

File No.: 04-1000-20-2019-534

September 19, 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 August 22, 2019 for:

Records related to the refusal of DP-2019-00575 (change of use to Retail Cannabis Store) at 4317 Fraser Street, from July 16, 2019 to August 21, 2019:

1. Objection and support letters;
2. Record of rationale outlining why the proposed use is unsatisfactory;
and
3. Documents that note the measured distances from 4317 Fraser Street to Sir Charles Tupper Secondary School and the Polish Community Centre.

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

For point two of your request, the rationale for the proposal being "unsatisfactory at this location" is due to the two factors of neighbourhood objections and distance requirements to school and community centre.

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 (#04-1000-20-2019-534); 2) a copy of this letter; 3) a copy of your original request; and 4) detailed reasons why you are seeking the review.

Yours truly,



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

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

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

Encl.

:pm

Profili, Cody

From: s.22(1)
Sent: Thursday, August 15, 2019 12:45 AM
To: Profili, Cody
Subject: 4317 Fraser St (DP-2019-00575) - Retail Cannabis - R61

Hello,

I am writing to give my feedback on the proposed use of 4317 Fraser street as a retail Cannabis store.

I am opposed to this use of this site, primarily due to the high concentration of children in the neighbourhood. There are many young families in the neighbourhood. In addition, it is in very close proximity to Tupper secondary school (I imagine, the site is likely just beyond the required distance from a school). Although I presume it will be governed by regulation, such as not selling to minors, it is well known that minors will use "fake ID" or will receive substances from older friends. I frequently see teens from Tupper school on the corner of King Edward and Fraser by the Subway store, and this is in very close proximity.

I am also not happy with the late hours (until 10pm). Few stores (aside from restaurants) are open later in the evening, and this will cause extra noise and foot traffic at that late hour.

Lastly, I understand that there may be some non-licenced dispensaries in the area. I would propose that if this is the case, that the city should be investigating this, and giving fines or shutting down operations for which authorization does not exist.

Thank you,

s.22(1)

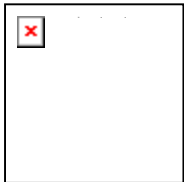
Profili, Cody

From: Brayden Taekema <brayden@myeden.ca>
Sent: Friday, August 09, 2019 3:54 PM
To: Profili, Cody
Subject: 4317 Fraser St (DP-2019-00575) - Retail Cannabis - R18toR56 Applicant provided survey
Attachments: Signatures of Support.pdf

Good afternoon Cody,

Hope you are well. This email is intended to be a submission of signatures of support that we have obtained within the Fraser Street area during the public input period. We had 31 residents and another 20 citizens for a total of 51 signatures from around the 4317 Fraser St site sign these sheets showing their support.

Thank you very much!



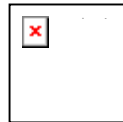
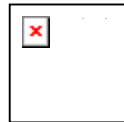
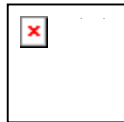
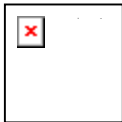
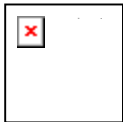
Brayden Taekema

Operations Manager, EDEN EMPIRE

M: s.22(1)

A: #405 -151 W Hastings St. Vancouver, B.C. V6B 1H4

myeden.ca



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To the Attention of the City of Vancouver,

My signature on this petition is to convey my support for the approval of 4317 Fraser Street, for use as a retail cannabis store operated by Eden Empire Inc.

By signing below, I indicate that I live, work, or shop in the Fraser Street neighbourhood and I welcome the proposed services, as well as trust Eden Empire to be a regulatory compliant business.

RESIDENT?	NAME	POSTAL CODE	SIGNATURE
<input checked="" type="checkbox"/>	s.22(1)	V5X 2B6	s.22(1)
<input checked="" type="checkbox"/>		V5X 2 B7	
<input checked="" type="checkbox"/>		V5R 4B9	
<input type="checkbox"/>		V5N 3N4	
<input checked="" type="checkbox"/>		V5V 3C4	
<input type="checkbox"/>		V5K 1K9	
<input checked="" type="checkbox"/>		V5V-15	
<input checked="" type="checkbox"/>		V5V 4H5	
<input checked="" type="checkbox"/>		V5V 4H5	
<input type="checkbox"/>		V5T 3K5	



