

**AMENDMENT TO DECLARATION AND
DESCRIPTION TO CREATE A PHASE**

(subsection 146 (3) of the Condominium Act, 1998)

Condominium Act, 1998

**WATERLOO STANDARD CONDOMINIUM CORPORATION NO. 796
(the "Corporation")**

AMENDMENT TO DECLARATION

Will-O Homes (C.S.) Inc. states that:

1. The board has been elected at a meeting of owners held on the 26th day of February, 2025, at a time when Will-O Homes (C.S.) Inc., the declarant, did not own the majority of the units.
2. More than 60 days have passed since the registration of the declaration and description or the registration of the latest amendments to the declaration and description creating a phase, whichever is the later.
3. More than 60 days have passed since Will-O Homes (C.S.) Inc., the declarant, delivered to the Corporation the documents described in clauses 149 (1) (a), (b) and (c) of the *Condominium Act, 1998*.
4. There is no outstanding application to the Superior Court of Justice for an injunction under subsection 149 (2) of the *Condominium Act, 1998* and the Superior Court has not issued an injunction to prevent the registration of the amendments creating the phase.

The declaration of Waterloo Standard Condominium Corporation No. 796 registered as Instrument No. WR1598820 on the 7th day of October, 2024 (known as the "Declaration"), is amended as follows:

1. Article VII is amended by adding the following provision:
 14. If there are additional common element parking spaces after one (1) space has been allocated to each Unit (the "Additional Parking Spaces"), the Declarant, while it owns any Unit within this condominium plan, and thereafter the Board is permitted to lease the Additional Parking Spaces to Unit Owners as determined by the Declarant or the Board in an exercise of absolute discretion. All amounts payable in relation to leasing Additional Parking Spaces are payable to the Corporation and are deemed for all purposes to be common expenses.
2. Schedule A is replaced with Schedule A attached.
3. Schedule B is amended to include the attached Consents.
4. Schedule C is amended to include the material identified as Amendments to Schedule C attached.
5. Schedule D is replaced with Schedule D attached.
6. Schedule E is not amended.
7. Schedule F is not amended.
8. Schedule G is amended to include the material identified as Amendments to Schedule G attached.
9. Schedule K is added to the Declaration.

AMENDMENT TO DESCRIPTION

The description identified as Waterloo Standard Condominium Plan No. 796 is amended as follows:

1. Part I of the description is amended to include the following prepared by _____, and dated the _____ day of _____, 20____:
 - a. 1 sheet of a perimeter plan of survey, designated as Sheet ____ of ____ sheets,

- b. 1 sheet designating units for the land included in the phase and the monuments controlling the extent and locations of the unit boundaries, designated as Sheet ____ of ____ sheets.
- 2. Part V is added consisting of architectural plans of the buildings on the land included in the phase prepared by _____ and dated _____.

Dated this ____ day of _____, 202__

WILL-O HOMES (C.S.) INC.

Per: _____
Kevin Smith
President

I have authority to bind the Corporation.

Schedule A

FIRSTLY

(the lands subject of the Declaration, registered as Instrument No. WR WR1598820)

Part of Part Lot 4 Concession 10 designated as Part 1 on Reference Plan 58R-22029, Township of North Dumfries, Regional Municipality of Waterloo (hereinafter called the "Condominium Lands");

Subject to an easement in favour of Energy + Inc. as in WR1381619;

Subject to an easement in favour of Enbridge Gas Inc. as in WR1546797;

Being all of PINs 23799-0001 (LT) through 23799-0016 (LT), both inclusive.

SECONDLY

(the lands subject of this Amendment to the Declaration)

[TO BE COMPLETED]

Being all of PIN _____ (LT)

I am the solicitor who is registering this Amendment to the Declaration.

In my opinion, based on the parcel register and the plans and documents recorded in therein, the legal description set out above in 'SECONDLY' is correct, the easements described in 'SECONDLY' will exist in law upon registration of this Amendment to the Declaration creating the phase, the declarant is the registered owner of the land included in the phase and appurtenant interests thereto.

