

1.0 General Smoking Prohibition

This Rule should be read in conjunction with an ordinary resolution of Crossbow Landing Owners passed at the January 6, 2018 Annual Committee meeting, which reads as follows:

“Resolved that Alberta Tobacco Reduction Act restrictions on smoking in Common Property areas of multi-unit residential buildings be enforced on Common Property designated for exclusive use by Owners, such enforcement subject to the Board or property manager receiving a valid written complaint from another resident whose unit windows, doors, deck or balcony area are located within 5m of the area subject to the complaint.”

The effect of this resolution is to prohibit smoking on all balconies, plazas and patios. The Board will not proactively enforce compliance but will act if it receives a valid complaint.

The By-laws of Crossbow Landing prohibit any activities that may “cause nuisance to any other Owner or an occupier of another Unit”:

Specifically, Article 3 (f) states that an Owner “shall not use his Unit or any Common Property or permit it to be used in any manner or for any purpose which may be illegal, injurious, or that will cause nuisance or hazard to any occupant of another Unit (whether Owner or not) or the family of such an occupier”.

It is a fundamental responsibility of the Board to promote the safety, security and the welfare of the community and prevent unreasonable interference with the use and enjoyment of the Units.

2.0 Growing and Consumption of Cannabis within Units and on Common Property

The use of cannabis can cause a nuisance to others from odours or second-hand smoke.

2.1 Growing Cannabis

There are serious concerns with growing cannabis plants in Units, which include:

- Damage to Units and Common Property, including damage by moisture resulting from growing cannabis plants, which can create mould and spores in walls, ceilings and floors, and which can damage window seals;
- A disproportionate use of utilities such water (which is not sub-metered in Crossbow Landing) and electricity, which are required in quantity to grow cannabis plants;
- Increased fire hazards due to people drying cannabis in stoves or other improvised dryers; and,
- Odours from plants getting into other people's units.

Therefore, the Board has taken the position that the cultivation of cannabis plants in Units shall be prohibited.

2.2 Smoking Cannabis

The use of cannabis for recreational purposes that results in smoke or odour shall be prohibited within all Common Property throughout Crossbow Landing.

2.3 Other Forms of Cannabis Consumption

The consumption of cannabis other than in a non-smoking and non-vaporizing manner anywhere within the Common Property throughout Crossbow Landing will remain prohibited.

2.4 Enforcement

The effect of this Rule is to prohibit smoking of cannabis on all balconies, plazas and patios. As with the smoking motion in Section 2 above, the Board will not proactively enforce compliance, but will act if it receives a valid complaint. While a written complaint will trigger enforcement of this Rule, one may find that trying to deal with the matter amicably by speaking to the offending neighbour may resolve the issue.

Odours from smoking cannabis can be quite strong and lingering, so it is possible, that even if smoking within one's unit, Common Property (hallways, balconies) could be affected and such smoking could be subject to complaint. One may wish to consider the use of an air purification system to reduce the possibility of a complaint.

2.5 Medical Use of Cannabis

Medical use shall be restricted to inside a Unit and only if such use does not interfere with the use and enjoyment of other Owners and or occupiers.

The cultivation of cannabis for medical purposes will be prohibited anywhere within the Condominium and all Common Property throughout Crossbow Landing.

3.0 Rule Transmittal to Renters

Owners who wish to rent out their Units shall include this Rule in information packages provided to Tenants and are encouraged to amend their Lease Agreements accordingly.

Passed by the Board on March 4, 2020