

Planning and Design Report

E&E McLaughlin Ltd.

100 Kellogg Lane

London, ON



July 2021



Zelinka Priamo Ltd.
LAND USE PLANNERS

TABLE OF CONTENTS

| | |
|--|----|
| INTRODUCTION | 2 |
| SUBJECT LANDS | 2 |
| SPATIAL ANALYSIS | 4 |
| PROPOSAL | 7 |
| PROPOSED ZONING BY-LAW AMENDMENT | 7 |
| PLANNING POLICY ANALYSIS | 8 |
| <i>2020 PROVINCIAL POLICY STATEMENT</i> | 8 |
| <i>1989 CITY OF LONDON OFFICIAL PLAN</i> | 10 |
| <i>THE LONDON PLAN</i> | 17 |
| <i>THE CITY OF LONDON ZONING BY-LAW</i> | 25 |
| OTHER CONSIDERATIONS | 28 |
| CONCLUSION | 28 |

INTRODUCTION

Zelinka Priamo Ltd., on behalf of E&E McLaughlin Ltd., is pleased to submit an application to the City of London to amend the Zoning By-Law, primarily to add “Place of Entertainment” and “Amusement Game Establishment” as permitted uses on a portion of the lands known municipally as 100 Kellogg Lane (the “subject lands”).

The purpose of this report is to evaluate the proposed Zoning By-Law Amendment within the context of existing land use policies and regulations, including the 2020 Provincial Policy Statement, the 1989 City of London Official Plan, *The London Plan*, and the City of London Z-1 Zoning By-Law. **There are no significant exterior development or modification proposed to the existing buildings on the subject lands as a result of this application, and as such, there is limited consideration given to urban design policies, objectives, guidelines, or otherwise.**

SUBJECT LANDS

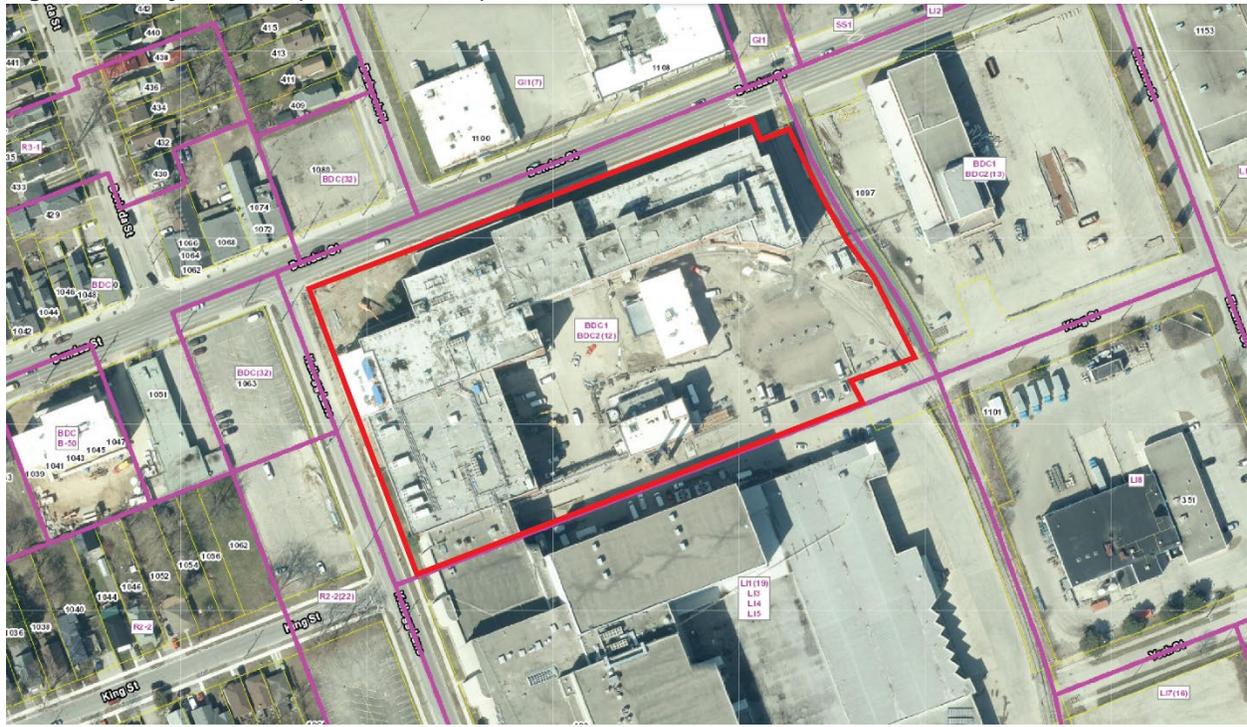
The subject lands are a portion of the parcel known municipally known as 100 Kellogg Lane, located on the southeast corner of the Dundas Street and Kellogg Lane intersection. The parcel as a whole is approximately 6.6ha (16.3ac) in size, with approximately 185.0m (607.0ft) of frontage along Dundas Street (Figure 1).

Figure 1 – Larger Parcel Municipally Known as 100 Kellogg Lane (Outlined in Red)



The subject lands are the northern, 2.3ha (5.7ac) portion of the subject lands (Figure 2).

Figure 2 – Subject Lands (Outlined in Red)



The subject lands contain a building that continues to be retrofitted for a range of permitted uses, providing a relatively consistent building wall along the Dundas Street and Kellogg Lane frontage, ranging between 3.5- to 5-storeys with minimal setbacks (Figure 3). A small hardscaped and landscaped space is provided at the intersection of Dundas Street and Kellogg Lane, providing signage, pedestrian connections, and landscaping.

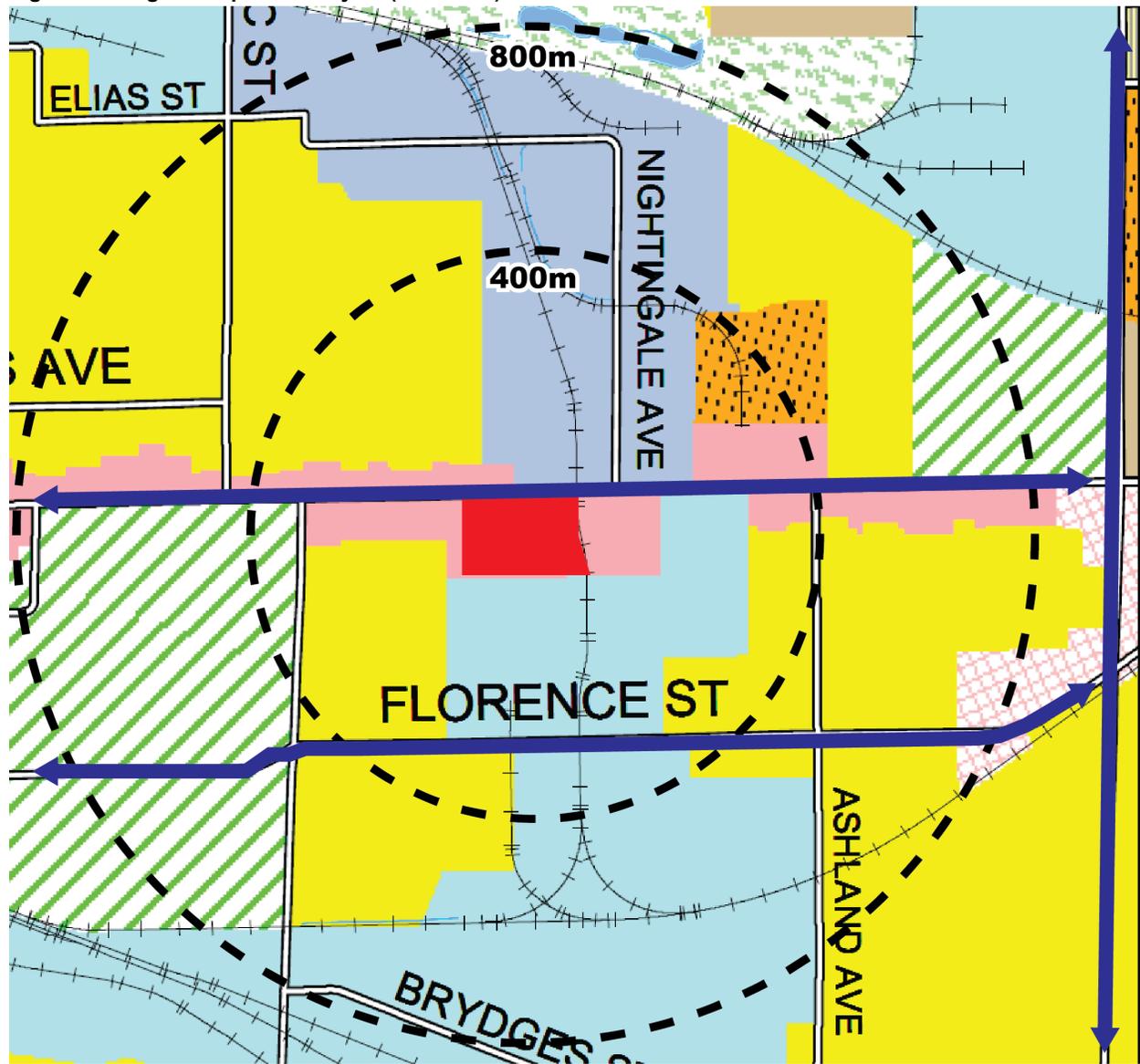
Figure 3 – Existing Building on Subject Lands



Regional Spatial Analysis

Figure 5 illustrates the surrounding land uses, as per the 1989 City of London Official Plan, whereas Figure 6 illustrates significant land marks/nodes/focal points. Each shows a 400m and 800m radius from the subject lands, representing straight line walking distances of approximately 5 minutes and 10 minutes, respectively. However, due to sidewalk networks and other barriers, the circles may not represent true walking times. Arterial roads are shown as blue arrows. Significant landmarks/nodes/focal points are identified by number, 1-5.

