

Agenda Including Addeds

Planning and Environment Committee

9th Meeting of the Planning and Environment Committee

May 14, 2018, 4:00 PM

Council Chambers

Members

Councillors S. Turner (Chair), A. Hopkins, M. Cassidy, J. Helmer, T. Park, Mayor M. Brown

The Committee will recess at approximately 6:30 PM for dinner, as required.

	Pages
1. Disclosures of Pecuniary Interest	
2. Consent	
2.1 Application - 2332 Wickerson Road - Wickerson Hills	3
2.2 City Services Reserve Fund Claimable Works for 3313 – 3405 Wonderland Road South	11
2.3 Building Division Monthly Report for March 2018	15
3. Scheduled Items	
3.1 Public Participation Meeting - Not to be heard before 4:00 PM - Technical Amendments to Setback Requirements for Low-Rise Residential Development in the Primary Transit Area (Z-8878)	21
a. <i>(ADDED) W. Pol, Pol Associates Inc.</i>	36
3.2 Public Participation Meeting - Not to be heard before 4:00 PM - Application - 894 Adelaide Street North (Z-8872)	38
3.3 Public Participation Meeting - Not to be heard before 4:45 PM - Planning for Supervised Consumption Facilities and Temporary Overdose Prevention Sites (OZ-8852)	58
a. J. Palazzo	105
b. L. Howard, 444 York Street	106
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(Note: A petition with approximately 142 signatures is available for viewing in the City Clerk's Office)	
e. G. Coakley, Coakleys	118
f. L. McCardle, 31 Cartwright Street	120

g.	B. Speagle, 434 Wilkins Street	122
h.	A. Lukach, SoHo Community Association	123
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n.	<i>(ADDED) H. McRandall</i>	132
o.	<i>(ADDED) M. Buzzelli and J Browne, London and Middlesex Housing Corporation</i>	133
p.	<i>(ADDED) D. Lundquist, 191 Grey Street</i>	135
q.	<i>(ADDED) Residents of West SOHO</i>	144
	(Note: A petition with approximately 119 Signatures is on file in the City Clerk's Office)	
r.	<i>(ADDED) Residents at 241 Simcoe Street</i>	148
	(Note: A petition with approximately 108 Signatures is available for viewing in the City Clerk's Office)	
s.	<i>(ADDED) Elizabeth K. Cormier, Elizabeth Cormier Professional Corporation</i>	149
	(Note: References the petition in item q, above)	
t.	<i>(ADDED) J. Leunissen, 221 Grey Street</i>	150
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4. Items for Direction

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4.4	Expansion of and, Amendments to, By-law CP-1 - Old East Village Business Improvement Area	193
4.5	Request for Delegation Status - C. Linton, Developro Land Services Inc. - Riverbend Meadows Phase 3	209

5. Deferred Matters/Additional Business

6. Adjournment

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: George Kotsifas, P.ENG
Managing Director, Development & Compliance Services and
Chief Building Official

Subject: Application By: City of London
Portion of 2332 Wickerson Road
Removal of Holding Provisions (h-37)

Meeting on: May 14, 2018

Recommendation

That, on the recommendation of the Manager, Development Planning, based on the application of the Corporation of the City of London, relating to a portion of the property located at 2332 Wickerson Road, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on May 22, 2018 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning of portion of the property located at 2332 Wickerson Road **FROM** a Holding Residential Special Provision R1 (h-37*R1-3(7)) Zone and Holding Residential R1 (h-37*R1-4) Zone **TO** a Residential Special Provision R1 (R1-3(7)) Zone and Residential R1 (R1-4) Zone to remove the h-37 holding provisions.

Executive Summary

Purpose and the Effect of Recommended Action

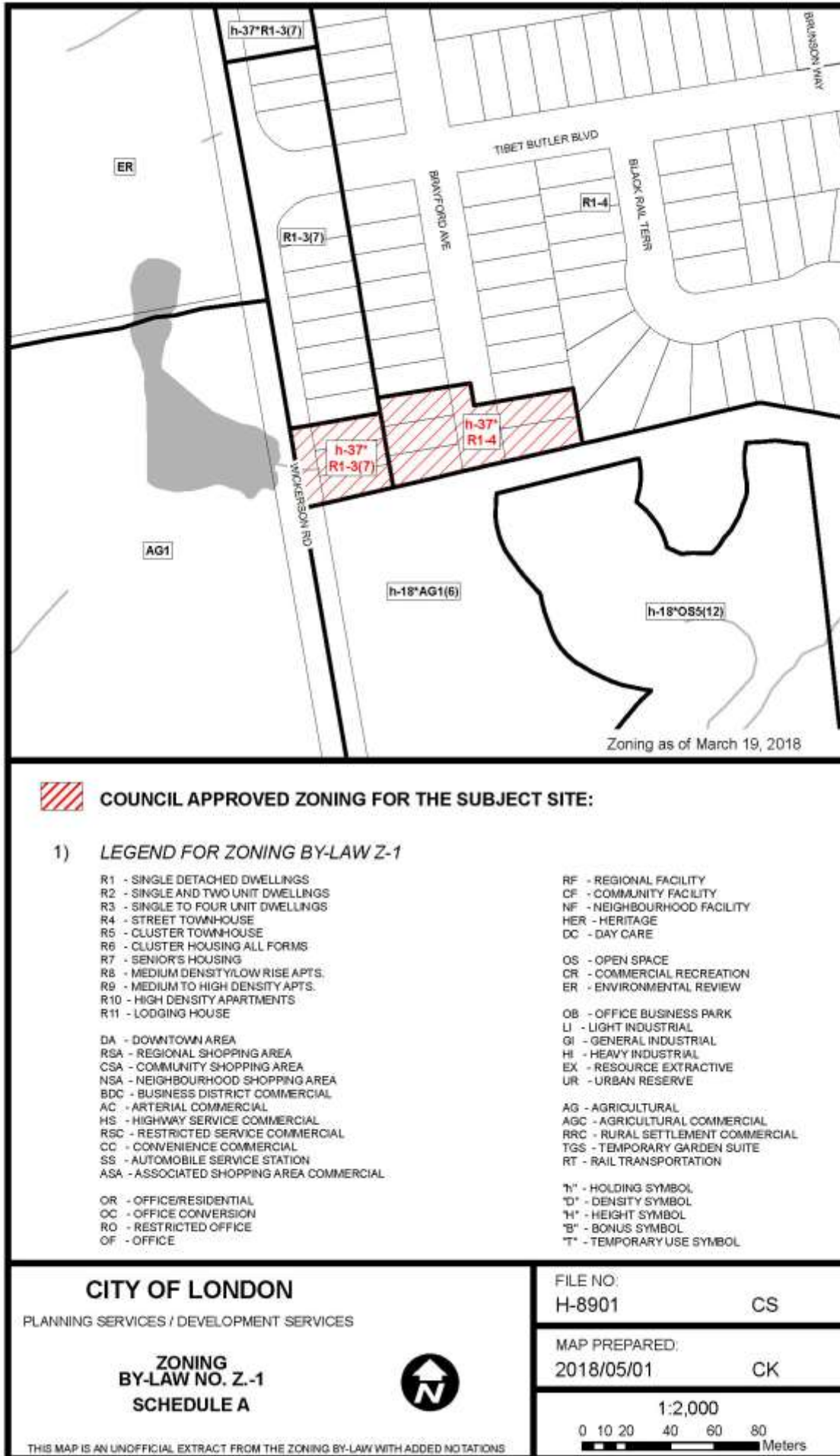
The purpose and effect of this zoning change is to remove the h-37 holding symbols to permit the development of single detached dwelling lots.

Rationale of Recommended Action

1. The removal of the holding provisions will allow for development in conformity with the Zoning By-law.
2. Through the subdivision approval process Minimum Distance Separation (MDS) issues have been resolved for the subject lots and the h-37 which was applied to the subject lands in error is no longer required and should be removed.

Analysis

1.1 Location and Zoning Map



2.0 Description of Proposal

The City of London has initiated an application to remove the h-37 holding provisions from the subject lands located on a portion of 2332 Wickerson Road. The “h-37” was put in place to implement the Provincial MDS regulations. The "h-37" holding provision was removed in 2016 (H-8345) and incorrectly re-applied in 2017 (H-8700) to a portion of these lands. There are no MDS issues impacting the subject lots. The removal of the h-37 holding provision will allow for the construction of single detached homes on the affected lots.

3.0 Revelant Background

3.1 Planning History

In November of 2016, the h-37 provision was removed from these subject lands through a Removal of Holding Provision application (H-8345). A livestock facility and building infrastructure located at 2426 Wickerson Road, to the south of the subject site, was confirmed to be removed, allowing for the removal of the h-37 provision. The h and h-100 holding provisions remained on these at that time.

In August of 2017, a Removal of Holding Provision application was considered and approved by Council to remove the h. and h-100 holding provisions from these and abutting lands. The By-law approved through this applications reapplied, in error, the h-37 holding provision to several lots in this area. This error was recently discovered when a homebuilder applied for building permits on the affected lots. Staff have initiated this subject application to correct this error and remove the h-37 provision from the affected lots. Staff also note that the 2017 By-law incorrectly referenced a Residential Special Provision (R1-4(7)) Zone rather than the Residential Special Provision (R1-3(7)) Zone which was established in 2009 by Municipal Council, when the draft plan approval was granted for these lands.

4.0 Key Issues and Considerations

What is a Holding Provision?

The intent of a holding provision is to ensure that the lands are not developed prior to certain conditions or requirements being satisfied.

The “h-37” holding provision was applied to the subject lands at the time these lands were rezoned in conjunction with the draft approval of the subdivision. This was to ensure that future lots would not be impacted by MDS issues such existing livestock facilities in the area.

Why is it Appropriate to remove the “h” Holding Provision?

h-37 Holding Provision

The h-37 holding provision states that:

“To implement the Provincial Minimum Distance Separation (MDS) regulations the "h-37" holding provision will not be deleted until the existing livestock facility has been removed or, through removal of building infrastructure, is no longer capable of housing livestock.”

The "h-37" holding provision was removed in 2016 (H-8345) and incorrectly re-applied in 2017 (H-8700) to a portion of these lands. There are no MDS issues impacting the subject lots. The livestock operation located at 2426 Wickerson Road was lost to a fire in 2010 and has not been reconstructed. Since this livestock building ceases to exist and has not been rebuilt, this portion of the proposed development is no longer within the MDS areas of influence of those lands.

More information and detail about public feedback and zoning is available in Appendix B & C.

5.0 Conclusion

It is appropriate to remove the h-37 holding provisions from the subject lands at this time as there are no issues associated with Minimum Distance Separation that impact the subject lots.

Prepared and Recommended by:	Lou Pompili, MPA, RPP Manager, Development Planning
Reviewed by:	Matt Feldberg Manager Development Services (Subdivisions)
Concurred in by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P. Eng. Managing Director, Development and Compliance Services and Chief Building Official

May 7, 2018
LP/

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2018\AODAPECreport-H-8901.docx

Appendix A

Bill No. (Number to be inserted by Clerk's Office)
2018

By-law No. Z.-1- _____

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at a portion of 2332 Wickerson Road.

WHEREAS The Corporation of the City of London has applied to remove the holding provisions from the zoning for the lands located at a portion of 2332 Wickerson Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provisions from the zoning of the said land;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at a portion of 2332 Wickerson Road, as shown on the attached map, to remove the h-37 holding provisions so that the zoning of the lands as a Residential Special Provision R1 (R1-3(7)) Zone and Residential R1 (R1-4) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on May 22, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading -May 22, 2018
Second Reading -May 22, 2018
Third Reading - May 22, 2018

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: H-8901

Planner: CS

Date Prepared: 2018/05/01

Technician: rc

By-Law No: Z.-1-

SUBJECT SITE



1:2,000

0 10 20 40 60 80 Meters



Appendix B – Public Engagement

Community Engagement

Public liaison: Notice of the application was published in the Londoner on April 19, 2018

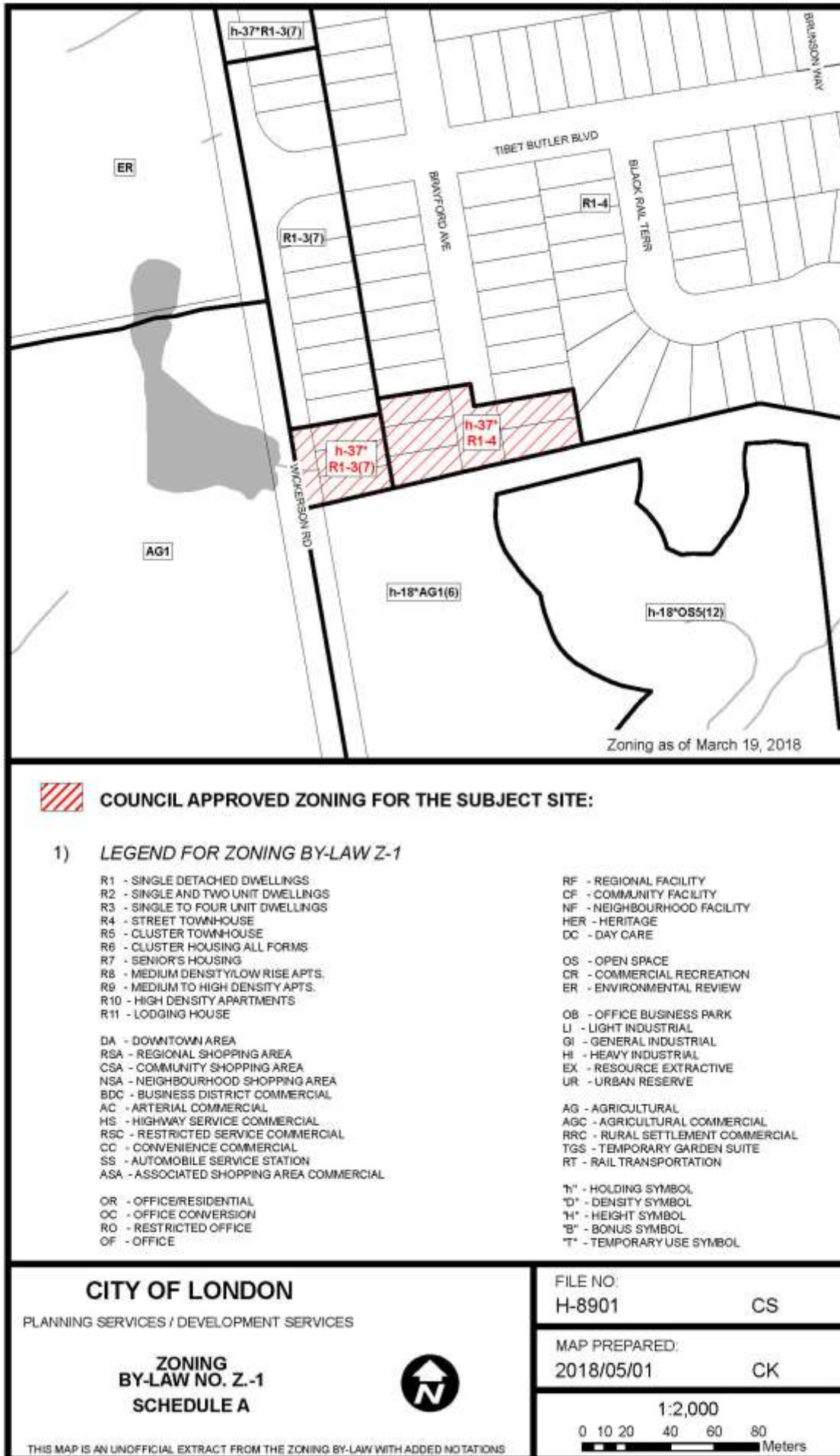
0 replies were received

Nature of Liaison:

City Council intends to consider a correction to the Zoning By-law for a portion of the subject lands located at 2332 Wickerson Road to remove the holding “h-37” holding provision from these lands. The “h-37” was put in place to implement the Provincial Minimum Distance Separation (MDS) regulations. The "h-37" holding provision was removed in 2016 and incorrectly re-applied in 2017 to a portion of these lands. The By-law to be brought forward will also clarify the appropriate Residential R1 Zone variation that was previously approved by Municipal Council for a portion of these lands. Council will consider removing the holding provision as they apply to these lands no earlier than May 14, 2018. File: H- 8901 Planner: S. Meksula (City Hall)

Appendix C – Relevant Background

Existing Zoning Map



Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: Anna Lisa Barbon
Managing Director, Corporate Services & City Treasurer, Chief
Financial Officer

Subject: City Services Reserve Fund Claimable Works for 3313 – 3405
Wonderland Road South

Date: May 14, 2018

Recommendation

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the attached Source of Financing Report outlined in Appendix 'A' **BE APPROVED** with respect to the site plan development agreement between The Corporation of the City of London and CentreCorp Management Services Limited (York Developments) for the Development Charge claimable work located at 3313-3405 Wonderland Road South.

Previous Reports Pertinent to this Matter

Planning and Environment Committee, February 22, 2016, Agenda Item 7, Claimable Works for 3313-3405 Wonderland Road South Site Plan Development Agreement

Commentary

1.0 Relevant Background

CentreCorp Management Services Limited (York Developments) entered into a development agreement with the City of London that was registered on July 6, 2016. The development is located at 3313-3405 Wonderland Road South and includes the eventual development of approximately 60,000 square metres of commercial space.

Unlike subdivisions, the special provisions of a site plan development agreement are handled administratively through delegated authority and most site plans do not involve the construction of Development Charge (DC) claimable infrastructure. Generally, most of the services required with site plan development are considered 'local services' which are borne by the developer as outlined in the local servicing standards contained in Schedule 8 of the City's DC By-law. Some of the services to the site are not 'local services'. City Staff identified a number of minor roadworks with costs that are eligible to be claimed from the DC reserve funds. These costs are required to facilitate the development and serve a regional growth benefit.

Council approved and committed funding to enable a claim associated with the works on March 1, 2016. The construction has been completed and the claim has been submitted which underwent a full review to ensure eligibility consistent with the 2014 DC By-law.

2.0 Financial Analysis

Through site construction meetings and open dialogue with City Staff, there were beneficial changes in the scope of work to include additional growth related DC eligible construction. This additional work was referred to in the accepted work plan but the details and financial values were not quantified at this stage and therefore were not translated into the development agreement. Now that the full scope of works are understood, Staff are recommending that additional work related to sidewalks, curb extension, streetlighting and London Transit Commission entrance modifications to facilitate a new signalized intersection be endorsed by Council. These additional costs in the amount of \$513,500 excluding HST, have been validated by Staff and are eligible

under the 2014 DC By-law, therefore we are seeking Council Approval to amend the funding, reflected in the below development agreement conditions:

The anticipated reimbursement from the DC reserve funds excluding HST are as follows:

- (a) for the construction of a concrete sidewalk along the west side of Wonderland Road South from the Bradley Avenue intersection to Wharncliffe Road South intersection with Wonderland Road (Miscellaneous Works - Sidewalks DC14-RS00069), the estimated cost of which is \$375,000 (previously approved \$240,000) ;
- (b) for the construction of street lights along the west and east sides of Wonderland Road South from Bradley Avenue intersection to Wharncliffe Road South intersection with Wonderland Road (excluding any costs associated with the relocation of existing street lights) (Miscellaneous Works – Streetlights DC14-RS00070), the estimated cost of which is \$425,000 (previously approved \$195,500); and,
- (c) for the construction of a signalized intersection consistent with the Wonderland Road South Environmental Assessment (including reconfiguration of the London Transit Commission property entrance) (Urban Intersections DC14-00074), the estimated cost of which is \$625,000 (previously approved \$476,000).

3.0 Conclusion

The DC claimable works associated with the site plan at 3313-3405 Wonderland Road South have been validated by Staff and are eligible under the 2014 DC By-law. Staff will amend the registered development agreement to contain the clauses necessary to permit payment of the eligible works.

Staff are recommending that Council approve the attached Source of Financing in Appendix 'A' to enable a claim payment to CentreCorp Management Services Limited (York Developments).

Prepared by:	Jason Senese, CGA, CPA, MBA Manager, Development Finance
Concurred in by:	Paul Yeoman, RPP, PLE Director, Development Finance
Recommended by:	Anna Lisa Barbon, CGA, CPA Managing Director, Corporate Services and City Treasurer and Chief Financial Officer

Cc.: Jason Davies, Manager, Financial Planning & Policy,
CentreCorp Management Services Limited (York Developments)

Appendix 'A': Source of Financing Report

Chair and Members
Planning & Environment Committee

RE: Claimable Works for 3313-3405 Wonderland Road South Site Plan
Development Agreement - CentreCorp Management Services Limited (York Developments)
Capital Project TS1653 - Minor Rd Works - Misc. Works Sidewalks - DC14-RS00069 (Work Order 2432196)
Capital Project TS1654 - Minor Rd Works - Misc. Works Streetlights - DC14-RS00070 (Work Order 2432197)
Capital Project TS4165 - Traffic Signals & Street Light Growth Urban Intersections - DC14-RS00074 (Work Order 2432194)

FINANCE & CORPORATE SERVICES REPORT ON THE SOURCES OF FINANCING:

Finance & Corporate Services confirms that a portion of these works can be accommodated within the financing available for it in the Capital Works Budget, and that projects TS1653 and TS1654 can be accommodated with a drawdown from the City Services - Road Levies Reserve Funds, and that, subject to the adoption of the recommendations of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the detailed source of financing for this project is:

	Approved Budget	Additional Funding	Revised Budget	Committed to Date	This Submission	Balance for Future Work
SUMMARY OF ESTIMATED EXPENDITURES						
TS1653 - Minor Rd Works - Misc. Works						
Sidewalks						
Engineering	\$51,394	(\$14,029)	\$37,365	\$37,365		\$0
Construction	583,666	40,992	624,658	487,282	137,376	0
	635,060	26,963	662,023	524,647	137,376	0
TS1654 - Minor Rd Works - Misc. Works						
Streetlights						
Engineering	\$130,420	\$10,965	\$141,385	\$141,385		\$0
Construction	1,247,699	101,910	1,349,609	1,116,070	233,539	0
	1,378,119	112,875	1,490,994	1,257,455	233,539	0
TS4165-Traffic Signals & Street Light Growth Urban Intersections						
Engineering	\$161,869	\$20,991	\$182,860	\$182,860		\$0
Construction	484,378	333,732	818,110	666,488	151,622	0
Traffic Signals	529,403	(287,940)	241,463	183,019		58,444
Street Lights	437,056	(66,783)	370,273	64,268		306,005
City Related Expenses	3,294		3,294	3,293		1
	1,616,000	0	1,616,000	1,099,928	151,622	364,450
NET ESTIMATED EXPENDITURES	\$3,629,179	\$139,838	\$3,769,017	\$2,882,030	\$522,537	\$364,450
SUMMARY OF FINANCING:						
TS1653 - Minor Rd Works - Misc. Works						
Sidewalks						
Drawdown from City Services - Roads Reserve Fund (Development Charges)	2) & 3) \$635,060	\$26,963	\$662,023	\$524,647	\$137,376	\$0
TS1654 - Minor Rd Works - Misc. Works						
Streetlights						
Drawdown from City Services - Roads Reserve Fund (Development Charges)	2) & 3) \$1,378,119	\$112,875	\$1,490,994	\$1,257,455	\$233,539	\$0
TS4165-Traffic Signals & Street Light Growth Urban Intersections						
Drawdown from City Services - Roads Reserve Fund (Development Charges)	2) \$1,616,000	\$0	\$1,616,000	\$1,099,928	\$151,622	\$364,450
TOTAL FINANCING	\$3,629,179	\$139,838	\$3,769,017	\$2,882,030	\$522,537	\$364,450

1) **FINANCIAL NOTE:**

	TS1653	TS1654	TS4165	TOTAL
Contract Price	\$375,000	\$425,000	\$625,000	\$1,425,000
Less: Amount previously approved by Council	240,000	195,500	476,000	911,500
	135,000	229,500	149,000	513,500
Add: HST @13%	17,550	29,835	19,370	66,755
Total Contract Price Including Taxes	152,550	259,335	168,370	580,255
Less: HST Rebate	15,174	25,796	16,748	57,718
Net Contract Price	\$137,376	\$233,539	\$151,622	\$522,537

- 2) Development charges have been utilized in accordance with the underlying legislation and the Development Charges Background Studies completed in 2014.
- 3) The additional funding requirement of \$26,963 for Project TS1653 and \$112,875 for Project TS1654 is available as a drawdown from the City Services - Roads Levies Reserve Fund. Committed to date includes claims for DC eligible works from approved development agreements that may take many years to come forward.

The 2014 DC Study identified a 20 year program for minor roadworks - sidewalks (DC14-RS00069/TS1653) and minor roadworks - streetlights (DC14-RS00070/TS1654) with a total projected growth needs of \$1,590,251 and \$2,413,282 respectively. The total funding is allocated to the capital budget proportionately by year across the 20 year period. If the total commitments exceed the accumulated capital budget, funding is brought forward from future years allocations from the DC reserve fund, matching when claims are more likely to occur. These DC funded programs are presented to Council in the annual DC Monitoring Report. Adjustments can also be made by Council through the annual GMIS process and the multi-year budget updates. If total growth exceeds the estimates, the growth needs can be adjusted through the DC Bylaw update which is required every five years by the DC Act.

lp

Jason Davies
Manager of Financial Planning & Policy



London
CANADA

Development and Compliance Services Building Division

To: G. Kotsifas, P. Eng.
Managing Director, Development & Compliance Services
& Chief Building Official

From: P. Kokkoros, P. Eng.
Deputy Chief Building Official

Date: April 16, 2018

RE: Monthly Report for March 2018

Attached are the Building Division's monthly report for March 2018 and copies of the Summary of the Inspectors' Workload reports.

Permit Issuance

By the end of March, 889 permits had been issued with a construction value of approximately \$266 million, representing 667 new dwelling units. Compared to last year, this represents a 1.4% increase in the number of permits, a 22.1% increase in the construction value and a 1.77% decrease in the number of dwelling units.

To the end of March, the number of single and semi-detached dwellings issued was 186, which was a 17% decrease over last year.

At the end of March, there were 763 applications in process, representing approximately \$518 million in construction value and an additional 932 dwelling units, compared with 781 applications having a construction value of \$253 million and an additional 916 dwelling units for the same period last year.

The rate of incoming applications for the month of March averaged out to 16.6 applications a day for a total of 349 in 21 working days. There were 46 permit applications to build 46 new single detached dwellings, 7 townhouse applications to build 24 units, of which 2 were cluster single dwelling units.

There were 346 permits issued in March totalling \$67.4 million including 132 new dwelling units.

Inspections

BUILDING

Building Inspectors received 2,408 inspection requests and conducted 3,083 building related inspections. No inspections were completed relating to complaints, business licenses, orders and miscellaneous inspections. Based on a staff compliment of 11 inspectors, an average of 257 inspections were conducted this month per inspector.

Based on the 2,408 requested inspections for the month, 92% were achieved within the provincially mandated 48 hour time allowance.

PLUMBING

Plumbing Inspectors received 1,173 inspection requests and conducted 1,452 plumbing related inspections. An additional 3 inspections were completed relating to complaints, business licenses, orders and miscellaneous inspections. Based on a staff compliment of 6 inspectors, an average of 242 inspections were conducted this month per inspector.

Based on the 1,173 requested inspections for the month, 97% were achieved within the provincially mandated 48 hour time allowance.

NOTE:

In some cases, several inspections will be conducted on a project where one call for a specific individual inspection has been made. One call could result in multiple inspections being conducted and reported. Also, in other instances, inspections were prematurely booked, artificially increasing the number of deferred inspections.

AD:ld
Attach.

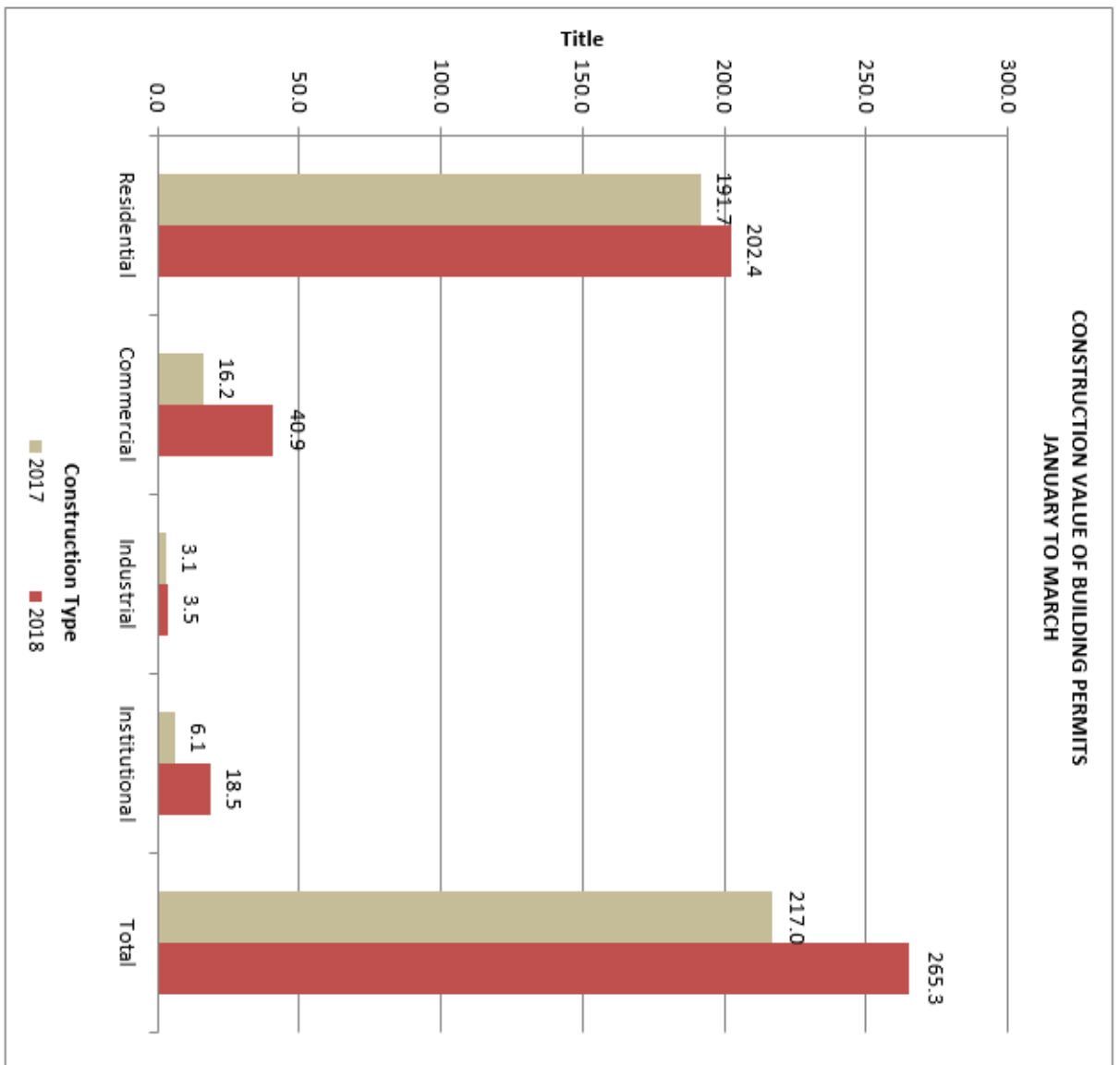
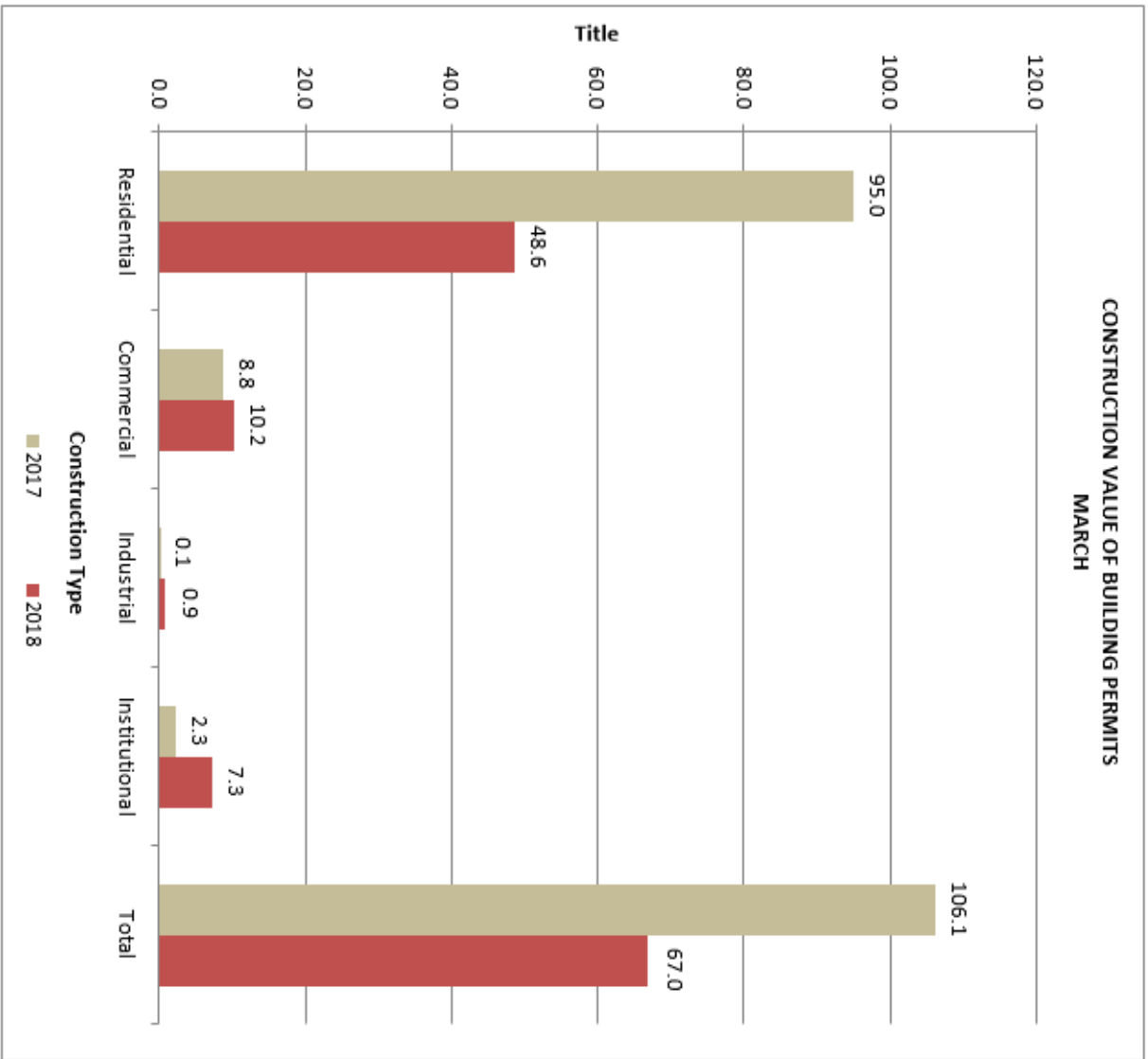
c.c.: A. DiCicco, T. Groeneweg, C. DeForest, O. Katolyk, D. Macar, M. Henderson

CITY OF LONDON

SUMMARY LISTING OF BUILDING CONSTRUCTION ACTIVITY FOR THE MONTH OF March 2018

CLASSIFICATION	March 2018				to the end of March 2018				March 2017				to the end of March 2017			
	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	
SINGLE DETACHED DWELLINGS	69	27,847,160.00	69	186	76,398,167.00	186	75	30,769,568.00	75	224	90,534,722.00	224	0	0.00	0	
SEMI DETACHED DWELLINGS	0	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0	
TOWNHOUSES	25	16,582,680.00	57	46	28,630,426.80	102	14	15,094,630.00	65	39	35,390,030.00	151	3	51,556,680.00	302	
DUPLEX, TRIPLEX, QUAD, APT BLDG	0	0.00	0	2	87,517,920.00	363	2	42,072,480.00	233	3	51,556,680.00	302	0	0.00	0	
RES-ALTER & ADDITIONS	130	4,164,460.00	6	307	9,893,747.00	16	127	7,015,041.87	1	318	14,230,821.87	2	1	898,000.00	0	
COMMERCIAL -ERECT	1	3,903,200.00	0	4	24,135,200.00	0	1	250,000.00	0	2	898,000.00	0	2	898,000.00	0	
COMMERCIAL - ADDITION	1	725,000.00	0	2	940,000.00	0	2	6,300,000.00	0	4	7,005,000.00	0	4	7,005,000.00	0	
COMMERCIAL - OTHER	41	5,564,100.00	0	105	15,826,416.97	0	27	2,217,900.00	0	76	8,251,200.00	0	76	8,251,200.00	0	
INDUSTRIAL - ERECT	0	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0	
INDUSTRIAL - ADDITION	1	700,000.00	0	1	700,000.00	0	1	10,085.00	0	4	2,063,185.00	0	4	2,063,185.00	0	
INDUSTRIAL - OTHER	6	169,299.00	0	16	2,835,248.00	0	8	71,250.00	0	16	1,041,950.00	0	16	1,041,950.00	0	
INSTITUTIONAL - ERECT	0	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0	
INSTITUTIONAL - ADDITION	0	0.00	0	1	2,800,000.00	0	0	0.00	0	0	0.00	0	0	0.00	0	
INSTITUTIONAL - OTHER	9	7,305,000.00	0	56	15,669,350.00	0	8	2,342,500.00	0	26	6,077,600.00	0	26	6,077,600.00	0	
AGRICULTURE	0	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0	0	0.00	0	
SWIMMING POOL FENCES	18	348,071.50	0	20	361,571.50	0	13	195,812.59	0	22	352,892.59	0	22	352,892.59	0	
ADMINISTRATIVE	11	83,000.00	0	24	93,000.00	0	14	59,000.00	0	25	227,000.00	0	25	227,000.00	0	
DEMOLITION	8	0.00	6	15	0.00	11	13	0.00	0	28	0.00	24	28	0.00	24	
SIGNS/CANOPY - CITY PROPERTY	1	0.00	0	2	0.00	0	6	0.00	0	13	0.00	0	13	0.00	0	
SIGNS/CANOPY - PRIVATE PROPERTY	25	0.00	0	102	0.00	0	32	0.00	0	76	0.00	0	76	0.00	0	
TOTALS	346	67,391,970.50	132	889	265,801,047.27	667	343	106,398,267.46	374	876	217,629,081.46	679	876	217,629,081.46	679	

Note: 1) Administrative permits include Tents, Change of Use and Transfer of Ownership, Partial Occupancy.
2) Mobile Signs are no longer reported.



**City of London - Building Division
Principal Permits Issued From March 01, 2018 to March 31, 2018**

Owner	Project Location	Proposed Work	No. Of Units	Constr Value
Rembrandt Inc Rembrandt Developments (London) Inc.	1061 Eagletrace Dr 173	Erect-Townhouse - Cluster Sdd-Erect - New Condo Sdd, 2 Storey, 2 Car Garage, 3 B	1	381,400
Rembrandt Inc Rembrandt Developments (London) Inc.	1061 Eagletrace Dr 174	Erect-Townhouse - Cluster Sdd-Erect New Townhouse Cluster Sdd, 2 Storey, 2 Car G	1	412,200
Write Oaks Mall C/O Bentall Kennedy White Oaks Mall Holdings Ltd	1105 Wellington Rd	Alter-Financial Institution-Cm - Interior Alterations To Create New CIBC Office	0	217,000
Write Oaks Mall C/O Bentall Kennedy White Oaks Mall Holdings Ltd	1105 Wellington Rd	Alter-Retail Store-Cm - Alterations To An Existing Lenscrafters Store	0	141,000
Write Oaks Mall C/O Bentall Kennedy White Oaks Mall Holdings Ltd	1105 Wellington Rd	Alter-Retail Store-Cm - Interior Alterations To Unit #105 - Mountain	0	180,000
Write Oaks Mall C/O Bentall Kennedy White Oaks Mall Holdings Ltd	1105 Wellington Rd	Alter-Retail Store-Interior Alteration For New Shoppers Drug Mart, Fp	0	924,000
University Of Western Ontario-Board Of Governors	1151 Richmond St	Alter-University-Alter Interior To Law Building Washrooms. Rooms 4	0	200,000
Sifton Limited Sifton Properties Limited	1220 Riverbend Rd D	Erect-Townhouse - Condo-Erect 2 Storey, 6 Unit Townhouse Condo Block D *	6	840,000
The Board Of Governors, The University Of Western Ontario	1255 Western Rd	Alter-University-Is - Alter For Fit Up Of Ivey School Of Business O	0	4,900,000
Wonderland Commercial Centre Inc	1371 Beaverbrook Ave	Alter-Restaurant <= 30 People-Cm - Interior Alteration For Restaurant- 'Oodba'	0	250,000
Hillside Church Of London	138 Thompson Rd	Alter-Churches-Is - Interior Alteration For New Church, Minor Ext	0	1,400,000
Tridon Properties Ltd.	155 Windermeire Rd	Erect-Townhouse - Cluster Sdd-Erect - 2 Storey, 2 Car Garage, 5 Bedroom, Finishe	1	982,800
2444712 Ontario Inc	1579 Hyde Park Rd	Alter-Offices-Cm - Interior Reno. To Commercial Building	0	600,000
Sifton Limited Sifton Properties Limited	1591 Ed Ervasti Lane	Erect-Townhouse - Cluster Sdd-Erect Cluster Sdd, 2 Storey, 2 Car Garage, 4 Bedr	1	555,800
Sifton Limited Sifton Properties Limited	1660 Ed Ervasti Cres E	Erect-Townhouse - Condo-Erect 4 Units Townhouse Bldg E, 2 Car Garages, (2un	4	747,600
C/Realty Holdings Inc C/O Cadillac Fairview Corp	1680 Richmond St	Alter-Retail Store-Alter For Zacks Store In Unit L-87 Frt/Fpo	0	175,000
The Ridge At Byron Inc.	1710 Ironwood Rd 41	Erect-Townhouse - Cluster Sdd-Erect Cluster Sfd - 1 Storey, 3 Bedrooms, 2 Car Ga	1	638,600
The Ridge At Byron Inc.	1710 Ironwood Rd 43	Erect-Townhouse - Cluster Sdd-Erect, New Cluster Sfd 1 Storey, 2 Bedroom, 2 Car	1	428,000
First Church Of The Nazarene	176 Wellington St	Alter-Churches-Alter Interior Of Church, Fr	0	303,000
Liberty Square (London) Inc.	1880 Phillbrook Dr	Erect-Office Complex (Retail/Office)-Comm- Erect Three Storey Commercial Shell Building	0	3,903,200
Ironstone Company Inc. Ironstone Building Company Inc.	2070 Meadowgate Blvd B	Erect-Street Townhouse - Condo-Erect - Townhouse Block B - 6 Units, Dpr's 2040, 2	6	1,761,300
Town And Country Developments	2313 Callingham Dr	Install-Townhouse - Condo-Install New Sewer And Water M Ain (External To Bui	0	650,000
London Public Library	251 Dundas St	Alter-Libraries-Is - Interior Renovation Issued To "Shell" Sprink	0	400,000
Magnificent (1865512 Ont Inc)	2591 Sheffield Blvd	Erect-Townhouse - Cluster Sdd-Erect 2 Storey, 2 Car Garage, 4 Bedrooms, Unfinis	1	345,600
Magnificent (1865512 Ont Inc)	2595 Sheffield Blvd	Erect-Townhouse - Cluster Sdd-Erect - Rt Cluster - 2 Storey, 2 Car Garage, 4 Bed	1	434,160
Magnificent (1865512 Ont Inc)	2599 Sheffield Blvd	Erect-Townhouse - Cluster Sdd-Erect 2 Storey, 2 Car Garage, 4 Bedrooms, Unfinis	1	434,160
Magnificent (1865512 Ont Inc)	2603 Sheffield Blvd	Erect-Townhouse - Cluster Sdd-Erect 2 Storey, 2 Car Garage, 4 Bedrooms, Unfinis	1	346,500
Magnificent (1865512 Ont Inc)	2607 Sheffield Blvd	Erect-Townhouse - Cluster Sdd-Erect 2 Storey, 2 Car Garage, 4 Bedrooms, Unfinis	1	349,560
Magnificent (1865512 Ont Inc)	2611 Sheffield Blvd	Erect-Townhouse - Cluster Sdd-Erect 2 Storey, 2 Car Garage, 4 Bedrooms, Unfinis	1	345,000
Magnificent (1865512 Ont Inc)	2910 Tokala Trail H	Erect-Townhouse - Condo-Erect New 4 Unit Townhouse Bldg H, Units 33-36 (Dp	4	778,400
Mkh Cherryhill Commercial Inc C/O Minto Group	301 Oxford St W	Alter-Retail Store-Commercial Alteration For Beauty School In Unit #7	0	400,000

Permits_Issued_Greater_100000_Construction Value

**City of London - Building Division
Principal Permits Issued From March 01, 2018 to March 31, 2018**

Owner	Project Location	Proposed Work	No. Of Units	Constr Value
2290874 Ontario Inc	3260 Singleton Ave A	Install-Townhouse - Condo-Install Foundation For Blk A. Dpn 2,4,6,8,10,12	0	400,000
2585306 Inc. 2585306 Ontario Inc.	3260 Singleton Ave C	Erect-Townhouse - Condo-Erect - Townhouse Block - 4 Unit - 3 Storey, 1 Car	4	908,600
2585306 Inc. 2585306 Ontario Inc.	3260 Singleton Ave D	Erect-Townhouse - Condo-Erect - Townhouse Block - 4 Unit - 3 Storey, 1 Car	4	956,200
1016747 Inc 1016747 Ontario Inc.	3270 Singleton Ave 16	Erect-Townhouse - Cluster Sdd-Erect New Cluster Sdd, 2 Storey, 2 Car Garage, 3 B	1	264,600
1016747 Inc 1016747 Ontario Inc.	3270 Singleton Ave 34	Erect-Townhouse - Cluster Sdd-Erect New Sfd, 2 Storey, 3 Bedroom, 2 Car Garage,	1	320,400
828421 Ontario Inc.	3270 Singleton Ave 45	Erect-Townhouse - Cluster Sdd-Erect New Townhouse Cluster Sdd, 2 Storey, 2 Car G	1	270,000
Sikorski Sausages Co Ltd	41 Childers St	Add-Food Processing Plant-Addition To Food Processing Plant. Ftr	0	700,000
Almahurst Holdings Limited	4350 Wellington Rd S	Add-Restaurant -Cm - Adding Mezzanine And Alteration To Interior A	0	725,000
Fitnd Holdings	595 Fanshawe Park Rd W B	Alter-Restaurant <= 30 People-Alter Interior Unit A For Tahini'S Restaurant (30	0	150,000
	7091 Clayton Walk 2	Erect-Townhouse - Cluster Sdd-Erect 2 Storey, 2 Car Garage, 4 Bedrooms, Unfinish	1	534,600
	1822094 Ontario Inc	Erect-Townhouse - Cluster Sdd-Erect 2 Storey, 3 Car Garage, 5 Bedrooms, Basement	1	722,000
Canadian Commercial (750) Inc.	750 Richmond St	Alter-Restaurant -Cm - Alter To Existing Building For Restaurant And	0	300,000
Canadian Commercial (750) Inc.	750 Richmond St	Alter-Restaurant -Cm - Interior Alter For Tenant Fit Up- "Mucho Bur	0	175,000
	784 Wharncliffe Rd S	Alter-Amusement Games Establishment-Cm-Interior Alter For Skyzone Shell Permit Only -	0	1,200,000
	905 Samia Inc.	Erect-Townhouse - Condo-Erect New 6 Units Townhouse, Block U, Units 104-1	6	1,412,600
	905 Samia Inc.	Erect-Townhouse - Condo-Erect New 6 Units Townhouse, Block V, Units 107-1	6	1,412,600

Total Permits 47 Units 57 Value 34,875,880

Includes all permits over \$100,000, except for single and semi-detached dwellings

**Commercial building permits issued - subject to Development Charges under By-law C.P.-1496-244
Owner**

Almahurst Holdings Limited
Maplerose Holdings (Canada) Inc
Adelaide & Pritchbrook Centre Inc.
Liberty Square (London) Inc.

Commercial permits regardless of construction value.

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: John M. Fleming
Managing Director, Planning and City Planner

Subject: The Corporation of the City of London
Technical amendments to setback requirements for low-rise residential development in the Primary Transit Area

Public Participation Meeting on: May 14, 2018

Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of The Corporation of the City of London relating to concerns regarding low density redevelopment and infill projects within mature neighbourhoods, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on May 22, 2018 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to amend Section 4.23 to modify regulations for the application of minimum and maximum front and exterior side yard setbacks for residential development on lands in the Residential R1, R2, and R3 Zone variations within the Primary Transit Area.

Executive Summary

Summary of Request

This recommended Zoning By-law Amendment is a City-initiated Zoning By-law review intended to modify Section 4.23 of the Zoning By-law to provide clarification on how the minimum and maximum front and exterior side yard setback provisions are applied to residential development on lands within the Residential R1, R2, and R3 Zone variations within the Primary Transit Area.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended Zoning By-law Amendment is to provide additional clarification on the application of the minimum and maximum front yard and exterior side yard setback provisions for new residential development or building additions on properties in Residential R1, R2, and R3 Zone variations in the Primary Transit Area in the following instances:

- Where the existing building has a front and/or exterior side yard setback that is less than the minimum setback requirement.
- Where an addition is proposed to an existing building where the existing building does not meet the maximum front yard and/or exterior side yard setback.
- Where the minimum and maximum front yard and exterior side yard setback for buildings on lots that front onto new streets has not been established.

Rationale of Recommended Action

In May, 2017 City Council adopted Zoning By-law Amendment Z-1-172575 (Section 4.23 of the Zoning By-law) which addressed the compatibility of new development within existing low-rise residential areas (Residential R1, R2, R3 Zone variations) in the Primary Transit Area. In reviewing the application of these regulations over the past year, it has come to the attention of Staff that additional clarification is needed to implement the minimum and maximum front and exterior side yard setback standards in

certain situations. The recommended Zoning By-law Amendment is intended to provide this clarification.

