

--	--

File No: Z-8106
N. Musicco

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING & CITY PLANNER
SUBJECT:	APPLICATION BY: ROMLEX INTERNATIONAL INC. 1057, 1059 and 1061 RICHMOND STREET PUBLIC PARTICIPATION MEETING ON FEBRUARY 5, 2013

RECOMMENDATION

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

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on February 12, 2013 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan, to change the zoning of the subject lands **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-(*)*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 meter 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 1.2 m (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.
- (b) Subject to policy 19.1.1 iii) of the Official Plan where *'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,* the requested density of 76.6 unit per hectare **BE INTREPRETED** to conform to the policies of the Official Plan.
- (c) 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.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

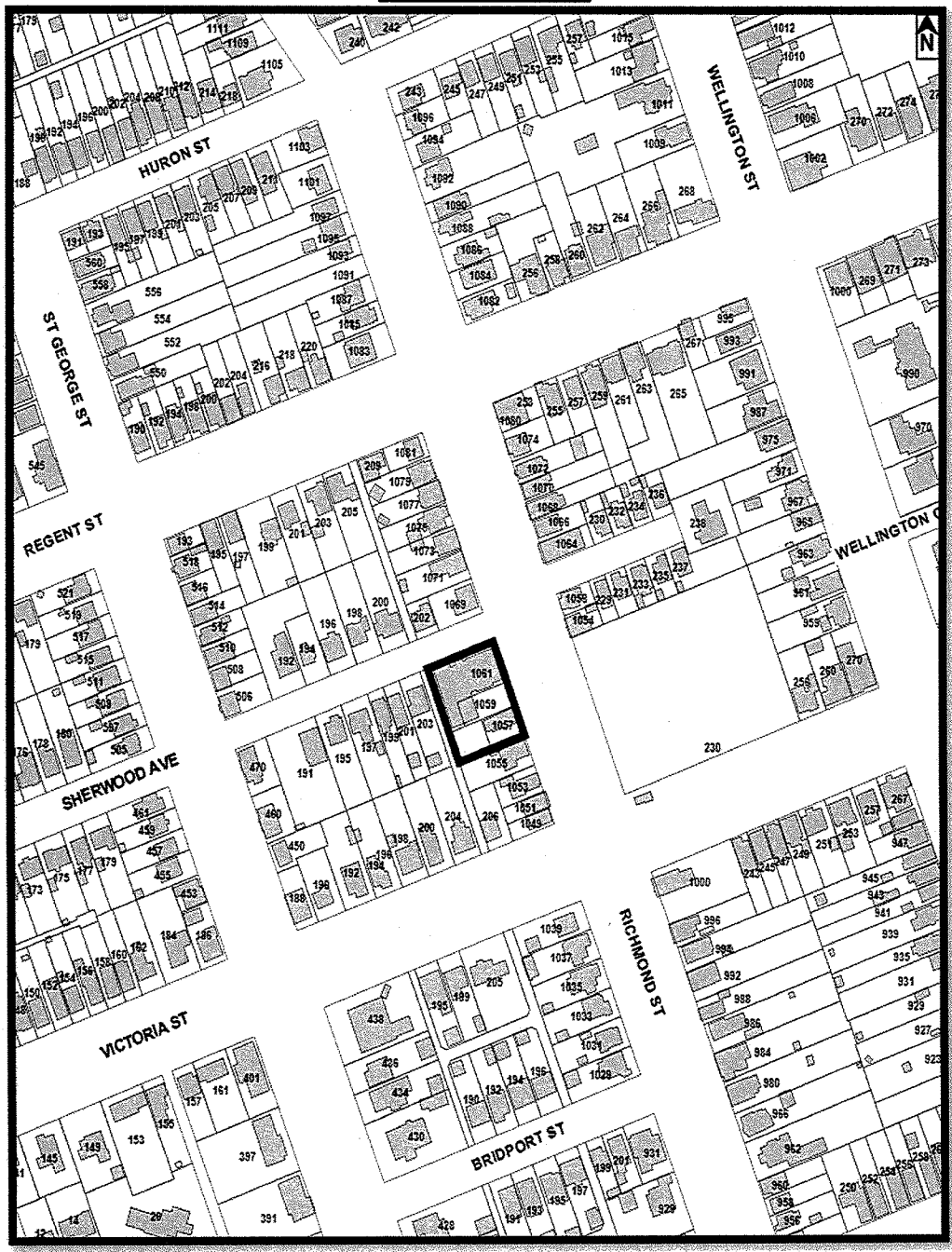
The requested amendment will allow the adaptive reuse of the existing church building (1061 Richmond Street) by converting the interior to 14 residential dwelling units.

--	--

RATIONALE

1. The recommended amendment is consistent with the polices of the Provincial Policy Statement (2005).
2. The conversion of existing church to residential complies with the Official Plan.
3. The conversion of the existing church meets the polices for residential intensification policies of the Official Plan.
4. The conversion of existing church retains a significant heritage asset.
5. The conversion of the existing church is consistent with the North London/Broughdale polices.
6. The conversion of the existing church is consistent with the Near Campus Neighbourhood policies.
7. The conversion of the existing church to a residential use provides a positive adaptation of an existing building while maintaining the character of the abutting residential neighbourhood.

LOCATION MAP



--	--

File No: Z-8106
N. Musicco

BACKGROUND

Date Application Accepted: November 21, 2012	Agent: Zelinka Priamo Limited
---	--------------------------------------

REQUESTED ACTION: 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 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 0.5m, a 0 meter setback from the interior/rear property line and a minimum landscape open space of 10%.

SITE CHARACTERISTICS:

- **Current Land Use** – Priority 1 Vacant church (1061 Richmond Street), vacant land (1059 Richmond Street) and Priority 2 residential home (1057 Richmond Street).
- **Frontage** – 45.31 meters (Richmond Street) 37.72 (Sherwood Avenue)
- **Area** – .52 acres
- **Shape** - irregular

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))

OFFICIAL PLAN DESIGNATION: Low Density Residential (refer to map) North London / Broughdale Special Policy

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 this Plan and provided they do not exceed the maximum density of development permitted under policy 3.2.2. Residential Intensification may be permitted subject to the provisions of policy 3.2.3. Zoning on individual sites would not normally allow for the full range of permitted uses.

