



ZELINKA PRIAMO LTD
A Professional Planning Practice

February 11, 2013

Chair and Members, City of London Planning & Environment Committee
City Hall
300 Dufferin Avenue
London, ON

Attention: Heather Lysynski, Committee Secretary

Re: Towards Recovery Clinics
527 Wellington Road, File OZ-8105
Recommendation of Planning Staff

On behalf of Towards Recovery Clinics ("TRC"), we wish to address certain issues raised by the Planning Staff Report with respect to our proposed Official Plan and Zoning By-law Amendment applications for the establishment of a new methadone clinic and pharmacy at 527 Wellington Road. TRC actively participated in the development of the City's Official Plan policies and Zoning By-law regulations regarding Methadone Clinics and Pharmacies. The resulting Official Plan policies were meant to reflect the conclusions of the City's methadone research; and we are convinced that our applications are consistent with their intended meaning and purpose. We filed an Official Plan Amendment application in order to work cooperatively with the Planning Department who wished to use a 'straight-line' distance as the starting point for further planning discussions.

We ask you to consider the following:

1. A Site Specific Official Plan Amendment Can be Considered for the Proposal

The City of London Official Plan states that among other conditions, the adoption of policies for Specific Areas may be considered where "*the change in land use is site specific and is located in an area where Council wishes to maintain existing land use designations while allowing for a site specific use*" (Section 10.1.1. ii). The amendment we are seeking proposes to do just that: to permit a methadone clinic/pharmacy on a property while maintaining the existing land use designations in the area. Chapter 10 of the Official Plan clearly allows the proposed site specific Official Plan Amendment to be considered for approval by Council. There is nothing unusual about this form of Official Plan Amendment request.

2. The 300 metre Separation Requirement is Intended to Achieve a Walking Separation

The requirement for new Methadone Clinics and Pharmacies to be located a minimum of 300 metres from existing schools was based on the recommendation of the City's 2012 research study entitled "Planning for Methadone Clinics & Methadone Pharmacies". This report does not explicitly describe whether this distance is intended to be measured as a straight line between two properties, or along the shortest walking route connecting them. No further clarification of this measurement is provided by either the methadone policies of the Official Plan or the regulations of the Zoning By-law.

While Figure 2 of the methadone report shows a 300 metre buffer around the City's existing school properties, as participants in the policy development process, we understood this figure to be highlighting the minimum number of designated properties meeting the setback criteria. It does not "designate" sites which meet the criteria, but is merely a rough and small-scale illustration of a 300 metre separation and sites which lie beyond.

The 2012 research study justifies the need for the 300 metre separation on the basis of what it describes as the potential for methadone clinics to "*attract criminal activity*" and to result in "*littering – including drug paraphernalia*". These perceived potential impacts on school facilities are not related to a straight-line separation distance, and can be best mitigated by a practical walking-distance separation requirement or by existing barriers to walking connections between the uses.

Although walking-distance separation measurements need to consider formal and informal walking routes between facilities, this is not difficult to accomplish in a consistent manner. As we noted in our response to the public concerns expressed at our neighbourhood meeting, student busing eligibility determinations for both major school boards in the City are consistently made using walking distance measurements which take into account barriers to walking. Southwestern Ontario Student Transportation Services describes these distances as being "*measured from the closest perimeter edge of residential property to closest perimeter edge of school property based on the shortest route on the road network and including municipal walkways.*" Using this method of measurement, our site is approximately 453 metres from the school property.

3. The Proposed Clinic Satisfies the City's Parking Requirements

The proposed Gross Floor Area for methadone clinic/pharmacy use is approximately 307 square metres (3,300 square feet). Parking requirements have consistently been calculated by the City's Building Division on the basis of the Gross Floor Area devoted to individual uses. This is the only reasonable way for the applicable parking requirements to be calculated. The proposed 21 parking spaces meet the requirement (1 per 15m² of floor area) that was specifically established for such uses through the methadone study and incorporated in the Zoning By-law.

4. The Proposed Unfinished Space is Not an Enforcement Problem

The existing building on the subject property is larger than required for the operation of the proposed clinic. There is a floor area of 111 square metres (1,200 square feet) within the building which is proposed to be kept as vacant, unfinished space, separated from the clinic space. Zoning controls are routinely used by the City in similar circumstances to limit the floor area of buildings which can be used for particular purposes.

We note that Section 4.36 of the Zoning By-law requires methadone clinics to maintain waiting room areas of no less than 15% of the total clinic area. Enforcement of this waiting area requirement is no less challenging than enforcing a limit on the total useable floor area and could be checked at the same time, if needed.

5. The Number of Sites Available to Methadone Uses within the Designated Areas is Low

Although the total number of properties within designation areas possible locations for methadone uses is listed as 824 by the City's methadone study, few of the potential sites are available for such uses or are well-suited for the delivery of care. Large areas of land within the accepted designations are located far from patients' homes or are not well served by public transit, limiting their potential to effectively provide health services. There are also many multi-tenant retail holdings which have been made unavailable to methadone facilities due to the public stigma and the lengthy approval process associated with securing the use.

Thank you for your consideration of these issues.

Yours very truly,

ZELINKA PRIAMO LTD.



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