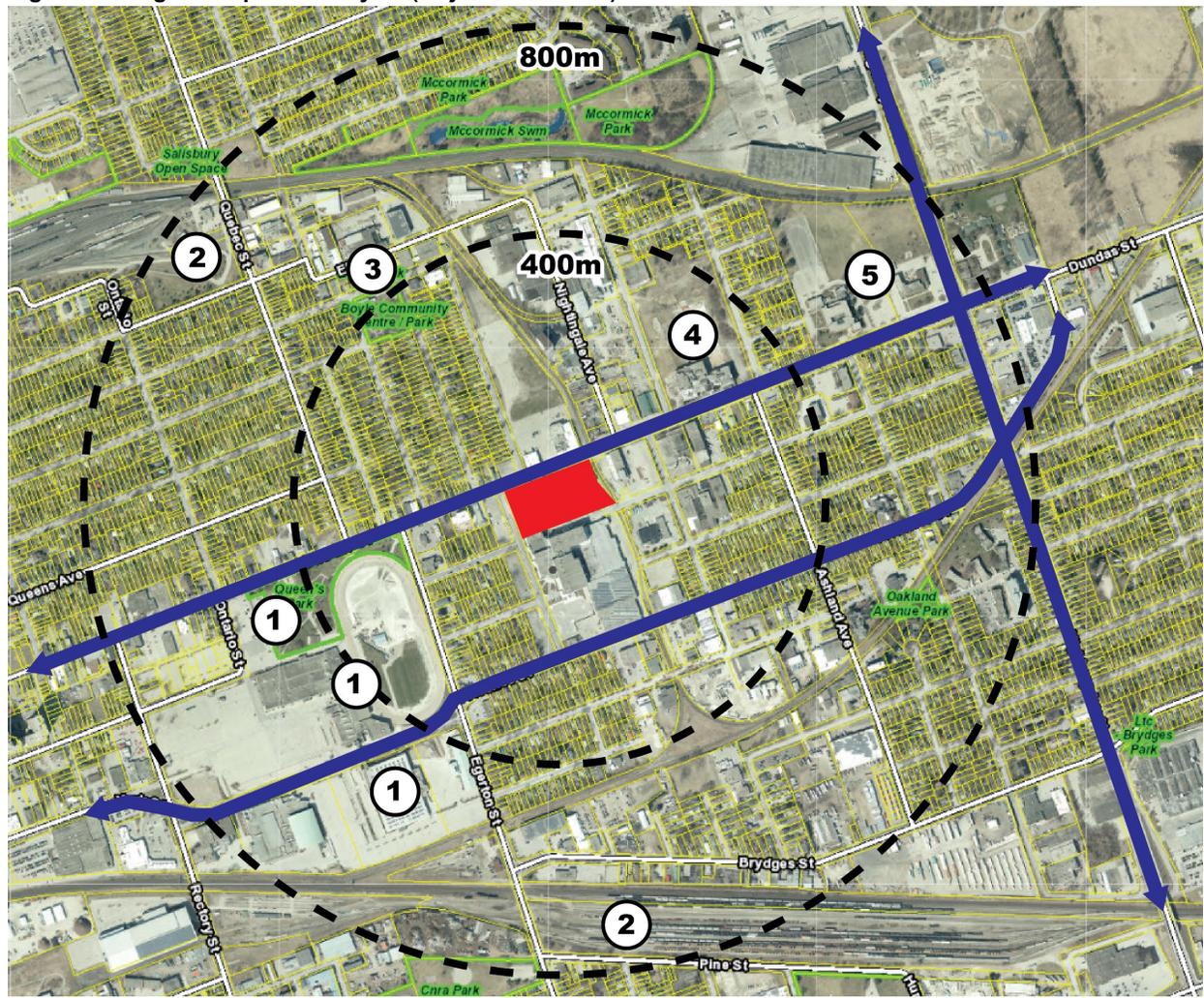
Figure 5 – Regional Spatial Analysis (Land Use)



Land uses within both 400m and 800m consist of the “Main Street Commercial Corridor”, “Low Density Residential”, “Multi-Family, Medium Density Residential”, “Light Industrial”, “General Industrial”, and “Regional Facility”.

The subject lands offer a north-south transition between “*General Industrial*” uses across Dundas Street and “*Light Industrial*” uses to the south. A notable number of residential uses are located in the community, which is a population base within walking distance that may support the range of uses on the subject lands. Public transit is available along Dundas Street (Routes 2 and 94) which provide mobility options for those who may be outside of the 400m and 800m radius, or for those without access to a personal vehicle.

Figure 6 – Regional Spatial Analysis (Major Landmarks)



Notable features within 400m and 800m include:

- (1) Western Fair District/Agriplex/Market – regional facility use that provides for local shopping needs, sports facilities, adult entertainment facilities, and large-scale event.
- (2) Railway Yards – CP to the north, CN to the south; both of these areas are associated with areas of increased noise, vibration, and emissions associated with diesel trains.
- (3) Complementary Uses – other craft breweries/restaurants that provide for destination-based locations that are complementary and well-connected to the subject lands.

- (4) McCormick Lands – planned for future residential and commercial development.
- (5) Employment Hub – another regional facility, however, accommodates a head office of the Thames Valley District School Board and provides for a large employment hub in the City of London, within walking distance to the subject lands.

PROPOSAL

It is proposed that a 2,118.2m² (22,800ft²) event centre be permitted on the third floor of the existing building on the subject lands (Figure 7).

Figure 7 – Third Floor Plan



The proposed event centre will be complementary to future hotel use and employment uses on site. The event centre may also be available to the general public for event space. Access will be provided via the newly constructed atrium along Kellogg Lane.

PROPOSED ZONING BY-LAW AMENDMENT

A Zoning By-Law Amendment application (“ZBA”) is proposed to revise the existing “*Business District (BDC1/BDC2(12))*” zone to include “Place of Entertainment” and “Amusement Game Establishment” as permitted uses. The combination of the “Place of Entertainment” use and the “Amusement Game Establishment” use would capture an appropriate range and mix of activities that may occur in the proposed event centre.

In addition to permitting the above uses, the following special provisions are proposed:

- Notwithstanding the provisions of Table 25.3 of the Zoning By-Law Z.-1, a maximum front yard setback of 33.0m is permitted;
- Notwithstanding the provisions of 4.18(2), outdoor patios are permitted in any yard, at or above grade.

In addition to the above, the following regulations that were permitted through the previous Zoning By-Law Amendment (Z.-1-172619) are proposed to be carried forward with the revised zone for the subject lands:

- Permit self-storage establishments (restricted to the basement floor of the existing building);
- Permit a maximum height of 15.0m;
- Permit a maximum gross floor area of 8,361 m² shall be permitted for office uses (within existing building), in combination of the office uses permitted in the LI1(18) zone on 100 Kellogg Lane; and,
- Notwithstanding all parking requirements of this By-law, a total minimum parking requirement of 400 spaces will be applied to the entirety of 100 Kellogg Lane and can be fulfilled through a combination of parking spaces on site and lands zoned to permit accessory parking lots in favour of 100 Kellogg Lane.

An analysis of each proposed provision above, including justification on the appropriateness of each, is included later in this report.

