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File: Z-8106

Planner: M. Tomazincic/A. Watson

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: ROMLEX INTERNATIONAL INC. 1057, 1059, AND 1061 RICHMOND STREET PUBLIC PARTICIPATION MEETING ON OCTOBER 8, 2013

RECOMMENDATION

That, on the recommendation of the Managing Director, Land Use Planning and City Planner, the following actions be taken with respect to the application of Romlex International Inc. relating to the properties located at 1057, 1059 and 1061 Richmond Street:

- (a) the Ontario Municipal Board **BE ADVISED** that Municipal Council **RECOMMENDS** that Zoning By-law No. Z.-1 **BE AMENDED** as attached hereto as Appendix "A", in conformity with the Official Plan, **FROM** a Neighbourhood Facility (NF1) Zone and a Residential R2 Special Provision (R2-2(9)) Zone **TO** a Holding Neighbourhood Facility Special Provision Bonus (h-5*Nf1(_)*B(_)) Zone to permit churches, elementary schools, and day care centres, one (1) residential dwelling unit within the existing church building, and a Bonus Zone to allow for increased residential density to permit a maximum total of nine (9) residential dwelling units within the existing building located at 1061 Richmond Street with regulations that permit: a maximum number of bedrooms per dwelling unit (3); a maximum density (50 units per hectare); a minimum parking standard (1.2 parking spaces per dwelling unit); a minimum parking area setback from the east side lot line (6m); a minimum parking area setback from the west and south lot line (1.5m); and, a minimum landscaped open space coverage (30%); in return for heritage preservation by designating 1061 Richmond Street, under Section 29(1) of the Ontario Heritage Act, and also in return for enhanced landscaping and site design, by constructing a masonry wall, of no more than 1 metre (3.28 ft) in height, matching the materials and architectural character of the existing building located at 1061 Richmond Street, to provide for screening and the creation of a built street edge along the majority of the Richmond Street frontage and by allowing for no vehicular access to the site from the municipal laneway adjacent to the west and subject to a holding provision which requires a public site plan review.
- (b) the Site Plan Approval Authority **BE REQUESTED** to include the conceptual site plan, attached as Appendix "B", in the bonusing clause of any development agreement for this site.
- (c) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** a Neighbourhood Facility (NF1) Zone which permits Churches; Elementary schools; Community centres; Day care centres; Libraries; Private schools Fire stations; Private club; Police station and a Residential R2 Special Provision (R2-2(9)) Zone which permits Single detached dwellings; Semi-detached dwellings; Duplex dwellings; and, Converted dwellings (maximum 4 dwelling units) **TO** a Neighbourhood Facility Bonus (NF1*B(_)) Zone to permit the same range of uses in the Neighbourhood Facility (NF1) Zone on the entire site except Police stations and Fire stations as the base zoning and adding a bonus zone to permit 14 residential dwelling units subject to special zoning regulations to permit: a minimum landscaped open space coverage (10%); a minimum parking area setback from the interior/rear property line of 0 metres; and, a parking area setback from the front/exterior side lot lines of 0.5 metres **BE REFUSED** for the following reasons:

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- i) The requested amendment is not consistent with the Policies for Near-Campus Neighbourhoods of the Official Plan.
 - ii) The requested amendments implement a form of development which is not consistent with the site plan agreement registered to the lands at 1059 Richmond Street.
 - iii) The number of special provisions required and the extent to which they deviate from the requirements of the Zoning By-law are indicative of a development that is too intense for the subject site.
- (d) with the advice of the Heritage Planner, the Municipal Council **BE REQUESTED** to issue a Notice of Intention to designate the property located at 1061 Richmond Street under Section 29(1) of the Ontario Heritage Act, as a property of cultural heritage value or interest for the reasons recommended by the London Advisory Committee on Heritage as attached in Appendix C, **IT BEING NOTED THAT** that the owner, Romlex International Inc., has not concurred with such designation.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

North London Residential Study (OZ-6564)

An area study was undertaken comprising a portion of the North London planning district bounded by Oxford Street East to the south, Waterloo Street to the east, and the Thames River to the north and west. This study was undertaken to review Official Plan policies and Zoning By-law regulations relating to existing floor area ratio and parking regulations in the Broughdale neighbourhood located in the northerly part of the study area, and to determine if there was any merit in extending such controls to other North London neighbourhoods, including portions of the Richmond Street corridor between Huron Street and Grosvenor Street.

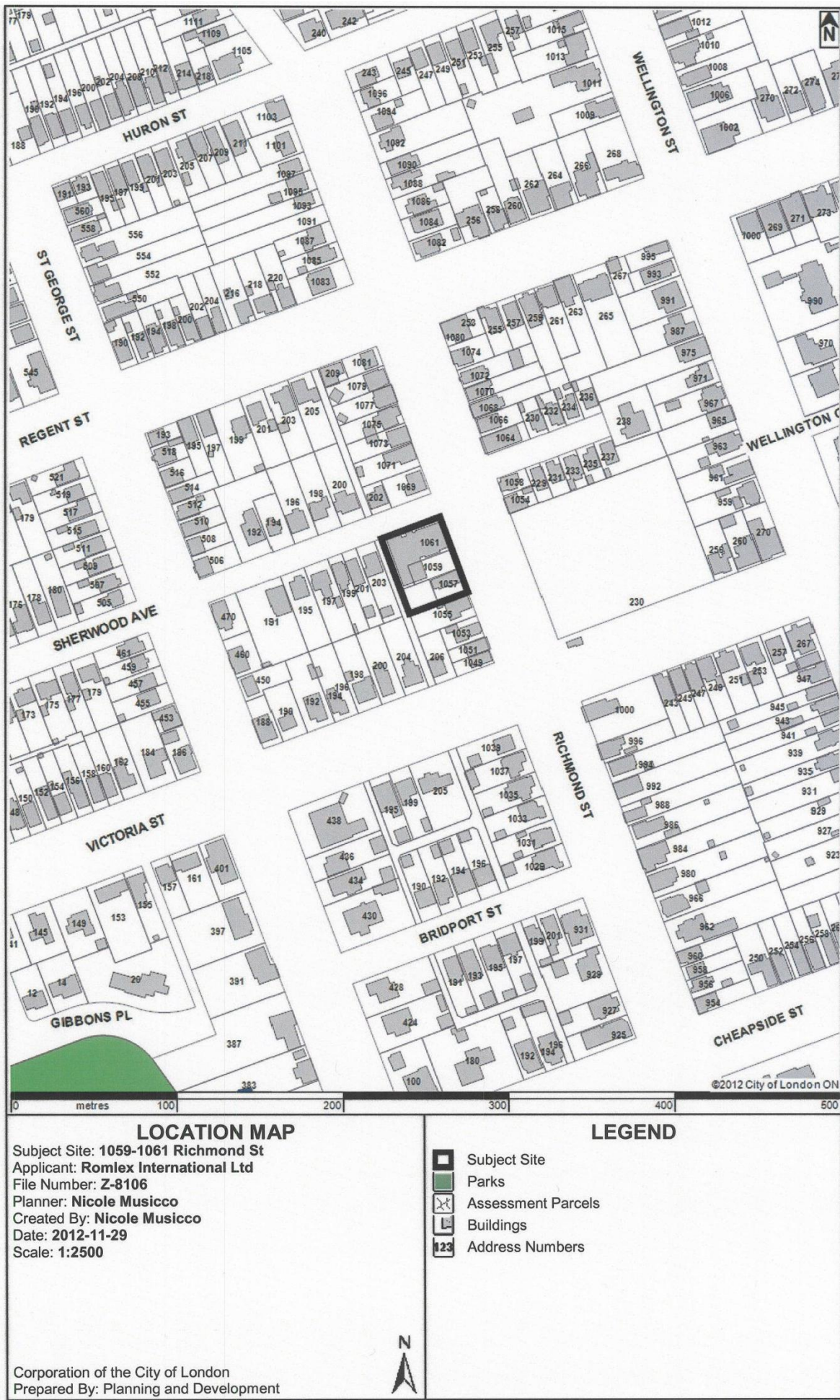
Richmond Street Corridor Study (1994)

The Richmond Corridor, between Grosvenor and Parkdale Avenue, is mostly comprised of single family detached dwellings. This strip contains several contiguous blocks of these low density residential structures, most of which have not been converted for additional residential units. The only substantial interruptions to this low density residential strip include two churches (Robinson Memorial United Church, Holy Trinity Greek Orthodox Church) and a small commercial strip that exists just south of the University of Western Ontario gates. Council is committed to preserving the low density residential character of the Richmond Street Corridor. In summary, despite continual pressure for office and retail commercial uses, the Richmond Corridor has maintained its stable residential character - particularly north of Grosvenor Street.

Great Near Campus Neighbourhoods Strategy

One of the primary goals of the Great Near-Campus Neighbourhood Strategy is to encourage a mix of residential dwelling types at appropriate locations while preserving stable low density residential neighbourhoods. To achieve this goal, the proposed policies promote residential intensification in multiple-unit forms of housing, such as apartment buildings, at locations that are appropriately designated and located along arterial roads where there is access to public transit. Council approved the recommended amendments with the exception of the Zoning By-law regulations pertaining to a reduction in building heights

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NEW INFORMATION

On June 18, 2012, at a public meeting of the Planning and Environment Committee, Planning Staff recommended that a comprehensive Official Plan and Zoning By-law amendment be introduced to provide clearer guidance for the development of lands in Near-Campus Neighbourhoods located in proximity to the University of Western Ontario and Fanshawe College. This comprehensive set of amendments included amendments to the Official Plan policies to encourage appropriate forms of intensification, direct appropriate forms of intensification to appropriate locations, and include additional guidance for planning applications which request increases in the residential intensity and residential intensification within low density residential areas.

These amendments were adopted by Municipal Council on June 26, 2012, with the exception of a Zoning By-law matter related to reductions in building height which was referred back to Staff. On June 10, 2013, the Ontario Municipal Board dismissed two appeals, and ordered that the Near Campus Neighbourhood Zoning By-law (By-law No. Z.-1-122125) was in full force and effect as of the date that it was passed (save and except the by-law related to the appeals of Adamas Group Inc. in respect of its property located at 1461-1465 Oxford Street East and 613-629 First Street which is unrelated to this application).

Application to Convert Lands to Medical/Dental Office (OZ-8006)

On January 20, 2012, Romlex International submitted an Official Plan/Zoning By-law amendment for lands located at 1057 and 1059 Richmond Street, a parcel of land located behind 1061 Richmond Street and 203 Sherwood Avenue to add a new site specific Special Policy (Chapter 10) to the Official Plan to permit the conversion of the existing non-residential building at 1061 Richmond Street and 1059 Richmond Street to add “medical/dental office” and “professional office” uses to the Low Density Residential designation and utilize a westerly parcel at 203 Sherwood and a parcel of land located behind 1057 Richmond Street for accessory parking for the proposed office uses. On May 15, 2012, the agent on behalf of the applicant asked that the City place the application on hold. In September 2012, the applicant officially withdrew the application, indicating that they would be submitting a revised Zoning By-law amendment application, seeking a residential use.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of the recommended Zoning By-law amendment is to permit the adaptive reuse of the existing Church building at 1061 Richmond Street, which is considered to be of architectural, historical and contextual value or interest, by heritage designating the building and converting the interior to a maximum of nine (9) residential dwelling units while maintaining the existing open space at 1059 Richmond Street and providing eleven (11) parking spaces on 1057 Richmond Street.

RATIONALE

Rationale for refusal of Requested Amendment

1. The requested amendment is not consistent with the policies for Near-Campus Neighbourhoods in Chapter 3 of the Official Plan.
2. The requested amendments implement a form of development which is not consistent with the site plan agreement registered to the lands at 1059 Richmond Street.
3. The number of special provisions requested and the extent to which they deviate from the requirements of the Zoning By-law are indicative of a development that is too intense for the subject site.

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Rationale for Staff Recommended Amendment

1. The recommended amendment is consistent with the policies of the *Provincial Policy Statement, 2005*.
2. The recommended amendment is consistent with the policies of Chapter 3 – Residential Land Use Designations – of the Official Plan.
3. The recommended amendment is consistent with the policies of Section 19.4.4 – Bonus Zoning – of the Official Plan.
4. The recommended amendment maintains the integrity of the amended site plan agreement registered to the lands at 1059 Richmond Street.
5. The recommended amendment represents an adaptive reuse of an existing Priority 1 heritage building while permitting a level of intensity which can adequately be accommodated on the subject site.