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.

EXISTING ZONING: Neighbourhood Facility (NF1) Zone and a Residential R2 Special Provision (R2-9(9)) Zone. (refer to map)

--	--

**File No: Z-8106
N. Musicco**

The permitted uses in the (NF1) Zone include: Churches, Elementary schools, Community centres, Day care centres, Libraries, Private schools, Fire stations, Private club, Police station. The Residential (R1) Zone is the most restrictive residential zone and provides for and regulates single detached dwellings. 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 Residential R2 Special Provision (R2-9(9)) include special provisions for maximum floor area for lots ranging in size from less than 400 m2 to lots over 1000m2.

PLANNING HISTORY

North London Residential Study (OZ-6564)

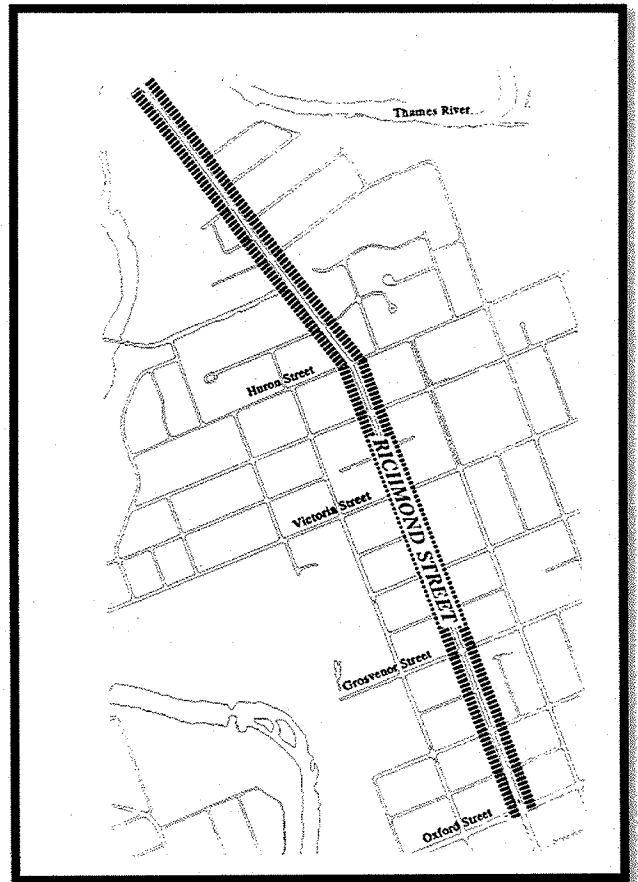
An area study was undertaken comprising a portion of the North London planning district bounded by Oxford Street East to the south, Waterloo Street to the east, and the Thames River to the north and west.

The purpose of the study was 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 is any merit in extending these controls to other North London neighbourhoods, including portions of the St. George/Grosvenor Neighbourhood and the Richmond Street corridor between Huron Street and Grosvenor Street.

As a result area-specific zoning regulations such as floor area ratio, maximum dwelling size and on-site parking limitations were applied in parts of the neighbourhood that may be affected by residential intensification and infill to ensure that future development is not out of scale and character with the existing residential community.

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. The remainder of the strip is predominantly residential, with a few dispersed office uses within converted residences and a single variety store on the southeast corner of Regent and Richmond.



This consistency with Official Plan policy has confirmed and strengthened the message that 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.

--	--

**File No: Z-8106
N. Musicco**

Greater Near Campus Neighbourhood 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 homogeneous 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. On August 21, 2012 and August 24, 2012 appeals were submitted. A date for the Ontario Municipal Board hearing has not yet been scheduled

OZ-8006 – 1057 and 1059 Richmond Street, a parcel of land located behind 1061 Richmond Street and 203 Sherwood Avenue. On January 20, 2012, Romlex International submitted an Official Plan/Zoning By-law amendment 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.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

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 letters (see attached) 2 phone calls
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 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 0.5m, a 0 meter setback from the interior/rear property line and a minimum landscape open space of 10%.		

Public Comments:

Student Occupancy: The general feedback was that the area residents were opposed to ‘student rentals’.

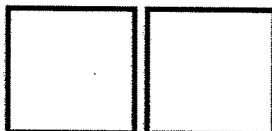
Runoff and Drainage: Concerns with water runoff in the direction of 204 Victoria Street.

City Laneway: Concerns that increased traffic on the City Laneway will damage the old sanitary sewer located in the laneway.

Use: There was some general support for the use; however the general response was that the number of units was too intense.

Intensity: Concerns that the proposed 14 unit development will result in an increased population and will subsequently result in an increase in noise. Too many bedrooms.

Traffic: Concerns that the proposed development will result in increased traffic and safety issues.



**File No: Z-8106
N. Musicco**

- Parking access should be right turn only from and onto Richmond Street.
- Traffic from Sherwood Avenue is already an issue.

Demolition of 1057 Richmond Street: Concerns with the demolition of 1057 Richmond Street.

Preservation of Heritage: Supportive of the preservation of historic church.

Landscape Open Space: Concern with reduction in landscape open space.

Noise wall: A tall, walled barrier at the west end of the proposed parking lot should be constructed.

London Hydro

No objection.

Upper Thames River Conservation Authority

The UTRCA has no objection to this proposal.

Urban Forestry (City of London)

- *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.*

Sanitary (City of London)

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

Storm Sewer and Drainage (City of London)

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.

Transportation (City of London)

- *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.*

--	--

**File No: Z-8106
N. Musicco**

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.*

Water Engineering (City of London)

No comment.

Geomatics (City of London)

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

"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."

