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November 20, 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: File: Z-8971; Zoning By-law Amendment - 446 York Street

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

On behalf of Drewlo Holdings Inc., we are submitting this letter expressing our concern with respect to the above-noted matter. **Drewlo Holdings Inc., as the owner of 433 King Street, strongly opposes the proposed Zoning By-law Amendment.** We feel the zoning change is premature and that the proposed facility is not compatible with surrounding uses.

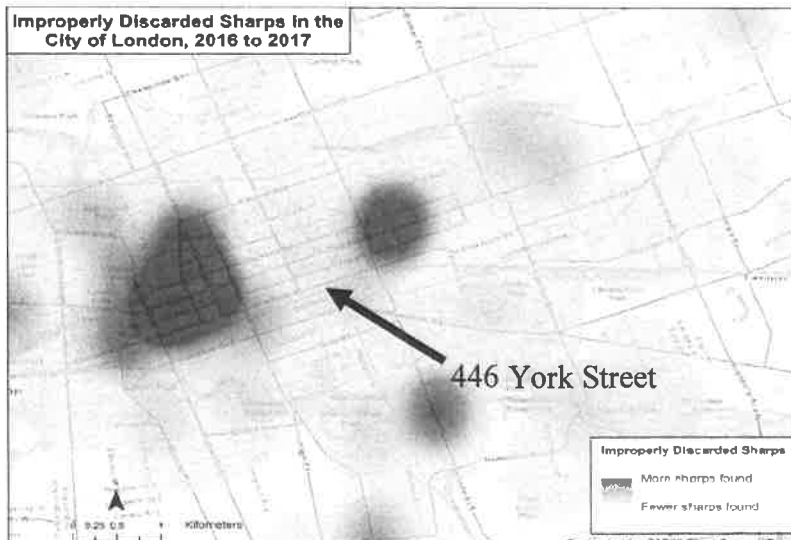
On January 22, 2018 Planning staff presented a report to PEC regarding the planning of supervised consumption facilities & temporary overdose prevention sites'. Council unanimously passed a motion on January 30, 2018 to establish a new Council Policy. The Policy, entitled "Siting of Supervised Consumption Facilities (SCF) and Temporary Overdose Prevention Sites (TOPS)" outlines 'criteria' that should be used by proponents planning a SCF or TOPS within the City of London. Additionally, Council directed Staff to initiate the necessary amendments to the Official Plan and Zoning By-law to plan for such facilities.

There are three (3) main criteria noted in the Council approved policy mentioned above; two (2) relating to the location of a proposed facility and the last prescribing Site Design.

As per Council direction, SCF/TOPS should be located to "benefit those who use such facilities" and "to avoid land use conflicts". The Criteria presented are essential for properly locating SCF & TOPS within our community. Unfortunately, the proposed located at 446 York Street fails to address some key components of the location criteria.

Located to Benefit those who use such Facilities

Supervised Consumption Facilities are to be sited in a location that is "within close proximity to, or near, communities where drug consumption is prevalent". While the proposed location at 446 York Street is in proximity to existing drug use, it is outside the top three (3) areas of the City where discarded sharps were most prevalent in 2016-2017. The location was chosen in haste given the availability of the property and does not consider other locations in the City where drug use is more prevalent and a facility would be more accessible to individuals using such facility.



(Figure presented by Dr. Mackie, on behalf of the Middlesex-London Health Unit, to City of London: Planning and Environment Committee on April 30, 2018 <https://www.healthunit.com/opioids>)

Additionally, they are to be located “close to an area with other drug addiction related support services”. This recommendation is consistent with the currently operating facilities in Ontario. There are eight (8) approved applications in Ontario (<https://www.canada.ca/en/health-canada/services/substance-abuse/supervised-consumption-sites/status-application.html>). All of these sites are located in conjunction with a pre-existing health or social service use;

