

Living in Summer Gardens

This summary is provided for the guidance of owners and residents of Summer Gardens. However, the actual terms are contained in the Declaration, By-laws, and Common Element Rules of Summer Gardens, and in case of any discrepancy, those documents will govern.

Living in a Condominium

A condominium unit is a strange sort of property. What you actually own is a hollow space in the air, often many stories above the ground. Everything else – the structure of the building including the exterior walls of your unit, the indoor and outdoor public areas, the elevators, and all the other shared facilities - are the “common element”. As a unit owner, you also have a fractional interest - in Summer Gardens, 0.8130%¹ - in those common elements, in common with all other owners.

Owners have rights and duties to the condominium corporation and to each other. A condominium is a community, and we depend on each other. We have rules, but more important than any rule is respect and consideration for our neighbours.

Management of Summer Gardens

Summer Gardens (Halifax County Condominium Corporation No. 130) is governed by the *Condominium Act* and Regulations, our **Declaration** (which is essentially the constitution of our condominium), and our **By-laws**. We also have **Common Element Rules** governing activities in and around the property.

The Corporation is managed by a Board of Directors elected by the owners. The Board has engaged a professional property management company (Real Estate 360 Property Advisors Ltd.) to manage our affairs and has hired a Building Operations Manager to provide on-site management. The Board has also engaged the Canadian Corps of Commissionaires to provide 24-hour attendance in the building.

While our Building Manager and the Commissionaires are always very helpful, please understand that individual owners do not have authority to give them instructions.

An annual general meeting of owners is held every year in October or November, at which financial reports are presented and the Directors are elected. Special meetings of owners or residents can be called from time to time if there is a reason to do so.

Owners or residents who have questions or concerns can contact the Building Manager or any of the members of the Board.

¹ A few larger units have a greater interest.

Common elements

The “common elements” include all parts of the property that is not included in the individual units – the outside areas, the lobbies, the elevators and corridors, etc. Certain areas that are for the sole use of residents of one unit (such as the balcony adjacent to the unit, the designated parking spot, and storage locker) are “exclusive use common elements”. The Corporation has made **Common Element Rules** governing the common elements, including the exclusive-use common elements, and you should be familiar with these. Much of the information in this memo is based on these Common Element Rules.

Condominium Fees

All owners share in the operating cost of Summer Gardens through their monthly fees. Our fiscal year is the year ending June 30. Each spring the Board prepares the budget for the upcoming year and sends it to all owners by June 1. This shows the new fees effective July 1.

The monthly amounts include a contribution to the Reserve Fund, which is maintained by Summer Gardens as a reserve for future building renovation costs, in accordance with the Reserve Fund Study prepared by our engineer. The corporation also maintains a Contingency Fund as a buffer against unanticipated operating expenses and to fund small expenditures that are not included in the Reserve Fund Study.

All owners must provide a payment mechanism for their condominium fees. While you can choose to provide a series of twelve postdated cheques, most owners find it convenient to provide pre-authorization for the fees to be drawn from their bank account. If you need documents to do that, see the Building Manager.

Cars and Parking

Each unit has an assigned parking space. Be sure to use only your designated space – all spaces, both in the basement garage and the back driveway, are assigned to someone. Note that the parking spaces are for parking of vehicles only, not for storage. Only a small grocery cart can be left in the parking space.

Please be considerate in how you park, leaving space for your neighbour.

The guest parking spaces in the front driveway are for visitors only – do not park there.

Always drive slowly and carefully with your headlights on in the parking garage. Be careful as you enter the garage from the ramp – cars leaving the garage have priority, and cars entering must yield.

Always use your fob or remote entry device when you enter the garage, even if another resident has entered ahead of you and the door is open. This enables the

Commissionaires to track who has entered the garage and ensure that there are no unauthorized entries.

Please pause as you enter or leave until the garage door closes behind you to ensure no intruders enter the parking garage while the door remains open. A thief once entered the garage this way and got into several vehicles.

Each year we bring in a contract cleaner to sweep and scrub the garage floor. On those days all owners must remove their cars. Please ensure that if you are away, someone will be able to remove and replace your car.

Storage Lockers

Each unit has an assigned storage locker in the locker area on the basement level. You can provide your own padlock for your locker. Lockers must not be used to store flammable or explosive materials of any kind, or materials that are likely to attract pests.

Materials should not be stored higher than the top of the plywood walls to comply with fire regulations about storing nothing that might interfere with sprinklers.

Construction

Any construction work to be done in Summer Gardens must be approved in advance by the Board. A request form is available from the Building Manager. Work approval is subject to various conditions that will be set out in the approval letter – read it carefully. In particular, work must be done only during designated hours, Monday to Friday, and you must give advance notice of noisy work (demolition, tile removal, use of impact or power tools) to the Building Operations Manager. You or your contractor should be familiar with these rules and should consult closely with the Manager.

Moving in or out; furniture deliveries

All heavy moves or deliveries must be through the back driveway and the back door – not through the lobby. The elevator must be booked with the Building Manager.

Mail and Deliveries

Canada Post delivers the mail to your mailbox in the room on the ground floor. The Commissionaires can accept parcel deliveries on behalf of residents and will notify you that they can be picked up at the front desk.

