

## Report to Planning and Environment Committee

**To:** Chair and Members  
Planning & Environment Committee

**From:** Scott Mathers MPA, P. Eng.,  
Deputy City Manager, Planning and Economic Development

**Subject:** Horizen Developments LP  
520 Sarnia Road  
Public Participation Meeting

**Date:** April 19, 2022

## Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Horizen Developments LP relating to the property located at 520 Sarnia Road:

- (a) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on May 3, 2022 to amend The London Plan to create a specific area policy in the Neighbourhoods Place Type at 520 Sarnia Road to permit an 8-storey apartment building and by **ADDING** the subject lands to Map 7 – Specific Policy Areas – of The London Plan;
- (b) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on May 3, 2022 to amend the 1989 Official Plan to **ADD** a policy to Section 10.1.3 – "Policies for Specific Areas" that would modify the 'Community Commercial Node' designation to permit an eight (8) storey apartment building with a total of 129 residential units at a density of 168 units per hectare without a commercial component on the ground floor, and also align this policy context with The London Plan;
- (c) the proposed by-law attached hereto as Appendix "C" **BE INTRODUCED** at the Municipal Council meeting on May 3, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the 1989 Official Plan and The London Plan for the City of London as amended in part (a and b) above), to change the zoning of the subject property **FROM** a Neighbourhood Shopping Area Special Provision (NSA1(3)) Zone **TO** a Residential R9 Special Provision Bonus (R9-7(\_)\*B-\_) Zone;
- (d) **IT BEING NOTED** that the following site plan and urban design matters were raised during the application review process:
  - i) Provide individual or common walkways that connect to the ground floor units to the City sidewalk, to encourage and allow residents and visitors to easily walk to transit and nearby amenities. Landscape buffering can be provided between the amenity spaces and the walkway to delineate the public from the private realm;
  - ii) Provide sufficient setbacks for site plan planting requirements, and sufficient setbacks to retain existing trees and protect offsite tree roots, and/or provide adequate soil volumes for required perimeter plantings.
  - iii) Include a sufficiently sized landscape buffer along the southern property line to provide space for the retaining wall and planting to screen between the residential uses to the south and the parking area.
  - iv) Include all connections to the sewer on Chapman Court from these lands and the adjacent Commercial property (Shell Gas Station).
  - v) Provide all details and information regarding all easements, all servicing sewers through the subject site, any and all setbacks as required while

ensuring there are no conflicts or encroachments to existing easements and servicing, no buildings or structures are to be constructed over top of existing building sewers crossing this property or removal.

- e) The Bonus Zone shall be enabled through one or more agreements to facilitate the development of a high-quality residential apartment building, with a maximum height of eight (8) storeys, 129 dwelling units and a maximum density of 168 units per hectare, which substantively implements the Site Plan and Elevations attached as Schedule "1" to the amending by-law in return for the following facilities, services and matters:

i. Exceptional Building Design

- A built form located along Sarnia Road that establishes a built edge with primary building entrance, street oriented units and active uses along this frontage;
- Treatment of the first three-storeys of the proposed building contrasts with the remainder of the building above to clearly delineate the attractive, pedestrian-oriented area within the public realm;
- A contemporary flat roof, with modern cornice lines and canopies for the balconies along the north side of the building, effectively announce the top of the building and help distinguish the building along the corridor;
- An adequately sized interior side yard setback is provided to allow for ample space for pedestrian connections, bicycle parking and landscaping to transition between the proposed building and the existing uses to the northeast;
- A larger than required rear yard setback is proposed between the building and the medium-density and high-density residential uses to the south, southeast and southwest;
- Each elevation incorporates vertical portions of the building that are offset to provide for a unique visual variety and texture along the façade;
- A variety of materials, colours and textures break up the massing of the building into smaller sections, both vertically and horizontally, to appropriately frame the street and enhance the streetscape; and
- Universal accessibility including units that provide the opportunity for any and all demographics, able-bodied or not, to live in the proposed development.

ii. Provision of Affordable Housing

- A total of two(2) bachelor residential units will be provided for affordable housing;
- Rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
- The duration of affordability set at 50 years from the point of initial occupancy;
- The proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations;
- These conditions to be secured through an agreement registered on title with associated compliance requirements and remedies.

## Executive Summary

### Summary of Request

The owner has requested amendments to both The London Plan and the 1989 City of London Official Plan. For the London Plan, a Specific Area Policy is requested to the existing “Neighbourhoods” Place Type along a “Civic Boulevard” Street Classification to permit a building height of 8-storeys. To align the policy context of the 1989 Official Plan policies with The London Plan, a special policy area is proposed to the existing “Community Commercial Node” land use designation in the 1989 City of London Official Plan to permit an eight (8) storey apartment building with a total of 129 residential units at a density of 168 units per hectare without a commercial component on the ground floor. Also, the owner has requested a Zoning By-law Z.-1 to change the zoning of the subject lands to permit an eight (8) storey apartment building with a total of 129 residential units at a density of 168 units per hectare and parking spaces provided in underground and above-ground facilities. The requested Residential R9 Special Provision (R9-7(\_)) Zone would permit apartment buildings, lodging house class 2, senior citizen’s apartment buildings, handicapped persons apartment buildings, and continuum-of-care facilities with a standard permitted density of 150 units per hectare and a maximum height to be determined on the Zone Map.

Special provisions would identify the Sarnia Road frontage as the front lot line; permit a minimum interior side yard setback of 7.5 metres; and permit a minimum parking rate of 0.78 spaces per residential unit, whereas 1 space per unit is required. The proposed bonus zone would permit a maximum building height of 8-storeys (27.1 metres) and a maximum mixed-use density of 168 units per hectare in return for eligible facilities, services, and matters, specifically for exceptional design and affordable housing outlined in Section 19.4.4 of the 1989 Official Plan and policies 1638\_ to 1655\_ of The London Plan.

### Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to permit the development of an eight (8) storey, 129 unit apartment building with 100 surface parking spaces. Special provisions establishing Sarnia Road frontage as the front lot line, a minimum interior side yard setback of 7.5 metres, a minimum parking rate of 0.78 space per residential unit, and a bonus zone establishing a maximum density of 168 units per hectare; and a maximum height of 27.1m are recommended to facilitate a development that is appropriate for the site. The recommendation also includes site plan and urban design matters that were raised during the application review process.

### Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020, which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents, present and future;
2. The recommended amendment conforms to the in-force policies of The London Plan including but not limited to, Our City, Key Directions, City Design and City Building, and will facilitate a built form that contributes to achieving a compact, mixed-use City;
3. The recommended amendment meets the criteria for specific area policies in the 1989 Official Plan;
4. The recommendation aligns the policy context of the 1989 Official Plan with The London Plan policies to exclusively permit the proposed residential development.

5. The recommended amendment facilitates the development of an underutilized property and encourages an appropriate form of development.
6. The recommended amendment facilitates the development of affordable housing units that will help in addressing the growing need for affordable housing in London. The recommended amendment is in alignment with the Housing Stability Action Plan 2019-2024 and Strategic Area of Focus 2: Create More Housing Stock.
7. The recommended bonus zone for the subject site will provide public benefits that include affordable housing units, barrier-free and accessible design, transit supportive development, and a quality design standard to be implemented through a subsequent site plan application.

## Linkage to the Corporate Strategic Plan

Building a Sustainable City – London’s growth and development is well planned and sustainable over the long term.

## Climate Emergency

On April 23, 2019, Council declared a Climate Emergency. Through this declaration the City is committed to reducing and mitigating climate change by encouraging intensification and growth at appropriate locations. This includes efficient use of existing urban lands and infrastructure. It also includes aligning land use planning with transportation planning to facilitate transit-supportive developments and encourage active transportation

## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

None.

#### 1.2 Property Description

The subject site is comprised of one irregular shaped lot located on the south side of Sarnia Road at the southeast corner of the intersection of Sarnia Road and Chapman Court. The site currently contains a one-storey, multi-tenanted commercial building and has a frontage of 148.5m metres along Sarnia Road and an area of 0.77 hectares.



Figure 1 – Existing Commercial Building



In this area, Sarnia Road has four traffic lanes, two west bound traffic lanes with bicycle lanes on each side and two east bound. Existing access is provided from Sarnia Road with public sidewalks along both sides of Sarnia Road and Chapman Court. Access to transit is along Sarnia Road and east on Wonderland Road North. The pedestrian and bicycle connectivity in the neighbourhood provides for convenient access to active mobility in the area.

### **1.3 Current Planning Information (see more detail in Appendix E)**

- Official Plan Designation – Community Commercial Node
- The London Plan – Neighbourhoods Place Type on a Civic Boulevard
- Existing Zoning – Neighbourhood Shopping Area Special Provision (NSA1(3)) Zone

### **1.4 Site Characteristics**

- Current Land Use – Commercial
- Frontage – 148.5 metres
- Depth – 60.0 metres
- Area – 0.77 hectares
- Shape – irregular

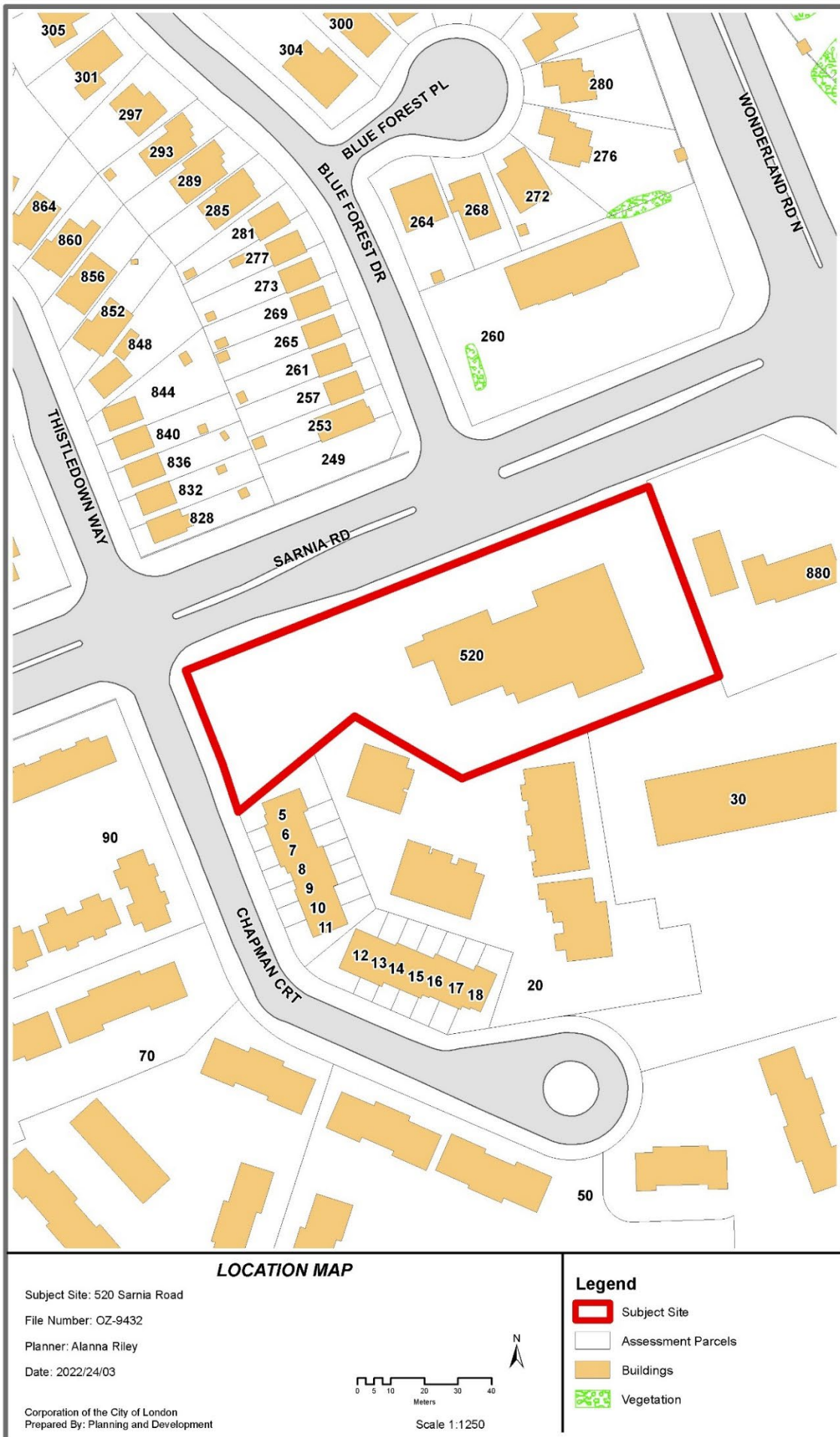
### **1.5 Surrounding Land Uses**

- North –single detached dwellings, commercial
- East – townhouses
- South – townhouses, apartment building
- West – commercial

### **1.6 Intensification**

The proposed 129 residential units contribute to residential intensification within the Primary Transit Area and the Built-Area Boundary.

# 1.7 Location Map



## 2.0 Discussion and Considerations

### 2.1 Development Proposal

On November 4, 2021, the City accepted a complete application that proposed an eight (8) storey, 129 unit apartment building with 100 surface parking spaces accessed from Chapman Court. The proposed building is oriented to and situated close to Sarnia Road.

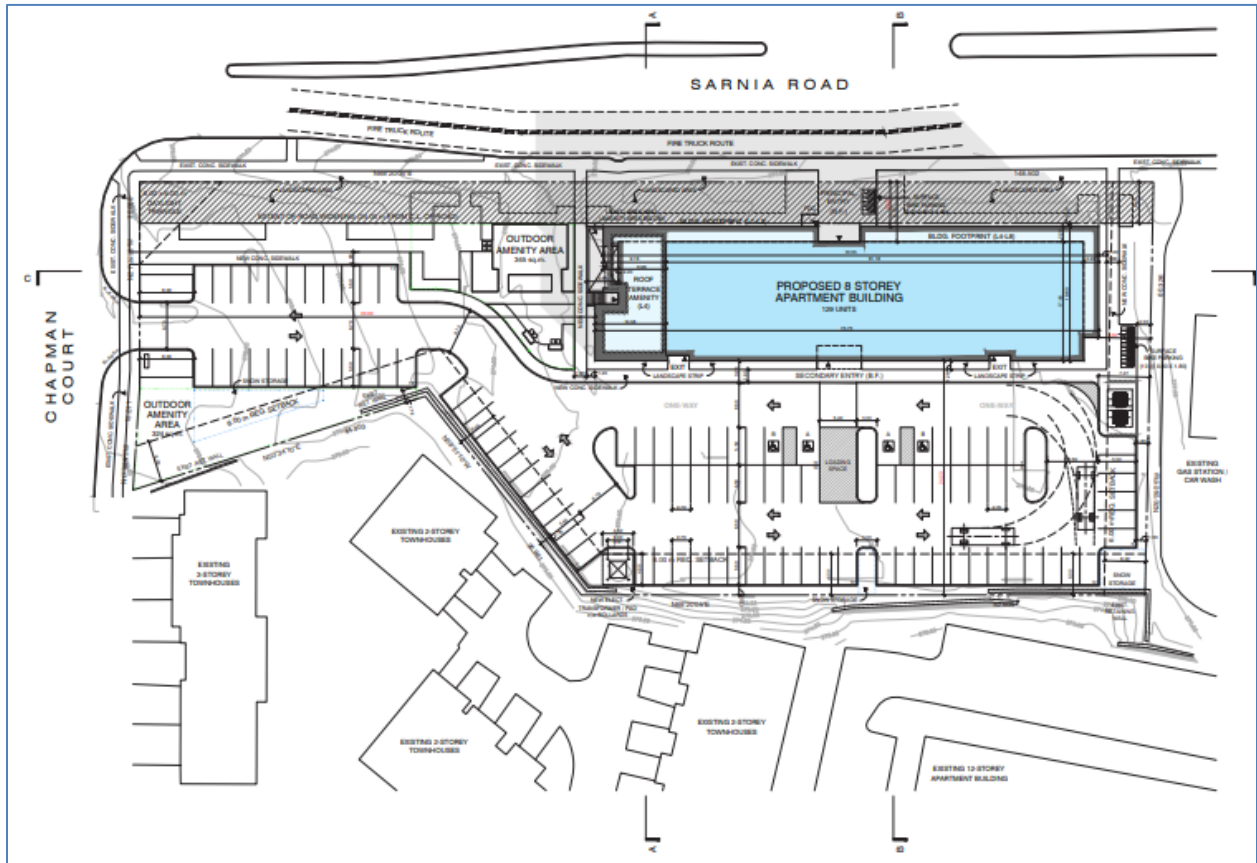






Figure 4: View from Sarnia Road within the greater context

### 2.3 Requested Amendments

The owner has requested an amendment to both The London Plan and the 1989 City of London Official Plan. A Specific Policy Area is proposed to the existing “Neighbourhoods” Place Type along a “Civic Boulevard” Street Classification to permit a building height of 8-storeys. To align with The London Plan, a special policy area is proposed to the existing “Community Commercial Node” land use designation in the 1989 City of London Official Plan to permit an eight (8) storey apartment building with a total of 129 residential units at a density of 168 units per hectare without a commercial component on the ground floor. Also, the owner has requested a Zoning By-law Z.-1 to change the zoning of the subject lands from a Neighbourhood Shopping Area Special Provision (NSA1(3)) Zone to a Residential R9 Special Provision Bonus (R9-7( ) \*B- ) Zone to permit an eight (8) storey apartment building with a total of 129 residential units at a density of 168 units per hectare and parking spaces provided in underground and above-ground facilities.

