

## Appendix D - Bylaw Comments for 475 Gorge

The following information relates to the Cannabis Retailer – **THE GREEN HART HEALTH AND WELLNESS INC (#BC1054231)** located at 475 Gorge Road East.

- February 10, 2016, received business licence application #1028245 for Medical Marijuana Dispensary at 475 Gorge Road East. Business name was The Green Hart Health and Wellness Inc. #BC1054231, signed by Director, Sean Charles Pettifer.
- May 24, 2016, email sent to applicant from Business Licence Inspector Kim Ferris informing that the City was not approving the majority of marijuana related businesses and there for do not qualify to make application for a portable sign permit.
- September 27, 2016, business licence was rejected and account closed - CLOSING ALL ACCOUNTS PER NEW CANNABIS BYLAW
- Oct 21, 2016, Officer Ferris inspected business for compliance of permitted operating hours 7am-8pm. Inspection of business on Friday evening October 21, 2016 showed business was closed at 2025 hrs.
- November 28, 2016, received business licence application #1029314 for Cannabis Retailer at 475 Gorge Road East. Business name was The Green Hart Health and Wellness Inc. #BC1054231, signed by Director, Sean Charles Pettifer.
- December 2, 2016, Officer Ferris inspected business for compliance of permitted operating hours 7am-8pm. Upon inspection, business was closed at 2014 hrs on Friday, Dec 2, 2016.
- December 13, 2016, Inspection completed by Officer Ferris and Officer Garner. Met with applicant and reviewed all requirements and all are in good order. Will continue to monitor.
- February 23, 2017, Zoning application submitted
- March 8, 2017, Operating Requirements Inspection Report completed by Officer Garner. No issues, however, signage found to have symbols that will need further inspection and possible removal, to which owner agreed.
- April 17, 2017, Operating Requirements Inspection Report completed by Officer Ashley Cackle. No issues. Only concerns noted is the images of the hearts on the window, and overhead awning. Erin, the manager stated that would get them taken off right away and her employee started working on it while Officer was in attendance.
- May 23, 2017, Operating Requirements Inspection Report completed by Officer Garner. It was observed that the sign with the symbol, was still erected on the south side of the building. It must be noted that during the inspection the BL holder was in the process of removing the sign in question.
- Jul 19, 2017, Operating Requirements Inspection Report completed by Officer Garner. No issues.
- August 15, 2017, Operating Requirements Inspection Report completed by Officer Garner. No issues.

