

File No.: 04-1000-20-2019-242

April 29, 2019

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 April 9, 2019 for:

Correspondence received from neighbouring property owners related to DP-2018-00972 (603 East Broadway), from January 1, 2017 to April 9, 2019.

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 (#04-1000-20-2019-242); 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,



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

Blackmore, Jessica

From: So, Mandy on behalf of Hicks, Claudia
Sent: Wednesday, January 30, 2019 10:29 AM
To: Blackmore, Jessica
Subject: FW: 603 East Broadway

From: s.22(1)
Sent: Friday, January 04, 2019 4:20 PM
To: Hicks, Claudia
Subject: 603 East Broadway

DP-2018-00972

I would like to voice my support for this development application.

Thank you!

Blackmore, Jessica

From: So, Mandy on behalf of Hicks, Claudia
Sent: Wednesday, January 30, 2019 10:27 AM
To: Blackmore, Jessica
Subject: FW: medi-leaf

From: s.22(1)
Sent: Friday, January 04, 2019 3:27 PM
To: Hicks, Claudia
Subject: medi-leaf

Thank you for the Notice of Development Application for Medi-Leaf Dispensary.

My only comment, as a resident in this area, is that we already have at least (and probably more than) 9 cannabis stores in this neighbourhood.

While there is no issue in obtaining cannabis within reasonable walking distance, there IS an issue with basic consumer services, such as delis, grocery and hardware stores, etc.

Regards
s.22(1)

Blackmore, Jessica

From: So, Mandy on behalf of Hicks, Claudia
Sent: Wednesday, January 30, 2019 10:28 AM
To: Blackmore, Jessica
Subject: FW: DP-2018-00972

From: § 22(1)
Sent: Friday, January 04, 2019 3:33 PM
To: Hicks, Claudia
Subject: DP-2018-00972

Dear Ms. Hicks:

I would like to strongly express my objection to allowing a Cannabis Retail store in this location.

Specifically:

- it is less than two full blocks from Mount Pleasant Elementary School
- this corner is already a huge issue for local residents because the Mac's Store is a magnet for the homeless and drug addicted who often sleep there and leave mounds of garbage around the store itself, which then filters to our alleyways and property fronts
- there are at least two (if not three) storefronts in this same corner mall which provide (single-serve) food until late evening, adding to the Mac's garbage issue
- adding a cannabis store that is open until 11:00 p.m. will certainly not discourage these and other unacceptable behaviours
- between Kingsway and Fraser on Broadway, there are at least three Cannabis stores that I'm personally aware of — one just in the 500 block on the south side (less than a block away). Whether any of these are legal, I have no way of knowing

- this particular Mac's location is the local go-to place for kids on their way home from school, particularly as the weather gets warmer.

s.22(1)

A cannabis retail store with these kinds of hours will be a drawback to the property values currently experienced in our neighbourhood and will discourage the kind of gentle gentrification it so sorely needs.

Sincerely,

s.22(1)

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- Reply
- ,
- Reply All
- or
- Forward

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Blackmore, Jessica

From: So, Mandy on behalf of Hicks, Claudia
Sent: Wednesday, January 30, 2019 10:29 AM
To: Blackmore, Jessica
Subject: FW: 603 east broadway

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

From: s.22(1)
Sent: Friday, January 04, 2019 8:32 PM
To: Hicks, Claudia
Subject: 603 east broadway

I would respectfully suggest that this is a very bad idea. That dispensary now is a blight on the neighbourhood. I at one time would stop and buy things from Max milk in the mini mall, now I will not now, there are drug addicted people passed out or begging for money. You have to step over them. From here to Kingsway on Broadway there are 3 cannabis stores, we don't need that many. We are trying to improve the neighbourhood s.22(1)
The school is 2 blocks away, the children stop at Max for snacks, they do not need to be subject to this behaviour.
I am very much against this so please keep me posted.

s.22(1)

Sent from my iPad

Blackmore, Jessica

From: So, Mandy on behalf of Hicks, Claudia
Sent: Wednesday, January 30, 2019 10:33 AM
To: Blackmore, Jessica
Subject: FW: Development Permit DP-2018-00972

From: s.22(1)
Sent: Monday, January 07, 2019 8:30 PM
To: Hicks, Claudia
Subject: Development Permit DP-2018-00972

Hello Ms. Hicks:

I'm writing to express my concern with the proposed development of Medi-Leaf Dispensary outlined in Development Permit 2018-00972 at 603 East Broadway, Vancouver. This location is simply not appropriate for a cannabis retail store.

s.22(1) and am familiar with many of challenges this neighbourhood faces with high rates of drug and alcohol addiction of its residents (there is a methadone clinic in the proposed retail mall space), drug trafficking, and petty crime and vandalism.