RESIDENT?	NAME	POSTAL CODE	SIGNATURE
<input type="checkbox"/>	s.22(1)	V6P 3M2	s.22(1)
<input type="checkbox"/>		P7A 1W5	
<input type="checkbox"/>		P7A 1W5	
<input checked="" type="checkbox"/>		V5V 4R6	
<input type="checkbox"/>		V5W 1K5	
<input checked="" type="checkbox"/>		V5U 4S2	
<input checked="" type="checkbox"/>		V5V 2K8	
<input checked="" type="checkbox"/>		V5V 2K8	
<input type="checkbox"/>		V5P 1E1	
<input type="checkbox"/>		V5N 2R4	
<input type="checkbox"/>		V5W 2G3	
<input checked="" type="checkbox"/>		V5V 4P2	
<input checked="" type="checkbox"/>		V5U 4E4	

6/13



RESIDENT?	NAME	POSTAL CODE	SIGNATURE
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<input checked="" type="checkbox"/>		V5V4G8	
<input type="checkbox"/>		V5W1A2	
<input type="checkbox"/>		V5W1A2	
<input checked="" type="checkbox"/>		V5W1A2	
<input checked="" type="checkbox"/>		V5V 4G3	
<input checked="" type="checkbox"/>		V5V 4V2	
<input checked="" type="checkbox"/>		V5V4G4	
<input checked="" type="checkbox"/>		V5V4G4	
<input type="checkbox"/>		V5W1A2	
<input checked="" type="checkbox"/>		V5V4G3	
<input checked="" type="checkbox"/>		V5V4G3	
<input checked="" type="checkbox"/>		V5W 152	

10/13



RESIDENT?	NAME	POSTAL CODE	SIGNATURE
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<input checked="" type="checkbox"/>		V5N 2L3	
<input type="checkbox"/>		V5E 0A2	
<input type="checkbox"/>		V6J 1C2	
<input type="checkbox"/>		V6E 1U2	
<input checked="" type="checkbox"/>		V5V4C2	
<input checked="" type="checkbox"/>		V6J 3Z6	
<input checked="" type="checkbox"/>		V6H 1R7	
<input type="checkbox"/>		V6J 3T4	
<input checked="" type="checkbox"/>		V5V 4E9	
<input type="checkbox"/>		V3R8C4	
<input checked="" type="checkbox"/>		V5U2E3	
<input checked="" type="checkbox"/>		V5U2E3	

8/13



RESIDENT?	NAME	POSTAL CODE	SIGNATURE
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<input type="checkbox"/>		V5X 1P1	
<input type="checkbox"/>			
<input type="checkbox"/>			
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Profili, Cody

From: s.22(1)
Sent: Monday, August 12, 2019 6:23 PM
To: Profili, Cody
Subject: 4317 Fraser St (DP-2019-00575) - Retail Cannabis - R60

Hi Cody,

I realize it's past the deadline of August 9 for formally submitting comments to the City regarding the captioned application, but as a Vancouver resident living in the neighborhood (or roughly 100 metres from the subject site), I hope you can still include my comments when considering this application.

I understand that the proposed Retail Cannabis Store (Medical Marijuana-related Use) is a conditional use and subject to approval by the Director of Planning. I do not support approval of this application for the following reasons:

1. The proposed Retail Cannabis Store is located within 300 metres of a youth facility - Sir Charles Tupper Secondary School, a high school with over 1,000 students (mostly between the ages of 14 and 18). By allowing an exception in this case would set an undesirable precedent for other similar applications for Retail Cannabis Store in other neighbourhoods throughout the City. The City should maintain and ensure consistent criteria for locating Retail Cannabis Store, especially for such sensitive uses, and there should be no relaxation in the absence of a strong justification to support it.
2. The Retail Cannabis Store will operate between 10:00am and 10:00pm, 7 days a week, while Sir Charles Tupper Secondary School operates from 7:30am to 4:00pm. However, the latter does not include extra-curricular activities that are conducted on school grounds, or consider the fact that many school age children hang out on school premises outside of normal school operating hours (after school and on weekends).
3. There is an existing liquor store (Mountainview Liquor Store at 4333 Fraser St) to the immediate south of and adjoining the subject property, and the proposed Retail Cannabis Store is physically separated by only three retail storefronts (less than 50 feet away). There is insufficient separation distances between these two comparable uses potentially impacting the neighborhood. Liquor stores currently have a separation distance of 150 metres from sensitive uses, including a church, park, elementary or secondary school, community centre or neighbourhood house. Having two uses with similar considerations and concerns within such a short distance of one another and in close proximity to Sir Charles Tupper Secondary School would compound the potential impacts on the neighborhood and create an undesirable hub, thereby magnifying the impacts of each use.
4. The impact of Retail Cannabis Stores has not been fully recognized or acknowledged. In Chinatown, for example, an (unlicensed) store attracted much foot traffic and unwelcome loitering in front of the shop which regularly spilled onto and blocked the pedestrian sidewalk. The sidewalk was often littered with garbage and there were a number of nearby shop owners complained about the odour (as people would smoke outside the shop) and the adverse impact on their respective business.
5. By stating that minors (those under 19) will not be permitted into the store is simply not enough. As we may recall from the experience of the liquor industry, adults would and could often help minors purchase the goods on their behalf. Being in an area with such a large school-aged population in close proximity could potentially arouse and attract many students to the Retail Cannabis Store (not to mention the existing liquor store).

