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**File: TZ-8066**  
**Planner: Mike Corby**

<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING &amp; ENVIRONMENT COMMITTEE</b>
<b>FROM:</b>	<b>JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: LONDON CONVENTION CENTRE (CITY OF LONDON) 299 KING STREET PUBLIC PARTICIPATION MEETING ON SEPTEMBER 24, 2012 @ 4:00 P.M.</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of the London Convention Centre (City of London) relating to the property located at 299 King Street, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on **October 9<sup>th</sup>, 2012** to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, **TO** extend the Temporary (T-53) Zone to recognize the temporary commercial surface parking lot as a permitted uses for a period of three (3) years from the date of passing of the by-law.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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Z-6433 – April 14, 2003  
Z-7279 – January 15, 2007

<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
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The purpose and effect of this zoning change is to extend the temporary zone (T-53) to continue to permit a surface commercial parking lot for a period not exceeding three (3) years.

<b>RATIONALE</b>
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The recommended temporary use conforms to the criteria for temporary uses in the Official Plan and will continue the previously permitted temporary parking lot which was initially granted in 2003.

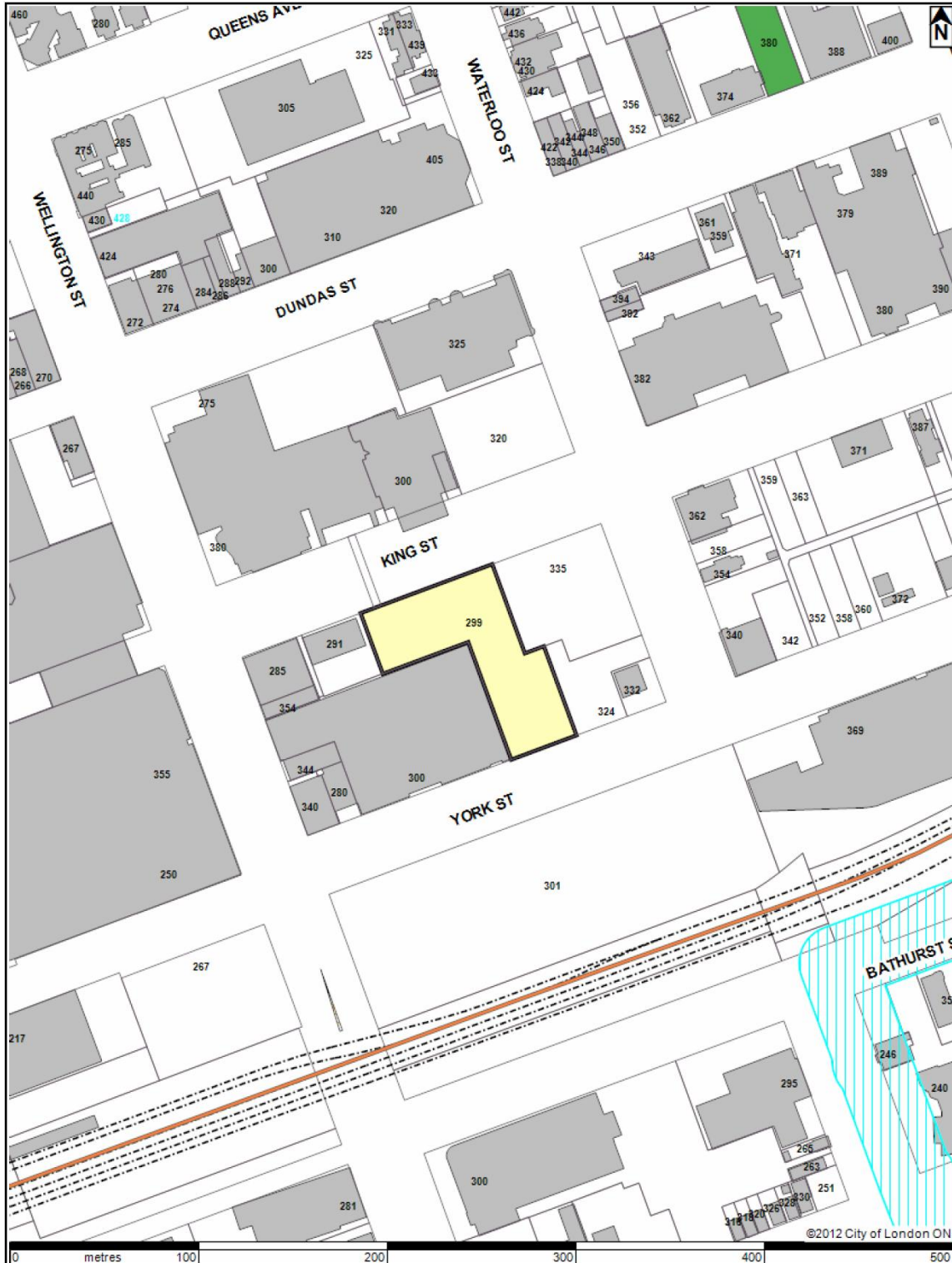
The commercial parking lot has been developed and maintained in conformity with the site plan approval requirements which were initially established.

