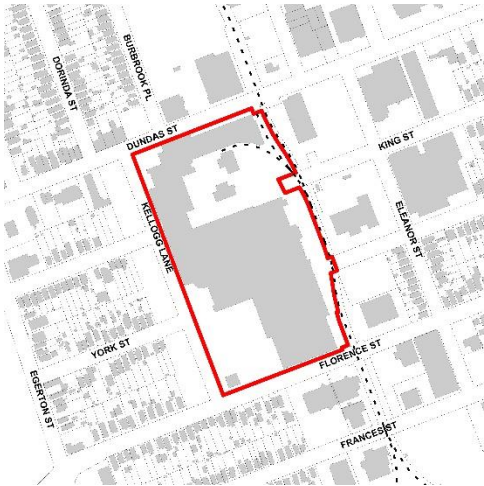


NOTICE OF PLANNING APPLICATION

Zoning By-Law Amendment

100 Kellogg Lane



File: Z-9408

Applicant: E & E McLaughlin Ltd.

What is Proposed?

Zoning amendment to allow:

- Places of Entertainment and Amusement Games Establishments as additional permitted uses for the north part of the property.
- Special zoning provision to allow outdoor patios in any yard, at or above-grade, whereas the Zoning By-law limits the locations and elevations of outdoor patios associated with a restaurant or tavern when the property is adjacent to a residential zone.

LEARN MORE & PROVIDE INPUT

Please provide any comments by **October 28, 2021**

Barb Debbert

bdebbert@london.ca

519-661-CITY (2489) ext. 5345

Planning & Development, City of London

300 Dufferin Avenue, 6th Floor,

London ON PO Box 5035 N6A 4L9

File: Z-9408

london.ca/planapps

You may also discuss any concerns you have with your Ward Councillor:

Jesse Helmer

jhelmer@london.ca

519-661-CITY (2489) ext. 4004

**If you are a landlord, please post a copy of this notice where your tenants can see it.
We want to make sure they have a chance to take part.**

Application Details

Requested Zoning By-law Amendment

To change the zoning on the north part of the property from a Business District Commercial Special Provision (BDC1/BDC2(12)) Zone to a revised Business District Commercial Special Provision (BDC1/BDC2(12)) Zone to include the existing special zoning provisions, and add Place of Entertainment and Amusement Games Establishment as permitted uses. A new special provision is also requested to allow outdoor patios in any yard, at or above-grade, whereas Section 4.18(2) of the Zoning By-law limits the locations and elevations of outdoor patios associated with a restaurant or tavern when the property is adjacent to a residential zone. Changes to the currently permitted land uses and development regulations are summarized below.

The Zoning By-law is available at london.ca.

Current Zoning

Zone: Business District Commercial Special Provision (BDC1/BDC2(12)) Zone

Permitted Uses: a range of service, office, retail, entertainment, laboratory, institutional, and residential uses, including among other things, commercial recreation establishments, private clubs, cinemas, taverns, craft breweries, hotels, and self-storage establishments restricted to the basement of the existing building

Special Provision(s): maximum height – 15.0 metres; a minimum of 400 parking spaces is required for the entirety of 100 Kellogg Lane and can be provided in combination with parking spaces on site and lands zoned to permit accessory parking lots in favour of 100 Kellogg Lane; a Maximum Gross Floor Area of 8,361m² shall be permitted for Office uses within the existing building, in combination with the Office uses permitted in the LI1(18) zone on 100 Kellogg Lane

Residential Density and Height: unlimited within the existing structure; if height in new structure exceeds 15.0 metres, the height and density are to be established through a zoning by-law amendment

Requested Zoning

Zone: Business District Commercial Special Provision (BDC1/BDC2(12)) Zone

Permitted Uses: a range of service, office, retail, entertainment, laboratory, institutional, and residential uses, including among other things, commercial recreation establishments, private clubs, cinemas, taverns, craft breweries, hotels, and self-storage establishments restricted to the basement of the existing building

Special Provision(s): (new) add Place of Entertainment and Amusement Games Establishment as permitted uses; notwithstanding the provisions of Section 4.18(2) of the Zoning By-law, outdoor patios are permitted in any yard, at or above grade; (existing) a minimum of 400 parking spaces is required for the entirety of 100 Kellogg Lane and can be provided in combination with parking spaces on site and lands zoned to permit accessory parking lots in favour of 100 Kellogg Lane; a Maximum Gross Floor Area of 8,361m² shall be permitted for Office uses within the existing building, in combination with the Office uses permitted in the LI1(18) zone on 100 Kellogg Lane

Residential Density and Height: unlimited within the existing structure; if height in new structure exceeds 15.0 metres, the height and density are to be established through a zoning by-law amendment

The City may also consider additional special provisions including but not limited to the maximum allowable gross floor area or location within the complex to be occupied by the proposed new uses.