BACKGROUND

Application Accepted: November 21, 2012

Agent: Zelinka Priamo Limited

REQUESTED ACTION: Amendment to the Zoning By-law Z.-1 **FROM** a Neighbourhood Facility (NF1) Zone and a Residential R2 Special Provision (R2-2(9)) Zone **TO** a Neighbourhood Facility Special Provision Bonus (NF1()*B()) Zone to continue to permit Churches, Elementary schools, Community centres, Day care centres, Libraries, Private schools, Fire stations, Private club and Police station subject to a Special Provision for a minimum parking area setback from a front/exterior lot line of 0.5 metres, a 0 meter setback from the interior/rear property line, a minimum landscape open space of 10% and to add a Bonus Zone to permit 14 residential units within the existing building located at 1061 Richmond Street, with a maximum density of 76.6 units per hectare, a minimum parking area setback from a front/exterior lot line of 0.5 metres, a 0 meter setback from the interior/rear property line and a minimum landscape open space of 10%.

SITE CHARACTERISTICS:

Current Land Use

1061 Richmond Street - vacant church, priority 1 (NF1 Zone)

1059 Richmond Street - vacant land (NF1 Zone)

1057 Richmond Street - detached dwelling, priority 2 (R2-2(9))

Frontage – 83 metres (45m Richmond St. and 38m Sherwood Ave)

Area – 0.21 hectares (0.52 acres)

Shape – Rectangular (when 1057, 1059 & 1061 Richmond St. are considered together)

SURROUNDING LAND USES:

North - Residential R2 (R2-2(9))

South - Residential R2 (R2-2(9))

East - Residential R2 (R2-2(9))

West - Residential R1 (R1-5(4))

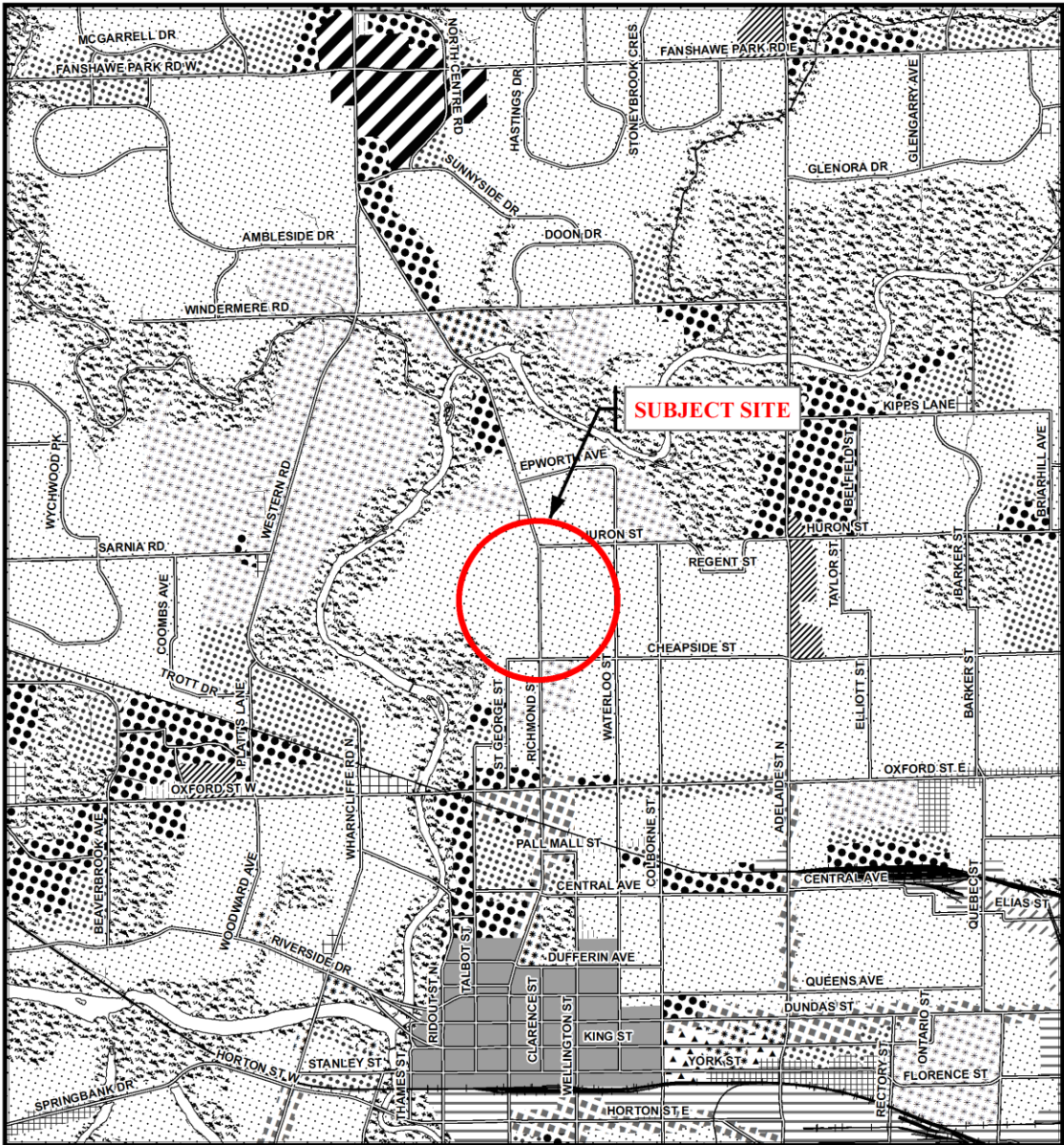
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OFFICIAL PLAN DESIGNATION: (refer to Official Plan Map)
<p>LOW DENSITY RESIDENTIAL – The primary permitted uses in areas designated Low Density Residential shall be single detached; semi-detached; and duplex dwellings. Multiple-attached dwellings, such as row houses or cluster houses may also be permitted subject to the policies of the Official Plan and provided they do not exceed a density of 30 units per hectare. Within the Low Density Residential designation, Residential Intensification, with the exception of dwelling conversions, will be considered in a range up to 75 units per hectare</p> <p>NORTH LONDON/BROUGHDALE SPECIAL POLICY AREA – Multiple unit residential development is directed to those areas within the Oxford, Richmond and Adelaide Street North corridors that are designated Multi-Family, High and Multi-Family, Medium Density Residential. In Low Density Residential areas fronting onto the Richmond and Adelaide Street North corridors, residential intensification may be permitted through conservation and rehabilitation of the existing housing stock, provided there is adequate space to accommodate required on-site parking and landscaped open space and that intensification is of a scale which is compatible with surrounding land uses.</p> <p>NEAR-CAMPUS NEIGHBOURHOODS AREA – Encourage appropriate intensification that supports the vision for Near-Campus Neighbourhoods and discourages inappropriate forms of intensification that may undermine the long-term stability and established vision for Near-Campus Neighbourhoods.</p>
EXISTING ZONING: (refer to Zoning Map)
<p>NEIGHBOURHOOD FACILITY (NF1) & RESIDENTIAL R2 SPECIAL PROVISION (R2-2(9))</p> <p>The NF zone provides for and regulates public and private facility uses which primarily serve a neighbourhood function. They include small to medium scale uses which have minimal impact on surrounding land uses and may be appropriate adjacent to or within residential neighbourhoods. The NF Zone variation permits the lowest impact uses permitted in the zone and typically uses are developed independently. The NF1 Zone variation permits the NF uses plus uses which are generally larger and generate more traffic and activity.</p> <p>The R2 Zone variation is slightly less restrictive than the R1 Zone. The R2 Zone variation provides for and regulates low density residential development in the form of single detached dwellings, semi-detached dwellings, duplex dwellings and two unit converted dwellings. The special provisions restrict the maximum floor area and floor area ratio for all dwellings; require minimum rear yard depths as a percentage of the actual lot depth; restrict parking to the required rear-yard depth where access is obtained from a lane and where there is no garage or carport located in the rear or side yard; and, require enhanced parking standard regulations while permitting a maximum of 4 dwelling units within a converted dwelling.</p>

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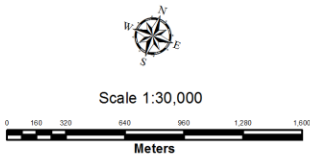
Legend

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

CITY OF LONDON
Department of
Planning and Development

OFFICIAL PLAN SCHEDULE A
- LANDUSE -

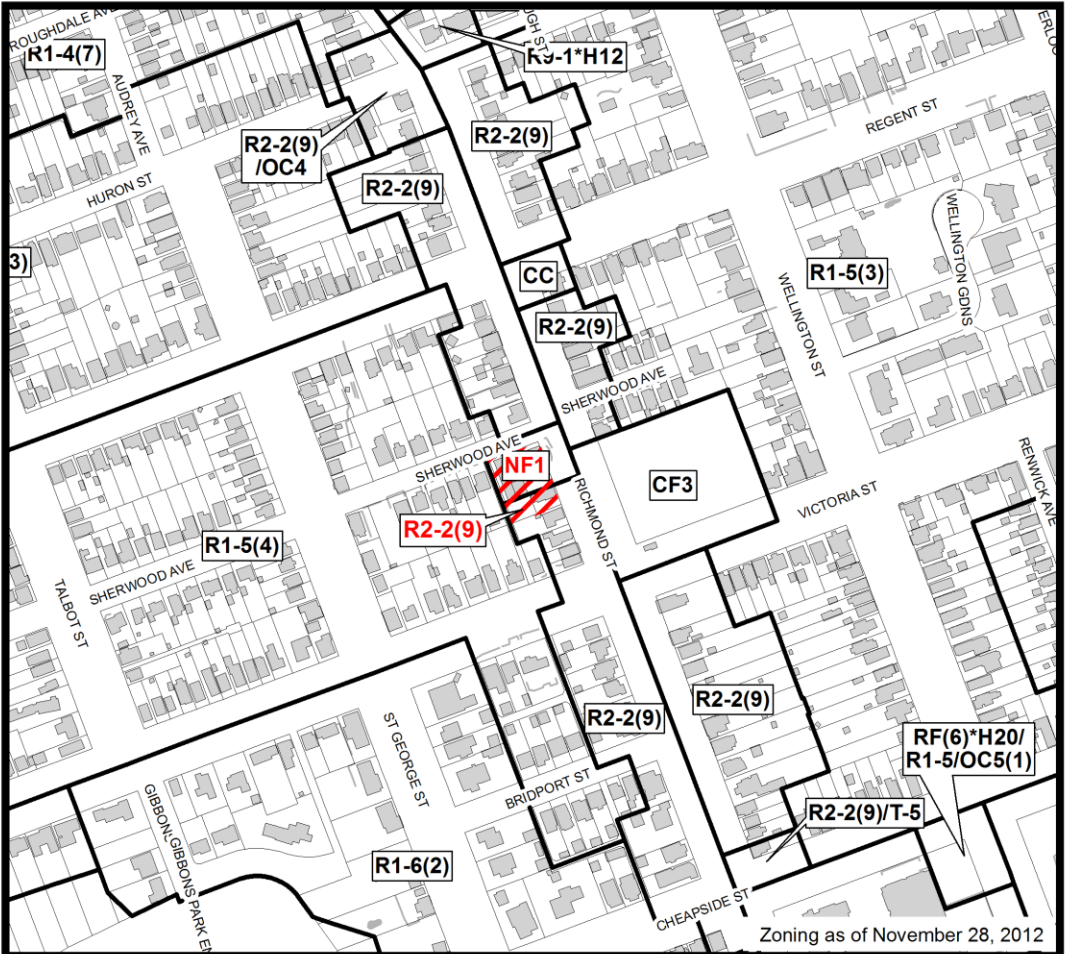
PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-8106
PLANNER: NM
TECHNICIAN: CK
DATE: 2013/01/11

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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: NF1 & R2-2(9)

1) LEGEND FOR ZONING BY-LAW Z-1

- R1 - SINGLE DETACHED DWELLINGS

R2 - SINGLE AND TWO UNIT DWELLINGS

R3 - SINGLE TO FOUR UNIT DWELLINGS

R4 - STREET TOWNHOUSE

R5 - CLUSTER TOWNHOUSE

R6 - CLUSTER HOUSING ALL FORMS

R7 - SENIOR'S HOUSING

R8 - MEDIUM DENSITY/LOW RISE APTS.

R9 - MEDIUM TO HIGH DENSITY APTS.

