RESOLUTIONS OF THE BOARD OF DIRECTORS OF
YORK REGION CONDOMINIUM CORPORATION NO. 845
(the **"Corporation"**)

WHEREAS the board of directors has determined that it is in the best interest of the Corporation to pass rules to prohibit the smoking and the production of cannabis on the common elements and in the units of the Corporation.

NOW THEREFORE, on a motion made by Galina Markova, and seconded by Jason Blum, the board of directors hereby resolves that:

1. The proposed rules, attached hereto, are hereby created in accordance with section 58 of the *Condominium Act, 1998* (the **"Rules"**).

2. The Corporation's proposed Rules shall be enforced when they become effective.

3. Notice of the Rules shall be delivered to the owners of the Corporation stating that the Rules are to become effective 31 days after delivering notice to owners unless a requisition is received by the Corporation.

DATED this 19 day of October, 2018

YORK REGION CONDOMINIUM CORPORATION NO. 845

Per: _____
Name (Print): Galina Markova
Title: President

Per: _____
Name (Print): Jason Blum
Title:

YORK REGION CONDOMINIUM CORPORATION NO. 845
(the "**Corporation**")

SMOKE, VAPE AND CANNABIS-FREE ENVIRONMENT RULES

WHEREAS:

A. The board of directors may, in accordance with Section 58 of the *Condominium Act, 1998*, as amended (the "***Act***"), enact rules respecting the use of the common elements and the units to: (i) promote the safety, security or welfare of the owners and of the property and assets of the Corporation; or, (ii) prevent the unreasonable interference with the use and enjoyment of the common elements, the units and the assets of the Corporation;

B. Offensive and potent odours created or generated from smoking tobacco and cannabis and vaping can contaminate air in the common elements and the units, and cannabis odour migration can be a nuisance that unreasonably interferes with the use and enjoyment of the units and the common elements;

C. Cultivating or growing cannabis plants in the units presents a risk of: (i) damage to units and common elements, including damage by humidity, moisture and condensation which can create mould and spores in walls, ceilings and floors, and which can damage window sills; (ii) a disproportionate consumption of utilities, including water; and, (iii) increased fire hazards resulting from using household appliances to dry marijuana;

D. The board of directors has determined that prohibiting tobacco and cannabis smoking, vaping and cannabis cultivation is a reasonable way to prevent damage to the units and common elements, and to protect owners and residents from being exposed to second-hand smoke on the property and from unreasonable nuisance and interference with the use and enjoyment of the units and the common elements; and,

E. It is intended that this Preamble shall form an integral part of these rules;

NOW THEREFORE, the Corporation hereby enacts the following rules:

1. **Definitions:** For the purpose of these Rules:

   (a) "**Medically Exempt Unit**" shall have the meaning in Section 3 of these rules.

   (b) "**Owner**" shall mean the registered owner of a dwelling unit or commercial/retail unit in the Corporation.

   (c) "**Occupant**" shall mean any individual(s) occupying a Unit with the Owner's consent, permission or approval, whether or not pursuant to a lease arrangement.

   (d) "**Production of Cannabis**" is defined as obtaining cannabis by any method or process, including by manufacturing, synthesis, altering its chemical or physical properties by any means, or cultivating, propagating, processing or harvesting Cannabis or any living thing from which cannabis may be extracted or otherwise obtained, and shall specifically include the cultivation or growing of cannabis plants.

(e) "**Smoking**" shall include the inhaling, breathing, carrying, or possession of any lit and/or smoke-producing cannabis or tobacco substance and vaping.

(f) "**Unit**" shall mean any unit as identified in the Corporation's declaration.

2. **No Smoking and No Production of Cannabis:** Except as provided in Section 3 below, Smoking of tobacco, cannabis, vaping and the Production of Cannabis is strictly prohibited in all Units, common elements and the exclusive use common elements.