Finally, on a separate note, I suggest that the City provide a link to the applicable guidelines and criteria for considering applications for Retail Cannabis Store/Medical Marijuana-related Uses on the City webpage which provides a description and details of the application (<https://development.vancouver.ca/pc4317fraser/index.htm>), thereby making it easier for affected residents and business owners/operators to understand what may or may not be considered in their neighborhood and provide their feedback.

Thank you for your attention.

Regards,

s.22(1)

Profili, Cody

From: Profili, Cody
Sent: Monday, August 12, 2019 9:31 AM
To: s.22(1)
Subject: RE: 4317 Fraser St (DP-2019-00575) - Retail Cannabis - R11

Hello,

Thank you for your interest in this application, however I need some written comment in order to clarify your support and record your response if you could please provide the following:

- your clear support or opposition
 - whether you are responding to either (1) the postcard sent out to neighbours, or (2) the site sign
 - if you are replying to the postcard, it is most helpful to have your full name, address, and whether you are an owner or renter.
- Please note that this information is kept entirely confidential, and only used to help assess your proximity and how you may be uniquely affected by the development.

Regards,

Cody Profili | Project Coordinator – Development Review Branch CITY OF VANCOUVER | West Annex, 515 West 10th Av
cody.profili@vancouver.ca

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

From: s.22(1)
Sent: Thursday, August 08, 2019 3:32 PM
To: Profili, Cody
Subject: 4317 Fraser St (DP-2019-00575) - Retail Cannabis - R11



Sent from my iPhone

Profili, Cody

From: s.22(1)
Sent: Sunday, August 11, 2019 12:57 AM
To: Profili, Cody
Subject: 4317 Fraser St (DP-2019-00575) - Retail Cannabis - R62

Hi Cody,

s.22(1) as this potential business. I only heard about their application through a facebook group that I am a member of. Another member posted a photo of a letter (?) detailing the use for the location.

I have concerns. The Mountainview liquor store is very busy and is a constant draw for vehicular traffic as well as foot traffic. There is a ton of honking already happening when people slow to find parking in front of the liquor store. The bus stop at 27th creates a bottle neck for those trying to access those stores. In addition to the honking there are people, who are sometimes intoxicated, who yell and try to start fights, some people panhandle. I know a cannabis store will increase vehicular traffic as well as pedestrian traffic. Could you please CC streets/traffic on this as well to get their take for the application. I think a car counting and person counting should happen before the permit is approved.

I support legal cannabis use and purchase. I just want to make sure that safety is first and foremost in everyone's mind when going forward. Are there going to be additional VPD patrols? Can they shorten the opening hours to lessen the possibility of loitering and additional smoking in s.22(1) Do you require stores like this to have warnings like they do in casinos, or on tobacco products, and alcohol about the possibility of addiction or symptoms of addiction? Do you require stores like this to have information about rehabilitation programs or sober programs?

I expect a reply and appreciate, in advance, any information you can provide.

s.22(1)

s.22(1)

Profili, Cody

From: s.22(1)
Sent: Saturday, August 10, 2019 2:29 PM
To: Profili, Cody
Subject: 4317 Fraser St (DP-2019-00575) - Retail Cannabis - R58

Sorry but I just noticed the sign in the window.

On Sat, Aug 10, 2019 at 12:58 PM s.22(1) wrote:

I missed the August 9 deadline but wanted to share my views about the application for Eden Empire on Fraser St.

I live nearby and here are the issues:

Family- friendly neighbourhood who do NOT want more vaping, liquor stores around. There is already the tattoo, vape street and liquor store nearby. The latter of which brings a lot of traffic, parking and general one-stop shopping to the nearby residential area. It does not add to the local, community, or service the area.