R10 - HIGH DENSITY APARTMENTS

R11 - LODGING HOUSE

DA - DOWNTOWN AREA

RSA - REGIONAL SHOPPING AREA

CSA - COMMUNITY SHOPPING AREA

NSA - NEIGHBOURHOOD SHOPPING AREA

BDC - BUSINESS DISTRICT COMMERCIAL

AC - ARTERIAL COMMERCIAL

HS - HIGHWAY SERVICE COMMERCIAL

RSC - RESTRICTED SERVICE COMMERCIAL

CC - CONVENIENCE COMMERCIAL

SS - AUTOMOBILE SERVICE STATION

ASA - ASSOCIATED SHOPPING AREA COMMERCIAL

- OR - OFFICE/RESIDENTIAL

OC - OFFICE CONVERSION

RO - RESTRICTED OFFICE

OF - OFFICE

RF - REGIONAL FACILITY

CF - COMMUNITY FACILITY

NF - NEIGHBOURHOOD FACILITY

HER - HERITAGE

DC - DAY CARE

OS - OPEN SPACE

CR - COMMERCIAL RECREATION

ER - ENVIRONMENTAL REVIEW

OB - OFFICE BUSINESS PARK

LI - LIGHT INDUSTRIAL

GI - GENERAL INDUSTRIAL

HI - HEAVY INDUSTRIAL

EX - RESOURCE EXTRACTIVE

UR - URBAN RESERVE

AG - AGRICULTURAL

AGC - AGRICULTURAL COMMERCIAL

RRC - RURAL SETTLEMENT COMMERCIAL

TGS - TEMPORARY GARDEN SUITE

RT - RAIL TRANSPORTATION

"h" - HOLDING SYMBOL

"D" - DENSITY SYMBOL

"H" - HEIGHT SYMBOL

"B" - BONUS SYMBOL

"T" - TEMPORARY USE SYMBOL

2) ANNEXED AREA APPEALED AREAS

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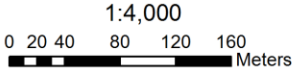
ZONING
BY-LAW NO. Z.-1
SCHEDULE A



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

FILE NO:
Z-8106 NM

MAP PREPARED:
2013/01/11 CK



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PLANNING HISTORY

January 2012	Romlex Internal Inc. (Romnlex) submitted an Official Plan/Zoning By-law amendment for the subject lands to permit the conversion of the existing church building to allow for the development of medical/dental and professional offices.
May 15, 2012	Zelinka Priamo Ltd. (Zelinka), on behalf of the applicant requested that the City place the application on hold.
September 2012	Romlex officially withdrew the application (OZ-8006), indicating that they would be submitting a revised Zoning By-law amendment application, seeking a residential use.
November 21, 2012	Zelinka, on behalf Romlex submitted an application to amend the Zoning By-law to a Neighbourhood Facility Special Provision Bonus (NF1()*B()) Zone to continue to permit Churches, Elementary schools, Community centres, Day care centres, Libraries, Private schools, Fire stations, Private club and Police station subject to a Special Provision for a minimum parking area setback from a front/exterior lot line of 0.5m, a 0 metre setback from the interior/rear property line, a minimum landscape open space of 10% and to add a Bonus Zone to permit 14 residential units within the existing building located at 1061 Richmond Street, with a maximum density of 76.6 units per hectare, a minimum parking area setback from a front/exterior lot line of 0.5m, a 0 meter setback from the interior/rear property line and a minimum landscape open space of 10%.
February 5, 2013	<p>Planning and Environment Committee (PEC) Meeting. Planning Staff recommended a zoning change TO a Holding Neighbourhood Facility Special Provision Bonus (h-5*h-(*)*NF1()*B()) Zone to continue to permit Churches, Elementary schools, Community centres, Day care centres, Libraries, Private schools, Fire stations, Private club and Police station subject to a Special Provision for a minimum parking area setback from a front/exterior lot line of 0.5m, a 0m parking area setback from the interior/rear property line, a minimum landscape open space of 10% and to add a Bonus Zone to permit a maximum of 14 residential units within the existing building located at 1061 Richmond Street as a permitted use and regulations that: limit the maximum number of bedrooms per unit to 4, permit a maximum of one (1) four bedroom unit, permit a minimum of nine (9) two bedroom units, with a maximum density of 76.6 units per hectare. The subject lands are being bonused to support the preservation of structure on the property located at 1061 Richmond Street that has been identified as having cultural heritage value or interest by the City of London, in consideration for its designation under the Ontario Heritage Act; and to support the City's urban design principles in Chapter 11.1.1 (x) by requiring a 1.2m (4 foot) masonry wall matching the materials and architectural expression of the existing building located at 1061 Richmond Street, supplemented with high quality landscaping, to provide for screening of the parking area along the majority of the Richmond Street frontage. A holding provision has been added for the protection of the public right-of-way corridor.</p> <p>(a) Subject to policy 19.1.1 iii) of the Official Plan where '<i>Minor variations from numerical requirements in the Plan may be permitted by Council without an Official Plan amendment, provided that the general intent and objectives of the Plan are maintained</i>', the requested density of 76.6 unit per hectare BE INTREPRETED to conform to the policies of the Official Plan.</p>

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- (b) The London Advisory Committee on Heritage **BE REQUESTED** to review the plans submitted as part of the Zoning By-law amendment application (Appendix 'B') and consider the reasons for designation that have been prepared for the property to date, noting that future Richmond Street right-of-way requirements may necessitate the removal of the staircase which is located in the road allowance.

February 12, 2013	<p>City Council, at its regular session resolved:</p> <p><i>That, notwithstanding the recommendation of the Managing Director, Planning & City Planner, the application of Romlex International Inc., relating to the properties located at 1057, 1059 and 1061 Richmond Street BE REFERRED to the Civic Administration for consideration of including, but not limited to the following:</i></p> <ul style="list-style-type: none"> a) <i>designating the laneway one way, heading north;</i> b) <i>traffic in and out access on/onto Richmond Street;</i> c) <i>the removal of the holding provision for the stairs; and,</i> d) <i>meet with the applicant and the neighbours;</i>
March 20, 2013	A Community Meeting was held, hosted by the City of London, to discuss matters as directed by Council on February 12, 2013.
March 29, 2013	<p>Zelinka, on behalf of Romlex submitted a revised conceptual site plan and letter addressing a number of issues raised at the March 20th Community Meeting including: the need for two parking entrances to the site; rational for vehicular access to laneway; the inclusion of a pedestrian walkway within the laneway; and the installation of bollards.</p> <p>The applicant indicated that they did not feel it was necessary for a second community meeting.</p>
April 22, 2013	<p>A Community Meeting was held, hosted by the City of London, at the request of some of the area residents. Area residents provided details on what changes they preferred and would accept, including:</p> <ul style="list-style-type: none"> - retaining buildings located at 1057 and 1061 Richmond Street; - blocking access to the laneway from new development; - residential (R8) Zone preferred and the Neighbourhood Facility (NF) zone should be removed; - lack of residential amenity space/retaining existing outdoor amenity space; - preference for 6 units, total of 18 bedrooms for 1061 Richmond Street and retaining 1057 Richmond Street (total 7 units); - removal of church office area from building located at 1061 Richmond Street; - proposed density of 76.6 units per hectare is too intense and not appropriate; - 38.8 units per hectare is more reasonable (6 units / 18 bedrooms). - building coverage is too intense; - desire for no parking lot along Richmond Street; - student occupancy; - proposal not in keeping with the character of the neighbourhood and the overall form and level of intensification is not appropriate.
May 7, 2013	Planning and Environment Committee (PEC) Meeting. Planning Staff provide supplementary Planning Report with the same recommendation for a Zoning By-law amendment, previously provided to PEC on February 5, 2013 in support of a zoning change TO a Holding Neighbourhood Facility Special Provision Bonus (h-*)NF1(____)B(____) Zone.
May 14, 2013	City Council, at its regular session, <i>referred clause 13 of the 11th Report of the Planning and Environment Committee back to staff to work with the applicant to address the following matters:</i>

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- a) *prohibiting access to the site from the laneway;*
- b) *provision for all-way turns into and out of the site;*
- c) *removal of uses from the base Neighbourhood Facility Zone that are not desired by the applicant;*
- d) *exploration of opportunities to reduce density and bedrooms on the site, with consideration given to a maximum density of 45 units per hectare, that is compatible and reflective of the character of the existing neighbourhood; and*
- e) *revision of the urban design brief to address the revised project proposal.*

Clause 13 reads as follows:

*13. That the Planning and Environment Committee was unable to reach a majority decision with respect to the staff recommendation contained in Agenda Item No. 13 relating to the application of Romlex International Inc. regarding the properties located at 1057, 1059 and 1061 Richmond Street and pursuant to Section 18.6 of the Council Procedure By-law, the appended staff recommendations **BE SUBMITTED** to the Municipal Council for its disposition.*

May 27, 2013

Planning Staff consulted with the Zelinka Priamo, on behalf of Romlex International to address matters as directed by Municipal Council at the May 14, 2013 Meeting. In their subsequent email correspondence, dated June 4, 2013 Zelinka advised of their position relative to these matters, which included:

- the need for vehicular access to the laneway;
- agreed to the removal of 'Fire Station and Police Stations from permitted uses;
- maintaining the density of 14 dwellings units within the existing building, is compatible and reflective of the existing neighbourhood.

June 12, 2013

City of London received notification that the application had been appealed to the Ontario Municipal Board stating that Municipal Council failed to make a decision with 120 days as per the requirements prescribed by the Planning Act.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

London Hydro

No objection.

Upper Thames River Conservation Authority

The UTRCA has no objection to this proposal.

City of London - Urban Forestry

- *There are several City boulevard trees of mature stature in proximity to the proposed access (driveway) – the existing driveway here may require renewal and/or widening to accommodate the new development and this will be within the critical root zone of at least a few trees.*
- *An arboricultural report will be required to determine the impact this development will have on existing trees, and a tree protection plan will be required for any recommendations made therein to protect City trees and other neighbouring trees that will be impacted by this work.*
- *This should include parking of contractor vehicles and delivery and storage of materials. And/or consensual removal under the bylaw will have to be achieved before this development may proceed.*
- *Concerns with landscaping in a confined area. Not supportive as mature off site trees will be affected by the development.*

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City of London – Wastewater and Drainage Engineering Division

WADE has no objection to this rezoning and official plan amendment. The potential increase in sanitary flows is negligible with these types of conversions.

City of London – Stormwater Management Unit

If the current existing conditions are maintained then SWM Unit has no comments to this application. However, if the site is considering to be intensified then SWM Unit requests additional SWM which will be identified at site plan stage.

City of London – Transportation Planning & Design Division

- *There is a future Bus Rapid Transit (BRT) route along Richmond Street as recommended in the London 2030 Transportation Master Plan (TMP).*
- *The first phase (expected in the next 5 years) will include transit priority measures such as queue jump lanes at intersections with traffic signals with accompanying signal timing changes that give priority to transit vehicles.*
- *Any accesses within these lanes or proximity to these lanes may interfere with the operation of transit vehicles and the priority status they will receive.*
- *Therefore accesses should be eliminated if possible, as property develops along the Richmond Street corridor where transit priority will exist.*
- *This site is close to the traffic signal at Victoria Street and therefore we do not support a Richmond Street access connection as shown on the proposed site plan.*
- *Access can easily be accommodated from the public laneway off Sherwood Avenue.*
- *There may also be the need to remove the stairs at the front of the building that are presently on the Richmond Street right-of-way.*
- *The interior of the building must be designed to anticipate this eventuality.*
- *Based on the above we request a holding provision for access and exterior building access design regarding the stairs.*

(Additional Transportation Comments January 25, 2013):

- *Notwithstanding the above and to show some flexibility, Transportation staff agrees to allow only a restricted access (R-in/R-out) on Richmond St at the far south side of the site. This configuration should be through the construction of a raised center median (pork chop will not be accepted) on Richmond St (as per the City's Access Management Guidelines). The other option that we prefer is to access the site from the public laneway off Sherwood Avenue with no access on Richmond St.*
- *The stairs at the front of the building should be removed since they are on the Richmond Street right-of-way, and will greatly impact the design and implementation of the BRT corridor. The developer should redesign the entrance to the existing building to accommodate removing any structural obstacles within the City's right of way.*

City of London – Water Engineering Division

No comment

City of London – Geomatics Division

The lane lying between 1061 Richmond Street and 203 Sherwood Avenue was established by Registered Plan 217(W), 15' in width, and is City owned, however not assumed.

London Advisory Committee on Heritage (LACH)

"The LACH asked that the Planner be advised that the concept plan provided does not include 1057 and 1061 Richmond Street, which are both identified as Priority 2 and Priority 1, respectively, in the 2006 Inventory of Heritage Resources."