Special zoning provisions are requested for:

- Sarnia Road frontage as the front lot line;
- a minimum interior side yard setback of 7.5 metres; and
- a minimum parking rate of 0.78 spaces per unit;

A bonus zone is requested for a maximum building height of eight (8) storeys (27.1 metres) and a maximum mixed-use density of 168 units per hectare in return for eligible facilities, services, and matters, specifically for affordable housing.

### 2.5 Community Engagement (see more detail in Appendix C)

Written responses were received from, or on behalf of, 8 households. The public’s concerns generally dealt with the following matters:

- Height
- Density
- Insufficiency of park facilities to accommodate additional residents
- Lack of street lighting and sidewalk facilities
- Privacy/Overlook
- Light/Noise impacts
- Traffic
- Parking
- Loss of property value

## 2.6 Policy Context (see more detail in Appendix D)

### *Provincial Policy Statement, 2020*

The Provincial Policy Statement 2020 provides policy direction on matters of provincial interest related to land use and development. Section 1.1 “Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns” of the PPS encourages healthy, livable, and safe communities over the long-term. These communities must be sustained through a number of measures, including: accommodating an appropriate range and mix of affordable and market-based types of residential land uses, as well as employment, institutional, recreation and open space land uses (s. 1.1.1.b); promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs (s. 1.1.1.e).

The PPS encourages areas inside the urban growth boundary (i.e. “settlement areas” per s. 1.1.3 Settlement Areas) to be the main focus of growth and development, including opportunities for intensification and redevelopment. Appropriate land use patterns within urban growth boundaries are established by providing appropriate densities and mix of land uses that efficiently use land and resources along with the surrounding infrastructure, public services facilities and are also transit-supportive (s.1.1.3.2).

Municipalities are required to identify and promote opportunities for intensification and redevelopment, taking into consideration an area’s existing building stock (s. 1.1.3.3), accommodating a significant supply and range of housing options, including various housing types, densities, and a variety of affordable and market-based housing arrangements (s. 1.1.3.3), promoting development standards which facilitate intensification, redevelopment and compact form (s. 1.1.3.4).

The PPS 2020 also requires that municipalities provide an appropriate range and mix of affordable and market-based housing options and densities to meet projected requirements of current and future residents (s. 1.4.1). It directs planning authorities to permit and facilitate growth through lands available for residential intensification and redevelopment within the existing built-up areas.

The PPS also encourages the range and mix of affordable and market-based housing to be built at densities that meet projected needs, by establishing targets for affordable housing (s. 1.4.3.a). Planning authorities are also required to permit and facilitate all housing options and all types of residential intensification.

### *The London Plan*

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority of which is in force and effect). The London Plan policies under appeal to the *Local Planning Appeals Tribunal* (Appeal PL170100) and not in force and effect are indicated with an asterisk throughout this report. The London Plan policies under appeal are included in this report for informative purposes indicating the intent of City Council but are not determinative for the purposes of this planning application.

The London Plan provides Key Directions (54\_) that must be considered to help the City effectively achieve its vision. These directions give focus and a clear path that will lead to the transformation of London that has been collectively envisioned for 2035. Under each key direction, a list of planning strategies is presented. These strategies serve as a foundation to the policies of the plan and will guide planning and development over the next 20 years. Relevant Key Directions are outlined below.

The London Plan provides direction to build a mixed-use compact city by:

- Implementing a city structure plan that focuses high-intensity, mixed-use development at strategic locations – along rapid transit corridors;

- Planning to achieve a compact, contiguous pattern of growth – looking “inward and upward”;
- Planning for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward; and,
- Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place. (Key Direction #5, Directions 1, 2, 4 and 5).

The London Plan also provides direction to build strong, healthy and attractive neighbourhoods for everyone by:

- Integrating affordable forms of housing in all neighbourhoods (. 61\_Key Direction #7).
- Design complete neighbourhoods by meeting the needs of people of all ages, incomes and abilities, allowing for aging in place and accessibility to amenities, facilities and services ( 61\_ Key Direction #7).

The site is in the Neighbourhoods Place Type at the intersection of a Civic Boulevard (Sarnia Road) and a Neighbourhood Street (Chapman Court), as identified on \*Map 1 – Place Types and Map 3 – Street Classifications. Permitted uses within this Place Type include a range of low rise residential uses, such as townhouses, stacked townhouses, triplexes, fourplexes, and low-rise apartments (Table 10 – Range of Permitted Uses in Neighbourhoods Place Type). The minimum permitted height is 2 storeys, and the maximum permitted height is 4 storeys, with the potential to bonus up to six storeys. (\*Table 11 – Range of Permitted Heights in Neighbourhoods Place Type).

### *1989 Official Plan*

The City’s *Official Plan (1989)* 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 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.

The lands are within the Community Commercial Node land use designation of the 1989 Official Plan. The Community Commercial Node designation is intended to provide for provide for a wide range of function goods and services which are needed on a regular basis. (4.3.7.1) Although this designation contemplates mixed-use developments, the policies require the residential component to be implemented through specific zoning by-law amendments and concurrent site plan applications.

Multi-Family, High Density Residential designation provides direction regarding the anticipated scale of high density development with residential densities varying by location. The net residential densities will normally be less than 350 units per hectare in the Downtown Area, 250 units per hectare in Central London and 150 units per hectare outside Central London (3.4.3).

## **3.0 Financial Impact/Considerations**

There are no direct municipal financial expenditures associated with this application.

## **4.0 Key Issues and Considerations**

### **4.1 Provincial Policy Statement**

The PPS encourages an appropriate affordable and market-based range and mix of residential types, including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons to meet long-term needs (1.1.1b)). The PPS also promotes the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning

to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs (1.1.1e)).

The PPS directs settlement areas to be the focus of growth and development. Land use patterns within settlement areas shall be based on densities and a mix of land uses which: efficiently use land and resources; 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; minimize negative impacts to air quality and climate change, and promote energy efficiency; prepare for the impacts of a changing climate; support active transportation and are transit-supportive, where transit is planned, exists or may be developed (1.1.3.2). Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment (1.1.3.2).

The policies of the PPS direct planning authorities to identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through 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 (1.1.3.3). The PPS is supportive of development standards which facilitate intensification, redevelopment and compact form (1.1.3.4). Planning authorities are further directed to permit and facilitate all housing options required to meet the social, health, economic and well-being requirements of current and future residents as well as all types of residential intensification, including additional residential units and redevelopment (1.4.3b)). Densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed, are promoted by the PPS (1.4.3d)). The PPS also identifies that long term economic prosperity should be supported by encouraging a sense of place by promoting a well-designed built form (1.7.1e)).

### Analysis

Consistent with the PPS, the recommended apartment building will contribute to the existing range and mix of housing types and commercial in the area, which consists of one and two-storey single detached dwellings and a commercial plaza across Sarnia Road to the north, townhouses to the west, a high-rise apartment, townhouses to the south and commercial to the east.

The subject lands are of a size and configuration capable of accommodating a more intensive redevelopment of an underutilized site, currently developed with a commercial plaza within a settlement area. The increased intensity of development on the site will make use of existing transit services, nearby active and passive recreation opportunities, and commercial uses.

The recommended intensification of the subject property would optimize the use of land and public investment in infrastructure in the area. Surrounded by a developed area of the City, the redevelopment and intensification of the subject lands would contribute to achieving more compact forms of growth.

## **4.2 Issue and Consideration #1: Use**

### *The London Plan*

Policy 916\_3 of the Neighbourhoods Place Type identifies key elements for achieving the vision for neighbourhoods, which includes a diversity of housing choices allowing for affordability and giving people the opportunity to remain in their neighbourhoods as they age if they choose to do so. Furthermore, policy 918\_2 states that neighbourhoods will be planned for a diversity and mix and should avoid the broad segregation of different housing types, intensities, and forms, and that affordable housing will be planned for, and integrated.

The subject site is in the Neighbourhoods Place Type at the intersection of a Civic Boulevard and a Neighbourhood Street. Table 10 – Range of Permitted Uses in Neighbourhoods Place Type, shows the range of primary and secondary permitted uses that may be allowed within the Neighbourhoods Place Type, by street classification (921\_). At this location, Table 10 would permit a range of low-rise residential uses including single, semi-detached, duplex, triplex, and fourplex dwellings, townhouses, stacked townhouses, and low-rise apartments. (Table 10 – Range of Permitted Uses in Neighbourhoods Place Type).

### *1989 Official Plan*

The Official Plan identifies that the subject lands are designated as ‘Community Commercial Node’. The permitted uses on lands designated ‘Community Commercial Node’ include: all types of retail outlets including department stores, home improvement and furnishings stores, supermarkets, food stores and pharmacies; convenience commercial uses; personal services; restaurants; commercial recreation establishments; financial institutions and services; a limited range of automotive services; service-oriented office uses such as real estate, insurance and travel agencies; community facilities, such as libraries or day care centres; professional and medical/dental offices; and commercial and private schools. Multi-family high density residential uses may also be permitted through a zoning by-law amendment application, concurrent site plan application and consideration of design features which allow integration of the two uses as commercial must be a component on the ground floor. Zoning on individual sites or areas may be for less than the full range of permitted uses. (4.3.8.3) A site specific amendment is required to permit a residential development with a non-commercial component on the ground floor.

### Analysis:

Under The London Plan Neighbourhood Place Type policies (916\_3), the expectation is that apartment buildings are anticipated to be developed within neighbourhoods and which may also include affordable dwellings. These policies provide guidance to the siting of various residential types relative to the street classification. As noted, the subject site fronts onto a Civic Boulevard which permits low-rise apartments. The development of the proposed eight (8) storey, 129-unit apartment building would contribute to a mix of housing types, providing more intrinsically affordable housing options. Adjacent surrounding uses include apartments, townhouses, single detached dwellings and commercial uses. In this context, an apartment is not out of place in the neighbourhood and its impact would be mitigable. Consistent with this surrounding context as well as the list of uses permitted in the policies, the recommended eight (8) storey apartment building is in keeping with the policies as amended at this location.

That being said, the Community Commercial Node requires commercial on the ground floor. An amendment to add a policy to Section 10.1.3 – Policies for Specific Areas for the subject lands to allow an apartment building with no commercial component on the ground floor is required. Staff are supportive of the change to residential use solely on this site as it is consistent with the the Neighbourhoods function for this site, as outlined in The London Plan. This proposal also includes affordable housing. The property has suitable access to open space, transit, community facilities and shopping areas. Therefore, the request to permit a specific policy area to permit a strictly residential use is appropriate as the intent of Specific Area Policies have been met. The recommended amendment to facilitate the development of the eight (8) storey apartment building provides for the “integration” of residential uses in the neighbourhood, and is consistent with the planned function of the area. The proposed amendment to identify the lands under a Specific Areas policy that includes the requested height and density along with no commercial component on the ground floor aligns with the proposed bonus zoning request, which is discussed below in the analysis of intensity and form section of this report. The above analysis demonstrates that the apartment building can be developed on the subject lands in a way that is appropriate for the site and adjacent neighbourhood.



### 4.3 Issue and Consideration #2: Intensity

#### *The London Plan*

The London Plan contemplates residential intensification where appropriately located and provided in a way that is sensitive to and a good fit within existing neighbourhoods (\*83\_, \*937\_, \*939\_ 2. and 5., and \*953\_ 1.). The London Plan directs that intensification may occur in all place types that allow for residential uses (84\_).

The London Plan uses height as a measure of intensity in the Neighbourhoods Place Type. A minimum height of 2 storeys and a maximum height 4 storeys, with bonusing up to 6 storeys, is contemplated within the Neighbourhoods Place Type where a property is located at the intersection of a Civic Boulevard and a Neighbourhood Street (\*Table 11 – Range of Permitted Heights in the Neighbourhoods Place Type). The intensity of development must be appropriate for the size of the lot (\*953\_3.).

As mentioned, the applicant proposes eight (8) storeys with bonusing and has applied for a site-specific amendment to The London Plan. While the majority of the applicable policies of the “Neighbourhoods” Place Type are not under appeal, they are not in force and effect until “Map ‘1’ – Place Types” in The London Plan has been approved by the Local Planning Appeal Tribunal (LPAT). At this time, the policies of the 1989 Official Plan prevail.

#### *1989 Official Plan*

There are no height and density permissions for the Community Commercial Node; however, for residential development within this designation, the policies refer to the Multi-family High Density Residential designation which states that high density residential areas outside of Central London will normally be less than 150 units per hectare (3.4.3. Scale of Development). As previously indicated, the applicant has applied to increase the density above the permitted 150uph to 168uph through bonusing provisions. Density bonusing can be approved by Council, under the provisions of policy 19.4.4. and is a tool used to achieve enhanced development features, which result in a public benefit that cannot be obtained through the normal development process, in return for permitting increased heights and densities.

Further to this, the *Planning Act* provides legislation which allows municipalities to use bonusing provisions in their Official Plan in return for facilities, services, or matters, as are set out in the By-law. The proposed building form and design (discussed in Section 4.4- Form), and the provision of two (2) affordable housing units, all of which may not otherwise be implemented through the normal development approvals process, allow the proposed development to qualify for Bonus Zoning in conformity to the policies of the Official Plan. These bonusable features are outlined in the Staff recommendation and discussed in the Bonusing Section below.

#### Analysis:

Although The London Plan does not identify density limits within the policy framework, it does control how intense lands can develop through specific criteria. The proposed development is generally in keeping with the intensity policies of the Plan. The proposed building is for eight (8) storeys whereas The London Plan contemplates a maximum height of six (6) storeys for apartment buildings along Civic Boulevards. However, the relevant policies are still under appeal and are not the in-force policies that apply to this application. Notwithstanding, the proposed maximum eight (8) storey apartment building contributes to the overall form of the development in the area which is considered appropriate .

