

# Growing non-medical cannabis at home in British Columbia

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Under the *Cannabis Control and Licensing Act*, adults 19 years and older may grow up to four non-medical cannabis plants at the dwelling house where they ordinarily reside.

Non-medical cannabis plants cannot be grown in a place that is generally visible from a public place, such as parks, streets, sidewalks, sports fields, and K-12 school properties.

Cannabis (including authorized medical cannabis) cannot be grown in a home licensed for child care.

Landlords and strata councils may further restrict or prohibit growing non-medical cannabis. Local and Indigenous governments can also further restrict growing non-medical cannabis at home.

In addition, if you wish to grow cannabis inside your home, you may wish to consult your insurance provider to ensure there is no impact on your coverage.

**Authorized medical cannabis:** See FAQs below.



## Frequently Asked Questions

### What is the definition of a 'dwelling house'?

Under the provincial *Cannabis Control and Licensing Act*, the term 'dwelling house' is defined to include all or part of a building occupied as a permanent or temporary residence, the land contiguous with the building and any outbuildings or structures on the land.

### If two adults live in the same house can they each grow four plants for a total of eight?

No, not if they live in the same house, unit or suite. British Columbia has aligned with federal legislation, which allows adults 19 years and older to grow up to four non-medical cannabis plants per dwelling house. B.C.'s *Cannabis Control and Licensing Act* authorizes up to four non-medical cannabis plants per dwelling house regardless of how many adults live at the dwelling house.

### If a home/building has two or more suites, can each dwelling grow four plants?

Yes. If a home/building has two (or more) separate suites, the individuals who are ordinarily resident in each separate dwelling are allowed to grow a maximum of four plants.

### If an individual is not allowed to grow non-medical cannabis at their residence, can they grow it at a friend or relative's house?

No. Individuals must ordinarily reside at the place where they are growing non-medical cannabis.

### Can individuals with more than one home grow four plants at each location?

No. Individuals cannot grow plants at several different dwelling houses at the same time. If an individual wants to grow non-medical cannabis and has more than one residence, they are only authorized to grow non-medical cannabis at the home at which they are ordinarily resident.



## Where can non-medical cannabis plants be grown at home?

Subject to possible property owner and local government restrictions, cannabis can be grown indoors or outdoors including a yard, private deck or balcony, as long as the plants are generally not visible from a public place. Examples of public places include parks, streets, sidewalks, sports fields, and K-12 school properties. If a neighbour can see cannabis plants from their home, deck, yard, or other private place, it is not a violation of the provincial law.

## Do non-medical cannabis clone plants count toward the plant total?

Yes. Any clones produced are included in the four plant limit.

## Does non-medical cannabis still on the growing plant count towards the 1,000 gram maximum possession limit in a private place?

No. The 1,000 grams of dried non-medical cannabis (or equivalent) maximum possession limit for private places, including at a dwelling house, does not include cannabis still attached to the plant that has not been harvested. As soon as cannabis is harvested, it counts toward the 1,000-gram limit.

## If more than one adult lives at a dwelling house is each adult entitled to possess 1,000 grams of dried cannabis (or equivalent)?

No. The maximum limit applies to the household and does not change based on the number of people living in the household; if two or more individuals occupy the same household the limit is still 1,000 grams of dried non-medical cannabis (or equivalent).

## Can homegrown non-medical cannabis be sold?

No. Only licensed retailers and [BC Cannabis Stores](#) can sell non-medical cannabis. The Liquor Distribution Branch is the sole provincial distributor of non-medical cannabis and the cannabis it purchases must come from a federally licenced producer.

## Can homegrown non-medical cannabis be shared with another person?

Yes. Adults can share homegrown non-medical cannabis with another adult, provided the cannabis was legally produced. The public possession limit of up to 30 grams of dried (or equivalent) non-medical cannabis applies, whether you are carrying non-medical cannabis purchased from a legal retailer, or grown at home by yourself or by another adult.

