

TORONTO STANDARD CONDOMINIUM CORPORATION NO. 2418
(the “Corporation”)

SMOKE-MIGRATION 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 odours and second-hand smoke from smoking tobacco can contaminate air in the common elements and the units, and can be a nuisance that unreasonably interferes with the use and enjoyment of the common elements and the units;
- C. Smoking tobacco products is currently permitted in units and on exclusive use common element terraces that are open and exposed to the sky;
- D. The Board of Directors intends to introduce a rule in the future to prohibit smoking anywhere on the property, to replace the current rule which controls and restricts smoking on the property. Current residents who smoke will be grandfathered.
- E. It is intended that this Preamble shall form an integral part of these rules.

NOW THEREFORE, the Corporation hereby enacts the following Smoke Migration Rules:

- 1. **Definitions:** For the purpose of these rules:
 - (a) “**owner**” shall mean the registered owner of a unit in the Corporation.
 - (b) “**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.
 - (c) “**smoking**” shall include the inhaling, breathing, carrying, vaping or possession of any lit and/or smoke-producing tobacco product or substance, including electronic cigarettes, cigars and pipes.
 - (d) “**unit**” shall mean any unit as identified in the Corporation’s declaration.
 - (e) “**exclusive use common elements**” shall have the meaning in Schedule “F” of the Corporation’s declaration.

2. Smoke Migration:


If in the opinion of the Board of Directors, and in its sole discretion, the smoking is a nuisance, then, 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 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 unless the nuisance is solely caused by a defect or deficiency in a common element.


3. 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 Toronto Standard Condominium Corporation No. 2418, said rules having been passed by the Board of Directors on 10th day of May, 2018 pursuant to Section 58 of the *Condominium Act, 1998*, as amended.

TORONTO STANDARD CONDOMINIUM CORPORATION

Per: 
Name: Klaus Buechner
Title: President

Per: 
Name: Dale Yurka
Title: Vice-President/Secretary

We have authority to bind the corporation.