

### Bylaw comments for 732 Tyee

The following information related to the Cannabis Retailer –located at 732 Tyee Road.

- October 27, 2015, the City received an application for a Medical Marijuana Dispensary at 732 Tyee Road from “Bud & Leaves Wellness Ltd, 9412805-5 (Canada Business Corporation number)”, two directors listed as Lauren Isherwood and Reia Johnson.
- October 28, 2015, Applicant was e-mailed stating the City has received the application but will not be proceeding any further until the City’s review of its licensing regulation is complete.
- November 6, 2015, Applicant is informed that M2-S, the zoning for 732 Tyee Road, does not allow Retail as a primary use.
- November 9, 2015, E-mail exchange from applicant stating that 25% will be retail, the remaining 75% for packaging and distribution activities.
- November 10, 2015, a revised business licence application is submitted from applicant, Lauren Isherwood-Baingo.
- November 10, 2015, e-mail to applicant informing the City is waiting for review of its licensing regulations and will not proceed with licence.
- January 6, 2016, e-mail to applicant requesting floor plan of property.
- January 6, 2016, City receives requested floor plan from applicant.
- January 7, 2016, City received updated floor plan from applicant.
- January 7, 2016, Zoning review of revised floor plan is approved Senior Planning Technician.
- September 22, 2016, City Council approved the Cannabis-Related Business Regulation Bylaw 16-058.
- December 1, 2016, received new licence application for Buds & Leaves Wellness Ltd 941208-5 from Lauren Isherwood, listing Nicholas Baingo as an additional director in corporation.
- December 1, 2016, business licence #1029330 is issued to Buds & Leaves Wellness Ltd.
- Dec 2, 2016, Inspector Ferris attended business to ensure hours of operation were being followed, and business was in compliance.
- February 17, 2017, Officer Bains attended and directed a bigger sign under section 6 (a) allow person under 19.
- March 9, 2017, Officer Bains spoke with new owners, Sam (Sudhir) Sadana and received sons contact number, Rajiv Sadana. They took possession Feb 21, 2017 and are working with City’s Planning Department.
- March 9, 2017, City received e-mail from Lauren Isherwood stating there was an ownership change, new owner, Rajiv Sadana. (new owners are from mainland and are looking for assistance with re-zoning process)
- March 18, 2017, Officer Bains attended to complete Operating Requirements Inspection and noted new owner, and re-zoning in progress.

- March 19, 2017, Officer Bains met Rajiv Sadana during Inspection and discussed rules around edible products and was told they were working with Planner, Mike Angrove with regards to zoning.
- April 12, 2017, Officer Dolan completed Operating Requirements Inspection, noted applicant was making payment, no edibles on premises, and rezoning application proceeding.
- May 14, 2017, Officer Bains completed Operating Requirements Inspection, confirmed no edibles on display or for sale, no further issues.
- June 24, 2017, Officer Bains completed Operating Requirements Inspection, no issues.
- July 20, 2017, Officer Bains completed Operating Requirements Inspection, informed owner, Rajiv Sadana to make application for a sign permit.
- July 21, 2017, Next door business complained about strong odor, Officer Bains to follow up.
- July 21, 2017, Officer Bains attended next door business and cleared up complaint and owner has been in touch with the City with regards to sign permit.
- September 8, 2017, Officer Bains completed Operating Requirements Inspection, re-zoning proceeding, Sign permit application pending, no further issues.
- September 29, 2017, Officer Bains completed Operating Requirements Inspection, Re-zoning in progress, signage in question.
- October 12, 2017, Council approved a Temporary Use Permit for 732 Tyee for a period of up to three years, expiry date is October 12, 2020.
- October 22, 2017, Sign permit approved.
- November 16, 2017 Officer Bains completed Operating Requirements Inspection, no issues.
- December 16, 2017 Officer Bains completed Operating Requirements Inspection, no issues.
- January 11, 2018, Officer Bains completed Operating Requirements Inspection, no issues.
- February 18, 2018, Officer Bains completed Operating Requirements Inspection, no issues.
- March 11, 2018, Officer Bains completed Operating Requirements Inspection, no issues.
- April 12, 2018, Officer Bains completed Operating Requirements Inspection, no issues.
- May 6, 2018, Officer Bains completed Operating Requirements Inspection, no issues.
- June 13, 2018, Officer Bains completed Operating Requirements Inspection, no issues.
- July 11, 2018, Officer Bains completed Operating Requirements Inspection, no issues.
- August 14, 2018, Officer Bains completed Operating Requirements Inspection, no issues.
- September 26, 2018, Office Bains completed Operating Requirements Inspection, no issues.
- October 23, 2018, Store closed pending provincial approval.
- January 9, 2019, Officer Bains confirmed store has remained closed.
- August 15, 2019, Officer Bains confirmed store has remained closed awaiting provincial approval.

**Bylaw Summary:**

There have not been any Bylaw Calls for Service, and only one informal complaint from a neighboring business on July 21, 2017, which was quickly resolved.

The City was notified by e-mail on March 9, 2017, of new owners, although the new owners did not complete a business licence application and continued to operate under the name of Buds & Leaves.

Payments of \$5000.00 for licensing fees were received on Dec 1, 2016, April 12, 2017, and January 10, 2018.

**Detailed summary about Buds and Leaves:**

On October 27, 2015, Buds and Leaves applied for a business license. At this time, the City was not accepting any applications as staff were reviewing business licensing regulations.

On September 22, 2016, approved the Cannabis-Related Business Regulation Bylaw 16-058. On December 1, 2016, Bud and Leaves applied again for a business license. The City issues a business license on the same day. The City was notified by e-mail on March 9, 2017, of new owners, although the new owners did not complete a business licence application and continued to operate under the name of Buds & Leaves until July 2019.

Council approved a Temporary Use Permit for 3 years on October 12, 2017, which would expire on October 12, 2020. The applicant is aware of the upcoming expiration and is working with the City Planning Department through the rezoning process.

Bylaw Services carried out monthly inspections between December 2016 and March 2019. There have not been any issues since October 2017. There were only minor issues prior to this, including a requirement for a larger 19+ sign and a sign permit, and a neighbour complaint about odour. The City did not issue any tickets.

Payments of \$5000.00 for licensing fees were received on Dec 1, 2016, April 12, 2017, and January 10, 2018.

**Issue:**

- Ownership.
- Rezoning.

**Recommendation:**

- Positive recommendation
- postpone decision until rezoning process is complete.
- Negative recommendation

**Detailed summary about High 5 Retail:**