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File: Z-8282

Planner: Amanda-Brea Watson

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: GYMWORLD INC. 1920 AND 1930 BLUE HERON DRIVE PUBLIC PARTICIPATION MEETING ON FEBRUARY 4, 2014

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of Gymworld Inc. relating to the properties located at 1920 and 1930 Blue Heron Drive, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on February 11, 2014 to amend Zoning By-law No. Z-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a holding Light Industrial Special Provision (h-17*L11(3)) Zone which permits a range of uses including assembling; bakeries; fabricating; manufacturing, processing; research and development; warehousing; repair activities; printing and data processing industries; wholesale establishments; custom workshops; service trade and electronic product industries; support offices; and commercial schools uses, **TO** a holding Light Industrial Special Provision (h-17*L11(3)/LI3(_)) Zone; it being noted that special provisions include a reduced side yard setback distance of 2.4m from the required 6.0m; a reduced front yard setback distance of 5.0m from the required 9.0m; and a reduced parking ratio of 1 parking space per 30 square metres for commercial recreational uses from the required 1 parking space per 20 square metres;

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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1. Hyde Park Community Plan, November 2001

The subject properties were included in the planning area of the *Hyde Park Community Plan, November 2001*. The Community Plan recognised the existing commercial and industrial uses in the area and provides a guidance for future infill development proposal that are similar in nature.

2. Local Improvement Initiation for the Hyde Park Industrial Subdivision

This staff report proposed to initiate two Local Improvements for the construction of a sanitary sewer and watermain within the Hyde Park Industrial Subdivision. On October 7, 2013 the Civic Works Committee recommended that: **ACTIONS BE TAKEN** with respect to the construction of a sanitary sewer and water main as part of the Local Improvement Program, on initiation, for the Hyde Park Industrial Subdivision. Subsequently, on October 22, 2013, Council **ADOPTED** the report and authorized publishing Notice of Council's intention to undertake these works. Being no petition against the two Local Improvements the City has included them on the 2014 work plan and expect them to be undertaken between May and October.

3. OZ-8219 –Citywide Official Plan/Zoning By-law Review

Staff review of Non-Industrial Uses in Industrial Areas which, as recommended seeks to, remove private clubs and commercial recreation establishments from the general industrial zone and limit their location among other non-industrial uses within the light industrial zone including the exclusion of commercial recreation at this site. At their meeting of December 10, 2013 the Planning and Environment Committee recommended that *the application* **BE REFERRED** back to the Civic Administration to incorporate the properties located at 457 Southdale Road West, 1920 and 1930 Blue Heron Drive and to report back at a future meeting of the Planning and Environment Committee. It should be noted that at the public participation meeting associated

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with this matter, Mike Inglis made oral submission on behalf of himself and his wife, who have owned and operated the Gymworld Gymnastics company for the past 12 years. As part of his submissions Mr. Inglis advised of the status of the Zoning By-law Amendment application currently in process to consider an indoor commercial recreation establishment as a permitted use at 1920 & 1930 Blue Heron Drive. Council, at its session held on December 17, 2013 **REFERRED** the matter back to the Civic Administration, as recommended by the Planning and Environment Committee.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of the requested Zoning By-law amendment is to permit Gymworld Inc. to develop an indoor recreational multi-sport training facility at this location.

RATIONALE

- i) The proposal is consistent with the policies of the *Provincial Policy Statement, 2005*, which promote healthy, liveable and safe communities by accommodating an appropriate range and mix of employment uses;
- ii) The proposal is consistent with the City of London Official Plan relating to the Light Industrial policies and objectives;
- iii) The proposed zone provides complementary uses to those currently permitted within the General Light Industrial (LI1) Zone variations and will have no negative effects on the surrounding area;
- iv) The proposed use is in keeping with the Hyde Park Community Plan which recognizes the subject lands as industrial, and the Hyde Park Community and Urban Design Guidelines, in that it incorporates a high quality of urban and architectural design.
- v) The recommended Light Industrial Special Provision (LI1(3)/L3(_)) zone regulates the type of use to ensure compatibility with abutting land uses.

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<p style="text-align: center;">LOCATION MAP</p> <p>Subject Site: 1920 & 1930 Blue Heron Drive Applicant: Gymworld Inc. File Number: Z-8282 Planner: Amanda-Brea Watson Created By: Amanda-Brea Watson Date: 2013-11-12 Scale: 1:3500</p>	<p style="text-align: center;">LEGEND</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20px; text-align: center;">■</td> <td>Subject Site</td> </tr> <tr> <td style="width: 20px; text-align: center;">■</td> <td>Parks</td> </tr> <tr> <td style="width: 20px; text-align: center;">x</td> <td>Assessment Parcels</td> </tr> <tr> <td style="width: 20px; text-align: center;">□</td> <td>Buildings</td> </tr> <tr> <td style="width: 20px; text-align: center;">123</td> <td>Address Numbers</td> </tr> </table>	■	Subject Site	■	Parks	x	Assessment Parcels	□	Buildings	123	Address Numbers
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■	Parks										
x	Assessment Parcels										
□	Buildings										
123	Address Numbers										
<p>Corporation of the City of London Prepared By: Planning and Development</p>											

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BACKGROUND

Date Application Accepted: November 4, 2013	Agent: Derek Smith, MCI Design-Build Corporation
<p>REQUESTED ACTION: Change Zoning By-law Z.-1 FROM a Light Industrial Special Provision (h-17*LI1(3)) Zone which permits a range of uses including assembling; bakeries; fabricating; manufacturing, processing; research and development; warehousing; repair activities; printing and data processing industries; wholesale establishments; custom workshops; service trade and electronic product industries; support offices; and commercial schools uses, TO a Light Industrial Special Provision (LI1(3)/LI3(_)) Zone which permits commercial recreational establishments in addition to the above-noted uses. The requested special provision seeks a reduced side yard setback, a reduced front yard setback and a reduced parking ratio relating to commercial recreational uses.</p>	