ANALYSIS

Subject Site

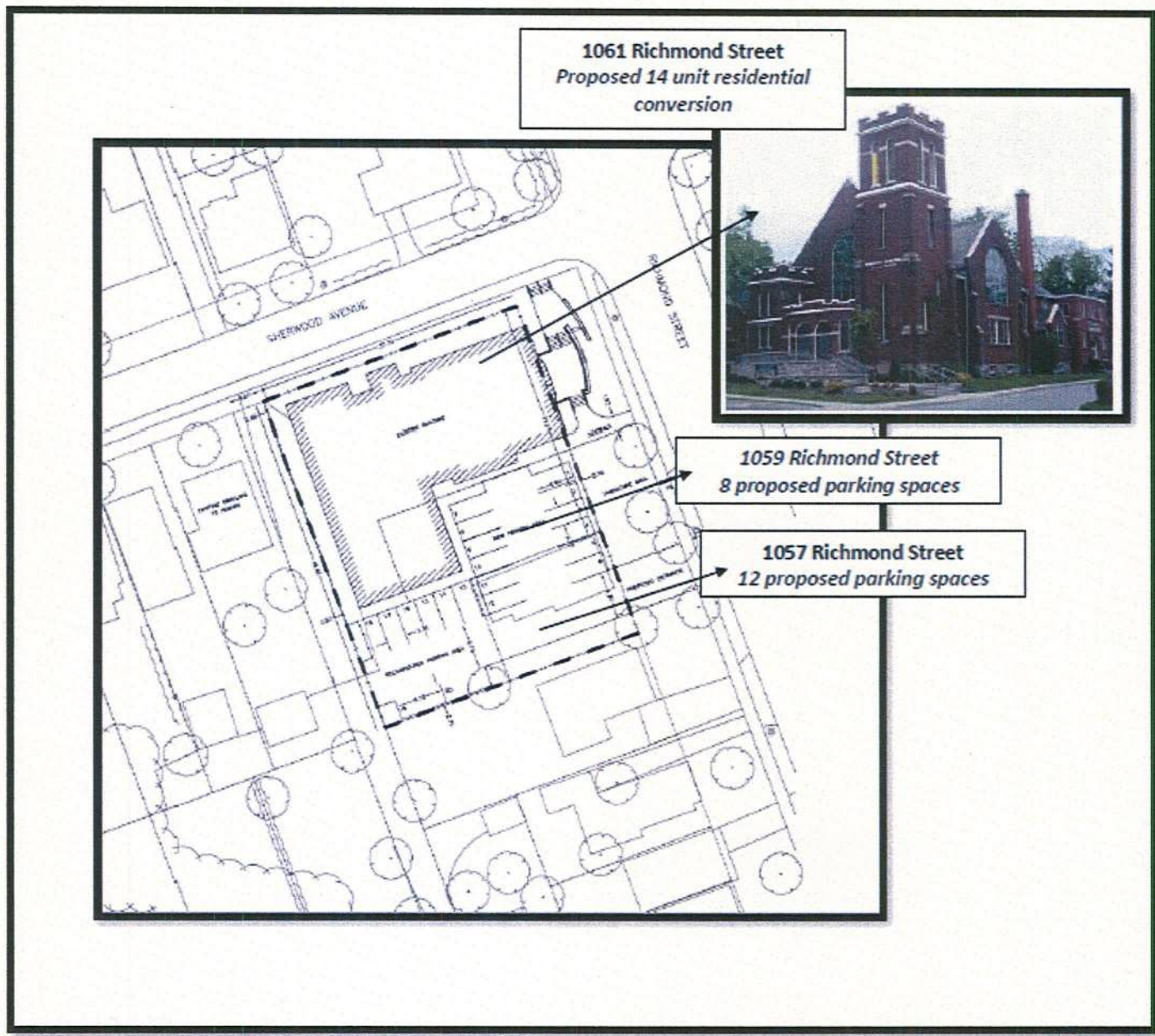
The subject site is located on the southwest corner of Richmond Street and Sherwood Avenue previously owned by the United Church. 1061 Richmond Street (vacant church) is identified in the 2006 City of London Heritage Inventory as a Priority One building. 1057 Richmond Street (single family home) is a Priority Two Heritage building and has been proposed to be demolished as part of this application in order to provide for sufficient parking. Surrounding land uses include low density residential in all directions with a future community facility development currently proposed east of the subject lands at the northwest corner of Richmond and Victoria Street.

Nature of the Request

The requested amendment will allow for the adaptive reuse of the existing church building (1061 Richmond Street) by converting the interior to 14 residential dwelling units (**total 32 bedrooms**). The applicant is proposing to use 1059 Richmond Street for 8 parking spaces and is proposing the demolition of the existing single detached dwelling located at 1057 Richmond Street in order to provide 12 additional parking spaces for a total of 20 parking spaces. The applicant is proposing one access from Richmond Street (1057 Richmond Street) with alternative access from the laneway located to the west of the subject sites. The new parking spaces will be screened through the use of privacy fencing and landscaping, in keeping with the existing residential property to the west of the subject lands. All building entrances and features of the existing church are to remain unchanged.

--	--

File No: Z-8106
N. Musicco



Response to Public Concerns:

The comments received from the public were in support of retaining the church. The public were generally concerned with student occupancy. The Zoning By-laws regulate land use and not residential occupancy. Zoning is established on Official Plan policies and land planning principles. Tenancy is not a land use planning criterion considered in the recommendations for zoning amendments. Landscaping and privacy fencing will be provided along the west property line to provide a buffer between the new parking spaces and the existing residential uses to the west. Issues such as noise, fencing, and drainage will be addressed at the Site Plan Approval stage. The demolition of 1057 Richmond Street is required in order for proposed residential reuse of the church building to properly function. The parking will be directed towards Richmond Street, instead of Sherwood Avenue as the original medical/dental submission proposed.

Provincial Policy Statement

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

--	--

**File No: Z-8106
N. Musicco**

Section 1.1.1(2) of the Provincial Policy Statement provides that “accommodating an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses), recreational and open space to meet the long-term needs” helps to sustain healthy, livable and safe communities.

Section 1.1.3.2 indicates that Land use patterns within settlement areas shall be based on:

a) densities and a mix of land uses which:

- (i) 1. Efficiently use land and resources;*
2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; and
3. minimize negative impacts to air quality and climate change, and promote energy efficiency.
- (ii) a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3.*

Section 1.1.3.3 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, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs”.

Section 1.1.3.7 states that “New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.”

Section 1.4.3 states that “Planning authorities shall provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents of the regional market area by:

b) permitting and facilitating;

1. All forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements;

c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;

d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of alternative transportation nodes and public transit in areas where it exists or is to be developed”.

Does the requested amendment conform to the Provincial Policies?