Waste Management in Summer Gardens

Summer Gardens fully supports Halifax Regional Municipality's recycling program and we have always had a very high level of compliance. Residents sort their waste and

dispose of it in the separate bins in the Recycling Room in the basement level. Waste haulers remove the material regularly.

There is a garbage chute accessible on each floor. However, this is to be used only for non-recyclable, non-compostable materials - “residual garbage” - which should be only a small fraction of your total waste. *All other waste must be taken to the recycling room in the basement and deposited in the appropriate bin.*

Waste must be separated into:

- Organic Compostable material
- Paper
- Corrugated cardboard
- Recyclable materials
- Residual garbage

Instructions for sorting waste materials are set out in the attached HRM document², but here are some tips for Summer Gardens disposal:

Organic Compostable Material

Simply dump your compost container in the designated bins. You can put it in paper bags or paperboard boxes (like a cereal box) but not plastic bags. Do not use non-paper bags, even if they are labelled “compostable”.

Paper

Clean paper of all kinds, including shredded paper, should be placed in plastic bags. (These bags are required by HRM.) “Paper” includes molded pulp (i.e., egg cartons) and non-corrugated cardboard (cereal boxes, cracker boxes etc.).

Corrugated Cardboard

Corrugated cardboard boxes – but please flatten them before placing them in the bin.

Recyclable materials

These include refundable beverage containers, and recyclable milk cartons, metal cans or other metal items, glass, and recyclable plastic items. These should be placed in blue bags and deposited in the appropriate bin. Please flatten plastic containers (like soft drink bottles) to save space. Please do not leave returnable bottles - or anything else - on the floor beside the recyclables bin.

² <https://cdn.halifax.ca/sites/default/files/documents/home-property/garbage-recycling-green-cart/Condo%20-%20English%202020.pdf>

Residual Wastes ("Garbage")

Waste that is neither compostable nor recyclable (but not including the special materials mentioned below) can be disposed of in the general garbage bin in the room beyond the Recycling Room. Garbage can also be deposited from the chute on each floor of the building. Garbage should be disposed of in *clear plastic bags*.

It is important that only eligible garbage be put in the garbage bin. HRM can refuse to accept bags with inappropriate items and can issue tickets to the condominium.

Other materials

As described in the HRM document, certain materials (such as paint, chemical solvents, or electronic devices) cannot be disposed of through our Recycling Room and should be taken to specialty disposal facilities in the city. See the HRM publications about what must be disposed in this way and where the special facilities are.

There is a small canister near the door of the Recycling Room for batteries. This is for **small batteries only**. It is taken to a battery recycling facility by a volunteer, not by the waste removal crew. **Do not leave anything other than small batteries in this area.**

The Blue Room

The Blue Room is our function room on the ground floor, adjacent to the lobby, and it has a kitchenette. The Blue Room can be reserved for private functions. See the Commissionaire on duty to make a reservation. The person booking an event is responsible to clean up. Events in the Blue Room may access the garden patio and barbecue, but these areas cannot be booked for exclusive use.

Fire or other emergencies

Summer Gardens is a sprinklered building and is equipped with fire alarms and an emergency announcement system. There are smoke detectors in all units. Familiarize yourself with the layout of your floor – the location of fire alarm pulls and fire extinguishers.

Noise

Summer Gardens is a community, and we are considerate of each other. Residents must be careful not to make noise that would disturb other residents, including loud music or television. Many residents work from home from time to time.

Smoking

Summer Gardens is a non-smoking condominium and smoking or vaping of any products in the units or common areas is prohibited. Smoking is permitted in the designated area outside the back door.

Barbecues

Barbecues are not permitted on the balconies. However, a barbecue is provided for residents in the North Garden patio. The North Garden can be reached from the Blue Room or through the North Fire Exit on the ground floor. You will need your key fob to re-enter the building through the North Fire Exit. Please carefully clean the barbecue after you use it.

Insurance

While the condominium corporation maintains insurance on the common elements and the basic structure of the units, owners are advised to have their own insurance on their improvements and contents with appropriate personal liability coverage. Consult an agent who is familiar with condominiums.

Owners who cause such losses to the common elements of the building are responsible for the deductible amount under the condominium's insurance policy, and our insurers have been raising the deductible for water damage (\$50,000 in 2023!) Be sure that your individual insurance policy covers this potential liability - some insurers have capped their coverage at an amount lower than this, and you should take this up with your insurer.

Water Damage

Water damage is the biggest source of insurance claims in condominiums and we must all take care to prevent incidents.

The most common source of water damage is failure of a hot water heater. Most hot water heaters have an expected life of ten years, and because corrosion takes place from the inside, the first indication of a problem can be a catastrophic failure. Please ensure that your hot water heater is replaced by its "best before" date. Some insurers now deny coverage for losses from water heaters that are over ten years old.

Another potential source of losses is failure of the water line that connects to the water dispenser in your refrigerator, if you have one. You should inspect this to ensure it is in good repair.

There is a water shut-off valve in the ceiling outside each unit door. Many owners have had a shut-off valve installed inside their units, which permits them to shut off the water while they are away for an extended time, avoiding the risk of a water loss.

Absences

It is a good idea to tell the Commissionaires when you plan to be away. This information helps the Commissionaires in their surveillance of the building and will be made available to the emergency services in case of an emergency.