Frankly none of those establishments, the Eden Empire and Vaping specifically, should be open all the time. There should be stricter rules and regulations and checking in on if they are following procedures, causing any issues in neighbourhoods.

I do not, and neither do the neighbors, want the addition and increase in these types of businesses. There certainly should not be more than one smoking-type place in any commercial strip. Are there no rules against this?

I hope the rezoning does not go through but I see activity within the space which suggests otherwise.

Community consultation should be better and this form should be posted directly in the front window in a more public place, not just in the mail where no one sees it.

Thanks.

s.22(1)

Profili, Cody

From: s.22(1)
Sent: Friday, August 09, 2019 6:19 PM
To: Profili, Cody
Subject: 4317 Fraser St (DP-2019-00575) - Retail Cannabis - R57

Dear Sir Cody

We are writing to object the proposed development under DP 2019 00575.

Our neighborhood has many residential units with young kids. Therefore this Cannabis store is not suitable. It should be relocated to a less residential area.

Thanks.

s.22(1)

Sent from my Samsung Galaxy smartphone.

Profili, Cody

From: s.22(1)
Sent: Friday, August 09, 2019 1:18 PM
To: Profili, Cody
Subject: 4317 Fraser St (DP-2019-00575) - Retail Cannabis - R17

Hi, I support the 4317 Fraser st. location. I have been a loyal customer for many years. Thank You, s.22(1)
s.22(1)

Profili, Cody

From: s.22(1)
Sent: Friday, August 09, 2019 12:25 PM
To: Profili, Cody
Subject: 4317 Fraser St (DP-2019-00575) - Retail Cannabis - R16

Hi Cody,

I support the application Eden Empire Inc. has proposed for a cannabis retail store at 4317 Fraser Street. My name s.22(1) We don't have a legal retailer in the neighbourhood yet so it will provide access to legal cannabis and convenience for the community.

Thanks,

s.22(1)



Profili, Cody

From: Hayden O'Connor <hoconnor@vsb.bc.ca>
Sent: Friday, August 09, 2019 11:41 AM
To: Ng, Louis; Profili, Cody
Cc: James deHoop; Jim Meschino
Subject: 4317 Fraser St (DP-2019-00575) - Retail Cannabis - R15

Hi Cody,

Please see link below for the VSB Administrative Procedure (AP) 313 concerning incompatible land uses near schools. The distance from the proposed site to the school grounds is within 300m. Staff would not be in favour of the requested variance.

https://www.vsb.bc.ca/District/Departments/Office_of_the_Superintendent/Administrative-Procedures-Manual/Administrative%20Procedures%20Manual%20Library/Section%20300/AP_313_Incompatible_Land_Uses_Near_Schools.pdf

Please have your committee review AP 313 and weigh this in review of the request for change of use from General Office to Retail Cannabis Store.

Hayden O'Connor

Facilities Planner | Vancouver School Board
604-713-5194 | hoconnor@vsb.bc.ca

Profili, Cody

From: s.22(1)
Sent: Friday, August 09, 2019 8:29 AM
To: Profili, Cody
Subject: 4317 Fraser St (DP-2019-00575) - Retail Cannabis - R59

Dear Mr. Profili,

I received the notice in the mail for the development application at 4317 Fraser Street.

While I would normally be 100% in favor of a local business going into my neighborhood I am opposed to another cannabis store. There are so many stores of this type sprouting up and they bring a negative impact to businesses that should be encouraged (eg: restaurants, local pubs, boutique retail, etc).

If this were the only cannabis store for a 10 block radius then I would be more accepting but I really don't want yet another one in my neighborhood that I have to explain to my kids why this blacked out shop is all about. We need more diversity of businesses in this city.

Thank-you,

s.22(1)

Profili, Cody

From: s.22(1)
Sent: Thursday, August 08, 2019 7:13 PM
To: Profili, Cody
Subject: 4317 Fraser St (DP-2019-00575) - Retail Cannabis - R14

I fully support the acceptance of this application. As a regular customer at Eden before the rollout of legalization, it has been disappointing that a well functioning model for sale and distribution has been replaced with a model that exceeds an acceptable price point, as well as offering mostly substandard quality. If the goal of legalization is to accrue tax revenue in keeping with preventing people from using the black market, then a return to the reasonable and well functioning model we already had in Vancouver would be the way to achieve this goal.

s.22(1)

s.22(1)

Profili, Cody

From: s.22(1)
Sent: Thursday, August 08, 2019 7:03 PM
To: Profili, Cody
Subject: 4317 Fraser St (DP-2019-00575) - Retail Cannabis - R13

