CITY OF TORONTO

BY-LAW No. 404-2014

To amend former City of Toronto Zoning By-law No. 438-86, 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. Former City of Toronto By-law No. 438-86, as amended, is further amended by adding the following definition to Section 2 after "meat products plant", so that it reads:

"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. Former City of Toronto By-law No. 438-86, as amended, is further amended by adding the following to Section 9(1), Regulation (b)(xiv) after market gardening, so that it reads:

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3. Former City of Toronto By-law No. 438-86, as amended, is further amended by adding the following new regulation to Section 9(2) after regulation 29, so that it reads:

30. A medical marihuana production facility:

(i) must be located in a wholly enclosed building;

(ii) may not have open storage on the lot;

(iii) must be on a lot that is at least:

(A) 70 metres from a lot in a:

(1) Residential District;
(2) Reinvestment Area District;
(3) Mixed Use District; and
(4) Park District;
(B) 70 metres from a lot with a:

(1) *public school or private academic, philanthropic or religious school*;

(2) university or college;

(3) *place of worship*; and

(4) *day nursery*;

(iv) may have a building or structure used for security purposes:

(A) located in the front yard;

(B) is exempt from required minimum front yard setbacks, side yard setbacks and rear yard setbacks; and

(v) all loading spaces located must be in a wholly enclosed building.

Enacted and passed on May 8, 2014.

Frances Nunziata,  
Speaker

Ulli S. Watkiss,  
City Clerk

(Seal of the City)