



*Manoir IV*

Enr.

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Saint-Laurent, 05-10-2018

À tous les copropriétaires de Manoir IV

To all Co-owners of Manoir IV

**OBJET : convocation**

**Subject: convocation**

**Assemblée générale spéciale des copropriétaires**  
de Manoir IV  
le **mardi 16 octobre 2018 à 19 h**  
à la salle de réception.

**General Assembly Special Meeting**  
for the co-owners of Manoir IV  
**Tuesday, October 16<sup>th</sup>, 2018 at 7:00 pm**  
In the Reception Hall.

**ORDRE DU JOUR**

1. Ouverture de l'assemblée
2. Adoption de nouveaux règlements concernant le cannabis :
  - a. Dans les parties communes
  - b. Dans les parties communes à usage restreint
  - c. Dans les parties privatives
3. Clôture de l'assemblée

**AGENDA**

1. Opening of the Assembly
2. Adoption of new rules for cannabis:
  - a. In the common portions
  - b. In the common portions reserved for the exclusive use of the co-owners
  - c. In the exclusive portions
3. Closing of the Assembly

  
Mohammed Hmamouchi

  
Jorge Zylberberg

  
Denise Arcand

LE SYNDICAT DES COPROPRIÉTAIRES DU MANOIR IV  
(hereinafter the "Syndicate")

Resolutions 2018-001

to adopt by-laws prohibiting the consumption and cultivation of cannabis  
in the common portions of the co-ownership

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WHEREAS the *Tobacco Control Act* (R.L.R.Q., c. L-6.2) prescribes that using tobacco products is prohibited in the interior common portions (i.e. those which are enclosed such as the lobby, the hallways, the elevators, the common rooms, etc.) of a co-ownership;

WHEREAS a deed of modification of the Declaration of co-ownership received before M<sup>re</sup> Rachel Couture, Notary, on May 4, 1983 and registered on May 6, 1983 under number 3 354 583 provided that it is prohibited to smoke in certain interior common portions of the co-ownership and that this prohibition concerns tobacco and tobacco products;

WHEREAS it would not be advisable, in view of the objective of the above-mentioned Law and deed of modification, to allow the co-owners, tenants and occupants to smoke cannabis in the outdoor or indoor common portions of the co-ownership;

WHEREAS it is essential to protect the quality of life of co-owners, tenants and occupants of the Immovable, which implies an environment where the air quality is insofar as possible free of second-hand smoke and/or of unpleasant or persistent odors;

WHEREAS the House of Commons of Canada has adopted the *Act respecting Cannabis and to amend the Controlled Drugs and Substances Act, the Criminal Code and other Acts*, which decriminalizes the consumption and cultivation of cannabis in Canada;

WHEREAS the federal government of Canada has indicated that it intends to bring into force the above-mentioned Act as of October 17, 2018, so that until that date, the use of cannabis or the cultivation of cannabis remains a criminal offense (save and except for those benefiting from a prescription for therapeutic cannabis);

WHEREAS the National Assembly of Quebec has adopted an *Act to constitute the Société québécoise du cannabis, to enact the Cannabis Regulation Act and to amend various highway safety-related provision*, and the Quebec government intends to bring it into force shortly;

WHEREAS it is advisable not to allow the co-owners, tenants and occupants to appropriate the common portions of the co-ownership for the purpose of cultivating cannabis plants, for safety reasons of the Immovable and of the people living therein;

WHEREAS it is advisable to adopt a penal clause specific to the by-laws appurtenant to the prohibition to use and to grow cannabis in the co-ownership, which shall not in any way abrogate the penal clause that may be stipulated in the Declaration of co-ownership and its modifications, as the case may be, and which is added thereto to complement it;

WHEREAS concurrently with these presents, are to be adopted resolutions to establish by-laws prohibiting the consumption and cultivation of cannabis in the common portions for restricted use and the private portions of the co-ownership;

WHEREAS it is important to adopt a coherent regime of by-laws to prohibit the consumption and cultivation of cannabis in the co-ownership;

WHEREAS the Board of Directors mandated the *de Grandpré Joli-Coeur* law firm, LLP, to prepare draft by-laws to prohibit the consumption and cultivation of cannabis in the common portions of the co-ownership, transmitted to the co-owners along with the notice of the present general meeting;

