CITY OF TORONTO

BY-LAW No. 408-2014

To amend former City of North York Zoning By-law No. 7625, 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. 7625, as amended, is further amended by adding new Section 2.53.1(a) after Section 2.53.1, so that it reads:

   2.53.1(a) 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. 7625, as amended, is further amended by adding a new use 'medical marihuana production facility' to regulation 31(2)(a) after 'manufacturing'.

3. By-law No. 7625, as amended, is further amended by adding new regulation 31(2)(b)(vi) after regulation 31(2)(b)(v), so that it reads:

   (vi) Medical marihuana production facility

   (A) A medical marihuana production facility must be entirely within a 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 any:

   (1) Residential One Family Detached Dwelling Zones;
   (2) Multiple Family Dwelling Zones;
   (3) Commercial Zones;
   (4) Open Space Zones;
   (5) York University Zone;
(6) Hospital Zone; or
(7) on Wilson Avenue between Keele Street and Bathurst Street;

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

(1) school;
(2) elementary school, secondary school;
(3) university or college
(4) place of worship; and
(5) 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 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 entirely within a building.

4. By-law No. 7625, as amended, is further amended by adding a new use 'medical marihuana production facility' to regulation 32(2) (a) after 'manufacturing'.

5. By-law No. 7625, as amended, is further amended by adding new regulation 32(2)(b)(vi) after regulation 32(2)(b)(v), so that it reads:

(vi) Medical marihuana production facility

(A) A medical marihuana production facility must be entirely within a 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 any:

(1) Residential One Family Detached Dwelling Zones;
(2) Multiple Family Dwelling Zones;
(3) Commercial Zones;
(4) Open Space Zones;
(5) York University Zone;
(6) Hospital Zone; or
(7) on Wilson Avenue between Keele Street and Bathurst Street;

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

(1) school;
(2) elementary school, secondary school;
(3) university or college
(4) place of worship; and
(5) 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 entirely within a building.

Enacted and passed on May 8, 2014.

Frances Nunziata, Speaker

Ulli S. Watkiss, City Clerk

(Seal of the City)