The temporary parking lot continues to provide parking for the neighbouring Convention Centre and provides accessible and convenient parking for events in the Downtown Core.

An appropriate long term use has yet to be established for the subject lands and the continuation of the temporary use does not hinder or prevent the site from developing in the future.

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<p style="text-align: center;"><b>LOCATION MAP</b></p> <p>Subject Site: 299 King St                  Applicant: London Convention Centre Corporation                  File Number: TZ-8066                  Planner: Mike Corby                  Created By: Mike Corby                  Date: 2012-06-19                  Scale: 1:2500</p>	<p style="text-align: center;"><b>LEGEND</b></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;">▨</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	▨	Assessment Parcels	■	Buildings	123	Address Numbers
■	Subject Site										
■	Parks										
▨	Assessment Parcels										
■	Buildings										
123	Address Numbers										
<p>Corporation of the City of London                  Prepared By: Planning, Environmental</p>											

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**BACKGROUND**

<b>Date Application Accepted:</b> June 13, 2012	<b>Agent:</b> N/A
<b>REQUESTED ACTION:</b> To permit the extension of the existing temporary use zone (T-53) for a period of not more than three years from the date of the passing of the By-Law.	

<b>SITE CHARACTERISTICS:</b>
<ul style="list-style-type: none"> <li>• <b>Current Land Use</b> – Parking Lot</li> <li>• <b>Frontage</b> – 75 metres</li> <li>• <b>Depth</b> – 100m at deepest part</li> <li>• <b>Area</b> – 0.48 hectares (1.2 acres)</li> <li>• <b>Shape</b> - Irregular</li> </ul>

<b>SURROUNDING LAND USES:</b>
<ul style="list-style-type: none"> <li>• <b>North</b> - Commercial</li> <li>• <b>South</b> - Parking</li> <li>• <b>East</b> - Parking</li> <li>• <b>West</b> - Commercial</li> </ul>

<b>OFFICIAL PLAN DESIGNATION:</b> (refer to Official Plan Map)
<ul style="list-style-type: none"> <li>• Downtown Area (DA)</li> </ul>
<b>EXISTING ZONING:</b> (refer to Zoning Map)
<ul style="list-style-type: none"> <li>• h-3*DA1(1)*D350*H95 / DA1(3)*D350*H95*T-53</li> </ul>

**PLANNING HISTORY**

1990 – The Official Plan and Zoning By-law were amended for the subject site to permit a broad range of uses in conformity to the Downtown Area Policies.

1991 – A demolition permit was approved to demolish the existing hotel.

