



STAFF REPORT ACTION REQUIRED

Zoning Changes for Medical Marihuana Production Facilities – Final Report

Date:	December 10, 2013
To:	Planning and Growth Management Committee
From:	Chief Planner and Executive Director, City Planning Division
Wards:	All
Reference Number:	P:\2014\Cluster B\PLN\PGMC\PG14002

SUMMARY

This report is about comments on the proposed Medical Marihuana Production Facility zoning regulations received at a community consultation open house held November 28, 2013 and to bring forward to a public meeting draft zoning by-law amendments to all general zoning by-laws with industrial zones, to permit a Medical Marihuana Production Facility (MMFP).

RECOMMENDATIONS

The Chief Planner and Executive Director City Planning Division recommends that:

1. City Council amend City of Toronto Zoning By-law No. 569-2013; former City of Toronto By-law 438-86; former City of North York By-law 7625; former City of Scarborough Employment District By-law 24982; former City of York By-law 1-83; former Borough of East York By-laws 6752 and 1916 and former City of Etobicoke Zoning Code, substantially in accordance with the draft zoning by-law amendments included in Attachments No. 1 through 8.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

At the October 22, 2013 Planning and Growth Management Committee meeting, the Chief Planner and Executive Director, City Planning was directed to hold a public open house in November 2013 for the purpose of receiving public comments on the introduction of a medical marihuana production facility use and associated development standards in some industrial zones across the City and then to bring forward to a January 13, 2014 public meeting the draft zoning by-laws to implement the inclusion of this use. <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.PG27.7>

ISSUE BACKGROUND

The following is a link to the report dated September 24, 2013 from the October 22, 2013 Planning and Growth Management Committee meeting where background information was provided outlining the City of Toronto's absences of zoning for Licensed Medical Marihuana Production Facilities and recommendations for permitting this new use: <http://www.toronto.ca/legdocs/mmis/2013/pg/bgrd/backgroundfile-62360.pdf>

COMMENTS

At its meeting held on October 22, 2013, the Planning and Growth Management Committee adopted a report recommending public consultation on changes to the zoning regulations respecting the new federally-regulated Medical Marihuana Production Facilities. The recommended zoning changes include permitting such as use only in the industrial zones E and EH found in the City-wide Zoning By-law 569-2013 and corresponding industrial zones in the other existing City zoning by-laws still in effect on some properties in the City. The proposed changes to the City's zoning by-laws and zoning code are included in Attachments 1 through 8. These changes complement the land use requirements found in Part 1 of the new federal 'Marihuana for Medical Purposes Regulations' (MMPR) announced in June 2013. The proposed separation distance of 70 metres to any residential or park zone is derived from the Provincial D-6 Guidelines for a Class II industry use. In order to accommodate specific security requirements imposed by MMPR specific exemptions to existing zoning regulations have been created.

A community consultation open house to discuss the proposed zoning regulations for MMFPs was held on November 28, 2013 at Metro Hall in accordance with the direction received from Planning and Growth Management Committee.

Notice was placed in the November 19, 2013 Toronto Sun newspaper. The proposed definition, zoning and general regulations in the October 22, 2013 report to Committee were presented for discussion and feedback.

Approximately 16 people interested in the medical marihuana production and distribution industry were in attendance. One written submission was received.

Individuals, including industry representatives, at the meeting expressed support for the MMFP general regulations concerning separation distances from sensitive uses and zones permitting residential uses. The proposed regulation requiring loading spaces be wholly enclosed in a building with a MMFP was seen as consistent with security requirements found in the federal Marihuana for Medical Purposes Regulations (MMPR). An exemption from the setback requirements for buildings and structures for MMFP security purposes from lot lines met with approval from industry representatives.

One participant suggested that a medical marihuana distribution facility, similar to a drug store, should be permitted in commercial zones. City staff clarified that Section 73 of the MMPR requires the product be shipped to a client. A medical marihuana client is not permitted to physically obtain the product directly from a supplier but must have it delivered.

