

Authority: Planning and Growth Management Committee Item 31.1,
as adopted by City of Toronto Council on April 1, 2 and 3, 2014

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 Marijuana 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 Marijuana Production Facility the following regulations apply:

- (a) A Medical Marijuana Production Facility must be in a wholly enclosed Building;
- (b) Open Storage is not permitted with a Medical Marijuana Production Facility;
- (c) A Lot with a Medical Marijuana 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,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)