

## 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:** 1216571 Ontario Incorporated  
1474 Kilally Road  
City File: Z-9605, Ward 3  
Public Participation Meeting

**Date:** July 17, 2023

## Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of 1216571 Ontario Incorporated, relating to the property located at 1474 Kilally Road:

- (a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on July 25, 2023, to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, The London Plan, to change the zoning of the subject property **FROM** a Residential R1 (R1-6) Zone **TO** a Residential R5 Special Provision (R5-4(\_)) Zone.
- (b) The Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan process:
  - i. At the time of Site Plan Approval, the building design and site layout is to be similar to that which was considered at the time of the Zoning By-law Amendment Application.
  - ii. Recommendations of the Geotech analysis toe of slope and top of slope be implemented through the Site Plan Approval process.
  - iii. Ensure enhanced tree planting is provided.

**IT BEING NOTED** that the above noted amendment is being recommended for the following reasons:

- i. The recommended amendment is consistent with the *Provincial Policy Statement, 2020 (PPS)*, 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;
- ii. The recommended amendment conforms to *The London Plan*, including but not limited to the Key Directions, City Design and Building policies, and the Neighbourhoods Place Type policies;
- iii. The recommended amendment would permit an appropriate form of development at an intensity that is appropriate for the site and the surrounding neighbourhood; and
- iv. The recommended amendment facilitates an infill development on an underutilized site and provides a broader range and mix of housing options within the area.

## Executive Summary

### Summary of Request

The applicant has requested an amendment to Zoning By-law Z.-1 to rezone the subject site from a Residential R1 (R1-6) Zone to a Residential R5 Special Provision (R5-4(\_)) Zone.

### Purpose and the Effect of Recommended Action

The recommended action will permit a 3- to 4-storey townhouse development consisting of a 3-storey townhouse building containing 6 units and a 4-storey back-to-back (stacked) townhouse building containing 12 units for a total of 18 units and a maximum density of 40 units per hectare. Special provisions are required to permit for the purpose of Zoning, to consider Kilally Road as the front lot line; a reduced front yard depth of 2.0 metres, whereas 8.0 metres is the minimum required; an increased west interior side yard setback of 8.0 metres, whereas 6.0 metres is the minimum required; an increased east interior side yard setback of 30.0 metres, whereas 6.0 metres is the minimum required, rear yard setback of 6.0 metres, whereas 6.0 metres is the minimum required; an increased minimum landscaped open space of 50 percent, whereas 35 percent is the minimum required; a reduced maximum lot coverage of 25 percent; whereas 40 percent is the maximum required; and a rear yard setback for a second storey deck of 4.5 metres.

## Linkage to the Corporate Strategic Plan

This recommendation supports the following Strategic Areas of Focus:

1. **Wellbeing and Safety**, by promoting neighbourhood planning and design that creates safe, accessible, diverse, walkable, healthy, and connected communities.
2. **Housing and Homelessness**, by supporting faster/streamlined approvals and increasing the supply of housing with a focus on achieving intensification targets.
3. **Climate Action and Sustainable Growth** by ensuring waterways, wetlands, watersheds, and natural areas are protected and enhanced.

## Analysis

### 1.0 Background Information

#### 1.1 Property Description and Location

The subject site is located within the Huron Heights Planning District on the north side of Kilally Road, east of Highbury Avenue North. The site has an area of 0.509 hectares with a frontage of 85.2 metres onto Kilally Road. Currently the site contains a single detached dwelling with a large, treed area on the eastern portion of the site. The site has a significant grade change, sloping westward onto the site with an existing retaining wall to support the slope of the site along Kilally Road.

The surrounding area consists of current and future residential developments with a mix of housing types, including multiple 4-storey apartment buildings under construction adjacent to the site, and a mix of commercial uses along Highbury Avenue North. At present, there is one point of vehicle and pedestrian access to the site from Kilally Road. In this location, Kilally Road has one traffic lane in both directions with a dedicated bike lane beginning and ending at the site in both directions. A public sidewalk is provided on the northern side of Kilally Road.

#### 1.2 Site Statistics

- Current Land Use – Single Detached Dwelling
- Frontage – 85.2 metres
- Depth – 59.7 metres
- Area – 5,090 metres square (0.509 hectares)

- Shape = Rectangular
- Located within the Built Area Boundary: No
- Located within the Primary Transit Area: No

### 1.3 Surrounding Land Uses

- North – Residential
- East – Current and Future Residential
- South – Residential and Open Space
- West – Residential and Commercial

#### 1.4.1 Existing Planning Information

- *The London Plan* Place Type – Neighbourhoods fronting a Civic Boulevard
- Existing Zoning – Residential R1 (R1-6) Zone

Additional site information and context is provided in Appendix B.



Figure 1. Aerial Photo of 1474 Kilally Road and surrounding lands.

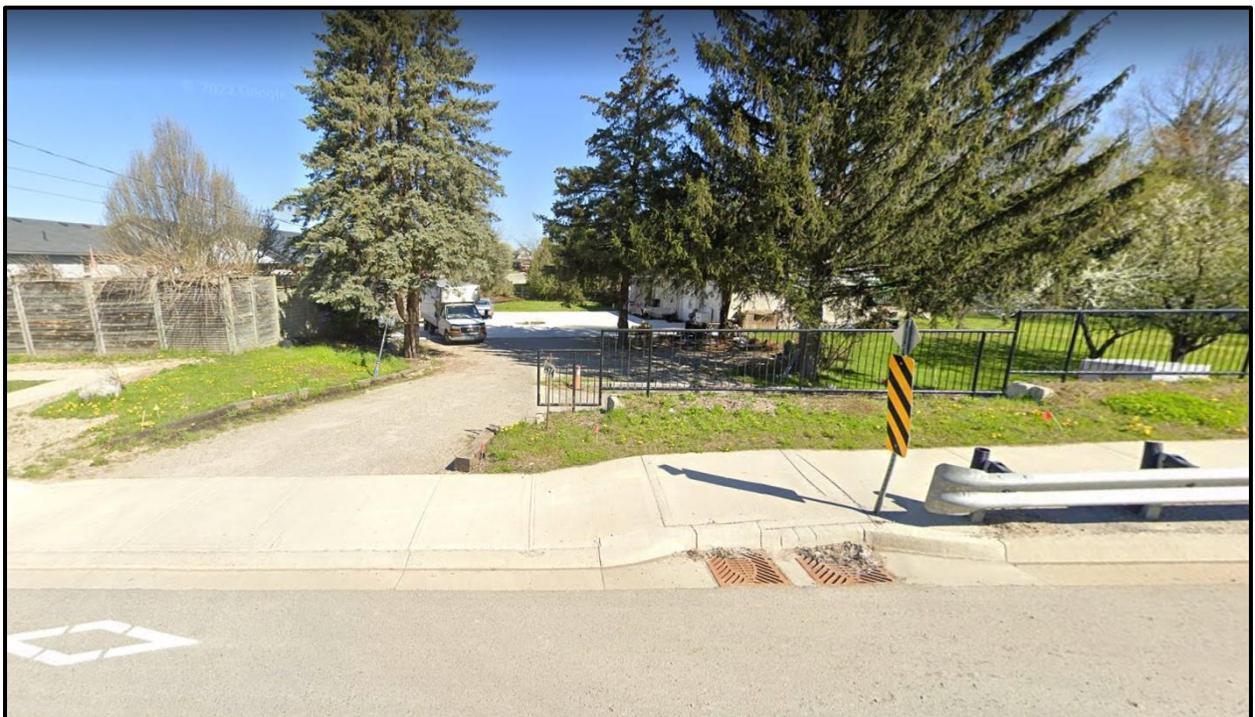


Figure 2. Streetview Photo of 1474 Kilally Road (view looking northwest from Kilally Road)