- 179 Clarence St (Ottawa) – Ottawa Public Health: Sexual Health Clinic
- 221 Nelson St (Ottawa) – Sandy Hill Community Health Centre
- 55 Eccles St (Ottawa) – Somerset West Community Health Centre
- 256 King Edward Ave (Ottawa) – Ottawa Inner City Health (Harm Reduction, Hope Recovery Shelter, Hope Outreach Shelter)
- 145 Queen St E (Toronto) – Housing and Community Support Services
- 168 Bathurst St (Toronto) – Parkdale Queen West Community Health Centre
- 955 Queen St E (Toronto) – South Riverdale Community Health Centre
- 277 Victoria St (Toronto) – Toronto Public Health

Integrating SCF/TOPS with existing services is the most efficient use of funds and resources, as the supporting services associated with/recommended for SCF generally already exist at established health/social service locations. The existing TOPS, located at #30-186 King St, London, ON – the Regional HIV/AIDS Connection Program, is more consistent with those approved to date in Ontario – existing in a location where social/health services already operate.

Located to Avoid Land Use Conflicts

As per the January 22, 2018 Planning report, “given how new the introduction of supervised consumption facilities and temporary overdose prevention sites are to Ontario, it remains unclear as to what their impacts will be on adjacent land use.” Based on that fact, Staff indicated that certain planning considerations should be considered when siting SCF/TOPS. One of these recommendations was separating facilities from public elementary and secondary school properties. This recommendation was further enforced through commentary from the London District Catholic School Board; they requested a minimum separation distance of 300m be established from school sites. The request of the LDCSB is consistent with London Plan policies already implemented for the siting of Methadone clinics:

Policy # 1096 Zoning to allow for methadone clinics and methadone pharmacies will be established through a zoning by-law amendment to allow for a community consultation process. Zoning amendments to permit methadone clinic and methadone pharmacy uses will be allowed only in conformity with the policies of the place type in which they are located and all of the following criteria:

1. *Sites must be well served by public transit.*
2. ***Property boundaries for proposed methadone clinics and methadone pharmacies must be a minimum of 300 metres from any elementary or secondary school property.***

The proposed location at 446 York Street is less than 100m from a sports field and less than 200m from H.B. Beal Secondary School. This is in direct contravention of the recommendations of the Council Policy as well as existing London Plan Policies for a similar use.

These criteria are further echoed in the recently passed by-laws (Bill No. 248, 249, 250 & 254) regarding changes to the Official Plan (1989), London Plan and Zoning By-law. We recognize locating SCF/TOPS facilities is difficult, however disregard for key location criteria cannot be overlooked.