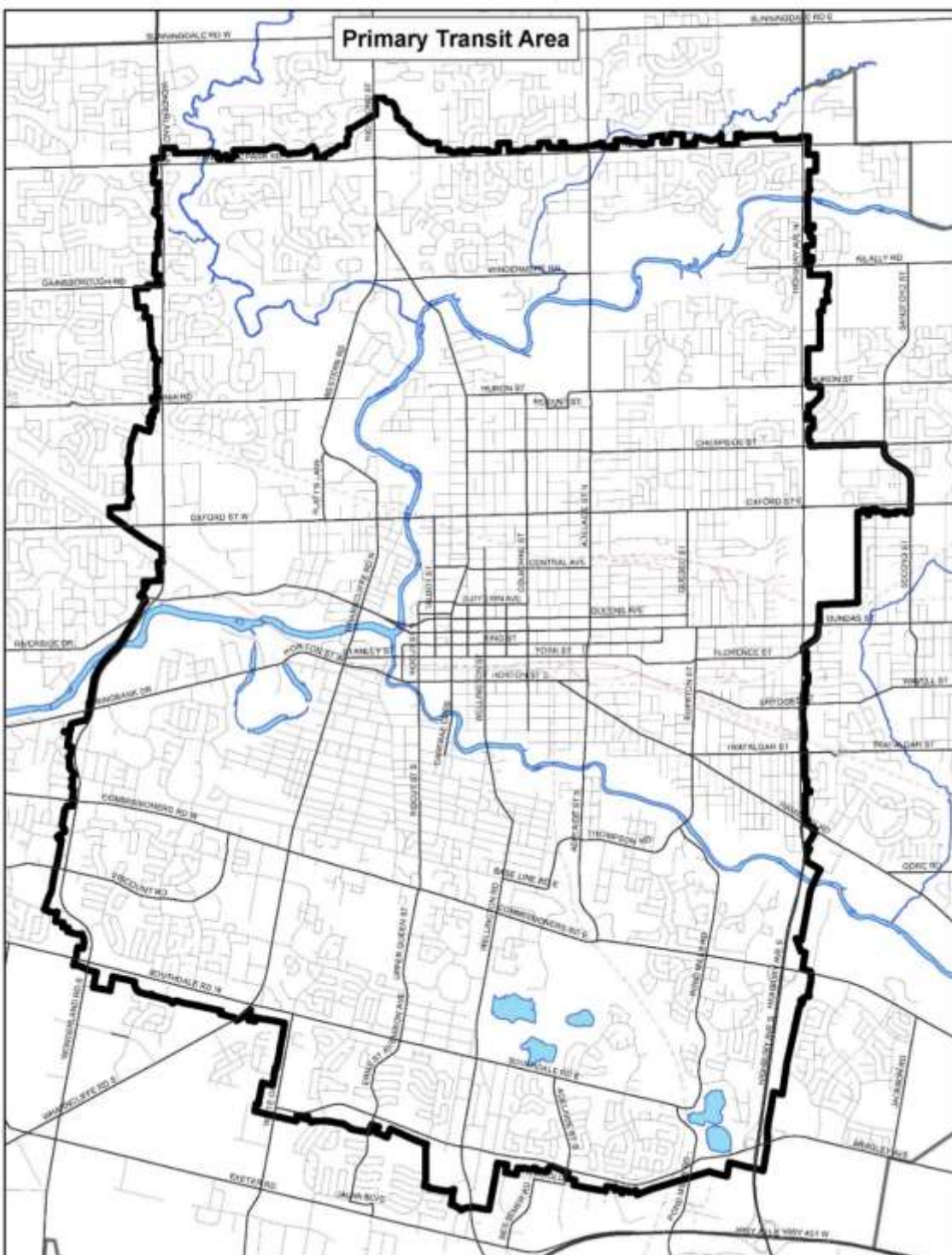
Analysis

1.0 Site at a Glance

1.1 Property Description

The recommended Zoning By-law Amendment applies to properties with Residential R1, R2, and R3 Zone variations the Primary Transit Area. The Primary Transit Area is shown in Section 1.2 (below) and is generally bounded by Fanshawe Park Road to the north, Highbury Avenue to the east, Bradley Avenue to the south, and Wonderland Road to the west. The Primary Transit Area includes the majority of the built-up area of the City of London and is identified as the focus for residential infill and intensification in The London Plan.

1.2 Map of the Primary Transit Area



2.0 Relevant Background

2.1 Planning History

At its meeting of May 2, 2017 City Council adopted Zoning By-law Amendment Z-1-172575 (Section 4.23) which addressed the compatibility of new development within existing low-rise residential areas (Residential R1, R2, and R3 Zone variations) in the Primary Transit Area. This Zoning By-law Amendment was intended to address the concern from existing residents that a number of new residential dwellings and new building additions had been constructed within existing mature neighbourhoods that were incompatible with the existing neighbourhood/streetscape character. Since that time, Staff have identified the need for an additional housekeeping Zoning By-law Amendment to clarify the application of the Zoning By-law regulations in certain instances.

2.2 Recommended Amendment

The recommended Zoning By-law Amendment provides clarification on the application of the regulations in Section 4.23 of the Zoning By-law that apply to additions and new development within existing low-rise residential areas (Residential R1, R2, and R3 Zone variations) in the Primary Transit Area. In Section 4.23 of the Zoning By-law, minimum and maximum front yard and exterior side yard setbacks are established based on the setbacks of nearby residential buildings. The recommended Zoning By-law Amendment provides clarification for instances where the existing front and/or exterior side yard setback is less than the minimum setback established by adjacent buildings, for instances where lots are created that front onto a new street for which adjacent buildings do not exist, and for instances where an addition is proposed to an existing building that has existing setbacks that exceed the maximum front and/or exterior side yard setback requirement.

The following is proposed:

- For instances where an existing building has a front yard setback and/or exterior side yard setback that is less than the adjacent buildings, this existing setback will be the minimum setback that applies to the building.
- Where a new street is proposed (such as in a new plan of subdivision), the minimum and maximum front yard setback and exterior side yard setback for buildings fronting onto this new street will be established based on the zone variation that applies to this site and will not be subject to the minimum and maximum front and exterior side yard setback standards in Section 4.23.1.
- Where an addition is proposed to an existing building and the existing building setback exceeds the maximum front yard and/or exterior side yard setback provisions, Section 4.23.1(a), which is used to establish the maximum front and exterior side yard setbacks, will not apply to the deficient setback.

2.3 Community Engagement (see more detail in Appendix B)

A Notice of Application was sent to a number of external community associations including, but not limited to, the Urban League of London, the London Development Institute, the London Area Planning Consultants, the London Homebuilders' Association, and various Neighbourhood Associations within the Primary Transit Area on March 7, 2018. A Notice of Application and was also published in *The Londoner* on March 8, 2018.

As of the date of this report, Planning Staff had received requests for clarification about what was being proposed from members of the Triangle Neighbourhood Association, the London Development Institute, and the London Homebuilders' Association. Staff provided this clarification. No concerns were expressed about the substance of the proposed amendments.

Planning Staff also provided a delegation to Local Advisory Committee on Heritage (LACH) at its meeting of April 11, 2018 to provide clarification about the proposed Zoning By-law Amendment.

2.4 Policy Context (see more detail in Appendix C)

Provincial Policy Statement

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development, setting the policy foundation for regulating the development and use of land. The subject site is located within a settlement area as identified in the PPS. The PPS identifies that settlement areas shall be the focus of growth and development, however this intensification is not intended to be uniform (Policy 1.1.3.1, 1.1.3.2). Policy 1.1.3.4 indicates that appropriate development standards should be promoted that facilitate intensification, redevelopment, and a compact form, while avoiding or mitigating risks to public health and safety. Policy 4.7 states that the Official Plan is the most important vehicle for implementing the PPS.

All decisions of Council affecting land use planning matters are required to be consistent with the PPS.

Official Plan

The City of London 1989 Official Plan (“Official Plan”) implements the policy direction of the PPS and contains objectives and policies that guide the use and development of land within the City of London. The Official Plan assigns specific land use designations to lands, and the policies associated with those land use designations provide for a general range of permitted uses.

The zone variations that are subject to this amendment are generally located within the “Low Density Residential” land use designation in the Official Plan. Development in the Low Density Residential land use designation is intended to enhance the character and amenity of residential areas by directing higher intensity uses to locations where existing land uses will not be adversely affected (Policy 3.1.2). Residential intensification is permitted, however these infill housing projects must recognize the scale of adjacent land uses and reflect the character of the area (Policy 3.2.3.2).

The London Plan

The London Plan is the new Official Plan for the City of London and has been adopted by City Council and approved by the Ministry with modification. A portion of The London Plan is in-force and effect, and the remainder of the plan continues to be under appeal to the Ontario Municipal Board.

The zone variations that are subject to this amendment are generally located in the Neighbourhoods Place Type. Neighbourhoods Place Types make up the majority of the City Structure’s land area. The London Plan identifies that Neighbourhoods will be planned for a diversity and mix (Policy 918). Development must be sensitive to, and compatible with, its context (Policy 1578).

Zoning By-law

At its meeting of May 2, 2017 City Council adopted Zoning By-law Amendment Z-1-172575, which became Section 4.23 in the Zoning By-law, to provide regulations to guide development in Residential R1, R2, and R3 Zones in the Primary Transit Area. Section 4.23 includes standards for building setbacks, garage widths, and building depth.

3.0 Key Issues and Considerations

3.1 Issue and Consideration # 1: Application of Maximum and Minimum Front and Exterior Side Yard Setback provisions to additions to existing buildings

Section 4.23.1 of the Zoning By-law utilizes the setback of nearby buildings for the purposes of establishing minimum and maximum front yard and exterior side yard setbacks. While this is appropriate in the vast majority of situations, its application poses challenges when the existing building does not meet the minimum front and/or exterior side yard setback or exceeds the maximum front and/or exterior side yard setbacks.

Based on the provisions in Section 4.23.1(a), the maximum front yard and exterior side yard setback is established using the average setback of the closest residential buildings. While this is an appropriate method for establishing maximum setbacks in most instances, in situations where an existing building exceeds the maximum setback requirements, a property owner who makes an application for an addition to their existing building which will continue to exceed the maximum setback requirements may also require a minor variance. This would apply even in instances where the proposed addition would bring the building closer to the street. The recommended Zoning By-law Amendment includes a provision which would exempt this regulation from applying in these circumstances.

Similarly, the same method applies for establishing minimum front yard and exterior setbacks in Section 4.23.1(b), where minimum setbacks are established based on the smallest setback of nearby buildings. While this method is appropriate in most instances, in situations where the existing building is already set closer to the street than other nearby residential buildings that building would exceed the minimum permitted front yard setback requiring a minor variance. This would also apply in instances where the addition is in the rear yard and does not impact the building setback. The recommended Zoning By-law Amendment includes a provision that in this circumstance the setback of the existing building would be recognized as the minimum setback.

3.2 Issue and Consideration # 2: Application of Maximum and Minimum Front and Exterior Side Yard Setback provisions to lots that front on new roads

While much of the Primary Transit Area is built-up, there are instances where it is anticipated that certain areas will be subject to future plans of subdivision and the subsequent construction of a new public road. In most instances where a new public road is proposed with residential lots fronting onto this road, there will not be existing residential buildings nearby that would be appropriate to use to set the context for establishing setbacks, as in most cases there may be no existing residential buildings fronting onto the same road. This poses challenges for the application of Section 4.23.1 of the Zoning By-law, which uses the setbacks of the closest residential buildings to establish minimum and maximum setbacks for new development and additions to existing buildings. In this situation, it is recommended that the setback be established based on the zone variation that is applied to the lots fronting the new public road, which will allow for continuity and consistency of setbacks among these new buildings. These zone variations are often applied as a result of a public participation process.

4.0 Conclusion

The recommended Zoning By-law Amendment is a City-initiated technical amendment to a Zoning By-law Amendment adopted by City Council in May, 2017 that applies to new builds and additions to low density residential buildings in the Primary Transit Area (Section 4.23 of the Zoning By-law). The recommended Zoning By-law Amendment provides clarification for the application of the minimum and maximum front yard and exterior side yard setback regulations to buildings fronting onto new streets and to existing buildings that do not meet the minimum and maximum front and exterior side yard setback regulations. These revisions are intended to provide greater clarity to

applicants about the interpretation of the Zoning By-law, such that in certain instances applicants will no longer be required to seek variances at the Committee of Adjustment.

Prepared by:	Michelle Knieriem, MCIP, RPP Planner II, Current Planning
Submitted by:	Michael Tomazincic, MCIP, RPP Manager, Current Planning
Recommended by:	John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner

May 7, 2018
MT/mt

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Appendix A

Appendix "A"

Bill No.(number to be inserted by Clerk's Office)
2018

By-law No. Z.-1-18_____

A by-law to amend By-law No. Z.-1 to amend General Provisions related to low-rise residential development in the Primary Transit Area.

WHEREAS The Corporation of the City of London has applied to amend Section 4.23 of the Zoning By-law, pertaining to the area known as the Primary Transit Area, that is generally bounded by Fanshawe Park Road to the north, Highbury Avenue to the east, Bradley Avenue/Southdale Road to the south and Wonderland Road to the west, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

- 1) Section 4.23, Regulations for Low-rise Residential Development in the Primary Transit Area, to By-law No. Z.-1 is amended adding the following:

“4.23.1(a)iv. Subsection 4.23.1(a) i, ii and iii shall not apply to additions to existing buildings.”

“4.23.1 b) iii. Notwithstanding 4.23.1(b)i., where an existing building has a front yard setback and/or exterior side yard setback that is less than the adjacent buildings, the existing front and/or exterior side yard setback shall be regarded as the minimum setback that applies to the building.”

“4.23.5. Notwithstanding 4.23.1, where buildings are constructed on lots fronting onto a new street, the minimum and maximum front yard setback and exterior side yard setback will be established by the underlying zone regulations.”

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on May 22, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – May 22, 2018
Second Reading – May 22, 2018
Third Reading – May 22, 2018

Appendix B – Public Engagement

Community Engagement

Public liaison: On March 7, 2018, Notice of Application was sent to a number of external community associations including, but not limited to, the Urban League of London, the London Development Institute, the London Area Planning Consultants, the London Homebuilders' Association, and various Neighbourhood Associations within the Primary Transit Area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on March 8, 2018. A "Planning Application" sign was also posted on the site.

5 replies were received.

Planning Staff also provided a delegation to Local Advisory Committee on Heritage (LACH) at its meeting of April 11, 2018 to provide clarification about the proposed Zoning By-law Amendment.

Nature of Liaison: The purpose and effect of the requested Zoning By-law amendment is to clarify regulations for R1, R2, and R3 zones within the Primary Transit Area relating to the provisions adopted as part of By-law Z.1-172575, a 2017 Zoning By-law amendment that addressed the compatibility of new development within existing low-density residential neighbourhoods in the Primary Transit Area. The requested amendment would provide clarification on how these regulations are applied to additions to existing buildings and greenfield sites.

Responses: A summary of the various comments received include the following:

Concern for:

All responses requested additional clarification about what was being proposed by the Zoning By-law Amendment.

Responses to Public Liaison Letter and Publication in "The Londoner"

Telephone	Written
	Councillor Maureen Cassidy
	Lois Langdon London Home Builders' Association 571 Wharncliffe Road South, Unit 5 London, ON N6J 2N6
	Cristine De Clercy The Triangle Neighbourhood Association
	Bill Veitch 562 Wellington Street, Suite 203 London, ON N6A 3R5
	Julian Novick 5-1895 Blue Heron Drive London, ON N6H 5L9

Agency/Departmental Comments

Upper Thames Region Conservation Authority

The Upper Thames River Conservation Authority (UTRCA) has reviewed this application with regard for the policies in the *Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006)*. These policies include regulations made pursuant to Section 28 of the *Conservation Authorities Act*, and are consistent with the natural hazard and natural heritage policies contained in the *Provincial Policy Statement (2014)*.

In the description of the POSSIBLE AMENDMENT, it is indicated that there may be possible changes to modify regulations in “Section 4.2.3 Regulations for Low-rise Residential Development in the Primary Transit Area” to provide clarity on how those regulations are applied to additions to existing buildings and greenfield sites. Additional housekeeping amendments may also be considered.

Conservation Authorities Act

The Primary Transit Area includes lands which are regulated by the UTRCA (i.e. riverine flooding and erosion hazards, wetlands) in accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the *Conservation Authorities Act*. The UTRCA has jurisdiction over these lands and landowners may be required to obtain written approval from the Authority prior to undertaking any site alteration or development within this area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland.

UTRCA Environmental Planning Policy Manual (2006)

The UTRCA’s Environmental Planning Policy Manual is available online at: <http://thamesriver.on.ca/planning-permits-maps/utrca-environmental-policy-manual/>
The following policies are applicable to the subject lands -

3.2.2 General Natural Hazard Policies

These policies:

- a) direct new development and site alteration away from hazard lands
- b) require that any development and site alteration which may be considered in hazard lands be appropriately floodproofed and safe or dry access must be provided during times of flooding, erosion and other emergencies.
- c) stipulate that no new hazards are to be created and existing hazards should not be aggravated.

3.2.3 Riverine Flooding Hazard Policies

These policies address matters such as the provision of detailed flood plain mapping, flood plain planning approach, and uses that may be allowed in the flood plain including the flood fringe subject to satisfying the UTRCA’s Section 28 permit requirements.

3.2.3.2 Flood Fringe Policies

Flood fringe policies are applied in those specific cases where a Two Zone Policy Approach is implemented. Development and site alteration may be permitted in flood fringe areas subject to satisfying the Authority’s flood proofing requirements which are implemented through the Section 28 Permit process. In the case of re-development, vehicular and pedestrian access (ingress/egress) must be such that vehicular and pedestrian movement is not prevented during times of flooding as determined using the *Technical Guide – River & Stream Systems: Flooding Hazard Limit (Ministry of Natural Resources 2002)*. Floodproofing requirements for safe access are further described in Appendix 6 of the above noted *Technical Guide (MNR, 2002)*.

3.2.3.3 Special Policy Areas

Policies for *Potential Special Policy Areas* include no intensification of use through the creation of lots or zoning. Furthermore, specific construction requirements including maximizing floodproofing are implemented through the Authority’s Section 28 Permit process.

3.2.4 Riverine Erosion Hazard Policies

The Authority generally does not permit development and site alteration in the meander belt or on the face of steep slopes, ravines and distinct valley walls. The establishment

of the hazard limit must be based upon the natural state of the slope, and not through re-grading or the use of structures or devices to stabilize the slope.

Recommendation

As indicated, there are lands within the Primary Transit Area that are regulated by the UTRCA. We strongly encourage proponents to pre-consult to determine whether they may require written approval from the Conservation Authority prior to undertaking any site alteration or development within the regulated area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland.

London Hydro

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of existing service will be at the expense of the owner.

Environmental and Engineering Services

No comment on this application.

Appendix C – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this requested land use change. The most relevant policies, by-laws, and legislation are identified as follows:

Provincial Policy Statement

Policy 1.1.3.1: *Settlement Areas* shall be the focus of growth and development, and their vitality and regeneration shall be promoted.

Policy 1.1.3.2: Land use patterns within *settlement areas* shall be based on:

a. densities and a mix of land uses which:

1. efficiently use land and resources;
2. are appropriate for, and efficiently use, the *infrastructure* and *public service facilities* which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion.
3. minimize negative impacts on air quality and climate change, and promote energy efficiently.
4. support *active transportation*;
5. transit-supportive, where transit is planned, exists or may be developed; and
6. are *freight-supportive*; and

b. a range of uses and opportunities for *intensification* and *redevelopment* in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

Policy 1.1.3.4: Appropriate development standards should be promoted which facilitate *intensification*, *redevelopment* and compact form, while avoiding or mitigating risks to public health and safety.

Policy 4.7: The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans.

Official plans shall identify provincial interests and set out appropriate land use designations and policies. To determine the significance of some natural heritage features and other resources, evaluation may be required.

Official plans should also coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial solutions. Official plans shall provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas.

In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with this Provincial Policy Statement. The policies of this Provincial Policy Statement continue to apply after adoption and approval of an official plan.

Official Plan

Policy 3.1.2: Low Density Residential Objectives

- i) Enhance the character and amenities of residential areas by directing higher intensity uses to locations where existing land uses are not adversely affected.
- ii) Encourage the development of subdivisions that provide for energy conservation, public transit, and the retention of desirable natural features.

Policy 3.2.3.2: Residential Intensification – Density and Form

Within the Low Density Residential designation, Residential Intensification, with the exception of dwelling conversions, will be considered in a range up to 75 units per hectare. Infill housing may be in the form of single detached dwellings, semidetached dwellings, attached dwellings, cluster housing and low rise apartments. Zoning By-law provisions will ensure that infill housing projects recognize the scale of adjacent land uses and reflect the character of the area.

Areas within the Low Density Residential designation may be zoned to permit the conversion of single detached dwellings to add one or more dwelling units. Site specific amendments to the Zoning By-law to allow dwelling conversions within primarily single detached residential neighbourhoods shall be discouraged. Accessory dwelling units may be permitted in accordance with Section 3.2.3.8. of this Plan.

The London Plan

Policy 918: We will realize our vision for the Neighbourhoods Place Type by implementing the following in all the planning we do and the public works we undertake:

1. Through the review of all planning and development applications, neighbourhoods will be designed to create and enhance a strong neighbourhood character, sense of place and identity.
2. Neighbourhoods will be planned for diversity and mix and should avoid the broad segregation of different housing types, intensities, and forms.
3. Affordable housing will be planned for, and integrated into, all neighbourhoods.
4. Housing forms will be encouraged that support the development of residential facilities that meet the housing needs of persons requiring special care.
5. Mixed-use and commercial uses will be permitted at appropriate locations within neighbourhoods to meet the daily needs of neighbourhood residents.
6. Live-work opportunities will be planned for at appropriate locations within neighbourhoods.
7. Street networks within neighbourhoods will be designed to be pedestrian, cycling and transit-oriented, giving first priority to these forms of mobility.
8. Schools, places of worship and other small-scale community facilities to support all ages will be permitted in appropriate locations within neighbourhoods.

9. Facilities to support neighbourhood urban agricultural systems may be integrated into neighbourhoods.

10. Public parks and recreational facilities will be designed to support a strong sense of identity and place and to serve as a meeting place with appropriate infrastructure to attract and support neighbourhood residents of all ages and demographics.

11. Our public spaces and facilities within neighbourhoods will be designed to be accessible to all populations.

12. Neighbourhoods will be designed to protect the Natural Heritage System, adding to neighbourhood health, identity and sense of place.

13. Requirements for intensification will be established to respect existing community character and offer a level of certainty, while providing for strategic ways to accommodate development to improve our environment, support local businesses, enhance our physical and social health, and create dynamic, lively, and engaging places to live.

Policy 939: This Plan creates a variety of opportunities for intensification. The following list spans from a very “light” and discreet form of intensification to more visible and obvious forms. All are important to realize our goals of purposeful, sensitive, and compatible intensification within our neighbourhoods:

1. Secondary Dwelling Units – self-contained residential units with kitchen and bathroom facilities within dwellings or within accessory structures as defined in the Secondary Dwelling Unit section of this chapter.
2. Converted dwellings – the conversion of an existing residential dwelling to accommodate two or more dwelling units, without making substantive changes to the exterior of the building.
3. Adaptive re-use of non-residential buildings, to accommodate new residential dwelling units.
4. Lot creation – severing one lot into two or more lots.
5. Infill development – developing one or more new residential units on vacant lots.
6. Redevelopment – the removal of existing buildings in favour of one or more new buildings that house a greater number of dwelling units than what currently exists.

Policy 1578: All planning and development applications will be evaluated with consideration of the use, intensity, and form that is being proposed. The following criteria will be used to evaluate all planning and development applications:

1. Consistency with the Provincial Policy Statement and in accordance with all applicable legislation.
2. Conformity with the Our City, Our Strategy, City Building, and Environmental policies of this Plan.
3. Conformity with the policies of the place type in which they are located.
4. Consideration of applicable guideline documents that apply to the subject lands.
5. The availability of municipal services, in conformity with the Civic Infrastructure chapter of this Plan and the Growth Management/Growth Financing policies in the Our Tools part of this Plan.
6. Potential impacts on adjacent and nearby properties in the area and the degree to which such impacts can be managed and mitigated. Depending upon the type of application under review, and its context, an analysis of potential impacts on nearby

properties may include such things as:

- a. Traffic and access management.
- b. Noise.
- c. Parking on streets or adjacent properties.
- d. Emissions generated by the use such as odour, dust, or other airborne emissions.
- e. Lighting.
- f. Garbage generated by the use.
- g. Loss of privacy.
- h. Shadowing.
- i. Visual impact.
- j. Loss of views.
- k. Loss of trees and canopy cover.
- l. Impact on cultural heritage resources.
- m. Impact on natural heritage features and areas.
- n. Impact on natural resources.

The above list is not exhaustive.

7. The degree to which the proposal fits within its context. It must be clear that this not intended to mean that a proposed use must be the same as development in the surrounding context. Rather, it will need to be shown that the proposal is sensitive to, and compatible with, its context. It should be recognized that the context consists of existing development as well as the planning policy goals for the site and surrounding area. Depending upon the type of application under review, and its context, an analysis of fit may include such things as:

- a. Policy goals and objectives for the place type.
- b. Policy goals and objectives expressed in the City Design chapter of this Plan.
- c. Neighbourhood character.
- d. Streetscape character.
- e. Street wall.
- f. Height.
- g. Density.
- h. Massing.
- i. Placement of building.
- j. Setback and step-back.
- k. Proposed architectural attributes such as windows, doors, and rooflines.
- l. Relationship to cultural heritage resources on the site and adjacent to it.
- m. Landscaping and trees.

n. Coordination of access points and connections.

The above list is not exhaustive.

Appendix D – Relevant Background

Additional Reports

New Low Rise Development in Existing Neighbourhoods (Z-8701)(Public Participation Meeting April 24, 2017): This report recommends amendments to the Zoning By-law which addressed the compatibility of new development within existing low-rise residential areas (Residential R1, R2, and R3s Zone variations) in the Primary Transit Area.

Pol Associates Inc.
Land Use Planning Consultants
94 Rollingwood Circle
London ON N6G 1P7

May 10, 2018

Ms Michelle Knieriem, Planner
The Corporation of the City of London
Department of Planning and Development
206 Dundas St, London, Ontario N6A 1H3

Dear Ms. Knieriem,

RE: Zoning By-law Amendment File Z-8878 Section 4.23 minimum\maximum front and exterior side yard setbacks

Pol Associates Inc. is retained by Mr. Ken Bonnar to provide independent land use planning opinion regarding the above noted matter.

Mr. Bonnar's building permit was refused for the renovation and addition to an existing single detached residential building lot at 601 Upper Queen Street. Staff recommended he apply for a zoning by-law amendment or a minor variance because of non-compliance with Section 4.23. He is proposing changes to the building that were located in front of the average setback of the two adjacent residential buildings. The renovations include a change in the roof line, a new dormer over the garage and a small extension to the rear of the dwelling all in keeping with the height and rear yard setback provisions of the applicable Residential R1-9 in By-law Z.-1. I was perplexed why this happened because the building footprint is not changing and the front yard or side yards are remaining the same.

I rely on Section 4.16 Existing Uses Continued Clause 2: *nothing in this by-law shall prevent an extension or an addition to a building or structure lawfully used on the 26th day of June 2005 except where b) the minimum yard or setback required for the addition shall be equal to the minimum yard or setback prescribed in the regulations of the By-law.* The addition does not change the building footprint nor does it change the minimum yard requirements and therefore the building permit is in compliance with the By-law.

Pol Associates Inc.

Land Use Planning Consultants
94 Rollingwood Circle
London ON N6G 1P7

The addition of the dormer is located less than the minimum yard or setback required in Section 4.23 and therefore the Building Division would not issue compliance for the renovations with the By-law. I would ask the Planning Staff ensure that in all instances, where the building is legal non-complying, regardless of the applicable setback requirements, owners be allowed to renovate, rehabilitate and build additions in compliance with the zone regulations.

I have reviewed the report dated for the public meeting May 14, 2018 File Z-8878 and the proposed amendments. Based on my review, the proposed renovation\additon for 601 Upper Queen Street will comply with the new zoning regulations in Section 4.23. I have no objection to the amendments to clarify and improve the interpretation and function of By-law Z.-1 as it applies to low rise residential development in the Primary Transit Area.

Please provide me with notice of passing of the by-law amendment. Please contact me should you have any questions.

Regards,

A handwritten signature in black ink that reads "William Pol". The signature is written in a cursive, flowing style.

William Pol, MCIP, RPP
Principal Planner
Pol Associates Inc.

cc. Ken Bonnar

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: John M. Fleming
Managing Director, Planning and City Planner
Subject: Adelaide Properties
894 Adelaide Street North
Public Participation Meeting on: May 14, 2018

Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Adelaide Properties relating to the property located at 894 Adelaide Street North:

- (a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting May 22, 2018 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Residential R2 (R2-2) Zone, **TO** a holding Residential R6 Special Provision (h-89*R6-5(_)) Zone;
- (b) The Site Plan Approval Authority **BE REQUESTED** to consider the following through the site plan process:
 - i) Construction of a wood, board on-board privacy fencing for the extent of the north, east and south perimeter, with a minimum height of 2.13m (7ft);
 - ii) Interior garbage storage if possible, or appropriately located and enhanced screening for outdoor garbage storage;
 - iii) Tree preservation along perimeter of site where possible, and enhanced tree planting along the north and south.

Executive Summary

Summary of Request

The purpose and effect of the recommended action is to re-zone 894 Adelaide Street North to permit cluster residential apartment buildings. Special provisions are requested to permit an increased density, recognize the existing setbacks of the existing dwelling, and reduced north and south interior side yard setbacks for the proposed apartment building.

Purpose and the Effect of Recommended Action

The requested amendment is to permit the development of a new 2.5 storey apartment building with a total of 9 residential units, while maintaining the existing built form.

Rationale of Recommended Action

1. The recommended amendment is consistent with, and will serve to implement the policies of the Provincial Policy Statement, 2014 which encourage infill and intensification and the provision of a range of housing types, and efficient use of existing infrastructure;
2. The recommended amendment is consistent with the policies of the Low Density Residential designation and will implement an appropriate infill development along Adelaide Street North in accordance with the residential intensification and broader Official Plan policies;
3. The proposed residential uses and scale of development are consistent

- with the Urban Corridors Place Type policies in the London Plan;
4. The subject lands are of a suitable size and shape to accommodate the development proposed, which is a sensitive and compatible form within the surrounding neighbourhood.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject site is located on the east side of Adelaide Street North, between Oxford Street to the south, and Cheapside Street to the north. The site is an irregular, flag-shape lot with an existing 2 storey, 6-unit apartment located along Adelaide Street North, and parking in the rear (east) yard, along with a large open space with mature trees. There are single detached dwellings surrounding the site, along Ross Street to the north and Grosvenor Street to the south, with mixed uses and a variety of housing forms along Adelaide Street North. A place of worship is also located along Grosvenor Street to the southeast of the site.



Figure 1: Subject Site and Existing Apartment Building

1.2 Current Planning Information (see more detail in Appendix D)

- Official Plan Designation – Low Density Residential
- The London Plan Place Type – Urban Corridor
- Existing Zoning – Residential R2 (R2-2)

1.3 Site Characteristics

- Current Land Use – Apartment
- Frontage – 15.3m
- Depth – Approximately 91m
- Area – 2,083m²
- Shape – Flag-shape/Irregular

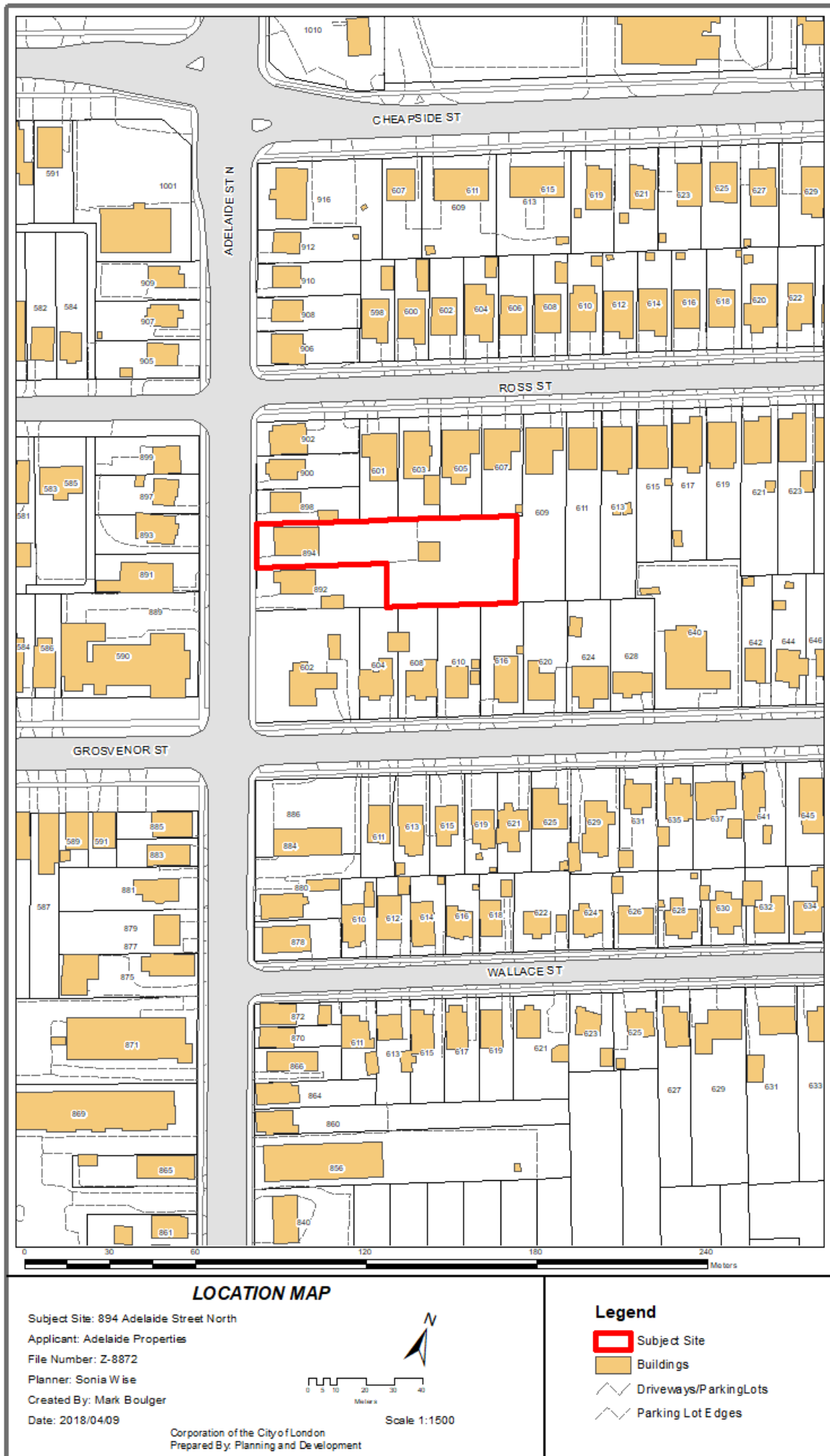
1.4 Surrounding Land Uses

- North – Low Density Residential
- East – Low Density Residential
- South – Low Density Residential
- West – Mixed Low-Medium Density Residential

1.5 Intensification

- The proposed nine new residential units represents intensification within the Built-Area Boundary
- The proposed nine new residential units represents intensification within the Primary Transit Area

1.6 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The proposed development is to permit a new 9 unit, 2.5 storey apartment building in the rear of the lot, and retain the existing 6 unit, 2 storey apartment building located along Adelaide Street North. Additional parking is proposed between the two buildings, and open space will be provided along the north, east and south areas of the proposed building.

3.0 Relevant Background

3.1 Planning History

There is an existing two storey, six-unit apartment building located on-site which is not proposed to change. The apartment was originally constructed as a fourplex in 1963 and was converted from four to six units between 1963 – 1987. There is an existing garage/carport located in the rear which was also constructed 1963. The garage is proposed to be demolished to allow for the new structure, and is not heritage listed or designated.

3.2 Requested Amendment

The requested amendment is for a Residential R6 Special Provision R6-5() Zone to allow for the retention of the existing built form and the proposed new apartment building. Special provisions are requested to recognize the deficient side and front yard setbacks associated with the existing built form, which is not proposed to change. Special provisions are also requested for the proposed apartment building, which has reduced side yard setbacks, and to allow for the total number of units, which exceeds the density permitted by the zone.

3.3 Community Engagement (see more detail in Appendix B)

Approximately 12 responses were received during the application review. The concerns raised by the public include: stormwater management on the site, a loss of privacy, loss of trees and open space, inappropriate garbage storage location, concern for safety and security in the neighbourhood, impact of light and noise and vehicular access and traffic.

A community information meeting was held on April 17 and approximately 13 residents attended, along with the ward councillor, city planning and engineering staff, the applicant, and their planner and architect. The proposed development was discussed in detail and included an interactive question and answer period.

3.4 Policy Context (see more detail in Appendix C)

Provincial Policy Statement (PPS), 2014

The Provincial Policy Statement (PPS) 2014, provides policy direction on matters of provincial interest related to land use planning and development. The PPS encourages healthy, livable and safe communities which are sustained by accommodating an appropriate range and mix of uses and cost-effective development patterns.

Official Plan

The lands are within the Low Density Residential designation in the Official Plan which is primarily developed for low-rise, low density housing forms. The policies also encourage infill residential development in residential areas where existing land uses are not adversely affected and where development can efficiently

utilize existing municipal services, facilities and land. Residential intensification refers to the development of a property, site or area at a higher density than that which currently exists, and provides consideration for a broader range and intensity of uses (3.2.3.1 - 3.2.3.2).

The London Plan

The London Plan places an emphasis on growing 'inward and upward' which encourages growth within the existing Built-Area Boundary, and Primary Transit Area. A target minimum of 45% for all new residential development will occur within the Built-Area Boundary, and 75% within the Primary Transit Area, which is the part of the City with the highest level of transit service, and includes the subject site (81 & 92.3). The subject site is within the Urban Corridor Place Type which encourages intensification through mid-rise residential and mixed-use development (828).

4.0 Key Issues and Considerations

4.1 Use

The PPS encourages healthy, livable and safe communities which are sustained by accommodating an appropriate range and mix of residential, employment and institutional uses to meet long-term needs (1.1.1 b) PPS). The proposed residential uses are appropriate for the site and integrate positively with the surrounding established residential community. Further, the PPS encourages municipalities to provide for all forms of housing to meet projected requirements by permitting and facilitating all forms of residential intensification in locations where appropriate levels of infrastructure and public service facilities are or will be available and support the use of active transportation and transit in areas where it exists or is to be developed (1.4.3 d) PPS). The site has access to municipal services, transit and nearby amenities, and will make efficient use of the property.

The site is currently within the Low Density Residential designation, which applies to lands primarily intended for low-rise, low density housing forms including detached, semi-detached and duplex dwellings. Within developed areas, the redevelopment of a property at a higher density than currently exists, including the development of vacant or underutilized lots is referred to as 'residential intensification'. A wider range of residential uses are contemplated for intensification projects, including cluster housing and the low-rise apartment building proposed (3.2.3.2).

Within the Urban Corridor Place Type, there is support for the development of a variety of residential types, with varying size, affordability, tenure and design that a broad range of housing requirements are satisfied (830.11). In addition to the range of residential uses; retail, service, office, cultural, recreational and mixed use buildings may also be permitted (837.1). In the surrounding area, there are single detached dwellings located to the north, east and south of the site, and the proposed low-rise apartment building will serve as an appropriate infill form and complementary use to the adjacent low density residential uses.

4.2 Intensity

The PPS directs land use within settlement areas to be based on densities which efficiently use land and resources, and are appropriate for and efficiently use the infrastructure and public service facilities which are planned or available (1.1.3.2). The proposal appropriately re-purposes the existing site and efficiently utilizes the existing public service facilities, and supports public and active transportation options. The proposed low-rise apartment has access to municipal services including water and sanitary services and is proposing to manage stormwater on-site through Low Impact Development (LID).

The Low Density Residential designation normally permits a density up to 30 units per hectare (uph), and residential intensification projects can be contemplated up to 75uph provided the proposal meets the relevant criteria (3.2.3.2). The proposal is for a new apartment building with 9 units for a total of 15 dwelling units, which equates to a density of approximately 72uph. The scale of development and intensity is in keeping with the upper limits of the intensification policies, is appropriate for the site, and supported by a Neighbourhood Character Statement and Compatibility Report (3.2.3.3 & 3.2.3.4).

Residential intensification will be supported by the London Plan in a variety of forms, including redevelopment of underutilized lots at a higher density than currently exists on developed lands, such as the proposed infill development (80.4 & 6). The site is located along a major road (Civic Boulevard), within the Built Area Boundary, and the Primary Transit Area, which provides convenient access to nearby services, amenities and transit.

Intensification will be permitted only in appropriate locations and in a way that is sensitive to existing neighbourhoods and represents a good fit (83). Within the Urban Corridors, it will carefully manage the interface between our corridors and the adjacent lands within less intense neighbourhoods (830.6). The subject site is of a sufficient size and configuration to accommodate the proposed development, and the scale of the proposal is sensitive to the surrounding area.

4.3 Form

The PPS encourages intensification and redevelopment where it can be accommodated, taking into account the existing building stock and the suitability of existing or planned infrastructure (1.1.3 PPS). The proposal will develop an under-utilized site in a form that is compatible to the existing surrounding neighbourhood.



Figure 2: Conceptual rendering of the proposed low-rise apartment building

Within the Low Density Residential designation, infill housing may be in the form of a range of single detached dwellings, attached dwellings, triplexes, fourplexes and low-rise apartment forms (3.2.3.2). The proposed apartment consists of a habitable basement level and two upper floors, and is considered to be a low-rise built form at 2.5 storeys in height or 10m. Within the Urban Corridor Place Type, buildings have a standard maximum height of 6 storeys, with a potential to bonus up to 8 storeys. Development within Corridors will be sensitive to adjacent land uses and employ such methods as transitioning building heights or providing sufficient buffers to ensure compatibility (840.1). The surrounding dwellings are generally one storey bungalows or back-split dwellings with pitched roofs. The height of the proposed building is 2.5 storeys which is a compatible building height to the neighbouring low density residential uses, and consistent with taller structures in the area such as the existing apartment building on site and nearby

places of worship.

The location of the apartment in the rear yard takes advantage of under-utilized space in an urban environment without impacting the Adelaide Streetscape. The main entrances for the proposed apartment are oriented towards the west of the site. The building is appropriately setback from the property boundaries and away from nearby dwellings. The properties abutting the subject site are all rear-lotted to the subject site which provides an existing separation distance and buffer from the proposed development. The parking on the subject site is proposed to be accommodated in the existing location and extended along the north property boundary between the two buildings. The rear lot to the east of the proposed building will be maintained as landscaped open space, as will the north and south setbacks to the new building.

In addition to the setbacks, there is also adequate space available to increase privacy through screening and buffering, to minimize the loss of privacy for adjacent properties to the extent feasible (11.1.1 xiv). The subject portion of the site is well landscaped with many mature trees. Trees located along the perimeter of the site are intended to be retained where possible to provide buffering for the proposed development. There is currently inconsistent fencing and treatment for the perimeter of the site, which is comprised of low chain link fencing in many areas. There is an opportunity through the Site Plan Approval Process to improve the privacy through the provision of a consistent wood, board on board fence along the full extent of the perimeter to provide better separation and delineation. In addition to the fencing, the use of landscaping and new plantings will be required along the perimeter of the rear yard to enhance screening and buffering, and maximize privacy between neighbours.

Through the review of detailed design, the Site Plan Approval process considers implementing mitigation efforts to reduce potential impacts and best utilize features such as fencing, lighting, garbage storage and landscaping to provide enhanced privacy and effective screening. At the time of Site Plan Approval, a landscape plan will be required to identify new plantings and vegetation, and a tree preservation plan will identify opportunities for retention of mature vegetation.

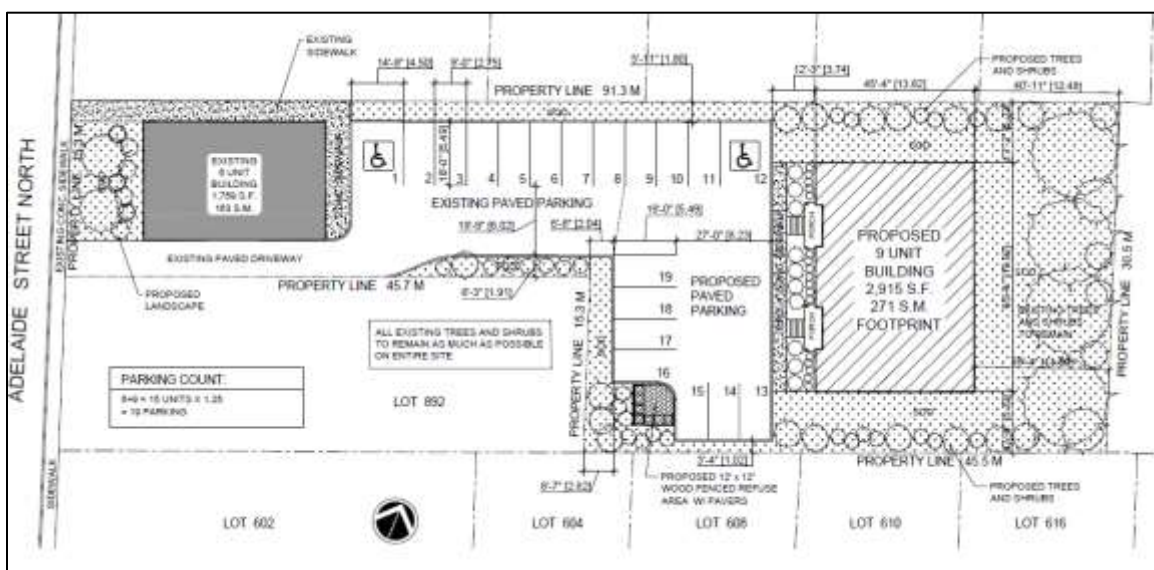


Figure 3: Conceptual site plan

4.4 Transportation and Movement

The site has direct access to Adelaide Street North with an existing driveway located to the south of the existing apartment building. The driveway provides a one-way access into and out of the site and leads to the parking area between the two buildings. The existing access supports the two-way traffic associated with the current built form, and is adequate for the traffic flow anticipated with the 15 total units proposed. There are a total of 19 parking spaces provided which is

meeting the minimum number required for 15 units, based on the rate of 1.25 spaces per residential unit.

There are a number of easily accessible existing transit services which serve the area, including routes 16 and 92 along Adelaide Street, and route 21 along Cheapside Street. At the intersection of Oxford Street East and Adelaide approximately 550m to the south, there are an additional two routes, 4 and 17, and towards the north approximately 850m at Huron Street, are three additional routes including 1, 27 and 32. The site has many options for public transit and high connectivity to the City.

4.5 Stormwater Management

Through the community consultation and engineering input, the management of stormwater has been raised as an item of specific concern. The community has identified current local flooding and existing pooling during storm events due in part to the existing topography of the area.

The Site Plan Control Area By-law identifies that any new development shall manage stormwater on-site and not direct flows to adjacent properties. The subject site does not have access to municipal stormwater infrastructure in this location and the alternative is for the site to manage stormwater through Low Impact Development (LID) on site through such features as infiltration trenches and galleries. A stormwater servicing report that may include geotechnical soil analysis will be required prior to development at the Site Plan Approval stage to ensure that the on-site management techniques proposed are feasible and implementable. A holding provision is recommended to ensure that the study identifying measures to appropriately manage stormwater, run-off, and overland flows is accepted by the City prior to any development.

4.6 Zoning

Residential R6 (R6-5) Zone

The request is to re-zone the site to a Residential R6 (R6-5) Zone which permits cluster forms of housing including apartment buildings. Special provisions are requested for relief from the side yard setbacks of the proposed building to the north and south from 6m required, to 5m provided. The 5m setback represents a minor departure from the required 6m and still allows adequate opportunity and space for buffering, screening and new landscape planting. A special provision is requested to allow for an increase in density from 35 units per hectare to 72 units per hectare to allow for the 15 residential units. A special provision will restrict the height of the proposed development to 10m to ensure a compatible building height for the surrounding context.

A holding provision is proposed for the site to ensure that a stormwater management plan to address on-site runoff and overland flow is accepted by the City prior to development occurring.

More information and detail is available in Appendix B and C of this report.

5.0 Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2014, and conforms with the Official Plan, and the London Plan. The proposed infill project will facilitate the development of an underutilized site along Adelaide Street North. The low-rise apartment represents a sensitive and compatible development that is a good fit within the surrounding context, and makes efficient use of the existing municipal services and infrastructure within a developed area.

Prepared by:	Sonia Wise, MCIP, RPP Planner II, Current Planning
Submitted by:	Michael Tomazincic, MCIP, RPP Manager, Current Planning
Recommended by:	John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner

May 7, 2018

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Appendix A

Bill No. (number to be inserted by Clerk's Office)
2018

By-law No. Z.-1-18_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 894 Adelaide Street North.

WHEREAS Adelaide Properties has applied to rezone an area of land located at 894 Adelaide Street North as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 894 Adelaide Street North as shown on the attached map comprising part of Key Map No. A103 from a Residential R2 (R2-2) Zone to a holding Residential R6 Special Provision (h-89*R6-5(_)) Zone.
- 2) Section Number 10.4 of the Residential R6 (R6-5) Zone is amended by adding the following Special Provision:

R6-5(_)	894 Adelaide Street North	
a)	Regulations for the existing building	
	i) Front Yard (Minimum)	as existing
	ii) Side Yard Setbacks (Minimum)	as existing
b)	Regulations for apartment buildings	
	i) Density (Maximum)	72 units per hectare
	ii) Interior Side Yard Setback (Minimum)	5m (16 ft)
	iii) Height (Maximum)	10m (32ft)

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on May 22, 2018.



Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – May 22, 2018
Second Reading – May 22, 2018
Third Reading – May 22, 2018

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



<p>File Number: Z-8872_2 Planner: SW Date Prepared: 2018/04/09 Technician: MB By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:2,000</p> <p>0 10 20 40 60 80 Meters </p>
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GeoDatabase

Appendix B – Public Engagement

Community Engagement

Public liaison: On February 21, 2018, Notice of Application was sent to 119 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on February 22, 2018. A “Planning Application” sign was also posted on the site.

12 replies were received

Nature of Liaison: Request to change Zoning By-law Z.-1 from a Residential R2 (R2-2) Zone which permits single detached, semi-detached, duplex, and converted dwellings, to a Residential R6 Special Provision (R6-5()) Zone to permit a range of cluster dwellings including single detached, semi-detached, duplex, triplex, fourplex, townhouse, stacked townhouse and apartment building uses. Special provisions are requested to permit an increased density up to 72 units per hectare and permit reduced interior side yard setbacks for the existing and proposed buildings.