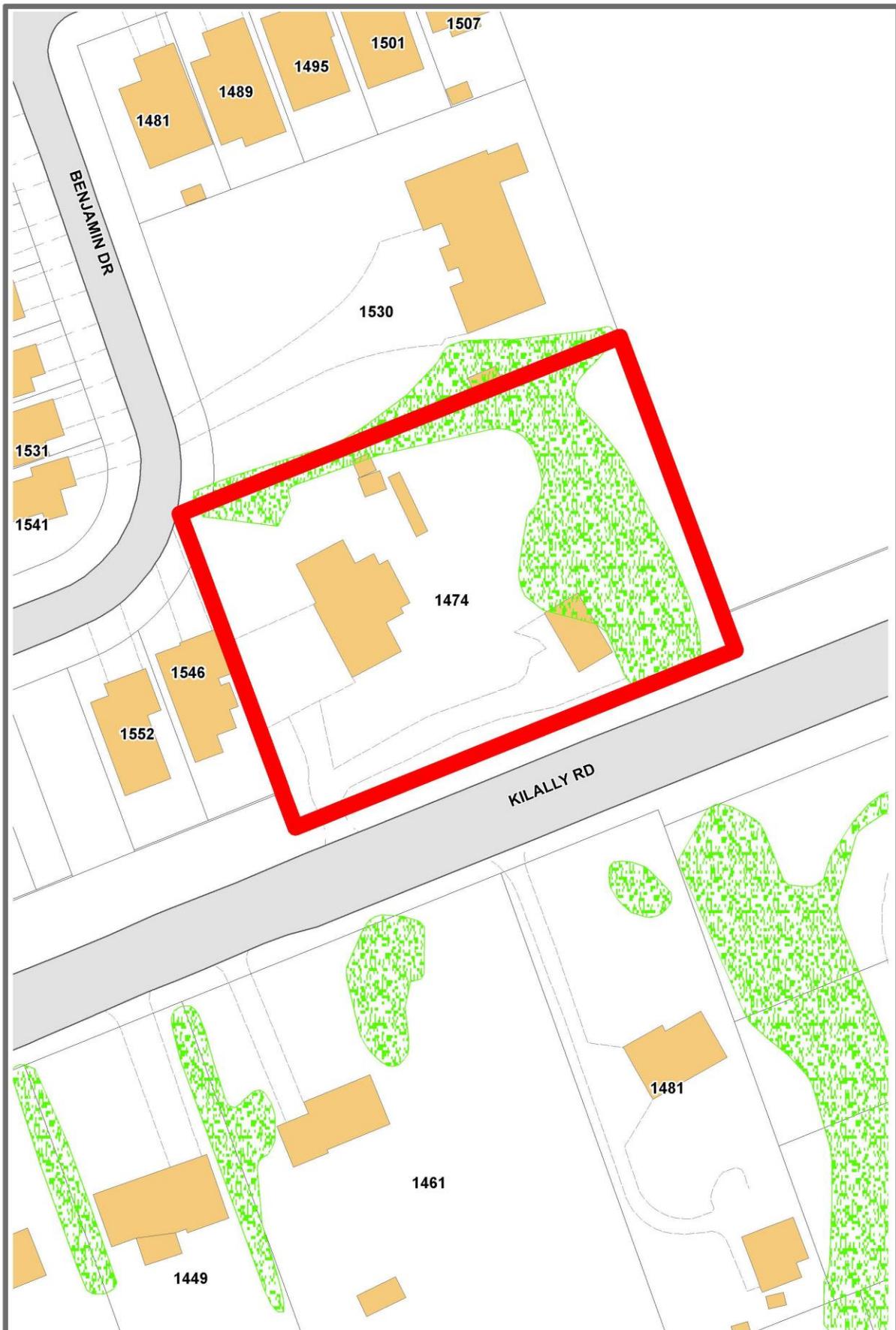


Figure 3. Streetview Photo of 1474 Kilally Road (view looking northeast from Kilally Road)



Figure 4. Streetview Photo of 1474 Kilally Road (view looking southwest from Benjamin Drive)

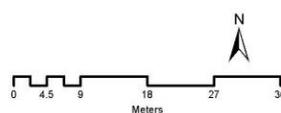
## 1.7 Location Map



### LOCATION MAP

Address: 1474 Kilally Road  
File Number: Z-9605  
Planner: Michaela Hynes  
Date: 2023/5/10

Corporation of the City of London  
Prepared By: Planning and Development



Scale 1:800

### Legend

- Buildings
- Parks
- Vegetation

## 2.0 Discussion and Considerations

### 2.1 Development Proposal

On March 30, 2023, The City accepted a complete zoning by-law amendment application. The development proposal consists of a 3- to 4-storey townhouse development with a 3-storey townhouse building containing 6 units and a 4-storey back-to-back (stacked) townhouse building containing 12 units for a total of 18 units and a maximum density of 40 units per hectare. Building 'A' (fronting Kilally Road) will contain 12 residential units while Building 'B' will contain 6 residential units. Each unit is anticipated to have a balcony to provide individual amenity space.

Vehicular access is provided via Kilally Road with a two-way laneway through the site. A total of 36 residential parking spaces are provided by way of integrated/attached garages and individual driveways at a rate of 2.1 space per unit. An additional 2 visitor parking stalls are included within the site design. Pedestrian access onto Kilally Road to an existing sidewalk is proposed to be provided via an interior sidewalk network.

The site design has taken into consideration the environmental limitations of the site in respect to the significant grading change whereby the western portion of the property is proposed to be preserved as a natural treed protection area.

The proposed development includes the following features:

- Land use: Residential
- Form: Standard and Back-to-back Townhouses
- Height: 3- to 4-storeys
- Residential units: 18
- Density: 36 units/hectare
- Building coverage: 21 percent maximum
- Parking spaces: 36 surface level spaces
- Landscape open space: 60 percent minimum

Additional proposal information and context is provided in Appendix B and C.

