

Authority: Planning and Growth Management Committee Item 31.1,
as adopted by City of Toronto Council on April 1, 2 and 3, 2014

CITY OF TORONTO

BY-LAW No. 402-2014

To amend former City of York Zoning By-law No. 1-83, as amended, to include permission for a Medical Marihuana Production Facility.

Whereas authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto enacts:

1. By-law No. 1-83, as amended, is further amended by adding a new Section 2 - Definitions Subsection (67h) MEDICAL MARIHUANA PRODUCTION FACILITY after (67g), so that it reads:

(67h) "MEDICAL MARIHUANA PRODUCTION FACILITY" - means premises used for growing, producing, testing, destroying, storing, or distribution of medical marihuana or cannabis authorized by a license issued by the federal Minister of Health, pursuant to section 12 of the Marihuana for Medical Purposes Regulations, SOR/2013-119, under the *Controlled Drugs and Substances Act*, S.C. 1996, c. 19, as amended.

2. By-law No. 1-83, as amended, is further amended by adding a new clause (g) 'medical marihuana production facility' to Subsection 13.3.1 after clause (f).
3. By-law No. 1-83, as amended, is further amended by adding the following Subsection after Subsection 13.3.3, so that it reads:

13.3.4 A medical marihuana production facility is permitted subject to the following provisions:

- (a) must be in a totally enclosed building;
- (b) outdoor storage is not permitted;
- (c) a lot with a medical marihuana production facility must be at least:
 - (A) 70 metres from a lot in a:
 - (1) R1, R2, R3 Zone;
 - (2) RM1, RM2 Zone;
 - (3) LCR, MCR Zone; and
 - (4) G Zone; and

- (B) 70 metres from a lot with a:
 - (1) public school, separate school, or religious school;
 - (2) commercial school;
 - (3) place of worship; and
 - (4) day nursery;
 - (d) a building or structure used for security purposes for a medical marihuana production facility:
 - (A) may be in the front yard; and
 - (B) is exempt from the required minimum front yard setbacks, side yard setbacks and rear yard building setback;
 - (e) loading spaces for a medical marihuana production facility must be in a totally enclosed building.
4. By-law No. 1-83, as amended, is further amended by adding a new clause (e) 'medical marihuana production facility' to Subsection 13.4.1 after clause (d).
5. By-law No. 1-83, as amended, is further amended by adding a new Subsection 13.4.4 after Subsection 13.4.3, so that it reads:

13.4.4 A medical marihuana production facility is permitted subject to the following provisions:

- (a) must be in a totally enclosed building;
- (b) outdoor storage is not permitted;
- (c) a lot with a medical marihuana production facility must be at least:
 - (A) 70 metres from a lot in a:
 - (1) R1, R2, R3 Zone;
 - (2) RM1, RM2 Zone;
 - (3) LCR, MCR Zone; and
 - (4) G Zone;
 - (B) 70 metres from a lot with a:
 - (1) public school, separate school, or religious school;
 - (2) commercial school;
 - (3) place of worship; and
 - (4) day nursery;

- (d) a building or structure used for security purposes for a medical marihuana production facility:
 - (A) may be in the front yard; and
 - (B) is exempt from the required minimum front yard setbacks, side yard setbacks and rear yard building setback; and
- (e) loading spaces for a medical marihuana production facility must be in a totally enclosed building.

Enacted and passed on May 8, 2014.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)