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**BOARD OF VARIANCE / PARKING VARIANCE BOARD  
APPEAL DECISION**

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**Appeal No. Z35909 - 1232 Burrard Street (Cannabis Appeal – Extension APPROVED)**

**Appeal Section:** 573(1)(a) - Appeal of Decision (Cannabis Retail Store)  
**Legal Description:** Strata Lot 2, District Lot #541 and Strata Plan BCS478.  
**Lot Size:** Irregular site  
**Zone:** C-1  
**Related By-Law Clause:** Section 11.28

**Appeal Description:**

Related to Development Application No. DP-2021-00001 and a request to permit an extension to retain the approved Cannabis Retail Store for a further period of time. Previously approved by the Board of Variance on March 09th, 2021.

**Name of Appellant(s):** Jettana Darcus  
DBA: OM Cannabis Boutique  
1232 Burrard Street  
Vancouver, B.C.  
V6Z 1Z1

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This appeal was heard by the Board of Variance on February 08<sup>th</sup>, 2022 and was ALLOWED, thereby granting an EXTENSION to retain the approved Cannabis Retail Store for a further period of time, and subject to the following conditions:

- (1) the approval is for the exclusive use of “OM Cannabis Boutique” and shall be operated by Jettana Darcus and doing business as (DBA): “OM Cannabis Boutique”.
- (2) the Board granted a limited-time approval for one (1) year and expires on: March 09<sup>th</sup>, 2023;
- (3) the Board may grant an extension on/or before the expiry date: March 09<sup>th</sup>, 2023; and
- (4) that the development shall otherwise comply with the requirements and regulations of the Zoning and Development By-law to the satisfaction of the Director of Planning.

**Board’s summary and decision based on the following:**

- The City reported no complaints on file since the original approval by the Board of Variance
- Limited-time approval to continue and an extension may be granted on/before March 2023.
- The Board agreed with an extension in order for the operators to obtain the Provincial approval and all City’s required permits (including the City’s Business License to operate).
- Owners confirmed at the appeal hearing that they will continue to work with the City – and to obtain all the City permits to the satisfaction of the Director of Planning.

**\*\*\* IMPORTANT NOTE to the Appellants:**

The Board’s decision is valid for one-year and the Owner(s) are required to obtain the City’s Development-Building Permit by February 08<sup>th</sup>, 2023. Once the Board’s decision expires, then the Owners are required to appeal (again) to request an extension.

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**Note:** Unless otherwise ordered by the Chief Building Official in writing, the owner(s) must obtain a Development Permit within one-year from the hearing date (on successful appeals / allowed appeals).

Signed: \_\_\_\_\_

Secretary to the Board of Variance

*Appeal No. Z35909 - 1232 Burrard Street*

**1232 Burrard Street**

**Appeal Section:** 573(1)(a) - Appeal of Decision (Cannabis Renewal Appeal)  
**Legal Description:** Strata Lot 2, District Lot #541 and Strata Plan BCS478.  
**Lot Size:** Irregular site  
**Zone:** C-1  
**Related By-Law Clause:** Section 11.28

**Adjournment History:**

**This appeal was adjourned from December 14<sup>th</sup>, 2021 to February 08<sup>th</sup>, 2022** at the request of the Appellants to obtain the required written submission (additional time required).

**Appeal Description:**

Related to Development Application No. DP-2021-00001 and a request to permit an extension to retain the approved Cannabis Retail Store for a further period of time. Previously approved by the Board of Variance on March 09<sup>th</sup>, 2021 (see decision below).

**Board of Variance History:**

**This appeal was heard by the Board of Variance on March 09<sup>th</sup>, 2021 and was ALLOWED, thereby overturning the decision of the Director of Planning who refused Development Application No. DP-2021-00001 and approved interior alterations and to change the use from a commercial Retail Store, (grocery), to a new Retail Cannabis Store, in this existing mixed-use building on this site, and subject to the following conditions:**

- (1) the approval is for the exclusive use of "OM Cannabis Boutique" and shall be operated by Jettana Darcus and doing business as (DBA): "OM Cannabis Boutique".
- (2) the Board granted a limited-time approval for one (1) year and expires on: March 09<sup>th</sup>, 2022;
- (3) the Board may grant an extension on/or before the expiry date: March 09<sup>th</sup>, 2022; and
- (4) that the development shall otherwise comply with the requirements and regulations of the Zoning and Development By-law to the satisfaction of the Director of Planning.

