

**From:** [Walter Furlan](#)  
**To:** [Kolar, Loren](#)  
**Subject:** Community opposition to consumption site at 746 Barton St E  
**Date:** Thursday, November 11, 2021 9:14:51 AM  
**Attachments:** [Re Injection site 746 Barton Str .pdf](#)  
[MoH submission re 746 Barton Nov9 2021.pdf](#)

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Dear Loren,

As discussed, please find attached the community's submission to the Ministry of Health (which was cc'd Dr. Elizabeth Richardson, Dr. Kieran Moore, Federal Minister of Mental Health and Addictions Bennett and Federal Minister of Health Duclos).

The community has not been consulted on this initiative. The cart has been put ahead of the horse here, and this should never have received approval at the BoH until the community was consulted.

Also attached is a letter from Karlik Pastry (we are sharing with their permission), one of the businesses who will be potentially affected by this site.

A community petition of about 200 signatures has been compiled, with more to come. This community is fully mobilized and fully and directly engaged on this matter.

Thank you.

Walter Furlan

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*Furlan Conservation*





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04.11.2021

To Whom It May Concern:

This concern letter is my screaming voice addressed to the organizations and individual people who make this unbelievably terrible decision to open Injection site on our Barton corridor, 746 Barton Str East with out of clear picture how that facility will effect our enough struggle community.

My husband and I owned bakery for last seven years and we become part neighbor watch community and know that the future and safety for our children and elders become firs.

Around our bakery we have 5 plus schools, 6 churches and many front store businesses that due the pandemic facing challenges with flow.

If you like to have clear pictured how this site affects us, please go by walking to Rebecca and John Street in Hamilton where is the similar Injection site. It's very dangerous to the people that not effected by drugs.

In the back we have ally that has been use for parking and has been lock by all neighbors.

For all this years we build the trust with our costumers and you wont to destroyed it.

**WE ALL CARE!!!!!!!!!!!!!!**

If in this moment you are have need to open Injection site as medical help to the people, then look for the location that are closer to the hospital and has no schools and churches around.

Regards,  
Luba Mudrak

November 9, 2021

Blaine Bouchard  
Manager  
Ministry of Health  
[Blaine.bouchard@ontario.ca](mailto:Blaine.bouchard@ontario.ca)

We are writing to provide additional information regarding local conditions, capacity, proximity and community support/ongoing engagement with respect to The AIDS Network's (TAN) proposal for a CTS at 746 Barton St. E. This document is the culmination of literally hundreds of hours of research by volunteers who care about our community. Stakeholders are also busy writing letters and distributing a petition, which will be forthcoming.

You will see significant flaws in process have preceded the submission of this application. The local community has not been appropriately consulted. The Board of Health (BoH) approval process failed to meet reasonable due diligence standards. The exact location of the site has been withheld until after local approval and only toward the end of the Ministry of Health application process. The data does not support this specific site, and will result in an overconcentration of drug and justice system-related services in our immediate community.

Our intention is not to disparage The AIDS Network. They do good work and the opioid crisis is a very complex and tragic issue. **We are not disputing the need for a service**, but have serious concerns about the specific address being proposed and the process, or lack of, that has gotten us here.

Brief Timeline:

- **December 2019**, from CBC Hamilton, the City of Hamilton announces it has chosen the site for a second injection site, but the site location "will be made public when the city submits an application to the province's health ministry."<sup>1</sup>
- **March 2020**, from the Hamilton Spectator, "The city has looked at 29 locations... But in some instances, the locales haven't been large enough or were too close to facilities like schools, which the province deems sensitive."<sup>2</sup>
- Nothing apparently came of the 2019-20 efforts... very little or no news reports appear until about 1.5 years later...
- **On or around October 12**, Ward 3 councillor Nrinder Nann first becomes aware of the address of the proposed site (see councillor Nann's email, Appendix A of this document)
- **October 19, 2021**, from the Hamilton Spectator, "Hamilton's board of health unanimously put its full support behind a bid... (by the) the AIDS Network... for a consumption and treatment services (CTS) location at 746 Barton St. E..."<sup>3</sup>
- **October 20, 2021**, we (stakeholders on the block of 746 Barton) request a meeting with TAN.
- **October 29, 2021**, TAN attends an in-person meeting at 765 Barton.