WHEREAS these presents are the English version of resolutions drafted in French that are submitted to the co-owners for approval, the French resolutions and By-laws related to cannabis being the official version. In case of contradictions between the French and English text of the resolutions and By-laws, the former shall prevail;

**IT IS RESOLVED BY THE GENERAL MEETING OF THE CO-OWNERS:**

- TO ADOPT the following by-laws concerning the consumption and cultivation of cannabis in the common portions of the co-ownership:

**Prohibition of smoking cannabis in common portions**

1. It is forbidden to smoke cannabis in any area of the common portions (inside and outside) of the Immovable. This By-law applies to any part of the cannabis plant (dried flowers, leaves, etc.) and also to any cannabis-derived products (hashish, cannabis oil, etc.) which, when smoked, emit smoke and/or odors. For the purposes of the application of any penalty clause, the use of cannabis once or several times a day constitutes one and the same offense, so that only one penalty may be imposed for each day during which are committed or are observed one or more contraventions of this By-law.

**Prohibition of cultivating cannabis in common portions**

2. It is forbidden to cultivate one or more cannabis plants in any area of the common portions (inside and outside) of the Immovable.

**Special penalty clause to the By-laws prohibiting the consumption and cultivation of cannabis in the co-ownership**

3. For the purpose of implementing the By-laws prohibiting the consumption and cultivation of cannabis in the co-ownership, the present penalty clause, specific to the contraventions of these By-laws, is hereby established:

- a) A co-owner, tenant or occupant of the Immoveable who contravenes to the By-laws related to cannabis is liable to penalties in the amounts set out below. These penalties are payable to the Syndicate upon request. Amounts owed by such co-owner, tenant or occupant bear interest for the benefit of the Syndicate, as of the date when they become due, at the rate of two percent (2%) per month, that is twenty-six and eighty-two-hundredths percent (26.82%) per annum, or at any other rate of interest that may be determined by the meeting of co-owners from time to time.
- b) For each contravention related to the consumption of cannabis, the first offense notice during the reference period is subject to a penalty of one hundred dollars (\$100.00); the second offense notice during the reference period is subject to a penalty of one hundred and twenty-five dollars (\$125.00); any additional offense notice during the reference period is subject to a penalty gradually increased by fifty dollars (\$50.00) for each new notice (i.e. third notice : \$175.00, fourth notice : \$225.00, etc.).
- c) For each contravention related to the cultivation of cannabis, the initial offense notice during the reference period is subject to a penalty of five hundred dollars (\$500.00); subsequent to the initial notice, each additional day of offense is subject to a penalty of fifty dollars (\$50.00) per day, until the Board of Directors is able to ascertain that the co-owner, tenant or occupant concerned has ceased to cultivate cannabis.
- d) The reference period is the Syndicate's fiscal year. Before issuing a formal offence notice, the Board of Directors may, at its sole discretion, inform the co-owner concerned in writing of the alleged offense so that he may remedy the offence without incurring a penalty.
- e) Penalties accumulated by a co-owner during a given month are due on the first day of the following month.
- f) Penalties are payable by the co-owner, whether the offense is committed by himself, by a member of his family, by his tenant or by an occupant of his private unit.
- g) The present penalties are stipulated in respect with general damage suffered by the collectivity of co-owners due to one of the co-owners failure to comply with the By-laws prohibiting the consumption of cannabis (or any cannabis-derived product) or the cultivation of cannabis, from a public health perspective and to improve air quality in the common and private portions of the Immoveable. Any other damage to property or individuals caused by the failure of said co-owner to comply with said By-laws will be subject to common civil liability law.
- h) Besides imposing penalties, the Syndicate retains all its rights and recourses against the defaulting co-owner, tenant or occupant to ensure compliance with the above-mentioned By-laws, including the right to obtain an injunction and claim other damages.
- i) The amounts of such penalties do not constitute common charges.