- September 19, 2017, Operating Requirements Inspection Report completed by Officer Garner. No issues. Was informed by staff that they are now scheduled in Dec. 7, 2017 for their rezoning application hearing.
- October 24, 2017, Operating Requirements Inspection Report completed by Officer Garner. No issues.
- December 1, 2017, Site Inspection completed by Officer Ferris and a representative from Island Health.
- December 14, 2017, Rezoning Application #00535 declined by Council.
- December 14, 2017, Business Licence Application #1029314 Licence #00032203 rejected by the Planning Department, as the zoning is S-1 Zone, Limited Service District and the building occupancy does not permit a Cannabis Dispensary. Subject to a rezoning application being successfully completed.
- December 19, 2017, Officer Murphy delivered letter from Council regarding denial of Rezoning Application and Business License to Garreth Hurn at 475 Gorge Road East, Green Hart Dispensary.
- January 10, 2018, MTI B01791 written under the Cannabis Related Business Licence Regulation Bylaw, Section 4(1) Operate without a valid licence, for the fine amount of \$1000.00, served by Officer Garner.
- January 18, 2018, MTI B01793 written under the Cannabis Related Business Licence Regulation Bylaw, Section 4(1) Operate without a valid licence, for the fine amount of \$1000.00, served by Officer Garner.
- January 19, 2018, MTI B01796 written under the Cannabis Related Business Licence Regulation Bylaw, Section 4(1) Operate without a valid licence, for the fine amount of \$1000.00, served by Officer Garner.
- January 23, 2018, MTI B01798 written under the Cannabis Related Business Licence Regulation Bylaw, Section 4(1) Operate without a valid licence, for the fine amount of \$1000.00, served by Officer Garner.
- January 25, 2018, MTI B01799 written under the Cannabis Related Business Licence Regulation Bylaw, Section 4(1) Operate without a valid licence, for the fine amount of \$1000.00, served by Officer Garner.
- January 30, 2018, MTI B05577 written under the Cannabis Related Business Licence Regulation Bylaw, Section 4(1) Operate without a valid licence, for the fine amount of \$1000.00, served by Officer Garner.
- January 31, 2018, Notice of Dispute received for MTI B01799.
- February 2, 2018, MTI B05579 written under the Cannabis Related Business Licence Regulation Bylaw, Section 4(1) Operate without a valid licence, for the fine amount of \$1000.00, served by Officer Kitson.
- February 17, 2018, MTI B06294 written under the Cannabis Related Business Licence Regulation Bylaw, Section 4(1) Operate without a valid licence, for the fine amount of \$1000.00, served by Officer Bains.
- February 21, 2018, MTI B05579 had an error and was cancelled. MTI B05553 reissued for Feb 2, 2018 on Feb 21, 2018 by Officer Kitson.
- February 27, 2018, MTI B06269 written under the Cannabis Related Business Licence Regulation Bylaw, Section 4(1) Operate without a valid licence, for the fine amount of \$1000.00, served by Officer Warwick.

- March 2, 2018, MTI B05583 written under the Cannabis Related Business Licence Regulation Bylaw, Section 4(1) Operate without a valid licence, for the fine amount of \$1000.00, served by Officer Garner.
- March 5, 2018, Notice of Dispute received for MTI B05583.
- March 6, 2018, Notice of Dispute received for MTIs B05553, B06269, and B06294.
- March 8, 2018, MTI B05584 written under the Cannabis Related Business Licence Regulation Bylaw, Section 4(1) Operate without a valid licence, for the fine amount of \$1000.00, served by Officer Garner.
- March 8, 2018, Notice of Dispute received for MTI B05584.
- March 23, 2018, MTI B06271 written under the Cannabis Related Business Licence Regulation Bylaw, Section 4(1) Operate without a valid licence, for the fine amount of \$1000.00, served by Officer Warwick.
- April 5, 2018, MTI B02752 written under the Cannabis Related Business Licence Regulation Bylaw, Section 4(1) Operate without a valid licence, for the fine amount of \$1000.00, served by Officer Garner.
- April 12, 2018, MTI B02754 written under the Cannabis Related Business Licence Regulation Bylaw, Section 4(1) Operate without a valid licence, for the fine amount of \$1000.00, served by Officer Garner.
- April 20, 2018, MTI B03061 written under the Cannabis Related Business Licence Regulation Bylaw, Section 4(1) Operate without a valid licence, for the fine amount of \$1000.00, served by Officer Warwick.
- April 30, 2018, email exchange between City Planning department and Green Hart regarding submitting a new rezoning application.
- May 8, 2018, MTI B02752 deemed convicted - letter sent.
- May 12, 2018, MTI B04877 written under the Cannabis Related Business Licence Regulation Bylaw, Section 4(1) Operate without a valid licence, for the fine amount of \$1000.00, served by Officer Garner.
- May 15, 2018, Notice of Hearing received for B05577, B05683, B05584, B01791, B01793, B01796, B01798, B01799, B06269, B06294. Hearing date set for June 12, 2018 at 0900 hours.
- May 18, 2018, MTI B04880 written under the Cannabis Related Business Licence Regulation Bylaw, Section 4(1) Operate without a valid licence, for the fine amount of \$1000.00, served by Officer Garner.
- May 26, 2018, MTI B04882 written under the Cannabis Related Business Licence Regulation Bylaw, Section 4(1) Operate without a valid licence, for the fine amount of \$1000.00, served by Officer Garner.
- May 30, 2018, Notice of Dispute received for MTI B02752, B02754, B03061.
- June 12, 2018, Court Hearing held. All disputed tickets had been paid prior to hearing; Officer Garner attended court and the hearing was dismissed.
- June 16, 2018, Officer Garner inspected, and the business was fully operational. Officer Garner informed store manager that Bylaw would be seeking a Long Form Procedure from this point on and advised them to speed up the process of rezoning.

