

File No.: 04-1000-20-2018-283

June 21, 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 May 22, 2018 for:

Any documents received by the City of Vancouver regarding objections from neighbouring property owners related to Development Permit Number DP-2017-00165 for 1290 East 12th Avenue, Vancouver.

Date Range: January 1, 2016 to May 21, 2018.

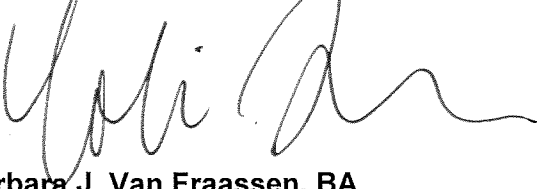
All responsive records are attached. Some information in the records has been severed, (blacked out), under s.22(1) of the Act. You can read or download this section here: http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/96165_00

Under section 52 of the Act, and within 30 business days of receipt of this letter, you may ask the Information & Privacy Commissioner to review any matter related to the City's response to your FOI request 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 (#04-1000-20-2018-283); 2) a copy of this letter; 3) a copy of your original request; and 4) detailed reasons why you are seeking the review.

Yours truly,

Cobi Falconer, FOI Case Manager, for

A handwritten signature in black ink, appearing to read 'Cobi Falconer', written over the printed name of Barbara J. Van Fraassen.

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

Barbara.vanfraassen@vancouver.ca
453 W. 12th Avenue Vancouver BC V5Y 1V4

*If you have any questions, please email us at foi@vancouver.ca and we will respond to you as soon as possible. Or you can call the FOI Case Manager at 604.871.6584.

Encl.

:pm

Hicks, Claudia

From: s.22(1)
Sent: Thursday, May 18, 2017 9:27 AM
To: Hicks, Claudia
Subject: Re: Notice of Development - 1290 East 12th Avenue DP-2017-00165

Thank you Claudia. I live at s.22(1) Vancouver BC V5T 2G2.

s.22(1)

Sent from my iPhone

On May 18, 2017, at 9:14 AM, Hicks, Claudia <claudia.hicks@vancouver.ca> wrote:

Hi

s.22(1)

Thank you for your comments. They will be considered as part of this applications' review. Please also include your address, all comments are confidential.

Claudia Hicks

Project Coordinator - Development Review Branch

Development, Buildings & Licensing

604.871.6083

<image001.png>

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From: s.22(1)
Sent: Tuesday, May 16, 2017 10:14 PM
To: Hicks, Claudia
Subject: Notice of Development - 1290 East 12th Avenue DP-2017-00165

Hello Claudia,

Please accept this email as an objection to the application to rezone from retail to medical marijuana related use for 1290 East 12th Avenue for the following reasons:

1. 12th Ave and Clark is already an unfavorable location with 2 gas stations and an empty lot on the other 3 corners and to add a marijuana store that frosts its windows will cast a more negative tone to the immediate surrounding community
2. Marijuana stores should not go into poor retail locations, they should be permitted only in high value A++ rental locations so the stigma of legal marijuana isn't attached to less affluent neighbourhoods

Thank you.

s.22(1)

Hicks, Claudia

From: s.22(1)
Sent: Thursday, May 18, 2017 6:23 PM
To: Hicks, Claudia
Subject: DP-2017-00165

Hi,
This is regarding the notice of development application for 1290 E 12th Ave.

There is no reason that from our house, which sits on s.22(1) I can easily walk to 5 locations that sell marijuana. This is a family area. There is no reason that many stores need to sell marijuana. That means on my kid's way to school, she passes several stores that sell marijuana. What is the need for that? Marijuana should be treated the same way as alcohol and we only have 1 store in walking distance for alcohol.

Marijuana does not to be so easily accessible. It's ridiculous and frankly unsafe for our youth. I strongly oppose the application.

Kind regards,

s.22(1)

Hicks, Claudia

From: s.22(1)
Sent: Tuesday, May 16, 2017 5:56 PM
To: Hicks, Claudia
Subject: DA 2017-00165

Hi

I received a notice of this development. I am strongly against yet another marijuana dispensary in this neighbourhood. There are more than enough already. Just within 3 blocks on commercial drive there are 2.

I don't see what the gain to the community is.

Thanks.