PLANNING POLICY ANALYSIS

2020 PROVINCIAL POLICY STATEMENT

The Provincial Policy Statement (PPS), issued under the authority of Section 3 of the Planning Act “provides policy direction on matters of provincial interest related to land use planning” in order to ensure efficient development and the protection of resources. All planning applications, including Zoning By-law Amendment applications are required to be consistent with these policies. The following policies discussed are relevant to the proposed application.

| 2020 Provincial Policy Statement Policy Analysis Table | |
|--|---|
| <i>Policy</i> | <i>Response</i> |
| <u>Section 1.1.1b)</u> Accommodating an appropriate affordable and market-based range and mix of [...] employment (including industrial and commercial) [...] to meet long-term needs. | The proposed Zoning By-Law Amendment broadens the range of appropriate and compatible employment uses on the subject lands. |
| <u>Section 1.1.3.1</u> Settlement areas shall be the focus of growth and development. | The subject lands are located within a Settlement Area. |
| <u>Section 1.1.3.2</u> Land use patterns within a settlement area shall be based on densities and a mix of land uses which: | The proposed Zoning By-Law Amendment broadens the range of uses on the subject lands, |

| | |
|---|--|
| <p>a) Efficiently use land and resources; e) Support active transportation; f) Are transit-supportive, where transit is planned, exists or may be developed.</p> | <p>efficiently utilizing existing land, buildings, infrastructure, and resources. The location of the subject lands along Dundas Street (with the future BRT) and its proximity to many interior neighbourhoods within the community of Old East Village, promotes the use of public transit and active transportation for those who may eat, work, or shop at the subject lands and live in the surrounding area.</p> |
| <p><u>Section 1.2.6.1</u> Major facilities and sensitive land shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise, and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards, and procedures.</p> | <p>Although the subject lands are adjacent to lands designated for light and general industrial uses, there are no existing uses that are consistent with the definition of “major facilities”, nor would any of the existing uses emit or create adverse impacts for any of the existing or proposed uses on the subject lands, including the future hotel use and the proposed event centre.</p> |
| <p><u>Section 1.3.1</u> Planning authorities shall promote economic development and competitiveness by:</p> <p>a) Providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs. b) Providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses. c) Facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment. d) Encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4.</p> | <p>A broader range of compatible and appropriate permitted employment uses on the subject lands provides for a diversified economic base on an existing site that supports a wide range of economic activities. The proposed Zoning By-Law Amendment application allows for a conversion of unoccupied/vacant space within 100 Kellogg Lane, further removing barriers to the desired continuing investment on the subject lands. The existing building provides for a mix of uses in a relatively more compact manner than typical commercial and office development across the City of London.</p> |
| <p><u>Section 1.6.6.2</u> Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety [...].</p> | <p>The subject lands utilize existing municipal sewage services and municipal water services, and will continue to do so in the existing building. A Preliminary Maximum Sanitary Flow Estimate is attached to this application.</p> |
| <p><u>Section 1.7.1</u> Long-term economic prosperity should be supported by:</p> | <p>The proposed Zoning By-Law Amendment application promotes economic development and community investment by permitting an</p> |

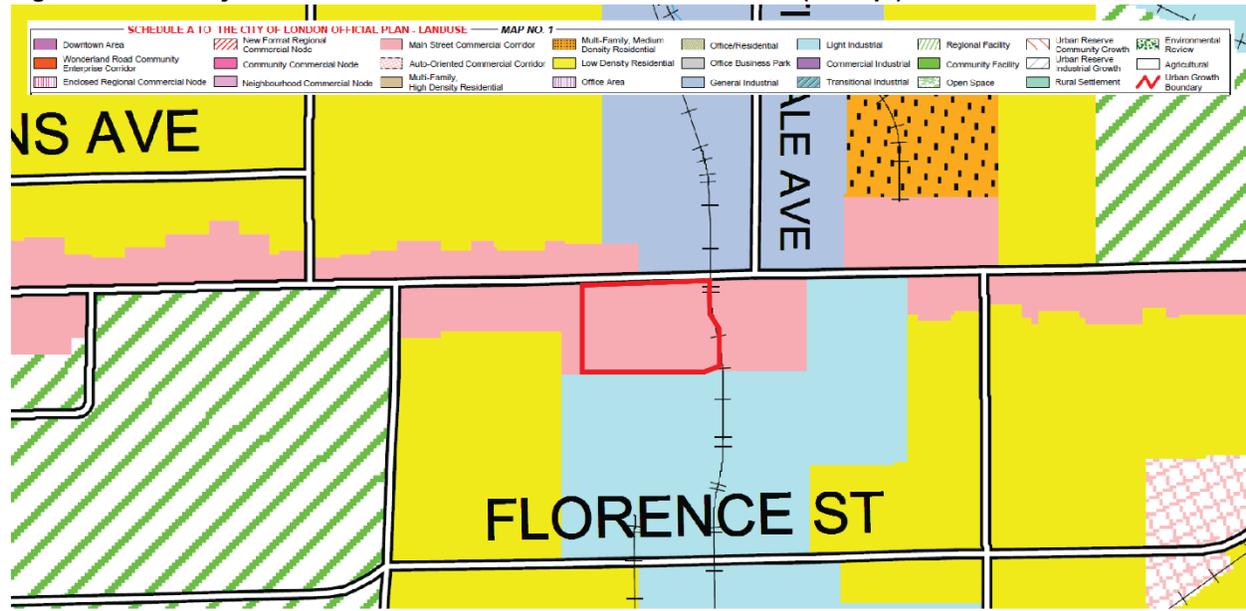
| | |
|---|--|
| <p>a) Promoting opportunities for economic development and community investment-readiness;</p> <p>c) Optimizing the long-term availability and use of land, resources, infrastructure, and public service facilities.</p> | <p>additional appropriate, compatible, and complementary use on the subject lands that will occupy vacant space in the existing building. This permission adaptively re-uses existing land, buildings, infrastructure, and resources on the subject lands, removing the need for new buildings or expansion elsewhere in the City.</p> |
|---|--|

Based on the above, the proposed Zoning By-Law Amendment is consistent with the 2020 Provincial Policy Statement.

1989 CITY OF LONDON OFFICIAL PLAN

The subject lands are designated “Main Street Commercial Corridor” according to “Schedule A – Land Use” in the 1989 City of London Official Plan (Figure 8).

Figure 8 – 1989 City of London Official Plan: Schedule ‘A’ – Land Use (Excerpt)



Official Plan Amendments 663 and 664 applied this designation to the subject lands, including a site-specific policy to permit self-storage establishments in the basement of the existing building, office uses to a maximum of 8,361 m² within the existing building for the whole property, and accessory parking for the subject lands are permitted at 1063, 1080, 1097, and 1127 Dundas Street. In addition to these site-specific policies, the general policies of the “Main Street Commercial Corridor” designation, including permitted uses, continue to apply.

The following policies are specific to the “Main Street Commercial Corridor” land use designation:

| 1989 City of London Official Plan Policy Analysis Table | |
|---|--|
| <i>Policy</i> | <i>Response</i> |
| <p style="text-align: center;"><u>Introduction</u> <i>Policy 4.4.1</i></p> <p>Main Street Commercial Corridors take the form of either long-established, pedestrian-oriented business districts or newer mixed-use areas. They have a street-oriented form with buildings close to the street. The street frontages of individual uses are generally of a scale that provides for easier pedestrian movement. They include a broad range of uses, that cater to the adjacent residential neighbourhoods within easy walking distance. These areas also lend themselves to the formation of a Business Improvement Area. One of the key goals of the Plan is to strengthen these areas by encouraging infilling and redevelopment which conforms to the existing form of development and improves the aesthetics of the business area. Issues addressed through the Zoning By-law, site plan approval process and urban design guidelines include building texture, setback, accessibility and inclusion of common parking facilities. Many of the Main Street Commercial Corridors shall also be recognized as gateway areas to the Downtown and will provide unique attributes and functions that support the Downtown.</p> | <p>The subject lands are part of a long-established, pedestrian-accessible district along Dundas Street that is well-connected and within walking distance to the surrounding community of Old East Village. The existing building is oriented along, and located close to, both Kellogg Lane and Dundas Street. Convenient pedestrian connections are provided via Kellogg Lane and a newly constructed atrium, leading to a broad range of uses within the existing building. Although there are no residential uses proposed through this application, retrofitting the existing building improves the aesthetics of the existing business area by improving building texture and by utilizing common parking facilities on adjacent lands. Furthermore, the adaptive re-use of the existing building, including the proposed event centre use, is an effective way to enhance a gateway to the Downtown along this portion of Dundas Street.</p> |
| <p style="text-align: center;"><u>Planning Objectives</u> <i>Policy 4.4.1.1</i></p> <ul style="list-style-type: none"> i. Provide for the redevelopment of vacant, underutilized or dilapidated properties within Main Street Commercial Corridors for one or more of a broad range of permitted uses at a scale which is compatible with adjacent development; ii. Encourage development which maintains the scale, setback and character of the existing uses; iii. Encourage common parking areas instead of individual access points and individual parking areas; and iv. Encourage mixed-use development to achieve higher densities and to reinforce the objectives of achieving a diverse mix of land uses. | <p>The proposal adds to the broad range of uses that are permitted to adaptively re-use and retrofit the existing building on the subject lands, which were previously vacant. There are no changes to the scale and setback of the existing building and it continues to be a well-established and appropriate building within its context. The broad range of uses and minor exterior modifications to the building enhance the character of the area by creating a pedestrian-oriented, community-focused hub for the enjoyment of all ages and demographics. Common parking areas are utilized to accommodate parking for the diverse mix of land uses on the subject lands.</p> |
| <p style="text-align: center;"><u>Urban Design Objectives</u> <i>Policy 4.4.1.2</i></p> <ul style="list-style-type: none"> i. Encourage the rehabilitation and renewal of Main Street Commercial Corridors and the enhancement of any distinctive functional or visual characteristics; ii. Provide for and enhance the pedestrian nature of the Main Street Commercial Corridor; iii. Enhance the street edge by providing for high quality façade design, accessible and walkable sidewalks, street furniture and proper lighting; | <p>Although no new buildings, changes to footprints, or significant development is proposed, the following provides a meaningful response to the urban design objectives relating to this designation:</p> <ul style="list-style-type: none"> i. This proposal is related to the continued rehabilitation and renewal of the subject lands. ii. Enhanced pedestrian amenities and connections continue to be added along Dundas Street and Kellogg Lane, particularly the newly constructed atrium |