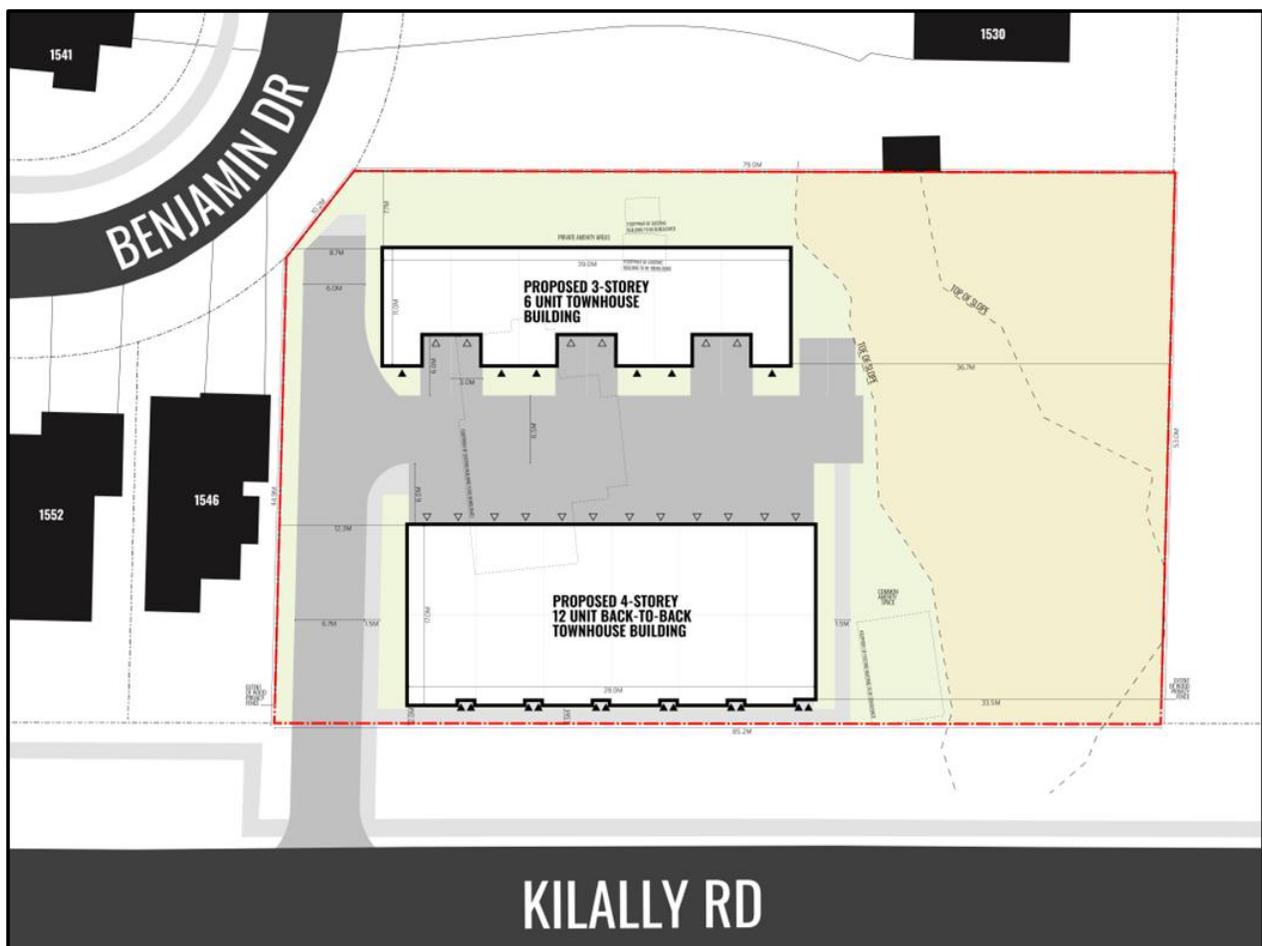


Figure 5. Conceptual Site Plan



Figure 6. Aerial rendering view of the site



Figure 7. Rendering of the site (view looking northwest from Kilally Road)



Figure 8. Rendering of the site (view looking southeast from Benjamin Drive)

## 2.2 Requested Amendment

The applicant has requested an amendment to the Zoning Bylaw Z.-1 to rezone the subject site from a Residential R1 (R1-6) Zone to a Residential R5 Special Provision (R5-4(\_)) Zone.

The following table summarizes the special provisions that have been proposed by the applicant and supported by staff:

Regulation (R5-4)	Required	Proposed
Road Considered the Front Lot Line	Benjamin Drive	Kilally Road
Front Yard Depth (minimum)	8.0 metres	2.0 metres
Rear Side Yard Depth (minimum)	6.0 metres	6.0 metres
West Interior Side Yard Depth (minimum)	6.0 metres	8.0 metres
West Interior Side Yard Depth (minimum)	6.0 metres	30.0 metres
Landscaped Open Space (minimum)	35 percent	50 percent
Lot Coverage (maximum)	40 percent	25 percent
Rear Yard Second Storey Deck (minimum)	6.0 metres	4.5 metres

## 2.3 Internal and Agency Comments

The application and associated materials were circulated for internal comments and public agencies to review. Comments received were considered in the review of this application and are addressed in Section 4.0 of this report.

Key issues identified by staff and agencies included:

- Ensure tree planting is providing in accordance with The London Plan.
- Confirm the private servicing for the Block adjacent to Kilally can be accommodated within private property.
- Consider a pedestrian connection from the site to Benjamin Drive

Detailed internal and agency comments are included in Appendix D and G of this report.

## 2.4 Community Engagement (see more detail in Appendix B)

On Wednesday, April 12, 2023, Notice of Application was sent to 71 property owners and residents in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on Thursday, April 13, 2023. A “Planning Application” sign was also placed on the site.

There was one response received during the public consultation period.

Key issues identified by the public included:

- Privacy, particularly regarding height and fencing.

Detailed public comments are included in Appendix D and G of this report.

## 2.5 Policy Context

### 2.5.1 The Planning Act and the Provincial Policy Statement, 2020

The Provincial planning policy framework established through the *Planning Act* (Section 3) and the *Provincial Policy Statement, 2020* (PPS). The *Planning Act* requires that all municipal land use decisions affecting planning matters shall be consistent with the *PPS*.

The mechanism for implementing Provincial policies is through the Official Plan, *The London Plan*. Through the preparation, adoption, and subsequent Ontario Land Tribunal

(OLT) approval of *The London Plan*, the City of London has established the local policy framework for the implementation of the Provincial planning policy framework. As such, matters of provincial interest are reviewed and discussed in *The London Plan* analysis below.

As the application for a Zoning By-law amendment complies with *The London Plan*, it is staff's opinion that the application is consistent with the *Planning Act* and the *PPS*.

### **2.5.2 *The London Plan, 2016***

*The London Plan* includes evaluation criteria for all planning and development applications with respect to use, intensity and form, as well as with consideration of the following (Policies 1577-1579):

1. Consistency with the Provincial Policy Statement and all applicable legislation.
2. Conformity with the Our City, Our Strategy, City Building, and Environmental policies.
3. Conformity with the Place Type policies.
4. Consideration of applicable guideline documents.
5. The availability of municipal services.
6. Potential impacts on adjacent and nearby properties in the area and the degree to which such impacts can be managed and mitigated.
7. The degree to which the proposal fits within its existing and planned context.

Staff are of the opinion that all the above criteria have been satisfied.

## **3.0 Financial and Environmental Impacts and Considerations**

### **3.1 Financial Impact**

There are no direct municipal financial expenditures with this application.

### **3.2 Climate Emergency**

On April 23, 2019, Council declared a Climate Emergency. Through this declaration the City is committed to reducing and mitigating climate change. Details on the characteristics of the proposed application related to the City's climate action objectives are included in Appendix C of this report.

## **4.0 Key Issues and Considerations**

### **4.1 Land Use**

The proposed residential use is supported by the policies of the *Provincial Policy Statement, 2020 (PPS)* and contemplated in the Neighbourhoods Place Type where a property has frontage onto a civic boulevard in *The London Plan* (Table 10). The proposed residential use aligns with the goals of the Neighbourhoods Place Type by contributing to neighbourhoods that allow for a diversity and mix of housing types that are compatible with the existing neighbourhood character (Policy 918\_2 and 13).

### **4.2 Intensity**

The proposed residential intensity is consistent with the policies of the *PPS* that encourage residential intensification, redevelopment, and compact form (1.1.3.4), an efficient use of land (1.1.1 a), and a diversified mix of housing types and densities (1.4.1). The proposed residential intensity also conforms with the Neighbourhoods Place Type in *The London Plan* which contemplates a standard maximum height of 4-storeys where a property has frontage onto a civic boulevard (Table 11). The proposed residential intensity will also facilitate an appropriate scale of development that is considered compatible within the existing neighbourhood character, providing a transition in height towards the low-density residential neighbourhood to the north (Policy 918\_13). Furthermore, the redevelopment will facilitate the efficient use of the land and existing municipal services (Policy 953\_2 and 3).

### 4.3 Form

The proposed built form is consistent with the Neighbourhoods Place Type policies and the City Design Policies in *The London Plan* by facilitating an appropriate form and scale of residential intensification that is compatible with the existing neighbourhood character (Policy 953\_2). Specifically, the proposed built form supports a positive pedestrian environment, a mix of house types and is compatible within the existing neighbourhood character (Policy 193\_).

Parking areas will also be located internally, shielded from the street to maintain visual aesthetic and safety, which encouraging a pedestrian oriented streetscape (Policy 936\_4). Staff are also recommended that a pedestrian only access to Benjamin Drive be provided to further enhance the pedestrian connectivity of the subject site and its users to the existing neighbourhood to the north.