<p>SITE CHARACTERISTICS:</p> <ul style="list-style-type: none"> • Current Land Use – Office & Storage • Frontage – 60 metres (combined) • Depth – 82 metres • Area – 0.49 hectares (combined) • Shape – rectangular
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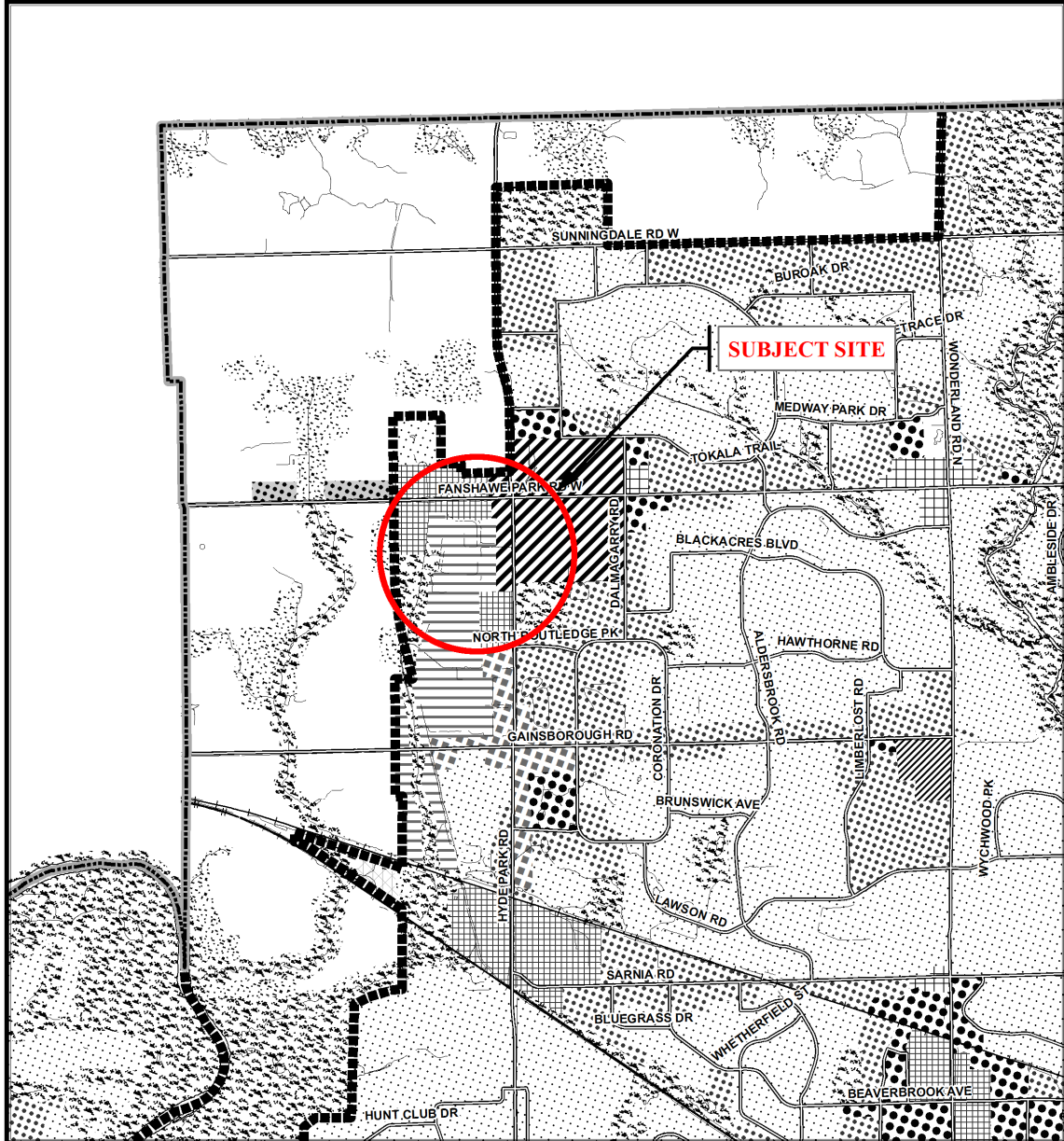
<p>SURROUNDING LAND USES:</p> <ul style="list-style-type: none"> • North - Light Industrial (h-17•LI1(3)) - Garnet Services Inc. and Ultratec Special Effects • South - Light Industrial (h-17•LI1(3)) - Signature Events • East - Light Industrial (h-17•LI1(3)) - Hyde Park Plumbing & Heating Ltd. & Bluejay Irrigation • West - Light Industrial (h-17•LI1(3)/LI7(5)) – Window Film Systems
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<p>OFFICIAL PLAN DESIGNATION: (refer to Official Plan Map)</p> <ul style="list-style-type: none"> • Light Industrial
<p>EXISTING ZONING: (refer to Zoning Map)</p> <ul style="list-style-type: none"> • Light Industrial (h-17•LI1(3))

PLANNING HISTORY

The subject lands were within the municipal boundaries of Middlesex Centre, in the County of Middlesex, when the Hyde Park industrial subdivision was created. The lands were incorporated into the City of London in 1993 through annexation. Full municipal services are still not available to all lots within the subdivision which has resulted in holding provisions (h-17) that limit the interim uses to dry uses permitted by the zone which are serviced by individual sanitary facilities. Presently the subdivision includes a wide range of uses, of which only a few include on-site manufacturing or fabrication.

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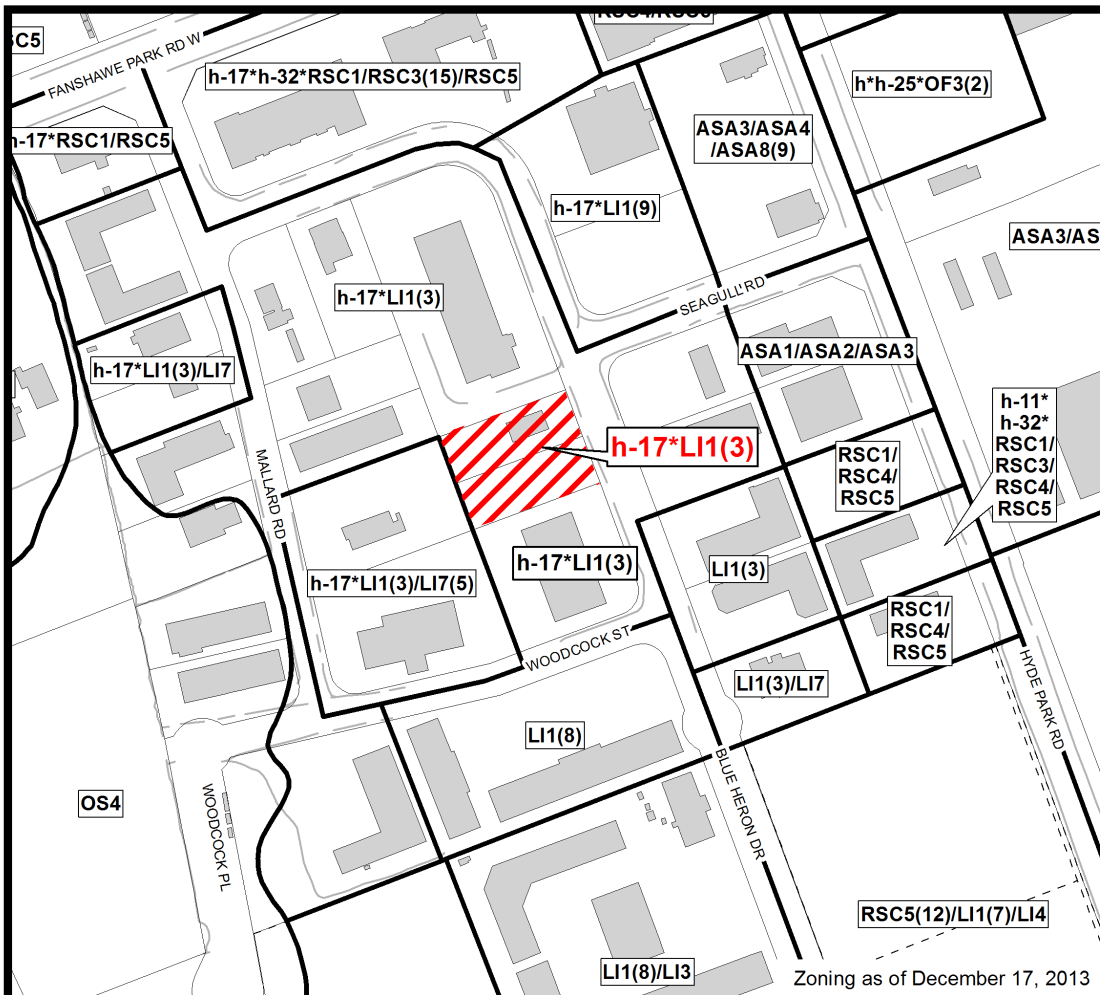


