



## **BOARD OF VARIANCE/PARKING VARIANCE BOARD – SUMMARY MINUTES**

DATE: Tuesday, June 18<sup>th</sup>, 2024

TIME: 1:15 PM

PLACE: Townhall, Main Floor, City Hall

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PRESENT: Gilbert Tan – Board Chair

Peter Gee

Rakshin Kandola

Alexander Ray

Namtez Sohal

ABSENT:

SECRETARY: Louis Ng

Assistant

SECRETARY: Carmen Lau

ALSO PRESENT: Sonia Erichsen, Manager (Director of Planning’s Representative)

Joe Bosnjak, Supervisor (Director of Planning’s Representative)

## **2773 East Hastings St. (Related: 2775 East Hastings St.)– Board Minutes and Decision**

Section:	573(1)(a) - Appeal of Decision ( <u>New Cannabis Store</u> )
Legal Description:	Lot 20, District Lot THSL, NWD of Lot 51, and Plan VAP 406 and Plans 830 and 1771.
Lot Size:	Irregular site
Zone:	C-2C1
Related By-Law Clause:	Cannabis By-law (Section 11.6)

### **Appeal Description:**

Appealing the decision of the Director of Planning who refused Development Application No. DP-2024-00029 and a request to permit interior alterations to separate the existing unit into two separate units, and to change the use of one unit from Fitness Centre to new Cannabis Store at this existing mixed-use building.

### **Development Application No. DP-2024-00029 was refused for the following reasons:**

- The proposed development does not comply with the regulations of the Zoning and Development By-law that affect the site.
- The proposed development does not satisfactorily comply with the policies or guidelines that affect this site.
- Objections have been received from neighbouring property owners.

### **Discussion:**

Rebecca Hardin, Amin Karim, and Christine Lawton were present to speak in support of the appeal.

At the request of the Chair, the appellant agreed to dispense with the reading of the submission, which had been in the Members' possession prior to the meeting.

The appellant's initial comments were that they purchased the building and they intend to run a smooth operation. They received 555 support letters from neighbours, businesses, and the BIA.

### **The Director of Planning's Representative**

Mr. Bosnjak's initial comments were that this is a refusal to separate the existing unit into two separate units. They are within 300 meters from Hastings Elementary, Our Lady of Sorrows Elementary, and Hastings Community Center. There were also objections received from postcard notifications. The Director of Planning is not in support of the appeal.

The Board Chair stated that the Board's site office received one (1) letter in Support and ten (10) letters in opposition to this appeal.

The Chair stated that if there were any interested parties in the audience who wished to speak to this appeal, they should raise their hand to be recognized and when recognized, state their full name and address and spell their surname for the record.

**Trevor H. attended the meeting and spoke in support of the appeal.**

**Courtenay K. attended the meeting and spoke in support of the appeal.**

### **Final Comments:**

Mr. Bosnjak's final comments were that the Director of Planning refused this due to regulations, as well as within 300 meters from Elementary Schools and Community Centers. There were also objections received, they don't see a site specific hardship, and cannot support the appeal.

The appellant's final comments were that by adding a legal site, they can provide a store for the community, which they have a lot of support for.

**This appeal was heard by the Board of Variance on June 18th, 2024 and was DISALLOWED.**

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

-The Board members did NOT accept the Owners' development proposal and voted 4-1 in opposition to the appeal. The Board of Variance upheld the City's (Director of Planning) decision and that the proposed site is within 300m of two (2) nearby elementary schools, within 300m of the Hastings Community Center and also a youth center (Gold Corp.) across the street. The majority of the board members did not find a site hardship to warrant a zoning relaxation and upheld the City's decision, and therefore disallowed the appeal.

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**On June 18<sup>th</sup>, 2024 - The following sites were reviewed by the Board of Variance for other zoning related items and Development Permits are required for the following sites:**

- **2609 McGill Street.** A relaxation of the Density and Floor Area (Section 3.1.1) regulations of the R1-1 District Schedule and was granted and APPROVED, thereby allowing a partial sundeck enclosure (a new recreational room) with a partial open sundeck over the attached two-car garage at this existing one-family dwelling with a proposed Secondary suite site.

- **1766 Davie Street.** As required by the City and the Cannabis operator is required to obtain all the required City permits and the Cannabis Business License in order to operate.

This appeal was heard by the Board of Variance on June 18th, 2024 and was ALLOWED, thereby granting permission to update the operator's name (name-change) and to retain the previously approved Cannabis Store in this existing mixed-use building site for a further period of three (3) more years, and subject to the following conditions:

- (1) That the approval is for the exclusive use of "1268236 B.C. LTD. " and shall be operated by Harp Hoonjan and doing business as (DBA): "Imagine Cannabis Co."
- (2) the Board granted a limited-time approval for three (3) years and expires on: July 13th, 2027;
- (3) the Board may grant an extension on/or before the expiry date: July 13th, 2027;
- (4). that the approved hours of operation shall be from 9:00 AM to 11:00 PM (Seven Days a week) in accordance with the Board's decision on June 18th, 2024; 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.

- **1120 Hamilton Street.** As required by the City and the Cannabis operator is required to obtain all the required City permits and the Cannabis Business License in order to operate.

This appeal was heard by the Board of Variance on June 18th, 2024 and was ALLOWED, thereby granting permission to retain the previously approved Cannabis Store at this site for a further period of three (3) more years, and subject to the following conditions:

- (1) the approval is for the exclusive use of "Lightbox Enterprises Ltd." and shall be operated by Gurbinder Karbar and doing business as (DBA): "Dutch Love Cannabis".

- (2) the Board granted a limited-time approval and expires on: September 13th, 2027;
- (3) the Board may grant an extension on/or before the expiry date: September 13th, 2027;
- (4) 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.

**1286 – 1288 Robson Street.** As required by the City and the Cannabis operator is required to obtain all the required City permits and the Cannabis Business License in order to operate.

This appeal was heard by the Board of Variance on June 18th, 2024 and was ALLOWED, thereby permission to retain the previously approved Cannabis Store at this site for a further period of three (3) more years, and subject to the following conditions:

- (1) that the approval is for the exclusive use of operator Roya Khosravi-Moghadam and operating the business under ‘CANNOE WESTCAN OPERATION CORP.’ and doing-business-as (DBA): “Westcanna”; and
- (2) that the Board granted a limited-time approval of three (3) years and expires on November 20th, 2027 and the Board may grant an extension to the time limit on or before November 20th, 2027; and
- (3) 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.

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**On June 18<sup>th</sup>, 2024 - The following sites were NOT reviewed by the Board of Variance and was adjourned.**

**- 703 Terminal Avenue (Vancouver Flea Market)**