**Discussion:**

Ms. Jettana Darcus and Mr. Jack Lloyd were present to speak in support of the appeal.

At the request of the Chair, the appellant agreed to dispense with the reading of the submission, which had been in the Members' possession prior to the meeting.

The appellant's initial comments were that they're looking for an extension and they're quite far in the application stage. They are seeking a three year extension as it's taken a long time for them to move their application forward. They have signed a lease agreement and the landlord is in support of them, as well as the neighbouring properties.

**The Director of Planning's Representative**

Mr. Bosnjak's initial comments were that this is an appeal for an extension. There are no recent complaints on file. As of today, nothing had been issued as it is sitting in the refused status, and will be expiring in 3 weeks. The Director of Planning defers to the Board for their decision.

**The Board Chair stated** that the Board's site office received one (1) letters and a petition with four hundred (400) signatures in Support and no (0) letter in opposition to this appeal.

The Chair stated that if there were any interested parties in the audience who wished to speak to this appeal, they should raise their hand to be recognized and when recognized, state their full name and address and spell their surname for the record.

SPEAKER'S  
NAME  
REDACTED

[REDACTED] is not in support of the appeal.

**Final Comments:**

Mr. Bosnjak had no final comments.

Mr. Darcus' final comments were that they have complied with everything and with the passing of Ms Darcus' partner, it's taken a long time to apply for the permit.

This appeal was heard by the Board of Variance on February 08<sup>th</sup>, 2022 and was ALLOWED, thereby granting an EXTENSION to retain the approved Cannabis Retail Store for a further period of time, and subject to the following conditions:

- (1) the approval is for the exclusive use of "OM Cannabis Boutique" and shall be operated by Jettana Darcus and doing business as (DBA): "OM Cannabis Boutique".
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- (4) that the development shall otherwise comply with the requirements and regulations of the Zoning and Development By-law to the satisfaction of the Director of Planning.

Board's summary and decision based on the following:

- The City reported no complaints on file since the original approval by the Board of Variance
- Limited-time approval to continue and an extension may be granted on/before March 2023.
- The Board agreed with an extension in order for the operators to obtain the Provincial approval and all City's required permits (including the City's Business License to operate).
- Owners confirmed at the appeal hearing that they will continue to work with the City – and to obtain all the City permits to the satisfaction of the Director of Planning.

**NOTE:** AUDIO recording of this appeal is available upon request and please contact the Secretary to the Board of Variance at (604) 873-7723



# LLOYD

LAW PROFESSIONAL CORPORATION

February 1, 2022

Att: Mr Louis Ng, Secretary  
Vancouver Board of Variance  
Room 112, 1st Floor, City Hall  
453 West 12th Ave,  
Vancouver, BC V5Y1R3  
bov@vancouver.ca / 604-873-7723

Appeal Basis – DP-2021-00001 (originally DP-2018-00688)  
Letter of Hardship

Dear Secretary Ng,

RE: OM Cannabis Boutique, **1232 Burrard Street, Vancouver, B.C., V6Z 1Z1, Canada** (BOV Application)

My name is Jack Lloyd. I am a barrister and solicitor based in Toronto, Ontario. I am counsel to OM Cannabis Boutique located at **1232 Burrard Street, Vancouver, B.C., V6Z 1Z1, Canada** (hereinafter the “Applicant”) with respect to the Board of Variance proceedings with the City of Vancouver, under Board of Variance By-Law No. 10200.

I am retained on behalf of the Applicant to assist their team with preparing and making the necessary appeal application to the Board of Variance (hereinafter the “BOV”) regarding the above captioned matter and the Development Permit number and application. As discussed, the provincial licence is still in review but is supposed to be processed soon. The store is ready to open and operate pursuant to its provincial licence from the British Columbia Liquor Control Regulation Board (LCRB) and requires its Development Permit in order to continue this.

It is my understanding that the Board of Variance hearing is scheduled for February 8, 2022. I will be in attendance with my client and their supporters at that time. Materials regarding their extension application are also available for the BOV to review, although since this is simply an extension request the materials are generally the same.