Hicks, Claudia

From: s.22(1)
Sent: Tuesday, May 23, 2017 8:54 PM
To: Hicks, Claudia
Subject: DP-2017-00165

Hi Claudia,

Re: MMJ Canada Society application

Firstly, it would seem that the unit at 1290 E 12th Ave is within 250 to 300 metres from Queen Alexandra Elementary, which I understood to be within the minimum buffer distance restrictions for a marijuana-related facility to do business.

Secondly, there are several other existing marijuana-related facilities that are within 750 metres (e.g. BC Compassion Society, BC Pain Society on Commercial) of MMJ, which are located on a more commercialized area, rather than the largely residential area around MMJ's current location.

Hence, as a resident of the neighbourhood, I am not in support of MMJ's permit application, (or its existing business at the same location, for that matter).

Thanks for considering these comments.

Kind regards,

s.22(1)

Hicks, Claudia

From: s.22(1)
Sent: Thursday, May 18, 2017 2:31 PM
To: Hicks, Claudia
Subject: 1290 East 12th Ave.

Dear Ms. Hicks,

Thank you for asking our opinion on the change of zoning for 1290 East 12th Avenue.

I am totally against that change. I value the old neighbourhood corner store concept, as it was 26 years ago when I moved to this pleasant area of Mount Pleasant. I love the old gardens and houses, the sometimes friendly neighbourhood feel. Nothing is perfect, yet I even value the crazy traffic...the dog walkers and bike riders; they are certainly interesting to watch minute by minute.

What I don't enjoy is the aggressive homeless and bag-people who trespass my property to steal or to sleep in its shady corners!!! They are a serious threat to my safety! I've regularly found needles, condoms, litter, beer caps and cigarette butts inside and outside my property for all of these 26 years. Luckily, the Kitty Stroll pimps and prostitutes with their bloodied tampons, menstruation pads and fecal stools (all of which are health risks to wild and domesticated animals who **do** eat them) are pretty-much gone now: I admit I chased a lot of them away or shouted at them until they went somewhere else. **I had to take that risk**, but wasn't happy about it.

I cite a direct quote from May 16, 2017's Metro: "Study finds cannabis can be used to help crack addicts." Oh no, **please don't** invite more of that trouble back here again!! They don't take warnings seriously; they do pack shivs when I don't. I have sometimes been afraid to go down my stairs in case someone is hiding in my (overgrown animal sanctuary) yard; the police are well-aware of my hesitancy to leave the sanctity of my s.22(1) under these dangerous conditions, and have been of great help in protecting my right to privacy.

The late night noise! The people sitting on my front steps or at my boulevards or driveway having inane loud conversations or disputes, **please** no more. **Do not attract social housing here, like at Fraser Street!** People spitting on sidewalks, laying in their own body-fluid soaked blankets, acting nervous around dogs, etc. I am sorry for the plight of the homeless and druggies (some of whom are already s.22(1), but it is more than simply acting NIMBY, I do live s.22(1) as well I am at risk for another s.22(1) if anyone spooks me.

Besides, a community-oriented (coffee or grocery) shop with free wifi at that 12th and Clark corner, would be such a boon to neighbourliness, not that you have any control over which businesses choose to establish themselves there. (*And, despite the way I voted and my letters to the woman in charge of implementing wifi, this area got entirely left out of Free City Wifi! That hurts!*)

I don't know where the homeless and druggies should go: maybe this world is destined to become a Tasmanian penal colony similar to what the Brits created or to have degenerative places like those depicted in Blade Runners... There but for fate go I. But please don't lure these unfortunate people (many of whom are kind and unassuming) onto public parks like Clark Park, South China Creek Park... or onto private land. Keep the Marijuana shops in business districts already designed for businesses, because *they exist as businesses*, not as social or health clubs!

Little Known Fact: Some people, like me, are Highly Allergic to pot!! I get nauseous on the 99 B-Line bus and when pot fumes from the neighbours swirl then stagnate around my home exterior!

s.22(1)

Vancouver, BC V5T 2J8

Hicks, Claudia

From: s.22(1)
Sent: Tuesday, May 16, 2017 5:17 PM
To: Hicks, Claudia
Subject: 1290 E 12th Ave: Development Application

As the owner of s.22(1) I oppose the Medical Mary-Jane Canada Society for applying to change the existing commercial unit from Retail to a Medical Marijuana-Related use.