Legend	
	Downtown
	Enclosed Regional Commercial Node
	New Format Regional Commercial Node
	Community Commercial Node
	Neighbourhood Commercial Node
	Main Street Commercial Corridor
	Auto-Oriented Commercial Corridor
	Multi-Family, High Density Residential
	Multi-Family, Medium Density Residential
	Low Density Residential
	Office Area
	Office/Residential
	Office Business Park
	General Industrial
	Light Industrial
	Regional Facility
	Community Facility
	Open Space
	Urban Reserve - Community Growth
	Urban Reserve - Industrial Growth
	Rural Settlement
	Environmental Review
	Agriculture
	Urban Growth Boundary

<p>CITY OF LONDON Department of Planning and Development</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	<p>Scale 1:30,000</p> <p>0 155 310 620 930 1240 1550 Meters</p>	<p>FILE NUMBER: Z-8282</p> <p>PLANNER: AW</p> <p>TECHNICIAN: CK</p> <p>DATE: 2014/01/03</p>
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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: h-17*L11(3)

1) **LEGEND FOR ZONING BY-LAW Z-1**

- R1 - SINGLE DETACHED DWELLINGS
- R2 - SINGLE AND TWO UNIT DWELLINGS
- R3 - SINGLE TO FOUR UNIT DWELLINGS
- R4 - STREET TOWNHOUSE
- R5 - CLUSTER TOWNHOUSE
- R6 - CLUSTER HOUSING ALL FORMS
- R7 - SENIOR'S HOUSING
- R8 - MEDIUM DENSITY/LOW RISE APTS.
- R9 - MEDIUM TO HIGH DENSITY APTS.
- R10 - HIGH DENSITY APARTMENTS
- R11 - LODGING HOUSE

- DA - DOWNTOWN AREA
- RSA - REGIONAL SHOPPING AREA
- CSA - COMMUNITY SHOPPING AREA
- NSA - NEIGHBOURHOOD SHOPPING AREA
- BDC - BUSINESS DISTRICT COMMERCIAL
- AC - ARTERIAL COMMERCIAL
- HS - HIGHWAY SERVICE COMMERCIAL
- RSC - RESTRICTED SERVICE COMMERCIAL
- CC - CONVENIENCE COMMERCIAL
- SS - AUTOMOBILE SERVICE STATION
- ASA - ASSOCIATED SHOPPING AREA COMMERCIAL

- OR - OFFICE/RESIDENTIAL
- OC - OFFICE CONVERSION
- RO - RESTRICTED OFFICE
- OF - OFFICE

- RF - REGIONAL FACILITY
- CF - COMMUNITY FACILITY
- NF - NEIGHBOURHOOD FACILITY
- HER - HERITAGE
- DC - DAY CARE

- OS - OPEN SPACE
- CR - COMMERCIAL RECREATION
- ER - ENVIRONMENTAL REVIEW

- OB - OFFICE BUSINESS PARK
- LI - LIGHT INDUSTRIAL
- GI - GENERAL INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- EX - RESOURCE EXTRACTIVE
- UR - URBAN RESERVE

- AG - AGRICULTURAL
- AGC - AGRICULTURAL COMMERCIAL
- RRC - RURAL SETTLEMENT COMMERCIAL
- TGS - TEMPORARY GARDEN SUITE
- RT - RAIL TRANSPORTATION

- "h" - HOLDING SYMBOL
- "D" - DENSITY SYMBOL
- "H" - HEIGHT SYMBOL
- "B" - BONUS SYMBOL
- "T" - TEMPORARY USE SYMBOL

2) ANNEXED AREA APPEALED AREAS

CITY OF LONDON

PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

**ZONING
BY-LAW NO. Z.-1
SCHEDULE A**



THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:
Z-8282 AW

MAP PREPARED:
2014/01/03 CK

1:3,500
0 15 30 60 90 120
Meters

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Aerial Photo Location Map

File No.: Z-8282 AW

Date Prepared: 2014/01/03 CK

Prepared by : Graphics & Information Services, Planning Division, Corporation of the City of London
Photography based on April 2010 flight info.

SCALE: 1:2,500



Note: Parcel linework, when shown, is not for official or legal use.

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SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Upper Thames River Conservation Authority

The subject property is not affected by any regulations made pursuant to Section 28 of the Conservation Authorities Act...The UTRCA has no objections to this application.

Bell Canada

No conditions/objections to the application as submitted. If there are any conflicts with existing Bell facilities or easements, the Owner/Developer shall be responsible for re-arrangements or relocations.

London Hydro

No objections to this proposal.

Environment & Engineering Services - Stormwater Management Unit

All necessary [stormwater] servicing and drainage requirements/controls will addressed at Site Plan.

Environment & Engineering Services - Wastewater and Drainage Unit

[Advised that they] have no comment with respect to this application.

Environment & Engineering Services – Water Unit

Provided no comments with respect to this application.

