

# As legalization looms, Canada cannabis crackdown worries tokers

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Canada is just days away from legalizing cannabis, but as apartment buildings, schools and other spaces move to ban pot smoking on their premises, some enthusiasts fear they won't have anywhere to exercise their newly acquired rights.

Across Canada smoking tobacco is prohibited in or near entrances to bars and restaurants, offices and even parks.

These rules are supported by decades of research linking smoking—including second-hand—with an increased risk of cancer and cardiovascular disease

Taking a cue from the anti-smoking campaigns of the 1980s and 90s, managers of private and public spaces are now rushing to crack down on cannabis before legalization comes into effect on Wednesday in order to prevent the same kinds of concerns arising from pot smoke.

But the move has provoked a backlash, notably from renters who face "being left out in the cold" with nowhere to consume what will be a legal product.

"When legalization hits, only people who own their homes will be able to consume it because rentals have moved to restrict smoking," pot advocate and renter Shawn MacAleese told AFP.

"The idea that you'll be able to be able to purchase a product but not use

said product unless you own your own home or property is ridiculous," he said.

Canada will become only the second country in the world to legalize cannabis on October 17, following Uruguay, which led the way in December 2013.

According to the government statistics agency, about 13 percent of Canadians currently smoke tobacco.

By contrast, about 4.6 million Canadians or 16 percent of the population have used cannabis this year, and the number is not expected to rise significantly once the mind-altering drug is legalized, a recent Statistics Canada survey found.

A recent report by the Canadian Cancer Society noted 65 of the country's roughly 260 university and college campuses have banned pot smoking or vaping, praising them for "providing a healthier environment" for students.

Others have resisted, including the University of British Columbia in Vancouver, whose spokesman Hubert Lai told local media the institution did not wish to "drive the behavior underground."

## **Rentals on the rise**

Dorothy Church of Condo Management Group, the largest residential building manager in Ottawa (overseeing more than 300 buildings), said there has been a push by most condominium corporations to have restrictions in place by October 17.

"The majority of condo owners don't want marijuana in their buildings," she said, because of its pungent smell and health concerns.

About 4.5 million or nearly a third of Canada's 14 million households rent, with demand for rentals outstripping demand for buying for the first time in decades.

Air circulates between apartment or condo units, for the most part, by design—to meet building and fire code rules. Smoke can also travel, for example, from a balcony into a neighbor's open window.

"We're in an age where people are becoming sensitive to chemical scents, cleaning supplies, and cigarettes. We'll hear from a (condo) owner complaining about a neighbor who is burning incense or uses (scent) plug-ins by her door," Church said.

"The smell of marijuana is much stronger."

Some apartment and condo residents are already planning to challenge these rules, but lawyers consulted by AFP say they are confident they will hold up.

Exceptions are made for medical marijuana users.

## **'Messy' legal framework**

After hearing from pot proponents, Calgary in June became the first city in Canada to designate public pot smoking spaces in parks and at festivals.

But the bylaw was rolled back after it was deemed unworkable due to a clause requiring neighborhood consultations in each instance. It also contravened a provincial ban on smoking in public.

Calgary city councilor Jyoti Gondek described the legislative framework around cannabis as "messy."

"We will have legalized cannabis, but as a society we are still villainizing it," the former sociologist said.

"We tend as municipalities to try to manage social disorder through planning principles," which can result in "bizarre" outcomes such as this, she said.

Gondek suggested easing anti-smoking rules to allow for cannabis lounges is the best solution, but feels there is no political will for such a move.

"It's just too complicated," she concluded.

MacAleese agrees on the need for "consumption spaces."

"If we can't consume cannabis in a lounge or bar-like setting, can't consume at home unless you own it, and can't consume in public, what exactly does the government expect us to do when we finally get our legal [cannabis](#)?" he said.

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