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> Committee of Adjustment Received | Reçu le

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City of Ottawa | Ville d'Ottawa

Comité de dérogation

PLANNING RATIONALE:

1270 Kilborn Kilborn Ave MINOR VARIANCE APPLICATION

PREPARED ON BEHALF OF:

NAME

DLA Group Inc. Ottawa, ON

PREPARED FOR:

City of Ottawa
Committee of Adjustment
110 Laurier Avenue West
Ottawa, ON K1P 1J1

PREPARED BY:

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TERRAIN

TO: **CITY OTTAWA - COMMITTEE OF ADJUSTMENT**

1270 KILBORN AVE. MINOR VARIANCE RE:

PLANNING RATIONALE

The following information is provided to the Committee of Adjustment in support of the application for a minor variance to allow for the construction of a new residential building at 1270 Kilborn Avenue, Ottawa, Ontario, K1H 6L1.

The following minor variances are necessary to allow for the proposed residential development:

1270 Kilborn Ave

Front lot

Front Yard Setback: 4.88m proposed vs 6.0m specified in Column VII of the R2F "semi" subzone provisions in Table 158A of City of Ottawa ZBL 2008 - 250.

Total variance required: 1.12m

Corner Yard Setback: 3.7m proposed vs 4.5m specified in Column VIII of the R2F "semi" subzone provisions in Table 158A of City of Ottawa ZBL 2008 - 250. Total variance required: 0.8m

Rear Lot

Interior Yard Area: 6.39m2 proposed vs 8.58m2 calculated by the directions set forth in Interior Yard Area (6) of Section 144 of City of Ottawa ZBL 2008 - 250. Total variance required 2.19m2

1.0 SUBJECT SITE

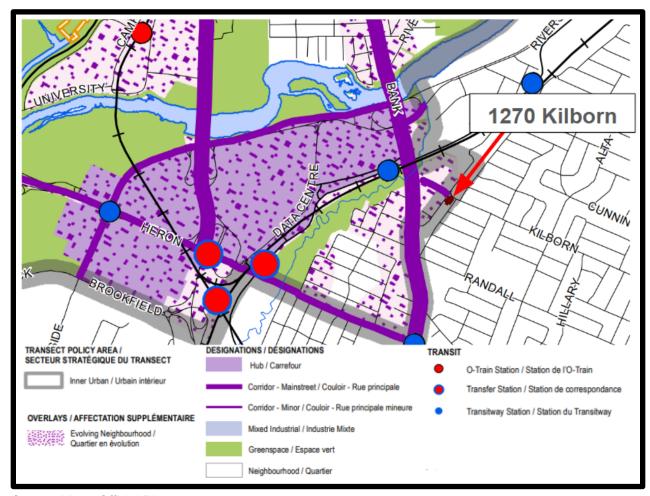
The subject site is at 1270 Kilborn Ave, Ottawa. The proponent is proposing a semi-detached residential development on the property. The site is located in the Alta Vista neighborhood, just east of Bank Street. The site is a corner lot with frontages on Kilborn Ave and Lamira St. There is currently a triplex building on the property. To the east of the site exists the Alta Vista neighborhood which is characterized by residential properties consisting mostly of low-rise residential buildings and detached homes. Immediately west of the site is a place of worship with residential properties beyond it. To the north-west is a former seminary on an 8.7 acre site that was purchased by the City of Ottawa and will likely see large-scale redevelopment. To the north is a commercial property with residential beyond it. To the south are low-density residential properties and small scale commercial buildings.



Context Map - Zoning and Property Lines

The site is zoned as R2F-c. This zoning supports *Semi-Detached; Detached, Duplex, Linked-detached;* and *Long Semi* style residential buildings. As per the "c" suffix, the site can support *Residential*

Neighbourhood Commercial uses. Nearby zones include General Mixed Use and Residential to the north, General Mixed Use to the west, Institutional to the north-west, Residential to the east, and Arterial Mainstreet and Residential south.



Context Map - Official Plan

1270 Kilborn Ave is within the City of Ottawa's *Urban Boundary*. It is not within the *Mature Neighbourhood Overlay*. The site is located within 600m of Billings Bridge station and close to regular transit service on nearby Bank Street. The site is located within the *Alta Vista / Faircrest Heights / Riverview Park Secondary Plan* area. It is within the City of Ottawa's *Inner Urban Transect Policy* area. The location is classified as an *Evolving Neighbourhood*. 1270 Kilborn is at the eastern terminating end of a *Minor Corridor* (Kilborn Ave) and is near the *Major Corridor* of Bank St. The site is within Area A of Schedule 342.