PUBLIC LIAISON:	On November 21, 2013, Notice of Application was sent to 24 property owners in the surrounding area. Notice of Application was also published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on November 21, 2013. A "Possible Land Use Change" sign was also posted on the site.	16 replies were received
<p>Nature of Liaison: The purpose and effect of the requested Zoning By-law amendment is to permit Gymworld Inc. to develop an indoor recreational multi-sport training facility at this location.</p> <p>Change Zoning By-law Z.-1 FROM a holding Light Industrial Special Provision (h-17*L11(3)) Zone which permits a range of uses including assembling; bakeries; fabricating; manufacturing, processing; research and development; warehousing; repair activities; printing and data processing industries; wholesale establishments; custom workshops; service trade and electronic product industries; support offices; and commercial schools uses, TO a holding Light Industrial Special Provision (h-17*L11(3)/L13(_)) Zone which permits commercial recreational establishments in addition to the above noted uses. The requested special provision seeks a reduced side yard setback distance of 2.4m from the required 6.0m; a reduced front yard setback distance of 5.0m from the required 9.0m; and a reduced parking ratio of 1 parking space per 30m² for commercial recreational uses from the required 1 parking space per 20m².</p>		

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Responses: All sixteen of the respondents were in support of the application and provided the following comments:

- i) *I'm both a London tax payer and a user of Gymworld's service. Its proposed new development -- if allowed -- would provide a number of benefits to me and my children primarily by creating a venue for a number of different activities that are currently spread out across the city. I will drive a whole lot less so I'm all for the zoning change!*
- ii) *As an area resident I understand the makeup of the area and feel this area is not really industrial.*
- iii) *The area has definitely changed over time, businesses in the subdivision have typically been more commercial and/or retail oriented with residential development filling the in the area. There are a couple dance clubs as well as Kidscape Indoor Playground located in the vicinity which are doing well with the existing mix of other types of businesses.*
- iv) *This is a good spot for the use.*
- v) *CheerStrike, a small competitive cheerleading club in London, opened this year and has partnered with Gymworld to offer cheerleading programs out of their gym, currently located at 1540 Fanshawe Park Road West. In order for our small business to grow to accommodate the needs of our customers we need a larger space. The current facility at Gymworld is not ideal to run a cheerleading club, as the floor space is not a full cheer floor, which is essential for us to safely practice our routines. The new facility would provide us [CheerStrike] with one of the largest and most well equipped cheerleading training facility in Southern Ontario, something that would allow us to attract athletes not only from the London area but also those who would travel from other cities to train with us.*
- vi) *So many wonderful things have come out from Gymworld so far especially in my field of diving. Diving dry land training is crucial to our performance as the steps are practiced without having to climb out of the pool and up the diving tower. I can't stress enough how important this new facility is to us.*
- vii) *The new facility is necessary to accommodate the growth and popularity of Gymworld and the programs it offers. My children have been faithfully enrolled at Gymworld for the last 6 years. Gymworld is the only facility in the north end of London providing recreational and pre-competitive gymnastics but at its current size cannot accommodate the huge demand. Their new facility will be exactly what we need. Please proceed with re-zoning request as applied for.*
- viii) *I think this facility will make a great asset to London. The facility currently is too small to house the full complement of sports it was intended for, diving, cheerleading and gymnastics. The new facility will help promote elite athletics for London.*
- ix) *My boys are divers with the Forest City diving club here in London. We live in Waterloo and drive in five days a week for the boys to train. As part of their training, they do dryland at the Gymworld facility. This by-law zoning amendment will result in our being able to train more frequently which will enhance the performance of the divers.*

ANALYSIS

Subject Site:

The subject properties, known as 1920 and 1930 Blue Heron Drive, are located on the southwest side of the intersection of Blue Heron Drive and Seagull Road, near the intersection of Fanshawe Park Road West and Hyde Park Road. The lands are located within Light Industrial designation which comprises an area of land located between, but not bound by, Fanshawe Park Road, the urban growth boundary, Hyde Park Road and Gainsborough Road. Both parcels are rectangular in shape with a combined area of 0.49 hectares and a frontage of 60 metres.

The professional office building located at 1930 Blue Heron Drive was constructed in 1976 and is currently occupied by Integrated Engineering. There are no buildings located on 1920 Blue Heron Drive, however part of the lot is being used for vehicular storage, which is contained within a fenced area that provides a visual barrier from the road. Both properties are accessed through a mutual driveway located on 1930 Blue Heron Drive.

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Figure 1 – West facing view of 1920 Blue Heron Drive from road



Figure 2 – West facing view of 1930 Blue Heron Drive from road.



Figure 3 – West facing view of 1920 & 1930 Blue Heron Drive from road.



Figure 4 – West facing view of 1910 Blue Heron Drive from road.



Figure 5 – East facing view of 1917 Blue Heron Drive from road.

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Nature of Application:

The purpose of the application is for Gymworld Incorporated to develop a purpose-built indoor recreational, multi-sport training facility at 1920 Blue Heron Drive. The intended use of the facility includes: dry land diving training, gymnastics, cheerleading and trampoline of the competitive nature, which, as noted by the applicant, no current facility in London is able to provide given the dimensional specifications. The applicant is seeking to permit commercial recreation establishments as well as the current holding Light Industrial Special Provision (h-17*L11(3)) Zone and allowing a reduced side yard setback of 2.4 metres; a reduced front yard setback distance of 5.0 metres; and a reduced parking ratio for commercial recreational uses at a rate of 1 space per 30m². The effect of this Zoning By-law amendment is to allow the relocation of Gymworld Inc., from its existing location at 1540 Fanshawe Road, to a larger, purpose built multi-sport facility, located on the subject lands.

The proposed new building design incorporates a fenestration which mimics a tumbler in motion from east to west down the north elevation that to draw natural light into the building in a manner that does not interfere with the activities performed inside. The overall building size is based on a comprehensive design process undertaken to ensure the height and layout are appropriate for the specific sporting activities. The design while of modern style, uses pure and natural materials giving a raw look that with little decoration.



