

SIMCOE STANDARD CONDOMINIUM CORPORATION No. 356
Rules & Regulations Approved Amendments

The following Rules & Regulations become effective on September 24, 2018 unless otherwise stated.

SSCC No. 356 HEREBY GIVES NOTICE that the Rules & Regulations of SSCC No. 356 are amended as follows:

Paragraph 3 of the section entitled "Quiet Enjoyment" is deleted.

The following section is added between "Animals and Pets" and "Quiet Enjoyment":

Smoking

1. Smoking by anyone shall be prohibited inside a Unit and on any part of the common elements including the exclusive use common elements (including but not limited to storage spaces, parking spaces, patios and balconies).
2. Smoking means inhaling, exhaling, breathing, burning, or carrying on any lighted, smouldering or heated cigar, cigarette, or pipe or any other substance (legal or illegal) whether natural or synthetic, in any manner or in any form intended for inhalation including but not limited to hookahs, cannabis and marijuana. Smoking also includes the use of any electronic smoking device which creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in this provision.
3. The Board of Directors may make reasonable accommodation, pursuant to the *Ontario Human Rights Code* (the "Code"), as amended from time to time, for an owner, tenant or occupant who has made a request for accommodation in writing to the Board of Directors and has provided the Board of Directors with the necessary evidence to support the request for accommodation as required or requested. Whether the owner, tenant or occupant has established the requirement for accommodation will be determined by the Board in their sole and absolute discretion acting reasonably. The accommodation request will be considered based on all of the circumstances. Unless an accommodation request has been granted smoking is prohibited as set out above.
4. Every owner who intends to sell or lease his or her unit shall disclose in writing to a purchaser, realtor and/or tenant the smoking restrictions set out above separate and apart from providing a copy of the Rules.
5. Current owners or their tenants who occupy a residential unit at the time this Rules & Regulations amendment takes effect and who have completed and registered with the corporation the appropriate form declaring that they are smokers and what they smoke no later than 15 days of the date this Rules & Regulations amendment has been taken effect may continue to smoke in their residential unit AND/OR on their exclusive use balcony/patio for as long as they occupy the unit, subject to the subsections below, and provided that what they currently smoke are cigars, cigarettes, pipes, electronic smoking devices which

creates a vapor or aerosol, or any other legal substance which is deemed legal at the time this Rules & Regulation amendment takes effect provided that:

- i) the continued smoking does not cause a nuisance to others or damage to property and does not migrate to other units or the common elements including the exclusive use common elements and does not contravene any other provision of the Corporation's Declaration, Bylaws or Rules or the Condominium Act, as amended, or any other municipal, provincial or federal laws; and
- ii) If the Board of Directors determines that any transmission of odours, fumes or any activity is noxious or offensive such that the odour, fumes or activity is an annoyance or a nuisance or disruptive or that smoking is causing damage to the property then the owner and occupant shall at his expense take such steps as shall be necessary to abate such odour, fumes or activity or repair such damage caused to the satisfaction of the Board of Directors. If the owner and occupant fails to abate the odour or activity or repair the damage, the Board of Directors shall take such steps as it deems necessary to abate the odour, fumes or activity or repair the damage and the owner shall be liable to the Corporation for all costs incurred which costs can be added to the common expenses of the unit.

(Smoking- Rule # 5 becomes effective on December 21, 2018)

6. Once the owners or tenants, who have registered with the Corporation the completed and appropriate form in the time period specified above, vacates the unit or the unit is sold, whichever ever occurs first, the unit will be subject to the no smoking provisions regarding residential units as set out in these Rules & Regulations and the grandfathering provisions will no longer apply.
7. The no smoking provisions in section 1 regarding the prohibition of smoking on common elements including exclusive use common elements is not grandfathered and takes effect immediately upon the Rule amendments becoming effective.

The following section is added after the "Smoking" section above and before the "Quiet Enjoyment" section:

Growing, Cultivation, Harvesting and/or Distribution of Cannabis

1. The growing, cultivation, propagation, harvesting and/or distribution of cannabis by anyone in any unit or on any part of the common elements, including the exclusive use common elements (including but not limited to storage spaces, parking spaces, patios and balconies) for personal or commercial use is strictly prohibited. The Board of Directors may make reasonable accommodation, pursuant to the *Ontario Human Rights Code* (the "Code"), as amended from time to time, for an owner, tenant or occupant who has made a request for accommodation in writing to the Board of Directors and has provided the Board of Directors with the necessary evidence to support the request for accommodation as required or requested. Whether the owner, tenant or occupant has established the requirement for accommodation will be determined by the Board in their sole and absolute discretion acting reasonably. The accommodation request will be considered based on all of the

circumstances. Unless an accommodation request has been granted, the growing, cultivation, harvesting and/or distribution of cannabis is prohibited as set out above.

2. Cannabis means any plant or part of a plant belonging to the genus Cannabis and includes but is not limited to the plant commonly referred to as marijuana.
3. There are no grandfathering provisions for this section and this section takes effect immediately upon the Rule amendments becoming effective.

The second paragraph of the current Rules & Regulations is deleted. It currently states:

Any and all losses, cost, and damages, including legal fees incurred by the Condominium (the "Corporation") by reason of a breach of any provision in the declaration, bylaws or rules of the Corporation in force from time to time by any owner or by the residents, tenants, invitees or licensees of the owner's unit shall be borne and/or paid for by the registered owner of applicable unit ("the registered owner") and may be recovered by the Corporation against such registered owner in the same manner and upon the same terms as common expense arrears.

Section entitled "General" starting on page 2 of the current Rules & Regulations is amended to add the following:

9. Any losses, costs (including but not limited to full indemnity legal fees and disbursements) or damages incurred by the condominium corporation (the "Corporation") by reason of breach of any of the provisions of the Declaration, the Rules or Bylaws of this Corporation or the Condominium Act in force from time to time by any owner, his family, tenants, guests, servants, agents, invitees or occupants shall be borne and/or paid by the owner of the unit and added to the common expenses of the unit and recovered by the corporation against such owner in the same manner as common expenses.

Owners have a right to requisition a meeting under section 46 of the Condominium Act, 1998 and the amended Rules will become effective 30 days from the date of the notice of this Rule change if the Board does not receive a request for a requisition for a meeting of owners within 30 days of giving notice of this Rule change. If the Board does receive a requisition, a meeting will be held and this Rule change will become effective if the owners do not vote against the rule at the meeting.