

File No.: 04-1000-20-2019-592

October 15, 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 September 23, 2019 for:

Information that lead to the refusal of development application DP-2019-00353, 1120 Davie Street, specifically responses from neighbouring property owners.

All responsive records are attached. Some information in the records has been severed, (blacked out), under s.13(1) and 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 you may ask the Information & Privacy Commissioner to review any matter related to the City's response to your request. The Act allows you 30 business days from the date you receive this notice to request a review 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 assigned to your request (#04-1000-20-2019-592); 2) a copy of this letter; 3) a copy of your original request for information sent to the City of Vancouver; and 4) detailed reasons or grounds on which you are seeking the review.

Please do not hesitate to contact the Freedom of Information Office at foi@vancouver.ca if you have any questions.

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.

:kt



Job # 002108

March 29, 2019

via email: kathryn.holm@vancouver.ca

Kathryn Holm
Director, Licensing & Community Standards
City of Vancouver
515 West 10th Avenue
Vancouver, BC V5Z 4A8

Dear Kathryn Holm:

Re: Application for a Non-Medical Cannabis Retail Store Licence
Applicant: 0710674 BC Ltd.
Proposed Establishment Name: CottonMouth
Proposed Establishment Location: 1120 Davie Street, Vancouver

The Applicant, *0710674 BC Ltd.*, has applied to the Liquor and Cannabis Regulation Branch (LCRB) for a Non-Medical Cannabis Retail Store (CRS) licence proposed to be located at the above-noted address. The applicant is requesting operating hours from *9:00 am to 11:00 pm, seven days a week*. The applicant contact is *Jason Gaudin/604.626.6109/jay.redeye@gmail.com*.

Local governments and Indigenous nations are a crucial part of the licensing process. Section 33(1) of the *Cannabis Control and Licensing Act* prevents the LCRB from issuing a CRS licence without a positive recommendation regarding the CRS licence application from the local government or Indigenous nation.

The LCRB is requesting *the City of Vancouver* to consider the application and provide the LCRB with a written recommendation with respect to the application. To assist with your assessment of the application, a site map of the proposed cannabis retail store is attached. The following link opens a document which provides specific and important information and instructions on your role in the CRS licensing process, including requirements for gathering the views of residents.

Local Governments' Role in Licensing Non-Medical Cannabis Retail Stores

OR

Indigenous Nations' Role in Licensing Non-Medical Cannabis Retail Stores

The LCRB will initiate an applicant suitability assessment regarding this CRS application, also known as a "fit and proper" assessment, which is comprised of financial integrity checks and

**Liquor and Cannabis
Regulation Branch**

Mailing Address:
PO Box 9292 Stn Prov Govt
Victoria BC V8W 9J8

Location:
645 Tyee Road
Victoria BC V9A 6X5
Phone: 250 952-5787

Website:
www.gov.bc.ca/cannabisregulation-andlicensing

security screenings of the applicant and persons associated with the applicant. Once the assessment is complete, you will be notified of the LCRB's determination. You may choose to withhold your recommendation until the LCRB has made a final decision regarding the applicant's suitability.

If you choose not to make any recommendation regarding this application, please contact the LCRB at the earliest convenience. Please note that a Cannabis Retail Store Licence cannot be issued unless the LCRB receives a positive recommendation from the local government or Indigenous nation. Similarly, if a local government or Indigenous nation decides not to make any recommendation, the LCRB will not consider the application any further.

If you have any questions regarding this application please contact me at 778 698 9082 or erica.owsianski@gov.bc.ca.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Erica Owsianski', written in a cursive style.

Erica Owsianski
Senior Licensing Analyst

Attachment

copy: *Applicant*



GUIDELINES FOR RETAIL DEALER - MEDICAL MARIJUANA-RELATED USES NEAR YOUTH FACILITIES

Adopted by City Council on June 24, 2015

Application and Intent

These guidelines are to be used in conjunction with any district that allows Retail Dealer - Medical Marijuana-Related Use. The primary intent of these Guidelines is to protect youth from the potential health and social risks posed by the proximity of a Retail Dealer - Medical Marijuana-Related Use. In the event that a Retail Dealer - Medical Marijuana-Related Use is deemed to pose a risk to youth at a youth facility, it is the intent of these Guidelines that the Retail Dealer - Medical Marijuana-Related Use should not be permitted.

Note: These guidelines are organized under standard headings. As a consequence, there are gaps in the numbering sequence where no guidelines apply.

3 Uses

3.1 Retail Uses

- (a) Retail Dealer - Medical Marijuana-Related Use should not locate within 300 metres of a youth facility unless, having given careful regard to:
 - (i) the distance between the Retail Dealer - Medical Marijuana-Related Use and the youth facility;
 - (ii) the role and function of the youth facility;
 - (iii) the hours and days of operation of the youth facility; and
 - (iv) any other criteria deemed relevant to the protection of youth

the Director of Planning is satisfied that youth related to the facility will not be adversely affected by the Retail Dealer - Medical Marijuana-Related Use.

For purposes of these Guidelines, a youth facility is defined as a facility where there is a regular assembly of youth in the opinion of the Director of Planning.

