

File No.: 04-1000-20-2018-140

March 22, 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 8, 2018 for:

Copies of objection letters received by the City of Vancouver in regards to Development Application DP-2017-01068, 1735 Commercial Drive, from October 1, 2017 to March 9, 2018.

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](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](mailto: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 (#04-1000-20-2018-140); 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](mailto: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*

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From: s.22(1)  
To: "[Hicks, Claudia](mailto:claudia.hicks@vancouver.ca)" <claudia.hicks@vancouver.ca>  
Date: 12/13/2017 6:31:41 PM  
Subject: DP-2017-01068

Dear Claudia,

I'm writing to you about the development application from Kush Klub — DP-2017-01068.

Commercial Drive does NOT need another marijuana dispensary. There are already at least four of them in relatively close proximity:

BC Pain Society (2908 Commercial Dr)

Eggs Canna (2235 Commercial Dr)

Canna Clinic (2223 Commercial Dr)

Vancouver Pain Management Society (2137 Commercial Dr)

Frankly that's plenty of dispensaries in one small area of the city (and this list does not include the dispensaries along Commercial Dr on the North side of 1st Ave). As a pedestrian I'm tired of walking past these shops that emit the distinct, and unpleasant, odour of marijuana. I also take issue with many of the people who are frequenting these establishments. While I have sympathy for those who require medical marijuana for health concerns they seem to be a small minority of the users of the Commercial Drive dispensaries. I have seen many entitled young men buying their goods at these stores and I don't trust them to behave in a civilized manner — especially when my teenage daughter has to walk past these establishments every day on her way to and from school.

Greater diversity in businesses along "the Drive" would be nice.

Thank you for your consideration.

Sincerely,

s.22(1)

## Hicks, Claudia

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**From:** s.22(1)  
**Sent:** Saturday, December 02, 2017 2:36 PM  
**To:** Hicks, Claudia  
**Subject:** Regarding notice of developing application at 1735 Commercial Drive, DP-2017-01068

Hello,

I received a notice of development application regarding application to use 1735 Commercial Drive as a marijuana dispensary.

I am wondering how does the City of Vancouver determine how many marijuana dispensaries it should allow on a street? There are already quite a few of them on commercial drive. I am not opposed to people using marijuana privately, but I worry that having such a high concentration of dispensaries on a single street is going to reduce the diversity of other businesses on the Drive. Marijuana businesses are obviously very profitable, and they may be willing to pay a higher rent and drive out other types of businesses that are beneficial to the neighbourhood.

Can you tell me more about the consultation and decision process involved in approving the mix of businesses on a street? Is there a cap on the maximum number of marijuana dispensaries and related businesses in an area?

Thank you,

s.22(1)





## Hicks, Claudia

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**From:** s.22(1)  
**Sent:** Wednesday, December 06, 2017 5:55 PM  
**To:** Hicks, Claudia  
**Subject:** Kush Klub application

Dear Claudia,

I am writing to express my concerns about Kush Klub`s application for a Medical Marijuana store at 1735 Commercial Drive, DP-2017-01068.

I live in this community and am watching more and more "Medical Marijuana " stores open and with them are coming more and more people hanging around the streets and smoking joints. There doesn`t seem to be any regulations in place and these stores seem to be enabling those already dependant on drugs to continue their addictions. I am not opposed to having the oils available for massage and seizures and other actual health concerns but am against another marijuana drug store opening on the Drive, there are already too many here .

Thank you for hearing my concerns.

With warmth,

s.22(1)



## Hicks, Claudia

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**From:** s.22(1)  
**Sent:** Thursday, November 30, 2017 2:40 PM  
**To:** Hicks, Claudia  
**Subject:** Development Application DP-2017-01068 1735 Commercial Drive

Dear Claudia Hicks.....