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<sup>1</sup> <https://www.cbc.ca/news/canada/hamilton/second-safe-injection-location-1.5387376>

<sup>2</sup> <https://www.thespec.com/news/hamilton-region/2019/11/19/city-has-looked-at-29-sites-for-supervised-injection-site-in-hamilton.html>

<sup>3</sup> <https://www.thespec.com/news/hamilton-region/2021/10/19/safe-consumption-site.html>

Please consider the following in the context of the *Consumption and Treatment Service Program* assessment criteria:

### 1. Local Conditions:

The AIDS network spokesperson told us at the meeting of October 29, unequivocally, that the 746 Barton site selection was strictly "evidence based" (their words), driven by City of Hamilton EMS data. Furthermore, they described an unusually specific concentration of problems in the exact vicinity of Barton and Barnesdale, where they want the site to go.

This is not what the data show<sup>4</sup> (see Figure 1). The vicinity of 746 Barton is not a hot-spot. When pressed, TAN provided us further data which included ward-wide statistics, but nothing specific to our neighbourhood.

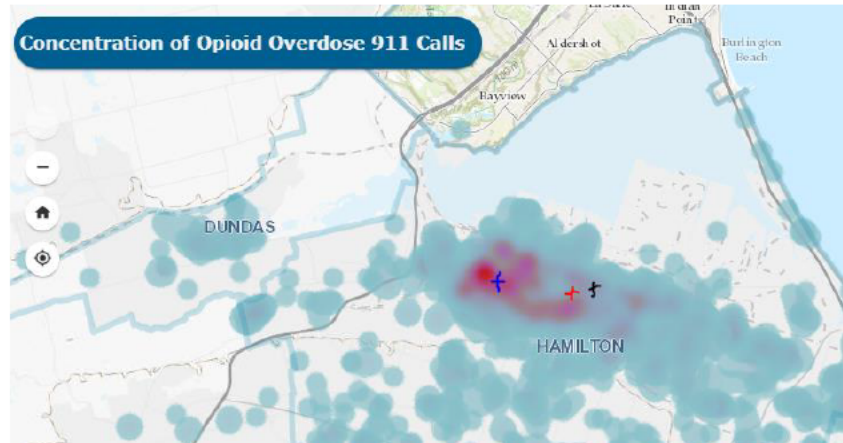


Figure 1 Paramedic incidents in Hamilton related to opioid overdose, 2017-2021

The black X in Figure 1 is the approximate location of 746 Barton St E at longitude 79.83, latitude 43.255. Note that the neighbourhood around 746 is actually on par with most of the rest of the lower city in terms of calls.

The blue X is the location of the Hamilton Urban Core Community Health Centre's current CTS, longitude 79.867, latitude 43.258. Note the concentration of EMS calls in the immediate vicinity of the that site.

The red X is the new location of the HUCCHC's consumption site on Cannon Street. It is obvious that this area of the city is not the greatest area of need, yet it will be home to two CTS' in very close proximity.

When HUCCHC closes its downtown location, (the blue X), there will be a significant gap in services in that part of the city. An evidence-based approach would see a new CTS open to serve that need. The Barton – Cannon area will be overserved with CTS. It stands to reason that client losing the service downtown will migrate into our neighbourhood.

Ours is a neighbourhood with challenges, but the City of Hamilton's own data does not corroborate the concentration of, or the need for, a consumption site (and especially a second CTS) in our neighbourhood.

<sup>4</sup> <https://www.hamilton.ca/public-health/reporting/hamilton-opioid-information-system-opioid-overdoses>

## 2. Capacity to Provide Consumption and Treatment Services

Since 2019, the City of Hamilton, an organization with significant capacity and resources, has been unable to secure a site to operate a CTS. When they failed to find a site, they left it to TAN, a non-profit organization, to find a location that meets Ministry of Health guidelines.

In October 2021, the Hamilton Board of Health endorsed TAN's application to run a CTS. The Ward 3 councillor said "It was totally disheartening and totally unacceptable that none of our private partners for space were willing to come forward." **She knows this site isn't ideal.**<sup>5</sup>

The location of the site was made public only on the day of the BoH's announcement. The City has endorsed this location, basically sight-unseen, literally with no questions asked. The address was kept even from the local councillor until a week before the meeting (see Appendix A e-mail from Ward 3 councillor Nrinder Nann). It feels like the City was so relieved to have an organization step up with a site that they would have approved anything.