The requested amendment is consistent with these policies. Specifically, the recommended amendment is consistent with the stated intent that “accommodating an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses), recreational and open space to meet the long-term needs helps to sustain healthy, livable and safe communities”. The proposal will allow the adaptive reuse of the existing church building (1061 Richmond Street) by converting the interior to 14 residential dwelling units.

The policies of the PPS require municipalities to 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. This policy allows an opportunity for intensification and redevelopment utilizing existing building stock.

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 social, economic and environmental matters.

--	--

**File No: Z-8106
N. Musicco**

The subject properties are designated Low Density Residential in the Official Plan, permitting single detached, semi-detached and duplex dwellings as the main permitted uses and is subject to additional specific polices of the North London/Broughdale Neighbourhood area. In the Low Density Residential designation, the conversion of existing non-residential buildings to residential use, including multiple-unit dwellings, may be permitted.

3.2 Low Density Residential

The Low Density Residential designation is applied to lands that are primarily developed or planned for low-rise, low density housing forms including single detached, semi-detached, and duplex dwellings. Where appropriate, some multiple-attached dwellings at densities similar to neighbouring detached units may be permitted. Policies in this Plan promote development which shall enhance the character of the residential area. Certain secondary uses of a non-residential nature which are integral to, and compatible with, a neighbourhood environment, are also permitted.

3.2.3 Residential Intensification

Residential Intensification is a means of providing opportunities for the efficient use of land and encouraging compact urban form.

Residential Intensification may be permitted in the Low Density Residential designation through an amendment to the Zoning By-law, subject to the following policies and the Planning Impact Analysis policies under Section 3.7. Where the subject lands are within a specific residential area identified under policy 3.5, the application of the following residential intensification policies will supplement those specific policies, but will not supercede them. Residential Intensification projects shall use innovative and creative urban design techniques to ensure that character and compatibility with the surrounding neighbourhood are maintained as outlined in policy 3.2.3.3. and 3.2.3.4.

In the Low Density Residential Designation, the conversion of existing non-residential buildings to residential use, including multiple-unit dwellings, may be permitted subject to the following provisions:

- i) The conversion to residential use shall take into account surrounding land uses in terms of height, scale and setbacks and shall not adversely impact the amenities and character of the surrounding area.*
- ii) Lot sizes are generally sufficient to accommodate the required off-street parking without detracting from the visual character of the area.*
- iii) Municipal services are adequate to accommodate the increase in dwelling units.*
- iv) Landscaping, privacy screening, and other appropriate measures may be required to provide a buffer between the proposed use and any adjacent lower density residential uses.*
- v) Conversions, which result in the preservation and/or upgrading of buildings considered by Council to be of architectural and/or historical significance, will be encouraged.*

3.2.3.1 Definition Residential Intensification

Residential Intensification refers to the development of a property, site or area at a higher density than currently exists on the site through:

- i) redevelopment, including the redevelopment of brownfield sites;*
- ii) the development of vacant and/or underutilized lots within previously developed areas;*
- iii) infill development, including lot creation;*
- iv) the conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and,***
- v) the conversion or expansion of existing residential buildings to create new residential units or accommodation.*

--	--

3.5.9. North London/ Broughdale Neighbourhood

The North London/Broughdale Neighbourhood is generally bounded by the Thames River on the north and west, Oxford Street on the south and Adelaide Street on the east, but does not include the St. George/Grosvenor Neighbourhood, which is defined separately in policy 3.5.3. of the Plan. North London/Broughdale is characterized by predominantly low rise; low density residential development, with some higher density residential, institutional and office uses located along the Oxford, Richmond and Adelaide Street corridors.

The Official Plan policies for the North London/Broughdale Neighbourhood allow development in Low Density Residential designation provided that:

- i) the height, bulk and placement of buildings will be in keeping with that of existing development in the surrounding area;*
- ii) all required parking will be accommodated on site and limited in area;*
- iii) development will be sensitive to the orientation or adjacent dwellings and to the continuity of the existing residential streetscape; and*
- iv) any new lots created through consent will be in conformity with the minimum zoning requirements, and in keeping with the established lot pattern (in terms of frontage, depth and area).*

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.

19.4.4 - Bonus

Under the provisions of the Planning Act, a municipality may include in its Zoning By-law, regulations that permit increases to the height and density limits applicable to a proposed development in return for the provision of such facilities, services, or matters, as are set out in the By-law. This practice, commonly referred to as bonus zoning, is considered to be an appropriate means of assisting in the implementation of this Plan.

Principle

- i) The facilities, services or matters that would be provided in consideration of a height or density bonus should be reasonable, in terms of their cost/benefit implications, for both the City and the developer and must result in a benefit to the general public and/or an enhancement of the design or amenities of a development to the extent that a greater density or height is warranted. Also, the height and density bonuses received should not result in a scale of development that is incompatible with adjacent uses or exceeds the capacity of available municipal services.*

Objectives

- ii) Bonus Zoning is provided to encourage development features which result in a public benefit which cannot be obtained through the normal development process. Bonus zoning will be used to support the City's urban design principles, as contained in Chapter 11 and other policies of the Plan, and may include one or more of the following objectives:*

(g) 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

13.1 - Heritage Policies

It is intended that the application of the policies of this Chapter of the Plan shall achieve the following objectives:

- i) Protect in accordance with Provincial policy those heritage resources which contribute to the identity and character of the City;*
- ii) Encourage the protection, enhancement, restoration, maintenance, and utilization of buildings, structures, areas, or sites within London which are considered to be of*

--	--

**File No: Z-8106
N. Musicco**

- iii) *cultural heritage value or interest to the community; Encourage new development, redevelopment, and public works to be sensitive to, and in harmony with, the City's heritage resources; and*
- iv) *Increase public awareness and appreciation of the City's heritage resources, and encourage participation by the public, corporations, and other levels of government in the protection, restoration, and utilization of these resources.*

19.1.1 - Implementation

The objectives and policies contained in the Plan are intended to assist in the achievement of the purposes of the Official Plan, as described in Chapter 1. It is intended that the interpretation of these policies should allow for a limited degree of flexibility according to the following provisions:

- 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.*

Does Proposed Development Conform to the Official Plan?