In addition, there are several sites near the proposed address where vulnerable populations live, are educated, and/or seek community assistance. These include an elementary school (3 blocks away), a youth shelter (within the same city block), and a community centre (2 blocks away).

I am not opposed to the legal sale of cannabis in licensed retail spaces, but believe easily available cannabis may prove difficult to resist for many in my community. At this particular location, a retail outlet will have a negative impact on the neighbourhood and its residents.

Thank you for your consideration of my thoughts on development application DP-2018-00972. I urge you to deny it.

Sincerely,

s.22(1)

Blackmore, Jessica

From: So, Mandy on behalf of Hicks, Claudia
Sent: Wednesday, January 30, 2019 10:33 AM
To: Blackmore, Jessica
Subject: FW: DP 2018 00972

From: s.22(1)
Sent: Tuesday, January 08, 2019 9:52 AM
To: Hicks, Claudia
Subject: DP 2018 00972

Hi Claudia,

I am following up on my voice mail from today. I am concerned about this application as I don't think it meet the municipal requirement about distance from a neighbourhood house (see below). Mount Pleasant Neighbourhood House, located at 800 East Broadway, is a City-owned facility s.22(1) programs and services for all ages, including licensed childcare, preteen and youth programs and family programs. I understand that this is new territory, but I must lodge my complaint about this application for the reason that it is too close to a neighbourhood house.

I am also concerned that there are other unlicensed cannabis retailers that s.22(1) and are near to one another in this corner of east Broadway. For instance, s.22(1) 700 block East Broadway (I don't recall exact address at this time but it is located 1/2 a block from Mount Pleasant NH) only to hear that there is an injunction, yet this business has operated since your requirements were put in place about 3 years ago. Note: s.22(1)

Step 1: Meet municipal requirements

Find a business location that meets zoning requirements. The location must be in a commercial zone, and be at least 300 m from:

- Schools
- Community Centres
- Neighbourhood houses
- Youth facilities that serve vulnerable youth
- Other cannabis businesses

s.22(1)

Blackmore, Jessica

From: So, Mandy on behalf of Hicks, Claudia
Sent: Wednesday, January 30, 2019 10:34 AM
To: Blackmore, Jessica
Subject: FW: DP-2018-00972 - 603 East Broadway

From: s.22(1)
Sent: Tuesday, January 08, 2019 11:57 AM
To: Hicks, Claudia
Subject: DP-2018-00972 - 603 East Broadway

Hello Claudia,

I read the notice of development application and the dispensary is only 2 blocks from Mt. Pleasant Elementary School.

Ideally, a marijuana dispensary would be on the other side of Broadway, perhaps closer to Kingsway Mall.

What are the regulations for minimum distance between dispensaries and schools? When will the architectural documents be posted on the permit application site?

Regards,

s.22(1)

Blackmore, Jessica

From: So, Mandy on behalf of Hicks, Claudia
Sent: Wednesday, January 30, 2019 10:35 AM
To: Blackmore, Jessica
Subject: FW: 603 East Broadway

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

From: s.22(1)
Sent: Wednesday, January 09, 2019 7:37 PM
To: Hicks, Claudia
Subject: 603 East Broadway

Hi Claudia,

Don't the city of Vancouver's regulations say that a retail marijuana store can not be closer than 300M to a youth facility that serves vulnerable youth?

The Broadway youth Resource Centre is at Broadway and Fraser and approx 110M away from 603 Broadway.

