



To clarify misinformation posted in social media, please reference this copy of the August 9, 2021 Supreme Court Order to halt illegal activities at 7890 Clark Dr W.

NAN-S-S-93779
Nanaimo Registry

In the Supreme Court of British Columbia

Between

DISTRICT OF LANTZVILLE

Petitioner

and

STANLEY EDWARD POTTIE

Respondent

ORDER MADE AFTER APPLICATION

))	
)	THE HONOURABLE JUSTICE)	
BEFORE)	BAIRD)	August 9, 2021
))	
))	

THIS PETITION coming on for hearing at Nanaimo, British Columbia on August 9, 2021 AND ON HEARING Matthew R. Voell, counsel for the Petitioner, and the Respondent Stanley Pottie,

THE COURT DECLARES that:

1. The respondent, Stanley Edward Pottie (the "Respondent"), has been in breach of the District of Lantzville Zoning Bylaw No. 180, 2020 (the "Zoning Bylaw").

THE COURT ORDERS that:

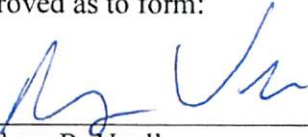
2. Pursuant to s. 274(1) of the *Community Charter*, S.B.C. 2003, c. 26 (the "*Community Charter*") the Respondent, and all persons to whom notice of this Order is given, are hereby restrained and enjoined from using the property with a legal description of Lot 2 District Lot 45 Wellington District Plan 14738 Except Part in Plan VIP63657, PID: 000-094-871 (the "Property") for the purposes of a cannabis dispensary or a retail cannabis store.

3. Pursuant to s. 274(1) of the *Community Charter*, the Respondent, and all persons to whom notice of this Order is given, are hereby restrained and enjoined from using the Property for the purposes of an amusement park.
4. By consent, the Respondent will remove all of the Encroachments on the rights of way owned by the Petitioner adjacent to the Property (the "Right of Way"), as set out in Exhibit K to the Affidavit of Kyle Young in this proceeding, within 30 days of this Order.
5. Should the Respondent fail to remove the Encroachments from the Right of Way as required by this Order, the Petitioner is authorized, by its employees or contractors, to take such measures as are necessary to remove the Encroachments from the Right of Way at the expense of the Respondent.
6. Each Party shall bear their owns costs.
7. The requirement for approval as to the form of this Order by the Respondent is dispensed with.

BY THE COURT

Digitally signed by
Farrow, Stefan

Approved as to form:



Matthew R. Voell
Counsel for the Petitioner
District of Lantzville

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Attention: Matthew R. Voell
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PUBLIC NOTICE: BC Supreme Court Orders Halt to Illegal

Activities at 7890 Clark Drive West

(August 12, 2021, Lantzville) On Monday, August 9th, the BC Supreme Court ruled in favour of the District of Lantzville that the illegal dinosaur park and cannabis sales occurring at 7890 Clark Drive West are not permitted and must cease immediately.

This ruling follows a petition filed by the District of Lantzville demanding that the property owner: 1) stop using the property as an amusement park, 2) stop selling cannabis on the property, and 3) remove all dinosaurs and other objects from the District's road right of way adjacent to the property which was cleared by the property owner and developed as a parking lot for his use. The Court ordered that the property owner cease the unlawful uses immediately and remove the encroachments within 30 days, failing which the District may remove the encroachments at the cost of the property owner.

After receiving complaints of noise, health and safety concerns, commercial activities and increased traffic, the District filed this petition with the Court because the property's zoning does not allow an amusement park or cannabis sales, multiple dinosaurs and other objects were placed within the road right-of-way by the property owner, and the property owner had cleared the District's right of way and developed it as a parking lot for his use.

7890 Clark Drive W is zoned for residential use. While the zoning *does* allow for specific types of home-based businesses, it does not allow an amusement park or commercial activity. In addition, cannabis retail sales are not permitted in any zone in the District of Lantzville and there is no Provincial licence in place for retail cannabis sales on this property.

When contraventions of the Zoning Bylaw or trespass onto District land are brought to the attention of the District, it works with property owners to try to bring the matter into compliance voluntarily. If voluntary compliance cannot be achieved, the District may proceed to legal action to achieve compliance with municipal bylaws through the Courts, which occurred in this case.