Participants asked if there would be amendments to the former general zoning by-laws to cover properties currently left out of the new City-wide Zoning By-law. It was confirmed that all applicable zoning by-laws would be amended as presented on a chart displaying which zones in the former general zoning by-laws would be amended to accommodate the MMFP use.

CONTACTS

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SIGNATURE

Jennifer Keesmaat, MES, MCIP, RPP
Chief Planner & Executive Director
City Planning Division

ATTACHMENTS

Attachment 1: Draft Zoning By-law Amendment to City of Toronto By-law 569-2013

Attachment 2: Draft Zoning By-law Amendment to Former City of Toronto By-law 438-86

Attachment 3: Draft Zoning By-law Amendment to Former City of North York By-law 7625

Attachment 4: Draft Zoning By-law Amendment to Former City of Scarborough By-law 24982

Attachment 5: Draft Zoning By-law Amendment to Former City of York By-law 1-83

Attachment 6: Draft Zoning By-law Amendment Former Borough of East York By-law 6752

Attachment 7: Draft Zoning By-law Amendment Former Borough of East York (Town of Leaside) By-law 1916

Attachment 8: Draft Zoning By-law Amendment Former City of Etobicoke Zoning Code

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Attachment 1: Draft Zoning By-law Amendment to City of Toronto By-law 569-2013

Authority: Planning and Growth Management Committee ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. --20~

**To amend Zoning By-law No. 569-2013, 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 HEREBY ENACTS as follows:

(1) By-law 569-2013 is amended to insert Section 800.50 (473) so that it reads:

- (473) 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, SC 1996, c 19, as amended.

(2) Bylaw 569-2013 is amended to insert Section 150.60 so that it reads:

150.60 Medical Marihuana Production Facility

150.60.20 Use Requirements

150.60.20.1 General

- (1) All Activities in an Enclosed Building
A **medical marihuana production facility** must be in a wholly enclosed building.

(2) Open Storage

Open storage is not permitted with a **medical marihuana production facility**.

150.60.40 Building Requirements

150.60.40.1 General

(1) Separation Distance

A lot with a **medical marihuana production facility** must be:

(A) at least 70 metres from a lot in a:

- (i) Residential Zone category;
- (ii) Residential Apartment Zone category;
- (iii) Commercial Residential Zone category;
- (iv) Commercial Residential Employment Zone category;
- (v) Institutional Zone category; or
- (vi) Open Space Zone category; and

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

- (i) public school;
- (ii) private school;
- (iii) place of worship; or
- (iv) day nursery.

150.60.60 Ancillary Building

150.60.60.10 Location

(1) Location of building or structure Used for the Purpose of Site and Facility Security

A **building** or **structure** used for security purposes for a **medical marihuana production facility**:

(A) may be in the **front yard**; and

(B) does not have to comply with required minimum **front yard, side yard** and **rear yard building setbacks**.

150.60.90 Loading

150.60.90.10 Location

(1) Loading Space Location

Loading spaces for a medical **marihuana production facility** must be in a wholly enclosed building.

(3) Bylaw 569-2013 is amended to insert the following regulation to regulation 60.20.20.20(1), so that it reads:

Medical marihuana production facility (2)

(4) Bylaw 569-2013 is amended to insert the following regulation to regulation 60.20.20.100, so that it reads:

(2) Medical Marihuana Production Facility

In the E zone, a medical marihuana production facility must comply with the specific use regulations in Section 150.60.

(5) Bylaw 569-2013 is amended to insert the following regulation to regulation 60.30.20.20(1), so that it reads:

Medical marihuana production facility (3)

(6) Bylaw 569-2013 is amended to insert the following regulation to regulation 60.30.20.100, so that it reads:

(3) Medical Marihuana Production Facility

In the E zone, a medical marihuana production facility must comply with the specific use regulations in Section 150.60.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,
Mayor
(Corporate Seal)

ULLI S. WATKISS,
City Clerk

Attachment 2: Draft Zoning By-law Amendment to Former City of Toronto By-law 438-86

Authority: Planning and Growth Management Committee ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. --20~

**To amend 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 HEREBY ENACTS as follows:

(1) Former City of Toronto, By-law 438-86 is amended to insert the following definition into Section 2 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, SC 1996, c 19, as amended.