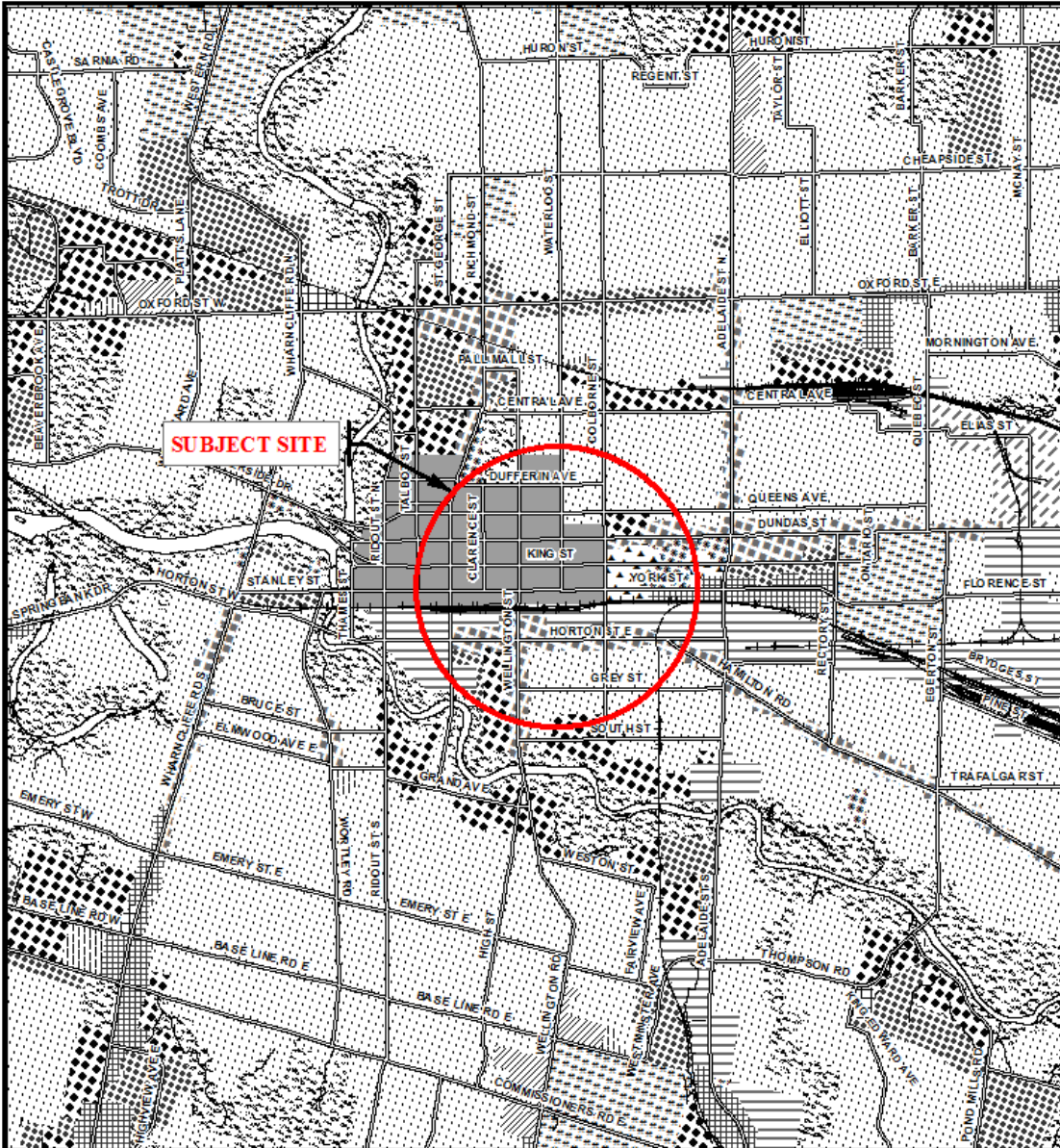
1991-Present – The property has remained vacant

2003 – Site plan approval was applied for and granted.

2003 & 2006 - Zoning By-law amendments were applied for and granted.