Dated the ____ day of _____, 202__

MILLER THOMSON LLP

By: _____
Mark A. Kok

In my opinion, based on the parcel register and the plans and documents recorded therein the following described easements will merge and no longer exist in law upon the registration of this Amendment to the Declaration:

[TO BE COMPLETED]

Dated the ____ day of _____, 202__

MILLER THOMSON LLP

By: _____
Mark A. Kok

Amendments to Schedule B

**CONSENT AND POSTPONEMENT
(Amendment to Schedule B to Declaration of
a Phased Condominium Corporation to Create a Phase)
(under clause 146(4)(a) of the *Condominium Act, 1998*)**

1. **LIBRO CREDIT UNION LIMITED** has a registered mortgage within the meaning of clause 7 (2) (b) of the *Condominium Act, 1998*, registered as Number WR1440317 in the Land Registry Office for the Land Titles Division of Waterloo (No. 58).
2. **LIBRO CREDIT UNION LIMITED** consents to the registration of this declaration, pursuant to the Act, against the land or the interests appurtenant to the land, as the land and the interests are described in the description.
3. **LIBRO CREDIT UNION LIMITED** postpones the mortgage and the interests under it to the declaration and the easements described in Schedule A to the declaration.
4. **LIBRO CREDIT UNION LIMITED** is entitled by law to grant this consent and postponement.

Dated this _____ day of _____, 202__

LIBRO CREDIT UNION LIMITED

Per: _____

Name:

Title:

I have authority to bind Libro Credit Unit Limited

Amendments to Schedule B

**CONSENT AND POSTPONEMENT
(Amendment to Schedule B to Declaration of
a Phased Condominium Corporation to Create a Phase)
(under clause 146(4)(a) of the *Condominium Act, 1998*)**

1. **DEER RIDGE HEIGHTS INC.** has a registered mortgage within the meaning of clause 7 (2) (b) of the *Condominium Act, 1998*, registered as Number WR1542573 in the Land Registry Office for the Land Titles Division of Waterloo (No. 58).
2. **DEER RIDGE HEIGHTS INC.** consents to the registration of this declaration, pursuant to the Act, against the land or the interests appurtenant to the land, as the land and the interests are described in the description.
3. **DEER RIDGE HEIGHTS INC.** postpones the mortgage and the interests under it to the declaration and the easements described in Schedule A to the declaration.
4. **DEER RIDGE HEIGHTS INC.** is entitled by law to grant this consent and postponement.

Dated this _____ day of _____, 202____

DEER RIDGE HEIGHTS INC.

Per: _____

Name:

Title:

I have authority to bind Deer Ridge Heights Inc.

Amendments to Schedule C**UNIT BOUNDARY DESCRIPTION**

(being Units 9 to 18, both inclusive, on Level 1 and Units 9 to 18, both inclusive, on Level 2)

Each Unit shall comprise the area within the heavy lines shown on Part ____, Sheet ____ of the Description with respect to the Unit numbers indicated thereon.

The monuments controlling the extent of the Units are physical surfaces and centre lines referred immediately below and are illustrated on Part ____, Sheet ____ of the Description and all dimensions shall have reference to them.

Boundaries between Units are defined by the centre line of walls, the centre line of joists, and in the vicinity of stairs, the centre line of studs.

Boundaries between Units and Common Elements are defined by:

1. The underside face and plane of roof sheathing;
2. The lower face and plane of concrete floor slab;
3. The finished exterior surface of window frames, exterior doors and door frames, and the exterior surface of all glass therein, all in closed position;
4. The finished exterior face and plane of exterior walls;
5. The outside face and plane of concrete foundation and footings; and
6. The finished exterior face and plane of soffits and fascia.

I hereby certify that the written description of the monuments and boundaries of the Units contained herein, accurately corresponds with the diagrams of the Units shown on Part ____, Sheet ____ of the Description.

Dated the day of _____, 202____

GUENTHER RUEB SURVEYING LIMITED

Erich R. Rueb, O.L.S.