Responses: A summary of the various comments received include the following:

Servicing and Stormwater Management

Concerns for: pumped sanitary servicing, soil composition, the intention to provide on-site LID for stormwater management, local topography and site grading, no catchbasins, overland flow and water ponding issues (x3)

Access to site and vehicular safety

Concerns for: Turning movements into and out of site and impact on Adelaide Street North with only one way access (x2), unsafe for pedestrians, emergency vehicle access to rear, increased traffic and collisions (x2)

Loss of mature trees

Concerns for: loss of mature trees and open space (x6)

Impacts of apartment building

Concerns for: impact of apartment building in rear yard on neighbouring dwellings backyards (x3), too close to amenity space of neighbours, overlooking (x4), lights (x4), exhaust fumes, garbage storage (x6), crime and safety (x4), noise (x3), loss of property value (x3), incompatible with character (x3), loss of privacy (x5), characterless building, too large, increases transient population in area

Design Considerations

Request to: Utilize high fencing, landscaping and relocate garbage storage away from property boundaries

Responses to Public Liaison Letter and Publication in “The Londoner”

Telephone	Written
William Rinehart 615 Ross Street London ON N5Y 3V8	William Rinehart 615 Ross Street London ON N5Y 3V8
Veronica Wilson 650 Grosvenor Street London ON N5Y 3T4	Veronica & Mr. Wilson 650 Grosvenor Street London ON N5Y 3T4
Shannon Braun 615 Ross Street London ON N5Y 3V8	Marcus Schaum 613 Ross Street London ON N5Y 3V8

Telephone	Written
	Rosemary Vamos & Thomas Drowns 608 Grosvenor Street London ON N5Y 3T4
	Julie Shier 604 Grosvenor Street London ON N5Y 3T4
	Gladys Adams 603 Ross Street London ON N5Y 3V8
	Yvonne & Bob Hulbert 610 Grosvenor Street London ON N5Y 3T4
	Leigh Soldan 605 Ross Street London ON N5Y 3V8
	Aaron Clark
	Diane Meikle & David Ashford 609 Ross Street London ON N5Y 3V8
	Chris Butler 863 Waterloo Street London ON N6A 3W7

Agency/Departmental Comments

Transportation

No comments for the re-zoning application.

The following items are to be considered during the site plan approval stage:

- A road widening dedication of 19.5m from centre line is required along Adelaide Street N.
- Detailed comments regarding access design and location will be made during the site plan process.

SWED

Comments for the re-zoning application.

- The MTE preliminary servicing report appended to the Z-8872 application recognizes a grade differential of 2.4 m between the northeast corner of the site and Adelaide Street. This grade differential means that runoff flows (2-year to 250-year storm events) from the site cannot be conveyed to a valid municipal outlet.
- The report discussed the use of onsite storage/infiltration through some form of LID. In that regard, geotechnical investigation shall be carried out before approval of this zoning By-Law amendment to identify the type of soil and ground water level within the site. The Geotechnical investigation shall also provide recommendations on the preferred LID option. Infiltration system may not be adequate in areas with high ground water level and/or native soils with low infiltration rates (The site appears to be located in an area where the soil is predominantly clay with high ground water level).
- When on-site storage is proposed, it includes the release of stored flows at a restricted flow rate. The question here is where the flows will be discharged to if there is no municipal storm sewer.

WADE

No comments for the re-zoning application.

- WADE is not requiring capacity analysis and does not require any holding provisions.
- The sanitary servicing to accommodate intensification at the back portion of the subject lands which is at a lower grade and elevation than Adelaide St. is somewhat challenging and as proposed will result in private pumping of their sanitary flows to their proposed future private manhole onsite and a new PDC to the municipal system. The subject lands are proposing multiple sanitary outlets to accommodate this new intensification with the new building as proposed to have a new non-standard connection to the top end of a municipal sanitary sewer on Adelaide that flows to the south.
- These comments are to be read in conjunction with the pre-application comments.

Water

No comments for the re-zoning application.

The following items are to be considered during the site plan approval stage:

- Water is available from the existing 450mm CI watermain on Adelaide street.
- A new water service will be required for the proposed development.
- A new fire hydrant may be required for the development.

Additional comments may be provided upon future review of the site

Urban Regeneration

Archaeological Assessment received, no further work required

UTRCA

No objection

London Hydro

No objection

Appendix C – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this requested land use change. The most relevant policies, by-laws, and legislation are identified as follows:

Provincial Policy Statement (PPS) 2014

- 1.1 Managing and directing land use
- 1.4 Housing
- 1.6 Infrastructure and Public Service Facilities

Official Plan

- 3.2 – Low Density Residential Designation
- 11 – Urban Design
- 19 – Planning Tools

London Plan

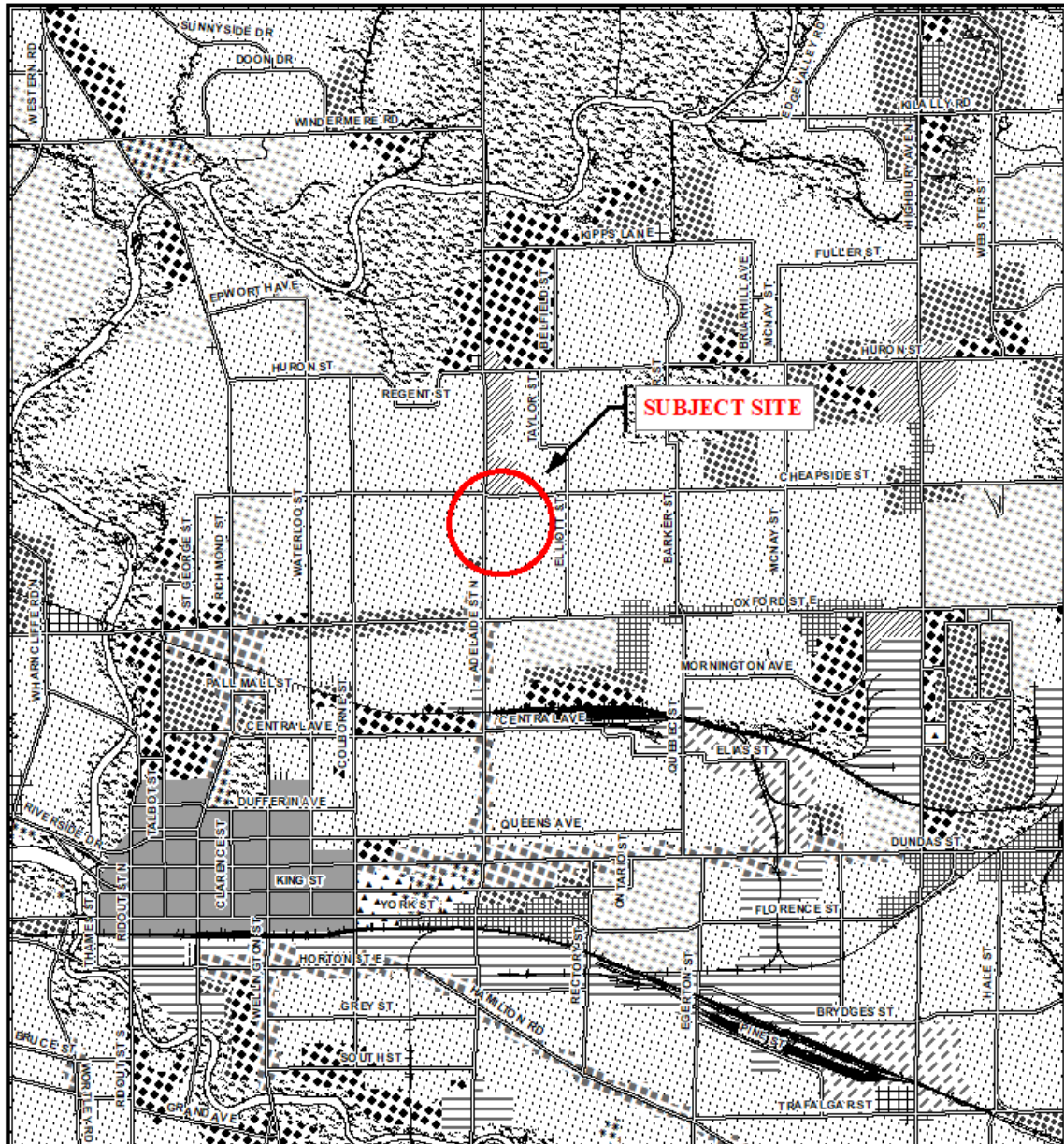
- 80-88 – Built-Area Boundary & Primary Transit Area
- 826 - 869 – Rapid Transit and Urban Corridors
- 1577 Evaluation of Planning Applications

Z.-1 Zoning By-law

- Section 3 – Zones and Symbols
- Section 4 – General provisions
- Section 10 – Residential R6 (R6-5) zone

Appendix D – Relevant Background

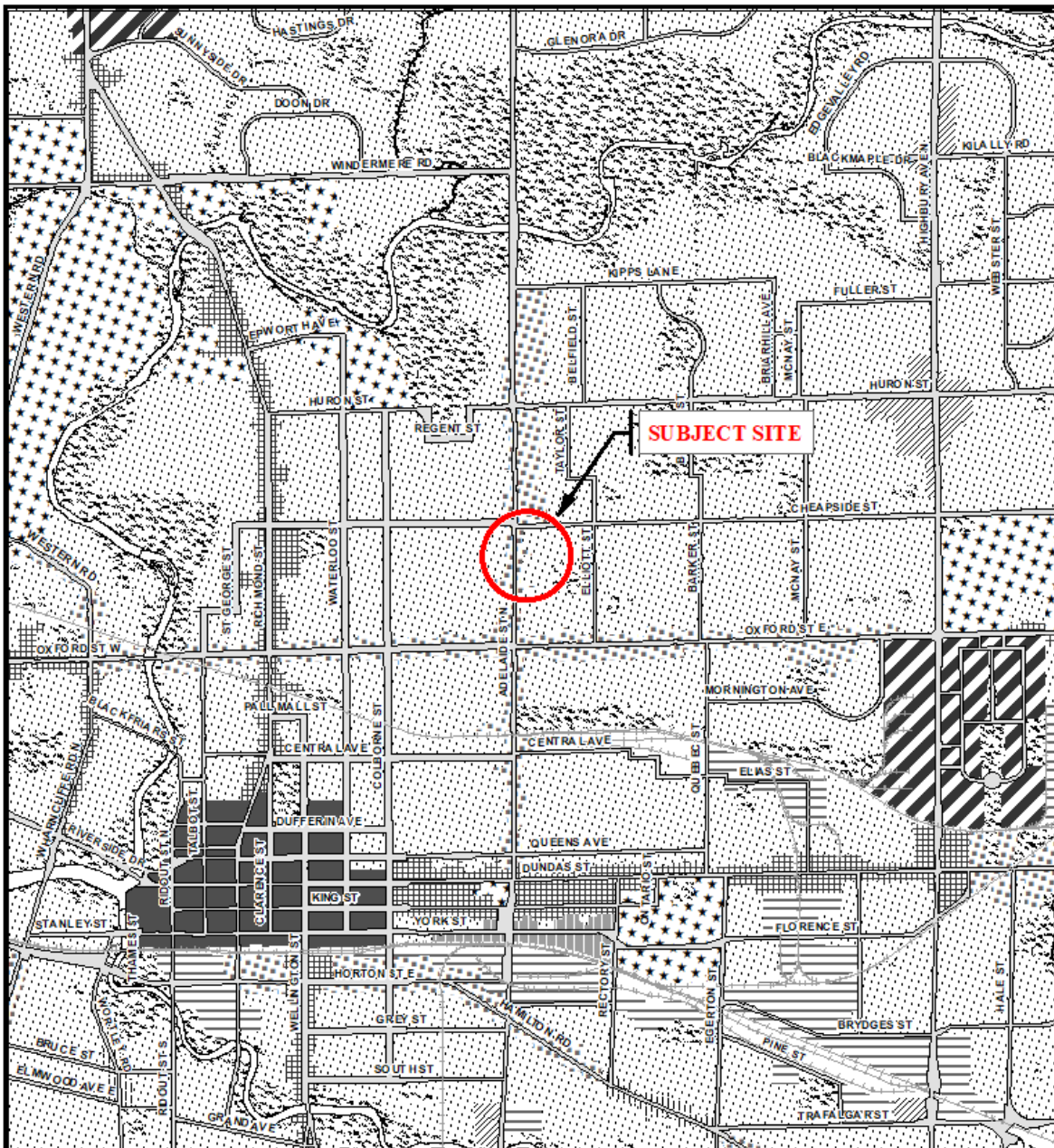
Additional Maps



Legend		
Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial
Community Commercial Node	Regional Facility	Transitional Industrial
Neighbourhood Commercial Node	Community Facility	Rural Settlement
Main Street Commercial Corridor	Open Space	Environmental Review
Auto-Oriented Commercial Corridor	Urban Reserve - Community Growth	Agriculture
Multi-Family, High Density Residential	Urban Reserve - Industrial Growth	Urban Growth Boundary

<p>CITY OF LONDON Planning Services / Development Services OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: Z-8872</p>
		<p>PLANNER: SW</p> <p>TECHNICIAN: MB</p> <p>DATE: 2018/04/09</p>

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consol00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd



Legend

- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor | Commercial Industrial | Urban Growth Boundary |
| Main Street | Institutional | |
| Neighbourhood | Green Space | |

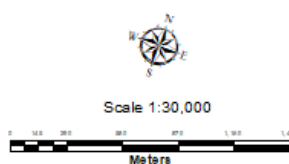
This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

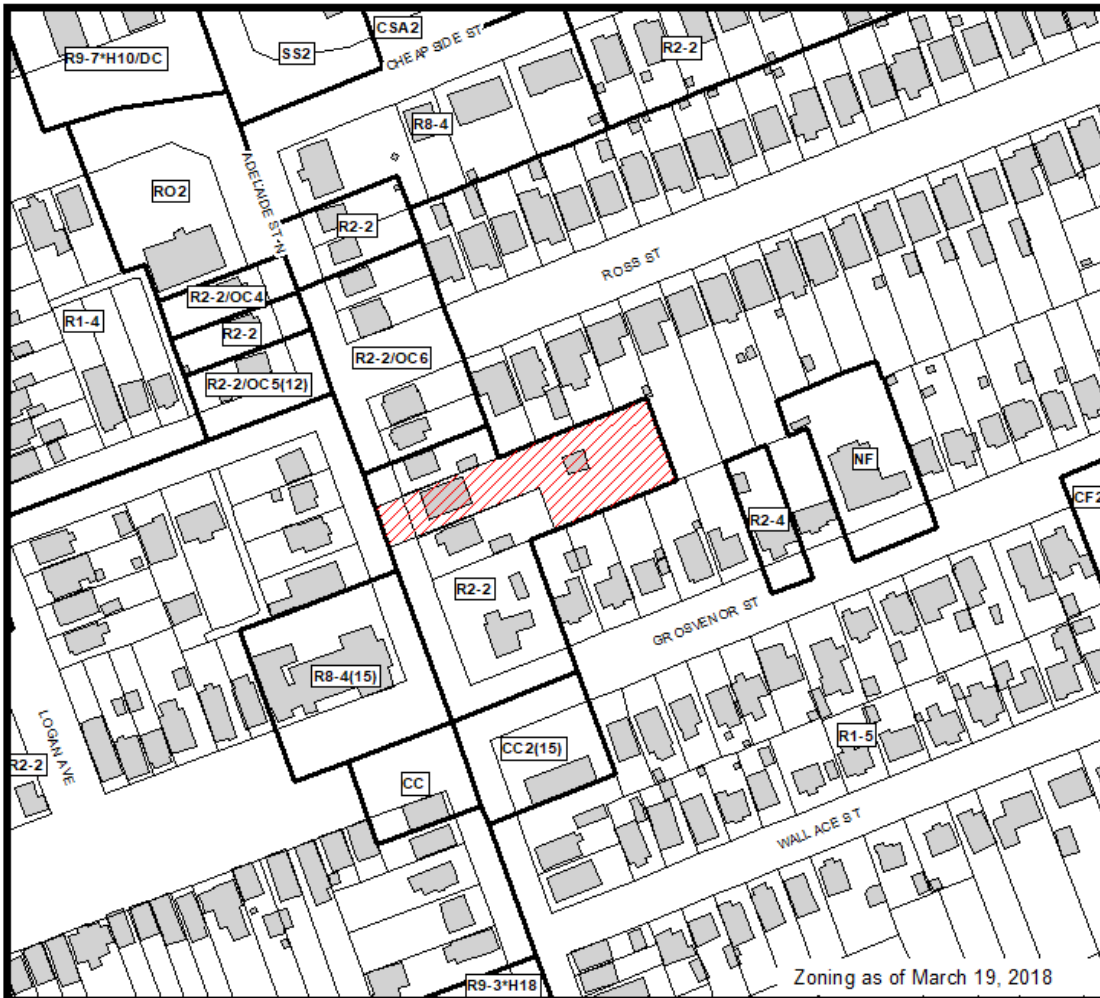
CITY OF LONDON
Planning Services /
Development Services

LONDON PLAN MAP 1
- PLACE TYPES -

PREPARED BY: Planning Services



File Number: Z-8872
Planner: SW
Technician: MB
Date: April 9, 2018



Zoning as of March 19, 2018



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: R2-2

1) **LEGEND FOR ZONING BY-LAW Z-1**

- | | |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS | RF - REGIONAL FACILITY |
| R2 - SINGLE AND TWO UNIT DWELLINGS | CF - COMMUNITY FACILITY |
| R3 - SINGLE TO FOUR UNIT DWELLINGS | NF - NEIGHBOURHOOD FACILITY |
| R4 - STREET TOWNHOUSE | HER - HERITAGE |
| R5 - CLUSTER TOWNHOUSE | DC - DAY CARE |
| R6 - CLUSTER HOUSING ALL FORMS | |
| R7 - SENIOR'S HOUSING | OS - OPEN SPACE |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | CR - COMMERCIAL RECREATION |
| R9 - MEDIUM TO HIGH DENSITY APTS. | ER - ENVIRONMENTAL REVIEW |
| R10 - HIGH DENSITY APARTMENTS | |
| R11 - LODGING HOUSE | OB - OFFICE BUSINESS PARK |
| | LI - LIGHT INDUSTRIAL |
| DA - DOWNTOWN AREA | GI - GENERAL INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | HI - HEAVY INDUSTRIAL |
| CSA - COMMUNITY SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| NSA - NEIGHBOURHOOD SHOPPING AREA | UR - URBAN RESERVE |
| BDC - BUSINESS DISTRICT COMMERCIAL | |
| AC - ARTERIAL COMMERCIAL | AG - AGRICULTURAL |
| HS - HIGHWAY SERVICE COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| RSC - RESTRICTED SERVICE COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| CC - CONVENIENCE COMMERCIAL | TGS - TEMPORARY GARDEN SUITE |
| SS - AUTOMOBILE SERVICE STATION | RT - RAIL TRANSPORTATION |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | |
| OR - OFFICE/RESIDENTIAL | "h" - HOLDING SYMBOL |
| OC - OFFICE CONVERSION | "D" - DENSITY SYMBOL |
| RO - RESTRICTED OFFICE | "H" - HEIGHT SYMBOL |
| OF - OFFICE | "B" - BONUS SYMBOL |
| | "T" - TEMPORARY USE SYMBOL |

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

**ZONING
BY-LAW NO. Z.-1
SCHEDULE A**



THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:

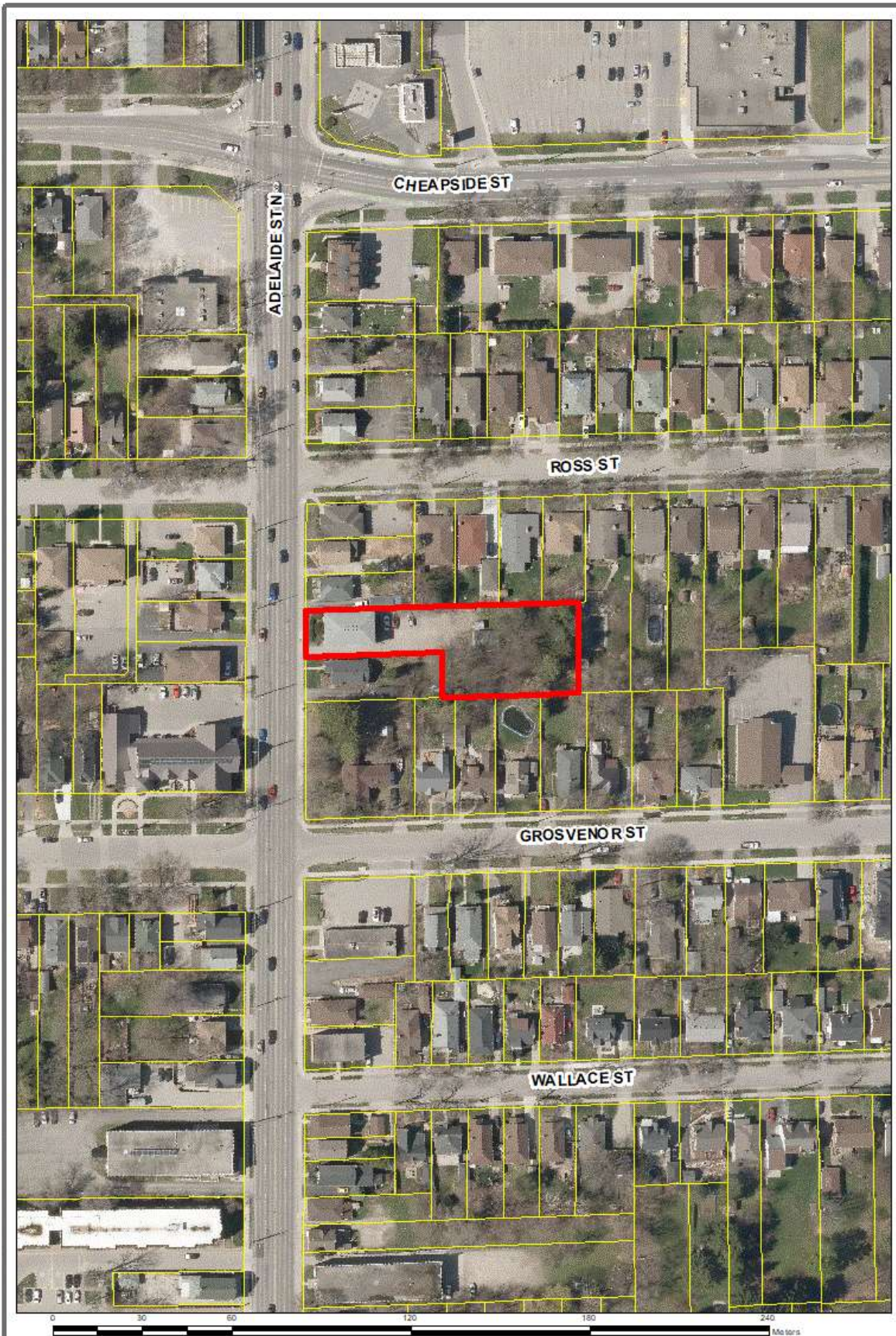
Z-8897 SW

MAP PREPARED:

2018/04/09 MB

1:2,000

0 10 20 40 60 80 Meters



LOCATION MAP


Subject Site: 894 Adelaide Street North
Applicant: Adelaide Properties
File Number : Z-8872

Planner : SW
Created By : MB
Date : 2018/04/09
Scale : 1:1500

Prepared by : Graphics & Information Services , Planning Division
Corporation of the City of London
File:planning/projects/pl_locationmaps/MXDd



Legend

 SubjectSite

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: John M. Fleming
Managing Director, Planning and City Planner

Subject: Application By: City of London
Planning for Supervised Consumption Facilities and
Temporary Overdose Prevention Sites

Public Participation Meeting on: May 14, 2018

Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application by the Corporation of the City of London relating to Planning for Supervised Consumption Facilities and Temporary Overdose Prevention Sites:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on May 22, 2018 to amend The London Plan to add a new policy under Policies for Specific Uses of the Institutional Place Type to provide for Supervised Consumption Facilities and Temporary Overdose Prevention Sites;
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on May 22, 2018 to amend The London Plan to add definitions to the Glossary of Terms for Supervised Consumption Facilities and Temporary Overdose Prevention Sites **AND** that three readings of the by-law enacting The London Plan amendments **BE WITHHELD** until such time as The London Plan is in force and effect.
- (c) the proposed by-law attached hereto as Appendix "C" **BE INTRODUCED** at the Municipal Council meeting on May 22, 2018 to amend the Official Plan (1989) to add a new policy to Chapter 6 - Regional & Community Facilities Designations to apply to Supervised Consumption Facilities and Temporary Overdose Prevention Sites;
- (d) the proposed by-law attached hereto as Appendix "D" **BE INTRODUCED** at the Municipal Council meeting on May 22, 2018 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, to add new definitions for Supervised Consumption Facilities and Temporary Overdose Prevention Sites to Section 2 – Definitions of the Z.-1 Zoning By-law;
- (e) the Policy, noted in a) above, **BE FORWARDED** to the Middlesex London Health Unit for their consideration when planning for, or applying for, supervised consumption facilities or temporary overdose prevention sites in London;
- (f) the Policy, noted in a) above, **BE FORWARDED** to the Ministry of Health and Long Term Care for evaluating applications for temporary overdose prevention sites in London; and,
- (g) the Policy, noted in a) above, **BE FORWARDED** to Health Canada for evaluating applications for supervised consumption facilities in London.

IT BEING NOTED that staff will initiate the process to delete the Council Policy related to Supervised Consumption Facilities and Temporary Overdose Prevention Sites after the policies above are in force and effect.

Executive Summary

Summary of Request

The recommendation is to establish policies within The London Plan and the Official Plan (1989) and to add definitions within Zoning By-law Z.-1 for Supervised Consumption Facilities and Temporary Overdose Prevention Sites.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action would establish new policies within The London Plan and the Official Plan (1989) and add definitions to Zoning By-law Z.-1 for Supervised Consumption Facilities and Temporary Overdose Prevention Sites. A site-specific Zoning By-law amendment to establish a Supervised Consumption Facility or a Temporary Overdose Prevention Site would be required.

Rationale of Recommended Action

- The recommended approach provides for Supervised Consumption Facilities (SCF) and Temporary Overdose Prevention Sites (TOPS) in a manner that ensures the facilities are able to serve their intended users and avoids land use conflict.
- The recommended approach addresses both the possible neighbourhood issues related to SCF and TOPS and the site-specific issues in their establishment.
- The recommended approach recognizes the flexibility required for TOPS, given their unique and temporary nature as a response to a public health emergency, while also directing the use away from the most sensitive locations.
- The recommended approach allows for community consultation through the Zoning By-law amendment process and the creation of community and facility lines of communication.

Analysis

1.0 Background

1.1 Process Timeline

- February 2017 – The Ontario Integrated Supervised Injection Services Feasibility Study was completed to evaluate the feasibility of “supervised injection services” in London. The study was supported by Ontario HIV Treatment Network and funded by the Canadian Institutes of Health Research Centre for REACH in HIV/AIDS.
- September 2017 – Council directed Administration to Study the Land Use impacts of Supervised Consumption Facilities. Council specifically directed that staff “*examine the use definition of supervised injection sites in the Zoning By-law and how this will be distinguished from the broader Zoning By-law use ‘clinic’.*”
- October 2017 – The Middlesex-London Health Unit began public consultation for an SCF in London. This Consultation included 2,145 survey responses, 334 community consultation participants and 56 focus group participants.
- November 2017 – Administration began the Official Plan and Zoning By-law amendment process. Notice of application was published in the *Londoner* on November 23, 2017 opening staff to receive official public comments on planning for Supervised Consumption Facilities and Temporary Overdose Prevention Sites.
- December 2017 – On December 7, 2017 the Minister of Health and Long-term Care declared the opioid crisis in Ontario a public health emergency. This created the possibility of Temporary Overdose Prevention Sites in Ontario and the Province opened the application process for them in January 2018.
- January 2018 – On January 18, 2018 the Middlesex London Health Unit announced that London would host Ontario’s first Temporary Overdose Prevention Site after receiving approval from the Ministry of Health and Long-Term Care.
- The City of London established a Council Policy on Supervised Consumption Facilities and Temporary Overdose Prevention Sites at the January 30th meeting of Council. This policy was provided to the Federal and Provincial ministries

responsible for approving SCFs and TOPSs to guide applications before such time as Official Plan policy could be put in place. Draft Official Plan and Zoning By-law amendments were approved for circulation and feedback.

- February 2018 – Following Council direction, administration sought further input regarding planning for Supervised Consumption Facilities and Temporary Overdose Prevention Sites. A dedicated City webpage was established and notice was published in the *Londoner* and sent directly to 233 people inviting them to a Community Information Meeting on the topic.
- February 2018 – On February 12, 2018, Ontario’s first Temporary Overdose Prevention Site opened in London at the Regional HIV/AIDS Connection location at 186 King Street. The site saw 15 visitors per day in its first week of operation.

1.2 Previous Reports

- September 18, 2017 – Presentation to Strategic Priorities and Policy Committee from Dr. Christopher Mackie – Medical Officer of Health for the Middlesex-London Health Unit on the subject of supervised consumption facilities
- September 12, 2017 – Report entitled “Community Mental Health and Addictions Strategy” from the Managing Director, Housing, Social Services and Deerness Home.
- January 22, 2018 – Planning For Supervised Consumption Facilities & Temporary Overdose Prevention Sites

2.0 Description of Facilities

2.1 Supervised Consumption Facilities

Supervised Consumption Facilities (SCF) provide a location for the consumption of illicit drugs, which have been obtained elsewhere, to be consumed more safely within the presence of a nurse or other health care professional. The drugs consumed on site at a SCF are obtained off-site and brought to the site by the client. Staff at a SCF conduct an intake assessment and typically have the equipment and staff to make medical or health interventions as necessary. Within an SCF there is space to consume drugs and space to experience their high. This includes the presence of naloxone (the overdose reversing drug) and staff trained in its use. Linkages to other health care services which do outreach, addiction counselling, housing support or mental health are available within an SCF. Supervised Consumption Facilities may contain sterile supplies and drug checking services to test for fentanyl or other dangerous substances.

2.2 Temporary Overdose Prevention Sites

Temporary Overdose Prevention Sites (TOPS) also provide a location for the consumption of illicit drugs, which have been obtained elsewhere, to be within the presence of a nurse or other health care professional. They exist as the result of a November 2017 provincial program to provide a streamlined option in the case of public health emergency. They are distinct from a Supervised Consumption Facility in that they are temporary in nature and are only required to include supervised injection, harm reduction supply and disposal, the presence of naloxone and an individual trained in its use. A TOPS may include additional client support services, as the London TOPS does.

The following table identifies distinguishing characteristics of SCF and TOPS.

	Temporary Overdose Prevention Sites (TOPS)	Supervised Consumption Facilities (SCF)
Purpose	Address immediate public health emergency	Part of longer term drug and alcohol related harm reduction strategy and public health management program

Duration use will exist	Temporary (3-6 months with opportunity for extension) Minimal or no capital renovations required	Permanent Typically requires substantial capital investment to establish the long-term facility
Range of services	The Province has indicated that TOPS will provide supervised consumption, Naloxone, and harm reduction supplies including such things as needles, syringes and appropriate disposal services. TOPS may provide peer to peer assisted injection, supervised oral and intranasal drug consumption, or fentanyl test strips as a drug checking services.	SCF may provide all of the same services offered by TOPS, but would typically also offer a variety of additional drug-related services such as drug checking, harm reduction education, counselling, and referrals to other health services and social services.
Staffing	Minimum of two employees with CPR and Naloxone training. If more staff are required, volunteers are an option as additional resources.	Staffing complement of nurses, counsellors, peers, nurse practitioners, etc. All paid positions.
Funding	Set standard funding based on hours of operation (small budget)	Funded based on submitted financial plan, including staffing, building renovations, supplies, etc.
Approval process timelines for exemption under Federal and Provincial processes	To be approved within 14 days by the Province	Lengthy application process which includes public consultation

2.3 Legal Basis

Supervised Consumption Facilities (SCF)

The *Controlled Drugs and Substances Act* (CDSA) is the federal legislation that controls substances typically consumed in a supervised consumption facility. Section 56 of the CDSA allows the Federal Minister to issue exemptions for medical or scientific purposes, or if it is otherwise in the public interest, including for activities at a supervised consumption facility for a medical purpose (Section 56.1).

The federal exemption within Section 56.1 of the CDSA is required to operate a supervised consumption facility. In order to receive the exemption, an applicant must meet the criteria set out in Section 56.1 to the satisfaction of Health Canada. The applicant must provide information regarding the intended public health benefits of the site and any available information related to:

- local conditions indicating a need for the site;
- impact on crime rates;
- administrative structure in place to support the facility;

- resources available to support its maintenance; and
- expressions of community support or opposition.

The application for supervised consumption facilities is rigorous and includes a very detailed presentation of operating procedures, site security, record keeping, physical site plan, personnel (including the “Responsible Person in Charge”), a financial plan, etc. The application also requires a consultation report identifying the process of consultation with a broad range of stakeholders, including the community in the immediate vicinity of the site.

Upon receipt of the application, Health Canada conducts a detailed assessment of the application and, either:

- Issues an exemption with appropriate terms and conditions; or,
- Issues an intent to refuse the exemption, containing the reasons for refusal

Failure to comply with the terms and conditions of approval could result in compliance and enforcement action, including revocation of an exemption.

Temporary Overdose Prevention Sites (TOPS)

Of importance to this evaluation, and a key distinction from supervised consumption facilities, is that temporary overdose prevention sites (TOPS) are intended to be temporary in nature (generally in existence for 3-6 months). The London TOPS has received approval for 6 months of operation.

The Federal government indicated in November of 2017 that they would provide exemptions under the same Section of the *Controlled Drugs and Substance Act* for temporary overdose prevention sites within provinces that have indicated that they are experiencing an opioid-related public health emergency. On December 7, 2017, the Minister of Health and Long Term Care made a submission to the Federal government indicating that the Province is experiencing an opioid-related public health emergency and the Federal Minister of Health granted the Province’s request for a class exemption for TOPS in Ontario.

On January 11, 2018, the Minister of Health and Long Term Care issued a health bulletin that opened the application process for obtaining an exemption to operate a temporary overdose prevention site.

2.4 Public Health Basis

Harm reduction is one aspect of a Four Pillars Drug Strategy. The Four Pillars of harm reduction, prevention, treatment, and enforcement work together to reduce problematic drug use. Supervised Consumption Facilities and Temporary Overdose Prevention Sites are an example of harm reduction within the four pillars framework. The associated services beyond supervised consumption offer opportunities for treatment within an SCF or TOPS. A code-of-conduct for clients may result in decreased need for enforcement.

The public health benefits of SCF and TOPS according to public health professionals include:

- Reduction in drug consumption within public space – e.g. bathrooms, alleyways, civic spaces and parks
- Reduction in infectious diseases that impose public health risks – e.g. HIV, Hepatitis C
- Reduction in overdose emergency room visits and associated costs
- Reduction in overdose deaths
- Health supports for vulnerable populations that are engaged in drug use
- Referrals and navigation to drug addiction, detox and other related support services
- Safety for persons using drugs, during their high when they can be vulnerable
- Reduction in public disorder during users’ high
- Opportunity for community connections
- Teaching of clean consumption practices

- Reduction in the number of used needles disposed in public places

3.0 Community Consultation

3.1 Approach

The City of London began seeking input on planning for SCF and TOPS with the notice of application for an Official Plan and Zoning By-law Amendment provided on November 23, 2017 published in the *Londoner*.

Following Council direction on January 30, 2018, community input was sought on draft Official Plan and Zoning By-law amendments in three ways. First, direct comments to staff through the Official Plan and Zoning By-law amendment process continued to be received. Second, community input was sought through a “Get Involved” webpage at www.london.ca which allowed for Londoners to read the draft amendments and provide an opportunity to comment online. Third, a community information meeting was held on March 21, 2018 at Goodwill Industries from 7:00 to 9:00 PM. Notice was sent to 233 individuals who had previously indicated interest in the topic or were identified as working within the field. The notice also asked recipients to pass the information on to others and provided a link to provide online comments. Twenty-three people attended the March 21, 2018 community meeting.

3.2 Community Comments on the Application for Official Plan and Zoning By-law Amendments

Written responses received identified three issues.

- The London District Catholic School Board (LDCSB) and the Thames Valley District School Board both requested that SCF and TOPS be a minimum of 300 metres from the location of any schools. The LDCSB specifically cited the example of policy on methadone clinics and the use of a 300 metre setback from schools when determining appropriate locations for methadone clinics.
- A Central London resident requested that the City of London provide a map with current information regarding the potential location of SCF and TOPS.
- The London International Academy wrote to request that the specification of “public schools” be modified to ensure that private and boarding schools could be considered for separation in the siting of SCF and TOPS.

3.3 March 21 Community Information Meeting Response

Attendees of the March 21, 2018 community information meeting were provided copies of the draft policy and feedback forms to allow for comment which directly addressed the draft policies. The comments related to the components of the proposed policies are summarized below.

Provide for SCF at a location where the facility can serve those who need them:

- Meeting the entirety of the provided policy criteria may not be possible.
- Questions regarding the concentration of support services for vulnerable populations including prospective SCF clients. It was further suggested that the provision of SCF be spread across the city and that emphasis should not be placed on locating the service close to existing drug users as geographically identified by needle waste.
- Questions regarding the requirement for separation from busy pedestrian corridors.
- Consider the possibility of a mobile SCF service to address the need in the community.

Avoid land use conflicts when siting SCF and TOPS:

- The provided criteria are adequate.
- Why do the criteria distinguish ‘public’ schools?
- Why are there criteria for separation from parks given that discarded needle discards are already being found at parks?

- Child care centres should also be considered as a use that could create potential conflict.
- Questions of why the use of the word “separated” rather than a specified distance (suggestion of 200 metres).
- Questions about the use of the term “Core Area”.
- Given long-term City planning efforts to increase residential density in the downtown, any SCF or TOPS is likely to experience future conflict with a residential population.

Site Design Criteria:

- Question about the ability of SCF and TOPS to serve those using stimulants (as opposed to opioids which are depressants).
- Concerns around surveillance, separating SCF from alleys or adjacent properties which create surveillance issues, and surveillance within multi-unit commercial buildings.
- Concern that the design requirements for safety not override quality urban design.
- Adequate sizing of facilities.

Neighbourhood consultation measures:

- General support for an extension beyond the 120 metre notification radius for a community meeting provided in the proposed policy. The 120 metre radius established is in keeping with the statutory requirements of The Planning Act that the City follows on all land use applications.
- Suggestion that a survey as a second method of engagement beyond a community meeting should be available to those who cannot attend the community meeting in the policy.
- Suggestions that local groups (the local BIA, the community, neighbours) should be involved early on in the process.
- Suggestions that the “code of conduct” in place at the currently operating TOPS become a more comprehensive “Good Neighbour Agreement”.
- Concern that efforts by some community groups are designed to delay or prevent potential SCF rather than address the identified public health need.

Temporary Overdose Prevention Sites comments included:

- Ensure that TOPS remain temporary.
- Suggestion that the hours of operation of the current TOPS be extended into the evening
- Concerns around to access for TOPS, specifically noting that access should not rely on neighbouring properties or be located within a commercial corridor.
- Concerns with the separation of TOPS from daycare centres.

Comments received on the proposed Zoning By-law definitions were generally supportive of the direction taken. There were suggestions that the definitions be expanded to include hours of operation. The *Planning Act* does not allow for operating hours to be established through zoning.

All comments received have been forwarded to the Regional HIV/AIDS Connection who operate the current TOPS at 186 King St. The full list of responses received through the feedback forms from the March 21, 2018 community information meeting is available in Appendix “F”.

3.4 Changes Made as Result of Public Comment

The policy criteria related to ensuring that SCF and TOPS locate in areas where they can serve those who they are designed to serve have been maintained as they were circulated. Most comments supported the proposed policy.

Two changes have been made from the draft policies on avoiding land use conflicts following comments received. The qualifier “public” on elementary and secondary schools has been removed as the policy is intended to maintain separation from all elementary and secondary schools. The qualifier “within the Core Area” for busy pedestrian corridors

has been removed. This separation criterion would equally apply to other areas of the City should the need for an SCF outside of the central city arise in future. Requests for a specified distance of separation have not been added to the policy as minimum distance would result in excluding SCF or TOPS from locations where the populations to be served would be located.

Changes requested regarding site design criteria have been addressed in the proposed policy amendments through the addition of a conceptual site plan requirement as part of any Zoning By-law amendment application. This will create an opportunity for public input on site design considerations and ensure that the site plan approval process, where required, is informed of public concerns. General concerns regarding site design matters will be addressed through the site specific Zoning By-law amendment processes with the inclusion of a conceptual site plan as part of the application. The conceptual site plan will also be submitted to the agency responsible for approving the federal application for a Supervised Consumption Facility or the provincial application for a Temporary Overdose Prevention Site.

Changes made based on comments on the proposed neighbourhood consultation measures include the addition of policy outlining in more detail the requirements for both how the initial community meeting input will be considered and how ongoing communication is to be maintained.

4.0 Planning Policy and Regulations

4.1 Objectives for SCFs and TOPSs

The proposed recommendation relies on Official Plan policy and Zoning By-law regulations to provide the appropriate location for SCFs and TOPSs. The creation of a Council Policy has provided interim guidance to those applying and reviewing the approval of SCF and TOPS in London. The planning objectives throughout this process have focused on achieving two central goals:

- The location of Supervised Consumption Facilities and Temporary Overdose Prevention Site should meet the needs of those who they are designed to serve; and,
- The location of Supervised Consumption Facilities and Temporary Overdose Prevention Sites should avoid land use conflicts.

4.2 Council Policy

Given the short timeframe in which temporary overdose prevention sites and supervised consumption facilities were implemented in Ontario, London Municipal Council adopted a Council policy on January 30, 2018. Although the Council policy does not have the same identifies legal effect as Official Plan policy or Zoning By-law regulations, it established the criteria that Council would request any proponent of a SCF or TOPS to respect when siting such a facilities. The Council policy established Council's position regarding the locations of these facilities which would be useful for those preparing submissions to Health Canada (supervised consumption facilities) and the Province (temporary overdose prevention sites). It provides clarity on Council's position regarding applications for such facilities in London. Both the proposed Official Plan and Zoning By-law amendment align closely with the Council Policy of January 30, 2018.

4.3 Official Plan Amendment

The proposed land use planning approach relies on two steps to achieve the aim of locating Supervised Consumption Facilities and Temporary Overdose Prevention Sites in appropriate locations. The first step to determine the appropriate location for a SCF or TOPS is the application of Official Plan policies in the review of a proposed site. The second step is the requirement for a site-specific Zoning By-law amendment process to permit the establishment of a facility that meets the criteria within the Official Plan, including the pre-application public consultation process.

Changes to the previously circulated draft policy are identified using strikethrough and underline:

Supervised Consumption Facility means a facility that has received an exemption from the Controlled Drugs and Substances Act, where people can bring their illicit drugs to consume in a sterile and safer environment. ~~These facilities have equipment and trained staff present to oversee a person's drug consumption and assist in the event of an overdose or other health risk.~~ These facilities ~~may~~ shall offer additional health and drug-related support services. These facilities are intended to provide such services on an ongoing, rather than temporary, basis.

Temporary Overdose Prevention Site means a temporary facility that has received an exemption from the Controlled Drugs and Substances Act in the case of a Provincially declared public health emergency, where people can bring their illicit drugs to consume in a sterile and safer environment. ~~These sites have equipment and trained staff present to oversee a person's drug consumption and assist in the event of an overdose or other health risk.~~ Unlike supervised consumption facilities, these are to be temporary in nature. ~~If they exist for more than one two years, they will be considered a supervised consumption facility.~~

Changes have been made to these definitions to be consistent with the definitions proposed in the Zoning By-law amendment. Two changes have been made to the proposed TOPS definition. The first clarifies the unique situation of a Provincially declared public health emergency where a TOPS would be permitted. The second change is the removal of the policy that a TOPS would become an SCF after two years. After two years a TOPS would no longer be permitted. A proponent would need to apply and receive permission for a SCF to continue operating the service at that location. These new definitions will be added to the Glossary of Terms, located within the Our Tools part of *The London Plan*.

GENERAL POLICY APPROACH

Supervised consumption facilities and temporary overdose prevention sites will be planned such that they:

- *meet the needs of those who they are designed to serve*
- *avoid land use conflicts*

Supervised consumption facilities may be permitted within any Place Type, subject to a zoning by-law amendment and all of the policies of this Plan.

This portion of the policy provides the objectives of the policy. The policy also explicitly indicates that SCFs are not limited to a specific Place Type. In order to ensure the objectives are met, limiting the potential locations of these facilities to certain Place Types would restrict the possible location(s) within the areas of the City where the demonstrated need currently exists. This policy also clarifies the requirement that a site-specific Zoning By-law amendment to establish a SCF would be required.

EVALUATION CRITERIA FOR LOCATING SUPERVISED CONSUMPTION FACILITIES AND TEMPORARY OVERDOSE PREVENTION SITES

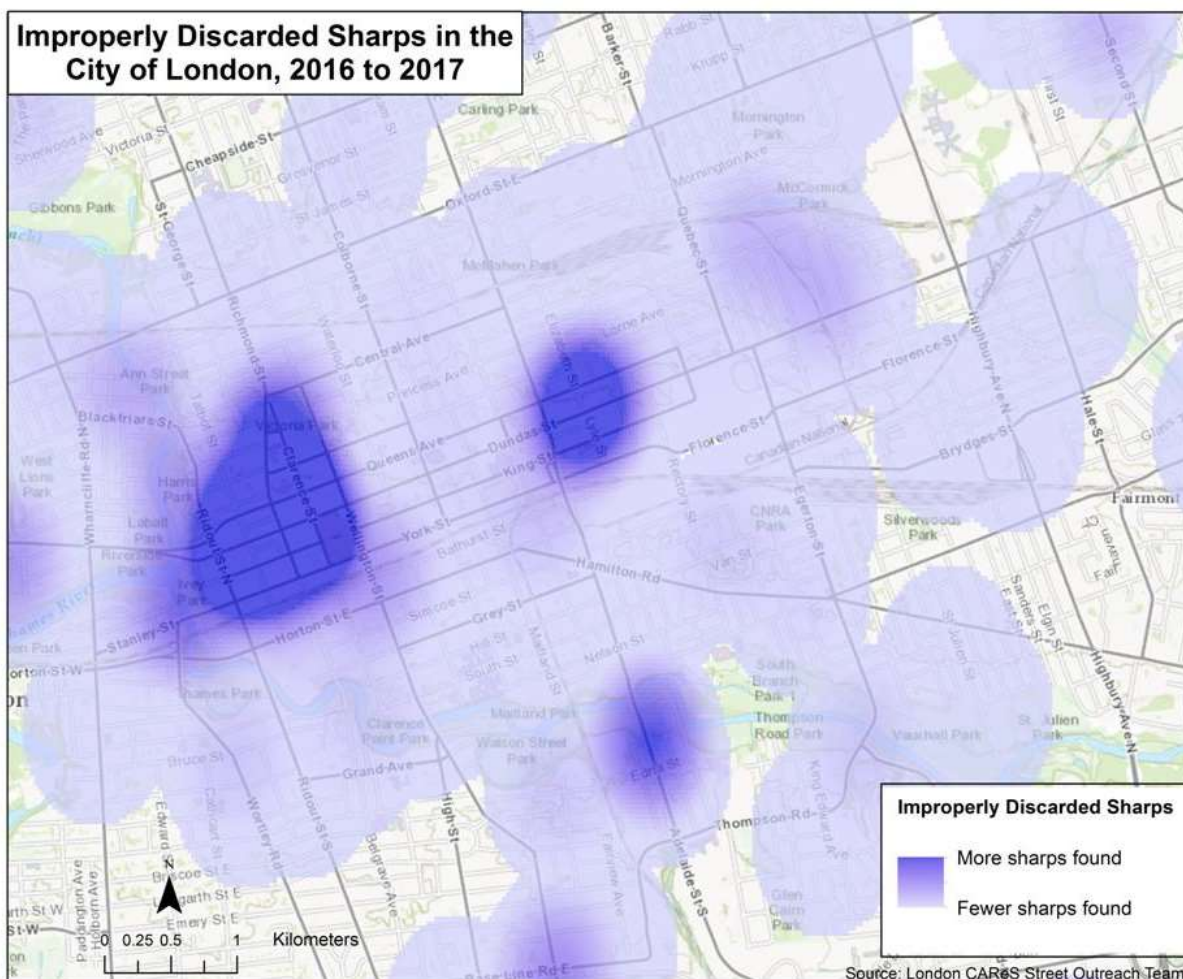
The following evaluation criteria will be used when considering applications for zoning by-law amendments to support supervised consumption facilities and temporary overdose prevention sites to ensure that they are appropriately located:

1. Locations that meet the needs of those who they are designed to serve

- a. Within close proximity to, or near, communities where drug consumption is prevalent*

- b. Well serviced by transit
- c. Discrete, allowing for reasonable privacy for those using the facility
- d. Separated from busy pedestrian-oriented commercial areas
- e. Separated from public spaces that generate pedestrian traffic or may generate large crowds from time to time
- f. Close to an area with other drug addiction related support services

The first set of criteria is centred on achieving the policy goal of meeting the needs of those who they are designed to serve. Locating where there is a demonstrated need is essential in the provision of this use, as many of the drug users who would use the site indicated that the need to travel would prevent them using the site. The mapping of improperly discarded sharps (needles), an indication of public street injection, shows that the needs are within the downtown and downtown adjacent neighbourhoods. Transit service, although not likely to be the transportation mode chosen by users, is important to allow those wishing to access referred services after departing an SCF, as SCF contain health services that often involve referrals. Current public health research indicates that users of SCF tend to travel on foot. The survey undertaken by the Health Unit of intravenous drug users on London indicated that the clients would only use such facilities if they are in convenient walking distance of where they reside.



The ability to maintain dignity and discretion when using the facility is important for potential SCF users and this should be considered in the siting phase. Siting these facilities away from areas where large crowds could potentially gather is therefore recommended. Although some support services are provided on site with an SCF (and the current London TOPS), co-location with services that SCF users may be referred to are preferred. Although zoning does not permit zoning based on user, i.e. “people-zoning” the policy recognizes that these uses are directly tied to a clientele with limited mobility and must be located in areas where the users who would require the use are located.

2. Locations that avoid land use conflicts

- a. Separated from busy commercial areas or active public spaces that could generate conflicts between the general public and those leaving supervised consumption facilities after consuming

- b. Separated from parks
- c. Separated from key pedestrian corridors ~~within the Core Area~~
- d. Separated from ~~public~~ elementary or secondary school properties
- e. Separated from municipal pools, arenas and community centres and the Western Fairgrounds
- f. Not located within the interior of a residential neighbourhood

The second set of criteria is related to the policy of avoiding land use conflicts. The separation from busy commercial areas or active public space recognizes the conflict that may result from drug sales in crowded areas and avoids this possible conflict. The policy prevents a use that is associated with illicit drug sales in the vicinity, as sales of illicit drugs are not permitted on site at a SCF or TOPS. These evaluation criteria would reduce the likelihood that a busy pedestrian, commercial and other active public spaces would become locations of increased illegal drug sales.