2459 Pauline Street, Abbotsford, BC V2S 3S1  
Tel. 604-852-5110 / Fax. 604-859-3361 / E. info@lloydlawcorporation.ca



The Applicant will soon possess full licencing from the Province of British Columbia to operate a legal cannabis store in the City of Vancouver and Province of BC. The Applicant is seeking to extend the variance granted to it in 2021 for the duration of the lease so that the store front can open and operate and receive a business licence from the City of Vancouver.

The Applicant has provided all supporting documentation, including letters from their landlord, neighbours, surrounding businesses, and affected medical patients and those materials resulted in the variance which shall allow for the premises to become licenced by the Province of British Columbia. All that is required now is for the premises to receive its Provincial license and then its City of Vancouver business licence in order to open and operate.

Mr. Louis Ng has requested an explanation letter, which my client has provided. Payment has also been provided for the BOV Appeal application fee.

Should you have any questions or wish to discuss this matter further, I am available at your convenience.

Thank you,

Jack Lloyd  
Barrister & Solicitor  
43 Front Street East, Suite 400  
Toronto, ON M5E1B3  
Tel. 647-235-3972  
Fax. 416-352-5524  
Email: jacklloydman@gmail.com / info@lloydlawcorporation.ca  
Counsel to the Applicant



**OM CANNABIS BOUTIQUE (1232 Burrard Street, Vancouver, B.C., V6Z 1Z1)**  
**LETTER OF HARDSHIP**

**1232 Burrard Street, Vancouver, B.C., V6Z 1Z1, Canada** was granted a development permit by the BOV in 2018 and it was renewed in 2020. The Applicant was directed by the BOV to seek its provincial licence to open and operate as a legal cannabis store. The Applicant did so and is now in the process of receiving its provincial licence. The Applicant now seeks an extension of its variance in order to

The Applicant relies on the BOV's original decision in issuing the Development Permit (DP) and in effect we are simply seeking an extension of that original ruling to allow for the store to open. There have been no material changes in the surrounding area since this variance was granted and the premises continues to experience strong support from its neighbours, local citizens, local businesses, its landlord and other interested parties in the vicinities of the premises. In short, nothing has changed since the BOV granted this exemption in 2018 and the extension in 2021 other than the fact that the premises now is much closer to receiving its provincial licence and, provided the BOV grants its extension, it can now have a City of Vancouver licence and it can open and operate once the Province issues its approval. The Applicant has been diligent in seeking its provincial licencing and is anxious to open the premises pursuant to its provincial licence.

OM Cannabis Boutique supports and is respectful of any concerns held by the City of Vancouver and is supportive of the motivations behind the rule which they were exempted from. This rule prevents the proliferation of similar businesses in certain areas of the municipality, and has other valid purposes that are wholly and properly within the mandate of the City of Vancouver. However, OM Cannabis Boutique should be permitted to remain in its current location because it is nearly provincially licenced and authorized to open and is merely seeking its City of Vancouver licence as directed by the BOV in 2021. The Applicant is seeking an extension of the variance to allow it to open and operate; there has been no material change whatsoever since the variance was granted and, furthermore, there are no



new obstacles or impediments to its opening and operation pursuant to the bylaw. As such, an extension of the variance should be granted as it is a hardship for this premises to be denied a DP in these circumstances.

Section 573 of the Vancouver Charter [SBC 1953], Chapter 55, Part XXVII, is the guiding section pertaining to appeals to the Board of Variance. The section states:

573. (1) The Board shall hear and determine appeals:

- a) by any person aggrieved by a decision on a question of zoning by any official charged with the enforcement of a zoning by-law;
- b) by any person who alleges that the enforcement of a zoning by-law with regard to siting, size, shape, or design of a building would cause him undue or unnecessary hardship arising out of peculiarities in the site or special circumstances connected with the development. In any such case the Board may, to the extent necessary to give effect to its determination, exempt the applicant from the applicable provisions of the zoning by-law;
- c) by any person who alleges that due to special circumstances or conditions the provisions of subsection (3) of section 568 will result in undue or unnecessary hardship to him;
- d) with respect to matters arising under subsections (4) and (5) of section 568;
- e) by any person aggrieved by a decision by any board or tribunal to whom Council has delegated power to relax the provisions of a zoning by-law.