(Additional LACH Comments January 16, 2013):

At its meeting held on December 12, 2012, the London Advisory Committee on Heritage (LACH) reviewed and received a Notice dated November 30, 2012, from N. Musicco, Planner, with respect to an application submitted by Romlex International Inc. relating to the properties located at 1061, 1059 and 1057 Richmond Street. The LACH asked that the Planner be advised that the concept plan provided does not include 1057 and 1061 Richmond Street, which are

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both identified as Priority 2 and Priority 1, respectively, in the 2006 Inventory of Heritage Resources. (1411ILACH)

PUBLIC LIAISON:	On November 30, 2012 a Notice of Application was sent to 25 property owners in the surrounding area. Notice of Application was also published in the "Living in the City" section of the London Free Press on November 30, 2012. A "Possible Land Use Change" sign was also posted.	RESPONSES: 7 written 2 telephone
Nature of Liaison: Possible amendment to the Zoning By-law Z.-1 FROM a Neighbourhood Facility (NF1) Zone and a Residential R2 Special Provision (R2-2(9)) Zone TO a Neighbourhood Facility Special Provision Bonus (NF1()*B()) Zone to continue to permit Churches, Elementary schools, Community centres, Day care centres, Libraries, Private schools, Fire stations, Private club and Police station subject to a Special Provision for a minimum parking area setback from a front/exterior lot line of 0.5m, a 0m setback from the interior/rear property line, a minimum landscape open space of 10% and to add a Bonus Zone to permit 14 residential units within the existing building located at 1061 Richmond Street, with a maximum density of 76.6 units per hectare, a minimum parking area setback from a front/exterior lot line of 0.5m, a 0m setback from the interior/rear property line and a minimum landscape open space of 10%.		
Responses: Initial responses to the Notice of Application of November 30, 2012 included 7 written comments and 2 telephone calls received from the public. During the subsequent 6 month there was numerous input from the neighbours (including the Community Meetings of March 20 and April 22 as well as the Planning and Environment Committee Meetings of February 5 and May 7) during which the essential concerns remained unchanged. Matters raised by neighbours have been summarized as follows: <ul style="list-style-type: none"> - Student Occupancy or 'student rentals' will affect the neighbourhood. - Runoff and Drainage in the direction of 204 Victoria Street. - City Laneway will see increased traffic and potential damage to old sanitary sewer located in the laneway. - Use and Intensity. Some general support for the use; however the number of units is too intense. The proposed 14 unit development will result in an increased population and will subsequently result in an increase in noise. It was also noted that there are too many bedrooms. - Increased Traffic resulting from the proposed development will and safety issues. - Parking access should be right turn only from and onto Richmond Street. - Existing Traffic issues from Sherwood Avenue already an issue. - Demolition of 1057 Richmond Street not supported. - Preservation of Heritage Church supported. - Landscape Open Space area reduction. - Noise wall recommended at the west end of the proposed parking. 		

ANALYSIS

Subject Lands

The subject site is located on the west side of Richmond Street, between Regent and Victoria Streets at the intersection of Sherwood Avenue. Richmond Street is classified as an arterial road, which acts as an important gateway into the City of London from the north and major intra-city, north-south corridor carrying an average of 27,000 vehicles per day.

Situated on the subject site is a purpose-built church spanning the lots at 1059 and 1061 Richmond Street, which is identified in the *City of London Inventory of Heritage Resources (2006)* as a Priority 1 heritage building as well as a building constructed as a single detached

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dwelling at 1057 Richmond Street which is identified in the *City of London Inventory of Heritage Resources (2006)* as a Priority 2 heritage building.

The subject site is designated Low Density Residential in the Official Plan and zoned to permit Neighbourhood Facility uses on the lands at 1059 and 1061 Richmond Street while 1057 Richmond Street is zoned to permit single detached, semi-detached, duplex and converted dwellings up to a maximum of 4 dwelling units.

Nature of the Application

The applicants have requested a Zoning By-law amendment to add a Bonus Zone to the existing base zoning to permit the development of 14 dwelling units to be constructed in the existing church building. The recommended amendment proposes a rezoning to expand the Neighbourhood Facility zoning to the lands at 1057 Richmond Street and add 1 dwelling unit in the existing church building as a permitted use, while removing some of the Neighbourhood Facility uses that may create a negative impact on the surrounding Low Density Residential neighbourhood as the base zone, and increasing the residential density by way of a Bonus zone. Bonus zoning is a unique tool permitted under Section 37 of the *Planning Act* enabling Council to “authorize increases in the height and density of development...in return for the provision of such facilities, services or matters as are set out in the by-law.”

Staff had considered adding a holding (h-*) provision to protect the public right-of-way corridor, to ensure the removal of the existing stairs located at the front of the Church building along Richmond Street. Upon additional review, however, staff found that a development agreement is currently in place protecting this right of-way corridor and the holding (h-*) provision would be redundant and is therefore unnecessary.

In order to enable the Bonus provisions, the *Planning Act* requires that the municipality have an official plan in effect that contains provisions relating to the authorization of increases in height and density of development. The City of London does have Official Plan policies relating to the use of Bonus provisions (see Official Plan section below) in conformity to the requirements of the *Planning Act*.

In addition, the *Planning Act* permits the municipality to enter into agreements with the property owner outlining the requirements and enumeration in return for the increased height and density and this agreement may be registered against the title of the land. As it relates to this application, it is recommended that the subject site be granted additional residential density up to a maximum of 50 units per hectare, in return for the heritage designation of the Priority 1 structure on the property located at 1061 Richmond Street under the Ontario Heritage Act; and the construction of a 1m (3.2 feet) in height, masonry wall matching the materials and architectural character of the existing building located at 1061 Richmond Street, supplemented with high quality landscaping, and the removal of access to the laneway along the western property line. The masonry wall will provide for screening and will also help to establish a street edge along Richmond Street given the proposed demolition of the building at 1057 Richmond Street and the former manse which previously existed at 1059 Richmond Street south of the church.

Provincial Policy Statement (2005)

The *Provincial Policy Statement, 2005* (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS is more than a set of individual policies. It is intended to be read in its entirety and the relevant policies are to be applied to each situation. As it relates to this application, the PPS provides some direction to this matter.

Policy 1.1.3.3 of the PPS states that, “Planning authorities shall identify and promote opportunities for *intensification* and *redevelopment* where this can be accommodated taking into account existing building stock or areas...and the availability of suitable existing or planned *infrastructure* and *public service facilities* required to accommodate projected needs. It is worth noting that *redevelopment* is defined as, “the creation of new units, uses or lots on previously developed land in existing communities”; *infrastructure* is defined as, “physical structures that form the foundation for development [including] sewage and water systems...waste

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management systems...transit and transportation corridors and facilities...” and other forms of infrastructure available at the subject site; and *public service facilities* are defined as, “...land, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as...health and educational programs...”

In other words, the PPS requires that Council promote opportunities for development of new units on previously developed land in existing communities at a higher density than currently exists where there is available infrastructure, including water, sewage, and transit, and health facilities required to accommodate the projected needs. Although this is a simplified interpretation of the policy, a development which proposes to permit residential intensification on the subject site is in conformity to the policies of the PPS. However, the notion of what is the appropriate level of residential intensity is the pertinent question.

Official Plan Policies

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

Transit Nodes and Corridors (18.2.11.1)

The Official Plan Transportation policies deal with the various elements of the transportation system in the City of London. The transportation system provides a major part of the framework for urban growth and development and influences the function and compatibility of land uses and the quality of life in the City. These policies guide future public investment in the development of transportation facilities and will inform the public of Council's intentions in this regard.

These policies state that Council shall support the long-term development of compact, transit oriented and pedestrian friendly activity centres at identified nodes and corridors. The Downtown and the Transit Nodes and Transit Corridors (see Figure 1 below) are target areas for growth, redevelopment and revitalization. Policies that support growth, redevelopment and revitalization include the following:

- *In the review and evaluation of development proposals located along identified transit nodes and corridors Council will discourage site-specific Official Plan amendments and site-specific Zoning By-law amendments which propose a lower intensity of use where a higher intensity of use has been planned to support compact urban form, discourage sprawl, and provide for efficient infrastructure and transportation.*
- *Residential intensification will be encouraged adjacent to Transit Nodes and along Transit Corridors.*

These policies articulate the importance of establishing a system of nodes and corridors which encourage transit supportive development and provide the density and land use patterns required to facilitate a higher order of public transit in the future.

As illustrated in Figure 1 below, the subject site directly abuts Richmond Street which has been identified as a *Transit Corridor* in the Official Plan where residential intensification will be encouraged.

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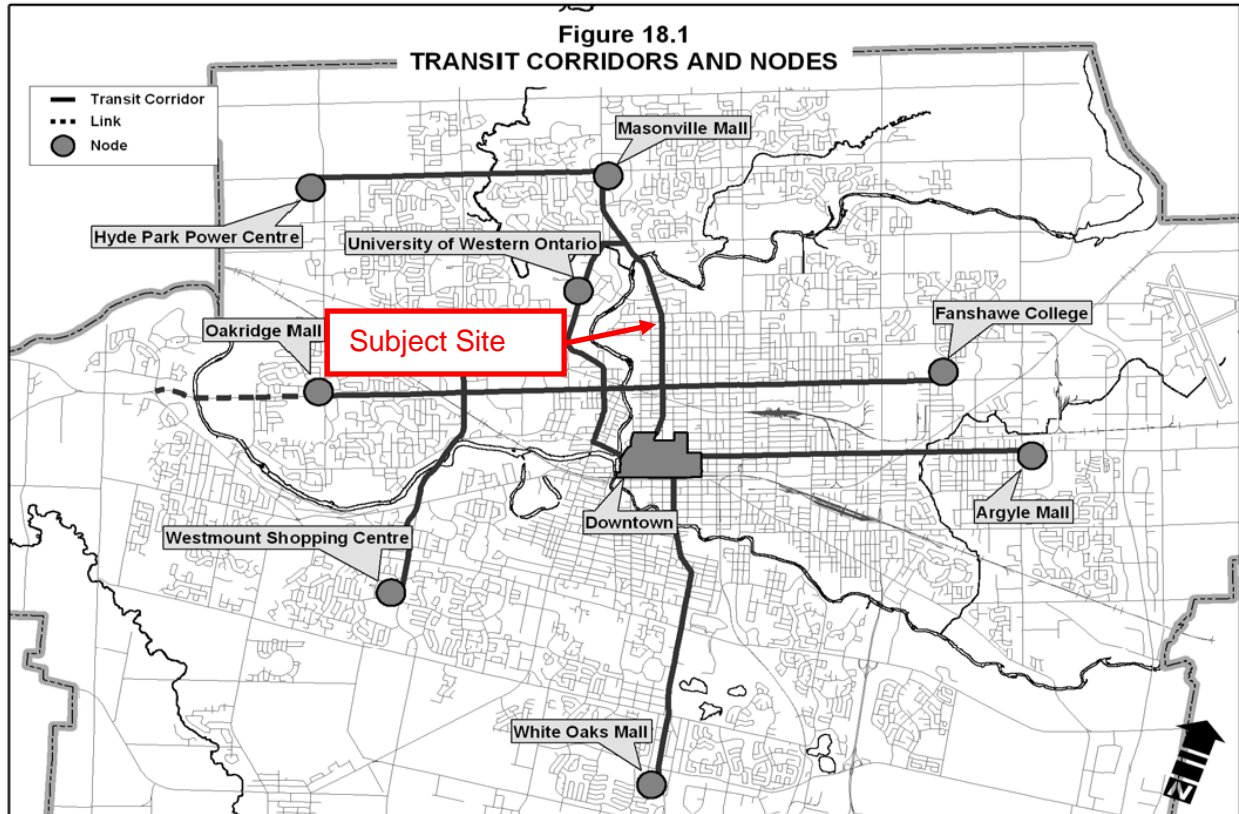


Figure 1 – Illustrating the Nodes and Corridors identified in the Official Plan

Low Density Residential Policies

Permitted Uses (3.2.1)

The policies of the Official Plan indicate that the primary permitted uses in areas designated Low Density Residential shall be single detached; semi-detached; and duplex dwellings. The policies also permit *Residential Intensification* subject to the provisions of the Plan.

Residential Intensification – Definition (3.2.3.1)

The repurposing of a church building to residential uses is interpreted to be *Residential Intensification* given that this is defined by the Plan as, “...the development of a property, site or area at a higher density than currently exists on the site through...the conversion or expansion of existing industrial, commercial and institutional buildings for residential use.”

Residential Intensification – Density and Form (3.2.3.2)

Notwithstanding the primary permitted uses policies (see 3.2.1 above) the policies of the Official Plan permit low rise apartments within Low Density Residential areas when they constitute *Residential Intensification*.

These policies also permit a residential density “...in a range up to 75 units per hectare”. However, it is important to note that this is not to be interpreted as an as-of-right permission. It represents the upper limit which may be *considered* in response to requests for Residential Intensification when such proposals demonstrate an ability to accommodate the proposed use, intensity, and form, while recognizing the scale of adjacent land uses and reflecting the character of the area. The requested amendment seeks several special provisions to modify the zoning standards in an effort to reduce the amount of outdoor amenity area to accommodate a larger parking area and thereby accommodate more residential intensity. The number of special provisions required and the extent to which they deviate from the requirements of the Zoning By-law are indicative of a development that is too intense for the subject site. The Staff recommendation seeks to introduce a Zoning By-law amendment that more closely implements the purpose and intent of the Zoning By-law requirements by permitting a density of 50 units per hectare (“uph”) in conformity with the above Official Plan policy.

