



## The Ontario Cannabis Act What Condominium Corporations Need To Know

**1)** As announced on September 27th 2018, the Ontario Cannabis Act, 2017 passed by the previous provincial government is being amended by the new provincial government's Cannabis Statute Law Amendment Act, 2018 ("**CSLA**"). The CSLA will allow smoking of recreational marijuana in places where tobacco smoking is currently permitted under the Smoke-Free Ontario Act, 2017 ("**SFOA**").

**2)** The provincial government has indicated that when recreational marijuana becomes legalized on October 17th 2018, Ontario residents who are 19 and older will be able to purchase legalized cannabis online through the website of the Ontario Cannabis Retail Corporation ("**OCRC**"). Although the OCRC has not decided yet which delivery service provider will be delivering the online-ordered recreational marijuana to consumers (e.g. Canada Post, FedEx, UPS, etc.), online purchasers will be required to show government-issued ID and sign for their legalized cannabis delivery themselves. Accordingly, condominium security guards/concierges will not be allowed to sign for these packages on behalf of unit residents, like they may otherwise do for other types of mail delivery parcels or packages.

**3)** The OCRC will remain the sole retailer of legalized cannabis to consumers in Ontario for now – but the new provincial government is expecting to license 500 to 1,000 private cannabis retailers in or around April of 2019. If your condominium is zoned for retail use, this could mean that a unit in your condominium may be granted a cannabis retail license. The specific requirements for a cannabis retail license to be granted by the government are yet to be determined.

**4)** Condominiums will still be able to enact Rules to prohibit the smoking of cannabis after October 17th 2018. However, a Board of Directors that is considering the enactment of such a Rule, which will come into effect after October 17th 2018, should consider grandfathering both tobacco smokers and cannabis smokers. As of the date that such a Rule comes into effect, both tobacco smoking and marijuana smoking will be legal activities.

**5)** The CSLA does not amend the statutory limit on growing four (4) cannabis plants per residence, as that restriction is set out in the federal Cannabis Act and not provincial legislation. On October 17th 2018, each unit will only be allowed to grow up to four cannabis plants.