

**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 2016 JAN FEB 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**

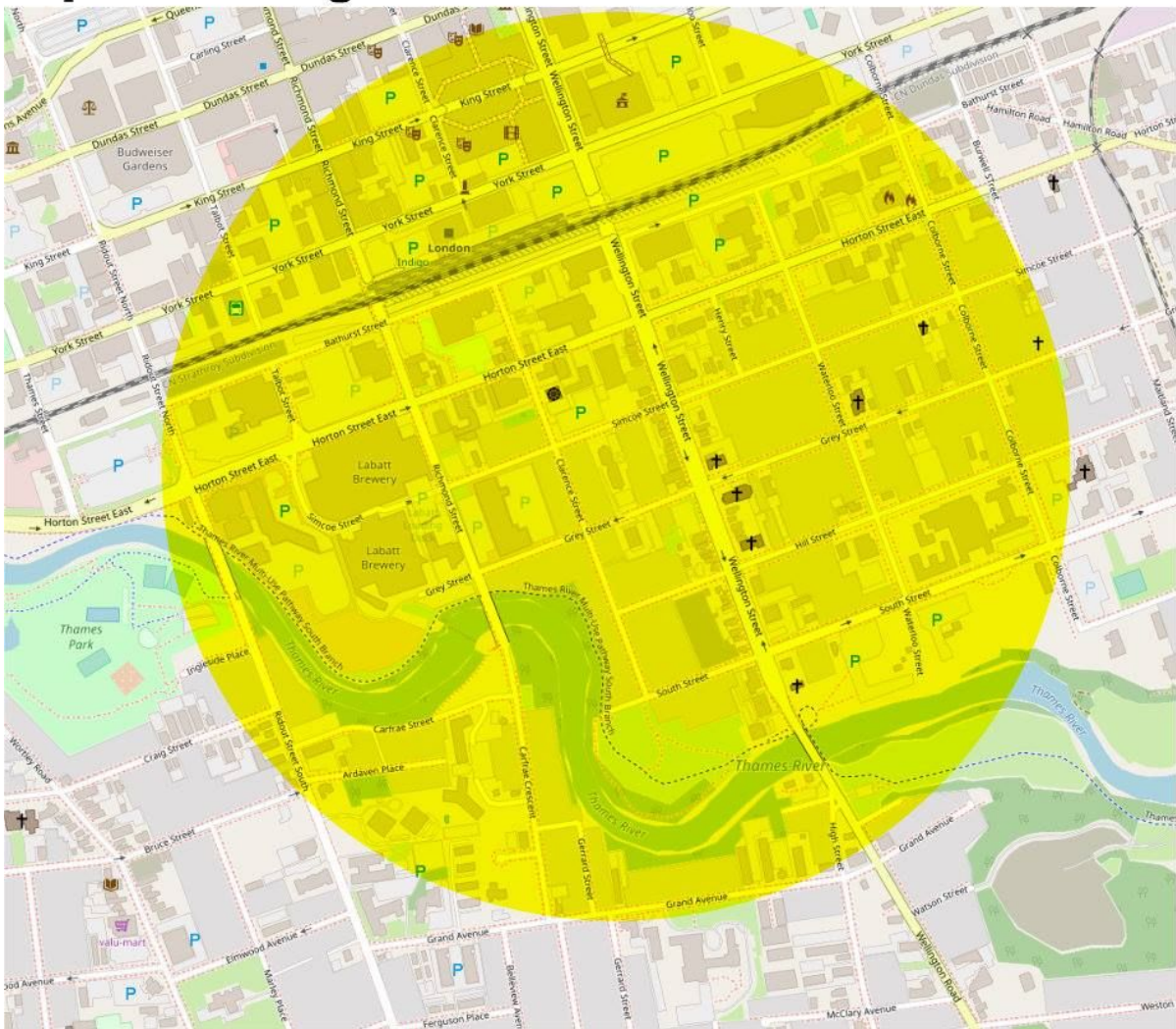
Development Services  
Phone: 519-930-3500  
Fax: 519-930-3501  
E-mail: [developmentsservices@london.ca](mailto:developmentsservices@london.ca)

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

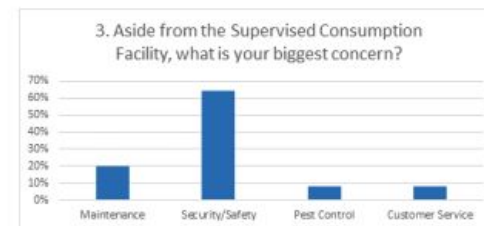
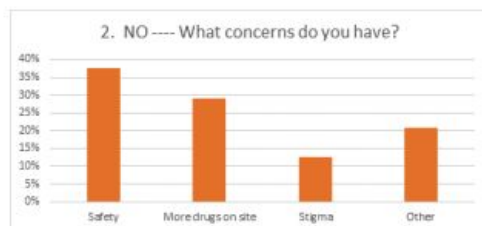
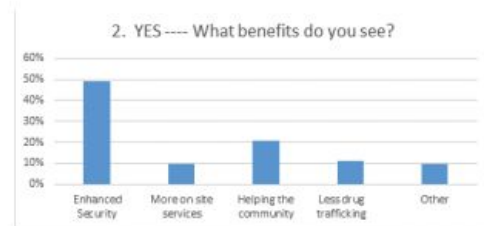
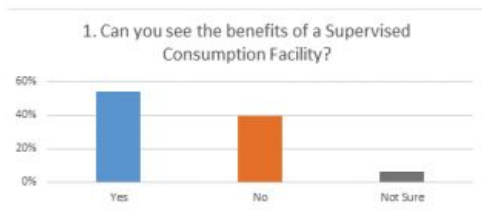
<https://www.snopes.com/fact-check/fentanyl-laced-marijuana-rise/>

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.

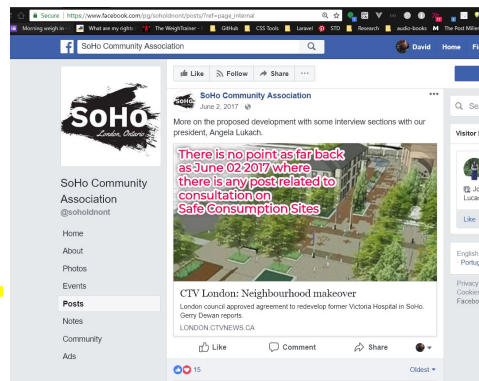
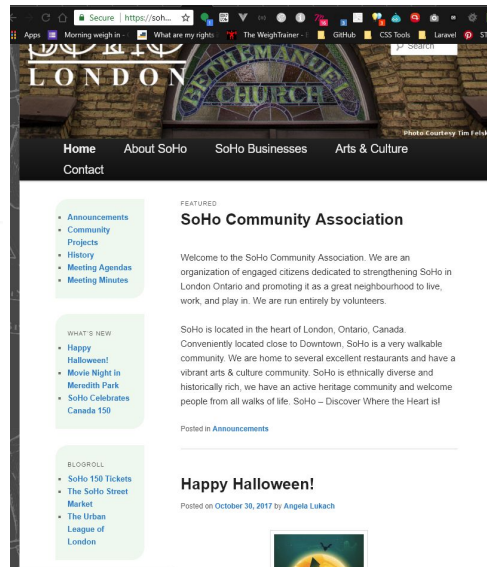
I would like to thank the committee for their consideration.

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 🖨️ 📧

 **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 be 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](mailto:swise@london.ca) | [www.london.ca](http://www.london.ca)