**There has been no local screening or vetting of this location.** We wouldn't necessarily expect TAN to have this capacity, but believe it was incumbent on the City to ensure this was completed before endorsing the site. They did not consider proximity to vulnerable populations or community support. A community impact assessment was not conducted. If any of these activities were undertaken, they have not been made public.

There has been no local consultation specific to the site by the City and they have, in fact, acted to effectively shut out local voices by not insisting on public disclosure of the site ahead of their endorsement. This strategy has resulted in a poisoned, irreparable relationship between the project proponent and this community.

Of note, O'Leao Café and Restaurant currently operates out of 746 Barton St. E. They intend to continue operating there until at least May 2023 when their lease expires. The current lease rate is \$2,936, which includes HST. Unexpectedly, earlier this summer, the owners of O'Leao were approached by the landlord with a buy-out offer, which they declined.

The AIDS Network of Hamilton, Halton, Haldimand, Norfolk and Brant, as far as we can tell, is an agency with no experience in capital project or asset management. They provided their most recent Annual Report, from 2019-20 which speaks to programs such as the mobile Van program and other project-based initiatives.

The location, which is an older building currently set up as a restaurant/banquet hall, will require substantial capital upgrades to meet MoH standards. The landlord will end up with a totally renovated and upgraded building at taxpayers' expense. If this site is approved, rigorous terms and oversight of such an upgrade to a privately owned building should be put in place. In fact, it would make more sense from a stewardship of public funds' perspective for increased investment in the HUCCHC's new comprehensive facility, just about a 10-15 minute walk away than to invest in an entirely new CTS so close by.

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<sup>5</sup> <https://www.thespec.com/news/hamilton-region/2021/10/19/safe-consumption-site.html>

Making such extensive capital renovations at a single program location (acknowledging there will be some related wrap-around services), must also be considered high risk, as the entire program is essentially contingent on a single funder, the provincial CTS program. This is in contrast to renovations at a community health centre for example, which has a more diverse operating funding and could continue to operate even if it lost CTS or other program funding.

From our research, it appears that most CTS are operated by municipalities, public health departments or community health centres, with only a few operated by NFPs. It is understandable, as an organization would need extensive experience and resources to run such a complex operation. We are very concerned with TAN's lack of experience in running a multi-component, multi-service provider facility.

We spoke with a staff at two injection sites. One operated out of a community health centre. Here are some key comments from our conversations:

- When one opened, three years ago, heroin was the drug of choice. Now fentanyl and synthetic cannabinoids dominate. This has led to more erratic and unpredictable behaviour of users.
- The composition of street drugs is often unknown. Twice a week one of the sites offers a lab service to check the chemical composition of drugs that clients bring to the site. It is a very popular service that has gone a long way to reassuring clients and staff. Clients, nervous about the safety of their supply, know what they're getting, and workers are able to stay current on trends in street drugs.
- The effects of synthetic drug consumption are often "atypical", according to the staff person. They don't know what to expect after consumption. Sometimes users pass out and naloxone doesn't work. They are sometimes reluctant to call EMS. They provide supplemental oxygen on-site.
- Conflicts between clients are more common and becoming more volatile. Issues arise due to money and drugs owed between parties. Staff need to intervene in these situations and clients are sometimes asked to leave. They presumably then consume their drugs nearby.
- It was acknowledged that operating a consumption site as a stand-alone service would be very difficult.
- They spoke of their efforts to fully and transparently engage the community, and gave credit to an extensive 8-to-9-month process with the ultimate acceptance of the service in the community.

The AIDS Network could have done some basic outreach to address community concerns, including the issues highlighted above, but also some simple information like how a CTS works, what their hours of operation will be, how they will know they've been successful. At our face-to-face meeting, about a week after the site's address was made public, they were asked when they expected the community consultation to be submitted to the ministry, they replied "in a few weeks". This does not show an understanding or commitment to genuine and transparent community consultation/engagement, rather it is a box they need to check in the process.

