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

Appeal No. Z35207 – 2633 and 2637 Commercial Drive

Appeal Section: 573(1)(a) Appeal of Decision (Medical Marijuana-related Use)
Legal Description: Lots Y & Z, Block 161, District Lot 264A and Plan VAP2475.
Lot Size: Irregular site
Zone: C-2C
Related By-Law Clause: Section 11.28

Appeal Description:

Appealing the decision of the Director of Planning who refused Development Application No. DP-2017-01031 and requesting interior alterations to combine two-units into one (1) unit, and to change the use of approximately 2,333.0 square feet from Retail to a Medicinal Marijuana-Related use within this existing one-storey commercial building on this site (decision under Development Application No. DP-2017-01031).

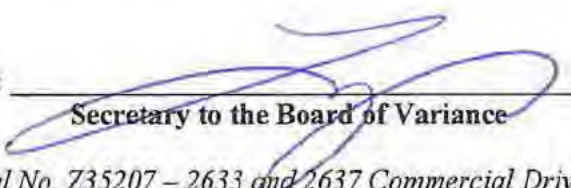
Name of Appellant(s): Oana Nicoara

s.22(1)



This appeal was heard by the Board of Variance on **March 07th, 2018** and was **DISALLOWED.**

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. Z35207 – 2633 and 2637 Commercial Drive

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

Appeal No. Z35292 – 2633 Commercial Drive

Appeal Section: 573(1)(a) Appeal of Decision (Medical Marijuana-related Use)
Legal Description: Lots Y & Z, Block 161, District Lot 264A and Plan VAP2475.
Lot Size: Irregular site
Zone: C-2C
Related By-Law Clause: Section 11.28

Appeal Description:

Appealing the decision of the Director of Planning who refused Development Application No. DP-2018-00354 and requesting interior alterations to combine two units into one unit, and to change the use of approximately 2,333.0 square feet from Retail to a Medicinal Marijuana-Related use in this existing one-storey commercial building on this site (decision under Development Application No. DP-2018-00354).


Name of Appellant(s): Oana Nicoara

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This appeal was **NOT** heard by the Board of Variance **on June 19th, 2018 and was STRUCK from the Record** (in accordance with the Board of Variance's By-law No. 10200 – as outlined under Section 7.3).

The Board of Variance voted not to hear this appeal since the new (second) appeal is similar / identical to the first appeal – which was “disallowed” by the Board previously.

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. Z35292 – 2633 Commercial Drive

November 16, 2017

Oana Nicoara

s.22(1)

Dear Ms. Nicoara:

RE: 2633 and 2637 Commercial Drive
Development Permit Number DP-2017-01031

Please be advised that the Director of Planning has Refused DP-2017-01031 on November 15, 2017, 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 - Objections Received; objections have been received from neighbouring property owners; and
- 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,



Claudia Hicks
Project Coordinator
claudia.hicks@vancouver.ca
604.871.6083

CH/ll



DA Supplementary Material – Eggscanna

Eggscanna is submitting the attached supplementary material for the Development Application on 2267 Commercial Dr. This material is meant to illustrate that any neighborhood opposition to project is vastly outweighed by the support in the surrounding area.

The original application was rejected due to purported non-compliance with the distancing requirements in the city of Vancouver's MMRU bylaw. It has since been established that was an error, and that the 2267 Commercial Dr. location follows the 300m distancing requirement.

The secondary consideration for rejection of our initial application was cited by the city as 'neighborhood opposition', consisting of 15 letters and one petition which were sent to the city when neighborhood was notified of the permit application.

Having requested the letters of objection via FOIA request, we noticed all the letters submitted to the city objecting to this DA permit on the first notification cited "too many dispensaries" in the area as a major reason for not supporting this application.

This line of objection, however sincere, demonstrates a lack of clarity in the public mind about the processes in place for the licensing of cannabis retail in Vancouver. These letters illustrate that those with objections don't understand that the application in question would be the only licensed cannabis retail in the area.

We think it is obvious that the real issue at play is frustration with the lack of enforcement of the MMRU by-law, and the subsequent presence of multiple, unlicensed cannabis business in the vicinity of our proposed location. Further to this, the main avenue people in the surrounding area have for expressing the frustration with the lack of enforcement and unlicensed businesses is via the DA notification process for the Eggscanna application. That situation clearly has an undue impact on Eggscanna's application, as evidenced by the misinformed letters of opposition, and unfairly impacts Eggscanna's chance to open a licensed and bylaw compliant location at 2267 Commercial Dr.

Eggscanna is attempting to move through the licensing process on a block which has existing unlicensed cannabis businesses in operation. We submit that the presence of the currently operating businesses is confusing to the members of the community with concerns about "adding another dispensary to the neighborhood," as that is not what is being proposed. Those frustrations, whose source is the non-compliant businesses in the area, are not reflective of genuine objections to Eggscanna's specific application at the specific address.

We know that there is support for this application and have under taken a canvass of the notification area to demonstrate that, if the neighborhood was re-notified of the application, support could be demonstrated. We are submitting the letters of support we secured with this letter.

We believe that the letters we are submitting as a supplement to the application show that there is support of the project and request that the application be allowed to proceed.



City of Vancouver
Planning Department
515 W 10th Ave, Vancouver
BC V5Z 4A8

To the City of Vancouver and Director of Planning:

As a resident of the neighborhood surrounding the proposed Eggscanna location at 2267 Commercial Dr, Vancouver. I am writing to express my full support for their Development Application submission and to express my encouragement of the city of Vancouver to grant the Development Application to Eggscanna.

The proposed location at 2267 Commercial Dr. is compliant with the city's MMRU bylaw and fits well with the neighboring businesses. It would serve to enrich the neighborhood and drive foot traffic to other businesses on the block. The proposed location is will make Eggscanna part of the variety of retail store fronts that populate the area between Broadway and 13th to many of which will benefit for the additional foot traffic. This will serve to make the neighborhood even more prosperous and vital.

I understand that some in our community have voiced concern over the dispensaries in our neighborhood. I think because Eggscanna is moving through the licensing process on a block which has additional, unlicensed marijuana businesses in operation, the presence of the currently operating businesses is confusing to the community in terms of which business are complying with the City's processes. This situation has an undue impact on Eggscanna's licensing application. I feel that this unfairly impacts Eggscanna's chance to open a licensed and bylaw compliant location at 2267 Commercial Dr.

I urge you to re-notify the neighborhood in question as there is a great deal community support for this project. Eggscanna should be allowed to move forwards with their Development Permit. This decision benefits both medical marijuana patients by having a licensed store in their neighborhood and the community at large.

Thank you for considering this request

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I urge you to re-notify the neighborhood in question as there is a great deal of community support for this project. Eggscanna should be allowed to move forwards with their Development Permit. This decision benefits both medical marijuana patients by having a licensed store in their neighborhood and the community at large.

Thank you for considering this request.

Regards,

s.22(1)

s.22(1)

Vancouver

s.22(1)

s.22(1)

To the City of Vancouver, Director of Planning:

City of Vancouver
Planning Department
515 W 10th Ave, Vancouver
BC V5Z 4A8

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Concerned Homeowners of
1300 – 1600 East 11th Avenue
Vancouver, BC

November 14, 2017

Claudia Hicks
Project Coordinator
City of Vancouver Planning Department

via email: Claudia.hicks@vancouver.ca

Re: DP-2017-01031 Change of use of 2633 and 2637 Commercial Drive to Medical Marijuana-Related

Dear Claudia Hicks:

We, the undersigned, are in strong opposition to this application.

There are currently 4 other medical marijuana locations within a 5 block radius that we are aware of, not including Eggs current location.

- BC Pain Society is 0.2km away at 2908 Commercial Drive
- BC Compassion Club Society is 0.3km away at 2995 Commercial Drive
- Canna Clinic – Commercial is 0.4km away at 2223 Commercial Drive
- MMJ Canada Kensington is 0.7km away at 1290 East 12th Ave

This location is only 0.6km from Queen Alexandra Elementary School which has a large proportion of vulnerable families. It is also 0.3km from Stratford Hall Independent School. These students are often found finding lunch in the Commercial Drive skytrain area as well as before and after school. It is also located just off the 10th Avenue bikeway which is heavily used by students heading to other in catchment schools such as French immersion at Laura Secord and Vancouver Technical Secondary.

The location is next door to a pawn shop/high interest lender and a block away from Vancouver's largest skytrain station, a pub, and a methadone clinic. There is very limited community policing as the closest community policing centre only monitors north of the Grandview cut and the catchment policing centre is located near Joyce Skytrain. Property crime, drug deals, and overnight camping in local parks complaints are on the rise in the 1300-1600 blocks of 10th and 11th Avenues as noted by numerous neighbours and ourselves being victim to vandalism and destruction of property.

In conclusion, the area is oversaturated with locations to purchase marijuana and under equipped with resources to deter crime often associated with drug use. Please do not support this application.

Sincerely,

HOUSE NUMBER on EAST 11 th	NAME	SIGNATURE
s.22(1)	s.22(1)	s.22(1)
s.22(1)	s.22(1)	s.22(1)

[illegible]

cc: Hector Bremner - hector.bremner@vancouver.ca

Mandy So - Mandy.so@vancouver.ca

John Greer - John.greer@vancouver.ca

s.22(1)

s.22(1)

s.22(1)

From: "Blackmore, Jessica"

To: "Oana Nicoara (oana.n@eggscanna.com)" <oana.n@eggscanna.com>

"Stefana Herman (stefana.h@eggscanna.com)" <stefana.h@eggscanna.com>

Date: 5/6/2019 11:46:25 AM

Subject: FW: Refusal Letter for DP-2018-01131

Attachments: Refusal Letter.pdf

Hi Oana, Stefana,

Two sets of stamped plans are now available at concierge (ground floor, 515 West 10th Avenue).

Thank you,

Jessica Blackmore

Project Coordinator II | Subdivision & Strata |
Development, Buildings, and Licensing | City of Vancouver |



From: Blackmore, Jessica

Sent: Monday, May 6, 2019 9:53 AM

To: Oana Nicoara (oana.n@eggscanna.com); Stefana Herman (stefana.h@eggscanna.com)

Cc: Greer, John

Subject: Refusal Letter for DP-2018-01131

Hi Oana, Stefana,

Please find the official letter of refusal attached in this e-mail.

I will notify you via e-mail when drawings are available for pick-up.

Thank you,

Jessica Blackmore

Project Coordinator II | Subdivision & Strata |
Development, Buildings, and Licensing | City of Vancouver |



\hhhhh

May 6, 2019

Stefana Herman
208 East 16th Avenue
Vancouver, BC V5T 2T4

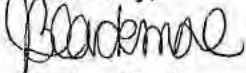
RE 2633 COMMERCIAL DRIVE, Vancouver, BC
Development Application Number DP-2018-01131

Please be advised that the Director of Planning has Refused DP-2018-01131 on May 2, 2019, for the following reason(s):

- Refusal 1 – Objections Received; objections have been received from neighbouring property owners.

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,



Jessica Blackmore
Project Coordinator II
E-mail: jessica.blackmore@vancouver.ca
Phone: 604.873.7216



Graffiti on Private Property Complaint

Case number: 101010330071

Case created: 2017-10-24, 07:54:00 PM

Incident Location

Address: 2633 COMMERCIAL DRIVE, Vancouver, V5N 4C3

Contact Details

Name: s.22(1)

Address: VANCOUVER, s.22(1)

Address2:

Phone: s.22(1)

Email: s.22(1)

Alt. Phone:

Preferred contact method: Either

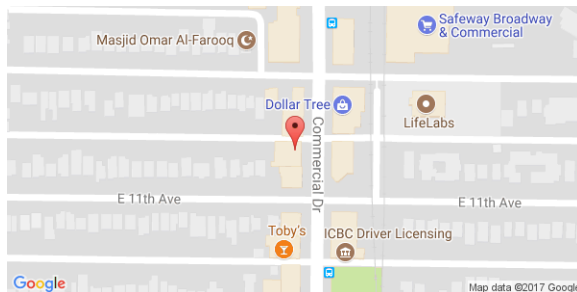
Request Details

1. Provide details: Graffiti on wall, there for weeks.
2. Is the graffiti on a mural? No

Additional Details

PS#: 3355836

Map and Photo



EN

FYA to: Kyle Pringle

FYI to:

From: "Fouladianpour, Payam" <Payam.Fouladianpour@vancouver.ca>
To: "Jaclynn Pehota" <jaclynn@althingconsulting.com>
Date: 5/22/2018 2:22:22 PM
Subject: RE: 2633 and 2637 Commercial Drive
Attachments: PosseDocument (8).pdf

Hi Jaclynn,

Please see the attached letter in relation to the above noted development permit application DP-2018-00354. This application is refused based on the reason(s) described in the letter.

You may pick-up submitted drawings at our concierge starting this afternoon.

Thank you.



Payam Fouladianpour | Project Coordinator – Development Review Branch
Development, Buildings & Licensing
t. 604.873.7663

From: Jaclynn Pehota [mailto:jaclynn@althingconsulting.com]
Sent: Tuesday, May 22, 2018 11:31 AM
To: Fouladianpour, Payam
Subject: Re: 2633 and 2637 Commercial Drive

Hi Payam,

I hope you had a great long weekend!

I was wondering if there is any update on 2267 Commercial re-notification.

Thank you in advance.

Regards,

On 10 May 2018 at 11:06, Fouladianpour, Payam <Payam.Fouladianpour@vancouver.ca> wrote:
Hi Jaclyn,

I should have an answer for you on 2267 Commercial Drive shortly.

The MMRU application at 1440 E. 57th Ave. was rejected due to not meeting the requirements of the Zoning and Development By-law (intent) and opposition for neighbouring property owners.

Thanks.



Payam Fouladianpour | Project Coordinator – Development Review Branch
Development, Buildings & Licensing
t. 604.873.7663

From: Jaclynn Pehota [mailto:jaclynn@althingconsulting.com]
Sent: Thursday, May 10, 2018 9:36 AM
To: Fouladianpour, Payam
Subject: Re: 2633 and [2637 Commercial Drive](#)

Hi Payam,

I was curious if there is any news on the DA or if a decision has been made about notifying the neighborhood for [2267 Commercial Dr](#)?

I had a another question as well about another address, [1440 E 57th Ave, Vancouver, BC V5P 2A9](#). Is this address compliant with the 300m exclusion required for the MMRU? I noticed that there was a DP for MMRU on the property that was supposed to go to the BoV.

Are you able to tell me why DP-2017-00872 (that's the permit number) was rejected?

Thank you in advance,

On 30 April 2018 at 14:31, Jaclynn Pehota <jaclynn@althingconsulting.com> wrote:
Hi Payam,

That time works perfectly. I'll see you at 11am Friday!

Thank you for making the time.

On Mon, Apr 30, 2018, 2:14 PM Fouladianpour, Payam, <Payam.Fouladianpour@vancouver.ca> wrote:

Hi Jaclynn,

I can meet you at 11:00 a.m. this Friday May 4th. Please confirm if this time works for you.

Payam Fouladianpour | Project Coordinator` Development Review Branch
Development, Buildings & Licensing
t. 604.873.7663

From: Jaclynn Pehota [mailto:jaclynn@althingconsulting.com]
Sent: Monday, April 30, 2018 12:25 PM
To: Fouladianpour, Payam
Subject: Re: 2633 and 2637 Commercial Drive

Hi Payam,

I know you're likely swamped but I just wanted to do a quick follow up about meeting you this week. Please let me know when you can squeeze me in!

Thank you in advance,

Jaclynn

On Fri, Apr 27, 2018 at 8:26 AM, Jaclynn Pehota <jaclynn@althingconsulting.com> wrote:
Hi Payam,

I would like to hand it off to you directly. I would like to speak to you in person briefly about the project. I like to shake hands whenever possible!

Please let me know if you can give me 15 minutes next week and I'll make whatever is convenient for you

work.

Let me know.

Cheers,

Jaclynn

On Wed, Apr 25, 2018, 3:03 PM Fouladianpour, Payam, <Payam.Fouladianpour@vancouver.ca> wrote:

Hi Oana,

s.22(1) Our review is ongoing and I will update you and Jaclynn as soon as I have something to report.

Jaclynn, please feel free to drop off any additional materials to my attention at our concierge desk downstairs.

Thank you.

Payam Fouladianpour | Project Coordinator @Development Review Branch
Development, Buildings & Licensing
t. 604.873.7663

From: Jaclynn Pehota [mailto:jaclynn@althingconsulting.com]
Sent: Wednesday, April 25, 2018 2:34 PM
To: Oana Nicoara
Cc: Fouladianpour, Payam
Subject: Re: 2633 and 2637 Commercial Drive

Hi Payam,

It's nice to "meet" you. Please let me know when we can schedule an appointment to drop off the supplementary material.

I look forward to working with you.

Regards,

On Wed, Apr 25, 2018 at 10:36 AM, Oana Nicoara <oana.n@eggscanna.com> wrote:
Good morning Payam,

I wanted to touch base and see if you had any news regarding this application? I would also like to introduce you to Jaclynn who will be the contact person for this application s.22(1)
s.22(1) Jaclynn has some additional items that need to be included with out application and she was hoping to schedule a time to drop those off and meet with you. I will pass this off to Jaclynn now, enjoy the rest of your day.

Kind regards,
Oana

Sent from my iPhone

--



Jaclynn Pehota

Principal Consultant | Althing Consulting Services

phone: 778-772-4343

site: www.althingconsulting.com

email: jaclynn@althingconsulting.com



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site: www.althingconsulting.com

email: jaclynn@althingconsulting.com

tm

May 22, 2018

s.22(1)

Dear Oana Nicoara:

RE: 2633 COMMERCIAL DRIVE, Vancouver, BC
Development Permit Number DP-2018-00354

Please be advised that the Director of Planning has Refused DP-2018-00354 on May 22, 2018, for the following reason(s):

- Refusal 1 - Objections Received; objections have been received from neighbouring property owners;

Yours truly,



Payam Fouladianpour
payam.fouladianpour@vancouver.ca
(604) 873-7663

PF/sg

From: "KELLER, Jodyne" s.15(1)(l)
To: "Hicks, Claudia" <claudia.hicks@vancouver.ca>
Date: 11/15/2017 9:05:06 AM
Subject: RE: 2633 Commercial Drive - Marijuana application

Hi Claudia,

The VPD does not have any concerns at this time.

Jodyne

From: Hicks, Claudia [mailto:claudia.hicks@vancouver.ca]
Sent: Tuesday, November 14, 2017 1:52 PM
To: KELLER, Jodyne s.15(1)(l) CLARKE, Alex s.15(1)(l) Hicks, Sarah
<Sarah.Hicks@vancouver.ca>
Subject: 2633 Commercial Drive - Marijuana application

Hi,
Could you please let me know if you have any issues with the Marijuana application at the above-noted address?
Please see the attached letter of operation for further details.

With thanks,

Claudia Hicks

Project Coordinator - Development Review Branch

Development, Buildings & Licensing

604.871.6083



CONFIDENTIALITY NOTICE: This message and any accompanying documents contain confidential information intended for a specific individual and purpose. This message is private and protected by law. If you are not the intended recipient, you are hereby notified that any disclosure, copying or distribution, or the taking of any action based on the contents of this information, is strictly prohibited

From: Oana Nicoara [mailto:oana.n@eggscanna.com]
Sent: Monday, October 23, 2017 3:00 PM
To: Hicks, Claudia
Subject: DE Permit signange, all floor plans, operational letter

Hi Claudia,

Here is everything you have requested, please let me know if I have missed anything. I have sent the sign off to be printed with pickup for tomorrow--I will send you a picture of the sign on the building tomorrow.

Kind regards,

Oana Nicoara
Director | Eggs Canna Inc.

Direct | 604-754-7795
Office | 778-379-4344

This message is only intended for the recipient, if you are not the intended recipient, you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited. Please notify the sender immediately if you have received this email in error. Please think "**GREEN**" prior to printing this email.

From: "Hicks, Sarah" <Sarah.Hicks@vancouver.ca>
To: "Hicks, Claudia" <claudia.hicks@vancouver.ca>
Date: 11/14/2017 2:16:35 PM
Subject: RE: 2633 Commercial Drive - Marijuana application

No comment.

Sarah Hicks | Deputy Chief Licence Inspector, Licence Office Manager, Licence Office
Development, Buildings, & Licensing
City of Vancouver | 515 W 10th Ave
Vancouver | B.C. V5Z 4A8
(O) [604.873.7546]
sarah.hicks@vancouver.ca



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From: Hicks, Claudia
Sent: Tuesday, November 14, 2017 1:52 PM
To: KELLER, Jodyne; CLARKE, Alex; Hicks, Sarah
Subject: 2633 Commercial Drive - Marijuana application

Hi,
Could you please let me know if you have any issues with the Marijuana application at the above-noted address?
Please see the attached letter of operation for further details.

With thanks,

Claudia Hicks

Project Coordinator - Development Review Branch

Development, Buildings & Licensing

604.871.6083



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From: Oana Nicoara [mailto:oana.n@eggscanna.com]
Sent: Monday, October 23, 2017 3:00 PM
To: Hicks, Claudia
Subject: DE Permit signange, all floor plans, operational letter

Hi Claudia,

Here is everything you have requested, please let me know if I have missed anything. I have sent the sign off to be printed with pickup for tomorrow--I will send you a picture of the sign on the building tomorrow.

Kind regards,

Oana Nicoara

D i r e c t | 604-754-7795

O f f i c e | 778-379-4344

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[REDACTED]

From: "Zawaduk, Zakary" <Zakary.Zawaduk@vancouver.ca>
To: "Hicks, Claudia" <claudia.hicks@vancouver.ca>
CC: "Van Veen, Christopher" <Christopher.VanVeen@vancouver.ca>
"Hurford, Dianna" <Dianna.Hurford@vancouver.ca>
Date: 11/6/2017 11:38:17 AM
Subject: RE: MMRU's

Hi Claudia,

Social Policy does not support the MMRU application for 2633 Commercial Drive as it is within 300 meters of the property line of another site containing MMRU—the BC Compassion Club Society at 1675 E. 14th Avenue.

s.13(1)

Best,
Zak Zawaduk

Zakary Zawaduk, MPH, BSW
Planning Assistant | 604.871.6424
Social Policy & Projects | City of Vancouver
Woodwards Heritage Building
#501 – 111 W. Hastings St.
Vancouver, BC, V6B 1H4
Unceded Homelands of Musqueam, Squamish and Tsleil-Waututh Nations

From: Hurford, Dianna
Sent: Thursday, November 02, 2017 9:27 AM
To: Buckham, Catherine
Cc: Young, Carol Ann; Van Veen, Christopher; Zawaduk, Zakary; Mulla, Zarina
Subject: RE: MMRU's

Hi Cathy ☺Yes, I have this in our work program. I have assigned to Chris/Zak.

From: Buckham, Catherine
Sent: Wednesday, November 01, 2017 12:14 PM
To: Hurford, Dianna
Cc: Young, Carol Ann
Subject: FW: MMRU's

Hi Dianna
How do you want to handle these. Sound like Ty processed them.
c

Catherine Buckham

Senior Planner | Social Policy Group
COMMUNITY SERVICES | CITY OF VANCOUVER
604-873-7265

From: Buckham, Catherine
Sent: Tuesday, October 31, 2017 6:33 PM
To: Hicks, Claudia
Cc: Mulla, Zarina
Subject: RE: MMRU's

Hi Zarina
How do you want to process these?
Cathy

From: Hicks, Claudia
Sent: Tuesday, October 31, 2017 11:50 AM
To: Buckham, Catherine
Subject: MMRU's

*Hi Catherine,
Could I please have Social Policy comments on the below-noted MMRU applications?
1319 SE Marine Dr – DP-2017-00983
2633 Commercial Dr – DP-2017-01031*

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



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g99

BOARD OF VARIANCE/PARKING VARIANCE BOARD

WEDNESDAY, MARCH 7TH, 2018

LICENSES & INSPECTIONS

COMMENTS TO APPELLANT

5. 2633 and 2637 COMMERCIAL DRIVE - APPEAL NO. Z35207

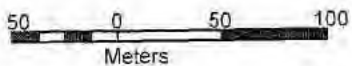
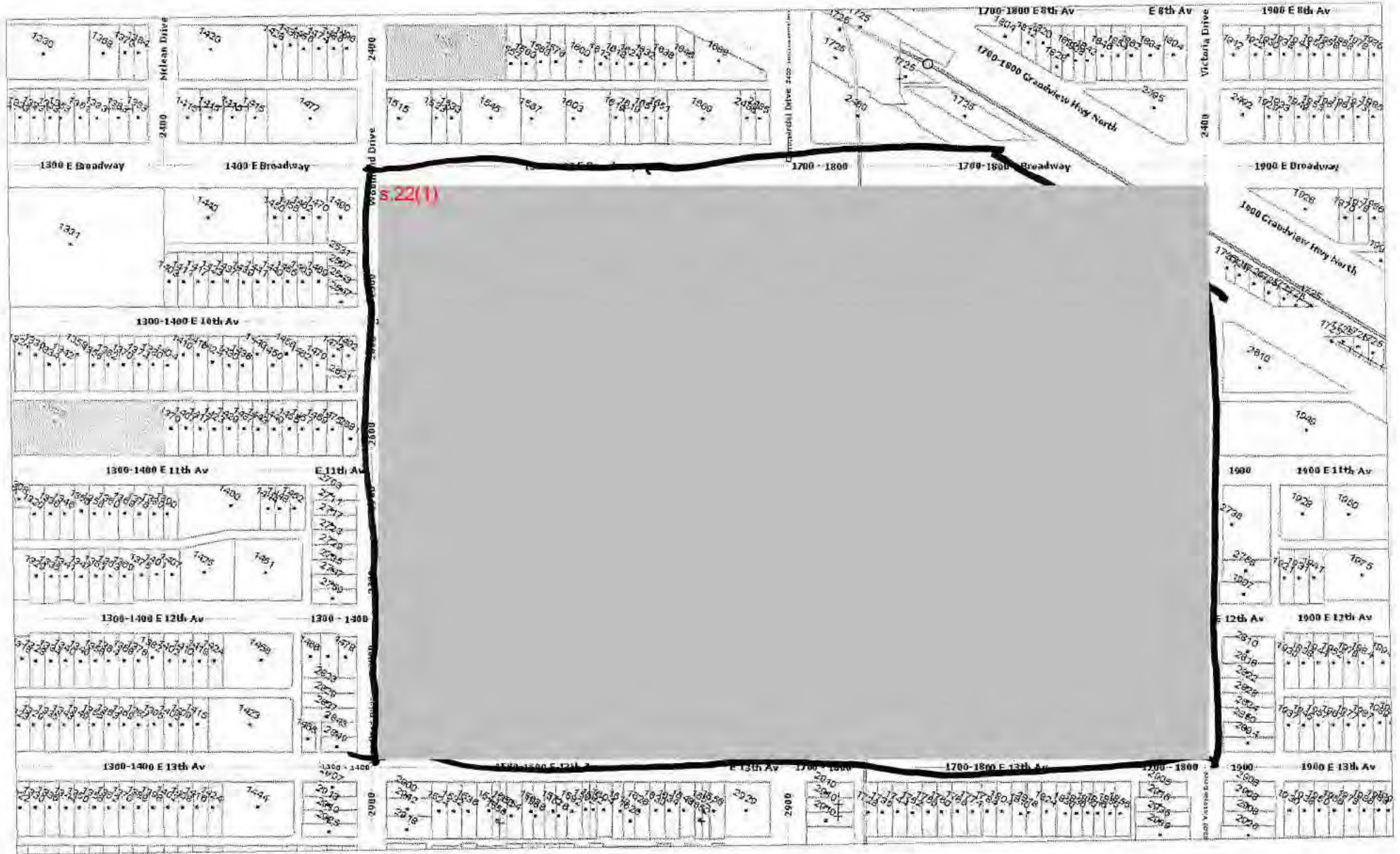
Appealing the decision of the Director of Planning who refused Development Application No. DP-2017-01031 and requesting interior alterations to combine two (2) units into one (1) unit and to change the use of approximately 2,333.0 square feet from Retail to a Medicinal Marijuana Related Use within this existing one-storey commercial building on this site (decision under Development Application No. DP-2017-01031).

Comments:

MMRU - no comments.

8.5X11

Staff VanMap



Scale 1: 3598

Notification Area

F = For
A = Against

Hicks, Claudia

From: s.22(1)
Sent: Saturday, October 28, 2017 5:24 PM
To: Hicks, Claudia
Subject: DP-2017-01031

Dear Claudia Hicks, Project Coordinator City of Vancouver Planning Department,

Re: DP-2017-01031 Change of use of 2633 and 2637 Commercial Drive to Medical Marijuana-Related

We do not support this application.

There are currently 4 other medical marijuana locations within a 5 block radius that we are aware of, not including Eggs current location.

- BC Pain Society is 0.2km away at 2908 Commercial Drive
- BC Compassion Club Society is 0.3km away at 2995 Commercial Drive
- Canna Clinic – Commercial is 0.4km away at 2223 Commercial Drive
- MMJ Canada Kensington is 0.7km away at 1290 East 12th Ave

This location is only 0.6km from Queen Alexandra Elementary School which has a large proportion of vulnerable families. It is also 0.3km from Stratford Hall Independent School. These students are often found finding lunch in the Commercial Drive skytrain area as well as before and after school. It is also located just off the 10th Avenue bikeway which is heavily used by students heading to other in catchment schools such as French immersion at Laura Secord and Vancouver Technical Secondary.

The location is a block away from Vancouver's largest skytrain station, a pub, and a methadone clinic. There is very limited community policing as the closest community policing centre only monitors north of the Grandview cut and the catchment policing centre is located near Joyce Skytrain. Property crime, drug deals, and overnight camping in local parks complaints are on the rise in the 1300-1600 blocks of 10th and 11th Avenues as noted by numerous neighbours and ourselves being victim to vandalism and destruction of property.

In conclusion, the area is oversaturated with locations to purchase marijuana and under equipped with resources to deter crime often associated with drug use. Please do not support this application.

Sincerely,

s.22(1)



Hicks, Claudia

From: s.22(1)
Sent: Monday, October 30, 2017 3:39 PM
To: Hicks, Claudia
Subject: marijuana store

Hello, I am emailing to communicate my objection to the application at 2633&2637 Commercial Drive. Until marijuana is officially legal and the substances sold are properly screened under health and safety standards, I oppose this development. Not to mention, the only legal pot for medical purposes is sold through a on-line distributor. This means that people purchasing marijuana from this facility are using for the purposes of recreational use and getting high. There is no current plan to screen impaired drivers who are under the influence of marijuana. Therefore a facility like this in my neighborhood increases the risk to my families safety. As well, the smell of marijuana smoke is very strong and invasive to ones personal space. I very strongly oppose this development.

Regards,

s.22(1)

Vancouver, BC

Hicks, Claudia

From: s.22(1)
Sent: Thursday, November 02, 2017 9:12 AM
To: Hicks, Claudia
Subject: Change in Commercial Retail to Medicinal Marijuana-Related use for 2633 & 2637 Commercial Dr.

Dear Ms. Hicks,

As a business owner in the direct vicinity of the proposed change in use for said property, I am oppose to this development application. There are already enough medicinal marijuana related shops open on the Drive and I for one cannot see the benefit it will bring to the area. This proposed change for said property is within half a block of a drug recovery program located on the east side of Commercial Drive on 11th. This area already has its share of problems and the change in use for said property would have more negative impact in our diverse community which is growing with families.

Sincerely,

s.22(1)

Sent from my iPhone

Hicks, Claudia

From: Larry Gwozd s.22(1)
Sent: Thursday, November 02, 2017 1:04 PM
To: Hicks, Claudia
Subject: 2633 & 2637 Commercial Drive DP-2017-01031

I am the president of Lori-Gay Holdings Ltd., the owner of the Lori-Gay Manor which is a 17 unit apartment building located at 1624 East Broadway. The apartment is a few hundred feet from the south-west corner of Broadway and Commercial and about 2 blocks north from the proposed medical marijuana store. Lori-Gay Holdings Ltd strongly opposes the application due to the fact that there is already a well-known large drug use problem in the Broadway and Commercial drive area. Over the last few years I have had to confront marijuana smokers and other drug users in the back parking lot and back yard of the apartment building and insist that they get off the property. They regularly go into the side-yard of the apartment building between the building and the fence, where it is hard to be seen, to smoke marijuana and inject other drugs. It has become so prevalent that I have had to build a fence and install a locked gate in the middle of my property between my back parking lot and my building entrance to keep them out. This does not stop them however from using marijuana and other drugs in the back alley and in my neighbours side yards and parkades which they do regularly. Just two days ago I saw 4 people go into the underground parking entrance of my next door neighbour's property and start smoking. The fact that I was standing there watching them did not phase them one bit. This is not only illegal, but also causes the tenants in my building, especially the single females living alone in my suites a lot of anxiety and has resulted in many complaints being made to me about it. There is no doubt that having marijuana sold in a store that is only 2 blocks from my building will only exacerbate an already intolerable situation.

In addition, there is already a medical marijuana store on the east side of the 29 hundred block of Commercial Drive which is 3 blocks south of the proposed new one. There certainly is no reason to have two marijuana dispensers within 3 blocks of each other. I am sure that anyone that has a legitimate medical problem that requires marijuana for treatment can already get it by just walking or driving the extra 3 blocks to the existing store. I suggest that marijuana stores should be treated the same as the law requiring pubs to be a reasonable distance from each other.

As a close neighbouring property that will be seriously negatively affected by any expansion of the availability of marijuana in the immediate vicinity of its apartment building, Lori-Gay Holdings Ltd, strongly opposes the proposed development permit.

Larry Gwozd
President of Lori-Gay Holdings Ltd.
s.22(1)

Hicks, Claudia

From: Rino Moccia s.22(1)
Sent: Tuesday, October 31, 2017 3:13 PM
To: Hicks, Claudia
Cc: Ben Lee
Subject: Commercial Drive Units 2633 and 2637

Dear Ms. Hicks,

I am communicating to you on behalf of Com El Medical Centre at 2620 Commercial Dr and Strata Plan VR740 regarding the proposed change of use of the above properties to a Medicinal Marijuana-Related use.

PLEASE BE INFORMED THAT WE OPPOSE AND CHANGE OF USE OF THE ABOVE PROPERTIES AND ARE AGAINST A MEDICINAL MARIJUANA OUTLET BECAUSE IT WOULD CONTRIBUTE TO THE EXISTING PROBLEMS OF DRUG ABUSE AND THE RELATED PROBLEMS OF HOMELESSNESS, PANHANDLING, VANDALISM AND GRAFFITI THAT HAVE YET TO BE ADDRESSED FOR THE RESIDENTS AND BUSINESSES IN THE AREA.

Dr R Moccia MD on behalf of the Come El Medical Centre and Strata Plan VR740 Occupants
2620 Commercial Dr
Vancouver BC
V5N 4C4
Cel s.22(1)

Hicks, Claudia

From: s.22(1)
Sent: Sunday, October 29, 2017 8:37 AM
To: Hicks, Claudia
Subject: Eggs Canada wants to convert 2633 & 2637 Commercial Drive

I just heard about this development and highly oppose turning these shops into medical marijuana . We currently already have 4 locations close to this area. We live on a block with 65 children on s.22(1) and s.22(1) between Commercial and Woodland. These stores bring unsavory individuals that will turn and try to sell these drugs to children. It will bring more crime to our neighbourhood. This area has two schools within a block of this proposed locations Stratford House and Queen Alexandra

I do not support this application

s.22(1)



Hicks, Claudia

From: s.22(1)
Sent: Wednesday, November 08, 2017 7:17 PM
To: Hicks, Claudia
Subject: 2633 and 2637 Commercial Drive - DP-2017-01031

Dear Ms. Hicks,

I am writing you to express my deepest concerns with regards to the above application for Marijuana Dispensary/Store in our neighborhood.

I have been a resident of this neighborhood and community for over 25 years and am currently residing at s.22(1) Avenue with s.22(1)

This location is within 2 city blocks of Queen Alexandra Elementary School which is too close in my opinion. Kids will be walking and biking along 10th Avenue easily within a half block of this location.

There already has been some heated conflict in our immediate neighborhood with regards to marijuana odors wafting over to homes with families and kids.

As a s.22(1) living here I know the Grandview area inside out and from what I can assess, there are already an overservicing of this product in it. In fact, I was an active volunteer for the s.22(1) working with s.22(1) for several years getting to know many of the merchants along the Drive.

I hope you will take into account the fact that this neighborhood has many young families with kids along with an Elementary school in close proximity to this store when making your decision to approve or disapprove.

Thank you for your time and your attention to this matter.

Sincerely yours,

s.22(1)



Hicks, Claudia

From: s.22(1)
Sent: Wednesday, November 08, 2017 8:36 PM
To: Hicks, Claudia
Subject: Re: DP-2017-01031

This email is in regards to the Development Application for Medical Marijuana use permit at 2633 & 2637 Commercial Drive.

We are vehemently AGAINST the approval of this application for the following reasons:

1. There are already multiple equivalent locations within a short distance.
2. It is on a major bike route (10th Ave) which sees many young students biking or walking to schools either at Queen Alexandra Elementary or Laura Secord Elementary
3. It is in very close proximity to the Broadway-Commercial Skytrain station (especially the 10th Ave entrance) which is already extremely busy.
4. There is a Methadone clinic a 1/2 block away
5. There is a liquor store on next block.
6. The location is beside an existing Pawn Shop which already sees a high volume of questionable customers in the vicinity.
7. The local area is already a hotbed for crime and related activity. Vandalism and theft are commonplace in this area.

On a more personal note, s.22(1) must walk by this location twice a day to get to and from school.

My family and I have lived at s.22(1) and it is already a very challenging neighborhood to raise children in - they are literally scared to walk on their own along Commercial in this area. What we need in the area are businesses and services that add to the neighborhood and help build community, not fragment it further. By approving this application, I feel strongly that you will further fracture the neighborhood, reinforce even further that this area is the armpit of the city, and drive out families like ourselves and our neighbors who are fighting to rebuild a community here.

I understand that you may not have a good feel for the dynamics of the neighborhood if you don't live in the area, so if you have any questions or would like to get a local perspective, I'm happy to answer any questions you might have. I can be reached on my mobile at s.22(1)

Thank you for considering my perspective in your assessment.

s.22(1)

Hicks, Claudia

From: s.22(1)
Sent: Wednesday, November 08, 2017 6:33 PM
To: Hicks, Claudia
Subject: Development Application - 2633 and 2637 Commercial Drive - DP-2017-01031

Dear Ms. Hicks,

I am writing regarding the Eggs Canada Inc. application to the City of Vancouver for permission for interior alterations and to change the use of the existing units from Commercial Retail to a Medical Marijuana-Related use.

As a resident of the neighborhood, I am **not** in support of this application. It appears to me as though there is already a fairly strong presence of similar, related businesses in the neighborhood. Just as we don't need a cold beer and wine store every few blocks, while I am not opposed to the operation of either category of these businesses, there must be a reasonable maximum density in any neighborhood for Marijuana businesses. I do feel as though that density has already been achieved or exceeded in this area.

As a disclaimer, I am not involved in any related or similar business whatsoever, and have no financial interests that would be affected beneficially or adversely by this application's success or failure.

Kind Regards,

s.22(1)

Resident,

s.22(1)

Vancouver, BC.

Hicks, Claudia

From: s.22(1)
Sent: Thursday, October 26, 2017 12:08 PM
To: Hicks, Claudia
Subject: DP-2017-01031; Notice of DA

Hello Claudia,

Just a quick note to register my support for Eggs Canada Inc. application for permission for interior alterations and to change the use of the existing units from Commercial Retail to Medical Marijuana-Related use.

I am a home owner in the area and support this commercial application to continue to serve folks within my community requiring these specific services.

Best, s.22(1)

s.22(1)

Van

s.22(1)

s.22(1)

EV

Hicks, Claudia

From: Hicks, Claudia
Sent: Monday, October 30, 2017 8:55 AM
To: Hicks, Claudia
Subject: FW: DP-2017-01031

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

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

From: s.22(1)
Sent: Thursday, October 26, 2017 9:54 AM
To: Hicks, Claudia
Subject: DP-2017-01031

Hi Claudia,

I write to you in response to the notice I received regarding the application to change 2633 and 2637 Commercial Drive into a Medical Marijuana facility.

I'm concerned about the diversity of the businesses in the area. It seems there are a lot of these type of businesses already on Commercial Drive. Off the top of my head there is one around E 13, another around E 7th and another in between. These businesses already attract people that are not always legitimately needing this service for medical reasons and I can't walk down the street with s.22(1) without being bombarded with the smell of marijuana and cigarettes as it is. My preference would be to have many different types of businesses in my neighbourhood not to have the drive become marijuana central and even less family oriented.

Thank you for your consideration.

s.22(1)

Sent from my iPhone

s.22(1)

Hicks, Claudia

From: s.22(1)
Sent: Sunday, October 29, 2017 12:25 PM
To: Hicks, Claudia
Subject: Re: Development DP-2017-01031

Hi

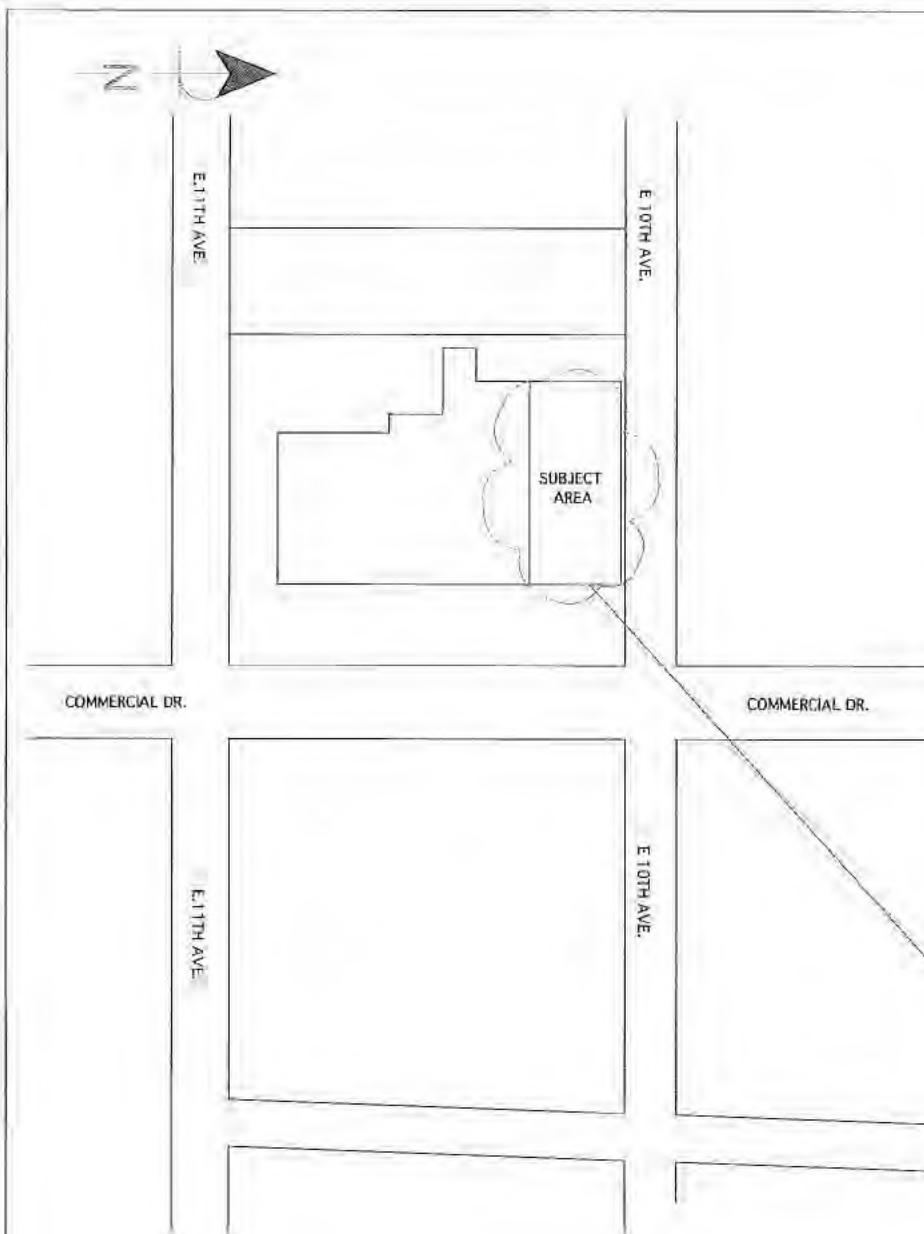
I wanted to express my comment against this development application. I am increasingly concerned by the number of medical marijuana-related businesses up and down the drive. What studies have been done to show that this increased density of shops is necessary? Within a 5 block radius of this shop, there are at least 4 other such shops that are available for people.

We need more spaces for young families, not medical-marijuana.

Thank you.

--
s.22(1)

s.22(1)



LEGAL DESCRIPTION:

LOT Y & Z BLOCK 161 PLAN VAP2475, SUBSIDY
LOT 52 TO 68 DISTRICT LOT 264A NEW
WESTMINSTER LAND DISTRICT N/A

CIVIC ADDRESS:

2633 COMMERCIAL DR.
VANCOUVER, BC.

GENERAL NOTES:

ALL WORK TO CONFORM TO BCBC2012

NOTES:

ALL WORK SHALL CONFORM TO THE BYLAWS OF THE CITY OF VANCOUVER AND ALL CONDITIONS OF THE AUTHORITY HAVING JURISDICTION. UNLESS OTHERWISE SPECIFIED, ALL GOODS & MATERIALS SHALL BE TO SPECS OF CSA. ALL WORKSMANSHIP AND FINISHING SHALL BE OF THE FINEST QUALITY & BE PERFORMED A WORKSMANSHIP MANNER ACCORDING TO GOOD BUILDING PRACTICE & TO THE ARCHITECT'S/DESIGNER'S SATISFACTION

CHANGES:

ANY CHANGES IN THE PLANS DURING THE PROGRESS OF THE WORK CAN BE MADE WITHOUT VOIDING THE CONTRACT. HOWEVER, THE COST OR ALLOWANCE, AS THE CASE MAY BE, OF SUCH CHANGES, MUST BE DESCRIBED AND PRICED IN WRITING SIGNED BY THE OWNER AND THE ARCHITECT/DESIGNER & THE CONTRACTOR.

PERMITS & REGULATIONS:

THE CONTRACTOR SHALL PROVIDE ALL REQUIRED PERMITS FOR WORK. THE CONTRACTOR SHALL EXECUTE ALL WORK TO CONFORM THE LOCAL BUILDING CODE AND SPECIFICATIONS.

SUB-CONTRACTS:

THE CONTRACTOR MAY SUBLET ANY PORTION OF THE WORK INVOLVED. HE/SHE SHALL BE RESPONSIBLE FOR ENTIRE JOB, FOR THE PROPER CO-ORDINATION OF WORK, FOR THE PROPER CO-ORDINATION OF WORKMEN AND THE EXTENT OF WORK.

SITE VISIT:

CONTRACTOR SHALL VISIT SITE TO ASCERTAIN FULL CONDITION UNDER WHICH WORK IS TO BE DONE. FAILURE TO DO THIS WILL NOT RELIEVE THE CONTRACTOR OF ANY RESPONSIBILITIES THUS ENCOUNTERED.

DEBRIS, CLEANING:

ALL THE DEBRIS WITHIN 10 FEET OF THE CONSTRUCTION SITE SHALL BE REMOVED, BUILDING SHALL BE LEFT "BROOM CLEAN".

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Written dimensions shall have precedence over scaled dimensions. It is the responsibility of the contractor to notify the designer in the event of discrepancies. The contractor shall contact the designer in all matters requiring interpretation of this drawing.

REVISIONS:

NO.	DATE:	DETAILS:	BY:
-----	-------	----------	-----

[illegible][illegible]

2022 WEST 57TH AVE.
VANCOUVER, BC. V6P1V2
TEL: 604-221-6869
CELL: 604-655-7464
EMAIL: hossfarnokh@gmail.com

PROJECT:
TENANT IMPROVEMENT

DRAWING TITLE:
EXISTING SITE PLAN

Project NO:
ADDRESS:
2633 COMMERCIAL DR.
VANCOUVER, BC.

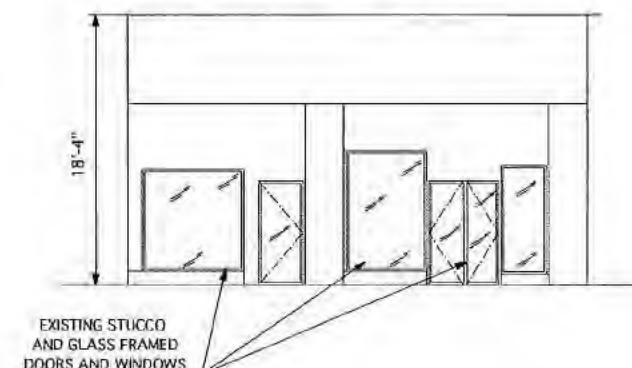
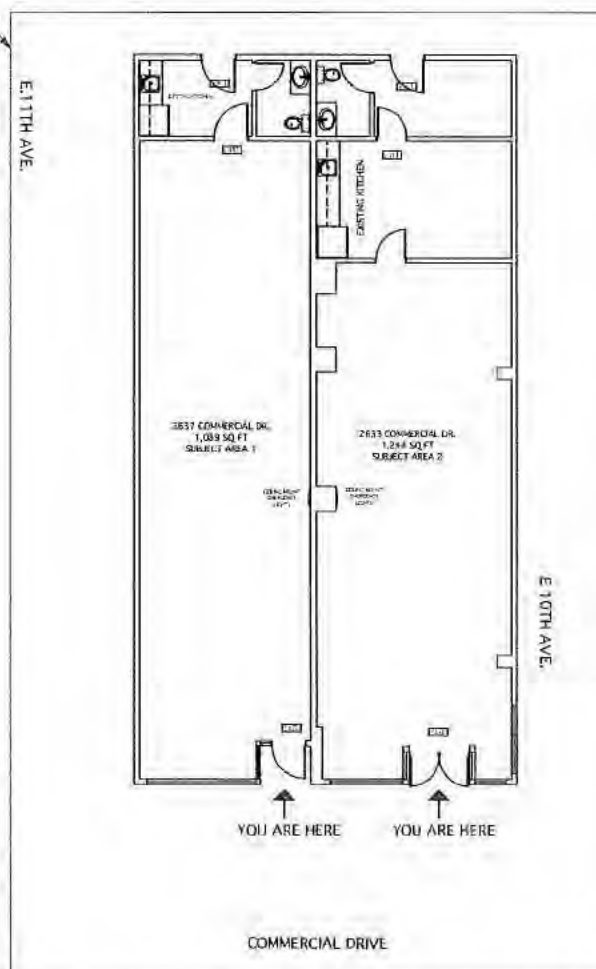
Date:
OCT. 2, 2017

SCALE:
1/8"=1'-0"

DRAWN BY:
HOSS PARROKH ✓

APPROVED BY: _____

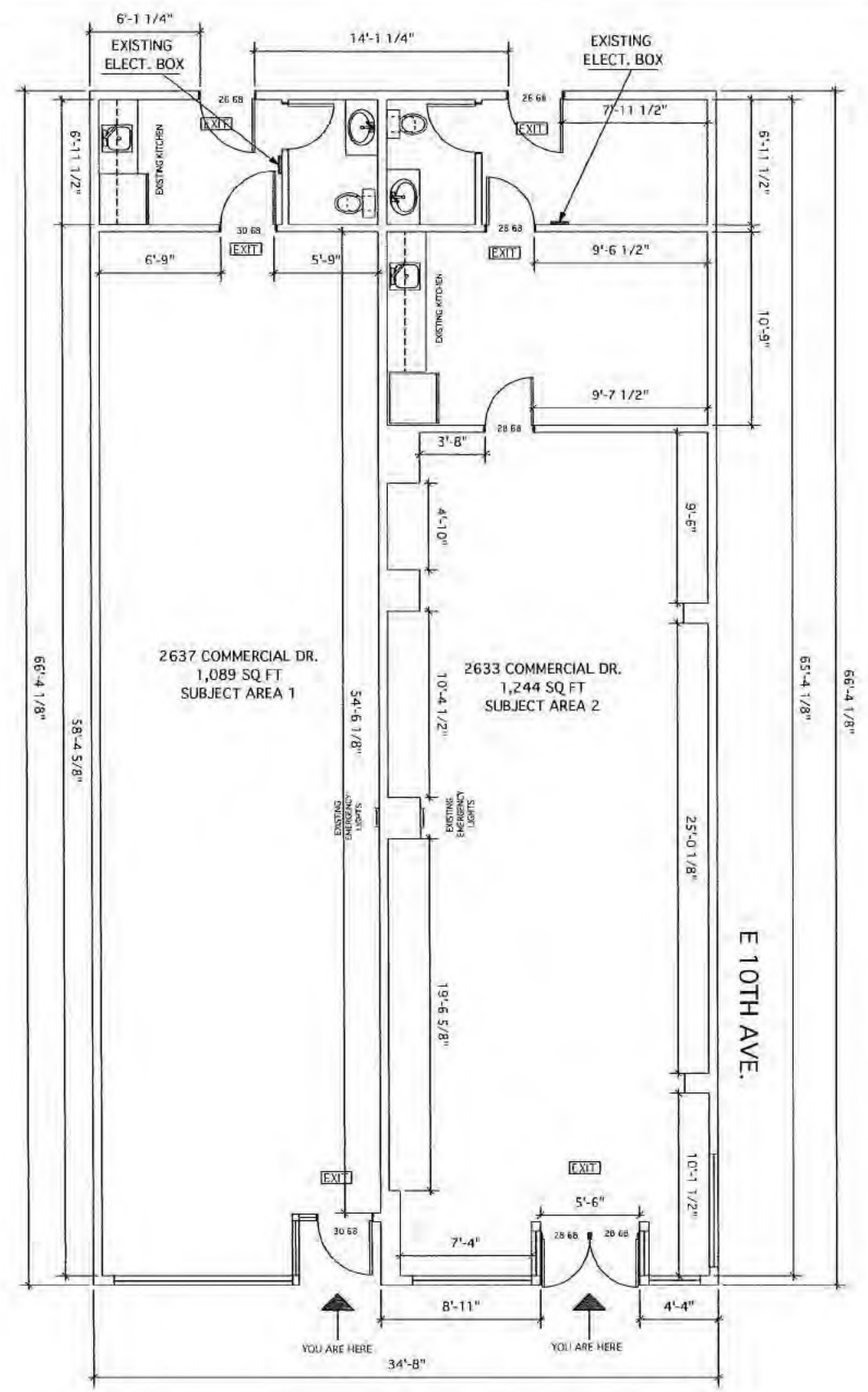
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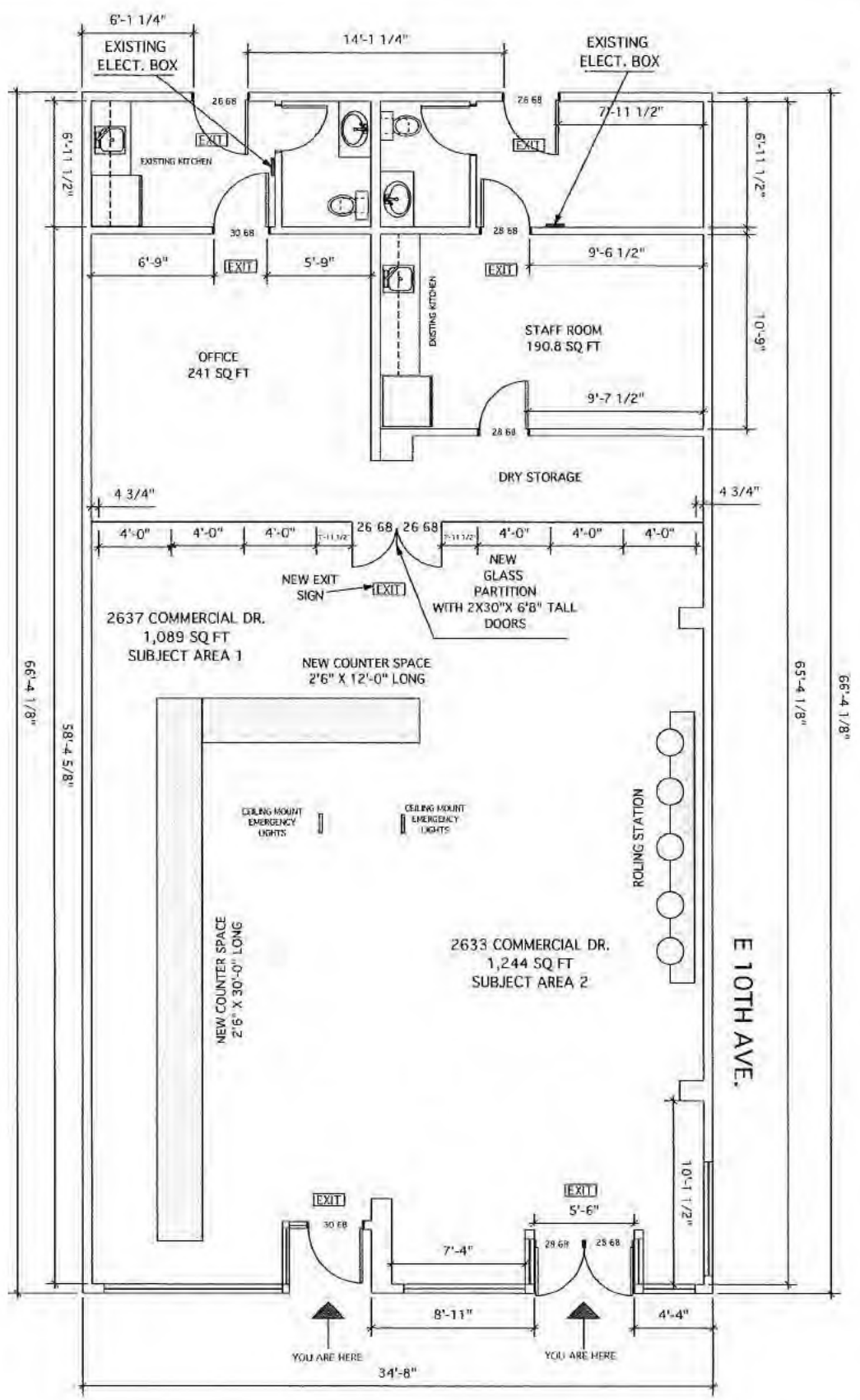
2637 & 2633 COMMERCIAL DR. ELEVATION
Scale: 1/8" = 1'-0"



E. 11TH AVE.



1 2633-2637 COMMERCIAL DRIVE EXISTING FLOOR PLAN
Scale: 1/4" = 1'-0"

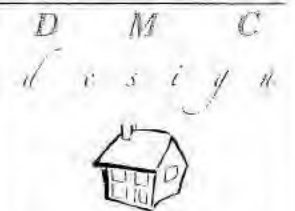


1 2633-2637 COMMERCIAL DRIVE PROPOSED FLOOR PLAN
Scale: 1/4" = 1'-0"

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REVISIONS			
NO	DATE	DETAIL	BY



2022 West 57th.
VANCOUVER, BC. V6T2H1
TEL: 604-221-6869
CELL: 604-655-7464
EMAIL: hossfarrokh@gmail.com

PROJECT:
TENANT IMPROVEMENT

DRAWING TITLE:
FLOOR PLAN

PROJECT NO.
ADDRESS:
2633 Commercial Drive
Vancouver, BC.

Date:
OCT 2 2017

SCALE
1/4"=1'-0"

DRAWN BY
HOSS FARROKH

APPROVED BY:



A-2

COMMERCIAL DRIVE

FEB - 21 / 2019

Schedule A

Notice of Appeal

To: The Secretary
Board of Variance/Parking Variance Board
Vancouver City Hall
453 West 12th Avenue
Vancouver, B.C. V5Y 1V4
(604) 873-7723

I/We file an Appeal to the Board of Variance/Parking Variance Board.

The Property

Address: 2633 AND 2637 COMMERCIAL DRIVE

Legal Description: LOT 4 + 2, BLOCK 161, DL 267A AND PLAN VAP 24751

Type of Appeal

BOARD OF VARIANCE

Appeal for Variance

<input type="checkbox"/> Vancouver Charter, Section 573(1)(b)	Zoning and Development By-law, Section(s): _____
<input type="checkbox"/> Vancouver Charter, Section 573(1)(f)(ii)	Sign By-law, Section(s): _____
	Private Property Tree By-law, Section(s): _____
(See attached Vancouver Charter Provisions)	

Appeal of Decision

<input checked="" type="checkbox"/> Decision of Director of Planning Vancouver Charter, Section 573(1)(a)	Development Application No. <u>DP-2017-01031</u>
<input type="checkbox"/> Decision of Development Permit Board Vancouver Charter, Section 573(1)(e)	<input checked="" type="checkbox"/> Appealing refusal
<input type="checkbox"/> Refusal of Tree Cutting/Removal Permit Vancouver Charter, Section 573(1)(f)(i)	<input type="checkbox"/> Appealing approval
	<input type="checkbox"/> Appealing condition(s) of approval
	Development Application No. _____
	<input type="checkbox"/> Appealing refusal
	<input type="checkbox"/> Appealing approval
	<input type="checkbox"/> Appealing condition(s) of approval
(See attached Vancouver Charter Provisions)	



Non-Conformity

- ☐ Extension of Discontinued Non-conforming Use
Vancouver Charter, Section 573(1)(c), Section 568(3)
- ☐ Additions/Structural Alterations to Non-conforming Building
Vancouver Charter, Section 573(1)(d), Section 568(4)(a)
- ☐ Fire Damaged Non-conforming Building
Vancouver Charter, Section 573(1)(d), Section 568(5)(a)

(See attached Vancouver Charter Provisions)

PARKING VARIANCE BOARD

- ☐ Decision of Director of Planning
Building Board of Appeal By-law, Section 7.3

Parking By-law Section(s): _____

(See attached Vancouver Charter Provisions)

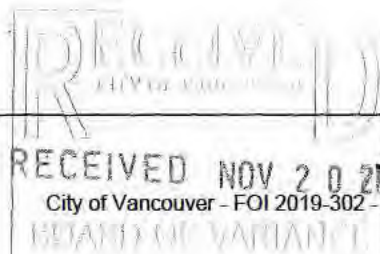
This Appeal is based on the following grounds (please print or type, attaching additional pages if required):

SEE ATTACHED LETTER

NOTE: You must state all grounds of appeal that you intend to raise at the hearing of the appeal. Introducing new grounds of appeal at the hearing may result in an adjournment of the hearing by the board.

The following material is attached and made part of this Appeal:

- *LETTER*
- *2x SITE DRAWINGS*
- *5x 11x17 SITE DRAWINGS*



NOTE: All written material you intend to submit to the board of variance must be attached to this notice of appeal. You may produce other supporting materials, including photographs, plans or diagrams at the appeal hearing.

I/WE declare that the statements contained in this Notice of Appeal and all attachments are, to the best of my/our belief, true and correct in all respects.

I/WE acknowledge that this Notice of Appeal and all attachments are available to the public.

Signature(s) of Appellants:

X 

DANA NICOPARA

Name(s) of Appellant(s) (please print):

Name of Company (if applicable):

Egg's CANNA INC

Mailing Address:

s.22(1)

Telephone:

s.22(1)

Fax:

Email:

dana.n@eggs.canna.com

(To be completed by staff)

Date

 CITY OF
VANCOUVER

vancouver.ca

Louis Ng, B.A., B.Sc. & Dipl.T.
Secretary and Freedom of Information Officer
Board of Variance, Community Services

tel 604.873.7723
cell 604.805.8173
fax 604.873.7475
email louis.ng@vancouver.ca

Signature

(To be completed by staff)

23567
Appeal Number

RECEIVED NOV 20 2017

BOARD OF VARIANCE: GROUNDS FOR THE APPEAL

2633 & 2637 COMMERCIAL DRIVE

EGGS CANNA INC.

Dear members of the board,

On May 16, 2017 I received an email from the City of Vancouver's Development, Buildings & Licensing branch that stated that 2633 Commercial Drive **DID** in fact meet the City's By-Law for Medical Marijuana for Retail Use and to go ahead and book an intake appointment and submit the application. I have been trying to relocate my stores for almost two years now, and have been working with John Freeman and Phoebe Stewart on this. Upon receiving confirmation that I had found a satisfactory location to relocate to, I went ahead and booked an intake appointment and signed a lease. During this time both John Freeman and Phoebe Stewart were no longer working within this department, and there had been a complete change in staff to oversee these applications. Claudia Hicks the new Project Coordinator who took my application is not familiar with these types of applications and in speaking with her Manager Mandy So, there is no fluency in how these applications were processed a few months ago with John Freeman and how they are processed now. When I initially applied the preliminary application had been approved on a 1% variance. What this means is that on the 300-meter distancing there is a 1% allowable margin which is the equivalent of 3 meters—this is to account for the margin of error that VanMap has when measuring distances. Therefore, if my application was 297m from another MMRU, school, or community center I would technically still be approved as per the allowable 1% margin. My application came back at 299.17m well within the 1% allowable variance—unfortunately for me Claudia Hicks the new Project Coordinator along with the new staff tasked with processing these applications claim to have no knowledge of such a rule. Luckily for me I have my preliminary approval email saved and serving as evidence of this. I also wrote to Mandy So, and spoke to her on the phone as the refusal letter itself is not written to the same standard as were the previous letters. No reason is given on the letter as to why I was refused—what site I was too close to and by how much, and the letter itself was redundant listing two reasons that were essentially the same. Upon speaking with Mandy, I was informed that the refusal was due to 1. Falling 299.17m to another approved MMRU site—which should have actually been approved and 2. Due to letters of opposition from the neighbours—no MMRU application is ever without opposition and the City's stance has always been that they will take the neighbours concerns into consideration however unless there is a risk identified with an application such as a Half-Way house across the street they do not refuse applications based on letters of opposition. Mandy So also confirmed this to be true and stated that in her opinion if the site was within the allowable distance of 300 m or more the neighbourhood letters would not have stopped me from obtaining approval.

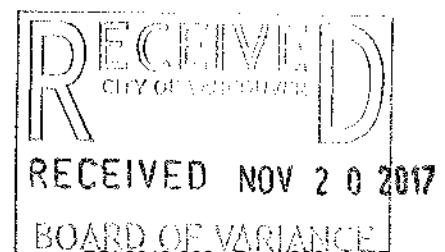
The grounds for my appeal are that; 1. I was given approval by their department encouraging me to enter into a lease and book an intake appointment. Additionally, I am well within the allowable 1% variance. And 2. That the new staff tasked with these applications lack the experience and knowledge to make an informed decision on applications of such a delicate nature. That I did not receive any more letters of opposition than any other MMRU that has now been approved, and furthermore Mandy So the Department Manager agreed that had the initial oversight with the 1% variance not occurred that this application would in fact have been approved.

Thank you kindly for your time and consideration in hearing this matter, it is very much appreciated that citizens have a voice in another venue outside of the City's jurisdiction where they can be heard.

Respectfully,

Oana Nicoara

O.N.



Medical Marijuana <Medical.Marijuana@vancouver.ca>

10:51a

May 16

Address Queried: 2633 Commercial Drive

Results:

Zone: C-2C, in the permitted zone

Failed Buffering From Approved/In-Stream MMRU Sites

Layer	Site ID	Site Name	Site Address	Distance (m)
In-Stream Approved	DE419598	BC Compassion Club Society	1675 E 14TH AV	299.17

Within 1% of the required distance

Thank you for your enquiry regarding alternate locations for Medical Marijuana-Related Uses. We have reviewed your potential location and found it does meet the requirements of the Bylaw. Please book an appointment as soon as possible with the phone number listed below.

Please note that this is an initial review only and the location will be affected by future enquiries. All new locations must be fully reviewed by staff. Please see the attached web page for an application form, sample plans and other required documentation.

[MMRU Applications](#)

Please look over the requirements carefully and call 311 to make an appointment with the Development Review Branch for a "change of use" application to MMRU.

From: Oana Nicoara [mailto:oana.nicoara@vancouver.ca]

Sent: Monday, May 15, 2017 12:37 PM

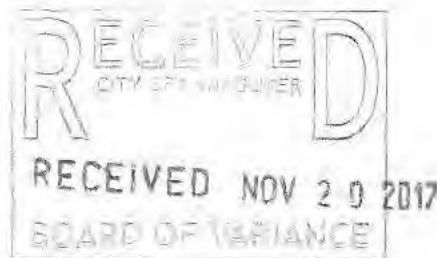
To: Medical Marijuana

Subject: 2633 COMMERCIAL DRIVE

Hello,

Please confirm that this address still passes the distancing requirements.

Regards,



Hicks, Claudia

Nov 17 (3 days ago)

10:11 AM

Hi Ms. Nicoara,
The location is 299.17m from the BC Compassion Club Society.
Thanks,

Claudia Hicks

*Project Coordinator - Development Review Branch
Development, Buildings & Licensing*

604.871.6083

City of Vancouver

CONFIDENTIALITY NOTICE: This message and any accompanying documents contain confidential information intended for a specific individual and purpose. The message is not to be distributed or acted upon if you are not the intended recipient. If you are the intended recipient, please do not disseminate, copy, or otherwise use the information in this message for any purpose other than that intended. If you are not the intended recipient, please do not disseminate, copy, or otherwise use the information in this message for any purpose other than that intended. If you are not the intended recipient, please do not disseminate, copy, or otherwise use the information in this message for any purpose other than that intended.



So, Mandy

Nov 17 (3 days ago)

[View image](#)

Good afternoon Dana,

Further to our conversation today, the reasons for the refusal at [2933 Commercial Dr.](#) are based on:

1. Distancing between your site and another Medical Marijuana business; and
2. Objections received from the public.

A decision has already been rendered and we are unable to review your application again. To appeal the decision, you'll have to file an official appeal to the Board of Variance. I understand you've already contacted Mr. Louis Ng (Secretary of the Board of Variance) who will be able to assist in scheduling your appeal.

Hope this provides you with the information you seek.

Regards,

[Mandy So](#)

mandy.so@vancouver.ca

mandy.so@vancouver.ca

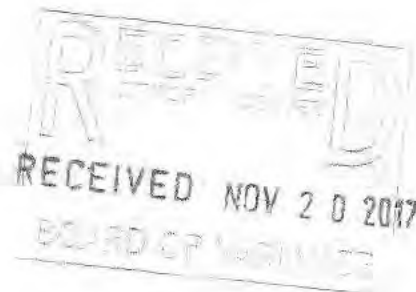
From: Dana Nicoara [<mailto:dana.nicoara@vancouver.ca>]

Sent: Thursday, November 16, 2017 12:59 PM

To: So, Mandy

Cc: Krishna, Kaye

Subject: DP-2017-01031



November 15, 2017

Oana Nicoara

s.22(1)

Dear Ms. Nicoara:

**RE: 2633 and 2637 Commercial Drive
Development Permit Number DP-2017-01031**

Please be advised that the Director of Planning has Refused DP-2017-01031 on November 15, 2017, 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 - Objections Received; objections have been received from neighbouring property owners;
- Refusal 3 - Unsatisfactory - Proposed Use; the proposed use is unsatisfactory at this location.

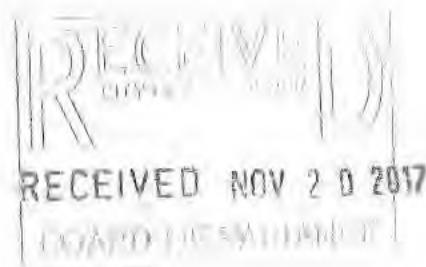
REDUNDANT REASON GIVEN - THIS IS THE SAME AS #1

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,

Claudia Hicks
Project Coordinator
claudia.hicks@vancouver.ca
604.871.6083

ch/ll



Bv

TABLE OF CONTENTS

TAB 1: LETTER TO THE MEMBERS OF THE BOARD

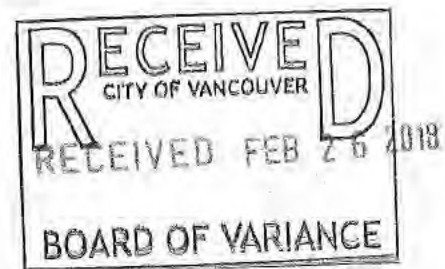
TAB 2: REFUSAL LETTER SENT BY CLAUDIA HICKS

TAB 3: PRELIMINARY APPROVAL OF SITE VERIFYING THE 1% VARIANCE GIVEN

TAB 4: EMAIL SENT TO DEPARTMENT MANAGERS REGARDING MY REFUSAL

TAB 5: EMAIL CORRESPONDENCE BETWEEN CLAUDIA AND I

TAB 6: EMAIL FROM MANDY SO CONFIRMING THAT THERE WERE IN FACT ONLY TWO REASONS THE SITE WAS REFUSED NOT 3 AS LISTED IN THE LETTER.



Eggs Canna Inc.
2235 Commercial Drive
Vancouver BC

BOARD OF VARIANCE APPEAL RE: 2633 and 2637 Commercial Drive, DP-2017-01031

February 21, 2018
Board of Variance
2675 Yukon St,
Vancouver, BC
V5Y 3P9

Dear members of the Board,

An appeal is hereby made from the rejection by the Director of Planning and Development Services on behalf of Eggs Canna Inc, for a purposed MMRU relocation application at **2633 and 2637 Commercial Drive**.

The rejection was based on the following zoning by-laws for MMRU sites;

- (a) 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;
- (b) Refusal 2 – Objections Received; objections have been received from neighbouring property owners;
- (c) Refusal 3 – Unsatisfactory – Proposed Use; the proposed use is unsatisfactory at this location.

I Oana Nicoara Owner and Operator of Eggs Canna Inc. appeal this decision based on what I believe to be a clerical oversight on behalf of Claudia Hicks, Project Coordinator and any other corresponding departmental staff. I intend to demonstrate that with the departure of John Freeman and Phoebe Stewart from this area within the Planning Department there has been a serious lack of fluency and training for the fresh staff taking on these roles.

Before we dive in, I would like to sincerely thank the Members of the Board for taking time to hear my appeal and reviewing this submission, I very much appreciate and respect that your time is valuable.

Objection:

- (a) **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;

Due to the vagueness of this refusal I had attempted to contact Claudia Hicks on numerous occasions to obtain the exact reason for the refusal. In working with the City of Vancouver in the past I am very familiar with the formatting of previous refusal letters while John Freeman and Phoebe Stewart were responsible for these applications. Usually a detailed measurement or explanation is offered as to why exactly you are in "non-compliance" with the By-Law Regulations. I would like to state that it was very difficult to get any answers from Claudia Hicks over the phone and via email and this is where I do feel that her decision was made both arbitrarily and biasedly. I have submitted our email chain for the Boards review as I will be referencing our conversations throughout my appeal.

- (a) **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;
REASON OBTAINED AFTER THE REJECTION LETTER WAS ISSUED PER CLAUDIA HICKS WAS:
299.17m from the BC Compassion Club Society

There are two major areas of concern with the reason for refusal;

1. This site was **approved** on two occasions one of which I have in writing for this application due to a 1% variance given by the City of Vancouver to all applicants to account for the measurable margin of error when using Vanmap. In May of 2017 I received preliminary approval from the City of Vancouver for this site, upon receiving this I immediately engaged the landlord and secured a lease. There is always a risk involved with these types of applications and I understand there are no guarantees, I however would **not have perused a lease** with the landlord and signed into an agreement had the City of Vancouver not approved my original

inquiry for this site in May. To then have Claudia Hicks state that she was UNAWARE of any such variance has put my application at risk as the City of Vancouver has failed to offer the proper training for the new departmental staff taking over the roles from John and Phoebe. This oversight has caused me undue hardship, if it was not for this my site DOES in fact meet the requirements set fourth in the By-Law and this application should have moved to the next stages.

(Copy of original approval has been submitted for the Boards review)

2. Section 11.28.2 of the By-Law states; "A Medical Marijuana-related Use is not permitted:

(a). within 300 meters of the nearest property-line of a site containing another Medical Marijuana-related Use;"

Although the By-Law has negated to clarify whether an in-stream MMRU would also fall under this rule, it also does not clearly state that it does. As per the City of Vancouver website the BC Compassion Club Society has not obtained their Business License. I have also confirmed this with Sarah Hicks who is the Manager for that department, she has also notified me that it takes about 24-hours for this information to be updated on their website. To date this MMRU is not licensed, therefore I do not understand how I could be denied based on a license that has yet to be issued, and we do not know if it ever will be. The BC Compassion Club Society has been in the Development Permit stage since May 2016. If we are to say that In-Stream MMRU applications are what the By-Law is referring to, surely there must be a reasonable amount of time allocated to this process to make it fair for new applicants. If we do not set this precedent we then have MMRU sites stalling the entire process for years, and this is not even-handed or what the By-Law was intended to do.

(Copy of correspondence between Sarah Hicks and I has been submitted for the Boards review)

(b) **Refusal 2** – Objections Received; objections have been received from neighbouring property owners;

As with anything that is new there will be opposition, and this industry is one that has been clouded with stigma as we are just now seeing the war on cannabis subside with legalization pending. We did not receive any more opposition then all other purposed MMRU Sites, or the next high-rise building going up in a community which previously only had houses. BUT the onus here is on the City to properly vet through these complaints and see if there is any clear risk that we would pose to the neighbours, and the public. Legalization is slated for 2018, I do not foresee that there will ever be a MMRU application that has no objections, where are Dispensaries to open if we take any slight opposition received and refuse their permit? I would like to also state on the record previous conversations that I have had with both John Freeman and Phoebe Stewart regarding this topic, they both have stated that unless we pose a significant risk to the community that letters of opposition do not dictate whether a Development Permit is denied if that site meets the By-Law in every other regard. Mandy So and I also had that same conversation where I blatantly asked her if the oversight was not made regarding the 1% variance, would my application have been denied solely based on the neighbourhood letters, to which she stated NO. I do feel that this refusal was thrown in the letter to supplement the first reason because it does seem a bit nonsensical to refuse an applicant for falling short by 0.83 meters due to a MMRU Site that has yet to even receive a Business License. I would also like to add that I used Vanmap and tried to obtain the Cities measurement and was unsuccessful, which again proves that Vanmap has a variance greater then even the 1% given. I would implore any members of Board to also try and obtain the cities measurement; the two addresses in question are 2633 Commercial Drive and 2991 Commercial Drive.

(Copy of the email containing my measurements has been submitted for the Boards review)

(c) **Refusal 3** – Unsatisfactory – Proposed Use; the proposed use is unsatisfactory at this location.

This third reason is redundant and not factual. The proposed use is in fact in conformity with the city By-Law at this location, both the zoning and area and in compliance, and there are no sensitive use sites such as Schools, Community Centres or Neighbourhood Housing within 300 meters. The single hinderance has already been listed in refusal 1 – 299.17m from the BC Compassion Club Society. Which again shows that there is clearly a lack of training for the staff who are now responsible for these applications, the City of Vancouver has a responsibility to ensure that these applications are completed with the correct due process and that their staff are both knowledgeable and capable of handling these sensitive applications.

In closing, I feel that my application was not assessed in accordance with the current By-Laws or in accordance with the precedent that has been set fourth by the previous departmental staff. I also feel that Claudia Hicks was both biased and inexperienced when reviewing my application, which has in fact caused me undue hardship.

November 15, 2017

Oana Nicoara

s.22(1)

Dear Ms. Nicoara:

**RE: 2633 and 2637 Commercial Drive
Development Permit Number DP-2017-01031**

Please be advised that the Director of Planning has Refused DP-2017-01031 on November 15, 2017, 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 - Objections Received; objections have been received from neighbouring property owners;
- 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,

Claudia Hicks
Project Coordinator
claudia.hicks@vancouver.ca
604.871.6083

ch/ll

Medical Marijuana <Medical.Marijuana@vancouver.ca>

5/16/17

10:15 AM

Address Queried: 2633 Commercial Drive

Results:

Zone: C-2C, in the permitted zone

Failed Buffering From Approved/In-Stream MMRU Sites

Layer	Site ID	Site Name	Site Address	Distance (m)
In-Stream Approved	DE416596	BC Compassion Club Society	1675 E 14TH AV	299.17

Within 1% of the required distance

Thank you for your enquiry regarding alternate locations for Medical Marijuana-Related Uses. We have reviewed your potential location and found it **does meet the requirements of the Bylaw**. Please book an appointment as soon as possible with the phone number listed below.

Please note that this is an initial review only and the location will be affected by future enquiries. All new locations must be fully reviewed by staff. Please see the attached web page for an application form, sample plans and other required documentation ([Link to Online Form](#)).

Please look over the requirements carefully and call 311 to make an appointment with the Development Review Branch for a "change of use" application to MMRU.

From: Oana Nicoara (mailto:Oana.Nicoara@eggs-canna.com)

Sent: Monday, May 15, 2017 12:37 PM

To: Medical Marijuana

Subject: 2633 COMMERCIAL DRIVE

Hello,

Please confirm that this address still passes the distancing requirements.

Regards,

Oana Nicoara
Director | Eggs Canna Inc.

Direct | [604-754-7705](tel:604-754-7705)
Office | [778-570-4844](tel:778-570-4844)

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Oana Nicoara <oana.n@eggscanna.com>

DP-2017-01031

2 messages

Oana Nicoara <oana.n@eggscanna.com>
 To: "So, Mandy" <mandy.so@vancouver.ca>
 Cc: kaye.krishna@vancouver.ca

Thu, Nov 16, 2017 at 12:59 PM

Dear Mandy and Kaye,

I am writing you today to address an oversight of regulations that I believe has occurred with regards to a DP application. I would like to first thank you both in advance for taking the time to read this email, I am aware you are both extremely busy and your time is valuable therefore I will make this as brief and concise as possible.

In May of this year I ran an address with the City to see if it would meet the Cities distancing requirements and received approval via email, I have included a screen shot of this conversation as well as the attachment below.

Michael Parsons <Michael.Parsons@vancouver.ca>

Mandy So <mandy.so@vancouver.ca>

Address Queried: 2633 Commercial Drive

Results:

Zone: C-2C, 2633 Commercial Drive

Labeled Buffering From Approved In-Stream MMRU Sites

MMRU	Distance (m)	Buffering (m)	Notes
1	299.17	299.17	1% margin

Water Pollution Control

Based on the results of the query, the address 2633 Commercial Drive is located within the 1% margin of the approved MMRU site. This indicates that the address is in compliance with the City's distancing requirements.

The results of the query also indicate that the address is located within the 1% margin of the approved MMRU site. This indicates that the address is in compliance with the City's distancing requirements.

Based on the results of the query, the address 2633 Commercial Drive is located within the 1% margin of the approved MMRU site. This indicates that the address is in compliance with the City's distancing requirements.

From: Michael Parsons <Michael.Parsons@vancouver.ca>

Sent: Monday, May 15, 2017, 12:59 PM

To: Oana Nicoara <oana.n@eggscanna.com>

Subject: DP-2017-01031 - NEW

Hi Oana,

I have reviewed the address 2633 Commercial Drive and the results of the query.

The results of the query indicate that the address is located within the 1% margin of the approved MMRU site. This indicates that the address is in compliance with the City's distancing requirements.

As you can clearly see this address was approved for the next stage which is booking an intake appointment. It fell within the 1% margin. This 1% margin is the equivalent of 3 meters and is intended to address the margin of error when using VanMap to measure distances. However in the rejection letter received this address was listed as having failed buffering. Additionally in the rejection letter the reason why it failed for example "299.17 m from an in-stream approved MMRU" was not listed so I had to contact Claudia Hicks the Project Coordinator to clarify why it had failed buffering via phone. I was a bit alarmed to hear that she had never heard of the 1% variance.

Furthermore I would like to address that had I not had confirmation from the Development Department that this address did in fact meet the distancing requirements set fourth in the By-law I would not have signed into a lease agreement and gone ahead with this address. I am in no way stating that this email would guarantee my approval and I understand the risks involved, however I expected that this email would serve true to whether or not this location would meet the distancing requirement, so you can understand my bewilderment when I received the rejection letter that it did not.

I have included the rejection letter for you review, and I will speak to a few of the other reasons given in the letter below.

- 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;

As mentioned above as per Claudia Hicks this is referring to failing buffering to the BCCS which is 299.17 m from the proposed location-- which contradicts the earlier search by your department.

- Refusal 2 – Objections Received; objections have been received from neighbouring property owners;

I completely understand and respect the opinions of neighbouring properties and the members of our community however it was my understanding when working with both John and Phoebe on these applications in the past that the department evaluates these concerns based on whether or not this establishment would pose an immediate risk to that community.

And in some incidents that answer could be a yes but this is very rare. Additionally when that occurs a reason why is always given. For one of my approved and now licensed locations we had well over 60 letters opposing that use, and I understand that there is a lot of stigma attached to these types of uses and this is a very new idea for all of those involved however I have complied with the Cities requirements and ran a respectful business with no issues to date. We have become part of the community and attend community events and have been welcomed by our neighbours, some of whom were the same ones who had concerns. My point here is that no MMRU application is received without any neighbouring concerns, but I was made to believe by several department staff members that the city has a responsibility to both the neighbourhood and the applicant to evaluate these concerns and conclude whether or not that business would really pose a risk to that community. I would like to know what that risk would be with this specific application?

- Refusal 3 – Unsatisfactory – Proposed Use; the proposed use is unsatisfactory at this location.

Again I would need some clarification on this as this would be covered by refusal 1-- is it unsatisfactory because it failed the initial buffering? Because it does satisfy the By-Law in every aspect; it is in a permitted area with no schools, community centers, neighbourhood houses and within the 1% allowable margin from another MMRU; it is zoned accordingly and in my opinion is located in an ideal part of town that is heavily commercialized therefore great for this use.

I am kindly asking that this DP is reviewed again -- I understand this is not something your department does BUT I do feel that this is a very rare case where an error has occurred. I want nothing more then to work with the City and comply with everything set fourth in the By-Law. I have been looking to relocate my locations for almost two years now, and I feel that I took all the needed precautions to ensure I found a location that is satisfactory and I cannot help but feel this is an oversight. My business has a very strict code of conduct and I have operated with the highest level of professionalism, I am in good standings with the licensing department and wish to continue to run licensed businesses. I am begging you both to please look at this application again, if I take this to BOV it will take well over two months, I will be paying rent during this time and another applicant could apply at another address close by and the City would end up with a cluster if the BOV approves my variance. I am aware this is not something your department would regularly do but I am really hoping you will look at this again considering the facts I have stated---I am begging you.

Again thank you both for reading this, I will await to hear your decision.

Respectfully,

Oana Nicoara

Director | Eggs Canna Inc.

Direct | 604-754-7705

Office | 778 370-8344

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2 attachments

approved query 2633 comm.PNG
237K

 **Refusal Letter to Applicant (1).docx**
740K

So, Mandy <mandy.so@vancouver.ca>

Fri, Nov 17, 2017 at 1:41 PM

City of Vancouver - FOI 2019-302 - Page 307 of 447



Oana Nicoara <oana.n@eggscanna.com>

DP-2017-01031 Refusal Letter

8 messages

Oana Nicoara <oana.n@eggscanna.com>

Fri, Nov 17, 2017 at 9:48 AM

To: "Hicks, Claudia" <claudia.hicks@vancouver.ca>

Cc: "So, Mandy" <mandy.so@vancouver.ca>, kaye.krishna@vancouver.ca

Good morning Claudia,

I hope you are having a wonderful Friday. As per your email where you said I could email you with any questions I had regarding the refusal letter I actually have many that I would appreciate you taking the time to clarify for me.

Firstly as the project coordinator are you the one who makes the decision on whether a site will be approved and Mandy So then signs off on it? Who decides on these applications and what does that process look like?

Because the refusal letter does not seem to follow the same guidelines as previous refusal letters I have received and seen with regards to giving detailed reasons as to why an application was rejected and after my phone conversation with you where you did not seem to know if there were two MMRU sites close by or one, I would like to know the proximity and the MMRU site(s) that I am too close to. I would also like to mention that this information will be needed for my BOV hearing, and my appointment is this coming Monday so your prompt response will be needed and appreciated. I would like to mention that I have also emailed Mandy So, along with Kaye Krishna in an effort to clarify this oversight and negate me having to go to the BOV.

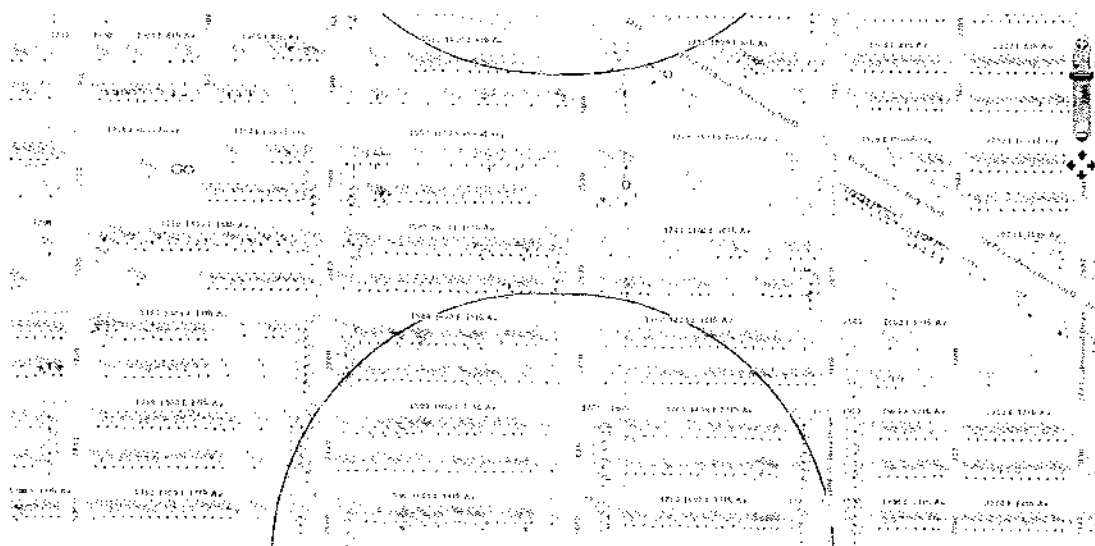
As per the rejection letter;

- 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;

This has absolutely no information on why exactly this site does not comply and had I not spoken to you via phone where you too seemed to be confused as to why as well, I would not have known this was referring to the BCCCS MMRU application located at 2991 Commercial Drive. You mentioned a secondary site but as per your own statement you did not know what it was so I am assuming you were mistaken? Please clarify. As per the Cities website of approved MMRU sites these are the locations on Commercial Drive with in-stream applications:

1. 2991 Commercial Drive --BC Compassion Club Society
2. 2137 Commercial Drive --Pain Management
3. 1666 Graveley --EVO Med Society

I would also like to mention that these sites have been on the Cities website for over 6 months and I am very familiar with all of these, and tried to find locations that are in fact 300 m away. After doing a Vanmap search and using the 300 meter buffering tool my location does not fall within 300 meters of any of these sites. Here is a screen shot -- if you could send me a screen shot with your search so I can clearly see what the City is referring to I would appreciate it.



THE SPACE HIGHLIGHTED IN GREEN IS 2637 COMMERCIAL DR. AND THE TWO 300 METER BUFFERS ARE FOR PAIN MANAGEMENT AND BCCCS AND THIS SHOWS WE NARROWLY FALL OUTSIDE THE 300 METER BUFFER FOR 2991 COMMERCIAL DR -- BCCCS.

- Refusal 2 – Objections Received; objections have been received from neighbouring property owners;

I completely understand and respect the opinions of neighbouring properties and the members of our community however it was my understanding when working with both John and Phoebe on these applications in the past that the department evaluates these concerns based on whether or not this establishment would pose an immediate risk to that community. And in some incidents that answer could be a yes but this is very rare. Additionally when that occurs a reason why is always given. For one of my approved and now licensed locations we had well over 60 letters opposing that use, and I understand that there is a lot of stigma attached to these types of uses and this is a very new idea for all of those involved however I have complied with the Cities requirements and ran a respectful business with no issues to date. We have become part of the community and attend community events and have been welcomed by our neighbours, some of whom were the same ones who had concerns. My point here is that no MMRU application is received without any neighbouring concerns, but I was made to believe by several department staff members that the city has a responsibility to both the neighbourhood and the applicant to evaluate these concerns and conclude whether or not that business would really pose a risk to that community. I would like to know what that risk would be with this specific application?

- Refusal 3 – Unsatisfactory – Proposed Use; the proposed use is unsatisfactory at this location.

Again I would need some clarification on this as this would be covered by refusal 1-- is it unsatisfactory because it failed the initial buffering? Because it **does** satisfy the By-Law in every single aspect; it is in a permitted area with no schools, community centers, neighbourhood houses and outside the 300 m buffer from any other MMRU in-stream; it is zoned accordingly and in my opinion is located in an ideal part of town that is heavily commercialized therefore great for this use.

Also because you said you were not aware of any 1% variance given, I would like to explain that to you and send you a screen shot of an email I received from your own department in May of this year telling me that 2633 (2637) Commercial Drive **DID** meet the cities requirements and states in the email to go ahead and book an intake appointment. It also has a statement about the 1% allowable variance. This 1% margin is the equivalent of 3 meters and is intended to address the margin of error when using VanMap to measure distances. Here is a screen shot of this email for your review and reference.

Medical Malpractice - Civil - 2017-01031 - Refusal Letter

VanMap - 2017-01031

Address Queried: 2633 Commercial Drive

Results:

Zone: C-2C, not applicable

Failed Buffering (not Approved in Stream VIMRT) Notes

19975 2633 Commercial Drive 2017-01031 2017-01031 2017-01031
 19975 2633 Commercial Drive 2017-01031 2017-01031 2017-01031

19975 2633 Commercial Drive 2017-01031 2017-01031 2017-01031

19975 2633 Commercial Drive 2017-01031 2017-01031 2017-01031
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19975 2633 Commercial Drive 2017-01031 2017-01031 2017-01031
 19975 2633 Commercial Drive 2017-01031 2017-01031 2017-01031

19975 2633 Commercial Drive 2017-01031 2017-01031 2017-01031

From: Oana Nicoara, [mailto:Oana.Nicoara@vancouver.ca]

Sent: Friday, May 25, 2017 11:12 AM

To: Harold Bulgareanu

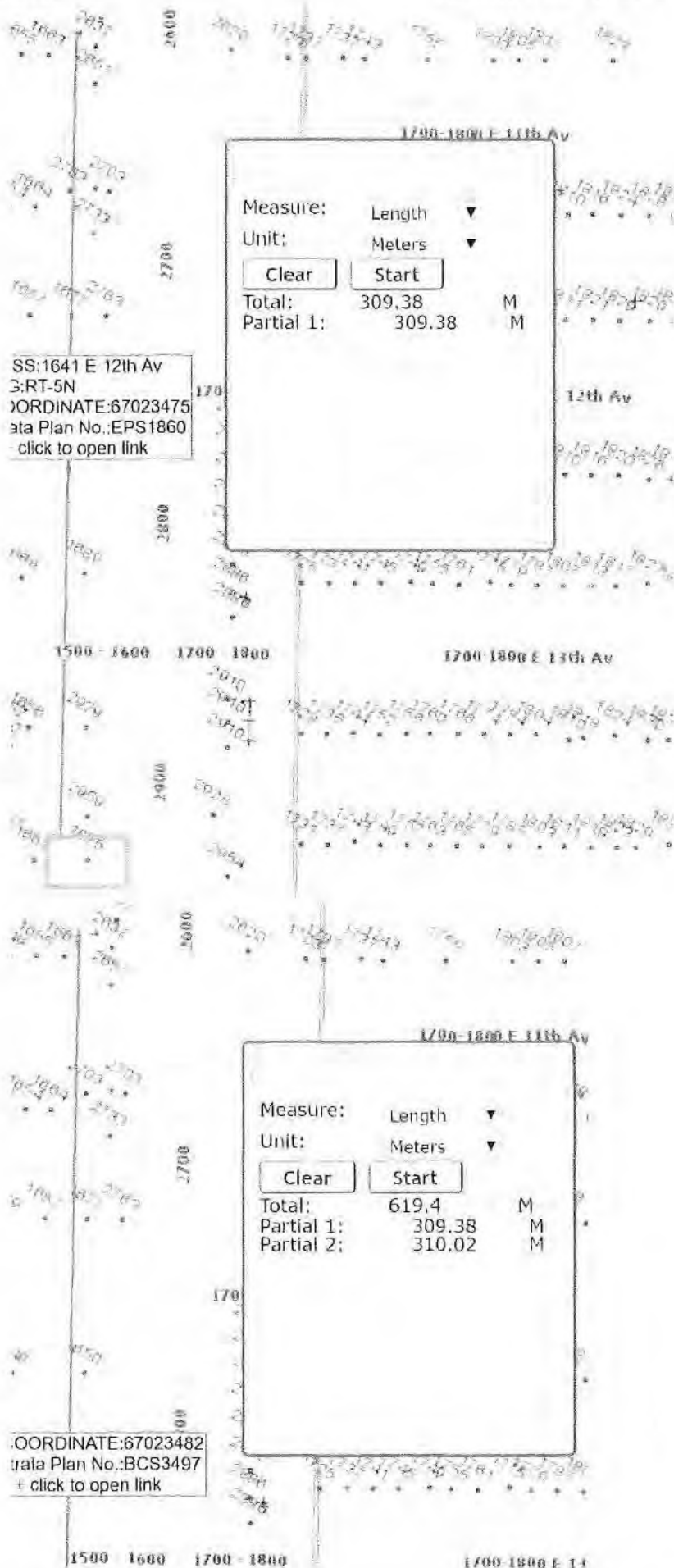
Subject: 2017-01031 - 2017-01031

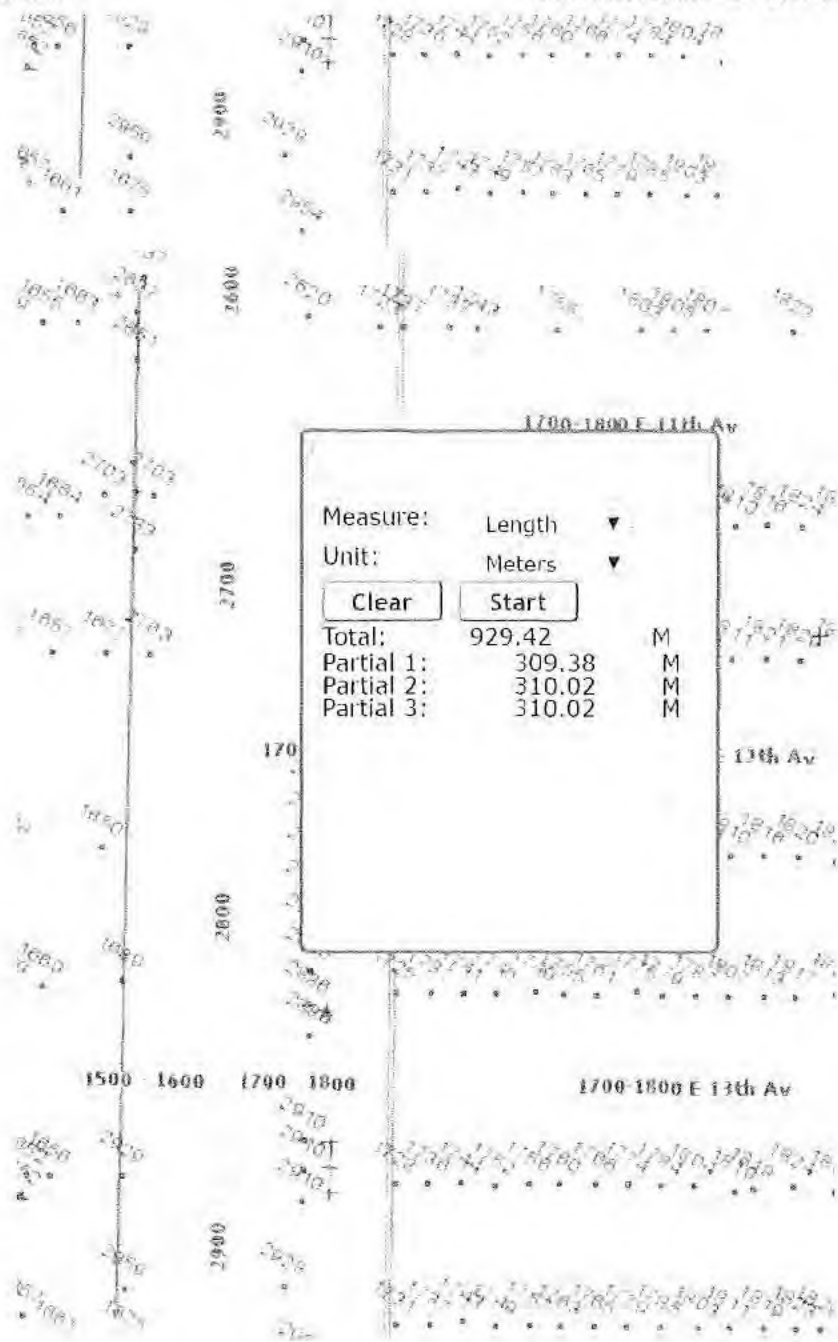
Hi,

19975 2633 Commercial Drive 2017-01031 2017-01031 2017-01031

19975 2633 Commercial Drive 2017-01031 2017-01031 2017-01031

I would also like to address the inconsistent measurement of my location to BCCCS on VanMap. I have measured it using the same tool that the City does -- VANMAP and I got completely different numbers, none of which were close to 299.17m as stated in May. Additionally because there is clearly a HUGE margin of human error depending on where you start your lines to and from it would seem that the most accurate way of measuring is the **computer generated 300m buffer** which clearly shows us outside that 300m area. Again if you would be so kind as to show me how you measured and got us within 300 meters. As you can see in the screenshots I measured it from all different starting points but always following the same guideline of property line to property line. I took 6 measurements none of which were under 300 meters and you can see that I started the lines as best as I could and humanly possible on the property lines.





Lot Line: 34.97

Measure: Length ▼

Unit: Meters ▼

Clear

Start

Total:	1548.83	M
Partial 1:	309.38	M
Partial 2:	310.02	M
Partial 3:	310.02	M
Partial 4:	310.05	M
Partial 5:	309.37	M

12th Av

1700-1800 E 13th Av

Measure: Length ▼

Unit: Meters ▼

Clear

Start

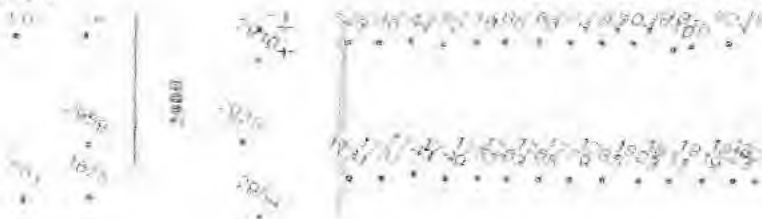
Total:	1857.53	M
Partial 1:	309.38	M
Partial 2:	310.02	M
Partial 3:	310.02	M
Partial 4:	310.05	M
Partial 5:	309.37	M
Partial 6:	308.7	M

12th Av

1700-1800 E 13th Av

2/26/2018

Oana Nicoara Mail - DP-2017-01031 Refusal Letter



Thank you again for your quick response.

Oana Nicoara
Director | Eggs Canna Inc.

Direct | 604-754-7795
Office | 778-379-4344

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5 attachments

vanmap measurement 1.PNG
645K

vanmap measurement 2.PNG
527K

vanmap measurement 3.PNG

615K



vanmap measurement 4.PNG
654K



vanmap measurement 5.PNG
733K

Hicks, Claudia <claudia.hicks@vancouver.ca>

Fri, Nov 17, 2017 at 10:08 AM

To: Oana Nicoara <oana.n@eggscanna.com>

Cc: "So, Mandy" <mandy.so@vancouver.ca>, "Krishna, Kaye" <Kaye.Krishna@vancouver.ca>, "Greer, John" <john.greer@vancouver.ca>

Hi Ms. Nicoara,

Thank you for your e-mail. As per our previous conversations, the reasons for refusal were neighbourhood objections, and not meeting our Zoning and Development By-law for site location, (site falls within 300m of another MMRU). The Board of Variance will hear your appeal, and make a decision on your application at that time. If you have any further questions, please feel free to contact me anytime.

With thanks,

Claudia Hicks

Project Coordinator - Development Review Branch

Development, Buildings & Licensing

604.871.6083

CONFIDENTIALITY NOTICE: This message and any accompanying documents contain confidential information intended for a specific individual and purpose. This message is private and protected by law. If you are not the intended recipient, you are hereby notified that any disclosure, copying or distribution, or the taking of any action based on the contents of this information, is strictly prohibited.

From: Oana Nicoara [mailto:oana.n@eggscanna.com]
Sent: Friday, November 17, 2017 9:49 AM
To: Hicks, Claudia
Cc: So, Mandy; Krishna, Kaye
Subject: DP-2017-01031 Refusal Letter

[Quoted text hidden]

[Quoted text hidden]

Oana Nicoara <oana.n@eggscanna.com>
To: "Hicks, Claudia" <claudia.hicks@vancouver.ca>

Fri, Nov 17, 2017 at 10:11 AM

Claudia,

This does not answer which site and the measurements you got which I need for the BOV so please answer that.

Oana Nicoara
Director | Eggs Canna Inc.

Direct | 604-754-7795
Office | 778-379-4344

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[Quoted text hidden]

Hicks, Claudia <claudia.hicks@vancouver.ca>
To: Oana Nicoara <oana.n@eggscanna.com>

Fri, Nov 17, 2017 at 10:22 AM

Hi Ms. Nicoara,

The location is 299.17m from the BC Compassion Club Society.

Thanks,

Claudia Hicks

Project Coordinator - Development Review Branch

Development, Buildings & Licensing

604.871.6000



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From: Oana Nicoara [mailto:oana.n@eggscanna.com]
Sent: Friday, November 17, 2017 10:12 AM
To: Hicks, Claudia
Subject: Re: DP-2017-01031 Refusal Letter

Claudia,

This does not answer which site and the measurements you got which I need for the BOV so please answer that.

Oana Nicoara**Director | Eggs Canna Inc.****Direct** | 604-754-7795**Office** | 778-379-3330

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[Quoted text hidden]

Oana Nicoara <oana.n@eggscanna.com>

Fri, Nov 17, 2017 at 10:27 AM

To: "Hicks, Claudia" <claudia.hicks@vancouver.ca>

Cc: "So, Mandy" <mandy.so@vancouver.ca>, "Krishna, Kaye" <Kaye.Krishna@vancouver.ca>, "Greer, John" <john.greer@vancouver.ca>

Claudia,

I would like to have some of the questions I asked answered such as how the decisions on these sites are made and by whom. Applicants spend a lot of time searching for locations that meet the cities requirements, we enter leases and contracts and spend money applying for the applications. Therefore we have a right to know the process involved. Furthermore as I asked of you again I do in fact require the site and measurement obtained by the city to issue the rejection for my BOV hearing. I cannot successfully argue on the Cities decision without the proper reasons why it was refused -- the refusal letter was too vague and to be frank I feel that it was a completely arbitrary and discriminatory decision. Your refusal to answer any of my questions is very concerning, and I do not understand why you keep saying I can ask you anything when you do not answer anything I ask?

If you could please take a minute out of you day and notify me of;

1. How the decisions are made, and by whom,
2. What MMRU site are we too close to and the distance you have,
3. What risk we pose to the neighbourhood -- and the reason behind refusing us based on their concerns. I need to know the validity of them,
4. You never mentioned reason 3 for the refusal this site is unsatisfactory --why? Is it not zoned for that use, or what other reason?

And I would like to mention that these are usually written in the Refusal letter and I do not feel that asking for information as to why I was refused in an effort to prepare for my BOV is an unreasonable or unmanageable request.

Thank you,

Oana Nicoara
Director | Eggs Canna Inc.

Direct | 804-754-7795
Office | 778-379-4344

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On Fri, Nov 17, 2017 at 10:08 AM, Hicks, Claudia <claudia.hicks@vancouver.ca> wrote:
[Quoted text hidden]

Oana Nicoara <oana.n@eggscanna.com>
To: "Hicks, Claudia" <claudia.hicks@vancouver.ca>

Fri, Nov 17, 2017 at 10:29 AM

So why was it approved in May 2017?

Oana Nicoara
Director | Eggs Canna Inc.

Direct | 804-754-7795
Office | 778-379-4344

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[Quoted text hidden]

Hicks, Claudia <claudia.hicks@vancouver.ca>

Fri, Nov 17, 2017 at 10:47 AM

To: Oana Nicoara <oana.n@eggscanna.com>

Cc: "Greer, John" <john.greer@vancouver.ca>, "So, Mandy" <mandy.so@vancouver.ca>

Hi Ms. Nicoara,

The reasons for refusal have been clarified, as per my previous e-mails and conversations with you. The Board of Variance will hear your appeal, and make a decision on your application. You may contact the Freedom of Information office and request any further information.

Thanks,

Claudia Hicks

Project Coordinator - Development Review Branch

Development, Buildings & Licensing

604.671.6083

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From: Oana Nicoara [mailto:oana.n@eggscanna.com]

Sent: Friday, November 17, 2017 10:30 AM

To: Hicks, Claudia

Subject: Re: DP-2017-01031 Refusal Letter

So why was it approved in May 2017?

Oana Nicoara

Director | Eggs Canna Inc.

Direct | 604-764-7700

Office | 778-370-8888

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[Quoted text hidden]

Oana Nicoara <oana.n@eggscanna.com>

Fri, Nov 17, 2017 at 11:01 AM

To: "Hicks, Claudia" <claudia.hicks@vancouver.ca>

Cc: "Greer, John" <john.greer@vancouver.ca>, "So, Mandy" <mandy.so@vancouver.ca>

Claudia,

I do not know the reasons if I did I would not keep asking you. If you feel you have given those to me, my apologies to keep asking but I do not feel I have received the answers I need. I will say that you did inform me of the MMRU Site which was BCCCS 299.17m --thank you kindly for that information. Still unknown to me is;

1. How the decisions are made, and by whom.

2. What MMRU sites are too close to and are allowed you have BCCCS 299.17m --thank you for answering this

3. What risk we pose to the neighbourhood -- and the reason behind refusing us based on their concerns, I need to know the validity of them.

4. You never mentioned reason 3 for the refusal this site is unsatisfactory --why? Is it not zoned for that use, or what other reason?

And I must say instead of going back and fourth with me, would it not be easier to just answer these -- especially if you feel you have already explained these, I am ok with copy and paste if you have them sent anywhere, as I have mentioned I did not receive any of these answers. You can answer them point form -- I do not believe the freedom of information department would have these answers, and that seems like a whole lot of effort on my part as opposed to you answering 3 questions in an email. I do not understand why a departmental staff member here to assist me, is so reluctant to answer 3 questions I have the right to know. Very strange.

Thank you,

Oana Nicoara
Director | Eggs Canna Inc.

Direct | 604-754-7795
Office | 778-379-6344

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[Quoted text hidden]

So, Mandy

Nov 17 (3 days ago)

To: Mr. Kaye

Good afternoon Oana.

Further to our conversation today, the reasons for the refusal at [2575 Commercial Blvd.](#) are based on:

1. Distancing between your site and another Medical Marijuana business; and
2. Objections received from the public.

A decision has already been rendered and we are unable to review your application again. To appeal the decision, you'll have to file an official appeal to the Board of Variance. I understand you've already contacted Mr. Louis Ng (Secretary of the Board of Variance) who will be able to assist in scheduling your appeal.

Hope this provides you with the information you seek.

Regards,

Mandy So



mandy.so@vancouver.ca

From: Oana Nicoara [mailto:oana.nicoara@vancouver.ca]

Sent: Thursday, November 16, 2017 12:59 PM

To: So, Mandy

Cc: Krishna, Kaye

Subject: DP-2017-01031

JUNE 19/2018
TUESDAY

SCHEDULE A

NOTICE OF APPEAL

To: The Secretary
Board of Variance/Parking Variance Board
Vancouver City Hall
453 West 12th Avenue
Vancouver, B.C. V5Y 1V4
(604) 873-7723

I/We file an Appeal to the Board of Variance/Parking Variance Board.

The Property

Address: 2633 COMMERCIAL DRIVE.

Legal Description: LOT 4 AND 2, BLOCK 161, OL 264A AND ^{PAN} VAP 2475

Type of Appeal

BOARD OF VARIANCE

Appeal for Variance

- | | |
|--|---|
| <input type="checkbox"/> Vancouver Charter, s. 573(1)(b) | Zoning and Development By-law, section(s) _____ |
| | Sign By-law, section(s) _____ |
| <input type="checkbox"/> Vancouver Charter
s. 573(1)(f)(ii) | Private Property Tree By-law, s. _____ |

SEE ATTACHED VANCOUVER CHARTER PROVISIONS

Appeal of Decision

- ☒ Decision of Director of Planning
Vancouver Charter, s. 573(1)(a)

Development Application No. DP-2018-00357

- ☒ Appealing refusal
☐ Appealing approval
☐ Appealing condition(s) of approval

REFUSED

ON MAY 22/18

- ☐ Decision of Development Permit Board
Vancouver Charter, s. 573(1)(e)

Development Application No. _____

- ☐ Appealing refusal
☐ Appealing approval
☐ Appealing condition(s) of approval

- ☐ Refusal of Tree Cutting/Removal Permit
Vancouver Charter, s. 573(1)(f)(i)

SEE ATTACHED VANCOUVER CHARTER PROVISIONS



RECEIVED MAY 22 2018

BOARD OF VARIANCE

Non-Conformity

- ☐ Extension of Discontinued Non-conforming Use
Vancouver Charter, s. 57(1)(c), s. 568(3)
- ☐ Additions/Structural Alterations to Non-conforming Building
Vancouver Charter, s. 573(1)(d), s. 568(4)(a)
- ☐ Fire Damaged Non-conforming Building
Vancouver Charter, s. 573(1)(d), s. 568(5)(a)

SEE ATTACHED VANCOUVER CHARTER PROVISIONS

PARKING VARIANCE BOARD

- ☒ Decision of Director of Planning
Building Board of Appeal By-law, s. 7.3

Parking By-law, Section(s) _____

SEE ATTACHED VANCOUVER CHARTER PROVISIONS

This Appeal is based on the following grounds (please print or type, attaching additional pages if required):

SEE ATTACHED LETTERS

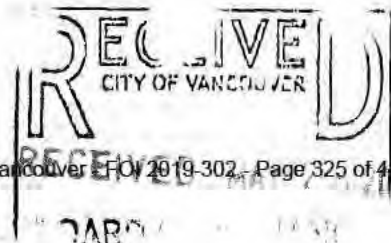
NOTE: YOU MUST STATE ALL GROUNDS OF APPEAL THAT YOU INTEND TO RAISE AT THE HEARING OF THE APPEAL. INTRODUCING NEW GROUNDS OF APPEAL AT THE HEARING MAY RESULT IN AN ADJOURNMENT OF THE HEARING BY THE BOARD.

The following material is attached and made part of this Appeal: LETTER, SITE PLAN

NOTE: ALL WRITTEN MATERIAL YOU INTEND TO SUBMIT TO THE BOARD OF VARIANCE MUST BE ATTACHED TO THIS NOTICE OF APPEAL. YOU MAY PRODUCE OTHER SUPPORTING MATERIALS, INCLUDING PHOTOGRAPHS, PLANS OR DIAGRAMS AT THE APPEAL HEARING.

I/WE declare that the statements contained in this Notice of Appeal and all attachments are, to the best of my/our belief, true and correct in all respects.

I/WE acknowledge that this Notice of Appeal and all attachments are available to the public.



Signature(s) of Appellants: X [Signature]

Name(s) of Appellant(s) (please print):

Name of Company (if applicable):

Mailing address:

§ 22(1)

B184 BC

§ 22(1)

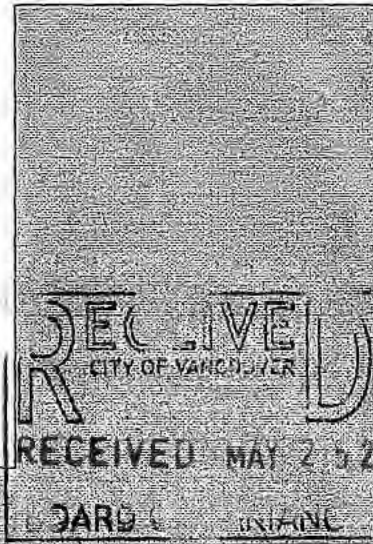
Telephone:

§ 22(1)

Fax:

Email:

§ 22(1)



TO BE TO BE COMPLETED BY STAFF

DATE:

APPEAL

235292

SIGNATURE:



As the Owner of Eggs Canna Medical Cannabis Dispensary, I am writing to you today to request a variance for our Development Permit Application for our cannabis dispensary located at 2633 Commercial Dr.

Eggs Canna believes that the City of Vancouver was incorrect to deny us a development permit, and that the reason (neighborhood opposition) the City used as the basis for their decision does not stand up to close scrutiny. We believe that there is significant support from the neighborhood, and we wish to call it to the Board's attention. In addition, we believe that the City's uneven enforcement of the bylaw has created a site-specific hardship for our business.

Community Support

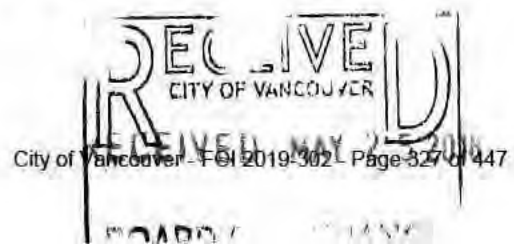
The objections to Eggs Canna's application from members of the community are almost entirely not site specific, and address other cannabis retailers who are not licensed. Eggs Canna believes that holding our company accountable for the actions of non-regulated actors in the community is a specific hardship that was unnecessarily created by City of Vancouver staff when they accepted non-specific complaints. Disagreeing with the legalization or use of cannabis is not a reasonable objection to a proposal regarding land use.

We believe that even a cursory analysis of the letters of opposition show that they are very obviously not site-specific, and we object to the City of Vancouver's characterization of these letters as indicative of 'significant neighborhood opposition' when they are clearly indicative of frustration at the lack of bylaw enforcement of unlicensed medical cannabis retailers.

An analysis of the letters in opposition to our application indicate a consistent view among those opposed: namely, that there are too many medical cannabis facilities in the Commercial Drive area. Many of the letter-writers refer to the nearby cannabis retailers which do not currently have licenses. Nearly every letter of opposition refers to a 'cluster' of dispensaries in the area.

It is the belief of Eggs Canna that this view is the result of unfortunate misinformation among the public, namely that these other cannabis retailers are licensed or intend to become licensed, when in fact they are not and do not intend to be. City staff have indeed confirmed to Eggs Canna legal counsel that these dispensaries are or will soon be under injunction by the City of Vancouver. Further, once provincial distribution regulations for cannabis take effect in the Fall of 2018, these retailers will be put out of business and their customers will need to find a suitable alternative.

By denying Eggs Canna our application to become a legitimate cannabis retailer due to public opposition aimed at illegitimate, unlicensed retailers, the City of Vancouver is unfairly scapegoating our business and putting an impossible burden on our application. We should not be responsible for community anger directed at other illegitimate businesses that will soon be regulated out of the industry.



Indeed, compared to the generalized objections to cannabis retailers that our application was subject to, we have received significant support from our neighbors and members of the community.

Many of the commercial tenants and retailers on both sides of Commercial Drive in a two-block radius have written letters of support, as have scores of local residents. When compared to the non-specific letters opposed to our application, we believe the letters of support are far more credible and grounded in fact, and that these letters should carry more weight.

Medical Cannabis Access

Finally, Eggs Canna strenuously object to the notion that there are 'too many' medical cannabis facilities, either in the Commercial Dr area or in Vancouver generally. Rather, we assert in the strongest terms that there is an insufficient number of licensed and regulated medical cannabis retailers in Vancouver.

According to the 2015 Policy Briefing, the original intent of the bylaw was to allow far more licenses than have yet been granted:

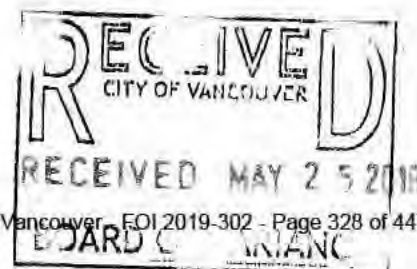
"With our recommended distancing from sensitive uses and between outlets in retail commercial zones as noted above, the natural capacity available will align reasonably well with the per capita ratio in Colorado (15 outlets/100,000 population)."

City of Vancouver staff had projected that their distancing requirements would leave room for approximately 80+ stores, however at present there are fewer than 20 licensed locations. Eggs Canna believes this disparity is a direct cause of City of Vancouver staff making unreasonable determinations in their rejection criteria, which have frustrated many medical cannabis retailers in their attempts to legitimize their operations.

The simple fact of the matter is, there are very few suitable locations in Vancouver that are 300m away from all schools, community centers, and other cannabis retailers. If City staff continue to refuse permits on compliant locations due to minimal neighborhood opposition to cannabis retailers in general, this places a specific hardship on Eggs Canna as they will encounter NIMBY-ism no matter where they attempt to locate.

Conclusion

In conclusion, Eggs Canna believes that our development application is in line with both the letter and the intent of the Medical Marijuana Related Usage bylaw, and that the supposed "neighborhood opposition" to our application is vague, non-site-specific, and does not outweigh the overwhelming support our application has received from the neighborhood. Further, we believe that by holding Eggs Canna accountable for the actions of other neighboring businesses, our refusal amounts to a site-specific hardship.



May 22, 2018

s.22(1)

Dear Oana Nicoara:

RE: 2633 COMMERCIAL DRIVE, Vancouver, BC
Development Permit Number DP-2018-00354

Please be advised that the Director of Planning has Refused DP-2018-00354 on May 22, 2018, for the following reason(s):

- Refusal 1 - Objections Received; objections have been received from neighbouring property owners;

Yours truly,



Payam Fouladianpour
payam.fouladianpour@vancouver.ca
(604) 873-7663

PF/sg





Board of Variance Submission Package

June, 2018



As the Owner of Eggs Canna Medical Cannabis Dispensary, I am writing to you today to request a variance for our Development Permit Application for our cannabis dispensary located at 2633 Commercial Dr.

Eggs Canna believes that the City of Vancouver was incorrect to deny us a development permit, and that the reason (neighborhood opposition) the City used as the basis for their decision does not stand up to close scrutiny. We believe that there is significant support from the neighborhood, and we wish to call it to the Board's attention. In addition, we believe that the City's uneven enforcement of the bylaw has created a site-specific hardship for our business.

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We believe that even a cursory analysis of the letters of opposition show that they are very obviously not site-specific, and we object to the City of Vancouver's characterization of these letters as indicative of 'significant neighborhood opposition' when they are clearly indicative of frustration at the lack of bylaw enforcement of unlicensed medical cannabis retailers.

An analysis of the letters in opposition to our application indicate a consistent view among those opposed: namely, that there are too many medical cannabis facilities in the Commercial Drive area. Many of the letter-writers refer to the nearby cannabis retailers which do not currently have licenses. Nearly every letter of opposition refers to a 'cluster' of dispensaries in the area.

It is the belief of Eggs Canna that this view is the result of unfortunate misinformation among the public, namely that these other cannabis retailers are licensed or intend to become licensed, when in fact they are not and do not intend to be. City staff have indeed confirmed to Eggs Canna legal counsel that these dispensaries are or will soon be under injunction by the City of Vancouver. Further, once provincial distribution regulations for cannabis take effect in the Fall of 2018, these retailers will be put out of business and their customers will need to find a suitable alternative.

By denying Eggs Canna our application to become a legitimate cannabis retailer due to public opposition aimed at illegitimate, unlicensed retailers, the City of Vancouver is unfairly scapegoating our business and putting an impossible burden on our application. We should not be responsible for community anger directed at other illegitimate businesses that will soon be regulated out of the industry.

Indeed, compared to the generalized objections to cannabis retailers that our application was subject to, we have received significant support from our neighbors and members of the community.

Many of the commercial tenants and retailers on both sides of Commercial Drive in a two-block radius have written letters of support, as have scores of local residents. When compared to the non-specific letters opposed to our application, we believe the letters of support are far more credible and grounded in fact, and that these letters should carry more weight.

Medical Cannabis Access

Finally, Eggs Canna strenuously object to the notion that there are 'too many' medical cannabis facilities, either in the Commercial Dr area or in Vancouver generally. Rather, we assert in the strongest terms that there is an insufficient number of licensed and regulated medical cannabis retailers in Vancouver.

According to the 2015 Policy Briefing, the original intent of the bylaw was to allow far more licenses than have yet been granted:

"With our recommended distancing from sensitive uses and between outlets in retail commercial zones as noted above, the natural capacity available will align reasonably well with the per capita ratio in Colorado (15 outlets/100,000 population)."

City of Vancouver staff had projected that their distancing requirements would leave room for approximately 80+ stores, however at present there are fewer than 20 licensed locations. Eggs Canna believe this disparity is a direct cause of City of Vancouver staff making unreasonable determinations in their rejection criteria, which have frustrated many medical cannabis retailers in their attempts to legitimize their operations.

The simple fact of the matter is, there are very few suitable locations in Vancouver that are 300m away from all schools, community centers, and other cannabis retailers. If City staff continue to refused permits on compliant locations due to minimal neighborhood opposition to cannabis retailers in general, this places a specific hardship on Eggs Canna as they will encounter NIMBY-ism no matter where they attempt to locate.

Conclusion

In conclusion, Eggs Canna believe that our development application is in line with both the letter and the intent of the Medical Marijuana Related Usage bylaw, and that the supposed "neighborhood opposition" to our application is vague, non-site-specific, and does not outweigh the overwhelming support our application has received from the neighborhood. Further, we believe that by holding Eggs Canna accountable for the actions of other neighboring businesses, our refusal amounts to a site-specific hardship.



Supporting Documents: Social Impacts of Cannabis Retail

Moving beyond Eggs Canna's assertion that there is in fact community support for the application and that there are fewer operating dispensaries than the population of Vancouver would support. Eggs Canna would like to address the content of specific objections regarding the impact of a dispensary's presence on several social concerns.

Eggs Canna recognizes that many of the letters of objection to our application come from a place of sincere social concern. Individuals who grew up believing that cannabis causes great harm to humans, particularly youths, are reacting out of a sense of protecting others from the dangers of cannabis use, as they see it.

However, it is also the case that we have learned a great deal about cannabis as a medical and recreational substance in the last decade, and our understanding of the fundamental safety of cannabis has expanded greatly.

Eggs Canna believes that when many of these objection letters are measured against the standard of reasonable, evidence-based public safety data, they fall far short of the standard we would reasonably expect of a public body like the Board of Variance. Further, we believe a close examination of some of these letters can be illustrative of our point.

We have attached on the next page (Appendix 1) an example of a typical objection received by the City of Vancouver when the neighborhood was notified for feedback on the Development Application at 2633 Commercial Dr.

In addition to the obvious frustration with bylaw enforcement and the concerns about "too many dispensaries", there were also concerns from those that objected about social impact.

The writer of the attached example is opposed to the Development Application based on the supposition that they are against "a medicinal marijuana outlet because it would contribute to the existing problems of drug abuse and the related problems of homeless, panhandling, vandalism and graffiti".

First, there is the assertion that access to cannabis will contribute to addictions issues. There is no evidence that medical cannabis contributes to addiction. The myth that cannabis is a gateway drug is an outdated concept. In reality, cannabis is being examined as a method to counteract the current opioid crisis.

An article in *the Scientific American* entitled **High Hopes Ride on Marijuana Amid Opioid Crisis** (Attached as Appendix 2) reports that:



"Multiple studies have shown that pro-medical marijuana states have reported fewer opiate deaths and there are no deaths related to marijuana overdose on record."

This suggests that dispensaries don't contribute to addiction, but rather they are a resource to help fight opioid dependency, a social issue that is currently at epidemic proportions.

The writer quoted in the first paragraph then goes on to list several crimes that the dispensary will supposedly contribute to, including vandalism etc. Again, this is simply contrary to the facts of the matter.

A study from this year entitled **Going to pot? The Impact of Dispensary Closures on Crime** published in the *Journal of Urban Economics* (Abstract of the Study is attached as Appendix 3) found that "Contrary to popular wisdom, we found an immediate increase in crime around dispensaries ordered to close relative to those allowed to remain open". The presence of dispensaries in neighborhood decrease crime the author of the study Mirelle Jacobson was quoted in an article in *Science Daily* as having found the following (Appendix 4):

"Our results demonstrate that the dispensaries were not the crime magnets that they were often described as, but instead reduced crime in their immediate vicinity,"

Further to this the author is quoted as saying that dispensaries increase the walkability score of a neighborhood resulting in a decrease in crime due to more foot traffic.

We were able to find a second study regarding the effect of a dispensary in neighborhoods called **Contact High: The External Effects of Retail Marijuana Establishments on House Prices**. Published in 2017 (Attached here as Appendix 5) the study found that far from being an issue, dispensaries result in higher neighborhood home prices. Increasing the property value of home around them up to 8%.

The objections and misconceptions we have debunked above are common. It was once the case that there was no evidence or research on the effects of cannabis and dispensaries on communities. As little as two years ago, the question of how cannabis and dispensaries impacted social issues like addiction and crime didn't have a factual answer.

Until now, due to a lack of research the issues were matters of opinion; opinions as to whether cannabis and dispensaries were a net positive or a negative for the neighborhoods and communities around them. That is no longer the case. These concerns are no longer just a matter of opinion. It is increasingly a matter of fact. Facts based on peer reviewed research and statistics.



Interestingly, the facts are overwhelmingly positive. They may be counter intuitive to some because society has been subject to the opinions of prohibitionist thinkers for over 80 years. We understand that the holdover prejudice from cannabis prohibition will take time to be replaced by new facts. Despite a minority of people who have voice outdated opinions on cannabis and dispensaries, we are confident that the new reality is obvious to many in the community as evidenced by our letters of support.

When considering concern based on the outdated opinions expressed in letters like these, we ask that you remember the research we have provided in this package.

APPENDIX 1

Hicks, Claudia

From: Rino Moccia
Sent: Tuesday, October 31, 2017 3:13 PM
To: Hicks, Claudia
Cc: Ben Lee
Subject: Commercial Drive Units 2633 and 2637

Dear Ms. Hicks,

I am communicating to you on behalf of Com El Medical Centre at 2620 Commercial Dr and Strata Plan VR740 regarding the proposed change of use of the above properties to a Medicinal Marijuana-Related use.

PLEASE BE INFORMED THAT WE OPPOSE AND CHANGE OF USE OF THE ABOVE PROPERTIES AND ARE AGAINST A MEDICINAL MARIJUANA OUTLET BECAUSE IT WOULD CONTRIBUTE TO THE EXISTING PROBLEMS OF DRUG ABUSE AND THE RELATED PROBLEMS OF HOMELESSNESS, PANHANDLING, VANDALISM AND GRAFFITI THAT HAVE YET TO BE ADDRESSED FOR THE RESIDENTS AND BUSINESSES IN THE AREA.

Dr R Moccia MD on behalf of the Come El Medical Centre and Strata Plan VR740 Occupants
2620 Commercial Dr
Vancouver BC
V5N 4C4
Cel

✓

APPENDIX 2

PUBLIC HEALTH

High Hopes Ride on Marijuana Amid Opioid Crisis

Medical weed is a popular way to manage chronic pain

By Natalie Grover

(Reuters) - A handful of drugmakers are taking their first steps toward developing marijuana-based painkillers, alternatives to opioids that have led to widespread abuse and caused the U.S. health regulator to ask for a withdrawal of a popular drug this month.

The cannabis plant has been used for decades to manage pain and there are increasingly sophisticated marijuana products available across 29 U.S. states, as well as in the District of Columbia, where medical marijuana is legal. There are no U.S. Food and Drug Administration (FDA)-approved painkillers derived from marijuana, but companies such as Axim Biotechnologies Inc, Nemus Bioscience Inc and Intec Pharma Ltd have drugs in various stages of development.

The companies are targeting the more than 100 million Americans who suffer from chronic pain, and are dependent on opioid painkillers such as Vicodin, or addicted to street opiates including heroin.

Opioid overdose, which claimed celebrities including Prince and Heath Ledger as victims, contributed to more than 33,000 deaths in 2015, according to the Centers for Disease Control and Prevention.

the removal of an opioid painkiller for public health reasons. The FDA concluded that the drug's benefits no longer outweighed its risks.

FIGHTING THE EPIDEMIC

Multiple studies have shown that pro-medical marijuana states have reported fewer opiate deaths and there are no deaths related to marijuana overdose on record. (<http://reut.rs/2r74Sbe>)

But marijuana-derived drugs could take longer than usual to hit the market as the federal government considers marijuana a "schedule 1" substance - a dangerous drug with no medicinal value - making added approvals necessary. Any drug typically takes at least a decade from discovery to approval.

It could be worth the wait.

An FDA-approved marijuana-based painkiller would ensure consistent dosing and potency, and availability across the country, analysts and experts said.

"Doctors like to be able to write a prescription and know that whatever they wrote is pure and from a blinded, placebo-controlled trial," California-based Nemus's CEO Brian Murphy told Reuters.

Nemus is testing its product - a synthetic version of the non-psychoactive CBD compound found in cannabis - on rats with chronic pain and expects to report data later this year.

Rival Axim, whose North American headquarters is in New York, is conducting preclinical studies on a chewing gum containing synthetic CBD and THC, a psychoactive compound found in marijuana. The company expects to submit an FDA application to start a trial on opioid-dependent patients this year.

Leading the pack is Israel-based Intec, which recently announced the start of an early-stage study testing its painkiller made of natural CBD and THC extracts.

OTHER OPTIONS

Independent scientists are also looking to find natural, non-pharmaceutical alternatives to opioids, but many have said it is difficult to access government-approved marijuana to conduct research due to supply restrictions.

"It's taken me seven years to get the DEA license," said Dr Sue Sisley, who is planning to conduct an FDA-regulated study evaluating whether marijuana can help opioid-dependent patients.

There could soon be other alternatives as well. Pfizer Inc and Biogen Inc are among a clutch of drugmakers developing non-opioid painkillers that are in advanced clinical studies.

Still, opioid painkillers are here to stay and will continue to be widely prescribed, especially for patients with acute and post-surgical pain.

The Republican healthcare bill unveiled on Thursday has proposed a drastic cut to the Medicaid budget and could gut, what advocates say, is essential coverage for drug addiction treatment, potentially hampering the fight against opioid abuse.

APPENDIX 3

Going to Pot? The Impact of Dispensary Closures on Crime *

Tom Chang
USC Marshall School of Business

and

Mireille Jacobson
The Paul Merage School of Business, UCI and NBER

March 2017

Abstract

Jurisdictions that sanction medical or, more recently, recreational marijuana use often allow retail sales at dispensaries. Dispensaries are controversial as many believe they contribute to local crime. To assess this claim, we analyze the short-term mass closing of hundreds of medical marijuana dispensaries in Los Angeles. Contrary to popular wisdom, we find an immediate increase in crime around dispensaries ordered to close relative to those allowed to remain open. The increase is specific to the type of crime most plausibly deterred by bystanders, and is correlated with neighborhood walkability. We find a similar pattern of results for temporary restaurant closures due to health code violations. A likely common mechanism is that “eyes upon the street” deter some types of crime.

*We thank the editor, Stuart Rosenthal, and two anonymous referees for their attention to this paper. We also thank James Anderson, Victor Bennett, Kitt Carpenter, Jonathan Caulkins, Harry DeAngelo, Matthew Freedman, Paul Heaton, Jim Hosek, Beau Kilmer, Jeff Kling, Jens Ludwig, John MacDonald, John Matsuzaka, Kevin Murphy, Sendhil Mullainathan, Rosalie Pacula, Greg Ridgeway, seminar participants at the University of Southern California and the University of Colorado-Denver and participants of the 2011 NBER Summer Institute Crime Working Group and the 2013 Southern California Conference in Applied Microeconomics for helpful comments. Special thanks to Jens Ludwig for the idea to look at restaurant closures. We thank Ben Welsh and Doug Smith from *The Los Angeles Times* for providing feedback on the data available through the Crime L.A. project and Aaron Kofner for geocoding these crime data. *The Los Angeles Times* had no role in the data analysis. Jacobson acknowledges financial support from NIDA 1R01DA032693-01. All mistakes are our own.

APPENDIX 4

Closing medical marijuana dispensaries increases crime, according to new study

Date: July 11, 2017

Source: University of California, Irvine, The Paul Merage School of Business

Summary: Contrary to popular belief, medical marijuana dispensaries (MMDs) reduce crime in their immediate areas, suggests a new report.

FULL STORY

A new study published in the July issue of the *Journal of Urban Economics* finds that contrary to popular belief, medical marijuana dispensaries (MMDs) reduce crime in their immediate areas.

In the study, titled, "Going to pot? The impact of dispensary closures on crime," researchers Tom Y. Chang from the USC Marshall School of Business, and Mireille Jacobson from The Paul Merage School of Business at UC Irvine, examined the short-term mass closing of hundreds of medical marijuana dispensaries in Los Angeles that took place in 2010.

"Contrary to popular wisdom, we found an immediate increase in crime around dispensaries ordered to close relative to those allowed to remain open," said Jacobson.

The two researchers found similar results when they examined restaurant closures.

"The connection between restaurants and MMDs is that they both contribute to the 'walkability score' of a given area. Areas with higher scores have more 'eyes upon the street' a factor that is proven to deter some types of crime," said Jacobson.

The types of crime most impacted by MMD and restaurant closures were property crime and theft from vehicles. The researchers attributed this result to the fact that these types of crimes are most plausibly deterred by bystanders.

"Our results demonstrate that the dispensaries were not the crime magnets that they were often described as, but instead reduced crime in their immediate vicinity," said Jacobson.

When Chang and Jacobson examined the impact of temporary restaurant closures in Los Angeles County, they found an increase in crime similar to what they found with MMDs. They also found that once a restaurant reopened, crime immediately disappeared.

Jacobson added, "We can conclude from our research that retail businesses are effective in lowering crime, even when the retail business is a medical marijuana dispensary."

Story Source:

Materials provided by [University of California, Irvine, The Paul Merage School of Business](#). Note: Content may be edited for style and length.

Journal Reference:

1. Tom Y. Chang, Mireille Jacobson. **Going to pot? The impact of dispensary closures on crime.** *Journal of Urban Economics*, 2017; 100: 120 DOI: [10.1016/j.jue.2017.04.001](https://doi.org/10.1016/j.jue.2017.04.001)
-

APPENDIX 5

Contact High: The External Effects of Retail Marijuana Establishments on House Prices *

James Conklin, University of Georgia[†]
Moussa Diop, University of Wisconsin-Madison[‡]
and
Herman Li, California State University, Sacramento[§]

August 29, 2017

Abstract

Using publicly available data from the city of Denver and the state of Colorado, this study examines the effects of retail conversions (conversions from medical marijuana to retail marijuana stores) on neighboring house values in Denver, Colorado. The study period reflects a time before and after retail marijuana sales became legal in Colorado in 2014. Using a difference-in-differences approach, we compare houses that were in close proximity to a conversion (within 0.1 miles) to those that are farther away from a conversion. We find that single family residences close to a retail conversion increased in value by approximately 8% relative to houses that are located slightly farther away. We perform a battery of robustness checks and falsification tests to provide additional support for this finding. To our knowledge this is the first study to examine at a micro-level the highly localized effect of retail marijuana establishments on house prices and hope that it can contribute to the debate on retail marijuana laws.

Key Words: Retail marijuana, house prices

JEL Classification: K20, R21, R28

*We thank Brent Ambrose, Ed Coulson, Lily Shen, two anonymous referees, as well as participants at the North American Regional Science Council 2016 Meetings, the Austin Jaffe Real Estate Symposium at Penn State University, and seminar participants at Concordia University and California State University, Sacramento for helpful comments. We are also grateful for valuable insights gained through discussions with Keith Erffmeyer from the Assessment Division of the City and County of Denver and Adam Grower from the National Real Estate Forum. We also thank Dennis McWeeny and Jim Stevens for outstanding research assistance. All errors and omissions are our own.

[†]Terry College of Business, University of Georgia, Athens, GA

[‡]Wisconsin School of Business, University of Wisconsin-Madison, Madison, WI

[§]Department of Economics, California State University Sacramento, Sacramento, CA

Introduction

Attitudes towards marijuana use in the United States have changed considerably in the last few decades. According to Gallup polls, the percentage of adults that support the legalization of marijuana has increased from only 12% in 1969 to 58% in 2015 (Jones (2015)). State regulations have also shifted in response to these changing attitudes. Possession of small amounts of marijuana has been decriminalized in twenty-one states, and over the past two decades twenty states have legalized medical marijuana (MML). In the past four years alone, voters in four states (and Washington D.C.) legalized recreational marijuana (RML),¹ while voters in an additional four states (out of a possible five) voted to legalize recreational marijuana in the November 2016 elections.

Voters, policy-makers, and economists are interested in the ways recreational marijuana legalization affects communities. Despite the interest in the subject, the impacts of RML are not well understood at this point because only a handful of states have legalized recreational marijuana, and all of them within the last four years. Thus, RML remains a controversial issue at least in part due to a lack of data and empirical evidence about its effects. A primary concern of opponents is that the legalization of retail marijuana will increase crime in local communities. For example, legalizing recreational marijuana may lead to higher rates of driving under the influence (DUI), increased theft, and elevated crime rates. Another concern is that legalization will increase use and abuse of marijuana and other drugs, particularly among children. On the other hand, legalizing recreational marijuana may have positive impacts on a community. RML may be accompanied by a decrease in alcohol use if marijuana and alcohol are substitute goods.² If the negative externalities of alcohol exceed those of marijuana, legalization may have a net positive impact. Additionally, by bringing black-market economic activity into legal markets RML may even reduce drug related crime. RML may also increase local governments' tax receipts, enabling the government to provide greater services. Thus, the net impact of RML on local communities remains an empirical question.

In this paper we add to the debate on RML's impact on local communities by examining the

¹We adopt these acronyms (MML and RML) from Hunt and Miles. Cheng et al. (2016) also uses RML to refer to retail (recreational) marijuana laws. We will also use the terms recreational and retail interchangeably throughout the paper.

²Evidence is mixed as to whether alcohol and marijuana are complements or substitutes. For example, Anderson et al. (2013), Crost and Guerrero (2012), and DiNardo and Lemieux (2001) provide evidence that the two consumption goods are substitutes. However, other studies argue that marijuana and alcohol are complements (Williams et al. (2004) and Pacula (1998)).

effects of retail marijuana stores on nearby house prices in Denver, Colorado. Analyzing house prices is a useful way to examine the issue since the net effects of RML are likely to be capitalized into house prices. Colorado presents an ideal environment to investigate the relationship between RML and house prices because the state of Colorado legalized recreational sales beginning on January 1, 2014.³ Importantly, only existing medical marijuana facilities were allowed to sell recreational marijuana. This allows us to examine the impact of what we refer to as “*retail conversion*” – a store’s conversion⁴ from medical to retail marijuana sales – on neighboring house values in Denver.

Using a difference-in-differences approach with publicly available data from Denver, we compare houses that are in close proximity to a retail conversion to those that are slightly farther away from a retail conversion before and after the legalization of recreational sales. There are several features of RML in Denver that help us to identify the causal impact of a store’s conversion from medical to retail sales on house prices. First, since only existing medical marijuana stores were allowed to conduct recreational sales, we avoid the potential endogeneity of store location. Given the opportunity, retail marijuana stores would likely choose to locate in certain areas based on neighborhood characteristics that would also affect house prices. However, since only existing medical stores were allowed to sell retail marijuana, the siting decision was made *before* implementation of RML. Second, the fact that retail sales began at the beginning of 2014 gives us a clear time for our pre-treatment and post-treatment periods – 2013 and 2014, respectively. Third, since the list of stores approved for retail sales was not publicly released until the end of 2013, we can consider conversion to retail as an unexpected event. Finally, the data used in our analysis identifies each property’s neighborhood. This allows us to control for both time-invariant and time-varying neighborhood characteristics that affect property values.

Our results indicate that retail conversion has a large positive impact on neighboring property values after controlling for property attributes and neighborhood characteristics. We find that after the law went into effect, single family residences close to a retail conversion (within 0.1 miles) increased in value by approximately 8.4% relative to houses that are located slightly farther from a conversion (between 0.1 miles and 0.25 miles). While at first glance this estimate may seem

³In addition to Colorado, three other states (and Washington D.C.) have legalized recreational marijuana. We investigate the impact of RML in Denver, Colorado because of the wealth of publicly available Denver property data.

⁴Technically, medical marijuana stores did not convert to recreational stores. Rather, they added recreational sales to their existing businesses. For ease of exposition, we will refer to this as conversion throughout the paper.

large, our results are very much in line with existing research concerning the external effects of RML. In a related paper, Cheng et al. (2016) find an approximately 6% increase in house prices for municipalities in Colorado that adopted RML. Whereas Cheng et al. (2016) are looking at a municipality level effect, our analysis is more micro in nature. We are measuring the effect of an existing store's conversion to retail on local property values. We perform a battery of robustness checks that confirm the positive relationship between retail conversion and nearby house values. A key finding in these tests is that the effect of retail conversion is highly localized. Properties located within 0.1 miles of a retail conversion experience a large increase in value, however, properties located farther than 0.1 miles appear not to be impacted by retail conversion. We also emphasize that the focus of this study is to identify and quantify the external effects of retail conversions, not the underlying drivers of these effects. Potential explanations include, but are not limited to: a surge in housing demand spurred by marijuana-related employment growth, lower crime rates, and additional amenities locating in close proximity to retail conversions. Identifying and determining the underlying mechanism driving the relationship between retail conversions and house prices remains a puzzle that we leave to future research.

We are also able to examine and estimate the welfare effects of such retail conversions. The obvious direct effect of a retail conversion is the increase in asset value that accrues to an owner of a property, which we approximate to be almost \$27,000 for an average house within 0.1 miles of a conversion. These increases in house values, however can also have a secondary effect that leads to an increase in property tax revenue, which can add significantly to the local government's revenue from marijuana sales. This implies that the net effect of RML can be felt beyond the direct tax revenue from recreational sales.

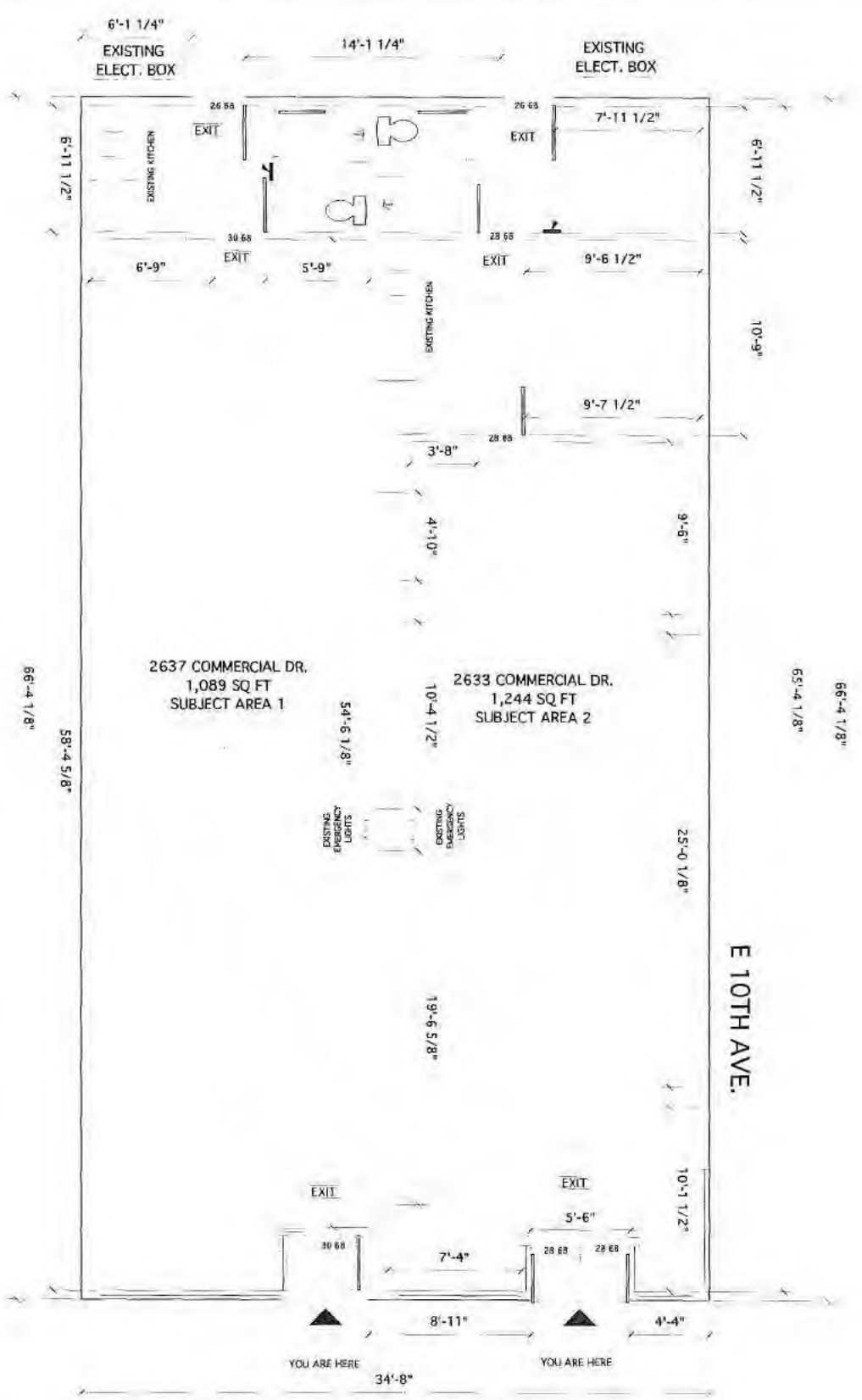
A few caveats to our analysis are worth noting. First, we are measuring the effect of retail conversion on house prices, not the effect of the store per se. The stores already existed as medical marijuana facilities. Therefore, any effect of the store establishment on property values normally occurred prior to our study period. Second, our analysis focuses only on Denver, so one should be careful in generalizing our results to other urban areas. Finally, we are investigating relatively short-term effects of retail conversion on nearby house prices since our data extends to only two years after conversion. Our analysis is silent on longer-term impacts of retail conversion.

To our knowledge, our paper is the first to analyze the effects of retail marijuana *conversions* on



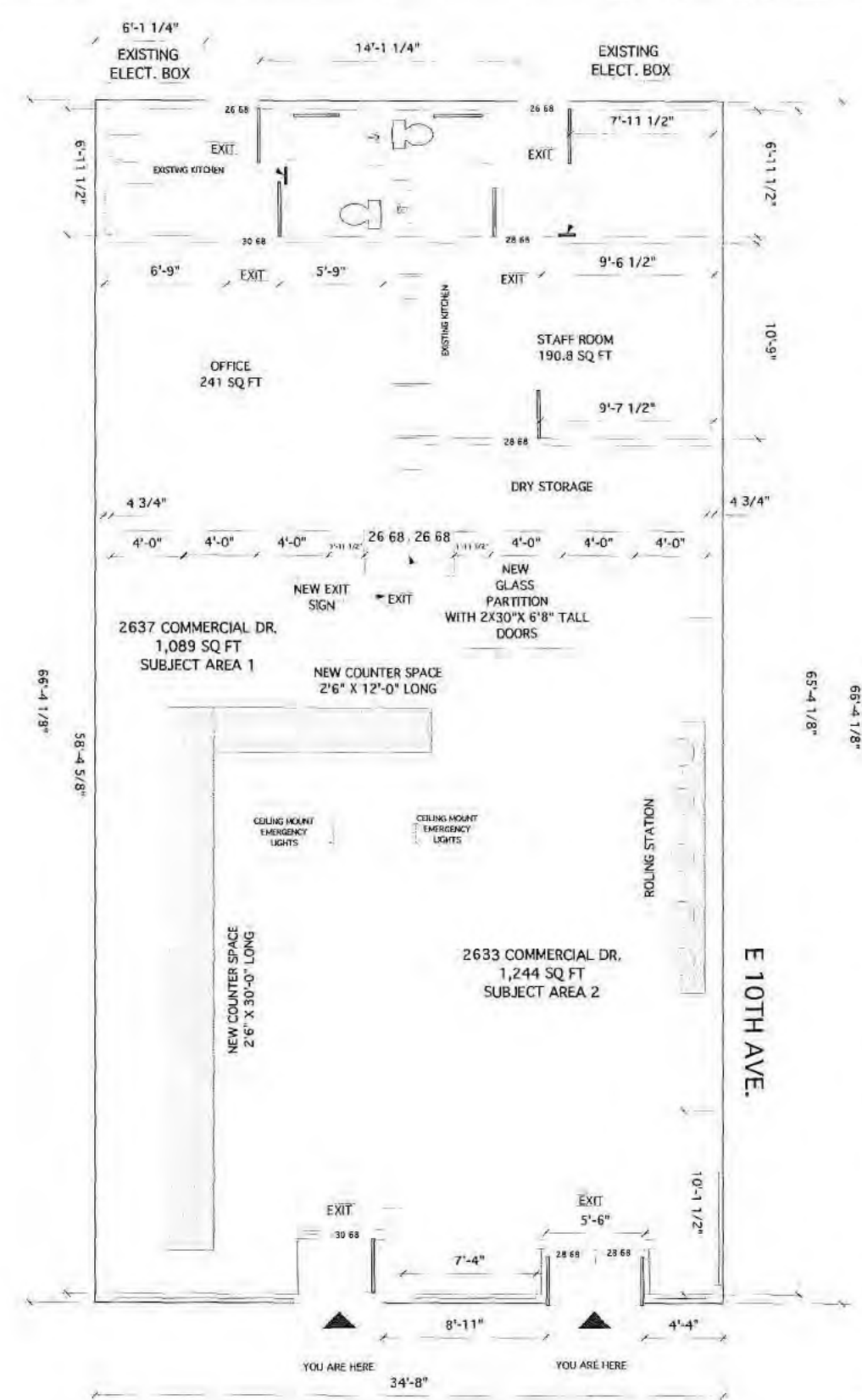


E. 11TH AVE.



COMMERCIAL DRIVE

1 2633-2637 COMMERCIAL DRIVE EXISTING FLOOR PLAN
Scale: 1/4" = 1'-0"



1 2633-2637 COMMERCIAL DRIVE PROPOSED FLOOR PLAN
Scale: 1/4" = 1'-0"

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design



2022 West 57th.
VANCOUVER, BC. V6T 2H1
TEL: 604-221-6869
CELL: 604-655-7464
EMAIL: hossfarrok@gmail.com

PROJECT:
TENANT IMPROVEMENT

DRAWING TITLE:
FLOOR PLAN

PROJECT NO.
ADDRESS:
2633 Commercial Drive
Vancouver, BC.

Date:
OCT 2 2017

SCALE
1/4" = 1'-0"

DRAWN BY
HOSS FARROKH

APPROVED BY:



A-2

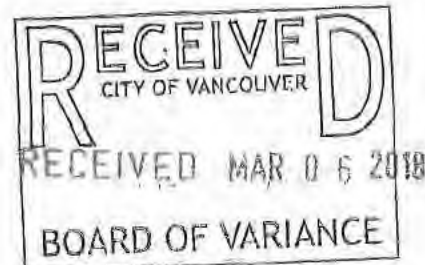
Ng, Louis

From: yourscandoc@gmail.com
Sent: Tuesday, March 06, 2018 10:11 AM
To: Ng, Louis
Attachments: image2018-03-06-101103.pdf

5



Concerned Homeowners of
1300 – 1600 East 11th Avenue
Vancouver, BC



March 5, 2018

Louis Ng
Secretary to the Board of Variance
City of Vancouver

via email: bov@vancouver.ca

Re: Board of Variance Hearing for Appeal No. Z35207 - 2633 and 2637 Commercial Drive

Dear Louis Ng and the Board of Variance:

We, the undersigned are in strong opposition to this application.

There are currently 4 other medical marijuana locations within a 5 block radius that we are aware of, not including Eggs current location.

- BC Pain Society is 0.2km away at 2908 Commercial Drive
- BC Compassion Club Society is 0.3km away at 2995 Commercial Drive
- Canna Clinic – Commercial is 0.4km away at 2223 Commercial Drive
- MMJ Canada Kensington is 0.7km away at 1290 East 12th Ave

This location is only 0.6km from Queen Alexandra Elementary School which has a large proportion of vulnerable families. It is also 0.3km from Stratford Hall Independent School. These students are often found finding lunch in the Commercial Drive skytrain area as well as before and after school. It is also located just off the 10th Avenue bikeway which is heavily used by students heading to other in catchment schools such as French immersion at Laura Secord and Vancouver Technical Secondary.

The location is next door to a pawn shop/high interest lender and a block away from Vancouver's largest skytrain station, a pub, and a methadone clinic. There is very limited community policing as the closest community policing centre only monitors north of the Grandview cut and the catchment policing centre is located near Joyce Skytrain. Property crime, drug deals, and overnight camping in local parks complaints are on the rise in the 1300-1600 blocks of 10th and 11th Avenues, as noted by numerous neighbours and ourselves being victim to vandalism and destruction of property.

In conclusion, the area is oversaturated with locations to purchase marijuana and under equipped with resources to deter crime often associated with drug use. Please do not support this application.

Sincerely,

HOUSE NUMBER on EAST 11 th	NAME	SIGNATURE
s.22(1)	s.22(1)	s.22(1)

RE: Board of Variance Hearing for Appeal No. Z35207 from Concerned Homeowners of 1300 – 1600 East 11th Avenue
Page 1 of 2

Ng, Louis

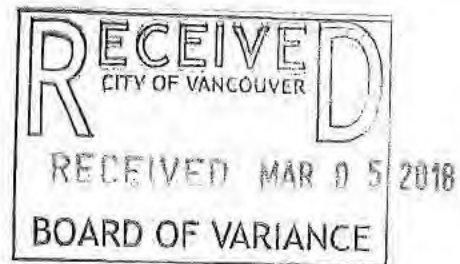
5

From: s.22(1)
Sent: Monday, March 05, 2018 5:02 PM
To: Ng, Louis
Subject: Z35207

Dear Mr Ng

I am strongly opposed to the conversion of 2633 Commercial Drive to a marijuana dispensary. I signed a petition prior to the previous hearing.

s.22(1)



Ng, Louis

From: Broadway-Commercial Precinct <broadwaycommercialprecinct@gmail.com>
Sent: Monday, March 05, 2018 4:04 PM
To: Ng, Louis
Subject: BOV Variance Hearing for Appeal No. Z35207 - 2633 & 2637 Commercial Drive
Attachments: BOV Hearing for Appeal NO. Z35207 - Homeowners of East 11th.pdf

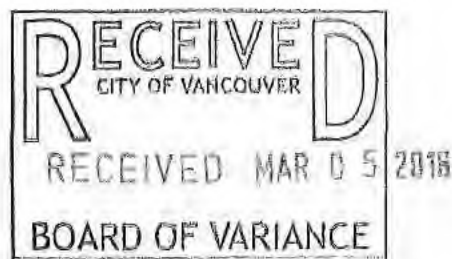
Dear Mr. Ng:

Please find attached our opposition to the application submitted by EGGS CANNA INC.

We would like to formally request a copy of the applicant's submissions and drawings.

Sincerely,
Concerned Citizens of Broadway-Commercial Precinct

We are trying to make our neighbourhood safe for everyone - especially our children!



Concerned Homeowners of
1300 – 1600 East 11th Avenue
Vancouver, BC

5

March 5, 2018

RECEIVED MAR 05 2018

Louis Ng
Secretary to the Board of Variance
City of Vancouver

via email: bov@vancouver.ca

Re: Board of Variance Hearing for Appeal No. Z35207 - 2633 and 2637 Commercial Drive

Dear Louis Ng and the Board of Variance:

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- Canna Clinic – Commercial is 0.4km away at 2223 Commercial Drive
- MMJ Canada Kensington is 0.7km away at 1290 East 12th Ave

This location is only 0.6km from Queen Alexandra Elementary School which has a large proportion of vulnerable families. It is also 0.3km from Stratford Hall Independent School. These students are often found finding lunch in the Commercial Drive skytrain area as well as before and after school. It is also located just off the 10th Avenue bikeway which is heavily used by students heading to other in catchment schools such as French immersion at Laura Secord and Vancouver Technical Secondary.

The location is next door to a pawn shop/high interest lender and a block away from Vancouver's largest skytrain station, a pub, and a methadone clinic. There is very limited community policing as the closest community policing centre only monitors north of the Grandview cut and the catchment policing centre is located near Joyce Skytrain. Property crime, drug deals, and overnight camping in local parks complaints are on the rise in the 1300-1600 blocks of 10th and 11th Avenues, as noted by numerous neighbours and ourselves being victim to vandalism and destruction of property.

In conclusion, the area is oversaturated with locations to purchase marijuana and under equipped with resources to deter crime often associated with drug use. Please do not support this application.

Sincerely,

HOUSE NUMBER on EAST 11 th	NAME	s.22(1)	SIGNATURE
s.22(1)	s.22(1)	s.22(1)	
s.22(1)	s.22(1)	s.22(1)	

RE: Board of Variance Hearing for Appeal No. Z35207 from Concerned Homeowners of 1300 – 1600 East 11th Avenue
Page 1 of 2

RECEIVED
CITY OF VANCOUVER
City of Vancouver - FOI 2019-302 - Page 353 of 447
RECEIVED MAR 05 2018

House #	NAME	Signature
s.22(1)	s.22(1)	s.22(1)
s.22(1)	s.22(1)	s.22(1)
s.22(1)	s.22(1)	s.22(1)
s.22(1)	s.22(1)	s.22(1)
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s.22(1)	s.22(1)	s.22(1)
s.22(1)	s.22(1)	s.22(1)



RE: Board of Variance Hearing for Appeal No. Z35207 from Concerned Homeowners of 1300 – 1600 East 11th Avenue
Page 2 of 2

Ng, Louis

From: s.22(1)
Sent: Monday, March 05, 2018 3:52 PM
To: Ng, Louis
Subject: Board of Variance Hearing for Appeal No. Z35207 - 2633 & 2637 Commercial Drive
Attachments: EGGS CANNA INC Draft Letter to City.docx

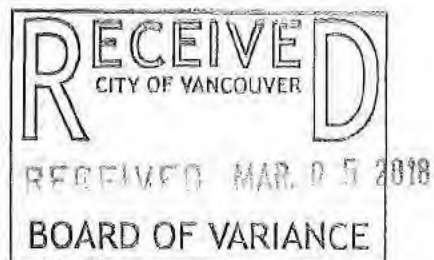
Dear Mr Ng,

Please find attached a my letter of objection to Eggs Canna Inc's request for variance.

Thank you.

Sincerely

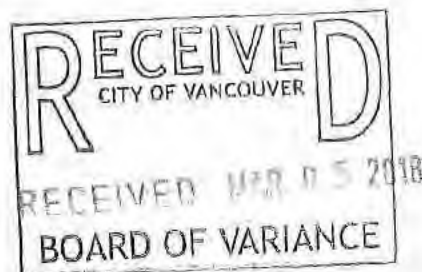
s.22(1)



EGGS CANNA INC.'S Appeal No. Z35207 - 2633 & 26377 Commercial Drive.

March 4, 2018

Louis Ng
Board Secretary
Vancouver City Hall
453 West 12th Ave.
Ground Floor,
Unit #112
Vancouver, B.C.
V5Y 1V4



Re: Appeal No. Z35207 - 2633 & 2637 Commercial Drive

Dear Mr Ng,

The purpose of my writing it to oppose Eggs Canna Inc's appeal to the city establish a Medicinal Marijuana Dispensary. I wrote to the city in November, 2018 to oppose the initial application and write again to oppose this recent appeal.

My November letter offered objections on the grounds that the business practices of Eggs Canna were exploitive, and self-serving but today I am adding a further and more pressing objection: **the Broadway/Commercial skytrain area is overly-concentrated with services geared towards substance users, rehabilitation facilities, homeless shelters, a Money Mart and at present five marijuana dispensaries within a four-block radius of 11th Avenue.** Increasingly loiterers are gathering in this area, disrupting the flow of sidewalk traffic and altering the sense that this is a space where businesses and residents come and go together in a welcoming and safe neighbourhood.

s.22(1) have lived on 11th Ave. for **s.22(1)** in a house we own. We have raised **s.22(1)** children here. Over the years this neighbourhood has struggled to deal with: prostitution in the late 1990's, intravenous drug use and the resulting trash left in the neighbourhood parks in the 2000's. Despite these struggles the neighbourhood fought its way to a healthy mix of renters and home owners living and building a diverse community together. Recently though, as marijuana use has become openly more widespread, standards have lapsed, enforcement is absent and marijuana use seems to have become the new normal. Over the past 15 years, there has been a steady shift in retail businesses and services geared not to service families and children so much as substance users. This needs to stop. There is a critical mass of substance

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providers and services that cater to that segment of the population, and evidence shows that there is a delicate point at which the neighbourhood attracts an increasing number of people who want and need those services, to the detriment of another group of people living there who do not use those services at all. All too quickly what was once a family neighbourhood, begins to look more and more like the Hastings Street near Main Street in the downtown eastside.