A Specific Area policy to the Neighbourhoods Place Type to permit an apartment building with a maximum intensity of eight (8) storeys is recommended. The proposed development is in keeping with the remainder of the Neighbourhoods Place Type policies as it is sensitive to the adjacent land uses through the building orientation,

landscaping, parking area. The subject lands have frontage on a Civic Boulevard (Sarnia Road), which is a higher-order street, to which higher-intensity uses are directed with convenient access to the variety of office and commercial uses clustered at the intersection of Sarnia Road and Wonderland Road, and a broader range of services, stores and facilities located in the commercial centre at Wonderland Road and Oxford Street to the east.

The property lies within an area characterized by the mix of various housing forms ranging from single detached dwellings to townhouses and high-rise apartment buildings. The subject lands are of a size and configuration capable of accommodating a more intensive redevelopment of an underutilized site, previously developed as commercial within a settlement area. The increased intensity of development on the site will make use of existing transit services, nearby active and passive recreation opportunities, and commercial uses.

Furthermore, it has become a matter of practice for City staff to recommend Policies for Specific Areas in the 1989 Official Plan where a proposed development advances Council's direction as stated in The London Plan. Therefore, along with the specific policy in The London Plan to allow for additional height for this development, a further special policy in the 1989 Official as previously discussed in the Use Section of this report is recommended. This will allow for no commercial component on the ground floor, density of 168 uph, and a height of eight (8) storeys to align with The London Plan and proposed bonus zoning.

Density bonusing can be approved by Council, under the provisions of policy 19.4.4. and is a tool used to achieve enhanced development features, which result in a public benefit that cannot be obtained through the normal development process, in return for permitting increased heights and densities. The *Planning Act* provides legislation which allows municipalities to use bonusing provisions in their Official Plan in return for facilities, services, or matters, as are set out in the By-law. The proposed building form and design (discussed in Section 4.3- Form), the provision of two (2) affordable housing units, and exceptional design all of which may not otherwise be implemented through the normal development approvals process, allow the proposed development to qualify for Bonus Zoning in conformity to the policies of the Official Plan. These bonusable features are outlined in the Staff recommendation and discussed in Section 4.4 below.

The development proposal provides 129 units with some units dedicated to affordable housing. The applicant has presented a number of facilities, services, and matters for the recommended bonus zone, commensurate for the requested increased intensity in conformity with Bonus Zoning. These facilities, services, and matters are addressed below in this report. Staff is satisfied that the proposed facilities, services, and matters are commensurate for the proposed increased intensity. Also, the recommended zoning provisions provide assurances that the appropriate level of intensity will be permitted on the site.

#### *Sarnia Road Frontage as the Front Lot Line and Interior Side Yard Reduction*

The requested Sarnia Road as the frontage for the front lot line is for the purposes of allowing building placement closer to the property line in support of contemporary urban design principles, as well as design flexibility. The requested interior yard reduction does provide for additional opportunities for more units on the site than would be achievable within the restrictions. It provides sufficient space along the easterly property line for landscape buffering, while providing for a strong street wall with minimal breaks between buildings and minimal impacts to the eastern properties.

No reduction to the rear yard depth is proposed. The parking area and landscape buffer along the south property line provide sufficient mitigation of potential overlook and privacy impacts with the townhouse dwellings located to the immediate south and west fronting on Chapman Court.

### Parking Reduction

The revised application includes a parking reduction request from 1.25 spaces per unit to 0.78 spaces per unit, with an effective reduction in the required number of parking spaces from 162 to 100. The Transportation Division is not in support of the reduced parking rate based on the Parking Study that was provided to staff. However, Planning and Development staff are of the opinion that the reduced parking rate is a common and acceptable modern standard for sites located on streets that support public transportation, such as Sarnia Road. The development is located along a higher-order road, close to a higher-order intersection with many transit stops in the area. Also, Planning and Development is currently undertaking a review of parking rates and considering potential changes to reduce these rates for apartment buildings. .

### Traffic Impacts

A Traffic Operations Study was submitted with this application to address whether anticipated traffic pattern changes will have a negative impact due to a possible increase in traffic volume. Traffic Division has not expressed concern with regards to the traffic impacts from this proposed development. On a preliminary basis, impacts are expected to be minimal, as the signalized intersection at Wonderland Road N and Sarnia Road provides controlled access for both east and westbound traffic. There is also a pedestrian signalized intersection at the corner of Sarnia Road and Chapman Court. Traffic Impacts will continue to be reviewed and considered through the site plan approval stage.

Overall, the addition of traffic volume from a 129-unit development on Sarnia Road will have a negligible impact in the area and is not an impediment to the proposed development.

The proposed development is of a suitable intensity for the site and is consistent with the PPS and The London Plan. An amendment to the 1989 Official Plan is recommended to align the policies with The London Plan and support of a development that is of an appropriate intensity within the existing and planned context of the area.

### Base Zone Considerations for Intensity

Bonus zones are usually paired with a base zone that establishes the maximum regulations within which development must occur if the requirements of the more permissive Bonus (B-\_) Zone are not met. In the event future development is contemplated without the use of bonus zoning, City staff recommend a maximum permitted height of 14 metres/4 storeys. Staff are also recommending a special provision within the R9-7 Zone for a reduced minimum front yard depth of 1.0 m, whereas 8 m is required. This special provision is recommended to ensure that any development will provide a suitable alignment towards Sarnia Road.

## **4.3 Issue and Consideration #3: Form**

### *The London Plan*

The London Plan encourages compact forms of development as a means of planning and managing for growth (7\_, 66\_). The London Plan encourages growing “inward and upward” to achieve compact forms of development (59\_ 2, 79\_). The London Plan accommodates opportunities for infill and intensification of various types and forms (59\_ 4). To manage outward growth, The London Plan encourages supporting infill and intensification in meaningful ways (59\_ 8).

The London Plan also provides guidance on compatibility and fit with regards to form (Policy 953\_). The applicant has provided a concept for review (site concept plan provided above) which allows for some analysis of the anticipated form and its relationship to the neighbourhood.

Within the Neighbourhoods Place Type, and according to the urban design considerations for residential intensification, compatibility and fit will be evaluated from a form-based perspective through consideration of the following: site layout in the context of the surrounding neighbourhood; building and main entrance orientation; building line and setback from the street; height transitions with adjacent development; and massing appropriate to the scale of the surrounding neighbourhood (953\_ 2.a. to f.). Similar to the Planning Impact Analysis criteria within the 1989 Official Plan, the Our Tools section of The London Plan contains various considerations for the evaluation of all planning and development applications (1578\_).

### *1989 Official Plan*

As noted above, for residential development within the Community Commercial Node designation, a Multi-family, High Density Residential designation may also be permitted through a zoning by-law amendment application, site plan application and consideration of design features which provide for the proper integration of the use (4.3.7.3).

Considering the development concept, as proposed, does not include commercial uses on the ground floor; therefore, an Official Plan amendment is required to permit the proposed apartment building with no commercial component on the ground floor and the amendment articulates the associated height and density permissions. Again, it is important to note that there are no height and density permissions for the Community Commercial Node; however, that the Multi-Family, High Density Residential designation states that high density residential areas outside of Central London will normally be less than 150 units per hectare.

### Analysis:

The recommended intensification of the subject property would optimize the use of land and public investment in infrastructure in the area. Located adjacent to a developed area of the City, the redevelopment and intensification of the subject lands would contribute to achieving more compact forms of growth. The proposed apartment building represents a more compact form of development than the half vacant commercial building that currently occupies the site.

The proposed form of development has made a strong effort to maintain a scale and rhythm that responds to the surrounding land uses, and that the location and massing of the proposed building is consistent with urban design goals. The building is proposed to be situated close to Sarnia Road, defining the street edge and encouraging a street-oriented design with ground floor entrances facing the streets. The overall development uses building articulation, rhythm, materials, fenestration, and balconies along the public street frontage to help reduce the overall massing of the buildings, and create a pleasant and interesting pedestrian environment while reducing large expanses of blank walls along the street and internal to the site.

Landscaping will be provided to include trees and fencing that would screen the proposed building providing privacy for both residents and neighbours. The main entrance and lobby for the proposed residential units will be located along the northerly lot line, facing Sarnia Road. The recommended zoning provides for the required design flexibility while ensuring the building continues to be located close to the street.

The parking area is located behind the building and extends minimally into the exterior side yard beyond the building façade. Adequate space is provided around the edges of the parking lot to provide for appropriate screening of the parking from the street and adjacent to abutting properties.

The proposed building is taller than the surrounding townhouse dwellings to the immediate south and west, and the townhouses opposite the proposed development on the north side of Sarnia Road. However, the proposed building is not as tall as the existing apartment building to the south of the site, which is twelve (12) storeys in height. To ensure there are minimal impacts on the adjacent uses, the proposed building placement provides for a suitable separation between the proposed

development and existing homes that serves to mitigate concerns expressed by the public, including loss of privacy. Sufficient space is available to provide for appropriate fencing and/or vegetative screening along the west and south property boundaries adjacent to existing and possible future development.

City staff have evaluated the detailed Planning Impact Analysis criteria in the 1989 Official Plan and the Evaluation Criteria for Planning and Development Applications in the Our Tools part of The London Plan. Staff are satisfied that the evaluation criteria are met through the recommended Zoning By-law amendment and can be further addressed through the site plan approval process.

The review by City staff relating to urban design and site plan matters and comments from the Urban Design Peer Review Panel highlighted various considerations for more detailed design to be completed. The design refinements illustrated on the revised the revised elevations in Schedule "1", provide certainty with respect to appropriate building location and massing, centralized amenity space, and buffering and parking lot design standards in order to establish suitable zoning regulations through bonusing with exceptional design.

At the site plan approval stage, City staff will continue to refine these building and site design features with the applicant for implementation in the final approved drawings and development agreement, including:

- i) Provide individual or common walkways that connect to the ground floor units to the City sidewalk, to encourage and allow residents and visitors to easily walk to transit and nearby amenities. Landscape buffering is to be provided between the amenity spaces and the walkway to delineate public from private realm;
- ii) Provide sufficient setbacks for site plan planting requirements, and sufficient setbacks to protect offsite tree roots and/or provide adequate soil volumes for required perimeter plantings.
- iii) Provide a drop-off layby at least 3.5m x 12.0m within 15.0m of the main building entrance – required per 6.8.1 of the Site Plan Control By-law;
- iv) Remove the proposed sound walls along Sarnia Road;
- v) Confirm the proposed height of all accessory structures (pergolas) and dimension them to the property line, ensuring compliance with 4.1 of the Zoning By-law;
- vi) Confirm if barbeques and ping pong table will be permanent fixtures onsite – if they are communal amenities and will be brought inside during the winter, confirm where they will be stored;
- vii) Screen any surface parking exposed to the public street with enhanced landscaping, particularly along the Sarnia Road frontage;
- viii) Identify the location of the internal bicycle storage space and ensure it meets the standard dimensions per the Site Plan Control By-law;
- ix) Provide curb ramps and identify the barrier-free path of travel to the building entrance from the parking lot;
- x) Label the fire route on the plan and include the locations of fire route signs and standard details; and
- xi) Include a sufficiently sized landscape buffer along the southern property line to provide space for the retaining wall and planting to screen between the residential uses to the south and the parking area.
- xii) Include all connections to the 200mm diameter sewer to SAMH 107 on

Chapman Court from these lands and the adjacent Commercial property (Shell Gas Station).

- xiii) Provide all details and information regarding all easements, all servicing sewers though the subject site, any and all setbacks as required while ensuring there are no conflicts or encroachments to existing easements and servicing, no buildings or structures are to be constructed over top of existing building sewers crossing this property or removal.

These are the detailed matters summarized under clause d) of the staff recommendation for the Site Plan Approval Authority to consider through the site plan approval process.

The proposed development is of a suitable form to meet high level urban design goals. Implementation of the required Bonus Zone elements and targeted refinements of the site and building design will result in a development that is compatible with, and a good fit with the existing and planned context of the area.

#### **4.4 Issue and Consideration #4: Bonusing**

In accordance with the Our Tools policies of The London Plan, Type 2 Bonus Zoning may be applied to permit greater height or density in favour of a range of facilities, services, or matters that provide significant public benefit in pursuit of the City Building goals (\*1650\_). Specific facilities, services, or matters contemplated under Type 2 Bonus Zoning are contained in policy \*1652\_.

Under the provisions in the 1989 Official Plan of Policy 19.4.4, Council may allow an increase in the density above the limit otherwise permitted by the Zoning By-law in return for the provision of certain public facilities, amenities or design features (3.4.3. iv)). Chapter 19.4.4. ii) of the 1989 Official Plan establishes a number of objectives which may be achieved through Bonus Zoning.

A summary of the facilities, services, and matters proposed by the applicant in return for additional height and density is provided below:

*\*1652\_1: Exceptional site and building design:*

- Building design and site layout incorporate architectural themes and design elements that creates a strong street wall and sets the context for a comfortable pedestrian environment.

*\*1652\_12: Affordable housing:*

- The applicant worked with the Housing Development Corporation (HDC) London through the application process for the provision of affordable housing. The HDC has recommended the following:
  - A total of two (2) one-bedroom residential units will be provided for affordable housing;
  - Rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
  - The duration of affordability set at 50 years from the point of initial occupancy;
  - The proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations;
  - These conditions to be secured through an agreement registered on title with associated compliance requirements and remedies.

Staff is satisfied the proposed facilities, services, and matters outlined above are commensurate to the requested increase in intensity.

The applicant's bonus proposal meets the objective of providing affordable housing as identified above.

Staff is satisfied the proposed public facilities, amenities, and design features is commensurate for the requested increase in height and density.

#### **4.5 Issue and Consideration #5: Neighbourhood Concerns**

Although many issues have been raised by the residents, many of the concerns can be generally grouped under several key headings - Traffic Impacts and Parking, Privacy and Overlook, Sufficiency of Servicing Infrastructure, Buffering/Tree Removal, and Type of Tenancy.

Comments related to height, form, density and incompatibility have been addressed in sections 4.1 through 4.4. of this report. Additional Planning Impact Analysis has been provided under Appendix D of this report.

##### ***Traffic***

Concerns were raised about the amount of traffic that would be generated by this development. Residents in the area are concerned about negative impacts on the neighbourhood in terms of increased traffic and safety.

As mentioned, Transportation did not have concerns with the proposed increase in traffic from the proposed development.

Additionally, Chapman Court is a neighbourhood street that serves a small number of dwelling units in the area, thus its traffic volumes are low. Neighbourhood (local) streets are typically intended to accommodate traffic volumes up to approximately 1000 vehicles per day; however, this threshold varies by location, length of road, types of developments etc.

The City has developed a Traffic Calming and Procedures manual to assess when traffic calming measures are required. As per the point assessment table, volumes on local roads may become an issue when volumes reach 1500 vehicles a day. Based on the evaluation tools, the proposed development will not significantly affect the capacity of the local roads.

##### ***Privacy and Overlook***

Members of the public expressed concerns about the height of the building leading to loss of privacy from people looking out their windows, or when using their terraces or balconies.

The development proposes the building to be placed closer to the Sarnia Road frontage to additionally reduce height impacts on the abutting lands, which also supports urban design principles, as well as design flexibility.