Bearing the above Vancouver Charter Section 573, I wish to make an application to the City of Vancouver Board of Variance, under the Board of Variance By-Law No. 10200 and file a Notice of Appeal and state, in a simple manner, the following grounds of appeal:



1. Section 573(1)(a) – An appeal by any person aggrieved by a decision on a question of zoning by any official charged with the enforcement of a zoning by-law;
2. Section 573(1)(b) – An appeal by any person who alleges that the enforcement of a zoning by-law with regard to siting, siting, size, shape or design of a building would cause him undue or unnecessary hardship arising out of peculiarities in the site or special circumstances connected with the development.
3. Section 573(1)(c) – An appeal by any person who alleged that due to special circumstances or conditions the provisions of subsection (3) of section 568 will result in undue of unnecessary hardship to him;
4. Section 573(1)(e) – An appeal by any person aggrieved by a decision by any board of tribunal to who Council has delegated power to relax the provision of a zoning by-law.

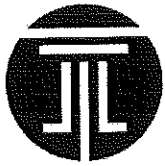
Please consider the following points regarding the Applicant's hardship.

OM Cannabis Boutique's (1232 Burrard Street) Commitment to Patients:

The Applicant has been in operation for many years and has approximately 500 patients who rely on the store for reasonable and dignified access to cannabis. In addition, the Applicant is in good standing with its neighbouring retail stores. Further, a great many patients may be voicing their support before the Board of Appeal.

Studies have shown that medical services relating to harm reduction are not only an incredibly vital and important function for certain vulnerable communities, but that individuals who utilize medical services of this nature typically live within 500 meters of the harm reduction site. The Applicant is a form of harm reduction site which has existed before the introduction of regulations surrounding the location of medical cannabis related businesses. We have prided ourselves on providing reasonable and dignified access to cannabis in the local community, and the prospect of leaving these local patients without access to their medicine is troubling to say the least. Many



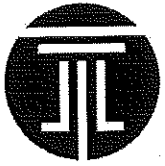


of the patients have disabilities and physical limitations and need access to 1232 Burrard specifically because of its location.

Since the beginning of operating in the neighbourhood, OM Cannabis Boutique has built a very positive rapport with the businesses and residents in close proximity to it. Prior to the legislative changes requiring closure of the premises, approximately 500 patients regularly rely on the Applicant for a consistent supply of safe, high-quality botanical medicine. To adequately cater to these patients, The Applicant employed a small number of full and part-time staff that strives to build meaningful relationships with the patients and surrounding community partners.

The Applicant is located in an area of the City where low income families live. Forcing disabled members of this community to use public transport to travel to another medical cannabis dispensary would create a great deal of hardship for those individuals. When the variance was first granted, Patients from the dispensary provided letters indicating this hardship, and may be attending the hearing to speak about it as well in support of an extension of the variance. Many of The Applicant's patients are from low-income families, and unfortunately most of them do not have full mobility, access to personal transportation, and are very limited financially. As a result, if they are forced to travel a long distance or take public transit to access their medicine, it will be costly and difficult for them.

Further, the Applicant has endeavoured to build and maintain a strong relationship with these valued patients by offering them cannabis products at a reduced rate, thereby making access to their medicine more financially attainable. Removing the Applicant from this location will not only make it much more difficult for these patients to access their cannabis, but would also significantly decrease the reasonable access in the area because if the Applicant is obliged to relocate there will not be any cannabis stores in the area. As a result, closing the premises would result in a complete lack of reasonable access in this part of the City. When the City debated its MMRU bylaws they specifically cited a mandate of ensuring reasonable access within the City. Closing the Applicant would utterly frustrate the City's stated goals in regards to the community affected by medical cannabis access issues.



Furthermore, the Applicant operated in compliance with the operational rules that were put forth by the Canadian Association of Medical Cannabis Dispensaries (CAMCD) when they sought to create rules for providing reasonable and dignified access to medicinal cannabis.

As a result of all of this, it is only logical that the BOV grants an extension to the variance to allow this business to become licensed by the Province in order to continue this good work in the community.