C-5, C-5A and C-6 Districts Schedule

(West End Commercial Districts)

1 Intent

The intent of this Schedule is to provide for retail and services uses and forms of development compatible with the primarily residential character of the West End and to provide for dwelling units in C-5A and C-6 designed to be compatible with commercial uses. This schedule encourages external building design, the scale and function of which is oriented towards pedestrians. The C-5 district provides opportunities for commercial uses throughout the district and opportunities for nightlife in the Davie Village. The C-5A district differs from the C-5 district because C-5A provides density bonuses for social housing and secured market rental housing. The C-6 district differs from the C-5 and C-5A Districts because the C-6 district provides a transition between the Downtown and the West End by permitting a greater density and scale than the C-5 and C-5A districts.

2 Outright Approval Uses

2.1 Subject to all other provisions of this By-law and to compliance with section 2.3 and the regulations of this Schedule, the uses listed in section 2.2 shall be permitted as specified in sections 2.2.1 and 2.2.2 and shall be issued a permit.

2.2 Uses

2.2.1 The uses listed in section 2.2.1 shall be permitted in the C-5, C-5A and C-6 Districts.

2.2.1.A • Accessory uses customarily ancillary to any of the uses listed in this section provided that, unless permitted as an outright approval use pursuant to section 2 of this Schedule, the total floor area of all accessory uses is not greater than 25 % of the gross floor area of the principal use.

2.2.1.C [Cultural and Recreational]

- Arts and Culture Indoor Event.
- Billiard Hall.
- Bowling Alley.
- Club.
- Community Centre or Neighbourhood House.
- Fitness Centre.
- Library.
- Museum or Archives.
- Rink.
- Swimming Pool.
- Theatre.

2.2.1.I [Institutional]

- Child Day Care Facility.
- School - Elementary or Secondary.
- School - University or College.
- Social Service Centre.

2.2.1.O [Office]

- Financial Institution.
- General Office.
- Health Care Office.

2.2.1.R [Retail]

- Furniture or Appliance Store.
- Grocery or Drug Store except for Small-scale Pharmacy.
- Retail Store.

2.2.1.S [Service]

- Animal Clinic.
- Barber Shop or Beauty Salon.
- Beauty and Wellness Centre.
- Catering Establishment.
- Laundromat or Dry Cleaning Establishment.
- Photofinishing or Photography Studio.
- Repair Shop - Class B.
- Restaurant - Class 1.
- School - Arts or Self-Improvement.
- School - Business.
- School - Vocational or Trade.

2.2.2 The use listed in section 2.2.2 shall be permitted in the C-6 District.

2.3 Conditions of Use

2.3.1 All commercial uses listed in section 2.2 of this Schedule and accessory uses thereto shall be carried on wholly within a completely enclosed building except for the following:

- (a) parking and loading activities;
- (b) restaurant;
- (c) display of flowers, plants, fruits and vegetables;
- (d) child day care facility.

2.3.2 In C-5A and C-6 no portion of any floor of a dwelling unit, club, social service centre, or child day care facility except for entrances shall be permitted within 2.0 m of street grade along a fronting street or a flanking street if the adjoining site on the flanking street is in a C district.

3 Conditional Approval Uses

3.1 Subject to all other provisions of this By-law, compliance with section 3.3 and the provisions and regulations of this Schedule, the Director of Planning or the Development Permit Board may approve any of the uses listed in section 3.2 as specified in sections 3.2.1 and 3.2.2, with or without conditions, provided that the Director of Planning or the Development Permit Board first considers:

- (a) the intent of this Schedule and all applicable policies and guidelines adopted by Council;
- (b) the submission of any advisory group, property owner or tenant; and
- (c) the appropriateness of the use with respect to the items which are shown in italics following the use.

3.2 Uses

3.2.1 The uses listed in section 3.2.1 may be permitted in the C-5, C-5A and C-6 Districts.

3.2.1.A • Accessory Uses customarily ancillary to any of the uses listed in this section, subject to the same provisions as section 2.2.1.A of this Schedule.

3.2.1.AG [Agricultural]

- Urban Farm - Class B, subject to the provisions of section 11.30 of this By-law.

3.2.1.C [Cultural and Recreational]

- Artist Studio, subject to the provisions of section 11.18 of this By-law.

3.2.1.D • Deposition or extraction of material so as to alter the configuration of the land. impact on character of the area, pedestrian amenity.

3.2.1.I [Institutional]

- Ambulance Station. *compatibility with surrounding uses, pedestrian amenity, vehicular ingress and egress*
- Detoxification Centre. *compatibility with surrounding uses, size*
- Public Authority Use. *compatibility with surrounding uses, pedestrian amenity, vehicular ingress and egress*

3.2.1.O [Office]

- Health Enhancement Centre.