With respect to the privacy of yards to the south and west, the building is proposed to be set back approximately 18 metres from the townhouses to the southwest, 36 metres from the apartment building to the south, and 66 metres from Chapman Court with further townhouses to the west. The placement of the proposed building allows for the surface parking infrastructure to be located mainly in the rear yard with minimal parking in the exterior yard of the site (as per zoning by-law) and creates an appropriate separation between the proposed and existing buildings based on the differences in building height. In addition, the proposed plan provides for a buffer area that can accommodate enhanced, robust landscaping that will provide screening for the adjacent residential uses.

##### ***Buffering/Tree Removal***

The use of landscaping, fencing and separation distances are helpful to screen development and soften the impacts of new construction. As identified above, the proposed building is meeting and exceeding the minimum required setbacks for the south and west property boundaries adjacent to existing residential uses, which in addition to

providing physical distance separation, also provides space for buffering treatment. The east boundary is well vegetated and proposed to remain largely intact which allows the trees to provide a natural buffer. The east, west and south property boundaries are intended to have privacy fencing (ie- board on board) installed and plantings are also proposed along these property boundaries to provide for additional buffering above the fence height. Also, existing plantings are recommended to remain.

A Tree Inventory was prepared to identify the general type, health and/or significance of trees on site. Site Plan Approval will allow for further discussion and refinement of the fencing treatment, and retention or enhanced plantings.

### ***Type of Tenancy/Tenure***

Several comments were made with respect to who will be living in the proposed development, and questions on whether or not this will be student housing. It's important to note that planning considerations cannot be made based on residential tenure. Type of tenancy and tenure (owner vs. rental) are not planning considerations when analyzing planning applications.

## **Conclusion**

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the in-force policies of The London Plan, including but not limited to the Key Directions and the Neighbourhoods Place Type. Further, the recommended amendment is in conformity with the in-force policies of the 1989 Official Plan, including but not limited to the Multi-family, High Density Residential designation. The recommended amendment will facilitate the development of an underutilized site within the Built-Area Boundary and the Primary Transit Area with a land use, intensity, and form that is appropriate for the site through the use of Bonus Zoning.

**Prepared by:** Alanna Riley  
Senior Planner, Development Services

**Reviewed by:** Mike Corby, MCIP, RPP  
Manager, Planning Implementation

**Recommended by:** Gregg Barrett, AICP  
Director, Planning and Development

**Submitted by:** Scott Mathers MPA, P. Eng.  
Deputy City Manager, Planning and Economic Development

**cc:**  
Heather McNeely, Manager, Current Development  
Michael Pease, Manager, Site Plans  
Ismail Abushehada, Manager, Development Engineering



## Appendix A London Plan Amendment – Policies for Specific Areas

Bill No. (number to be inserted by Clerk's Office)  
2021

By-law No. C.P.-1284-

A by-law to amend The London Plan for the City of London, 2016 relating to relating to 520 Sarnia Road.

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

1. Amendment No. (to be inserted by Clerk's Office) to The London Plan for the City of London Planning Area – 2016, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. The Amendment shall come into effect in accordance with subsection 17(27) of the *Planning Act, R.S.O. 1990, c. P.13*.

PASSED in Open Council on May 3, 2022.

Ed Holder  
Mayor

Michael Schulthess  
City Clerk

First Reading – May 3, 2022.  
Second Reading – May 3, 2022.  
Third Reading – May 3, 2022.

**AMENDMENT NO.  
to the  
THE LONDON PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to add a policy to the Specific Policies for the Neighbourhoods Place Type and add the subject lands to Map 7 – Specific Policy Areas – of The London Plan to permit an eight (8) storey apartment building.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 520 Sarnia Road in the City of London.

C. BASIS OF THE AMENDMENT

The recommended amendment is consistent with the Provincial Policy Statement 2020, and conforms to The London Plan, including affordable housing, city design and specific area policies. The recommendation provides for the comprehensive development of the subject site resulting in an appropriate and compatible use and form of development.

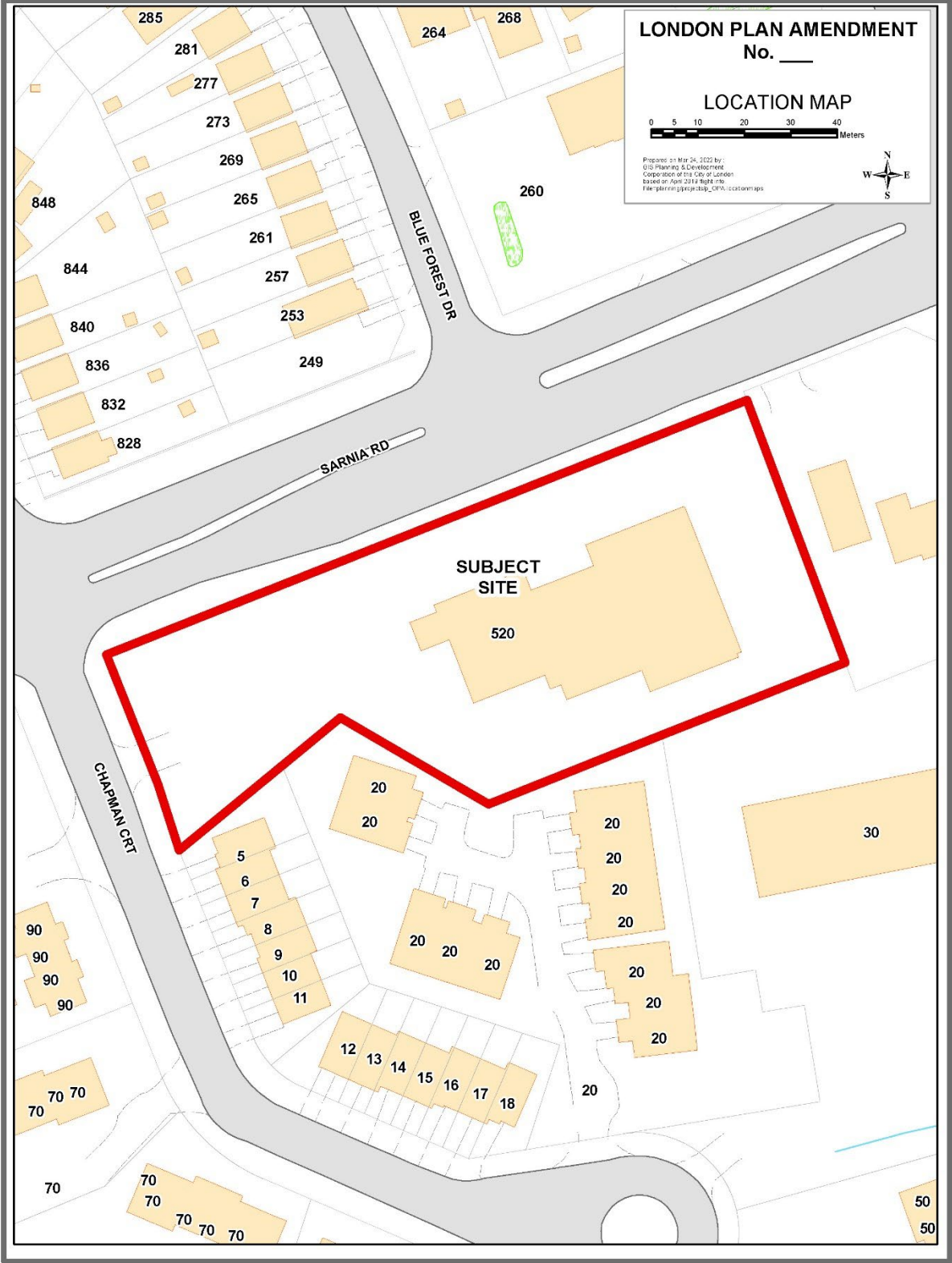
D. THE AMENDMENT

The London Plan for the City of London is hereby amended as follows:

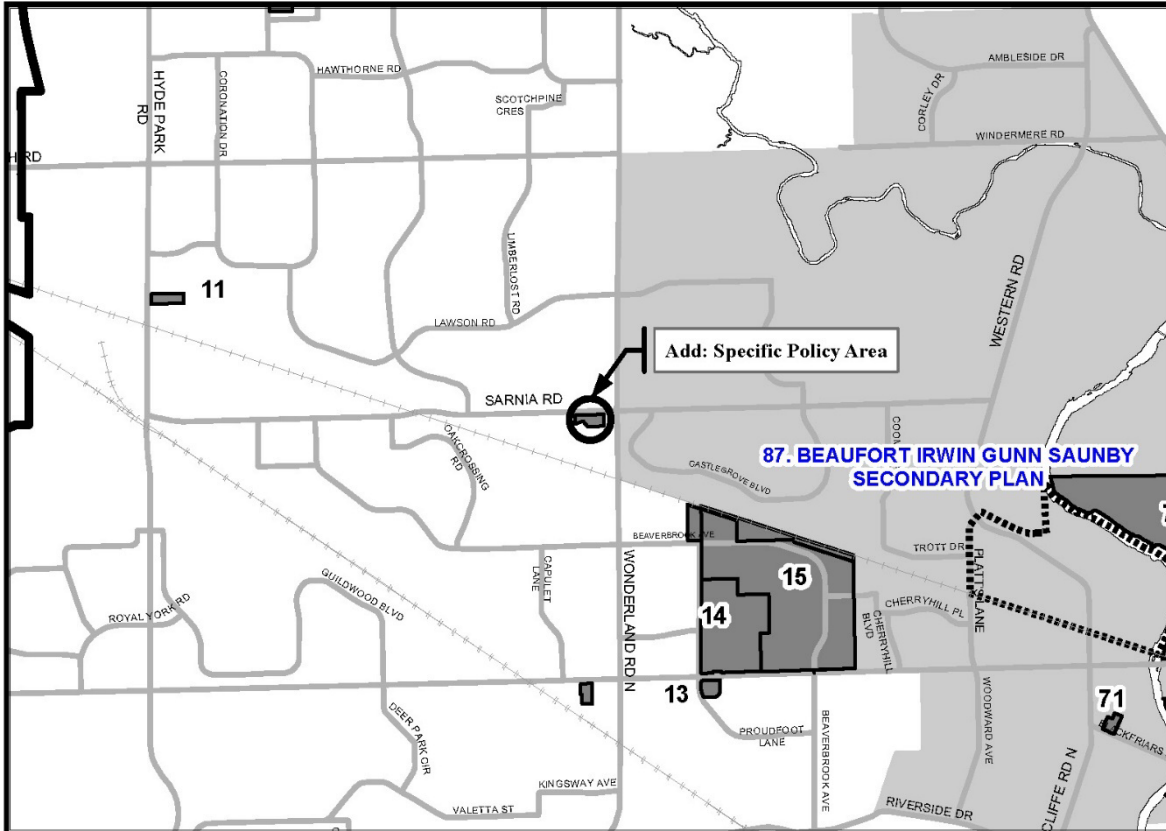
1. Policy (1077\_ ) - Specific Policies for the Neighbourhoods Place Type - of The London Plan for the City of London is amended by adding the following:

( ) In the Neighbourhoods Place Type at 520 Sarnia Road an eight (8) storey apartment building may be permitted.

1. Map 7 – Specific Policy Areas, to The London Plan for the City of London Planning Area is amended by adding a specific policy area for those lands located at 520 Sarnia Road in the City of London, as indicated on “Schedule 1” attached hereto.



AMENDMENT NO:



**LEGEND**

- Specific Policies
- Rapid Transit and Urban Corridor Specific-Segment Policies
- Near Campus Neighbourhood
- Secondary Plans

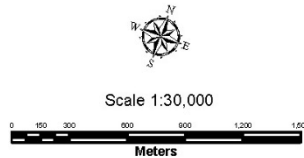
**BASE MAP FEATURES**

- Streets (See Map 3)
- Railways
- Urban Growth Boundary
- Water Courses/Ponds

*This is an excerpt from the Planning Division's working consolidation of Map 7 - Special Policy Areas of the London Plan, with added notations.*

**SCHEDULE 1  
TO  
THE LONDON PLAN**  
AMENDMENT NO. \_\_\_\_\_

PREPARED BY: Planning Services



**FILE NUMBER:** OZ-9432  
**PLANNER:** AR  
**TECHNICIAN:** RC  
**DATE:** 3/24/2022

## Appendix B Official Plan Amendment – Policies for Specific Areas

Bill No. (number to be inserted by Clerk's Office)  
2022

By-law No. C.P.-1284-  
A by-law to amend the Official Plan for  
the City of London, 1989 relating to 520  
Sarnia Road.

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

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(27) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on May 3, 2022

Ed Holder  
Mayor

Michael Schulthess  
City Clerk

First Reading – May 3, 2022  
Second Reading – May 3, 2022  
Third Reading – May 3, 2022

**AMENDMENT NO.**  
**to the**  
**OFFICIAL PLAN FOR THE CITY OF LONDON**

**A. PURPOSE OF THIS AMENDMENT**

The purpose of this Amendment is to add a policy in Section 10.1.3 of the Official Plan for the City of London to permit an eight (8) storey apartment building with at total of a total of 129 residential units with a density of 168 units per hectare without a commercial component on the ground floor and also align this policy context with The London Plan.

**B. LOCATION OF THIS AMENDMENT**

This Amendment applies to lands located at 520 Sarnia Road in the City of London.

**C. BASIS OF THE AMENDMENT**

The recommended amendment is consistent with the PPS and the in-force policies of the 1989 Official Plan and The London Plan. The recommendation provides the opportunity for residential intensification in the form of a low-rise apartment building, located at the intersection of a high-order street and local street within an existing neighbourhood. The recommended amendment would permit development at an intensity that is appropriate for the site and the surrounding neighbourhood. The recommended amendment would help to achieve the vision of the Neighbourhoods Place Type of The London Plan, providing a range of housing choice and mix of uses to accommodate a diverse population of various ages and abilities.

**D. THE AMENDMENT**

The Official Plan for the City of London Planning Area - 1989 is hereby amended as follows:

1. Section 10.1.3 – Policies for Specific Areas of the Official Plan for the City of London is amended by adding the following:

520 Sarnia Road

- ( ) In the Community Commercial Node designation at 520 Sarnia Road an apartment building is permitted with at total of a total of 129 residential units with a density of 168 units per hectare without a commercial component on the ground floor implemented by way of a Bonus Zone and also align this policy context with The London Plan.



## Appendix C

Bill No. (number to be inserted by Clerk's Office)  
2022

By-law No. Z.-1-22\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 520 Sarnia Road.

WHEREAS Horizen Developments EP has applied to rezone an area of land located at 520 Sarnia Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to The London Plan;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the 1989 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 520 Sarnia Road, as shown on the attached map comprising part of Key Map No. A101, from a Neighbourhood Shopping Area Special Provision (NSA1(3)) Zone to a Residential R9 Special Provision Bonus (R9-7( ) \*B- ) Zone;
- 2) Section Number 4.3 of the General Provisions in By-law No. Z.-1 is amended by adding the following new Bonus Zone:

4.3) B( ) 520 Sarnia Road

The Bonus Zone shall be implemented through one or more agreements to facilitate the development of a high-quality residential apartment building, with a maximum height of eight (8) storeys measuring up to 27.1 metres, and a maximum density of 168 units per hectare, a minimum interior side yard depth of 7.5m, a reduced minimum parking requirement of 100 spaces (0.78 spaces per unit), and recognizing Sarnia Road frontage as the front lot line, which substantively implements the Site Plan, Renderings, Elevations and Views, attached as Schedule "1" to the amending by-law and provides for the following:

### 1) Exceptional Building Design

- i) A built form located along Sarnia Road that establishes a built edge with primary building entrance, street oriented units and active uses along this frontage;
- ii) Treatment of the first three-storeys of the proposed building contrasts with the remainder of the building above to clearly delineate the attractive, pedestrian-oriented area within the public realm;
- iii) A contemporary flat roof, with modern cornice lines and canopies for the balconies along the north side of the building, effectively announce the top of the building and help distinguish the building along the corridor;
- iv) An adequately sized interior side yard setback is provided to allow for ample space for pedestrian connections, bicycle parking and landscaping to transition between the proposed building and the existing uses to the northeast;
- v) A larger than required rear yard setback is proposed



between the building and the medium-density and high-density residential uses to the south, southeast and southwest;

- vi) Each elevation incorporates vertical portions of the building that are offset to provide for a unique visual variety and texture along the façade;  
A variety of materials, colours and textures break up the massing of the building into smaller sections , both vertically and horizontally, to appropriately frame the street and enhance the streetscape; and
- vii) Universal accessibility including units that provide the opportunity for any and all demographics, able-bodies or not, to live in the proposed development.