I'm writing to support the Eden application. Let me tell share my story:

s.22(1) Eventually a very good surgeon saved my life, but I was left with episodes of severe nausea and extreme abdominal spasm pain. A good friend took me to Eden and after speaking with their staff, I had appropriate paperwork filled out by my doctor. I started taking cannabis oil in honey. I mix it myself and only use when required. It stops the nausea and spasm pain everytime. I have been using it for s.22(1). Eden is an extremely reputable company.

s.22(1)

Profili, Cody

From: s.22(1)
Sent: Thursday, August 08, 2019 6:25 PM
To: Profili, Cody
Subject: 4317 Fraser St (DP-2019-00575) - Retail Cannabis - R12

We in the community have been anxiously waiting for Eden to reopen, no matter which neighbourhood they are in. This dispensary was caring, educated and informed in the bud that they sold and gave advice and recommendations on what you needed to take it for. Friendly and patient customer service. Please approve them and let's get more dispensaries open for the many people in need.

Get [Outlook for Android](#)

Profili, Cody

From: s.22(1)
Sent: Thursday, August 08, 2019 3:26 PM
To: Profili, Cody
Subject: 4317 Fraser St (DP-2019-00575) - Retail Cannabis - R10

I support Eden, and have always found them helpful and knowledgeable.
Would love to see them re-open soon!
Many thanks,

s.22(1)

Profili, Cody

From: s.22(1)
Sent: Thursday, August 08, 2019 2:46 PM
To: Profili, Cody
Cc: s.22(1)
Subject: 4317 Fraser St (DP-2019-00575) - Retail Cannabis - R09

Hello Cody, I am responding to notice I received about DP-2019 00575/ 4317 Fraser Street.
This property address is not listed on the DP application app on city web site.

s.22(1) the DP application location.
About three years ago a liquor store opened s.22(1) This liquor store has added
big demand on the street parking s.22(1)
already have a hard time finding street parking and they often have to park a block or so away.

Were also having a problem with litter and cigarette butts being thrown s.22(1) as people come and go from the
liquor store. s.22(1)
s.22(1).

We strongly oppose the proposed Cannabis store for the following reasons.

- 1-It will draw further parking requirements and congestion on our block.
- 2-In my opinion there should be a separation of at least one block between a liquor stores and cannabis stores so that a particular area is not overwhelmed with foot and vehicle traffic and associated parking shortages.
- 3-There already is a bus stop on this side and the other side of the block and that takes up roughly 25% of road frontage of Fraser street. This in itself creates a reduced amount of parking.
- 4-This block of Fraser Street already has a VAPE store and a liquor store and now a cannabis store may be added. I feel a neighborhood should have a healthy balance of goods and services and not be dominated by adult recreational use products.
- 5-The combination of a vape, liquor and cannabis store will be too much for one city block in direct proximity to single and multi family homes with families, young children etc.

The cannabis store should be located elsewhere for all these reasons. Please forward our comments to the appropriate parties, thank you

s.22(1)

Profili, Cody

From: s.22(1)
Sent: Thursday, August 08, 2019 2:15 PM
To: Profili, Cody
Subject: 4317 Fraser St (DP-2019-00575) - Retail Cannabis - R08

Hello Cody,

I totally support this application to open up an Eden Store on Fraser Street.

I find this location and company helpful as I'm going through a lot of s.22(1)

s.22(1)

Sincerely,

s.22(1)

Profili, Cody

From: s.22(1)
Sent: Thursday, August 08, 2019 10:33 AM
To: Profili, Cody
Subject: 4317 Fraser St (DP-2019-00575) - Retail Cannabis - R07

I would like to add my name in support of the application by Eden to open, legally, in Fraser St, Mount Pleasant.

There are far too few legal dispensaries in Vancouver, and no sign that the BCLC will get around to doing anything, so having to rely on illegal outlets, 10 months after, repeat, after, legalisation is not what this law-abiding person wants.

Legalize Eden, please.