The proposed built form and site layout has consideration for the existing natural heritage features, of the subject site (partially within the Upper Thames River Conservation Authority regulatory area) whereby the western portion of the property is proposed to be preserved as a natural treed protection area with a significant east interior side yard depth. Recommendations of the Geotech analysis toe of slope and top of slope will also be implemented through the Site Plan Approval process. This is consistent with The London Plan policies that encourage the preservation and enhancement of natural heritage features (Policy 1295\_).

### 4.4 Zoning

The applicant has requested an amendment to Zoning By-law Z.-1 to rezone the subject site from a Residential R1 (R1-6) Zone to a Residential R5 Special Provision (R5-4(\_)) Zone. The following summarizes the special provisions that have been proposed by the applicant and recommended by staff.

*A minimum front yard depth of 2.0 metres.*

The intent of a front yard depth is to ensure sufficient space between the buildings and front lot line to accommodate all site functions while still facilitating a pedestrian oriented development. In this case, the reduced front yard depth will help facilitate a pedestrian oriented development by, establishing a strong street edge. Additionally, the proposed building orientation of the back-to-back townhouses fronting Kilally Road will help establish a positive interface with the public realm.

Initially, the applicant requested a front yard depth of 1.5 metres which engineering staff had concerns with regarding the ability of the front yard depth to accommodate all on site functions, including services. After further discussions with the applicant on the functionalities of the site and services it was determined that a 2.0 metre front yard depth was suitable for the development.

*A minimum rear yard depth of 6.0metres, a west interior side yard depth of 8.0 metres, and an east interior side yard depth of 30.0 metres*

The intent of interior yard and rear yard depths is to provide adequate separation and mitigate potential impacts between the proposed development and adjacent properties, while also providing access and amenity space within the rear and interior yards. In this case, the applicant is proposing a rear yard depth and interior side yard depths that are larger than those required to ensure additional separation between adjacent properties and that the onsite natural heritage features are protected.

*A minimum landscaped open space of 50 percent and maximum lot coverage of 25 percent.*

The intent of minimum landscaped open space and maximum lot coverage is to encourage the efficient use of land by maintaining, and where possible enhancing, the amount of permeable area on a site. In this case, the applicant is proposing a larger landscaped open space and smaller lot coverage than those required to maintain the

existing landscaped open space as well as to preserved onsite natural heritage features, whereby reducing the potential impact of this development.

*A minimum rear yard setback for a second storey deck of 4.5 metres.*

The intent of encroachment regulations is to ensure that all aspects of the built form are located at an appropriate distance away from adjacent properties to mitigate impacts, including stormwater runoff and privacy concerns. Setbacks for second storey decks, in particular, are considered the same as the main dwelling due to the structural features that differ from balconies. In this case, the special provision will permit individual amenity space in the form of a deck at a distance that is sympathetic to the adjacent property. Staff also note that there are existing trees along the rear yard to help shield the second storey decks, with further tree planting to be provided in accordance with The London Plan.

Staff are of the opinion that the above-mentioned special provisions that have been proposed by the applicant comply with *The London Plan* and is consistent with the *Planning Act* and the *PPS*.

## **Conclusion**

The applicant has requested an amendment to Zoning By-law Z.-1 to rezone the subject site from a Residential R1 (R1-6) Zone to a Residential R5 Special Provision (R5-4(\_)) Zone. Staff are recommending approval of the requested Zoning By-law Amendment with special provisions.

The recommended action is consistent with the *Provincial Policy Statement, 2020 (PPS)*, conforms to *The London Plan* and will permit a 3- to 4-storey townhouse development consisting of both standard and back-to-back townhouse buildings with a total of 18 units and a maximum density of 40 units per hectare. The development will facilitate an appropriate infill development that will help broaden the range and mix of housing options within the area.

**Prepared by:**                      **Michaella Hynes**  
**Planner I**

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

**Recommended by:**            **Heather McNeely, MCIP, RPP**  
**Director, Planning and Development**

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

**Copy:**                              **Britt O'Hagan, Manager, Current Development**  
**Michael Pease, Manager, Site Plans**  
**Ismail Abushehada, Manager, Development Engineering**

## Appendix A

Bill No. (number to be inserted by Clerk's Office)  
2023

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

A by-law to amend By-law No. Z.-1 to  
rezone an area of land located at 1474  
Kilally Road

WHEREAS 1216571 Ontario Incorporated has applied to rezone an area of land located at 1474 Kilally Drive, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 1474 Kilally Road, as shown on the attached map comprising part of Key Map No. A103, from a Residential R1 (R1-6) Zone to a Residential R5 Special Provision (R5-4(\_)) Zone.
- 2) Section Number 9.4 of the Residential (R5-4) Zone is amended by adding the following Special Provisions:

R5-4 ( ) 1474 Kilally Road

a) Regulations:

- i) For the purposes of Zoning, Kilally Road is to be considered the front lot line.
- ii) Front Yard Depth (Minimum) 2.0 metres (6.6 feet)
- iii) Rear Yard Depth (Minimum) 6.0 metres (19.7 feet)
- iv) West Interior Side Yard Depth (Minimum) 8.0 metres (26.2 feet)
- v) East Interior Side Yard Depth (Minimum) 30.0 metres (98.4 feet)
- vi) Landscaped Open Space (%) (Minimum) 50
- vii) Lot Coverage (%) (Maximum) 25
- viii) Rear Year Second Storey Deck (Minimum) 4.5 metres (14.8 feet)

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.