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Residential Intensification – Integration with Heritage Buildings (3.2.3.6)

The policies encourage Residential Intensification projects to preserve and upgrade buildings considered by Council to be of cultural heritage value or interest. The requested amendment is consistent with this policy. The policies also permit increased density when these buildings are designated and incorporated into a Residential Intensification project through bonus zoning provisions when such proposals are consistent with the Residential Intensification policies. The recommended level of density of 50 uph is consistent with the Residential Intensification policies of the Official Plan and is therefore appropriately implemented through the use of Bonus zoning.

Implementation Policies – Bonus Zoning (19.4.4)

Section 19.4.4 of the Official Plan outlines the criteria for the provision of public facilities, amenities, or design provided in return for an increase in the height and density of a proposed development. The first criterion requires that the facilities, amenities, or design must result in a benefit to the general public and/or enhancement of the design or amenities of a development to the extent that a greater density or height is warranted.

These policies also articulate the objectives of increasing height and density and state that Bonus zoning will be used to support the City's urban design principles and objectives to support the preservation of structures and/or districts identified as being of cultural heritage value or interest by the City of London, in consideration for their designation under the *Ontario Heritage Act*.

While the preservation of a designated heritage structure results in a benefit to the general public and therefore warrants a Bonus zone to increase the density, this policy must be balanced against principles of bonus zone policies which state that the height and density bonuses received should not result in a scale of development that is incompatible with adjacent uses. It is for this reason that the recommended density is 50 uph rather than the 77 uph requested by the applicant.

North London/Broughdale Neighbourhood (3.5.9)

The subject site is also subject to the North London/Broughdale special policies of the Official Plan. In specified areas of the City, such as North London/Broughdale, 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.

The North London/Broughdale policies anticipate that there will be demand for residential intensification and infill development within this area of the City. These policies are intended to protect the character of the existing low-rise, low density residential community by directing multi-unit residential development to those areas within the Oxford, Richmond and Adelaide Street North corridors that are designated Multi-Family, High and Multi-Family, Medium Density Residential. While the policies also permit *Residential Intensification* in Low Density Residential areas fronting onto the Richmond and Adelaide Street North corridors through conservation and rehabilitation of the existing housing stock, the policies also indicate that the *Residential Intensification* proposal provides adequate space to accommodate required on-site parking and landscaped open space and that intensification is of a scale which is compatible with surrounding land uses.

The development proposed by the applicant seeks a level of intensity that exceeds the maximum permitted density of the Low Density residential policies. This scale is not compatible with the surrounding land uses and in an effort to accommodate the parking demands for this increased level of density, reductions in the landscaped open space coverage have been requested which virtually eliminate the outdoor amenity area contrary to policies of the Official Plan. The zoning amendment recommended by Staff seeks to achieve a balance between the provision of parking area coverage and landscaped open space coverage in conformity to the Official Plan.

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Policies for Near-Campus Neighbourhoods (“NCN”) (3.5.19)

During the preparation of the previous reports to Municipal Council on this matter, the Official Plan amendments pertaining to the Near-Campus Neighbourhoods, approved by Council on June 26, 2012, were under appeal to the Ontario Municipal Board (see Background section of this report).

The application pertaining to this matter was submitted on November 21, 2012, *after* the decision by Municipal Council to adopt the comprehensive Policies for Near-Campus Neighbourhoods, but *prior* to the decision of the Ontario Municipal Board (“OMB”) on the appeal from the decision of Municipal Council to that matter. Given the uncertainty regarding the outcome of the OMB appeal, the Policies for Near-Campus Neighbourhoods were not used in the evaluation of previous reports relating to this application. However, it is noteworthy that the Near-Campus Neighbourhood Official Plan policies approved by the OMB on June 10, 2013, are unchanged from the decision of Municipal Council on June 26, 2012.

Municipal Council adopted the Policies for Near-Campus Neighbourhoods in June 2012 under the notion that they represented sound land use planning. And the decision of the OMB to approve these policies in June 2013, unchanged from the decision of Municipal Council, validates the notion that these policies represented sound land use planning as of June 2012. Therefore, it stands to reason that if the Policies for Near-Campus Neighbourhoods represented sound land use planning when Municipal Council approved them in June 2012, *prior* to the submission of the application relating to this matter, that these policies would continue to represent sound land use planning *after* the submission of this application.

Given the fact that there is now certainty surrounding the status of the Policies for Near-Campus Neighbourhoods, and given that the OMB has approved the policies adopted by Municipal Council in their entirety, it is appropriate to evaluate this application on the basis of having regard for the decision of Municipal Council on June 26, 2012.

Policies for NCN – Land Use Planning Goals for Near Campus Neighbourhoods (3.5.19.4)

The Goals of the Policies for Near Campus Neighbourhoods include, among others:

- Encouraging appropriate intensification (as characterized in Policy 3.5.19.5) that support the vision for near-campus neighbourhoods and discouraging inappropriate forms of intensification that may undermine the long-term stability and established vision for Near-Campus Neighbourhoods;
- Encouraging a balanced mix of residential structure types at the appropriate locations while preserving stable homogenous areas;
- Directing Residential Intensification to higher density forms of housing, including mid-rise and high-rise apartment buildings and discouraging a concentration of Residential Intensification and Residential Intensity in low density forms of housing;
- Directing Residential Intensification to significant transportation nodes and corridors and away from the interior of low density residential neighbourhoods;
- Utilizing a variety of planning implementation tools to allow for Residential Intensification and Residential Intensity which is appropriate in form, size, scale, mass, density, and/or intensity;
- Ensuring that Residential Intensification projects incorporate urban design qualities that enhance streetscapes, complement adjacent properties, and contribute to the functional and aesthetic quality of the neighbourhood; and,
- Preserving heritage resources which contribute to the identity of streetscapes and neighbourhoods

The proposed repurposing of the existing church buildings to accommodate residential development is consistent with many of these goals. Therefore, while it is appropriate to recommend approval of a request for residential intensification on the subject site, the notion of *how much* intensification is appropriate is at the crux of this planning report.

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Policies for NCN – Encourage Appropriate Intensification (3.5.19.5)

The Official Plan policies encourage appropriate forms of intensification in Near Campus Neighbourhoods. As it relates to this application, these policies state, “...*appropriate intensification will be characterized as those which are not comprised of one or more of the following attributes...*” [Emphasis added] including:

- v) *Proposed lots and buildings requiring multiple variances that, cumulatively, are not in keeping with the spirit and intent of the zoning that has been applied;*
- vi) *A lack of on-site amenity area;*
- viii) *Excessive proportions of the site devoted to parking areas and driveways;*

The requested amendments included 4 special provisions to the Zoning By-law including reductions to the parking setback requirements; an increase in density; and, a reduction in the landscaped open space requirement. These requests cumulatively result in the reduction of the on-site amenity area and result in excessive proportions of the site being devoted to parking areas in an effort to accommodate more residential intensification.

Policies for NCN – Directing Preferred Forms of Intensification to Appropriate Locations (3.5.19.6)

While the above policies describe what constitutes *Appropriate Intensification*, the Official Plan also highlights the preferred locations where proposals for *Appropriate Intensification* will be directed. These policies state:

Residential Intensification in the form of medium and large scale apartment buildings situated at appropriate locations in the Multi-Family, Medium Density Residential and Multi-Family, High Density Residential designations are preferred in near-campus neighbourhoods rather additional Residential Intensification in Low Density Residential designations.

It is noteworthy that the subject site is designated Low Density Residential in the City of London Official Plan and while there is merit in permitting some level of residential intensification given the public interest that is served through the preservation and adaptive reuse of this historic building, the subject site is not identified as a preferred location under the policies of the Official Plan.

The policies state that:

Appropriate locations are those areas within Near-Campus Neighbourhoods that are designated Multi-Family, Medium Density Residential and Multi-Family, High Density Residential that are located along arterial roads and serviced by public transit. Additional areas may be identified for higher density forms of housing through an Official Plan and Zoning By-law amendment process.

While the subject site is located along an arterial road and serviced by public transit, it is noteworthy that that no application for an Official Plan amendment was submitted to request a higher density form of housing. This application relies on the provisions of the Low Density Residential policies of the Official Plan.

Policies for NCN – Low Density Residential Designations (3.5.19.10)

The Policies for Near-Campus Neighbourhoods include guidance for lands that are designated Low Density Residential, such as the subject site. While these policies require the preservation of heritage attributes, as is being recommended as part of this application, these policies also state that:

Within the Near-Campus Neighbourhoods in areas designated Low Density Residential, planning applications to allow for Residential Intensification and Residential Intensity shall only be supported if the following criteria are met:

- iv) *The proposal is appropriate in size and scale and does not represent an over-intensification of the site;*
- v) *The proposal provides for an adequate amenity area that is appropriately shaped, configured, and located to provide respite for the occupants;*

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- vi) *Mitigation measures are incorporated into the proposed building(s) and site design which ensure that the amenity of surrounding residential land uses is not negatively impacted;*

The requested amendment seeks a density of 77 units per hectare. At this level of intensification, it exceeds the maximum density of 75 units per hectare permitted by the Low Density Residential policies for which the site is designated and requires an additional interpretation of Council granting an increase for an additional 2 units per hectare. Additionally, the requested amendment seeks to reduce the landscaped open space coverage significantly and parking setback from property lines. These collectively indicate an over-intensification of the site given that the balance of apportioning the site between building coverage, parking coverage and landscaped coverage is heavily weighted toward the parking coverage at the expense of landscaped open space coverage. And the request to reduce the distance between the parking area and the property lines may negatively impact the amenity of the surrounding residential land uses by increasing exposure to headlights and noise.

Planning Impact Analysis

The requested amendment is subject to the requirement of a 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. These include:

The 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:

- As previously mentioned there is an ability to accommodate *Residential Intensification* on the subject site. An appropriate amount of *Residential Intensification* which balances the need for outdoor amenity area and parking area requirements has the ability to complement the existing stable residential area. However, if this site is intensified to accommodate a level of residential intensity that requires increased parking area demands at the expense of landscaped open space coverage, it may create impacts on the surrounding land uses as the inherent buffers, such as side yard setbacks, begin to erode.

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 use:

- The subject site has a frontage of 48.5 meters and a lot area of 0.183 hectares. Although the subject site exceeds the minimum requirements of the Zoning By-law this criterion is intended to evaluate whether the intensity of the proposed development is appropriate relative to the size of the subject lands therefore other zoning criteria must also be evaluated.

The calculation of density is gross of other lot requirements such as parking area and landscaped open space and is therefore not an informative indicator on its own. In evaluating whether the size and shape of the parcel of land has the ability to accommodate the intensity of the proposed use, these other indicators must also be evaluated. In this case, the requested level of intensity exceeds the ability of the site to retain an adequate amount of landscaped open space and proposes to expand the parking into areas of the site for which a site plan agreement exists to be retained as landscaped open space (see Amended Site Plan Agreement 2004 section of this report below). The size of the enlarged parking area is directly related to the level of residential intensity. Therefore, the recommended amendment seeks to support a more moderate level of intensity than that requested by the applicants which balances the requirements for landscaped open space as well as parking area coverage.

The supply of vacant land in the area which is already designated and/or zoned for the proposed use:

- There is a vacant lot immediately east of the subject site which is designated Low Density Residential. However, any similar development proposed for that site would be subject to the same evaluation as this application. Also, there is a development

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proposed for that site to permit a continuum-of-care facility with accessory medical offices.

The proximity of any proposal for medium or high density residential development to public open space and recreational facilities, community facilities, and transit services, and the adequacy of these facilities and services:

- The subject lands are situated in between two large municipal parks – Gibbons Park to the southwest and Doidge Park to the southeast. The distances to these parks (measured in a straight line from the shortest points) are approximately 310m and 400m, respectively representing an approximate walking time of 5 minutes. Richmond Street is a major transit route with 3 different routes passing directly in front of the subject site. There are bus stops located half a block north at Regent Street and half a block south at Victoria Street. Richmond Street is also envisioned to become a bus rapid transit corridor.

The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses:

- The proposal represents an adaptive reuse of an existing building which has achieved a measure of acceptability within the community. No building additions have been proposed. No impacts are anticipated which result from the existing height of the building.

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:

- Although Transportation Staff prefer access to the site from the public laneway off Sherwood Avenue with no access on Richmond Street, Transportation Staff are amenable to allowing a restricted access (Rights-in/Rights-out) on Richmond Street at the far south side of the site. This configuration should be through the construction of a raised center median (pork chop will not be accepted) on Richmond St (as per the City's Access Management Guidelines).

The exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area:

- As previously mentioned the proposed development is intended to preserve the existing church building which has achieved a level of compatibility in the neighbourhood. As part of the recommended Bonus zone, the exterior of lot will be enhanced by the construction of a masonry wall matching the materials and architectural expression of the existing building located at 1061 Richmond Street along the majority of the Richmond Street frontage. The wall will help to establish a street edge, recognizing the planned demolition of the building at 1057 Richmond Street and the previously demolished manse building. Compatibility between the proposed new residential uses is intended to be achieved by maintaining an appropriate level of residential intensity and the retention of an adequate amount of hardscape, landscape, and buffers.

The potential impact of the development on surrounding natural features and heritage resources

- There are no natural features in proximity to the subject site. The request for bonus zoning is directly related to the preservation of the identified heritage features. Therefore, there are no potential impacts anticipated of the proposed development on surrounding natural features and heritage resources anticipated.

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Zoning By-law

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

Section 33.1 – General Purpose of the NF Zone – describes the rationale behind the Neighbourhood Facility zone variations. These zone variations provide for and regulate public and private facility uses which primarily serve a neighbourhood function. The NF Zone variation permits the lowest impact uses permitted in the zone and typically uses are developed independently. The NF1 Zone variation permits the NF uses plus uses which are generally larger and generate more traffic and activity.

The recommended amendment proposes to remove the following uses currently permitted by the existing Neighbourhood Facility (NF1) zone: Community centres; Libraries; Private schools; Fire stations; Private clubs; and Police stations. The applicant has voluntarily requested to remove Police stations and Fire stations from the list of permitted uses and with the exception of Private schools and Private clubs, the uses recommended to be removed are typically funded and operated by the City of London and the City has expressed no desire to utilize the site for those uses. While some might suggest that Private schools and Private clubs may choose to utilize the site at a future date and should therefore be retained, the existing building is purpose-built to accommodate a church use and may not be easily adaptable to accommodate these uses.

Additionally, as per Section 33.1 of the Zoning By-law (above), these uses tend to generate more traffic and more activity which may create neighbourhood impacts if the recommended amendment is approved. The recommended zoning will have the effect of expanding the Neighbourhood Facility zone onto the lands at 1057 Richmond Street where this site current permits low density residential uses. In an effort to “...*protect the character of the existing low-rise, low density residential community*”, as stated in the North London/Broughdale Special Official Plan Policies, it is recommended that the aforementioned uses be removed. The permitted uses that are recommended to remain are the lower impact Neighbourhood Facility uses including Churches, Elementary schools, and Day care centres which are more commonly permitted in the NF zone variation.

However, the recommended zone proposes to add one residential dwelling unit as a permitted use as the base zone (in addition to the above listed uses remaining in the recommended NF1() zone). It is proposed that the number of dwelling units may increase to a maximum of 9 dwelling units through the use of bonus zoning in exchange for the preservation and designation of the heritage building at 1061 Richmond Street and enhanced site design.

Section 4.3.3) of the Zoning By-law states that, “*Notwithstanding the height and density which apply to subject lands, the maximum permitted density and/or height and/or parking may be altered in accordance with site specific provisions and having entered into a Development Agreement, with bonusing clauses, with the City of London*”. This provision of the Zoning Bylaw implements the policies of the Official Plan for Bonus Zoning as indicated in Chapters 3 and 19 (see Official Plan above).

The bonus zones are commonly applied with a "base zone" followed by the bonus zone. The applicant may avail of the increased regulations of the bonus zone in exchange for certain provisions that have been set out in the Zoning By-law and having entered into a Development Agreement. In the event that the applicants do not fulfill the provisions of the bonus zone, the base zone will apply.



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The applicants have requested that a Bonus Zone be applied to subject site to permit increased residential density and to seek modifications to the zoning regulations in return for the preservation of the existing historic church building. Specifically, the applicants have requested a density of 76.6 units per hectare and some modifications to the Zoning regulations including: a minimum landscaped open space coverage of 10%; a minimum parking area setback of 0 metres from the interior or rear property line; and a parking area setback of 0.5 metres from the front and exterior side lot lines.

As previously mentioned the proposed development merits Bonus Zoning based on the retention of the historic church building and enhanced site design including the construction of a masonry wall matching the materials and architectural expression of the existing building which is supplemented with high quality landscaping. However, Planning Staff have recommended a zone which implements a level of intensity that is more in keeping with the intent of the Official Plan policies for infill apartment developments, the regulations of the Residential R8 zone (which typically facilitates the development of medium density apartments), and the existing site plan agreement pertaining to portions of these lands.

The recommended Bonus zone also recommends the removal of access onto the laneway situated along the western property line. Prior to this development proposal being submitted, the existing church property had no direct access to Richmond Street from its parking area at the rear. The only means of access to the parking area was via the laneway to the west. However, the applicant has purchased the site at 1057 Richmond Street, which forms part of this application, allowing for the consolidation of this site with the former church lands at 1059 and 1061 Richmond Street and providing direct access onto Richmond Street from the parking area. Transportation Staff have viewed the conceptual plan (see Figure 4) preferred by Planning Staff and can support an access configuration as illustrated.

The recommended amendment includes a holding provision (h-5) to ensure that development takes a form compatible with adjacent land uses by requiring a public site plan review specifying the issues allowed for under Site Plan Control. Given the significant amount of public participation and concern in response to this application, it is in the public interest to provide the community with an opportunity to provide input as part of the site plan process as well.

Amended Site Plan Agreement (2004)

In September 2004, as part of the process which facilitated the demolition of the former manse located at 1059 Richmond Street, residents expressed concern regarding the potential for severance and redevelopment of the subject site at a future date and also expressed concern that the adjacent lawn area could be readily accessed for parking by members of the congregation.

As a result, the Site Plan Agreement was amended to require the planting of sod where the former manse was located and the retention of certain existing landscaping features (see Figure 2). In July 2004, the agent acting on behalf of Robinson Memorial United Church wrote to the members of the Planning Committee indicating “...that the Site Plan Agreement should be amended to ensure the demolition will facilitate a garden-like landscaped open space area on the premises where the house [was previously] located.”

Given that the conceptual plan proposed by the applicant is inconsistent with the amended site plan agreement and also recognizing the need for more landscaped open space on the site, Planning Staff have recommended that the Zoning By-law be amended in a manner that maintains the integrity of the amended site plan agreement and is more in keeping with the 30% landscaped open space requirements of the Residential R8 zone (see Figure 4). The Residential R8 zone provides for and regulates medium density development in the form of low rise apartment buildings, such as the use and intensity proposed as part of this application.

Figure 4 (below) depicts the form of development preferred by Staff given that it retains the landscaped open space on the site of the former manse, in conformity to the amended site plan agreement, and provides a landscaped open space coverage of approximately 35%, consistent with the regulations of comparable medium density residential zones.

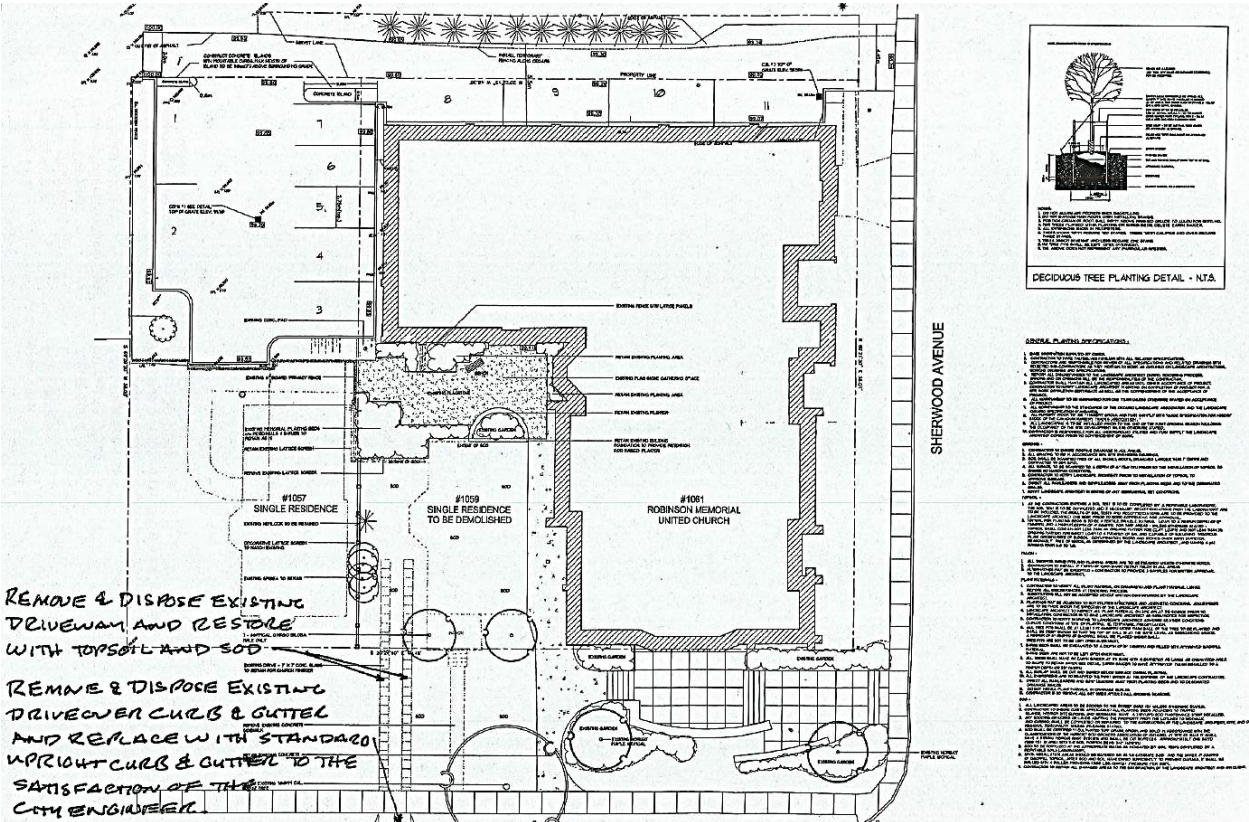
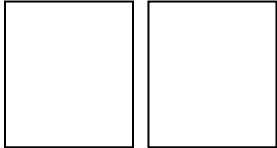


Figure 2 – Site plan agreement amended in 2004 depicting the planting of sod on the site of the former manse at 1059 Richmond Street

However, the landscape plan proposed by the applicant in support of the request for 14 residential dwelling units depicts parking on the site of the former manse at 1059 Richmond Street in contravention to the site plan agreement which had been amended in 2004 with the intention of *restricting* that area for the use of parking (see Figure 3).

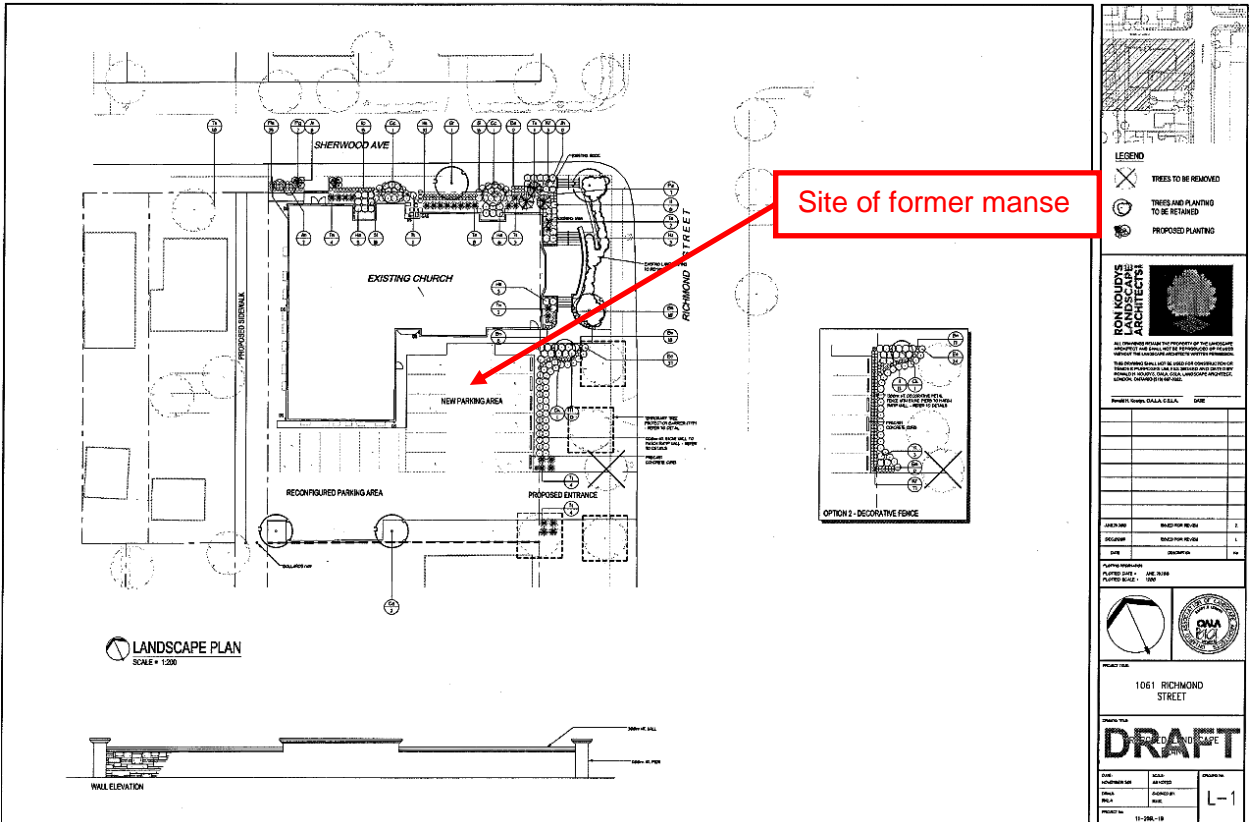


Figure 3 – Applicant's proposed landscape plan depicting a parking area on the site of the former manse at 1059 Richmond Street