| | |
|---|--|
| <ul style="list-style-type: none"> iv. Design development to support public transit; v. Create high quality public places; vi. Maintain and create a strong organizing structure; vii. Maintain or create a strong identity and place; viii. Maintain the cultural heritage value or interest of listed buildings and ensure through the application of the Commercial Urban Design Guidelines that new development is consistent with the form of existing development; and ix. Encourage the transition and connection between the gateway Main Street Commercial Corridors and the Downtown through pedestrian, transit and design linkages. | <p>entrance and courtyard at the intersection, featuring new addressing/signage.</p> <ul style="list-style-type: none"> iii. Same. See <i>ii.</i> above. iv. The existing building and established street wall will frame the future bus rapid transit system along Dundas Street, with stations two blocks east at McCormick Boulevard. v. Same. See <i>ii.</i> above. vi. No new development is proposed. vii. The subject lands have developed a strong identity and sense of place, and the proposed use will enhance these characteristics. viii. No new development is proposed. ix. The existing building and broad range of permitted uses on the subject lands form a landmark that establishes the beginning of a main street commercial corridor along Dundas Street, leading to the Downtown. |
| <p style="text-align: center;"><u>Function</u> <i>Policy 4.4.1.3</i></p> <p>The Main Street Commercial Corridor designation is normally applied to long established, pedestrian-oriented shopping areas in the older parts of the City. This designation may also be applied to new commercial areas provided that a mixed use, street-oriented form of development is proposed. Proposals for the creation of new Main Street Commercial Corridors shall be supported by a comprehensive design concept and design guidelines. These areas typically consist of small, separately-owned and managed commercial properties that meet the frequent shopping and service needs of nearby residents or provide specialty shopping for customers from a much larger area. Those Main Street Commercial Corridors adjacent to the Downtown will be regarded as gateway areas and subject to additional policies.</p> | <p>The subject lands are within a long-established, pedestrian accessible mixed-use area in an older portion of the City, just outside the boundary of the community of Old East Village. There is no proposal to expand the “Main Street Commercial Corridor” designation.</p> |
| <p style="text-align: center;"><u>Permitted Uses</u> <i>Policy 4.4.1.4</i></p> <p>Permitted uses in Main Street Commercial Corridors include small-scale retail uses; service and repair establishments, food stores; convenience commercial uses; personal and business services; pharmacies; restaurants; financial institutions; small-scale offices; small-scale entertainment uses; galleries; studios; community facilities such as libraries and day care centres, correctional and supervised residences; residential uses (including secondary uses) and units created through the conversion of existing buildings, or through the development of mixed-use buildings. Zoning on individual sites may not allow the full range of permitted uses. In specified Main</p> | <p>The subject lands include artisan workshops, retail stores, craft brewery, hotel, offices, restaurants, and the proposed event centre which is intended to be permitted by adding “Place of Entertainment” and “Amusement Game Establishment” as permitted uses. These uses are consistent with the range of permitted uses in the underlying “Main Street Commercial Corridor” land use designation.</p> |

| | |
|--|--|
| <p>Street Commercial Corridors identified in Section 4.4.1.13 the primary and secondary permitted uses and/or other policies relating to the nature and scale of development have been varied to meet specific policy objectives for these areas.</p> | |
| <p style="text-align: center;"><u>Location</u> <i>Policy 4.4.1.5</i></p> <p>The Main Street Commercial Corridor designation is applied to long established commercial areas, primarily along arterial roads, in older parts of the City that mostly consist of small, separately owned and often pedestrian-oriented commercial uses, but may also include a mix of residential, light industrial uses, and community facilities. It is the intent of these policies to strengthen and enhance the existing Main Street Commercial Corridors. Areas designated Main Street Commercial Corridor may be appropriate for the establishment of a Business Improvement Area.</p> | <p>The subject lands are located within a long-established mixed-use area along an arterial road (Dundas Street), in an older part of the City of London just outside the boundary of Old East Village. Existing built form is made up of smaller, separately owned commercial uses, and include a mix of residential, light industrial, and community facilities. The subject lands, and broad range of permitted uses, fit well within the surrounding context and the proposed Zoning By-Law Amendment application intends to add an event centre as a permitted use to continue to strengthen and enhance the character and attractive-nature of the transitioning area.</p> |
| <p style="text-align: center;"><u>Zoning of Heritage Buildings</u> <i>Policy 4.4.1.6</i></p> <p>Within the Main Street Commercial Corridor designation, it is recognized that Council, under the policies of Chapter 13, Heritage Resources Policies, may designate listed buildings of cultural heritage value of interest. Notwithstanding the Main Street Commercial Corridor designation, these buildings may be zoned to protect existing structures under provisions of Chapter 13 and the heritage zoning provisions of the Zoning By-law.</p> | <p>The subject lands contain a listed heritage building. No development is proposed and no comments/concerns were brought forward through the initial pre-application consultation stage relating to this proposal.</p> |
| <p style="text-align: center;"><u>Urban Design</u> <i>Policy 4.4.1.9</i></p> <p>Main Street Commercial Corridors shall be developed and maintained in accordance with the urban design guidelines in Chapter 11, the Commercial Urban Design Guidelines and specific policy areas. Given the diversity of the Main Street Commercial Corridors, separate guidelines for specific areas to include recommendations for the private realm, and the public realm, including streets and open spaces where direct municipal investment can assist in creating more pedestrian and transit friendly environments, may be required. Main Street Commercial Areas should ensure that urban design:</p> <ul style="list-style-type: none"> i. provides continuity of the urban fabric; ii. provides incentives and flexibility for redevelopment opportunities; iii. protects heritage buildings and landscapes and maintains the diversity of the urban environment; iv. provides appropriate building massing and height provisions to ensure main streets define the public spaces in front of and in between buildings; v. provides for architectural guidelines to enable greater influence on building elevations, entrances and materials; | <p>The urban design guidelines in Chapter 11 of this plan are intended to apply to <i>new</i> development, rather than existing buildings. Given that there are no notable changes to the built form or design of the exterior of the existing building, these do not apply. The following, however, provides a meaningful response to urban design policies that apply to areas within the “<i>Main Street Commercial Corridor</i>” land use designation:</p> <ul style="list-style-type: none"> i. No changes to the urban fabric are proposed within the public realm; the interior of the site has been broken up into smaller areas for specific functions, including drive aisles, parking, and outdoor patios. ii. No new buildings are proposed; only a retrofit of the existing building, primarily on the interior, is proposed. iii. The listed heritage building on the subject land is proposed to remain, and as such protects heritage assets in the City of London. iv. Building massing and height remains unchanged, and has been considered |

| | |
|---|---|
| <p>vi. provides for signage policies and regulations that are sensitive to the main street environment; and</p> <p>vii. provides guidelines with strong direction on the provision of landscaping and streetscaping, open spaces and on-street parking as elements of the public realm.</p> | <p>appropriate for the range of permitted uses and its immediate context through previous planning applications.</p> <p>v. No guidelines are proposed or necessary. Building elevations will remain as-is, save and except minor modifications to windows and new building entrances.</p> <p>vi. Newly constructed addressing/signage has been recently approved and is consistent with policy.</p> <p>vii. New landscaping, streetscaping, and hardscaping has been provided between the building and public sidewalk along Dundas Street and Kellogg Lane. These features include street trees, plantings/shrubbery, and the use of concrete and masonry to improve the entrance to the building along Kellogg Lane and enhance the intersection with visually attractive pedestrian amenities.</p> |
|---|---|

The following sections do not apply to the proposed development:

- **Section 4.4.1.7 – Scale of Development**
 - No new development is proposed, and as such, the scale of development policies do not apply.
- **Section 4.4.1.8 – Mixed Use Development**
 - No residential uses are proposed, and as such, the mixed-use development policies do not apply.
- **Section 4.4.1.10 – Interpretation of the Boundaries of the Designation**
 - The proposed Zoning By-Law Amendment application does not contest the boundaries of the applicable “*Main Street Commercial Corridor*” land use designation, and as such, this policy does not apply.
- **Section 4.4.1.11 – Applications to Expand or Add Main Street Commercial Corridor Designations**
 - The proposed Zoning By-Law Amendment application does not propose to expand or add to the “*Main Street Commercial Corridor*” land use designation, and as such, this policy does not apply.
- **Section 4.4.1.12 – Main Street Commercial Corridor Improvement**
 - The proposal does not seek to utilize the tools available to Council outlined in this policy, and as such, this policy does not apply.
- **Section 4.4.1.13 – Specific Main Street Commercial Corridors**
 - There are no specific “*Main Street Commercial Corridor*” policies that apply to the subject lands, other than those outlined in the beginning of this section that are located in Section 10 of the 1989 City of London Official Plan (i.e. permission of self-storage in basement, maximum office gross floor areas, and accessory parking etc.).