Reference should be had to the provisions of the Declaration itself, in order to determine the maintenance and repair responsibilities for any Unit, and whether specific physical components (such as wires, pipes, cables, conduits, equipment, fixtures, structural components and/or any other appurtenances) are included or excluded from the Unit, regardless of whether same are located within or beyond the boundaries established for such Unit.

Schedule D

**PROPORTIONS OF COMMON INTERESTS
AND CONTRIBUTIONS TO COMMON EXPENSES**

UNIT	LEVEL	PROPORTIONATE SHARES OF CONTRIBUTIONS TO THE COMMON EXPENSES EXPRESSED AS PERCENTAGES	PROPORTIONATE SHARES OF THE COMMON INTEREST EXPRESSED AS PERCENTAGES
1	1	2.327143	2.327143
2	1	2.327143	2.327143
3	1	2.327143	2.327143
4	1	2.327143	2.327143
5	1	2.327143	2.327143
6	1	2.327143	2.327143
7	1	2.327143	2.327143
8	1	2.327143	2.327143
9	1	2.327143	2.327143
10	1	2.327143	2.327143
11	1	2.327143	2.327143
12	1	2.327143	2.327143
13	1	2.327143	2.327143
14	1	2.327143	2.327143
15	1	2.327143	2.327143
16	1	2.327143	2.327143
17	1	2.327143	2.327143
18	1	2.327143	2.327143
1	2	3.228413	3.228413
2	2	3.228413	3.228413
3	2	3.228413	3.228413
4	2	3.228413	3.228413
5	2	3.228413	3.228413
6	2	3.228413	3.228413
7	2	3.228413	3.228413
8	2	3.228413	3.228413
9	2	3.228413	3.228413
10	2	3.228413	3.228413
11	2	3.228412	3.228413
12	2	3.228412	3.228413
13	2	3.228412	3.228413
14	2	3.228412	3.228413
15	2	3.228412	3.228413
16	2	3.228412	3.228413
17	2	3.228412	3.228413
18	2	3.228412	3.228413
Totals		100.000000	100.000000

Schedule F

There are no exclusive use areas shown on the description.

Amendments to Schedule G

Condominium Act, 1998
 CERTIFICATE OF ARCHITECT OR ENGINEER
 (under clause 8 (1) (e) or (h) of the *Condominium Act, 1998*)

I certify that:

Each building on the property has been constructed in accordance with the regulations made under the *Condominium Act, 1998*, with respect to the following matters:

- 1. The exterior building envelope, including roofing assembly, exterior wall cladding, doors and windows, caulking and sealants, is weather resistant if required by the construction documents and has been completed in general conformity with the construction documents.
- 2. Except as otherwise specified in the regulations, floor assemblies are constructed to the sub-floor.
- 3. Except as otherwise specified in the regulations, walls and ceilings of the Common Elements, excluding interior structural walls and columns in a Unit, are completed to the drywall (including taping and sanding), plaster or other final covering.
- 4. There are no underground garages.
- 5. There are no elevating devices as defined in the *Elevating Devices Act*, except for elevating devices contained wholly in a Unit and designed for use only within the Unit.
- 6. All installations with respect to the provision of water and sewage services are in place.
- 7. All installations with respect to the provision of heat and ventilation are in place and heat and ventilation can be provided.
- 8. All installations with respect to the provision of air conditioning are in place.
- 9. All installations with respect to the provision of electricity are in place.
- 10. There are no indoor and outdoor swimming pools.
- 11. Except as otherwise specified in the regulations, the boundaries of the units are completed to the drywall (not including taping and sanding), plaster or other final covering, and perimeter doors are in place.

Dated this _____ day of _____, 202____

[Engineer]

Seal

Note: This Schedule G pertains only to the Phase Two Lands as defined in Schedule A hereto.

Schedule K

The Approving Authority, being the Regional Municipality of Waterloo, approved the amendment to the description creating the second phase with no conditions required to be mentioned in the amendment to the declaration.