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

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**3168 East 54<sup>th</sup> Avenue (Cannabis ‘Name-Change’ APPROVED)**

**Appeal Section:** 573(1)(a) - Appeal of Decision (Cannabis Retail Store)  
**Legal Description:** Lot 1, Block 334 NWD Group 1, and Plan LMP 57817  
**Lot Size:** Irregular Lot Area.  
**Zone:** CD-1 (68)  
**Related By-Law Clause:** Section 11.6

**Appeal Description:**

Requesting a Cannabis Store ‘Name-Change’ (Cannabis operators name-change at this site) and previously approved by the Board of Variance on May 17th, 2022. Consolidation request for units at 3158 and 3168 East 54<sup>th</sup> Avenue and to be combined into one single cannabis store.

**Previous board decision:**

*This appeal was heard by the Board of Variance on May 17th, 2022 and was ALLOWED, thereby overturning the decision of the Director of Planning who refused Development Application No. DP-2022-00020, and approved interior alterations, consolidate units 3158 (752 sq.ft.) and 3168 (216 sq.ft.) and to change the use of approx. 968 sq.ft. from a School of Arts and Self Improvement (Music School + Tutoring) into a new Cannabis Retail Store in this existing mixed-use building (Champlain Mall) on this site.*

**Name of Appellant(s):** **John Olan (Kiwi Exchange Cannabis Corp.)**  
**DBA: ‘Generation Cannabis’**

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This appeal was heard by the Board of Variance on **September 24<sup>th</sup>, 2024** and was **ALLOWED**, thereby **granting permission** and **APPROVED** the Cannabis Store ‘Name-Change’ (Cannabis operators name-change) and this includes the consolidation of units at 3158 and 3168 East 54th Avenue and combining the two (2) units into one-single cannabis store, and subject to the following conditions:

- (1) the approval is for the exclusive use of “Kiwi Exchange Cannabis Corp.” and operated by Mr. John Olan, Mr. Robert Howes and Mr. Spencer Howes and doing business as (DBA): “Generation Cannabis” (the store front name);**
- (2) the Board granted a limited-time approval for two (2) years and expires on: September 24<sup>th</sup>, 2026.**
- (3) the Board may grant an extension on/or before the expiry date: September 24<sup>th</sup>, 2026;**
- (4) the Board approved limited-store hours from 10:00 AM to 8:00 PM (Seven days a week) (The Cannabis Operators MUST comply with the Board’s imposed store operational hours)** in accordance with the Board’s original decision from May 17<sup>th</sup>, 2022 – due to all the concerns from the surrounding neighbourhood (on file); and
- (5) that the development shall otherwise comply with the requirements and regulations of the Zoning and Development By-law to the satisfaction of the Director of Planning.**

**\*\*\* IMPORTANT NOTE to the Appellants:**

**The Board’s decision is valid for one-year** and the Owner(s) are required to obtain the City’s Development-Building Permit **by September 24<sup>th</sup>, 2025.** Once the Board’s decision expires, then the Owners are required to appeal (again) to request an extension.

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**Board's summary and decision based on the following:**

*-The Board of Variance members voted (4-0) and with a majority in support of the cannabis operators' name-change and an extension of the previously approved 'Cannabis land-use' at this site for a further period of two (2) years. **Note:** This new approval is for the Cannabis operators-company 'name-change' from Burb Cannabis to Generations Cannabis with additional imposed conditions.*

*-The Board of Variance's site office notified over 200+ property owners, and received 34-emails/letters in opposition and along with a 'hand-delivered' petition documenting 63-signatures in opposition to this Cannabis operators-company 'name-change' appeal. The board members considered all the written comments and concerns from the Neighbourhood and the board's final decision included keeping the original imposed condition with the permitted operational 'business hours from 10:00 AM to 8:00 PM' and this Cannabis store must be closed by 8:00 PM with no exceptions, and this imposed condition (restriction) applies seven days a week.*

*-The Board of Variance granted a limited-time approval for the 'Cannabis land-use' for up to two (2) years and expires on September 24th, 2026. **Note:** Renewals and any future extensions can be requested by 'Generation Cannabis' (Kiwi Exchange Cannabis Corp. c/o Mr. John Olan, Mr. Robert Howes and Mr. Spencer Howes) on / before September 24th, 2026 (and must be requested in writing and officially filing a new appeal prior to the expiry date).*

**-Requirement:** *The new Cannabis operators ('Generations Cannabis' - Kiwi Exchange Cannabis Corp. c/o Mr. John Olan, Mr. Robert Howes and Mr. Spencer Howes) are required to obtain all the City's Development and Building permits to complete the transfer of the cannabis land-use (company name-change) prior to obtaining the Provincial Cannabis permit and the City of Vancouver's Cannabis business license to operate.*

**-Requirement:** *The City of Vancouver will monitor the site's operation after all the permits are issued by the Province and by the City of Vancouver and allowing 'Generation Cannabis' to operate (- by Kiwi Exchange Cannabis Corp. c/o Mr. John Olan, Mr. Robert Howes and Mr. Spencer Howes). The City of Vancouver must retain all the records of any future complaints and/or concerns from the residents in the neighbourhood including all the nearby property owners in the immediate vicinity of this approved Cannabis Store at 3158 & 3168 East 54th Avenue. **Note:** All documented records (from all "311 calls to the City" and including all mail / emails...) shall be kept on file and must be provided to the Board of Variance department on any future considerations of the cannabis land-use renewals and/or any extension requests from 'Generations Cannabis' (- Kiwi Exchange Cannabis Corp. c/o Mr. John Olan, Mr. Robert Howes and Mr. Spencer Howes) operating the cannabis stores 3158 & 3168 East 54th Avenue.*

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Signed: \_\_\_\_\_  
Secretary to the Board of Variance

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