Existing Condition - Frontage of Triplex



Existing Condition - Side/Rear View of Triplex

2.0 THE PROPOSAL

The applicant is proposing to construct a low-rise semi-detached residential building, a permitted use under the zoning. Each half of the semi will contain three total dwelling units.

Three minor variances are requested to improve the design and livability of the building and respond to the irregular shaped lot. Due to the parallelogram-shaped lot, small portions of the footprint extend into the front and corner yard setbacks, and impact the interior yard area, necessitating the minor variances.

The three variances requested are as follows:

Front lot

Front Yard Setback: 4.88m proposed vs 6.0m specified in Column VII of the R2F "semi" subzone provisions in Table 158 of City of Ottawa ZBL 2008 - 250.

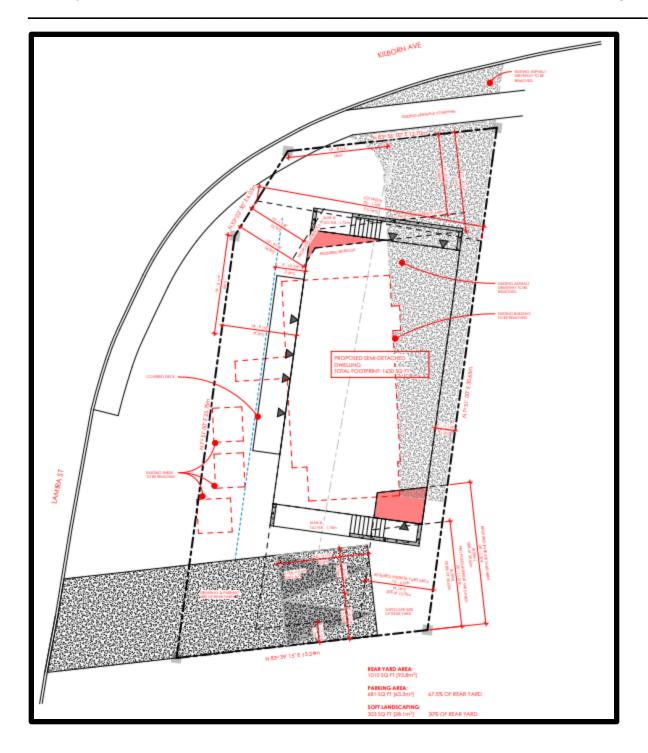
Total variance required: 1.12m / 18.7%

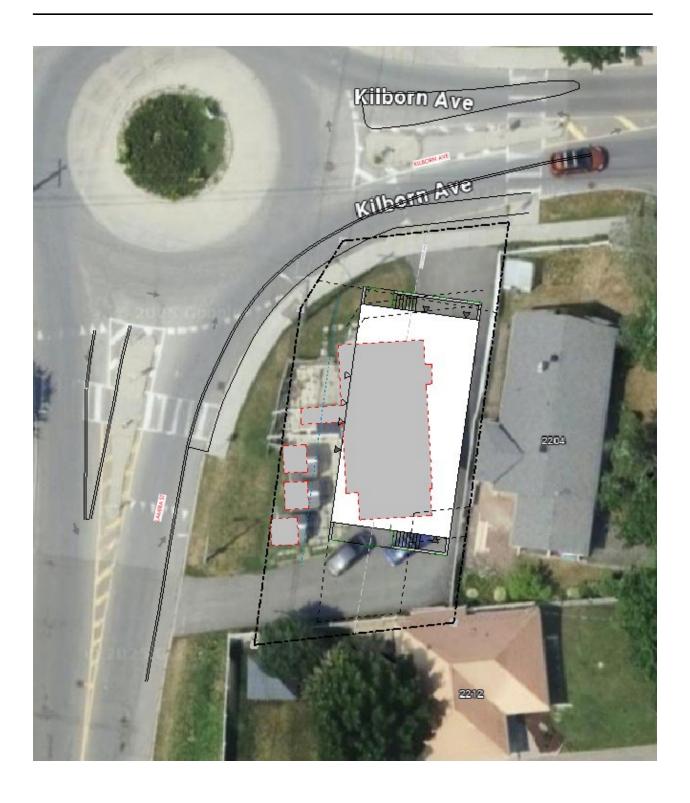
Corner Yard Setback: 3.7m proposed vs 4.5m specified in Column VII of the R2F "semi" subzone provisions in Table 156A of City of Ottawa ZBL 2008 - 250.