(2) Former City of Toronto, Bylaw 438-86 is amended to insert the following to Section 9, Sub-section 1, Regulation (b) (xiv) 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, Bylaw 438-86 is amended to insert the following regulations to Section 9, Sub-section 2, so that it reads:

30. *A medical marihuana production facility* is a permitted use if it is:

- (A) on a lot that is at least:
 - (I) 70 metres from a lot in a:
 - (1) Residential District;
 - (2) Reinvestment Area District;
 - (3) Mixed Use District; or
 - (6) Park District; and
 - (II) 70 metres from a lot with a:
 - (1) public or private school used for elementary or secondary education regulated under the Education Act, R.S.O. 1990, c. E.2, as amended.;
 - (2) university or college;
 - (3) place of worship; or
 - (4) day nursery.
- (B) a building or structure used for security purposes for a *medical marihuana production facility*:
 - (I) may be in the front yard; and
 - (II) does not have to comply with required minimum front yard, side yard and rear yard building setbacks.
- (C) loading spaces for a *medical marihuana production facility* must be in a wholly enclosed building.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,
Mayor
(Corporate Seal)

ULLI S. WATKISS,
City Clerk

**Attachment 3: Draft Zoning By-law Amendment to Former City of North York
By-law 7625**

Authority: Planning and Growth Management Committee ~ as adopted by City of
Toronto Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. --20~

**To amend 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 HEREBY ENACTS as follows:

(1) Former City of North York, By-law 7625 is amended to insert Section 2.53.1 (a) 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, SC 1996, c 19, as amended.

(2) Former City of North York, Bylaw 7625 is amended to insert the following regulation to regulation 31(2) (a), so that it reads:

Medical marihuana production facility

(3) Former City of North York, Bylaw 7625 is amended to insert the following regulations to regulation 31(2) (b), so that it reads:

(vi) Medical marihuana production facility

(A) A lot with a medical marihuana production facility must be:

- (I) at least 70 metres from a lot in a:
 - (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) Wilson Avenue – Keele Street to Bathurst Street;and

- (II) at least 70 metres from a lot with a:
 - (1) school;
 - (2) private school;
 - (3) University or college
 - (4) place of worship; or
 - (5) day nursery.

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

(I) may be in the front yard; and

(II) does not have to comply with required minimum front yard, side yard and rear yard building setbacks.

(C) Loading spaces for a medical marihuana production facility must be in a wholly enclosed building.

(4) Former City of North York, Bylaw 7625 is amended to insert the following regulation to regulation 32(2) (a), so that it reads:

Medical marihuana production facility

(6) Former City of North York, Bylaw 7625 is amended to insert the following regulation to regulation 32(2) (b), so that it reads:

(vi) Medical marihuana production facility

(A) A lot with a medical marihuana production facility must be:

(I) at least 70 metres from a lot in a:

- (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) Wilson Avenue – Keele Street to Bathurst Street;
and
- (II) at least 70 metres from a lot with a:
 - (1) school;
 - (2) private school;
 - (3) University or college
 - (4) place of worship; or
 - (5) day nursery.

- (B) A building or structure used for security purposes for a medical marihuana production facility:
 - (I) may be in the front yard; and
 - (II) does not have to comply with required minimum front yard, side yard and rear yard building setbacks.

- (C) Loading spaces for a medical marihuana production facility must be in a wholly enclosed building.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,
Mayor
(Corporate Seal)

ULLI S. WATKISS,
City Clerk

**Attachment 4: Draft Zoning By-law Amendment to Former City of Scarborough
By-law 24982**

Authority: Planning and Growth Management Committee ~ as adopted by City of
Toronto Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. --20~

**To amend Zoning By-law No. 24982, 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 HEREBY ENACTS as follows:

(1) Former City of Scarborough, By-law 24982 is amended to insert the following definition into Clause IV 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, SC 1996, c 19, as amended.

