31 Best Way			
090	12 Selye Crescent	Upright yew tree mid-yard		
091	10 Selye Crescent			
092	8 Selye Crescent	White cedar tree at right of entrance		
093	6 Selye Crescent	Upright yew at left of walk		
094	4 Selye Crescent			
095	2 Selye Crescent	Creeping Juniper shrub at left corner of building		
096	9 Selye Crescent			
097	11 Selye Crescent	Ash tree centered between 11 & 13 Selye	Ash tree inside left rear corner	
098	13 Selye Crescent	Ash tree centered between 11 & 13 Selye		
099	15 Selye Crescent	Amur Maple tree mid-yard		
100	17 Selye Crescent			
101	19 Selye Crescent	Leafy shrubs (2) at left of entrance [ 1 died in 2007, 1 remains]		
102	14 Selye Crescent			
103	16 Selye Crescent	White cedars at right of		



Unit #	Street Address	Front Yard	Back Yard	Fences
		entrance, pruned as large shrub		
104	18 Selye Crescent	Ash tree near road		
105	20 Selye Crescent			
106	22 Selye Crescent		Native lindens (2), 3/4 back toward rear boundary [removed 2009]	
107	21 Selye Crescent	Globe cedar shrub at left of walk; Spreading yew shrub near driveway		
108	23 Selye Crescent	White Birch mid yard [removed and replaced with Weeping Birch 2008]		
109	25 Selye Crescent	Ash tree centered between 25 & 27 Selye [removed and replaced with Japanese Lilac 2007]		
110	27 Selye Crescent	Ash tree centered between 25 & 27 Selye [removed and replaced with Japanese Lilac 2007]		
111	51 Bethune Way			
112	53 Bethune Way			
113	55 Bethune Way			
114	57 Bethune Way	Japanese lilac tree centered between 57 & 59 Bethune Way		
115	59 Bethune Way	Japanese lilac tree centered between 57 & 59 Bethune Way; Upright yew tree at right of entrance		
116	61 Bethune Way			
117	63 Bethune Way	Upright yew tree at right of entrance		

Unit #	Street Address	Front Yard	Back Yard	Fences
118	19 Gingras Court	Lilac clump shrub to left of entrance		
119	17 Gingras Court			
120	15 Gingras Court			
121	13 Gingras Court			
122	11 Gingras Court	Lilac clump between 11 & 9 Gingras		
123	9 Gingras Court	Lilac clump between 11 & 9 Gingras		
124	7 Gingras Court			
125	5 Gingras Court		Maple tree at right rear	
126	3 Gingras Court			
127	1 Gingras Court			