Just a few days before the Board of Health provided approval for the site, we (and every other resident in our neighbourhood) got a notice through Canada Post from the City of Hamilton for splash pad improvements at a park more than 1km from our building, yet for **the CTS site, which will require an exemption to Federal Law, no formal notice has been received.**

The City of Hamilton has not exercised appropriate due diligence in the approval of this specific location. The AIDS Network has not demonstrated a capacity to engage with or liaise with our community (more on this in section 4, below). They have not demonstrated an understanding of local concerns. They have not communicated their plans on how they will operate and mitigate community risk at the facility. While they have experience delivering mobile services, they do not have experience in managing the complexities of a multi-service health centre.

### 3. Proximity

The program guidelines state: *CTS will not be concentrated in one area or neighbourhood, and proximity to child care centres, parks and/or schools (including postsecondary institutions) will be considered.*

**There is an elementary school and licenced day care approximately 175m away.** In our low-income neighbourhood, kids actually walk to school. Barton is a main corridor to travel by foot since there are signalled intersections and crossing guards in this busy commercial district. The AIDS Network initially denied this site was within a 200m radius of St. Ann School, and relented only after challenged with our data. The school did not know about the proposal until we told them.

A second elementary school is about 250m away, and a high school about 300m away.

**There is a day program for young adults with developmental and intellectual disabilities only 30m from the site, and 4 doors down, at 760 Barton St E,** called Portuguese Support Services for Quality Living (PSSQL). Their participants walk (or use a wheelchair) and take the bus to community volunteering opportunities and will pass right by this site when coming and going from their centre.

While this is not a “licenced day care”, we believe the intent of protecting vulnerable populations from the unpredictable and frankly potentially dangerous circumstances near a CTS makes them a population that needs special consideration. They did not know about the proposal until we told them. The executive director has been fielding calls from parents concerned about safety. **She believes there is a real possibility the centre might close if the CTS goes in here.**



*Figure 2 PSSQL participants at Furlan Conservation, Barton Street, (Hamilton Spectator, Feb 2015)*

**There are churches 30m, 150m, 200m and just over 200m away.** The churches also run children’s programs and are attended by many who arrive on foot.

**746 Barton is sandwiched by two residential buildings, with a block of residences in the rear.** Residents are concerned the site will impact reasonable enjoyment of their properties and are fearful of potential security or emergency situations.

**Hamilton Urban Core Community Health Centre is relocating their CTS to a location only about 1.1 km away from 746 Barton.** At least some of the potential need for a CTS on Barton will be addressed the new HUCCHC site. Placing two CTS in such close proximity will not yield the maximum benefit for the target population. It also concentrates services in an area that already has multiple methadone clinics and social agencies serving, for example, people involved with drug use, gangs and/or the justice system.

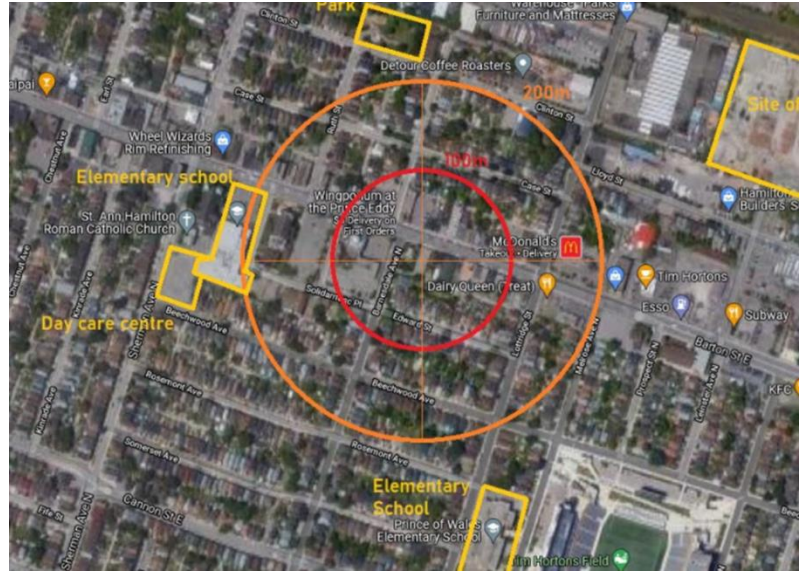


Figure 3 Proposed site with radii of 100m and 200m

The site is right across the street from The Imperium at the Prince Eddy Tavern, at 737 Barton St E, which has undergone extensive renovations and is a favourite pre and post game stop for Ticat and Forge fans.