Yours sincerely

s.22(1)

s.22(1)

s.22(1)

Profili, Cody

From: s.22(1)
Sent: Wednesday, August 07, 2019 1:03 PM
To: Profili, Cody
Subject: 4317 Fraser St (DP-2019-00575) - Retail Cannabis - R63

To who it may concern,
I'm writing this email in support of My Eden. The business has always been professional and very knowledgeable about their products. I'm looking forward to their new store opening up in the neighborhood near my salon.

s.22(1)



Profili, Cody

From: s.22(1)
Sent: Wednesday, August 07, 2019 10:15 AM
To: Profili, Cody
Subject: 4317 Fraser St (DP-2019-00575) - Retail Cannabis - R06

Hi Cody,

Further to the Notice of Development Application for 4317 Fraser Street (DP-2019-00575), I am writing to voice my concerns about the development of a cannabis retail store. There is already a cannabis retail store at 4304 Fraser Street (called Vape Street). As a resident of the neighborhood, I feel that one cannabis retail store is enough, especially on the same street. Tupper high school is also very close and I think having 2 cannabis stores so close together would not be ideal for a student environment.

Regards,

s.22(1)

Profili, Cody

From: s.22(1)
Sent: Tuesday, August 06, 2019 2:17 PM
To: Profili, Cody
Subject: 4317 Fraser St (DP-2019-00575) - Retail Cannabis - R05

Hi Cody

I am writing to give support to Eden Empire Inc, and their development of a cannabis retail store on our street. We think it would be a great addition to the neighbourhood!

Sincerely

s.22(1)

s.22(1)

Profili, Cody

From: s.22(1)
Sent: Thursday, August 01, 2019 11:13 AM
To: Profili, Cody
Subject: 4317 Fraser St (DP-2019-00575) - Retail Cannabis - R04

Hi Cody. I received a notice for a dev. applic for the above address. I noticed we already have Canadian Cannabis operating just one block north on the same side of the street as the proposed development. I do not approve of this new business as it duplicates what we already have and this community is already being subjected to numerous dev. and rezoning applications. s.22(1)

Profili, Cody

From: s.22(1)
Sent: Monday, July 29, 2019 7:21 PM
To: Profili, Cody
Subject: 4317 Fraser St (DP-2019-00575) - Retail Cannabis - R03

s.22(1) **I do not approve** of the development application to change 4317 Fraser Street from General Office to Retail Cannabis Store (DP-2019-00575).

s.22(1)

Why I do not approve

s.22(1)

The City of Vancouver's [C-2C District Schedule](#) item 3.2.DW [Dwelling] explicitly states that this application should not be approved based on the retail unit's proximity to the residential portion of 4315 Fraser. The exact wording has been copied below:

3.2.DW [Dwelling]

- Dwelling Units in conjunction with any of the uses listed in this Schedule except that no portion of the first storey of a building to a depth of 10.7 m from the front wall of the building and extending across its full width shall be used for residential purposes except for entrances to the residential portion.

An additional concern is s.22(1)

s.22(1)

The business owners who want to lease 4317 Fraser have other cannabis shops open across Canada. Their business is called Eden. David Akin wrote [a feature](#) for *The National Post* in which he describes

entering an Eden location in Toronto, Ontario: "The place is spotless, sharp. And the air is heavy with the unmistakable sweet smell of cannabis."

s.22(1)



For all of the reasons above, I do not approve the development application to change 4317 Fraser Street from General Office to Retail Cannabis Store (DP-2019-00575).

Also, I kindly request that:

- a) you confirm receipt of this email, and
- b) you please keep both myself and my Strata (cc'd) informed of any updates to this development application.

Thank you,

s.22(1)



Profili, Cody

From: s.22(1)
Sent: Friday, July 26, 2019 6:17 PM
To: Profili, Cody
Subject: 4317 Fraser St (DP-2019-00575) - Retail Cannabis - R02

With regards to notice of development of application of change of site from general office to retail cannabis store, we are in disagreement.

Rationale:

- Close proximity to High School, community centre, family residents and other establishments where minors are available -There is already one cannabis store in the same street directly across from proposed location.

Would prefer if the existing space becomes available to another retail opportunity that will enhance functionality of neighbourhood and cater to young families with children.

Many thanks, s.22(1)
s.22(1)

Sent from my iPhone

Profili, Cody

From: s.22(1)
Sent: Thursday, July 25, 2019 9:30 AM
To: Profili, Cody
Cc: s.22(1)
Subject: 4317 Fraser St (DP-2019-00575) - Retail Cannabis - R01

Dear Mr. Profili,

s.22(1), I do not **approve** of this development application to change 4317 Fraser Street from General Office to Retail Cannabis Store (DP-2019-00575).

The proposed location of this store will fall within 280m of a school (Sir Charles Tupper) and 260m of a community center (Polish Community Center) and if approved, will break existing City of Vancouver zoning and development by-laws. These zoning restrictions were put in place for a reason, specifically residents of Vancouver do not want cannabis sold in close proximity to schools &/or other community and family orientated facilities. I ask that the CoV ensure these by-laws are respected and up-held: no exceptions.