## 2) Provision of Affordable Housing

- i) A total of two (2) bachelor residential units will be provided for affordable housing;
- ii) Rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
- iii) The duration of affordability set at 50 years from the point of initial occupancy;
- iv) The proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations;
- v) These conditions to be secured through an agreement registered on title with associated compliance requirements and remedies.

The following special regulations apply within the bonus zone upon the execution and registration of the required development agreement(s):

### a) Permitted Uses

- i) An apartment building with a non-commercial component on the ground floor

### b) Regulations

- i) Density (Maximum) 168 units per hectare,
- ii) Building Height (Maximum) 8 storeys up to 27.1 metres (88.9 feet)
- iii) Interior Side Yard Depth (Minimum) 7.5 metres (24.6 feet)
- iv) Parking (Minimum) 100 spaces (0.78 spaces per unit)

- 1) Section Number 13.4 of the Residential R9 (R9-7) Zone is amended by adding the following Special Provision:

) R9-7 ( ) 520 Sarnia Road

### a) Regulations

- i) Front Yard Depth (Minimum) 1.0 metres (3.3 feet)

ii) Height  
(Maximum)

the lesser of 14.0 metres,  
or 4 storeys

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.

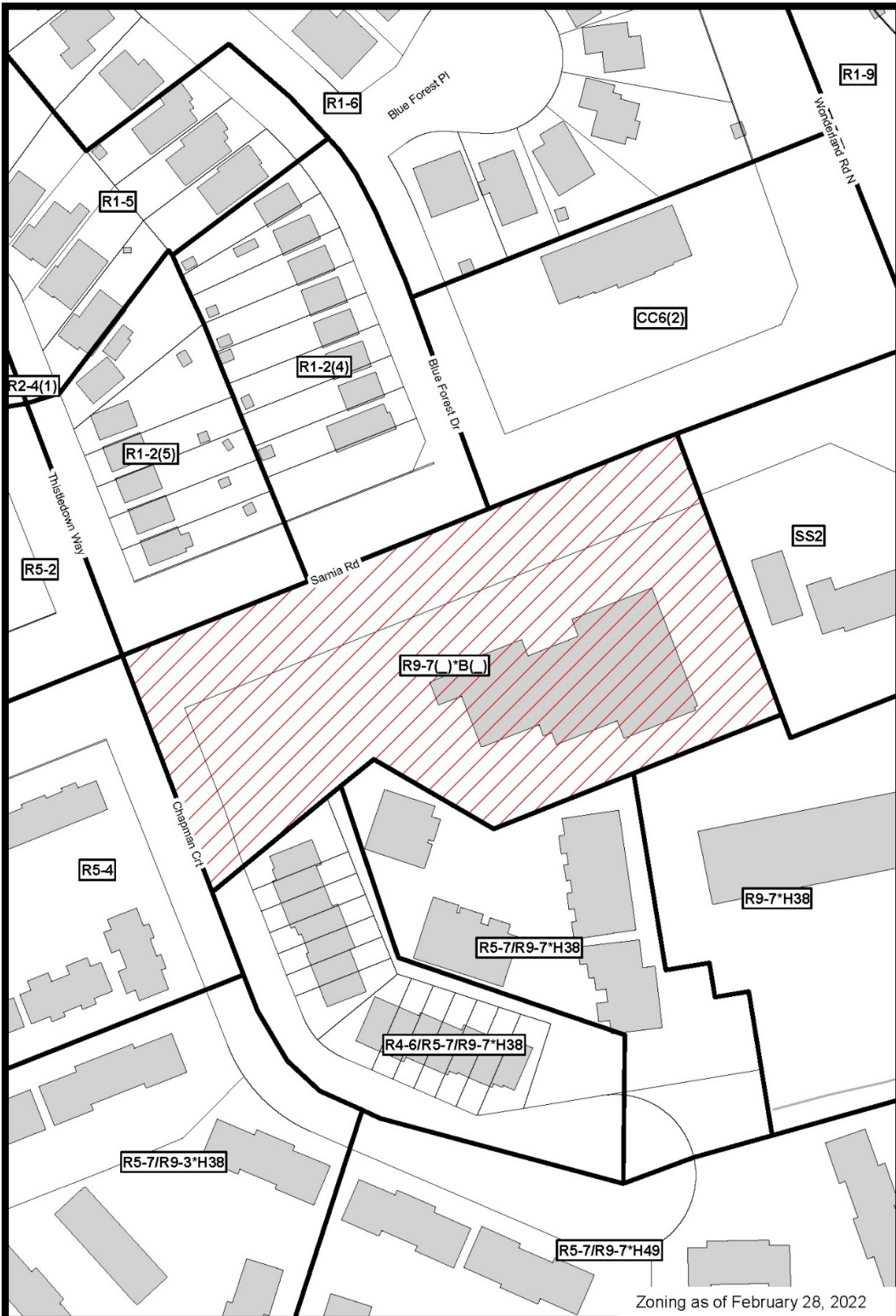
PASSED in Open Council on May 3, 2022.

Ed Holder  
Mayor


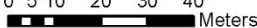

Michael Schulthess  
City Clerk

First Reading – May 3, 2022  
Second Reading – May 3, 2022  
Third Reading – May 32, 2022

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



Zoning as of February 28, 2022

<p>File Number: OZ-9432                  Planner: AR                  Date Prepared: 2022/03/24                  Technician: rc                  By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:1,250</p> <p>0 5 10 20 30 40 Meters </p> <p></p>
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# Schedule "1"

REID'S HERITAGE PROPERTIES  
520 Sarnia Road  
London, ON



## Zoning Information

Current Designation: Neighbourhood Commercial Node  
 Current Place Type: Neighbourhood Commercial Node  
 Current Zoning: Neighbourhood Shopping Area  
 Special Provision Zone (NSA(S))  
 Proposed Zoning: Residential R9 Bonus Zone (R9-7B)

## Site / Building Data

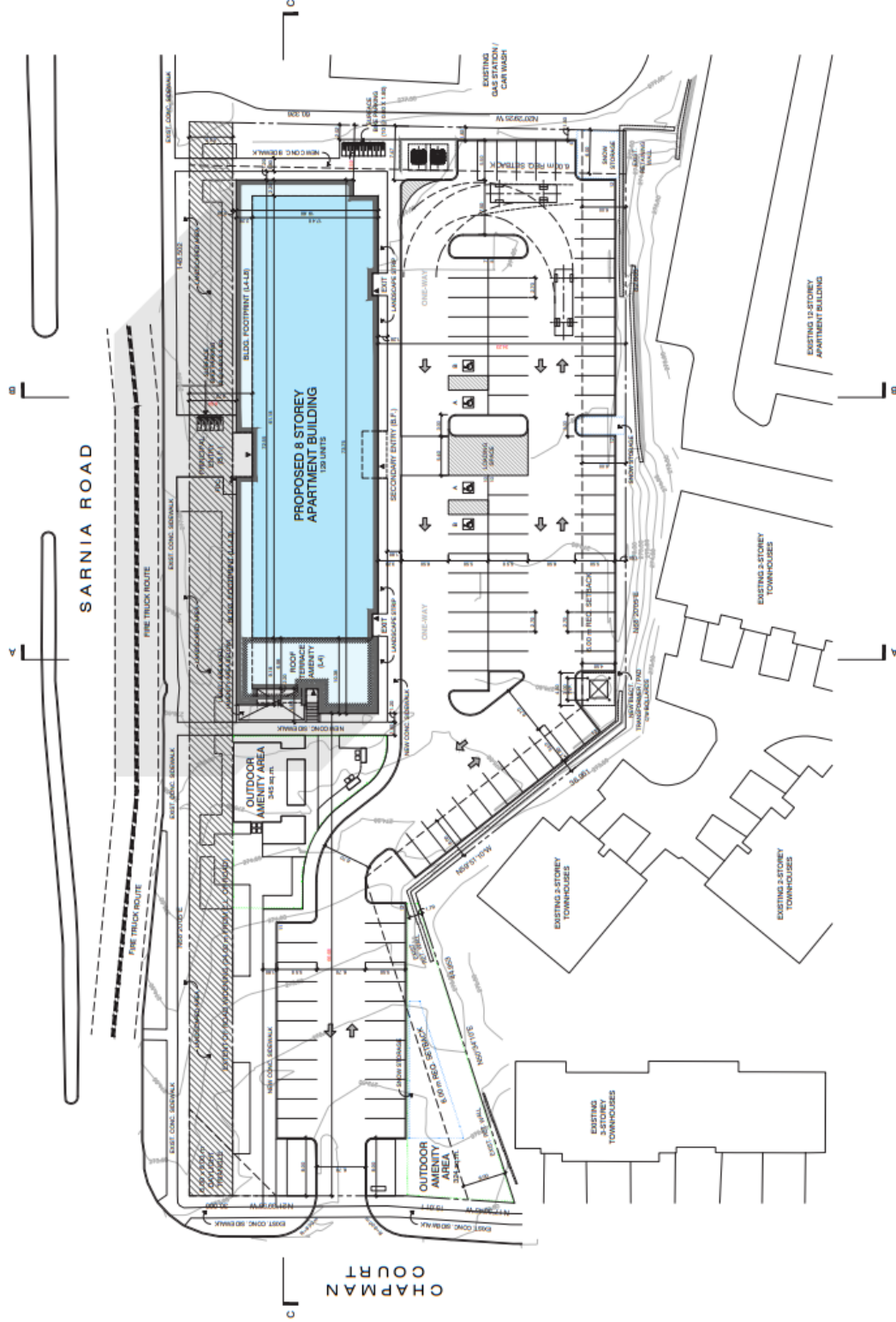
Site Area: 0.7714 (7,661.7 m<sup>2</sup>)  
 Building Footprint: 1,433.5 m<sup>2</sup> (15,430 ft<sup>2</sup>)  
 Gross Floor Area: 9,023.5 m<sup>2</sup> (96,816 ft<sup>2</sup>)  
 Lot Coverage: 18.46%  
 Lot Coverage (p.d.b.m.): 18.46%  
 Density: 168 Units/Ha  
 Land Open Space: 3,017.9 m<sup>2</sup> (30%)  
 Floor Area Ratio: 1.3  
 Front Setback: 6.50 m  
 Interior Stairs: 7.59 m  
 Exterior Stairs: 66.66 m  
 Floor: 34.25 m

## Unit Data

Level	ST	1-BR	2-BR	3-BR	Total	Beds
Ground Floor	4	5	2	3	14	22
First Floor	4	9	3	3	19	26
Second Floor	4	8	1	2	15	20
Third Floor	4	8	2	2	16	22
Fourth Floor	4	8	2	2	16	22
Fifth Floor	4	8	2	2	16	22
Sixth Floor	4	8	2	2	16	22
Seventh Floor	4	8	2	2	16	22
Eighth Floor	4	8	2	2	16	22
Total	32	63	15	19	129	182

## Parking Data

Surface Parking: Provided  
 100 Spaces  
 Ratio: (0.78 Spaces / Unit)  
 B.F. Parking: 4 Spaces  
 Ratio: (2x Type A, 2x Type B)  
 Bicycle Parking (Indoor): 07 Spaces  
 Ratio: (0.75 Spaces / Unit)



Schematic Site Plan  
 Project No. 2018-0000  
 (Scale: 1:500)

25/03/2021

MARTIN SIMMONS  
 ARCHITECTS



3 NORTH ELEVATION

SP-3300 1:150





South Elevation  
Scale 1:300



West Elevation  
Scale 1:300

## Appendix C – Public Engagement

### Community Engagement

#### Notice of Application (November 15, 2021):

On November 15, 2021, Notice of Application was sent to property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on November 4, 2021. A “Planning Application” sign was also posted on the site.

Replies were received from, or on behalf of, 8 households.

**Nature of Liaison:** The purpose and effect of this Official Plan and zoning change is to permit an 8-storey apartment building with at total of a total of 129 residential units with a density of 168 units per hectare and parking spaces provided in underground and above-ground facilities. Possible amendment to the 1989 Official Plan to **ADD** a Specific Area Policy to permit an 8-storey apartment building with at total of a total of 129 residential units with a density of 168 units per hectare without a commercial component on the ground floor. Possible amendment to the London Plan to permit an 8-storey apartment building with at total of a total of 129 residential units with a density of 168 units per hectare. Possible change to Zoning By-law Z.-1 **FROM** a Neighbourhood Shopping Area Special Provision (NSA1(3)) Zone **TO** a Residential R9 Special Provision Bonus (R9-7( )\*B- ) Zone. Special provisions would identify the Sarnia Road frontage as the front lot line; permit a minimum interior side yard setback of 7.5 metres; and permit a minimum parking rate of 1 space per residential unit, whereas 0.78 spaces per unit is required. The proposed bonus zone would permit a maximum building height of 8-storeys (27.1 metres) and a maximum mixed-use density of 168 units per hectare in return for eligible facilities, services, and matters, specifically affordable housing outlined in Section 19.4.4 of the 1989 Official Plan and policies 1638\_ to 1655\_ of The London Plan.

**Responses:** A summary of the various comments received include the following:

#### **Concern for:**

- Height
- Density
- Lack of street lighting and sidewalk facilities
- Privacy/Overlook
- Light/Noise impacts
- Traffic
- Parking
- Loss of property value

#### **Responses to Public Liaison Letter and Publication in “The Londoner”**

RE: Notice of Planning Application from City of London  
Official Plan and Zoning By-Law Amendments  
520 Sarnia Road – File OZ-9432

Attention: Alanna Riley

My name is Brian Newcombe and I live at 300 Blue Forest Place. My wife and I have lived at this address for over 35 years. While we are outside of the official notification area for this Zoning Application we are close enough to have concerns related to the Zoning Application being requested by Horizen Developments LP. Our concerns are as follows:

- 1) The current property is zoned as “Neighbourhood Shopping Area Special Provision”. The developer is requesting a change to “Residential R9 Special Provision Bonus”. This requested change would take the current property from a one floor commercial building to a proposed 8 floor apartment building with 129 units. This is a significant change to the local neighbourhood building style and would certainly increase the volume of people and vehicles on an extremely busy corner of the city. The stretch of Wonderland from Sarnia Road to Riverside



Drive is, no doubt, one of the busiest stretches of roadway in London. It is often times referred to as a "Parking Lot" by local residents due to the volume of stop and go traffic at almost any time of day. To add more vehicles would certainly be unfortunate and make Wonderland even worse than it already is.

