



**Zelinka Priamo Ltd.**

LAND USE PLANNERS

November 30, 2021

Mayor Ed Holder, and City Councilors  
City of London  
300 Dufferin Avenue  
London, ON  
N6A 4L9

**Dear Mayor and Councilors,**

**RE: Official Plan and Zoning By-law Amendment Applications (OZ-9269)  
1453-1459 Oxford Street East & 648-656 Ayreswood Avenue  
Request for Referral back to Staff  
London, Ontario  
Our File: RMP/LON/19-01**

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Zelinka Priamo Ltd., on behalf of Red Maple Properties, is requesting that the above noted Application be referred back to planning staff for further discussions in order to bring forward a development proposal with bonusing provisions more in keeping with the planned function for the subject lands. All matters relating to this proposal are open for further meaningful review; and an endorsement for referral back to staff will not be considered as an endorsement for the current 24-storey, 381 unit per hectare proposal.

During the November 22<sup>nd</sup>, 2021 Planning and Environment Committee meeting, representatives from Zelinka Priamo Ltd. were in virtual attendance online but were technically not permitted to present their planning analysis to members of PEC for their consideration. This planning analysis could have provided clarification for some of the issues raised by PEC members, and may have also resulted in additional support for Councilor Lewis's Motion for Referral. We believe that the recommendation for refusal of the application at hand would leave these lands underutilized in their current state, particularly given the location along the Bus Rapid Transit Corridor and opposite the Fanshawe College Main Campus. Some of the planning analysis has been provided below to provide Council justification as to why this application should be referred back to planning staff to keep the dialogue moving in a positive direction.

### ***Near Campus Neighbourhoods***

The subject lands are within the Near Campus Neighbourhood (NCN) policy area of the 1989 Official Plan, and The London Plan. Historically, intensification in these

areas has been haphazard and un-coordinated, resulting in unstable neighbourhoods with a high proportion of temporary residents in established low density neighbourhoods. Fanshawe College has seen significant growth over the last few years, with a majority of their population increase coming from international students. The proposed development will assist in supporting Fanshawe College by providing a potential location for students to live that provides 24/7 on-site management, increased security, and an increase in facilities not typically found in lower density rental properties.

The goals and objective of the NCN area is to encourage intensification and development to locate towards the periphery of established low density areas along transportation corridors, in higher density forms of housing that are well maintained and managed. City Staff, in their report to PEC, acknowledges that the subject lands are a preferred location, of suitable shape and size to accommodate higher density uses, and that the proposed lot consolidation provides a comprehensive development opportunity. While there are differing opinions over density and form, there is merit in having a higher density form of housing on the subject lands. Granting a referral back to staff provides an opportunity to continue discussions around density and form, instead of refusal which would result in the continuation of 8 single detached dwellings on the subject lands, which goes against both the applicant's and the City's staff's desire for a higher density form of housing for these lands.

### ***Rapid Transit Corridor & Transit Villages***

The subject lands are within the Rapid Transit Corridor, and Neighbourhood Place Type (properties fronting onto Ayreswood Avenue). As part of the consultation process, staff provided the following advice and comment:

*"The proposal creates an undesirable land use pattern with the remaining two properties to the south along Ayreswood. Further consolidation is preferred."*

The applicant, in response to the City's advice and comment, purchased these last two lots along Ayreswood at significant cost and incorporated them into the site design. As per Policy 834 and 835 of the London Plan, the Rapid Transit Corridor Boundary can be interpreted to include adjacent lands which would allow for a more comprehensive development and not result in an undesirable lot pattern. Staff's interpretation that the four Ayreswood lots not be included within the Rapid Transit Corridor as per the Staff Report, is fundamentally against the direction provided by staff during the consultation process for this project. The London Plan's direction is to see these lots consolidated, as any remnant lot left out would create

an undesirable lot pattern. Further discussions with staff are warranted to ensure the subject lands as a whole are developed for a single, comprehensive form of development.

The London Plan encourages intensification along the Rapid Transit Corridors and particularly in proximity to the proposed stations locations, and permits higher forms of development within the Transit Village Place Type. The east London Transit Village is primarily located on the former London Psychiatric Hospital Lands, and the lots fronting along the west side of Highbury Avenue North. This Transit Village is farther away from the terminal station than the subject lands, but are afforded higher building heights as the goal is to increase population proximate to the terminal station. When the other Transit Village Place Types in the City are examined, the proposed terminal station locations are within the Place Type. The east London Transit Village is approximately 430 metres away from the station versus the subject lands which are 300 metres away. In addition, given the size of the LPH lands, there is policy framework to permit a 20+ storey building farther from the two closest transit stations than the distance from the subject lands to the east terminal station. There is merit to having further discussions with staff to permit higher building heights on the subject lands than what the London Plan contemplates given the subject lands proximity to the terminal station, and the permissions of the adjacent Transit Village Place Type which is meant to feed into the terminal station. The Transit Village has portions of its lands farther away than the subject lands to the nearest station locations, but are permitted more intense development opportunities.

### ***Bonusing***

The proposed application was presented as a Bonus Zone from the initial submission. The final bonus provisions were presented as this:

- The Provision for 20 affordable housing units, at a rate of 85% AMR for a period of 50 years,
- Dedication of 80 parking spaces to be dedicated to the City for use in a 'park-and-ride' system supporting the rapid transit system
- Exceptional Urban Design for site layout and building

The 20 affordable housing units represents an 8% dedication over the total number of units in the building, which is higher than other apartment building applications approved by Council. The terms of the affordable housing units are open for discussion and the applicant has committed to lower the cost to 70% AMR to be consistent with the direction from Council on more recent approvals.