3. **Medical Exemption:**

(a) The board of directors may grant a medical exemption to an Owner or an Occupant authorizing the Smoking of cannabis and/or authorizing the Production of Cannabis in a Unit if an Owner or an Occupant requires accommodation on medical grounds (hereinafter referred to as a "**Medically Exempt Unit**").

(b) In order to be considered for a Medically Exempt Unit exemption, the Owner or Occupant requiring accommodation must notify the Corporation of the medical requirement for an exemption in writing, and shall provide the board of directors with documentary evidence from a licensed physician in the Province of Ontario treating the Owner or Occupant seeking the exemption. Such documentary evidence shall, among other things that may be requested by the board of directors, clearly state in writing that: (i) there is no other means of ingesting, administering or otherwise using cannabis to treat the medical condition other than by Smoking cannabis; and, (ii) the Production of Cannabis to satisfy the medical requirement is necessary and there is no other method by which to adequately satisfy the supply of cannabis to treat the medical condition.

(c) If a Unit is granted a Medically Exempt Unit exemption, such exemption must be confirmed in writing by the board of directors in order to be effective, and may be subject to any conditions that the board of directors deems reasonably necessary from time to time. The board of directors, acting reasonably, may at any time request that the medical requirement for the exemption be reconfirmed and/or require that any additional documentary evidence be provided to establish and/or re-establish the medical requirement for the exemption.

(d) Where a Medically Exempt Unit exemption is granted, the Owner or Occupant that was granted the Medically Exempt Unit exemption shall ensure that: (i) Smoking and/or the Production of Cannabis is entirely contained in the Unit; (ii) All windows and exterior doors to the Unit are in a closed position when smoking cannabis in the Unit; (iii) The exhaust fans in the Unit are turned on when Smoking cannabis in the Unit; and, (iv) Adequate air filters and/or purifiers are installed to prevent second-hand smoke and odours from entering other Units or the common elements.

(e) If, in the opinion of the board of directors, in its discretion, the Smoking is causing or creating a nuisance, then, notwithstanding the foregoing, the Owner shall take all steps that the board of directors deems necessary to eliminate the nuisance within the timeframe to be established by the board of directors. Such steps may include, but are not limited to, the installation of additional exhaust fans with smoke sensitive automatic controls and the entering into an alteration agreement in accordance with Section 98 of the *Act* (if alterations to the common elements are required). Any associated costs will be

the sole responsibility of the Owner. Further, if in the opinion of the board of directors, in its discretion, a nuisance continues after the timeframe set out to correct the nuisance, notwithstanding any steps taken by the Owner to eliminate such nuisance, then the board may revoke the Medically Exempt Unit exemption, at any time, upon written notice.

(f) The Medically Exempt Unit exemption shall automatically terminate upon the earlier of any of the following occurrences: (i) The medical requirement for the exemption ceases to exist; (ii) The Owner or Occupant r equiring the medical exemption ceases to occupy the Medically Exempt Unit; (iii) The termination of a lease of a Medically Exempt Unit if the Occupant that was granted the exemption was a tenant of such Unit; or, (iv) The sale or transfer of the Medically Exempt Unit.

4. **Costs:** All costs, charges and/or expenses, including professional costs and expenses on a full indemnity basis, incurred by the Corporation in connection with these rules including, but not limited to, the enforcement of any provision in these rules, shall be the sole responsibility of the Owner of the Unit that was the cause of incurring the cost, charge or expense. All such costs, charges and/or expenses shall be deemed to be an additional common expense attributable to the Owner's Unit and are recoverable as such.

The foregoing rules are hereby enacted by York Region Condominium Corporation No. 845, said rules having been passed by the board of directors on _____ day of _____, 2018 pursuant to Section 58 of the *Condominium Act, 1998*, as amended.

YORK REGION CONDOMINIUM CORPORATION NO. 845

Per: _____
Name: Galina Markova
Title: President

Per: _____
Name: Jason Blum
Title:

We have authority to bind the corporation.