The owners and residents of this building have already been experiencing ongoing issues with an existing tenant in a commercial unit owned by the same landlord as 4317 Fraser. The business owner encourages his staff and customers to openly smoke on the sidewalk in front of the store (within six metres of doors to other commercial and residential units of the building, below air conditioner intake, below windows to residential units). The business owner has even built and installed a smoking bench for people to use for smoking. This is a self-managed strata, which has a strict no smoking by-law, and we have tried numerous times to work with the landlord and tenant to stop the smoking. The last s.22(1)

that the CoV does not take action to enforce their own city smoking by-laws and will not assist in this matter.

Since we already have one commercial tenant in the building who absolutely refuses to abide by the strata and CoV smoking by-laws, I do not approve a new vendor in the building who's entire business proposition is "smoking". I do not think it is possible for this business to be compatible with the strata or City of Vancouver by-laws, and feel that we would be put in a position where we, as owners who reside in this building, have zero recourse to enforce these by-laws.

Please note that this development application has not yet been listed on the CoV website (<https://development.vancouver.ca/#f>). Can you ensure the information is updated asap so the that residents of this community can access full information on this proposed store.

Also, I kindly request that a) you confirm receipt of this email, and b) you please keep both myself and my Strata (cc'd) informed of any updates to this development application.

Regards,

s.22(1)





To the attention of City of Vancouver,

This note is to convey my support for the approval of 4317 Fraser Street, for use as a retail cannabis storefront by Eden Empire Inc.

Given Eden's history of regulatory compliance in the cannabis industry, I believe they are prepared to responsibly operate a retail cannabis store in the area. I trust that Eden will ensure that the best interests of their neighbours are taken into account and that they will be extremely mindful of the school and families that live in the neighborhood.

I believe that Eden's introduction to the Fraser Street community will have a positive impact on neighboring businesses and contribute to the local economy.

Additional Comments:

The Tenant has been very mindful of the strata owners and building, and have taken measures to ensure owner's are not at risk of theft and community harm.

Should you have any questions with regards to this statement, please reach out to info@myeden.ca.

Sincerely,

s.22(1)

(Printed Name)

s.22(1)

(Signature)

(Postal Code)

(Date)

Amy 14, 2019

MEMORANDUM

August 21, 2019

TO: Director of Planning

FROM: Cody Profili, Project Coordinator

SUBJECT: Recommendation to DOP re: **4317 Fraser St (DP-2019-00575)**

PROJECT DESCRIPTION:

Zone: **C-2**

Interior alterations and to change the use of approximately 550 sq.ft. from a General Office to a Cannabis Retail-Cannabis Store Use, in this existing mixed-use building on this site

RECOMMENDATION SUMMARY:

I recommend **REFUSAL** for the following reasons:

- **Refusal 2 – Non-compliance – Regulations;** the proposed development does not comply with the regulations of the Zoning and Development By-law that affect the site;
 - Section 11.28 “Cannabis Stores”
- **Refusal 7 – Objections Received;** objections have been received from neighbouring property owners;
- **Refusal 9 – Unsatisfactory – Proposed Use;** the proposed use is unsatisfactory at this location;

CLEARANCES:


Department / Reviewer / Supervisor:		Notes:
Development	C. Profili / JB, JG	“Refused” as per DOP; 2019 Aug 21
Police	Jodyne Keller	“Refused”; 2019 July 11; “The VPD does not support this application. It does not comply with the bylaw and we would not encourage a relaxation of the bylaw to have a store within steps of a liquor store.”
Licensing	Sarah Hicks	“Rejected”; 2019 May 03; “The location does not meet by-law requirements for distancing.”
Social Policy	Alycia Fridkin	Social policy review not received emailed: July 11 th , August 2 nd , August 14 th (cc'd Joe + Mandy)