Separation from parks, schools, municipal facilities and the Western Fairgrounds are all to keep children away from a use which includes the consumption of illicit drugs. The intended basis for this policy is to maintain separation between illicit drug users and children. The policy has been changed from the draft policies no longer specify 'public' schools. This also reflects comments received through consultation.

The criterion to not locate SCF and TOPS within the interior of neighbourhoods recognizes that SCF and TOPS are unique uses that are not compatible with residential uses. It is also consistent with current policies that restrict medical and commercial uses from locating in the interior of residential neighbourhoods.

In response to public comments seeking specified setbacks in the policy from those uses identified as likely to create conflicts, no policies are proposed that would establish numerical setbacks to separate these uses from potentially sensitive land uses. It is important to note that the recognized area of need within the city is within areas of the City where a specified setback distance requirement would likely not provide for any eligible location for the SCF and TOPS uses if specific separation distance criteria were strictly applied.

SITE AND FACILITY DESIGN REQUIREMENTS FOR SUPERVISED CONSUMPTION FACILITIES AND TEMPORARY OVERDOSE PREVENTION SITES

Supervised consumption facilities should be designed to:

- a. Incorporate the Crime Prevention Through Environmental Design (CPTED) principles of natural surveillance, natural access control, and natural territorial reinforcement
- b. Meet provincial regulations, the policies of this plan, and municipal by-laws relating to accessibility
- c. Orient building entrances to allow for ~~reasonably~~-discrete entry and exit while ensuring visual surveillance and safety
- d. Allow for easy visual surveillance of the facility and its surrounding site from the street
- e. Avoid opportunities for loitering, such as the installation of seating areas or landscape features that can be used for seating
- f. Ensure that building interior waiting areas and vestibules are adequately sized to avoid line-ups or waiting outside of the building
- g. Through the Zoning By-law amendment process, establish a minimum intake and waiting area per consumption booth, and a minimum post-consumption area per consumption booth to be established in the zoning by-law.

The criteria are to ensure that the site is designed to incorporate the principles of Crime Prevention Through Environmental Design (CPTED). The CPTED principles of natural surveillance, natural access control, and natural territorial reinforcement are important for establishing a safe space for users and neighbours of an SCF. These principles would ensure SCF maintain adequate lighting, clear lines of sight, a clearly identifiable entrance,

and maintain landscaping that would enhance the perceived and real safety for those accessing the facility. These criteria would be addressed through the Site Plan Approval process.

The policy on discrete entry and visual surveillance provides for safe site access and efficient site layout. The policies on adequate waiting areas are included to avoid loitering and promote the use of a post-consumption space on site to avoid the queuing and post-use impacts of an undersized space. Concerns regarding site layout and loitering were both raised during the public consultation process. The concerns raised have been addressed through facility design requirements which ensure that adequate space to prevent loitering is established in the Zoning By-law.

NEIGHBOURHOOD ENGAGEMENT CONSULTATION FOR SUPERVISED CONSUMPTION FACILITIES AND TEMPORARY OVERDOSE PREVENTION SITES

Consultation is required by the Federal government in order to gain approval for the operation of supervised consumption facilities.

In addition to this requirement, proponents of supervised consumption facilities and temporary overdose prevention sites should must host a community meeting with property owners, business owners, and residents within a minimum of 250m of the proposed site to describe the proposal and operational management plans for the facility. The community meeting must be held in advance of submitting an application for a Zoning By-law amendment to permit a Supervised Consumption Facility. Hear the neighbouring property owners' concerns, allow for consideration of measures that could be taken to mitigate these concerns, and establish a system for ongoing communication with the community.

Proponents are required to document the information received and identify how their proposal responds to the comments identified at the community meeting. This document shall be required as part of a complete application for a Zoning By-law amendment to permit a Supervised Consumption Facility or Temporary Overdose Prevention Site.

To ensure that an ongoing consultation occurs after a Supervised Consumption Facility or Temporary Overdose Prevention Site is approved, the proposal for a Supervised Consumption Facility or Temporary Overdose Prevention Site shall also include a consultation plan for regular engagement with the surrounding community. Such a consultation plan shall include at least one community meeting per year and the identification of a primary contact at the facility able to address neighbourhood concerns regarding the ongoing operation of the facility.

The proposed consultation requirements are in addition to the required federal consultation process to ensure that community consultation is undertaken in advance of establishing a SCF in London. The 120 metre minimum notification distance is consistent with the statutory requirements for notice to be met when the applicant applies for a Zoning By-law amendment. However, a greater area (250m) has been chosen to ensure a broader public is consulted. The requirements to provide a description of the operational plan allows neighbours to understand the use in detail beyond the application process. It also ensures that the concerns raised can be more specific to the use and provides the proponent an opportunity to address concerns in advance of opening a facility. Finally the establishment of ongoing communication with the community is helpful both for the community to understand what role a SCF is playing and the facility's operators to understand community impacts. This policy is provided to ensure that SCF are able to provide services in a manner that best respects the goals of planning for the facility's users and avoiding land use conflicts by ensuring that any potential future impacts can be addressed after the facility has been approved.

The policy will provide additional certainty around the consultation to be done, its role in the planning process and how ongoing communication with the neighbouring community shall be ensured during the operation of a SCF or TOPS.

CONCEPTUAL SITE PLAN FOR SUPERVISED CONSUMPTION FACILITIES AND TEMPORARY OVERDOSE PREVENTION SITES

The submission of a conceptual site plan as part of the complete application for a Zoning By-law Amendment to permit a Supervised Consumption Facility or Temporary Overdose Prevention Site will be required. The purpose of the conceptual site plan is to indicate how the site design criteria have been addressed and to allow the public the opportunity to comment on site plan matters during consideration of the proposed Zoning By-law Amendment to permit a Supervised Consumption Facility or Temporary Overdose Prevention Site use.

The proposed design and conceptual site plan will be provided to the site plan approval authority along with comments received regarding the design. Where site plan approval is not required, the proposed design along with comments received regarding the design will be forwarded to the relevant Federal or Provincial ministry considering the application for a Supervised Consumption Facility or Temporary Overdose Prevention Site.

The addition of a new policy requiring a conceptual site plan at the time of Zoning By-law application as part of a complete application will ensure that the site design criteria are met as part of the site-specific zoning review of a proposed SCF or TOPS use. This provides opportunity for public comment on site plan matters prior to approval of a SCF or TOPS use.

TEMPORARY OVERDOSE PREVENTION SITES

Temporary Overdose Prevention Sites may be permitted within any Place Type subject to a zoning by-law amendment and all of the policies of this Plan. Temporary Overdose Prevention Sites will only be permitted through the use of a temporary zone and any such zone will not extend beyond a period of ~~one~~ two years.

Temporary overdose prevention sites are intended to address an urgent public health emergency and are only permitted in the case of a declared public health emergency. They are intended to be temporary in nature. All of the siting and design criteria identified for supervised consumption facilities and temporary overdose prevention sites may not be achievable for temporary overdose prevention sites, ~~however the majority of these location and design criteria should be met~~. These facilities ~~will~~ may not be permitted within the interior of a residential neighbourhood or near an ~~public~~ elementary or secondary school.

~~Recognizing the intent~~ In order to address an urgent public health emergency, processes relating to zoning by-law amendment applications for temporary overdose prevention sites ~~will~~ may be expedited. ~~The engagement measures required for supervised consumption facilities will also be required for temporary overdose prevention sites, but may be completed after the facility has been established.~~ The Neighbourhood Consultation for Supervised Consumption Facilities policies shall also apply to Temporary Overdose Prevention Sites. The consultation measures are to be undertaken concurrently with an application for a Zoning By-law Amendment, and are to be completed prior to a decision on the application.

The Temporary Overdose Prevention Sites policy definition highlight the primary differences between this use and a SCF. These differences are the temporary nature and the declaration of a public health emergency as the basis for establishing such a facility. The policy recognizes both the unique situation of a public health emergency,

and the unique policy context of a rapid Provincial approval process under which Temporary Overdose Prevention Sites are permitted. The criteria of the full SCF policy are referenced, noting that meeting all of the criteria may not be possible given the time period and location(s) available. This greater flexibility is permissible given the temporary nature of the use and the significance of the public health emergency to which the use is intended to address. The policy direction does maintain that meeting the criteria for SCF regarding land use conflicts and providing service should still be considered, and be met wherever possible.

The use of a temporary zone provides the mechanism to ensure that TOPS is not intended to be a permanent use. Council directed that the policy provide for a TOPS to be permitted for up to two years. The policy provides a policy framework where TOPS uses are to be temporary and that the flexibility regarding the location of these uses relative to the policy regarding SCF is related to the emergency under which they are established. The policy also ensures that attempts to make these sites permanent would require them to meet the criteria for SCF and complete the site-specific Zoning By-law amendment process for an SCF.

The policy directs that where timing has not allowed for community consultation in advance of the TOPS establishment that the community consultation process still occurs. This ensures that a community-facility communication system is established to allow for modifications to the site's operation through the temporary period that could potentially improve the situations for neighbours. It is important to note that under the Provincial approvals process to respond to a declared public health emergency, public consultation is not a requirement.

4.4 Zoning By-law Amendment

The proposed amendment is to add the following two definitions to Section 2 – Definitions of the Z.-1 Zoning By-law. There are distinct definitions for “Supervised Consumption Facility” and “Temporary Overdose Prevention Site” as the two uses are distinct in their anticipated duration given the length of time specified in the exemption required for these uses. The two uses also differ in the number and extent of associated support services expected to locate within the facilities. The two uses are defined as:

“SUPERVISED CONSUMPTION FACILITY” means a facility that has received an exemption from the Controlled Drugs and Substances Act, where people can bring their illicit drugs to consume in a sterile and safer environment. These facilities have equipment and trained staff present to oversee a person's drug consumption and assist in the event of an overdose or other health risk. These facilities ~~may~~ shall offer additional health and counselling related support services. These facilities are intended to provide such services on an ongoing, rather than temporary, basis.

“TEMPORARY OVERDOSE PREVENTION SITE” means a temporary facility that has received an exemption from the Controlled Drugs and Substances Act under a declared public health emergency, where people can bring their illicit drugs to consume in a sterile and safer environment but does not include a Supervised Consumption Facility. These sites have equipment and trained staff present to oversee a person's drug consumption and assist in the event of an overdose or other health risk and may include additional health and counselling related support services. Unlike supervised consumption facilities, these are temporary in nature.

Proponents would be required to apply for a site specific Zoning By-law amendment to acquire zoning permissions for a facility. Without the two new definitions, an SCF or TOPS could be interpreted as a “Clinic” use and would not necessarily be subjected to the requirement for a Zoning By-law amendment as proposed through this approach. It is not intended that any properties be “pre-zoned” to permit these uses. A site-specific Zoning By-law amendment application will be required to address the neighbourhood consultation, site design requirements, and location criteria set out in the recommend Official Plan policy.

Changes to the definitions have been made for clarification are the change from “may” to “shall” with reference to the associated support services that co-locate with harm reduction services within a SCF. The addition of the phrase “under a declared public health emergency” to the definition for TOPS, indicating the circumstances under which a TOPS would be considered and established. The TOPS definition has also been changed to account for the possibility of additional health and counselling related support services. The TOPS definition also now states directly that a TOPS does not include a SCF.

5.0 Relevant Background

5.1 The Opioid Crisis in London

The opioid crisis is a present and worsening crisis across North America. The Canadian death toll rose from 2 800 in 2016 to an estimated 4 000 (final numbers not yet confirmed) apparent opioid overdose deaths in 2017. In the fall of 2017, Ontario established an Opioid Emergency Task Force and in December of 2017, the Minister of Health and Long Term Care recognized the existence of a “public health emergency in Ontario due to the opioid crisis, and formally requested that the federal government allow Ontario to approve and fund overdose prevention sites”.

In response to the acknowledged Opioid Crisis in London, the Opioid Crisis Working Group (OCWG) was formed in 2017. The OCWG is comprised of health care professionals, social workers and law enforcement officials and includes representatives from the City of London, Middlesex-London Health Unit, Regional HIV AIDS Connection (RHAC), London Intercommunity Health Centre (LIHC), Addiction Services of Thames Valley, London Police Service, London Cares, Southwest LHIN, London Health Sciences Centre (LHSC), EMS, as well as an Indigenous community leader and those with lived experience. Council endorsed the Committee in September of 2017.

The opioid crisis is not the entirety of the drug use problem in London there are overdose problems associated with drug use other than opioids. In London, drug use has also been shown to align with public health issues including increased rates of HIV, Hepatitis C and Endocarditis infection.

5.2 London’s Temporary Overdose Prevention Site

Ontario’s first legal Temporary Overdose Prevention Site (TOPS) began operating Monday, February 12, 2018 at 186 King Street in London. The TOPS is located within the Regional HIV/AIDS Connection, which is also one of the sites of the Counterpoint Needle and Syringe Program and is already familiar for people who inject drugs. Staffing at the London TOPS includes employees from the Middlesex-London Health Unit, Regional HIV/AIDS Connection, the Canadian Mental Health Association, London Intercommunity Health Centre, the Southwest Ontario Aboriginal Health Access Centre, London Cares and Addiction Services of Thames Valley. The London TOPS is notable for including additional services beyond those required as part of the streamlined application for TOPS.

The TOPS has seen increasing usage rates since its opening. The first week saw an average of 15 visits per day while more recent data indicates it is seeing an average of 29 visits per day with a peak visitation of 48 on March 19. At time of writing there have been three overdose interventions conducted at the TOPS.

5.3 A Supervised Consumption Facility in London

In February 2017, the Ontario Integrated Supervised Injection Services Feasibility Study was completed to evaluate the feasibility of “supervised injection services” in London. The study was supported by Ontario HIV Treatment Network and funded by the Canadian Institutes of Health Research Centre for REACH in HIV/AIDS.

On October 26, 2017, the Middlesex London Health Unit began consultation on the siting

of a possible supervised consumption facility in the City of London. On March 20, 2018, the MLHU announced they had submitted, with the Regional HIV/AIDS Connection, an application for a supervised consumption facility at 372 York Street. As of April 20, 2018 the property at 372 York Street was no longer officially under consideration. On April 20, 2018 properties at 446 York Street and 241 Simcoe Street were announced as potential sites for a SCF. An application for a mobile facility that would stop at Dundas St & Richmond St, Dundas St & Adelaide St N, Hamilton Rd & Rectory St and Horton St E & Wellington St, has been submitted although Middlesex London Health Unit staff have indicated that the mobile facility would not be permitted to operate by the Federal approval authority until a permanent stationary facility has been established.

5.4 Middlesex London Health Unit Community Consultation Process

In accordance with federal requirements, the Middlesex London Health Unit conducted their own public consultation on the creation of a SCF in London. This included 2,145 survey responses, 334 community consultation participants and 56 focus group participants. The results of the community consultation identified a number of priorities for the location of an SCF in London. MLHU summarized the priorities as:

1. Ensure site location is accessible and welcoming to potential clients and respects the immediate neighbourhood context
2. Implement and operate from a base of evidence and best practices, and commit to ongoing evaluation
3. Be equipped to serve diverse group of clients with varying needs
4. Respect neighbourhood needs and concerns
5. Communicate, educate, and train
6. Develop strong partnerships and commit to system shift
7. Continue to work with the “bigger picture” in mind
8. Develop and implement a comprehensive implementation strategy

The community consultation around a specific SCF site was preceded by a feasibility study which also included community engagement. As part of the feasibility study conducted by the Middlesex-London Health Unit in February 2017, approximately 200 people who injected drugs within the preceding six month period in London were surveyed. The feasibility study found that among those London drug users surveyed:

- 65% indicated that they inject drugs at least once daily and 83% indicated they inject more than once a week
- The top four drugs injected in the prior six months were:
 - Crystal methamphetamine – 83%
 - Hydromorphone – 79%
 - Morphine – 64%
 - Ritalin or biphentin – 54%
- 25% indicated that they always or usually injected drugs in public or semi-public spaces in the last six months
- 72% said they occasionally, sometimes, usually or always injected in public or semi-public spaces
- 48% indicated that they injected in a public washroom; 36% injected in a park; 35% injected in a parking lot; 32% injected in an alley and 32% injected in a stairwell or doorway within six months prior to the interview
- 56% of respondents self-reported they were positive for Hepatitis C and 9% were positive for HIV
- 86% of respondents indicated that they would be willing to use a “supervised injection site”
- 51% of respondents indicated that they felt they would be safer from crime when using drugs in such a facility
- 19% indicated that they did not want people to know they use drugs
- 19% felt that such a supervised consumption facility would not be convenient

6.0 Conclusion

The proposed amendments provide land use planning policy and regulations to provide for Supervised Consumption Facilities and Temporary Overdose Prevention Sites. The Official Plan policy provides criteria against which a proposal for a SCF or TOPS can be measured. The policy also provides for the flexibility required to address TOPS given their temporary nature and their unique origin as a response to a public health emergency. The proposed Zoning By-law amendment creates definitions to distinguish SCF and TOPS from other medical uses. Together the policy and the requirement for a site-specific Zoning By-law amendment create the conditions to ensure public input and future communication between proponents of SCF and TOPS and the communities they serve. Together the recommended amendments ensure that SCF and TOPS in London are able to serve the community and minimize land use conflicts.

Prepared by:	Leif Maitland Planner I, Long Range Planning and Research
Submitted by:	Gregg Barrett, AICP Manager, Long Range Planning and Research
Recommended by:	John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner

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Appendix A

Bill No. (number to be inserted by Clerk's Office)
2018

By-law No. C.P.-XXXX-____

A by-law to amend The London Plan for the City of London, 2016 relating to Supervised Consumption Facilities and Temporary Overdose Prevention Sites.

The Municipal Council of The Corporation of the City of London enacts as follows:

1. Amendment No. (to be inserted by Clerk's Office) to The London Plan for the City of London Planning Area – 2016, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990*, c.P.13.

PASSED in Open Council on May 22, 2018

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – May 22, 2018
Second Reading – May 22, 2018
Third Reading – May 22, 2018

**AMENDMENT NO.
to the
THE LONDON PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To establish a policy in Section 1091 – Policies for Specific Uses within the Institutional Place Type of *The London Plan* for the City of London to apply to Supervised Consumption Facilities and Temporary Overdose Prevention Sites

B. LOCATION OF THIS AMENDMENT

1. This Amendment applies to all lands located within the City of London.

C. BASIS OF THE AMENDMENT

1. The recommended approach provides for Supervised Consumption Facilities and Temporary Overdose Prevention Sites in a manner that ensures the facilities are located to serve the populations that require the services of the facilities and avoids land use conflicts.
2. The recommended approach addresses both neighbourhood and site-specific issues related to the establishment of Supervised Consumption Facilities and Temporary Overdose Prevention Sites.
3. The recommended approach recognizes the flexibility required for TOPS given their unique and temporary nature as a response to a public health emergency.
4. The recommended approach allows for community engagement both through the Zoning By-law Amendment process and the creation of on-going community-facility lines of communication.

D. THE AMENDMENT

The Official Plan for the City of London is hereby amended as follows:

The London Plan is hereby amended as follows:

1. Policy 1099 of The London Plan for the City of London is amended by adding the following as a new policy 1099_a:

**SUPERVISED CONSUMPTION FACILITIES AND TEMPORARY
OVERDOSE PREVENTION SITES**

> GENERAL POLICY APPROACH

1099_a Supervised consumption facilities and temporary overdose prevention sites will be planned such that they:

- meet the needs of those who they are designed to serve
- avoid land use conflicts

Supervised consumption facilities and temporary overdose prevention sites may be permitted within any Place Type, subject to a zoning by-law amendment and all of the policies of this Plan.

> EVALUATION CRITERIA FOR LOCATING SUPERVISED CONSUMPTION FACILITIES AND TEMPORARY OVERDOSE PREVENTION SITES

1099_b The following evaluation criteria will be used when considering applications for zoning by-law amendments to support supervised consumption facilities and temporary overdose prevention sites to ensure that they are appropriately located:

1. Locations that meet the needs of those who they are designed to serve

- a. Within close proximity to, or near, communities where drug consumption is prevalent
- b. Well serviced by transit
- c. Discrete, allowing for reasonable privacy for those using the facility
- d. Separated from busy pedestrian-oriented commercial areas
- e. Separated from public spaces that generate pedestrian traffic or may generate large crowds from time to time
- f. Close to an area with other drug addiction related support services

2. Locations that avoid land use conflicts

- a. Separated from busy commercial areas or active public spaces that could generate conflicts between the general public and those leaving supervised consumption facilities after consuming
- b. Separated from parks
- c. Separated from key pedestrian corridors
- d. Separated from elementary or secondary school properties
- e. Separated from municipal pools, arenas and community centres and the Western Fairgrounds
- f. Not located within the interior of a residential neighbourhood

> SITE AND FACILITY DESIGN REQUIREMENTS FOR SUPERVISED CONSUMPTION FACILITIES AND TEMPORARY OVERDOSE PREVENTION SITES

1099_c Supervised consumption facilities and temporary overdose prevention sites should be designed to:

- a. Incorporate the Crime Prevention Through Environmental Design (CPTED) principles of natural surveillance, natural access control and natural territorial reinforcement
- b. Meet provincial regulations, the policies of this plan, and municipal by-laws relating to accessibility
- c. Orient building entrances to allow for discrete entry and exit while ensuring visual surveillance and safety
- d. Allow for easy visual surveillance of the facility and its surrounding site from the street
- e. Avoid opportunities for loitering, such as the installation of seating areas or landscape features that can be used for seating
- f. Ensure that interior waiting areas and vestibules of the facility are adequately sized to avoid line-ups or waiting outside of the building
- g. Through the Zoning By-law amendment process, establish a minimum intake and waiting area per consumption booth, and a minimum post-consumption area per consumption booth to be established in the Zoning By-law.

> NEIGHBOURHOOD CONSULTATION FOR SUPERVISED CONSUMPTION FACILITIES AND TEMPORARY OVERDOSE PREVENTION SITES

1099_d Consultation is required by the Federal government in order to gain approval for the operation of supervised consumption facilities.

In addition to this requirement, proponents of supervised consumption facilities and temporary overdose prevention sites must host a community meeting with property owners, business owners, and residents within a minimum of 250m of the proposed site to describe the proposal and operational management plans for the facility. The community meeting must be held in advance of submitting an application for a Zoning By-law amendment to permit a Supervised Consumption Facility.

Proponents are required to document the information received and identify how their proposal responds to the comments identified at the community meeting. This document shall be required as part of a complete application for a Zoning By-law amendment to permit a Supervised Consumption Facility or Temporary Overdose Prevention Site.

To ensure that an ongoing consultation occurs after a Supervised Consumption Facility or Temporary Overdose Prevention Site is approved, the proposal for a Supervised Consumption Facility or Temporary Overdose Prevention Site shall also include a consultation plan for regular engagement with the surrounding community. Such a consultation plan shall include at least one community meeting per year and the identification of a primary contact at the facility able to address neighbourhood concerns regarding the ongoing operation of the facility.

> CONCEPTUAL SITE PLAN FOR SUPERVISED CONSUMPTION FACILITIES AND TEMPORARY OVERDOSE PREVENTION SITES

1099_e The submission of a conceptual site plan as part of the complete application for a Zoning By-law Amendment to permit a Supervised Consumption Facility or Temporary Overdose Prevention Site will be required. The purpose of the conceptual site plan is to indicate how the site design criteria have been addressed and to allow the public the opportunity to comment on site plan matters during consideration of the proposed Zoning By-law Amendment to permit a Supervised Consumption Facility or Temporary Overdose Prevention Site use.

The proposed design and conceptual site plan will be provided to the site plan approval authority along with comments received regarding the design. Where site plan approval is not required, the proposed design along with comments received regarding the design will be forwarded to the relevant Federal or Provincial ministry considering the application for a Supervised Consumption Facility or Temporary Overdose Prevention Site.

> TEMPORARY OVERDOSE PREVENTION SITES

1099_f Temporary Overdose Prevention Sites may be permitted within any Place Type subject to a zoning by-law amendment and all of the policies of this Plan. Temporary Overdose Prevention Sites will only be permitted through the use of a temporary zone and any such zone will not extend beyond a period of two years.

Temporary overdose prevention sites are intended to address an urgent public health emergency and are only permitted in the case of a declared public health emergency. They are intended to be temporary in nature. All of the siting and design criteria identified for supervised consumption facilities and temporary overdose prevention sites may not be achievable for temporary overdose prevention sites. These facilities may not be permitted within the interior of a residential neighbourhood or near an elementary or secondary school.

In order to address an urgent public health emergency, processes relating to zoning by-law amendment applications for temporary overdose prevention sites may be expedited. The Neighbourhood Consultation for Supervised Consumption Facilities and Temporary Overdose Prevention Sites policies shall apply to Temporary Overdose Prevention Sites. The consultation measures may be undertaken concurrently with an application for a Zoning By-law Amendment, and are to be completed prior to a decision on the application.

Appendix B

Bill No. (number to be inserted by Clerk's Office)
2018

By-law No. C.P.-XXXX-____

A by-law to amend The London Plan for the City of London, 2016 relating to Supervised Consumption Facilities and Temporary Overdose Prevention Sites.

The Municipal Council of The Corporation of the City of London enacts as follows:

1. Amendment No. (to be inserted by Clerk's Office) to The London Plan for the City of London Planning Area – 2016, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading –
Second Reading –
Third Reading –

**AMENDMENT NO.
to the
THE LONDON PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. Add definitions to Policy 1795 – Glossary of Terms within Our Tools of *The London Plan* for the City of London for Supervised Consumption Facilities and Temporary Overdose Prevention Sites

B. LOCATION OF THIS AMENDMENT

1. This Amendment applies to all lands located within the City of London.

C. BASIS OF THE AMENDMENT

1. The recommended approach provides for Supervised Consumption Facilities and Temporary Overdose Prevention Sites in a manner that ensures the facilities are located to serve the populations that require the services of the facilities and avoids land use conflicts.
2. The recommended approach addresses both neighbourhood and site-specific issues related to the establishment of Supervised Consumption Facilities and Temporary Overdose Prevention Sites.
3. The recommended approach recognizes the flexibility required for TOPS given their unique and temporary nature as a response to a public health emergency.
4. The recommended approach allows for community engagement both through the Zoning By-law Amendment process and the creation of on-going community-facility lines of communication.

D. THE AMENDMENT

The Official Plan for the City of London is hereby amended as follows:

The London Plan is hereby amended as follows:

1. Policy 1795 of The London Plan for the City of London is amended by adding the following definitions for ‘Supervised Consumption Facility’ and ‘Temporary Overdose Prevention Site’ in the appropriate alphabetical location:

Supervised Consumption Facility means a facility that has received an exemption from the *Controlled Drugs and Substances Act*, where people can bring their illicit drugs to consume in a sterile and safe environment. These facilities shall offer additional health and drug-related support services. These facilities are intended to provide such services on an ongoing, rather than temporary, basis.

Temporary Overdose Prevention Site means a temporary facility that has received an exemption from the *Controlled Drugs and Substances Act* in the case of a Provincially declared public health emergency, where people can bring their illicit drugs to consume in a sterile and safe environment. Unlike supervised consumption facilities, these are to be temporary in nature.

Appendix C

Bill No. (number to be inserted by Clerk's Office)
2018

By-law No. C.P.-1284-

A by-law to amend the Official Plan for the City of London, 1989 relating to Supervised Consumption Facilities and Temporary Overdose Prevention Sites.

The Municipal Council of The Corporation of the City of London enacts as follows:

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on May 22, 2018

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – May 22, 2018
Second Reading – May 22, 2018
Third Reading – May 22, 2018

AMENDMENT NO.
to the
OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To establish a policy in Chapter 6 - Regional & Community Facilities Designations of the Official Plan, 1989, for the City of London to apply to Supervised Consumption Facilities and Temporary Overdose Prevention Sites.

B. LOCATION OF THIS AMENDMENT

1. This Amendment applies to all lands located within the City of London

C. BASIS OF THE AMENDMENT

1. The recommended approach provides for Supervised Consumption Facilities and Temporary Overdose Prevention Sites in a manner that ensures the facilities are located to serve the populations that require the services of the facilities and avoids land use conflicts.
2. The recommended approach addresses both neighbourhood and site-specific issues related to the establishment of Supervised Consumption Facilities and Temporary Overdose Prevention Sites.
3. The recommended approach recognizes the flexibility required for TOPS given their unique and temporary nature as a response to a public health emergency.
4. The recommended approach allows for community engagement both through the Zoning By-law Amendment process and the creation of ongoing community-facility lines of communication.

D. THE AMENDMENT

The Official Plan for the City of London is hereby amended as follows:

1. Chapter 6 - Regional & Community Facilities Designations, to the Official Plan for the City of London Planning Area is amended by adding the following new policy:

6.5 SUPERVISED CONSUMPTION FACILITIES AND TEMPORARY OVERDOSE PREVENTION SITES

6.5.1 DEFINITIONS

A supervised consumption facility is a facility that has received an exemption from the *Controlled Drugs and Substances Act*, where people can bring their illicit drugs to consume in a sterile and safe environment. These facilities have equipment and trained staff present to oversee a person's drug consumption and assist in the event of an overdose or other health risk. These facilities shall offer additional health and drug-related support services. These facilities are intended to provide such services on an ongoing, rather than temporary, basis.

A temporary overdose prevention sites is a temporary facility that has received an exemption from the *Controlled Drugs and Substances Act* in the case of a Provincially declared public health emergency, where people can bring their illicit drugs to consume in a sterile and safe environment.

Unlike supervised consumption facilities, these are to be temporary in nature.

6.5.2 GENERAL POLICY APPROACH

Supervised consumption facilities and temporary overdose prevention sites will be planned such that they:

- meet the needs of those who they are designed to serve
- avoid land use conflicts

Supervised consumption facilities and temporary overdose prevention sites may be permitted within any land use designation, subject to a zoning by-law amendment and all of the policies of this Plan.

6.5.3 EVALUATION CRITERIA FOR SUPERVISED CONSUMPTION FACILITIES AND TEMPORARY OVERDOSE PREVENTION SITES

The following evaluation criteria will be used when considering applications for zoning by-law amendments to support supervised consumption facilities and temporary overdose prevention sites to ensure that they are appropriately located:

1. Locations that meet the needs of those who they are designed to serve

- i. Within close proximity to, or near, communities where drug consumption is prevalent
- ii. Well serviced by transit
- iii. Discrete, allowing for reasonable privacy for those using the facility
- iv. Separated from busy pedestrian-oriented commercial areas
- v. Separated from public spaces that generate pedestrian traffic or may generate large crowds from time to time
- vi. Close to an area with other drug addiction related support services

2. Locations that avoid land use conflicts

- i. Separated from busy commercial areas or active public spaces that could generate conflicts between the general public and those leaving supervised consumption facilities after consuming
- ii. Separated from parks
- iii. Separated from key pedestrian corridors
- iv. Separated from elementary or secondary school properties
- v. Separated from municipal pools, arenas and community centres and the Western Fairgrounds
- vi. Not located within the interior of a residential neighbourhood

6.5.4 SITE AND FACILITY DESIGN REQUIREMENTS FOR SUPERVISED CONSUMPTION FACILITIES AND TEMPORARY OVERDOSE PREVENTION SITES

Supervised consumption facilities and temporary overdose prevention sites should be designed to:

- i. Incorporate the Crime Prevention Through Environmental Design (CPTED) principles of natural surveillance, natural access control, and natural territorial reinforcement
- ii. Meet provincial regulations, the policies of this plan, and municipal by-laws relating to accessibility
- iii. Orient building entrances to allow for discrete entry and exit while ensuring visual surveillance and safety
- iv. Allow for easy visual surveillance of the facility and its surrounding site from the street
- v. Avoid opportunities for loitering, such as the installation of seating areas or landscape features that can be used for seating
- vi. Ensure that interior waiting areas and vestibules of the facility are adequately sized to avoid line-ups or waiting outside of the building
- vii. Through the Zoning By-law amendment process establish a minimum intake and waiting area per consumption booth, and a minimum post-consumption area per consumption booth to be established on the Zoning By-law.

6.5.5 NEIGHBOURHOOD CONSULTATION FOR SUPERVISED CONSUMPTION FACILITIES AND TEMPORARY OVERDOSE PREVENTION SITES

Consultation is required by the Federal government in order to gain approval for the operation of supervised consumption facilities.

In addition to this requirement, proponents of supervised consumption facilities and temporary overdose prevention sites must host a community meeting with property owners, business owners, and residents within a minimum of 120m of the proposed site to describe the proposal and operational management plans for the facility. The community meeting must be held in advance of submitting an application for a Zoning By-law amendment to permit a Supervised Consumption Facility.

Proponents are required to document the information received and identify how their proposal responds to the comments identified at the community meeting. This document shall be required as part of a complete application for a Zoning By-law amendment to permit a Supervised Consumption Facility or Temporary Overdose Prevention Site.

To ensure that an ongoing consultation occurs after a Supervised Consumption Facility or Temporary Overdose Prevention Site is approved, the proposal for a Supervised Consumption Facility or Temporary Overdose Prevention Site shall also include consultation plan for regular engagement with the surrounding community. Such a consultation plan shall include at least one community meeting per year and the identification of a primary contact at the facility able to address neighbourhood concerns regarding the ongoing operation of the facility.

6.5.6 CONCEPTUAL SITE PLAN FOR SUPERVISE CONSUMPTION FACILITIES AND TEMPORARY OVERDOSE PREVENTION SITES

The submission of a conceptual site plan as part of the complete application for a Zoning By-law Amendment to permit a Supervised Consumption Facility or Temporary Overdose Prevention Site will be required. The purpose of the conceptual site plan is to indicate how the site design criteria have been addressed and to allow the public the opportunity to comment on site plan matters during consideration of the proposed Zoning By-law Amendment to permit a Supervised Consumption Facility or Temporary Overdose Prevention Site use.

The proposed design and conceptual site plan will be provided to the site plan approval authority along with comments received regarding the design. Where site plan approval is not required, the proposed design along with comments received regarding the design will be forwarded to the relevant Federal or Provincial ministry considering the application for a Supervised Consumption Facility or Temporary Overdose Prevention Site.

6.5.7 TEMPORARY OVERDOSE PREVENTION SITES

Temporary Overdose Prevention Sites may be permitted within any land use designation subject to a zoning by-law amendment and all of the policies of this Plan. Temporary Overdose Prevention Sites will only be permitted through the use of a temporary zone and any such zone will not extend beyond a period of two years.

Temporary overdose prevention sites are intended to address an urgent public health emergency and are only permitted in the case of a declared public health emergency. They are intended to be temporary in nature. All of the siting and design criteria identified for supervised consumption facilities and temporary overdose prevention sites may not be achievable for temporary overdose prevention sites. These facilities may not be permitted within the interior of a residential neighbourhood or near an elementary or secondary school.

In order to address an urgent public health emergency, processes relating to zoning by-law amendment applications for temporary overdose prevention sites may be expedited. The Neighbourhood Consultation for Supervised Consumption Facilities and Temporary Overdose Prevention Sites policies shall apply to Temporary Overdose Prevention Sites. The consultation measures may be undertaken concurrently with an application for a Zoning By-law Amendment, and are to be completed prior to a decision on the application.

Appendix D

Bill No. (number to be inserted by Clerk's Office)
2018

By-law No. Z.-1-18 _____

A by-law to amend By-law No. Z.-1 to provide definitions for Supervised Consumption Facilities and Temporary Overdose Prevention Sites.

WHEREAS the Corporation of the City of London has applied to amend the Zoning By-law Z.-1 to address Supervised Consumption Facilities and Temporary Overdose Prevention Sites;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the Official Plan

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

- 1) Section Number 2 - Definitions is amended by adding the following new definitions in the appropriate alphabetical location:

“SUPERVISED CONSUMPTION FACILITY” means a facility that has received an exemption from the *Controlled Drugs and Substances Act*, where people can bring their illicit drugs to consume in a sterile and safe environment. These facilities have equipment and trained staff present to oversee a person's drug consumption and assist in the event of an overdose or other health risk. These facilities shall offer additional health and counselling related support services. These facilities are intended to provide such services on an ongoing, rather than temporary, basis.

And;

“TEMPORARY OVERDOSE PREVENTION SITE” means a temporary facility that has received an exemption from the *Controlled Drugs and Substances Act* under a declared public health emergency, where people can bring their illicit drugs to consume in a sterile and safe environment but does not include a Supervised Consumption Facility. These sites have equipment and trained staff present to oversee a person’s drug consumption and assist in the event of an overdose or other health risk and may include additional health and counselling related support services.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on May 22, 2018

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – May 22, 2018
Second Reading – May 22, 2018
Third Reading – May 22, 2018

Appendix E – Public Engagement

Community Engagement

Public liaison: On November 23, 2017 Notice of Application was sent to 62 departments and agencies. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on November 23, 2017.

11 replies were received

Nature of Liaison: Supervised Consumption Sites – The purpose and effect of this Official Plan and Zoning By-law is to introduce a new zoning definition and land use regulations for Supervised Consumption Sites, which are locations that permit the consumption of illicit substances authorized through an exemption granted by the Federal government, and introduce policies to guide the establishment of Supervised Consumption Sites. Possible amendment to the Official Plan and The London Plan to add new policies related to Supervised Consumption Sites which: identify a Supervised Consumption Site as a separate land use and distinguish it from other land uses; establish municipal land use goals related to their establishment; identify land use designations and place types where such uses may be permitted; provide criteria for future Zoning By-law amendments requesting to add the use; and, to require public site plan.. Possible change to Zoning By-law Z.-1 to amend Zoning By-law Z.-1 related to Supervised Consumption Sites to: add a definition for the use; amend various existing Zoning definitions to distinguish those uses from that of a Supervised Consumption Site; adding separation distances between schools, municipal libraries, arenas, swimming pools, Western Fair, and other potential uses; establishing minimum and maximum regulations for matters such as, but not limited to, gross floor areas, waiting room floor area, storage areas and parking standards. File: OZ-8852 Planner: L. Maitland.

Responses: The comments received through the liaison are available in full below.

Chris Butler

January 19, 2018

Leif;

Please consider this a request to add me to the E - Mail and Draft bylaw review list for your Supervised Injection Sites file, including a heads up on when this is planned to go to council for review.

I did complete the survey from the Middlesex Health Unit but was not able to attend the public meeting a few weeks ago.

THXS - Chris Butler - 863 Waterloo St.

January 22, 2018

Leif;

THXS for your support and patience. I recommend the following amendments to your draft OZ - 8852 document after considering your response and you should register this as official public input;

- That the 120 meters notice of application to landowners be called out clearly in this document as its absence made me call for clarity and this is not well understood by taxpayers / property owners. Example >. Group homes Type 1 does not require this notice and this does - no mention of either in both documents - how do you see that clearly in the document.
- I Recommend that the City of London maintain on its own City website the current (Up to the week) TSP & SCF locations as this is way too important to delegate to Health Canada for local real estate transactions

disclosure. Example - what if Health Canada only updates bi - annually? Ownership is everything here.

THXS - Chris Butler - 863 Waterloo St.

Sandy Levin

Hi Leif, before I send this out to my neighbourhood,

1. Is there a conceptual map that would show what areas would be suitable sites based on the limitations noted in the draft policies and regulations?
2. What are the CPTED principles being applied?
3. What are considered "drug addiction related support services??" For example, mental health services are not provided at University Hospital or St. Joe's on Grosvenor but are at Victoria and Parkwood.

Thanks in advance. Not sure if I can make the meeting on the 21st. Have a good weekend

Sandy

Dan Cassidy

To Whom It May Concern,

My name is Dan Cassidy, I am one of the owners of The Factory. Canada's Largest Family Entertainment Centre opening soon in the old Kellogg's property. I am writing this message to make sure it is clear that I am not supportive of either of these facility types being located around the property at 100 Kellogg Lane.

I am going to assume based on your evaluation criteria listed in your official plan, the area surrounding both my business and the Western Fair will be excluded from consideration. Our business is designed to bring large #'s of families together at one time. We are targeted 150,000 visitors for the first year of business. I know for a fact that the Western Fair brings in 10x that number. Both businesses bring visitors in from hundreds of kilometers again. With a large number of those visitors falling into a "vulnerable sector".

Thanks for taking the time to review my concern. If you have any questions please don't hesitate to reach out to me directly. I would be happy to have a discussion.

Dan

Chippewas of the Thames First Nation



CHIPPEWAS OF THE THAMES FIRST NATION

December 18, 2017

L. Maitland
Planning Services
The City of London
P.O. box 5035, 300 Dufferin Ave.
London, ON N6A 4L9

RE: Amendment to the Official Plan & Zoning By-Law

Mr. Maitland,

We have received information concerning the abovementioned project, dated November 23, 2017.

The proposed work will affect Southwestern Ontario Treaties to which Chippewas of the Thames First Nation (COTTFN) is a signatory too. The proposed amendment is also located within the Big Bear Creek Additions to Reserve (ATR) land selection area, as well as COTTFN Traditional territory.

At this time, with the information that has been provided to us, we have minimal concerns with this project. However, we do request that when a Supervised Consumption Site is proposed, that we notified.

We look forward to continuing this open line of communication. To implement meaningful consultation, COTTFN has developed its own protocols - a document and a process that will guide positive working relationships. We would be happy to meet with you to review COTTFN's Consultation Protocols.

Please do not hesitate to contact me if you need further clarification of this letter.

Sincerely,

Rochelle Smith
A/Consultation Coordinator
Chippewa of the Thames First Nation
(519) 289-2662 Ext. 213
rsmith@cottfn.com

320 Chippewa Road, Muncey, ON, N0L 1Y0
Ph. 519-289-5555 Fax. 519-289-2230
info@cottfn.ca www.cottfn.com

London International Academy



361-365 Richmond Street
London, ON Canada N6A3C2
t. 519 433 3388
f. 519 433 3387
www.lia-edu.ca

2018 March 19

Feedback regarding the draft Official Plan policy and Zoning by-law regulations
as approved by Council on January 30th, 2018.

To Whom It May Concern:

I represent the London International Academy, London's only international school. We are a Canadian Private Secondary co-ed boarding school with a current population of 286 students. These students come from various parts of the globe and are under our care in our residence. Our campus includes 2 academic buildings and 2 residence buildings, all located in the downtown core of London at the corner of King and Richmond and surrounding area.

We recommend the following amendment to the plan policy:

Under section 2iv, remove word "public" so it would read:

"Separated from elementary or secondary school properties".

There is the necessity to allow private school students the same status as those in a publicly funded school due to the fact that having a supervised consumption facility or temporary overdose prevention site would pose the same risk to both groups of students. Thus, there should be equal consideration for both within the bylaw.

Please include the above feedback in your final draft. If you require any further information, please contact me directly.

Respectfully,

A handwritten signature in black ink that reads 'Gregg Bereznick'.

Gregg Bereznick
Head of School, London International Academy

Agency/Departmental Comments

Development Services

The City of London's Environmental and Engineering Services Department has not identified any concerns with respect to the aforementioned Official Plan and Zoning By-Law amendments application.

Please note that this response has been made without input from both the Transportation Division and the Water Engineering Division.

If you have any questions, please feel free to contact Richard Roobroeck at (519) 661-2500 ext. 4952.

Upper Thames River Conservation Authority

Good Morning Leif.

Thank you for circulating this application to the UTRCA.

Given the nature of this application - to add new policies to the OP and London Plan and to introduce a new zoning definition and land use regulations for supervised consumption sites, we have no objections or comments to offer at this time.

Any affected lands which are subject to Ontario Regulation 157/06 made pursuant to Section 28 of the *Conservation Authorities Act* will require that the landowner obtain the necessary written approval/clearance from the Authority prior to undertaking any site alteration or development within the regulated area.

Thank you for the opportunity to comment.

Yours truly,
Christine

The logo for the Upper Thames River Conservation Authority features a blue horizontal bar above the text "UPPER THAMES RIVER" in blue, and "CONSERVATION AUTHORITY" in white on a green background below it.

Christine Creighton

Land Use Planner
1424 Clarke Road London, Ontario, N5V 5B9
519.451.2800 Ext. 293 | Fax: 519.451.1188
creightonc@thamesriver.on.ca | www.thamesriver.on.ca

Environmental and Parks Planning

Hi Leif, E&PP do not have a concern with the application noted above.
Thanks



Bruce Page
Senior Planner
Environmental and Parks Planning
City of London

Wastewater and Drainage Engineering

WADE has no comment w.r.t. this application.



Robert Moore, C.E.T.
Technologist II
Wastewater and Drainage Division
City of London

London District Catholic School Board



CATHOLIC EDUCATION CENTRE
5200 Wellington Road S. London, Ontario N6E 3X8 Canada
T (519) 663-2088 F (519) 663-9250

November 28, 2017

Leif Maitland
Planning Division
The City of London
300 Dufferin Avenue
P. O. Box 5035
London, ON N6A 4L9

Dear L. Maitland:

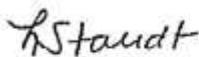
**Re: Application to Amend the Official Plan and Zoning By-law Z.-1
Supervised Consumption Sites, City of London
File Number: OZ-8852**

The London District Catholic School Board is in receipt of your department's circulation notice of the above-noted application to amend the Official Plan and Zoning By-law dated November 23, 2017. We would like to submit the following comments.

The purpose of the proposed Official Plan and Zoning By-law Amendment is to introduce a new zoning definition and land use regulations for Supervised Consumption Sites. In this regard, the London District Catholic School Board recognizes the community need for this new land use and new zoning definition. As part of the zoning policies and regulations, the Board requests that a minimum separation distance of 300 metres be established from all LDCSB elementary and secondary schools for the location of Supervised Consumption Sites.

We appreciate the opportunity to review and comment on this application. If you have any questions regarding these comments, please do not hesitate to contact the undersigned.

Yours truly,



Linda Staudt
Director of Education



John Jevnikar
Board Chair

cc: R. McLean, Supervisor of Planning, LDCSB

Inspired by Christ. Learning together. Serving together.

LDCSB January 22 Letter



CATHOLIC EDUCATION CENTRE
5200 Wellington Road S. London, Ontario N6E 3X8 Canada
T (519) 663-2088 F (519) 663-9250

January 22, 2018

Leif Maitland
Planning Division
The City of London
300 Dufferin Avenue
P. O. Box 5035
London, ON N6A 4L9

Dear L. Maitland:

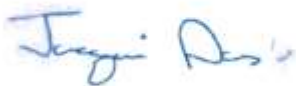
**Re: Application to Amend the Official Plan and Zoning By-law Z.-1
Supervised Consumption Sites, City of London
File Number: OZ-8852**

The London District Catholic School Board is in receipt of the report titled, "Planning for Supervised Consumption Facilities & Temporary Overdose Prevention Sites", to be considered at the Planning & Environment Committee at its meeting on January 22, 2018.

In our letter dated November 28, 2017, the Board requested that a minimum separation distance of 300 metres be established from Supervised Consumption Sites within the proposed Official Plan and Zoning By-law Amendment (File Number OZ-8852). This separation distance requested by the Board is consistent with the separation distance requested for Methadone Clinics within the City of London.

According to the report, no minimum separation distances from school facilities are being established within the proposed Official Plan and Zoning By-law Amendment. In this regard, the Board is requesting that the decision to have no separation distances be reconsidered and that a 300 metre minimum separation distance be established from all LDCSB school facilities for both Supervised Consumption Sites and Temporary Overdose Prevention Sites.

Yours truly,



Jacquie Davison
Superintendent of Business and Treasurer

cc: R. McLean, Supervisor of Planning, LDCSB

Inspired by Christ. Learning together. Serving together.

Thames Valley District School Board



Laura Elliott, Director of Education and Secretary

2018 February 07

Mr. Leif Maitland
Planning Division
The City of London
300 Dufferin Avenue
P.O. Box 5035
London, Ontario
N6A 4L9

CITY OF LONDON
PLANNING SERVICES

RECEIVED FEB 15 2018

FILE NO _____
REFERRED TO _____
SUBSEQUENT REFERRALS _____
 FOR ACTION FILE
 FOR INFORMATION S.F.
 FOR REPORT OTHER

Dear Mr. Maitland;

RE: *Application to Amend the Official Plan and Zoning By-Law Z-1 Supervised Consumption Sites, City of London File Number: OZ-8852*

The Thames Valley District School Board is in receipt of your department's circulation notice of the above noted application to amend the Official Plan and Zoning By-law dated November 23, 2017. We would like to submit the following comments:

The purpose of the proposed Official Plan and Zoning By-law Amendment is to introduce a new zoning definition and land use regulations for Supervised Consumption Sites. In this regard, the Thames Valley District School Board recognizes the community need for this new land use and new zoning definition. As part of the zoning policies and regulations, the Board requests that a minimum separation distance of 300 metres be established from all Thames Valley elementary and secondary schools for the location of Supervised Consumption Sites.

We appreciate the opportunity to review and comment on this application. If you have any questions regarding these comments, please do not hesitate to contact us.

Yours truly,

Laura Elliott
Director of Education

Matt Reid
Chair

LE/tl

PLANNING DIVISION
SCANNED

c: J. Pratt, Associate Director, Organizational Support Services
V. Nielsen, Associate Director, Learning Support Services

Appendix F – Feedback Received at March 21 Community Information Meeting

Answers provided are identified in italics

The City of London is proposing the following policies through an Official Plan Amendment. Please provide your feedback on the policies proposed by responding below.

EVALUATION CRITERIA FOR SUPERVISED CONSUMPTION SITES

The following evaluation criteria will be used when considering applications for zoning by-law amendments to support supervised consumption facilities:

1. Locations that meet the needs of those who they are designed to service

- vii. Within close proximity to, or near, communities where drug consumption is prevalent
- viii. Well serviced by transit
- ix. Discrete, allowing for reasonable privacy for those using the facility
- x. Separated from busy pedestrian-oriented commercial areas
- xi. Separated from public spaces that generate pedestrian traffic or may generate large crowds from time to time
- xii. Close to an area with other drug addiction related support services

Are these all of the necessary to ensure facilities meet the needs of those that will use them?

