



REPORT FOR ACTION

Technical Amendments to Zoning By-law 569-2013 and the General Zoning By-laws of the Former Area Municipalities

Date: June 11, 2018

To: Planning and Growth Management Committee

From: Chief Planner and Executive Director, City Planning

Wards: All

SUMMARY

This report proposes technical amendments to Zoning By-law 569-2013 to correct typographical errors; make adjustments to zoning and overlay map boundaries; add, remove or replace words; and add and remove lands from the by-law in accordance with established protocol.

Technical changes are also proposed to Zoning By-law 569-2013 and the general zoning by-laws of the former area municipalities regarding Medical Marihuana Production Facilities to address revised Health Canada regulations.

RECOMMENDATIONS

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

1. City Council enact the Zoning By-law amendments substantially in accordance with Attachments 1 and 2.
2. City Council authorise the City Solicitor to make such stylistic and technical changes to the zoning by-law amendments as may be required.

FINANCIAL IMPACT

There are no financial impacts associated with this report.

DECISION HISTORY

Zoning By-law 569-2013 was enacted on May 9, 2013 to have a zoning by-law that uses common terms and regulatory methods across the city. During the Ontario Municipal Board (now Local Planning Appeal Tribunal) hearing process and through implementation of the By-law, there have been minor errors identified by staff, appellants to the by-law and the public, requiring periodic technical amendments to restore previous permissions granted by Council.

The defined land use term, Medical Marihuana Production Facility, was brought into the city-wide zoning by-law and all the general zoning by-laws of the former municipalities comprising the City of Toronto through the enactment of By-laws 402-2014 to 409-2014.

COMMENTS

On an ongoing basis, the City rectifies technical errors to the mapping and text of Zoning By-law 569-2013. The proposed technical amendments clarify the intent of regulations in the Zoning By-law by correcting typographical errors; making adjustments to zoning and overlay map boundaries; adding, removing or replacing words; and adding and removing lands from the Zoning By-law in accordance with the transition protocol established by Council during the preparation of the city-wide by-law. The corrections do not affect the substance of the by-law or the intent of previous decisions.

The technical amendments to By-law 569-2013 recommended in this report are contained in Attachment 1. Some examples of the type of corrections include:

- changing the term "zone label" to "zone symbol" in a number of regulations;
- correcting the reference to a "Mixed Use Building" in the parking requirements for a Mixed Use Building as it had inadvertently referred to an "Apartment Building";
- revising the Lot Coverage Overlay Map in the Yonge Boulevard area east of Ridley Boulevard since the area is in a zone that does not utilize Lot Coverage;
- replacing the word "storeys" with "metres" in a number of exceptions.

In April 2014, the City inserted a definition and regulations in the city-wide zoning by-law and the general zoning by-laws of the former area municipalities to regulate the development of Medical Marihuana Production Facilities. The zoning definition referenced Federal legislation and regulations that existed at the time. However, in response to a Supreme Court decision, those regulations were changed, and consequently, the applicability of the City's defined term in relation to the production of medical marihuana has been questioned.

After consulting with staff in Legal Services and the Municipal Licensing and Standards Division, it is proposed that the definition take a more general approach to referencing the Federal rules. This will ensure the zoning regulations clearly include the 2016 version of Health Canada's regulations.

Removing the word "medical" from the zoning by-law term is also proposed. Production facilities licenced under the current medical marihuana regulatory regime will remain subject to the zoning regulations; and in the event the Federal Government proceeds with enacting its proposed Cannabis Act, the zoning by-law will also cover production facilities licensed for non-medical purposes. No changes are proposed to the zones where the production facilities are currently permitted, nor to the development standards that are in the current zoning bylaws.

Attachment 2 contains the proposed by-laws with the corresponding technical amendments for each of the general zoning by-laws of the former area municipalities.

CONTACT

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SIGNATURE

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ATTACHMENTS

Attachment 1: Draft Technical Amendment By-law regarding Zoning By-law 569-2013
Attachment 2: Draft Technical Amendment By-laws for the General Zoning By-laws of the Former Area Municipalities