CITY OF TORONTO

BY-LAW No. 403-2014

To amend Zoning By-law No. 569-2013, 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. 569-2013, as amended, is further amended by adding new Regulation 800.50 (473) after Regulation 800.50(470), so that it reads:

(473) 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. 569-2013, as amended, is further amended by adding new Section 150.60 after Section 150.50 so that it reads:

150.60 Medical Marihuana Production Facility

150.60.20 Use Requirements

150.60.20.1 General

(1) All Activities in an Enclosed Building

A medical marihuana production facility must be in a wholly enclosed building.

(2) Open Storage

Open storage is not permitted with a medical marihuana production facility.
150.60.40 Building Requirements

150.60.40.1 General

(1) Separation Distance

A lot with a medical marihuana production facility must be:

(A) at least 70 metres from a lot in a:

(i) Residential Zone category;
(ii) Residential Apartment Zone category;
(iii) Commercial Zone category;
(iv) Commercial Residential Zone category;
(v) Commercial Residential Employment Zone category;
(vi) Institutional Zone category; and
(vii) Open Space Zone category; and

(B) at least 70 metres from a lot with a:

(i) public school;
(ii) private school;
(iii) place of worship; and
(iv) day nursery.

150.60.60 Ancillary Building

150.60.60.10 Location

(1) Location of Building or Structure Used for the Purpose of Site and Facility Security

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 setbacks.

150.60.90 Loading

150.60.90.10 Location

(1) Loading Space Location

Loading spaces for a medical marihuana production facility must be in a wholly enclosed building.
3. By-law No. 569-2013, as amended, is further amended by adding 'Medical marihuana production facility (2)' to regulation 60.20.20.20(1) after 'Eating Establishment (3,19,30)'.

4. By-law No. 569-2013, as amended, is further amended by adding the following new regulation to Clause 60.20.20.100 before '(3) Eating Establishment or Take-out Eating Establishment and Retail Service', so that it reads:

   (2) Medical Marihuana Production Facility
   In the E zone, a medical marihuana production facility must comply with the specific use regulations in Section 150.60.

5. By-law No. 569-2013, as amended, is further amended by adding 'Medical marihuana production facility (3)' to regulation 60.30.20.20(1) after 'Crematorium (14)'.

6. By-law No. 569-2013, as amended, is further amended by adding the following new regulation to Clause 60.30.20.100 after '(2) Outside Operations', so that it reads:

   (3) Medical Marihuana Production Facility
   In the E zone, a medical marihuana production facility must comply with the specific use regulations in Section 150.60.

Enacted and passed on May 8, 2014.

Frances Nunziata, Ulli S. Watkiss,
Speaker City Clerk

(Seal of the City)