- June 30, 2018, Officer Garner inspected and the business was fully operational, in violation of the Cannabis Related Business Licence Regulation Bylaw, Section 4(1) Operate without a valid licence.
- July 14, 2018, Officer Garner contacted the business via telephone and found it was fully operational and operating without manager on site, in violation of the Cannabis Related Business Licence Regulation Bylaw, Section 4(1) Operate without a valid licence.
- July 21, 2018, Officer Garner inspected and the business was fully operational, in violation of the Cannabis Related Business Licence Regulation Bylaw, Section 4(1) Operate without a valid licence. While on site conducted an inspection of the downstairs and there was no evidence to suggest a secondary business being operated at this time.
- July 28, 2018, Officer Garner inspected and the business was fully operational, in violation of the Cannabis Related Business Licence Regulation Bylaw, Section 4(1) Operate without a valid licence. Manager informed that the owners have submitted a new application to try and obtain a BL.
- August 8, 2019, Officer Garner inspected and the business was fully operational, in violation of the Cannabis Related Business Licence Regulation Bylaw, Section 4(1) Operate without a valid licence.
- August 9, 2019, Officer Garner was informed that an FOI request had been made and all files were submitted pertaining to this file to Bylaw Manager.
- September 1, 2018, Officer Garner inspected and the business was fully operational, in violation of the Cannabis Related Business Licence Regulation Bylaw, Section 4(1) Operate without a valid licence.
- September 20, 2018, Officer Garner inspected and the business was fully operational, in violation of the Cannabis Related Business Licence Regulation Bylaw, Section 4(1) Operate without a valid licence.
- October 13, 2018, Officer Garner inspected and the business was fully operational, in violation of the Cannabis Related Business Licence Regulation Bylaw, Section 4(1) Operate without a valid licence.
- October 16, 2018, Officer Garner was contacted by owner to inform Bylaw that they "will be shutting the doors during this confusing time with the Province". November 7, 2018, the City received Notice of Claim from Green Hart Health and Wellness, regarding Rezoning Application #00535, indicating that fines were imposed on the retailer this year, while their rezoning application was in process. They are seeking return of these monies. Bylaw Manager Nancy Johnston to provide response to Risk Management as to our process, timeline of actions, and rationale.
- December 8, 2018, Officer Garner inspected and the business was fully operational, in violation of the Cannabis Related Business Licence Regulation Bylaw, Section 4(1) Operate without a valid licence.
- December 13, 2018, Council approved the rezoning for cannabis retailer Green Hart Health and Wellness at 475 Gorge Road East. At this time they do not have a business licence.

- December 18, 2018, Green Hart Health and Wellness business licence account #1029314 was reopened and Cannabis Retail licence #00032203 was reinstated and WITHHELD.
- January 26, 2019, Officer Garner inspected and the business was fully operational, in violation of the Cannabis Related Business Licence Regulation Bylaw, Section 4(1) Operate without a valid licence.
- March 23, 2019, Officer Garner inspected and the retailer was not open when he attended.
- September 17, 2019, Bylaw Manager Barrie Cockle concluded to Provincial Enforcement.

The Dispensary received 19 Municipal Tickets in the amount of \$19,000, which the City received from the applicant. New owner has submitted a business application at 475 Gorge Road East on November 6, 2019 under the name of Kiara Brands Inc. BC 1226561 listed Director Daniel Petrov.