3.2.1.P [Parking]

- Parking Area. *pedestrian amenity, compatibility with surrounding uses*

3.2.1.R [Retail]

- Adult Retail Store.
- Cannabis Store, subject to the provisions of section 11.28 of this By-law.
- Farmers' Market, subject to the provisions of Section 11.21 of this By-law. *Compatibility with nearbysites, parking, traffic, noise, hours of operation, size of facility, pedestrian amenity.*
- Gasoline Station - Full Serve, subject to the provisions of section 11.10 of this By-law. *compatibility with surrounding uses, pedestrian amenity, number existing, vehicular ingress and egress*
- Gasoline Station - Split Island, subject to the provisions of section 11.10 of this By-law. *compatibility with surrounding uses, pedestrian amenity, number existing, vehicular ingress and egress*
- Grocery Store with Liquor Store. *compatibility with surrounding uses, number existing, hours of operation, social and policing impacts, vehicular ingress and egress*
- Liquor Store. *compatibility with surrounding uses, number existing, hours of operation, social and policing impacts, vehicular ingress and egress*
- Pawnshop. *compatibility with surroundings uses, pedestrian amenity, number existing, social and policing impacts, hours of operation, vehicular ingress and egress*
- Public Bike Share.
- Secondhand Store. *compatibility with surrounding uses, pedestrian amenity, number existing, social and policing impacts, hours of operation, vehicular ingress and egress*
- Small-scale Pharmacy, subject to the provisions of section 11.22 of this By-law.

3.2.1.S [Service]

- Bed and Breakfast Accommodation, subject to the provisions fo section 11.4 of this By-law.
- Cabaret. parking, vehicular circulation, *compatibility with surrounding uses and noise control.*
- Hotel, *design compatibility with any proximate residential area, size of liquor facilities, noise control, parking, loading, taxi and bus ingress and egress.*
- Neighbourhood Public House. *vehicular circulation, compatibility with surrounding uses*
- Print Shop.
- Restaurant - Class 2. *parking, vehicular circulation, compatibility with surrounding uses and noise control.*
- Short Term Rental Accommodation, subject to the provisions of section 11.32 of this By-law.

3.2.1.U [Utility and Communication]

- Public Utility. *compatibility with surrounding uses, pedestrian amenity, category of facility*
- Recycling Depot.

3.2.1.Z

- Any other use which is not specifically listed and defined as a use in section 2 of this By-law but which the Director of Planning considers comparable in nature to the uses listed in this Schedule, having regard to the intent of this District Schedule.

3.2.2 The uses listed in section 3.2.2 shall be permitted in the C-5 District.**3.2.2.DW [Dwelling]**

- Dwelling uses existing on or before February 4, 2014.
- Seniors Supportive or Assisted Housing, existing on or before February 4, 2014.

3.2.2.I [Institutional]

- Community Care Facility – Class B, subject to the provisions of section 11.17 of this By-law, existing on or before February 4, 2014.
- Group Residence, subject to the provisions of section 11.17 of this By-law, existing on or before February 4, 2014.

3.2.3 The uses listed in section 3.2.3 may be permitted in the C-5A and C-6 Districts.**3.2.3.DW [Dwelling]**

- Dwelling Units in conjunction with any of the uses listed in this section, *compatibility with use.*
- Residential Unit associated with and forming an integral part of an artist studio, subject to the provisions of section 11.19 of this By-law.
- Seniors Supportive or Assisted Housing, subject to section 11.17 of this By-law.

3.2.3.I [Institutional]

- Community Care Facility – Class B, subject to the provisions of section 11.17 of this By-law.
- Group Residence, subject to the provisions of section 11.17 of this By-law.

3.3 Conditions of Use

- 3.3.1 All commercial uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following:
- (a) parking and loading facilities;
 - (b) full service gasoline station, except that section 11.10.2 of this By-law continues to apply;
 - (c) neighbourhood public house;
 - (d) restaurant;
 - (e) farmers' market;
 - (f) public bike share; and
 - (g) Urban Farm - Class B.
- 3.3.2 In C-5 no portion of any floor of a dwelling unit or community care facility or group residence except for entrances shall be permitted within 2.0 m of street grade along the fronting street or a flanking street if the adjoining site on the flanking street is in a C district.

4 Regulations

All uses approved under sections 2 and 3 of this Schedule shall be subject to the following regulations:

4.1 Site Area -- Not Applicable.

4.2 Frontage

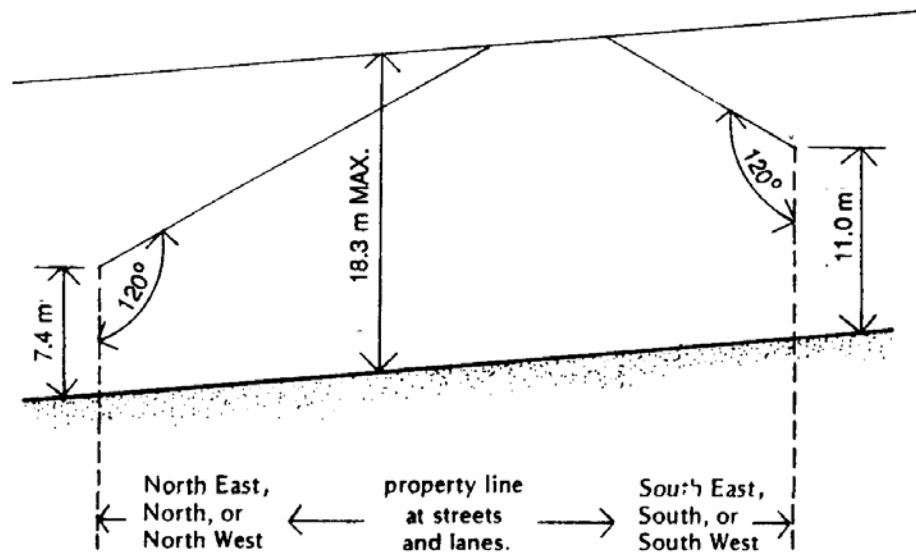
- 4.2.1 In C-5 and C-5A the maximum frontage for each individual occupancy located on a floor having an elevation within 2.0 m of street grade except a community centre, gasoline service station, parking area, and public school shall be 7.7 m. In C-6, this regulation is not applicable.
- 4.2.2 The Director of Planning or the Development Permit Board, as the case may be, may relax the maximum frontage regulation in section 4.2.1 in the case of a grocery or drug store existing as of May 18, 1993, and for other retail or service uses on the same site, provided that:
- (a) the Director of Planning or the Development Permit Board first considers the intent of this Schedule and is satisfied that the scale of development at the street property line will relate to pedestrians;
 - (b) the site has a frontage exceeding 45.8 m as of May 18, 1993;
 - (c) no more than a total of 50 % of the frontage of the site is occupied by grocery or drug store, or grocery store with liquor store, use and their departments except that this total amount shall be interspersed with other retail or service uses; and
 - (d) windows at the street property line are clear-glazed and unobstructed so that the interior of the premises are at all times visible from the sidewalk.

For the purpose of this section 4.2.2 any department of a grocery, or drug store, or grocery store with liquor store, which has its own check-out facility and entrance/exit door to the street shall be deemed to be an individual occupancy.

4.3 Height

- 4.3.1 The maximum height of a building shall be 18.3 m, but no portion of the building shall extend above the envelope illustrated and described in Figure 1. Height shall be determined by a line parallel to a line joining the official established building grades at the property lines. Angles shall be measured from vertical lines at the property lines.

Figure 1. Building Envelope



- 4.3.2 The Director of Planning or the Development Permit Board may permit an increase in the maximum height of a building, to a height not exceeding 64 m in the C-5A and C-6 districts and 18.3 m in the C-5 district, if the Director of Planning or the Development Permit Board first considers:
- (a) the impact on neighbourhood livability and environmental quality;
 - (b) the intent of this schedule and all applicable Council policies and guidelines;
 - (c) the submission of any advisory group, property owner or tenant; and
 - (d) the impact on views, shadowing, privacy, lower level treatment of buildings, and open space.
- 4.3.3 The Director of Planning or the Development Permit Board may permit a portion of a building in the C-5, C-5A and C-6 Districts to extend above the building envelope depicted in Figure 1 of section 4.3.1, if the building height does not exceed 18.3 m in the C-5 district and the Director of Planning or the Development Permit Board first considers:
- (a) the impact on neighbourhood livability and environmental quality;
 - (b) the intent of this schedule and all applicable Council policies and guidelines;
 - (c) the submission of any advisory group, property owner or tenant; and
 - (d) the impact on views, shadowing, privacy, lower level treatment of buildings, and open space.
- 4.4 Front Yard**
- 4.4.1 No front yard shall be permitted except where the Director of Planning is satisfied that shopping continuity and pedestrian amenity along any abutting sidewalk will be achieved.
- 4.5 Side Yards and Setbacks**
- 4.5.1 No side yards shall be permitted except where:
- (a) any portion of a building contains residential uses, that portion may be set back from the side property lines to fulfill provisions of section 4.10; or
 - (b) the Director of Planning is satisfied that shopping continuity and pedestrian amenity along any abutting sidewalk will be achieved.

4.6 Rear Yard and Setback

- 4.6.1 No rear yard shall be required except where any portion of a building contains dwelling uses, that portion shall be set back a minimum of 7.6 m from the rear property line across the full width of the building, except where the rear of the site abuts a lane, this required minimum setback shall be decreased by the lane width between the rear property line and the ultimate centre of the lane.
- 4.6.2 The Director of Planning may decrease the rear yard setback for dwelling use, provided he is satisfied that residential livability is achieved for the development site and neighbouring existing or potential residential uses.