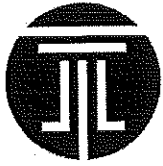
**OM Cannabis Boutique (1232 Burrard) – Financial and Relationship Investments:**

The Applicant has provided significant investments into the current property to ensure the needs of patients are met. If the Applicant is obliged to relocate, a great majority of these investments will be lost and the Applicant may not have the ability to financially recover. Further, the Applicant has fostered an excellent relationship with its landlord, which is difficult to establish because more often than not, landlords have little interest in the activities of medical cannabis dispensaries and do not appreciate the extra considerations a medical cannabis retail dispensary club must take, including enhanced security, and certain issues regarding odor.

**OM Cannabis Boutique's Devotion to the Public:**

OM Cannabis Boutique has never allowed minors to enter the store, and we do not allow smoking, including "vaping" in or around the facility as per Vancouver's By-Law, and will continue to adhere to all future municipal regulations. The business does not advertise directly to the public, and always ensures the storefront is discreet and professional.

The Applicant has taken a proactive approach by consulting with local stakeholders to mutually agree on terms regarding their business practices and security systems to better enhance the safety of the community. The Applicant welcomes future meetings with all stakeholders to address any concerns they may have.



In conclusion, we are asking the City of Vancouver to grant an extension to the variance for OM Cannabis Boutique because, among other things, it has hundreds of sick and disabled patients nearby that rely on it for safe and reliable access to alternative medicine and it is nearly finished its Provincial licensing process which has taken a considerable amount of time due to the Covid-19 pandemic.

Further, OM Cannabis Boutique has built a positive role in the community by catering to the specific needs of patients and consulting with nearby businesses to increase the safety of the community. In addition, OM Cannabis Boutique meets all of the zoning regulations of a MMRU business and ensures all regulations are closely followed, other than the fact that the proposed location doesn't comply with the zoning and development by-law, certain policy guidelines, and the proposed use of the property. I kindly ask the City of Vancouver Board of Appeal grant an appeal on the variance for OM Cannabis Boutique.

I am confident that the granting of the extension on the variance will not be detrimental to the public welfare, or injurious to other property or improvements in the neighbourhood in which the business is currently located. The proposed variance will not impair the public health, safety, comfort, morals or general welfare of the inhabitants of the neighbourhood, or the City at large. This appeal and variance would in fact ensure that the City of Vancouver's stated goals regarding medical cannabis stores are protected and realized.

Finally, because no other cannabis store has been in operation in the area for many years, patients have come to rely on the Applicant because of its small, friendly, discreet, and safe environment. Patients have stated that if the shop were to close, they would be uncomfortable accessing their medical cannabis either through a recreational store, or another medical cannabis dispensary. Simply put, the patients from OM Cannabis Boutique are highly dependent on this particular location and its operators. Closing them down would harm the patients, and we urge the Board to hear this appeal, and allow this vulnerable community its rights under the Vancouver Charter.



Provincial licencing:

See attached the Applicant's letter regarding the provincial license which should be finalized soon. The premises seeks an extension for its DP so that it can seek and receive a its Provincial license and its business licence from the City of Vancouver for the purpose of opening a provincially licenced cannabis retail store. This extension is simply a continuation of the BOV's decision from 2021 and the Applicant has waited patiently for the provincial authorization to open. All that is needed now is the Provincial and municipal business licence and the City of Vancouver has indicated that the BOV has to extend the DP before it issues the licence.

We sincerely urge the Board to hear our extension application, and submit that in the interests of the City's mandate to respect the BOV original ruling and allow this business to open and operate.

As requested:

1. The drawings are attached;
2. The Letter of Hardship is here; and
3. Letters of support were submitted previously and the Applicant relies on the support expressed for the original variance.

