

HOMEOWNER & CONDO: RECREATIONAL LIMITS

What is the legal limit of cannabis plants per household?

- A dwelling-house is legally able to cultivate and harvest up to and including four (4) cannabis plants per household for recreational use.
- **What if three people are living there, does that mean we can have 12?**
 - No. The number is set to the dwelling, not the inhabitants.

Is the restriction the same for medical marijuana users?

- No, it is based on their prescription.
 - Maximum dosage allowed by Health Canada is 5 grams per day.
 - Using that prescribed dosage, a patient is allowed to grow 28 plants and possess over 3,000 grams of dried marijuana buds.

How will cannabis and cannabis plants be addressed under a homeowners wording?

- Cannabis will become a Contents item and treated like personal property like jewelry, furniture, food or clothing in the near future.
- Cannabis plants, if outdoors, are addressed under the Outdoor Trees, Plants and Shrubs part of the policy. This limits the total amount applicable to trees, plants and shrubs, and typically contains a maximum limit for a single tree plant or shrub.

TENANTS: RECREATIONAL USE/LEASE

Can tenants grow and consume cannabis on their rental property?

Current Leases:

- Tenant's will be allowed to grow and consume cannabis on the property as long as they are following the rules of the law in Ontario.
- Ontario law states that you cannot change the terms of an existing lease agreement. The province's tenancy laws make it illegal to change a lease before it ends.

Future changes:

- Restrictions on growing and consuming of cannabis can be added onto any new lease agreement.

Medical Marijuana:

- Beware of the Human Rights Code - Medical marijuana prescription holders can not be excluded from the restriction to grow or possess cannabis on their rented property.

SOCIAL HOSTING

What is your legal liability as a social host?

You are responsible for the safe and responsible consumption of cannabis on your property.

- You may be responsible for your guest's actions if Cannabis is consumed on your property. Under the Cannabis Act, consumption of cannabis is prohibited in public spaces, only on one's own premises. However, a liability exists for anyone hosting a social event.
- **Liability as an occupier** - a person who owns the property, has possession of or responsibility for the premises, is responsible for protecting people on their premises from harm.

CANNABIS LEGALIZATION

- **Liability as an employer:** For example, such as staff parties, where it may be common to offer alcohol, cannabis needs to be addressed through updates to HR policies.
- **Liability as a sponsor:** At events where participants may consume alcohol, knowingly or unknowingly, one needs to monitor participants who may partake in any potentially dangerous activities.

DRIVING

What are the legal limits and consequences of cannabis and driving?

- If police determine that you are driving while impaired by any drug, including illegal drugs, cannabis, prescription, and over-the-counter medications, you will face severe consequences and criminal charges.
- Novice Drivers (G1, G2, M1, M2) and Young Drivers (21 years of age and younger) are prohibited from having any drug in their body while driving; otherwise, they are guilty of an offence (s. 44.2). An exception exists where a police officer is satisfied that the driver is legally authorized to use the drug for medical purposes (s.44.0.2).
- Under the Criminal Code, Bill C-46, THC levels of five nanograms per millilitre of blood are penalized in three tiers:
 1. a minimum fine of \$1,000 for the first offence,
 2. minimum 30 days imprisonment for a second offence,
 3. minimum of 120 days in jail for the third and any subsequent offenses.
- These penalties increase significantly if you injure or kill anyone, from two years to life in jail. Less than 5ng but over 2.5ng will face a fine of up to \$1,000.