

Waiting in the Weeds...Marijuana In Condos

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The proposed [Cannabis Act](#) has been a frequent source of discussion amongst condominium corporations, owners, property managers and lawyers. Everyone is eager to understand what impact (if any) the legislation will have on those living in condominium communities.

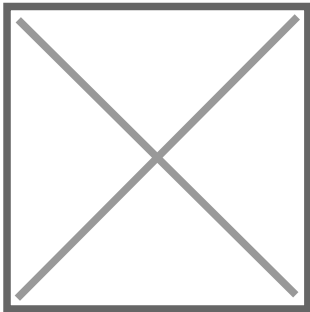
While there are differing opinions, my view is that condominium corporations have the right to pass Rules preventing any form of smoking (tobacco or marijuana) in their units and the common elements. This is subject to defined medical exemptions. The Rules can also prohibit the cultivation of marijuana plants in the units and or the common elements.

The fact that there will be legislation that permits marijuana usage to some extent does not mean that condominium corporations are obligated to allow owners and residents to use cannabis in their units. An item may be legalized, but there are still restrictions as to where and when the product can be consumed. Alcohol may be legal to purchase if you are over 19 years old, but it doesn't mean that you can drink in a public library. The same type of logic should apply here. Condominium corporations have the right to legislate their own buildings, in the interests of protecting the safety and security of its residents.

For anyone interested in more information, I moderated this session on marijuana in condos on June 14, 2018 in Toronto.

(This blog is provided for educational purposes only, and does not necessarily reflect the views of Gardiner Roberts LLP).

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