- **TO GIVE INSTRUCTIONS, and by these presents instructions are given, to any one of the members of the Board of Directors to file the aforesaid By-laws, along with the penal clause specific thereto, in the register of the co-ownership, to enforce them and, if necessary, to impose penalties to those contravening them or to ensure compliance thereto by any other means.**

**LE SYNDICAT DES COPROPRIÉTAIRES DU MANOIR IV**  
(hereinafter the "Syndicate")

**Resolutions 2018-002**

to adopt by-laws prohibiting the consumption and cultivation of cannabis  
in the common portions for restricted use of the co-ownership

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**WHEREAS** concurrently with these presents, are to be adopted resolutions to establish by-laws prohibiting the consumption and cultivation of cannabis in the common and private portions of the co-ownership;

**WHEREAS** it is important to adopt a coherent regime of by-laws to prohibit the consumption and cultivation of cannabis in the co-ownership;

**WHEREAS** it is essential to protect the quality of life of co-owners, tenants and occupants of the Immovable, which implies an environment where the air quality is insofar as possible free of second-hand smoke and/or of unpleasant or persistent odors;

**WHEREAS** to achieve this objective, it is important to prohibit the use of cannabis in the common portions for restricted use, such as balconies, etc., to prevent second-hand smoke and odors from being disseminated throughout common portions, towards other balconies, etc., or in the private portions, by draught or other phenomenon related to air circulation.

**WHEREAS** the House of Commons of Canada has adopted the *Act respecting Cannabis and to amend the Controlled Drugs and Substances Act, the Criminal Code and other Acts*, which decriminalizes the consumption and cultivation of cannabis in Canada;

**WHEREAS** the federal government of Canada has indicated that it intends to bring into force the above-mentioned Act as of October 17, 2018, so that until that date, the use of cannabis or the cultivation of cannabis remains a criminal offense (save and except for those benefiting from a prescription for therapeutic cannabis);

**WHEREAS** the National Assembly of Quebec has adopted an *Act to constitute the Société québécoise du cannabis, to enact the Cannabis Regulation Act and to amend various highway safety-related provisions*, and the Quebec government intends to bring it into force shortly;

**WHEREAS**, to ensure the safety of the Immovable and of its occupants, it is appropriate to prohibit co-owners, tenants and occupants to grow cannabis plants in the common portions for restricted use, such as balconies, etc.;

**WHEREAS** the Board of Directors mandated the *de Grandpré Joli-Coeur* law firm, LLP, to prepare draft by-laws to prohibit the consumption and cultivation of cannabis in the common portions for restricted use of the co-ownership, transmitted to the co-owners along with the notice of the present general meeting;

WHEREAS these presents are the English version of resolutions drafted in French that are submitted to the co-owners for approval, the French resolutions and By-laws related to cannabis being the official version. In case of contradictions between the French and English text of the resolutions and By-laws, the former shall prevail;

**IT IS RESOLVED BY THE GENERAL MEETING OF THE CO-OWNERS:**

- **TO ADOPT** the following by-laws concerning the consumption and cultivation of cannabis in the common portions for restricted use of the co-ownership:

**Prohibition of smoking cannabis in common portions for restricted use**

1. It is forbidden to smoke cannabis in any area of the common portions for restricted use (inside and outside) of which the co-owners have the exclusive enjoyment. This By-law applies to any part of the cannabis plant (dried flowers, leaves, etc.) and also to any cannabis-derived products (hashish, cannabis oil, etc.) which, when smoked, emit smoke and/or odors. For the purposes of the application of any penalty clause, the use of cannabis once or several times a day constitutes one and the same offense, so that only one penalty may be imposed for each day during which are committed or are observed one or more contraventions of this By-law.

**Prohibition of cultivating cannabis in common portions for restricted use**

2. It is forbidden to cultivate one or more cannabis plants in any area of the common portions for restricted use (inside and outside) of which the co-owners have the exclusive enjoyment.
- **TO GIVE INSTRUCTIONS**, and by these presents, instructions are given, to any one of the members of the Board of Directors to file the aforesaid By-laws in the register of the co-ownership, to enforce them and, if necessary, to impose penalties to those contravening them or to ensure compliance thereto by any other means.