There are 3 elementary schools, Queen Alexandra, Charles Dickens & Grandview, and Vancouver Community College in our neighbourhood. The marijuana is harmful and dangerous substances to expose to the young people and families, especially for the elementary students.

Sincerely,
s.22(1)

Hicks, Claudia

From: s.22(1)
Sent: Tuesday, May 16, 2017 2:50 PM
To: Hicks, Claudia
Subject: Objecting development proposal DP-2017-00165
Attachments: notice of development applicaqtion.jpg; P_20170516_143730.jpg

Dear Ms. Claudia Hicks,

My name is s.22(1) and my address is s.22(1) Vancouver BC V5T 4B7. I received a letter from City of Vancouver regarding the development application on 1290 East 12th Ave (DP-2017-00165). A photo of the letter is attached. I am writing to you to express my strong objection to the proposal. I am definitely not willing to any plan that brings marijuana to my neighbourhood.

Please let me know if I need to send my message in physical written form (as said in the letter) to you or any officer to have my opinion heard.

Thank you,
s.22(1)

NOTICE OF DEVELOPMENT APPLICATION

1290 East 12th Avenue
DP-2017-00165



May 11, 2017

Medical Mary-Jane Canada Society, has applied to the City of Vancouver for permission to change the use of this existing commercial unit from Retail to a Medical Marijuana-Related use. The proposal includes the following:

- change of use from Retail Store to Medical Marijuana-Related use;
- proposed floor area of approximately 750.0 square feet;
- proposed operating hours of 12:00 p.m. (noon) to 10:00 p.m., seven days a week.

Under the site's existing C-1 zoning, the application is "conditional" so it may be permitted; however, it requires the decision of the Director of Planning.

We welcome your written comments on this application by **May 29, 2017**. For more information and updates, visit: vancouver.ca/devapps

Or contact **Claudia Hicks**, Project Coordinator, at 604.871.6083 or claudia.hicks@vancouver.ca

Hicks, Claudia

From: s.22(1)
Sent: Thursday, May 18, 2017 11:19 AM
To: Hicks, Claudia
Subject: Re: Objection to development application - DP 2017-00165

Hi Claudia,
Our house address is s.22(1) Vancouver, BC. V5T 2J6.
Our mailing address is s.22(1) Vancouver, BC V6Z 2S1.
You may contact us by phone at s.22(1)
Please feel free to contact us if you have any question.
s.22(1)

Sent from my iPhone

On May 18, 2017, at 9:15 AM, Hicks, Claudia <claudia.hicks@vancouver.ca> wrote:

Hi s.22(1)
Thank you for your comments. They will be considered as part of this applications' review. Please also include your address, all comments are confidential.

Claudia Hicks
Project Coordinator - Development Review Branch
Development, Buildings & Licensing
604.871.6083

<image003.png>

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From: s.22(1)
Sent: Tuesday, May 16, 2017 9:22 PM
To: Hicks, Claudia
Subject: Objection to development application - DP 2017-00165

Claudia Hicks, Project Coordinator
City of Vancouver

RE: DP -2017-00165; 1290 East 12th Ave

Dear Claudia Hicks:

We have very serious objection in allowing this facility for Medical Marijuana related uses. We all know what this medical part of marijuana is. This is a family oriented neighborhood and a large number of small children live around. Such uses will attract so many unwanted crowd which has high risk of unacceptable behaviour.

Moreover there are several such stores within 3 KM radius. It will be highly inappropriate to allow such store in this block of the residential area. Please also note that allowing this kind of store will badly impact our property value for which City may be held accountable financially for value loss to all houses around there.

We strongly recommend that this permission to change be forthrightly rejected.

Please feel free to contact us should you have any question by email or phone at s.22(1)

Thank you,
s.22(1)

Hicks, Claudia

From: s.22(1)
Sent: Tuesday, May 16, 2017 8:42 PM
To: Hicks, Claudia
Subject: Dev applications DP-2017-00165

Hi Claudia,

I got the notice of development application in the mail, and just wanted to express my extreme opposition to the change of use. I honestly don't entirely understand the difference between zoning for retail store to medical marijuana-related use as they're currently operating as what I would have thought was already medical marijuana related use. In any case, the location is 2 blocks from an elementary school, and 2 blocks from a playground that incidentally also has a skate park in it which as it is, is already engulfed in a cloud of pot smoke 90% of the time. The last thing this area needs is yet ANOTHER pot shop. There are already 5 or 6 in a 6 block radius, enough is enough.

