

CERTIFICATE IN RESPECT OF A BY-LAW

(under subsection 14 (1) of Ontario Regulation 48/01 and subsection 56 (9) of the *Condominium Act, 1998*, and referred to in subsection 38 (1) of Ontario Regulation 49/01)

Condominium Act, 1998

York Region Vacant Land Condominium Corporation No. 1002 (known as the "**Corporation**") certifies that:

1. The copy of by-law number 4, attached as Schedule A, is a true copy of the by-law.
2. The by-law was made in accordance with the *Condominium Act, 1998*.
3. (Please check the statement that applies)
 - ☐ The owners of a majority of the units in the Corporation have voted in favour of confirming the by-law with or without amendment (if clause 56 (10) (a) of the *Condominium Act, 1998* applies but subsection 14 (2) of Ontario Regulation 48/01 does not apply).
 - ☒ The majority of the owners present or represented by proxy at a meeting of owners have voted in favour of confirming the by-law with or without amendment (if clause 56 (10) (a) of the *Condominium Act, 1998* and subsection 14 (2) of Ontario Regulation 48/01 apply).
4. (Please check the following statement, if the by-law is a joint by-law under section 59 of the *Condominium Act, 1998*)
 - ☐ The by-law is a joint by-law made under section 59 of the *Condominium Act, 1998* and is not effective until the corporations that made it, being (insert corporation names), have each registered a copy of the joint by-law in accordance with subsection 56 (9) of the *Condominium Act, 1998*.

Dated this 7th day of October, 2020.

YORK REGION VACANT LAND CONDOMINIUM CORPORATION NO. 1002

By: Gerry Di Donato
Name: Gerry Di Donato
Title: President

By: Eric Adams
Name: Eric Adams
Title: Director

We have authority to bind the Corporation.

SCHEDULE A

YORK REGION VACANT LAND CONDOMINIUM CORPORATION NO. 1002 BY-LAW NO. 4

MEETINGS OF OWNERS AND VOTING VIA TELEPHONIC OR ELECTRONIC MEANS

Pursuant to subsection 52(1)(b)(iii) of the *Condominium Act, 1998* and subsection 14(0.1)(p) of Ontario Regulation 48/01 made under the *Condominium Act, 1998*

WHEREAS:

- A. The board of directors may, by by-law, authorize York Region Vacant Land Condominium Corporation No. 1002 (the "**Corporation**") to allow votes at meetings of owners to be cast by a recorded vote that is indicated by way of telephonic or electronic means in accordance with subsection 52(1)(b)(iii) of the *Condominium Act, 1998* (the "**Act**"); and,
- B. The board of directors may, by by-law, govern the manner in which an owner or a mortgagee may be present at a meeting of owners or represented by proxy in accordance with subsection 14(0.1)(p) of Ontario Regulation 48/01 made under the *Act*;

NOW THEREFORE By-law No. 1 of the Corporation, as amended by By-law Nos. 2 and 3 of the Corporation, shall be further amended by this By-law No. 4 of the Corporation, as follows:

1. **By deleting section 5.09, Conduct of Meetings and Method of Voting, and replacing it with the following:**

5.09. Method of Attendance and Method of Voting

(a) Method of Attendance

(1) Electronic Meetings of Owners

The board of directors may, by resolution of the board, determine that any annual general or special meeting of owners be attended by owners, mortgagees and any other persons entitled to attend the meeting, by telephonic or electronic means, referred to as an "Electronic Meeting of Owners" and may specify the telephonic or electronic means of attending the meeting.

(2) Combined Electronic/In-person Meetings of Owners

The board of directors may, by resolution of the board, determine that any annual general or special meeting of owners be attended by owners, mortgagees and any other persons entitled to attend the meeting, either in person or by telephonic or electronic means, referred to as a "Combined Electronic/In-person Meeting of Owners" and may specify the telephonic or electronic means of attending the meeting.

(3) In-person Meetings of Owners

The board of directors may, by resolution of the board, determine that any annual general or special meeting of owners be attended by owners, mortgagees and any other persons entitled to attend the meeting in person only.

(4) Representation by Proxy

Notwithstanding anything above in this by-law, owners and mortgagees shall be entitled to be represented at any meeting of owners by proxy.

(5) Electronic Attendance

An owner or a mortgagee who, personally or by proxy, votes at the meeting by telephonic or electronic means or establishes a communications link to the meeting shall be deemed to be present at the meeting or represented by proxy, as the case may be.

(b) Method of Voting

(1) At any annual general or special meeting of owners, any question shall be decided by a show of hands or on a recorded vote, which may be requested by a person entitled to attend such meeting as aforesaid either before or promptly after the vote. Unless a recorded vote is so requested, a declaration by the Chairperson that such question has by the show of hands been carried is prima facie proof of the fact, without proof of the number of votes recorded in favour of, or against, any such question. A demand for a recorded vote once given may be withdrawn. Notwithstanding the above, the voting for the election of directors shall be by recorded vote only.

A recorded vote may be:

- (i) marked on a ballot cast personally or by proxy;
- (ii) marked on an instrument appointing a proxy; or,
- (iii) indicated by telephonic or electronic means.

"telephonic or electronic means" means any means that uses the telephone or any other electronic or other technological means to transmit information or data, including telephone calls, fax, e-mail, automated touch-tone telephone system, computer or computer networks.

(2) The board of directors may, by resolution of the board, specify the telephonic or electronic means of indicating a recorded vote at any annual general or special meeting of owners.

- 2. **Definitions:** All terms used in this by-law shall have the meaning ascribed to them in the *Act*, as amended, or any successor legislation.
- 3. **Headings:** The headings in the body of this by-law form no part hereof but shall be deemed to be inserted for convenience of reference only.
- 4. **Statutory References:** Any references to a section or sections of the *Act* in this by-law shall be read and construed as a reference to the identical or similarly appropriate section or sections (as the case may be) of any successor legislation.

The forgoing by-law is hereby enacted as By-law No. 4 of York Region Vacant Land Condominium Corporation No. 1002, said by-law having been passed by the board of directors on the 23rd day of June, 2020, and duly approved by the majority of owners present or represented by proxy at a meeting of owners voting in favour of confirming it on the 11th day of August, 2020, without variation, pursuant to the provisions of the *Act*.

DATED this 7th day of October, 2020.

YORK REGION VACANT LAND CONDOMINIUM CORPORATION NO. 1002

By: Gerry Di Donato
Name: Gerry Di Donato
Title: President

By: Eric Adams
Name: Eric Adams
Title: Director

We have authority to bind the Corporation.