

Caution:

This consultation draft is intended to facilitate dialogue concerning its contents. Should the decision be made to proceed with the proposal, the comments received during consultation will be considered during the final preparation of the regulation. The content, structure, form and wording of the consultation draft are subject to change as a result of the consultation process and as a result of review, editing and correction by the Office of Legislative Counsel.

CONSULTATION DRAFT

ONTARIO REGULATION

to be made under the

CONDOMINIUM ACT, 1998

Amending O. Reg. 179/17

(CONDOMINIUM AUTHORITY TRIBUNAL)

1. (1) Subsection 1 (1) of Ontario Regulation 179/17 is amended by striking out “and” at the end of clause (b) and by adding the following clauses:

- (d) subject to subsection (3), a dispute with respect to subsection 117 (2) of the Act or section 26 of Ontario Regulation 48/01 (General); and
- (e) subject to subsection (3), a dispute with respect to any of the following provisions of the declaration, by-laws or rules of a corporation:
 - (i) Provisions that prohibit, restrict or otherwise govern the activities described in subsection 117 (2) of the Act or section 26 of Ontario Regulation 48/01 (General).

- (ii) Provisions that prohibit, restrict or otherwise govern any other nuisance, annoyance or disruption to an individual in a unit, the common elements or the assets, if any, of the corporation.
- (iii) Provisions that prohibit, restrict or otherwise govern pets or other animals in a unit, the common elements or the assets, if any, of the corporation.
- (iv) Provisions that prohibit, restrict or otherwise govern an automobile, motorcycle, van, truck, trailer, bus, mobile home, farm tractor, bicycle, motor-assisted bicycle, motorized snow vehicle, motorboat, rowboat, canoe, kayak, punt, sailboat, raft, aircraft, device used to facilitate the transport of a person with a disability, or any other vehicle drawn, propelled or driven by any kind of power, including muscular power, in a unit, the common elements or the assets, if any, of the corporation.
- (v) Provisions that prohibit, restrict or otherwise govern the parking or storage of items in a unit, an asset, if any, of the corporation, or any part of a unit, an asset or the common elements, that is intended for parking or storage purposes.
- (vi) Provisions that govern the indemnification or compensation of the corporation, an owner or a mortgagee regarding a dispute described in clause (d) or this clause.

(2) Section 1 of the Regulation is amended by adding the following subsection:

(3) Clauses (1) (d) and (e) do not apply to a dispute that is also with respect to subsection 117 (1) of the Act, an agreement described in clause 98 (1) (b) of the Act or an agreement described in subsection 24.6 (3) of Ontario Regulation 48/01 (General) made under the Act.

Commencement

2. (1) [Commencement]