

58. PRIVACY AREAS AND PARKING AREAS

Privacy and parking areas shall be governed by the following terms:

- a) The Owner of a Unit shall have the exclusive use of any balcony or patio area immediately adjacent and affixed to his Unit to which he has sole access which shall constitute a Privacy Area granted to an Owner pursuant to Bylaw 5. Any landscaping or decoration of balconies or patios may only be carried out after the express written consent of the Board has been obtained therefore and the maintenance of such approved landscaping or decoration shall be the sole responsibility of those Owners who have their exclusive use.
- b) The Board may, in addition to other restrictions set out in these Bylaws, specify and limit the nature and extent of the use or uses of any such Privacy Area assigned or designated by it hereunder.
- c) While any such Privacy Area is not included in the Condominium Plan as part of a Unit, and shall not be deemed to be an area leased pursuant to Section 50 of the Act, any such Privacy Area shall be maintained day to day in a clean and sightly condition at the sole expense of the Owner to whom it has been assigned PROVIDED THAT the Board shall be responsible for clearing slush, snow and debris from the roadway, parkade ramps, common walkways, front entrances, and outside parking areas, sweeping the parkades and structurally maintaining fences, parking areas, parkade ramps, balconies, patios and walkways to a standard considered reasonable by the Board.
- d) If an Owner shall fail to properly maintain any such Privacy Area assigned to him after ten (10) days' notice to him to correct any maintenance problem set forth in said notice from the Board, then the Board or its representative may order the maintenance corrected and the Owner affected shall reimburse the Board for all monies expended and all costs incurred in order to rectify said maintenance problem and pay interest thereon at the Interest Rate after demand for payment.
- e) The term Privacy Area does not include any fence, rail, wall or similar structure, concrete or asphalt bordering any designated Privacy Area.
- f) The Corporation, at its option, may require an Owner to pay electrical charges for and in connection with any plug-in facility where such plug-in facility is not metered to the Unit of an Owner who is using such plug-in facility.
- g) The Corporation and its servants and agents shall, notwithstanding the grant of any right, licence or privilege of exclusive use of any area to any Owner, have and enjoy free and uninterrupted right at any and all times and from time to time to enter upon, pass and repass over, and occupy any and all parts of such Privacy Area for the purpose of carrying out any of the duties or functions of the Corporation.