Figure 6 –West facing (front) view of Conceptual Multi-Sport Training Facility from road



Figure 7 –South facing (side) view of Conceptual Multi-Sport Training Facility

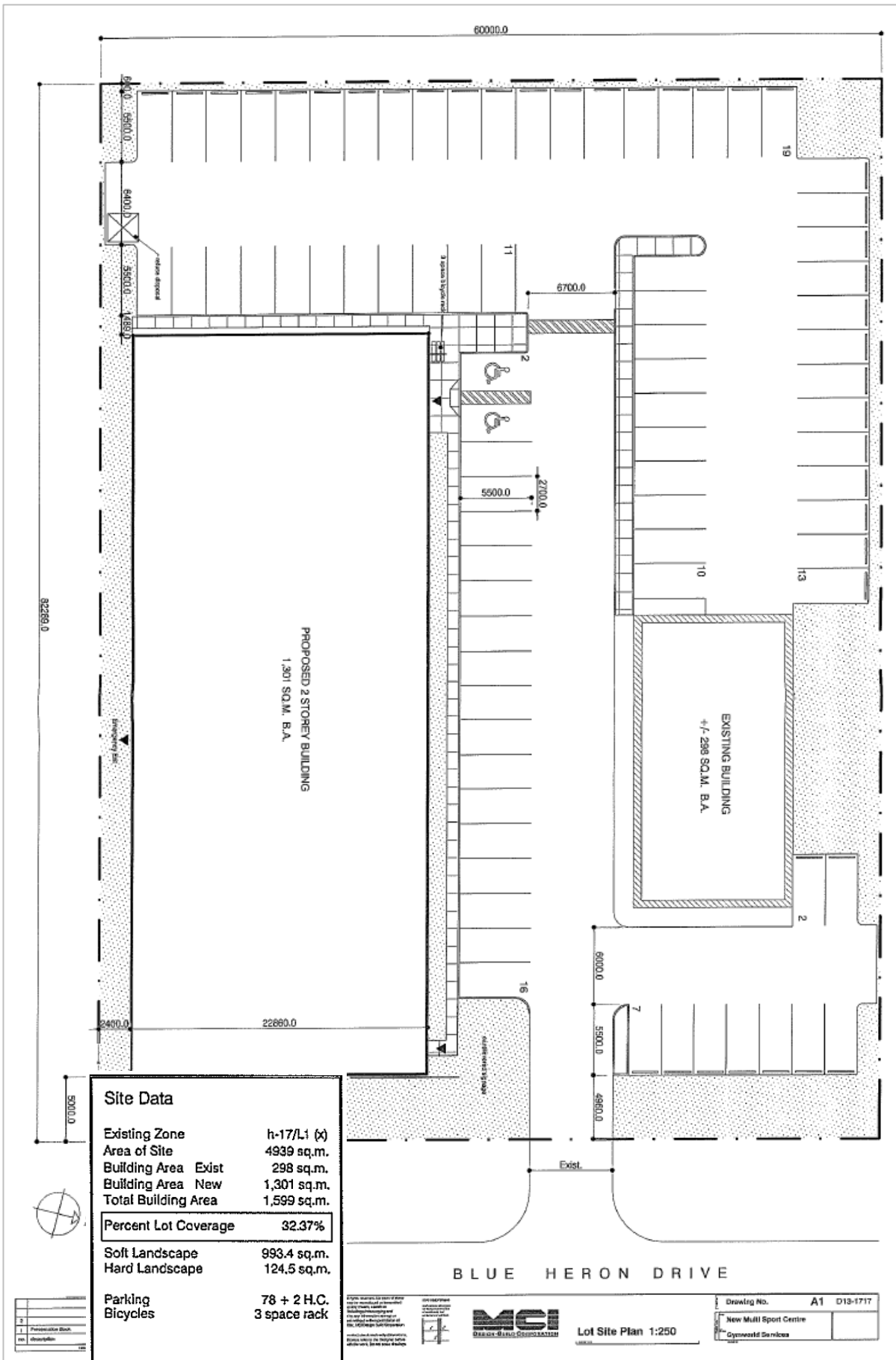
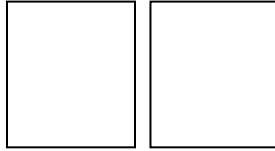


Figure 7 –South facing (side) view of Conceptual Multi-Sport Training Facility

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Provincial Policy Statement (PPS)

The *Provincial Policy Statement, 2005* (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS promotes healthy, liveable and safe communities by: encouraging efficient development and land use patterns which sustain the financial well-being of the municipality; accommodating an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses) and other land uses; and, promoting cost effective development standards to minimize land consumption and servicing costs.

The proposed rezoning will allow development of two existing lots within the growth boundaries established by the City of London, in a manner that is compatible with the surrounding land uses. Through both the adaptive re-use of an existing office building and new purpose-built building the applicants intend to provide a multi-sport training facility, designed to be fully municipally serviced upon completion of the local improvements for the construction of sanitary sewer and water main within the Hyde Park Industrial Subdivision. A commercial recreation establishment in addition to other uses permitted in the existing Light Industrial special provision zone will help sustain the financial well-being of the municipality as it will facilitate the utilization of an existing building located within the built-up area of the City. A new commercial recreation establishment will create additional recreational opportunities in the area and may lead to additional employment opportunities as well.

The proposal satisfies Section 1.1.1 of the PPS which promotes healthy, liveable and safe communities through; efficient development and land use patterns as well as accommodating a mix of employment (including commercial) and recreational uses.

The proposal satisfies section 1.1.3 of the PPS which directs that *Settlement areas shall be the focus of growth and their vitality and regenerations shall be promoted* by ensuring that planning authorities identify and promote opportunities for intensification and redevelopment where it can be appropriately accommodated.

The proposal also satisfies section 1.5 of the PPS which promotes healthy, active communities by providing a full range of publicly-accessible built and natural settings for recreation, including facilities.

The proposed rezoning is consistent with the PPS in that it promotes a healthy community and economic diversity. The proposed commercial recreation establishment will generate new recreational opportunities. The re-adaptation of an existing building reduces costs and prevents the expansion of the settlement area and land consumption.

Official Plan:

The Official Plan contains Council’s objectives and policies to guide the short-term and long-term physical development of the municipality. The policies promote orderly urban growth and compatibility among land uses. While the objectives and policies in the Official Plan primarily relate to the physical development of the municipality, they also have regard for relevant social, economic and environmental matters.

This requested change in use does not include an amendment to the Official Plan. The subject property is designated Light Industrial in the Official Plan. The planning objectives for Light Industrial land use designations have certain criteria which should be maintained, including:

7.1.3 Light Industrial Objectives

- i) *Provide for the development and use of industrial lands for a range of activities which are likely to have a minimal impact on surrounding uses.*
- ii) *Guide the development of older industrial areas in close proximity to residential neighbourhoods for industries which can meet appropriate operation, design and scale criteria*

Development of a commercial recreation establishment on the subject property provides an opportunity within an existing light industrial area for the introduction of a new use that is compatible with existing and surrounding land uses. The proposed development allows for both the adaptive re-use of an existing office building and new construction of a purpose-built

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File: Z-8282

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building as part of a new multi-sport training facility. This industrial area was created as a rural “subdivision” without connections to full municipal services which allows for limited permitted interim uses. As a result there are various types of non-industrial uses that have established within the subdivision. Over time both residential and commercial uses have developed in the surrounding areas. The proposed indoor commercial recreational use is considered to have a minimal impact on surrounding uses.

