



November 20, 2018

Via Email: mknieriem@london.ca

Michelle Knieriem, Planner

City of London
206 Dundas Street
London, Ontario N6A 1G7

**Re: Community Information Meeting November 26, 2028
Proposed SCF at 446 York Street**

I am the Lawyer for Northview Apartment REIT. My Client is the owner of a residential apartment building at 340 Colborne Street. We hereby provide written comments on the proposed Zoning By-law Amendment Application for 446 York Street to permit a “clinic” intended to be used for a Supervised Consumption Facility (SCF). We have received Notice that this Application will be the subject of a Community Information Meeting on November 26, 2008.

My Client strongly objects to this site being used as an SCF. My Client’s property is in close proximity to the Subject Site, as are a number of other sensitive uses that will suffer significant adverse impacts if the Zoning By-law Amendment is approved. This is not an appropriate location for an SCF.

I have serious concerns with the way in which the City of London is proceeding from a procedural fairness and prematurity standpoint. First, Council pre-determined this Application by “endorsing” this location as being an appropriate site for an SCF at its meeting on May 8, 2018. This pre-determination has rendered the public planning process effectively moot, which is contrary to the legislative scheme of the *Planning Act*.

Second, the City has created policies and definitions to establish SCFs through Official Plan Amendment 680 and Zoning By-law Z.-1-182671. That regime requires that all new sites proposed

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for SCFs will require a zoning by-law amendment. OPA 680 and ZBL Z.1-182671 have been appealed to the Local Planning Appeals Tribunal. Those appeals have not yet been determined. Given that the City has established its desired process for new SCFs through the instruments under appeal, it is entirely improper for the City to approve new SCF sites in the interim by re-zoning sites to add a “Clinic” use. This approach is premature, contrary to the public interest, and undermines the new proposed regime.

In addition to these concerns relating to procedural fairness and prematurity, the proposed Zoning By-law Amendment does not constitute sound land use planning, is not consistent with the Provincial Policy Statement, and does not conform to the City’s Official Plan.

446 York Street is inappropriate for a supervised consumption site given the proximity of this site to:

1. An active full-time daycare;
2. The YMCA facility, which is used for after-school programs and by families and children;
3. The City's convention centre, which is a prime location for many public events in the City;
4. A law firm;
5. Two major hotels across the street from the block;
6. A secondary school;
7. Over 1500 local residents.

My Client is not opposed to SCFs generally and recognizes that these facilities serve the public interest; however, these facilities must be established in appropriate locations which are compatible with the surrounding neighbourhood and minimize adverse impacts on surrounding properties.

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Thank you for your consideration of this submission.

Yours Truly,
BAROUDI LAW

A handwritten signature in cursive script that reads 'Analee Baroudi'.

Analee J.M. Baroudi

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