

File No.: 04-1000-20-2018-134

March 28, 2018

s.22(1)

Dear s.22(1)

Re: Request for Access to Records under the Freedom of Information and Protection of Privacy Act (the "Act")

I am responding to your request of March 7, 2018 for:

Letters of opposition from the neighbourhood notification process related to Development Permit application for 3133 West Broadway.

All responsive records are attached. Some information in the records has been severed, (blacked out), under s.22(1) of the Act. You can read or download this section here: http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/96165_00

Under section 52 of the Act you may ask the Information & Privacy Commissioner to review any matter related to the City's response to your request. The Act allows you 30 business days from the date you receive this notice to request a review by writing to: Office of the Information & Privacy Commissioner, info@oipc.bc.ca or by phoning 250-387-5629.

If you request a review, please provide the Commissioner's office with: 1) the request number assigned to your request (#04-1000-20-2018-134); 2) a copy of this letter; 3) a copy of your original request for information sent to the City of Vancouver; and 4) detailed reasons or grounds on which you are seeking the review.

Please do not hesitate to contact the Freedom of Information Office at foi@vancouver.ca if you have any questions.

Yours truly,



Barbara J. Van Fraassen, BA
Director, Access to Information & Privacy

Barbara.vanfraassen@vancouver.ca
453 W. 12th Avenue Vancouver BC V5Y 1V4
Phone: 604.873.7999
Fax: 604.873.7419

Encl.

:pm

From: s.22(1)
To: ["Freeman, John" <John.Freeman@vancouver.ca>](mailto:John.Freeman@vancouver.ca)
Date: 12/13/2016 5:09:38 PM
Subject: Chronic Hub Social club society. DE419497

Development application
3133 West Broadway St

Dear Mr. Freeman,

I am writing to you in opposition to the above development application for rezoning. This application to turn retail space into Medical-Marijuana related use should not be approved. This neighbourhood already hosts several marijuana-related venues and cannot accommodate even more. The hours of operation listed as 8am to 10pm seven days a week means this site would see operating hours outside of the other neighbouring stores. There would be overlap in the evenings with several local pubs and restaurants that see many intoxicated customers make their way past my residence on a regular basis. Since I moved into this area ten years ago, we have seen traffic and noise steadily increase. There is already enormous demand on parking in front of my house for people looking to avoid metered parking on West Broadway. There is constant coming and going of cars, and the sounds of car alarms and noisy pedestrians.

I'm also concerned about the proliferation of medical marijuana venues at a time when the federal government is making changes to the distribution and control of this substance. Decisions about rezoning sites for dispensing marijuana may be premature given the upcoming changes to the marketplace.

The vague language of the development application is another cause for some concern. What does "medical marijuana related use" mean? Is this a consumption facility where people use on the premises? Is this a dispensary? Residents in the community are entitled to know more to register an informed opinion.

I thank you for your time.

s.22(1)

Sent from my iPad

From: s.22(1)
To: ["Freeman, John" <John.Freeman@vancouver.ca>](mailto:John.Freeman@vancouver.ca)
Date: 12/17/2016 12:25:00 PM
Subject: development application DE 419497

Dear Sirs

Re: 3133 West Broadway DE419497

I fail to see how the change will have ANY difference in the operation of the marijuana store. There are already at least 8-10 "legal" marijuana stores within a 12 block radius of our home address. I question if any of these are truly legal at present as the law has NOT been changed at the federal level as yet. Why are we (the city of Vancouver and us, the citizens) even considering any licenses and

"Development Applications " at all? As already mentioned there are MORE than enough operations in this neighbourhood already. All of which are much too close to Kitsilano High school and two elementary schools .

These "operations" I'm sure have all managed to sneak by on some grounds or other for being too close to the schools.

Therefore I am completely opposed to any development application and even the continuing licenses of the existing "operations".