In accordance with Section 7.3.2 Uses Permitted by Site Specific Zoning, additional uses permitted in the Light Industrial designation may include: private clubs and commercial recreation establishments, by site specific zoning, subject to a Planning Impact Analysis completed by municipal staff.

7.6 Planning Impact Analysis

The Planning Impact Analysis is used to evaluate applications for a zone change, to determine the appropriateness of a proposed change in land use and to identify ways of reducing any adverse impacts on surrounding uses. It is a way to document the majority of criteria reviewed by municipal staff through the application review process to assess an application for change.

As part of the Planning Impact Analysis review undertaken staff assessed a number of criteria including the following:

- The proposed use is compatible with existing surrounding land use and is not perceived to have any negative impact on present and future land uses;
- The proposed use is not expected to emit any noise, odour or other emissions onto surrounding lands;
- The height, location and spacing of both the existing and proposed buildings will have no negative impacts on surrounding land uses;
- The subject lands do not contain any specific desirable vegetation or natural features however the proposed site plan provides sufficient landscaped open space area;
- The rezoning will permit a zone variation (LI3) which implements the Official Plan and is applied to other site in the area with adverse impacts.
- The proposed indoor recreational use would not preclude future light industrial uses to utilize the subject site or on other lands within the area.
- The zoning bylaw amendment will not adversely affect surrounding land uses.

The appropriateness of the recommended holding Light Industrial Special Provision (h-17*LI1(3)/LI3(_)) zoning, has been reviewed and is deemed to be appropriate and not to have any adverse effects on neighbouring lands for the following reasons:

- i) The proposed use is not expected to emit any contaminant into the natural environment.
- ii) The proposed use would not cause any negative impact of noise, odour or other emissions on surrounding lands uses.
- iii) The height, location and spacing of both the existing and proposed building, proposed landscaping, vehicular access points are not perceived to cause any negative impacts on existing neighbouring landowners.
- iv) The proposed indoor recreational use is not perceived to cause any negative impacts on surrounding land uses.

The requested Zoning By-law amendment conforms with relevant policies of the Official Plan for the City of London.

Hyde Park Community Plan

The subject lands were included in the planning area of the *Hyde Park Community Plan*, November 2001. The Community Plan designated these lands as Light Industrial which recognised the existing industrial area between Gainsborough Road and Fanshawe Park Road West and provides for infill development that is similar in nature. Situated next to an industrial area and in proximity to two arterial roads, the proposed use supports long term viability and is consistent with policies of the Official Plan. There is a mix of commercial and industrial uses in

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the immediate area which serve both local and regional needs. The Light Industrial designation is intended to accommodate this mix over the long term.

The requested Zoning By-law amendment is consistent with the Hyde Park Community Plan which recognises opportunities for development within industrial areas. In this case, the proposal is similar in nature to and compatible with existing uses that have established in the area.

Zoning:

The Zoning By-law is a comprehensive document used to implement the policies of the Official Plan by regulating the use of land, the intensity of the permitted use, and the built form. This is achieved by applying various zones to all lands within the City of London which identify a list of permitted uses and regulations that frame the context within which development can occur. Collectively, the permitted uses and regulations assess the ability of a site to accommodate a development proposal. It is important that all three criteria of use, intensity and form must be considered and deemed to be appropriate to the approval of any development proposal.

40.1 General Purpose of the Light Industrial (LI) Zone

This Zone provides for and regulates a range of industrial and associated secondary uses. In addition to the uses permitted in the LI1 Zone variation, an expanded range of industrial and complementary uses may be permitted, at appropriate locations, through other zone variations.

The property is currently within a holding Light Industrial Special Provision (h-17*LI1(3)) Zone, which permits; bakeries, business service establishments, laboratories, manufacturing and assembly industries, office support, pharmaceutical and medical product industries, printing, reproduction and data processing industries, research and development establishments, warehouse and wholesale establishments, custom workshops, service trades and existing self-storage establishments. The LI1(3) special provision permits: electrical and electronic products industries; office, store and business electronic products industries; and commercial schools as additional uses to the aforementioned uses (above), as established in Section 40.2 1) of the By-law. The holding (h-17) zone provision is in place to ensure the orderly development of lands and the adequate provision of municipal services.

The applicant has requested a Light Industrial Special Provision (LI3(_)) Zone which would permit commercial recreational establishments in addition to permitted uses under the current (LI1(3)) Zone with site specific regulations allowing for; a reduced side yard setback, a reduced front yard, and a reduced parking ratio of for commercial recreational uses.

The applicant has advised that the multi-sport facility will be comprised of both the existing 298 square metre building, at 1930 Blue Heron Drive as well as a new 1,301 square metre building, to be located at 1920 Blue Heron Drive, will occupy a total of 1,599 square metres or 32.37% of the subject lands. The proposed site plan layout (please see Page 12) provides for 15% open space which exceeds the minimum Light Industrial zone regulations. To accommodate this form, and in particular, to obtain the regulated dimensions required by the governing bodies of the sports that will be accommodated at this site, a special provision for a reduced south side yard setback distance of 2.4 metres from the required 6.0 metres and a reduced front yard setback distance of 5.0m from the required 9.0 metres are requested. The reduced yards are therefore deemed appropriate and are not perceived to be a result of over development of the site because they are not requested to facilitate a more intense use of the site.

The Zoning By-law requires that commercial recreation establishments provide 1 parking space per 20 square metres of gross floor area. The subject lands currently provide vehicular storage and parking in association with the professional office use. In keeping with the By-law a total of 80 parking spaces would be required.

The proposed multi-sport training facility does not, however, promote large assemblies of people akin to an arena, assembly hall, bingo hall, dance hall, swimming pool or other such uses permitted as a commercial recreational establishment. A training facility does not host any meets, or competitions that draw spectators. Users, including cheer squads, dance and gymnastics teams consist of fewer members not comparable to the size of hockey or football

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File: Z-8282

Planner: Amanda-Brea Watson

teams. A reduction in the parking is therefore appropriate to provide 1 parking space per 30 square metres of gross floor area. The reduced rate would require a total of 54 parking spaces be provided. The reduced parking for the commercial recreation establishment is not seen to have any negative impacts on neighbouring lands and will allow the building space to be maximized to accommodate sports regulation-size facilities.

Parkland dedication has not been provided for this property during the initial plan of subdivision. From a parkland dedication perspective the proposed development is considered a commercial use and is subject to the provisions as such in the Planning Act. Therefore parkland dedication, in the form of cash-in-lieu, will be required by the owner at the time of site plan control/building permit consistent with the requirements/rates listed within By-law CP-9.

