



RELATED DOCUMENTATION

Legislation	<ul style="list-style-type: none">• The Smoke-Free Ontario Act, 2017• The Residential Tenancies Act, 2006
Collective Agreement	
Forms	
Policies	
Other Resources	

POLICY STATEMENT

LMCH is committed to providing tenants and employees with a safe and healthy environment in which to live and work. To achieve this goal, LMCH has established a smoke-free policy that prohibits smoking in all LMCH residential units, enclosed common areas, as well as outside within nine meters of doorways, operable windows, and air intakes. This policy applies to all tenants, occupants, staff, guests, contractors/vendors, and visitors. The purpose of this policy is to promote the health and safety of everyone within LMCH properties, minimize exposure to second-hand smoke, reduce the risk of fire, and reduce maintenance costs.

SCOPE

This policy applies to all LMCH properties, tenants, occupants, staff, guests, contractors/vendors, and visitors.

OVERVIEW

LMCH tenants are currently permitted by law to smoke tobacco or cannabis inside their unit as well as most outdoor space beyond nine metres of a building entrance or exit. Any household signing a new lease, either as a new tenant or as a transfer, will be required to agree not to smoke in their units as a condition of their lease.

TRANSITION TO SMOKE-FREE

New Builds: All new LMCH-owned properties occupied after 2024 will be designated as smoke-free buildings.

Transition Properties: Existing properties will undergo a transition process, which will be communicated to tenants and enforced through lease agreements and the Residential Tenancies Act, 2006.

New Tenants: New tenants signing a lease effective April 1, 2025, will be required to agree not to smoke in their unit, hallways, or any common areas including 9 meters from any entrance or exit of the building consistent with local by-laws and as per the Smoke-Free Ontario Act, 2017.

Existing Tenants: Currently, LMCH tenants are permitted by law to smoke tobacco or cannabis inside their unit. Existing tenants are required to comply with the Smoke Free Ontario Act that includes restrictions on smoking indoors and outdoor areas of LMCH properties. Existing households moving between units and/or buildings will normally be required to agree not to smoke in their units as a condition of the move.

Communication: LMCH will provide clear and timely communication to tenants about the transition to a smoke-free environment, including any changes to lease agreements and enforcement measures.

POLICY

1. No tenant, occupant, guest, business invitee, or visitor shall smoke cigarettes, cigars, cannabis, electronic cigarettes or any similar product whose use generates smoke within the building. This prohibition includes all residential units within the building, all balconies, and patios, enclosed common areas, as well as outside within nine meters of doorways, operable windows, and air intakes.
2. The Smoke-Free Ontario Act, 2017 prohibits smoking in common areas of multi-residential buildings, including foyers, elevators, stairwells, laundry rooms, corridors, etc.
3. LMCH's Smoke-Free Policy will come into effect for all LMCH properties beginning April 1, 2025.
4. All new LMCH-owned buildings occupied after 2024 will be designated as smoke-free buildings.
5. Traditional use of tobacco by Indigenous tenants will be permitted when used for traditional/cultural or spiritual purposes.
6. The general use of medicinal cannabis to treat or control symptoms of a disability is protected by the Ontario Human Rights Code. The Smoke-Free Policy does not prohibit the smoking of cannabis for medicinal use for those who are suffering from grave and debilitating illnesses who must smoke their prescription and are not able to exit the building. Written approval must be received from LMCH, and request must be consistent with Health Canada Regulations.

ENFORCEMENT AND COMPLIANCE:

LMCH staff will monitor compliance with the Smoke-Free Policy through regular inspections and tenant reports. Violations of the policy will be addressed by offering formal verbal and written warnings explaining the policy and what is required of the tenant. If violations continue

LMCH will bring violations before the Landlord and Tenant Board which could potentially lead to eviction in accordance with the Residential Tenancies Act, 2006.

LMCH is committed to supporting tenants in complying with this policy and will refer tenants to resources and assistance in the community.

DEFINITIONS:

All definitions are from Smoke-Free Ontario Act, 2017:

- "Cannabis" has the same meaning as in subsection 2 (1) of the Cannabis Act (Canada)
- "Electronic cigarette(s)" means a vaporizer or inhalant-type device, whether called an electronic cigarette or any other name, that contains a power source and heating element designed to heat a substance and produce a vapour intended to be inhaled by the user of the device directly through the mouth, whether or not the vapour contains nicotine.

Date Drafted	• January 23, 2025
Date Revised	• N/A
Date Approved	• February 2025
To be reviewed	• Biennially
Inquiries to Policy Owner	• Executive Administration