Planning Impact Analysis

Proposals for changes in the use of land which require the application of Planning Impact Analysis will be evaluated on the basis of criteria relevant to the proposed change. Other criteria may be considered through the Planning Impact Analysis to assist in the evaluation of the proposed change. The criteria that will be considered include:

- i) *the policies contained in the Section relating to the requested designation;*

The policies within the “Main Street Commercial Corridor” section of the 1989 City of London Official Plan have been reviewed and analyzed in the table above, and the proposed Zoning By-Law Amendment conforms to these policies.

- ii) *compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area;*

The existing broad range of proposed uses has already been established as appropriate and compatible for the subject lands, specifically as they conform with the underlying land use designation in 1989 City of London Official Plan, and have been recently reviewed through Planning Act applications (OPA 663, 664, and ZBA Z.-1-162440). The proposed event centre is complementary to the existing range of permitted uses, and as such, is appropriate for the subject lands. No new development is proposed that would impact present or future land uses in the area.

- iii) *the size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed uses;*

The size and shape of the subject lands remains to be appropriate for the existing buildings and range of proposed uses. All uses, including the proposed event centre can be parked and serviced efficiently. There are suitable pedestrian connections in, on, and around the site, and public transit is readily available for those who may work at or visit the subject lands.

- iv) *the supply of vacant land or vacant buildings in the area which is designated and/or zoned for the proposed uses;*

The proposal includes the addition of a new use in an existing building, avoiding the need for new development and servicing infrastructure on vacant lands in the area. Although there may be vacant lands available in the surrounding area to accommodate the proposed use, there are no existing buildings of this nature in the immediate area that could as effectively and efficiently accommodate such a broad mix and range of uses as proposed. As such, the availability of vacant land or buildings in this circumstance is an unnecessary consideration.

- v) *the potential traffic generated by the proposed change, considering the most intense land uses that could be permitted by such a change, and the likely impact of this additional traffic on City streets, pedestrian and vehicular safety, and on surrounding properties;*

A Traffic Impact Assessment (TIA) was not requested by Staff through this application. As such, it is reasonable to infer that transportation impacts will be unremarkable in nature as a result of the proposed event centre.

- vi) *the height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;*

The height, location, and spacing of the existing building have been conditions on the subject lands for decades; there are no anticipated changes to these conditions as a result of adding the proposed use, and as such, the subject lands remain appropriate within their context.

- vii) *the location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties;*

The subject lands have a single vehicular access point at the southeast corner of the site via King Street, leading to an interior surface parking area that currently serves the craft brewery/brewing on premises establishments.

- viii) *where adjacent to sites under separate ownership, access and traffic circulation should be coordinated;*

All lands within the "100 Kellogg Lane" precinct (i.e. 100 Kellogg Lane, 1097 Dundas Street, and adjacent accessory parking lots) are all under the same ownership.

- ix) *the exterior design in terms of bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area and its conformity with the City's commercial urban design guidelines;*

The design of the exterior of the existing building will largely remain unchanged, and the bulk, scale, and layout of buildings is to remain. The addition of an event centre in combination with the existing permitted range of uses is appropriate, complementary, and compatible with the hotel, office, and museum uses, providing additional event space for these uses above and beyond their existing footprint in the existing building. A review of the applicable urban design policies, as they apply to existing buildings, has been completed above.

- x) *the potential impact of the proposed development on surrounding natural features and heritage resources;*

There are no identified natural heritage features. The existing building is a listed heritage resource, and is to remain/continue to be preserved as a result of this application.

- xi) *constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration, and rail safety may limit development;*

There are no proximate landfill sites, sewage treatment plants, methane gas, contaminated soil, noise, vibration, or active railways that place restrictions on the type of uses that may be permitted on the subject lands.

- xii) *compliance of the proposed development with the provisions of the City's Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law;*

As this report demonstrates, the proposal complies with both Official Plans and the Zoning By-Law. Site Plan Approval is not required as there is no significant development or building additions taking place. All signage will comply with the Sign Control By-Law.

- xiii) *compliance with Ministry of the Environment (MOE) noise guidelines;*

The subject lands will comply with the Ministry of the Environment (MOE) noise guidelines. A Noise Assessment is not requirement of a complete application, and as such, there are no concerns with stationary and vehicular noise levels along Dundas Street.

- xiv) *measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis; and,*

Careful consideration of the location of the range of permitted uses on the subject lands has occurred. For example, the restaurant/craft brewery and brewing on premises establishment has been located in the center of the subject lands, screened and buffered by existing buildings from surrounding land uses. Furthermore, the proposed event centre will be on the interior of the existing building and it is not anticipated that any significant noise or activity levels will be generated on the exterior of the property.

- xv) *impacts of the proposed change on the planned transportation system, including transit.*

BRT is planned along this portion of Dundas Street, connecting Fanshawe College and the Downtown. Existing service is located along Dundas Street (Route #2) to the north and along Florence Street (Route #7) to the south.

As per the above analysis, the proposed Zoning By-Law Amendment conforms to the policies of the 1989 City of London Official Plan and is appropriate for the subject lands.

THE LONDON PLAN

The subject lands are located within “Rapid Transit Corridor” Place Type in *The London Plan* (Figure 9). The proposed development is consistent with the intent and policies of this Place Type.

Official Plan Amendments 663 and 664 applied this designation to the subject lands, including a site-specific policy to permit self-storage establishments in the basement of the existing building, office uses to a maximum of 8,361 m² within the existing building for the whole property, and accessory parking for the subject lands are permitted at 1063, 1080, 1097, and 1127 Dundas Street. In addition to these site-specific policies, the general policies of the “Rapid Transit Corridor” Place Type, including permitted uses, continue to apply.

The following policies are specific to the “Rapid Transit Corridor” land use designation, and any policies that remain under appeal are in red:

| The London Plan Policy Analysis Table | |
|--|--|
| Policy | Response |
| <p><u>Our Vision for the Rapid Transit Place Type</u> <i>Policy 826-828</i></p> <p>826_ Our rapid transit corridors will be vibrant, mixed-use, mid-rise communities that border the length of our rapid transit services. Not all the segments of our corridors will be the same in character, use and intensity. Some segments will be primarily residential in nature, allowing only for small-scale commercial uses. In other segments, where large amounts of commercial floor space</p> | <p>The subject lands are comprised of a mixed-use, mid-rise hub that is located along an existing corridor well-served by transit, and a future BRT corridor. Dundas Street is a walkable streetscape, with sidewalks on both sides, softened with the use of street trees at certain areas. Dundas Street is the primary pedestrian connector to the surrounding residential areas, where access to Routes #2 is also available, to</p> |