- *Agree these are a good criteria but don't think all must be a requirement > specifically being close to an area with other drug addiction related supports. That may not be possible in an area that has high need for a SCF. The intention of the SCF is to provide supports.*
- *Yes, I think so*
- *Consider clarifying that you mean public drug use. Zoning approval should be given with some understanding of the number of users and expected growth rate. Without that knowledge it is possible that the site would "burst at the seams" and lead to loitering etc. Essentially I am looking for some sort of ongoing "relationship" between the City and the provider so additional sites are established before the need is extreme.*
- *During tonight's discussion Mr. Fleming noted that users of these facilities will not use them unless they can be walked to. Further he also spoke to the fact that users are concentrated within the core. Therefore why do these facilities need to be "well serviced by transit"?*
- *These are good criteria, do they align with the Federal Provincial criteria?*
- *What are the pedestrian safety characteristics of the roads that meet these criteria? Does this mean that the services will be located on very busy roads that are more auto-oriented? How wise is it to locate a services for injection drug users near a lot of vehicles?*
- *Mobile services are essential in a community like London – we are not the DTES – public substance use occurs across the City. Ideally SCF should incorporate heroin therapy, methylphenidate therapy. Will it meet the very unique needs of people injecting stimulants? How will it meet those needs? Is there a plan for such services?*
- *Items (i) & (ii) Being sure where "drug consumption is prevalent" is problematic. For example, the London Feasibility Study identified 113 or 57% of the respondents as being homeless or living in unstable housing (London Study*

Report, p.7). It should be noted that the study had only 199 respondents, a small representative sample. Areas of consumption prevalence are likely incomplete, changeable and probably spread throughout the city. The Community Consultation Report on SCF cites one respondent as saying that a facility would benefit the west end of the city (Byron) based on the number of needles found in the areas (Community Consultation Report, p. 38) and a large number of needles are found on an annual basis “along the watercourse, on the river banks, in parks (London Free Press, Feb. 12, 2017, “London volunteers find 1,000 dirty needles a year in a city weighing to adopt a supervised injection site”). It is more important that locations that meet the needs of those being served should be easily accessed from all parts of the city than being located in any specific community. Thus item number (ii) is of high importance than number (i). The later should be discarded and the former be expanded, for example: “Location should be located to allow easy access from all parts of the City and be well serviced by transit”. Item (vi) This criterion can be very problematic for any specific neighbourhood because it could facilitate the over concentration of social serves, which brings its own problems affecting the area and the users alike. This are well document and beyond the scope of this feedback. For example for an individual who is attempting to stop drug use, it could be counterproductive to be accessing services to do so in close proximity to a SCF or in the same area where he/she practices the habit. Again, access to related facilities via public transit, bicycle etc. and/or the assistance to do so is more important.

- Re; (i) & (iv). It is demonstrable that the concentration of drug consumption in specific parts of the city is attributable to the co-location of similar services in those parts. In 2003, the Old East Village CIP addresses this issue and make recommendations for how this could be avoided. These recommendations should be applied to the peripheries of residential neighbourhoods. The results of concentrations are reflected in the findings of the OISIS Study Report, London Ontario. On page 7 it states that 113 or 57% of the respondents interviewed were homeless or in unstable housing. Further, the study did not identify the postal codes of those who were housed. While concentration of similar services seems to be a rational approach to increasing services, historically it has stigmatised services user, neighbourhoods and made it easy for dealers to peddle drugs. Spreading the provision of SCF across the city will prevent stigmatisation, stress on surrounding neighbours and ensure access for all who need services. Reference to other parts of the city with drug issues should be considered. See Community Consultation Report: outreach workers and mobile units as an adjunct to permanent sites will be critical to the success of permanent sites and their acceptance to the wider community.
- Regarding point vi: simply locating SCF close to an area with other drug addiction supports without identifying an existing concentration or recognize that an additional service may create a concentration of addiction services in a particular area is highly problematic. An environmental scan should also be required to identify existing concentrations of services to mitigate further stigmatization of clients as well as areas which currently host existing concentrations of homeless /addiction supports.

2. Locations that avoid land use conflicts

- vii. Separated from busy commercial areas or active public spaces that could generate conflicts between the general public and those leaving supervised consumption facilities after consuming
- viii. Separated from parks
- ix. Separated from key pedestrian corridors within the Core Area
- x. Separated from public elementary or secondary school properties
- xi. Separated from municipal pools, arenas and community centres and the Western Fairgrounds
- xii. Not within the interior of a residential neighbourhood

Are there other criteria necessary to avoid land use conflicts?

- None
- *vi. Good comment tonight about the fact that some neighbourhoods may greatly need a SCF and benefit from one. The criteria should be that it must clearly be demonstrated there is a need in a neighbourhood before it's considered an option.*
- *iv – “public elementary” seems to exclude private and separate elementary schools – suggest removing “public”. What is the core area? It is critical that it is clear that “core” includes the commercial corridor in Old East Village & SoHo. Many people interpreted core to mean a very small area downtown but the other revitalized areas must be included under this clause.*
- *It is my opinion that avoiding specific land use conflicts requires a far more specific modifier than “separated.” The methadone clinics require a 200m distance from these same types of land use and this specific measure would be important to include.*
- *The state intention of The London Plan is to “grow up” rather than “grow out” That is a concerted effort to increase residential density downtown, with high rises. In its full blown/ideal form all of downtown becomes a residential neighbourhood. So long term, and anticipating residential growth, could exclude much of the downtown area. All of that to say – consider the ideal result/impact of the London Plan and use that information to exclude possible site locations.*
- *‘separated’ is pretty vague*
- *ii & iv – I am not sure these are necessary. We also see a lot of needle discards in public parks and public parks are widespread. Municipal facilities are also very widespread and I’m not sure they really need to be separated from supervised consumption services.*
- *No- these are more than adequately restrictive*
- *Item (iii) What is the definition of “Core Area”? If there is not a definition it should be left out. Moreover and regardless of the definition, its inclusion protects one area more than others. It is probably best if you delete this and combine it with item (i) in this fashion: “Separated from busy commercial areas, key pedestrian corridors or active public spaces that could generate conflicts...”.*
- *iii – It would be helpful to have a clear definition of the ‘Core Area’. iv- Separated from Child Care Centres should also be included. vi – Need specific distance separation from periphery of neighbourhoods. Need to avoid anti-social behaviour and drug dealing from filtering into neighbourhoods. For example, if SCF will ban loitering outside of sites, this activity will move elsewhere but close to sites. This is an issue that is already experienced in OEV where addiction and homeless prevention services move loitering and dealing away from their front doors.*
- *A definition of “Core Area” is required to fully understand which pedestrian corridors are considered “key” and would be included as identified areas which would be considered land use conflicts for SCF. Point 1: identified potential conflicts with clients leaving the facility. It is important to also recognize there may be challenges with those who enter the facility. Currently dealers wait directly in front of London’s unlimited methadone dispensaries and prey on those who take the medication. Separation from busy commercial areas is important for both entry and exit.*

SITE DESIGN REQUIREMENTS FOR SUPERVISED CONSUMPTION SITES

Supervised consumption facilities should be designed to:

- viii. Incorporate Crime Prevention Through Environmental Design (CPTED) principles
- ix. Meet provincial regulations, the policies of this plan, and municipal by-laws relating to accessibility

- x. Orient building entrances to allow for reasonably discrete entry and exit
- xi. Ensure that building waiting areas and vestibules are adequately sized to avoid line-ups or waiting outside of the building
- xii. Allow for easy visual surveillance of the facility and its surrounding site from the street
- xiii. Avoid opportunities for loitering, such as the installation of seating areas or landscape features that can be used for seating

Are there other site design requirements that should be considered?

- *What will be designed to serve the very unique needs of people injecting stimulants? How can planners be certain that such design considerations will work? Can it be designed to ensure access to referral sources – e.g. have office space for staff from WMS, RHAC, LIHC, shelters ... to facilitate soft transfers consistently? Can it be designed to 24/7 usage?*
- *The size of the operation is very important. There is a big difference in terms of land use conflicts between inSite, where there were 1338 users on its busiest day and the TOPS at 186 King where there are less than 30 users per day. Length of time in the service is also important to avoid land use conflicts. At inSite, I believe that the average time in the services has varied from 20 minutes to 30 minutes. The combination of # of visitors times the length of time spent in the services determines the effective capacity of the service. i.e. 48 people per day/6 hours = 8 people per hour. If these 8 people stay for less than 1 hour there will be no queuing, but if there are more people or people stay longer, there could be queuing.*
- *Allowing for easy visual surveillance... - this may not be reasonable > some SCFs are located inside large multi-use buildings – medical offices etc.*
- *Lighting, external surveillance cameras.*
- *After seeing the after-care room at TOPS, I would recommend including a pint about ensuring that the space is comfortable in order to ensure/encourage users to stay in the room longer rather than loiter outside. This may be a licensing issue but there should be some way to ensure size is adequate. Public site planning should be required in order to provide the community to offer input on the site design.*
- *Discrete but not putting people entering or exiting at risk because the doorways are so hidden (i.e. back of building where no one may see assault). I will assume this means ensuring the interior of the space provides safety of all including staff such as multiple egress points. Does there need to be consideration for amount of space between building and property lines to avoid anything that would present as an alley.*
- *Assume site design and site would be realistic that would allow a reasonable number of people “on property” ergo limited number of people.*
- *The site design should be such as to enhance the streetscape with features that adhere to the City’s design guidelines for example. By making the site as physically attractive as possible it adds value to the neighbourhood and the clients.*
- *Re bullet 6: 1, Please include “avoid opportunities for dealing” in this statement. 2, Ensure that site plan takes into account the possibility that adjacent sites do not become the receptacle for all the issues and activities that SCF site plan is seeking to avoid.*
- *Site design is hugely important. CPTED must be integrated into the design at every stage. Important things to consider: design of entrances and exits, # of trash cans, kind of landscaping and recognizing potential areas to loiter. A site which is a community focused model in how it interacts with the nearby public realm will be the most successful in reducing unintended negative outcomes of service delivery. A community model that is embraced by the service, clients and*

the surrounding area will be successful in reducing stigma of the service, its clients and the surrounding area.

NEIGHBOURHOOD ENGAGEMENT FOR SUPERVISED CONSUMPTION SITES

Various consultation processes are required by the Federal government in order to gain approval for the operation of supervised consumption facilities. In addition, proponents of supervised consumption facilities and temporary overdose prevention sites should host a meeting with property owners, business owners, and residents within a minimum of 120m of the proposed site to describe the proposal and operational management plans for the facility, hear the neighbouring property owners' concerns, allow for consideration of measures that could be taken to mitigate these concerns, and establish a system for ongoing communication with the community

Are there other methods that could ensure good neighbourhood facility relations?

- *Survey those affected with comments if they can't attend meeting.*
- *120m doesn't seem sufficient enough to engage those around the area.*
- *The local BIA should also be involved in the consideration. Public site plan consultation should be involved.*
- *Notice of the March 14 meeting [held to discuss the TOPS at 186 King] should have been sent out much earlier, we received ours 2 days before!! Garbage pick-up. Security.*
- *The impacts of these facilities along with the community concerns will extend farther than 120 metres. This is especially true when the function of these sites need to be near the support systems that make this investment more than just a temporary improvement. Community consultation should be strongly recommended.*
- *The OEV BIA area has about 6 pawn shops and a Money Mart > businesses that prey on people with limited financial competency and attract drug dealers to the neighbourhood (vulnerable people pawn items for drug money). To suggest that these people have any say in how reputable transparent non-profit organization conduct their operations is offensive. The OEV BIA declined an offer to provide naloxone training to their members – not a very compassionate attitude. The OEV BIA sabotaged the OEV Safety Plan of 2015 (talk to Lynne Livingstone) so when they suggest they want to bring their wisdom and knowledge to the table they are being disingenuous.*
- *Perhaps increasing community buy-in allowing neighbours to have a de-stigmatizing regard rather than a stigmatizing regards for fellow community members who will be using the service? What can be done to alleviate community anxiety/dread about their neighbours who will be using these services? Perhaps normalization for substance use/users will help.*
- *The operators should be willing to enter a "Good Neighbour" agreement that includes and efficacious mechanism for possible resolution. This is completely different from a community advisory group or council. Mr. Lester mentioned a "code of conduct" for users. The Good Neighbour Agreement would take this further to the operator. I believe this to be appropriate and would most certainly be more effective. I'm pleased you've included this.*
- *1, It would be helpful if SCF applicants would involve property owners, business owners and residents in the proposal development and application process. 2, It would be helpful if the service proponents for SCF could begin to view community feedback and concerns as helpful in the process of developing the services. 3, Operators of the site should welcome the opportunity to participate in community monitoring and support committees for these sites. Such a committee and its activities should not be diluted to advisory status. 4, Individual site operators should be willing to sign "Good Neighbour Agreements" with their neighbours. "Code of Conduct" agreements*

with clients places responsibility for negative outcomes/unintended consequences of service delivery solely on clients. This responsibility should rest with the provider in the first instance.

- *Site specific community consultation is imperative to the healthy integration of such services into an existing neighbourhood/business community. These sites support a very specific and narrow population which absolutely deserve additional services. To ensure successful integration and support from the wider community in which these services are located a more inclusive and holistic lens must be applied to the design and model of series to ensure limited or not opportunity for stigmatization of the clients and general area. A public consultation would assist in achieving such a result. Services should be encourage to hose a public meeting regarding the design and orientation of a building if it is not mandated through a planning process.*

TEMPORARY OVERDOSE PREVENTION SITES

Temporary overdose prevention sites may be permitted within any Place Type subject to a zoning by-law amendment and all of the policies of this Plan. They will only be permitted through the use of a temporary zone and any such zone will not extend beyond the period of ~~one year~~ two years.

Temporary overdose prevention sites are intended to address an urgent public health emergency. They are intended to be temporary in nature. Accordingly all of the siting and design criteria identified for supervised consumption sites may not be achievable for temporary overdose prevention sites. However, the majority of these location and design criteria should be met and these facilities will not be permitted within the interior of a residential neighbourhood or near a public elementary or secondary school.

Recognizing the intent to address an urgent public health emergency, processes relating to zoning by-law amendment applications for temporary overdose prevention sites will be expedited, while meeting all of the requirements of the Planning Act. The engagement measures required for supervised consumption facilities will also be required for temporary overdose prevention sites, but may be completed after the facility has been established.

Are there other considerations that should apply to Temporary Overdose Prevention Sites?

- *Hours of operation – extend into evening. If offering evening hours ensure route to site is well-lit, provides optimal safety. Subsequent TOPS should be accessible to other neighbourhoods with high rates of public substance use: Limberlost; Southdale & Adelaide; Hamilton Road; Jalna; OEV; SoHo.*
- *Isn't the current TOPS in a primarily residential building?*
- *A two year limit on these sites sounds perfect. My suggestion would be that at the one year mark if the site is going to continue on, a plan for shutting down the site or transition to a Supervised Consumption Facility is required.*
- *Consideration to neighbours property – 174 King St: garbage pick-up; loitering; access should not be on private property i.e. 174 King St.*
- *Whatever we can control related to principles and policies created for a SCF.*
- *None*
- *As outlined in the previous item, it is perhaps even more important that the operator of a temporary site enter a “Good Neighbour Agreement” with the community. This so that problems can be solved quickly. Two years is a long time for issues to go unresolved. The best scenario is that these sites comply with all land use requirements.*
- *1, TOPS should not be permitted on commercial corridors or near daycare centres. 2, The hasty location of TOPS for a two year period could have negative*

impacts on the surrounding area that persist after its departure. 3, Should the TOPS decide to apply and be successful in remaining at its location beyond the two year period would it still be considered temporary? 4, What kinds of enforcement could be utilised to ensure that they remain only for the agreed 2 year period (i.e. by-law, policing, licensing) and would there be the political will to enforce the agreement and/or prevent the ongoing operation of the site through the re-application process?

- *These services and supports for those struggling with addiction are very important. Greater access treatment and a shift from police enforcement of addiction and addicts are needed as well as supervised consumption facilities. There are existing concentrations of services in London. As was done with social services (OW) and methadone, services should be spread across the city. Out poverty, drug addiction and homelessness is not owned by one or two neighbourhoods. Locating SCF close to other existing services (depending on the number and geography) will create a “ghettoizing” affect which is something that I would think does not conform to current planning principles.*

The City of London is proposing the following regulations through a Zoning By-law Amendment. Please provide your feedback on the regulations proposed by responding below.

“SUPERVISED CONSUMPTION FACILITY” means a facility that has received an exemption from the Controlled Drugs and Substances Act, where people can bring their illicit drugs to consume in a sterile and safer environment. These sites have equipment and trained staff present to oversee a person’s drug consumption and assist in the event of an overdose or other health risk. These facilities may offer additional health and drug-related support services. These facilities are intended to provide such services on an ongoing, rather than temporary, basis.

“TEMPORARY OVERDOSE PREVENTION SITE” means a temporary facility that has received an exemption from the Controlled Drugs and Substances Act, where people can bring their illicit drugs to consume in a sterile and safer environment. These sites have equipment and trained staff present to oversee a person’s drug consumption and assist in the event of an overdose or other health risk. Unlike supervised consumption sites, these facilities are temporary in nature.

Are the definitions proposed appropriate to the uses as described?

- *The definitions seem OK. I don’t know if there is a room for this under the zoning mandate but it would be great to include a requirement for the inclusion of additional services. The ultimate aim should be to reduce the number of people who use drugs.*
- *Perhaps add a requirement. Thus replace “those site have equipment and trained staff...” with “the site are required to have equipment and trained staff...”*
- *Illicit drugs > does this cover diverted prescription drugs? Perhaps the definition should be expanded.*
- *Yes.*
- *Re: Supervised Consumption Facility definition: 1, The facility should not may offer additional health and drug-related support services. The definition should also include a statement about providing services that support client to overcome addiction. 2, The definition should include hours of operation. 3, The definition should include a statement about putting in place a mechanism for community monitoring and support.*

From: Julie Palazzo
Sent: Friday, April 27, 2018 12:45 PM
To: Lysynski, Heather <hlysynsk@London.ca>
Subject: 446 York St

Good Afternoon,

I am writing to you today to express my opposition to the proposed Safe Injection Site at 446 York St.

I am a front line employee at a business located less than 200 metres from the proposed site. Daily, we deal with jay walking. Vehicles must then take evasive maneuvers to avoid people crossing to the Men's Mission, swerving around the jaywalker or changing lanes. We are very concerned that this location will have an increase of impaired jaywalkers putting both at risk. It is not uncommon to see near misses with Mission residents daily. Not to mention the railway tracks, which in themselves pose a risk to an impaired person.

This site is in very close proximity to Beal Secondary School. I agree with Paul Sydor, Superintendent of TVDSB, as he has stated opposition to the site. Beal is a large, and very busy school. Students use York St to catch buses. I feel the proposed site puts students at risk.

The speed in which the Health Unit is moving to force the approval of this location is not appropriate. There has not been proper study or debate. This is a serious issue and the community needs to be properly consulted and respected.

It is not uncommon in this neighbourhood already, to feel unsafe when parking my car and leaving for the day from work. Many times I have waited until I can be escorted to my vehicle. I feel with the addition of this site, safety risks will increase exponentially. The increase of impaired people, wandering on York St, jaywalking and requesting to use our washroom facilities (which is already an issue) has potential to become volatile.

In conclusion, I do not believe the decision makers of this city intend to make it's residents feel unsafe or put anyone in danger. However, I do believe that this proposed site does just that.

Regards,
Julie Palazzo

April 27, 2018

Dear Councilor,

The Middlesex Health Unit has proposed a Supervised Consumption Facility for opioids to be located at 446 York St. I write this letter to convey that I am strongly opposed to this location.

My business is located at 444 York St. and I own the building as well. Additionally I own the building at 333 Burwell which has residential apartments. Our business has been here for 13 years. It is a full service financial planning and investment counseling firm. We have over 600 clients; 95% come to our office for their meetings. We have invested heavily in preserving the heritage of the buildings as well as the upkeep. We maintain business hours from 8am to 5pm.

The TVDSB and the Separate School Board have conveyed to the Middlesex Health Board that they do not support this proposed location as it is within 300 meters of Beal. Paul Sydor, Superintendent of TVDSB, was at the meeting on April 26th at 399 Ridout St. Hosted by the Health Unit and stated this information. We are in complete agreement with the School Boards that this location is too close to Beal.

There are 17 businesses within 500 meters of this proposed site and it is proposed to be placed in the middle of 7 businesses that rely significantly on foot traffic for the success and ongoing viability of their business.

There are a number of high density residential apartments within 250 meters of the proposed site. At the meeting on April 26th, the tenants that attended expressed grave concern with this location.

York St. is a significant east/west vehicle artery into downtown with large volumes of traffic. Being located right beside the proposed site we wish to inform council that jay walking is an everyday occurrence. Vehicles must take evasive maneuvers to avoid people crossing to the men's mission, either by braking, swerving around the jaywalker or changing lanes. We are very concerned that this location will have an increase of impaired jaywalkers putting both pedestrians and drivers at risk.

The City has invested significant money in the Convention Center and supports the expansion of Western Fair. These are tourist areas and York St. is a major travel route for people attending either facility or commuting between the two. Increasing the density of homeless and impaired drug users in this area during business hours is not appropriate.

There has been significant investment by the local businesses in their properties in the last number of years and it is proposed that there be a more. This is a revitalized community.

At the meeting, the Health Unit used a slide to show property values in Vancouver near the Supervised Consumption Facility on the east side of Vancouver have increased over the last 10 years. Respectfully, that is not valid or relevant to London, as the Vancouver real estate market is an anomaly in Canada. We

have real concerns about our property values and the ability to get property insurance or being subject to increased rates. The property owners have retained counsel and if 446 York St. is approved will be applying to MPAC for a reduction in their property taxes.

A community is an ecosystem and currently there is a precarious balance between the men's mission, businesses, property owners, residents and customers visiting the area of the proposed site. There are real issues with the mission, however, the community embraces the need for the mission and deals with these problems as part to this ecosystem. The addition of an influx of people at 446 York St has a real risk of throwing the community out of balance.

The community was notified on April 23rd that the Health Unit would be holding a meeting on April 26th at 399 Ridout St to discuss their proposed site. There has been no consultation with the community. In fact, the proposal to the Planning and Environment Committee scheduled to be heard by Council on April 30th was posted to the Health Units website before the first community meeting.

The speed in which the Health Unit is moving to force the approval of this location is not appropriate. There has not been proper study or debate. This is a serious issue and the community needs to be properly consulted and respected.

For these reasons I urge you to not support the location of a supervised Consumption Facility at 446 York St and to modify the Health Unit's proposal to reflect that.

We understand what the Health Unit is trying to accomplish, however, this is not the right location.

Lance Howard

444 York St

April 27, 2018

Dear Councilor

The Middlesex Health Unit has proposed a Supervised Consumption Facility for opioids to be located at 446 York St. I write this letter to convey to you that I am strongly opposed to this location.

My business is located at 444 York St and I own the building as well. Additionally I own the building at 333 Burwell which has residential apartments. Our business has been here for 13 years. It is a full service financial planning and investment counseling firm. We have over 600 clients, 95% who come to our office for their meetings. We have invested heavily in preserving the heritage of the buildings as well as the up keep. We maintain business hours from 8am to 5pm and currently employ 5 people.

The TVDSB and the Separate School Board have conveyed to the Middlesex Health Board that they do not support this proposed location as it is within 300 meters of Beal. Paul Sydor, Superintendent of TVDSB was at the meeting April 26 at 399 Ridout hosted by the Health Unit and stated this information. We are in complete agreement with the School Boards this location is too close to Beal.

There are 17 businesses within 500 meters of this proposed site. It is proposed to be placed in the middle of 7 businesses that rely significantly on foot traffic for the success and ongoing viability of their business.

There is also significant high density residential within 250 meters of the proposed site. At the meeting on April 26th the tenants expressed grave concern with this location.

York St. is a major east/west vehicle artery into downtown with large volumes of traffic. Being located right beside the proposed site we wish to inform council that jay walking is an everyday occurrence. Vehicles must then take evasive maneuvers to avoid people crossing to the men's mission, either by breaking, swerving around the jaywalker or changing lanes. We are very concerned that this location will have an increase of impaired jaywalkers putting both at jaywalkers and drivers at risk.

The city has invested significant money in the Convention Center and supports the expansion of Western Fair. These are tourist areas and York St. is a major travel route for people attending either facility or commuting between the two. Increasing the density of homeless and impaired drug users in this area during is not appropriate.

There has been significant investment by the local businesses in their properties in the last number of years and it is proposed that there be more. This is a revitalizing community.

A community is an ecosystem and currently there is a precarious balance between the men's mission, businesses, property owners, residents and customers visiting the area of the proposed site. There are real issues with the mission, however, the community embraces the need of the mission and deals with

these problems as part of this ecosystem. The increase in people attending 446 York St has a real risk of throwing the community out of balance.

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The speed in which the Health Unit is moving to force the approval of this location is not appropriate. There has not been proper study or debate. This is a serious issue and the community needs to be properly consulted and respected. There has been no due diligence as far as this site at 446 York Street as far as I am concerned.

I also am concerned with the property values of our business if this facility moves in next door. I found it curious that the material provided at the public information meeting showed property values for Vancouver. This is like comparing apples to oranges. We are nothing like Vancouver.

For these reasons I urge you to not support the location or zoning change to allow the Supervised Consumption Facility at 446 York Street.

Cathy Bradbury

444 York St

519-850-6565

April 27, 2018

Dear Councilor,

The Middlesex Health Unit has proposed a Supervised Consumption Facility for opioids to be located at 446 York St. I write this letter to convey that I am strongly opposed to this location.

My place of work is located at 444 York St., which has been here for 13 years. We are a full service financial planning and investment counseling firm. We have over 600 clients; 95% come to our office for their meetings.

My biggest concern with this proposed location at 446 York Street is the fact that we are close to 3 schools, and many of the children have to walk past this facility to get to school. The loitering at the Mission is bad enough some days, but with this added facility there will be more. I am also concerned for my well-being as I start early in the morning.

The TVDSB and the Separate School Board have conveyed to the Middlesex Health Board that they do not support this proposed location as it is within 300 meters of Beal. Paul Sydor, Superintendent of TVDSB, was at the meeting on April 26th at 399 Ridout St. Hosted by the Health Unit and stated this information. We are in complete agreement with the School Boards that this location is too close to Beal.

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The speed in which the Health Unit is moving to force the approval of this location is not appropriate. There has not been proper study or debate. This is a serious issue and the community needs to be properly consulted and respected.

For these reasons I urge you to not support the location of a supervised Consumption Facility at 446 York St and to modify the Health Unit's proposal to reflect that.

We understand what the Health Unit is trying to accomplish, however, this is not the right location.

GracePost
444 York St



"Family Built, Owned and Managed For Over 50 Years"

P.O. BOX 6000, KOMOKA, ON. N0L 1R0

Tel.: 519-472-8200

Fax: 519-472-8860

April 30, 2018

**City Clerk's Office
Planning and Environment Committee**

City of London
300 Dufferin Avenue
London, Ontario
N6A 4L9

Letter via email only

Attention: Chairman Turner & Members of the Planning and Environment Committee

Re: Letter of Concern: Planning and Environment Committee for the Supervised Consumption Facility Location (446 York Street) – Scheduled Item 3.6, Delegation by Dr. C. Mackie, Middlesex London Health Unit

Dear Chairman Turner & Members of the Planning and Environment Committee:

We are submitting this letter expressing our concern with respect to the above-noted matter.

The Middlesex-London Health Unit has recently proposed a "Supervised Consumption Facility" (SCF) for individuals to use pre-obtained drugs (i.e. opioids) at 446 York Street. On behalf of Drewlo Holdings, we are providing this communication to express our concerns that we strongly oppose this location.

The location of the permanent Supervised Consumption Facility is proposed directly adjacent to our 18-storey residential apartment building located at 433 King Street. This proposed location will only exacerbate the issue we already face with respect to the safety of our tenants and the up-keep of our building. Daily loitering of individuals experiencing homelessness and battling drug addictions has led to vehicle break-ins, theft, damage to property and people obtaining access into the building using the front entrance and lobby area as a place to sleep and go to the bathroom. Tenants have been constantly harassed while entering and leaving the building making them feel afraid and

unsafe during all hours of the day. The immediate area already houses the Men's Mission Services at 459 York Street and the Methadone Clinic at 528 Dundas Street East. To locate the SCF nearby will only add to the problems within the surrounding neighbourhood, which was a major concern voiced by the many residents (including our tenants) and business owners who attended the April 26, 2018 meeting located at the Middlesex-County Building at 399 Ridout Street North hosted by the Middlesex-London Health Unit.

The Thames Valley District School Board along with the Separate School Board have also expressed their concerns to the Middlesex-London Health Unit that they do not support this proposed location as it is within 300 meters of H.B. Beal Secondary School and surrounding residential housing. Separation distances from sensitive land uses within the current City Zoning By-law Z.-1 do not allow Body Rub Parlors to be located within 300 metres from a school, why would it be different for the Supervised Consumption Facility?

The City of London, local business owners and developers have invested significant amounts of money in their properties while helping to revitalize the Old East Village. The Dundas Street commercial corridor connects the City's downtown within minutes by bus, bike or foot. Located nearby are restored regional attractions like the Aeolian Hall, the Palace Theatre, the London Clay Art Centre, the Western Fair (Casino & Sportsplex) and the Farmer's and Artisan's Market that attracts thousands. The many cafés, restaurants and small businesses make it a rich centre of commerce. These are tourist areas and Dundas Street, York Street and King Street are major travel routes for people attending any of these amenities. This has now become a revitalized community and increasing the density of homeless and impaired drug users in this area is not appropriate for the well-being of the community.

The public consultation process has been next to none as the community was only notified on April 23, 2018 that the Health Unit would be holding a meeting on April 26, 2018 to discuss their newly proposed sites. We believe the rate at which the Health Unit is moving to force the approval of this location is inappropriate and not following the proper channels with the City. There has not been sufficient study to analyze all potential sites nor evidence provided to justify this site as being the most appropriate in terms of location or other socio-economic planning considerations. It appears that the Middlesex-London Health Unit is jumping at the first available site a property owner offers for the proposed SCF rather than creating a locational criteria matrix which considers all economic and social aspects of such a site. This matrix should be utilized to evaluate all possible properties.

We strongly agree with Dr. Christopher Mackie that there is a moral responsibility within the community and our Government to help people with drug addiction problems. But this "Band-Aid" approach does not solve the problems posed by the drug crisis in our community. You cannot help an alcoholic overcome their addiction by offering them another drink to satisfy their needs. Likewise, for drug addiction. These places might save a life for a moment in time, but without the proper prevention type programs,

treatments and counselling, we cannot improve the physical and psychological well-being of people who are associated with heavy drug use addiction.

If Planning and Environment Committee deems this property as being a suitable location for such a use, it is strongly encouraged that any necessary Zoning By-law Amendment be restricted to a maximum of 1-year in order to properly assess the anticipated and / or perceived impacts to the surrounding community. Furthermore, an appropriate development agreement should be entered into requiring the proponent to incorporate issues typically considered through a site plan process (i.e. lighting, fencing, security, garbage location etc.). For these reasons stated, Drewlo Holdings strongly urges you to carefully review the information provided and to **defer** the location of a Supervised Consumption Facility proposed at 446 York Street until both the location, possible alternative locations and site plan matters have been fully assessed.

Sincerely,
DREWLO HOLDINGS INC.

A handwritten signature in black ink, appearing to read "George Bikas", written over a horizontal line.

George Bikas
Manager, Land Development

From: Paul Pritiko
Sent: Friday, May 04, 2018 3:07 PM
To: City of London, Mayor <mayor@london.ca>
Cc: van Holst, Michael <mvanholst@london.ca>; Armstrong, Bill <BArmstro@london.ca>; Salih, Mo Mohamed <msalih@london.ca>; Helmer, Jesse <jhelmer@london.ca>; Cassidy, Maureen <mcassidy@london.ca>; Squire, Phil <psquire@london.ca>; Morgan, Josh <joshmorgan@london.ca>; Hubert, Paul <pHubert@london.ca>; Hopkins, Anna <ahopkins@london.ca>; Ridley, Virginia <vridley@london.ca>; Turner, Stephen <sturner@london.ca>; Usher, Harold <husher@london.ca>; Park, Tanya <tpark@london.ca>; Zaifman, Jared <jzaifman@london.ca>; Saunders, Cathy <csaunder@london.ca>; Lysynski, Heather <hlysynsk@London.ca>
Subject: Safe Injection Proposal

Dear Mayor Matt Brown;

Counsel Members and City Clerk

I am writing you today to express my opinion regarding a safe injection site proposed for 446 York Street.

I oppose this location. I do not oppose a safe injection site plan.

As you are aware, the Beal Secondary School is less than 300 feet west of the 446 York Street proposed location. The Beal high school has a meth clinic already located in the front of the school and to add a safe injection site less than a 10 second walk away from the high school is unacceptable. The students have to leave school property to smoke and will witness the day to day activity at this proposed location just as they do at the Meth clinic. The Childreach Early Education center is located 1 city block south of this location and CCH Secondary is 2 blocks north of 446 York Street.

I understand the City of London's official plan has by-laws in place to prevent such services being in proximity to public education centers. The Federal government application also stated that a safe injection site requires certain criteria to be followed before any funding can be provided. Our Federal government expressed the injection site has to be away from any commercial areas that can cause conflict with those leaving an injection site and separate from elementary or secondary school properties. 300 feet from Beal Secondary School is a direct conflict with the city by-law and the guidelines applied by our Federal government. The injection site must also be discrete allowing reasonable privacy to those using the facility. Having the location on a major artery of London where 20,000 plus cars pass by every day is not discrete.

I understand the economics and logic behind having a supervised spot for people to consume illegal drugs. I can not comprehend why you have a proposed site in an area that contradicts the cities official plan and the guidelines our government suggests are required.

Before you approve this possible location, please proceed with the proper process of zoning so local residences and businesses have an opportunity to be heard, and do your legal duty to make sure all guidelines are followed regarding zoning.

Dr. Mackie has provided yourselves with info and stats regarding the temp injection site that already operates in London for the last 2 months. Please note what other cities in Ontario have experienced since similar sites have been opened. I also attached literature providing the position Ontario Police leaders have expressed. Do not base your opinions on one man's opinion but what other communities are experiencing.

Attached is some information and a petition that local businesses and employees have signed just in the last 3 days. More signatures will follow.

Kind regards

***Paul Pritiko
485 York Street
London, Ontario***

<http://toronto.citynews.ca/2017/11/09/needles-dirty-streets-crowds-yonge-bia-dealing-fallout-supervised-safe-injection-site/>

<https://www.therecord.com/news-story/7998778-residents-voice-concerns-on-supervised-injection-sites/>

<http://www.cbc.ca/news/canada/toronto/mother-opposes-safe-injection-sites-1.3496502>

We, the undersigned, oppose the proposed Safe Injection Site at 446 York St., London. We petition the City of London to heed our opposition on this matter.

April 22, 2018

City of London
300 Dufferin
London, Ontario
N6A 4L9



Attention: Chair and members, Planning and Environment Committee

Re: Proposed Supervised Consumption Site 120 York Street

I am the owners of a shoe repair shop close to the proposed injection site. I attended the community information meeting last night and would like to express my opinion on this location as the possible location for the supervised consumption site. While we all agree, there needs to be a place that people can go and safely inject, 120 York Street does not meet the objectives of the City of London's criteria nor would be in the best interest of downtown London.

120 York Street does not meet the following criteria:

- It is not a discrete location
- It is not separated from busy pedestrian oriented commercial areas
- It is not separated from public spaces that generate pedestrian traffic or may generate large crowds from time to time. (Budweiser Gardens, Bus station, Train station, Covent Garden Market)
- It is within a residential neighbour of many residential towers and downtown apartments with more expected to start in the next month (89 York Street)
- It is within very close range to international high school, new building proposed by YOU for young mothers, babies and infants.
- It is not separated from key pedestrian corridors within the Core Area
- It is not separate from busy commercial areas or active public spaces that could generate conflicts between the general public and those leaving supervised consumption facilities after consuming.

Items of Concern:

- Close to bus station where people/visitors/students are coming and going daily - first impression of Downtown London
- Lots of positive commercial development in the area which will be stifled by this facility. i.e. I had two individuals cancel their showings for residential units in our building today from the article in the London Free Press. They did not want to live near facility.
- Lots of retail business in the area - Talbot Street is a thriving jewel of Downtown London with positive energy from Budweiser Gardens and the pedestrian activity that happens from the parking lots in the area as they make their way to special events. This would be a detriment to all the work in the downtown area to revitalize.

- Visual to all guests/patrons and large groups of people going to Budweiser Gardens including children events, public skating, hockey and basketball teams.
- Busy pedestrian oriented commercial area as well as large number of residential buildings. Residents concerned about the location and their safety.
- Not a good location for central use as 120 York Street is in the west end of downtown. Location across from the London Free Press building is better location as problem is both downtown and old east village. Within walking distance to both areas if located further east. London Free Press site does not have much development so it minimizes the effect on surrounding businesses.
- Huge events where people fill the streets -Juno Awards, Curling, Disney on Ice, to name a few. Parking is spread throughout this area along with restaurants, coffee shops, that bring lots of people in this area. Possible issues with consumers.
- Concern of drug dealers concentrating near the proposed site to sell drugs for supervised consumption and interaction of individuals who consume once let out of facility with busy pedestrian area.
- General day to day key pedestrian corridor for bus station, train station - busy area for discrete location.

The Middlesex Health Unit presented a very well run information session and tried to outline the positives of the supervised consumption site, which I know may be true. While there may be a benefit to the users, it is a detriment to businesses, residents, public places in the area that have invested and embraced the positive building and chose to purchase their home or business in this area. Our property taxes have increased 20% in 2017 and another 16% in 2018 due to the positive growth in this area. This site will definitely reverse the trend. Perception is reality for most people. It will reverse all that the Downtown Business Association is working so hard to achieve.

While I do own a business that will be greatly affected by this location, I would feel the same way if I had nothing to lose. For the City of London this would be a huge mistake.

Respectfully Submitted;

Gary Coakley

Gary Coakley

From: Lincoln McCardle

Sent: Thursday, April 26, 2018 12:49 PM

To: Turner, Stephen <sturner@london.ca>; Hopkins, Anna <ahopkins@london.ca>; Cassidy, Maureen <mcassidy@london.ca>; Tanya Park <tanya@tanyapark.ca>; Helmer, Jesse <jhelmer@london.ca>

Cc: Lysynski, Heather <hlysynsk@London.ca>; Mackie, Dr. Christopher

Subject: SUPPORTING THE PROPOSED SUPERVISED CONSUMPTION SITES

Dear Planning and Environment Committee,

I wanted to take a few minutes to write today in the hopes of helping to persuade you to endorse both 241 Simcoe Street and 446 York Street locations for London's supervised consumption facilities. I suppose I would normally begin by explaining why these facilities are so important and desperately required but I'm going to work on the assumption that we are knowledgeable and in agreement on this already and simply move on to discuss the proposed sites themselves. Let me just start by acknowledging that there is almost certainly going to be resistance no matter what site(s) are chosen. While a majority of reasonable people see the need for the site, far less want it to exist anywhere near where they live, work and/or play. I suppose it's easier to pretend that the current crisis doesn't necessarily mean that injection drug use is not already currently happening in all these places currently but of course, well, it's been identified as a health crisis by many far more knowledgeable than myself.

I currently live, work and play downtown and find myself likely a minority as a proud YIMBY - that is to say that I say "Yes In My BackYard!" The number of times I have found discarded needles is beyond comprehension. I know of, and have contacted the London CARES many times - and while they are doing amazing and important work I do question the sustainability of our current model. From my son's school playground to municipal parks to -- well, just about anywhere, keeping my eyes out and asking my children to do the same can be an ongoing cause of concern. I've clearly gotten off-track but reaffirming the need for these facilities let me actually talk to the proposed sites themselves.

If we use the fact that no location or set of locations will be perfect my thinking is that the current locations appear to check off a large number of requirements and preferences for a safe consumption sites:

- located in or near communities where drug consumption currently exists
- a reasonable buffer from the core downtown area and other public spaces
- near existing complimentary support and social services
- reasonably well serviced by transit
- safe distance from schools, parks and in a suitable a discreet location not within a residential neighbourhood

If we recognise that any location offered will meet with some opposition we have to at some point approve the option presented. Why not today. Studies seem to suggest that there is no increase in crime associated with these facilities and given that four hundred of our fellow Londoners have died as a result of opiod use over the last decade I would ask that you carefully consider what message is being sent by further postponing their establishment. Again, the main argument I've heard against any site offered seems to be, and forgive my paraphrasing, that they

are an important and much-needed service that I wish was further from my work and/or home. Over time I've come to the realisation that the so-called experts are often in fact the actual experts. If they are of the opinion that these are currently the best two options on the table than I would be remiss if I did not behoove you to believe them.

In closing, while it's important to keep the bigger picture I mind I do want to also state that at this junction I believe it's equally important that we act quickly. I do want to thank you for your time and consideration and hope that for all of these above, and other reasons, that you will consider endorsing both 241 Simcoe Street and 446 York Street locations for London's supervised consumption facilities.

All the best and have a wonderful day!

Take care,
Lincoln McCardle

--

Lincoln McCardle
31 Cartwright St
London ON
N6B2W5

From: Brian Speagle
Sent: Thursday, April 26, 2018 12:12 PM
To: Lysynski, Heather <hlysynsk@London.ca>
Subject: Siting of Supervised Consumption Sites

This email is in support of the report authored by Dr. Christopher Mackie of the Middlesex-London Health Unit, dated April 30, 2018.

As someone who has been directly impacted by addiction and mental health issues over my adult life, I support this effort wholeheartedly. Dr. Mackie's report on the need for supervised consumption sites is thorough, compassionate, and sensitive to the needs of the entire community. It strongly reflects the current research on this issue. Please do not hesitate to contact me if you require further comment.

Thank you.

Sincerely,

Brian Speagle

434 Wilkins St.
London, ON N6C 5B2

**SoHo Community Association
225 Burwell Street South
London, ON N6B 2V5**

April 26, 2018

City of London
Planning & Environment Committee
300 Dufferin Street
London, ON N6A 4L9

Attention: Councillor Steve Turner, Chair

Councillor Turner:

The SoHo Community Association wishes to express our support for the establishment of a Safe Consumption Site in our neighbourhood. We are grateful to the Middlesex London Health Unit and the London Middlesex Public Housing Department for their efforts in bringing this to 241 Simcoe Street.

We understand that the choice of this location has caused major concerns for residents of our neighbourhood, both within the building itself, and in the immediate vicinity. After careful consideration of the evidence gathered over many years around the world, and most recently in Vancouver, where such a facility already exists, we are confident that this location is optimal.

I would like to thank the committee for their consideration.

Sincerely,



Angela Lukach, President

cc. Councillor Anna Hopkins
Councillor Jesse Helmer
Councillor Maureen Cassidy
Councillor Tanya Park
Cathy Saunders, City Clerk

26 April 2018

City of London Planning and Environment Committee
c/o City Clerk
300 Dufferin Ave
London, ON N6A 4L9

Dear Members of the Planning and Environment Committee:

I am writing in support of Dr. Christopher Mackie's recommendations that the Committee endorse the two identified sites as appropriate locations for a Supervised Consumption Facility (SCF) and commit that these sites will be zoned as such when the relevant bylaw is passed.

I am lending my support first and foremost as a member of the London community, and second as a researcher in epidemiology & biostatistics and professor in public health. My research focuses on helping decision-makers draw on the best available data-driven evidence to support their decisions. This is sometimes a very challenging problem; however, in the case of SCFs, the evidence is abundant and clear: Implementing a permanent consumption facility will reduce public injection behaviour, reduce transmission of blood-borne infections, improve access to care, and above all, save lives. There is no evidence that SCFs worsen crime. Dr. Mackie has gone to extraordinary lengths in collaboration with the City of London and the community at large to identify sites where an SCF can be as effective and impactful as possible.

Decisions that matter always flow from a synthesis of evidence and values. Lives will be saved by following Dr. Mackie's recommendations. As a community, we have a moral imperative to value those lives as highly as we value our own. Endorsing the sites is the evidence-based choice and it is the moral choice. I implore the PEC to do the right thing.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Daniel J. Lizotte', with a stylized flourish at the end.

Daniel J. Lizotte, PhD

April 26, 2018

To: Chair and Members of Planning and Environment Committee, City of London, ON
Councillor Anna Hopkins
Councillor Stephen Turner
Councillor Maureen Cassidy
Councillor Tanya Park
Councillor Jesse Helmer

Re: Siting of Supervised Consumption Services

I am writing as a long-time citizen of London, ON and a medical student who is invested in individual and community health. I was born and raised in London, attended both elementary and high school here, and returned to London after my undergraduate degree to work for the YMCA of Western Ontario for several years. Although I currently attend medical school at McMaster University, I intend to return to London after graduating and have strong ties to the city through my family and friends. All of this to say **I care deeply about our city and her citizens.**

People who use drugs deserve high quality healthcare based on the best available evidence.

About 400 people have died in London due to substance use and overdose in the last decade.¹ Supervised consumption sites improve the health of people who use substances by providing new needles and reducing infection transmission, and reducing mortality from overdose, as well as connecting people to other healthcare and social services.² They also improve public order by reducing discarded used needles and public injecting.

I wholeheartedly urge the Committee to follow the recommendations of our city's public health professionals to endorse 241 Simcoe Street and 446 York Street as appropriate locations for permanent Supervised Consumption Facilities and commit that, when a bylaw is put in place to establish specific zoning criteria for Supervised Consumption Facilities in London, the endorsed locations automatically be deemed zoned for such use. **It's time to show people who use drugs that their lives matter to this city.**

Sincerely,



Claire Bodkin

15 Ravenglass Crescent
London, ON
N6G 4K1

¹ Lives Lost to London's Opioid Crisis to be Remembered at Ivey Park This Friday — Middlesex-London Health Unit [Internet]. Healthunit.com. 2018 [cited 26 April 2018]. Available from: <https://www.healthunit.com/news/400-lives-lost-memorial>

² Potier C, Lapr v te V, Dubois-Arber F, Cottencin O, Rolland B. Supervised injection services: what has been demonstrated? A systematic literature review. Drug & Alcohol Dependence. 2014 Dec 1;145:48-68.

Margaret Richings

Founder

Red Tent Women's Peer Support Network

10-364 Talbot Street
London, On N6A 2R6

26th April 2018

**CITY OF LONDON
PLANNING AND ENVIRONMENT COMMITTEE**

300 Dufferin Ave, London, ON N6B 1Z2

Attention: City of London Planning and Environment Committee Members,

I was asked to write a letter of support by Chris Mackie, who currently works for M.L.H.U..

I understand that certain policy changes and requests are being made regarding T.O.P.S sites..

I am founder of Red Tent Womens Peer Support Network for 2 years, and have been an independant Peer Support Worker for the last 10 years within City of London area. Working with Mental Health and Addiction, Poverty, and Homelessness issues. I provide communications as a liason across London as well. Their are also four partners within the organization providing administrative, and expert support.

I recently was appointed a voting member of The London Homeless Coalition Steering Committee.

Recommendation:

It is recommended that the Planning and Environment Committee:

1. ENDORSE both 241 Simcoe Street and 446 York Street as appropriate locations for permanent

Supervised Consumption Facilities; and

2. COMMIT that, when a bylaw is put in place to establish specific zoning criteria for Supervised

Consumption Facilities in London, the endorsed locations automatically be deemed zoned for such use.

I understand approximately 400 people who are considered part of the community family attending drop-in centers and community meals have lost their lives to addiction in London and Middlesex over the past 10 years.

The support that my grass roots organization, endorses and encourages help to prevent fatal overdoses; reduce the spread of life-threatening infections, harm reduction behaviors, steps, as well as safe disposal of injection materials.

Indigenous individuals, and people who inject drugs are a part of the community we assist in the affected neighbourhoods.

This includes Downtown, and Old East Village (OEV), as well as the core list from The Community Meal Program, My Sisters Place, and Sanctuary Church Drop-In.

We commend City Council and the Committee for having “endorsed recently, MLHU and RHAC collaborated with several other agencies to open the first provincially sanctioned Temporary Overdose Prevention Site (TOPS).” put forward by Middlesex London Health Unit and many other stakeholders involved in the health of citizens of London, On.

The partners of the organization, along with myself understand the urgent need for these sites to provide safety, harm reduction and dignity to those suffering with addiction, and mental health issues, along with a strong need of support from the outer service providers, the communities they affect and the city in general.

We will continue to endorse, support and communicate the positive measures of many people within London, especially those Council, and Committee members who recognize the need of these types of resources.

Thank you to those who tirelessly work towards positive solutions to the addiction, and mental health of those citizens of our forest city.

Three members of the communities lives were saved as a result which in our view is an invaluable step forward from the tragedies that have occurred. The mental health stress alone on the community regarding death is sizeable, and palpable.

The community members are currently educating others regarding the current site which is open, and supporting those who need direct access, and the linked harm reduction services available to them.

The organization has already seen marked, sizeable positive encouragement, and actions in targeting, supporting, peer driven escorting to facilities.

The issues surrounding addiction permeate all classes, incomes, cultures, races, and genders within the London boundaries. I and the organization are hopeful that the Planning and Environment Committee, as well as City Councillors will continue to endorse, and make possible access to these urgently needed resources through out the city.

The two sites recommended are by us known areas of concern, and we support the policies of London Middlesex Housing Corporation, My Sisters Place, and the Community churches providing outreach, meals, directive addiction support, harm reduction services in both areas.

Due to the fact that people have died from homelessness, health issues that associate with addiction, coexisting with mental health as well we encourage committee members and City Council members to take a strong stand and recommend/implement the recommendations which have been submitted by M.L.H.U.

Sincerely,

Margaret Richings

Founder

Red Tent Women's Peer Support Network

From: Deana Ruston

Sent: Friday, April 27, 2018 8:39 AM

To: Turner, Stephen <sturner@london.ca>; Hopkins, Anna <ahopkins@london.ca>; Cassidy, Maureen <mcassidy@london.ca>; tanya@tanyapark.ca; Helmer, Jesse <jhelmer@london.ca>; Lysynski, Heather <hlysynsk@London.ca>; City of London, Mayor <mayor@london.ca>

Subject: Submission for Planning and Environment Committee- Monday, April 30th; RE: Supervised Consumption Facilities

Dear Chair and Members of the Planning and Environment Committee,

I am writing this letter of submission in support of both 241 Simcoe Street and 446 York Street as appropriate locations for permanent Supervised Consumption Facilities. Both locations, are of optimal location for this community based support service.

The 241 Simcoe Street site to be located within a London Middlesex Housing Corporation building is a brilliant example of collaboration between multiple sectors of support services. This addresses a need where there have been events that demonstrate a great need. Services coming alongside those who need this service, where they need this service thus meeting them where they are at, is a vital piece in supporting persons who inject and use drugs.

446 York Street and its proximity to the Men's Mission is once again a fine example of meeting the need of a community. Persons who are clients of the Men's Mission will benefit from the increase in wraparound services available to them in the close vicinity of one another. It will make access to services much less of a barrier to these individuals who are often precariously housed or are of no fixed address. Thus, they can access supports and services from both the Men's Mission and the Supervised Consumption Facility. Additionally, those who are located within the surrounding area who will use this service will benefit as well.

The two proposed facilities are in addition to a mobile van that will make 4 stops within the city. At this time, Health Canada, does not allow for the mobile van to be the sole support for Supervised Consumption in a community- it must be in addition to facilities with (a) fixed address(es).