On the BYRC website it says that among other programs for youth it has an Aboriginal Youth Empowerment Program

The Aboriginal Youth Empowerment Program provides emotional support, outreach, cultural connections, resource information and referrals to Aboriginal-identified youth who have been victims of crime and trauma.

Program Features

Emotional support, counselling, and referrals Prevention/intervention programming Cultural awareness and connections Help navigating the judicial system – We can accompany youth attending legal matters, court dates, probation, police, and family matters.

I have nothing against a cannabis store in our neighbourhood but let's not let them run the city.

s.22(1)



Blackmore, Jessica

From: So, Mandy on behalf of Hicks, Claudia
Sent: Wednesday, January 30, 2019 10:35 AM
To: Blackmore, Jessica
Subject: FW: DP - 2018-00972

From: s.22(1)
Sent: Thursday, January 10, 2019 12:19 PM
To: Hicks, Claudia
Subject: DP - 2018-00972

Dear Claudia,

Regarding the above subject: permit for 603 east Broadway.

I received a postcard regarding this proposal. Is there still a 300 meter restriction with regard to youth related facilities being near retail cannabis shops? I am curious as there is an elementary school, playing field and after-school care at Mt. Pleasant Elementary a block away. Also there is the Broadway Youth Cxchange in that block of East Broadway. Is this a concern for the City in approving this use?

Thank you in advance,

s.22(1)

Blackmore, Jessica

From: So, Mandy on behalf of Hicks, Claudia
Sent: Wednesday, January 30, 2019 10:36 AM
To: Blackmore, Jessica
Subject: FW: comments concerning DP-2018-00972
Attachments: cannabis dev permit comments.pdf

From: s.22(1)
Sent: Thursday, January 10, 2019 1:39 PM
To: Hicks, Claudia
Subject: comments concerning DP-2018-00972

Claudia: you are listed at the person to send comments to concerning this application

I have attached my comments. I live s.22(1) of the existing Medi-Leaf Dispensary and s.22(1) observe their practices regularly.

Note the comments do not contain my contact details; I would prefer that if released (as I assume they will be), that my contact details are not released as well.

s.22(1)

Re: Development Permit DP-2018-00972
603 East Broadway

Cannabis Retail Store application

I oppose this development for many reasons, listed below:

- the store is <200 metres from the property of the Mt. Pleasant Elementary School.
In addition to the close location, the store is immediately beside a Mac's Convenience Store, a prime destination for many of these elementary school children when school ends in the afternoon.

- the store is <100 metres from the Broadway Youth Resource Centre.
This centre exists in large part to help youth in trouble, many trying to recover from substance abuse problems. Having the temptation of one of the main substances many were abusing available very close by seems to be very ill-advised. Again, many of these youth shop at the adjacent Mac's store daily.

- the store is <100m from the Kwayatsut Housing complex (which shares a building with the Youth Resource Centre.

This subsidized housing complex is focused on hard to house "youth", especially aboriginal, and young adults recently "aged out" from foster care. Many of these youth are also battling substance abuse problems and having a store which sells the product many are trying to avoid so close by seems to be very ill advised. Many of these youth also shop at the adjacent Mac's store daily.

- the store is in the same complex (about 10m away) as Bond Pharmacy, which seems to exist mostly to dispense methadone to recovering addicts (several dozen per day in my experience). These individuals really don't need to walk by a store selling a substance that most are trying desperately to not use in addition to their other habitual drug problems.

- the store is about 270 metres from the Mt Pleasant Neighborhood House; a local community centre which provides help and activities for locals in need. It seems unnecessary and ill-advised to have a store selling a product many of these people are trying to avoid so close to this facility.

- As a nearby resident s.22(1)

I have observed on many occasions individuals smoking cannabis I presume they have just bought at the existing Medi-Leaf Dispensary within a few metres of the dispensary door (both on the sidewalk directly outside the dispensary and in cars parked directly in front of the dispensary). I have never seen a store employee try to enforce the smoking "distance" bylaws for the product they are selling. I see no reason to believe they will suddenly start to do so if given permission to become a commercial retailer.

