

Bill No. 63
2018

By-law No. CPOL._____

A by-law to establish a new Council policy entitled "Siting of Safe Consumption Facilities and Temporary Overdose Prevention Sites in London".

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C. 25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to establish a new Council policy entitled "Siting of Safe Consumption Facilities and Temporary Overdoses Prevention Sites in London";

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

1. The policy entitled "Site of Safe Consumption Facilities and Temporary Overdoes Prevention Sites in London", attached hereto as "Schedule A" is hereby adopted.
2. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on January 30, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – January 30, 2018
Second Reading – January 30, 2018
Third Reading – January 30, 2018

“Schedule A”

Siting of Supervised Consumption Facilities (SCF) and Temporary Overdose Prevention Sites (TOPS)

A. Siting of Supervised Consumption Facilities

It is a policy of the City of London to ask that any proponent of a supervised consumption facility (SCF) implement the following location, design and engagement measures through the process of siting their facility:

1. Location Criteria to Benefit Those Who Use Such Facilities

For the benefit of those who use supervised consumption facilities, they should be sited in a location that is:

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

2. Location Criteria to Avoid Land Use Conflicts

In addition to those criteria listed in Part 1, above, to avoid land use conflicts, supervised consumption facilities should be sited in a location that is:

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

3. Site Design Criteria

In addition to those location criteria listed in Part 1 and Part 2 of this policy, supervised consumption facilities should be designed to:

- Incorporate Crime Prevention Through Environmental Design (CPTED) principles
- Meet municipal bylaws and provincial regulations for accessibility
- Orient building entrances to allow for reasonably discrete entry and exit
- Ensure that building waiting areas and vestibules are adequately sized to avoid line-ups or waiting outside of the building
- Allow for easy visual surveillance of the facility and its surrounding site from the street
- Avoid opportunities for loitering, such as the installation of seating areas or landscape features that can be used for seating.

4. Engagement Measures

Consultation processes required by the Federal and Provincial governments must be met. In addition, proponents of supervised consumption facilities 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 procedures planned 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.

B. Siting of Temporary Overdose Prevention Sites (TOPS)

It is recognized, through this policy, that temporary overdose prevention sites are intended to address a public health emergency. In addition, they are intended to be temporary in nature. Accordingly, it is understood that all of the siting and design criteria identified in Part A, above, may not be achievable. However, any proponent of a temporary overdose prevention site should ensure that the majority of these location and design criteria are met and that the facility is not located within the interior of a residential neighbourhood or near a public elementary or secondary school.

The engagement measures identified for supervised consumption facilities in Part A, above, should be implemented for temporary overdose prevention sites, but may occur after the facility has been established.

The Province has indicated that, to address a public health emergency, temporary overdose prevention sites may be approved by the Ministry of Health and Long Term Care on a time limited basis (3 to 6 months) with the possibility of extension. To recognize this temporary status, Council requests that applications to the Province for extensions of temporary overdose prevention sites not be approved if they result in such uses existing for more than two years. Rather, the need for such services should be addressed through a supervised consumption facility.

C. Definitions

“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 facilities, these facilities are to be temporary in nature, existing for two years or less.