



# **BROOKS CO-OPERATIVE HOMES INC.**

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## By-law No. 8

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### Parking By-law

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Passed by the Board of Directors on October 11, 2023

Confirmed by the Membership on November 1, 2023

## **1. About This By-law**

### **i. Introduction**

This By-law sets out rules and regulations pertaining to the parking lots of the Co-operative including parking for members, visitors, staff, and contractors of the Co-operative. Parking at Brooks Co-operative Home Inc., (hereafter known as "The Co-op") is a privilege and not a right for the Membership. For this By-law, the term 'member' shall include long-term guests or members of a household.

### **ii. Priority of the By-law**

- a) In case of any conflict between this by-law and the Co-op's Occupancy By-law or Organizational By-law, the latter By-laws will prevail.
- b) This By-law repeals, takes the place of or amends all other by-laws, policies or resolutions that deal with the parking rules and regulations for Brooks Co-operative Homes Inc.

## **2. Member Parking**

- i.** One parking space will be made available as necessary for each of the units at the Co-op.
- ii.** Members may have up to two parking spaces maximum per household.
- iii.** Each Member is responsible for maintaining their parking space, as well as the area in front of their parking space in a clean condition. Parking may not be used for storage, for example bicycles, tires, sports equipment etc.
- iv.** Parking fees are levied per space.
  - a) The cost of each parking space shall be set by the Membership during the annual operational budget. This amount cannot be increased unless during a meeting of the Membership.
  - b) The cost of a secondary parking space for an individual unit will be \$100.00 per month, payable on the first business day of the month.

## **3. Eligibility Requirements for Parking Spaces**

- i.** Members are eligible to have up to two parking spaces assigned to their unit.
  - a) Units are not allowed to sublet, lease, or lend their assigned parking space to other members or guests.

- b) As per the Occupancy By-law, members are not allowed to profit from the use of any parts of their units including the assigned parking spaces.
  - c) Units wishing to park a secondary vehicle on Co-op property must enroll in the annual parking lottery draw.
- ii. Members must have current up to date ownership of their vehicles to obtain a parking space, whether it is a primary parking space, secondary parking space, or both.
  - a) Members who do not provide a copy of their current ownership and registration to the Office will not be permitted to park on Co-op property.
  - b) Members who have a work vehicle not owned by any person in the members' household must provide a letter from their employer, on company letterhead, in addition to a copy of the vehicle ownership and registration.
  - c) The following parking spaces will be assigned to units for secondary vehicles:
    - Parking space #'s 9 – 18 (formerly designated as visitors' parking)
    - A parking space that would normally be assigned to a unit where the unit does not currently own a vehicle or pay for the space
- iii. All members' vehicles must be registered with the Office.
  - a) Members who have a parking space must have a visible parking tag displayed on the windshield, dashboard or hung on their rear-view mirror. This parking tag will have a legible parking space number recorded on it.
  - b) Members are required to advise the Office if there is a change in vehicle, the license plate on a vehicle, a license plate is transferred to another vehicle, or if they are driving temporary vehicles such as rented or borrowed cars which must be parked on the Co-op's property. If members do not follow this requirement, the vehicle is at risk of being tagged or towed.
- iv. Should a unit require an additional parking space, the unit shall complete an application to be included in the parking lottery draw, which will be held annually at the Annual General Meeting of the Membership (AGM). Rules for the parking lottery are contained within section 4 of this By-law.
- v. If a unit without a parking space obtains a vehicle and requires a parking space, the unit must provide a copy of the vehicle ownership and registration to the Office. At the first Board of Directors meeting following receipt of the unit's vehicle ownership and registration, a parking lottery draw will be conducted including all units currently occupying secondary spaces. All members currently occupying secondary spots will be invited to attend this meeting. The first unit drawn will forfeit their secondary parking

space. Regardless of which unit is drawn, the parking space originally allocated to the unit that has obtained a vehicle will be returned to said unit. The existing allocation of secondary parking spaces will be reallocated. Secondary parking spaces will not be vacant for more than forty-five (45) days prior to the Annual General Meeting of the Membership.

- vi.** A physically challenged member may make a formal request to the Office to have their parking space relocated. A member without a physical disability may be requested by the Office to relocate their space to accommodate for a physically challenged member.

#### **4. Annual Secondary Parking Space Lottery Draw**

- i.** The annual parking lottery draw for units to obtain a secondary parking space will be held at the Annual General Meeting of the Membership, which is held annually in June or July.
- ii.** A minimum of ten (10) secondary parking spaces will be made available. This number may increase depending on the number of units that do not pay for a primary parking space.
- iii.** A unit is permitted one entry into the parking lottery draw, regardless of the number of vehicles owned by the unit.
- iv.** Units wishing to participate in the annual parking lottery draw must submit an application to the Office no later than 12:00pm (noon) on the day of the Annual General Meeting of the Membership. The application must be accompanied by a copy of the current registration for the secondary vehicle, and letter from employer, if applicable. Late and/or incomplete applications will not be permitted for entry into the draw. The application form may be obtained from the Office or online.
- v.** After the draw has been completed, secondary parking spaces will be assigned to the applicable units at the Annual General Meeting of the Membership. Units are permitted to swap the secondary space they have been assigned with another unit's secondary space only once, at the same meeting.
- vi.** Secondary parking spaces are assigned to units effective August 1st, following the annual lottery draw. The assignment of secondary spaces will expire annually, on July 31<sup>st</sup>. Assignment of a secondary space may expire earlier than July 31st, in the case that a unit without a vehicle obtains a vehicle (in accordance with section 3.v)