There are **multiple narrow, unlit, alleys** between buildings and the rear service alley (see figure 5, below). Closing off the alleys between 746 Barton and adjacent properties, which was proposed as a mitigating measure by the AIDS Network in our meeting, is prohibited by fire code regulations. Security will be a challenge and may endanger staff and police officers who may need to respond to issues at the site, as well as pedestrians and businesses using the highly-travelled alley.

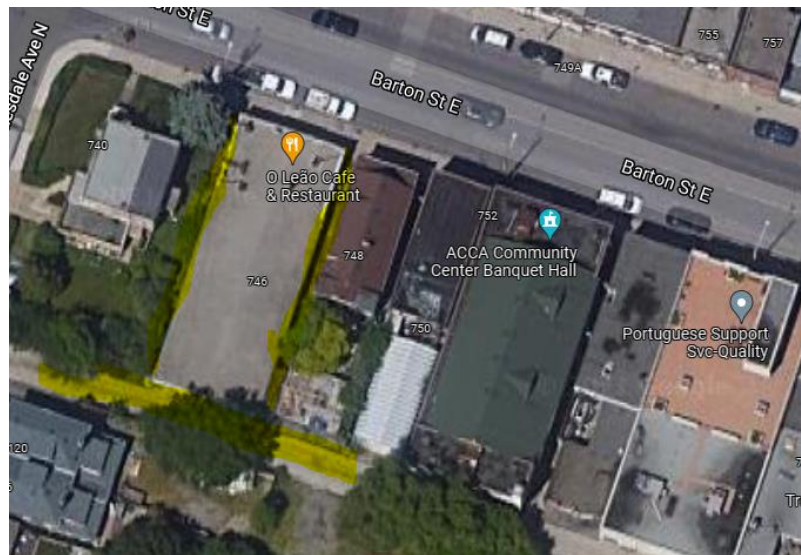


Figure 4 Overhead view of 746 Barton E, side and rear alleys highlighted

While strategies may be identified to monitor and discourage **loitering** in front of the building, it will be nearly impossible to do so beside, behind and in the nearby neighbourhood.

Clients using the centre will be turned out onto a busy street with a narrow front sidewalk with no buffer from traffic. Clients waiting outside to enter the centre may impede regular, heavy pedestrian traffic.



\*While the AIDS Network will provide general letters of support, they will not be able to provide letters of support from many local residents, businesses and agencies. Unfortunately, due to a lack of communication, many locals do not even know who the project proponent is and have been directing their opposition to municipal and provincial officials. We are concerned the all feedback will not make its way to you.

**We understand finding a location has been a long and difficult process, bur finally finding a site doesn't make it the right site, or even an appropriate site.**

**The opioid crisis is tragic and complex. We're not disputing the service; we're saying it's in the wrong place. Placing the site in a highly pedestrianized business district, in close proximity to schools, the agency supporting young adults with disabilities, churches and residences will have negative, and potentially harmful effects, on our community.**

#### **4. Community Support and Ongoing Engagement**

**There has been no local community engagement on this initiative.**

Councillor Nann, (see email, Appendix 1) indicates she spoke with TAN in August and “stressed the importance and necessity of robust community engagement and the need to get to know the neighbouring businesses, organizations and residents...” This never happened. We found out about the site around October 19 when it made the newspaper. We sought answers from our councillor but she said she was far too busy to meet and proposed a time three weeks later. We asked TAN for a meeting to address our concerns. TAN said they'd been hearing the community was in favour of the initiative and that Zoom consultations were upcoming. When pressed, they finally agreed to an in-person meeting about a week later.

As outlined earlier, it seems that keeping the location of proposed CTS' secret from the community has been a strategy at the City of Hamilton since 2019. Not divulging information to citizens is, sadly, a pattern in Hamilton.<sup>6 7 8</sup>

The Catholic School Board chair, Patrick Daly, didn't know about the site; PSSQL, serving young adults with intellectual disabilities didn't know; business on the immediate blocks of Barton Street didn't know; the churches didn't know; residents didn't know. We were the ones to inform them, and only after we read about it in the paper.