Sincerely

s.22(1)

From: s.22(1)
To: ["Freeman, John" <John.Freeman@vancouver.ca>](mailto:John.Freeman@vancouver.ca)
Date: 12/15/2016 11:30:04 AM
Subject: Development Application #DE419497 Opposed

Hello John,

As a business and property Owner on West Broadway, I would like to register my opposition to the proposed development application DE 419497 for 3133 West Broadway. There are quite sufficient medical marijuana stores along West Broadway, often multiple storefronts on one block. The sheer number of them is changing the character of West Broadway in a detrimental way.

Thank you, s.22(1)

Please note that my email address has changed to s.22(1)
Please update your contacts with my new email address. Thanks!

From: s.22(1)

To: ["Freeman, John" <John.Freeman@vancouver.ca>](mailto:John.Freeman@vancouver.ca)

Date: 12/19/2016 5:17:13 PM

Subject: medical marijuana development applications

Hello,

I am responding to the potential development for medical marijuana of 3133 W Broadway - DE419497.

We have school aged children, and are very against all of the marijuana businesses that are sprouting up in our neighborhood. I know from experience from people I have known what the terrible effects of this drug can be, from total apathy, to depression, to complete loss of attention and focus. It is not something that we want our children exposed to on such a regular basis. I have also seen many incidences of adult men smoking marijuana outside of these establishments, even though I am sure theoretically they are not supposed to.

We are 100% against the development of this application.

Sincerely,
s.22(1) and family

s.22(1)

From: s.22(1)

To: ["Freeman, John" <John.Freeman@vancouver.ca>](mailto:John.Freeman@vancouver.ca)

Date: 12/16/2016 6:44:16 PM

Subject: Notice of Development Application - DE419497 -3133 West Boardway

Attachments: Notice of Development Application.docx

Dear Mr Freeman

Please find attached correspondence relating to the above application at 3133 West Broadway.

Regards

s.22(1)

Vancouver

V6K 2A1

John Freeman
Project Facilitator
City of Vancouver

Notice of Development Application – 3133 West Broadway – DE419497

Dear Sir,

I would like to strongly object to the above development application by Chronic Hub Social Club Society to change the use of the existing commercial unit from Retail to Medical Marijuana- Related use. As the name of the applicant suggests, the current sale of marijuana from the commercial unit is not related to medical needs and does not serve the people of our neighborhood and community. From my observations the unit serves a customer base that travels to Kitsilano for recreational purposes to consume this drug and alcohol in the adjacent bars. I believe the proposed opening time of 10pm for seven days a week demonstrates this and a quick glance at their Facebook page can confirm that their client base is not local.

There are already a significant number of more discrete Medical Marijuana dispensaries in our neighborhood that members of our community could use should they have a genuine medical need for marijuana. These other dispensaries are located away from late night drinking establishments and should have more than sufficient capacity to serve any need in our community.

Our community is family orientated. Within a few blocks of the proposed development we have at least three schools; Toy Box - the second oldest toy store in Western Canada; Melonheads - a hair salon specifically for children and St. James Community Square - a community space providing daycare and many programs for children and families. Many families have to stretch their budgets to be able to afford to live in Kitsilano and provide a family centered community for their children to grow up. Allowing existing commercial units to change their use to Medical Marijuana use would have a detrimental effect on the community as a whole.

Please do not destroy our community by allowing this federally illegal drug dealing to establish itself in our neighborhood so that others can profit. Chronic Hub moved in to our neighborhood illegally and uninvited. The people of our community have no need for this facility and do not want it attracting recreational drug users to our neighborhood.

Yours faithfully

s.22(1)

From: s.22(1)
To: "Freeman, John" <John.Freeman@vancouver.ca>
Date: 12/20/2016 12:22:06 PM
Subject: Re: 3133 West Broadway change of use, DE419497

Thanks, Mr Freeman.

Is there a publicly accessible written decision by the BOV or any minutes of the meeting in which the City's refusal was overturned?

s.22(1)

On 2016-12-20, at 10:46 AM, Freeman, John wrote:

> Hi s.22(1)

>

> Please note that the Board of Variance (<http://vancouver.ca/your-government/board-of-variance.aspx>) overturned a refusal from the City for the proposed change of use at this location. If you have any questions about this process I am happy to help or put you in touch directly with the BOV@vancouver.ca.