Although it was not included as part of the application, staff recommend that the holding (h-17) zone provision be applied to the subject lands to ensure the adequate provision of municipal services. The local improvement for the construction of a sanitary sewer and watermain within the Hyde Park Industrial Subdivision are expected to be undertaken between May and October of 2014 after which the (h-17) Holding Provision may be considered for removal by Municipal Council. The applicant has been advised of staff's position and recognizes that the "h-17" symbol would not be deleted until full municipal sanitary sewer and water services are available to service the site. The recommended holding Light Industrial Special Provision (h-17*L11(3)/LI3(_)) zone will add indoor commercial recreation to the above permitted industrial uses.

CONCLUSION

The recommended Zoning By-law amendment is consistent with the *Provincial Policy Statement* as it promotes a healthy community, economic diversity, reduces costs and prevents land consumption.

The recommendation is not affected by the Citywide Official Plan/Zoning By-law Review (OZ-8219) which is not approved at the time of submission of this application which considers removing private clubs and commercial recreation establishments from the general industrial zone and limit their location among other non-industrial uses within the light industrial zone.

The recommended amendment conforms to relevant policies of the Official Plan for additional uses on lands designated Light Industrial. It allows for the adaptive re-use of an existing office building.

The amendment complies with the intent and direction of the Zoning By-law by allowing a use, in addition to those permitted under the Light Industrial LI1 Zone, which is complementary to the community and compatible with the existing surrounding uses.

The amendment represents sound planning as it allows for an appropriate development of a currently vacant light industrial parcel without restricting or negatively impacting while existing land uses. A reduction in parking for the commercial recreation establishment is appropriate given the intensity of use and will allow the building space to be maximized.

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File: Z-8282
Planner: Amanda-Brea Watson

PREPARED BY:	REVIEWED BY:
AMANDA-BREA WATSON, MCIP, RPP PLANNER II, COMMUNITY PLANNING AND DESIGN	MICHAEL TOMAZINCIC, MCIP, RPP MANAGER, PLANNING REVIEW COMMUNITY PLANNING AND DESIGN
SUBMITTED BY:	RECOMMENDED BY:
JIM YANCHULA, MCIP, RPP MANAGER, COMMUNITY PLANNING AND DESIGN	JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER

January 6, 2014

AW

"Attach"

Y:\Shared\implemen\DEVELOPMENT APPS\2013 Applications 8135 to\8282Z - 1920-1930 Blue Heron Dr (AW)

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File: Z-8282
Planner: Amanda-Brea Watson

Responses to Public Liaison Letter and Publication in “Living in the City”

<u>Telephone</u>	<u>Written</u>
Robert Gallant , 1673 Green Gables Rd, London, ON N6M 0A3	Anara Smith, 540 Cudmore Crescent, London, ON N6M 1M4
Sheri Dunlop , 1854 Charington Place, London, ON N6G 5G6	Michelle Butler, 1440 Beaverbrook Ave #912, London, ON N6H 5W6
	Jill Maloney 1015 Farnham Rd. Unit 10 London, ON N6K 1S3
	Deborah Van Loon 24 Haley Court West Montrose, ON N0B 2V0
	George Goodall (sent via email – no mailing address given)
	Ioana Marinescu (sent via email – no mailing address given)
	Jennifer Teves 1105 Medway Park Drive, London, ON N6G 0G1
	Kristin (Greg, Elayne and Alice)Walls 13326 Fourteen Mile Rd RR4 Denfield, ON N0M 1P0
	Kristin Arntfield 1519 Logans Trail London ON, N6K 0B3
	Lily Aboumourad 1586 Benjamin Drive, London, ON N5V 5J5
	Maggie McPherson 121 Bonaventure Drive London, ON N5V 4H5
	Lim Rodrick (sent via email – no mailing address given)
	Samantha Fung (sent via email – no mailing address given)
	Soha Eid Moussa (sent via email – no mailing address given)

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File: Z-8282
Planner: Amanda-Brea Watson

Good evening,

We are the co-owners of CheerStrike, a small competitive cheerleading club in London, Ontario, which opened this year. We have partnered with Gymworld and offer our program out of their gym, currently located at 1540 Fanshawe Park Road West. We are writing to you with our support of the proposed zoning change for file # Z-8282 or location 1920 & 1930 Blue Heron Drive.

We currently have 65 competitive athletes, girls between the ages of 3-11, from London and surrounding communities enrolled in our program. Each year our program will need to grow in order for us to offer teams for older aged athletes as our current athletes progress through the age levels of the sport, as well as to make room for new athletes that we anticipate will join our program. In order for our small business to grow to accommodate the needs of our customers we need a larger space. The current facility at Gymworld is not ideal to run a cheerleading club, as the floor space is not a full cheer floor, which is essential for us to safely practice our routines. The new facility which is being planned for Blue Heron Drive has everything that we need to help ensure our athletes are successful.

We have been receiving a lot of positive feedback from our customers and have seen a lot of growth in our athletes in the short time that we have been in operation. Through our program we are committed to teaching our athletes not only cheerleading skills but important life skills as well. We have a strong values system that we instill in each athlete at our gym and we participate in various community events which allow our athletes to give back to those in their community (food drives, toy drives etc...).

This new facility would provide us with one of the largest and most well equipped cheerleading training facility in Southern Ontario, something that would allow us to attract athletes not only from the London area but also those who would travel from other cities to train with us. This would allow us to continue to grow our program and make more of a name for ourselves and London at larger, international competitions, as the place to be for competitive cheerleading.

This business is truly a dream come true for the 3 of us, we are women who are truly passionate about this sport and the positive impact that it can have on athlete's lives. We each fell in love with this sport years ago when we were athletes and have remained involved as coaches ever since. Thank you for taking the time to consider our request.

Sincerely,

Michelle Butler

Jill Maloney

Deborah Van Loon

CheerStrike Royals
"Building Character, Creating Champions"
www.CheerStrikeRoyals.com
www.facebook.com/CheerStrikeRoyals
www.twitter.com/CS_Royals

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File: Z-8282
Planner: Amanda-Brea Watson

**Bibliography of Information and Materials
Z-8282**

Request for Approval:

City of London Zoning By-law Amendment Application Form, completed by Derek Smith of MCI Design-Build Corporation, July 4, 2013.

Reference Documents:

Ontario. Ministry of Municipal Affairs and Housing. *Planning Act, R.S.O. 1990, CHAPTER P.13*, as amended.

Ontario. Ministry of Municipal Affairs and Housing. *Provincial Policy Statement*, March 1, 2005.