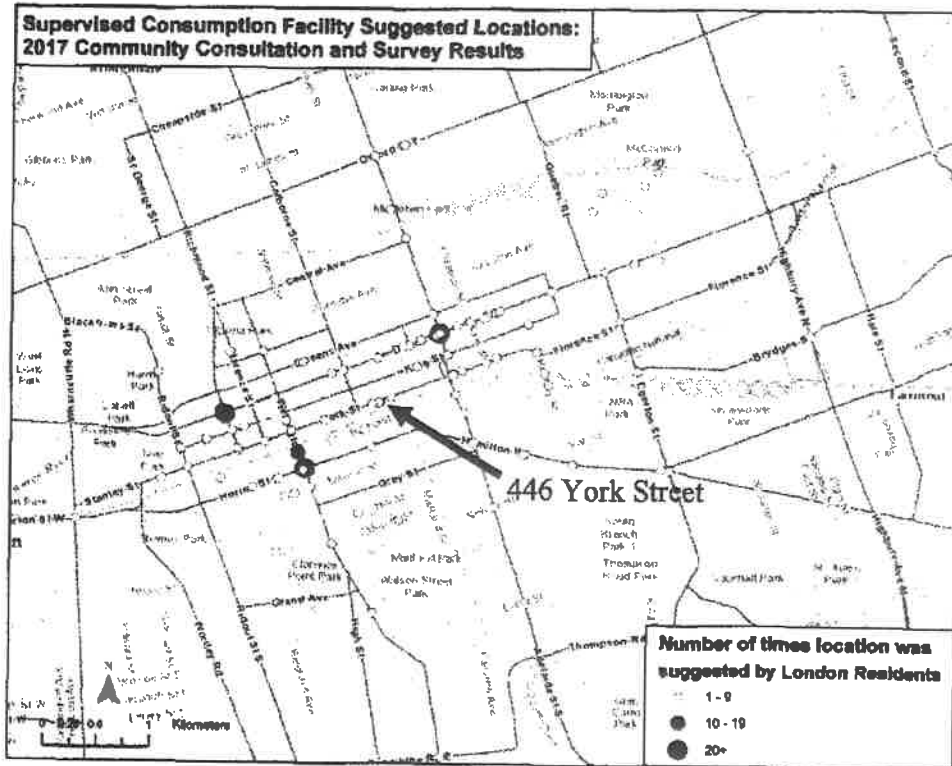
As per the report presented January 22, 2018, it is recommended that SCF and TOPS be interpreted as ‘Clinics’, with new definitions inserted in the Official Plan (OP) and Zoning By-law (ZB) to further distinguish the use, as was previously done with Methadone Clinics. On January 30, 2018, Council directed staff to initiate amendments to the Official Plan and Zoning By-law. A draft Official Plan Amendment and draft Zoning By-law Amendment were attached as Appendix ‘C’ and Appendix ‘D’, respectively, to the January 22, 2018 Staff report. And by-laws for amendments to the Official Plan (1989), London Plan and Zoning By-law were passed on May 22, 2018 by Council. OPA 680 relating to Supervised Consumption Site (Case No. PL180605) is currently being appealed to LPAT and no hearings have been scheduled to date.

File No. Z-8971, being a Zoning By-law Amendment for 446 York St., is attempting to rezone the property to permit ‘Clinics’ while ignoring recommendations from Staff in their report regarding the Council Policy ‘Siting of Supervised Consumption Facilities (SCF) and Temporary Overdose Prevention Sites (TOPS)’. The by-laws introduced at the May 22, 2018 Council meeting differ greatly from the drafts presented in the original staff report, and from existing policies relating to Methadone Clinics.

Draft amendments indicated that SCF/TOPS should only be permitted within the Institutional Place Type. Whereas, the by-law passed by Council on May 22, 2018 regarding amendments to the London Plan (being Bill No. 249) permits SCF/TOPS in “any Place Type”. This by-law is currently under appeal at LPAT (PL180605). Staff is now trying to permit a ZBA in advance of a decision from LPAT regardless of their previous statement in the January 22, 2018 report that “establishing a separate definition of SCF and TOPS will ensure that such uses are not interpreted as clinics – and this not indiscriminately permitted in all zones that allow for clinics”. We feel that this ZBA request is being submitted prematurely and should be tabled until decisions from LPAT have been issued.

The proposed site at 446 York Street is not compliant with the intent of the policy mentioned above. It is within the 'Neighbourhoods Place Type' and the current zoning, RCS2 & RSC4, is intended for moderate intensity commercial uses and trade service uses, and does not permit the 'Clinic' use. It should not be modified to permit SCF/TOPS clinics; these uses should be reserved for properties within the 'Institutional Place Type'.

We believe the rate at Staff is moving to force the approval of this location is inappropriate. It appears that the Middlesex-London Health Unit is jumping at the first available site for the proposed SCF rather than considering all economic and social aspects of the site.



(Figure from the Community Consultation Summary Report <https://www.healthunit.com/opioids>)

In closing, we strongly agree that there is a moral responsibility within the community to help people with addiction problems. But this 'band-aid' approach does not solve the problems presented by the crisis in our community. **For the reasons provided, Drewlo Holdings Inc. strongly opposes the proposed Zoning By-law Amendment at 446 York Street.**

Sincerely,


Allan Drewlo
President, Drewlo Holdings Inc.

Cc: Michelle Knieriem, Planning Services, City of London