I feel at this time that the two sites selected in addition to the mobile van would allow support for persons within our community who are often marginalized, unable to access services due to numerous barriers and in need of a multi-service supports. With access to the Supervised Consumption Facilities and mobile van, these individuals will be connected to supports, community and receive the care, support and dignity they need and deserve.

As someone, who lives closely to both the Men's Mission and the proposed Supervised Consumption Facility at 446 York Street I am in full support of this location. I feel that with the proper protocols, procedures and provisions we can and will welcome this much needed service into the neighbourhood. There is great need- London and these identified communities and neighbourhoods are in need of our love, compassion, care and support. In tandem with other support services (e.g. the Men's Mission nearby and the wraparound services available at the Site) we can support these individuals when and where they need it the most. They are people's family members, friends, and loved ones. It's time we come alongside them where they at, doing

the best we can to support them during often difficult times when they are likely to face many barriers.

With a population of almost 500,000, London is within the top 10 biggest cities in Canada and we need to reflect that- and so do our services. We are a city rich in diversity, and in need. The time is now as we face multiple crises related to the opioid drug crisis. London must continue to be a leader in our response to the opioid crisis- in mid February the community opened the province of Ontario's first sanctioned Temporary Overdose Prevention Site- which has had enormous positive impact with over 2100 visits and only a few medical events which were taken care of on-site. These people, these community members- got help, got support and received love and care.

I urge the Chair and all Members of the Planning and Environment Committee that you please support the endorsement of both 241 Simcoe Street and 446 York Street as appropriate locations for permanent Supervised Consumption Facilities and when such time occurs that zoning by-laws for Supervised Consumption Facilities are established that the two above locations be automatically grandfathered into such zoning.

Thank you for your consideration,

Deana Ruston
Ward 13/ Downtown Resident

Sent: Friday, April 27, 2018 8:36 AM

To: Turner, Stephen <sturner@london.ca>; Hopkins, Anna <ahopkins@london.ca>; Cassidy, Maureen <mcassidy@london.ca>; Helmer, Jesse <jhelmer@london.ca>; tanya@tanyapark.ca; Lysynski, Heather <hlysynsk@London.ca>

Cc: Mackie, Dr. Christopher

Subject:

Fellow Londoners, city council members and interested parties,

I am writing you to ask that you endorse the initiative to open supervised injection sites at 241 Simcoe Street and 446 York Street in London Ontario. I ask that you also endorse the implementation of a mobile supervised injection site for our community.

I am a homeowner in the Rectory and Hamilton Road neighborhood and I moved to said area from a neighborhood bordering the Downtown Eastside, in Vancouver B.C. I have spent a great deal of time in direct contact with neighbors battling addictions and I witnessed the battles the city of Vancouver went through in the 80's, 90's and early 2000. I buried friends, fought addiction myself and I have very personal experiences with all that comes with addiction, poverty and mental illness.

Currently I believe our neighborhood is unsafe for young children. The parks, sidewalks, trails and school grounds are littered with used needles. Our neighbors live in daily peril with the recent influx of dangerous opiates. People we know and love, face life and death decisions every day as they try and live with addiction. Hidden away in their most vulnerable moments. Denying vulnerable citizens of this community access to lifesaving services seems only acceptable when we can group them together under labels such as 'addict'.

Our neighborhood has paid a heavy price and continues to. I now ask the rest of the community to bear a portion of that load and open Supervised Injection Sites immediately. To ignore the HUNDREDS OF DEATHS that have occurred and will continue, is morally unacceptable. To ignore the MILLIONS OF DISCARDED, DIRTY NEEDLES in our community is morally unacceptable.

London does not want to go through what Vancouver did, in the 1990's, before the harm reduction strategies began to be implemented. Leading up to that the market for heroin in the city became bloated with oversupply. As a result, heroin was being sold on the street uncut and cheap. Hundreds of Vancouverites lost their lives to overdoses. Hidden away in the back alleys and dark corners of the Downtown Eastside. I lost friends. My neighbors lost family members and loved ones. It was a dark time in the city and most frustratingly, it was preventable. We don't want this to happen in London and currently, all the pieces are lining up for this to occur.

Please be brave in your decision making. Separate personal beliefs and assumptions from our currently, desperate reality. Endorse the supervised injection site initiative now, before more lives are lost

John Densky
documentary photographer

From: Henry McRandall
Sent: Wednesday, May 09, 2018 2:19 PM
To: PEC <pec@london.ca>
Subject: Re proposed safe injection site on Simcoe

To Whom It May Concern:

Although I do not live in the Simcoe Street area, I plan to attend the public hearing at city hall next Monday afternoon and I DEMAND to be heard at that time.

I find it absolutely disgusting and deplorable that the Middlesex-London Health Unit would participate in any way in advancing a project that will undoubtedly make life much more difficult and oppressive for the senior and/or disabled residents of that public housing building and for other residents of the neighbourhood.

The wealthy residents of northwest London have been pampered and privileged for so long that they now feel a sense of entitlement that is absolutely unconscionable and indefensible. Northwest London has been awarded too many goodies - like the indoor aquatic swimming pool - and absolutely none of the hardships of the larger community that common sense, basic decency and basic morality now DICTATE that the fortunate few accept a very small part of the burden of being part of the London community.

Common sense, basic decency and basic morality also DICTATE that this safe injection site be placed somewhere in northwest London - someplace very close to their cherished aquatic swimming pool.

The entire burden of the social woes of a society that has been devastated by the wanton depredations of crony corporate capitalism should NOT be placed on the shoulders of those who have already suffered far too much.

It's high time for city council and for the Middlesex-London Health Unit to STOP SUCKING UP TO THE WEALTHY FEW and recognize that EVERY RESIDENT OF LONDON is entitled to be treated as equal.

Yours very truly,

Henry McRandall,

Editor & Publisher,



May 9, 2018

City Clerk's Office
Planning and Environment Committee
City of London
300 Dufferin Avenue London,
Ontario N6A 4L9

Attention: Chairman Turner & Members of the Planning and Environment Committee

RE: Supervised Consumption Facility (SCF)

Dear Chairman Turner & Members of the Planning and Environment Committee:

We write to support the City in its efforts to find a solution to the opioid and injection drug epidemic in our community. On behalf of the Board of Directors, London and Middlesex Housing Corporation (LMHC) wants to participate in fulfilling the need for Supervised Consumption Services (SCS) in our community. Evidence shows that such services would be utilized in London. There is public support but facility siting is often a significant hurdle.

Supervised consumptions services can play a critical role in the health and well-being of those using illicit substances. Such services reduce overdose deaths, the spread of such infectious diseases as HIV and hepatitis C as well as bacterial infections. Individuals using such services may also access other critical supports including health care and mental health services, education and treatment programs. As the largest social housing provider in London and Middlesex County, we know that these support services are needed by our tenants and citizens in our community who are addicted to opioids.

Like many communities, London is searching for a permanent site to establish a Supervised Consumption Facility (SCF). At LMHC, our new vision centres on healthy homes and communities in London and Middlesex and making a difference by positively impacting lives using housing as the foundation. As such, the Board endorses the use of 241 Simcoe Street for the purposes of establishing a permanent SCF in partnership with the Middlesex London Health Unit (MLHU) and Regional HIV/AIDS Connection (RHAC).

That being said, LMHC is seeking clarification on clause 2(f) of the proposed by-law to amend The London Plan for the City of London, 2016 relating to Supervised Consumption Facilities and Temporary Overdose Prevention Sits as well as clause 2(vi) of the proposed by-law to amend the Official Plan for the City of London, 1989 relating to Supervised Consumption Facilities and Temporary Overdose Prevention Sites. The two identical clauses relate to locations that avoid land use conflicts, that being "not located within the interior of a residential neighbourhood." Based on the interpretation of what constitutes the interior of a residential neighbourhood, 241 Simcoe Street could unintentionally be disqualified for a SCF and/or become problematic in the application to Health Canada and the re-zoning process given that Council has already endorsed the site as a potential location for a permanent supervised consumption site.

LMHC wants to be part of the solution to social issues in our community by showing that we CARE and by taking action. In partnership with the MLHU and RHAC, we can leverage/share a community asset (public housing) for the benefit of all while improving tenant safety and increasing support services in social housing.

Sincerely,

A handwritten signature in black ink, appearing to read 'M Buzzelli', with a long horizontal stroke extending to the right.

Michael Buzzelli, PhD
Chair, Board of Directors

A handwritten signature in blue ink, appearing to read 'JB', with a long horizontal stroke extending to the right.

Josh Browne, CPA, CGA, BAccS, AIHM
Chief Executive Officer

May 10th 2018

DELAY SOUGHT FOR ZONING AMENDMENT UNTIL REASONABLE AND FAIR CONSULTATIONS CAN BE HELD WITH THE AFFECTED COMMUNITY RESIDENTS

To the Planning and Environment Committee:

This week the City of London council took an extraordinary step to “endorse” the Supervised Consumption Facility (SCF) at 241 Simcoe even before the zoning amendment process has had a chance to finish. Then, on May 09 2018, Chris Mackie, London’s medical officer of health, said that the Middlesex London Health unit will apply for building permits and renovate the sites prior to completion of the process which is surprising and presumptuous.

(<http://lfpres.com/news/local-news/zoning-could-delay-supervised-drug-site-by-several-months>)

I am requesting a delay in the zoning amendment process that would allow a Supervised Consumption Facility (SCF) at 241 Simcoe Street. The zoning amendment as proposed by the applicant(s); Middlesex London Health Unit (MLHU) and its (partners?), City of London (COL), London Middlesex Housing Corporation (LMHC) **have failed to have sufficient public consultation.**

For the following reasons I am asking the City Of London to return to preliminary consultations prior to any Official Plan adoptions as outlined in [File: OZ-8852](#):

Notifications were not widely published by the City of London.

- The City of London did not undertake sufficient care in its efforts to make sure notices as required by statute were disseminated so that ordinary residents would benefit from the knowledge of important information related to Supervised Consumption Facilities. Notable is the single reliance on an obscure “coupon” flyer and webzine known as the Londoner.ca ***Exhibit A.**

The consultation meeting required by statute to be undertaken by MLHU on April 26, 2018, did not follow the Planning Act.

- The meeting was an “open house”
- The meeting was conducted for the purposes of Health Canada and members of the community were overwhelmed by “subject matter experts” and professional participants.
- 120-meter rule of notification was not sufficient nor fulfilled by the applicant/city
 - The facility’s operational area includes a wide geographic area that spans beyond the physical site. This area coincides with Health Canada’s setting aside enforcement provisions for “illegal possession” of controlled substances. ***Exhibit B**

- ONTARIO REGULATION 545/06 section 5 sets forth the minimum requirement, however The Provincial Policy Statement - 2014 as issued under section 3 of the Planning Act makes clear that the reading and understanding of the Act requires the applicant and City to read the act's intent and proceed accordingly (ie the applicant has a proposal that will directly impact a wider area). From the PPS2014 "decision-makers may go beyond these minimum standards to address matters of importance to a specific community"
- The city and applicant ought to have known that the Supervised Consumption Facility is of interest to all in the geographic area covered by the Health Canada directive and sought more than the minimum radius for notification.

***Exhibit F**

Public Billboard Notices were never displayed:

- No notice was posted by MLHU or LMHC or the COL as the Act requires: "posting a notice, clearly visible and legible from a public highway or other place to which the public has access, at every separately assessed property within the subject land"

Materials and reports used to support the application are fundamentally flawed in the reporting of factual details that would materially impact the zoning application.

- Presentation materials used by the applicant are weak and use data that has no relevance to zoning application. For example, a chart showing housing valuations of property in Vancouver.
- Statistical charts did not have context or full disclosure of how the data was collected. ***Exhibit D.**
- Public claims by the Chief Medical Officer, Dr. Christopher Mackie have been unsupported by Health Canada investigations. ***Exhibit C.**

There is no evidence that the SOHO Community Association ever undertook efforts to survey residents of SOHO.

On April 26th, In a submission to City of London, a letter was written by the SOHO Community Association in support of the SCF for 241 Simcoe. This letter was unfortunate as it also was followed by media reports where the President of the Association said there was overwhelming support, indicating that some form of "community consultation" had taken place. There is no evidence of this occurring. ***Exhibit E**

A review of the Association's website reveals no contact information and a review of the Association's Meetings on that website (<https://soholondon.ca/?cat=7>) suggest there has not been a quorum meeting since March 2017.

Homeowners, business owners, and rental tenants in my community like myself **deserve** to participate in this project so that we can maintain the enjoyment of our homes and quality of life.

A permanent facility is not the type of infrastructure that should be built in haste, there is every reason to ensure that those who will need to accommodate such a facility have real voices in the proposal at the very earliest stages, this is only reasonable.

Sincerely

David Lundquist,
A resident of the SOHO Community
191 Grey Street
London ON
N6B 1G2

Exhibit A.

The following shows an archived snapshot of the City London webpage for Public Meetings and Notices. There seems to be a pattern of practice by the City of London to publish notices exclusively in an obscure publication known as the Londoner.

INTERNET ARCHIVE
Wayback Machine
3 captures
10 Oct 2015 - 2 Jan 2018

http://www.london.ca/business/Planning-Development/land-use-applications/Pages/Meetings-and-Notices - List-London

Go JUN 02 2018 JAN FEB 2016 2018 2019

Public Meeting for Planning and Environment Committee - Monday, January 8, 2018, Notice of Application, Removal of a Holding Provision, Committee of Adjustment Monday, January 22, 2018 and Notice of Consent

Advertised in the **Londoner** Thursday, December 14, 2017

- Notice of Application, Committee of Adjustment Monday, January 15, 2018 and Notice of Consent

Advertised in the **Londoner** Thursday, December 7, 2017

- Revised - Notice of Application, Removal of a Holding Provision and Committee of Adjustment Monday, December 18, 2017

Advertised in the **Londoner** Thursday, November 30, 2017

- Revised - Notice of Application and Public Meeting for Planning and Environment Committee - Monday, January 8, 2018, Removal of a Holding Provision, Committee of Adjustment Monday, December 11, 2017, Notice of Consent and Public Notice

Advertised in the **Londoner** Thursday, November 23, 2017

- Notice of Application, Removal of a Holding Provision, Committee of Adjustment Monday, December 4, 2017

Advertised in the **Londoner** Thursday, November 16, 2017

- Public Meeting for Planning and Environment Committee - Monday, December 4, 2017, Notice of Application, Removal of a Holding Provision, Committee of Adjustment Monday, November 27, 2017, Notice of Consent and Public Notices

Advertised in the **Londoner** Thursday, November 9, 2017

- Public Meeting for Planning and Environment Committee - Monday, December 4, 2017, Notice of Application, Removal of a Holding Provision, Community Information Meeting, Committee of Adjustment Monday, November 20, 2017 and Notice of Consent

Advertised in the **Londoner** Thursday, November 2, 2017

- Public Meeting for Planning and Environment Committee - Monday, November 20, 2017, Committee of Adjustment Monday, November 13, 2017 and Revised Notice of Consent

Advertised in the **Londoner** Thursday, October 26, 2017

- Notice of Cancellation - Public Notice, Notice of Application, Committee of Adjustment Monday, November 6, 2017 and Notice of Consent

Advertised in the **Londoner** Thursday, October 19, 2017

Find out about a Current Application?

Find out about Upcoming Public Meetings, Current Applications and Studies?

Participate in the Planning process?

Contact Us

Development Services
Phone: 519-930-3500
Fax: 519-930-3501
E-mail: developmentsservices@london.ca

Planning Services
Phone: 519-661-4980
Fax: 519-661-5397
E-mail: planning@london.ca

Exhibit B.

The following shows the expected area that will be covered under the Health Canada Controlled Substances No-Enforcement Zone, this would seem to me based on my reading the Planning Act to be minimum radius for statute notification.

Expected Drug Possession No Enforcement Zone

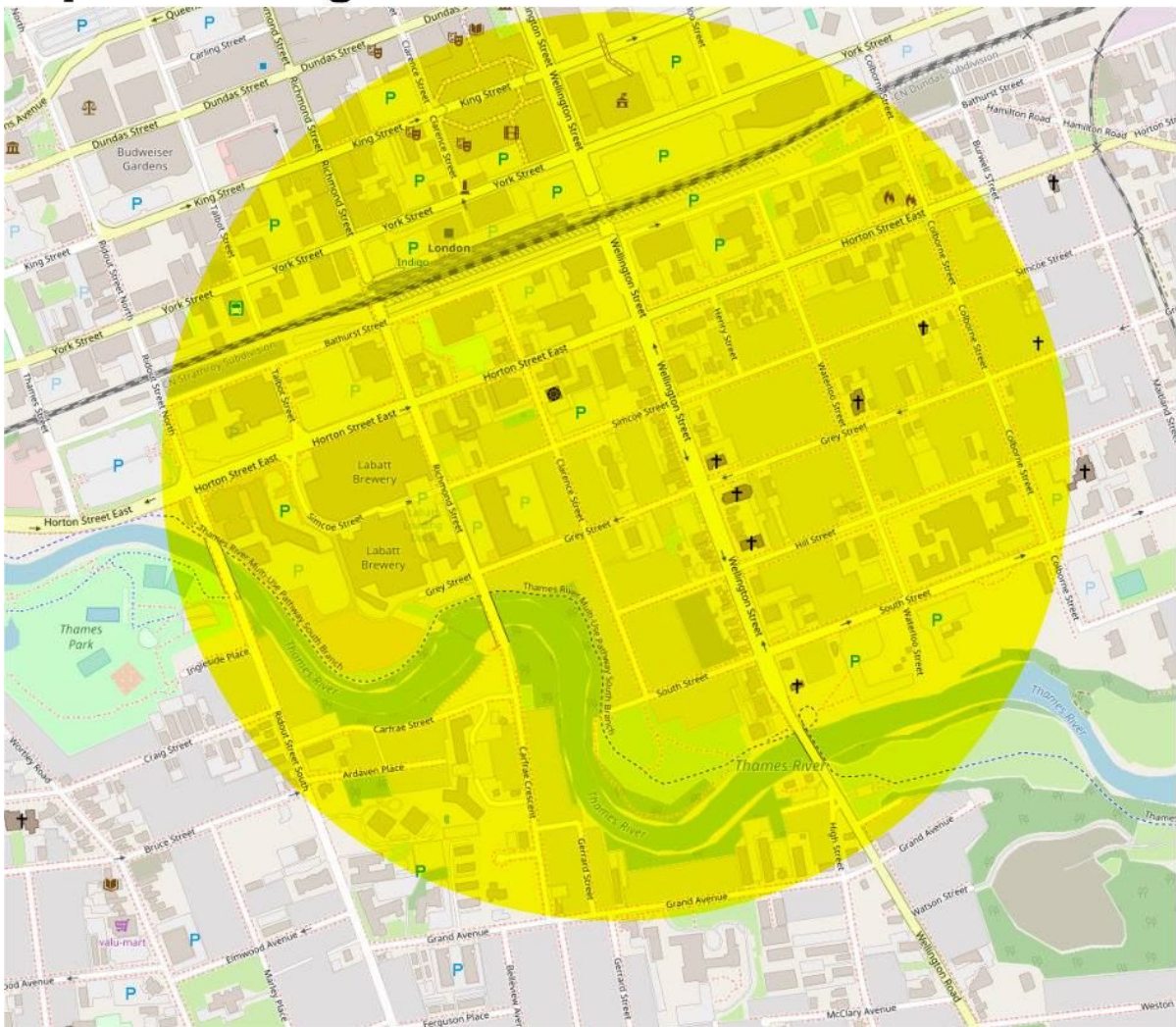


Exhibit C.

The following shows a public presser in which the Medical Health Officer “Stands behind claims” after Health Canada concluded tests that found no evidence to support the claim.

SCREEN CAPTURE REDACTED BY CITY OF LONDON REQUEST

FACT CHECK ON CLAIMS

<https://www.snopes.com/fact-check/fentanyl-laced-marijuana-rise/>

ORIGINAL CBC ARTICLE

<http://www.cbc.ca/news/canada/london/fentanyl-marijuana-warning-backlash-1.4240332>

Exhibit D

The following information is taken without context or methodology. The data is prejudicial to the ability to reach fully formed conclusions. Without the full set of data that was collected as well as the methods used to collect this data the City of London and it's citizens have no reasonable capacity to evaluate its meaning.

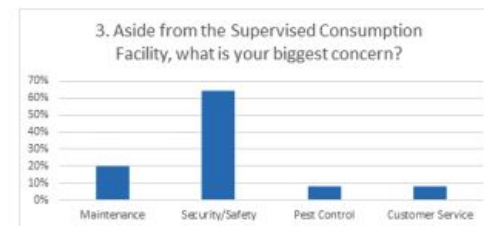
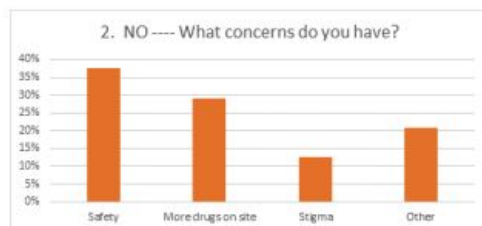
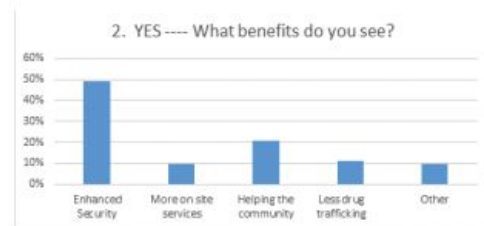
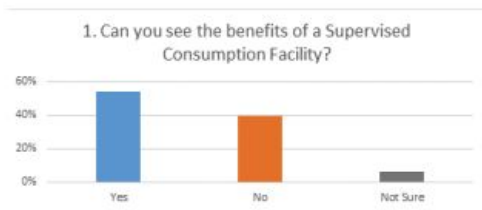


Exhibit E

The implication of the letter written by SoHo Community Association president Angela Lukach suggests that Residents of the community were consulted. There is no evidence available either on the public website or the Association's facebook.com page that any effort was ever undertaken.

SoHo Community Association
225 Burwell Street South
London, ON N6B 2V5

April 26, 2018

City of London
Planning & Environment Committee
300 Dufferin Street
London, ON N6A 4L9

Attention: Councillor Steve Turner, Chair

Councillor Turner:

The SoHo Community Association wishes to express our support for the establishment of a Safe Consumption Site in our neighbourhood. We are grateful to the Middlesex London Health Unit and the London Middlesex Public Housing Department for their efforts in bringing this to 241 Simcoe Street.

We understand that the choice of this location has caused major concerns for residents of our neighbourhood, both within the building itself, and in the immediate vicinity. After careful consideration of the evidence gathered over many years around the world, and most recently in Vancouver, where such a facility already exists, we are confident that this location is optimal.

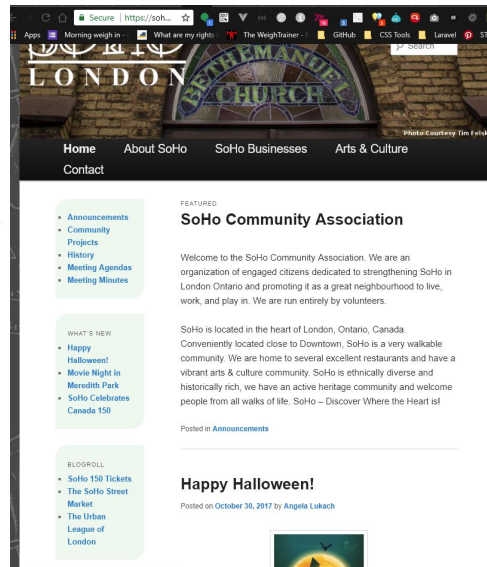
I would like to thank the committee for their consideration.

Sincerely,



Angela Lukach, President

cc: Councillor Anna Hopkins
Councillor Jesse Helmer
Councillor Maureen Cassidy
Councillor Tanya Park
Cathy Saunders, City Clerk



The London Free Press NEWS BUSINESS OPINION SPORTS ARTS LIFE CAREERS OBITS CLASSIFIED

There is an overwhelming support for this - SoHo Community Association president Angela Lukach

Supervised drug-use sites provide users with clean supplies and a safe space to consume under the supervision of medically trained staff armed with the overdose-reversing drug Naloxone. Health officials tout the operations as a necessary response to the deadly opioid crisis gripping the London region.

Coun. Tanya Park, whose downtown-area ward 13 encompasses both proposed sites, said she supports the health unit's plan, noting she hasn't received any backlash from her constituents over the

Exhibit F

City of London advisement for notification of proposed zoning changes.

RE: Planning act Inbox x



Wise, Sonia

to me x

12:17 PM (1 hour ago) ☆



Hi David,

Apologies for the delayed response. The City utilizes a variety of methods to provide notice for Zoning Amendment Applications. In addition to providing a hard copy notice to neighbouring land owners within 120m radius of the subject site, notice is also given to the local councillor, local Business Improvement Association (BIA), Community or Neighbourhood Association, as well as all of the various internal stakeholder groups (ie- school boards, hydro, etc.). The City will also post a "Possible Land Use Sign" on the site and publish an advertisement in the "The Londoner" newspaper, in an effort to reach the broader community.

Simply put, every application is different and while the above is the standard applied, there may be instances where additional or a broader notification is advised.

If you are seeking a Zoning By-law Amendment, the first step in the process is to submit a Proposal Summary (see attached) and undertake Pre-Application Consultation with the City's Planning Department. At that time, the radius or notification can reviewed, including if any deviation from the standard process is warranted.

If you require any additional information, I would need a property address at minimum to provide any more detailed feedback.

Regards



Sonia Wise, MCIP, RPP
Planner II, Current Planning
Planning Services
City of London

206 Dundas Street, London ON N6A 1G7
P: 519.661.2489 x 5887 | Fax: 519.661.5397
swise@london.ca | www.london.ca

May 11 2018 7:04am

Submission of **petition** to the PEC concerning file OZ-8852

Executive Summary:

At a Glance

91.4% of West SOHO residents want a jointly moderated (community/applicant) a series of public meetings with full consultation to be held prior to further action on the proposed SCF in the immediate community.

Purpose:

On May 09-10 2018, volunteers undertook an ambitious attempt to engage public feedback on the proposal for a Supervised Consumption Facility and whether residents had felt they had been adequately consulted. The late date for starting this initiative speaks to reality that Middlesex London Health Unit and its partner London Middlesex Housing Corporation have been deficient in community engagement.

Geographic area consulted:

The area consulted was a 4 block radius that defines the informal boundary of the Health Canada exemption for possession of a controlled substance. This 4 block radius is the one put in place by the Vancouver Police Department for the iNsite Project that has been championed as a model by MLHU.

Unfortunately due to time constraints only 45-55% of this zone was capable of being canvassed before the 8:30pm cut off

Findings:

Our volunteers were able to speak to 128 residents in the community prior to today's deadline over a period of 2 evenings. 117 residents have signed the petition demanding a stay of council deliberation until MLHU and the LMHC hold a public meeting, with a moderator that is acceptable to West SOHO Residents.

Further our volunteers sought the voices of residents of 241 Simcoe and during our tight timeline volunteers spoke to 31 residents with 25 signing the petition prior to the 8:30pm cut off.

More Community Activism

Our volunteers also learned that residents at 241 Simcoe have created a petition with 151 tenants demanding that a SCF not be built on the ground floor of their home.

The City of London, the Middlesex London Health Unit and the London Middlesex Housing corporation must immediately seek public meetings allowing sufficient time for residents to attend. These public meeting must seek social license from the SOHO community prior to action being undertaken with respect to OZ-8852.

Sincerely

David Lundquist

Community Organizer and resident of West SOHO.

West SOHO Residents

May 09, 2018

Planning Environment Committee,

Public Participation Meeting - Not to be heard before 4:45 PM - Planning for Supervised Consumption Facilities and Temporary Overdose Prevention Sites (OZ-8852)

We are residents in the immediate area covered by Health Canada for the proposed permanent Supervised Consumption Facility (SCF) located at 241 Simcoe Street. We are writing this letter to the Planning and Environment Committee to delay the zoning amendment for the above address.

We feel that Middlesex Health Unit must conduct a public meeting for all residents who are within at least a 4 block radius in which police will not charge an individual for possession of illegal drugs.

Our community has worked hard over the last many years to document and maintain the cultural history through plaques, home restorations, and creation of beautiful gardens.

We have not been consulted on the SCF. As residents, we want input, and have a right to review the entire plan. There has not been any attempt to seriously consult us on plans, the Middlesex Health Unit and their partner London Middlesex Housing Corporation have been working on for months. City Council must insist that prior to any zoning amendment in the community, there must be meaningful consultations that take place. The short deadline that has been given for this project unfairly excludes our voice.

We ask the PEC to request Middlesex Health Unit and London Middlesex Housing Corporation conduct further consultations prior to a zoning amendment being approved.

Sincerely

Residents of west SOHO

pg 1 of 7

The residents at 241 simcoe street do not feel safe with london housing putting in a Supervised Consumption Site in our building. As we already deal with multiple addicts doing drugs in our stair wells and in and around our building. We are making this petition so we can at least try and fight this. We are concerned about our safety in and around the building if this was put in. There are so many concerns that wont be met like our privacy act for starters if u allow this to go through its going to affect those residents on the first floor who will have aproximately 30 days to move before the construction starts. This is affecting not only us but our neighbour hood with in aproxamentaly a 5 block radius. This is also affecting buisnesses such as the good will career centre and good will store path ways career center. Its putting everyone in the building and neighbour hood at risk for stepping on needles having to deal with people strung out on drugs and the possability of them getting violent. Security wasnt enough when we had them for 2 weeks at 241 simcoe st so how do we know there security system is even going to work this time around. The elevators being switched to fobs is a big inconveinence for us tenants who reside at 241 simcoe st due to visitors coming we wont be able to just buzz anyone in no more we will have to go let them in. It will also be an inconveinence for the EMS workers that come in to save lives. Also the nurses who come in and check on there clients are already scared to come and by adding this Supervised Consumption Site will make them more scared to come. Anyone with support workers who already dont like coming will not have there supports at home with this Supervised Consumption Site.

ELIZABETH CORMIER

PROFESSIONAL CORPORATION

Elizabeth K. Cormier, B.A., LL.B., Q.Med.

May 11, 2018
via email

The Corporation of the City of London
City Hall, 3rd Floor
300 Dufferin Avenue
London, ON N6B 1Z2

Attention: **City Clerks Office**

Re: **Planning and Environment Committee Meeting May 14, 2018**
Siting of Supervised Consumption Facility – 241 Simcoe Street

I have recently been retained as Legal Counsel for a group of concerned residents of the SoHo community in London.

The SoHo community strongly opposes the suggested site of 241 Simcoe Street for a Supervised Consumption Facility as currently proposed by the Middlesex London Health Unit and recently "endorsed" by Council. Our Clients have a number of legitimate concerns including but not limited to:

1. Administrative Fairness
2. Inadequate Notice/ Public Consultation
3. Land Use Planning: Community Impacts
4. Proper Identification of Service Areas
5. Policy, Legislative and Regulatory Non-Compliance

We attach a copy of the Communication to the Committee from a group of the SoHo residents including the names of approximately 118 individuals.

I will be attending the Planning and Environment Committee Meeting on May 14, 2018 to make submissions on their behalf, with respect to the above noted matter.

Yours truly

ELIZABETH CORMIER
PROFESSIONAL CORPORATION

per:


Elizabeth K. Cormier

EKC/am

1512-140 Fullarton Street, London, ON N6A 5P2

tel: 519.432.8282

fax: 519.432.7285

To whom it may concern,

Your upcoming Public Meeting on May 14 deals with an issue that Greatly affects me as a home owner at 221 Grey Street. The Supervised Consumption Facility proposed site at 241 Simcoe Street is located east of my living room less than 120 meters. I know its less than 120 meters because I received a notice from Middlesex-London Health Unit for a meeting dated Thursday April 26 at 4:00 pm. Their parameters were to contact residents that lived within the 120 meter zone.

I attended that meeting and left my contact email address on two different forms. I was told I would be contacted as the site process continued.

Since that meeting, Dr Mackie has presented information to City Council, at least twice, re: this project. Those meetings did not allow Public input but did educate and attempt to answer questions posed by Council Members. I feel I would have benefited from these meetings yet I was not contacted and told of their occurrence.

Now there is a Public Participation Meeting scheduled for Monday May 14. I finally will be able to voice MY CONCERNS but to my surprise, I WAS NOT NOTIFIED by Middlesex-London Health Unit or by The City of London itself. I feel betrayed on Two fronts.

When The City of London informs me of my property tax obligations, there is no guessing game. They send me the amount with a Due Date and I follow through with on time payments.

Why is it that I was not contacted by either entity? Surely my rights as a Homeowner and Tax payer should have granted me some respect from both organizations. If roles were reversed, City Hall, at least would make immediate changes to guarantee their rights are protected!

I was lead to believe that residents of 241 Simcoe were in favor of the proposed SCF location(endorsements from Tanya Park, City Councilor and Angela Lukach, President of the SoHo Community Association). To learn first hand knowledge, I walked across the street and spoke to several tenants from the building. What I learned was Shocking!

The building has many fine tenants who oppose the site selection. A petition "Against" the SCF has been compiled by the residents accumulating to 5 pages of signatures.

The residents have various challenges in life be it financial, physical or mental. Individually or even combinations of challenges, depending on their own life story.

Upon speaking with them, I felt they are looking for a Savior. They feel voiceless against London and Middlesex Housing Corporation and are hoping someone will help guide them on this almost impossible journey.

City Council, Please Listen and Hear the Cries from these constituents and the surrounding neighborhood.

A simple walk across the street has changed my view point of a building I have known for 34 years and never visited.

Let us not turn our back on Seniors and the Handicapped. That's who this building was originally built for back in 1963.

Respectfully,

Joe Leunissen
221 Grey Street
London, Ontario
N6B 1G4

Chair of Planning and Environment Committee and Committee Members

**City of London
300 Dufferin Ave
PO Box 5035
London ON N6A 4L9**

Re: Zoning, Definition of Supervised Consumption Sites, and 241 Simcoe Street

I am writing to urge the members of the Planning and Environment Committee, and by extension all of City Council, to define supervised consumption sites as “*Supervised Consumption Sites*” in recognition of the unique characteristics and exceptional circumstances that distinguish these sites from those typically defined as “*Clinics*”; most specifically, the exemption that permits dangerous and illicit substances for the purpose of self-consumption, or the administering or transferring of said substances, provided it does not involve any exchanges for financial compensation, goods or services. This exemption is atypical and in the public interest requires additional planning considerations, risk assessments, site selection criteria, and public scrutiny above and beyond that typically required by sites designated as “*Clinics*”.

In addition, I urge the Committee and by extension all of Council, to reject approving zoning or planning changes that would allow a safe consumption site to be located at the proposed location, 241 Simcoe Street; or, in any multi-tenanted residential building in the City not purpose specific to, and solely occupied by, clientele of the supervised consumption clinic and those seeking support through the clinic.

Council and the broader community through consultation has already determined the rationale as to why supervised consumption sites should not be included in residential buildings and this is reflected in the *Council Policy on Supervised Consumption Sites*, most specifically, to avoid land use conflicts. Two of the established criteria are premised on the need to keep children away from a use that includes the consumption of illicit drugs, and the recognition that the unique uses of supervised consumption facilities are not compatible with residential uses. So why then, would Council endorse a multi-tenanted residential apartment building which children and youth attend; and particularly, an apartment building housed by a vulnerable population that is also at high-risk of being intimidated and victimized? It defies common sense and undermines the public trust in Council’s ability to create a well-thought out and community supported set of guidelines and then adhere to it afterwards.

Additional public consultation must ensue on the proposed planning change given the disregard for the established “rulebook”. Locating a supervised consumption facility in a residential apartment building creates a scenario not previously considered in the collective, and a closer examination of the consequences and contingent circumstances is required. It requires an informed citizenry to make informed decisions in order to provide input into municipal zoning and/or planning decisions and thus far, other than a generic overview of what a supervised consumption site is, no practical and factual information pertaining specifically to this location, or more broadly, the implication for multi-tenanted neighbourhood buildings as a whole, has been forthcoming.

I respectfully request that the Planning and Environment Committee Members, and indeed, all of Council, defer land use planning changes until such time as the above considerations have been addressed.

Respectfully,

Bonnie Glazer
195 Estella Road
London Ontario N6J 2G9

Trees and Forests Advisory Committee

Report

4th Meeting of the Trees and Forests Advisory Committee
April 25, 2018
Committee Room #4

Attendance PRESENT: R. Mannella (Chair); T. Khan, J. Kogelhelde, C. Linton, N. St. Amour, M. Szabo and R. Walker and J. Bunn (Acting Secretary)

ABSENT: C. Haindl and G. Mitchell

ALSO PRESENT: A. Beaton, J. Ramsay and J. Spence

The meeting was called to order at 12:15 PM.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Scheduled Items

None.

3. Consent

3.1 3rd Report of the Trees and Forests Advisory Committee

That it BE NOTED that the 3rd Report of the Trees and Forests Advisory Committee, from its meeting held on March 28, 2018, was received.

3.2 Municipal Council Resolution - 4th Report of the Environmental and Ecological Planning Advisory Committee

That it BE NOTED that the Municipal Council resolution from its meeting held on April 10, 2018 with respect to the 4th Report of the Environmental and Ecological Planning Advisory Committee, was received.

4. Sub-Committees and Working Groups

None.

5. Items for Discussion

5.1 Oak Wilt Status Update

That the update on the Oak Wilt Status BE DEFERRED to the next meeting of the Trees and Forests Advisory Committee due to the fact that the individual giving the update was not in attendance at the meeting.

5.2 Suggested Locations for Tree Planting or Naturalization Projects

That the Civic Administration BE REQUESTED to review the attached submission from J. Kogelheide, with respect to suggested locations for tree planting or naturalization projects and report back to the Trees and Forests Advisory Committee on the feasibility of the locations.

6. Deferred Matters/Additional Business

6.1 (Added) Tree Protection By-law Working Group

That a Working Group BE ESTABLISHED, consisting of M. Szabo, C. Linton and A. Morrison, to review the Draft Tree Protection By-law with assistance from J. Spence, Manager, Urban Forestry.

7. Adjournment

The meeting adjourned at 1:37 PM.

TFAC – May meeting ideas

I'm not sure if TFAC is supposed to suggest locations for tree planting or naturalization projects... so I went ahead and made some!

Wharnccliffe & Commissioners park

In the south west corner of this park there is a nice collection of pine trees. This part of the park doesn't get used all that much and I think it would be an improvement to add more pines – or any other kinds of trees – to this area, with the addition of smaller trees and shrubs or bushes. I think that a nice sized area can be left unmowed to further enhance this area, bringing it to a more natural state. It would be interesting to see if certain wildflowers could also be added!

Cheapside and Sandford St

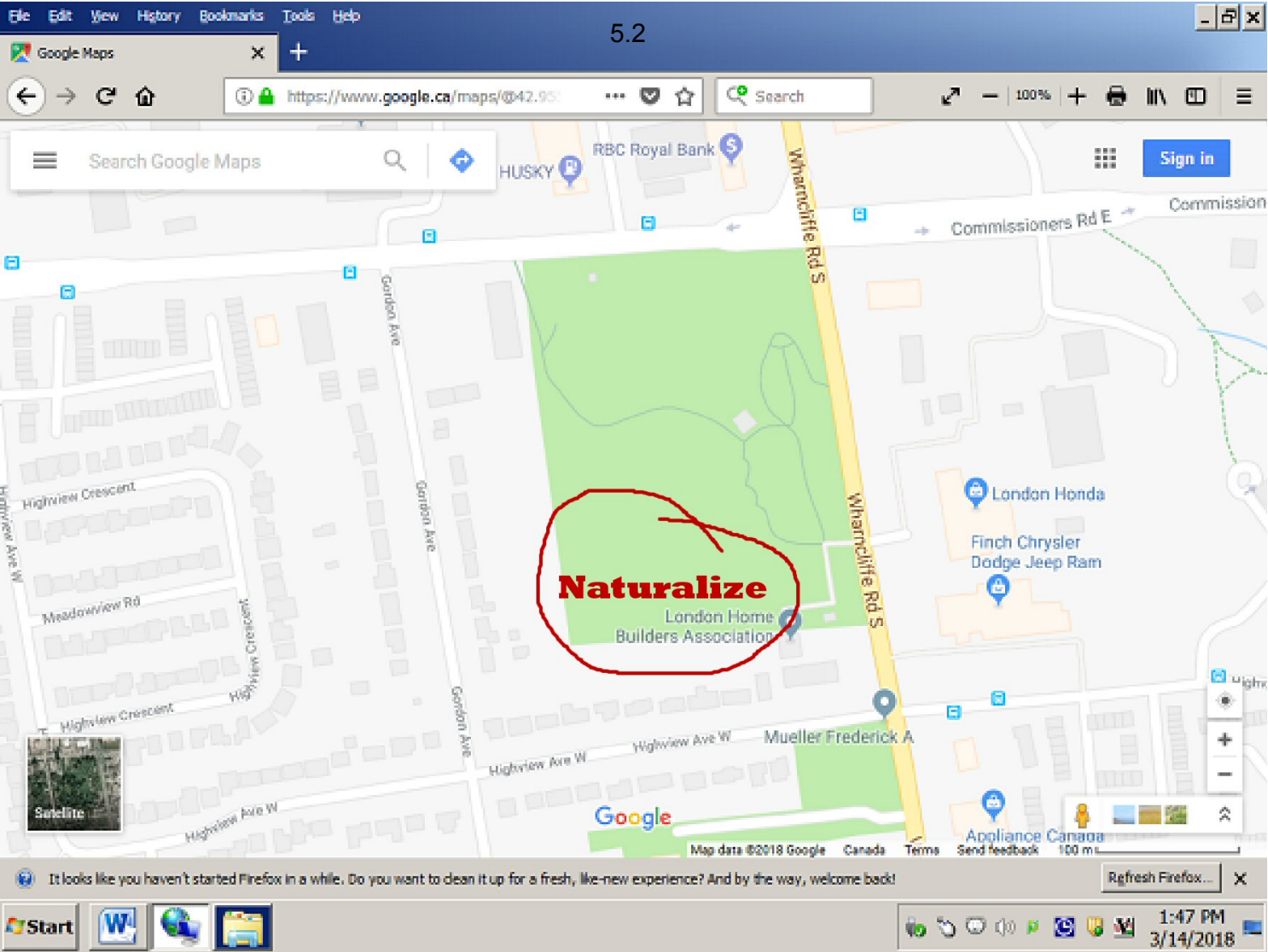
There's a huge ball field and rec area along Cheapside and Sandford St. Every time I travel along Cheapside I keep thinking that a nice chunk of this park could be naturalized, with the addition of tall pines, shrubs and bushes. I think that a nice sized area can be left unmowed to further enhance this area, bringing it to a more natural state. It would be interesting to see if certain wildflowers could also be added!

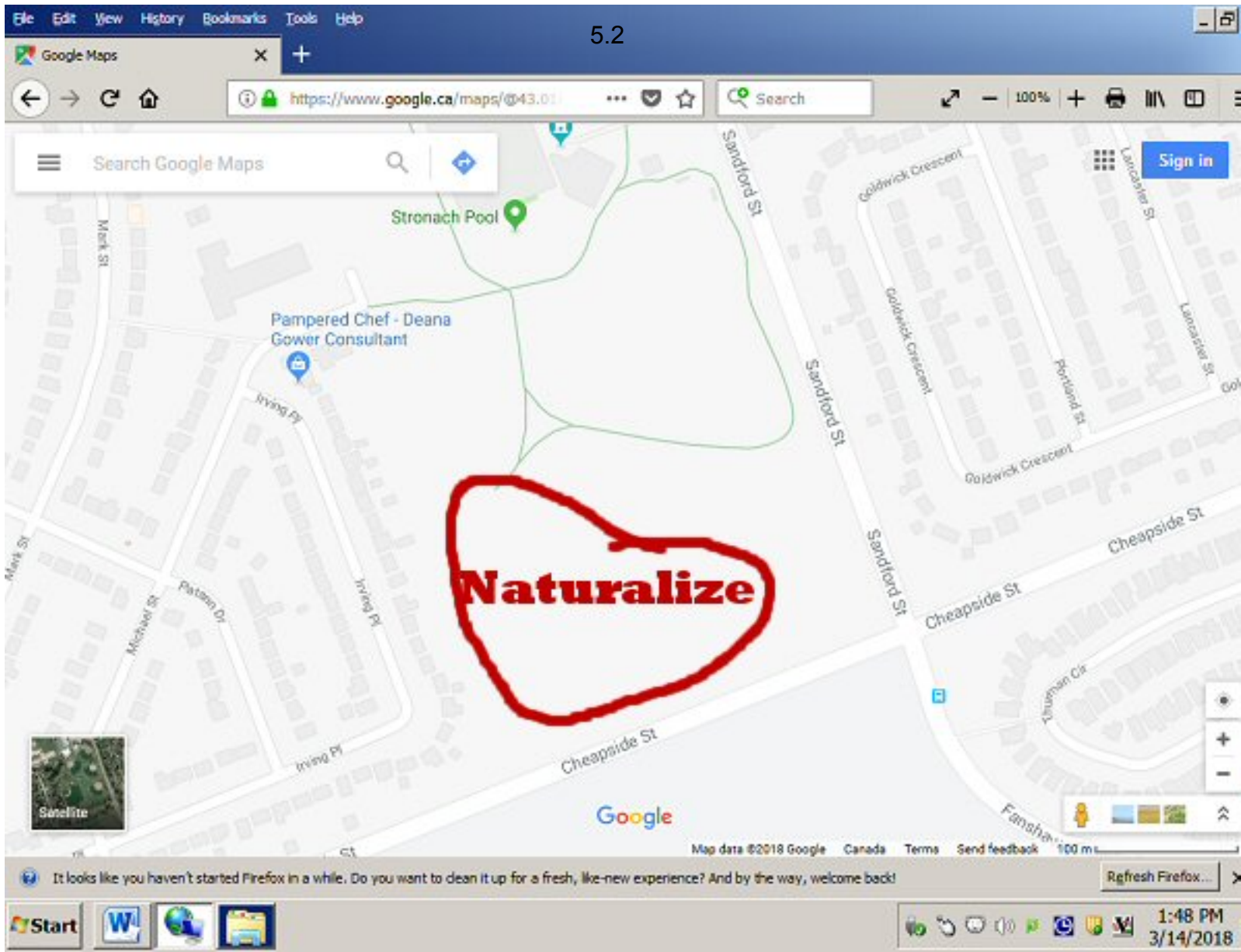
South of Riverside and Walnut St.

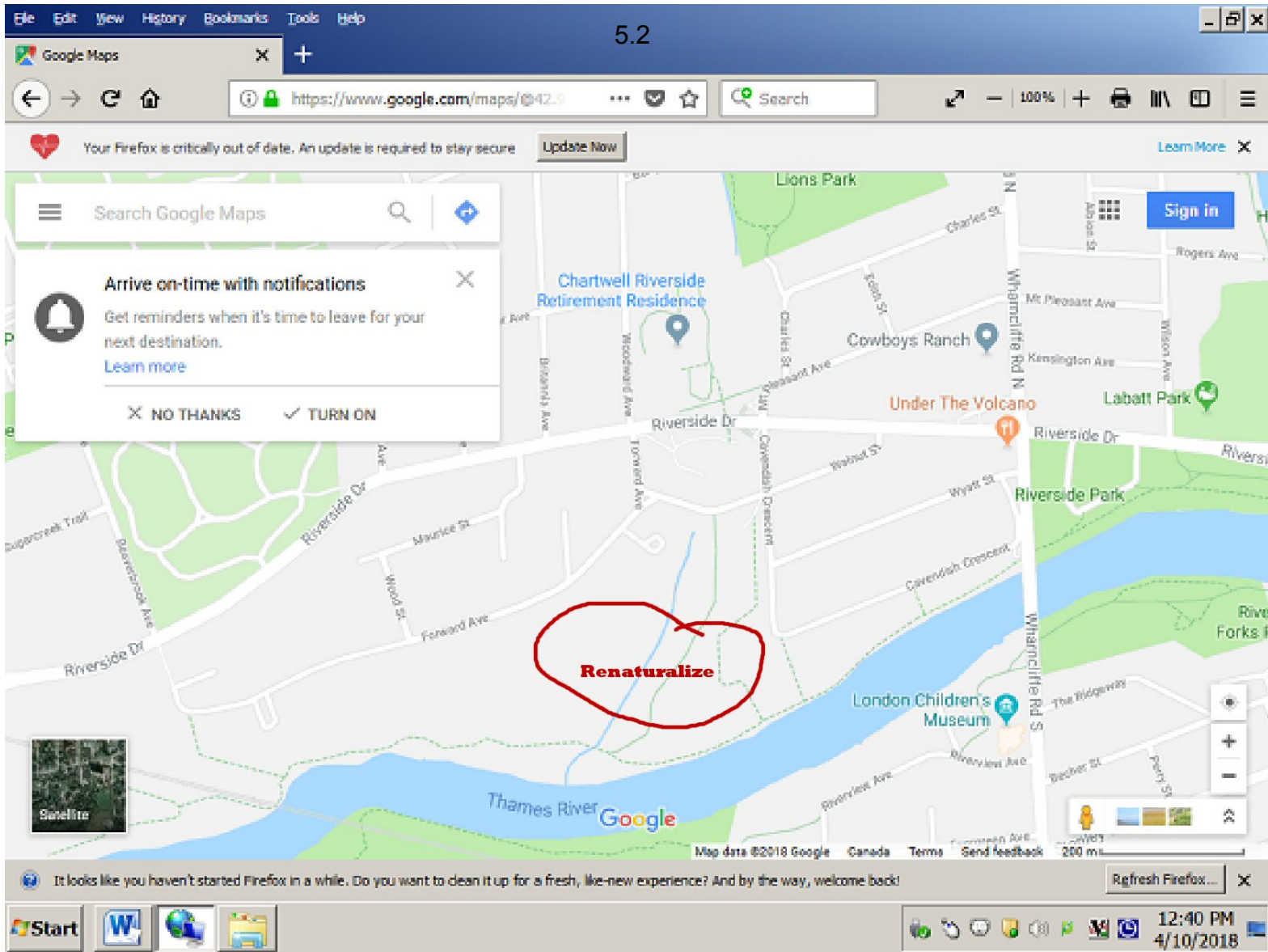
There's a huge area that is mostly unused park at this location. Trails begin at the south end that lead to more trails along the Thames River. I can see no reason why a large portion of this area could not be renaturalized.