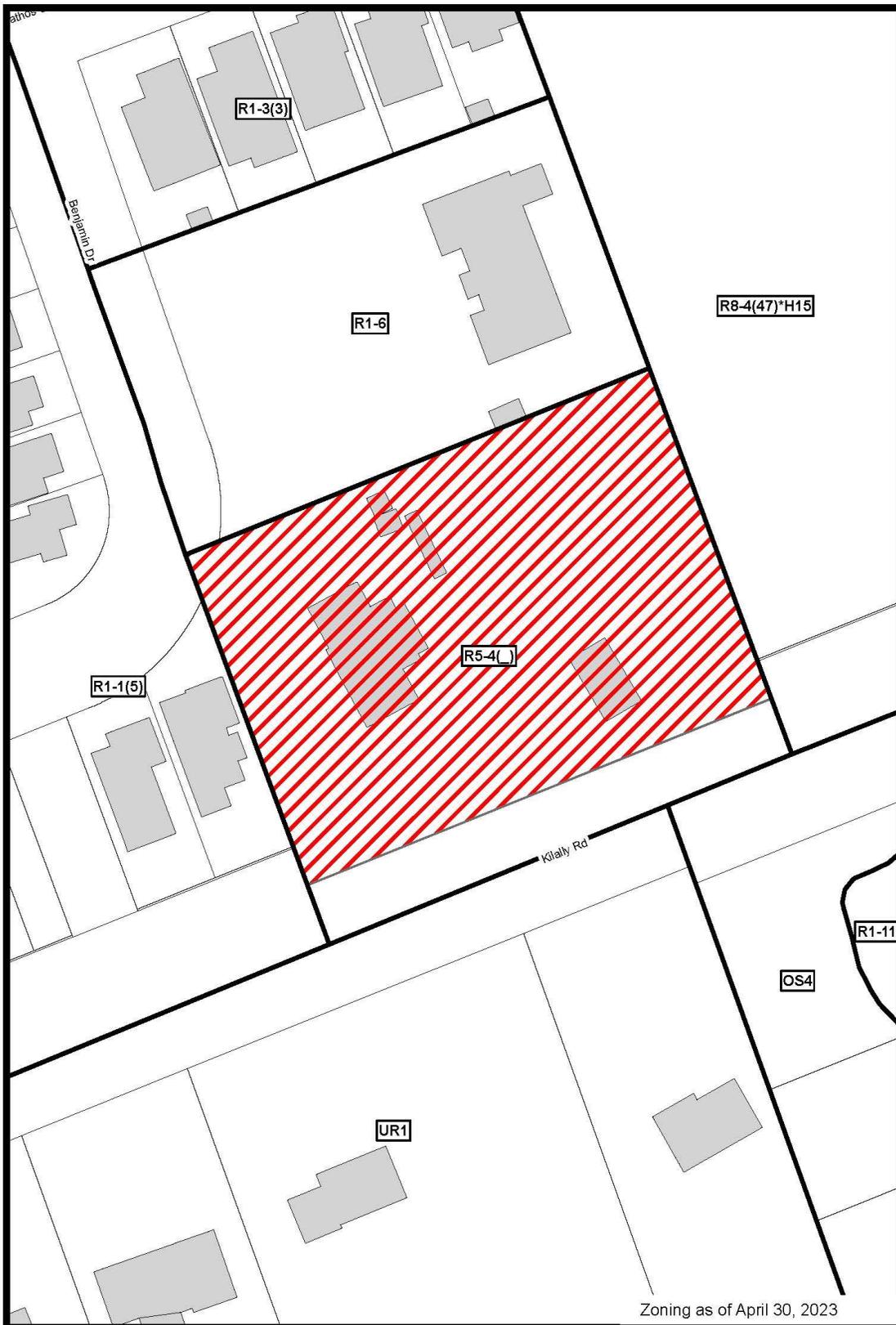
PASSED in Open Council on July 25, 2023

Josh Morgan  
Mayor

Michael Schulthess  
City Clerk

First Reading – July 25, 2023  
Second Reading – July 25, 2023  
Third Reading – July 25, 2023

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



**File Number: Z-9605**  
**Planner: MH**  
**Date Prepared: 2023/5/10**  
**Technician: JI**  
**By-Law No: Z.-1-**

**SUBJECT SITE** 

**1:800**

0 4 8 16 24 32 Meters



## Appendix B - Site and Development Summary

### A. Site Information and Context

#### Site Statistics

Current Land Use	Low-density Residential
Frontage	85.2 metres
Depth	59.7 metres
Area	5,090 metres square (0.509 hectares)
Shape	Regular (rectangle)
Within Built Area Boundary	No
Within Primary Transit Area	No

#### Surrounding Land Uses

North	Residential
East	Current and Future Residential
South	Residential and Open Space
West	Residential and Commercial

#### Proximity to Nearest Amenities

Major Intersection	Highbury Avenue North and Kilally Road, approximately 230 metres
Dedicated cycling infrastructure	Kilally Drive, on site
London Transit stop	Highbury Avenue North, approximately 260 metres
Public open space	Drew Park, approximately 390 metres
Commercial area/use	Rexall, approximately 270 metres
Food store	London-Asian Foods, approximately 1,300 metres
Primary school	Cedar Hollow Public School, approximately 1,150 metres
Community/recreation amenity	Family Centre Fanshawe, approximately 1,150 metres

### B. Planning Information and Request

#### Current Planning Information

Current Place Type	Neighbourhoods fronting a Civic Boulevard
Current Special Policies	N/A
Current Zoning	Residential R1 (R1-6) Zone

#### Requested Designation and Zone

Requested Place Type	N/A
Requested Special Policies	N/A
Requested Zoning	Residential R5 Special Provision (R5-4(_))

#### Requested Special Provisions

Regulation (R5-4)	Required	Proposed
Road Considered the Front Lot Line	Benjamin Drive	Kilally Road
Front Yard Depth (minimum)	8.0 metres	2.0 metres
Rear Side Yard Depth (minimum)	6.0 metres	6.0 metres
West Interior Side Yard Depth (minimum)	6.0 metres	8.0 metres
West Interior Side Yard Depth (minimum)	6.0 metres	30.0 metres
Landscaped Open Space (minimum)	35 percent	50 percent
Lot Coverage (maximum)	40 percent	25 percent
Rear Yard Second Storey Deck (minimum)	6.0 metres	4.5 metres

## C. Development Proposal Summary

### Development Overview

The proposed 3- to 4-storey (12.0 metre) townhouse development consists of a 3-storey townhouse building containing 6 units and a 4-storey back-to-back (stacked) townhouse building containing 12 units for a total of 18 units and a maximum density of 40 units per hectare.

### Proposal Statistics

Land use	Residential
Form	Standard and Back-to-back Townhouses
Height	3-storeys (12.0 metres)
Residential units	18
Density	36 units per hectare
Gross floor area	Unknown
Building coverage	21%
Landscape open space	60%
Functional amenity space	Unknown
New use being added to the local community	Yes / No

### Mobility

Parking spaces	36 surface parking spaces
Vehicle parking ratio	2.1 spaces per unit
New electric vehicles charging stations	Unknown
Secured bike parking spaces	Unknown
Secured bike parking ratio	Unknown
Completes gaps in the public sidewalk	N/A
Connection from the site to a public sidewalk	Yes
Connection from the site to a multi-use path	N/A

### Environmental Impact

Tree removals	Yes
Tree plantings	No
Tree Protection Area	No
Loss of natural heritage features	No
Species at Risk Habitat loss	No
Minimum Environmental Management Guideline buffer met	N/A
Existing structures repurposed or reused	No
Green building features	Unknown



**Rendering of the site (view looking northwest from Kilally Road)**



**Rendering of the site (view looking southeast from Benjamin Drive)**



## Appendix D – Internal and Agency Comments

### April 14, 2023: Landscape Architect

- The City's Landscape Architect has reviewed the Tree Assessment Report prepared by RKLA, February 2023 and has no concerns regarding its format or methods used to assess trees.
- The inventory captured 108 individual trees within the subject site and within 3 meters of the legal property boundary. No species classified as endangered or threatened under the Ontario Endangered Species Act, 2007, S.O. 2007, c. 6 with mandated setbacks were observed during the tree inventory. No boundary or street trees are impacted by the proposed development, no consents for tree removals required.
- Due to conflict with the proposed development, 40 trees located within the subject site are recommended for removal. Three large native species growing along the edge of woods are proposed for removal- #1900 Sugar Maple, #1901 Sugar Maple and #1918 Silver Maple. The trees provide significant canopy cover. If the development was contained outside of the dripline of the treed area, it might be possible to retrain the trees and their environmentally important canopy coverage.
- Recommendations to Site Plan:
  - 1180 cm dbh is proposed for removal. In accordance with LP Policy 399.4.c 118 trees will need to be planted within the site. The treed area could accommodate whips of trees.

### May 2, 2023: Parks Planning

- Parkland dedication is required in the form of cash in lieu, pursuant to By-law CP-25 and will be finalized at the time of site plan approval.

### May 4, 2023: Ecology

- This e-mail is to confirm that there are currently no ecological planning issues related to this property and/or associated study requirements.
- No Natural Heritage Features on, or adjacent to the site have been identified on Map 5 of the London Plan or based on current aerial photo interpretation.

### May 4, 2023: Site Plan

- From a zoning perspective, staff are looking for the second storey deck regulation to read as follows:
  - Rear Yard Second Storey Deck (m) (min): 4.5
  - This still captures what the applicant is looking for but is easier from an implementation perspective.
- As previously noted, barrier-free stalls are required based on the total number of proposed parking stalls. The Type A stall can be provided in the visitor parking area with the Type B stall in private driveways. Given the requirements for barrier-free stalls (including curb ramps and access aisles), staff are looking to ensure this can be provided at this stage.
- Staff acknowledge that vehicle access to Benjamin Drive may not be possible however, a pedestrian connection to Benjamin Drive should be provided to allow users of the site to access the remainder of the neighbourhood.

