CITY OF TORONTO

BY-LAW No. 407-2014

To amend Chapter 304 of the Etobicoke Zoning Code, 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. Etobicoke Zoning Code § 304-3, Definitions, is further amended by adding the following new definition after MEDICAL, 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. Etobicoke Zoning Code, Article IV, Supplementary Regulations, is further amended by adding new § 304-23 after § 304-22, so that it reads:

   § 304-23. Supplemental regulations for medical marihuana production facility.

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

   (A) A medical marihuana facility must be in a wholly enclosed building;

   (B) Outside 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:

         (1) R1, R2, R3, R4, R4G, R5 or R6 zone;
         (2) CN, CL, CG, CP, CP Regional or CPP zone;
         (3) POS, OW or W zone; and
         (4) I zone;

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

         (1) elementary school, secondary school;
(2) place of worship; and
(3) day nursery;

(D) A building or structure used for security purposes for a medical marihuana production facility:

(i) may be located in the front yard;

(ii) is exempt from the 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.

3. Etobicoke Zoning Code, Article VI, Industrial Zones (General) is further amended by adding new § 304-31I 'I. Medical marihuana production facility:' after § 304-31H.

Enacted and passed on May 8, 2014.

Frances Nunziata, Speaker

Ulli S. Watkiss, City Clerk

(Seal of the City)