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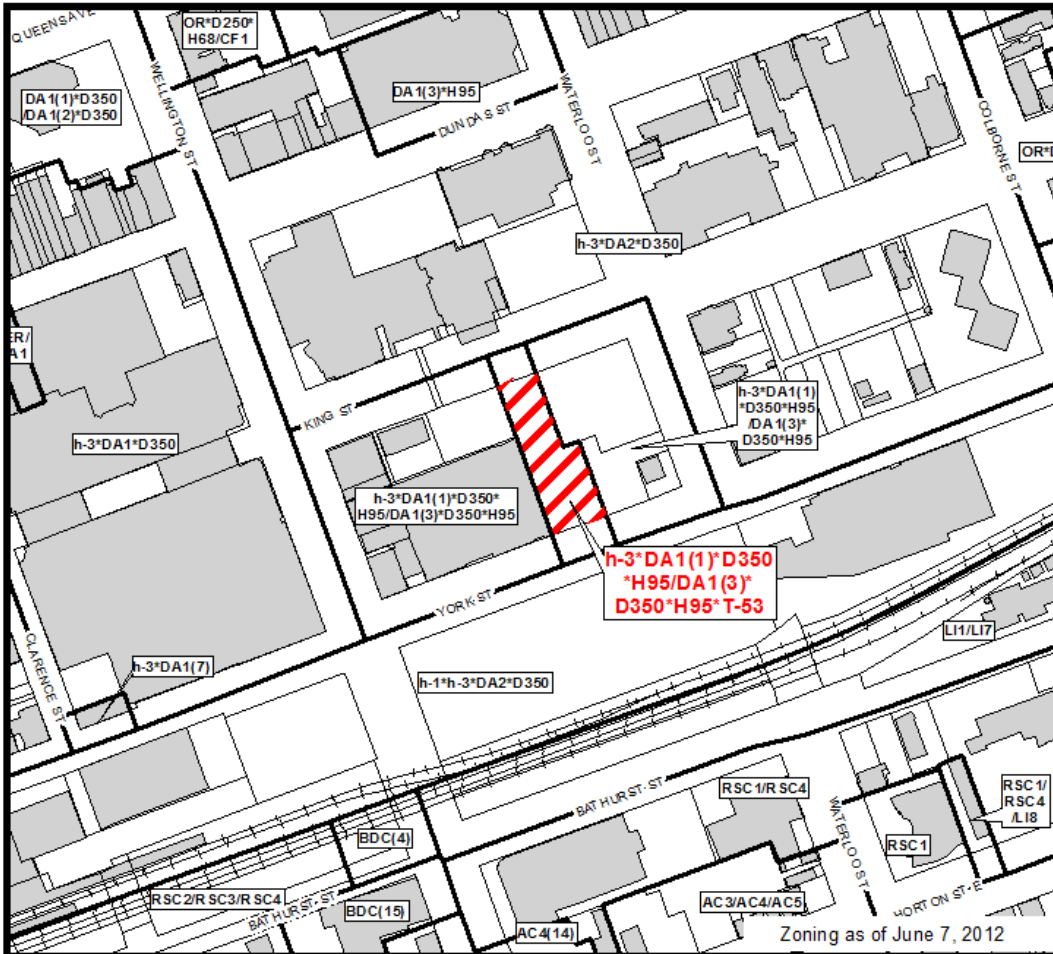


Legend	
Downtown	Office Business Park
Enclosed Regional Commercial Node	General Industrial
New Format Regional Commercial Node	Light Industrial
Community Commercial Node	Regional Facility
Neighbourhood Commercial Node	Community Facility
Main Street Commercial Corridor	Open Space
Auto-Oriented Commercial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

<p><b>CITY OF LONDON</b> Department of Planning and Development</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: TZ-8066</p> <p>PLANNER: MC</p> <p>TECHNICIAN: CK</p> <p>DATE: 2012/08/29</p>
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**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: h-3\*DA1(1)\*D350\*H95/ DA1(3)\*D350\*H95\*T-53**

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

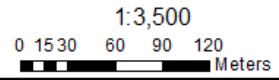
**CITY OF LONDON**  
PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