Sincerely,

Counsel for OM Cannabis Boutique and Jettana Darcus

Jack Lloyd, Barrister & Solicitor  
2459 Pauline Street  
Abbotsford, BC V2S3S1  
tel. 647-235-3972 / 604-852-5110  
info@lloydlawcorporation.ca / jacklloydman@gmail.com

**BOARD OF VARIANCE / PARKING VARIANCE BOARD  
APPEAL DECISION**

**Appeal No. Z35682 - 1232 Burrard Street (Cannabis Appeal)**

**Appeal Section:** 573(1)(a) - Appeal of Decision (Cannabis Retail Store)  
**Legal Description:** Strata Lot 2, District Lot #541 and Strata Plan BCS478.  
**Lot Size:** Irregular site  
**Zone:** C-1  
**Related By-Law Clause:** Section 11.28

**Appeal Description:**

Appealing the decision of the Director of Planning who refused Development Application No. DP-2021-00001 and a request to permit interior alterations and to change the use from a commercial Retail Store, (grocery), to a Retail Cannabis Store, in this existing mixed-use building on this site.

**Name of Appellant(s):** Jettana Darcus  
DBA: OM Cannabis Boutique  
1232 Burrard Street  
Vancouver, B.C.  
V6Z 1Z1



This appeal was heard by the Board of Variance on March 09<sup>th</sup>, 2021 and was ALLOWED, thereby overturning the decision of the Director of Planning who refused Development Application No. DP-2021-00001 and approved interior alterations and to change the use from a commercial Retail Store, (grocery), to a new Retail Cannabis Store, in this existing mixed-use building on this site, and subject to the following conditions:

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- (3) the Board may grant an extension on/or before the expiry date: March 09<sup>th</sup>, 2022; and
- (4) that the development shall otherwise comply with the requirements and regulations of the Zoning and Development By-law to the satisfaction of the Director of Planning.

**\*\*\* IMPORTANT NOTE to the Appellants:**

The Board's decision is valid for one-year and the Owner(s) are required to obtain the City's Development-Building Permit by March 09<sup>th</sup>, 2022. Once the Board's decision expires, then the Owners are required to appeal (again) to request an extension.

**Note:** Unless otherwise ordered by the Chief Building Official in writing, the owner(s) must obtain a Development Permit within one-year from the hearing date (on successful appeals / allowed appeals).

Signed: \_\_\_\_\_  
Secretary to the Board of Variance

Appeal No. Z35682 - 1232 Burrard Street



February 5, 2021

Jettana Darcus DBA: OM Cannabis Boutique  
1440 E 57th Ave  
Vancouver, BC V5P 2A9

**RE 1232 BURRARD STREET, Vancouver, BC V6Z 1Z1  
Development Application Number DP-2021-00001**

Please be advised that the Director of Planning has Refused DP-2021-00001 on February 4, 2021, for the following reason(s):

- Refusal 1 – Non-compliance – Regulations; the proposed development does not comply with the regulations of the Zoning and Development By-law that affect the site;
- Refusal 2 – Non-Compliance – Policies and Guidelines; the proposed development does not satisfactorily comply with the policies or guidelines that affect this site;
- Refusal 3 – Unsatisfactory – Proposed Use; the proposed use is unsatisfactory at this location;

You may be eligible to appeal this decision to the Board of Variance within 30 days of the date of this letter. For more information, please contact the writer.

Yours truly,

Nicole Choi,  
[nicole.choi@vancouver.ca](mailto:nicole.choi@vancouver.ca)  
(604) 829-9390

NEC/nec

Attention: BOV Council,

My name is Mehran Shekahi and I am the landlord of the property located at 1232 Burrard st, Vancouver BC, V6Z 1Z1.

I am writing to you to express my support for my current tenant who is in the process of obtaining a Cannabis Retail License and is requesting an extension by you with regards to their DEVELOPMENT PERMIT DP-2018-00688.

The applicant Ms. Jettana Darcus has continued to make good progress with this application and I support my tenant with this process and am recommending the city to allow them to pursue this matter as it is supported by majority of neighbouring business's and the local community.

They have continued to work in a positive direction, the shop has been closed and abiding by City of Vancouver as well as British Columbia's provincial bylaws and guidelines regarding Cannabis Retail stores.

They deserve the opportunity to see this endeavour through as they have proven in previous BOV hearing how much their business was valued, appreciated and supported by a majority of citizens in the local area.