| | |
|--|--|
| <p>already exist, opportunities will be made for new stand-alone commercial uses while opening new opportunities for mixed-use development.</p> <p>827_ Located in the Primary Transit Area and also along rapid transit routes, the Rapid Transit Corridors will be some of the most highly-connected neighbourhoods in our city. They will be linked to the Downtown and to the Transit Villages. Most of these corridors will be fundamentally walkable streetscapes, with abundant trees, widened sidewalks, and development that is pedestrian- and transit-oriented. Those parts of the Rapid Transit Corridors that are in close proximity to transit stations may allow for a greater intensity and height of development to support transit usage and provide convenient transportation for larger numbers of residents.</p> <p>828_ Our Urban Corridors will support a form of development that is very similar to our Rapid Transit Corridors, but at a slightly lower intensity. They will be places that encourage intensification over the life of this Plan so that they can mature to support higher-order transit at some point in the future beyond 2035. These corridors will generally support mid-rise residential and mixed-use development. Like the Rapid Transit Corridors, different segments of these Urban Corridors may vary in use, character and intensity.</p> | <p>provide mobility options for those in the community and in the greater area who may choose to not travel by vehicle.</p> |
| <p style="text-align: center;"><u>Role within the City Structure</u> <i>Policy 829</i></p> <p>829_ Rapid Transit Corridors are the connectors between our Downtown and our Transit Villages. They offer great opportunities for people to live and work close to high-order transit to give them attractive mobility choices. These corridors will vary from segment to segment, depending upon their context, the degree to which they are transitioning from one form to another and City Council's goals for their future development. The Urban Corridors are also mid-rise, mixed-use areas that may develop into good candidates for future rapid transit corridors beyond the life of this Plan.</p> | <p>Dundas Street provides multiple mobility connections between the Downtown and the Transit Village to the east (former London Psychiatric Hospital Lands). Neighbourhoods surrounding Dundas Street can utilize existing and future transit services to travel between each of these locations.</p> |
| <p style="text-align: center;"><u>How Will We Realize Our Vision?</u> <i>Policy 830</i></p> <ol style="list-style-type: none"> 1. Plan and budget for rapid transit services along Rapid Transit Corridors, and locate transit stations within highly urban forms at strategic locations. 2. Plan transit services to provide a heightened level of service along Urban Corridors. 3. Plan for various segments of our corridors differently, with "segment-specific" policies to guide their development. 4. Plan for a mix of residential and a range of other uses along corridors to establish demand for rapid transit services. 5. Allow for a wide range of permitted uses and greater intensities of development along Corridors close to rapid transit stations. 6. Carefully manage the interface between our corridors and the adjacent lands within less intense neighbourhoods. | <p>A range of uses are provided on the subject lands in proximity to future rapid transit services. No new significant exterior development is proposed, save and except minor modifications to windows and doors, which have interfaced with adjacent land uses for decades. The proposed Zoning By-Law Amendment application does not change the ability of the existing building to fit well within its existing context.</p> |

| | |
|--|---|
| <p>7. Require transit-oriented and pedestrian oriented development forms along these corridors.</p> <p>8. Plan for, and invest in, the civic infrastructure required to support planned development along these corridors.</p> <p>9. Plan and budget for neighbourhood amenities along these corridors, including high-quality urban parks, civic spaces, and attractive outdoor seating areas, accessible to the public.</p> <p>10. Undertake all public works to support, and be in conformity with, the Corridor policies and the vision for these corridors.</p> <p>11. Support the development of a variety of residential types, with varying locations, size, affordability, tenure, design, and accessibility so that a broad range of housing requirements are satisfied.</p> <p>12. The City may prepare a secondary plan for a corridor to guide redevelopment, establish street and pathway networks, identify park spaces, establish more detailed policies for land use, intensity and built form, and establish transitional and interface policies.</p> <p>13. Where a secondary plan does not exist, a corridor master plan guideline document may be prepared to establish a conceptual road network or a conceptual block plan that will guide the redevelopment of the larger Corridor.</p> <p>14. Design guidelines may be established for Corridors or segments thereof.</p> | |
| <p style="text-align: center;"><u>Permitted Uses</u> <i>Policy 837-838</i></p> <p>837_ The following uses may be permitted within the Rapid Transit Corridor and Urban Corridor Place Types, unless otherwise identified by the Specific-Segment policies in this chapter:</p> <ol style="list-style-type: none"> 1. A range of residential, retail, service, office, cultural, recreational, an institutional use may be permitted within the Corridor Place Type. 2. Mixed-use buildings will be encouraged. 3. Large floor plate, single use buildings will be discouraged in Corridors. 4. Where there is a mix of uses within an individual building, retail and service uses will be encouraged to front the street at grade. 5. The full range of uses described above will not necessarily be permitted on all sites within the Rapid Transit and Urban Corridor Place Types. <p>838_ New drive through facilities may be permitted in the Rapid Transit or Urban Corridor Place Types where it can be clearly demonstrated that they will not detract from the vision and role of the Place Type and the quality and character of the pedestrian-oriented street environment. Proposals for new drive through facilities will be subject to a zoning by-law amendment and site plan approval, in conformity with the City Design policies of this Plan.</p> | <p>The proposed event centre is generally consistent with the range of recreational and institutional uses that are permitted in the “Rapid Transit Corridor” Place Type. The building is mixed-use and is comprised of a range of permitted uses above and beyond the proposed event centre. Although it is challenging for an existing building to be retrofitted on the interior and be consistent with all contemporary urban design and planning policies, particularly because the building constructed under very different conditions and requirements over 100 years ago, an attempt was made to place retail/service uses at-grade close to the new entrance off of Kellogg Lane.</p> |
| <p style="text-align: center;"><u>Intensity</u> <i>Policy 839-840</i></p> <p>839_ Table 9 shows the minimum height, maximum height, and maximum height with bonus zoning that</p> | <p>The existing building is consistent with the intensity policies, specifically minimum and maximum heights. The building has fit well within</p> |

| | |
|---|--|
| <p>may be permitted in the Rapid Transit and Urban Corridor Place Types. 840_ The following intensity policies apply within the Rapid Transit and Urban Corridor Place Types unless otherwise identified:</p> <ol style="list-style-type: none"> 1. Development within Corridors will be sensitive to adjacent land uses and employ such methods as transitioning building heights or providing sufficient buffers to ensure compatibility. 2. Commercial buildings should not exceed 6,000m² in size within Corridors. 3. Lot assembly is encouraged within the Corridor Place Types to create comprehensive developments that reduce vehicular accesses to the street and to allow for coordinated parking facilities. 4. Lots will be of sufficient size and configuration to accommodate the proposed development and to help mitigate planning impacts on adjacent uses. 5. Individual buildings will not contain more than 2,000m² of office space, except within 100 metres of rapid transit stations where buildings may contain up to 5,000m² of office space. An aggregate total of no more than 5,000m² will be allowed within 100 metres of a rapid transit station. 6. As shown on Table 9, greater residential intensity may be permitted within the Rapid Transit Corridor Place Type on sites that are located within 100 metres of a rapid transit station. 7. Type 2 Bonus Zoning up to the limits set out in Table 9, may be permitted in conformity with the Our Tools policies of this Plan. 8. The Zoning By-law will include regulations to ensure that the intensity of development is appropriate for individual sites. 9. The full extent of intensity described above will not necessarily be permitted on all sites within the Rapid Transit and Urban Corridor Place Types. | <p>its existing context for many decades, allowing any interior modifications to the building to remain compatible with the surrounding area. The lot shape and size has proven to be sufficient to support the mixed-use building on the site, including the adjacent accessory parking lots across Kellogg Lane. The existing office gross floor area has already been determined to be appropriate through recent, previous Planning Act applications and approvals. There are no residential uses proposed through this application, nor is bonus zoning required.</p> |
| <p style="text-align: center;">Form <i>Policy 841</i></p> <p>841_ The following form policies apply within the Rapid Transit and Urban Corridor Place Types:</p> <ol style="list-style-type: none"> 1. All planning and development applications will conform with the City Design policies of this Plan. 2. Buildings should be sited close to the front lot line, to create a pedestrian-oriented street wall along Corridors and provide appropriate setback from properties that are adjacent to the rear lot line. 3. The mass of large buildings fronting the street should be broken down and articulated at grade so that they support a pleasant and interesting pedestrian environment. Large expanses of blank wall will not be permitted to front the street, and windows, entrances, and other building features that add interest and animation to the street will be encouraged. 4. Development should be designed to implement transit-oriented design principles. 5. Buildings and the public realm will be designed to be pedestrian, cycling and transit-supportive through consideration of building orientation, location of entrances, clearly marked pedestrian pathways, widened sidewalks, cycling infrastructure | <p>The subject lands are comprised of existing built form, and as such, are not subject to form policies that are intended to apply to new development. However, the buildings do exhibit characteristics that are consistent with contemporary form policies for new development, including: the buildings are located close to the lot lines, a comfortable pedestrian environment between the buildings and the streets has been provided with the use of landscaping and existing sidewalks, the public realm has been enhanced with the use of landscaping, hardscaping, and signage at the intersection of Dundas Street and Kellogg Lane, and convenient access to Dundas Street and future BRT is available.</p> |

| | |
|---|--|
| <p>and general site layout that reinforces pedestrian safety and easy navigation.</p> <p>6. Convenient pedestrian access to transit stations will be a primary design principle within Rapid Transit Corridors. New development adjacent to rapid transit stations and transit stops should make strong, direct connections to these facilities.</p> <p>7. On-street parking within Corridors is encouraged wherever possible and when conflicts with public transit services and on-street bike paths can be avoided or mitigated.</p> <p>8. While access to development along Corridors may be provided from “side streets”, such accesses to development will be located and directed in a manner that minimizes impacts on the internal portions of adjacent neighbourhoods.</p> <p>9. All public works will ensure a high-quality pedestrian environment through streetscape improvements which may include widened sidewalks, upgrading the sidewalk material, planting street trees, installing benches and other street furniture, providing pedestrian lighting, and integrating public art.</p> <p>10. Planning and development applications will be discouraged if they result in the creation of one or more isolated remnant lots that cannot be reasonably developed or assembled with other parcels in the Place Type to develop in accordance with the long-term vision for the Corridor.</p> <p>11. Where appropriate, block concepts should be developed to provide for rear drive lanes and to coordinate automobile access and circulation.</p> <p>12. Surface parking areas should be located in the rear and interior side yard. Underground parking and structured parking integrated within the building design is encouraged.</p> <p>13. Buildings will be designed to mitigate the impact of new development on adjacent neighbourhood areas.</p> | |
|---|--|

The following policies do not apply to the proposed development:

- **Policies 831-835 – Interpretation of Corridor Place Type Boundaries**
 - The proposed Zoning By-Law Amendment application does not contest the boundary of the “*Rapid Transit Corridor*” Place Type, and as such, this policy does not apply.
- **Policies 842-859 – Specific-Segment Policies**
 - The subject lands are not included within a specific segment, and as such, do not have any additional specific policies that apply.

