

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. 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:

	Acc.	I1	I2	I3	I4	IC	T	Tr
<i>medical marihuana production facility</i>	*		q30	q30	q30			

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)