Sincerely,

Mehran Shekahi

Mr. Louis Ng, Secretary  
VANCOUVER BOARD OF VARIANCE  
Room 112, 1st Floor, City Hall  
453 West 12th Ave  
Vancouver, B.C., V5Y 1R3  
[bov@vancouver.ca](mailto:bov@vancouver.ca) | 604-873-7723

Our ref: BOV

October 26, 2020

Dear Secretary Ng:

**RE: 1232 Burrard Street, Vancouver, B.C., V6Z 1Z1, Canada) – Development Permit Application Number: DP-2018-00688) – (Written Submission) for BOV Appearance on Tuesday, October 26<sup>th</sup>, 2020 .**

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Rule 3.1 (b) of Board of Variance By-law 10200 states “all written material such person intends to submit to the Board at the hearing.” Thank you for your confirmation that the Board of Variance will accept documents in support of our application extension request and look forward to this BOV appeal hearing.

We are requesting an extension approval to our permit based on the lengthy processing of all Cannabis retail store applicants, in these unprecedented times while facing COVID-19 that has majorly impacted the system within the City of Vancouver as well as the LCRB for all applicants waiting for Cannabis Retail Business licenses to be approved and processed. We are in the final stages of assessment with senior analysts to receive our Cannabis Retail business license from the LCRB (Liquor Cannabis Regulation Board) so it would be essential to approve this extension request based on the current status of our application.

### **Commitment to Patients**

Our business had been in operation for a number of years prior to the City of Vancouver’s recent decision and plan to regulate the growing the number of cannabis stores operating throughout the municipality. We prided ourselves on providing reasonable dignified access to cannabis in the community, especially at a time with heighten enforcement.

Since the beginning of operating in the west end neighbourhood, our business had built a very positive rapport with the neighbouring businesses and residents in close proximity to it. To adequately cater to these needs our business employed nearly a dozen full and part-time staff that strove to build meaningful relationships with citizens and our surrounding community partners.

1232 Burrard st, is located in a highly populated area on Burrard Street, not far from Davie and Burrard in the heart of Vancouver’s famous Davie Village or affectionately known by



Vancouverite's as simply "Davie Street", in the peripherals of the City, where no other Cannabis stores or compassion clubs are currently allowed to operate. Many of our customers are from a nearby low-income housing unit, and unfortunately most of them do not have full mobility, access to personal transportation, and are very limited financially.

Will customers find the same member support or product knowledge at an alternative source? No is the short answer. Our management team and staff have developed personal relationships with members in the community and neighboring area, so trust and familiarity with personal needs are better understood. Such a process is uniquely site specific and cannot be easily replaced. A closure of our application at the current location on Burrard Street will leave some of the more venerable members left alone without the product support or additional assistance/information they need.

Further, our business model has endeavoured to build and maintain a strong relationship with these valued customer base by offering them cannabis products at a reduced rate, thereby making access to their medicine more financially attainable. By removing our operation from this location will not only make it much more difficult for these citizens to access their desired products, but would also significantly decrease the amount of value offered by our business, if our business is obliged to relocate.

#### **Financial and Relationship Investments:**

Our business has provided significant investments into the current property to ensure the needs of Strata, City as well as Provincial provisions are adhered too. Our ownership has fostered an excellent relationship with its landlord, which is difficult to establish because more often than not, landlords have little interest in the company activities and do not appreciate the extra considerations that a Cannabis retailer must take.

#### **Adoption of Best Practices:**

In conclusion, the community and management/ownership 1232 Burrard st, are asking the City of Vancouver to grant their variance extension because, among other things, we provide for safe and reliable access to Cannabis and its compliance regulations. As of the date of this letter, we have been in the license application for a Cannabis retail business license with the LCRB (Liquor Cannabis Regulation board) for 2 years and are in the final stages of in depth security screening and financial investigations to receive our official provincial license.

Further, our operators, management and staff have all built a long-lasting positive role in the community by catering to the specific needs of citizens and consulting with nearby businesses to increase the safety of the community. I kindly ask the City of Vancouver Board of Variance to grant a variance extension to 1232 Burrard st and Jettana Darcus. Citizens, staff and the business

owner are confident that the granting of the extension will not be detrimental to the public welfare, or injurious to other property or improvements in the neighbourhood in which the business is currently located. The proposed variance extension will not impair the public health, safety, comfort, morals or general welfare of the inhabitants of the neighborhood, or the City at large.

Sincerely,

Jettana Darcus