Evaluation Criteria for Planning and Development Applications

All planning and development applications will be evaluated with consideration of the use, intensity, and form that is being proposed. The following criteria will be used to evaluate all planning and development applications:

1. Consistency with the Provincial Policy Statement and in accordance with all applicable legislation.

As demonstrated in this report, the proposed Zoning By-Law Amendment is consistent with the intent and policies of the Provincial Policy Statement.

2. Conformity with the Our City, Our Strategy, City Building, and Environmental policies of this Plan.

The proposed Zoning By-Law Amendment conforms with a variety of key directions within the “*Our Strategy*” chapter of The London Plan, including: **plan strategically for a prosperous city** by promoting strong and vibrant employment hubs that support a wide range of economic activities, and **build a mixed-use compact city** by adaptively re-using a large existing building for a mix of uses in a concentrated area. Furthermore, the proposed application is generally consistent with the growth framework outlined in the “*Our City*” chapter in The London Plan. Given that no new development is proposed and that no significant environmental features are identified on the subject lands, the “*City Building*” nor the “*Environment*” chapters of The London Plan are applicable to this proposal.

3. Conformity with the policies of the place type in which they are located.

As demonstrated in this report, the proposed Zoning By-Law Amendment conforms to the policies of the “*Rapid Transit Corridor*” Place Type.

4. Consideration of applicable guideline documents that apply to the subject lands.

There are no applicable guideline documents that apply to the subject lands.

5. The availability of municipal services, in conformity with the Civic Infrastructure chapter of this Plan and the Growth Management/Growth Financing policies in the Our Tools part of this Plan.

The subject lands are connected to existing municipal services, and the attached sanitary flow estimate confirms that the existing services can accommodate the proposed event centre.

6. Potential impacts on adjacent and nearby properties in the area and the degree to which such impacts can be managed and mitigated. Considering the type of application under review, and its context, an analysis of potential impacts on nearby properties may include such things as:

- a. Traffic and access management

Response: A Traffic Impact Assessment was not requested by Staff as part of a complete application. As such, the City of London does not anticipate any traffic or access concerns as it relates to the proposed Zoning By-Law Amendment.

- b. Noise

Response: A Noise Assessment was not requested by Staff as part of a complete application. As such, the City of London does not anticipate any noise concerns as it relates to the proposed Zoning By-Law Amendment.

- c. Parking on streets or adjacent properties

Response: A Noise Assessment was not requested by Staff as part of a complete application. As such, the City of London does not anticipate any noise concerns as it relates to the proposed Zoning By-Law Amendment.

- d. Emissions generated by the use such as odour, dust, or other airborne emissions
Response: A D-6 Compatibility Analysis was not requested by Staff as part of a complete application. As such, the City of London does not anticipate any emissions concerns as it relates to the proposed Zoning By-Law Amendment.
- e. Lighting
Response: A Photometric Plan was not requested by Staff as part of a complete application. As such, the City of London does not anticipate any lighting concerns as it relates to the proposed Zoning By-Law Amendment.
- f. Garbage generated by the use
Response: Garbage is collected and stored on-site and will continue to be collected via a private service. There have been no notable garbage and refuse collection concerns from the public, nor has the City of London identified this as a concern.
- g. Privacy
Response: There are no sensitive land uses abutting the subject lands that would anticipate any changes in privacy levels that have existed for many years. There have been no notable privacy concerns from the public, nor has the City of London identified this as a concern.
- h. Shadowing
Response: A Shadow Study was not requested by Staff as part of a complete application. As such, the City of London does not anticipate any shadowing concerns as it relates to the proposed Zoning By-Law Amendment.
- i. Visual impact
Response: There are no significant exterior modifications proposed to the existing building. As such, there are no notable visual changes to the building and it is not anticipated that any visual impacts will be present within its context.
- j. Trees and canopy cover.
Response: A Tree Preservation Assessment was not requested by Staff as part of a complete application. As such, the City of London does not anticipate any tree or canopy cover concerns as it relates to the proposed Zoning By-Law Amendment.
- k. Cultural heritage resources.
Response: A Heritage Impact Assessment was not requested by Staff as part of a complete application. As such, the City of London does not anticipate any heritage concerns as it relates to the proposed Zoning By-Law Amendment.
- l. Natural heritage features and areas.
- m. Natural resources.
Response: An Environmental Impact Assessment was not requested by Staff as part of a complete application. As such, the City of London does not anticipate any natural heritage or resources concerns as it relates to the proposed Zoning By-Law Amendment.

7. The degree to which the proposal fits within its context. It must be clear that this is not intended to mean that a proposal must be the same as development in the surrounding context. Rather, it will need to be shown that the proposal is sensitive to, and compatible with, its context. It should be recognized that the context consists of existing development as well as the planning policy goals for the site and surrounding area. Considering the type of application under review, and its context, an analysis of fit may include such things as:
- a. Policy goals and objectives for the place type.
 - b. Policy goals and objectives expressed in the City Design chapter of this Plan.
Response: The Zoning By-Law Amendment application have been demonstrated to conform with the applicable policies of The London Plan. The proposed event centre is appropriate for the subject lands and compatible with the existing range of uses on the property as well as the surrounding land uses. There is no new development, and as such, the City Design policies are not addressed in this report as they are intended to apply to new construction.
 - c. Neighbourhood character.
 - d. Streetscape character.
 - e. Street wall.
 - f. Height.
 - g. Density.
 - h. Massing.
 - i. Scale.
 - j. Placement of building.
 - k. Setback and step-back.
 - l. Relationship to adjacent buildings.
 - m. Proposed architectural attributes such as windows, doors, and rooflines.
 - n. Materials.
 - o. Relationship to cultural heritage resources on the site and adjacent to it.
Response: There are no significant changes to the existing building, save and except minor modifications to windows and doors. The characteristics of the building and the immediate context surrounding the building remain largely the same, including character, height, massing, scale, placement, setbacks, materials, and relationships.
 - p. Landscaping and trees.
Response: A coordinated effort has been made to improve the pedestrian experience along Dundas Street and Kellogg Lane by adding landscaping and tree plantings between the building and the public sidewalk. This continues to allow the mix of uses in the building to interface well with the public realm and the surrounding context it lies within.
 - q. Coordination of access points and connections.
Response: Access points on 100 Kellogg Lane remain unchanged.

As per the above analysis, the proposed Zoning By-Law Amendment conforms to the policies of The London Plan and is appropriate for the subject lands.

THE CITY OF LONDON ZONING BY-LAW

A Zoning By-Law Amendment application (“ZBA”) is proposed to revise the existing “*Business District (BDC1/BDC2(12))*” zone to include “Place of Entertainment” and “Amusement Game Establishment” as permitted uses.

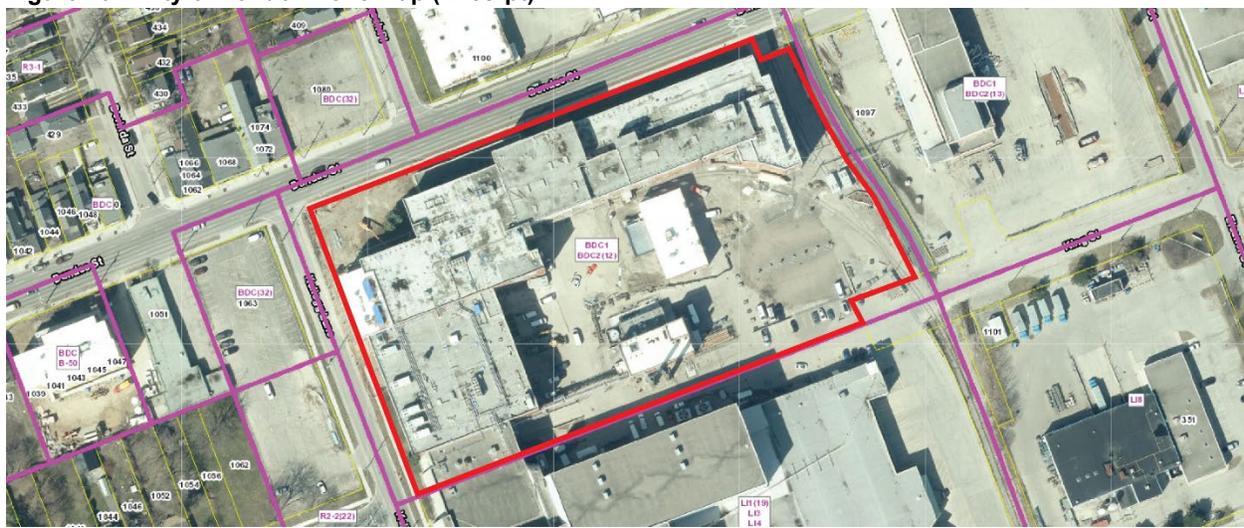
In addition to permitting the above uses, the following special provisions are proposed:

- Notwithstanding the provisions of Table 25.3 of the Zoning By-Law Z.-1, a maximum front yard setback of 33.0m is permitted; and,
- Notwithstanding the provisions of 4.18(2), outdoor patios are permitted in any yard, at or above grade.