- 2) If the property is to be re-zoned, the City of London Official Plan (1989) states that the maximum density should not exceed 150 units per hectare and not exceed 6 stories in height. Given the property size of .77 hectare this would equate to a maximum of 115.5 units with a maximum of 6 stories. We believe if the City considers any zoning change then the Official Plan should be followed and adhered to with density and height requirements being maintained according to the Official Plan.
- 3) The Developer has made it clear the apartment building they are proposing will be targeting "Western University Students". While we understand students must live somewhere we have no information that there is a severe shortage of student housing in the immediate area of Western University. On the other hand, the City of London, news outlets and social media sites proclaim almost daily there is a severe shortage of housing for families within London. We see no reason to "target" University Students when young couples and new families in London are having difficulty finding affordable housing. With the average London housing prices in the \$700,000 range it would be beneficial to young families to at least have the option of apartments to live in while they accumulate enough wealth to buy permanent housing. While we are not opposed to student housing it is our belief there is a greater need for family housing in London. Students are transient at best and many will be in London for a few years and occupy apartments for a few months each year. Families on the other hand are likely permanent long term residents of London holding down full time jobs and supporting local businesses every day 24/7/365.
  - For these reasons we request that if zoning is changed to permit an apartment then that apartment should "target" young couples and young families who are in desperate need of housing.
- 4) The Developer has taken great pains to provide an explanation of why the proposed apartments "parking spots" should be reduced to .78 per unit from the Official Plans requirement of 1.25 per unit. The reasoning is that "University Students" don't have as many vehicles as would regular full time residents and therefore less parking spots would be required. Once again this is totally premised on the fact that the Developer is proposing "Student Apartments". Once again my argument is if there is a zoning change approved for an apartment building then full time residents and families in London should be the "target", not students. The "Official Plan" should be followed and adhered to allowing 1.25 parking spots per unit. So for 115 units 144 parking spaces would be required according to the "Official Plan". While we know this would increase the number of cars we find it preferable offering enough spots for working couples and families rather than less spots to University students.

In conclusion it is our request that if any zoning changes are considered by the City of London Planning Dept. then existing density and height requirements be adhered to as per London's "Official Plan".

Thank you for your consideration of our requests and concerns.

Brian & Gloria Newcombe

Regarding the plan to change zoning to allow higher density building in the 520 Sarnia Rd location - the traffic congestion at Sarnia and Wonderland has already become horrific .. does the city realize the magnitude of additional congestion that this will induce? Another 130 cars + visitors? . . . All residents (1000?) across the road and along the corridor to Wilfred Jury PS will be unable to exit Blue Forest Dr to go east on Sarnia or south, down Wonderland, due to unavoidable congestion. This will become a traffic nightmare for the residents of the proposed building and the residents directly Northwest right out to Lawson Rd. What studies have been completed to assess this risk? Thanks Denis Hirschberger

Hello Ms. Riley,

Thank you for your notice about subject matter. I believe that the amendment would definitely have a negative effect on the area in question since the original plan called for a neighborhood shopping center, which is quite needed in this neighborhood. The amendment would not bring any added value to the area nor to the community and I believe that there is currently an oversupply of housing in this area both along Sarnia and Wonderland.

Notwithstanding, the developer, Reid Properties, is already promoting the lot on their website, as though they already are certain that the amendment will go through, which raises question marks.

Please let it be known that I am against any amendment to the current zoning.

Sincerely yours,

Bahija Hasbini

I have reviewed the details of the application.

I have concerns and do not agree with some/all of the conclusions provided within the report.

My first question is - is this a student-only rental building? Are tenants required to provide proof of enrolment? I ask that question as I believe the amount of vehicle traffic and vehicle parking relates directly to the type of occupancy.

I have resided at my residence for 8 years and prior to that, my primary residence was located on Reid Court.

I have seen the significant increase in road traffic with the continued expansion of housing opportunities on Sarnia Road.

The improvements/expansion of Sarnia Road has caused traffic to be directed through the area.

Noise from traffic has increased.

I do not agree with the proposed change to the London Plan that would see an increase in building height from the Plan of 6-storeys to 8-storeys.

This change increases the demand for on-site parking as it increases the number of rental units within the building and the number of residents requiring parking. Visitor parking is also affected and visitors do include all persons providing any service to the residents of the building.

A drive through the surrounding community shows an increase in the number of vehicles accessing street parking and the number of multi-family homes where parking spots on properties have been altered in an attempt to facilitate additional parking.

Parking is an issue in this high-density area.

Any increase in the volume of traffic on Sarnia Road will lead to an increase in noise within the community.

Of paramount importance is the need to upgrade the Thistledown Way/Sarnia Road/Chapman Court intersection to an intersection controlled by a "full signal light".

Finally, as a result of all the changes made to the Sarnia Road corridor, the City of London needs to consider upgrading the height and composition of fencing to increase sound absorption. Newer portions of this corridor have updated barriers installed already.

Respectfully

Mary-Lynne Coulas

875 Thistledown Way

Unit 10

London

Good Morning Alanna

I am contacting you to voice my concerns and opposition to the proposed development OZ-9432 .

This is one more high density project being built in an area that is becoming more congested daily . The city planners are letting developers build with little regard for infrastructure . The traffic on Wonderland rd. Is ridiculous and with the proposed

cancelation of a widening of Wonderland means greater traffic tie ups .  
An apartment complex of this size would mean more student housing and with that brings a myriad of future issues . This project will eliminate any opportunities to widen Sarina rd as well .

For these and other reasons I am attamently opposed.

Thank you

Mike Flynn

852 Thistledown Way

Hi Alanna and Steve,

I am the owner of unit 907-30 Chapman Court, neighbouring 520 Sarnia Road location for proposed build and zoning by-law amendments in file OZ-9432.

My very significant concerns with this proposal are:

1. My condo will no longer be as desirable if a tower is installed immediately to the north due to major visual obstruction and impact to my tenants: view, quality of life, privacy, light pollution due to new building interior/exterior lighting and parking lot lighting at night, noise pollution from very large parking lot from people coming/going at all hours, honking horns, car alarms, snow plows, garbage trucks, etc, and less desirable neighbourhood due to elimination of retail area/local amenities.

2. Property value will go down due to newer more convenient high density building steps away, neighbourhood's decreased ability to accommodate the increased people density with car traffic, bus traffic, impact on local amenities, and aspects listed in concern #1.

3. Additional pollution impact on owner/tenants health and on the environment due to construction and significantly increased vehicular traffic. Furthermore mature trees being removed to create/enlarge parking lot (London being the Forest City).

4. Further densification of high rise living accommodations (in an area with existing significant high rise presence), both for area zoned no higher than 6 stories (Specific Area Policy change and Zoning By-law Amendment). Moving away from city plans that made this city desirable for its existing and new owners/tenants and any notion of London being the Forest City.

5. Concerns during construction phase - noise, light pollution, hours of work, traffic impact, any service outages. How will these be communicated and mitigated?

Please note these concerns, include them in your consideration of this application, and include me in the much required public participation meeting.

Thanks for your consideration,  
Dimitrije Radakovic

I am a resident of London and live near the proposed planning site of 520 Sarnia. I want to urge you to include plans for affordable housing at this new apartment building. I have lived in London my entire life, and both my partner and I have careers and yet we struggle to find affordable housing (to rent and buy) in this city. As public servants, it is your obligation to make sure everyone in London has a safe and clean place to live. I urge you to start making affordable housing a priority, starting with the proposed 520 Sarnia street. Thank you for your consideration.

Best,

Rayna Abernethy

I'm sorry but I opened my postal box about this development mail lately.

I live at 1109-30 Chapman crt. building.

When I see the building image of the applicant's proposal, the new building is obstructed for front viewing from all my windows.

Almost 30% of the units of the new building also may have the same problem.

It would look good just for the area plan, but It's very disappointing or frustrating for the many actual residents to live in an obstructed area of both buildings.

I propose the new building move to the left side to avoid an obstructed area for residents of two buildings.

Please consider this for our happy living life in London.

Sincerely,

David Jeong

## Departmental and Agency Comments

### Urban Design

The design of the site should implement the following features as part of the bonus zone as demonstrated in the submitted plans, elevations and renderings.

- A built form located along the Sarnia Road that establishes a built edge with primary building entrance, street oriented units and active uses along those frontages.
- A step-back and terracing above the 3rd storey for the building along Sarnia Road frontage and at the intersection providing a human-scale along the street(s).
- A significant setback from the property to the South to provide a transition to the existing low-rise buildings.
- Articulated facades including recesses, projections, balconies and terraces to provide depth and variation in the built form to enhance the pedestrian environment.
- A variety of materials, textures and articulation along building façade(s) to highlight different architectural elements and provide interest and human-scale rhythm along the street frontages.
- Common outdoor amenity space at ground level and using rooftop terraces( Level 4) located at the intersection to protect the privacy of adjacent properties
- Locates majority of the parking behind the building and screened away from the street.
- As this application contemplates a bonus zone, please include the following revisions and improvements consistent with the previous staff and panel comments:
  - Please provide a detailed response to the Urban Design Peer Review Panel that explains how the Panel comments have been addressed.
  - Include a 1-2m setback from the Sarnia Road frontage in order to avoid the requirement for encroachment agreements for building elements such as canopies, balconies, opening of doors, etc.
  - We acknowledge the ground-floor residential units along Sarnia Road. Provide direct individual or a common walkway that connects the ground floor units to the City sidewalk, to encourage and allow residents and visitor to easily walk to transit and nearby commercial amenities to the North East.
    - Ground floor doors should be lockable 'front door' style to contribute to the appearance of a front-facing residential streetscape and promote walkability and activation of the street, as well as for security.
    - Ground floor private amenity spaces should be designed to extend into the setback as front porches or courtyards. Low height railings( up to 4ft/1.2m) and lockable 'patio gates' can be considered for the ground floor private amenity spaces, if there is a desire to control access.
  - Break-up the horizontal length of the building above 3 stories along Sarnia Road by introducing more variation in the design with a vertical mass or volume, articulation with recesses or balconies, and/or material or colour changes to provide interest and a more human-scale design along the street.

### Urban Design Peer Review Panel

- See Appendix F for comments and applicant replies

### Site Plan

#### Zoning Deficiencies:

- Building height (26.9m)
- Interior side yard setback (10.8m required, 7.6m provided)
- Exterior side yard setback (Sarnia Rd) (11m required, 0.5m provided) – this can be waived provided we take the full road widening and achieve a right-of-way width of 40m
- Parking (162 spaces required, 100 provided)
- Barrier-free parking (6 spaces required, 4 provided)
- Density (150 UPH max., 169 UPH provided)

- Unit size (37m<sup>2</sup> min. required for a bachelor unit, 36.1m<sup>2</sup> provided)
- Landscaped open space to be confirmed – the site design is almost identical to what we saw at SPC but the updated plan shows an increase of over 1000m<sup>2</sup> of landscaped open space

#### Site Plan Comments:

- Provide a drop-off layby at least 3.5m x 12.0m within 15.0m of the main building entrance – required per 6.8.1 of the Site Plan Control By-law;
- Remove the proposed sound walls along Sarnia Road;
- Confirm the proposed height of all accessory structures (pergolas) and dimension them to the property line, ensuring compliance with 4.1 of the Zoning By-law;
- Confirm if barbeques and ping pong table will be permanent fixtures onsite – if they are communal amenities and will be brought inside during the winter, confirm where they will be stored.
- Provide a 1-2m setback from the Sarnia Road frontage in order to avoid the requirement for encroachment agreements for building elements such as canopies, balconies, opening of doors, etc.;
- Provide direct walkway access from ground floor units to the public sidewalk;
- Screen any surface parking exposed to the public street with enhanced landscaping, particularly along the Sarnia Road frontage.
- Identify the location of the internal bicycle storage space and ensure it meets the standard dimensions per the Site Plan Control By-law.
- Provide curb ramps and identify the barrier-free path of travel to the building entrance from the parking lot.
- Label the fire route on the plan and include the locations of fire route signs and standard details.
- Include a sufficiently sized landscape buffer along the southern property line to provide space for the retaining wall and planting to screen between the residential uses to the south and the parking area.

#### Parks

- Parkland dedication is required in the form of cash in lieu, pursuant to By-law CP-9 and will be finalized at the time of site plan approval.

#### Landscape Architect (Tree Preservation)(November 18, 2021)

- Setbacks are insufficient along east, south and north property lines to accommodate Site Plan Planting requirements. At a minimum, 1.5m should be provided along interior property lines and 3 m from road allowance. Currently, all required tree planting is shown in Sarnia Rd ROW this practice is not supported by Roadside Operations. Also, the setback provided from the east and south property lines is insufficient to protect offsite tree roots [trees may become structurally compromised] or to provide adequate soil volumes for required Site Plan perimeter plantings.
- Interior drive land can be reduced and planters against south face of building can be removed to help provide for setbacks.

#### Ecology

- There are currently no ecological planning issues related to this property or associated study requirements.

#### Major issues identified

- No Natural Heritage Features on the site have been identified on Map 5 of the London Plan or based on current aerial photo interpretation.
- Adjacent lands include naturalized vegetation and indications of previous disturbance.

- These lands are not regulated by the UTRCA; no comments

#### Archaeological

- Archaeological conditions can be considered satisfied for this application.

#### Engineering

##### **Transportation**

- Right-of-way dedication of 24.0 m from the centre line be required along Sarnia Road;
- A revised 6.0mx6.0m daylight triangle will be required at Sarnia Road and Chapman Court;
- A Transportation Impact Assessment (TIA) will be required, the TIA will evaluate the impact the development will have on the transportation infrastructure in the area and provide recommendations for any mitigation measures. The TIA will need to be scoped with City staff prior to undertaking and be undertaken in general conformance with the City's TIA guidelines;
- Detailed comments regarding access design and location will be made through the site plan process

We have reviewed the parking reduction justification and have the following comments. The proposed layby adjacent to Sarnia Rd is not acceptable, as per previous Transportation comments the layby is to not to be located adjacent to the road. Note that the parking rates to be used are to be the zoning parking by law or the ITE rates, the proposed reductions are not acceptable. A TIA to be submitted with this application as previously requested.

#### Updated Comments

We appreciate that we applicant looked up the ITE rates as suggested. Regrettably, the ITE rates which were presented on the conference call aren't appropriate for this development. The rates referenced are for a high rise, whereas this site is a mid-rise (less than 10 stories). It's interesting that there is such a difference between the rates for a mid-rise vs high-rise, however the high-rise rates are only based on two studies, vs the mid-rise rate which is based on significantly more studies. We consider the mid-rise rate more reliable.

Since the ITE rates do not justify this reduction, we've gone back through the report in detail again and provide the following comments. Typically, we would require the general comments on the report to be addressed, however we are willing to just accept having the additional TDM measures addressed (those noted as required below)

#### **General comments**

Many of the sites referenced as comparable are in different context, including on-campus housing. It is difficult to determine the actual distance from the housing examples to campus based on the information provided in the report. Figures which more clearly dimension this will be required on future submissions. Many of the sites noted as comparable also have higher order transit options and better headway than 520 Sarnia. The TTS survey is not a good comparison. It is GTHA focused.

The Luxe is the only London example noted as a comparable, with parking utilization noted as having been observed in 2015. Based on a quick look this site appears to have been constructed within the year prior to that and no information is provided in the report about what the occupancy of the building was at the time the parking utilization was observed. The Luxe is also on road which is approved for rapid transit based on an Environmental Assessment.

We acknowledge that subsequent to the report that the applicant provided parking utilization information for another site in London. That study also appears to have

been completed within the year that the building was constructed and no information was provided on the occupancy of that building at the time either.

ZipCar no longer operates in London. Community Carshare was bought out a couple of times. Currently in London, Communauto is operating carshare mostly downtown and in Old South.

An email from Garfield Dales regarding the scope of the “traffic analysis” is noted to be amended to the report – it is not.