## 5. Visitor Parking

- i. **The Purpose of Visitor Parking Spaces:** is to provide parking for visitors to the Co-op.
  - a) No member has the right to park their vehicle in a space designated as “Visitors’ Parking.” This is the case whether the space is designated as visitors’ parking 24/7, or only at certain times of the day, week, or year.
- ii. **Members Responsibility:** Members are responsible for their visitors and must ensure that their visitors are parked in the designated visitor parking spaces.
- iii. **Accessible Parking:** The two accessible parking spaces beside the Contractors’ parking space are for the purpose of visitors to the Co-op. At no time are members of the Co-op with an accessible parking tag allowed to use these parking spaces for their own vehicles. As per the City of Mississauga’s *Accessible Parking By-Law 0010-2016*.
- iv. **Fees for Visitors’ Parking:** at the discretion of the Board of Directors, fees may be levied for the use of visitors’ parking.
  - a) This may be for such reasons of ability to enforce the parking rules and regulations at Brooks, to discourage abuse of visitors parking by members, or to offset the cost of enforcement of the parking rules at Brooks.

## 6. Rules that Apply to all Parking at Brooks Co-operative Homes Inc.

- i. **Derelict Vehicles:** At no time shall derelict vehicles be parked on the Co-op’s property.
  - a) A derelict vehicle is defined as any vehicle which does not have a current vehicle registration and permit and/or is not in running condition. Running condition is defined as the ability of the vehicle to always move off the Co-op’s property under its’ own power.
  - b) Any vehicle classified as derelict, as stated above, shall be removed by the member or guest within 48 hours of notice from the Board of Directors or it will be removed at the owner’s expense.
- ii. **Two Vehicle Maximum:** The number of cars parked on the Co-op’s property belonging to a single unit shall be restricted to a maximum of two (2).
  - a) Any vehicle exceeding the limit of two shall be removed by the member or guest within 48 hours of notice from the Office or Board of Directors or it will be towed at the owner’s expense.

- iii. **Disallowed Vehicles:** These are the vehicles prohibited from having an assigned parking space at Brooks Co-operative as per the City of Mississauga's *Zoning By-Law 0225-2007*.
  - a) Members may not park recreational vehicles on Brook's property. Recreational vehicles can be defined as Boats, Campers, Trailers, and Mobile Homes.
  - b) Members may not park oversized vehicles on Brook's property. Oversized vehicles include School Buses, Coaches, Cube Vans, and Box Trucks.
- iv. **Repairs:** No Major repairs to vehicles are to be done on the Co-op's Property.
- v. **Washing Vehicles:** For environmental reasons, the washing of vehicles on Co-op property is strictly prohibited.
- vi. **Fire Route:** All vehicles parked on the fire route shall be towed as per the City of Mississauga's *Fire Route By-Law 1036-81*.
- vii. **Staff and Contractor Parking:** The contractor parking space and parking space #47 are designated for the use of staff and contractors of the Co-op.
  - a) The use of these spaces is strictly forbidden from between 7:30AM and 8:30PM Monday to Friday on regular business days. After this time, and on weekends and statutory holidays, these spaces shall revert to visitor parking spaces. Regular rules for visitor parking will apply.
- viii. **Snow removal Parking:** These spaces, #23, and #24, are designated for the use of snow storage during the winter season.
  - a) The use of these spaces is strictly forbidden at any time between the dates of November 15<sup>th</sup> and April 15<sup>th</sup> of every year.
  - b) Between April 16<sup>th</sup> and November 14<sup>th</sup> of every year, the use of these spaces shall revert to visitor parking spaces. Regular rules for visitor parking will apply.

## 7. Breach of By-law by Members

- i. **Enforcement:** the City of Mississauga, contracted towing contractors, staff employed by the Co-operative and those with a contract to enforce the rules enclosed within this By-law have the right to enforce these rules as per the City of Mississauga's *Traffic By-law 555-00*.
  - a) All members and their visitors must adhere to these rules and regulations. Failure to adhere will result in the vehicle being ticketed and/or towed off the property. The owner of the ticketed and/or towed vehicle is responsible for all costs pertaining to the vehicle being towed and stored.

- ii. Violation of any of the provisions in this By-law may result in a unit losing parking privileges at the Co-op.

## 8. Privacy and Confidentiality

The Co-op will comply with the *Personal Information Protection and Electronic Documents Act (PIPEDA)* when collecting personal information from members. The Co-op must use the information only for the purpose for which it was collected and protect the information collected from unauthorized sharing, use and disposal. The Co-op will develop a process that ensures privacy for members and maintains confidentiality.

***CERTIFIED*** to be a true copy of By-law No.8 of Brooks Co-operative Homes Inc.

  
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Secretary: Cathy Cetrullo c/s

