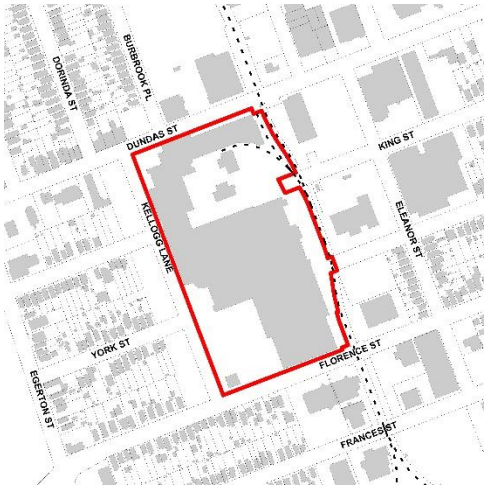


Zoning By-Law Amendment

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.

YOU ARE INVITED!

Further to the Notice of Application you received on October 8, 2021, you are invited to a public meeting of the Planning and Environment Committee to be held:

Meeting Date and Time: Thursday, January 10, 2022, no earlier than 4:00 p.m.

Meeting Location: During the COVID-19 emergency, the Planning and Environment Committee meetings are virtual meetings, hosted in City Hall, Council Chambers (see insert)

For more information contact:

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

To speak to 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 Official Plan designation and the zoning of land located within 120 metres of a property you own, or your landlord has posted the public meeting notice in your building. The City reviews and makes decisions on such planning applications in accordance with the requirements of the Planning Act. If you previously provided written or verbal comments about this application, we have considered your comments as part of our review of the application and in the preparation of the planning report and recommendation to the Planning and Environment Committee. The additional 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.

Attend This Public Participation Meeting

The Planning and Environment Committee will consider the requested Official Plan and zoning changes at this meeting, which is required by the Planning Act. You will 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.

Attendance is available through telephone or virtual web streaming (computer) application. Pre-registration is required to access these options and can be found in the Public Participation insert.

Please refer to the enclosed Public Participation Meeting Process insert.

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 would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of London to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the proposed official plan amendment is adopted, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the proposed official plan amendment is adopted, 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 add the person or public body as a party.

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.



Public Participation Meeting Process

As part of the City's ongoing efforts to slow the spread of COVID-19, and in keeping with the regulations and guidelines provided by the Province of Ontario, the Public Participation Meeting process has been modified. The capacity for individuals in City Hall meeting rooms and the Council Chambers Public Gallery will reflect the requirement for 2m physical distancing, with designated seating and standing areas being provided.

Please refer to the public meeting notice for all options available for you to participate in the planning process.

Public Participation Meeting (PPM) Process

- Members of the public are asked to “pre-register” to speak in person at a PPM. Pre-registered speakers will be given priority access to entering City Hall. Speakers will be limited to five minutes of verbal presentation.
 - **Pre-register by calling 519-661-2489 ex. 7100; or by emailing PPMClerks@london.ca** Please indicate the PPM subject matter when contacting the Clerk's Office. Registrations will be confirmed.¹
 - When pre-registering, members of the public will have a brief COVID-19 health screening and will be asked to self-screen prior to entering City Hall.
- Presentations will be strictly verbal; any other submission of photos, slides or written information must be made outside of the PPM. These can be forwarded to the Planner associated with this application and/or to the registration email, noted above. In order to be considered, all submissions should be made prior to the Council meeting when the Planning and Environment Committee recommendation regarding the subject matter is considered.

Public Participation Meeting (PPM) Process – At the meeting

- Members of the public should self-screen before entering City Hall. You likely will be greeted by security upon entering the building. A mask/face covering is required at all times in City Hall.
- Each committee room in use for the PPM will broadcast the meeting taking place in the Council Chambers.
- City Staff will be in each assigned room to assist members of the public.
- When appropriate, individual members of the public will have an opportunity to speak to the committee remotely, using the camera/microphone in the committee room. Floor markings will indicate where to stand.

Council Chambers

- Committee members and staff will be present in the Chambers (physically, or by remote attendance).
- There will be no public access to the Council floor.

¹ Notice of Collection of Personal Information – information is collected under the authority of the *Municipal Act, 2001*, as amended, and the *Planning Act*, 1990 RSO 1990, c.P. 13, and will be used by Members of Council and City of London staff in their consideration of this matter. Please see additional information on the enclosed Public Meeting Notice pages.