RE: Kush Klub application for a Medical Marijuana -Related use  
DP-2017-01068  
1735 Commercial Drive

There are already four (4) medical marijuana outlets on Commercial Drive in a nine block stretch between Grandview Highway and Graveley Street.  
That averages about one marijuana dispensing place every two blocks.  
And there are also two 'Smoke Shops' also in this nine block area.

Surely the City of Vancouver has some regulations on how many marijuana dispensaries can be in an area. If there isn't a policy, there should be.

We do not need one more medical marijuana dispensary in our community. This glut of marijuana dispensaries negatively changes the nature of our community.  
Please deny this application.

Yours truly

s.22(1)



## Hicks, Claudia

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**From:** s.22(1)  
**Sent:** Friday, December 08, 2017 10:12 AM  
**To:** Hicks, Claudia  
**Subject:** DP-2017-01068 1735 Commercial Drive

Hello Claudia:

I received a card in the mail regarding the "Notice of Development Application" for the Kush Klub at 1735 Commercial Drive. I went by the address at 8:45 pm and noted that it had already done its' renovation and was already selling marijuana. So why the application? Recently a little Bistro on the Drive had to close down, as they waited over a year for a beer and wine license and never received it. The law to sell Marijuana in a retail setting (medical or otherwise) does not come into effect until July 2018. So why pretend with a "Notice of Development Application", when clearly this is a privileged group? The applications are merely rubber stamps. I am also confused by the source of the money and the source of marijuana to run these operations. There are no federal rules for licensed growers to distribute to retail operations.

So my answer to this Notice, is this application should be rejected and operations shut down immediately.

When does a city have the right to act above the law? I believe approving this application is acting against the law, and there is no proof that you are actually getting rid of organized crime. I am sure they all have opened retail outlets, and it has given them another way to launder money. Why has money laundering at casinos just made the news; are we so naïve? The answer is yes; just look at the number of Retail Marijuana stores that have opened serving only a few clientele each day.

Sincerely,

s.22(1)



## Hicks, Claudia

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**From:** s.22(1)  
**Sent:** Wednesday, December 27, 2017 1:02 PM  
**To:** Hicks, Claudia  
**Cc:** s.22(1)  
**Subject:** Opposed to Kush Klub DP 2017-01068

Hi there Claudia,

We live at s.22(1)

We are opposed to changing 1735 Commercial Drive to a medical marijuana place.

There are tons of them already in this neighbourhood.

The places smell bad.

These dispensaries are mainly selling pot for recreational purposes under the guise of medical needs.

We hope that pot will be sold at our local liquor store. We don't need any more retail outlets on The Drive.

Yours truly,

s.22(1)



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**Hicks, Claudia**

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**From:** Nick Pogor [s.22\(1\)](#)  
**Sent:** Monday, November 27, 2017 8:12 PM  
**To:** Hicks, Claudia; Gosal, Sheila  
**Subject:** Re: 1735 Commercial Dr - DP-2017-01068

Is this a joke?

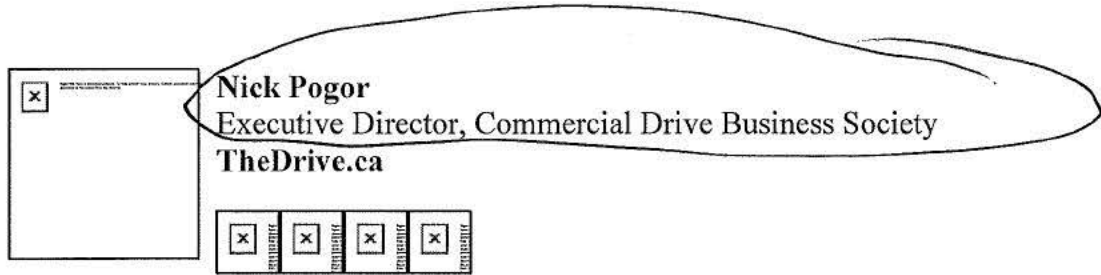
**There is no business license for this address shut them down immediately. Follow the law and by laws. They are currently selling single joints, etc.**

**The same is taking place across the street - 1740 Commercial Drive, where there is no business license for this address shut them down immediately.**

Pot Shops with Storefronts directly on Commercial rive are not welcome in our neighbourhood. They are detrimental to the well being of our BIA.

