CITY OF TORONTO

BY-LAW No. 405-2014

To amend former Borough of East York Zoning By-law No. 1916, 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. 1916, as amended, is further amended by adding new Section 2.65.0 after Section 2.65, so that it reads:

2.65.0 MEDICAL MARIHUANA PRODUCTION FACILITY
"Medical Marijuana 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. 1916, as amended, is further amended by adding new Section '8.3.1(a)(xii) Medical Marihuana Production Facility' after Section 8.3.1(a)(xi).

3. By-law No. 1916, as amended, is further amended by adding new Section 8.1.8 after Section 8.1.7, so that it reads:

8.1.8 Where a Lot is used for a Medical Marihuana Production Facility the following regulations apply:

(a) A Medical Marihuana Production Facility must be in a wholly enclosed Building;

(b) Open Storage is not permitted with a Medical Marihuana Production Facility;

(c) A Lot with a Medical Marihuana Production Facility must be:

(i) at least 70 metres from a Lot in a:

- Residential Zone;
- Commercial Residential Zone;
- Mixed Use Residential Commercial Zone;
- Conservation Zone;
- Open Space Zone;
- Special Residential High Density Zone;
- Residential Second Density Zone; and
- Special Purpose Commercial Zone;

(ii) at least 70 metres from a Lot with a:

- School;
- Private School;
- Place of Worship; and
- Day Nursery;

(d) A building or structure used for security purposes for a Medical Marihuana Production Facility:

(i) may be in the Front Yard;

(ii) is exempt from required minimum Front Yard setbacks, Side Yard setbacks and Rear Yard setbacks; and

(e) Loading spaces for a Medical Marihuana Production Facility must be in a wholly enclosed Building.

Enacted and passed on May 8, 2014.

Frances Nunziata,                                  Ulli S. Watkiss,  
Speaker                                       City Clerk  

(Seal of the City)