Planning Policies

Any change to the Zoning By-law must conform to the policies of the Official Plan, London's long-range planning document. These lands are currently designated as Main Street Commercial Corridor Place Type in the 1989 Official Plan, permitting a broad range of retail, service, entertainment, office, studio, community facility, and residential uses.

The subject lands are in the Rapid Transit Corridor Place Type in The London Plan, permitting a range of residential, retail, service, office, cultural, recreational, and institutional uses.

Existing site-specific policies in both the 1989 Official Plan and The London Plan allow self-storage establishments, greater floor area of offices than normally permitted in the Main Street Commercial Corridor, and accessory parking at 1063, 1080, 1097 and 1127 Dundas Street.

How Can You Participate in the Planning Process?

You have received this Notice because someone has applied to change the zoning of land located within 120 metres of a property you own, or your landlord has posted the notice of application in your building. The City reviews and makes decisions on such planning applications in accordance with the requirements of the Planning Act. The ways you can participate in the City's planning review and decision making process are summarized below.

See More Information

You can review additional information and material about this application by:

- Contacting the City's Planner listed on the first page of this Notice; or
- Viewing the application-specific page at london.ca/planapps
- Opportunities to view any file materials in-person by appointment can be arranged through the file Planner.

Reply to this Notice of Application

We are inviting your comments on the requested changes at this time so that we can consider them as we review the application and prepare a report that will include Planning & Development staff's recommendation to the City's Planning and Environment Committee. Planning considerations usually include such matters as land use, development intensity, and form of development.

Attend a Future Public Participation Meeting

The Planning and Environment Committee will consider the requested zoning changes on a date that has not yet been scheduled. The City will send you another notice inviting you to attend this meeting, which is required by the Planning Act. You will also be invited to provide your comments at this public participation meeting. A neighbourhood or community association may exist in your area. If it reflects your views on this application, you may wish to select a representative of the association to speak on your behalf at the public participation meeting. Neighbourhood Associations are listed on the Neighbourgood website. The Planning and Environment Committee will make a recommendation to Council, which will make its decision at a future Council meeting.

What Are Your Legal Rights?

Notification of Council Decision

If you wish to be notified of the decision of the City of London on the proposed zoning by-law amendment, you must make a written request to the City Clerk, 300 Dufferin Ave., P.O. Box 5035, London, ON, N6A 4L9, or at docservices@london.ca. You will also be notified if you speak to the Planning and Environment Committee at the public meeting about this application and leave your name and address with the Secretary of the Committee.

Right to Appeal to the Ontario Land Tribunal

If a person or public body does not make oral submissions at a public meeting, if one is held, or make written submissions to the City of London in respect of the proposed plan of condominium before the approval authority gives or refuses to give approval to the draft plan of condominium, the person or public body is not entitled to appeal the decision of the Director, Planning & Development to the Ontario Land Tribunal.

If a person or public body does not make oral submissions at a public meeting, if one is held, or make written submissions to the City of London in respect of the proposed plan of condominium before the approval authority gives or refuses to give approval to the draft plan of condominium, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

For more information go to <https://olt.gov.on.ca/appeals-process/forms/>.

Notice of Collection of Personal Information

Personal information collected and recorded at the Public Participation Meeting, or through written submissions on this subject, is collected under the authority of the Municipal Act, 2001, as amended, and the Planning Act, 1990 R.S.O. 1990, c.P.13 and will be used by Members of Council and City of London staff in their consideration of this matter. The written submissions, including names and contact information and the associated reports arising from the public participation process, will be made available to the public, including publishing on the City's website. Video recordings of the Public Participation Meeting may also be posted to the City of

London's website. Questions about this collection should be referred to Cathy Saunders, City Clerk, 519-661-CITY(2489) ext. 4937.

Accessibility

Alternative accessible formats or communication supports are available upon request. Please contact developmentsservices@london.ca for more information.