In addition to the Zoom session, an on-line survey was posted. It was initially up on TAN's website for only four days, though that was extended another few days as people complained they hadn't heard of the initiative or had a chance to respond. The survey was extremely vague - any conclusions drawn should be deemed indefensible.

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<sup>6</sup> <https://www.thespec.com/news/hamilton-region/2021/11/04/grey-cup-tim-hortons-field-cost.html>

<sup>7</sup> <https://globalnews.ca/news/4933910/hamilton-slippery-red-hill-parkway-report/>

<sup>8</sup> <https://www.thespec.com/news/hamilton-region/2019/11/21/exclusive-hamilton-city-council-staff-have-kept-a-24-billion-litre-sewage-spill-secret.html>

An equally very vague postcard, that does not identify a specific site or a specific service received extremely limited distribution. Only two people we could find recalled receiving this handout. One thought it was an invitation to call the AIDS Network if they saw a person in need. It never occurred to them that a consumption site was coming to our block. Norm, the next-door neighbour to the site, was sitting on his front porch when the AIDS Network staff came through and they walked right by without making contact or dropping a card.

As for the AIDS Network's efforts, a face-to-face meeting in the neighbourhood was convened, with a second upcoming, but these **were at the request of, and organized by, the community**. People continue to be confused by exactly what service is being proposed and who the project proponent is. This has/will impact the community's ability to voice their concerns.



Figure 5 TAN handout, it does not say a CTS is coming

Page 11 of the program guidelines provides some examples and minimum standards for consultation. A survey and website exist, Zoom meeting(s) happened, and some organizations and individuals have written letters of support for the initiative – it is unknown whether the letters specifically endorse the location. We haven't seen them. We suspect the majority of the letters of support were provided by Hamilton Drug Strategy members, but the City does not publish a list of member organizations or their names, so we're unsure.

**TAN has not demonstrated the capacity to engage with this community. Their strategy of withholding details on the site and its address (even from the ward councillor) have led to suspicions in the community. We have no confidence that the AIDS Network will come up with acceptable or effective community engagement plans, as they have failed to show any capacity to understand how to engage with the immediate community thus far.**

## CONCLUSION

We appreciate your consideration.

We suggest the Ministry improve its process and guidelines so other communities don't go through what we have for the past 2.5 weeks. Wording like "must consult" and "shall inform" would reduce the underhanded, deceptive, perhaps incompetent tactics that have made our neighbourhood feel so powerless. A site visit should be a mandatory part of the evaluation process. A stronger application process would also negate shameful municipal tactics to lay the responsibility for such an important service onto a non-profit with limited capacity. (We don't mean TAN has limited capacity, just that this initiative requires a very high level, multi-faceted level of capacity).

The pitiful process in Hamilton should be a warning to other communities. It has not set up Hamilton's second CTS for success.

IN SUMMARY, our position is that this may be the right service, but it is the wrong location. Due diligence has not been exercised. We are living and working in one of the lowest socio-economic postal

codes in the province, and we have exercised far greater scrutiny over this location than our own Board of Health, local councillor or the project proponent. The deficiencies outlined herein clearly show this has the potential to be a very bad news story.

Please contact us for more information.

Sincerely,

Walter Furlan and Liz Duval for the neighbours and businesses on and around Barton Street

[REDACTED]

[REDACTED]

## APPENDIX A – November 8, 2021 e-mail from councillor Nrinder Nann, Ward 3

**Nann, Nrinder**

1:19 PM (4 hours ago) ☆ ↩ ⋮

to Office, me, bob.s.sutton1@gmail.com ▾

Hi Walter, Bob and Lena,

Public Health informed myself and Cllr Farr of TAN's desire to pursue a location in Ward 3 in August this year, during a meeting when we reviewed the information that was coming to the Board of Health related to Hamilton's Drug Strategy.

I expressed my concern at this meeting and previous ones of an overconcentration of services in Ward 3 but was informed that data triangulates to emergency calls related to toxic drug use in this neighbourhood as both a growing and ongoing concern. The need continues to be highest in Ward 2, and it is my understanding that both the interim Urban Core location will continue to serve the population in need in that area until to complete the build of their new location on Cannon St E. I also learned of the possibly of another CTS application coming forward for Ward 2 as well.