**Business should consider suing you professionally and personally for your part in this...**

*1726 Commercial Dr. ✓*



On Mon, Nov 27, 2017 at 7:08 PM, Commercial Drive <[info@thedrive.ca](mailto:info@thedrive.ca)> wrote:

**Owen Clark**

T: 604.644.3637  
E: [info@thedrive.ca](mailto:info@thedrive.ca)

----- Forwarded message -----

**From:** Gosal, Sheila <[sheila.gosal@vancouver.ca](mailto:sheila.gosal@vancouver.ca)>  
**Date:** Mon, Nov 27, 2017 at 2:01 PM  
**Subject:** 1735 Commercial Dr - DP-2017-01068  
**To:** "info@thedrive.ca" <[info@thedrive.ca](mailto:info@thedrive.ca)>  
**Cc:** "Hicks, Claudia" <[claudia.hicks@vancouver.ca](mailto:claudia.hicks@vancouver.ca)>

**Hicks, Claudia**

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**From:** s.22(1)  
**Sent:** Monday, December 04, 2017 2:58 PM  
**To:** Hicks, Claudia  
**Subject:** Development Application for 1735 Commercial Dr.

Dear Ms. Hicks

I live very close to the above address. I have no objection to medical marijuana dispensaries. But you must be aware of how many dispensaries currently operate on Commercial. My estimate is that there are about 10, just between 1st Ave and 12th Ave, and probably another 4 or 5 heading north from 1st. I don't get it. Do we really need 2 or 3 on every block? It's easier to buy pot on any given block in this neighbourhood than it is to find a litre of milk. Just sayin.....

Thanks for your attention.

s.22(1)

s.22(1)

**Hicks, Claudia**

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**From:** s.22(1)  
**Sent:** Monday, December 04, 2017 2:29 PM  
**To:** Hicks, Claudia  
**Subject:** comments on development application DP-2017-01068 (Kush Klub 1735 Commercial Drive)

Dear Ms. Hicks,

I am writing to express my concern about the proliferation of marijuana/cannabis shops on Commercial Drive, with Kush Klub being the newest. As I walk on Commercial Drive, I have to deal with the smell emanating from these supposedly medical-marijuana pot shops. I do not think that these stores add anything positive to my community.

As you might imagine, I OPPOSE the development application made by Kush Klub. I do not know why the City of Vancouver supports the opening of these stores. They are not "medical" in my opinion and they are open until 10 pm! If you go to their website, as I did, they proudly advertise all their specials, including free joints (pre-rolls) and 2 for 1 specials. This hardly sounds medicinal. In any case, I know that marijuana will soon be legalized for recreational use and I am sure that Kush Klub is trying to get a jump start by making ridiculous claims of being a Medical Marijuana-Related Use business.

I wish that the City of Vancouver would be trying to limit the growth of these shops, not encourage them! I certainly DO NOT support this development application and I find it dishonest that they characterize themselves as a Medical Marijuana dealer. Reading the comments on their website show clearly that it is just another provider of pot to the masses. Kush Klub is already open, but as a resident of the neighbourhood, I strongly oppose their development proposal. If I had my way, the store would be shut down as there are already pot shops on the Drive and we don't need another, especially one with such a blatant commercial business strategy, displayed on their web site. Please let me know if I have provided my written response to the correct person/place. I went [vancouver.ca/devapps](http://vancouver.ca/devapps) thinking that there would be a link for written comments but I could not find it. If I need to forward my written comments somewhere else please let me know.

Thank you,

s.22(1)



## Hicks, Claudia

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**From:** s.22(1)  
**Sent:** Sunday, December 03, 2017 3:02 PM  
**To:** Hicks, Claudia  
**Subject:** development application ...