>

> Thank you very much for your email about 3133 West Broadway. Your letter will become part of the official file for this Development Application (DE419497). Staff will review the comments from the General Public with regards to this Application. If you have responded within the comments period ending December 19th 2016, you will receive an update when the Application has arrived at a Decision by the Director of Planning and if it is issued. All comments will be considered up until the date of Decision. Your feedback is very important for this process and will help shape this application.

>

> Your email will only be used to communicate with you about this Development Application. Please note that all comments and responses to this application are subject to, and may be released, pursuant to the Freedom of Information and Protection of Privacy Act. The Act does, however, protect your privacy by prohibiting disclosure of personal information (such as names, addresses and other identifying information).

>

>

> Kind Regards,

>

> J o h n F r e e m a n Project Facilitator 604 871 6076

> John.freeman@vancouver.ca Development, Building and Licensing - City of Vancouver

>

>

>

> -----Original Message-----

> From: s.22(1)

> Sent: Tuesday, December 20, 2016 10:39 AM

> To: Freeman, John

> Subject: 3133 West Broadway change of use, DE419497

>

> Dear Mr Freeman,

>

> I am a day late with this response, but sending nonetheless as I want you to know my position:

>

> While not opposed in principle to the legalization of the sale of marijuana from street front shops, I am opposed to the City of Vancouver issuing business licenses to what remain illegal businesses until such time as the Federal Government should change our laws controlling the sale of marijuana.

>

> And such a quantity of stores!

> Have you counted the number of these shops on Broadway, even just between Macdonald and Alma? Stunning!

>

> Does the City of Vancouver's legal department really think this is a good idea?

>

> NO - no licence to Chronic Hub Social Club Society.

>

> Sincerely,

>

> s.22(1)

>

> Vancouver,

> B.C.

> V6K 2K9

>

>

From: s.22(1)
To: "Freeman, John" <John.Freeman@vancouver.ca>
Date: 12/15/2016 11:43:48 AM
Subject: Re: 3133West Broadway St. DE419497

Thank you for your email. In your email you wrote 3133 West 4th, I would like to let you know that I am writing in regard to 3133 W. Broadway DE 419497.

Thanks again.

s.22(1)

From: Freeman, John <John.Freeman@vancouver.ca>
Sent: December 14, 2016 10:48:55 PM
To: s.22(1)
Subject: RE: 3133West Broadway St. DE419497

Hi s.22(1)

Thank you very much for your email about **3133 West 4th Ave.** Your letter will become part of the official file for this Development Application (**DE419497**). Staff will review the comments from the General Public with regards to this Application. If you have responded within the comments period ending **December 19th 2016**, you will receive an update when the Application has arrived at a Decision by the Director of Planning and if it is issued. All comments will be considered up until the date of Decision. Your feedback is very important for this process and will help shape this application.

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Kind Regards,

John Freeman Project Facilitator 604 871 6076

John.freeman@vancouver.ca Development, Building and Licensing - City of Vancouver

From: s.22(1)
Sent: Wednesday, December 14, 2016 2:41 PM
To: Freeman, John
Subject: 3133West Broadway St. DE419497

I am the resident and owner of s.22(1) I strongly object to have this change of use on the above mentioned property. Please note our community is a very much residential area with lots of older people and young families. There are local shoppings and schools which we go to everyday. I am afraid there will be negative effect with the above change, and would it be safe for us anymore? It is not fair if we even feel unsafe to go out. They should choose a more suitable location instead of nested itself in a pure, peaceful residential area.

s.22(1)

From: s.22(1)
To: "Freeman, John" <John.Freeman@vancouver.ca>
Date: 9/11/2017 9:25:23 AM
Subject: Re: DE 419497 / 3133 W. Broadway St.

Thanks for the quick response John. Who filed the injunction?

Regards,

s.22(1)

Sent from my iPhone

On Sep 11, 2017, at 9:09 AM, Freeman, John <John.Freeman@vancouver.ca> wrote:

Hi s.22(1)

This location of Cannabis Culture did some inspections and tickets. I'm not sure how many but, they now have a pending court injunction filed this summer. It will take some time to work its way through the courts though.