Appreciate the opportunity to provide feedback, I hope the city takes into consideration what we think.

s.22(1)

Hicks, Claudia

From: s.22(1)
Sent: Saturday, May 20, 2017 8:48 PM
To: Hicks, Claudia
Subject: RE: Notice of Development Application for 1290 E. 12th Ave

Hello,

I'm supportive of the legalization and regulation of marijuana, however there are plenty of places to get marijuana and it seems this type of business ought to be contained to dense retail areas rather than on the edges of residential neighbourhoods containing elementary schools. This proposal seems like the equivalent to a "corner store" where people in the area can wander over a block or so to get their weed. Liquor stores tend not to be corner stores, so why not use the same model for marijuana sales? I would prefer to see such places on Commercial or Frazer or Kingsway than on 12th which has virtually no businesses except corner stores and gas stations.

s.22(1)

Hicks, Claudia

From: s.22(1)
Sent: Monday, May 22, 2017 12:12 PM
To: Hicks, Claudia
Subject: Development Application - 1290 East 12th Avenue DP-2017-00165

Ms. Hicks:

My wife and I live at s.22(1) from the Medical Mary-Jane Canada Society and we have some concerns about this business and their pending development application:

--The business is located only three blocks from Queen Alexandra Elementary School and only seven block from Charles Dickens Elementary School. Is that not within the city's zone for businesses of this type?

--There is no parking near the business. It's at the corner of Knight and 12th Avenue with no available stalls on site or even nearby. Both of those streets are very busy with restricted parking which forces their clients to park in the neighbourhood. (To be fair, the shop is very close to a stop on the Knight 22 bus route which is positive for their customers arriving by transit.) Those arriving by car, however,

--Our biggest concern is the smell! Often the corner near the shop has an overwhelming aroma of marijuana. We get it--that's their business. If they had a pizza parlour, there would be the smell of food cooking. However, this is very pungent odour that can easily be detected from several meters away let alone close to the business. We've passed other marijuana shops in Vancouver (there seems to be almost as many of them as Starbucks) but most of them aren't as strong. If this application goes forward, is there some way to make sure they vent properly or find a way to minimize the strong pot smell? Please come and check it out for yourself some time--it's very strong!

Thanks for your attention in this matter and I look forward to hearing from you. Until then, all the best!

s.22(1)

Hicks, Claudia

From: s.22(1)
Sent: Thursday, May 18, 2017 10:30 PM
To: Hicks, Claudia
Subject: Re: Comments

Our name is s.22(1) and s.22(1) owners of s.22(1) Vancouver. We are strongly disagreed regarding the plan of use of 1290 East 12th Avenue PD-2017-00165 due to the following reasons :

- 1.This is a residential area not commercial ,majority family living has children,teenager and students.
- 2.Changing their business name to Marijuana is Scary word , unsafe,can creates hazard and potential problem in our neighborhood.

3.The location is exactly by the bus stop.

If they want to operate this business they should go to commercial area or continue to use the Medical Mary Jane instead of the word Marijuana.

Overall as we talked to our neighbors we are not favorable in this plan and not the ideal place and inappropriate name that doesn't match in our quite neighborhood. Think about your children who will pass by in that kind of store. Please check the area so you will know what I am saying because it's so dangerous. We understand what is Marijuana and related use. We are both working in s.22(1)

Thanks and hoping you will consider our safety concerns especially if you have children.

On May 17, 2017 7:53 PM, s.22(1) wrote:

Hi I am a a resident in this area. I disagree for changing to Marianas use and I disagree also for the expansion or its better not to allow them. My kids are started growing in this area everyone this passby in this area they had a very bad impression. Pls don't be permitted them.

Thank you

Hicks, Claudia

From: s.22(1)
Sent: Tuesday, May 23, 2017 8:55 AM
To: Hicks, Claudia
Subject: 1290 E 12th

Hi Claudia,

I am not in favour of dp-2017-00165 - medical marijuana use.