The bonus provisions noted above are generally consistent with similar development applications such as the 24-storey buildings approved by Council in Old East Village at 809 Dundas Street (Paramount Developments), and the Medallion project which was approved earlier this year.

The Mayor has set the target of achieving 3,000 affordable housing units in the City of London. Currently, the only means of securing affordable housing units through private development proposals is through Bonus Zone proposals for additional height and/or density. The recent PEC endorsement of the Vision SoHo development on the former South Street Hospital lands will contribute 400 affordable units (13.5%) towards the overall affordable housing goal. Any opportunity to acquire additional units to work towards that goal should be explored to the fullest possible extent. As such, there is merit in continuing the discussions with staff on the proposed development and how, through acceptable bonus provisions, a high density development can be achieved on the subject lands.

### ***Comparison to The Foundry***

The adjacent 14-storey apartment building was approved prior to the NCN policies coming into force and effect, therefore it was permitted to construct units with 4 and 5 bedrooms, whereas any housing type, except single detached dwellings, constructed within the NCN area is restricted to 3 bedrooms per units. Therefore, while the adjacent building only has 139 units (175 uph), the number of bedrooms is 587. The proposed development in its current form, proposes 259 units (381 uph); however, only contains 616 bedrooms, a difference of only 29 bedrooms between the two buildings. From a residential intensity standpoint both buildings result in the same population within them; however, the 3-bedroom limit increases the need for additional kitchens and washrooms in the proposed development which drastically impacts the building size and form. If the proposed development were considered without the 3-bedroom limited, and instead could utilize 4 and 5 bedroom units, the density could decrease from 381 uph down to 205 uph, a little higher than the adjacent 175 uph. The two buildings represent a similar residential intensity, and are simply a product of the policy direction of their times. The Foundry has been a successful development housing primarily Fanshawe College students right on the doorstep of main campus. Through the review process both City Staff and Fanshawe College Staff were asked if they were aware of any issues stemming from the existing building. No issues could be identified as part of these discussions. Given the success of The Foundry there is merit in continuing discussions with staff to explore a higher density use for the subject lands than the current 8 single detached dwellings.

### ***Fanshawe College***

Fanshawe College continues to grow their student population, particularly the international student population. According to the Fanshawe College website, they have over 21,000 full-time students registered through their main campus location, including over 6,500 international students. According to the residence page on the website, Fanshawe has on-campus accommodation for 1,600 students, or 8% of the total full-time student population. Fanshawe College does not have enough on-campus housing to accommodate the international student population, let alone any additional population requiring housing. The balance of the student population is left to find accommodations within the surrounding neighbourhoods of the College. This puts incredible stress on those existing low density residential areas, and on-going off-campus issues were part of the motivating factor in creating the NCN policies. Fanshawe College has not constructed on-campus housing units in over 10 years, even though there has been a demonstrated need for more secure, managed, and maintained housing to accommodate its student population. The proposed development would be purpose-built and marketed towards students to help alleviate some of the pressure felt by the adjacent low density community. This development will not solve the problem, but developments such as the proposed, and The Foundry are the starting points to getting students out of surrounding single detached dwellings in the hopes that those units can return to the rental market for general population or sold to become owner occupied units again.

### ***Sanitary Sewer Capacity***

Through the consultation process, it was identified that a sanitary sewer capacity study be undertaken to ensure sufficient capacity is available for the proposed development. SBM Ltd., prepared the required sanitary sewer capacity study, and concluded that there was sufficient capacity for the proposed development. While there is a differing of opinions on this matter, this situation is common during intensification projects. Capacity in, and efficiency of the City's infrastructure system is often examined during infill/intensification projects, and if issues arise during that review, a Holding Provision is often used to ensure that the infrastructure matter is dealt with prior to development project proceeding. In this situation, a holding provision could be applied to the subject lands, restricting development until such a time that an in-depth analysis of the City's sanitary system in this area is undertaken, and any system shortcomings as a result of the proposed development are identified, and remedied as part of the development process at the cost of the developer. The City has used holding provisions in similar applications before. Below is an existing holding provision that addresses a similar situation; this one also includes stormwater management services.

*h-149 Purpose: To ensure the orderly development of the lands the symbol shall not be deleted until sanitary and stormwater servicing reports have been prepared and confirmation that sanitary and stormwater management systems are implemented to the satisfaction of the City Engineer.(Z.-1-132185)*

A similar holding provision as the one noted above addressing sanitary servicing could be applied to the subject lands to permit a proposed development to proceed to the Site Plan Approval stage where the in-depth analysis of the sanitary system could be undertaken, any issues identified, and proper solutions recommended and implemented.

In closing, by granting the request for referral back to staff, discussions around how the subject lands can be appropriately re-developed in conjunction with a bonus zone supplying affordable housing units along with other services, allows for the underutilized lands to achieve the identified goals and objectives of the London Plan, Rapid Transit System, and Near Campus Neighbourhoods.

Thank-you for your consideration.

Yours very truly,

**ZELINKA PRIAMO LTD.**

A handwritten signature in black ink, appearing to read 'Casey Kulchycki', written in a cursive style.

Casey Kulchycki, BAA, MCIP, RPP  
Senior Planner