The proposed development conforms to the policies for infill conversion in the Low Density Residential designation and conforms to the specific policies of the North London/Broughdale Neighbourhood for multi unit dwellings along the Richmond Street corridor for the following reasons:

1. The existing church will remain unchanged externally and will retain the existing character of the neighbourhood;
2. Converting the church to a maximum of 14 dwelling units, the development result in a density that is 76.6 units per hectare. The maximum allowable density in the Low Density Residential designation is 75 units per hectare, however according to section 19.1.1 iii) of the Official Plan '*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.*'
3. The residential intensification and bonusing policies allow the Low Density Residential designation on the property to be maintained, and will permit a residential use on the subject lands without introducing a new designation which would broaden the range of uses.
4. The subject lands are being bonused to support the preservation of structure on the property located at 1061 Richmond Street as being of 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) to require a 1.2 m. (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.
4. Creating onsite parking for the dwelling units will reduce the demand of on street parking on neighbouring streets that existed with the church use;
5. Retention of the church building will preserve the architectural significance of the former church property and maintains the existing neighbourhood landmark and residential streetscape;
6. The proposed reuse of the subject lands will contribute to the protection, enhancement, restoration, maintenance and utilization of the existing building.
7. The site is located on an arterial road in close proximity to public transit.
8. In the North London/Broughdale Area and within 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.

--	--

**File No: Z-8106
N. Musicco**

Zoning By-law

The subject lands are currently zoned Neighbourhood Facility (NF1) Zone and a Residential R2 Special Provision (R2-2(9)) Zone. The Neighbourhood Facility 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. Generally, uses are combined on any one site. The permitted uses in the (NF1) Zone include: Churches, Elementary schools, Community centres, Day care centres, Libraries, Private schools, Fire stations, Private club, Police station.

The Residential (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 Residential R2 Special Provision (R2-2(9)) Zone permits a maximum of 4 dwelling units in a converted dwelling and regulates the floor area ratio/ maximum gross floor area and the location of parking areas.

Is the Proposed Zoning Amendment Appropriate?

The applicant has requested a Neighbourhood Facility Special Provision Bonus (NF1()*(B()) Zone and will allow the adaptive reuse of the existing church building (1061 Richmond Street) by converting the interior to 14 residential dwelling units. Special provisions have been recommended to ensure a maximum of 14 residential units within the existing building located at 1061 Richmond Street. Regulations have also been recommended which permit a maximum of one (1) four bedroom unit, and permit a minimum of nine (9) two bedroom units. Additional special provisions include: a minimum parking area setback from a front/exterior lot line of 0.5m, a 0 meter parking area setback from the interior/rear property line and a minimum landscape open space of 10%. The intent of these special provisions is to recognize existing site conditions.

The subject lands are being bonused to support the preservation of a structure on the property located at 1061 Richmond Street which 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 for to support the City's urban design principles in Chapter 11.1.1 (x) by requiring a 1.2 m (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.

Holding Provision

A holding provision has been added to ensure the protection of the public right-of-way corridor. The h-(*) holding provision shall not be deleted until a development agreement is entered into with the City of London associated with a site plan facilitates the protection of the public right-of-way corridor.

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.

In an effort implement the development proposed by the applicant and recognizing that the proposal represents an adaptive reuse of a significant heritage asset that was purpose designed for institutional uses which may not be easily substituted for residential purposes, Planning Staff recommend that the proposed interior alteration be permitted to accommodate 1 four bedroom dwelling unit, with the remaining 13 units comprised of a mix of two and three bedroom dwelling units.

--	--

Planning Impact Analysis

Planning Impact Analysis will be used to evaluate applications for an Official Plan amendment and/or Zoning By-law amendment, to determine the appropriateness of a proposed change in land use, and to identify ways of reducing any adverse impacts on surrounding land uses. Planning Impact Analysis is intended to document the criteria reviewed by municipal Staff through the application review process to assess an application for change. Depending upon the situation, other criteria may also be considered.

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 and identify ways of reducing any adverse impacts on surrounding land uses. Other criteria may be considered through the Planning Impact Analysis to assist in the evaluation of the proposed change. The criteria considered include the following:

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

The proposed uses are identified as secondary permitted uses within the Low Density Residential designation of the Official Plan. No exterior alterations have been proposed for the church building (1061 Richmond Street). The demolition of 1057 Richmond Street has been proposed in order to accommodate sufficient parking and one access has been removed from Richmond Street. The proposed development makes use of existing services and infrastructure.

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

Special provisions have been recommended to recognize exiting site conditions. The applicant will be required to go through the Site Plan Approval process to ensure high quality site design, engineering efficiency, building architecture and landscape design. Site plan control is intended to improve efficiency of land use and servicing, and to encourage attractive and compatible forms of development.

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

The City of London Transportation Department has concerns with the proposed Richmond Street access. The Transportation Department is requesting a holding provision for access and exterior building access design regarding the stairs. Transportation staff agrees to allow only a restricted access (Right-in/Right-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 Street.

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

The requested amendment will allow the adaptive reuse of the existing church building (1061 Richmond Street) by converting the interior to 14 residential dwelling units. The proposed changes to the site include the demolition of 1057 Richmond Street in order to accommodate sufficient parking for the development. The existing church has achieved a level of compatibility within the community. The proposal does not impact the exterior design.

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

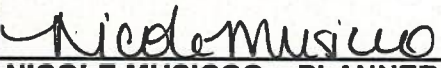


--	--

**File No: Z-8106
N. Musicco**

There are no natural features surrounding the subject lands.

CONCLUSION

The proposed amendment will efficiently reuse of an existing heritage building while maintaining the exterior façade and the character of the area. The recommended amendment complies with the Low Density Residential designation and conforms to the specific polices of the North London/Broughdale Neighbourhood for multi unit dwellings along the Richmond Street corridor in the City of London Official Plan. The proposed zoning amendment is considered appropriate at this location.

PREPARED BY:	SUBMITTED BY:
	
NICOLE MUSICCO – PLANNER II COMMUNITY PLANNING AND URBAN DESIGN	JIM YANCHULA, MCIP, RPP MANAGER OF COMMUNITY PLANNING AND URBAN DESIGN
RECOMMENDED BY:	
	
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING & CITY PLANNER	

January 28, 2013
/nm

--	--

Responses to Public Liaison Letter and Publication in "Living in the City"

PUBLIC RESPONSES (Emails):

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 Guard
204 Victoria Street

Chet Creider
Regent Steet

Bill No.
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 Richmond Street, 1059 Richmond Street and 1061 Richmond Street.