Hi Ms Hicks,

Regarding the DP-2017-01068 Development Application from Nov 27, 17

I'm not in favour of it. I feel that there are enough marijuana stores in the Commercial Drive area. I prefer that marijuana stores be spread out equally throughout all the Vancouver neighbourhoods.

I'd rather the Commercial Drive area be known for retail diversity, not just one or two types of storefronts.

Thanks. have a good day.

s.22(1)





## Hicks, Claudia

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**From:** s.22(1)  
**Sent:** Sunday, December 03, 2017 12:41 PM  
**To:** Hicks, Claudia  
**Subject:** Re: Kush Klub DP-2017-01068

Dear Claudia Hicks,

We're writing in response to the development application from Kush Klub for 1735 Commercial Drive.

We are in opposition to having yet another cannabis dispensary on Commerical Drive. There are already numerous ones here, and the community does not need another one.

Also, they're already selling cannabis there without having a permit to do so, which does not speak to being a good respectful community member.

(How is it a cannabis dispensary can start selling before having a licence, but restaurants can't do the same?)

It seems the store location is within 300 metres of a site containing a school (Queen Victoria Annex).

Finally, the location is within 300 metres of the proposed winter shelter at 1648 E 1st Ave. Presumably the winter shelter will be housing vulnerable youth.

Thanks

s.22(1)



**Hicks, Claudia**

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**From:** s.22(1)  
**Sent:** Saturday, December 02, 2017 1:05 PM  
**To:** Hicks, Claudia  
**Cc:** s.22(1)  
**Subject:** DP 2017-01068 1735 commercial drive

The change of use it totally inappropriate for our family oriented neighbour.

1. We already have too many marijuana shops in our neighbourhood. In fact, we have one in our back lane ( I can't believe you approved that one!) and expensive cars come all day long parking illegally to buy their drugs. We can't even sit in our backyard or open our windows in the summer as the lane is filled with marijuana smoke.
2. We already have had 10 break-ins related to the homeless shelter on 1661 east 1st avenue. We don't need more drug addicts in the neighbourhood.
3. We see that this change of use has already happened!!! The marijuana shop is already selling it products. You must issued a stop work order as this has not been approved by the city yet.

Totally against this change of use. Not good a family oriented neighbourhood.

Best regards, s.22(1)

s.22(1)



## Hicks, Claudia

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**From:** s.22(1)  
**Sent:** Saturday, December 02, 2017 12:59 PM  
**To:** Hicks, Claudia  
**Subject:** Kush Klub 1735 Commercial Dr.

To Whom It May Concern,

As a long time resident and homeowner in the Commercial Drive area, I object to yet another marijuana dispensary along this stretch of the drive. Not that I object to the dispensing of marijuana; regulated, safe access to untainted marijuana is of utmost importance. The area is already well peppered with dispensaries; I am sure the residents of this area have ample access to medical marijuana at the already existing establishments.

It is more in the interest of creating a vibrant and diverse collection of businesses along Commercial Drive that I must voice my objection. Here is an opportunity for another type of business (one that has a broader range/scope) or a continuation of the beauty salon to thrive and serve the people in the area.

Thank you for considering,

s.22(1)

Sent from my iPhone

s.22(1)



Hicks, Claudia

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From: s.22(1)  
Sent: Friday, December 01, 2017 8:38 PM  
To: Hicks, Claudia  
Subject: DP - 2017-01068 - 1735 Commercial Drive

Dear Ms. Hicks,

Today I received a notice of a development application for 1735 Commercial Drive in the mail.

I understand that Kush Klub has applied to the City of Vancouver for permission for interior alterations and to change the use of the existing unit to a Medical Marijuana - related use.

I appreciate your willingness to listen to comments from residents of the neighbourhood.

First off I just want to say that I support the right of people to access medical marijuana and am glad we have the Compassion Club - a non-profit organization that helps people access the marijuana they need - at Commercial and 14th. I am even perfectly OK with a for-profit marijuana businesses along the drive.