City of London. *Official Plan*, June 19, 1989, as amended.

City of London. *Zoning By-law No. Z.-1*, May 21, 1991, as amended.

MCI Design-Build Corp. *Planning Justification Report* (including Parking Study), undated.

KAM Engineering Ltd. *Site Servicing Study*, October 18, 2013.

RWDI Consulting. *Noise and Dust Impact Assessment – Mitigating Measures*, June 16, 2005.

Correspondence: (all located in City of London File No. Z-8282 unless otherwise stated)

City of London -

Postma R., City of London Environment and Parks Planning. Email to A.-B. Watson. November 28, 2013.

Clavet. Y., City of London Environment and Engineering Services - Stormwater Management Unit. E-mail to A.-B. Watson. December 9, 2013.

Page. B., City of London Environment and Parks Planning. Memo via e-mail to A.-B. December 10, 2013.

Departments and Agencies -

Raffoul. L., Bell Canada. Letter to A.-B. Watson. December 3, 2013.

Crieghton C., UTRCA. Memo via e-mail to A.-B. Watson. December 5, 2013.

Dalrymple, D., London Hydro. Memo to A.-B. Watson. November 27, 2013

Other:

Site visit January 3, 2014 and photographs of the same date.

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File: Z-8282
Planner: Amanda-Brea Watson

Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
 2014

By-law No. Z.-1-14_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1920 and 1930 Blue Heron Drive.

WHEREAS Gymworld Inc. has applied to rezone an area of land located at 1920 and 1930 Blue Heron Drive, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 1920 and 1930 Blue Heron Drive, as shown on the attached map comprising part of Key Map No. A101, from a holding Light Industrial Special Provision (h-17*LI1(3)) Zone to a holding Light Industrial Special Provision (h-17*LI1(3)/LI3(_)) Zone.
- 2) Section Number 40.4 of the Light Industrial (LI3) Zone is amended by adding the following Special Provision:

LI3(_)	1920 and 1930 Blue Heron Drive	
a)	Permitted Uses	
i)	Commercial Recreational Establishments	
b)	Regulations	
i)	Side Yard Depth (minimum)	2.40metres (7.9 feet)
ii)	Front Yard Depth	5.0 metres (16 feet)
iii)	Parking for Commercial Recreation Establishment (Minimum)	1 space per 30 square metres (322.92 square feet)

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on February 11, 2014.

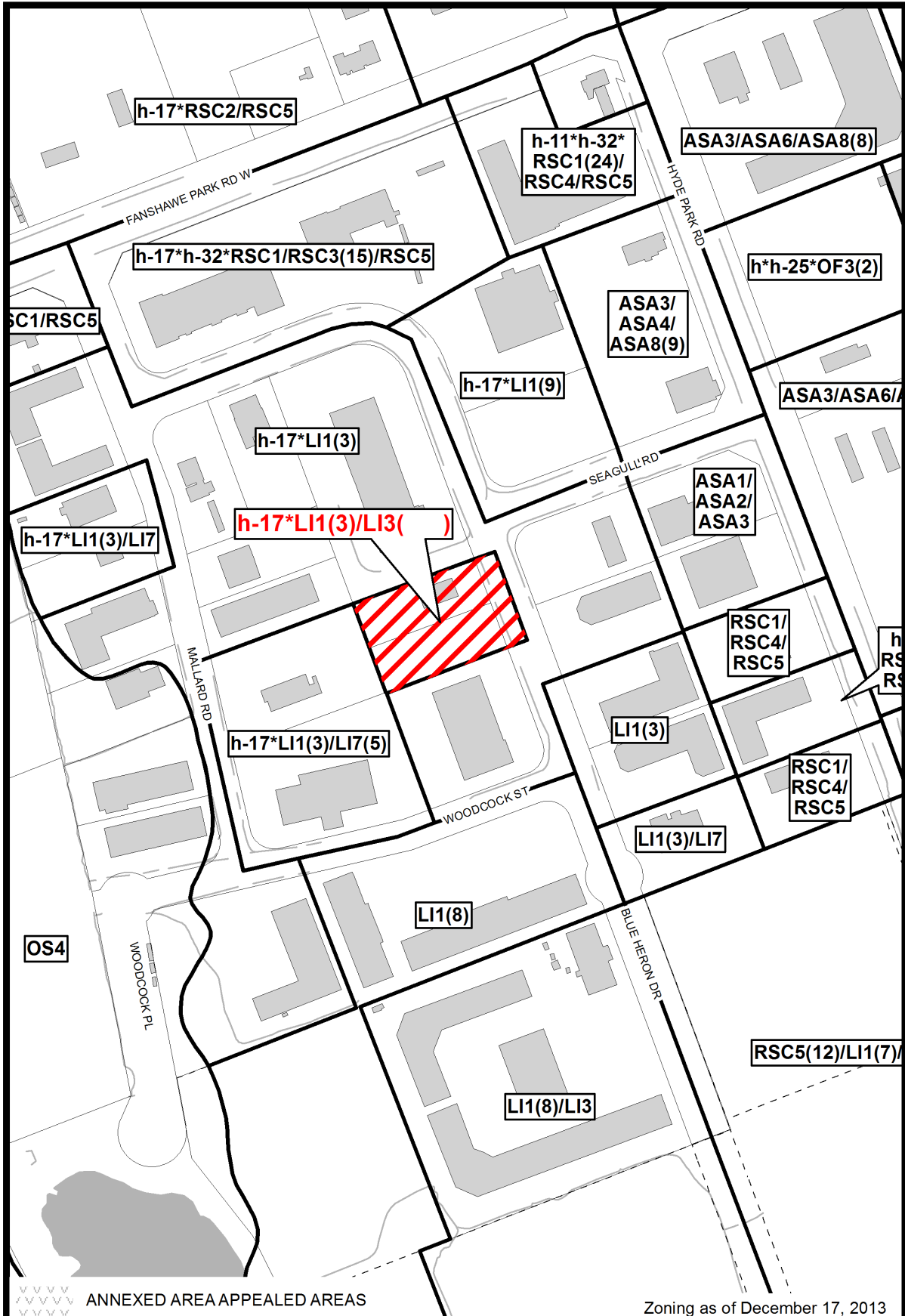
Joe Fontana
 Mayor


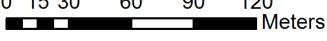

Catharine Saunders
 City Clerk

First Reading - February 11, 2014
 Second Reading - February 11, 2014
 Third Reading - February 11, 2014

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AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



<p>File Number: Z-8282 Planner: AW Date Prepared: 2014/01/03 Technician: CK By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:3,000</p> <p>0 15 30 60 90 120 Meters </p> <p></p>
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