LE SYNDICAT DES COPROPRIÉTAIRES DU MANOIR IV  
(hereinafter the "Syndicate")

**Resolutions 2018-003**

to adopt by-laws prohibiting the consumption and cultivation of cannabis  
in the private portions of the co-ownership

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WHEREAS concurrently with these presents, are to be adopted resolutions to establish by-laws prohibiting the consumption and cultivation of cannabis in the common and common portions for restricted use of the co-ownership;

WHEREAS it is important to adopt a coherent regime of by-laws to prohibit the consumption and cultivation of cannabis in the co-ownership;

WHEREAS it is essential to protect the quality of life of co-owners, tenants and occupants of the Immoveable, which implies an environment where the air quality is insofar as possible free of second-hand smoke and/or of unpleasant or persistent odors;

WHEREAS to achieve this objective, it is important to prohibit the use of cannabis in the private portions, to prevent second-hand smoke and odors from being disseminated throughout common portions, common portions for restricted use and/or other private portions of the co-ownership, thus protecting the co-owners, tenants and occupants from neighborhood annoyances;

WHEREAS the House of Commons of Canada has adopted the *Act respecting Cannabis and to amend the Controlled Drugs and Substances Act, the Criminal Code and other Acts*, which decriminalizes the consumption and cultivation of cannabis in Canada;

WHEREAS the federal government of Canada has indicated that it intends to bring into force the above-mentioned Act as of October 17, 2018, so that until that date, the use of cannabis or the cultivation of cannabis remains a criminal offense (save and except for those benefiting from a prescription for therapeutic cannabis);

WHEREAS the National Assembly of Quebec has adopted an *Act to constitute the Société québécoise du cannabis, to enact the Cannabis Regulation Act and to amend various highway safety-related provision*, and the Quebec government intends to bring it into force shortly;

WHEREAS, in order to avoid the occurrence, in private portions, of water damage, and the gathering of moisture favoring molds and fungi, odors that may spread to common portions, common portions for restricted use and/or the private portions of the co-ownership, and other nuisances, it is appropriate to prohibit co-owners, tenants and occupants to grow cannabis plants in their private portions;

WHEREAS the Board of Directors mandated the *de Grandpré Joli-Coeur* law firm, LLP, to prepare draft by-laws to prohibit the consumption and cultivation of cannabis in the private portions of the co-ownership, transmitted to the co-owners along with the notice of the present general meeting;

WHEREAS these presents are the English version of resolutions drafted in French that are submitted to the co-owners for approval, the French resolutions and By-Laws related to cannabis being the official version. In case of contradictions between the French and English text of the resolutions and By-Laws, the former shall prevail;

**IT IS RESOLVED BY THE GENERAL MEETING OF THE CO-OWNERS:**

- TO ADOPT the following by-laws concerning the consumption and cultivation of cannabis in the private portions of the co-ownership:

**Prohibition of smoking cannabis in private portions**

1. It is forbidden to smoke cannabis in the private portions of the Immovable. This By-law applies to any part of the cannabis plant (dried flowers, leaves, etc.) and also to any cannabis-derived products (hashish, cannabis oil, etc.) which, when smoked, emit smoke and/or odors. For the purposes of the application of any penalty clause, the use of cannabis once or several times a day constitutes one and the same offense, so that only one penalty may be imposed for each day during which are committed or are observed one or more contraventions of this By-law.

This prohibition does not apply to co-owners, tenants or occupants who consume, in their private portion, cannabis for medical or therapeutic purposes, provided that such co-owner, tenant or occupant transmits in writing to the Board of Directors a request for an exemption from the foregoing prohibition.

In this request for exemption, the co-owner, tenant or occupant must explain the reason(s) for which he consumes cannabis for medical or therapeutic purposes, and provide any necessary documents to support his request (prescription of the attending physician, medical report, etc.). Provided that it is adequately justified and supported by all the necessary documents, the Board of Directors may not refuse to grant such a request for an exemption, unless it results in undue hardship for the Syndicate or other co-owners, tenants or occupants of the Immovable. Both the request for an exemption and the documents sent in support thereof are confidential, and the Board of Directors is bound to keep them under seal.

In the event that an undue hardship results from the fact that a co-owner, tenant or occupant benefits from an exemption from the cannabis use prohibition in his/her private portion, the Board of Directors may, by means of a written notice sent to the co-owner, tenant or occupant concerned, either establish limitations to the exercise of the exemption originally granted, or even revoke it.

**Prohibition of cultivating cannabis in private portions**

2. It is forbidden to cultivate one or more cannabis plants in the private portions of the Immovable.
- **TO GIVE INSTRUCTIONS**, and by these presents, instructions are given, to any one of the members of the Board of Directors to file the aforesaid By-laws in the register of the co-ownership, to enforce them and, if necessary, to impose penalties to those contravening them or to ensure compliance thereto by any other means.