I am, however, alarmed at the sheer number of for-profit 'medical marijuana' dispensaries that are popping up on Commercial. These businesses are replacing the independent businesses that have characterized the drive for decades and the atmosphere of the area is changing. I know there are several reasons for this, but it seems sad to me that dispensaries are one of the only types of businesses that can survive here.

Again, I am not opposed to the use of marijuana or the ability of people to access it, it's just that there are many places in this area where they can do that already. In terms of changing the feel of the neighbourhood, this is a reality also because these spaces are not welcoming to all ages. Aesthetically, they are clinical and cold and do not fit in with the look and feel of the surrounding businesses. At a time when our neighbourhood is gentrifying and families and seniors as well as communities of colour are being pushed out and businesses along the Drive are closing their doors it seems cold to keep approving businesses that appeal only to a specific age and income bracket.

As a longtime resident I do not support this application for the reasons outlined above. Not for moral reasons, but because I don't want my neighbourhood of a decade + to turn into a strip of dispensaries, fast food places, bong stores and loan shark/money mart operations (and I believe these things, which are all taking over, go together). I would love to see a business that fits in with the unique character of the street, and caters to all, take that space.

Thanks for listening.

Best regards,

s.22(1)





## Hicks, Claudia

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**From:** s.22(1)  
**Sent:** Friday, December 01, 2017 5:24 PM  
**To:** Hicks, Claudia  
**Subject:** 1735 Commercial Dr - dev app

I am opposed - how many more stoned people are needed in this city and this neighbourhood. Used to be every second storefront was a pizza slice shop, now the latest blight is 'medical' marijuana' shops, legalized or not. Is there not a limit on the number there can be within a certain area ? and when will enforcement/closure of all the 'illegal' ones begin ?

and fyi I'm a born and bred east van girl...I'll say it again..Gregor needs to spend a week with me, seeing how it is to live in this city now...

s.22(1)



## Hicks, Claudia

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**From:** s.22(1)  
**Sent:** Wednesday, November 29, 2017 3:19 PM  
**To:** s.22(1)  
**Cc:** Hicks, Claudia  
**Subject:** Re: DP-2017-01068 and FW: Statement Opposing the Development Application for 2137 Commercial Drive (DE419513)

Dear Claudia,

I too am in strong opposition to the Kush Klub development application for the reasons listed in s.22(1) email.

As s.22(1) mentioned below, we both submitted an email to John Freeman (at the COV) outlining why we were in opposition to the Development Application for 2137 Commercial Drive (DE419513). Would you have any update from that application or be able to direct us to who/how we can find out about the outcome?

Many thanks,

s.22(1)

Sent from my iPhone

On Nov 29, 2017, at 2:12 PM s.22(1) wrote:

Dear Claudia,  
Thanks for your time on the phone today.

Below, please find the email I was referring to **for the address at 2137 Commercial Drive**. We did receive confirmation of receipt of our letter, but never any updates after that.

**And, please register my complaint and concern about the "KUSH KLUB", application DP 2017 01068. My concerns include:**

1. has a neon sign in the window declaring "pre-rolled joints" are available.
2. The store front is all glass and is visible 24/7, they display many "fun looking" accessories and products that are similar in appearance to children's toys
3. Is less than 350 m from Queen Victoria Annex
4. Is less than 150 m from another cannabis dispensary which is adjacent to Open Door Yoga at 1666c Gravelly Street
5. Less than 80 m from another cannabis dispensary close to 1839 Commercial (access from Alley between 2<sup>nd</sup> and 3<sup>rd</sup> avenue east)

My s.22(1) daughter asked me, "Mom, if smoking is bad for you, why are there so many new smoking stores on Commercial drive?" I have assured her that I am wondering that as well and that I remain hopeful that our sensible regulations regarding advertising and sale of tobacco and alcohol will soon be applied to marijuana.