NOTIFICATION SUMMARY: - Area confirmed by DOP (J.Bosnjak) 2019 July 15

SITE SIGN – Required (install verified July 24)		POSTCARD – (sent: July 24 / end: Aug 09)
551 TOTAL NOTIFIED		
63 TOTAL RESPONSES RECEIVED:		
50 SUPPORT	13 OPPOSE (total), including;	
<ul style="list-style-type: none"> ▪ 3 local verified neighbours + ▪ 1 petition w/ 38 names (addresses not included) + ▪ 9 other respondents 	<ul style="list-style-type: none"> ▪ 9 local + ▪ 4 other respondents 	<p>“verified neighbours” based on:</p> <ul style="list-style-type: none"> ▪ Respondent in POSSE for postcard distribution ▪ Respondent said they rcvd Postcard but not in POSSE ▪ Respondent gave an address in vicinity (possible renter)
	<ul style="list-style-type: none"> ▪ 13 opposing 	<p>for primary reason of proximity to other stores nearby (vape, liquor, tattoo shops), and also existing Cannabis stores, however there are not any city-approved Cannabis, and we are therefore following up with PUI to verify potential illegal operations</p>
<p>Special Consideration: 1 of opposing responses was from Vancouver School Board, Facilities Planner, Hayden O’Connor, concerning incompatible land uses near schools (within 300m to Sir Charles Tupper Secondary Public School)</p>		

POTENTIAL ILLEGAL CANNABIS STORES IN VICINITY:

- Some respondents were concerned about proximity to other Cannabis stores at the following addresses, however no approved permits for Cannabis were found so following up with PUI to verify potential illegal operations.

ADDRESS	Description
4207 – 4209 Fraser St	<p>DE414336 approval for Small-Scale Pharmacy in 2011 PUI Note: 2019 Aug 02 (Colin Durcan)</p> <p><i>“I just visited this location and it appears to be a standard pharmacy, with no cannabis on site. The pharmacist did mention to me that a Dr Michael Hay, who uses to work there before, would prescribe a script for cannabis to any patient who required it. But I was told no cannabis product was ever on site.”</i></p> <p>Awning signage is still advertising Cannabis clinic Assessment / Education / Treatment</p> 
4304 Fraser St	<p>Vape Store with residents concerned that may also be selling Cannabis BP-2019-00280 and OC-2019-00340 approval for Interior alterations and change of use from existing Beauty and Wellness Centre to new Retail Store in 2019</p>

HISTORY:

Permit #	Issued Date	Description
OC438839	2012 Mar	Specific Unit Address = 4317 FRASER ST Occupancy Permit for ~OFFICE~ use
BU452703	2011 Nov	Specific Unit Address = 4317 FRASER ST Interior alterations to provide improvements and a change of use from Retail to Office for a new tenant
DE207569	1988 June	To construct a mixed-use building containing retail on a portion of the main floor and ten dwelling units on the other floors, including one level of underground parking having access from the rear lane

TECHNICAL REVIEW:**BYLAWS + GUIDELINES + POLICIES:**

- Zoning and Development By-law 3575 – Zoning District: **C-2**
- Section 10 + 11 General/Additional Regulations, applicable sections:
 - 11.28 Cannabis Stores
- Parking By-law 6059 - Section 3 + 4 + 5 + 6
- Guidelines + Policies
 - Medical marijuana-related uses near youth facilities

LEGAL AGREEMENTS: none**RELAXATIONS REQUESTED:** proximity to sensitive uses per Section 11.28 "Cannabis Stores"

Sensitive Use Sites:	Permitted	Proposed	Variance	Notes
Public School - Sir Charles Tupper Secondary @ 419 E 24th Av	300 m	280.53 m	19.47 m	measured from VanMAP
Private Community Centre - Polish Centre @ 4015 Fraser St	300 m	258.92 m	41.08 m	measured from VanMAP

FSR is compliant and no overall change proposed; refer to below quick summary, and attached check sheet for additional breakdown.

Site Area = 7,458 sf	Proposed	Existing (DE407569)	Permitted
Total Site FSR	No change	1.36 FSR	3.00 FSR
Total Floor Area (sf)	No change	10,170.20 sf	22,374 sf

	Proposed	
Bldg Residential Total	8,120.60 sf	1.09 FSR
Bldg Commercial Total	2,049.60 sf	0.28 FSR
Level 1	1,709.00 sf	Residential
Level 2	4,463.30 sf	Commercial = 2,049.60 Residential = 2,413.70
Level 3	3,997.90 sf	Residential

PARKING:

- No change from previous approvals (General Office to Retail)

Off-Street Parking: 13 Required / 13 Provided (11 Residential + 2 Commercial)

Off-Street Loading:

- Class-A: 0 Required / 0 Provided
- Class-B: 1 Required / 1 Provided
- Class-C: 0 Required / 0 Provided

Bicycle: Existing Non-Conforming

- Class-A: 0 Required / 0 Provided
- Class-B: 0 Required / 0 Provided

Thank you and please let me know if you have any questions.



Cody Profili
cody.profil@vancouver.ca
604.829.9237