Blackmore, Jessica

From: So, Mandy on behalf of Hicks, Claudia
Sent: Wednesday, January 30, 2019 10:37 AM
To: Blackmore, Jessica
Subject: FW: DP 2018-00972
Attachments: Development application.pdf

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

From: s.22(1)
Sent: Friday, January 11, 2019 11:15 AM
To: Hicks, Claudia
Subject: DP 2018-00972

Dear Claudia

I am attaching my objections to the granting of a change of use application for Medi-Leaf Dispensary at 603 Broadway.

I am not sure of the form such an objection should take so if I need to change anything or submit on a prescribed form, please let me know.

s.22(1)

Kind regards

s.22(1)

Development Application DP-2018-00972

I wish to lodge an objection to this application to change the use of Medi-Leaf dispensary at 603 East Broadway, from Retail Store to Retail Cannabis use, because of its close proximity to facilities for young people.

The applicant wants to operate as a store for recreational cannabis use. It plans to open 7 days a week from 9am to 11pm.

603 Broadway is in the same block as the Broadway Youth Resource Centre (BYRC) and the Kwaytsut Supported Youth Housing Program provided by the Pacific Community Resources Society (PCRS).

BYRC describes itself as:

One-stop centre providing a range of social, education, employment, and life skills services to homeless and at-risk youth ages 13 to 24. Services include access to a support worker, housing information, alcohol and drug counselling, mental health counselling, Aboriginal youth services, phone and computer use, and hot meals.

I think that it would be detrimental to young people, who may already have alcohol and drug dependency, to have such easy access to recreational cannabis all day, every day. It may be legal but it does not mean it would be good for at risk young people. I would have similar objections to an alcohol outlet opening in the same area.

Next door to the BRYC is the Kwayatsut Supported Youth Housing Program. According to its website it offers 10 suites for Aboriginal youth, 10 suites for LGBTQ2S youth and 10 suites for youth under the age of 19.

It is generally accepted that it is not good for young people to use cannabis because it is harmful to their brain development. Having a recreational cannabis store in the same block as youth services, is putting a lot of temptation in the way of young people, who are trying to turn their lives around for the better.

According to Google Maps the distance from 603 Broadway to the BYRC is 140m, or a two minute walk.

The applicant says they advocate the use of recreational use of marijuana. It says however that its goal is "...to help empower our members to have access to medication in a safe environment." Those are not the same thing when young people are involved.

I ask that the application be rejected.

s.22(1)

Blackmore, Jessica

From: So, Mandy on behalf of Hicks, Claudia
Sent: Wednesday, January 30, 2019 10:38 AM
To: Blackmore, Jessica
Subject: FW: Medi-leaf dispensary

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

From: s.22(1)
Sent: Friday, January 11, 2019 5:28 PM
To: Hicks, Claudia
Subject: Medi-leaf dispensary

Dear Claudia

This note is to object to the opening of the dispensary @603East Broadway. DP 2018-00972.

I feel that there are far to many cannabis stores already in Vancouver,plus this one would not be licenced,so should not be given a business permit either.

Thanks you .

Sincerely, s.22(1)

Blackmore, Jessica

From: So, Mandy on behalf of Hicks, Claudia
Sent: Wednesday, January 30, 2019 10:38 AM
To: Blackmore, Jessica
Subject: FW: re Notice of Development Application at 603 East Broadway

From: s.22(1)
Sent: Sunday, January 13, 2019 4:06 PM
To: Hicks, Claudia
Subject: re Notice of Development Application at 603 East Broadway

Claudia,

I got a card in the mail indicating that Medi-Leaf Dispensary at 603 East Broadway has applied to the City of Vancouver for a change of use to a cannabis retail store (DP-2018-00972).

I am curious how the City will respond to this request in light of the City's own license requirements that such facilities be at least 300 metres from schools, community centres, neighbourhood houses, and youth facilities that serve vulnerable youth (ref: <https://vancouver.ca/doing-business/cannabis-retail-dealer-business-licence-applicants.aspx>).

By my math, the proposed address is less than 300 metres from each of the following:

- Mt Pleasant Elementary
- Broadway Youth Resources Centre
- Mt Pleasant Neighbourhood House
- Vancouver Aboriginal Child & Family Services Society

Just one of these should be sufficient to disqualify this proposal. Please let me know the City's response to this.