(2) Former City of Scarborough, Bylaw 24982 is amended to insert the following regulations to Clause V – General Provisions, Section 26, so that it reads:

26. Medical Marihuana Production Facility Use in "E", "M", "MG" and "MS" Zones

26.1 A lot with a medical marihuana production facility must be:

- (a) at least 70 metres from a lot in any zone not an "E", "M", "MG" or "MS" Zone.
- (b) at least 70 metres from a lot with a:

- school;
- place of worship; or
- day nursery.

26.2 A building or structure used for security purposes for a medical marihuana production facility:

- (a) may be in the front yard; and
- (b) does not have to comply with required minimum front yard, side yard and rear yard building setbacks.

26.3 loading spaces for a medical marihuana production facility must be in a wholly enclosed building.

(3) Former City of Scarborough, Bylaw 24982 is amended to insert the following to Clause VI, Section 1.(a), 2.(a), 3.(a) and 5.(a) so that it reads:

Medical Marihuana Production Facility

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,
Mayor
(Corporate Seal)

ULLI S. WATKISS,
City Clerk

Attachment 5: Draft Zoning By-law Amendment to Former City of York By-law 1-83

Authority: Planning and Growth Management Committee ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To amend Zoning By-law No. 1-83, 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 HEREBY ENACTS as follows:

(1) Former City of York, By-law 1-83 is amended to insert Section 2 – Definitions Subsection (67h) so that it reads:

(67h) "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, SC 1996, c 19, as amended.

(2) Former City of York, By-law 1-83 is amended to insert the following clause to Subsection 13.3.1 so that it reads:

(g) medical marihuana production facility

(3) Former City of York, By-law 1-83 is amended to insert the following Subsection so that it reads:

13.3.4 A medical marihuana production facility is permitted if it is:

(i) on a lot that is at least:

- (A) 70 metres from a lot in a:
 - (1) R1, R2, R3 Zone;
 - (2) RM1, RM2 Zone;
 - (3) LCR, MCR Zone; or
 - (4) G Zone; and
- (B) 70 metres from a lot with a:
 - (1) public school, separate school, or religious school;
 - (2) commercial school;
 - (3) institutional use;
 - (4) place of worship; or
 - (5) day nursery;
- (ii) a building or structure used for security purposes for a medical marihuana production facility:
 - (A) may be in the front yard; and
 - (B) does not have to comply with required minimum front yard, side yard and rear yard building setbacks;
- (iii) Loading spaces for a medical marihuana production facility must be in a wholly enclosed building.

(3) Former City of York, By-law 1-83 is amended to insert the following clause to Subsection 13.4.1 so that it reads:

(e) **medical marihuana production facility**

(4) Former City of York, By-law 1-83 is amended to insert the following Subsection so that it reads:

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

- (i) a lot with a medical marihuana production facility must be:
 - (A) at least 70 metres from a lot in a:
 - (1) R1, R2, R3 Zone;
 - (2) RM1, RM2 Zone;
 - (3) LCR, MCR Zone; or
 - (4) G Zone; and
 - (B) at least 70 metres from a lot with a:
 - (1) public school, separate school, or religious school;
 - (2) commercial school;
 - (3) institutional use;
 - (4) place of worship; or
 - (5) day nursery;

- (ii) a building or structure used for security purposes for a medical marihuana production facility:
 - (A) may be in the front yard; and
 - (B) does not have to comply with required minimum front yard, side yard and rear yard building setbacks;
- (iii) Loading spaces for a medical marihuana production facility must be in a wholly enclosed building.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,
Mayor
(Corporate Seal)

ULLI S. WATKISS,
City Clerk

**Attachment 6: Draft Zoning By-law Amendment Former Borough of East York
By-law 6752**

Authority: Planning and Growth Management Committee ~ as adopted by City of
Toronto Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. --20~

**To amend Zoning By-law No. 6752, 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 HEREBY ENACTS as follows:

(1) By-law 6752 is amended to insert Section 4.22.8.D 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, SC 1996, c 19, as amended.