Many kind regards

s.22(1)

While we do anticipate that marijuana will be legalized for recreational use in Canada soon, we are disappointed that there appear to be very few consequences of illegal sale of this substance. We would expect rational, evidence-based policy to guide locations, density of retail outlets, advertising, signage, restriction of sale to adults to be very important topics that could help integrate this new substance into mainstream community. The regulations, as established by City of Vancouver in April 2015 do lay a groundwork for this and we are optimistic that they will be enforced as rigorously as possible and kept up to date with emerging evidence and learning from other jurisdictions with similar cultural and legislative changes towards marijuana.

As parents, we are grateful, for example, that there is minimal packaging visible for sale of tobacco products, and that the density of liquor outlets is restricted in the neighborhood. This helps me explain substance use and misuse to our children and also regulate their exposure. We do not have this structure to rely on when it comes to marijuana dispensaries, they have become ubiquitous and conferred a broadly applied "medical" designation in the absence of robust medical evidence.

As healthcare providers, given the legal (and illegal, but meeting city regulations) mechanisms of obtaining marijuana in Vancouver, we are assured that no one needing the substance, in the rare case when pain management is resistant to all other treatment, will be denied.

In summary, as citizens, parents, health care providers and taxpayers, we support a rational and evidence-based approach by City Hall to regulate marijuana dispensaries and ultimately sale of marijuana for recreational use, and **we re-iterate our request to deny this application.**

s.22(1)

A large grey rectangular redaction box covers the text following the word "s.22(1)".

## Hicks, Claudia

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**From:** s.22(1) [REDACTED]  
**Sent:** Wednesday, November 29, 2017 4:52 PM  
**To:** Hicks, Claudia  
**Subject:** Notice of Development Application 1735 Commercial Drive

Hello Claudia, I received the subject notice in the mail today. This has to stop - PLEASE! There are way too many pot shops on Commercial Drive .... what do we have to do to regulate and control the number of these types of retail stores? s.22(1) [REDACTED]

s.22(1) [REDACTED]





## Hicks, Claudia

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**From:** s.22(1)  
**Sent:** Wednesday, November 29, 2017 5:23 PM  
**To:** Hicks, Claudia  
**Subject:** DP-2017-01068

Re: Development Application for 1735 Commercial Drive

My home is s.22(1) of Commercial Drive. I vote emphatically NO to yet another dispensary. Enough! We have more than enough dispensaries on the Drive. I am not against the legalization of marijuana; in fact, I look forward to it. However, I do not want to live in a neighbourhood that has a dispensary - or two - on every block. Enough!

s.22(1)

## Hicks, Claudia

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**From:** s.22(1) on behalf of s.22(1)  
**Sent:** Wednesday, November 29, 2017 7:34 PM  
**To:** Hicks, Claudia  
**Subject:** Kush Klub application DP-2017-01068

I live on the s.22(1) block of east 4th and I've been a homeowner here since s.22(1).  
How many more dispensaries does a 7 block stretch of commercial drive need? When I walk s.22(1) past 2 dispensaries on the way to the legion ( 4 if I overshoot by a block).

If I got to 1st I go past a giant bong store, and every corner store on this stretch has more smoking gear than bags of chips.

I'm not against dispensaries, but how many is enough for this area of Commercial?

It seems like a crazy density of dispensaries.

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## Hicks, Claudia

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**From:** s.22(1)  
**Sent:** Wednesday, November 29, 2017 10:52 PM  
**To:** Hicks, Claudia  
**Subject:** Pot shop

Dear Ms. Hicks

We do not need another 'medical' marijuana clinic.

I actually find it hard to believe this is a serious request. How many of these places do we need? Ca't the City just say "enough is enough"?

People congregate out on the sidewalk, smoking and getting in the way of pedestrians. We don't need any more of these places on Commercial Drive.

There are two dispensaries two or three blocks south of this location. Please refuse this application.

Take care,

s.22(1)



✓