I own s.22(1)

Thanks so much

s.22(1)

Hicks, Claudia

From: s.22(1)
Sent: Tuesday, May 16, 2017 10:06 AM
To: Hicks, Claudia
Subject: 1290 East 12th Avenue Development

Hello Claudia,

I understand there is already a medical marijuana two blocks down on commercial drive and East 13th Ave. I do not think it is necessary opening another one in the middle of a residential block and causing congestion on a busy street and alley of 12th and 13th Ave. Since it is a residential area and with a lot of elderly and children I do not think it is a good idea opening a medical marijuana store in the middle multiple houses due to the congestion and smell. Please consider opening in a non residential area. Thank you.

s.22(1)
s.22(1) 1290 East 12th)

Hicks, Claudia

From: s.22(1)
Sent: Wednesday, May 17, 2017 10:59 PM
To: Hicks, Claudia
Subject: 1290 East 12th DP-2017-00165

Claudia,

I received a notification card in the mail regarding DP-2017-00165 at 1290 East 12th.

I am not supportive and am very concerned about the proliferation of places dispensing medical marijuana, particularly in my neighbourhood. They seem to be everywhere!

Regards,

s.22(1)

Hicks, Claudia

From: s.22(1)
Sent: Wednesday, May 24, 2017 2:23 PM
To: Hicks, Claudia
Subject: Re: 1290 East 12th Ave DP-2017-00165

Halle Claudia,

I received a post card regarding the application by the "Medical Mary Jane Society" to change the use of the commercial space at 1290 East 12th Avenue to Medical Marijuana related use. I was recently by this address and they seem to have already set up with signage.

I've discussed this with my wife s.22(1) and we both feel there are sufficient 'pot shops' in Vancouver. Two sufficed for a very long time. Now there are reportedly ver 100 in Vancouver.

We oppose this change of use for this retail location.

Regards,

s.22(1)

Hicks, Claudia

From: s.22(1)
Sent: Sunday, June 04, 2017 8:50 AM
To: Hicks, Claudia
Subject: DP-2017-00165 Notice of Development Application: 1290 East 12th Avenue

Hi Claudia,

This email is in response to the Notice of Development Application: 1290 East 12th Avenue (DP-2017-00165) to change the use of its existing commercial unit from retail to Medicinal Marijuana-Related use.

We would like to state our position as being **opposed** to the application.

The reasons being listed below:

- Risks of youth exposure & early addiction
- Health risks
 - impairment of memory
 - reduced psychomotor performance
 - schizophrenia
 - cancer of mouth, jaw, tongue and lung (in younger people)
 - fetotoxicity
 - leukemia in children
- Safety & Crime
 - Criminality concerns (e.g. store robberies and potential ties to organized crime)
 - Serious crime (organized crime, property crime)
 - Construction work without permit (i.e. not meeting Building Code)
- Degraded character/reputation of neighborhoods
- Inequity for other businesses
- Neighborhoods want business that will provide a positive impact on community
- Rapid growth in marijuana-related uses and ensuing concerns

would like to thank you in advance for taking into consideration our position and opinion in your decision for this application.

Please do not hesitate to contact me if you have any questions or need further clarification.

Regards,

s.22(1)

Sent from Outlook



Property Use Complaint

Case number: 101011149737

Case created: 2018-04-23, 07:33:00 AM

Incident Location

Address: 1290 E 12TH AV, Vancouver, V5T 2J9

Contact Details

Name: s.22(1)

Address: s.22(1) Vancouver, V5T 2P3

Phone: s.22(1)

Email:

Alt. Phone:

Preferred contact method: Either

Request Details

- | | |
|--|---|
| 1. Type of concern (if multiple concerns, select primary and provide details in question 2): | Business Concern - Marijuana-related issue |
| 2. If Other selected or there are multiple issues, provide details: | Marijuana shop called MMJ is located within 2 blocks of a school and operating with a refused development permit. |
| 3. If Business or Home-based Business Licence or Business Concern - Marijuana-related issue selected, provide business name: | Refused permit - DP- 2017-00165 |
| 5. If a Rental Unit concern selected, was the landlord advised of the issue? | |
| 8. Caller's daytime phone number: | s.22(1) |
| 10. (Don't ask, just record - did caller indicate they want a call back?) | Yes |

Additional Details

Map and Photo

- no picture -

EN

FYA to: Kyle Pringle

FYI to: