

File No.: 04-1000-20-2019-470

August 16, 2019

s.22(1)

Dear s.22(1)

Re: Request for Access to Records under the Freedom of Information and Protection of Privacy Act (the "Act")

I am responding to your request of July 22, 2019 for:

All public comments received in response to community consultation for development permit DP2019-00302 for 191 West 2nd Avenue, from June 1 - 24, 2019.

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

Under section 52 of the Act, and within 30 business days of receipt of this letter, you may ask the Information & Privacy Commissioner to review any matter related to the City's response to your FOI request by writing to: Office of the Information & Privacy Commissioner, info@oipc.bc.ca or by phoning 250-387-5629.

If you request a review, please provide the Commissioner's office with: 1) the request number (#04-1000-20-2019-470); 2) a copy of this letter; 3) a copy of your original request; and 4) detailed reasons why you are seeking the review.

Yours truly,

Cobi Falconer, FOI Case Manager, for



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

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

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

Encl.

:pm

Profili, Cody

From: John Crook <john@theflyingpigvan.com>
Sent: Tuesday, June 18, 2019 12:24 PM
To: Profili, Cody
Subject: 191 W 2nd Av (DP-2019-00302) - Retail Cannabis - R52
Attachments: support letter.pdf

Hi Codi, please see attached letter for our support for Choom Cannabis store in our neighbourhood.

Should you require anything further don't hesitate to contact me directly.

Sincerely yours,

The Flying Pig/WildTale

John Crook
Founding Partner

john@theflyingpigvan.com
604-336-3767



This message is confidential. It may also be privileged or otherwise protected by work product immunity or other legal rules. If you have received it by mistake, please let us know by e-mail reply and delete it from your system; you may not copy this message or disclose its contents to anyone. The integrity and security of this message cannot be guaranteed on the Internet.

TO: Director of Planning

RE: Choom BC Retail Holdings – Retail Cannabis Store Development Permit Application – 191 W 2nd Avenue, DP-2019-00302

I'm writing today in support of Choom's proposed retail location at 191 W 2nd Avenue. As a business owner in the Greater Vancouver community I have a vested interest in ensuring that cannabis is dispensed responsibly through licensed retail outlets.

Evidence from states and countries that have legalized or decriminalized cannabis (including Canada) clearly shows that legal cannabis retail does not negatively impact the community; in fact, it can improve community wellbeing by increasing public awareness, reducing illegal activity, and providing a quality-assured supply of cannabis products.

Unlike illicit black-market operations, Choom will be accountable to its customers, its shareholders, the communities it serves, and to municipal, provincial, and federal authorities. Choom is also publicly traded and operated by an experienced senior management team; with this in mind, I have no doubt that Choom will operate with complete integrity and transparency, and that they will be a good neighbour and a positive influence on the surrounding community.

In closing, I'd like to thank you for taking the time to consider my comments. I'll hope for and anticipate a favourable decision.

Sincerely,

A handwritten signature in black ink, consisting of a stylized 'J' followed by a horizontal line and a small flourish.

Signature

Business Name: The Flying Pig

TO: Director of Planning

RE: Choom BC Retail Holdings – Retail Cannabis Store Development Permit Application – 191 W 2nd Avenue, DP-2019-00302

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Unlike illicit black-market operations, Choom will be accountable to its customers, its shareholders, the communities it serves, and to municipal, provincial, and federal authorities. Choom is also publicly traded and operated by an experienced senior management team; with this in mind, I have no doubt that Choom will operate with complete integrity and transparency, and that they will be a good neighbour and a positive influence on the surrounding community.

In closing, I'd like to thank you for taking the time to consider my comments. I'll hope for and anticipate a favourable decision.

Sincerely,

A handwritten signature in black ink, consisting of a stylized 'C' followed by a long horizontal line.

Signature

Business Name: Wild tale Restaurant

Profili, Cody

From: Ron Orr <ron@granvillevan.com>
Sent: Monday, June 17, 2019 12:19 PM
To: Profili, Cody
Cc: sean@choom.ca; 'Aussie Jiwani'
Subject: 191 W 2nd Av (DP-2019-00302) - Retail Cannabis - R47
Attachments: Choom Support.pdf

Please see attached.

Ron Orr
Chief Financial Officer
Granville Entertainment Group
Tel: 604-331-7800 Fax: 604-331-7801





LEGACY

LIQUOR STORE

June 17, 2019

TO: Director of Planning, City of Vancouver

RE: Choom BC Retail Holdings – Retail Cannabis Store Development Permit
Application – 191 W 2nd Avenue, DP-2019-00302

I'm writing today in support of Choom's proposed retail location at 191 W 2nd Avenue. As a business owner in the Greater Vancouver community I have a vested interest in ensuring that cannabis is dispensed responsibly through licensed retail outlets.

Evidence from states and countries that have legalized or decriminalized cannabis (including Canada) clearly shows that legal cannabis retail does not negatively impact the community; in fact, it can improve community wellbeing by increasing public awareness, reducing illegal activity, and providing a quality-assured supply of cannabis products.

Black market dealers and dispensaries are a persistent issue in our community. Aside from not paying taxes and selling untested product, these illicit operations make it incredibly easy for minors to access cannabis. As a legal cannabis retail location Choom is required to implement stringent security measures that ensure no cannabis is sold to minors and no minors are swayed to use cannabis, including mandatory ID checks, black-out windows, and restrictions on storefront signage – measures that keep youth safe while offering quality-assured products to those of legal age.

In closing, I'd like to thank you for taking the time to consider my comments. For the sake of Vancouver's youth, I'll hope for and anticipate a favourable decision.

Sincerely,

Chief Financial Officer, Partner
Legacy Liquor Store

The Legacy Liquor Store
1633 Manitoba Street
Vancouver BC
V5Y 0B8
604-331-7900
www.legacyliquorstore.com



LEGACY
LIQUOR STORE

Profili, Cody

From: s.22(1)
Sent: Wednesday, June 19, 2019 7:35 AM
To: Profili, Cody
Subject: 191 W 2nd Av (DP-2019-00302) - Retail Cannabis - R57

Terrible idea and totally opposed. What are you trying to do to the area? We already have social housing and homeless all over the neighbourhood. Not opposed to less unfortunate but police don't control bike thefts, litter and camping. We have enough cannabis shops.

Please reject.

s.22(1)

Sent from my iPhone

Profili, Cody

From: s.22(1)
Sent: Tuesday, June 18, 2019 6:06 PM
To: Profili, Cody
Subject: 191 W 2nd Av (DP-2019-00302) - Retail Cannabis - R56

s.22(1) I am writing to comment on the application for a Cannabis store at 191 West 2nd Avenue.

I am opposed to the request for the following reasons:

- too close proximity to a family park
- too close proximity to too many temporary and assisted housing units in the area.

The community is inundated with residents who currently are causing frequent disturbances in the neighbourhood at all hours of the day and night.

-too close to residential housing

-hours and dates requested to be opened are far too long and would create unnecessary traffic and noise to residents 7 days a week

I trust staff will consider my comments and opposition to this proposed application and hopefully deny the request.

Sincerely

s.22(1)

Sent from my iPad

Profili, Cody

From: s.22(1)
Sent: Tuesday, June 18, 2019 5:04 PM
To: Profili, Cody
Cc: s.22(1)
Subject: 191 W 2nd Av (DP-2019-00302) - Retail Cannabis - R55

Dear Mr. Profili:

I have been a resident in the Olympic Village area for s.22(1) and do not support the Choom application.

I have read the Operational Letter. A couple of references are made to "vulnerable populations" - "protecting" them and having "limited impact" on them. No details are provided on how that's to be done or even who's included.

There are a number of social housing and modular housing buildings in the neighbourhood between Ash and Main which house what I consider the vulnerable. The one closest is the Marguerite Ford Apartments at 215 West 2nd just down the street from 191. Perhaps you've heard of it. It's had its fair share of media coverage over the years.

In recent months temporary modular housing has been built at 215 West 1st Avenue at the intersection of Crowe, just west of Hinge Park. This property is slated for future development and is supposed to include an elementary school. There is a demand by some parents in the area for a school and one was envisioned in the original Southeast False Creek Development Plan.

There are a number of strata buildings in the area and in fact throughout Vancouver which have adopted a no cannabis bylaw, the building I live in being one of them.

So where do many cannabis smokers go to light up? Outdoor City-owned public places like beaches and parks. Hinge Park which includes a playground, an off-leash dog park and wildlife is only a block away from the proposed location. On the Title Sheet submitted, the south boundary is in the top left corner.

The park has had problems over the years with drug use and the City has done a good job of cleaning up the park by removing shrubbery but it hasn't stopped the drug use. As recently s.22(1) a man with a needle in his arm. Since cannabis was legalized, there has been an increase in smoking as well. I find the smell nauseating and have to leave the immediate area.

I'm concerned with a cannabis store close by consumption in the area will increase not only at Hinge Park but at Habitat Island and on the seawall as well.

I don't know what the Applicant can do to "politely enforce a no noise and no smoking rule" around their proposed location. Patrons of the restaurants in the same block smoke cigarettes on the sidewalk in front of the restaurants. What's to prevent them or anyone else from smoking cannabis?

The Applicant wants to be open every day for 13 hours, similar to businesses selling alcohol. From the statistics I've read, about 15% of the population uses cannabis compared to about 80% who drink alcohol. Do you really need that much time to serve 15% of the population?

That statistic also doesn't qualify cannabis as an item needed by residents for daily life as referred to in the Operational Letter.

Choom is complaining how restrictive the City bylaws are and wants a variance. We are just at the beginning of this process. Changes to our liquor laws came over a long period of time. Cannabis companies are new ventures and I think the City should at least maintain the policy established for at least a year to see how things go. With time perhaps a review of changes can be considered. I don't think a variance should be granted so soon.

I think Choom should consider another location.

Respectfully submitted.

s.22(1)



Profili, Cody

From: s.22(1)
Sent: Tuesday, June 18, 2019 3:07 PM
To: Profili, Cody
Subject: 191 W 2nd Av (DP-2019-00302) - Retail Cannabis - R54

Hello Cody,

Thank you for informing us of the development plan at 191 Wst 2nd Avenue.

s.22(1) I write to you with a deep concern for the planned Cannabis Store at the above address.

s.22(1). Now my families are already being disturbed sometimes by the smell of cannabis from our windows. I feel nauseous by the smell of smoking cannabis. I am not sure if it's from someone smoking cannabis on the street or in the nearby units. I believe it's harmful to my health. If a Cannabis Store is opened s.22(1) I believe the unpleasant smell will occur much more often, probably daily, which will not be tolerant by my family and myself. Our daily lives will be very much disturbed and our health will be harmed as well.

Also, the West Village Kindergarten is located about 100 meters away, just inside the same compound. I believe cannabis is even more harmful to the children there. If adults like me could not stand the smell of smoking cannabis, I could not imagine how the children could survive it without being harmed.

I understand cannabis is legal in our country now. And I respect the people who would use it, especially who would need it for medical purposes. But I do not want to see a cannabis retail store opened at this location.

Thank you for your time and understanding. And thank you for letting our voice heard by the Director of Planning and all other decision makers.

Should you require any further information or actions, I could be reached via email or by phone.

Sincerely,

s.22(1)

Profili, Cody

From: s.22(1)
Sent: Tuesday, June 18, 2019 2:58 PM
To: Profili, Cody
Subject: 191 W 2nd Av (DP-2019-00302) - Retail Cannabis - R53
Importance: High

Dear Cody,

I am writing from the Wall Centre False Creek West Tower stata council.

We echo the concerns of our neighbour in the Olympic Village.

In addition to the concerns listed below, we feel that the CoV needs to do a better job of listening to the concerns of our community.

The operating hours proposed by Choom BC Retail Holding should be denied. The Olympic Villages is already stressed with the numerous number of social housing projects forced on our neighborhood. This neighborhood has more than its share of social housing projects and the drug problems that come along with them.

As a Block Watch Captain, I am well aware that the Olympic Village is a high crime area (if not the highest). We are spending our fair share fighting crime and repairing damages as a result. We don't need to exacerbate the situation by tempting vulnerable social housing residents with accessibility to drugs.

We believe that the City (and all levels of government) should be focused on prevention measures that help vulnerable populations get healthy. It should not be supporting efforts such as easy accessibility to cannabis that exacerbate the situation.

Thanks for your consideration.

s.22(1)

To: Profili, Cody
Subject: 191 W 2nd Av (DP-2019-00302) - Retail Cannabis - R03

Dear sir

We are opposed to the above allocation on a number of grounds

1. The hours of operation till 11.00 pm will give rise to an issue of noise and disturbance in the surrounding and growing residential area of the South False Creek area .
2. Seven days week is not acceptable.

3. This proposed application is in close proximity to a number of transition homes for street people that use these drugs and create concern for the ongoing safety for the residents in the Athletes Village area

Further more there are a number of “**Transitional Homes**” close by to this application that create a concern

- (a) The Marguerite Ford building at Cook St & West 2nd Ave
- (b) The adjoining Stanford House on West 2nd

Both the above social housing development require constant Vancouver Police presence and we have seen an increase in the crime rate in our area

Added to the above are the following locations which give rise for concern for the safety of residents

- (c) The Temporary housing between Cook St. and Crowe St on west 1st Ave
- (d) The Temporary housing at the Olympic Village Canada Line station
- (d) The temporary housing at Terminal & main Street

All theses locations are in close proximity to a high density residential area that is supposed to **the Jewel of the City of Vancouver**

We suggest that the proposed store would be a haven for people that should not be encouraged to continue to use these addictive drugs

Strata's in the Athletes village are having to increase strata fees to pay for extra day and night time security patrols resulting in an increase in break and enter crimes.

The police response is limited due to staffing issues and do not generally respond unless there is a serious incident.

All strata's buildings in the Village have adopted a **non smoking, selling and distribution and use of Cannabis By- Law** both in side the units and on roof deck and patios in an attempt to limit the risk of fire and the smell of cannabis in our buildings.

This proposal will most likely increase the personal use of this drug by residents and give rise to complaints from residents that volunteer strata members have to deal with from people that object to the odour.

The location of this proposed cannabis store close to people who need to get off these drugs will only increase their need to commit crimes to obtain money to purchase these addictive drugs.

We ask that this application be denied

<ref_CD-1(531).pdf>
<ref_Cannabis Guidelines.pdf>
<ref_ZD bylaw_Section 11.pdf>

Profili, Cody

From: s.22(1)
Sent: Tuesday, June 18, 2019 10:22 AM
To: Profili, Cody
Subject: 191 W 2nd Av (DP-2019-00302) - Retail Cannabis - R51
Attachments: Letter of June 17, 2019.pdf

Good morning, Cody. Attached please find my letter which contains comments relative to the Notice of Development Application above-noted. Please direct all future correspondence to the e-mail address provided therein. Thank you.

s.22(1)

June 17, 2019

City of Vancouver

Via E-mail: cody.profilo@vancouver.ca

Attention: Cody Profili

Re: Notice of Development Application
191 West 2nd Avenue - DP-2019-00302

Dear Mr. Profili:

I am in receipt of the subject Notice, a copy of which is attached.

I am trying to understand the process. An original application with its use, etc. is submitted to the City and the City, after routine checking, will either approve or disapprove the application. How come the applicants are permitted to change its use, etc. after? They should have known what their intentions were when submitting the original application. I feel that any change should be made by way of a new application and go through the whole process. Question: Upon receipt of an application to change, does the City go through the checking again or does the City only send out notices to surrounding neighbourhood and if there is minimal or no response, the change is allowed without checking.

I feel changing from retail to retail cannabis store is a big change. A few questions came to mind: (1) What kind of retail was sought in its original application; (2) Are all the applicants credit and criminal checked; (3) Are the funds for the operation or cannabis purchased all from reliable, legal and government approved sources; and (4) has the strata building the store is in provided approval of use or sale of cannabis (I understand this normally requires a special general meeting).

One last point is the neighbourhood, amongst other businesses and housing, there are: a liquor store, a number brewing companies, such as Craft and Brewell Beer Co., restaurants with liquor licenses, social housing, modular housing, daycares, community centres, etc. With this combination of residents, kids and liquor, I feel that the City should not make cannabis so easily accessible by permitting a retail cannabis store in this neighbourhood.

Please reconsider and reject the change of application by Choom BC Retail Holdings Inc. from Retail to Retail Cannabis Store on this site.

Thank you.

s.22(1)



NOTICE OF DEVELOPMENT APPLICATION

**191 West 2nd Avenue
DP-2019-00302**



June 4, 2019

Choom BC Retail Holdings Inc. has applied to the City of Vancouver for permission to perform interior alterations and change of use from Retail to Retail Cannabis Store on this site, including:

- a floor area of approximately 2,839 sq. ft.; and
- operating hours of Monday to Sunday (7 days per week) from 10:00 a.m. to 11:00 p.m.

Under the site's existing CD-1(531) zoning, the application is "conditional" so it may be permitted; however, it requires the decision of the Director of Planning.

We welcome your written comments on this application by **June 18, 2019**. For more information and updates, visit: vancouver.ca/devapps

Or contact **Cody Profili**, Project Coordinator at **604.829.9237** or cody.profil@vancouver.ca

Profili, Cody

From: s.22(1)
Sent: Tuesday, June 18, 2019 9:59 AM
To: Profili, Cody
Cc: s.22(1)
Subject: 191 W 2nd Av (DP-2019-00302) - Retail Cannabis - R50

Hi Cody,

s.22(1) from
this proposed retail cannabis space, and we'd like to express our concerns.

We are deeply concerned regarding the existence and the extended hours to the store, as we've witnessed other areas in the lower mainland evolve unpleasantly when there's a cannabis store present. The customer population can be somewhat suspect, not all, but a large proportion. We have a park that is a block or two away that often has many children and families.

We have concerns regarding the health effects on those exposed to second hand smoke and the social implications to young children seeing marijuana use in the park. There is well documented literature regarding the carcinogenic effects of marijuana use and the negative affects on a developing brain. This isn't about whether it should be legal or not, more so if this change will have a positive effect on the local Vancouver community. In our view, there will be a negative impact to surrounding businesses that choose to set up in our area and residences. We would be worried about raising our kids in this area.

Thank you for your consideration,

s.22(1)

Profili, Cody

From: Karley Burtini <KBurtini@tapandbarrel.com>
Sent: Tuesday, June 18, 2019 9:03 AM
To: Profili, Cody
Subject: 191 W 2nd Av (DP-2019-00302) - Retail Cannabis - R49
Attachments: VancouverChoomCommunitySupportLetterStrongManagement.docx

To Whom It May Concern:

Please find attached a letter in support of Choom Cannabis.

Thank you,
Karley

Karley Burtini
Executive Assistant to the CEO | Tap & Barrel Restaurants • Head Office

PLEASE NOTE OUR NEW OFFICE ADDRESS EFFECTIVE JUNE 17, 2019

778-886-7110 | KBurtini@tapandbarrel.com
200-97 East 2nd Avenue, Vancouver V5T 1B3



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Tap & Barrel
200 – 97 E. 2nd Avenue
Vancouver, BC V5T 1B3

June 17, 2019

City of Vancouver – Planning Department
453 W. 12th Avenue
Vancouver, BC V5Y 1V4

Attn: Director of Planning

RE: Choom BC Retail Holdings – Retail Cannabis Store Development Permit Application – 191 W 2nd Avenue, DP-2019-00302

To Whom It May Concern:

I'm writing today in support of Choom's proposed retail location at 191 W 2nd Avenue. As a business owner in the Greater Vancouver community, I have a vested interest in ensuring that cannabis is dispensed responsibly through licensed retail outlets.

Evidence from states and countries that have legalized or decriminalized cannabis (including Canada) clearly shows that legal cannabis retail does not negatively impact the community; in fact, it can improve community wellbeing by increasing public awareness, reducing illegal activity, and providing a quality-assured supply of cannabis products.

Unlike illicit black-market operations, Choom will be accountable to its customers, its shareholders, the communities it serves, and to municipal, provincial, and federal authorities. Choom is also publicly traded and operated by an experienced senior management team. With this in mind, I have no doubt that Choom will operate with complete integrity and transparency, and that they will be a good neighbour and have a positive influence on the surrounding community.

In closing, I'd like to thank you for taking the time to consider my comments. I'll hope for and anticipate a favourable decision.

Sincerely,

Daniel Frankel
CEO | Tap & Barrel Restaurants



Profili, Cody

From: s.22(1)
Sent: Monday, June 17, 2019 4:02 PM
To: Profili, Cody
Subject: 191 W 2nd Av (DP-2019-00302) - Retail Cannabis - R46

Hi Cody,

Written comments to city of Vancouver re Notice of development application for 191 W 2nd Avenue DP-2019-00302

I am writing in response to the Notice of Development application on June 4, 2019 re 191 W 2nd Avenue DP-2019-00302 for permission to change the use from Retail to Retail Cannabis Store on this site.

I strongly object for putting in a Cannabis store on this site for the following reasons:

1. The whole new development at this False Creek site is for young families with children. There is a playground or park in the neighborhood for kids to go to. I understand there will also be a school build around that neighborhood at some point in time. To allow a Cannabis store in a completely residential area is totally inappropriate and would completely alter the environment that will no longer be suitable for young families with children to reside.
2. The proposed Cannabis store is located in a retail premises situated right below a residential building and the store will be opened till 11pm each day. This makes the environment unsafe for children or young adults living in that neighborhood especially in the same building where the Cannabis store is situated.
3. There is already a PUB in the neighborhood and with the Cannabis store located in the same area; the combined PUB and Cannabis store would complicate matters further and endangers the health or life of individuals when access to alcohol and Cannabis is within close proximity.
4. The Cannabis store should be located in a commercial area with all other business together.

Please take into consideration of all the comments and hopefully the City of Vancouver will not approve this Application as it would totally destroy this neighborhood. Thanking you in advance.

s.22(1)

Profili, Cody

From: s.22(1)
Sent: Sunday, June 16, 2019 10:43 PM
To: Profili, Cody
Subject: 191 W 2nd Av (DP-2019-00302) - Retail Cannabis - R45

Hi Mr Profili,

This proposed site is in a very nice, convenient location in the neighborhood of the Olympic Village area. However, it is also very close to the children's **Hinge Park playground** area and it is in front of the **young family residence** building at s.22(1). There are also cafes and restaurants around the proposed site. It means that parents with their young kids will be around the proposed area.

My point is that it's easy for them to pick other location away from this area. But, it is not easy for the parents to explain to their kids avoid going into this store, particularly some cannabis stores sell candy and treats with drug ingredients in it. We want to spend time to educate our kids to gain proper knowledge. Please make life easier for the future generation of the society.

s.22(1) I hope that the city will seriously look into this application.

s.22(1)

Profili, Cody

From: s.22(1)
Sent: Sunday, June 16, 2019 10:20 AM
To: Profili, Cody
Subject: 191 W 2nd Av (DP-2019-00302) - Retail Cannabis - R44

Hi Cody,

s.22(1) I have received the notice of development application for a retail cannabis store at 191 West 2nd Ave and am deeply concerned.

s.22(1) there are already buildings for low income people. Unfortunately, a huge amount of them tend to be drug users. I am not just making assumptions but have actually seen it.

s.22(1) a tend to be drug user trying to break in through the lobby door in board day light. Also, s.22(1) there were several people lying on the street showing signs of drug use. Due to the affect of drug use, they may not act using common sense and have the self control. I am scared of my safety and this is not a safe and healthy environment for myself and others to live in.

And now we are even building a cannabis store, knowing the affect of using it, the concern of safety and cleanliness around my living environment has significantly increased. It shouldn't be a hope and wish to live in a safe environment, it is a basic need for a human being.

I am writing to show my concern and also wanting to know what can be done to put an end to this development. Thank you for taking time to read this email!

s.22(1)

Profili, Cody

From: s.22(1)
Sent: Sunday, June 16, 2019 3:27 AM
To: Profili, Cody
Subject: 191 W 2nd Av (DP-2019-00302) - Retail Cannabis - R43

Mr. Profili

As s.22(1) in Olympic Village I have made a few observations that I think are relevant to the application noted above.

Before we purchased our condo we looked at future development in the area and noted that an elementary school has been promised along with a few new towers. We note that there has been no hint that the school will be built soon while 6 (at my count) social and modular housing projects have been built, and now a 2800+ sq ft cannabis store is proposed.

This retail space would be better directed to an enterprise that supports the many young families in the neighbourhood such as a produce or grocery store.

One of the things that attracted us to the area was the age diversity and the energy that having young families brings to OV. Without a school these families will leave.

Get the school built to encourage the families to stay, and halt the proliferation of social and modular housing and now a huge cannabis store.

Building more of the latter will only add to the used drug paraphernalia that already litters the neighbourhood.

Thank you for opportunity to share my thoughts. I only hope that community concerns are listened to and that your decision is not already made.

s.22(1)

Sent from my iPhone

Profili, Cody

From: s.22(1)
Sent: Friday, June 14, 2019 6:38 PM
To: Profili, Cody
Subject: 191 W 2nd Av (DP-2019-00302) - Retail Cannabis - R42

Hi Cody,

I oppose the development permit application for a Cannabis retail store at 191 West 2nd Avenue.

s.22(1) The change in zoning of this location should be denied for a variety of reasons, including:

- the site is within 300 meters of the proposed Olympic Village school. Although this school is not yet built, the area is overflowing with children and demand for this school's construction is quickly growing.
- there has been significant efforts to control litter in the nearby hinge park, and this business will further exacerbate those problems. *Every strata corporation in the nearby area has strict no-smoking by-laws*, and this retail location is likely to result in further litter and illegal use in hinge park and/or the seawall.
- the site is in very close proximity to a large population of vulnerable residents living at Marguerite Ford Apartments, Hummingbird Place temporary modular housing, and the Yukon Shelter and Housing Centre, among others. And although cannabis may provide some of these residents substitution for other drugs, a retail dispensary designed to profit from these residents is not an appropriate for this type of therapy.

Thank you,

s.22(1)

Profili, Cody

From: s.22(1)
Sent: Friday, June 14, 2019 4:50 PM
To: Profili, Cody
Subject: 191 W 2nd Av (DP-2019-00302) - Retail Cannabis - R41

Dear Cody Profili,

I am writing in response to your request for written comments on this application for permission to change use on the property referred to above from Retail to Retail Cannabis Store.

As an original owner and resident of a condominium in the Olympic Village, I am concerned about decisions that have been made by the City and the changes that are taking place in the Village.

In addition to the existing three social housing projects – Station Street, Marguerite Ford Apartments and First Place, the residents of the Olympic Village are now coping with three Temporary Modular Housing units – 220 Terminal, 265 West 1st and Margaret Mitchell Place. There has been a noticeable increase in individuals checking car doors at night and aimless wandering, and pan handling. Operating a retail Cannabis store late at night 7 days a week is not going to attract a desirable clientele and is not going to contribute to the health and safety of the existing community. The housing projects already make residents uncomfortable walking at night when previously this was not an issue.

At 2839 sq. ft, the property in question is not a small operation. Perhaps the business owner has chosen this location bearing in mind the proximity of “guaranteed vulnerable” clientele in the neighborhood.

The Olympic Village has attracted many families with young children. So far there has been no sign of the proposed elementary school to accommodate the children of these families.

I appreciate receiving notice of this application and the opportunity to respond. I hope the City will consider the residential nature of the Olympic Village, the families with children and the ever increasing number of towers built and yet to be built which will inevitably bring more youngsters to the area. Raising kids in condos is not ideal. We need a school and safe areas for our kids to play, we do not need a cannabis outlet. There are surely other more suitable areas for a retail cannabis outlet and other more appropriate uses that could be made of the space in question. Please listen to the residents.

Thank you for your consideration.

Yours truly,

s.22(1)

Profili, Cody

From: s.22(1)
Sent: Friday, June 14, 2019 1:54 PM
To: Profili, Cody
Subject: 191 W 2nd Av (DP-2019-00302) - Retail Cannabis - R45

Hi Cody,

Just wanted to comment on the proposal as a neighbourhood resident, home owner and small business owner.
I'm all for it. Likely won't use it, but it's a legal product now, time to get with the times! I'd rather see something new and unique, we already have lots of banks, software companies, and pubs.

Thanks

s.22(1)

Profili, Cody

From: s.22(1)
Sent: Friday, June 14, 2019 11:33 AM
To: Profili, Cody
Subject: 191 W 2nd Av (DP-2019-00302) - Retail Cannabis - R40

Good day,

EPS 2983 Strata Council is opposed to project DP-2019-00302 (cannabis retail store at 191 W 1st av) on a number of grounds.

1. Hours of operation: 11 pm closing time will add to the area's issue of noise, traffic, parking, congestion and other related disturbances
2. We feel that operating 7 days a week is excessive
3. We have concerns and would like to know of the city's risk mitigating plan regarding the aftermath of consumption in the nearby area of this retail outlet and in close proximity to homes of individuals who are trying to reduce or stop substance use

We have noticed an increase in police presence in our area following an increase in crime

Our Strata has adopted non-smoking and non-growing by-laws to mitigate the risk of fire, the scent of cannabis infiltrating the homes of non users and the potential mold issue from growing 4 plants per unit multiplied by 246, could pose

Although we are cognizant of the fact that individuals are free to purchase at any cannabis retailer and consume in our area, we believe that this store will augment the already significant issues outlined above

We ask that this application be denied

On behalf of EPS 2983

Sent from my iPhone

Profili, Cody

From: s.22(1)
Sent: Thursday, June 13, 2019 3:22 PM
To: Profili, Cody
Subject: 191 W 2nd Av (DP-2019-00302) - Retail Cannabis - R39

Dear Cody,

Thank you for considering this letter of opposition to the application for a cannabis retail store at 191 West 2nd Ave. We live s.22(1) s.22(1) involved in our neighbourhood. We feel this development application should be denied for the following reasons:

- The proposed site shares the same 100 block of West 2nd Avenue with the West Village Children's Centre. This busy daycare is located at 131 West 2nd Ave., meaning the cannabis store would be just 110 metres away.
- The site is within 300 metres of the proposed Olympic Village elementary school. Although not yet built, the plan for the elementary school is noted in the Official Community Plan. It is our understanding that the school board is well aware of the critical need to move forward quickly to provide a new school for the extraordinary number of children in SouthEast False Creek.
- The proposed site is also close to Hinge Park with its busy children's playground, Habitat Island (with its party hardy reputation), the seawall and Creekside Community Centre. As you are likely aware, the City has been working with the community to try and reduce drug use, needles and garbage in these public areas.
- Finally, the site is close to a significant population of vulnerable residents living in our area, including those at the Marguerite Ford Apartments, Hummingbird Place temporary modular housing, and the Yukon Shelter and Housing Centre. To allow the opening of a retail dispensary designed to profit from drug users (yes, using a now-legal drug, but a drug nonetheless) seems counter to our city's efforts to support marginalized populations.

Thank you for hearing our concerns.

Sincerely,

s.22(1)

Profili, Cody

From: s.22(1)
Sent: Thursday, June 13, 2019 2:31 PM
To: Profili, Cody
Cc: s.22(1)
Subject: 191 W 2nd Av (DP-2019-00302) - Retail Cannabis - R38

Hi Cody,

We are in receipt of the notification postcard for the above proposed development. We are strongly against such development for the following reasons:

* the Olympic Village area is home to many young families with small children. s.22(1)
Even though cannabis has been legalized, there are many health and safety efforts that are largely undetermined, especially when it comes to the dangerous effects for people who are under its influence. Therefore, we feel that a cannabis retail store is not comparable with residential area and not conducive to healthy and green living that Olympic Village area is designed and known for.

* The Strata Council of False Creek Wall Centre has been struggling with complaints of people smoking within their units, which is against the strata bylaws, especially for cannabis smoking due to its strong and offensive odour. Having a store within half a block from the proposed cannabis store could result in exacerbation of the problem due to its close proximity to our condo buildings and the convenience factor.

We sincerely hope that Planning Staff will take comments submitted by local residents seriously and consider the well being and the negative impacts the proposed development would have in our neighbourhood and our community in the approval process.

Please contact me should you need any clarifications on our comments.

Thank you,

s.22(1)



Profili, Cody

From: s.22(1)
Sent: Thursday, June 13, 2019 2:22 PM
To: Profili, Cody
Subject: 191 W 2nd Av (DP-2019-00302) - Retail Cannabis - R37

Hi Cody,

I just wanted to send a quick letter of opposition in regards to the development permit application for a Cannabis retail store at 191 West 2nd Avenue.

s.22(1) The change in zoning of this location should be denied for a variety of reasons, including:

- the site is within 300 meters of the proposed Olympic Village school. Although this school is not yet built, the area is overflowing with children and demand for this school's construction is quickly growing (<http://olympicvillageschool.com>).
- there has been significant efforts to control litter in the nearby hinge park, and this business will further exacerbate those problems. *Every strata corporation in the nearby area has strict no-smoking by-laws*, and this retail location is likely to result in further litter and illegal use in hinge park and/or the seawall.
- the site is in very close proximity to a large population of vulnerable residents living at Marguerite Ford Apartments, Hummingbird Place temporary modular housing, and the Yukon Shelter and Housing Centre, among others. And although cannabis may provide some of these residents substitution for other drugs, a retail dispensary designed to profit from these residents is not an appropriate for this type of therapy.

Thank you,

s.22(1)

Profili, Cody

From: s.22(1)
Sent: Thursday, June 13, 2019 2:05 PM
To: Profili, Cody
Subject: 191 W 2nd Av (DP-2019-00302) - Retail Cannabis - R36
Attachments: ref_CD-1(531).pdf; ATT00001.htm; ref_ZD bylaw_Section 11.pdf; ATT00002.htm

We are opposed to the above allocation on a number of grounds

1. The hours of operation till 11.00 pm will give rise to an issue of noise and disturbance in the surrounding and growing residential area of the South False Creek
2. Seven days week is not acceptable.
3. This proposed application is in close proximity to a number of transition homes for street people that use these drugs and create concern for the ongoing safety for the residents in the Athletes Village area

Further more there are a number of “**Transitional Homes**” close by to this application that create a concern

- (a) The Marguerite Ford building at Cook St & West 2nd Ave
- (b) The adjoining Stanford House on West 2nd

Both the above social housing development require constant Vancouver Police presence and we have seen an increase in the crime rate in our area

Added to the above are the following locations which give rise for concern for the safety of residents

- (c) The Temporary housing between Cook St. and Crowe St on west 1st Ave
- (d) The Temporary housing at the Olympic Village Canada Line station
- (d) The temporary housing at Terminal & main Street

All theses locations are in close proximity to a high density residential area that is supposed to **the Jewel of the City of Vancouver**

We suggest that the proposed store would be a haven for people that should not be encouraged to continue to use these addictive drugs

Strata's in the Athletes village are having to increase strata fees to pay for extra day and night time security patrols resulting in an increase in break and enter crimes.

The police response is limited due to staffing issues and do not generally respond unless there is a serious incident.

All strata's buildings in the Village have adopted a **non smoking, selling and distribution and use of Cannabis By- Law** both in side the units and on roof deck and patios in an attempt to limit the risk of fire and the smell of cannabis in our buildings.

This proposal will most likely increase the personal use of this drug by residents and give rise to complaints from residents that volunteer strata members have to deal with from people that object to the odour.

The location of this proposed cannabis store close to people who need to get off these drugs will only increase their need to commit crimes to obtain money to purchase these addictive drugs.

We ask that this application be denied

s.22(1)



CD-1 (531)

105 - 167 West 2nd Avenue

By-law No. 10482

(Being a By-law to Amend By-law 3575, being the Zoning and Development By-law)

Effective May 15, 2012

(Amended up to and including By-law No. 12084, dated May 1, 2018)

1 Zoning District Plan amendment

This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z-637 (a) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.

2 Definitions

In this By-law:

“Entry Alcoves” mean covered exterior spaces enclosed with vertical walls on three sides and adjacent to an entryway.

3 Uses

3.1 The description of the area shown within the heavy black outline on Schedule A is CD 1 (531).

3.2 Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (531) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Dwelling Uses, limited to Multiple Dwelling, Seniors Supportive or Assisted Housing, and Dwelling Units in conjunction with any use listed in this section 3.2;
- (b) Institutional Uses, limited to Child Day Care Facility, Social Service Centre, and Special Needs Residential Facility;
- (c) Live-Work Use;
- (d) Manufacturing Uses, limited to Bakery Products Manufacturing, Batteries Manufacturing, Clothing Manufacturing, Dairy Products Manufacturing, Electrical Products or Appliances Manufacturing, Food or Beverage Products Manufacturing - Class B, Furniture or Fixtures Manufacturing, Ice Manufacturing, Jewellery Manufacturing, Leather Products Manufacturing, Miscellaneous Products Manufacturing - Class B, Non-metallic Mineral Products Manufacturing - Class B, Plastic Products Manufacturing, Printing or Publishing, Rubber Products Manufacturing, Shoes or Boots Manufacturing, Software Manufacturing, Textiles or Knit Goods Manufacturing, Tobacco Products Manufacturing, and Wood Products Manufacturing - Class B;
- (e) Office Uses;
- (f) Parking Uses;
- (g) Retail Uses, but not including Gasoline Station - Full Serve, Gasoline Station - Split Island, Liquor Store, Vehicle Dealer, Grocery or Drug Store and Grocery Store with Liquor Store; [12084; 18 05 01]
- (h) Service Uses, limited to Barber Shop or Beauty Salon, Beauty and Wellness Centre, Bed and Breakfast Accommodation, Catering Establishment, Laundromat or Dry Cleaning Establishment, Photofinishing or Photography Laboratory, Photofinishing or Photography Studio, Print Shop, Repair Shop – Class B, Restaurant – Class 1, School – Arts or Self-Improvement, and School - Business;
- (i) Accessory Uses customarily ancillary to the uses listed in this section 3.2; and
- (j) Interim Uses not listed in this section 3.2, and accessory uses customarily ancillary to them, if:
 - (i) the Director of Planning or Development Permit Board considers that the interim use will be compatible with and not adversely affect adjacent development, that either exists or that this By-law allows,
 - (ii) the Director of Planning or Development Permit Board is satisfied that the interim use is easily removable and is of low intensity or low in capital investment,

Note: Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 10482 or provides an explanatory note.

- (iii) the Director of Planning or Development Permit Board is satisfied that there is no risk to the public from contaminated soils, either on or adjacent to CD-1 (531), and
- (iv) any development permit for an interim use has a time limit of three years.

4 Conditions of use

- 4.1 Dwelling units are in an “intermediate zone” as defined in the Noise Control By-law, and, as a result, are subject to the noise levels permitted in industrial and downtown districts.
- 4.2 The design and lay-out of at least 25% of the dwelling units must:
 - (a) be suitable for family housing;
 - (b) include two or more bedrooms; and
 - (c) comply with Council’s “High Density Housing for Families with Children Guidelines”.
- 4.3 All uses except dwelling uses and institutional uses must have direct access to grade.
- 4.4 Any development permit issued for live-work uses must stipulate as permitted uses:
 - (a) dwelling units;
 - (b) general office, health care office, barber shop or beauty salon, photofinishing or photography studio, or artist studio – Class A; and
 - (c) dwelling unit combined with any uses set out in subsection (b).

5 Density

- 5.1 Floor area for all permitted uses must not exceed 36 754 m².
- 5.2 Computation of floor space ratio must include:
 - (a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground, measured to the extreme outer limits of the building;
 - (b) stairways, fire escapes, elevator shafts, and other features, which the Director of Planning considers similar, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located; and
 - (c) in the case of dwelling uses and live-work use, if the distance from a floor to the floor above or, in the absence of a floor above, to the top of the roof rafters or deck exceeds 4.3 m, an additional amount equal to the area of the floor area below the excess height, except for additional amounts that represent undeveloped floor areas beneath roof elements, which the Director of Planning considers to be for decorative purposes and to which there is no means of access other than a hatch, residential lobbies, and mechanical penthouses.
- 5.3 Computation of floor space ratio must exclude:
 - (a) open residential balconies or sun decks, entry alcoves and any other appurtenances, which in the opinion of the Director of Planning, are similar to the foregoing, except that the total area of all exclusions must not exceed 8% of the residential floor area being provided;
 - (b) patios and roof gardens, if the Director of Planning first approves the design of sunroofs and walls;
 - (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses, which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length;

- (d) undeveloped floor area located above the highest storey or half-storey with a ceiling height of less than 1.2 m, and to which there is no permanent means of access other than a hatch;
- (e) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² for a dwelling unit, there is to be no exclusion for any of the residential storage space above base surface for that unit;
- (f) amenity areas including recreation facilities, and meeting rooms, except that the total area excluded must not exceed 1 000 m²; and
- (g) floor area of child day care facilities.

5.4 Computation of floor space ratio may exclude, at the discretion of the Director of Planning or Development Permit Board:

- (a) enclosed residential balconies, if the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council, and approves the design of any balcony enclosure, except that:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions, must not exceed 8% of the residential floor area being provided, and
 - (ii) enclosure of the excluded balcony floor area must not exceed 50%;
- (b) windows recessed into the building face to a depth of no more than 160 mm, except that the Director of Planning or Development Permit Board may allow a greater depth in cases where it improves building character;
- (c) unenclosed outdoor areas at grade level, underneath building overhangs, if:
 - (i) the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council, and approves the design of any overhangs, and
 - (ii) the area of all overhang exclusions does not exceed 1% of the residential floor area being provided;
- (d) despite section 5.2(c), open to below spaces or double height volumes in two-storey units, if the location of the first floor is within 2 m of grade to a maximum of 15% of the floor area of the first floor of that unit, for residential and live-work units;
- (e) features generally on the westerly facades of buildings to reduce solar gain, which may be in the form of french balconies and horizontal extensions; and
- (f) tool sheds, trellises and other garden structures, which support the use of intensive green roofs and urban agriculture, and, despite section 5.2(b), those portions of stairways and elevator enclosures, which are at the roof level providing access to the garden areas.

5.5 The use of floor space excluded under section 5.3 or 5.4, must not include any purpose other than that which justified the exclusion.

6 Building height

6.1 The building height, measured above base surface and to the top of the roof slab above the uppermost habitable floor, excluding parapet wall, must not exceed 46.0 m.

6.2 Section 10.11 of the Zoning and Development By-law is to apply, except that despite section 10.11 and section 6.1 of this By-law, the Director of Planning or Development Permit Board, as the case may be, may permit a greater height than otherwise permitted for structures, which support the use of intensive green roofs or urban agriculture, such as elevator and stair enclosures, amenity areas, tool sheds, trellises, and other garden structures.

7 Horizontal angle of daylight

7.1 Each habitable room must have at least one window on an exterior wall of a building.

7.2 The location of each such exterior window must allow a plane or planes extending from the window, and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.

- 7.3 Measurement of the plane or planes referred to in section 7.2 must be horizontally from the centre of the bottom of each window.
- 7.4 If:
- (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
 - (b) the minimum distance of unobstructed view is not less than 3.7 m;
- the Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement.
- 7.5 An obstruction referred to in section 7.2 means:
- (a) any part of the same building including permitted projections; or
 - (b) the largest building permitted under the zoning on any site adjoining CD-1 (531).
- 7.6 A habitable room referred to in section 7.1 does not include:
- (a) a bathroom; or
 - (b) a kitchen whose floor area is the lesser of:
 - (i) less than 10% of the total floor area of the dwelling unit, or
 - (ii) less than 9.3 m².

8 Parking, loading, and bicycle spaces

Any development or use of the site requires the provision and maintenance of off-street parking spaces, loading spaces, and bicycle spaces, in accordance with the Parking By-law.

9 Acoustics

All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement, demonstrating that the noise levels in those portions of dwelling units listed below, do not exceed the noise level set opposite such portions. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq) sound level and is defined simply as noise level in decibels.

Portions of dwelling units	Noise levels (Decibels)
Bedrooms	35
Living, dining, recreation rooms	40
Kitchen, bathrooms, hallways	45

10 Severability

A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

11 Force and effect

This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 15th day of May, 2012.



Section 11

Additional Regulations

Whenever any of the following uses are permitted in any district pursuant to any provision of this By-law, the following additional regulations shall apply:

- 11.1 Development in an RA, RS, RT or C-1 District**, on a corner site which has located at its rear, with or without the intervention of a lane, a site which fronts on the street flanking the corner site, shall provide:
- (a) in the case of the principal building, a setback from the flanking street of a distance not less than one half of the depth of the required front yard of the rear site, but which need not exceed the greater of 3.7 m or the minimum side yard of the District Schedule, or result in the reduction of the building width on the corner lot to less than 7.9 m so long as the minimum side yards of the district schedule are provided; and
 - (b) in the case of any accessory building, a setback of 7.3 m from the flanking street or as otherwise approved by the Director of Planning.
- 11.2 Development in an RS, RT or C-1 District** on a site which is less than 36.6 m deep may reduce the required depths as follows:
- (a) the front yard to 20 percent of the average depth of the site, except that the front yard shall in no case have a depth of less than 5.5 m;
 - (b) the rear yard to 30 percent of the average depth of the site, except that the rear yard shall in no case have a depth of less than 8.2 m or, where it abuts a lane, 8.2 m less the lane width between the rear property line and the ultimate centre line of the lane.
- 11.3 Development in an M or I (Industrial) District or a CD-1 (Comprehensive Development) District** where the site abuts any portion of the streets, lanes or other areas set forth in Schedule C to this By-law, shall be subject to the following:
- 11.3.1 A setback shall be provided and maintained at a depth as set forth in Schedule C.
 - 11.3.2 No building or structure of any kind, or area for manoeuvring aisles, parking, loading or any other like purpose, shall be permitted within the setback area.
 - 11.3.3 Except as provided for elsewhere in this section, the setback area shall be fully graded and landscaped with trees, shrubs and lawn to the satisfaction of the Director of Planning.
 - 11.3.4 The following may be permitted within the landscaped setback area by the Director of Planning:
 - (a) statuary, fountains and other objects of art;
 - (b) open ornamental fences if necessary for the protection and preservation of landscaping or permitted objects of art;
 - (c) walks or driveways which in the opinion of the Director of Planning may be required to provide direct access to any building or use on the site.
- 11.4 Bed and Breakfast Accommodation** -- subject to the following:
- 11.4.1 A maximum of two bedrooms accommodating a maximum of four bed and breakfast guests may be permitted in a dwelling unit.

11.4.2 The provision of bed and breakfast accommodation shall not be permitted coincidentally with the keeping of boarders and lodgers.

11.4.3 The operator of the bed and breakfast accommodation shall reside in the dwelling unit.

11.5 Riding Ring -- subject to the following:

11.5.1 No riding ring shall be used for the sale, whether by auction or otherwise, of horses or other animals.

11.5.2 In the granting of a development permit, the Director of Planning shall have regard to the size, siting and location of the proposed development, the type and hours of operation, whether operated privately or open to the public with or without payment, generation of traffic, parking facilities and any effect upon adjacent property and the amenity of the neighbourhood, and shall notify such owners of adjoining property as he deems necessary.

11.6 Homecraft -- subject to the following:

11.6.1 No person other than one resident member of the family occupying the dwelling shall be engaged in the homecraft on the premises;

11.6.2 Where located in an R district, there shall be nothing to indicate from the exterior of the dwelling unit or building that it is being used for any purpose other than its principal or approved use;

11.6.3 No products or material shall be sold from or within the dwelling unit;

11.6.4 No products or materials shall be stored outside of the dwelling unit, building or accessory building;

11.6.5 No offensive noise, odour, vibration, smoke, heat or other objectionable effect shall be produced.

11.7 Church -- subject to the following:

11.7.1 The site shall have a minimum frontage of 20.1 m.

11.7.2 The Director of Planning may permit a greater height than permitted by the district schedule, provided he first considers the effect of the additional height on the amenity of the neighbourhood.

11.7.3 Yards shall be provided in accordance with the district schedule except that interior side yards shall have a minimum width of 4.5 m plus an additional .3 m for every .6 m by which the height of the building exceeds 10.7 m.

11.8 School - Elementary or Secondary -- subject to the following:

11.8.1 The site shall have a minimum frontage of 20.1 m.

11.8.2 The Director of Planning may permit a greater height than permitted by the district schedule, provided he first considers the effect of the additional height on the amenity of the neighbourhood.

- 11.8.3 Yards shall be provided in accordance with the district schedule except that side yards shall have a minimum width of 6.0 m plus an additional .3 m for every .6 m by which the height of the building exceeds 10.7 m.

11.9 Hospital -- subject to the following:

- 11.9.1 Before granting a development permit, the Director of Planning shall:

- (a) be satisfied that the landscaping and open space provision is appropriate for the size and nature of the development;
- (b) have due regard to the design of all buildings, to the location and provision of off-street parking and loading, and to their effect on the amenity of the neighbourhood; and
- (c) prior to final consideration, notify adjacent property owners and any others that he deems necessary.

- 11.9.2 In the case of a specifically designed facility not being a conversion:

- (a) the site area shall not be less than 3 700 m² except as provided in clause (b) below;
- (b) the Director of Planning may permit a greater height than permitted by the District Schedule, provided he first considers the effect of the additional height on the amenity of the neighbourhood, and he may therefor require a site area of larger than 3 700 m²;
- (c) the floor space ratio shall not exceed the maximum permitted for any residential use in the particular district schedule.

- 11.9.3 In the case of a hospital resulting from the conversion of an existing building, the Director of Planning before granting a development permit shall be satisfied that the building is suitable for the conversion, having regard to the size of the site and building, open space on the site and the proximity of adjacent buildings.

11.10 Full Serve and Split Island Gasoline Stations -- subject to the following:

- 11.10.1 Yard Requirements:

In the case of a full serve or split island gasoline station located in a C-1 District, notwithstanding section 11.1 of this section and the front, side and rear yard regulations as set out in the C-1 Commercial District Schedule:

- (a) the minimum width of the side yard on a street which flanks a corner site shall be 4.5 m;
- (b) a rear yard with a minimum depth of 4.5 m shall be provided, except that where the rear property line of the site adjoins a dedicated lane, the minimum depth of the rear yard may be reduced by the width of that portion of the lane equal to the distance from the ultimate centre line of the lane to the rear line of the site;
- (c) pump islands shall be permitted in the front yard provided that they are set back a minimum distance of 4.5 m from the front property line;
- (d) canopies over the pump islands may be located to the satisfaction of the Director of Planning in the front and side yards as long as all such canopies are set back at least 1.5 m from the front or side property line of the site, as the case may be, and no canopy is longer than 33 percent of the length of the street boundary of the yard in which it is located, to a maximum of 12.2 m.

11.10.2 Outdoor Display of Merchandise:

Notwithstanding any other provisions of this By-law, no merchandise shall be displayed outdoors on any full serve or split island gasoline station site except for the following:

- (a) if located at a pump island, the small sample display of new tires, lubricating oils and automotive accessories;
- (b) if located adjacent to the principal building, tires and vending machines;
- (c) if located within an accessory building approved by the Director of Planning, other merchandise including fireplace logs, garden equipment, garden furniture and similar items.

11.10.3 Vehicles Parked or Stored on Site:

No truck, bus, utility or camper trailer, camper or similar vehicle shall be stored or parked at any time, other than the necessary waiting period for service, on a full serve or split island gasoline station site in a C (commercial) district except for the following:

- (a) in a C-1 District, trucks with a registered gross vehicle weight not exceeding 4 550 kg;
- (b) in all other C districts, trucks and small buses with a registered gross vehicle weight not exceeding 6 825 kg;
- (c) five utility trailers, provided that they do not exceed 1.5 m in width and 3.1 m in length and are located in the rear or side yards;
- (d) one service truck operated by the full serve or split island gasoline station;
- (e) trucks or equipment temporarily required for the construction, repair, servicing or maintenance of the premises.

11.10.4 Provision of Screening and Landscaping:

Full serve or split island gasoline stations in all districts shall be subject to the following:

- (a) except for points of access to and from the perimeter, every full serve or split island gasoline station site shall be screened to the satisfaction of the Director of Planning along those boundaries which adjoin or are across the lane from any R district or any residence in a C, M or I district;
- (b) the site of every full serve or split island gasoline station shall be properly landscaped and maintained with lawns, shrubs, trees or other suitable landscaping of a type and location to the satisfaction of the Director of Planning, such landscaping to constitute a minimum of five percent of the site subject to such minor variations as the Director of Planning may approve.

11.10.5 Vehicular Ingress and Egress (lanes):

The total width of vehicular access to a full serve or split island gasoline station from a lane in a C, M or I district shall not exceed an amount equal to 15 percent of the total length of the lane abutting the site; except that in no case shall the total width of vehicular access be restricted to less than 3.7 m.

- 11.11 [Reserved]
- 11.12 [Reserved]
- 11.13 [Deleted -- see Parking By-law.]
- 11.14 [Deleted -- see Parking By-law.]
- 11.15 [Reserved]
- 11.16 **Neighbourhood Grocery Stores and Dwelling Units in Conjunction with Neighbourhood Grocery Stores**
- 11.16.1 Neighbourhood grocery stores existing as of July 29, 1980 are permitted in any R district except the FM-1 district.
- 11.16.2 The maximum permitted frontage for a site is 15.3 m.
- 11.16.3 The maximum permitted floor area for all retail and storage space is 110 m².
- 11.16.4 The maximum permitted number of indoor and outdoor seats is 16.
- 11.16.5 Live entertainment is not permitted.
- 11.16.6 Before granting a development permit, the Director of Planning must:
- (a) notify surrounding property owners and residents;
 - (b) consider:
 - (i) the design of any proposed building addition;
 - (ii) the proposed solid waste program for collecting, storing and disposal of garbage and recycling; and
 - (iii) the impact on adjacent property owners and residents of a proposed building addition or solid waste program.
- 11.16.7 The Director of Planning may relax the provisions of this section 11.16 with regards to maximum frontage and the applicable zoning district regulations with regards to setbacks, floor space ratio or site coverage, in order to facilitate the rehabilitation of an existing neighbourhood grocery store or dwelling unit in conjunction with neighbourhood grocery store.
- 11.17 **Community Care Facility - Class B; or Group Residence; or Seniors Supportive or Assisted Housing** - subject to the following:
- 11.17.1 Before granting a Development Permit, the Director of Planning shall:
- (a) be satisfied that the landscaping and open space provision is appropriate for the size and nature of the development;
 - (b) have due regard to the effect of the design of all buildings and the provision and location of off-street parking and loading on the amenity of the neighbourhood;
 - (c) notify adjacent property owners and any others that he deems necessary; and
 - (d) consider all applicable policies and guidelines adopted by Council.

11.17.2 In the case of a specifically designed facility not being a conversion, the Director of Planning shall establish the minimum site area, having particular regard to:

- (a) the nature of the proposed facility in terms of type of service being provided and number of residents; and
- (b) the character of development within the adjacent neighbourhood.

11.17.3 In the case of a community care facility – class B, group residence, or seniors supportive or assisted housing resulting from the conversion of an existing building, the Director of Planning before granting a development permit shall be satisfied that the building is suitable for the conversion, having regard to the size of the site and building, open space on the site and the proximity of adjacent buildings.

11.18 Artist Studio

Where an artist studio is combined with a residential unit, the studio may only be used by the individuals residing in the residential unit associated with and forming an integral part of the artist studio.

11.19 Residential Unit Associated with an Artist Studio

11.19.1 The total minimum and maximum size of an Artist Studio when combined with a residential unit associated with and forming an integral part of an Artist Studio shall be 47 m² and 500 m², respectively.

11.20 Wedding Chapel

11.20.1 Subject to section 11.20.2, the size of a wedding chapel must not exceed 140 m².

11.20.2 The Director of Planning may permit a wedding chapel of a larger size having regard to the siting and location of the proposed development, the type and hours of operation, generation of traffic, parking facilities, and any effect upon adjacent property and the amenity of the neighbourhood, and will notify such owners of adjoining property as the Director of Planning deems necessary.

11.21 Farmers' Market

11.21.1 A Farmers' Market must be in:

- (a) open air stalls or booths;
- (b) stalls or booths partially or totally covered by tents or similar temporary structures; and
- (c) stalls or booths in a building approved for use as a Farmers' Market.

11.21.2 A Farmers' Market must have at least 11 stalls or booths, except that the Director of Planning may permit a lesser number of stalls or booths, if the Director of Planning first considers all applicable policies and guidelines adopted by Council.

11.21.3 The site area of a Farmers' Market must not exceed 2 323 m², except that the Director of Planning may permit an increase in site area, if the Director of Planning first considers all applicable policies and guidelines adopted by Council.

11.21.4 A vendor at a Farmers' Market must only sell: local fresh, dried or frozen fruit and vegetables; local dried or frozen meat and seafood; local eggs; local dairy products; local plants; local prepared foods; local ready-to-eat foods; local artisan crafts; or local wine, cider, beer or spirits.

11.21.5 No more than 40% of the total number of stalls or booths in a Farmers' Market may be used for the sale of local ready-to-eat foods and local artisan crafts.

11.21.6 There must be no more than three vendors selling or providing samples of local wine, cider, beer or spirits at a Farmers' Market.

11.22 Small-scale Pharmacy

11.22.1 A small-scale pharmacy must include at least 25 m² of publicly accessible space except that if the Director of Planning first considers all applicable guidelines and policies adopted by Council and potential impacts on the site and the surrounding properties, the Director of Planning may allow a lesser amount of space.

11.22.2 Any development permit for a small-scale pharmacy must be limited in time to two years from the date of issuance.

11.23 Live-Work Use

11.23.1 The size of a live-work unit must be at least 47 m².

11.24 Laneway House

11.24.1 In this section 11.24, "footprint" means the projected area of the extreme outer limits of a laneway house including carports, covered porches, and enclosed or covered accessory building areas but excluding steps, eaves, and such other projections as section 10.7 of this By-law may allow.

11.24.2 In this section 11.24, height is measured from the horizontal datum plane, which is the plane created by the average of the existing site elevations as measured at the intersections of the required setback lines from the ultimate rear property line, with the side property lines.

11.24.3 A laneway house is not permissible except in conjunction with a One-Family Dwelling or One-Family Dwelling with Secondary Suite on:

- (a) a site served by an open lane;
- (b) a site located on a corner served by an open or dedicated lane; or
- (c) a double-fronting site served by a street at both the front and rear of the site.

11.24.4 The width of a site on which a laneway house is situated must be at least 9.8 m, except that the Director of Planning may approve a laneway house on a site which is less than 9.8 m in width, if:

- (a) the site is at least 7.3 m in width; and
- (b) the Director of Planning first considers massing, overlook and impact on neighbourhood privacy and all applicable Council policies and guidelines.

11.24.5 A laneway house may have a basement.

11.24.6 For sites in the RS-3 and RS-3A Districts and the RS-6 District, and for sites 16.8 m or wider in the RS-5 District, the width of a laneway house, or a laneway house and an accessory building, must not exceed the permitted width for an accessory building under the applicable district schedule.

11.24.7 On east-west oriented sites, a laneway house must be located toward the south side of the site to reduce shadowing on the site to the north.

- 11.24.8 A laneway house may be one storey or one storey with a partial second storey.
- 11.24.9 Open balconies, sun decks, and roof decks are not permitted:
- (a) on a one storey laneway house; or
 - (b) above the partial second storey of a laneway house with a partial second storey.
- 11.24.10 The height of a one storey laneway house must not exceed 4.3 m in height measured to the highest point of the roof if a flat roof, or to the mean height level between the eaves and the ridge of a gable or hip roof, except that no portion of a one storey laneway house may exceed 5.2 m in height.
- 11.24.11 The location of a one storey laneway house must be:
- (a) within 10.7 m of the ultimate rear property line;
 - (b) at least 4.9 m, measured across the width of the site, from the one-family dwelling or one-family dwelling with secondary suite on the site;
 - (c) at least 0.9 m from the ultimate rear property line, except that the Director of Planning may relax the location to 0.6 m from the ultimate rear property line on sites less than 30.5 m in depth; and
 - (d) a distance from each side property line equal to at least 10% of the lot width, except that the Director of Planning may relax the location to:
 - (i) 0.6 m from one side property line for interior lots, and
 - (ii) 0.6 m from the inside side property line for corner lots.
- 11.24.12 Notwithstanding 11.24.11(a), where a site is 39.6 m or more in depth, the Director of Planning may permit a one storey laneway house to extend into a site to a maximum of 26% of the lot depth measured from the ultimate rear property line.
- 11.24.13 Site coverage must not exceed the permitted site coverage under the applicable district schedule, except that, for a one storey laneway house, the Director of Planning may permit an increase in the permitted site coverage of up to 7% to a maximum of 47% of the site area.
- 11.24.14 The height of a laneway house with a partial second storey must not exceed:
- (a) 6.7 m to the ridge of a gable or hip roof, with a minimum pitch of 7:12; or
 - (b) 5.8 m to the highest point of a roof with a pitch less than 7:12.
- 11.24.15 On a laneway house with a partial second storey and a roof pitch of:
- (a) at least 7:12, the height of the intersection of the exterior surface of the roof and the exterior wall surface of the building must not exceed 4 m from the horizontal datum plane; or
 - (b) less than 7:12, the walls of the partial second storey must be set back at least 0.6 m from the exterior walls of the floor below, except that there may be a single projection into the setback to a maximum of 35% of the width of the floor below.
- 11.24.16 The partial second storey of a laneway house must not exceed:
- (a) 60% of the footprint of the laneway house, if the roof has a minimum pitch of 3:12; or
 - (b) 50% of the footprint of the laneway house, if the roof has a pitch of less than 3:12,
- except that the calculation may exclude any floor area of the partial second storey that is not included in the calculation of floor area according to sections 11.24.24 and 11.24.25.
- 11.24.17 Dormers must be inset at least 0.6 m from the exterior walls of the floor below, except that there may be a single projection into the setback to a maximum of 35% of the width of the floor below.

11.24.18 The location of a laneway house with a partial second storey must be:

- (a) within 7.9 m of the ultimate rear property line;
- (b) at least 4.9 m, measured across the width of the site, from the one-family dwelling or one-family dwelling with secondary suite on the site;
- (c) at least 0.9 m from the ultimate rear property line, except that the Director of Planning may relax the location to 0.6 m from the ultimate rear property line:
 - (i) on sites less than 30.5 m in depth, or
 - (ii) for the width of an existing enclosed or covered parking area that forms part of the laneway house; and
- (d) a distance from each side property line which is at least equal to the required side yards for the site as prescribed by the applicable district schedule.

11.24.19 Notwithstanding 11.24.18(a), where a site is 39.6 m or more in depth, the Director of Planning may permit a laneway house with a partial second storey to extend into a site to a maximum of 21% of the lot depth measured from the ultimate rear property line.

11.24.20 The floor area of a laneway house must not exceed the lesser of:

- (a) 0.16 multiplied by the site area; and
- (b) 83.6 m².

11.24.21 Despite section 10.21, the floor area of a laneway house, excluding any floor area used for enclosed parking, must be at least 26 m², except that the Director of Planning may allow a reduction to not less than 19 m² if the Director of Planning first considers the design of the laneway house and all applicable Council policies and guidelines.

11.24.22 Except for a laneway house with no separate bedrooms, a laneway house must have:

- (a) one main habitable room that is not a bedroom, with a minimum size of 16.7 m² and a minimum dimension of 2.1 m measured between finished wall surfaces; and
- (b) at least one bedroom with a minimum size of 8.4 m² and a minimum dimension of 2.1 m measured between finished wall surfaces.

11.24.23 Computation of floor area for a laneway house must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building;
- (b) stairways, fire escapes, elevator shafts, and other features which the Director of Planning considers similar, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located;
- (c) the floor area of a basement;
- (d) floor area used for enclosed or covered parking; and
- (e) if the distance from a floor to the floor above or, in the absence of a floor above, to the top of the roof rafters or deck exceeds 3.7 m, an additional amount equal to the area of the floor area below the excess.

11.24.24 Computation of floor area for a laneway house must exclude:

- (a) areas of floors located:
 - (i) above the highest storey or half-storey and to which there is no permanent means of access other than a hatch, or
 - (ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m;
- (b) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (c) covered porches if:
 - (i) their location is at the level of the basement or first storey,
 - (ii) they are open on at least one side or protected by guard rails, the height of which must not exceed the minimum specified in the Building By-law,

- (iii) the total excluded floor area does not exceed 3 m², and
- (iv) the ceiling height of the total excluded area does not exceed 2.75 m measured from the porch floor;
- (d) 3% of the total area, where the exterior walls include a minimum of 175 mm of thermal insulation in total.

Where floor area is excluded under section 11.24.24(d), the Director of Planning may vary section 11.24.11(a) and 11.24.18(a) no more than 30 cm.

11.24.25 Computation of floor area for a laneway house may exclude:

- (a) open balconies, sun decks, roof decks, or any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, if the open balconies, sun decks, or roof decks face the lane or, in the case of a corner site, the lane and flanking street or either of them;
- (b) patios and green roofs if the Director of Planning first approves the design of sunroofs, walls, and railings;
- (c) despite section 11.24.23(e), open to below spaces or double height volumes under sloping roofs with a pitch of at least 3:12 if:
 - (i) the vertical distance from the floor level to the ceiling does not exceed 4.5 m,
 - (ii) the ceiling attaches directly to the underside of the sloping roof rafter and follows its slope,
 - (iii) the excluded area does not exceed 25% of the maximum floor space under section 11.24.20, and
 - (iv) the excluded area, combined with the excluded area under subsection (d), does not exceed 25% of the maximum allowable floor area;
- (d) despite section 11.24.23(e), floor areas under sloping roofs with a pitch of at least 3:12 if:
 - (i) the vertical distance from the floor to any part of the ceiling is between 1.2 m and 2.1 m,
 - (ii) the ceiling attaches directly to the underside of the sloping roof rafter and follows its slope,
 - (iii) the excluded floor area does not exceed 10% of the maximum floor area allowed under section 11.24.20, and
 - (iv) the excluded area, combined with the excluded area under subsection (c), does not exceed 25% of the maximum allowable floor area;
- (e) for units that have a partial second floor, an area not exceeding 2.75 m² for stairs, if the excluded area, combined with the excluded areas under subsections (c) and (d), does not exceed 25% of the maximum allowable floor area; and
- (f) an area not exceeding 3.7 m² for residential storage space, clothes closets and linen closets.

11.24.26 Private outdoor space must be provided in the form of:

- (a) an open balcony, sun deck, or roof deck; or
- (b) a patio located at grade with a minimum size of 3.7 m² and a minimum dimension of 1.5 m.

11.24.27 The setback provided in accordance with sections 11.24.11(c) and 11.24.18(c) must be permeable and landscaped where not required for vehicle or fire access.

11.24.28 A laneway house must include:

- (a) a minimum 75 mm wide trim around all doors and windows, excluding door sill trim, except where a window or door is recessed no less than 100mm behind the adjacent exterior wall faces; and
- (b) a canopy over the main entry door.

- 11.24.29 A main entry door that faces the lane must be set back at least 1.5 m from the ultimate rear property line.
- 11.24.30 On a corner site, the main entry door of a laneway house must face the flanking street.
- 11.24.31 At least 10% of the building elevation facing the lane must contain windows no smaller than 1.1 m².
- 11.24.32 Unless located at least 1.5 m above the floor of the partial upper storey, or facing the lane or a flanking street, windows with transparent glazing on a partial second storey must not exceed 1.1 m².
- 11.24.33 Wall cladding materials on a building elevation facing a lane or street must be continued in equal proportions, no less than 2.0 m along adjacent side walls or 1.2 m where the discontinuation of a material occurs at a change in the building wall plane, such as at a bay or chimney projection.
- 11.24.34 The Director of Planning may relax the design provisions in section 11.24.15, 11.24.17, 11.24.28, 11.24.29, 11.24.30, 11.24.31, 11.24.32, or 11.24.33 if, in the opinion of the Director of Planning, the design of a laneway house meets the intent of the laneway house regulations for quality and durability of design and architectural expression and is not compatible with one or more of the design requirements in those sections.
- 11.24.35 If the Director of Planning first considers the effects on neighbouring properties with regard to overlook, massing and neighbourhood privacy, and the intent of this section 11.24 and all applicable Council policies and guidelines, the Director of Planning may relax the provisions of sections 11.24.6, 11.24.7, 11.24.10, 11.24.11(a), (c) and (d), 11.24.14, 11.24.18(a), (c) and (d), 11.24.22, and 11.24.26 if:
 - (a) due to topography or other conditions peculiar to the site, literal enforcement would result in unnecessary hardship;
 - (b) the relaxation is necessary to retain a tree; or
 - (c) the relaxation is necessary to allow a green roof that does not have railings or stair access.

11.25 Freehold Rowhouses

- 11.25.1 Computation of floor area, floor space ratio, yards, site coverage, impermeability, number of buildings on site and dwelling unit density must be based on the site width and area at the time of development, prior to any subdivision into individual freehold rowhouse parcels.
- 11.25.2 For the purpose of fee simple subdivision, the minimum site width and frontage for each freehold rowhouse parcel is 5 m.

11.26 Temporary Sales Office

- 11.26.1 The minimum site size shall be 2 000 m², except that the Director of Planning may permit a smaller site provided that all parking required by the Parking By-law is provided on site.
- 11.26.2 The site must be within 100 metres of the development project to which the Temporary Sales Office relates.
- 11.26.3 The site must be located on an arterial or major street, which generally have two or more lanes of travel in each direction and are usually designated as truck and bus routes.

- 11.26.4 The site must be more than 800 metres from a commercial district, except that the Director of Planning may permit the use closer to a commercial district if the applicant can demonstrate that suitable commercial vacancy opportunities are not available.
- 11.26.5 The Director of Planning must consider the submission of any advisory group, property owner or tenant and all applicable policies and guidelines adopted by Council.
- 11.26.6 The site must be fully restored to its original condition immediately following the expiration of a development permit.

11.27 Micro dwelling

- 11.27.1 A micro dwelling must be part of a development which has a covenant or housing agreement registered against title restricting its use to secured market rental housing or social housing, for the longer of 60 years or the life of the building.
- 11.27.2 The floor area of a micro dwelling must be at least 29.7 m², except that the Director of Planning or the Development Permit Board may relax the permitted floor area of a micro dwelling to a minimum of 23.2 m² if:
- (a) the Director of Planning or the Development Permit Board first considers all applicable Council policies and guidelines; and
 - (b) the micro dwelling is part of a development which has a covenant or housing agreement registered against title restricting its use to secured market rental housing or social housing, for the longer of 60 years or the life of the building.
- 11.27.3 A micro dwelling is only permitted in:
- (a) the area of the FC-1 District north of National Avenue;
 - (b) the area of the RT-3 and RM-3A districts located north of Venables Street, Malkin Avenue and Prior Street, south of Hastings Street, east of Gore Avenue and west of Clark Drive;
 - (c) the HA-1 and HA-1A districts;
 - (d) the HA-2 district;
 - (e) the Downtown-Eastside Oppenheimer district;
 - (f) the area of the Downtown district denoted as C2 on Map 1 of the Downtown Official Development Plan; and
 - (g) the FC-2 district; and
 - (h) the area of the IC-3 district north of 2nd Avenue.

- 11.27.4 No more than one person shall occupy a micro dwelling.

11.28 Cannabis Store

- 11.28.1 Before granting a development permit, the Director of Planning shall:
- (a) notify surrounding property owners and residents and have regard to their opinions;
 - (b) have regard to the liveability of neighbouring residents; and
 - (c) consider all applicable Council policies and guidelines.
- 11.28.2 A Cannabis Store is not permitted:
- (a) within 300 metres of the nearest property line of a site containing another Cannabis Store;
 - (b) within 300 metres of the nearest property line of a site containing a School - Elementary or Secondary, Community Centre or Neighbourhood House;

- (c) within the area outlined on Figure 1 below, except for sites with a property line on Hastings Street or Main Street;
- (d) on any site with a property line on Granville Street between Robson Street and Pacific Boulevard;
- (e) on any site other than a site located on a block where all or part of the street in that block has a painted center line;
- (f) in conjunction with any other use; or
- (g) in conjunction with an automated banking machine.

11.29 Urban Farm - Class A

Notwithstanding anything else in this By-law, Urban Farm - Class A is subject to the following:

- 11.29.1 The planting area must not exceed 325 m² on any single parcel unless the primary use of the parcel is Park or Institutional in which case the Director of Planning may permit an increase in planting area to a maximum of 7 000 m².
- 11.29.2 If two or more parcels are operated jointly as an Urban Farm - Class A, the combined planting area for all parcels must not exceed 7 000 m².
- 11.29.3 No on-site processing of fruits and vegetables, or manufacturing of food products is permitted.
- 11.29.4 No mechanical equipment may be used other than that designed for household use including lawnmowers, rototillers, garden hoses and pruners.
- 11.29.5 No herbicides or pesticides are permitted.
- 11.29.6 No on-site sales are permitted, unless the primary use of the parcel is Institutional.
- 11.29.7 No Urban Farm - Class A operated on a single parcel may generate revenue exceeding \$9,999 in any calendar year, unless the primary use of the parcel is Park or Institutional.
- 11.29.8 If an Urban Farm - Class A is operated, in whole or in part, by a person other than an owner or full-time resident of the parcel, the planting area must be subject to a lease authorizing the operation of the farm.
- 11.29.9 No offensive noise, odour, light, smoke, or vibration or other objectionable effect may be produced.
- 11.29.10 No mechanical equipment may be stored outside.
- 11.29.11 Any development permit or waiver of a development permit for an Urban Form-Class A is time limited to 1 year.

11.30 Urban Farm - Class B

Notwithstanding anything else in this By-law, Urban Farm – Class B is subject to the following:

- 11.30.1 The planting area for a single parcel or the combined planting area for all parcels operated jointly as an Urban Farm – Class B, may not exceed 7 000 m², unless relaxed by the Director of Planning due to unnecessary hardship associated with the location, shape or size of the parcel or parcels.

- 11.30.2 If located within 30 m of a residential use, no mechanical equipment may be used other than that designed for household use including lawnmowers, rototillers, garden hoses and pruners.
- 11.30.3 No herbicides or pesticides are permitted.
- 11.30.4 No offensive noise, odour, light, smoke, or vibration or other objectionable effect may be produced.
- 11.30.5 If an Urban Farm - Class B is operated, in whole or in part, by a person other than an owner or full-time resident of the parcel during the farm operation, the planting area must be subject to a lease authorizing the operation of the farm.
- 11.30.6 Any development permit for an Urban Farm Class B is time limited to 1 year.

11.31 Temporary Modular Housing

- 11.31.1 Temporary Modular Housing must be used as Social Housing.
- 11.31.2 Before granting a development permit for Temporary Modular Housing, the Director of Planning must:
- (a) be satisfied that the landscaping and open space provision is appropriate for the size and nature of the development;
 - (b) consider the impact on the livability of neighbouring residents;
 - (c) notify adjacent property owners and any others that Director of Planning deems necessary; and
 - (d) consider all applicable policies and guidelines adopted by Council.
- 11.31.3 A development permit for Temporary Modular Housing must be time limited to a maximum of five years, unless otherwise extended in writing for up to an additional five years by the Director of Planning.

11.32 Short Term Rental Accommodation

- 11.32.1 In this section 11.32,
- “principal residence unit” means the dwelling where an individual lives, makes their home and conducts their daily affairs, including, without limitation, paying bills and receiving mail, and is generally the dwelling unit with the residential address used on documentation related to billing, identification, taxation and insurance purposes, including, without limitation, income tax returns, Medical Services Plan documentation, driver’s licenses, personal identification, vehicle registration and utility bills.
- “booking” means a confirmed reservation of the dwelling unit, or of one or more bedrooms, as Short Term Rental Accommodation.
- 11.32.2 Short Term Rental Accommodation is only permitted in a lawful dwelling unit, secondary suite, laneway house, or lock-off unit that is a principal residence unit.
- 11.32.3 Short Term Rental Accommodation is not permitted in an accessory building or vehicle.
- 11.32.4 Short Term Rental Accommodation is not permitted in a dwelling unit in combination with Bed and Breakfast Accommodation.

- 11.32.5 No more than two adults may occupy each bedroom used as Short Term Rental Accommodation.
- 11.32.6 Short Term Rental Accommodation is only permitted in dwelling units that comply with all applicable occupancy limits as set out in the Fire By-law.
- 11.32.7 No more than one booking may be permitted as Short Term Rental Accommodation in each dwelling unit at one time.
- 11.32.8 Subject to the provisions of this section 11.32, Short Term Rental Accommodation is permitted in all CD-1 zoning districts where dwelling uses are permitted.
- 11.32.9 Any development permit or exemption from a development permit for a Short Term Rental Accommodation is time limited to two years.

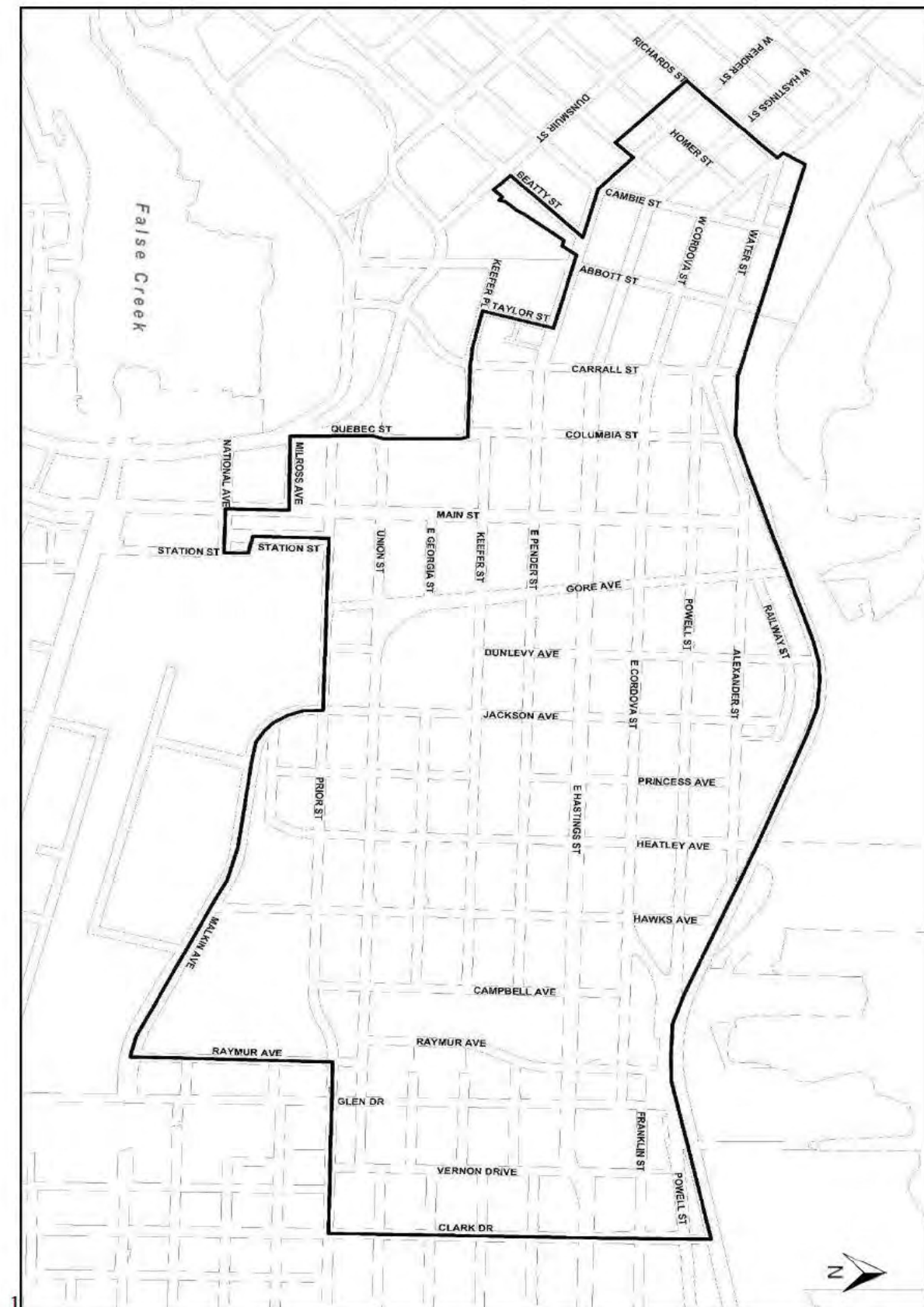
11.33 Character House

- 11.33.1 The Director of Planning may permit more than one entrance facing a front yard or a side yard if the entrances provide access to a dwelling unit in a character house.
- 11.33.2 Computation of floor area in a character house may exclude:
 - (a) existing covered porches that:
 - (i) in the opinion of the Director of Planning, are original to the character house,
 - (ii) face a street, and
 - (iii) are open or protected by guard rails which do not exceed the minimum height specified in the Building By-law;
 - (b) areas of undeveloped floors with a ceiling height or height to the underside of joists of less than 2.0 m located below the floors of covered porches complying with subsection (a);
 - (c) floor areas under sloping roofs with a pitch of at least 7:12 if:
 - (i) the vertical distance from the floor to any part of the ceiling is 2.3 m or less, and
 - (ii) the ceiling attaches directly to the underside of the sloping roof rafter and follows its slope; and
 - (d) floors used for off-street parking, not exceeding 6.7 m in length, located in an infill building in conjunction with a retained character house, to a maximum of 42 m².
- 11.33.3 Building depth, in the case of a character house, means the distance from the front exterior wall measured in a straight line to a point directly opposite on the rear exterior wall, except that covered porches that comply with section 11.32.2 (a) may be excluded from the measurement of building depth.
- 11.33.4 Covered porches that comply with section 11.32.2 (a) may project into the required front yard.

11.34 Permitted Floor Area Increase for Low Operational Cost Housing

Notwithstanding the maximum permitted floor area regulation in any District Schedule, the Director of Planning may approve an addition of up to 5 per cent of the floor space ratio for Low Operational Cost Housing containing 6 or more dwelling units, excluding sites that contain rental housing units in the RM-3 zone, provided the Director of Planning first considers all applicable policies and guidelines adopted by Council. This section shall not apply to applications made after December 31, 2025.

Figure 1



Profili, Cody

From: s.22(1)
Sent: Thursday, June 13, 2019 7:16 AM
To: Profili, Cody
Subject: 191 W 2nd Av (DP-2019-00302) - Retail Cannabis - R34

Hi Cody,

Please allow me to express my concern about the new development application on 191 West 2nd Ave DP-2019-00302 Cannabis retail store.

s.22(1)
s.22(1) the development of the above mentioned project is s.22(1). This is concerning as I
s.22(1) I would not like to them to go through/ pass by the cannabis retail store on a daily basis when they go home.

I believe the approval of this new development will impact young family like us, as exposure to kids. Also I strongly believe there will be increase in crime as well as strange people fooling in the area.

Also the proposed location is very close to a neighborhood park, kids will be exposed to needle or inhale cannabis smell. This development proposal definitely doesn't not bring any benefit to us.

Please kindly re-consider the application.
Thank you for your time for this serious matter.

If you have any question, please do not hesitate to contact me.
Thank you.

Kind regards,
s.22(1)

Profili, Cody

From: s.22(1)
Sent: Thursday, June 13, 2019 1:13 AM
To: Profili, Cody
Subject: 191 W 2nd Av (DP-2019-00302) - Retail Cannabis - R33

Hello Cody Profili,

My name s.22(1)

Receiving the notice of development application for cannabis store, my family and friends are afraid that the cannabis store will bring a negative affectivity around the neighborhood. Even though the cannabis has been legalized for recreation in Canada, lots of people including us still are still worried about the risk and danger of its usages like the alcohol usage.

In addition, there is a child day care right at the corner of the other side of building and there are lots of kids and teenagers walking and wandering for activities at the Creekside community centre and other events. Many parents do not like their kids being around the environment of smokes and people under the influence. There has been the issue for the similar situation going on.

<https://globalnews.ca/news/4401966/cannabis-stores-near-schools/>

I am not sure how the law has been made for this situation yet but could you check it out and see if it is legal?

As things considered, we are strongly against the opening of the store and hopefully the application for the permit is rejected.

Please let me know if you have any questions reading my comments.



Virus-free. www.avast.com

Profili, Cody

From: s.22(1)
Sent: Thursday, June 13, 2019 12:18 AM
To: Profili, Cody
Subject: 191 W 2nd Av (DP-2019-00302) - Retail Cannabis - R32

Hi Cody,

My name is s.22(1)
s.22(1)

I recently got notice of development application in my mailbox and I thought I really have to speak my voice out loud with this. It says Choom BC retail has applied for permission to alter the retail space to cannabis retail and I think there's no way to do it. I even don't understand how they can even apply for this. This building is not just for retail but also residence. There's also a children's center next to the building. If there's a cannabis retail store, it will affect children in a bad way.

I really would like you to consider this seriously. This area is not BROADWAY!

Best regards,

s.22(1)

Profili, Cody

From: s.22(1)
Sent: Wednesday, June 12, 2019 9:43 PM
To: Profili, Cody
Subject: 191 W 2nd Av (DP-2019-00302) - Retail Cannabis - R31

Hi Cody,

I totally object the setup of cannabis shop in the district.

Besides the well known adverse effects and influence on users via the dosage of cannabis, cannabis also serves as gateway driving users to get deeper addiction and stronger drugs types that are harmful to self and public safety.

Younger generations has less resilience to drug addiction. Please take good care of and stop destroying the young generations of Canada.

Thanks,
s.22(1)

Profili, Cody

From: s.22(1)
Sent: Wednesday, June 12, 2019 6:43 PM
To: Profili, Cody
Subject: 191 W 2nd Av (DP-2019-00302) - Retail Cannabis - R30

To: Director of Planning, City of Vancouver
Regarding: Notice of Development Application
Choom BC Retail Holdings Inc at 191 West 2nd Avenue

I am writing in response to your request for written comments on this application for permission to change use on this property from Retail to Retail Cannabis Store.

s.22(1) and resident of a condominium property in the Olympic Village, I am constantly surprised at the City's decisions in this area.

Rather than support the addition of a cannabis store, the City should be considering how to attract another grocery merchandiser as the small Urban Fare store on the plaza is inadequate to support the growing population living in the ever-increasing number of new high-rise towers that have been built or are under construction. Since I have purchased my property, 5 towers have appeared across Ontario Street with one more high-end Concert property still to start – and this before the development of the NE shore of False Creek!

To date, there has been no sign of the proposed elementary school to accommodate the young children of families attracted to the area.

Further, there are three social housing projects – Station Street, Marguerite Ford Apartments and First Place - and three Temporary Modular Housing units – 220 Terminal, 265 West 1st and Margaret Mitchell Place - that this residential area is already having to cope with. Adding a retail cannabis outlet is not going to contribute to the health and safety of the existing community – I would prefer to see this kind of operation on the Broadway corridor...not at the base of a residential tower or in such close proximity to the vulnerable. Although locals appreciate the OV area for its access to transportation and amenities, the housing projects already make walkers uncomfortable at night when previously this was not an issue. Operating a retail Cannabis store late at night 7 days a week is not going to attract a desirable clientele. This is not a small operation at 2839 sq ft. A cursory look online shows average square footage for Starbucks at 1800 and 7 Eleven Food Stores at 2600.

I appreciate receiving this notice and the opportunity to respond but I feel that most of the time any comments fall on deaf ears and the City does what they want to do regardless of what the residents want.

Regards,

s.22(1)