### May 4, 2023: London Hydro

- Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant's expense, maintaining safe clearances from L.H. infrastructure is mandatory. A blanket easement will be required. Note: Transportation lead times are minimum 16 weeks. Contact Engineering Dept. to confirm requirements & availability.

- London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. However, London Hydro will require a blanket easement.

### **May 8, 2023: Engineering**

- I reviewed the zoning application at 1474 Kilally and we are satisfied with the submitted sightline analysis and the proposed access location.
- The only issue/concern we have is with the reduced front yard setback. We request the applicant have their Engineer confirm the private servicing for the Block adjacent to Kilally can be accommodated within private property. OBC requires the units be serviced from the front of the unit and cannot be serviced from underneath an adjacent unit. Also, they may need to consider if stairs will be needed to serve the units fronting Kilally based on the grading design. We want to ensure all private infrastructure is on private property.

### **June 1, 2023: Additional Engineering Comments**

- I was getting tripped up on the back-to-back which typically means different units along the front and back. I have no front yard setback issues considering the above.

### **May 10, 2023: Urban Design**

#### Major Comments

- As per the London Plan, the proposed development at 1474 Kilally Road is located within the Neighbourhoods Place Type and abuts a Civic Boulevard. Urban Design is generally supportive of the development as long as there are no negative impacts on the surrounding environmentally sensitive context.
- The applicant is commended for providing street-oriented units with direct access to the sidewalk and locating parking/garages away from the public streets. These building and site design features should be carried forward to the site plan application stage.

#### Minor Comments for Zoning

- Zoning provisions for a setback along the boundaries of the subject site should address:
  - Minimum front yard setback to ensure that steps, porches, or balconies do not encroach onto the right of way and there is adequate space between the property line and the building edge to include a landscape buffer.
  - Minimum rear yard setback to offer privacy and not hinder redevelopment of the adjacent property.
  - Minimum east side yard setback to maintain adequate distance from the natural hazard lands and retain existing mature trees.
  - Minimum west side yard setback to ensure adequate landscape buffer is provided between the property boundary and the proposed drive aisle. Refer to The London Plan, Policy 224.

#### Items to be Addressed at Site Plan

- Ensure active uses are located at the front of the building adjacent to the public street to promote passive surveillance and wayfinding.
  - Consider relocating internal sidewalk in the front yard to align with the adjacent public sidewalk to the west and provide adequate landscape buffer to improve the sunken yard condition.
  - Ensure weather protection is provided to avoid issues with snow storage near the front doors.
- Provide enhanced elevations for end units of the proposed townhouse buildings that are visible from the public streets, including additional windows and wrap-around features such as porches, balconies, and private amenity spaces, to provide a positive relationship with the street from the east and west approaches

- and facilitate passive surveillance. Refer to The London Plan, Policy 285, 228
- Design the parking lot as an active courtyard with front porches and balconies overlooking the space for allowing passive surveillance. Refer to The London Plan, Policy 228
  - Ensure that internal sidewalks are provided throughout the site connecting individual units to the parking lot and the outdoor shared amenity space. Refer to The London Plan, Policy 255
  - Consider establishing a pedestrian connection to Benjamin Drive through the north-west corner for allowing permeability and strengthening neighbourhood connectivity. Refer to The London Plan, Policy 333
  - Clarify the location of garbage pick-up on the site.
    - If the north-west corner will act as a garbage pick-up point, ensure that the area is well-screened with a combination of low masonry walls and/or enhanced all-season landscaping.
  - Submit a dimensioned Site Plan, Landscape plan, Grading Plan, and a full set of Elevations for all sides of the proposed townhouse blocks. Further Urban Design comments may follow upon receipt of the drawings.

#### Complete Application Requirements

- This application was reviewed by the UDPRP on April 19, 2023, and a formal memo was provided to the Applicant on May 4, 2023.
- For deeming the application complete, a Comment Response Table outlining in detail the applicant's response, as well as updated drawings reflecting the revisions must be submitted.

#### **May 17, 2023: UTRCA**

- As indicated, the UTRCA is satisfied with the slope assessment that was submitted to support the townhouse development concept. Accordingly, we have no objections to this application, and we encourage the applicant to contact our Land Use Regulations staff regarding the Section 28 permit submission requirement.

#### **June 29, 2023: Imperial Oil**

- No Imperial Oil conflict.

## Appendix E – Public Engagement

### Community Engagement

**Public liaison:** On Wednesday, April 12, 2023, Notice of Application was sent to property owners and tenants in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on Thursday, April 13, 2023. A “Planning Application” sign was also placed on the site.

**Nature of Liaison:** The purpose and effect of this zoning change is to permit a 3-storey cluster stacked townhouse development with 18 units and a maximum density of 40 units per hectare. Special provisions are required to permit a reduced front yard depth of 1.5 metres, whereas 8.0 metres is the minimum required; an increased west interior side yard setback of 8.0 metres, whereas 6.0 metres is the minimum required; an increased east interior side yard setback of 30.0 metres, whereas 6.0 metres is the minimum required; an increased rear yard setback of 7.5 metres, whereas 6.0 metres is the minimum required; an increased minimum landscaped open space of 50.0 percent, whereas 35.0 percent is the minimum required; a reduced maximum lot coverage of 25.0 percent; whereas 40.0 percent is the maximum required; and a maximum projection for open or covered but unenclosed decks accessed from the second storey into the rear yard of 3.0 metres provided projection is no closer than 1.2 metres to lot line. Possible change to Zoning By-law Z.-1 **FROM** a Residential R1 (R1-6) Zone **TO** a Residential R5 Special Provision (R5-4(\_)) Zone.

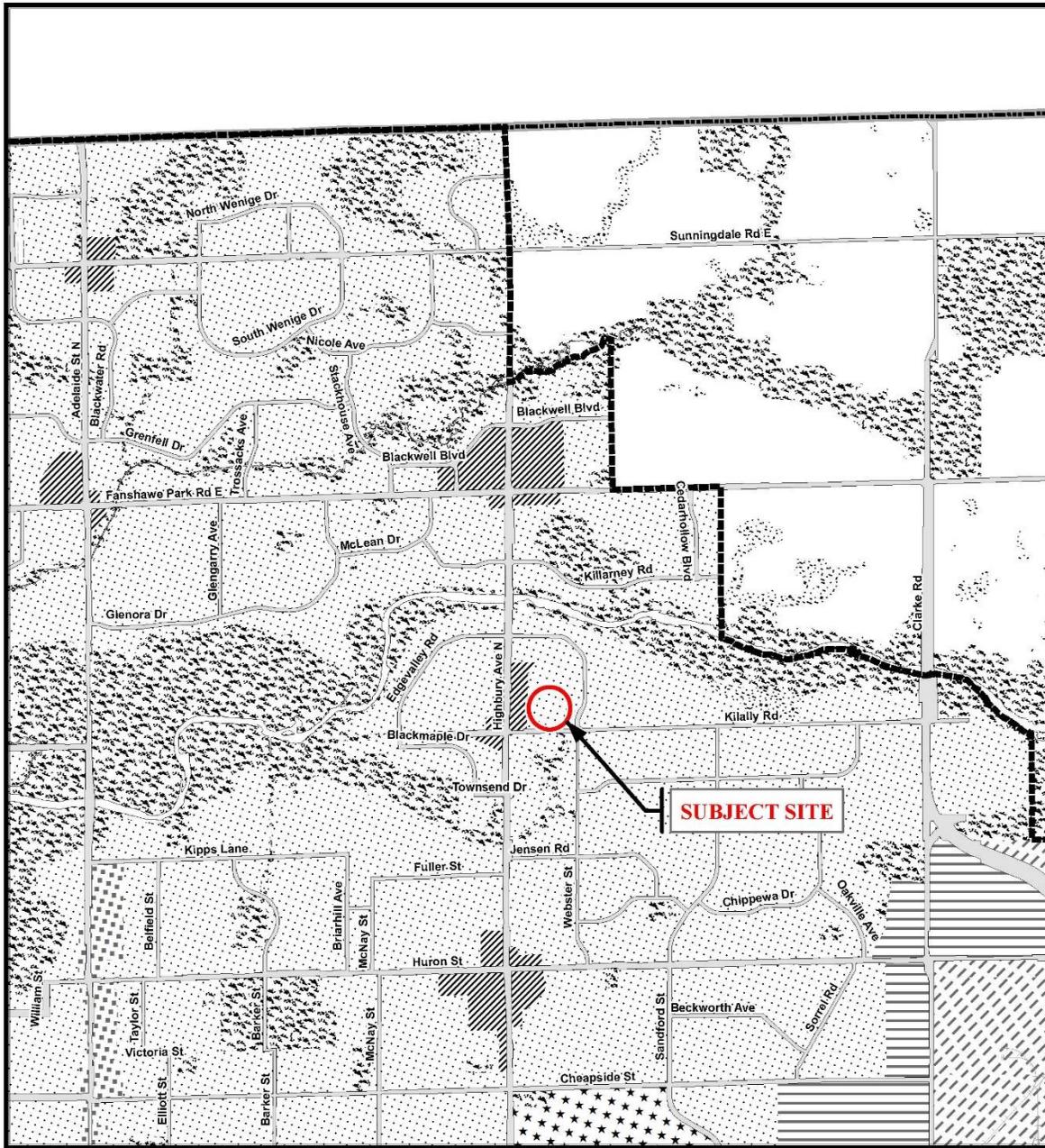
**Public Responses:** One reply received.