Once the federal regulations come into play next July I expect the Provinces to set up their own regulations for distribution. Ontario has written its own regs recently making private dispensaries illegal. BC hasn't done anything yet. The courts will have an easier time to make a decision once the federal and provincial regulations are set.

Regards,

John Freeman Sustainability Planner

From: s.22(1)
Sent: Sunday, September 10, 2017 5:24 PM
To: Freeman, John
Subject: Re: DE 419497 / 3133 W. Broadway St.

Hi John, very belatedly, thank you for the email below. I appreciated it at the time. Can you tell me how many fines these guys have attracted?

Thanks,

s.22(1)

Sent from my iPhone

On Jan 10, 2017, at 8:54 AM, Freeman, John <John.Freeman@vancouver.ca> wrote:

Hi s.22(1)

I spoke to our enforcement team and that location is on their list for ticketing. The fine is 1000\$ a day now after Council increased it from 250\$ a day a few months ago. Please let us know if you notice patrons/staff of any of the dispensaries smoking on premises (inside or out), serving/advertising to minors, selling edibles and creating a nuisance.

You can email me directly but even better – call 311 to register a formal complaint and it will be tracked against the address and operator. If the operator applies for a Business License with numerous complaints in our 311

system they may be refused a License.

Regards,

John Freeman Project Facilitator 604 871 6076
Development, Building, & Licensing - City of Vancouver

From: s.22(1)
Sent:
To: Freeman, John
Subject: Re: DE 419497 / 3133 W. Broadway St.

Actually, about three doors east of the corner of Trutch and Broadway, north side.

Regards,

s.22(1)

Sent from my iPhone

On Jan 9, 2017, at 11:33 AM, s.22(1) wrote:

Yes. ~3 doors away from Chonic Social Hub on the same block and same side of the street, i.e. between Balaclava and Trutch on the north side of Broadway.

Sent from my iPhone

On Jan 9, 2017, at 11:26 AM, Freeman, John <John.Freeman@vancouver.ca> wrote:

Hi s.22(1) Do you mean the one at 512 Beatty St? Or is there a cannabis Culture on W Broadway I don't know about?

Regards,

John Freeman Project Facilitator 604 871 6076
Development, Building, & Licensing - City of Vancouver

From: s.22(1)
Sent: Monday, January 09, 2017 11:24 AM
To: Freeman, John
Subject: Re: DE 419497 / 3133 W. Broadway St.

Thanks John. Can you advise how the new Cannabis Culture Store is operating? Is there a further board of variance decision?

Sent from my iPhone

On Jan 9, 2017, at 11:12 AM, Freeman, John <John.Freeman@vancouver.ca> wrote:

Hi s.22(1)

Please note that the Board of Variance (<http://vancouver.ca/your-government/board-of-variance.aspx>) overturned a refusal from the City for the proposed change of use at this location. If you have any questions about this process I am happy to help or put you in touch directly with the Secretary of the BOV at: BOV@vancouver.ca.

Thank you very much for your email about **3133 West Broadway**. Your letter will become part of the official file for this Development Application (**DE419497**). Staff will review the comments from the General Public with regards to this Application. If you have responded within the comments period ending **December 19th 2016**, you will receive an update when the Application has arrived at a Decision by the Director of Planning and if it is issued. All comments will be considered up until the date of Decision. Your feedback is very important for this process and will help shape this application.

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Kind Regards,

John Freeman Project Facilitator 604 871 6076

John.freeman@vancouver.ca Development, Building and Licensing - City of Vancouver

From: s.22(1)
Sent: Thursday, January 05, 2017 5:54 PM
To: Freeman, John
Subject: Re: DE 419497 / 3133 W. Broadway St.

John, my concern is the general proliferation of marijuana businesses in the area (8):

-On the *same block*, several doors away on the same side of the street, there is now a "Cannabis Culture" store.