Hope this is helpful

Jim Kogelheide







Advisory Committee on the Environment

Report

6th Meeting on the Advisory Committee on the Environment
May 2, 2018
Committee Room #4

Attendance PRESENT: S. Ratz (Chair), K. Birchall, M. Bloxam, S. Brooks,
S. Hall, J. Howell, L. Langdon, G. Sass, N. St. Amour, D. Szoller,
A. Tipping and J. Bunn (Secretary)

ABSENT: R. Harvey, M. Hodge and T. Stoiber

ALSO PRESENT: T. Arnos, T. Conlon, D. Pavletic and K.
Teeter

The meeting was called to order at 12:16 PM.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Scheduled Items

2.1 Potential Pollination Initiatives

That the following actions be taken with respect to potential pollination initiatives;

a) the Civic Administration BE REQUESTED to research and report back to the Advisory Committee on the Environment (ACE) with respect to the City of London being certified with Bee City Canada; it being noted that ACE supports the initiatives of Bee City Canada; and,

b) L. McDougall, Ecologist Planner, BE REQUESTED to present at a future meeting of the ACE with respect to an update on pollination work being done by the City of London;

it being noted that the attached presentations from B. Ellis and G. Sass, were received.

2.2 Blue Communities Project

That the Civic Administration BE REQUESTED to report back to the appropriate committee with respect to the feasibility of implementing the Blue Communities Program in London; it being noted that the Advisory Committee on the Environment received a verbal presentation from J. Picton-Cooper with respect to this matter.

3. Consent

3.1 5th Report of the Advisory Committee on the Environment

That it BE NOTED that the 5th Report of the Advisory Committee on the Environment, from its meeting held on April 4, 2018, was received.

3.2 Municipal Council Resolution - 4th Report of the Environmental and Ecological Planning Advisory Committee

That it BE NOTED that the Municipal Council resolution, from its meeting held on April 10, 2018, with respect to the 4th Report of the Environmental and Ecological Planning Advisory Committee, was received.

3.3 ACE Presentation/Meeting List

That it BE NOTED that the list of upcoming Advisory Committee on the Environment presentations and events, as of April 25, 2018, from S. Ratz, was received.

4. Sub-Committees and Working Groups

None.

5. Items for Discussion

None.

6. Deferred Matters/Additional Business

None.

7. Adjournment

The meeting adjourned at 1:32 pm.

Bee City Proposal

REBECCA ELLIS,
 PHD CANDIDATE, GEOGRAPHY DEPARTMENT,
 WESTERN UNIVERSITY
 RESIDENT, ROTMAN INSTITUTE OF PHILOSOPHY
 PDC, EARTH ACTIVIST TRAINING



Insects Warming of 'ecological Armageddon' after dramatic plunge in insect numbers

Three-quarters of flying insects in nature reserves across Germany have vanished in 25 years, with serious implications for all life on Earth, scientists say

112,001 3,354
 Damian Carrington
 Environment and Nature
 @damiancarrington
 Wednesday 18 October 2017 14:00 GMT



Flying insects caught in a relative trap, used by entomologists to collect species. Photograph: Courtesy of Entomologische Verein Berlin

The abundance of flying insects has plunged by three-quarters over the past 25 years, according to a new study that has shocked scientists.

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The Guardian

Bees thrive in cities

Tommasi, D. & Miro, A. (2004) Bee diversity and abundance in an urban setting. *Canadian Entomologist*, 136(6)

Frankie, G.W., Thorp R.W., Hernandez, J., Rizzardi, M., Ertter, B., Pawelek, J.C., Wojcik, V.C. (2009). "Natives bees are a rich natural resource in urban California gardens." *California Agriculture*, 63(3), 113-120

Kaluza, B.F., Wallace, H., Heard T.A, Klein, A.M. & Leonhardt, S.J. (2016). Urban gardens promote bee foraging over natural habitats and plantations. *Ecology and Evolution*, 6(5), 1304-1316.



Pointe-Claire resident petitions to keep au naturel garden

ALBERT KRAMERER, SPECIAL TO MONTREAL GAZETTE
 Montreal resident petitioning to keep her 'au naturel' garden

Published on July 9, 2016 | Last updated: Aug 6, 2016 8:42 AM EDT

London beekeepers forced to remove backyard hive



Proposal:
 London becomes a Bee City

Bee City Canada

A not for profit formed in 2016

Currently 12 bee cities across Canada

Also certifies schools and businesses

Easy process – application form and City Council approved statement

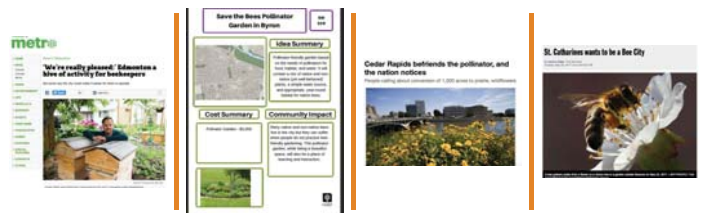


Why become a Bee City?



Celebrates the work already being done by cities

Inspires citizens to take action to do more for bees and other pollinators



Deepens practices which may boost local native bee populations

Provides a way for pollinator-friendly cities to collaborate

Allows participation in future Bee City programs



Pollinators in trouble around the world

Plight of Pollinators

Gabor Sass on behalf of all pollinators



ACE



news Bees, butterflies and other pollinators face extinction: UN
Learn more about the new look.

Bees, butterflies and other pollinators face extinction: UN

Climate change, pesticide use and modern farming techniques to blame for rapid population decline

The Associated Press - Posted: Feb 26, 2016 9:13 AM ET | Last Updated: February 26, 2016



Butterflies and other pollinating critters are at risk of extinction, says a United Nations mega-report. (Chaiwat)

<http://www.cbc.ca/news/technology/pollinators-un-report-1.3465373>

New study suggests insect populations have declined by 75% over 3 decades

By Euan McKirdy, CNN
Updated 1:43 AM ET, Fri October 20, 2017

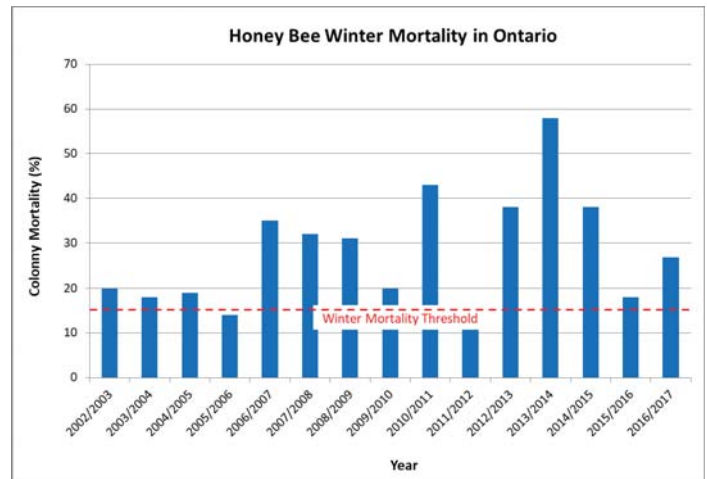


More from CNN
Arizona teachers says they'll end walkout if legislature passes...
Kanye West just said 400 years of slavery was a choice

Paid Content by @utbrain



<https://www.cnn.com/2017/10/19/europe/insect-decline-germany/index.html>



City of London's response

Pollinator friendly policies in London Plan

- Establish London as a key pollinator sanctuary within our region (Policy 58 in Key Directions).
- Promote London as a pollinator sanctuary, *considering how we can create and support environments that are conducive to pollinators in all of the planning and public works we are involved with, recognizing the important role that pollinators play in our long-term food security* (Policy 659 in City Building Policies).
- *Opportunities will be explored for supporting pollinators and food production through landscaping and street tree planting* (Policy 239 in City Building Policies).
- *Where possible and as appropriate, parks and open spaces will be used to support our food system – creating opportunities for food production and distribution and helping to support pollinators* (Policy 410 in City Building Policies).
- *Potential naturalization areas ... such as wetland habitat, pollinator habitat, wildlife habitat, or to compensate for trees lost to development* (Policy 1378 in Environmental Policies).

London as a Pollinator Sanctuary
Submitted by ACE Working Group on Plight of Pollinators

I. Problem: Pollinators are under siege

Pollinators are in the local, national and international limelight. Why? Pollinators face many challenges in our urban- and agricultural-dominated landscapes including habitat loss, loss of food sources, disease and pesticides, with many of these factors acting in concert. Recent studies have shown that several pollinator populations including those of wild and honey bees have drastically declined^{1,2,3}. In the province of Ontario, honey bee winter mortality has significantly increased over the last few years⁴. Here in Middlesex County, our local beekeepers are dealing with high honeybee losses as well⁵. The use of neonicotinoid pesticides is now suspected of being a major contributing cause to the declines⁶. Many agencies of government including Health Canada and Agriculture Canada are studying the issue. The province of Ontario is now considering a

Pollination 101:

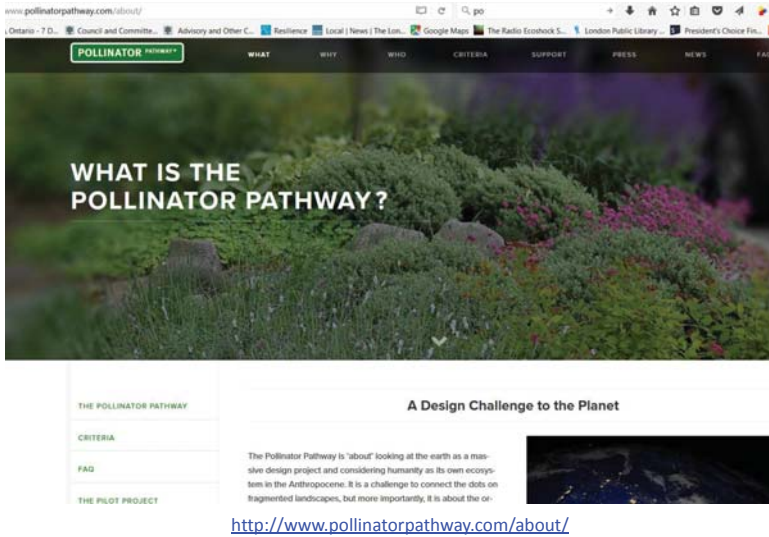
What is Pollination?

Pollination is the movement of pollen within a flower or from one flower to another by animals and/or the wind. This transfer of pollen leads to fertilization, and to successful seed and food production for humans and other animals.^{19,20}



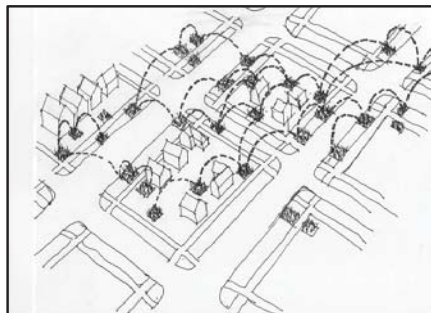
London's Community response

- Julia Hunter Foundation (setting up bee gardens, Gardens4Bees)
- Various other initiatives to plant pollinator gardens (e.g. Friends of Coves, faith-based communities, etc)
- Pollinator Pathways Project (ACE origin)



<https://www.facebook.com/pollinatorpathwaysproject/>

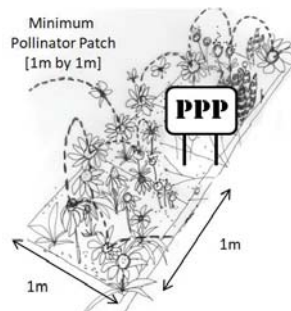
Pollinator Pathways Project



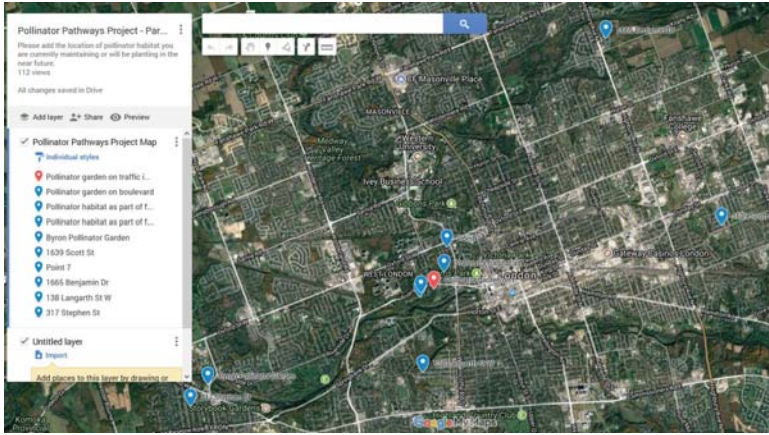
Social just as important as ecological

P³ details

- Empower people to plant a pollinator garden – Workshop, how-to handout, project sign, online map



- Get started with these native plants:
- **Ground Cover:** Blue Eyed Grass, Tiarella, Wild Ginger, Wild Strawberry
 - **Medium:** Anise Hyssop, Brown-eyed Susan, Lobelia, Vervain
 - **Tall:** Aster, Beardtongue, Columbine, Butterfly Weed, Coreopsis, Goldenrod, Liatris, Milkweed, Monarda, Veronica
 - **Very Tall:** Clematis, Echinacea, Honeysuckle, Ironweed, Joe Pye Weed, Orange Jewelweed



<https://www.google.com/maps/d/edit?mid=16MEC2s6Poc1CXqyB0vOwRINTic9VQdkR&ll=42.9959265975526%2C-81.26292574999997&z=13>

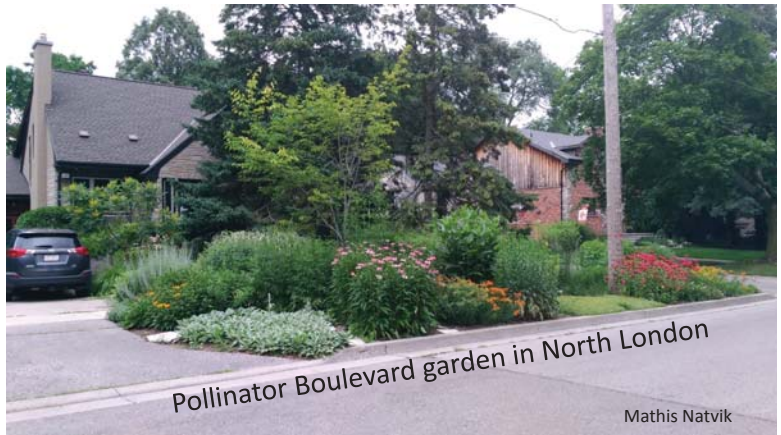


At Karen Schuessler Singers concert

How could ACE help?

- Focus on implementation of pollinator policies of London Plan
 - Bee City or similar (Pollinator Sanctuary) designation
 - Identify pollinator habitat across city (pollinator meadows, bare soil, boulevards)
 - Set aside money in budget for pollinators

Make this the new norm for all boulevards



Pollinator Boulevard garden in North London

Mathis Natvik

UK urban meadows hope to help pollinators get buzzing

By Mark Kinver
Environment reporter, BBC News

13 August 2013

Share



The UK has lost an estimated 97% of its wildflower meadows since the 1930s

<http://www.bbc.com/news/science-environment-23669941>

ACE Plight of Pollinators, May 2, 2018 - Recommendations

Recommendation 1. For City of London to become a Bee City by certifying with Bee City Canada. In this way we can be recognized as a leader within Canada in the creation of bee-friendly cities. We can also participate in future activities organized by Bee City Canada.

Recommendation 2: Identify potential sites (on public land) across the city where pollinator habitat (garden, meadow) may be planted either by city staff or community groups. These sites may comprise parks or right-of-way areas next to roads and railways.

Recommendation 3: Set aside funds in the next 4 year budget cycle to support the implementation of the pollinator-related policies identified in the London Plan. (e.g. PollinateME fund for setting up gardens on private property and boulevards as well as in city parks and other open spaces)

Actions ACE members can contribute to

- Plant a pollinator garden, become part of the network
- Get 10 people in your community to do the same
- If you are a gardener become a neighbourhood pollinator captain, encouraging and helping others to plant pollinator gardens

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: John M. Fleming
Managing Director, Planning and City Planner

Subject: Hamilton Road Business Improvement Area (BIA)
Authorization to Initiate Creation
The Corporation of the City of London

Meeting on: May 14, 2018

Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, with the concurrence of the Managing Director, Corporate Services and City Treasurer the following actions be taken regarding the establishment of the Hamilton Road Business Improvement Area (BIA):

- a) The proposed by-law attached here to as Appendix "A" to designate an area as an improvement area in accordance Section 204 of the *Municipal Act, 2001* **BE APPROVED IN PRINCIPLE**; and,
- b) that Civic Administration **BE DIRECTED** to proceed with issuing notices in accordance with Section 210 of the *Municipal Act, 2001* to every person who on the last returned assessment roll is assessed for rateable property that is in a prescribed business property class which is located in the proposed improvement area.

Executive Summary

City staff have worked together with the existing Hamilton Road Business Association to help establish a Business Improvement Area and draft the attached by-law. The next step in the process is to provide notification in accordance with Section 210 of the *Municipal Act, 2001*

Background

Municipal Council, at its meeting held on March 21, 2017 resolved:

13. *That the following actions be taken with respect to the request to create a Hamilton Road Business Improvement Area:*
 - a) *the letter dated February 9, 2017 from R. Pinheiro, President, Hamilton Road Area Business Association requesting the creation of a Hamilton Road Business Improvement Area, BE RECEIVED;*
 - b) *the Civic Administration BE REQUESTED to provide \$50,000 funding from the appropriate funding source as identified by the Civic Administration; and,*
 - c) *the Civic Administration BE DIRECTED to take the steps necessary, in 2018, to create a Hamilton Road Business Improvement Area. (2017-D19) (13/5/PEC).*

In order to create a Business Improvement Area, Council must pass a by-law in accordance with Section 204 of the *Municipal Act, 2001*. Before passing such a by-law, however, Council is required by Section 210 of the Act to send a notice to every person who on the last returned assessment roll is assessed for rateable property that is in a prescribed business property class which is located in the proposed improvement area. Every person who receives such a notice from the City is required within 30 days to give a copy of the notice to each tenant of the property who is required to pay all or part of the taxes on the property to which the notice relates. Every person who receives a notice from the City is also required to give the City Clerk (i) a list of every tenant at the property who is required to pay; (ii) the share of the taxes that each tenant is required to pay; and (iii) the share that the person who received the notice is required to pay.

Section 210(3) of the *Municipal Act, 2001* specifies that City Council is not permitted to pass the attached by-law to designate a business improvement area if written objections are received by the City Clerk and those objections have been signed by at least one-third of the total number of persons entitled to receive a notice as described in the previous paragraph (e.g. persons who receive the notice and each tenant who is required to pay all or part of the taxes on the property) and those persons are also responsible for at least one-third of the taxes levied for purposes of the general local municipality levy on rateable property in all prescribed business property classes in the improvement area. Any objections must be received within 60 days of the City mailing the last notices as described above. If objections received do not meet the criteria set out in Section 210(3) of the Act, then Council may proceed with passing the attached by-law. The attached by-law, if passed, would create a Corporation in accordance with subsection 204(2) of the Act.

Section 205 of the *Municipal Act, 2001* requires that the Board of Management of a business improvement area (BIA) must annually prepare a budget for submission to City Council for its approval. The Board of Management of a BIA is also required to hold at least one meeting annually of the entire Improvement Area membership to discuss the annual budget. The City is then required to raise the amount required for the purposes of the Board of Management by levy upon the rateable property in the improvement area that is in a prescribed business property class.

The attached by-law has been reviewed by the group that has expressed an interest to City Council in creating the business improvement area and it is our understanding that the group has no objections to the contents of the attached by-law. The geographic area of the BIA is defined in Section 2.1 and Schedule 1 of the attached draft by-law.

We would like to acknowledge the significant contribution of staff in the Finance/Taxation Department, the Planning Department, Legal Department, Geomatics, IT Department and the City Clerk's office who have assisted in the preparation of this report and attachment.

Conclusion

It is recommended that the attached by-law be approved in principle and City staff be directed to proceed with notification as required under Section 210 of the Municipal Act

Prepared by:	W.J. Charles Parker, M.A. Senior Planner, Urban Regeneration
Submitted by:	Jim Logan Division Manager, Taxation and Revenue
Concurred by:	Anna Lisa Barbon Managing Director, Corporate Services and City Treasurer, Chief Financial Officer
Recommended by:	John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner

May 2, 2018

y:\shared\policy\urban regeneration\bias\hamilton road bia\pec report - may 14 2018-2 aoda.docx

cc.
Lynn Marshall
Catherine Saunders
Linda Rowe
Jim Edmunds
Michael Tomazincic

Appendix A

Bill No.
2018

By-law No.

A by-law to designate an area as an improvement area and to establish the board of management for the purpose of managing the Hamilton Road Business Improvement Area.

WHEREAS subsection 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25 as amended provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS subsection 10(1) of the *Municipal Act, 2001* provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001* provides that a municipality may pass by-laws respecting: in paragraph 1, Governance structure of the municipality and its local boards; paragraph 2, Accountability and transparency of the municipality and its operations and of its local boards and their operations; paragraph 3, Financial Management of the municipality and its local boards; in paragraph 7, Services and things that the municipality is authorized to provide under subsection (1);

AND WHEREAS subsection 204(1) of the *Municipal Act, 2001* provides a local municipality may designate an area as an improvement area and may establish a board of management,

- (a) To oversee the improvement, beautification and maintenance of municipally-owned land, buildings and structures in the area beyond that provided at the expense of the municipality generally; and
- (b) To promote the area as a business or shopping area.

AND WHEREAS Section 208 of the *Municipal Act, 2001* provides that a local municipality shall annually raise the amount required for the purposes of a board of management, including any interest payable by the municipality on money borrowed by it for the purposes of the board of management;

AND WHEREAS subsection 208(2) of the *Municipal Act, 2001* provides that a municipality may establish a special charge for the amount to be raised by levy upon rateable property in the improvement area that is in a prescribed business property class;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1.0 Definitions

1.1 For the purpose of this by-law,

“Board of Management” means the corporation established under this by-law under the name The Hamilton Road Business Improvement Area Board of Management;

“Hamilton Road Business Improvement Area” means the area as described in section 2.1.

“City” means The Corporation of the City of London;

“Council” means the Council of the City;

“Member” means the persons who are assessed, on the last returned assessment roll, with respect to rateable property in the area that is in a prescribed business property class and tenants of such property.

2.0 Designation of the Business Improvement Area

2.1 The area comprising those lands in the City of London indicated within the boundary shown on Schedule “1” attached to this by-law and described below, is designated as an Improvement Area to be known as the Hamilton Road Business Improvement Area being described as all of the properties abutting the north and south sides of Hamilton Road, from Burwell Street to Meadowlily Road, known municipally as:

1 to 972, inclusive, 985, 987, 993, 995, 999, 1001, 1003, 1005, 1015,
1017, 1019, 1021, 1023, 1031 Hamilton Road
453 Bathurst Street
245, 265 Maitland Street
485, 495, 504, 506, 508, 511, 513 Horton Street East
215, 219, 221 William Street
580 Grey Street
658 Little Grey Street
170 Adelaide Street North
169 Dreaney Avenue
135 Inkerman Street
96, 109 Rectory Street
22 Pegler Street
209 Egerton Street
10 Elm Street
152 Pine Lawn Avenue

3.0 Board of Management Established

3.1 A Board of Management is established under the name The Hamilton Road Business Improvement Area Board of Management.

3.2 The Board of Management is a corporation.

3.3 The Board of Management is a local board of the City for all purposes.

3.4 The objects of the Board of Management are:

- (a) to oversee the improvement, beautification and maintenance of municipally-owned land, buildings and structures in the area beyond that provided at the expense of the municipality generally; and
- (b) to promote the area as a business or shopping area.

3.5 The Board of Management is not authorized to:

- (a) acquire or hold an interest in real property; or
- (b) to incur obligations or spend money except in accordance with section 6.

3.6 The head office for the Board of Management shall be located in the City of London.

4.0 Board Composition

4.1 The Board of Management shall consist of twelve (12) directors as follows:

- (a) at least one director appointed by Council; and
- (b) the remaining directors selected by a vote of the Members and then appointed by Council.

4.2 Council may refuse to appoint a Member selected under section 4.1(b) in which case Council may:

- (a) leave the position vacant; or
- (b) direct that a meeting of the Members be held to select another candidate for Council's consideration.

4.3 Directors shall serve for a term that is the same as the term of the Council that appoints them or until their successors are appointed.

4.4 The seat of a director becomes vacant if a director is absent from the meeting(s) of the Board of Management for three consecutive meetings without being authorized to do so by a resolution of Council.

4.5 If the seat of a director becomes vacant for any reason, the Council may fill the vacancy for the remainder of the vacant director's term.

4.6 A director may be reappointed to the Board of Management.

4.7 Council may, by a resolution passed by a majority of its members, remove a director at any time.

4.8 Directors shall serve without remuneration.

5.0 Board Procedures

5.1 Council may pass by-laws governing the Board of Management and the affairs of the Board of Management and the Board of Management shall comply with such by-laws.

5.2 By-laws passed by the Board of Management must not conflict with City by-laws passed under section 5.1.

5.3 The Board of Management shall pass by-laws governing its proceedings, the calling and conduct of meetings, and the keeping of its minutes, records and decisions consistent with any requirements set out in a by-law of the City.

5.4 A majority of the directors constitutes a quorum at any meeting of the Board of Management.

5.5 Despite any vacancy among the directors, a quorum of directors may exercise the powers of the Board of Management.

- 5.6 A director has only one vote.
- 5.7 The meetings of the Board of Management and the meetings of the Members shall be open to the public and only those persons that the Board of Management considers to have engaged in improper conduct at a meeting may be excluded from the meeting.
- 5.8 The Board of Management may close a meeting, or a part of the meeting to the public only in accordance with section 239 of the *Municipal Act, 2001*.
- 5.9 (1) The Board of Management shall hold at least ten (10) meetings during each fiscal year and the interval between one meeting and the next shall not exceed sixty (60) days.
- (2) A majority of directors may requisition a special meeting of the Board of Management by serving a copy of the requisition on the chair or vice-chair of the Board of Management.
- (3) The chair of the Board of Management may call a special meeting of the Board of Management at any time whether or not he or she has received a requisition under subsection (2).
- 5.10 (1) The Board of Management shall elect from its directors a chair and vice-chair.
- (2) The chair and vice-chair are eligible for re-election.
- 5.11 (1) The Board of Management shall appoint a secretary who shall:
- (a) give notice of the meetings of the Board of Management;
- (b) keep all minutes of meetings and proceedings of the Board of Management;
- (c) record without note or comment all resolutions, decisions and other proceedings at a meeting of the Board of Management whether it is closed to the public or not; and
- (d) perform such duties, in addition to those set out in clauses (a), (b) and (c) as the Board of Management may from time to time direct.
- 5.12 (1) The Board of Management may appoint such committees as it determines necessary to conduct the business of the Board of Management .
- (2) Each committee appointed shall be composed of not fewer than three (3) directors of the Board of Management and shall perform such duties and undertake such responsibilities as the Board of Management specifies and shall report only to the Board of Management.
- (3) Any director may be the chair or vice-chair of a committee.
- 5.13 The *Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50* applies to the directors and Members.
- 5.14 Council may designate an appointed official of the City who shall have the right to attend meetings of the Board of Management and its committees and to participate in their deliberations but is not entitled to vote, be the chair or vice-chair or act as the presiding officer at a meeting.

5.15 The Board of Management shall comply with all applicable provisions of the *Municipal Act, 2001* including, but not limited to, those relating to business improvement areas, meetings, records, remuneration and expenses, the development of policies and procedures and financial administration.

6.0 Financial

6.1 (1) The Board of Management shall prepare and submit to the Council annually a budget of its estimated revenues and expenditures by the date and in such form and detail as required by the City Treasurer.

(2) The Board of Management shall hold a meeting of the Members for discussion of the budget.

(3) Prior to submitting the budget to the Council, the Board of Management shall hold a meeting of the Members for discussion of the budget.

(4) Council may approve the budget in whole or in part and may make such changes to it as Council considers appropriate, but Council may not add expenditures to it.

6.2 The Board of Management shall not:

(a) spend any money unless it is included in the budget approved by the Council or in a reserve fund established by the Council under section 417 of the *Municipal Act, 2001*;

(b) incur any indebtedness extending beyond the current year without the prior approval of the Council; or

(c) borrow money.

6.3 The fiscal year of the Board of Management is the same as the fiscal year of the City.

6.4 The accounts and transactions of the Board of Management shall be audited annually by the auditor of the City.

6.5 The Board of Management shall prepare and submit to Council, not later than March 31st each year an annual report for the preceding year which shall include the audited financial statements.

6.6 The Board of Management shall provide the City Treasurer with such financial information as the City Treasurer may require.

6.7 (1) The Board of Management shall keep proper books of account and accounting records with respect to all financial and other transactions of the Board of Management, including, and without limiting the generality of the foregoing:

(a) records of all sums of money received from any source whatsoever and disbursed in any manner whatsoever; and

(b) records of all matters with respect to which receipts and disbursements take place in consequence of the maintenance, operation and management of the Board of Management.

(2) The Board of Management shall keep or cause to be kept and maintained all such books of accounts and accounting records as the City Treasurer may require.

6.8 The Board of Management shall make all of its books and records available at all times to such persons as the City Treasurer may require and shall provide certified true copies of such minutes, documents, books, records or any other writing as the City Treasurer may require.

6.9 (1) Council may require the Board of Management:

(a) to provide information, records, accounts, agendas, notices or any paper or writing; and

(b) to make a report on any matter, as Council determines, relating to the carrying out of the purposes and objects of the Board of Management.

(2) The Board of Management shall:

(a) file with the City Treasurer all such information records, accounts, agendas, notices, paper and all other materials as the City Treasurer may require; and

(b) make such reports within the time specified by the City Treasurer and containing such content as the City Treasurer may require.

6.10 (1) The Board of Management shall from time to time provide the City Treasurer as requested with statements of:

(a) revenues and expenditures;

(b) profit and loss; and

(c) such financial matters or operating expenditures as the City Treasurer may require.

(2) The statements referred to in subsection (1) shall be in such form as the City may require.

6.11 (1) The City is entitled to receive any profits resulting from the operations of the Board of Management and is responsible for any losses incurred by the Board of Management.

(2) Council may determine what constitutes profits for the purpose of subsection (1).

6.12 (1) Upon dissolution of the Board of Management, the assets and liabilities of the Board of Management become the assets and liabilities of the City.

(2) If the liabilities assumed under subsection (1) exceed the assets assumed, the Council may recover the difference by imposing a charge on all rateable property in the former improvement area that is in a prescribed business property class.

7.0 Indemnification & Insurance

7.1 (1) Subject to subsection (2), every director or officer of the Board of Management and his or her heirs, executors, administrators and other legal personal representatives may from time to time be indemnified and saved harmless by the Board of Management from and against,

(a) any liability and all costs, charges and expenses that he or she

sustains or incurs in respect of any action, suit or proceeding that is proposed or commenced against him or her for or in respect of anything done or permitted by him or her in respect of the execution of the duties of his or her office; and

- (b) all other costs, charged and expenses that he or she sustains or incurs in respect to the affairs of the Board of Management.

(2) No director or officer of the Board of Management shall be indemnified by the Board of Management in respect of any liability, costs, charges or expenses that he or she sustains or incurs in or about any action, suit or other proceeding as a result of which he or she is adjudged to be in breach of any duty or responsibility imposed upon him or her under any Act unless, in an action brought against him or her in his or her capacity as director or officer, he or she has achieved complete or substantial success as a defendant.

(3) The Board of Management may purchase and maintain insurance for the benefit of a director or officer thereof, except insurance against a liability, cost, charge or expense of the director or officer incurred as a result of his or her failure to exercise the powers and discharge the duties of his or her office honestly, in good faith and in the best interests of the Board of Management, exercising in connection therewith the degree of care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances.

7.2 The Board of Management shall obtain and maintain at all times insurance coverage in a form acceptable to the City of the types and amounts appropriate for a Board of Management of its size and business type which coverage shall include the City with respect to any loss, claims or demands made against the Board of Management.

8.0 Meetings of Members

8.1 The Board of Management shall call at least one (1) meeting of the Members in each calendar year.

8.2 Notice for all Members' meetings shall be:

- (a) Sent by prepaid mail to each Member not less than 15 days prior to the meeting. Notice shall be mailed to the address last provided by the Member to the Board of Management or, where no address is provided, to the property address of the owner(s) indicated on the last municipal assessment roll; or

- (b) Delivered personally to each Member.

8.3 Notice of a meeting of the Members shall include an agenda.

8.4 Each Member has one vote regardless of the number of properties that the Member may own or lease.

8.5 A Member that is a corporation may nominate in writing one individual to vote on its behalf.

8.6 A majority of the Members constitutes a quorum at any meeting of the Members.

8.7 The Board of Management has the authority to call any special meeting of the Members it deems necessary.

9.0 General

9.1 Council may by by-law dissolve the Board of Management and any property of the

Board of Management remaining after its debts have been paid vests in the City.

- 9.2 This by-law may be referred to as the “Hamilton Road Business Improvement Area Board of Management By-law”.
- 9.3 This by-law comes into force and effect on the day it is passed.

PASSED in Open Council May 22, 2018.

Matt Brown
Mayor

Catherine Saunders
City Clerk

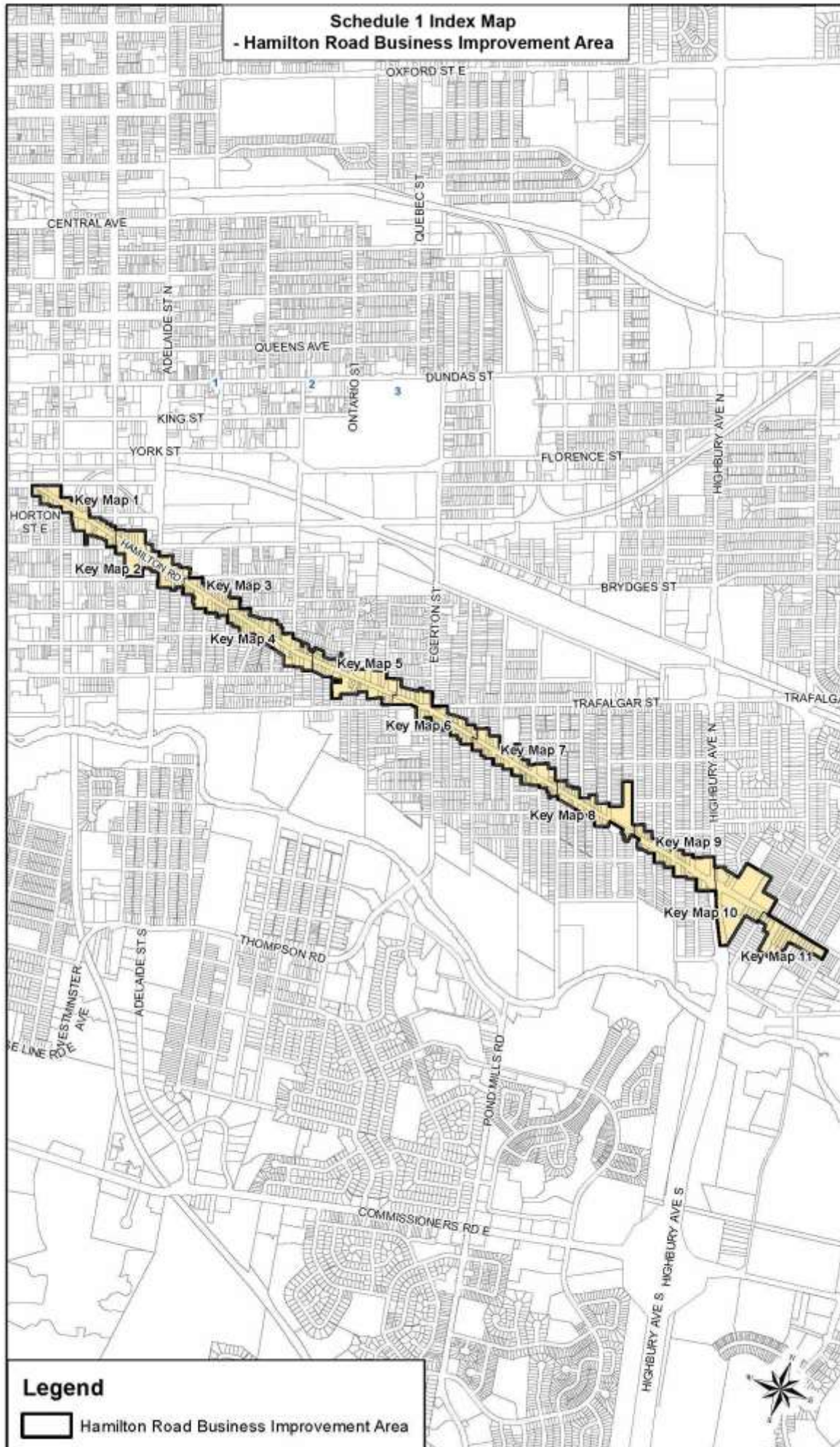
First reading – May 22, 2018
Second reading – May 22, 2018
Third reading – May 22, 2018

Schedule '1'

Hamilton Road Business Improvement Area

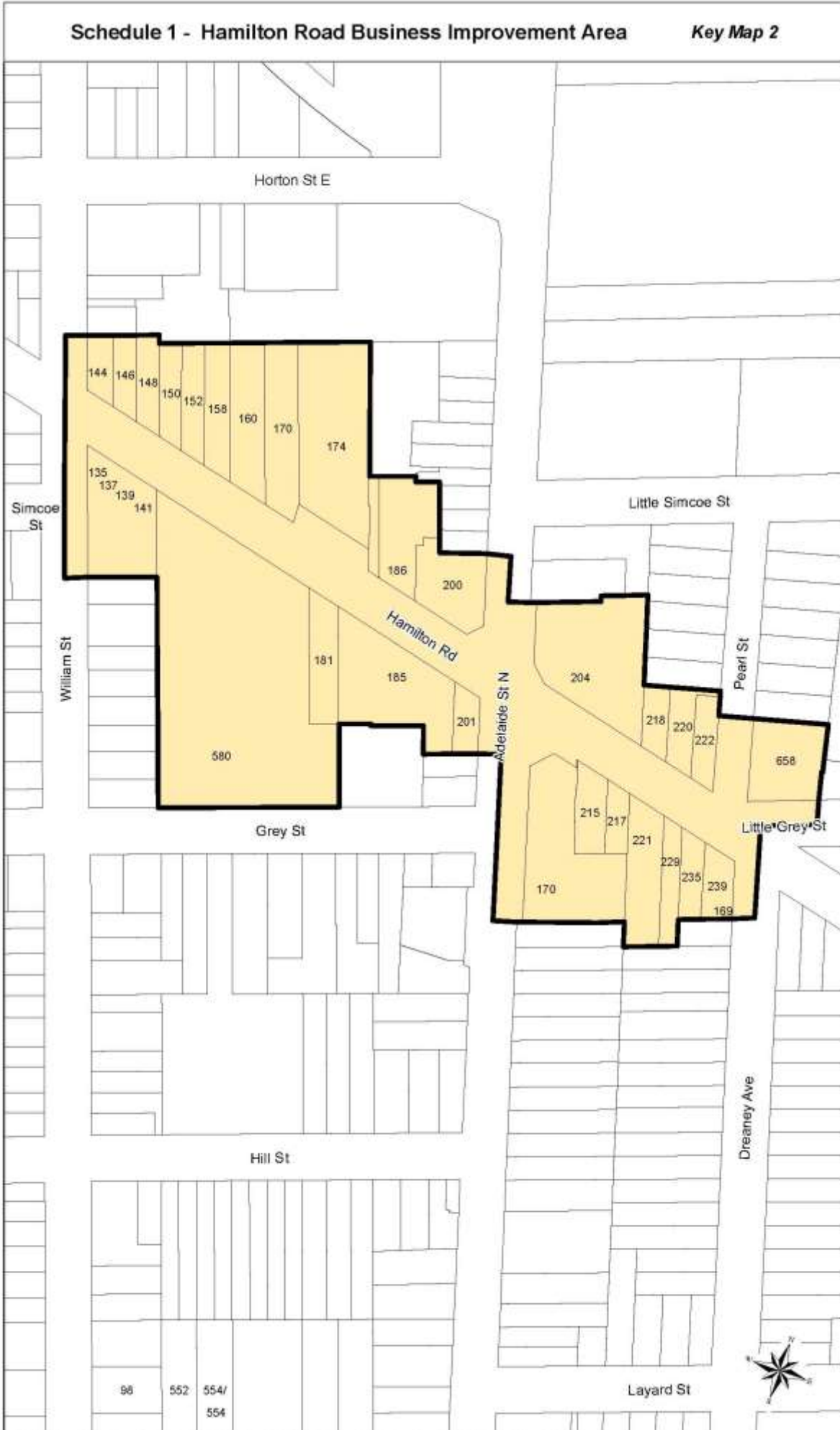
Being described as all of the properties abutting the north and south sides of Hamilton Road, from Burwell Street to Meadowlily Road, known municipally as:

1 to 972, inclusive, 985, 987, 993, 995, 999, 1001, 1003, 1005, 1015, 1017, 1019, 1021, 1023, 1031 Hamilton Road
453 Bathurst Street
245, 265 Maitland Street
485, 495, 504, 506, 508, 511, 513 Horton Street East
215, 219, 221 William Street
580 Grey Street
658 Little Grey Street
170 Adelaide Street North
169 Dreaney Avenue
135 Inkerman Street
96, 109 Rectory Street
22 Pegler Street
209 Egerton Street
10 Elm Street
152 Pine Lawn Avenue





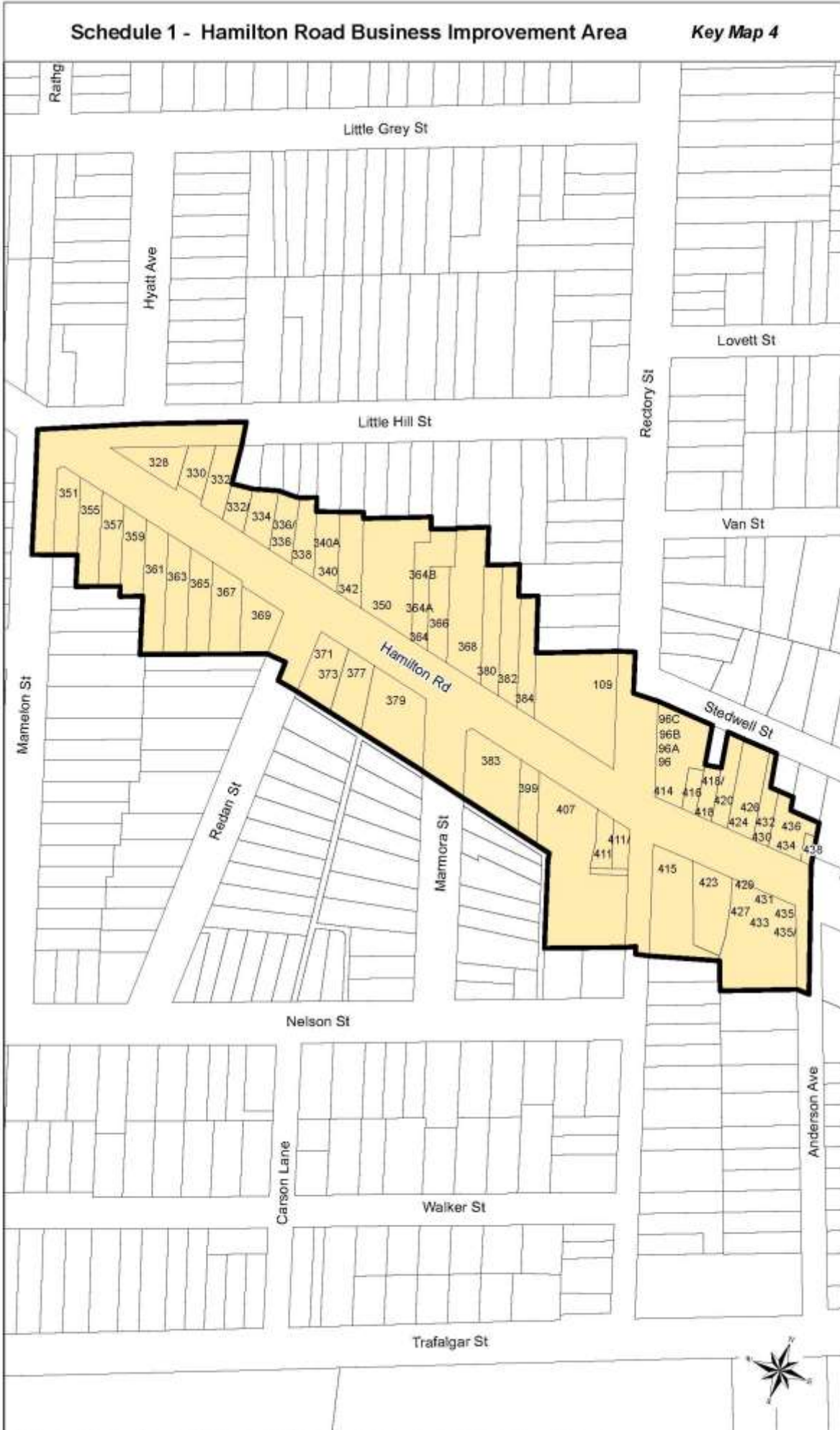
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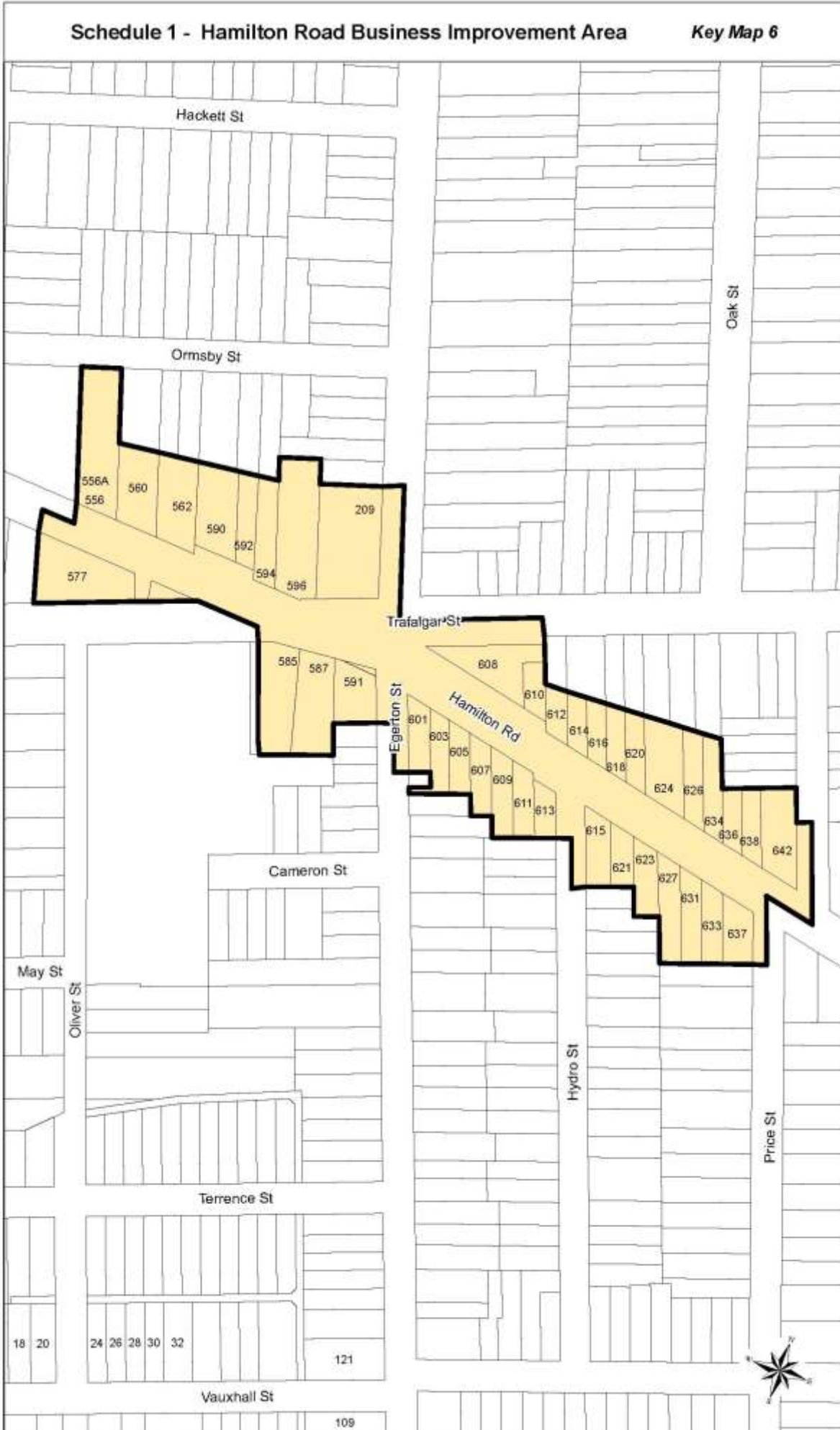
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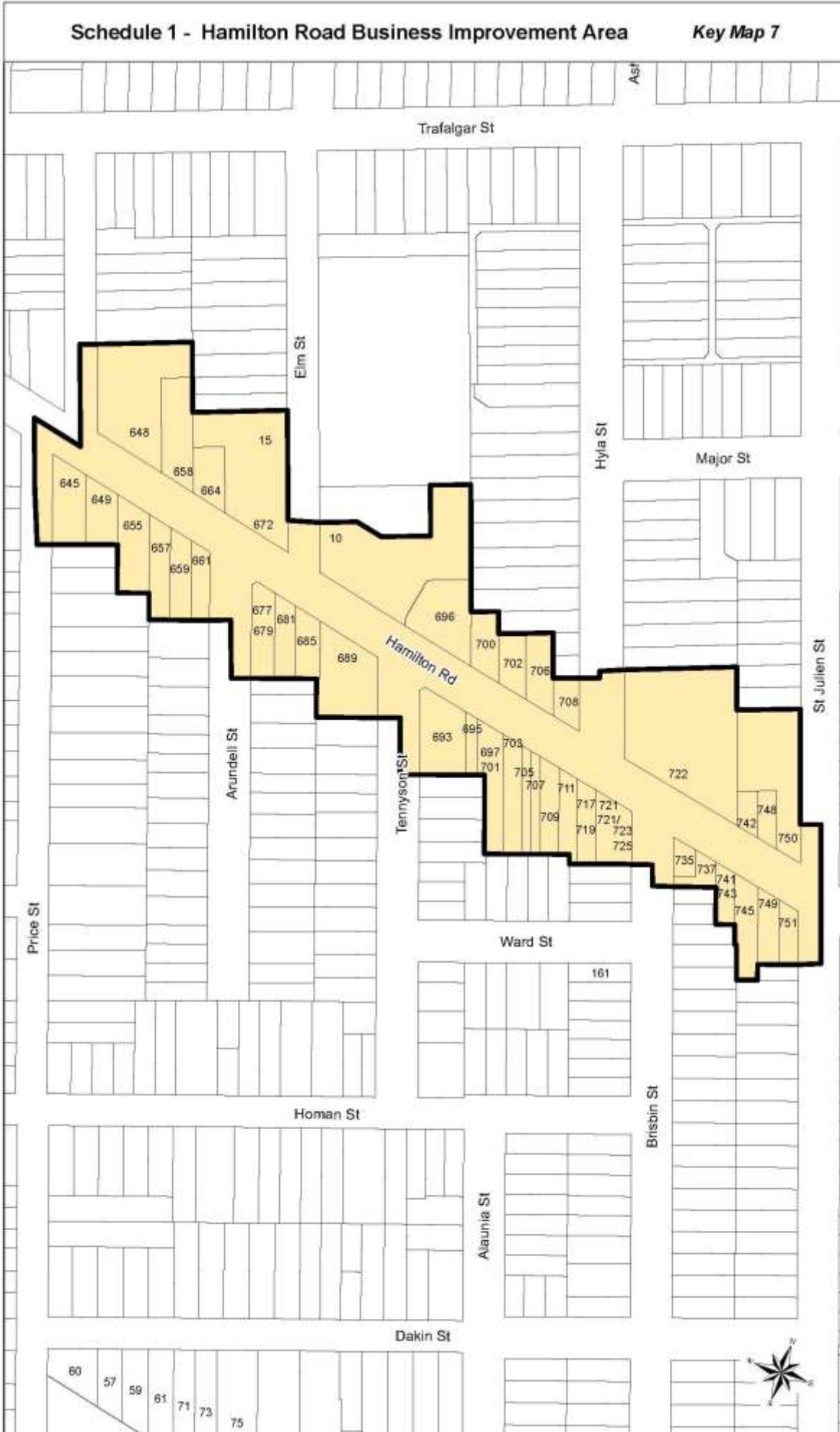
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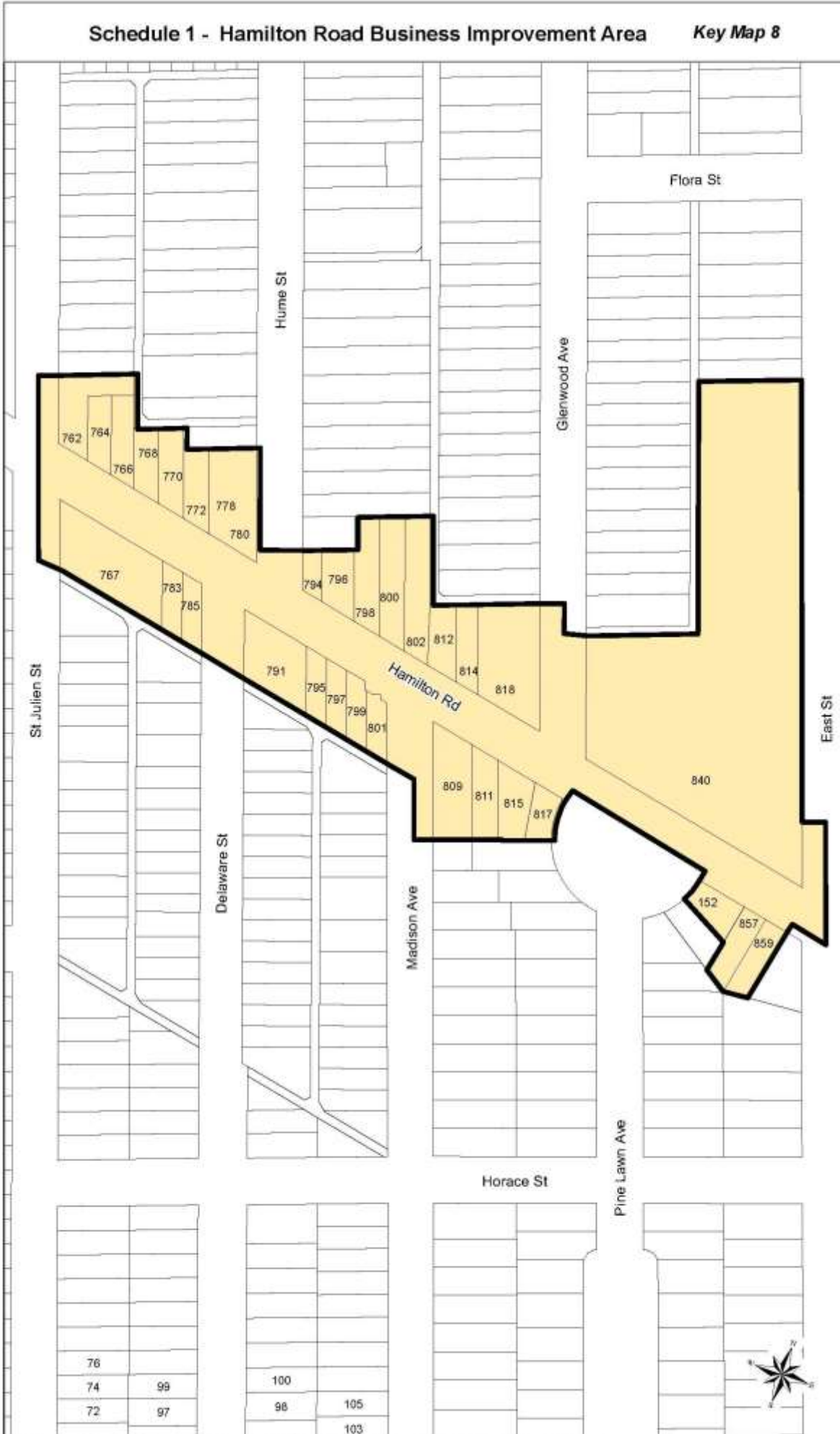
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Schedule 1 - Hamilton Road Business Improvement Area

Key Map 11



Project Location: E:\Planning\Projects\p_BIA\Hamilton Road\ByLawMaps\mxd\HamiltonRoadScheduleA_IndexMap_11_Bx14.mxd

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: John M. Fleming
Managing Director, Planning and City Planner
Subject: Expansion of, and Amendment to, By-law CP-1 – Old East Village Business Improvement Area

Meeting on: May 14, 2018

Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, with the concurrence of the Managing Director, Corporate Services and City Treasurer, the following actions be taken regarding the Old East Village Business Improvement Area request for expansion:

- (a) The proposed by-law, attached hereto as Appendix “A”, being a by-law to amend CP-1 “A by-law to provide for the Improvement Area to be known as The Old East Village Business Improvement Area and to Establish a Board of Management” **BE APPROVED IN PRINCIPLE** to:
- i) expand the area designated as an improvement area;
 - ii) amend the board of management; and,
 - iii) amend by-law wording for consistency with current legislation and other City Business Improvement Area By-laws;
- (b) that Civic Administration **BE DIRECTED** to proceed with issuing notices in accordance with section 210 of the *Municipal Act, 2001* to every person who on the last returned assessment roll is assessed for rateable property that is in a prescribed business property class which is located in the proposed expanded business improvement area; and,
- (c) that Civic Administration **BE DIRECTED** to provide notice of the proposed amendments to the board of management and certain procedures to the Old East Village Business Improvement Area Board of Management in accordance with the City’s Public Notice Policy.