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



FILE NO:  
TZ-8066 MC

MAP PREPARED:  
2012/09/04 CK



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

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**SIGNIFICANT DEPARTMENT/AGENCY COMMENTS**

<b>PUBLIC LIAISON:</b>	On June 22, 2012, Notice of Application was sent to 28 property owners in the surrounding area. Notice of Application was also published in the "Living in the City" section of the London Free Press on June 23, 2012. A "Possible Land Use Change" sign was also posted on the site.	1 reply was received
<p><b>Nature of Liaison:</b> The purpose and effect of this zoning change is to extend the temporary zone (T-53) to continue to permit a surface commercial parking lot for a period not exceeding three (3) years.</p> <p>Change Zoning By-law Z.-1 to extend the existing temporary use zone (T-53) for a period of not more than three years from the date of the passing of the By-Law.</p>		
<p><b>Responses:</b> London Transit does not support temporary parking lots in the central area, given:</p> <ul style="list-style-type: none"> <li>- The trend to renew "temporary" parking lots, on an ongoing basis; noting that this application is a renewal</li> <li>- Creation of additional parking in the central area is counter to increasing transit mode share targets, as set out in the City's Transportation Plan</li> <li>- Its proximity to high volume transit corridors (Dundas St, Wellington St)</li> </ul>		

**ANALYSIS**

**Subject Site**

The subject site is a through lot which fronts both King Street and York Street and is located between Waterloo Street and Wellington Street. The subject site has received no viable development inquiries. Prior to the site plan agreement and zoning by-law amendment, established the parking lot use, for the site it sat vacant for 12 years and has been use as a parking lot for the past 9 years.

**Nature of Application**

The purpose of the application is to extend the temporary zone which permits a commercial surface parking lot for another three (3) year term. The previous extension was granted back in 2007.

**Official Plan Policies**

Under Section 19.4.5., Temporary Use By-law of the Official Plan "Provided the general intent and purpose of the Official Plan are maintained, Council may pass by-laws to authorize the temporary use of land, buildings or structures for a purpose that is otherwise prohibited by this Plan, for renewable periods not exceeding three years, in accordance with the provisions of the Planning Act."

Given the nature of the temporary proposed use, the Official Plan policies would recognize the requested use as meeting the intent of the Downtown Area designation and in compliance with the provision of the Planning Act.

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The Official Plan designation for the subject site is “Downtown Area”. This designation permits a wide range of retail, service, office, entertainment, residential, open space, cultural and community facility. The downtown area is identified by its concentration of employment and intensive, multi functional land use pattern.

Section 4.1.6 viii) of the Official Plan, Commercial Parking Structures and Surface Parking Lots identifies that;

*Commercial parking structures are a permitted use in the Downtown and are encouraged to locate in peripheral areas of the Downtown. The design of these structures along the street edge should be addressed through consideration of the Downtown Design Guidelines specifically requiring enhanced landscaping and consideration of pedestrian connections. The long term intent of the Plan is to improve the aesthetics of existing surface parking lots and to discourage new surface parking lots in the Downtown, especially where they involve the removal of buildings.*

For the following reasons the proposed zoning by-law extension is appropriate.

- The subject site is located on the peripheral area of the designated downtown area;
- The existing design previously addressed the Downtown Design Guidelines during the initial site plan process in 2003;
- The enhanced landscaping along the street edge has been maintained and provides a complimentary buffer between the street, parking lot and provides an aesthetically pleasing and functional pedestrian connection;
- The surface parking lot exists and no building removal is required.

**Zoning**

The current zoning for the subject site is a Combination Holding Downtown Area Special Provision (h-3\*DA1(1)\*D350\*H95/DA1(3)\*D350\*H95) Zone. The Downtown Area Zone permits a wide range of retail, office and residential uses on a minimum lot frontage of 3.0m (9.8ft), a maximum lot coverage of 100%, a maximum height of 95.0m (295.0ft), a maximum floor area ratio (FAR) of 6:1 and a maximum density of 350 units per hectare (142 units per acre). The special provision allows for an additional permitted use of a convention centre and a maximum FAR of 10:1.