-One block to the east, on the same street, there is another shop (Green Panda), and two blocks further east another (Gaia's Garden).

-Three blocks to the west, on the same street, there is yet another shop (Lotusland).

Five "short" blocks to the south, on 4th avenue, there are two more shops (Evergreen and Buddha's Sister), with Karuna at Alma and 4th.

For comparison, the only Starbucks in the area are on Carnarvon/Broadway and Bayswater/4th.

As you know, there are three schools (General Gordon, Bayview, Kits Secondary) and four community centres & daycares very close by (West Side Family House, Kitsilano Community Centre, St. James Square, Kits Cottage). I understand the St. James Square facilities are within 200 m of Chrinic Hub, contrary to the City bylaw, but a variance was granted.

We have had produce and butcher and book stores all close down in recent years (corners of Bayswater/Broadway and Trutch/Broadway, to be specific) due to high rents,

to be replaced with empty storefronts and cannabis. Marijuana of dubious origin should not be an alternative market for landlords than selling food and books.

Very simply, the large mass of marijuana stores are changing the character of the neighbourhood for the worse. The city ought to use its zoning authority to build sustainable neighbourhoods instead.

The City's licensing regime recognizes these adverse effects. It is careful to charge significantly more for a business licence. It takes note of school and community centre locations. It is concerned about potential organized crime links. Those considerations should inform the City's exercise of discretion here. Too many stores, and stores operating without licences in defiance of the law, should not receive licences.

Concerning the Chronic Hub "Social Club" itself, its name and growth claims (increasing membership by "thousands per month") seem inconsistent with medical treatment and should likewise not receive the benefit of a regulatory regime that claims to be health oriented.

Please contact me with any questions.

Best regards,

s.22(1)

On Dec 20, 2016, at 9:22 AM, Freeman, John <John.Freeman@vancouver.ca> wrote:

Hi s.22(1)

If you take a look at our webpage for Medical Marijuana-Related Use you can find all the approved development permits, Licenses and get some background on the Bylaw: <http://vancouver.ca/doing-business/medical-marijuana-related-business-licence.aspx> It has history of the Bylaw, how to apply for "existing" operators and a wait list for those who would like to apply when the process opens again – once all the existing application have been resolved.

You can find all the current applications in our system on this page as well: <http://development.vancouver.ca/#mmru>

You can also read the Bylaw to inform yourself about the limitations on distancing from schools, community centers and other MMRU applications in our review system. Find the MMRU Bylaw here: <http://former.vancouver.ca/ctyclerk/cclerk/20150624/documents/ptecbylaws.pdf>

Send me any questions you might have about this information and our process.

Regards,

John Freeman Project Facilitator 604 871 6076

John.freeman@vancouver.ca Development, Building and Licensing - City of Vancouver

s.22(1)

From:

Sent: Tuesday, December 20, 2016 9:19 AM

To: Freeman, John

Subject: Re: DE 419497 / 3133 W. Broadway St.

Oh - so the current operation has no licence?

Sent from my iPhone

On Dec 16, 2016, at 11:11 AM, Freeman, John <John.Freeman@vancouver.ca> wrote:

Hi s.22(1)

Chronic Hub is applying for a permit and license in their existing storefront. There is no expansion beyond what is currently there. The new Bylaw was enacted to bring the existing operators into compliance first before any "new" applications are considered.

Regards,

John Freeman Project Facilitator 604 871 6076
Development, Building, & Licensing - City of Vancouver

From: s.22(1)
Sent: Friday, December 16, 2016 10:50 AM
To: Freeman, John
Subject: Re: DE 419497 / 3133 W. Broadway St.

I missed this response when it came in. Thank you for the prompt and detailed reply, it is appreciated. One thing I remain unclear about is whether (i) Chronic Hub successfully received a MMRU business licence earlier, and is now applying to expand, or (ii) has been operating without a MMRU business licence, and is applying for one now for the first time as part of expansion plans.