4.7 Floor Area and Density

- 4.7.1.1 The maximum floor space ratio shall not exceed 2.20 in the C-5 and C-5A Districts and 2.6 in the C-6 District, except that:
- (a) for a hotel existing on or before February 4, 2014, the floor space ratio shall not exceed the greater of the floor space ratio existing on September 30, 1986 or the maximum floor space ratio limit set out in this section; and
 - (b) if the Director of Planning or the Development Permit Board first considers the intent of this district schedule, all applicable Council policies and guidelines and the submissions of any advisory groups, property owners or tenants, and there is no heritage density available for transfer, the Director of Planning or the Development Permit Board may permit an additional increase in permitted floor area of one m² for each amenity share provided to the city at no cost to the city, to a maximum increase of 10% above the maximum permitted floor space ratio.
- 4.7.1.2 The Director of Planning may permit an increase in permitted floor area for a hotel existing on September 30, 1986, to a maximum of 5% additional floor area, if, in the opinion of the Director of Planning, the increase in floor area will result in enhanced pedestrian amenities
- 4.7.2 In this district schedule, amenity means conservation of protected heritage property.
- 4.7.3 For the purposes of this district schedule, the cost of an amenity share is the amount specified per m² in the Heritage Amenity Share Cost Schedule G.
- 4.7.4 Notwithstanding the provisions of subsection 4.7.1, the maximum floor space ratio achievable as a result of the provision of amenity shares must otherwise comply in all respects with this district schedule and this by-law.
- 4.7.5 Computation of floor area shall include:
- (a) All floors of all buildings, both above and below ground level, to be measured to the extreme outer limits of the buildings.
- 4.7.6 Computation of floor area shall exclude:
- (a) open residential balconies and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of all exclusions does not exceed 12% of the residential floor area being provided;
 - (b) patios and roof gardens, provided that 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 the base surface provided that the off-street parking spaces do not have a length of more than 7.3 m; and
- (d) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit.

4.7.7 Computation of floor area may exclude:

- (a) interior public space, including atria and other similar spaces, provided that:
 - (i) the excluded area shall not exceed the lesser of 10 % of the permitted floor area or 600 m²;
 - (ii) the excluded area shall be secured by covenant and right-of-way in favour of the City which sets out public access and use; and
 - (iii) the Director of Planning first considers all applicable policies and guidelines adopted by Council.
- (b) amenity areas, including day care facilities and non-profit recreation facilities, to a maximum floor area of the lesser of 10 % of the permitted floor area or 1 000 m², provided, in the case of day care facilities, the Director of Planning, on the advice of the Director of Social Planning, is satisfied that there is a need for a day care facility in the immediate neighbourhood.

4.7.8 The Development Permit Board may increase the allowable floor space ratio by a maximum of 10 percent where the increase results from a transfer of heritage density, except that this increase shall not apply to a hotel where the floor area has already been increased pursuant to section 4.7.1.2 or a development where there has been an increase in floor space ratio pursuant to section 4.7.1.1(b).

For the purposes of this section “heritage density” means density provided as compensation for a heritage designation, which is transferred from the site of the designated heritage property to another site in accordance with Council’s Transfer of Density Policy and Procedure.

4.8 Site Coverage -- Not Applicable.

4.9 [Deleted -- see Parking By-law.]

4.10 Horizontal Angle of Daylight

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

4.10.2 Each exterior window must be located so that 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, will encounter no obstruction over a distance of 24.0 m.

4.10.3 The plane or planes referred to in section 4.10.2 must be measured horizontally from the centre of the bottom of each window.

4.10.4 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement, 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.

4.10.5 An obstruction referred to in section 4.10.2 means:

- (a) any part of the same building including permitted projections; or
- (b) the largest building permitted under the zoning on any adjoining site.

4.10.6 A habitable room referred to in section 4.10.1 does not mean:

- (a) a bathroom; or
- (b) a kitchen whose floor area is the lesser of:
 - (i) 10% or less of the total floor area of the dwelling unit, or
 - (ii) 9.3 m².

4.11 (Reserved)

4.12 (Reserved)

4.13 (Reserved)

4.14 (Reserved)

4.15 Acoustics

4.15.1 A development permit application for dwelling uses shall require evidence in the form of a report and recommendations prepared by persons trained in acoustics and current techniques of noise measurement demonstrating that the noise levels in those portions of the dwelling units listed below shall not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq) sound level and will be defined simply as the noise level in decibels.

Portions of dwelling units	Noise levels (Decibels)
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

4.16 (Reserved)

4.17 External Design

4.17.1 All developments shall provide along all abutting streets any one or a combination of display windows, individualized tenancy unit design, building articulation, pedestrian entrance definition via a recess or projecting canopy or any other architectural features which facilitate pedestrian interest to the satisfaction of the Director of Planning.

4.17.2 The first storey shall be built to the front and side property lines except as noted in sections 4.4.1 and 4.5.1 while the remaining storeys may terrace back from the property lines.

4.17.3 Direct pedestrian access at the fronting street at or near grade level to each individual commercial occupancy which abuts the fronting street of a development site shall be provided.

4.17.4 Continuous weather protection having a minimum depth of 1.5 m in the form of a retractable fabric awning, a canopy attached to the building face by bolts to facilitate easy removal, or other forms satisfactory to the Director of Planning and City Engineer shall be provided along the fronting street and flanking street where the adjoining site on the flanking street is in a C district.