WHEREAS an application has been received to rezone an area of land located at 1061, 1059 and 1057 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:

1. 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. 51 **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-() *NF1() *B()) Zone

2. Section Number 3.8(2) of the Holding Provisions Section to By-law No. Z.-1 is amended by adding the following holding provision:

h-_) Purpose: to ensure the protection of the public right-of-way corridor, the h-() holding provision shall not be deleted until a development agreement is entered into with the City of London associated with a site plan facilitates the protection of the public right-of-way corridor.

3. 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

The subject lands are being bonused to support the preservation of a heritage structure on the property located at 1061 Richmond Street that has been identified as having of 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 1.2 m. (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) Permitted Uses:
 - i) 14 Residential dwelling units in existing church.
- b) Regulations
 - i) Number of Dwelling Units (Maximum) 14
 - ii) Four bedroom units (Maximum) 1
 - iii) Two bedroom units (Minimum) 9
 - iv) Number of bedrooms per unit (Maximum) 4
 - v) Parking Area Setback from front/ exterior lot line meters (1.64 feet) (Minimum) 0.5

- vi) Parking Area Setback from rear/interior lot line meters (Minimum) 0
 - vii) Landscape Open Space (Minimum) 10%
 - viii) Density units per hectare (Maximum) 77
 - ix) Permitted uses confined to existing church building at 1061 Richmond Street
- Notwithstanding these Zoning Regulations, the cumulative impact of this bonus zone shall not result in the creation of more than 14 residential dwelling units.

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

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

a) Regulations

- i) Parking Area Setback from front/ exterior lot line meters (1.64 feet) (Minimum) 0.5
- ii) Parking Area Setback from rear/interior lot line meters (Minimum) 0
- iii) Landscape Open Space (Minimum) 10%

5. This By-law shall come into force and be deemed to come into force in accordance with subsection 34(21) of the *Planning Act, R.S.O. 1990, c. P.13*, either upon the date of the passage of this by-law or as otherwise provided by the said subsection.

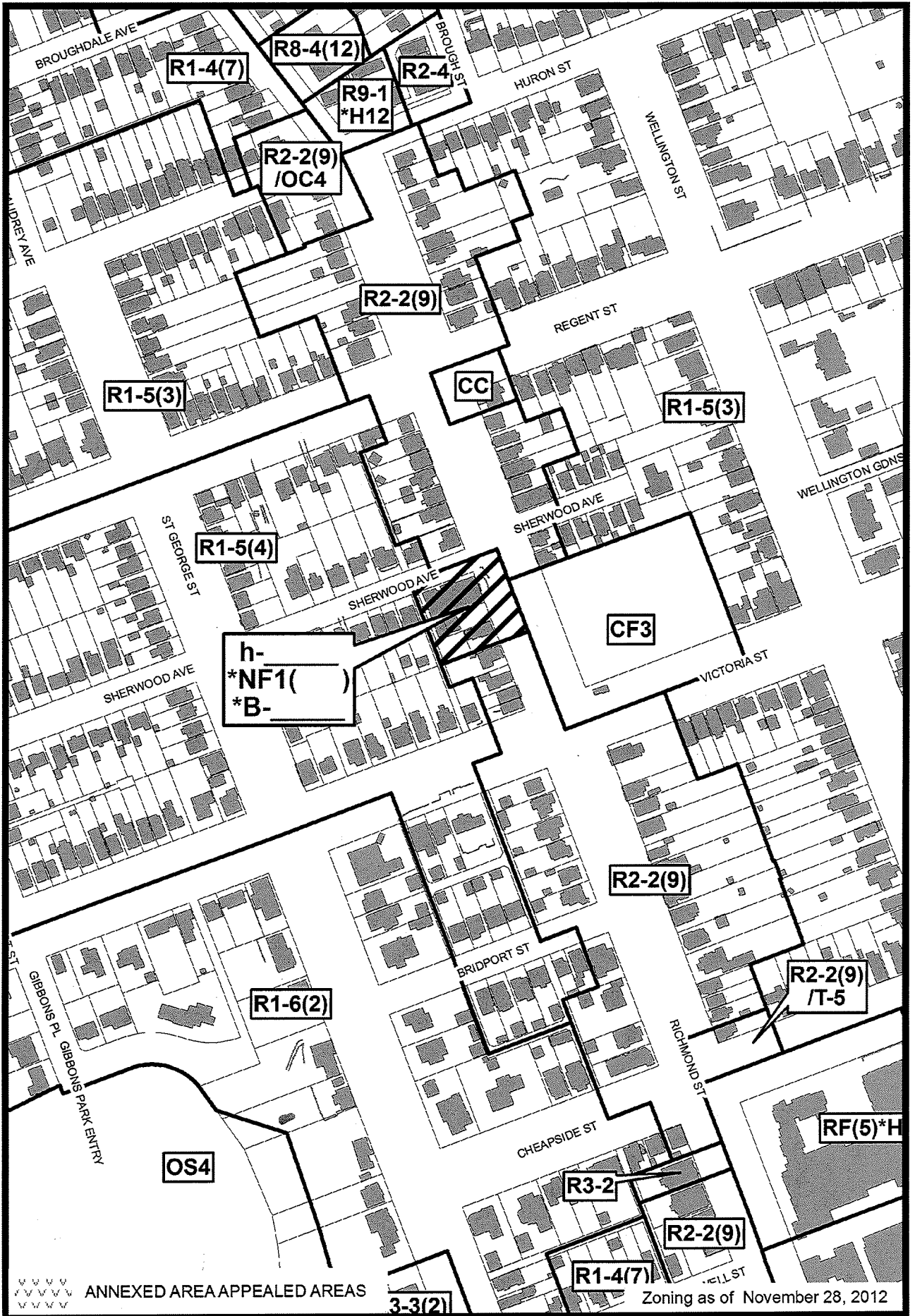
PASSED in Open Council on February 12, 2013