Thanks,

s.22(1)

On Wed, Dec 7, 2016 at 9:13 AM, Freeman, John <John.Freeman@vancouver.ca> wrote:

Hi s.22(1)

Take a look at our webpage for Medical Marijuana-Related Use (MMRU) information: <http://vancouver.ca/doing-business/medical-marijuana-related-business-licence.aspx> It has history of the Bylaw, how to apply for "existing" operators and a wait list for those who would like to apply when the process opens again - once all the existing application have been resolved. You can find all the current applications in our system on this page as well:

<http://development.vancouver.ca/#mmru>

You can also read the Bylaw to inform yourself about the limitations on distancing from schools, community centers and other MMRU applications in our review system. Find the MMRU Bylaw here: <http://former.vancouver.ca/ctyclerk/cclerk/20150624/documents/ptecbylaws.pdf>

When looking for properties please take a look at our webpage for Medical Marijuana-Related Use (MMRU) applications: <http://vancouver.ca/doing->

business/medical-marijuana-related-business-licence.aspx

You can also read the Bylaw to inform yourself about the limitations on distancing from schools, community centers and other MMRU applications in our review system. Find the MMRU Bylaw here:

<http://former.vancouver.ca/ctyclerk/cclerk/20150624/documents/ptecbylaws.pdf>

When looking for properties please do your initial research for proximity to schools, community centres and neighbourhood house using our vanmap tool:

http://vanmapp.vancouver.ca/pubvanmap_net/default.aspx

Check for zoning district too. MMRU must be in an allowable district. See the Bylaw pages 13-16;

<http://council.vancouver.ca/20150624/documents/ptecbylaws.pdf>

Send me any questions you might have about this information and our process.

Regards,

John Freeman Project Facilitator [604 871 6076](tel:6048716076)

John.freeman@vancouver.ca Planning & Development Services - City of Vancouver

-----Original Message-----

From: [s.22\(1\)](#)

Sent: W

To: Freeman, John

Subject: DE [419497 / 3133](#) W. Broadway St.

John, concerning the captioned development application we received a notice of today, can you tell me how it is that "Chronic Hub Social Club Society" currently operates a marijuana store without a "medical marijuana related use" business license?

Can you also steer me to the applicable policy documents that guide the decision-making of the Director of Planning?

In particular, who ensures that marijuana products are not sold to children? Who ensures that only "patients" who have a bona fide medical need are purchasers? What are the consequences if either of these criteria are not respected? What licensing does the city impose on employees so as to dispense a medical product? Who ensures that the suppliers of the product are not organized crime organizations? What is the maximum number or concentration of these storefronts in a given neighborhood? I know that there are several down the street in each direction and a number a few blocks away on Fourth Avenue.

Thanks for any information you can provide,

[s.22\(1\)](#)

From: s.22(1)
To: ["Freeman, John" <John.Freeman@vancouver.ca>](mailto:John.Freeman@vancouver.ca)
Date: 12/6/2016 5:31:29 PM
Subject: 3133 W Broadway DE419497

Hi John,

I live in the area and was sent a notice regarding this business.

The hours are far too long. 10 am until 6 pm latest is much better! 10 pm is way too late unless it is a cafe...

Thanks so much!

s.22(1)





453 West 12th Avenue
Vancouver, BC V5Y 1V4

Development,
Buildings & Licensing

IMPORTANT INFORMATION Please have this translated
RENSEIGNEMENTS IMPORTANTS Prière de les faire traduire
INFORMACIÓN IMPORTANTE Busque alguien que le traduzca
CHỈ DẪN QUAN TRỌNG Xin nhờ người dịch hộ

重要資料 請找人為你翻譯

これはたいせつなお知らせです。 どうかに日本語に訳してもらってください。

알려드립니다 이것을 번역해 주십시오

बहुत महत्वपूर्ण विषय बताने विषय के लिए इस का अनुवाद करवाएं



DEAR SIR. O R MADAM

WE DO NOT
LIKE TO HAVE THIS
KIND OF BUSINESS AT
THIS AREA.
REJECTED
THANK U

s.22(1) [Redacted]

VANCOUVE s.22(1)
V6K 1X7 [Redacted]