Executive Summary

City staff have worked together with the Old East Village Business Improvement Area representatives to draft the attached amending by-law. The next step in this process is to provide notification in accordance with section 210 of the *Municipal Act, 2001*.

Analysis

1.0 Previous Reports Pertinent to this Matter

Old East Village Business Improvement Area Request for Boundary Expansion – PEC – March 19, 2018

2.0 Background

On March 27, 2018, Municipal Council passed the following resolution:

That, on the recommendation of the Managing Director, Planning and City Planner, the Civic Administration BE DIRECTED to take the necessary steps in 2018 to expand the boundary of the Old East Village Business Improvement Area in response to the communication dated December 19, 2016 from Jennifer Pastorius, Manager, Old East Village Business Improvement Area appended to the staff report dated March 19, 2018.

3.0 Discussion

To expand the boundaries of the Old East Village Business Improvement Area (BIA), Council must pass a by-law in accordance with section 209 of the *Municipal Act, 2001*. Before passing such a by-law, however, Council is required by section 210 of the Act to send a notice to the board of management and to every person who on the last returned assessment roll is assessed for rateable property that is in a prescribed business property class which is located in the existing improvement area and in the geographic area proposed to be added. Every person who receives such a notice from the City is required within 30 days to give a copy of the notice to each tenant of the property who is required to pay all or part of the taxes on the property. Every person who receives a notice from the City is also required to give the City Clerk: (i) a list of every tenant at the property who is required to pay all or part of the taxes on the property; (ii) the share of the taxes that each tenant is required to pay; and (iii) the share that the person who received the notice is required to pay.

Section 210(3) of the *Municipal Act, 2001* specifies that City Council is not permitted to pass the attached by-law to alter the boundaries of a business improvement area if written objections are received by the City Clerk and those objections have been signed by at least one-third of the total number of persons entitled to receive a notice as described in the previous paragraph (e.g. persons who receive the notice and each tenant who is required to pay all or part of the taxes on the property), and those persons are also responsible for at least one-third of the taxes levied for purposes of the general local municipality levy on rateable property in all prescribed business property classes in the existing improvement area or in only the geographic area proposed to be added. Any objections must be received within 60 days of the City mailing the last notices as described above. If objections received do not meet the criteria set out in section 210(3) of the Act, then Council may proceed with passing the attached by-law. The attached by-law, if passed, would maintain the existing corporation in accordance with subsection 204(2) of the Act, with the proposed new boundaries.

Section 205 of the *Municipal Act, 2001* requires that the Board of Management of a business improvement area must annually prepare a budget for submission to City Council for its approval. The Board of Management of a BIA is also required to hold at least one meeting annually of the entire business improvement area membership to discuss the annual budget. The City is then required to raise the amount required for the purposes of the Board of Management by levy upon the ratable property in the improvement area that is in a prescribed business property class.

In addition to expanding the business improvement area boundary, the by-law is being generally updated at this time to be consistent with current legislation as well as amending the number of directors on the Board of Management to consist of 12 directors. The attached by-law has been reviewed by the Old East Village BIA and it is our understanding that the group has no objections to the contents of the attached by-law. The geographic area of the BIA is defined in section 2.1 of the attached draft by-law.

We would like to acknowledge the significant contribution of staff in Finance and Corporate Services, Geomatics, Information Technology Services, Legal Services, and other departments who have participated in the preparation of this report and attachment.

4.0 Conclusion

It is recommended that the attached by-law be approved in principle and City staff be directed to proceed with notification as required under section 210 of the *Municipal Act, 2001*.

Prepared by:	Kerri Killen, MCIP, RPP Senior Planner, Urban Regeneration
Submitted by:	Jim Logan Division Manager, Taxation and Revenue
Concurred by:	Anna Lisa Barbon Managing Director, Corporate Services and City Treasurer, Chief Financial Officer
Recommended by:	John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner

May 1, 2018
KK/kk

Attach.

- c. Lynn Marshall
- Catherine Saunders
- Linda Rowe
- Jim Edmunds
- Michael Tomazincic

Appendix A

Bill No.
2018

By-law No.

A by-law to amend by-law CP-1 “A by-law to provide for the Improvement Area to be known as The Old East Village Business Improvement Area and to Establish a Board of Management Therefor” to expand the area designated as an improvement area; to amend the board of management; and to amend certain procedures for the purpose of managing the Old East Village Business Improvement Area.

WHEREAS subsection 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25 as amended provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS subsection 10(1) of the *Municipal Act, 2001* provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001* provides that a municipality may pass by-laws respecting: in paragraph 1, Governance structure of the municipality and its local boards; paragraph 2, Accountability and transparency of the municipality and its operations and of its local boards and their operations; paragraph 3, Financial Management of the municipality and its local boards; in paragraph 7, Services and things that the municipality is authorized to provide under subsection (1);

AND WHEREAS subsection 204(1) of the *Municipal Act, 2001* provides a local municipality may designate an area as an improvement area and may establish a board of management, (a) to oversee the improvement, beautification and maintenance of municipally-owned land, buildings and structures in the area beyond that provided at the expense of the municipality generally; and
(b) to promote the area as a business or shopping area.

AND WHEREAS subsection 209 of the *Municipal Act, 2001* provides for the municipality to alter the boundaries of an improvement area and the board of management for that improvement area is continued as the board of management for the altered area;

AND WHEREAS subsection 216(1) of the *Municipal Act, 2001* provides for a local municipality to dissolve or change a local board;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The Old East Village Business Improvement Area Board of Management is continued as a body corporate with all of the powers, rights and privileges vested in it except as modified and amended by this By-law.

2. By-law CP-1 being “A by-law to provide for the Improvement Area to be known as the ‘Old East Village Business Improvement Area’ and to establish a Board of Management Therefor”, as amended (“By-law CP-1”) is amended by deleting the recitals and replacing them with the following new recitals:

WHEREAS subsection 5(3) of the Municipal Act, 2001, S.O. 2001, c. 25 as amended provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the Municipal Act, 2001 provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS subsection 10(1) of the Municipal Act, 2001 provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the Municipal Act, 2001 provides that a municipality may pass by-laws respecting: in paragraph 1, Governance structure of the municipality and its local boards; paragraph 2, Accountability and transparency of the municipality and its operations and of its local boards and their operations; paragraph 3, Financial Management of the municipality and its local boards; in paragraph 7, Services and things that the municipality is authorized to provide under subsection (1);

AND WHEREAS subsection 204(1) of the Municipal Act, 2001 provides a local municipality may designate an area as an improvement area and may establish a board of management,

- (a) To oversee the improvement, beautification and maintenance of municipally-owned land, buildings and structures in the area beyond that provided at the expense of the municipality generally; and*
- (b) To promote the area as a business or shopping area;*

AND WHEREAS section 208 of the Municipal Act, 2001 provides that a local municipality shall annually raise the amount required for the purposes of a board of management, including any interest payable by the municipality on money borrowed by it for the purposes of the board of management;

AND WHEREAS subsection 208(2)(a) of the Municipal Act, 2001 provides that a municipality may establish a special charge for the amount to be raised by levy upon rateable property in the improvement area that is in a prescribed business property class;

3. By-law CP-1 is amended by deleting the By-law Index, and by deleting sections 1.1 through 4.4 (including Parts 1 through 4), in their entirety, and replacing them with the following new sections:

1.0 Definitions

1.1 For the purpose of this by-law,

“**Board of Management**” means the corporation established under this by-law under the name The Old East Village Business Improvement Area Board of Management;

“**Old East Village Business Improvement Area**” means the area as described in section 2.1.

“**City**” means The Corporation of the City of London;

“**Council**” means the Council of the City;

“**Member**” means the persons who are assessed, on the last returned assessment roll, with respect to rateable property in the area that is in a prescribed business property class and tenants of such property.

2.0 Designation of the Business Improvement Area

- 2.1 The area comprising those lands in the City of London indicated within the boundary shown on Schedule "A" attached to this by-law and described below, is designated as an Improvement Area to be known as the Old East Village Business Improvement Area: commencing at a point at the intersection of the centerline of Adelaide Street North and westerly projection of the north limit of Marshall Street; thence easterly along the north limit of Marshall Street and its projection to the intersection of centerline of Lyle Street; thence southerly along the centerline of Lyle Street to the intersection of the centerline of King Street; thence easterly along the centerline of King Street to the intersection of the centerline of Hewitt Street; thence northerly along the centerline of Hewitt Street to the intersection of the westerly projection of the northerly limit of the property known municipally as 390 Hewitt Street; thence easterly along the aforesaid projection and along the northerly limit of the property known municipally as 390 Hewitt Street to the north-east angle thereof; thence southerly along the easterly limits of the properties known municipally as 390 to 380 Hewitt Street, inclusive, to the south-easterly angle of 390 Hewitt Street; thence easterly along the southerly limit of the property known municipally as 763 Dundas Street to the south-easterly angle thereof; thence northerly along the easterly limit of the property known municipally as 763 Dundas Street to the north-westerly angle of the property known municipally as 425 Rectory Street; thence easterly along the northerly limit of the property known municipally as 425 Rectory Street to the west limit of Rectory Street; thence south-easterly in a straight line across Rectory Street to the south-west angle of the public lane mid-way between King and Dundas Streets; thence easterly along the southerly limit of the aforesaid public lane to the north-easterly angle of the property known municipally as 826 King Street; thence southerly along the easterly limit of the property known municipally as 826 King Street and its projection to the centreline of King Street; thence westerly along the centerline of King Street to the intersection of the centerline of Rectory Street; thence southerly along the centerline of Rectory Street to the intersection of centerline of Florence and York Streets; thence south-easterly and easterly along the centerline of Florence Street to the intersection of the northerly projection of the westerly limit of the property known municipally as 845 Florence Street; thence southerly along the aforesaid projection and along the westerly limit of the property known municipally as 845 Florence Street to the northerly limit of the CNR right-of-way; thence south-easterly and easterly along the northerly limit of the CNR right-of-way and its projection to the intersection of the centreline of Egerton Street; thence northerly along the centerline of Egerton Street to the intersection of the centerline of Dundas Street; thence easterly along the centerline of Dundas Street to the intersection of the centerline of Charlotte Street; thence northerly along the centerline of Charlotte Street to the intersection of the easterly projection of the southerly limit of the property known municipally as 431 Charlotte Street; thence westerly along the aforesaid projection and along the southerly limit of the property known municipally as 431 Charlotte Street to the south-westerly angle thereof; thence southerly along the easterly limits of the properties known municipally as 432 and 430 Woodman Avenue to the south-easterly angle of 430 Woodman Avenue; thence westerly along the southerly limit of the property known municipally as 430 Woodman Avenue to the east limit of Woodman Avenue; thence westerly in a straight line across Woodman Avenue to the north-east angle of the property known municipally as 996 Dundas Street; thence westerly following along the northerly limits of the properties known municipally as 996 to 972 Dundas Street, inclusive, to the easterly limit of Quebec Street; thence westerly in a straight line across Quebec Street to the north-east angle of the property known municipally as 956 Dundas Street; thence westerly along the northerly limits of the properties known municipally as 956 to 920 Dundas Street, inclusive, to the north-east angle of the property known municipally as 900B Dundas Street; thence southerly along the easterly limit of the property known municipally as 900B Dundas Street to the south-easterly angle thereof; thence westerly along the southerly limit of the property known municipally as 900B Dundas Street and its westerly projection to the north-east angle of the property known municipally as 424 Ontario Street; thence southerly along the easterly limit of the property known municipally as 424 Ontario Street to the south-east angle thereof; thence westerly along the southerly limit of the property known municipally as 424 Ontario Street to the easterly limit of Ontario Street; thence westerly in a straight line across Ontario Street to the south-east angle the property known municipally as 423 Ontario Street; thence westerly along the southerly limit of the property known municipally as 423 Ontario

Street to the south-west angle thereof; thence northerly along the easterly limit of the property known municipally as 858 Dundas Street to the north-east angle thereof; thence westerly and following along the northerly limits of the properties known municipally as 858 to 754 Dundas Street, inclusive, to the easterly limit of English Street; thence south-westerly in a straight line across English Street to the south-east angle of the property known municipally as 423 English Street; thence northerly along the westerly limit of English Street to the south-easterly angle of the property known municipally as 431 English Street; thence westerly along the southerly limit of the property known municipally as 431 English Street to the south-west angle thereof; thence northerly along the westerly limit of the properties known municipally as 431 and 435 English Street to the south-east angle of the property known municipally as 729 Queens Avenue; thence westerly and following along the southerly limits of the properties known municipally as 729 to 693 Queens Avenue, inclusive, to the south-westerly angle of 693 Queens Avenue; thence southerly along the easterly limit of the property known municipally as 436 Elizabeth Street to the south-east angle thereof; thence westerly along the southerly limit of the property known municipally as 436 Elizabeth Street to the east limit of Elizabeth Street; thence westerly in a straight line across Elizabeth Street to the south-east angle of the property known municipally as 437 Elizabeth Street; thence westerly along the southerly limit of the property known municipally as 437 Elizabeth Street to the south-westerly angle thereof; thence southerly along the easterly limit of the property known municipally as 655 Queens Avenue to the south-easterly angle thereof; thence westerly and following along the southerly limits of the properties known municipally as 655 to 647 Queens Avenue, inclusive, to the south-westerly angle of 647 Queens Avenue; thence northerly along the westerly limit of the property known municipally as 647 Queens Avenue to the southerly limit of Queens Avenue; thence westerly along the southerly limit of Queens Avenue and its projection to the centerline of Adelaide Street North; thence southerly along the centerline of Adelaide Street North to the intersection of the easterly projection of the northerly limit of the property known municipally as 604 and 606 Dundas Street; thence westerly along the northerly limit of the property known municipally as 604 and 606 Dundas Street to the north-west angle thereof; thence southerly along the westerly limit of the property known municipally as 604 and 606 Dundas Street and its projection to the intersection of the centerline of Dundas Street; thence easterly along the centerline of Dundas Street to the centerline of Adelaide Street North; thence southerly along the centerline of Adelaide Street North to the point of commencement.

3.0 Board of Management Established

- 3.1 A Board of Management is established under the name The Old East Village Business Improvement Area Board of Management.
- 3.2 The Board of Management is a corporation.
- 3.3 The Board of Management is a local board of the City for all purposes.
- 3.4 The objects of the Board of Management are:
 - (a) to oversee the improvement, beautification and maintenance of municipally-owned land, buildings and structures in the area beyond that provided at the expense of the municipality generally; and
 - (b) to promote the area as a business or shopping area.
- 3.5 The Board of Management is not authorized to:
 - (a) acquire or hold an interest in real property; or
 - (b) to incur obligations or spend money except in accordance with section 6.
- 3.6 The head office for the Board of Management shall be located in the City of London.

4.0 Board Composition

- 4.1 The Board of Management shall consist of twelve (12) directors as follows:

- (a) at least one director appointed by Council; and
 - (b) the remaining directors selected by a vote of the Members and then appointed by Council.
- 4.2 Council may refuse to appoint a Member selected under section 4.1(b) in which case Council may:
- (a) leave the position vacant; or
 - (b) direct that a meeting of the Members be held to select another candidate for Council's consideration.
- 4.3 Directors shall serve for a term that is the same as the term of the Council that appoints them or until their successors are appointed.
- 4.4 The seat of a director becomes vacant if a director is absent from the meeting(s) of the Board of Management for three consecutive meetings without being authorized to do so by a resolution of Council.
- 4.5 If the seat of a director becomes vacant for any reason, the Council may fill the vacancy for the remainder of the vacant director's term.
- 4.6 A director may be reappointed to the Board of Management.
- 4.7 Council may, by a resolution passed by a majority of its members, remove a director at any time.
- 4.8 Directors shall serve without remuneration.
- 5.0 Board Procedures**
- 5.1 Council may pass by-laws governing the Board of Management and the affairs of the Board of Management and the Board of Management shall comply with such by-laws.
- 5.2 By-laws passed by the Board of Management must not conflict with City by-laws passed under section 5.1.
- 5.3 The Board of Management shall pass by-laws governing its proceedings, the calling and conduct of meetings, and the keeping of its minutes, records and decisions consistent with any requirements set out in a by-law of the City.
- 5.4 A majority of the directors constitutes a quorum at any meeting of the Board of Management.
- 5.5 Despite any vacancy among the directors, a quorum of directors may exercise the powers of the Board of Management.
- 5.6 A director has only one vote.
- 5.7 The meetings of the Board of Management and the meetings of the Members shall be open to the public and only those persons that the Board of Management considers to have engaged in improper conduct at a meeting may be excluded from the meeting.
- 5.8 The Board of Management may close a meeting, or a part of the meeting to the public only in accordance with section 239 of the *Municipal Act, 2001*.
- 5.9 (1) The Board of Management shall hold at least ten (10) meetings during each fiscal year and the interval between one meeting and the next shall not exceed sixty (60) days.
- (2) A majority of directors may requisition a special meeting of the Board of Management by serving a copy of the requisition on the chair or vice-chair of the Board of Management.

- (3) The chair of the Board of Management may call a special meeting of the Board of Management at any time whether or not he or she has received a requisition under subsection (2).
- 5.10 (1) The Board of Management shall elect from its directors a chair and vice-chair.
- (2) The chair and vice-chair are eligible for re-election.
- 5.11 (1) The Board of Management shall appoint a secretary who shall:
- (a) give notice of the meetings of the Board of Management;
- (b) keep all minutes of meetings and proceedings of the Board of Management;
- (c) record without note or comment all resolutions, decisions and other proceedings at a meeting of the Board of Management whether it is closed to the public or not; and
- (d) perform such duties, in addition to those set out in clauses (a), (b) and (c) as the Board of Management may from time to time direct.
- 5.12 (1) The Board of Management may appoint such committees as it determines necessary to conduct the business of the Board of Management.
- (2) Each committee appointed shall be composed of not fewer than three (3) directors of the Board of Management and shall perform such duties and undertake such responsibilities as the Board of Management specifies and shall report only to the Board of Management.
- (3) Any director may be the chair or vice-chair of a committee.
- 5.13 The *Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50* applies to the directors and Members.
- 5.14 Council may designate an appointed official of the City who shall have the right to attend meetings of the Board of Management and its committees and to participate in their deliberations but is not entitled to vote, be the chair or vice-chair or act as the presiding officer at a meeting.
- 5.15 The Board of Management shall comply with all applicable provisions of the *Municipal Act, 2001* including, but not limited to, those relating to business improvement areas, meetings, records, remuneration and expenses, the development of policies and procedures and financial administration.
- 6.0 Financial**
- 6.1 (1) The Board of Management shall prepare and submit to the Council annually a budget of its estimated revenues and expenditures by the date and in such form and detail as required by the City Treasurer.
- (2) The Board of Management shall hold a meeting of the Members for discussion of the budget.
- (3) Prior to submitting the budget to the Council, the Board of Management shall hold a meeting of the Members for discussion of the budget.
- (4) Council may approve the budget in whole or in part and may make such changes to it as Council considers appropriate, but Council may not add expenditures to it.
- 6.2 The Board of Management shall not:
- (a) spend any money unless it is included in the budget approved by the Council or in a reserve fund established by the Council under section 417 of the *Municipal Act, 2001*;

- (b) incur any indebtedness extending beyond the current year without the prior approval of the Council; or
 - (c) borrow money.
- 6.3 The fiscal year of the Board of Management is the same as the fiscal year of the City.
- 6.4 The accounts and transactions of the Board of Management shall be audited annually by the auditor of the City.
- 6.5 The Board of Management shall prepare and submit to Council, not later than March 31st each year an annual report for the preceding year which shall include the audited financial statements.
- 6.6 The Board of Management shall provide the City Treasurer with such financial information as the City Treasurer may require.
- 6.7 (1) The Board of Management shall keep proper books of account and accounting records with respect to all financial and other transactions of the Board of Management, including, and without limiting the generality of the foregoing:
 - (a) records of all sums of money received from any source whatsoever and disbursed in any manner whatsoever; and
 - (b) records of all matters with respect to which receipts and disbursements take place in consequence of the maintenance, operation and management of the Board of Management.(2) The Board of Management shall keep or cause to be kept and maintained all such books of accounts and accounting records as the City Treasurer may require.
- 6.8 The Board of Management shall make all of its books and records available at all times to such persons as the City Treasurer may require and shall provide certified true copies of such minutes, documents, books, records or any other writing as the City Treasurer may require.
- 6.9 (1) Council may require the Board of Management:
 - (a) to provide information, records, accounts, agendas, notices or any paper or writing; and
 - (b) to make a report on any matter, as Council determines, relating to the carrying out of the purposes and objects of the Board of Management.(2) The Board of Management shall:
 - (a) file with the City Treasurer all such information records, accounts, agendas, notices, paper and all other materials as the City Treasurer may require; and
 - (b) make such reports within the time specified by the City Treasurer and containing such content as the City Treasurer may require.
- 6.10 (1) The Board of Management shall from time to time provide the City Treasurer as requested with statements of:
 - (a) revenues and expenditures;
 - (b) profit and loss; and
 - (c) such financial matters or operating expenditures as the City Treasurer may require.(2) The statements referred to in subsection (1) shall be in such form as the City may require.

6.11 (1) The City is entitled to receive any profits resulting from the operations of the Board of Management and is responsible for any losses incurred by the Board of Management.

(2) Council may determine what constitutes profits for the purpose of subsection (1).

6.12 (1) Upon dissolution of the Board of Management, the assets and liabilities of the Board of Management become the assets and liabilities of the City.

(2) If the liabilities assumed under subsection (1) exceed the assets assumed, the Council may recover the difference by imposing a charge on all rateable property in the former improvement area that is in a prescribed business property class.

7.0 Indemnification & Insurance

7.1 (1) Subject to subsection (2), every director or officer of the Board of Management and his or her heirs, executors, administrators and other legal personal representatives may from time to time be indemnified and saved harmless by the Board of Management from and against,

(a) any liability and all costs, charges and expenses that he or she sustains or incurs in respect of any action, suit or proceeding that is proposed or commenced against him or her for or in respect of anything done or permitted by him or her in respect of the execution of the duties of his or her office; and

(b) all other costs, charges and expenses that he or she sustains or incurs in respect to the affairs of the Board of Management.

(2) No director or officer of the Board of Management shall be indemnified by the Board of Management in respect of any liability, costs, charges or expenses that he or she sustains or incurs in or about any action, suit or other proceeding as a result of which he or she is adjudged to be in breach of any duty or responsibility imposed upon him or her under any Act unless, in an action brought against him or her in his or her capacity as director or officer, he or she has achieved complete or substantial success as a defendant.

(3) The Board of Management may purchase and maintain insurance for the benefit of a director or officer thereof, except insurance against a liability, cost, charge or expense of the director or officer incurred as a result of his or her failure to exercise the powers and discharge the duties of his or her office honestly, in good faith and in the best interests of the Board of Management, exercising in connection therewith the degree of care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances.

7.2 The Board of Management shall obtain and maintain at all times insurance coverage in a form acceptable to the City of the types and amounts appropriate for a Board of Management of its size and business type which coverage shall include the City with respect to any loss, claims or demands made against the Board of Management.

8.0 Meetings of Members

8.1 The Board of Management shall call at least one (1) meeting of the Members in each calendar year.

8.2 Notice for all Members' meetings shall be:

(a) Sent by prepaid mail to each Member not less than 15 days prior to the meeting. Notice shall be mailed to the address last provided by the Member to the Board of Management or, where no address is provided, to the property address of the owner(s) indicated on the last municipal assessment roll; or

(b) Delivered personally to each Member.

- 8.3 Notice of a meeting of the Members shall include an agenda.
- 8.4 Each Member has one vote regardless of the number of properties that the Member may own or lease.
- 8.5 A Member that is a corporation may nominate in writing one individual to vote on its behalf.
- 8.6 A majority of the Members constitutes a quorum at any meeting of the Members.
- 8.7 The Board of Management has the authority to call any special meeting of the Members it deems necessary.

9.0 General

- 9.1 Council may by by-law dissolve the Board of Management and any property of the Board of Management remaining after its debts have been paid vests in the City.
 - 9.2 This by-law may be referred to as the “Old East Village Business Improvement Area By-law”.
4. Part 5 of By-law CP-1 is amended by deleting the heading and replacing it with “10.0 Repeal – Enactment” and by renumbering section 5.1 to “10.1”.
5. By-law CP-1 is amended by deleting Schedule ‘A’ in its entirety and replacing it with Schedule A attached to this By-law.
6. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council

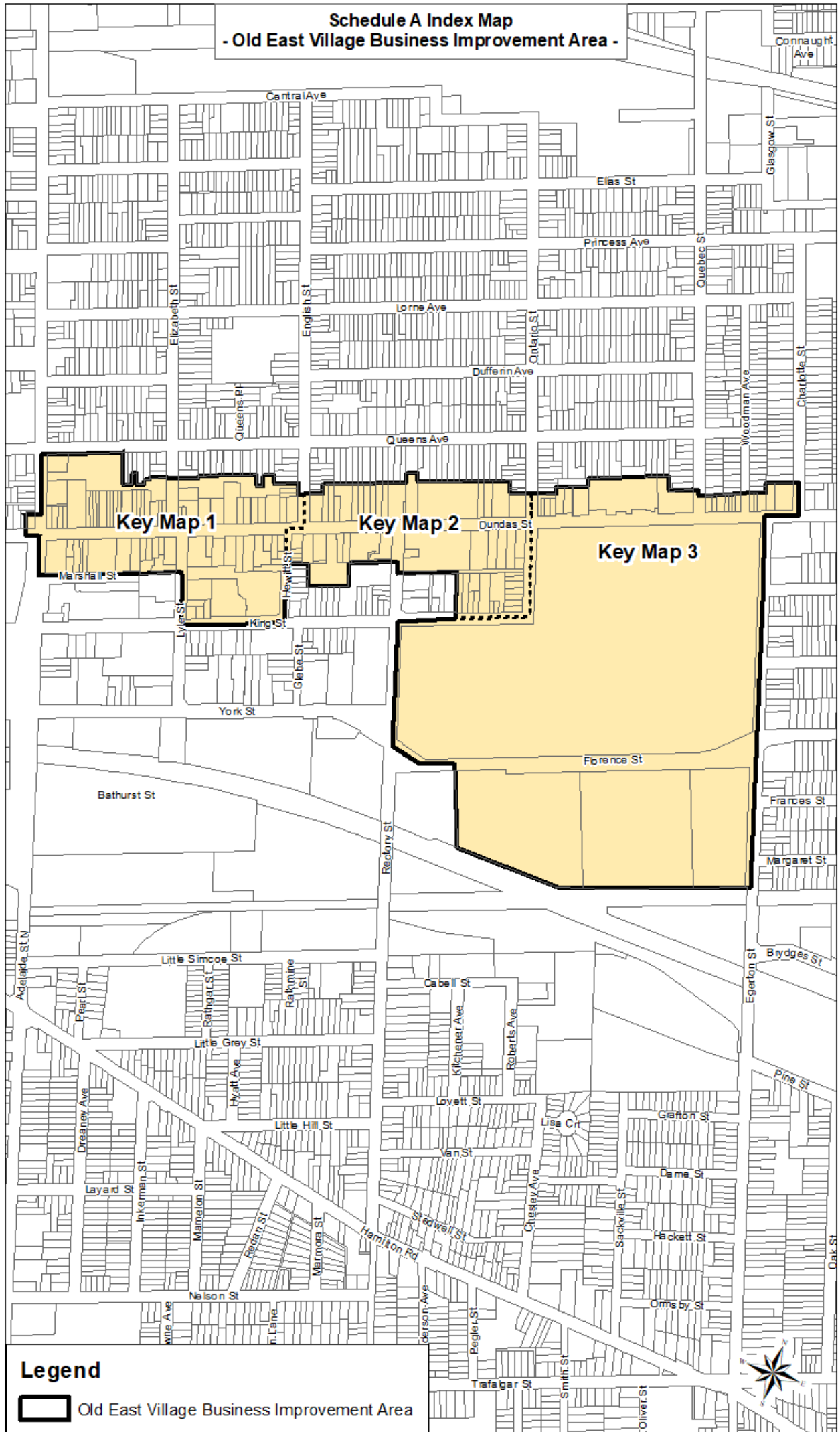
May 22, 2018.

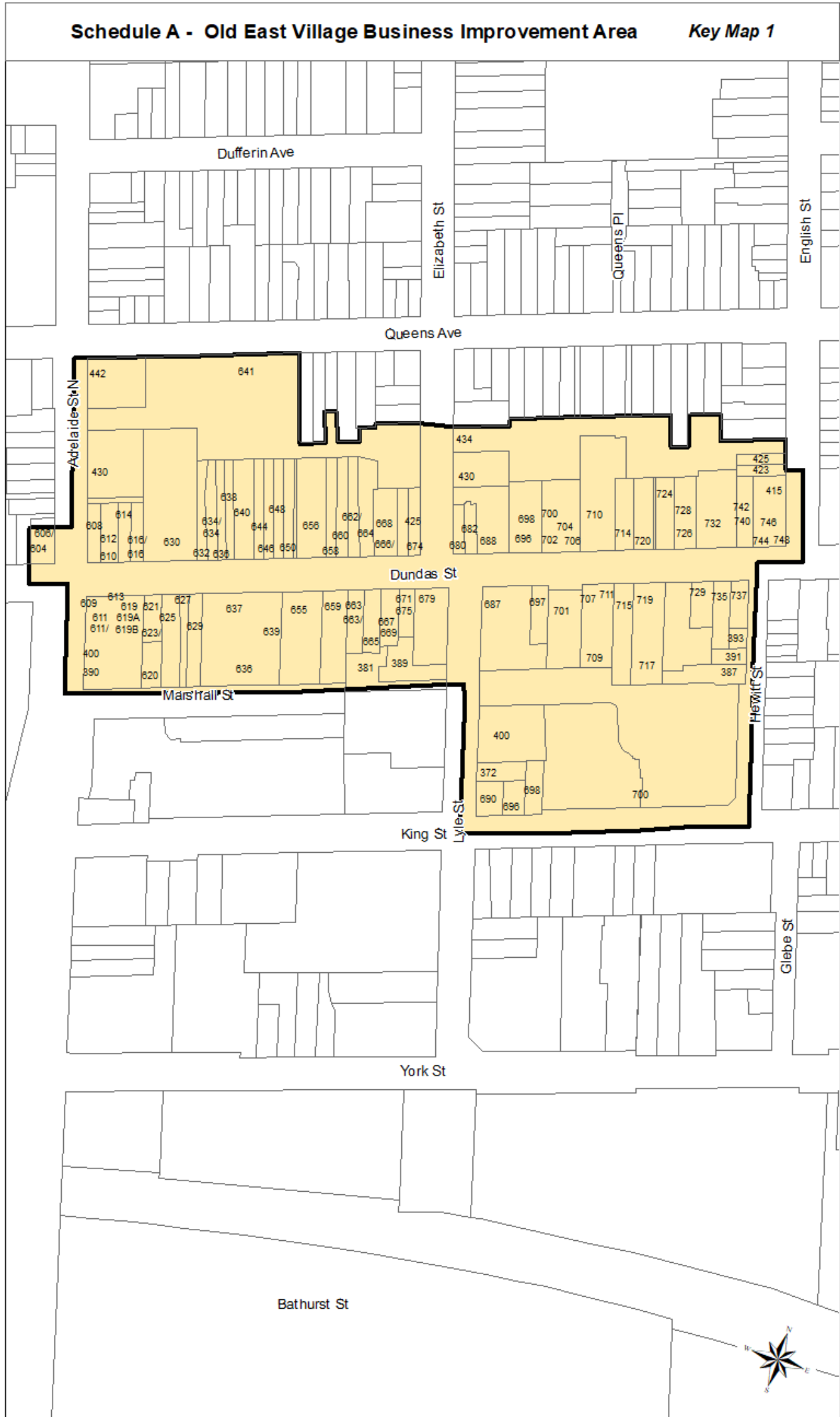
Matt Brown
Mayor

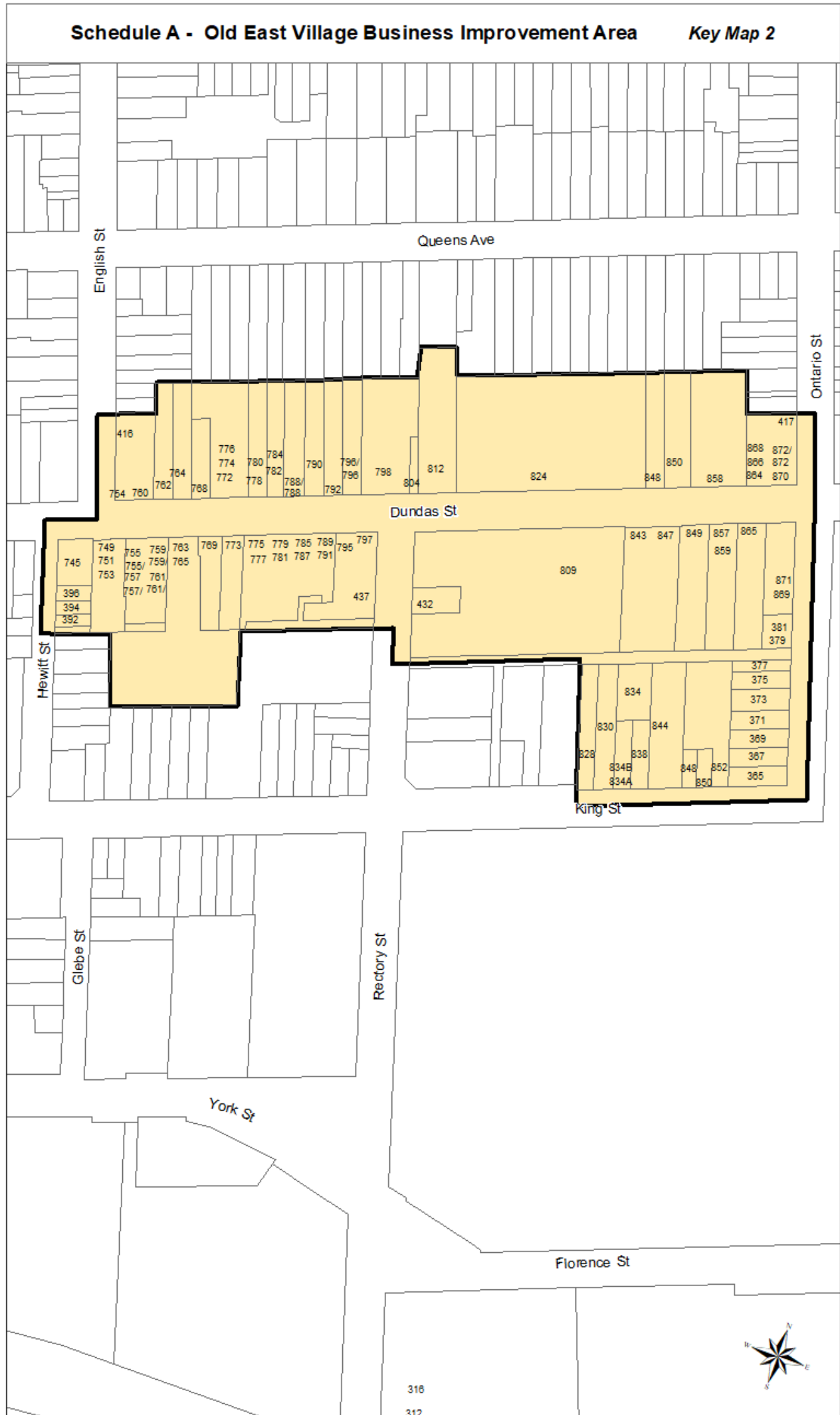
Catherine Saunders
City Clerk

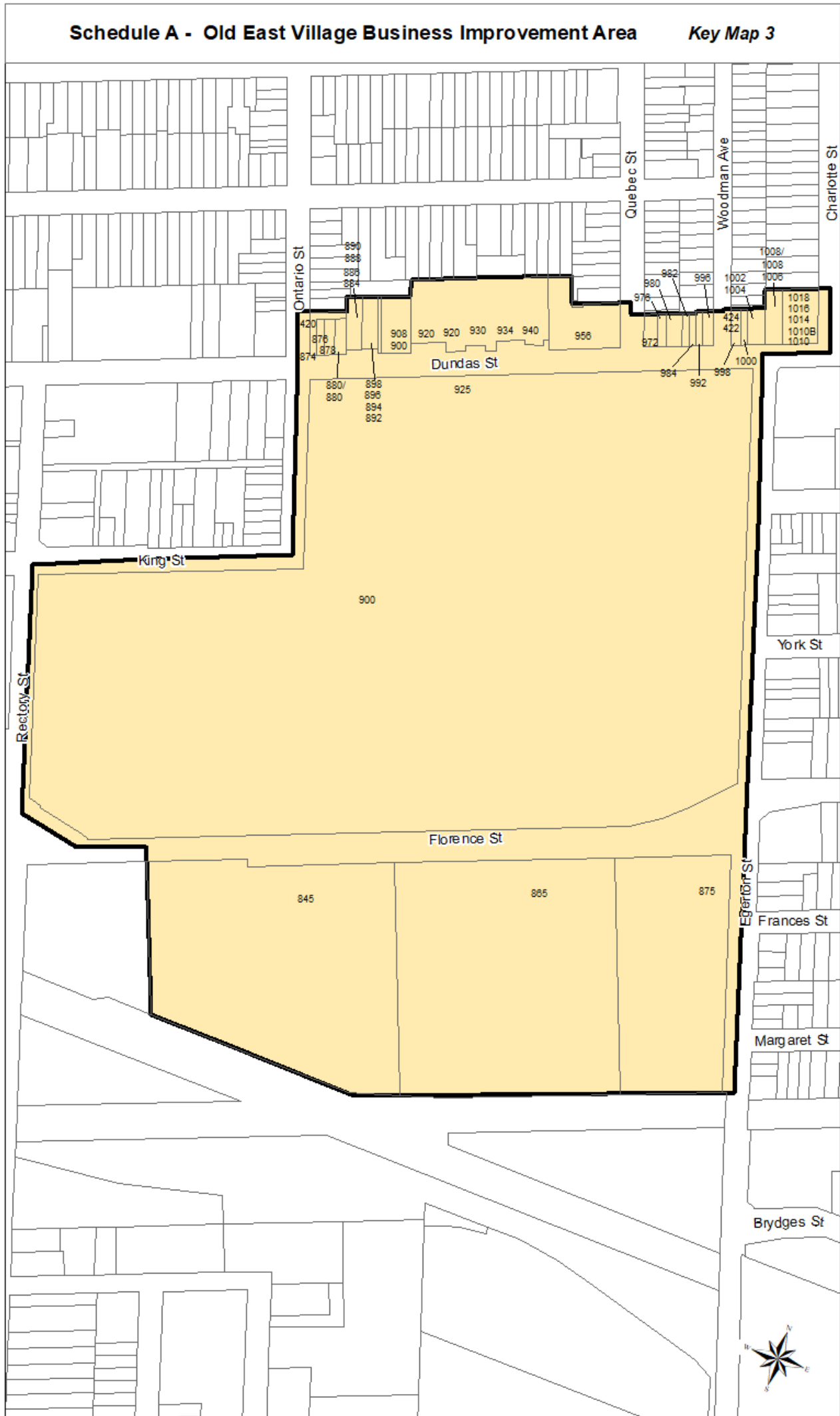
First reading – May 22, 2018
Second reading – May 22, 2018
Third reading – May 22, 2018

Schedule A – Old East Village Business Improvement Area









DEVELOPRO LAND SERVICES INC

April 20, 2018

The City of London
300 Dufferin Avenue
London, ON
N6A 4L9

ATTENTION: Ms. Heather Lysynski, City Clerks Office

VIA EMAIL ONLY

Dear Ms. Lysynski

Re: Riverbend Meadows Phase 3, 33M-654, UWRF Claim

This letter is to formally request delegation status at the next possible Planning and Environment Committee (PEC) meeting to discuss a claim made by Pemic Land Corp to the UWRF.

This subdivision required a sidewalk to be installed in front of eight existing homes, and was to be claimable to the UWRF. A preliminary estimate was prepared by our consulting engineer (AECOM). This estimate was used to formulate the subdivision agreement which stipulated the maximum UWRF claim to be \$25,600, excluding HST.

When it came time to construct the sidewalk, we were informed by Development Services that the sidewalk running through a stamped concrete driveway located at 1520 Logans Trail could not be installed by simply sawcutting the driveway and pouring a sidewalk to match the existing grade because the cross fall measured on the existing driveway slightly exceeded 4%.

This required the entire driveway to be removed, as it is impossible to match the existing concrete colour. This was a significant extra cost that was never contemplated during the original estimate. Development Services has denied the claim to recover the extra costs, which amounted to approximately \$16,000.

At the same time as I was told our UWRF claim would be rejected, I noted that sidewalk installed by the City of London at the south west corner of Bradley Avenue and Ernest Avenue did not meet this same standard. When I raised this issue with Development Services, my comments were dismissed, and was told this issue was "closed".

I respectfully request that PEC grant delegation status for myself to address this issue, as I believe it has been an unfair consideration of this extra expense.

DEVELOPRO
LAND SERVICES INC

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Linton', written in a cursive style.

Craig Linton
Developro Land Services Inc.



AECOM
410 – 250 York Street, Citi Plaza
London, ON, Canada N6A 6K2
www.aecom.com

519 673 0510 tel
519 673 5975 fax

August 11, 2016

Mr. Matt Feldberg, C.E.T.
Manager, Development Finance
The Corporation of the City of London
Finance and Corporate Services/Development Finance
300 Dufferin Ave.
London, ON N6A 4L9

Dear Mr. Feldberg:

Project No: 60263364

**Regarding: Riverbend Meadows Subdivision Phase 3 (33M-654)
Pemic Land Corp.
UWRF Claim Submission – External Sidewalks**

On behalf of our client:

Pemic Land Corp.
100 Wellington Road South, Suite 301
London, ON
N6B 2K6
GST Number: 87775 1107 RT0001

this letter and attached supporting documentation is a request for claim to the Community Services Reserve Fund (CSRF) for the below-noted approved claimable items associated with the Riverbend Meadows Subdivision Phase 3 (33M-654) development project. A claim in the amount of **\$47,827.09** (including engineering and HST) is being submitted for the works completed on this project.

The work was completed as part of the Riverbend Meadows Subdivision Phase 3 development located in the Riverbend community in northwest London. In accordance with the approved subdivision agreement, the following items have been identified as claimable to the CSRF:

28 b) for the cost of construction of a sidewalk on the proposed Logans Trail and Logans Way to Logans Run in Plan 33M-549. The claim will be limited to this maximum amount of \$25,600 excluding applicable taxes.

In accordance with the Subdivision Agreement and approved engineering drawings, the required sidewalk was installed. In addition, due to the existing conditions of an existing stamped concrete driveway, and the City not accepting of a sidewalk with a 5% crossfall, the driveway at Mun. No. 1520 Logans Trail had to be removed and replaced. As such, added costs were incurred and are submitted for acceptance as claimable.

In accordance with the attached Claimable Works Checklist, all required supporting documentation has been provided.

Please note that the paid AECOM invoices related to the claimable items have not been attached. The above-noted claimable items relate to the installation of sidewalks and driveway, therefore detailed design and construction administration was limited. As such, we are recommending using a calculation of 4% for engineering fees in lieu of a typical 15% calculation. AECOM did not prepare individual invoices to the client related specifically to the claimable works, therefore it would be extremely difficult to properly identify the hours expended on the completed work. AECOM can confirm that all invoices related to the claimable items have been paid in a timely manner.

We trust the above and attached is sufficient for review and approvals as soon as possible. Should you have any questions or require any additional information, please do not hesitate to contact the undersigned.

Sincerely,
AECOM Canada Ltd.



Peter McAllister, P.Eng., P.M.P.
Senior Project Manager
Peter.McAllister@aecom.com

PAM:jd
Encl.

cc. C. Linton, Pemic Land Corp.