Joe Fontana
Mayor

Catharine Saunders
City Clerk


First Reading - February 12, 2013
Second Reading - February 12, 2013
Third Reading - February 12, 2013

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




Zoning as of November 28, 2012

File Number: Z-8106
 Planner: NM
 Date Prepared: 2013/01/25
 Technician: CK
 By-Law No: Z.-1-

SUBJECT SITE 

1:3,000

0 15 30 60 90 120 Meters



--	--

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

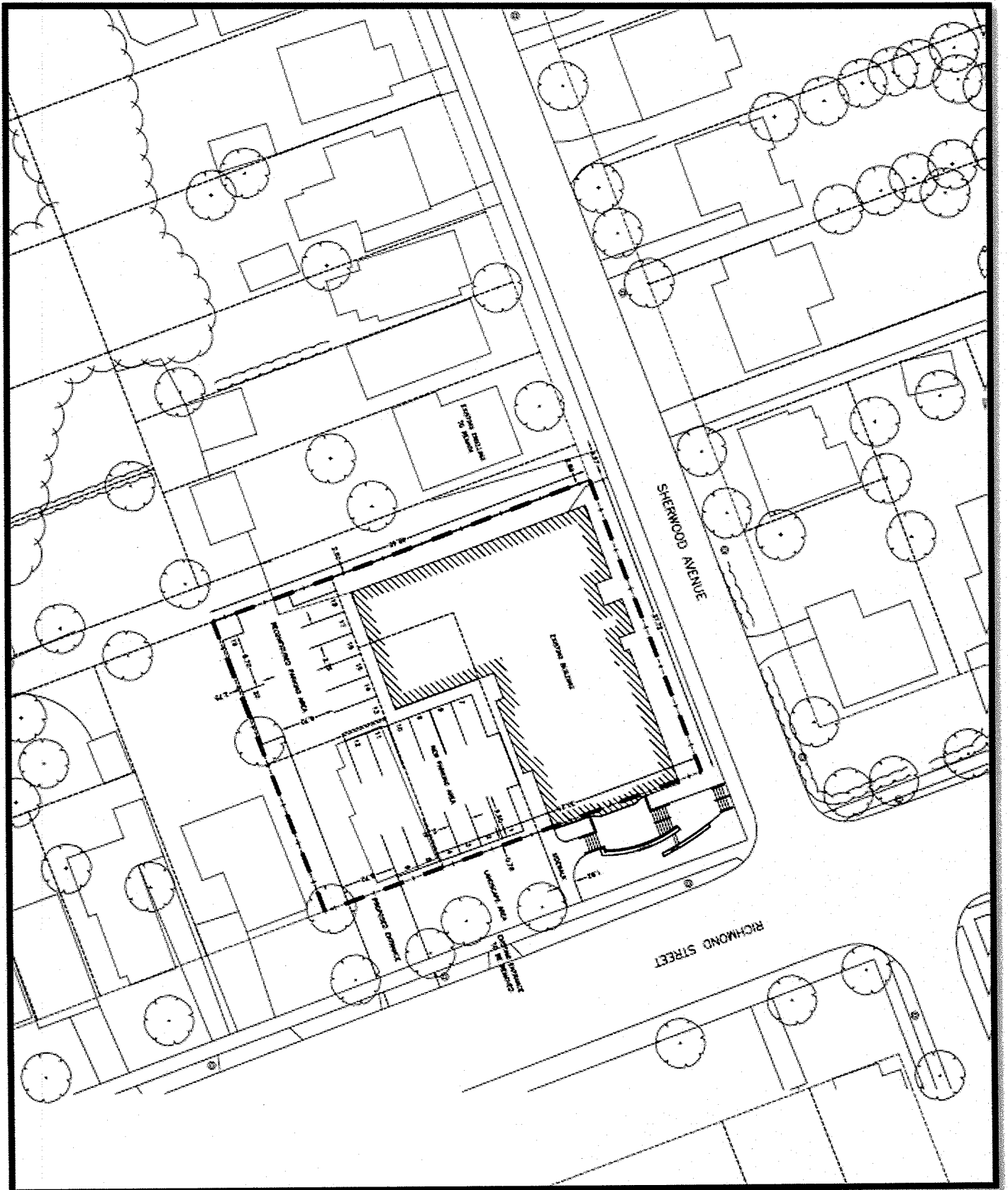
C. Creighton, UTRCA, Letter to N. Musicco, December 17, 2012.