This would be the third time that a temporary zoning by-law would be utilized to permit a commercial parking lot on the subject site. Temporary zoning is not intended to establish a permanent use on a property.

**Use/Intensity/Form**

The parking lot will continue to support nearby convention centre, hotel and office uses and will not require the demolition of any existing buildings, nor any redevelopment of the site as the subject lands have been operating as a surface parking facility for the past 9 years.

Re-introduction of the temporary use for surface parking also will ensure that existing accessible open space areas that were introduced when the initial approval was made in 2003 will continue to serve the surrounding properties to enjoy. The landscaped areas along King Street and York Street will be retained to help enhance the appearance of the facility until a new development is proposed.

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<b>CONCLUSION</b>
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The re-introduction/extension of the temporary use by-law and continued operation of this facility as a commercial parking lot does not contravene the long term objectives of the Official Plan. The use has not had any negative effects on the downtown, and serves as an example of how site-specific improvements can be effectively incorporated into the design of surface parking facilities including greenspace, lighting and curbing. The subject site is located in the periphery of the downtown away from our most critical pedestrian shopping routes and serves as a convenient parking location to facilitate pedestrian access and use to those higher pedestrian traffic areas. The commercial parking lot will continue to provide for a compatible interim use on the property and provides the opportunity for the site to redevelop for a longer term use.

<b>PREPARED BY:</b>	<b>SUBMITTED BY:</b>
<b>MIKE CORBY COMMUNITY PLANNING AND URBAN DESIGN SECTION</b>	<b>JIM YANCHULA, MCIP, RPP MANAGER OF COMMUNITY PLANNING AND DESIGN</b>
<b>RECOMMENDED BY:</b>	
<b>JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>	

August 28, 2012

MC/mc

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**File: TZ-8066**  
**Planner: Mike Corby**

**Bibliography of Information and Materials**  
**TZ-8066**

**Request for Approval:**

City of London Zoning By-law Application Form, completed by the City of London, May 30, 2012

**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.

**Correspondence: (all located in City of London File No. Insert File No. unless otherwise stated)**

**City of London -**

Page B., City of London Parks Planning and Design. Letter to M. Corby. June 25, 2012.

Galloway A., City of London Storm Water Management Unit. Letter to M. Corby. June 25, 2012.

**Departments and Agencies -**

Creighton C., UTRCA. Letter to M. Corby. July 12, 2012.

Burns K., London Transit Commission. Letter to M. Corby, June 28, 2012.

Dalrymple, D., London Hydro. Letter to M. Corby. April 12 and June 22, 2012.

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**Appendix "A"**

Bill No. (number to be inserted by Clerk's Office)  
2012

By-law No. Z.-1-12\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 299 King Street.

WHEREAS The Convention Centre (The City of London) has applied to rezone an area of land located at 299 King Street, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

AND WHEREAS the Municipal Council of The Corporation of the City of London, by By-law No. Z.-1-051311, approved the Temporary Use for 299 King Street to be used as a surface commercial parking lot for a temporary period not exceeding three (3) years from the date of passing of this by-law beginning January 22, 2007.

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

Schedule "A" to By-law No. Z-1 is amended by changing the zoning applicable to lands located on the east portion of 299 King Street, as shown on the attached map comprising part of Key Map No. 85, to extend the Temporary (T-53) Zone to recognize the temporary commercial surface parking lot as a permitted uses for a period of three (3) years from the date of passing of the by-law.

1) Section Number 50.2 of the Temporary (T) Zone is amended by adding the following:

53) T-53

This temporary use is hereby extended for a temporary period not exceeding three (3) years from the date of the passing of this By-law beginning October 9th, 2012.

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 October 9, 2012.

Joe Fontana  
Mayor

Catharine Saunders  
City Clerk

Agenda Item #      Page #

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First Reading - October 9, 2012  
Second Reading - October 9, 2012  
Third Reading - October 9, 2012