In addition to the above, the following regulations that were permitted through the previous Zoning By-Law Amendment (Z.-1-172619) are proposed to be carried forward with the revised zone for the subject lands:

- Permit self-storage establishments (restricted to the basement floor of the existing building);
- Permit a maximum height of 15.0m;
- Permit a maximum gross floor area of 8,361 m² shall be permitted for office uses (within existing building), in combination of the office uses permitted in the LI1(18) zone on 100 Kellogg Lane; and,
- Notwithstanding all parking requirements of this By-law, a total minimum parking requirement of 400 spaces will be applied to the entirety of 100 Kellogg Lane and can be fulfilled through a combination of parking spaces on site and lands zoned to permit accessory parking lots in favour of 100 Kellogg Lane.

Figure 10 – City of London Zone Map (Excerpt)



Permitted Uses

The definition of “Place of Entertainment” and “Amusement Game Establishment” is below, along with the range and mix of related uses under each definition:

“Amusement Game Establishment” - means a building or a part thereof within which more than three amusement game machines are available to the public.

“Place of Entertainment” - means a building, or part thereof, used for the general purpose of providing entertainment and includes **cinemas, theatres, art galleries, commercial recreation establishments, auditoriums** and all other places of amusement, but excludes amusement game establishments.

- *Commercial Recreation* - means a building, or part thereof, used for the purposes of an **arena, assembly hall, billiard or pool room, bingo hall, bowling alley, dance hall, gym or fitness centre, ice or roller rink, indoor racquet courts, indoor swimming pool, or sports simulation**, but not including a place of entertainment, an amusement games establishment, cinema, theatre, drive-in theatre, amusement park or any other place of entertainment or amusement otherwise defined or classified herein.
- *Auditorium* - means a building or structure, or part thereof, where facilities are provided for **athletic, civic, educational, recreational, political, religious, or social events**, including, but not so as to limit the generality of the foregoing, an **arena, curling rink, museum, community centre, assembly hall, pool hall, bingo hall, gymnasium, stadium, cinema, theatre, or playhouse**.

The broad range and mix of uses, including cinemas, theatres, art galleries, arena, assembly hall, billiard or pool room, bingo hall, bowling alley, dance hall, gym or fitness centre, ice or roller rink, indoor racquet courts, indoor swimming pool, sports simulation, as well the permission of a wide range athletic, civic, educational, recreational, political, religious, or social events, captures an appropriate range and mix of activities that may occur in the proposed event centre.

The appropriateness of the above uses can be reviewed through the consideration of surrounding land uses, and how these uses can be compatible within its context. The addition of “Place of Entertainment” and “Amusement Game Establishment” is intended to match the range of permitted uses in the south portion of 100 Kellogg Lane, primarily where “The Factory: Indoor Adventure Park” is located. As such, these two uses have already existed elsewhere on the subject lands for several years without any notable impacts to surrounding lands. The existing indoor “Place of Entertainment” and “Amusement Game Establishment” uses have been a welcomed addition to the community, and as such, would continue to be an appropriate and compatible use on the subject lands immediately to the north of the existing location.

In addition to the above-noted uses, it is proposed that the existing self-storage establishment that is restricted to the basement of the existing building, as well as office uses with a maximum gross floor area of 8,361m² within the existing building, is to remain permitted. It is noted that this use has already been determined to be appropriate through a previous Planning Act application,

and given that no changes have occurred, this use will continue to be appropriate for, and compatible with, the existing building and surrounding area.

Outdoor Patios

For the purposes of this application, any outdoor patio associated with *any* use on the subject lands that currently serves food, or will in the future, has been included in this analysis.

Through a review of outdoor patio capacity, being 50% of the licensed indoor capacity of *any* use on the subject land that currently or will serve food, the combined existing and future outdoor patio seating is well-below the 50% limit. As such, no special provision on outdoor patio capacity is requested.

However, flexibility in the location and height of outdoor patios is preferred for the subject lands. Through the continued conversion of this portion of 100 Kellogg Lane, it is proposed that outdoor patios may be permitted in any yard, as well as at- or above-grade. As per Section 4.18(2), outdoor patios are not permitted (at- or above-grade) when the subject lands adjoin a residential zone. A portion of 1063 Dundas Street, which is owned by 100 Kellogg Lane and is utilized as an accessory surface parking area, is zoned *R2-2(22)*, which is a residential zone. As such, relief is required from this regulation to permit outdoor patios in any yard, as well as at- or above-grade. Given that there are only outdoor patios existing, and planned, in the interior of the subject lands and away from residential uses to the west across Kellogg Lane (along King Street) and further to the north and south, there continues to be no notable concerns that are to be addressed through the Zoning By-Law.

Concerns with noise from existing or future outdoor patios, if necessary, may be addressed by By-Law Enforcement through the use of the Sound By-Law. Regulations regarding noise from outdoor patios, specifically in terms of sound levels and types of noise, are enforced by both the City of London and London Police. Temporary noise permits are available for planned and monitored amplified music, which is available to the subject lands in this area if necessary.

Height

Similarly to the continued permission of the existing self-storage establishment in the existing building, the existing permission of a maximum building height of 15.0m is proposed to be carried forward through this Zoning By-Law Amendment. Through a previous Planning Act application, this height was reviewed and determined to be appropriate by Staff. No notable changes have occurred in the surrounding area that would impact the appropriateness of this height, and as such, the existing condition continues to be compatible within its context.

Parking

Notwithstanding the provisions of 4.19(10) of the Zoning By-Law No. Z.-1, 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. This provision was reviewed and determined to be appropriate through a previous

Planning Act application, and it is proposed that this be carried forward through this current Zoning By-Law Amendment application.

The total floor area associated with publicly accessible uses has not changed since the 400 parking spaces were initially reviewed and determined to be appropriate, and when reviewed comprehensively across the entirety of 100 Kellogg Lane, the parking differences between the existing permitted uses and the additional permitted uses are nominal. As such, the 400 parking spaces on-site, as well as on accessory surface parking areas continue to be appropriate. If 100 Kellogg Lane determines that additional parking is necessary, parking could be re-configured on the entirety of 100 Kellogg Lane or additional surface lots could be added to the supply. Based on a site visit and internal investigations, it appears that the amount of parking provided both on-site and in accessory parking areas is more than adequate, as the accessory parking areas are generally only utilized for larger City-wide events (i.e. the Christmas Market, the Summer Market), with capacity still available.

As per above, it is not anticipated that additional parking supply will be necessary in the future, particularly as well with the addition of bus rapid transit in the short-term being constructed along this portion of Dundas Street. Upon completion, it is expected that this may reduce the demand for parking on the subject lands and on accessory parking areas. In combination with bus rapid transit, the City is likely to provide an e-scooter and/or e-bike/cargo bike pilot program that will continue to provide additional mobility alternatives than the use of an automobile.

For all of the reasons noted above, the proposed Zoning By-Law Amendment continues to maintain the intent of the Zoning By-Law and the proposed special provisions are considered appropriate for the subject lands.

OTHER CONSIDERATIONS

Stage 1 Archaeological Assessment

A Stage 1 Archaeological Assessment was prepared by Timmins Martelle Heritage Consultants Inc. in May 2021. The report concludes that the subject property should be considered free of archaeological concern and no further archaeological assessment is recommended.

Sanitary Flow Estimate

A Sanitary Flow Estimate was prepared by Development Engineering in June 2017. An email from Development Engineering confirms that the estimated sanitary flows described in this original report are still valid, even with the event centre.

CONCLUSION

The proposed Zoning By-Law Amendment application is consistent with the 2020 Provincial Policy Statement, conforms to the policies of the 1989 City of London Official Plan and The London Plan, and maintains the purpose and intent of the City of London Z.-1 Zoning By-Law.

The proposed application will allow for the continued adaptive reuse of the existing building and add a compatible event centre in an efficient manner while maintaining the built form that has been long established in the community. As such, the proposed Zoning By-Law Amendment represents good planning practice and is in the public interest.