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

--	--

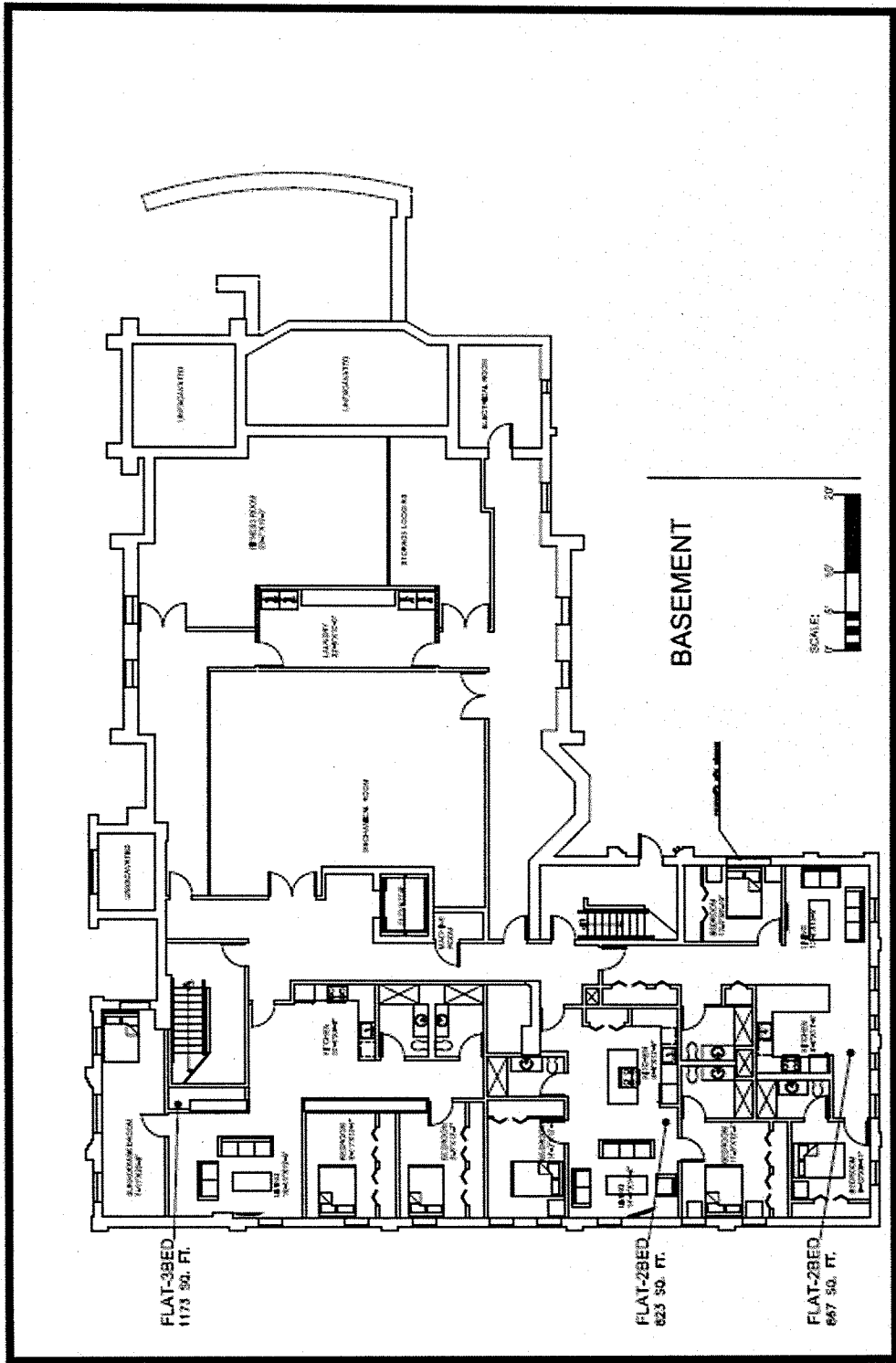
APPENDIX 'B'
Site Plan / Floor Plans

-Site Plan-



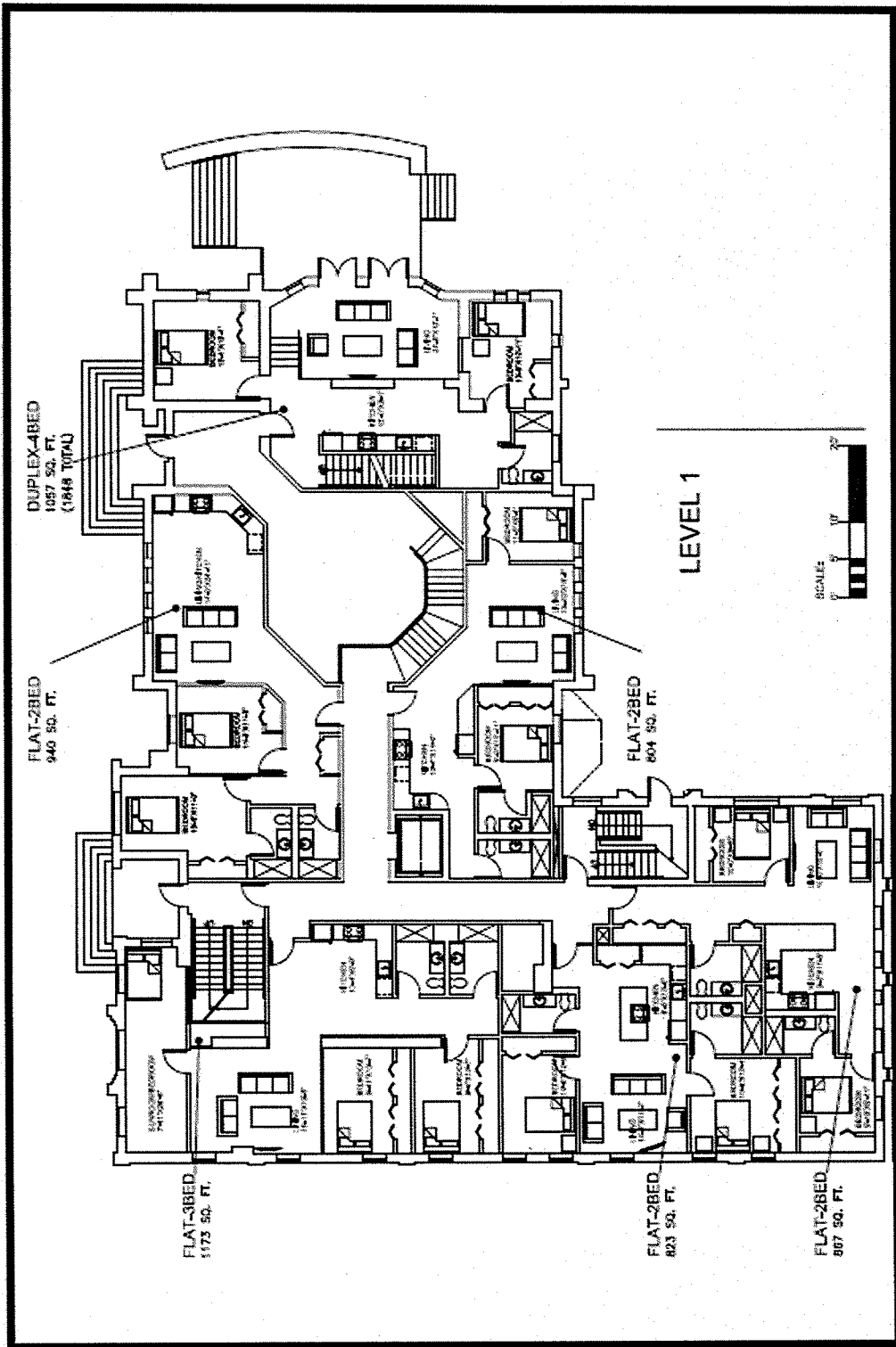
--	--

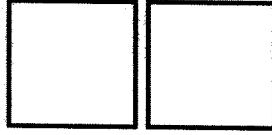
-Basement-



--	--

-Level 1-





-Level 2-