## Can homegrown non-medical cannabis be mailed to a friend?

It depends. There is nothing in B.C.'s legislation that prevents individuals from mailing a maximum of 30 grams of dried (or equivalent) homegrown non-medical cannabis to an adult friend. However, the laws in other provinces or territories may restrict product entering from another province. For links to information about the rules and regulations in other provinces and territories, please visit [www.getcannabisclarity.ca](http://www.getcannabisclarity.ca).

If you are sending the cannabis via [Canada Post](#) you will need to comply with their packaging requirements. Please note non-medical cannabis cannot be mailed outside Canada.



### Can individuals authorized by Health Canada to grow medical cannabis also grow four non-medical plants?

Yes. These individuals can grow a maximum of four non-medical cannabis plants in addition to the number of plants Health Canada has authorized for their personal medical use.

### Can cooperatives or community gardens allow several adults to grow non-medical cannabis in one place?

No. Individuals must ordinarily reside at the place where they are growing up to four non-medical cannabis plants.

### Can I grow medical cannabis at home?

Health Canada regulates personal cultivation of cannabis for medical purposes. The former *Access to Cannabis for Medical Purposes Regulations* have been incorporated into the federal *Cannabis Regulations*. The processes for obtaining authorization to access and produce medical cannabis have not changed with legalization of non-medical cannabis. Information on medical cannabis is available from [Health Canada](http://HealthCanada).



## Additional prohibitions/restrictions

### Can local government restrict cannabis cultivation?

Yes. Local and Indigenous governments may further restrict non-medical cannabis home growing beyond provincial and federal regulations. If you plan to grow non-medical cannabis at home, find out if your local or Indigenous government has additional rules.

### I live in rental housing. Can I grow non-medical cannabis?

Growing non-medical cannabis is prohibited under tenancy agreements entered into before October 17, 2018. For tenancy agreements entered into on or after October 17, 2018, it is up to the landlord and tenant to set the terms and conditions, including whether growing non-medical cannabis will be allowed.

### Can strata corporations prohibit non-medical cannabis cultivation?

Yes. Under the *Strata Property Act*, strata corporations can pass a bylaw, by a  $\frac{3}{4}$  vote of owners, to restrict or ban smoking or growing non-medical cannabis. Strata corporations may find it helpful to seek legal advice before passing bylaws in relation to non-medical cannabis production.

If you live in a strata home, you will need to find out if your strata corporation allows non-medical cannabis growing.



## Transporting homegrown non-medical cannabis

### Can non-medical cannabis plants be transported by vehicle?

Yes. Up to four non-medical cannabis plants can be transported in a vehicle as long as they are not budding or flowering. If the plants are budding or flowering, they must remain at the dwelling house where they are being grown.

### Can homegrown non-medical cannabis be transported by vehicle?

Yes. Homegrown cannabis can be transported in a vehicle as long as it is inaccessible to the driver and occupants (for example, in the trunk), and does not exceed the public possession limit of 30 grams of dried cannabis (or its equivalent).



## Penalties/consequences

### What are the consequences of illegally growing non-medical cannabis?

Under federal legislation, growing cannabis in violation of the *Cannabis Act* is a criminal offence and could lead to the seizure of the cannabis, court fines, jail time or a combination of some or all penalties.

Under provincial legislation, growing cannabis in violation of the *Cannabis Control and Licensing Act* could lead to: seizure of the cannabis and violation ticket, or seizure and court fines or jail or both. Violation ticket amounts range from \$230 to \$575.

### What are the consequences of illegally selling homegrown cannabis?

Under federal legislation selling homegrown cannabis under the *Cannabis Act* is a criminal offence and could lead to the seizure of the cannabis, court fines, jail time or a combination of some or all penalties.

Under provincial legislation, selling cannabis in contravention of the *Cannabis Control and Licensing Act* by an individual who is not a licensee could result in a fine of up to \$10,000, or imprisonment of up to 6 months, or both. The fines and terms of imprisonment are higher in the case of sales in contravention of the Act by corporations or licensees.