**Additional TDM measures required for approval:**

Transportation would like to see the applicant provide the minimum bike parking spaces plus an additional 62 to offset vehicular parking spots. We acknowledge that there are 6+10 outdoor parking spots which are great for visitors but these are not secure for long term use. Providing 62 additional secure bike facilities would result in 159 bike spots (the 97min already being provided + 62) which is just slightly less than the number of beds (163). At a minimum we require at least 32 extra spots for a total of 129 which is equivalent to the number of units.

Please confirm that parking will be unbundled from rent as suggested on page 23.

**Other TDM measures we recommend for consideration:**

- The rack(s) outside the front entrance are well-placed. The rack(s) on the east side of the building are not easily accessed and are hidden from view. Cyclists won't use these. We recommend that these be moved to a more visible location (Outdoor amenity area on the west side).
- Bikeshare: A few residential developments have worked with London Cycle Link to provide bikeshare.
- Assign parking spots to carpools and promote to residents, however we do appreciate that this becomes complex to administer.
- Provide residents with travel planning resources (e.g., one-pager transportation options on move-in, transit schedules in the lobby, bike maps, etc.)

**Sanitary**

The municipal sanitary sewer available is the 200mm diameter sewer on Chapman Crt. The development proposed as a 129unit (8 storey building) on 0.8ha with an approx. population of 207 people. Included with this application is a sanitary servicing and capacity report as submitted and SED will not be requesting it be revised.

To be included as a note as part of the ZBA and/or as part of the SPA process the Applicant is to include all connections to the 200mm diameter sewer to SAMH 107 on Chapman Crt from these lands and the adjacent Commercial property (Shell Gas Station). In addition, it appears there are a number of private easements (33R10235) crossing the subject lands including a sanitary building sewer in favor of an adjacent property 820 Wonderland Road (Shell Gas and car wash). Provide all details and information regarding all easements, all servicing sewers though the subject site, any and all setbacks as required while ensuring there are no conflicts or encroachments to existing easements and servicing, no buildings or structures are to be constructed over top of existing building sewers crossing this property or removal.

**Water**

Water is available for the development of this site and can be serviced from the 300mm high level watermain fronting the site on Sarnia Road or from the 300mm high level watermain on Chapman Court.



# Housing Development Corporation

March 2<sup>nd</sup>, 2022

**TO:** **City of London Development Services (via e-mail only)**  
Attention: Mike Corby, Manager, Planning Implementation, Planning and Development  
Alanna Riley, Senior Planner, Planning Implementation, Planning and Development

**REGARDING:** **Bonusing for Affordable Housing**  
520 Sarnia Road ("Subject Lands")

## **Background:**

Housing Development Corporation, London (HDC) was engaged to work with Horizen Developments LP (the "Proponent") and their consultant (Zelinka Priamo Ltd.) to provide a fair recommendation to the Director, City of London Development Services in response to Official Plan and Zoning By-law Amendment applications (City of London Planning File: OZ-9432) for height and density "bonusing" in exchange for the provision of affordable housing. The applications serve to provide for the development of an eight-storey, 129-unit apartment building.

This letter reflects the recommendation of HDC and is provided with the concurrence of the Proponent.

## **RECOMMENDATION:**

It is the recommendation of the HDC that the following elements constitute the affordable housing bonus zone:

1. **Two (2) bachelor residential units be dedicated to affordable rental housing in exchange for the granting of increased height and density.**
2. **"Affordability" for the purpose of an agreement be defined as rent not exceeding 80% of the Canada Mortgage and Housing Corporation (CMHC) Average Market Rent (AMR) for units where:**
  - i. AMR is defined at the bachelor rate for the London Census Metropolitan Area by CMHC at the time of building occupancy;
  - ii. the identified units will be mixed throughout and not otherwise identifiable within the building; and
  - iii. Rents for the affordable rental housing units shall only be increased to the allowable maximum, once per 12-month period in accordance to the *Residential Tenancy Act* or any successor legislation but not to exceed 80% of the CMHC AMR.
3. **The duration of the affordability period be set at 50 years** calculated from initial occupancy of each unit and for each month thereafter that the unit is occupied. At the conclusion of the agreement period, any sitting tenants within associated affordable units shall retain security of tenure and rental rates until the end of their tenancy. The rights of tenancy and affordability in the dedicated units shall not be allowed to be assigned or sublet during or after the agreement.
4. **The Proponent be required to enter a Tenant Placement Agreement (TPA) with the City of London.** This action aligns the affordable rental housing units with priority populations vetted and referred to the Proponent or their agent by the City. The owner retains final tenant selection in accordance with the *Residential Tenancy Act*, subject to the established eligibility and compliance requirements.
5. **These conditions be secured through an agreement registered on title with associated compliance requirements and remedies.** This recommendation ensures the retained value of each affordable rental housing unit within the Bonus Zone for the 50-year affordability period. Compliance will be monitored in a similar fashion as is conducted with other agreements and shall include conditions related to default and remedy.



Housing Development Corporation, London

520 Wellington St., Unit 7, London, ON N6A 3R2  
P: 519-930-3512 [www.hdclondon.ca](http://www.hdclondon.ca)

The Proponent's application proactively aligned their bonus interests to the City's affordable housing priorities and the associated discussions establishing the above recommendation were achieved with their concurrence.

**Rationale for Affordable Housing Bonus:**

*Guiding Policy:* The London Plan recognizes housing affordability as one of the City's principle planning challenges. It states that planning activities will provide for a mixture of dwelling types and integrated mixtures of housing affordability. The Plan identifies bonusing as a planning tool in support of the provision of affordable rental housing within planning and development proposals.

*Location and Application Considerations:* The Subject Lands are on located on the south side of Sarnia Road west of Wonderland Road North. The lands are proximate to a broad range of residential, community shopping, convenience commercial, neighbourhood facility and office uses. The lands are served by public transit, bicycle and pedestrian infrastructure.

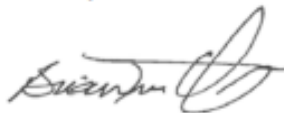
*Alignment to Need:* The locational attributes of the site align with factors used by HDC to advance affordable rental housing. The recommendations align with housing needs and priorities defined within the *Housing Stability for All Plan* and CMHC analytics related to housing stock, affordability rates, vacancy rates, rental rates, incomes, and other market conditions.

**Conclusion:**

The *Planning Act* provides municipalities the ability to advance public facilities, services or matters in exchange for additional height and density above existing zoning permissions. The ability to utilize this important tool as a mechanism to advance affordable rental housing aligns with a critical need in London, noting that London is currently ranked 5<sup>th</sup> in Canada for the highest percentage of households in "Core Housing Need" in major urban centres (CMHC, July 2018).

This recommendation recognizes Council's expressed interest to seek "...options for implementing and coordinating [planning] tools to be most effective..." to "...promote the development of affordable housing in London" (4.4/12/PEC, July 25, 2018).

Sincerely,



Brian Turcotte, Development Manager, HDC

- c. Isabel da Rocha, Business and Program Manager, HDC
- Melissa Espinoza, Acting CEO and Program Manager, HDC



## Appendix D – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this requested land use change. The most relevant policies, by-laws, and legislation are identified as follows:

### Provincial Policy Statement, 2020

Section 1.1 – Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 a), b), c), d), e),

1.1.3

1.1.3.1

1.1.3.2

1.1.3.3

1.1.3.4

Section 1.4 – Housing

1.4.3

Section 1.7 – Long Term Economic Prosperity

### The London Plan

(Policies subject to Local Planning Appeals Tribunal, Appeal PL170100, indicated with asterisk.)

Policy 7\_ Our Challenge, Planning of Change and Our Challenges Ahead, Managing the Cost of Growth

Policy 54\_ Our Strategy, Key Directions

Policy 59\_ 1. 2. 4. and 5. Our Strategy, Key Directions, Direction #5 – Build a Mixed-use Compact City of London

Policy 61\_ 10. Our Strategy, Key Directions, Direction #7 Build Strong, Healthy and Attractive Neighbourhoods for Everyone

Policy 62\_ Our Strategy, Key Directions, Direction #8 Make Wise Planning Decisions

Policy 66\_ Our City, Planning for Growth and Change

Policy 79\_ Our City, City Structure Plan, The Growth Framework, Intensification

Policy 83\_ Our City, City Structure Plan, The Growth Framework, Intensification

Policy 84\_ Our City, City Structure Plan, The Growth Framework, Intensification

\*Policy 193\_ City Design, What are we trying to achieve?

Policy 235\_ City Design, Streetscapes

Policies 252\_, 253\_, 256\_, \*258\_, \*259\_, \*261\_, 268\_, 269\_ City Design, Site Layout

Policies \*271\_, \*277\_, \*278\_, \*279\_, \*280\_, \*282\_, \*283\*\_ City Design, Parking

Policy \*284\_, \*285\_, \*286\_, \*287\_, \*291\_, \*295\_, \*301\_ City Design, Buildings

Table 10 Range of Permitted Uses in Neighbourhoods Place Type

\*Table 11 Range of Permitted Heights in Neighbourhoods Place Type

Policy 916\_ 3., 8. Place Type Policies, Urban Place Types, Neighbourhoods, Our Vision for the Neighbourhoods Place Type

918\_ Place Type Policies, Urban Place Types, Neighbourhoods, How Will We Realize Our Vision?

Policy 919\_ Place Type Policies, Urban Place Types, Neighbourhoods, Approach for Planning Neighbourhoods – Use, Intensity and Form

921\_ Place Type Policies, Urban Place Types, Neighbourhoods, Approach for Planning Neighbourhoods – Use, Intensity and Form, Permitted Uses

\*935\_ 1 Place Type Policies, Urban Place Types, Neighbourhoods, Approach for Planning Neighbourhoods – Intensity

936\_ 4., Place Type Policies, Urban Place Types, Neighbourhoods, Approach for Planning Neighbourhoods - Form

Policy 937\_ Place Type Policies, Urban Place Types, Neighbourhoods, Residential Intensification in Neighbourhoods

Policy 939\_ Place Type Policies, Urban Place Types, Neighbourhoods, Forms of Residential Intensification

Policy 953\_ Place Type Policies, Urban Place Types, Neighbourhoods, Residential Intensification in Neighbourhoods, Additional Urban Design Considerations for Residential Intensification

Policy 1578\_ Our Tools, Planning and Development Applications, Evaluation Criteria For Planning and Development Applications

Policies 1766\_ , 1768\_ , 1770\_ , Our Tools, Noise, Vibration and Safety

### Official Plan (1989)

#### 3. Residential Land Use Designation

##### General Objectives for All Residential Designations

##### 3.1.1 ii)

##### 3.1.3 – Multi-family, High Density Residential Objectives

##### 3.4 Multi-family, High Density Residential Designation

##### 3.4.1 – Permitted Uses

##### 3.4.2 - Location

##### 3.4.3 – Scale of Development

##### 3.7 - Planning Impact Analysis

##### 3.7.2 – Scope of Planning Impact Analysis

##### 3.7.3 – Required Information

##### 11 – Urban Design Principles

##### 11.1.1 ii), v), x), xi), xiii), xiv), xv), xvi), xvii), xviii)

##### 19 Implementation

##### 19.4.4 – Bonus Zoning

<b>3.7 Planning Impact Analysis</b>	
<b>Criteria</b>	<b>Response</b>
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 land use is a contemplated use in the Official Plan, similar to other uses in the area, and contributes to a variety of housing forms within the neighbourhood.
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 site concept achieves an intensity that allows for other on-site functions such as guest parking, emergency services and open space.
The supply of vacant land in the area which is already designated and/or zoned for the proposed use;	There is no vacant land in the area already designated and/or zoned for the proposed use.
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 site is located along the bus route which has stops immediately across from the subject site and to the east and west.

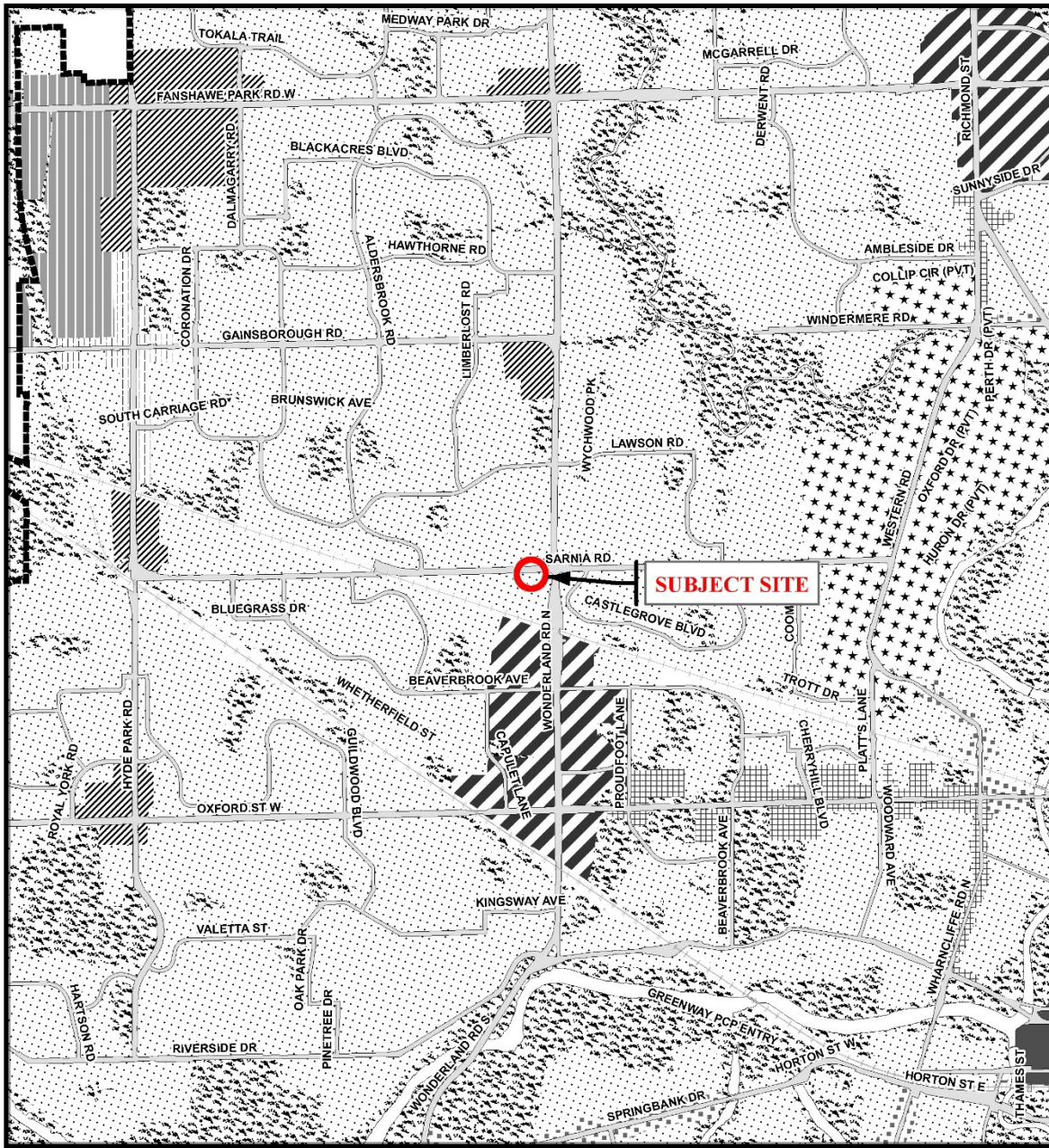
<p>The need for affordable housing in the area, and in the City as a whole, as determined by the policies of Chapter 12 – Housing;</p>	<p>The proposed development is in an area in need of affordable housing units and provides for a mix of housing types. two (2) affordable units are proposed as a bonusable feature in return for the increased height and density.</p>
<p>The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;</p>	<p>The scale/height of the proposed 8-storey apartment building is mitigated by the proposed interior side yard to the east and parking area to the south, the rear yard setback to the south and exterior setback to the west. The building has been sited with adequate separation between the proposed building and neighbouring residential to the west and south. Impacts on adjacent properties, such as overlook and light penetration, would be mitigated through a combination of yard depth, appropriate space for landscape screening, and photometric analysis/mitigation at the site plan approval stage.</p>
<p>The extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;</p>	<p>The proposed development provides for adequate space on site for landscaping and screening. Landscaping and screening opportunities through vegetation will be considered at a future Site Plan Approval stage.</p>
<p>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;</p>	<p>Transportation Planning and Design was circulated on the planning application and development proposal and is satisfied that driveway location and design can be addressed at the site plan approval stage.</p>
<p>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;</p>	<p>Urban Design staff commend the applicant for incorporating the following into the design of the site and buildings: locating built form along the Sarnia Road frontage; orienting the building to including a principle building entrance as well as ground floor unit entrances; providing for appropriate scale/ rhythm/ materials/ fenestration on that helps create a comfortable, human scaled streetscape; and, locating all of the parking at the rear of the site or within away from the street edge.</p>
<p>The potential impact of the development on surrounding natural features and heritage resources;</p>	<p>No natural heritage features are present that will be affected by the proposed development.</p>
<p>Compliance of the proposed development with the provisions of the City’s Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law;</p>	<p>The requested amendment is consistent with the in-force policies of the Official Plan. The requirements of the Site Plan Control By-law have been considered through the design of the site to ensure</p>

	functionality, including provision of amenity space, drive aisle widths, sidewalk widths, garbage storage, and long-term bicycle storage.
Measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis;	Tree planting and building massing treatments are expected to mitigate minor adverse impacts on the surrounding land uses.
Impacts of the proposed change on the transportation system, including transit	The residential intensification of the subject lands will have a negligible impact on the transportation system and provide a more transit-supportive form of development.