Thanks,

s.22(1)

Blackmore, Jessica

From: So, Mandy on behalf of Hicks, Claudia
Sent: Wednesday, January 30, 2019 10:41 AM
To: Blackmore, Jessica
Subject: FW: DP-2018-00972 - 603 East Broadway - Comments

From: s.22(1)
Sent: Tuesday, January 15, 2019 9:33 PM
To: Hicks, Claudia
Cc: s.22(1)
Subject: DP-2018-00972 - 603 East Broadway - Comments

Hi Claudia,

This email is regarding the Change of Use Application for Medi-Leaf at 603 East Broadway. We are against this change of use for the following reasons:

According to the Municipal Requirements on the CoV website, Retail Cannabis Dealers must be at least 300m from Schools, Community Centres, Neighbourhood Houses, Youth facilities that serve vulnerable youth, and other cannabis businesses.

- 603 East Broadway is 150 meters from the Kwayatsut Housing serving at risk youth.
- 603 East Broadway is 155 meters from the Broadway Youth Resource Centre
- 603 East Broadway is 250 meters from the corner of the Mount Pleasant Elementary School Property
- 603 East Broadway is exactly 300 meters from the Mount Pleasant Neighbourhood House. This is the only facility of the four that meets the distance requirement.

At the moment the Medi-Leaf is currently operating without the appropriate business licence, which is problematic from a operations and zoning standpoint. It is also frustrating that the city sends out an application for a change of use that is not close to meeting the regulations set forth for a Retail Cannabis use. This lax sets a bad precedent for future applications that are also not in compliance. The 300 meter buffer has been set up to keep children congregation areas away from cannabis stores.

If alcohol stores are required to adhere to distance requirements than cannabis stores should also need to comply. We trust the city will take the appropriate action as this is not a compliant location for a cannabis store.

Thank you,

s.22(1)

Blackmore, Jessica

From: So, Mandy on behalf of Hicks, Claudia
Sent: Wednesday, January 30, 2019 10:42 AM
To: Blackmore, Jessica
Subject: FW: 603 East Broadway DP-2018-00972 - Comments

From: s.22(1)
Sent: Sunday, January 20, 2019 11:48 AM
To: Hicks, Claudia
Cc: s.22(1)
Subject: 603 East Broadway DP-2018-00972 - Comments

Good afternoon Claudia:

This email is in regards to the notice of development application for 603 East Broadway (DP-2018-0972) by Medi-Leaf Dispensary to change the use of a Retail Store to a Retail Cannabis use.

s.22(1)

We are opposed to the development application. We think that the site is too close to two elementary schools (Florence Nightingale Elementary & Mt Pleasant Elementary) and two social housing complexes (Biltmore & 2455 Fraser). In fact it is on the same block as the Broadway Youth Resource centre at 2455 Fraser (see <http://pcrs.ca/service-resource-centres/broadway-youth-resource-centre-2/>).

There are many other locations in Mount Pleasant that are not in such close proximity to schools, social housing and a youth centre. We strongly request that this application be denied.

Best regards,

s.22(1)

Blackmore, Jessica

From: So, Mandy on behalf of Hicks, Claudia
Sent: Wednesday, January 30, 2019 10:34 AM
To: Blackmore, Jessica
Subject: FW: 603 East Broadway DP-2018-00972

From: s.22(1)
Sent: Wednesday, January 09, 2019 2:28 PM
To: Hicks, Claudia
Subject: 603 East Broadway DP-2018-00972

Hello Claudia,

I am writing to you with regards to DP-2018-00972. s.22(1)

on numerous occasions about the Cannabis store which has been operating illegally for years s.22(1)

It concerns us greatly that this company is now applying for a legal license to operate after so many years of illegal operation. It is also very concerning that a Cannabis retail location would be considered just a half block from both the Native Youth Centre, and Mount Pleasant Community House where children, youth and family frequent. You may or may not be aware that this area of Mount Pleasant for years has been plagued with homelessness, prostitution and drugs and although Cannabis is now legal in Canada we don't believe a retail store in this location would be the best decision for the at risk youth and young people living and using the services in this area.

Please note my strong opposition to this application.

Kind regards,

s.22(1)