#### 1. Mary Overholt

With regards to the development at 1474 Kilally Road. Having these buildings built is really going to take away the privacy I have now. I think both should only be three high and far as possible away from the property line that joins mine. As there is a drop down between us, I would like a slope built with a high fence built on top, as the way it is now the fence is always getting blown down. Right now, it's getting to be a mess over there. Thank you.

# Appendix F – Relevant Background

## The London Plan – Map 1 – Place Types



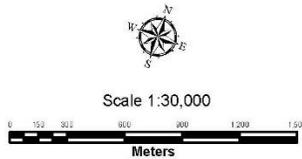
### Legend

- |                        |                          |   |
|------------------------|--------------------------|---|
| 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 Planning & Development's working consolidation of Map 1 - Place Types of the London Plan, with added notations.*

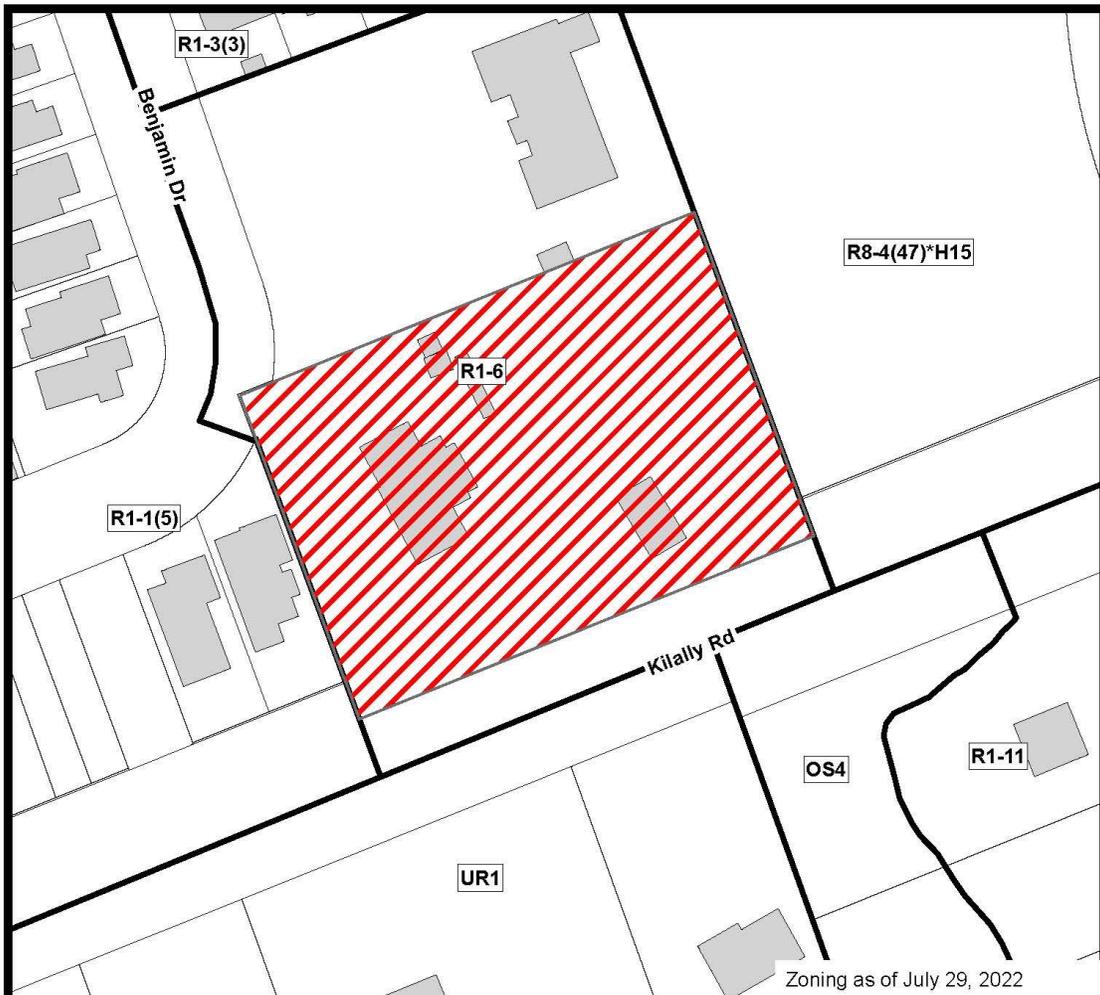
**CITY OF LONDON**  
**Official Plan**  
**LONDON PLAN MAP 1**  
**- PLACE TYPES -**

PREPARED BY: Planning & Development



**File Number:** Z-9605  
**Planner:** MH  
**Technician:** JI  
**Date:** 2023/5/10

# Zoning By-law Z-1 – Zoning Excerpt



## COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: R1-6

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

R1 - SINGLE DETACHED DWELLINGS  
 R2 - SINGLE AND TWO UNIT DWELLINGS  
 R3 - SINGLE TO FOUR UNIT DWELLINGS  
 R4 - STREET TOWNHOUSE  
 R5 - CLUSTER TOWNHOUSE  
 R6 - CLUSTER HOUSING ALL FORMS  
 R7 - SENIOR'S HOUSING  
 R8 - MEDIUM DENSITY/LOW RISE APTS.  
 R9 - MEDIUM TO HIGH DENSITY APTS.  
 R10 - HIGH DENSITY APARTMENTS  
 R11 - LODGING HOUSE

DA - DOWNTOWN AREA  
 RSA - REGIONAL SHOPPING AREA  
 CSA - COMMUNITY SHOPPING AREA  
 NSA - NEIGHBOURHOOD SHOPPING AREA  
 BDC - BUSINESS DISTRICT COMMERCIAL  
 AC - ARTERIAL COMMERCIAL  
 HS - HIGHWAY SERVICE COMMERCIAL  
 RSC - RESTRICTED SERVICE COMMERCIAL  
 CC - CONVENIENCE COMMERCIAL  
 SS - AUTOMOBILE SERVICE STATION  
 ASA - ASSOCIATED SHOPPING AREA COMMERCIAL