# Appendix E – Relevant Background

## The London Plan – Map 1 – Place Types



### Legend

- |                        |                          |   |
|------------------------|--------------------------|---|
| Downtown               | Future Community Growth  | Environmental Review                    |
| Transit Village        | Heavy Industrial         | Farmland                                |
| Shopping Area          | Light Industrial         | Rural Neighbourhood                     |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor         | Commercial Industrial    | Urban Growth Boundary                   |
| Main Street            | Institutional            |   |
| Neighbourhood          | Green Space              |   |

This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

### CITY OF LONDON

Planning Services /  
Development Services

### LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning Services



Scale 1:30,000



File Number: OZ-9432

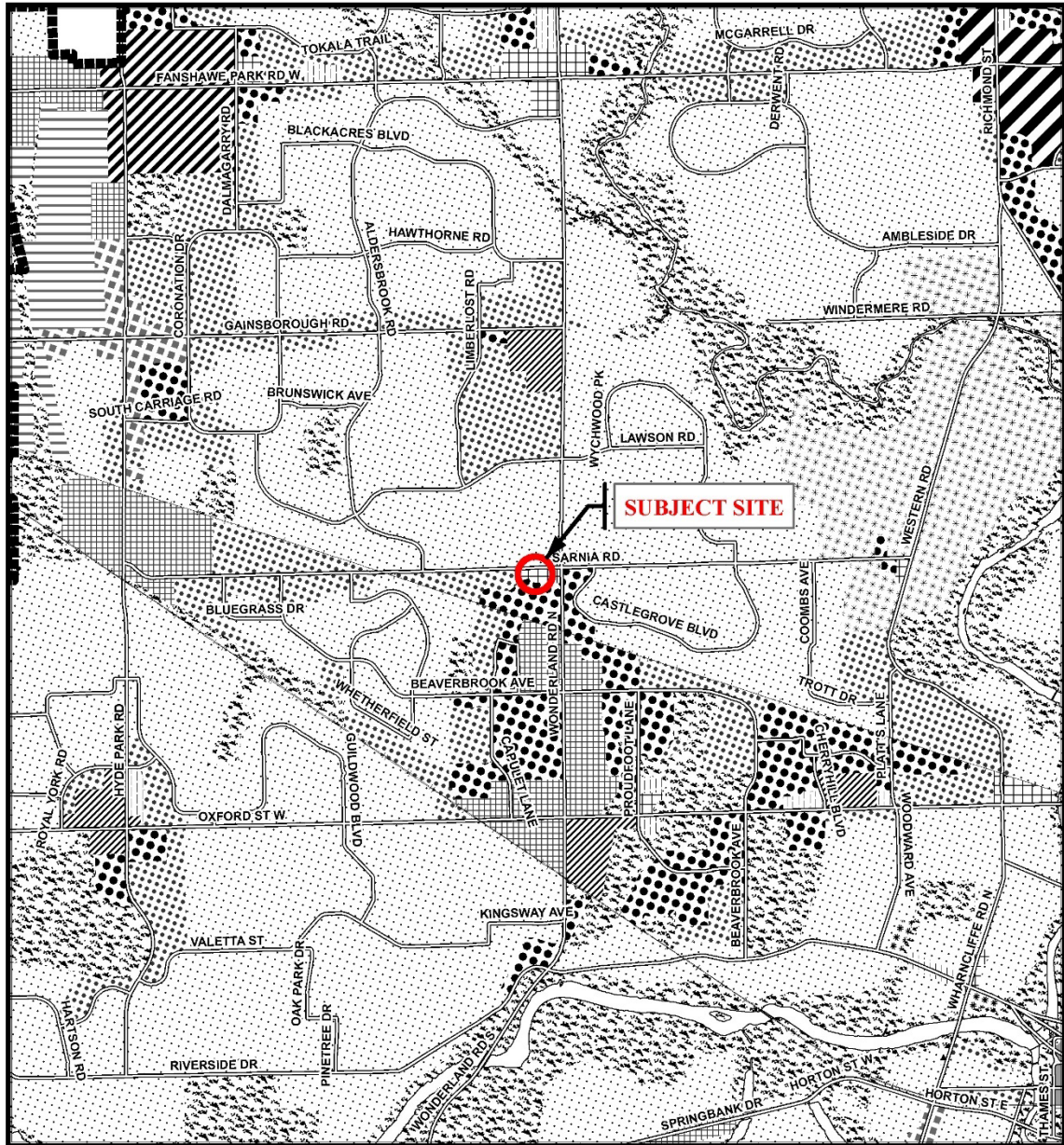
Planner: AR

Technician: RC

Date: March 24, 2022



# 1989 Official Plan – Schedule A – Land Use



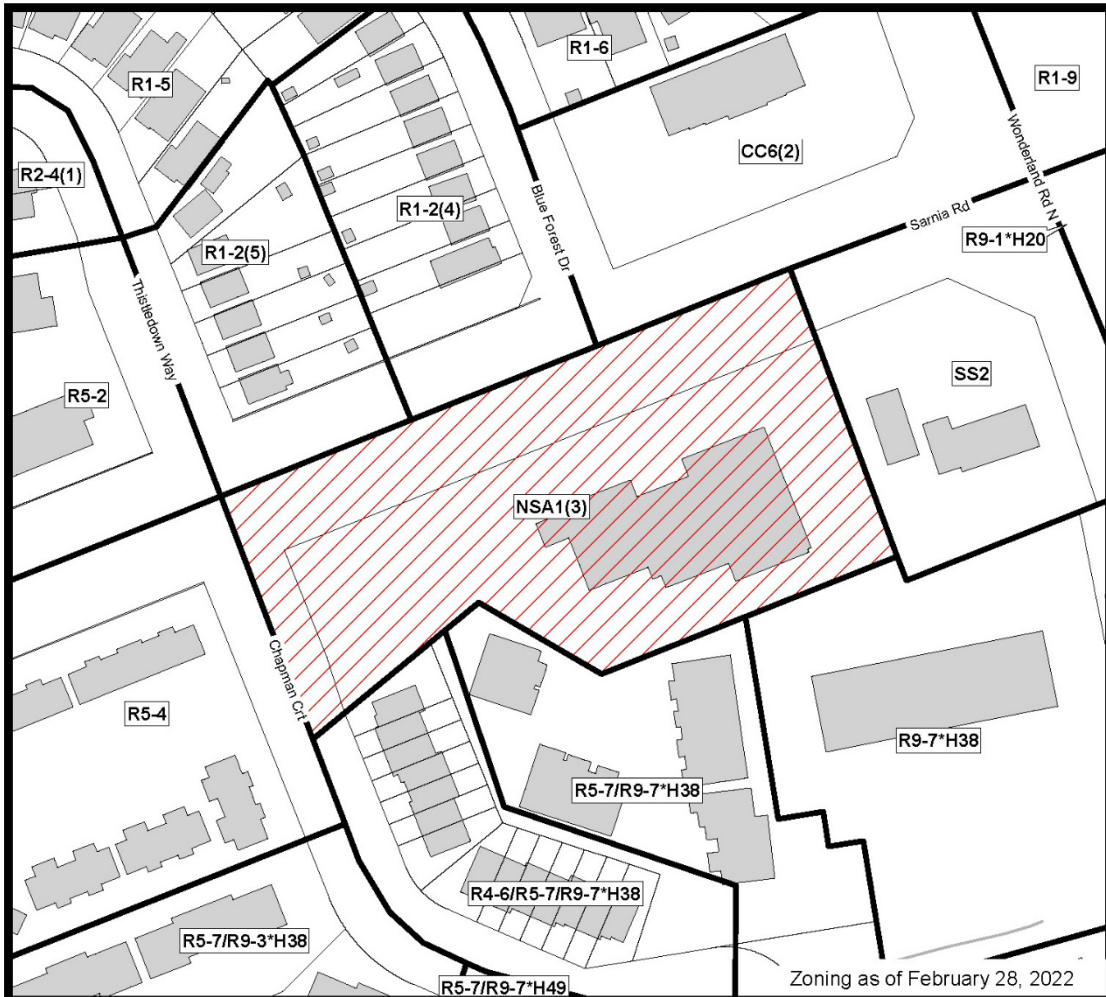
Legend		
Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial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

<p><b>CITY OF LONDON</b></p> <p>Planning Services / Development Services</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>0 150 300 600 900 1,200 1,500</p> <p>Meters</p>	FILE NUMBER: OZ-9432
		PLANNER: AR
		TECHNICIAN: RC
		DATE: 2022/03/24

PROJECT LOCATION: e:\planning\projects\p\_officialplan\work\consol00\excerpts\mxd\_templates\scheduleA\_b&w\_8x14\_with\_SWAP.mxd

**Zoning By-law Z.-1 – Zoning Excerpt**



**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:**

1) **LEGEND FOR ZONING BY-LAW Z-1**

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>R1 - SINGLE DETACHED DWELLINGS</li> <li>R2 - SINGLE AND TWO UNIT DWELLINGS</li> <li>R3 - SINGLE TO FOUR UNIT DWELLINGS</li> <li>R4 - STREET TOWNHOUSE</li> <li>R5 - CLUSTER TOWNHOUSE</li> <li>R6 - CLUSTER HOUSING ALL FORMS</li> <li>R7 - SENIOR'S HOUSING</li> <li>R8 - MEDIUM DENSITY/LOW RISE APTS.</li> <li>R9 - MEDIUM TO HIGH DENSITY APTS.</li> <li>R10 - HIGH DENSITY APARTMENTS</li> <li>R11 - LODGING HOUSE</li> <br/> <li>DA - DOWNTOWN AREA</li> <li>RSA - REGIONAL SHOPPING AREA</li> <li>CSA - COMMUNITY SHOPPING AREA</li> <li>NSA - NEIGHBOURHOOD SHOPPING AREA</li> <li>BDC - BUSINESS DISTRICT COMMERCIAL</li> <li>AC - ARTERIAL COMMERCIAL</li> <li>HS - HIGHWAY SERVICE COMMERCIAL</li> <li>RSC - RESTRICTED SERVICE COMMERCIAL</li> <li>CC - CONVENIENCE COMMERCIAL</li> <li>SS - AUTOMOBILE SERVICE STATION</li> <li>ASA - ASSOCIATED SHOPPING AREA COMMERCIAL</li> <br/> <li>OR - OFFICE/RESIDENTIAL</li> <li>OC - OFFICE CONVERSION</li> <li>RO - RESTRICTED OFFICE</li> <li>OF - OFFICE</li> </ul> | <ul style="list-style-type: none"> <li>RF - REGIONAL FACILITY</li> <li>CF - COMMUNITY FACILITY</li> <li>NF - NEIGHBOURHOOD FACILITY</li> <li>HER - HERITAGE</li> <li>DC - DAY CARE</li> <br/> <li>OS - OPEN SPACE</li> <li>CR - COMMERCIAL RECREATION</li> <li>ER - ENVIRONMENTAL REVIEW</li> <br/> <li>OB - OFFICE BUSINESS PARK</li> <li>LI - LIGHT INDUSTRIAL</li> <li>GI - GENERAL INDUSTRIAL</li> <li>HI - HEAVY INDUSTRIAL</li> <li>EX - RESOURCE EXTRACTIVE</li> <li>UR - URBAN RESERVE</li> <br/> <li>AG - AGRICULTURAL</li> <li>AGC - AGRICULTURAL COMMERCIAL</li> <li>RRC - RURAL SETTLEMENT COMMERCIAL</li> <li>TGS - TEMPORARY GARDEN SUITE</li> <li>RT - RAIL TRANSPORTATION</li> <br/> <li>"h" - HOLDING SYMBOL</li> <li>"D" - DENSITY SYMBOL</li> <li>"H" - HEIGHT SYMBOL</li> <li>"B" - BONUS SYMBOL</li> <li>"T" - TEMPORARY USE SYMBOL</li> </ul> |
|--|---|

**CITY OF LONDON**

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

OZ-9432

AR

MAP PREPARED:

2022/03/24

rc

1:1,500

0 5 10 20 30 40

Meters

## Appendix F – Applicant’s Reply to UDPRP Comments

<b>Comment:</b>
The Panel noted that the overall organizing framework for the site is strong, with the built form focused towards Sarnia Road providing a continuous built edge that frames the street and the parking area being sited at the rear, screened from view of the public realm.
<b>Applicant Response:</b>
Acknowledged.
<b>Comment:</b>
The Panel commended the Applicant for the proposed architectural design, noting the high-quality material palette and well-proportioned rhythm of openings vs. voids on the street facing façade.
<b>Applicant Response:</b>
Acknowledged.
<b>Comment:</b>
The Panel appreciates the inclusion of the building step-back above the 3rd Storey which serves to break down the building massing into distinct, more visually appealing volumes.
<b>Applicant Response:</b>
Acknowledged.
<b>Comment:</b>
The Panel suggested that further consideration be given to the planned context immediately east of the site and how the gas station site could redevelop. The landscape and building design may require some revisions to properly account for and relate to that future context.
<b>Applicant Response:</b>
Acknowledged.
<b>Comment:</b>
The Panel recommended modification/realignment of the site access and parking area from Chapman Court in order to consolidate the greenspace north and south of the driveway into a single larger space focused at the intersection of Sarnia Road and Chapman. This consolidated open space should be activated with furniture and/or public art to provide an interesting new gateway feature into the existing neighbourhood south of the site.
<b>Applicant Response:</b>
Acknowledged. Re-alignment of the entrance will be reviewed through the development and Site Plan Approval process