- 4.17.5 That portion of building located at the intersection of a fronting and flanking street where the adjoining site on the flanking street is in a C district shall be rounded with a minimum radius of 1.8 m, indented or truncated with minimum dimensions of 1.8 m by 1.8 m, or architecturally treated by other means to facilitate pedestrian amenity to the satisfaction of the Director of Planning.
- 4.17.6 Building corners at the intersection of a fronting and flanking street where the adjoining site on the flanking street is in a C district shall be accentuated by variances of height, cupolas, domes, or other architectural appurtenances, or any proposals varying from the above, satisfactory to the Director of Planning.
- 4.17.7 A minimum of one pedestrian entrance to commercial uses shall be provided from the flanking street where the adjoining site on the flanking street is in a C district.
- 4.17.8 All garbage container storage areas shall be screened from view from nearby sidewalks and dwelling units.
- 4.17.9 Mechanical equipment shall be enclosed and set back so as not to be visible from street level or architecturally treated by other means satisfactory to the Director of Planning. Exposed duct work is not permitted.
- 4.17.10 Dwelling uses shall provide:
 - (a) pedestrian access separate from access to other uses;
 - (b) a minimum of one bicycle rack per four dwelling units in an enclosed storage room.

5 Relaxation of Regulations

- 5.1 Where a need for any public, social, cultural or recreational facility has been demonstrated to the satisfaction of the Development Permit Board, the Board may relax for any one building, which includes one or more of such facilities, the maximum floor space ratio and may require that any such facility be preserved in the public domain by way of a registered agreement and operated by the City or its delegates.

In determining the amount of the increase in floor area that may be permitted, the Development Permit Board shall consider:

- (a) the construction cost of the facility;
 - (b) any costs to the developer of continuing maintenance required for the facility;
 - (c) the rental value of the increased floor area;
 - (d) the value of any authorized relaxation of other restrictions; and
 - (e) the opinion of City Council.
- 5.2 The Director of Planning or the Development Permit Board may relax the regulations in the C-5A and C-6 districts regarding permitted floor space ratio for dwelling units in conjunction with other permitted uses, if the Director of Planning or the Development Permit Board first considers the intent of this schedule, and all applicable Council policies and guidelines, and:
 - (a) the floor space ratio does not exceed 7.0. in the C-5A district and 8.75 in the C-6 district;
 - (b) the floor space ratio for non-residential uses in the C-6 district must be no less than 1.2; and
 - (c) either a minimum of 20% of the floor area included in the calculation of floor space ratio must be used for social housing, or all dwelling units must be secured market rental housing.

- 5.3** The Director of Planning or the Development Permit Board may relax the regulations in the C-6 district regarding permitted height for dwelling units in conjunction with other permitted uses, if the Director of Planning or the Development Permit Board first considers the intent of the schedule, and all applicable Council policies and guidelines, and:
- (a) the maximum height does not exceed 91.4 m.; and
 - (b) either a minimum of 20% of the floor area included in the calculation of floor space ratio is used for social housing, or all dwelling units must be secured market rental housing.

1120 DAVIE ST. VANCOUVER, BC V6E1N1
604-331-1602

CottonMouth is a well-established business with a longstanding history of positive relations within the local community.

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[illegible]

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8.5X11

Staff VanMap



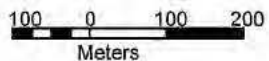
s.22(1)



A (No Address provided)

A : 4 (in notification Area)

F : 1 (in notification Area)



Scale 1: 9449

May 03, 2019 15:05

Hicks, Claudia

From: s.22(1)
Sent: Monday, August 19, 2019 11:58 AM
To: Hicks, Claudia
Subject: DP-2019-00353

Regarding the above.—How can the City of Vancouver allow three “POT SHOPS” —“RETAIL CANNABIS STORES” etc. etc. in an area of approximately two to three blocks? As stores in the West end are disappearing for the people who need them —demographically SENIORS, why is the City of Vancouver allowing this to happened? The store mentioned in you Notice of Development Application appears to have already papered over their windows and are working inside. Is this just another “done deal”??? One of the other Pot Shops on Davie is in the same state and then there is The CHEMICALLY ADDICTED Pot shop which is in operation!! How about providing our City with shopping that relates to the real world that we all strive to exist in.

s.22(1)

A ✓

Hicks, Claudia

From: s.22(1)
Sent: Monday, August 19, 2019 10:20 AM
To: Hicks, Claudia
Subject: 1120 Davie, Proposed Cannabis Retail Store.

Hello Claudia,

I am responding to your Development mail out on the above. I believe these stores should be located closer to a larger concentration of commercial activity such as Granville; certainly East of Burrard. Terminal Avenue would work well for this type of user and the name would be a ironic reminder of some of the products' end uses. A bike route connection to the outlet would also create an interesting vapor trail.

I opposed an earlier application to locate one of these on Bute Street just North of Davie for other reasons which may also apply here. [A definitive need to redevelop in that case.]

Unfortunately pot smoke is hardly pleasant and keeping the practice as far away from residential areas as possible is to be supported and commended.

s.22(1)

A
✓

Hicks, Claudia

1120 Davie St

From: s.22(1)
Sent: Sunday, August 25, 2019 10:55 AM
To: Hicks, Claudia
Subject: Comments on DP-2019-00353: 1120 Davie Street

Claudia Hicks
Project Coordinator
City of Vancouver

AV

Comments on DP-2019-00353: 1120 Davie Street

This letter is in objection of DP-2019-00353.

In contravention of City of Vancouver Zoning and Development By-law Section 11.28.2, the proposed site is within 300 m of four facilities that are outlined in this section of the bylaw. Specifically, the proposed location is:

- 200 m from the approved cannabis store at 1208 Davie St.;
- 280 m from Lord Roberts School Annex;
- 200 m from Qmunity, which is a youth facility that serves vulnerable youth; and
- 150 m 1162 Bute St., which has submitted a cannabis business application.