(2) Bylaw 6752 is amended to insert the following regulation to regulation 9.3a) ix), so that it reads:

ix) **Medical marihuana production facility**

(3) Bylaw 6752 is amended to insert Section 9.4 c) so that it reads:

c) Where a lot is used for a medical marihuana production facility the following regulation regulations will apply:

i) A medical marihuana production facility must be in a wholly enclosed building.

- ii) Open storage is not permitted with a medical marihuana production facility.
- ii) A lot with a medical marihuana production facility must be:
 - 1) at least 70 metres from a lot in a:
 - Residential Zone;
 - C Zone (Commercial Zones);
 - G Zone; and
 - 2) at least 70 metres from a lot with a:
 - school;
 - place of worship; or
 - day nursery.
- iii) Location of building or structure Used for the Purpose of Site and Facility Security A building or structure used for security purposes for a medical marihuana production facility:
 - 1) may be in the front yard; and
 - 2) does not have to comply with required minimum front yard, side yard and rear yard building setbacks.
- iv) Loading spaces for a medical marihuana production facility must be in a wholly enclosed building.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,
Mayor
(Corporate Seal)

ULLI S. WATKISS,
City Clerk

**Attachment 7: Draft Zoning By-law Amendment Former Borough of East York
(Town of Leaside) By-law 1916**

Authority: Planning and Growth Management Committee ~ as adopted by City of
Toronto Council on ~, 20~
Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To amend 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 HEREBY ENACTS as follows:

(1) By-law 1916 is amended to insert Section 2.65.0 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, SC 1996, c 19, as amended.

(2) Bylaw 1916 is amended to insert the following regulation to regulation 8.2.1 a) xxv), so that it reads:

xxv) **Medical marihuana production facility**

(3) Bylaw 1916 is amended to insert Section 8.1.8c) so that it reads:

8.1.8 Where a lot is uses for a medical marihuana production facility the following regulation regulations will 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 category;
 - Special Residential High Density Zone;
 - Residential Second Density Zone; or
 - Special Purpose Commercial Zone and
 - ii) at least 70 metres from a lot with a:
 - school;
 - private school;
 - place of worship; or
 - day nursery.
- d) Location of building or structure Used for the Purpose of Site and Facility Security A building or structure used for security purposes for a medical marihuana production facility:
 - i) may be in the front yard; and
 - ii) does not have to comply with required minimum front yard, side yard and rear yard building setbacks.
- e) Loading spaces for a medical marihuana production facility must be in a wholly enclosed building.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,
Mayor
(Corporate Seal)

ULLI S. WATKISS,
City Clerk

Attachment 8: Draft Zoning By-law Amendment Former City of Etobicoke Zoning Code

Authority: Planning and Growth Management Committee ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. --20~

To amend Zoning By-law the Etobicoke Zoning Code, 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 HEREBY ENACTS as follows:

(1) Former City of Etobicoke, Zoning Code Section 304-3, Definitions, is amended by insert the following definition, 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, SC 1996, c 19, as amended.

(2) Former City of Etobicoke, Zoning Code, Article IV, Supplementary Regulations, is amended to insert Subsection 304-23, 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 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; or
- (4) I zone; and
- (ii) at least 70 metres from a lot with a:
 - (1) schools (public, private, separate);
 - (2) place of worship; or
 - (3) day nursery.

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

(I) may be located in the front yard; and

(II) does not have to comply with the required minimum front yard, side yard and rear yard building setbacks.

(C) Loading spaces for a medical marihuana production facility must be in a wholly enclosed building.

(3) Former City of Etobicoke, Zoning Code, Article VI, Industrial Zones (General), is amended to insert Subsection 304-31. I, so that it reads:

I. Medical Marihuana Production Facility.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,
Mayor
(Corporate Seal)

ULLI S. WATKISS,
City Clerk