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File: Z-8106

Planner: M. Tomazincic/A. Watson

The conceptual site plan illustrated in Figure 4 also depicts a parking area that can accommodate 11 vehicles. Given that the regulations of the Zoning By-law require that 1.25 parking spaces be provided per dwelling unit, a total of 11 parking spaces can accommodate 8.8 dwelling units. Planning Staff are recommending that a maximum of 9 dwelling units be permitted by reducing the parking rate from 1.25 parking spaces per dwelling unit to 1.2 parking spaces recognizing that the site is on a transit route and that the decrease in the parking standard maintains the purpose and intent of the Official Plan and Zoning By-law and is minor in nature.

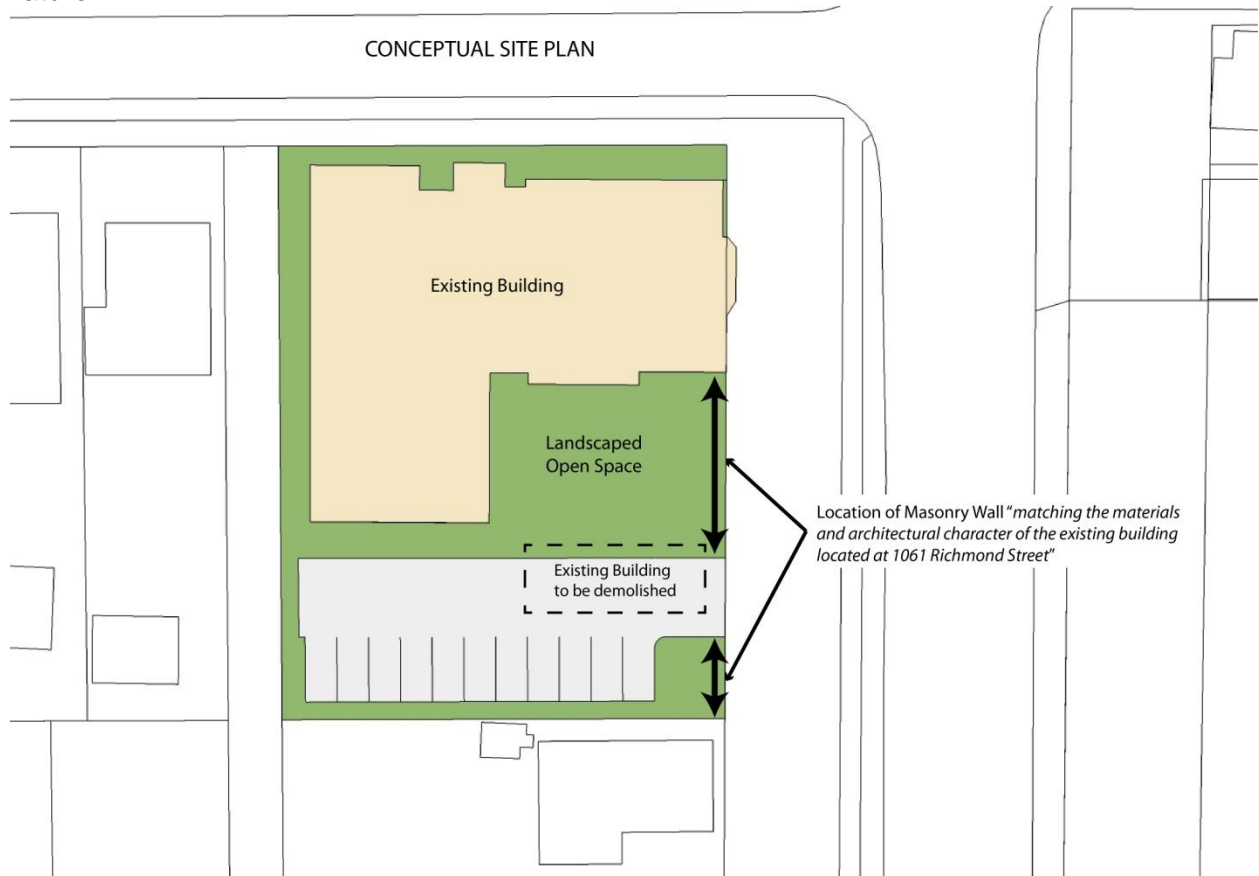


Figure 4 – Conceptual site plan prepared by Staff depicting the preservation of the landscaped open space on the site of the former manse at 1059 Richmond Street while accommodating parking on the site of 1057 Richmond Street

Number of Bedrooms

The Great Near-Campus Neighbourhoods Strategy and subsequent Official Plan and Zoning By-law amendments adopted by Council on June 26, 2012, recommended that the maximum number of bedrooms per dwelling unit be reduced from 5 to 3 for all dwelling types, except single detached dwellings. The applicant has proposed one 4 bedroom unit. With the near campus neighbourhood policies and regulations now in place, Staff believe that it is not appropriate to allow for more than 3 bedrooms per unit. As noted above, this site does not meet the criteria set out in the Policies for Near-Campus Neighbourhoods for allowing greater levels of intensity.

Site Plan

The proposed alteration of the church to accommodate residential uses represents a significant increase in the usability of the existing building, and thus constitutes development subject to site plan approval. The proposed zoning amendment is to allow for residential uses within the existing church building, generally introducing a utilization of the building 24 hours per day, every day of the week. The increased usability of the building for residential purposes introduces the need for substantial changes to the site, including the need for on-site parking to accommodate this new residential activity. The bonus zone further increases the usability of the building, by allowing for a significantly higher number of residential units than what is permitted by the proposed base zone.

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Planner: M. Tomazincic/A. Watson

<p>CONCLUSION</p>

The requested Zoning By-law amendment is not consistent with policies of Policies for Near-Campus Neighbourhoods of the Official Plan and given the number of special provisions required and the extent to which they deviate from the requirements of the Zoning By-law indicate that the proposed development that is too intense for the subject site.

However, the recommended Zoning By-law amendment is consistent with the *Provincial Policy Statement*, 2005, as it promotes a healthy community, through the adaptive reuse of the existing church building which allows for the creation of new dwelling units on previously developed land in existing communities at a higher density than currently exists where there is available infrastructure, including water, sewage, and transit, and health facilities required to accommodate the projected needs.

The recommended amendment conforms to relevant policies of the City of London Official Plan, including: Chapter 3 *Residential Land Use Designations*; Section 19.4.4 *Bonus Zoning*; as well as the specific policies of the North London/Broughdale Neighbourhood for multi-unit dwellings along the Richmond Street Corridor.

The recommended amendment complies with the intent and direction of the Zoning By-law, particularly the Great Near-Campus Neighbourhoods Strategy by encouraging the development of appropriate forms of intensification at appropriate locations.

The requested agreement represents sound planning as it allows for an appropriate reuse of a an existing heritage building while maintaining the exterior façade and the character of the area and while implementing a form of development which is consistent with the site plan agreement registered to the lands at 1059 Richmond Street.

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

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

<u>Written</u>
Brian Luckman 1069 Richmond Street
Nathan Barber 1071 Richmond Street
Steven Harris and Lesley Harris 201 Sherwood Avenue
Craig Green 199 Sherwood Avenue
Pollyanna McClinton Stephen May 194 Sherwood Avenue
Jeff Gard 205 Victoria Street
Chet Creider Regent Steet

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File: Z-8106

Planner: M. Tomazincic/A. Watson

Bibliography of Information and Materials (Z-8106)

Request for Approval:

City of London Official Plan / Zoning By-law Amendment Application Form, completed by Michelle Doornbosch, November 20, 2012.

Reference Documents:

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

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

Ontario. Ministry of Municipal Affairs and Housing. *Provincial Policy Statement*, March 01, 2005.

City of London, Notice of Application, November 30, 2012.

City of London, Living in the City – November 30, 2012

City of London, Notice of Public Meeting, January 18, 2013.

City of London, Living in the City - January 18, 2013.

Correspondence: (all located in City of London File No. Z-8106 unless otherwise stated)

City of London

Couvillon – Transportation Planning and Design – October 23, 2012.

B. Mercier – City Clerks Office – December 20, 2012

S. Rowland – Parks Planning – Email to N. Musicco – December 4, 2012.

N. Branscombe – City Councillor – November 30, 2012

External Responses

D. Dalrymple, London Hydro, Memo to N. Musicco, December 3, 2012

C. Creighton, UTRCA, Letter to N. Musicco, December 17, 2012.

G. Priamo and M. Doornbosch – Various Emails to N. Musicco (January 2012-January 2013)

Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
 2013

 By-law No. Z.-1-13_____

 A by-law to amend By-law No. Z.-1 to
 rezone an area of land located at 1057,
 1059, and 1061 Richmond Street

WHEREAS Romlex International Inc has applied to rezone an area of land
 located at 1057, 1059, and 1061 Richmond Street, as shown on the map attached to this by-
 law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

Schedule “A” to By-law No. Z.-1 is amended by changing the zoning applicable to lands located
 at 1057 Richmond Street, 1059 Richmond Street and 1061 Richmond Street, as shown on the
 attached map comprising part of Key Map No. A102 from a Neighbourhood Facility (NF1) Zone
 and a Residential R2 Special Provision (R2-2(9)) Zone to a Holding Neighbourhood Facility
 Special Provision Bonus (h-5*Nf1()*B()) Zone

1. Section Number 4 of the General Provisions of By-law No. Z.-1 is amended by adding the
 following Site Specific Bonus Provision:

4.3_ (B()) 1057 Richmond Street, 1059 Richmond Street, 1061 Richmond Street

Increased residential density, up to a total of 9 dwelling units within the existing building at
 1061 Richmond Street, will be permitted by this bonus zone in return for heritage
 preservation by designating 1061 Richmond Street, under Section 29(1) of the Ontario
 Heritage Act, and also in return for enhanced landscaping and site design, by constructing a
 masonry wall, of no more than 1 metre (3.28 ft) in height, matching the materials and
 architectural character of the existing building located at 1061 Richmond Street, to provide
 for screening and the creation of a built street edge along the majority of the Richmond
 Street frontage and by allowing for no vehicular access to the site from the municipal
 laneway adjacent to the west. Site design will be in accordance with the conceptual site
 plan shown in the bonusing clause of any development agreement for this site.

- a) Permitted Uses:
 - i) Dwelling units in existing church.
- b) Regulations

i)	Number of Dwelling Units (Maximum)	9 units
ii)	Number of bedrooms per dwelling unit (Maximum)	3
iii)	Parking Area Setback from east lot line (Minimum)	6.0m (19.7 feet)
iv)	Parking Area Setback from west and south lot line (Minimum)	1.5m (4.9 feet)

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File: Z-8106

Planner: M. Tomazincic/A. Watson

- | | | |
|-------|--|---------------------------------|
| v) | Parking for Dwelling Units
(Minimum) | 1.2 spaces per
dwelling unit |
| vi) | Landscape Open Space
(Minimum) | 30% |
| vii) | Density
(Maximum) | 50 units per hectare |
| viii) | No part of the west or south yard shall be used for any purpose other than
landscaped open space. | |
| ix) | Permitted uses are confined to existing church building at 1061 Richmond
Street | |

2. Section 33 of the Neighbourhood Facility Zone of By-law No. Z.-1 is amended by adding the following Special Provision:

33.3_ NF1() 1057, 1059 and 1061 Richmond Street

- | | | |
|------|--|------------------|
| a) | Permitted Uses: | |
| i) | Dwelling units within existing church, | |
| ii) | Churches, | |
| iii) | Elementary schools, and | |
| iv) | Day care centres | |
| b) | Regulations | |
| i) | Number of Dwelling Units
(Maximum) | 1 unit |
| ii) | Parking Area Setback from east lot line
(Minimum) | 6.0m (19.7 feet) |
| iii) | Parking Area Setback from west and south lot line
(Minimum) | 1.5m (4.9 feet) |
| iv) | Landscaped Open Space
(Minimum) | 30% |
| v) | No part of the west or south yard shall be used for any purpose other than
landscaped open space. | |

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

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

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PASSED in Open Council on October 22, 2013.