In addition, the proposal is 150 m from Jim Deva Plaza, which has, sadly, become a party place for people doing drugs and drinking, and is an overall detraction to the neighbourhood. A second cannabis store within 150 m of this location will exacerbate the already dismal, dangerous and illegal situations which occur at Jim Deva Plaza. Until the City gets Jim Deva Plaza under control, new cannabis stores close to this plaza should not even be considered.

s.22(1)

Hicks, Claudia

From: s.22(1)
Sent: Sunday, August 25, 2019 11:20 AM
To: Hicks, Claudia
Cc: s.22(1)
Subject: DP-2019-00353 - I object

August 25, 2019

Claudia Hicks
Project Coordinator
City of Vancouver

A ✓

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s.22(1)

1120 Davie St.

Hicks, Claudia

From: s.22(1)
Sent: Friday, August 16, 2019 2:02 PM
To: Hicks, Claudia
Subject: DP-201900353

Hi Claudia,

I am 100% in support of the application being made by Cottonmouth changing from retail to Cannabis store. Although I do not frequent their store they've been a great business presence on Davie St for many, many years. Supportive of the community and the Davie St BIA. They keep their storefront and sidewalk clean which is more than I can say for some business on Davie St.

Kind Regards,

s.22(1)



F
✓

s.22(1)



From: "Fridkin, Alycia" <Alycia.Fridkin@vancouver.ca>
To: "Hicks, Claudia" <claudia.hicks@vancouver.ca>
Date: 8/12/2019 10:47:39 AM
Subject: RE: DP-2019-00353 - 1120 Davie Street

Thanks, Claudia.

I have reviewed and have no concerns with this application.

alycia

Alycia Fridkin, PhD (she/her/hers)
Urban Health Planner
Social Policy & Projects | City of Vancouver
501-111 West Hastings Street, Vancouver, BC V6B 1H4
Unceded homelands of the xʷməθkʷəy̓əm (Musqueam), Skwxwú7mesh (Squamish), and sel̓ilwəit̓ulh (Tsleil-Waututh) Nations.

604.257.8758 | alycia.fridkin@vancouver.ca

From: Hicks, Claudia
Sent: Monday, August 12, 2019 9:29 AM
To: Fridkin, Alycia
Subject: DP-2019-00353 - 1120 Davie Street

*Hi Alycia,
When you have a moment, could you provide any comment for the above-noted Retail Cannabis application at the above-noted address?*

With thanks,

Claudia Hicks

*Project Coordinator - Development Review Branch
Development, Buildings & Licensing
604.871.6083*



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[illegible]

RECOMMENDATION TO DOP

ADDRESS: 1120 Davie Street

PERMIT NUMBER: DP-2019-00353

RECOMMENDATION TO: Manager: M. So

Date: Sept 5/19

Staff: C. Hicks

RECOMMENDATION SUMMARY:

I would recommend REFUSAL to change the use from a Retail Store to a Retail Cannabis Store, in this existing mixed-use building on this site.

Special Notes from various departments:

1. Cleared by Social Policy
2. Cleared by Engineering
3. Cursory building code comments not required (Retail to Retail)

NOTIFICATION SUMMARY: Yes

Site Sign: Yes

Sign Installation Confirmed On: Aug 10/19

Letter: Yes

Date Sent: Aug 12/19

Expiry Date: Aug 30/19

Results of Notification:

NOTIFIED: 2146

RESPONSES: 5

OBJECTIONS: 4 (3 within notification area)

IN FAVOUR: 1 (within notification area)

PETITION(S): 1 Petition of Support

****Petition of Support contained 253 signatures, approx.92 within the area, 83 outside of the area, and 178 without specific addresses provided****

SUMMARY OF RESPONSES:

Against:

- 200m from approved Cannabis Store at 1208 Davie Street
- 280m from Lord Roberts School Annex
- 200m from Qmunity – services vulnerable youth
- Should be located in a more commercial area
- Unpleasant odours

For:

- Great business presence on Davie for many years
- Keep storefront and sidewalk clean
- Positive relationship with community

HISTORY:

BU406153 – issued May 9/97

Interior alterations to provide tenant improvements of unknown sq. ft. in this existing retail/multiple dwelling (6 units) for this new retail limited food tenant.

DE402751 – Refused on Dec 17/97

Interior alterations and the change of use to this existing retail tenant space to provide for the additional use of second hand store sales in this existing/retail/beauty salon/retail food/residential building. The second hand sales to only include compact disks, video tapes and cassette tapes.