There are five marijuana dispensaries on Commercial Drive south of 1st Avenue:

- Eggs Canna Inc. at 2235 Commercial (at 7th Ave.)
- Vancouver Pain Management Society at 2137 Commercial Drive (at 5th Ave.)
- BC Compassion Club at 2995 Commercial Drive (at 14th Ave.)
- On the west side of Commercial Drive close to Calabria Café there is a store selling marijuana without a licence.
- Commercial Drive in an alley south-west of 2nd Ave.

Eggs Canna Inc. hopes to move closer to the skytrain station, perhaps to catch more transit users – which would also increase our local traffic.
How many dispensaries are enough?

The location in which Eggs Canna Inc. wants to establish a dispensary is right smack dab in the centre of an area where people are raising children. The Broadway-Commercial Skytrain station has always been difficult in the sense of traffic coming and going on the stretch of the Drive that we residents use for services.

There are three elementary schools (Grandview, Queen Alexandra, Stratford Hall, Laura Secord Elementary within three blocks of the stretch between Commercial Drive and Grandview and Broadway. We have an additional three preschools within a three-block radius of 11th Ave. and Trout Lake Community centre. Let's protect our neighbourhood. Commercial Drive has been a vibrant business area in the past, but we now need to protect it from a community dominated by substance users, and people not invested in developing a thriving, healthy, warm positive environment where children can grow. We need to encourage businesses that not only cater to the segment of society that is struggling but need to encourage businesses that service healthy people as well.



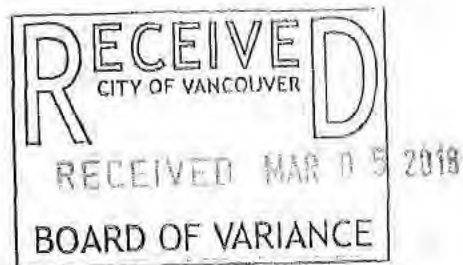
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The imminent legalization of marijuana in Canada has led to a contemporary gold rush with businesses fighting to be at the forefront of the stampede.

I urge you, our municipal government, to protect the Grandview-Woodland community from opportunistic marijuana businesses establishing themselves here. We need different businesses, but we have too many here already to allow more.

Yours sincerely

s.22(1)



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Ng, Louis

From: s.22(1)
Sent: Monday, March 05, 2018 4:58 PM
To: Ng, Louis
Subject: Re: Appeal No. Z35207 – 2633 & 2637 Commercial Drive

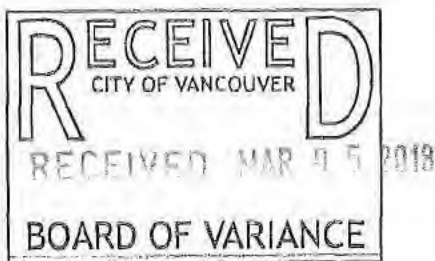
To whom it may concern,

I have attached my written comments Re: Appeal No. Z35207 – 2633 & 2637 Commercial Drive.

Please confirm receipt of this letter.

Regards,

s.22(1)



s.22(1)

Vancouver, B.C.

s.22(1)

March 5, 2018

Dear Mr. Ng,

Re: Appeal No. Z35207 – 2633 & 2637 Commercial Drive



I am a s.22(1) home owner, mother of s.22(1) and resident of the Broadway Precinct (BP) section of the Grandview Woodlands zone. The BP area is bordered by 12th Avenue, Grandview Cut, Knight Street and Victoria.

I object to the proposed rezoning for the Eggs Canna operation for the following reasons.

- 1) There are already too many marijuana dispensaries on the stretch of Commercial Drive between 1st and 16th Avenues.
- 2) Historically this neighbourhood has dealt with similar challenges over time, including prostitution, drug dealing, revelers at closing time etc. The neighbourhood has always banded together to address those issues and maintain a sense of well being as we go about our business on the BP section of Commercial Drive as well as the sections to both the north and south.
- 3) It is no longer the case that residents alone can protect this residential neighbourhood. The tipping point of liveability is looming.
- 4) Often those buying marijuana products light up at some point following their purchase which often puts others in the way of that smoke. The stretch of Commercial between Broadway and 16th Avenue is well travelled by parents taking kids to and from schools, daycares, preschools, parks, recreation facilities etc. Many teenagers also navigate that stretch.
- 5) Residents living in the BP area and others also living close to Commercial drive are exposed to a highly disproportionate range of disruptions to daily living including:
 - Increasing levels of noise due to lack of proper Skytrain maintenance.
 - Increasing levels of garbage dropped on the ground – City won't provide and service the necessary volume of garbage pick-up and many business owners choose not to address it either.
 - Mismanaged never ending SkyTrain construction – this has created an eyesore and access to Safeway requiring a trek past a construction zone which in the dark is not a pleasant walk.
 - Commuters, taxis and commercial vehicle drivers routinely using our residential streets to avoid Broadway and Grandview Highway traffic. This is a safety issue for families with kids and those of us who park on our single lane residential street. Many of us have been accosted by such drivers telling us to park our cars faster because they are in a hurry. Others race by children on sidewalks, dogs being walked etc.
 - Loiterers and revelers blocking sidewalks as they drink alcohol in public, smoke cigarettes inside the prohibited zones, and consume marijuana wherever they go, ignore noise bylaws, harass neighbours and their pre-teens, teenagers, defecate and urinate on buildings.

- The addition, in extremely disproportionate numbers, of the mentally ill, substance addicted individuals and the housing and treatment services including 2 methadone clinics between 9th and 12th avenues and other facilities we don't know about.

In addition to the above, it is beginning to seem that that BP commercial zone has been designated by the City as a treatment, housing, and socializing facility as well as place for using the sidewalks to gather, set up business, housekeeping etc. As a s.22(1) home owner and resident of the BP area I wonder what the city is thinking as it plans, or doesn't plan, the perfect storm to replicate the Downtown East side in the BP zone.

I appeal to the Board of Variance to consider the impact of an affirmative decision for Eggs Canna on an already overloaded neighbourhood. Is the greater good served by allowing Eggs Canna to set up business at this new location? Or is the greater good served by taking a step towards preserving a neighbourhood by conserving the existing zoning of a property to allow for a more neighbourhood focused or family friendly enterprise.

Regards,

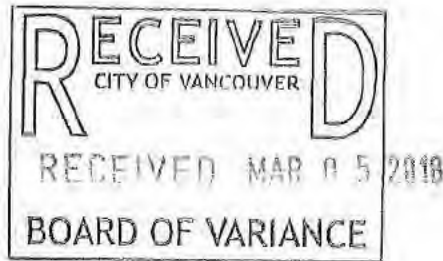
s.22(1)

s.22(1)

Vancouver, BC.

s.22(1)

Mobile - s.22(1)



Ng, Louis

From: s.22(1)
Sent: Monday, March 05, 2018 11:29 AM
To: Ng, Louis
Subject: Appeal Z35207 - 2633 & 2637 Commercial Dr

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Dear Mr Louis Ng,

Further to my previous communications to the Vancouver City Hall on this matter, I confirm that I represent the tenants at 2620 Commercial Dr and we are OPPOSED to medicinal marijuana-related use at the above location. This neighborhood already suffers from high crime rate, graffiti, peddlars and vagrants along with insufficient policing of the area.

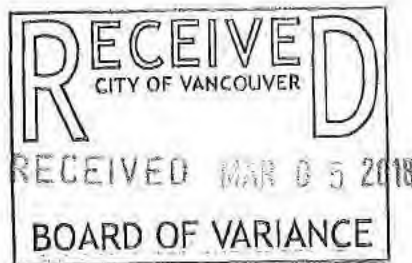
Adding marijuana would be detrimental to the vision of a pedestrian and children-safe community (there is a children's park across the street) and employees working in the buildings already feel unsafe when walking to their place of work.

s.22(1)

Vancouver, BC

s.22(1)

Sent from my iPhone



Ng, Louis

From: s.22(1)
Sent: Friday, March 02, 2018 10:54 AM
To: Ng, Louis
Subject: Attn Louis Ng, re. BOV Hearing for Appeal No Z35207

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Dear Mr. Ng.,

I recently received a notice regarding the BOV hearing for Appeal No Z35207 – 2633 & 2637 Commercial Drive. I am a resident of the area residing at s.22(1). I am unable to attend the hearing in person but I would like to register my opposition to allowing the change from Retail to Medicinal Marijuana-Related use. Part of the zoning for use is to ensure there is a diverse mix of businesses in a neighbourhood. We already have so many Medicinal Marijuana-related use businesses along Commercial Drive both north and south of the location in question. This is a family neighbourhood and it would significantly change the nature of neighbourhood to allow yet another Medicinal Marijuana business in the area. As such, I would encourage the BOV not to allow the change. Note I am not opposed to combining the two units into one unit, but I am strongly against allowing the change in use from retail to Medicinal Marijuana-Related use.

Thanks and Best Regards,

s.22(1)

s.22(1)

Vancouver, BC
Canada, s.22(1)
tel: s.22(1)



Ng, Louis

From: § 22(1)
Sent: Thursday, March 01, 2018 10:40 AM
To: Ng, Louis
Subject: Appeal no. Z35207



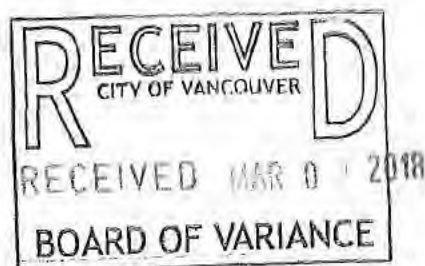
First, I would like to say that the City of Vancouver's handling of the "medical" marijuana issue could not have been worse. Waiting for the federal government's policy did not preclude the city from acting against illegal drug dealing.

While I have no objection, except as noted below, to this application, I would ask why it is being considered in isolation. There are many shops selling marijuana on Commercial Drive, some on the same block, so why would the city deal with one of them before dealing with the application of the city's newly formed policy in all instances? Why consider this application before deciding what is to be done with all of the others? Will approval of this application automatically disqualify the others because this one is in first? That doesn't seem fair or equitable to me.

The one specific objection I have to a marijuana shop at the end of my block is the smell that emanates from these premises. You can smell the peculiar odor as you approach these shops, and it isn't pleasant, so the first thing I would ask is how they plan to deal with the odor. Secondly, it has been my experience that smoking takes place in relatively close proximity to some of these shops. The city's smoking bylaw has to be enforced.

Third, and it may or may not apply to this application, who is running the "dial a dope" operations that have sprung up recently? If this applicant is responsible, I would say that's an automatic disqualification. No-one has authorized that sort of distribution. You cannot be in compliance and not in compliance at the same time.

§ 22(1)



Ng, Louis

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From: § 22(1)
Sent: Wednesday, February 28, 2018 8:51 PM
To: Ng, Louis
Subject: Board of Variance Hearing Appeal No. Z35207

Attention Mr. Louis Ng, Secretary to the Board of Variance.

Dear Mr. Ng,

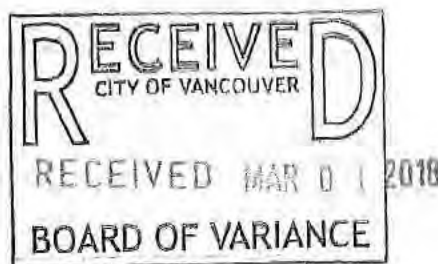
I have been a § 22(1) on Commercial Drive for 25 years and feel that the opening of a Medicinal Marijuana facility at 2633 & 2637 Commercial Drive would be a detriment to the businesses and families in the area. Located within a 100 meters of the address in question is Pacifica, a drug and alcohol treatment center at 1755 East 11th. For the people in treatment, this facility would pose a huge temptation and possibly allow easy access back into a lifestyle to which they are trying to escape. Also on the same corner of 11th and Commercial is a daycare with a playground underneath the Skytrain route. As it is already, there is open indiscriminate use of marijuana on the Drive and maybe due to the close proximity, the kids will become even more exposed to it.

As a parent with a child § 22(1) the kids that have to walk to the the Skytrain already have to run the "gauntlet" by passing by the compassion club and the dispensary on 13th already. I fail to see how another dispensary within 2 blocks of the one on 13th will be a benefit to the community.

Respectfully,

§ 22(1)

Sent from my iPhone



Ng, Louis

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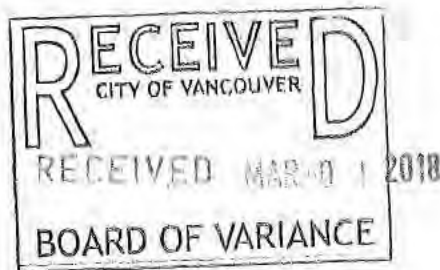
From: s.22(1)
Sent: Wednesday, February 28, 2018 3:50 PM
To: Ng, Louis
Subject: Complaint Letter to Board of Variance Hearing for Appeal No. Z35207
Attachments: Complaint Letter to Appeal No. Z35207.docx

Dear Mr. Louis Ng,

I have attached my complaint letter to the Board of Variance Hearing for Appeal No. Z35207. Thank you for taking the time to read our letter and concerns about having this marijuana dispensary come into our neighbourhood.

Best regards,

s.22(1)



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February 28, 2018

Louis Ng, Secretary to the Board of Variance
Vancouver City Hall
453 West 12th Avenue
Ground Floor Unit #112
Vancouver, B.C. V5Y 1V4

RE: Board of Variance Hearing for Appeal No. Z35207 – 2633 & 2637 Commercial Drive

I have just learned of Eggs Canna Inc.'s appeal to the Board of Variance to request to combine two units into one unit, and to change the use of approximately 2,333 square feet from Retail to Medicinal Marijuana-Related use within this existing one-storey commercial building on this site (decision under Development Application No. DP-2017-01031). Many of the residents, our families and small business owners in the area are strongly opposed to such a development.

We want to encourage and welcome businesses that fit into our community needs – businesses such as restaurants, cafés, grocery stores and/or convenience shops that fit the needs of the residents that live here. We are worried that having yet another cannabis store will bring about increased drug problems into our community. We are worried that many of these profit-making medicinal marijuana businesses often peddled weed to recreational users who are "healthy young adults" on medical pretexts, rather than helping sick people with chronic pain.

As many of the residents and their families live near where this development is being proposed, we are worried that this marijuana dispensary will attract more drug addicts and crime into our neighbourhoods. As families with young children, we cannot afford to jeopardize our children's safety in the community by having more marijuana dispensary pop up in the neighbourhood.

To the Board of Variance, Thank you for listening to our voices and considering what is in the best interests for residents and families that live in the area.

Sincerely,

§ 22(1)

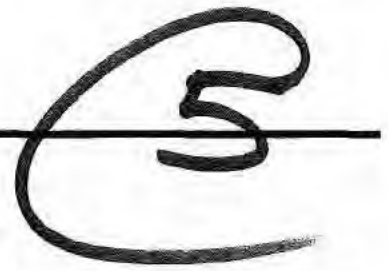
§ 22(1)

Residents of § 22(1)
Vancouver, B.C. § 22(1)



Ng, Louis

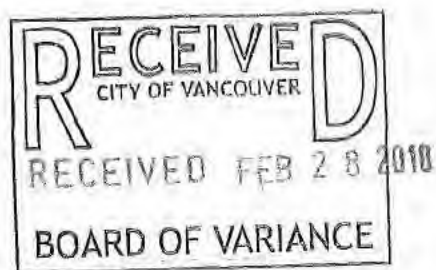
From: Larry Gwozd s.22(1)
Sent: Tuesday, February 27, 2018 5:48 PM
To: Ng, Louis
Subject: Board of Variance Appeal No. Z35207
Attachments: CCE02272018_0002.pdf



Dear Mr. Ng

Attached please find a letter of objection to the proposed variance from Lori-Gay Holdings Ltd.

Larry Gwozd
President



Lori - Gay Holdings Ltd.

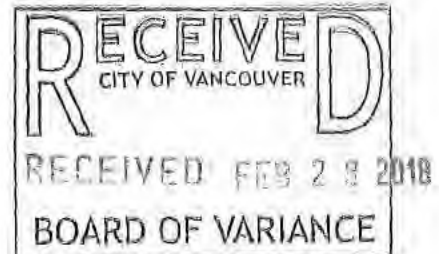


s.22(1)

Sent Via Email

February 26, 2018

Louis Ng (Board Secretary)
Vancouver City Hall
453 West 12th Ave.
Ground Floor Unit#112
Vancouver, B.C. V5Y 1V4



Attention: Louis Ng

Dear Sirs:

**Re: Board of Variance Hearing for Appeal No. Z35207
2633 & 2637 Commercial Drive, Vancouver, B.C.**

I am the president of Lori-Gay Holdings Ltd., the owner of the Lori-Gay Manor which is a 17 unit apartment building located at 1624 East Broadway. The apartment is a few hundred feet from the south-west corner of Broadway and Commercial and about 2 blocks north from the proposed medical marijuana store.

Lori-Gay Holdings Ltd. strongly opposes the application due to the fact that there is already a well-known large drug use problem in the Broadway and Commercial drive area. Over the last few years I have had to confront marijuana smokers and other drug users in the back parking lot and back yard of the apartment building and insist that they get off the property. They regularly go into the side-yard of the apartment building between the building and the fence, where it is hard to be seen, to smoke marijuana and inject other drugs. It has become so prevalent that I have had to build a fence and install a locked gate across the middle of my property between my back parking lot and my building entrance to keep them away from the apartment building side entrances. This does not stop them however from using marijuana and other drugs in my back parking lot as well as in the back alley and in my neighbours side yards and parkades which they do regularly. Not long ago I saw 4 people go into the underground parking entrance of my next door neighbour's property and start smoking. The fact that I was standing there watching them did not phase them one bit and they just kept on smoking their marijuana. This is not only is illegal, but also causes the tenants in my building, especially the tenants in the back suites as well as the many single females living alone in my apartment suites a lot of anxiety and has resulted in many complaints being made to me about it. There is no doubt that having

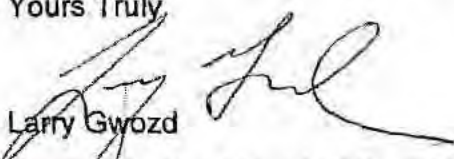
marijuana sold in a store that is only 2 blocks from my building will only exacerbate an already intolerable situation.

In addition, there is already a medical marijuana store on the east side of the 2900 block of Commercial Drive which is 3 blocks south of the proposed new one. There certainly is no reason to have two marijuana dispensers within 3 blocks of each other. I am sure that anyone that has a legitimate medical problem that requires marijuana for treatment can already get it by just walking or driving the extra 3 blocks to the existing store. I suggest that marijuana stores should be treated the same as the law requiring pubs to be a reasonable distance from each other.

As a close neighbouring property that will be seriously negatively affected by any expansion of the availability of marijuana in the immediate vicinity of its apartment building, Lori-Gay Holdings Ltd, strongly opposes the proposed development permit.

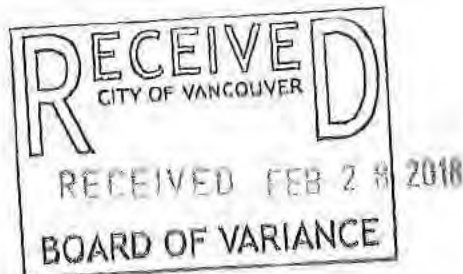
I feel very strongly about this issue and would have come personally to the hearing to oppose the Appeal, however I am not available at the time of the hearing.

Yours Truly,


Larry Gwozd

President of Lori-Gay Holdings Ltd.

s-22(1)

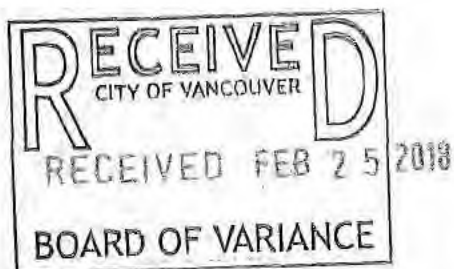


Ng, Louis

From: s.22(1)
Sent: Sunday, February 25, 2018 8:39 AM
To: Ng, Louis
Subject: Eggs canna inc

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I do not want the cannabis outlet at 2633 2637 commercial drive now or in the future. There are several problems locating in this area ; too many vagrants hanging around the property due to the skytrain right at the corner, residential small homes and rentals where access to property difficult to control compared to apartment blocks with a central entrance, within 2 blocks of a elementary school , young families with kids at the present zoning. If there is a change of zoning with more apartment blocks at least on east 10 avenue , with better control of entrance to property, cannabis outlet might be safer. s.22(1)



Ng, Louis

From: s.22(1)
Sent: Saturday, February 24, 2018 8:52 AM
To: Ng, Louis
Subject: Appeal Z35207 - 2633 & 2637 Commercial Drive



Mr Ng, Board Secretary

Regarding the appeal detailed in the subject line, I am writing as a resident of Commercial Drive to express my opposition to the conversion and expansion of this commercial space from retail to a facility for medicinal marijuana.

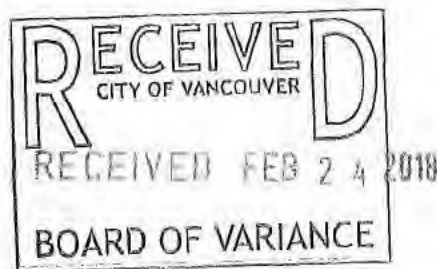
This market is saturated in this community. I'm not opposed to the business and marijuana use in general, but for an entire city block at around East 6th at Commercial all you can smell is marijuana coming from the business.

Thank you for your consideration of the views of the residents.

I wish to keep my identity private but not the content of my concerns.

Regards

s.22(1)



Ng, Louis

From: s.22(1)
Sent: Thursday, February 22, 2018 5:26 PM
To: Ng, Louis
Subject: BoV hearing for Appeal No. Z35207 - 2633 & 2637 Commercial Drive



Greetings,

I am writing in response to a flyer received from the CoV specific to BoV hearing for Appeal No. Z35207 - 2633 & 2637 Commercial Drive. More specifically, EGGS CANADA INC's appeal with the Board of Variance requesting interior alterations to combine two units in one unit, and to change the use of the two spaces combined from retail to medicinal marijuana-related use (also retail) within this existing one-storey commercial building.

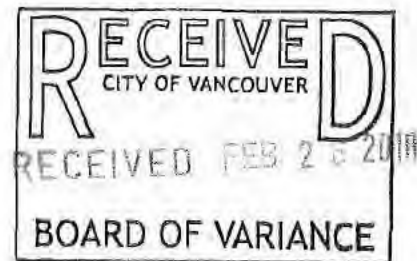
Please proceed with provision of the variance. I am a property owner at s.22(1) approximately 200 metres from this proposed location. I support the expansion of consumer choice including marijuana/cannabis choice. Commercial Drive may or may not be able to accommodate another cannabis retailer at this site but then let's let the free market decide – as we do with the proliferation of coffee shops such as Starbucks, Blenz, etc. In my mind, it is all the same as I endeavour to not impose my morals on others and I encourage the City to do the same. Please proceed!

Sincerely,

s.22(1)

s.22(1)

s.22(1)



Ng, Louis

From: s.22(1)
Sent: Thursday, February 22, 2018 4:54 PM
To: Ng, Louis
Subject: Appeal No Z35207 - 2633 and 2637 Re Eggs Canna Inc



Dear Mr Louis Ng

We are writing in response to the Card we received for Eggs Canna wanting to open a location around the corner from our residence. s.22(1)

We highly object to the opening of this type of facility. When does no not mean no anymore? Our neighbourhood objects, as do my husband and I. We have s.22(1) we need to protect. There are many schools close to this area including Queen Alexandra, Stratford, Queen Victoria, Grandview, Tyee Montessori Cefa and various daycares and nursery schools.

We already have several places located on Commercial Drive selling Cannabis as well as Health Centers on the corner of Commercial and 11th and Broadway and Woodland trying to help people get over drug addiction, this is going to be detrimental to their therapy being only half a block away. Many people at these locations do not respect families or individuals and blow smoke into our faces directly. We as a community should not be subjected to this type of abuse.

We already have an issue with a lack of services from Vancouver. We have issues with people openly doing drugs, drinking and smoking pot on the sidewalk. We are bombarded with illegal activities including street vendors with no licenses and drug activity. Commercial Broadway Precinct can not even deal with everyday issues but to add another Cannabis store that will sell to minors, we object.

s.22(1) oppose Eggs Canna putting a store in our neighbourhood.

RECEIVED FEB 22 2018

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Board of Variance – Item #10

RE: 2633 Commercial Drive

Letters received from the Board's recent
Neighbourhood notification.

Ng, Louis

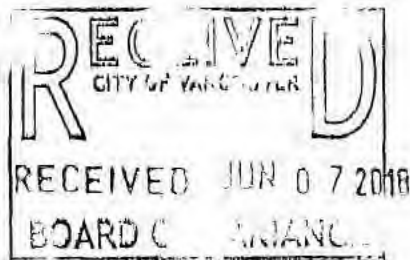
From: Larry Gwozd s.22(1)
Sent: Tuesday, June 05, 2018 4:24 PM
To: Ng, Louis
Subject: Bov Appeal # Z35292 - 2633 Commercial Drive
Attachments: CCE06052018.pdf

10

Dear Sirs;

Please find a letter of objection to the above noted appeal from Lori-Gay Holdings Ltd.

Larry Gwozd
President.



Lori - Gay Holdings Ltd.

s.22(1)

Sent Via Email

June 5, 2018

Louis Ng (Board Secretary)
Vancouver City Hall
453 West 12th Ave.
Ground Floor Unit#112
Vancouver, B.C. V5Y 1V4



Attention: Louis Ng

Dear Sirs:

**Re: Board of Variance Hearing for Appeal No. Z35292
(decision under Development Application NO. DP-2018-00354)
2633 & 2637 Commercial Drive, Vancouver, B.C.**

I am the president of Lori-Gay Holdings Ltd., the owner of the Lori-Gay Manor which is a 17 unit apartment building located at 1624 East Broadway. The apartment is a few hundred feet from the south-west corner of Broadway and Commercial and about 2 blocks north from the proposed medical marijuana store.

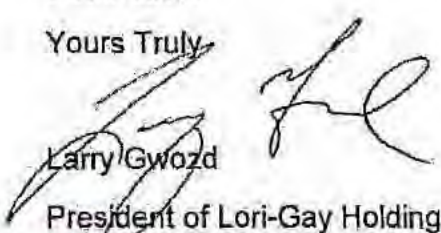
Lori-Gay Holdings Ltd. strongly opposes the application due to the fact that there is already a well-known large drug use problem in the Broadway and Commercial drive area. Over the last few years I have had to confront marijuana smokers and other drug users hiding under the side entrance stairs of my apartment building as well as in the back parking lot and back yard of the apartment building and insist that they get off the property. They also regularly go into the side-yard between my apartment building and the neighbouring buildings, where it is hard to be seen, to smoke marijuana and inject other drugs. It has become so prevalent that I have had to build a fence and install a locked gate across the middle of my property between my back parking lot and my building to keep them away from the apartment building side entrances. This does not stop them however from using marijuana and other drugs in my back parking lot as well as in the back alley and in my neighbours side yards and parkades which they do regularly. Just a 5 days ago I saw two young men hiding between my building and the neighbouring apartment building on the west side of my property dividing up some drugs between themselves that they had laid out on the side retaining wall. They quickly hid them when they say that I was watching. Also, a couple of months ago I saw 4 people go into the underground parking entrance of my next door neighbour's property on the east side of my property where all 4 of them stood there and smoked marijuana just outside of the metal entrance gate to the parkade. The fact that I

was standing there watching them from the side of my yard about 20 feet away did not phase them one bit and they just kept on smoking their marijuana and ignored me. This is not only is illegal, but also causes the tenants in my building, especially the tenants in the back suites as well as the many single females living alone in my apartment suites a lot of anxiety and has resulted in complaints being made to me about it. There is nothing I can do except tell them to phone the police who do not give such complaints any priority whatsoever. There is no doubt that having marijuana sold in a store that is only 2 blocks from my building will only exacerbate an already intolerable situation.