Given the data, it is essential to make evidence-based decisions to address health needs across the City. I stand by that and the need to support TAN's application to the Ministry, along with the whole of Hamilton Board of Health, based on Public Health data on the need for these services in Ward 3 growing.

Also in a meeting in the first week of August, I met with The Aids Network and they confirmed they were looking at a site on Barton Street in the Barnesdale area. I stressed the importance and necessity of robust community engagement and the need to get to know the neighbouring businesses, organizations and residents. They were not able to disclose to me at that time the exact address.

The final BoH report on the Comprehensive Opioid Response was uploaded to the City's website the week before the meeting on Oct 18th. I reviewed this report the weekend prior to the Monday meeting and the location - 746 Barton St was listed in Appendix B of the report. <https://pub-hamilton.escribemeetings.com/filestream.ashx?DocumentId=289029> This is when I received confirmation of the exact address.

Yours in community,

**Councillor Nrinder Nann**

*She/Her*

**Ward 3 – City of Hamilton**

City Hall – 71 Main Street West, Second Floor – Hamilton, ON L8P 4Y5

APPENDIX B – EMAIL TO ENTIRE CITY OF HAMILTON BOARD OF HEALTH, INCLUDING THE MAYOR AND MEDICAL OFFICER OF HEALTH – NOT ONE REPLY OR ACKNOWLEDGEMENT WAS RECEIVED IN RETURN

Opposition to Board of Health endorsement of 746 Barton as a consumption site



Liz Duval <lizduval2000@gmail.com>

to elizabeth.richardson@hamilton.ca

Thu, Nov 4, 7:00 PM (5 days ago)

Dear Dr. Elizabeth Richardson,

I am writing to voice my strong opposition to the proposed supervised consumption site being put forward by the AIDS Network at **746 Barton Street East** in Hamilton.

Recently the Hamilton Board of Health endorsed the AIDS Network's application for a supervised consumption site. I reviewed the video of the meeting and did not see any information presented, or any debate, regarding the exact address of the proposed site. The AIDS Network did not disclose the location as part of their presentation. I think you'd agree, the location of this service, which will require an exemption to the Criminal Code of Canada, is pretty important.

Did you know:

- **Portuguese Support Services for Quality Living**, an agency that provides a day program to about 80 young adults with developmental and intellectual disabilities is only 30m away at **760 Barton St E?**
- **Holy Spirit Ukrainian Catholic Church** fronts onto Barton at **730 Barton St E?** In addition to religious services, they run children's programs.
- **St. Ann School is approximately 170m from the site.** Catholic School Board Chair Pat Daly was unaware of the proposed site until WE told him.
- **St. Ann Early Learning and Care Centre** is approximately **170m from the site.**
- **Norm**, our 78-year-old retired steel worker neighbour, who will not likely get market value for his house if this site goes in, **lives right next door.**
- This is a commercial district with numerous businesses.

NO ONE IN THE NEIGHBOURHOOD WAS CONSULTED ABOUT THIS, though we understand the proponent has been in talks with the landlord of the building since August. We read about it in the Spec AFTER BOARD OF HEALTH APPROVAL. Our Ward 3 councillor says she is too busy to meet with us. There is a suspicion that information has been purposefully withheld to prevent resistance to the site.

This is not the right location for this site and we are certain that the Board of Health would never have provided its endorsement if more details were known. The executive director of PSSQL is very concerned that families will pull their participants out of programs due to safety concerns. There is a deficit of services for adults with intellectual disabilities - it would be tragic if the introduction of a service (the consumption site) resulted in the closure of an agency that serves an even more vulnerable segment of the population. Surely this cannot be the intent here.

Sorry for all the bold and caps, but we're feeling so frustrated and unheard in this community. We operate our businesses in three storefronts right across the street, at 765 Barton E, and live upstairs. We do not believe this application is being put forward in good faith, in that virtually no consultation has taken place in the context of this specific site. We can't count on our Ward 3 councillor and are hoping you will care enough to re-open this discussion.

We are asking you to reject the site at 746 Barton St. East and send the AIDS Network back to the drawing board for a more appropriate location to deliver their services.

Sincerely,

Liz Duval

765 Barton Street East, Hamilton

(905) 383-3704