TECHNICAL REVIEW:

Retail Cannabis conditional use in C-5

Evaluate Potential MMRU

Number: Street Name:

Address Queried: 1120 Davie St

Results:

Zone: C-5, in the permitted zone

Failed Buffering From Sensitive Use Sites

Layer	Site Name	Site Address	Distance (m)
Public School	Lord Roberts Annex	1150 Nelson St	282.15

Failed Buffering From Approved/In-Stream MMRU Sites

Layer	Site ID	Site Name	Site Address	Distance (m)
In-Stream Approved	DP-2016-00684		1182 THURLOW ST	64.33
In-Stream Approved	DP-2018-01053		1202 DAVIE ST	173.35
In-Stream Approved	DP-2018-00688		1238 BURRARD ST	261.43

Application does not meet Section 11.28.2 (a) and (b) of the Zoning and Development By-law:
Section 11.28.2 (a):

Location is within 300m of the nearest property line of a site containing another Cannabis Store:

1. DP-2016-00634 – 1182 Thurlow Street – 64.33m (Permit expired on June 23/19)
s.13(1)

2. DP-2018-01053 – 1202 Davie Street – 173.35m
3. DP-2018-00688 - 1238 Burrard Street – 261.43m

Section 11.28.2 (b):

Location is within 300m of the nearest property line of a site containing a School-Elementary:

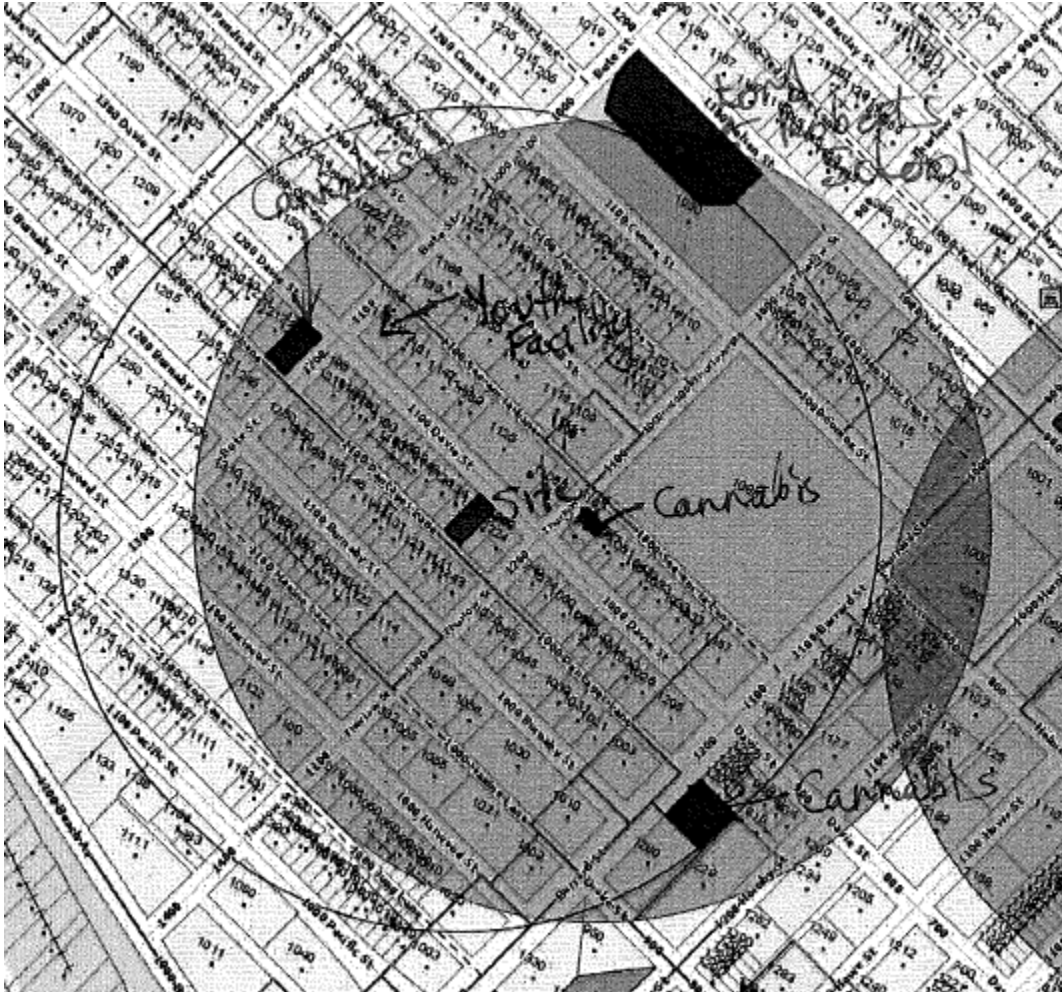
1. Lord Roberts Annex – 1150 Nelson Street – 282.15m

Guidelines:

Applicable – Yes – Retail Cannabis (MMRU Near Youth Facilities)

Application does not meet Guidelines as location is within 300m of Qmunity (approx. 150m – 1170 Bute Street)

Qmunity does not show on VanMap, but was noted in neighbours responses as serving vulnerable youth, and as per their website, Qmunity offers support/resources for youth aged 14-25



Reasons for Refusal:

Refusal 1: Non-compliance - Regulations: The proposed development does not comply with the regulations of the Zoning and Development By-law that affect the site;

Refusal 2: Non-compliance – Policies and Guidelines: The proposed development does not satisfactorily comply with the policies or guidelines that affect the site;

Refusal 3: Objections received: Objections have been received from neighbouring property Owners.