In addition, there is already a medical marijuana store on the east side of the 2900 block of Commercial Drive which is 3 blocks south of the proposed new one. There certainly is no reason to have two marijuana dispensers within 3 blocks of each other. I am sure that anyone that has a legitimate medical problem that requires marijuana for treatment can already get it by just walking or driving the extra 3 blocks to the existing store. A reasonable approach would be to treat the location of marijuana stores the same as the law requiring pubs to be a reasonable distance from each other.

As a close neighbouring property that will be seriously negatively affected by any expansion of the availability of marijuana in the immediate vicinity of its apartment building, Lori-Gay Holdings Ltd, strongly opposes the proposed development permit. It seems to me that the rights of the people that own property and live in the area to have a safe and drug free environment should far outweigh the desire of those that wish to profit from its distribution.

Yours Truly,


Larry Gwozd

President of Lori-Gay Holdings Ltd.

s.22(1)



Ng, Louis

From: Broadway-Commercial Precinct <broadwaycommercialprecinct@gmail.com>
Sent: Monday, June 11, 2018 9:57 PM
To: Ng, Louis
Subject: BOV Hearing for Appeal No. Z35292
Attachments: BOV Hearing for Appeal NO. Z35292 - Letter re previous decision.pdf

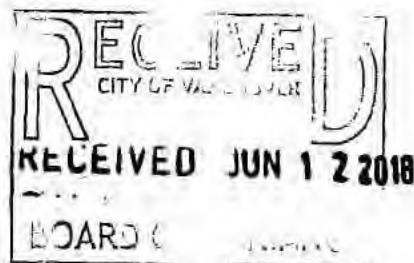
Dear Mr. Ng:

Please find attached our response to the notice of the Board of Variance Hearing for Appeal No. Z35292

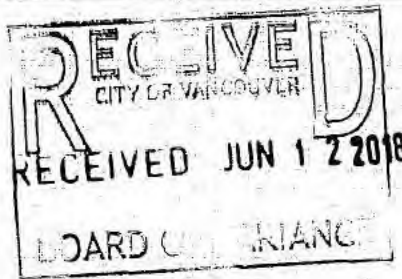
Please also confirm receipt and that you were able to open the file.

Thanks and sincerely,
Concerned Citizens of Broadway-Commercial Precinct

We are trying to make our neighbourhood safe for everyone - especially our children!



June 11, 2018



Louis Ng
Secretary to the Board of Variance
City of Vancouver

via email: bov@vancouver.ca

Re: Board of Variance Hearing for Appeal No. Z35292 - 2633 Commercial Drive

Dear Louis Ng and the Board of Variance:

It is with regret and frustration that we, the undersigned, continue ^{to} oppose and strongly protest the Development Application made by EGGS CANNA Inc. to change the use of 2633 Commercial Drive into a Medical Marijuana use as per the Board of Variance Hearing for Appeal No. Z35292.

In our opinion, Appeal No. Z35292 has no material changes that are significantly different than what was discussed at the hearing for Appeal No. Z35207 on March 7, 2018.

It is our understanding that pursuant to Section 7.3 of the CITY OF VANCOUVER - BRITISH COLUMBIA - BOARD OF VARIANCE BY-LAW NO. 10200, that this matter should not be brought back for appeal at the Board of Variance.

Section 7.3 States:

No re-hearing of appeal

7.3 The Board must not re-hear an appeal covering the identical grounds or principles upon which the Board has previously rendered a decision.

We ask that decision of the Board of Variance Hearing for Appeal No. Z35207 - 2633 & 2637 be upheld.

Sincerely,

Name	Address	SIGNATURE
s.22(1)	s.22(1) Vancouver, BC s.22(1)	s.22(1)
s.22(1)	s.22(1) Vancouver, BC s.22(1)	s.22(1)
s.22(1)	s.22(1) Vancouver, BC s.22(1)	s.22(1)
s.22(1)	s.22(1) Vancouver, BC s.22(1)	s.22(1)
s.22(1)	s.22(1) Vancouver, BC s.22(1)	s.22(1)

Ng, Louis

From: s.22(1)
Sent: Monday, June 11, 2018 4:59 PM
To: Ng, Louis
Subject: Board of Variance - Appeal Number Z35292

Hello Board of Variance,

I have always commended the City of Vancouver for their approach to dispensaries and cannabis in general. What has been disheartening is seeing so many take advantages of the relaxed culture here and the lack of support the city has to enforce their own bylaws and flaunt the rules by opening up whenever and wherever they wanted to.

I appreciated receiving the notification card in the mail, and this is my first time responding to anything like this. I feel very strongly that we must dismantle all the dispensaries that operate without a license from the city. However, I know that will take time, and in the meanwhile I like to see that there are some business owners, like the Eggs Canna ones, that are trying to do this the right way.

I do not consume cannabis, but I do support their application for 2633 Commercial Drive.

Kind Regards,

s.22(1)

s.22(1)

RECEIVED JUN 12 2018

Ng, Louis

From: s.22(1)
Sent: Friday, June 01, 2018 6:17 PM
To: Ng, Louis
Subject: Z35292

Hi,

This is in response to the application for 2633 Commercial Drive. I think there are already more than enough Medical Marijuana shops in this neighbourhood and I don't think we need one more, especially of that size.

s.22(1)



Ng, Louis

From: s.22(1)
Sent: Wednesday, May 30, 2018 6:27 PM
To: Ng, Louis
Subject: Appeal No, Z35292 - 2633 Commercial Drive

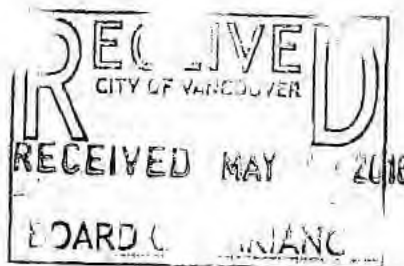
Hello,

I am writing in regards to appeal Z35292 filed by EGGS CANNA INC. I am a resident in the area and I oppose the application to turn 2633 Commercial Drive to a medical marijuana-related use site.

There are already many marijuana businesses along the Drive that are in close proximity to this location. This specific site is close to two schools, close to a park, close to a major transit hub, close to a busy bike lane, half a block from a methadone clinic, and close to where many families with children live - another medical marijuana shop is not an appropriate use of the retail space.

Thank you.

s.22(1)



Ng, Louis

From: s.22(1)
Sent: Tuesday, May 29, 2018 6:29 PM
To: Ng, Louis
Subject: Board of Variance Hearing for Appeal No Z35192- 45 West Broadway

I am writing to register my opposition to the change of use to a Medical Marijuana Related - Use at this site. I believe we have sufficient numbers of Medical Marijuana Related- Use properties in my neighbourhood and need the existing space to provide alternative business opportunities in the area.

Thank -you

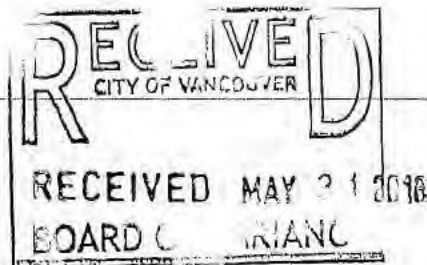
s.22(1)

Vancouver, BC

s.22(1)



Virus-free. www.avast.com



Ng, Louis

From: s.22(1)
Sent: Tuesday, May 29, 2018 8:05 PM
To: Ng, Louis
Subject: Appeal No. Z35292 - 2633 Commercial Drive

Hi There,

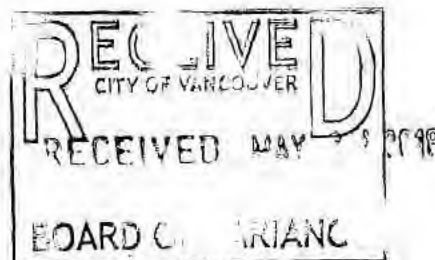
I recently received a notice from the Board of Variance in the mail. I would like to express my opinion regarding Appeal No. Z35292 - 2633 Commercial Drive. I am **against** allowing the use of the approximately 2,333 square feet to be changed from Retail to a medicinal marijuana-related use. Give the number of medicinal marijuana businesses already on Commercial Drive, I do not believe permitting a variance to allow yet another marijuana-related business to locate here is in the neighbourhood's interest. Instead, I would like to see the site retained for retail to allow a more diverse set of businesses to locate in the area and to support a more family-friendly neighbourhood.

Thanks for considering my opinion.

Best Regards,
s.22(1)

s.22(1)

Vancouver, BC, s.22(1)
tel: s.22(1)



Ng, Louis

From: s.22(1)
Sent: Monday, May 28, 2018 6:09 PM
To: Ng, Louis
Subject: Letter to Board of Variance Hearing to oppose Eggs Canna Inc. Appeal No. Z35292 - 2633 Commercial Drive
Attachments: Complaint Letter to Appeal No. Z35292.docx

Dear Mr. Louis Ng, Secretary to the Board of Variance,

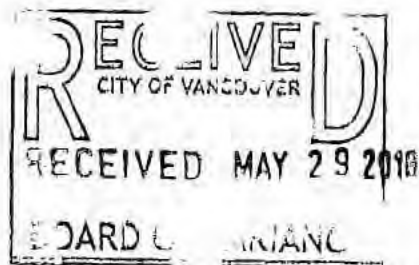
I'm writing to express my opposition to Eggs Canna Inc's appeal to increase their retail space and expand it into a medicinal marijuana-related use. Please find attached my complaint letter.

Thank you very much for your time and consideration.

Regards,

s.22(1)

Enclosure (1)



May 28, 2018

Louis Ng, Secretary to the Board of Variance
Vancouver City Hall
453 West 12th Avenue
Ground Floor Unit #112
Vancouver, B.C. V5Y 1V4

RECEIVED MAY 29 2018

Dear Mr. Ng,

RE: Board of Variance Hearing for Appeal No. Z35292 – 2633 Commercial Drive

I am writing in response to Eggs Canna Inc.'s appeal to the Board of Variance to request interior alterations to combine two units into one unit, and to change the use of approximately 2,333 square feet from Retail to a Medicinal Marijuana-Related use in this existing one-storey commercial building on this site (decision under Development Application No. DP-2018-00354). Many residents, families, homeowners and small businesses living along Commercial Drive are strongly opposed to an expansion of marijuana-related use development in our neighbourhood.

There is currently numerous marijuana-related use dispensaries located along Commercial Drive: BC Pain Society, BC Compassion Club Society, MMJ Canada, Canna Clinic, Vancouver Pain Management Society, and Eggs Canna Inc. We believe that there is already enough marijuana dispensaries located in our neighbourhood and we do not wish to see more expansion of marijuana-related use developments in our neighbourhood. In its place, we want to encourage and welcome businesses that fit the community needs – businesses such as restaurants, cafés, grocery stores, childcare space, and/or retail stores that fits the needs of residents who live here.

As many residents and young families live near where this development is being proposed, we are worried that an expansion of marijuana dispensary will bring about increased drug problems into our community. Specifically, we are worried that an expansion will encourage more drug use among young people, attract more criminal activity in the area, and introduce even more poverty into our community. We are increasingly concern for our children's safety in this neighbourhood as over the past few years we have seen an increase of marijuana-related use dispensaries turn up in our neighbourhood.

I would like to thank the Board of Variance for hearing my concerns and ask for their consideration in doing what is in the best interests for families, children, homeowners and residents living along The Drive.

Sincerely,

§ 22(1)

§ 22(1)

Vancouver, B.C. § 22(1)

Ng, Louis

From: s.22(1)
Sent: Monday, May 28, 2018 4:29 PM
To: Ng, Louis
Subject: Complaint Letter to Board of Variance Hearing for Appeal No. Z35292 -2633 Commercial Drive
Attachments: Complaint Letter to Appeal No. Z35292.docx

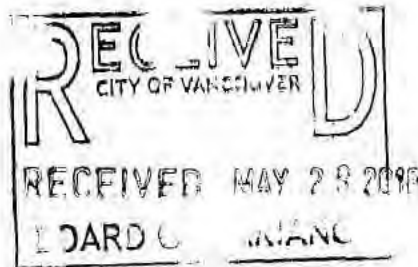
Dear Mr. Louis Ng, (Board Secretary)

We have attached our complaint letter to the Board of Variance Hearing for Appeal No. Z35292 - 2633 Commercial Drive. We thank you for listening to our concerns regarding expansion and the conversion from retail to a medicinal marijuana-related use development as proposed by Eggs Canna Inc. We hope that the Board of Variance will not support Eggs Canna Inc in their request.

Kind regards,

s.22(1)

Enclosure: Complaint Letter (1)



May 28, 2018

Louis Ng, Board Secretary
Vancouver City Hall
453 West 12th Avenue
Ground Floor Unit #112
Vancouver, B.C. V5Y 1V4

RE: Board of Variance Hearing for Appeal No. Z35292 – 2633 Commercial Drive

This is a formal complaint letter in response to Eggs Canna Inc.'s appeal to the Board of Variance to request to interior alterations to combine two units into one unit, and to change the use of approximately 2,333 square feet from Retail to a Medicinal Marijuana-Related use in this existing one-storey commercial building on this site (decision under Development Application No. DP-2018-00354). Many of the residents, our families and small business owners in this community are strongly opposed to an expansion of marijuana development in our neighbourhood.

We want to encourage and welcome businesses that fit into our community needs – businesses such as restaurants, cafés, grocery stores, childcare space, and/or convenience shops that fit the needs of the residents that live here. We are worried that an expansion of cannabis space will bring about increased drug problems into our community. We are worried that many of these profit-making medicinal marijuana businesses often peddled weed to recreational users who are “healthy young adults” on medical pretexts, rather than helping sick people with chronic pain.

As many of the residents and their families live near where this development is being proposed, we are worried that an expansion of this marijuana dispensary will attract more drug use abusers, poverty, and crime into our neighbourhoods. As families with young children, we cannot afford to jeopardize our children's safety in the community by having more and more marijuana dispensary pop up in the neighbourhood.

To the Board of Variance, Thank you for listening to our voices and considering what is in the best interests for residents, families and homeowners that live in this neighbourhood.

Sincerely,

§ 22(1)

§ 22(1)

§ 22(1)

Vancouver, B.C. § 22(1)

RECEIVED MAY 29 2018

T| 604.875.8075
F| 604.875.8005
E| mark@acemate.com

612516 BC LTD
2641 Commercial Drive
Vancouver, B.C. V5N 4C3

June 11th 2018

10

Re: Eggs Canna request for variance for 2633 Commercial Dr. Vancouver, BC

To whom it may concern

This letter is in support of the variance requested for 2633 Commercial Drive. We are the owner of the property and the current landlord for Eggs Canna. The owners of Eggs Canna are upstanding members of the business community who are committed to integrating into a regulated, legalized cannabis market. Having Dr. Richard Hay as an owner shows their commitment to safe cannabis distribution, and in our view should be the standard for all Dispensaries moving forward. We were disappointed by the City's decision to turn down the requested Development Permit due to a handful of complaints that were not based on this specific proposal but rather complaints that were directed to the idea of cannabis legalisation in general.

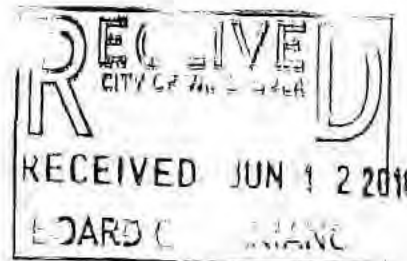
We believe that the caliber of cannabis retail that Eggs Canna is proposing to bring to this address is a perfect fit for the property in question. Its industry fits well with the adult focused restaurants and businesses in the 2600 block of Commercial Drive. We anticipate that its presence will benefit the community in two ways: The first benefit is to the patrons of its business by providing clean cannabis in a stylish setting—they will take on significant renovations adding value to the building and our community. Secondly, Eggs Canna will drive foot traffic to the surrounding businesses. Evidence of which is a well-documented phenomenon in neighborhoods with licensed cannabis retail.

The location in question is compliant with MMRU bylaw. When Mr. Cappellano approached us with the idea of turning the space into a cannabis dispensary licensed by the City of Vancouver, we felt this was an opportunity to add a thriving business to the block and to provide a valuable service to the community while encouraging foot traffic to other businesses. We see nothing but benefits to having Eggs Canna operating at 2633 Commercial Dr. and completely support the requested variance.

Regards,

612516 BC LTD

Victor Kurkenoglu
President
T| 604.875.8075



Ng, Louis

From: s.22(1)
Sent: Monday, June 11, 2018 2:52 PM
To: Ng, Louis
Cc: jaclynn@althingconsulting.invalid.domain
Subject: Support for Application at 2633 Commercial.

To the BOV,

I support the application at 2633 Commercial Dr. and believe that Eggs Canna is an excellent fit with the current businesses and the surrounding neighborhood. I express my full support for the application. I believe that Eggs Canna provides a valuable service to medical cannabis patients and will drive foot traffic to the surrounding businesses.

The application I support is 2633 Commercial Dr and not 2267.

Thank you.

s.22(1)

RECEIVED JUN 12 2018

Ng, Louis

From: s.22(1)
Sent: Monday, June 11, 2018 3:02 PM
To: Ng, Louis
Subject: 2633 Commercial Drive Z35292

Hello,

I am sending this to let you know how much I want a licensed and responsible dispensary on Commercial drive. The street has many unlicensed and unregulated dispensaries, I don't know where they get their product from or even who they sell it to?

Our neighbourhood will really benefit from having responsible marijuana stores, from the taxes and from people having to go and buy it from a store and not just on a street corner.

Please let Eggs Canna open their store at 2633 Commercial Drive!

Thank you,
Resident, s.22(1)

RECEIVED JUN 12 2018

Ng, Louis

From: s.22(1)
Sent: Monday, June 11, 2018 3:03 PM
To: Ng, Louis
Subject: Letter of support - 2633 Commercial Dr

Hi Louis,

I live on East 13th ave and I'm writing to express our support for the development application located at 2633 Commercial.

I believe that a dispensary in the neighborhood is a good fit with the existing businesses in the area and feel that Eggs Canna will be a positive addition to the neighborhood.

s.22(1)

RECEIVED JUN 12 2018

Ng, Louis

From: s.22(1)
Sent: Monday, June 11, 2018 3:14 PM
To: Ng, Louis
Subject: 2633 Commercial Dr - Support

Hi Louis Ng,

Medical cannabis is very important to my life. I am in full support of the application at 2633 Commercial Dr. I think that Eggs Canna will be a great business to have in the neighborhood. I know the operators of Eggs Canna hold themselves to a high standard.

Thank you for considering my feedback,

s.22(1)

Sent from Outlook

RECEIVED JUN 12 2018

Ng, Louis

From: § 22(1)
Sent: Monday, June 11, 2018 3:21 PM
To: Ng, Louis
Subject: Appeal Number: Z35292 2633 Commercial Drive

Hello Board of Variance,

I am writing in support of Egg's Canna's development application for 2633 Commercial Drive.

I have seen a lot of change on this street in my 20 years living here. Some for the better, and some for the worse. We have a lot of young people living here now which is nice to see, a good deal many more bars too.

I've never had problems with my neighbours that smoke herb, I've never had to call the police on them for excessive noise, or for fighting in the hallways. I don't understand why there's such a problem with having a weed store open, when no one seems to say anything about all the liquor stores or bars. Please allow more responsible stores to open and do something about all the illegal ones.

Thank you,

§ 22(1)

RECEIVED JUN 12 2018

Ng, Louis

From: s.22(1)
Sent: Monday, June 11, 2018 4:55 PM
To: Ng, Louis
Subject: Eggs Canna Commercial

Board of Variance,

I am pleased to be able to give my support to Eggs Canna for 2633 Commercial Drive.

I have been a customer of Eggs for a long time, and I've never had a bad experience there. I wish more dispensaries were like they are. I've brought many of my friends in to them, and my family as well because I know they're responsible and respectable.

Please support them as well in their application, they're going to be one of the only places on that street that are compassionate and that I would trust my own granny going into.

Thank you,

s.22(1)

RECEIVED JUN 12 2018

Ng, Louis

From: s.22(1)
Sent: Monday, June 11, 2018 3:47 PM
To: Ng, Louis
Subject: Z35292-2633 Commercial Drive

Louis Ng,

I recieved your notice postcard and would like to put my support for this development permit on record. As a resident of this area and a cannabis consumer I believe that including dispensaries in the legal landscape of our cities and communities is long over due. I see nothing wrong with having a dispensary as my neighbour, and feel that if pharmacies, pubs, bars and liquor stores have been approved in this area, dispensaries fall well in line with the adult oriented places of business on commercial drive. I would also like to state that cannabis is far less harmful to consume then alcohol and does not contribute to aggressive violent behaviour like alcohol. Cannabis is legal now, why are we still having a debate on whether a dispensary can open or not? If a storefront is compliant with governing laws, then they have just as much right to be here as any other business—lets stop treating dispensaries and their patrons differently then the rest of the businesses on the drive as this is prejudicial. Thank you for listening to my perspective on this matter.

s.22(1)

A neighbour and cannabis advocate

RECEIVED JUN 12 2018

Ng, Louis

From: § 22(1)
Sent: Monday, June 11, 2018 1:08 PM
To: Ng, Louis
Subject: Appeal Z35292

Dear City of Vancouver Board Members,

I support this appeal and feel that any dispensary trying to obtain provincial and municipal licensing should be allowed to do so, just as long as they comply with the By-Law and any other legislation written. I have lived on the Drive for several years and feel that dispensaries add to the look and feel of this adult driven community. I also feel that these businesses are now deemed to be a part of the legal landscape therefore we must make an effort to be inclusive of dispensaries in our communities.

With thanks,

§ 22(1)

RECEIVED JUN 11 2018

Ng, Louis

From: s.22(1)
Sent: Monday, June 11, 2018 12:53 PM
To: Ng, Louis
Subject: Re: Board of Variance - Support letter

Hi,

It has come to my attention that the address for the letter of support had an error in it. This letter of support is for 2633 Commercial Dr.

Very sorry for the mistake.

s.22(1)

On Fri, Jun 8, 2018 at 12:12 PM, s.22(1) wrote:
Hi,

This letter is in support of 2267 commercial dr. My husband and I think that a licensed dispensary in the neighborhood is good for the community. Dispensaries are important to lots of people who are sick.

It is unfair that the city said no to this application.

s.22(1)

RECEIVED JUN 11 2018

Ng, Louis

From: s.22(1)
Sent: Monday, June 11, 2018 12:51 PM
To: Ng, Louis
Subject: Re: Board of Variance support letter 2267 Commercial

Hi Louis Ng,

.This should be in support of the application at 2633 Commercial Dr. not 2267.

Thank you

s.22(1)

On Sat, Jun 9, 2018 at 4:38 PM, s.22(1) wrote:
Hi Louis Ng,

I* living in the area of this application. This email is in support of the application at 2267 Commercial Dr. I wanted a licensed dispensary in my neighborhood., Eggs Canna is trying their best to be compliant with the bylaw. I think it is unfair that their future is being decided by people who just hate the idea of cannabis.

Thank you.

Regards,

s.22(1)

RECEIVED JUN 11 2018

Ng, Louis

From: s.22(1)
Sent: Monday, June 11, 2018 12:49 PM
To: Ng, Louis
Subject: Appeal No. Z35292 - 2633 Commercial drive

Attention Louis Ng Board Secretary,

My name is s.22(1), and I have been a resident of the Commercial Drive neighbourhood for over 20 years. I am writing to you today to support the application put fourth by this dispensary to be licensed by the city of Vancouver and believe that legalisation will only be successful when we allow these businesses to be regulated. Many of my neighbours feel that if we are going to have dispensaries serving our communities we would like to have regulated ones. Therefore, knowing that legalisation is now here, I would like to support any and all businesses who are trying to obtain legal licenses for distribution, and hope that through their new-found legitimacy these businesses in return work with the residents in keeping our streets safe.

Thank you for your time,

s.22(1)

RECEIVED JUN 11 2018

Ng, Louis

From: s.22(1)
Sent: Monday, June 11, 2018 1:50 PM
To: Ng, Louis
Subject: Re: 2267 Commercial Dr support letter

Hi Louis,

Please note this letter of support is for the application at 2633 Commercial Dr.

sorry for the mistake

Thanks,

s.22(1)

On Sun, Jun 10, 2018 at 1:54 PM, s.22(1) wrote:
Hi Louis,

I live on e12th and I wanted to let you know that I support the application of Eggs Canna at 2267 Commercial. I think dispensaries are important and will be a positive addition to the neighborhood if there is one that is licensed by the city. I have spoken to several of my neighbors and they also agreed that it would be nice to have a dispensary in the area that will be licensed.

Thanks,

s.22(1)

RECEIVED JUN 11 2018

Ng, Louis

From: § 22(1)
Sent: Monday, May 28, 2018 5:35 PM
To: Ng, Louis
Subject: RE: BoV hearing for Appeal No. Z35292 - 2633 Commercial Drive

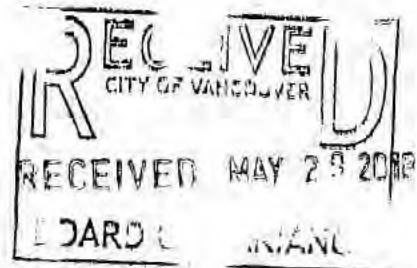
Dear Mr. Ng,

I am writing in response to a flyer received from the CoV specific to BoV hearing for Appeal No. Z35292 – 2633 Commercial Drive. More specifically, EGG5 CANADA INC's appeal with the Board of Variance requesting interior alterations to combine two units in one unit, and to change the use of the two spaces combined from retail to medicinal marijuana-related use [also retail] within this existing one-storey commercial building.

As I had asserted via email (Feb 22 2018) in the previous BoV hearing for Appeal No. Z35207, ... 'please proceed with provision of the variance. I am a property owner at § 22(1) approximately 200 metres from this proposed location. I support the expansion of consumer choice including marijuana/cannabis choice. Commercial Drive may or may not be able to accommodate another cannabis retailer ... but then let's let the free market decide – as we do with the proliferation of coffee shops such as Starbucks, Blenz, etc. In my mind, it is all the same as I endeavour to not impose my morals on others and I encourage the City and the BoV to do the same. Please proceed!'

Sincerely,

§ 22(1)



To the Board of Variance:

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As a resident of the neighborhood surrounding the proposed Eggs Canna location at 2633 Commercial Dr, Vancouver. I am writing to express my full support for their Development Application submission and to express my encouragement of the city of Vancouver to grant the Development Application to Eggs Canna.

I understand that some in our community have voiced concern over the dispensaries in our neighborhood. I think because Eggs Canna is moving through the licensing process on a block which has additional, unlicensed marijuana businesses in operation, the presence of the currently operating businesses is confusing to the community in terms of which business are complying with the City's processes. This situation has an undue impact on Eggs Canna's licensing application. I feel that this unfairly impacts Eggs Canna's chance to open a licensed and bylaw compliant location at 2633 Commercial Dr.

I urge you to grant Variance as there is a great deal of community support for this project. Eggs Canna should be allowed to move forwards with their Development Permit. This decision benefits both medical marijuana patients by having a licensed store in their neighborhood and the community at large.

Thank you for considering this request

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