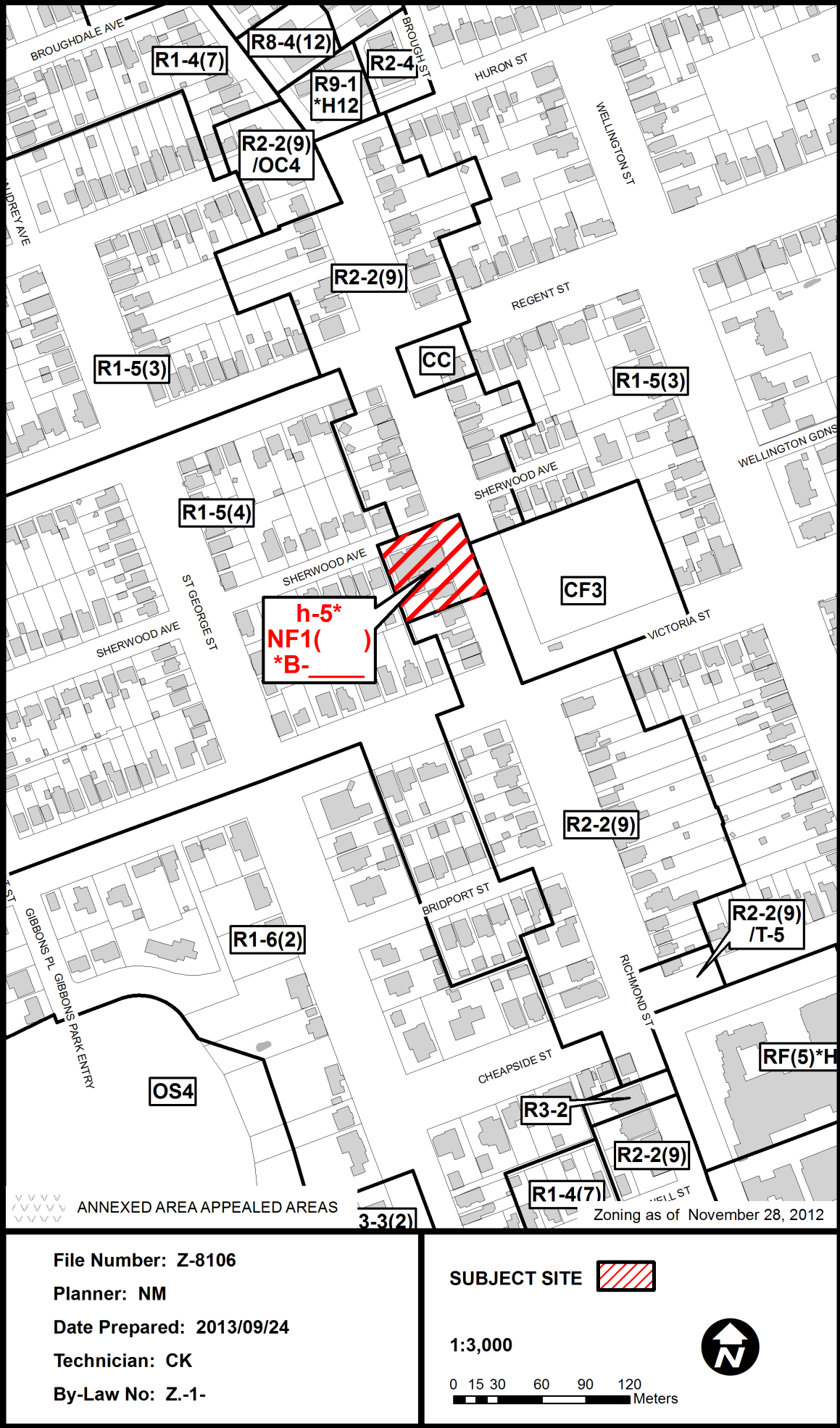
Joe Fontana
Mayor

Catharine Saunders
City Clerk

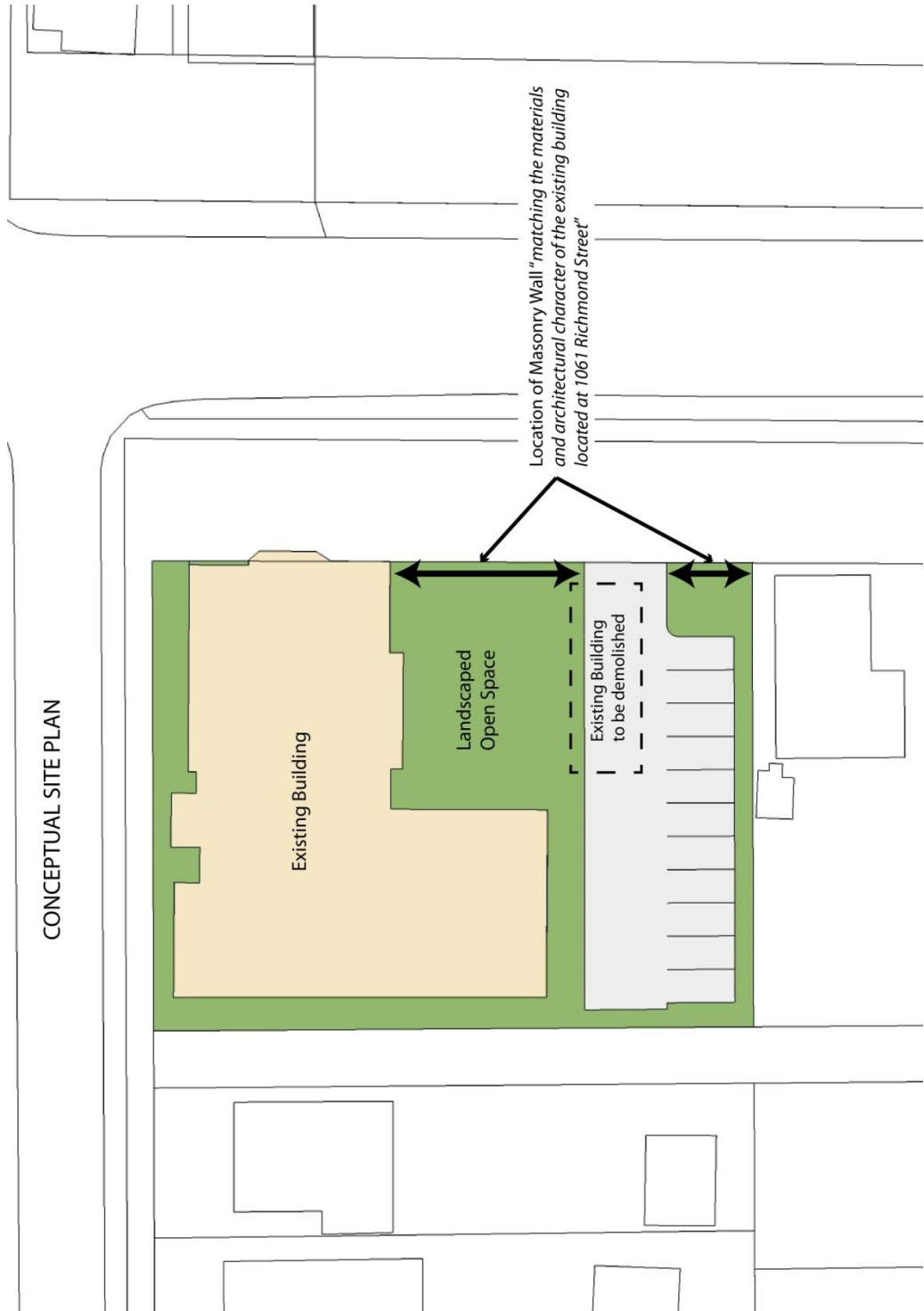
First Reading - October 22, 2013
Second Reading - October 22, 2013
Third Reading - October 22, 2013

File: Z-8106
Planner: M. Tomazincic/A. Watson

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



Appendix “B” Conceptual Site Plan



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Planner: M. Tomazincic/A. Watson

Appendix “C”

Statement of Significance for 1061 Richmond Street, “Robinson Memorial United Church”

Description of Property

1061 Richmond Street, “Robinson Memorial United Church”, is an ecclesiastical structure listed as on Plan 217, Lots 5 & 6. It is located at the southwest corner of Richmond Street and Sherwood Avenue in north London.

Statement of Cultural Value or Interest

Robinson Memorial United Church is important for three primary reasons: its architectural value, historical and associate value, and contextual value.

The competition to design Robinson Memorial United Church was won by the prominent London architect William G. Murray (1876-1954) who executed plans for a number of other churches in London and southwestern Ontario in the Romanesque Revival style including New St. James Presbyterian Church in London and St. James Anglican Church in Watford. Initially a Methodist Church, it was dedicated for service on March 17, 1912 replacing a small wooden hall that had served worshipers as a mission church established by First Methodist Church, later Metropolitan United Church, since 1891. The new church was named in honour of George R. Robinson who was responsible for the construction of the original mission hall. Murray also designed the Reynolds Hall addition of 1951-52 in a style and using materials sympathetic to the earlier Romanesque Revival building.

Robinson Memorial United Church is an important landmark in London North helping to define and support the character of its immediate neighbourhood both physically and visually. It was long regarded as the neighbourhood church until in recent years church attendance declined significantly and it closed late in 2010.

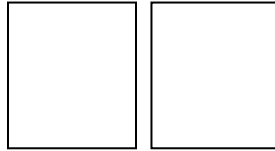
Description of Heritage Attributes

Robinson Memorial United Church is one of several mid-sized and large churches built in London between 1890 and 1914 in the then popular Romanesque Revival style, which broadcasts an impression of solidity and monumentality and reflects the strength and vigour of the Christian faith of the era. The church, with its sanctuary in the front section of the building and a rotunda-shaped Sunday School at the rear, follows the Akron Plan, a design blueprint popular with Methodist churches of the 19th and early 20th centuries. In terms of its execution and design elements, the church arguably represents architect William G. Murray’s best work. Murray successfully met the challenge of designing an apparently large building on a compact, 68-foot-by-124-foot corner lot.

The building contains many of the features that define the Romanesque Revival style and appear to be well executed and in fine condition. A major feature of the building is its outstanding stained glass executed by several London stained glass manufacturers and designers notably Hobbs Glass, Edwards Glass and Christopher Wallis.

The heritage attributes worthy of preservation include:

- Red brick construction with contrasting cut stone window heads and sills and randomly placed stone highlights
- A tall, three-stage, crenelated corner tower featuring stone capped buttresses and tall narrow windows, the upper two of which on all sides of the tower accentuated by single brick arches
- Balanced by a shorter, two-stage, crenelated tower on the opposite corner



File: Z-8106

Planner: M. Tomazincic/A. Watson

- A one story narthex which links the two corner towers
- The narthex contains the two main entrance doors with stained glass transoms above and balanced on either side by single elongated round headed stained glass windows
- The prominent gable end above and in back of the narthex encases a large stained glass round window accentuated by a single brick arch above and supported with tablet-like windows below
- The side elevations are dominated by large gables which project slightly forward from the wall surface and are supported by stone capped stepped buttresses at the corners
- The side elevation gables also encase large, round headed stained glass windows and are likewise accentuated by single brick arches above
- Windows, some containing both patterned stained glass and plain coloured glass and others clear glass, break the wall space of the remaining portions of the side elevations and two towers
- A rounded band of clerestory windows atop and towards the rear of the roof light the interior of the former Sunday School from above; some of the windows are now filled in
- A small, gable ended minister's study extends from the Sherwood Avenue side elevation
- The building is anchored on a foundation of rock faced cut stone blocks which on the front elevation includes the corner stone with the inscription "George Robinson/Memorial/Methodist Church/1911"
- The Reynolds Hall of 1951-52, added to the rear elevation of the Sunday School section of the original 1911-12 building and also designed by Murray, mimics it in its use of red brick and cut stone highlights which cap the corner buttresses and encase the name of the hall above the slightly projecting entrances on the Richmond Street and Sherwood Avenue elevations
- Red brick arches, squared on the Richmond Street elevation and rounded on the Sherwood Avenue elevation, accentuate the doors of both Reynolds Hall entrances
- The third floor windows of the Sherwood Avenue elevation feature leaded, coloured glass windows