OR - OFFICE/RESIDENTIAL  
 OC - OFFICE CONVERSION  
 RO - RESTRICTED OFFICE  
 OF - OFFICE

RF - REGIONAL FACILITY  
 CF - COMMUNITY FACILITY  
 NF - NEIGHBOURHOOD FACILITY  
 HER - HERITAGE  
 DC - DAY CARE

OS - OPEN SPACE  
 CR - COMMERCIAL RECREATION  
 ER - ENVIRONMENTAL REVIEW

OB - OFFICE BUSINESS PARK  
 LI - LIGHT INDUSTRIAL  
 GI - GENERAL INDUSTRIAL  
 HI - HEAVY INDUSTRIAL  
 EX - RESOURCE EXTRACTIVE  
 UR - URBAN RESERVE

AG - AGRICULTURAL  
 AGC - AGRICULTURAL COMMERCIAL  
 RRC - RURAL SETTLEMENT COMMERCIAL  
 TGS - TEMPORARY GARDEN SUITE  
 RT - RAIL TRANSPORTATION

"h" - HOLDING SYMBOL  
 "D" - DENSITY SYMBOL  
 "H" - HEIGHT SYMBOL  
 "B" - BONUS SYMBOL  
 "T" - TEMPORARY USE SYMBOL

## 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:

Z-9605

MH

MAP PREPARED:

2023/05/10

Jl

1:1,000

0 5 10 20 30 40 Meters

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

### Urban Design Peer Review Panel Comments – Applicant Response

**Address of Development Site:** 1474 Kilally Road

**Date of Panel Meeting:** 04-19-2023

<b>Comment:</b>
Overall, the site organization and scale of the buildings is appropriate for the proposed uses and the neighbourhood context.
<b>Applicant Response:</b>
Acknowledged, thank you.

<b>Comment:</b>
The panel notes that the street frontage along Killaly Road is limited due to the existing change in grade and retaining wall that needs to remain between the building and the street. The integration of the space between the retaining wall and the front doors of the townhouses needs careful consideration.
<b>Applicant Response:</b>
Throughout our conceptual design stage we have taken careful considerations of the relationship between the front of the building and the retaining wall. Ultimately, we landed using the space as front yard condition and an extension of the City Sidewalk/boulevard. The combination of the road widening and proposed building setback places the building approximately 8-9m from the retaining wall which we believe provides ample space for separation and the creation of a boulevard condition.

<b>Comment:</b>
Consider providing a larger building setback from Killaly Road to allow more landscaping between the walkway and residential building. Consider relocating the proposed sidewalk along the Killaly road frontage to align with the adjacent sidewalk to the west. This will allow for individual sidewalk entrances to front doors, and for landscaping between the sidewalk and the building frontage.
<b>Applicant Response:</b>
In further conversations with City Staff, we have amended our request to include a 2m front yard setback and will work with Site Plan staff to located the walkway within the standard City Sidewalk location in the boulevard (within the road widening) as an extension of the existing sidewalk to west of the site. This will provide us with an opportunity to buffer the front porches and front windows from the walkway with landscaping.

<b>Comment:</b>
The panel recommends consideration be given to moving the 4-storey building component to the north, and having the south building be 3 stories. This will create a friendlier space between the two buildings.
<b>Applicant Response:</b>
Careful consideration has taken place when locating the buildings as proposed on the site. In our conversations with neighbours and City Staff, the consensus was that the taller/larger building be located closer to the street edge. Additionally, this stacked/back-to-back typology was specifically chosen for this condition as it includes all the unit front entrances facing the street while parking functions are located internal to the site. Flipping the two buildings would create a less desirable condition between the building the property to the north as it would result in a front to side yard relationship.

**Comment:**

While the proposed stacked townhouses establish a positive relationship with Killaly Road, the townhouses have no direct street frontage due to the retaining wall noted above. Consider flipping the buildings so that the townhouses front onto Benjamin Drive and designing townhouse decks above the parking area for outdoor amenity space. If it is not feasible to flip the townhouse frontage, the panel recommends designing the space between the two buildings like a courtyard rather than a service area. We suggest minimizing the pavement, providing unit pavers, cobblestone, and/or permeable paving instead of asphalt, and providing more soft landscaping and trees to make the space feel more like a courtyard.

**Applicant Response:**

Thank you for your suggestion, we have looked into the feasibility of this idea however, there is no frontage to Benjamin and flipping the two buildings would result in townhouses rear-lotting to the street and townhouses fronting onto the side yard of the property to the north. One of our principles while establishing a design on this site was to ensure we have a positive front-facing relationship with Killaly Rd even though there would be a portion of the frontage of the site that has less of relationship to the street due to the retaining wall. It should be noted that the tallest portion of the retaining wall is approximately 4m high, as such the greater majority of the units would still provide for a positive front-facing street orientation. As we go into detailed design through the Site Plan process, we will look for opportunities for alternate paving treatments on the common and individual driveways to create a space that feels more like a courtyard.

**Comment:**

The panel recommends that clearly demarcated pedestrian walkways should be provided throughout the site, connecting the new sidewalk along Killaly Road, the new sidewalk at the east of the site, and sidewalks connecting through the interior courtyard space noted above. Since the courtyard space also needs to be driveable, consider providing concrete sidewalks set flush in the paving noted above, to provide barrier-free and clearly demarcated pedestrian paths of travel.

**Applicant Response:**

Walkways have been included out to the existing City Sidewalk, the front doors of the south building and connecting to the visitor parking area east of the building. As we go into detailed design through the Site Plan process, we will look for opportunities for alternate paving treatments on the common driveway to create a space that feels more like a courtyard and provides for a demarcated pedestrian walkway.

**Comment:**

The panel recommends providing a pedestrian access from Benjamin Drive through the N-W corner of the site to connect this development with the rest of the neighbourhood. If a portion of this corner of the site needs to also function as a service space for garbage pick-up, we recommend unit pavers and/or permeable pavers as noted above so this area seems friendlier for pedestrians and building users.

**Applicant Response:**

As we go into detailed design through the Site Plan process, we will look for opportunities to add a secondary pedestrian access out to Benjamin Drive, however it should be noted that there are some grade changes in that corner that may make this connection difficult. In addition, neighbouring residents have requested that an existing tree near this corner of the site be protected and incorporated into the site plan.

**Comment:**

The panel notes that a detailed landscape plan should be provided at the site plan stage. Ensure trees are provided in the back yard of the townhouses, and that generous landscaping is proposed throughout, including landscape buffers at the north and west edges of the development.

**Applicant Response:**

As we go into detailed design through the Site Plan process, a landscape plan will be developed and all of the suggestions above will be explored to be incorporated into the design.

**Comment:**

The panel notes that detailed architectural drawings, including elevations, should be provided at the site plan stage. Consideration should be given to articulating all the highly visible frontages, including the west and east elevations of both buildings.

**Applicant Response:**

Acknowledged, as we go into detailed design through the Site Plan process we will ensure that building articulation occurs on all street facing facades including the east and west elevations of the buildings.

**Comment:**

The number of garage doors on the north side of the south building will make for a difficult elevation and will need careful detailing to ensure this elevation is adequately articulated.

**Applicant Response:**

Acknowledged, we will look at opportunities to articulate the façade while still maintaining the function of the rear garages, which allows us to provide for a building that is fully oriented to the street.

**Comment:**

The panel suggests considering cantilevering the upper floors of the townhouses above the parking garages, to make the elevations appear more prominent and reduce the visual impact of the garage doors.

**Applicant Response:**

Acknowledged, as we go into detailed design through the Site Plan process we will look for opportunities to reduce the visual impact of the garage doors on the central space of the site.

**Form Completed By:** Jerzy Smolarek, Partner and Urban Design Lead, Siv-ik Planning and Design.