Total variance required: 0.8m / 17.8%

Rear lot

Interior Yard Area: 6.39m2 proposed vs 8.58m2 calculated by the directions set forth in *Interior Yard Area* (6) of Section 144 of City of Ottawa ZBL 2008 - 250. Total variance required 2.19m2





3.0 PLANNING POLICY CONFORMANCE & MINOR VARIANCE TESTS

The minor variances requested at 1270 Kilborn Ave satisfies all four minor variance tests as established by Section 45 (1) of the Planning Act:

A. The proposed minor variances maintain the general intent and purpose of the Official Plan:

Section 2: Strategic Directions

Policy Intent 1: Direct residential growth within the built-up urban area to support an evolution towards 15-minute neighbourhoods

This Plan envisions directing residential intensification towards Hubs, Corridors and surrounding Neighbourhoods where daily and weekly needs can be accessed within a short walk. This direction will support an evolution of these areas towards becoming 15-minute neighbourhoods. It will also contribute to the needs of an increasingly diverse population with a range of abilities, incomes, ages and cultural needs by enhancing accessibility to more vibrant areas with social interaction, cultural organizations, health services and community facilities.

The proposed development is within Ottawa's built-up area (the *Inner Urban Area*) in an *Evolving Neighbourhood* on a *Minor Corridor* nearby a *Hub* and a *Major Corridor*. The site is also adjacent to existing commercial uses and future large scale mixed-use development. The minor variances will allow for a development that helps the city achieve its overarching policy goal of directing residential intensification in a manner that promotes the creation of 15-minute neighbourhoods.

Section 2: Strategic Directions

- 2.2.1 Intensification and Diversifying Housing Options
- 1) Direct residential growth within the built-up urban area to support an evolution towards 15-minute neighbourhoods

The proposed development is within Ottawa's built-up area (the *Inner Urban Area*) in an *Evolving Neighbourhood* on a *Minor Corridor* nearby a *Hub* and a *Major Corridor*. The site is also adjacent to existing commercial uses and future large scale mixed-use development. The minor variances will allow for a development that helps the city achieve its overarching policy goal of directing residential intensification in a manner that promotes the creation of 15-minute neighbourhoods.

Section 2: Strategic Directions

- 2.2.4 Healthy and Inclusive Communities
- 1) Encourage development of healthy, walkable, 15-minute neighbourhoods that feature a range of housing options, supporting services and

The proposed development is within Ottawa's built-up area (the *Inner Urban Area*) in an *Evolving Neighbourhood* on a *Minor Corridor* nearby a *Hub* and a *Major Corridor*. The site is also adjacent to existing commercial uses and future large scale mixed-use development. The minor variances will allow for a development that helps the city achieve

amenities its overarching policy goal of directing residential intensification in a manner that promotes the creation of 15-minute neighbourhoods. Section 3: Growth Management Framework The proposed low-rise semi-detached development with two principal residences is a gentle intensification to the Alta Vista 3.2 Support Intensification neighbourhood that is characterized by low-rise 2. Intensification may occur in a variety of built detached dwellings. This missing middle housing forms and height categories, from Low-rise to High style is a context-specific gentle density measure. Rise 41+ buildings provided density requirements are met. Unless more specific policies provide alternate direction, minimum densities are intended to establish a minimum starting point for the intensity of development, and maximum building heights are intended to establish a limit to building height. Section 3: Growth Management Framework The proposed development is within Ottawa's built-up area (the Inner Urban Area) in an Evolving Neighbourhood on a Minor Corridor nearby a Hub 3.2 Support Intensification and a Major Corridor. The minor variances will 3. The vast majority of Residential intensification allow for a development that helps the city achieve shall focus within 15-minute neighbourhoods, its overarching policy goal of directing residential which are comprised of Hubs, Corridors and lands intensification in a manner that promotes the within the Neighbourhood designations that are creation of 15-minute neighbourhoods. adjacent to them. Section 3: Growth Management Framework The proposed development is on a site already serviced by municipal water and sewer services. 3.2 Support Intensification 4. Intensification is permitted in all designations where development is permitted taking into account whether the site has municipal water and sewer services. This project's low-rise intensification responds to Section 4: City-Wide Policies the context, transect area, and overlay policies of 4.6.5 Ensure effective site planning that supports the site. The project is proposing appropriate the objectives of Corridors, Hubs, setbacks that respond to the street context, Neighbourhoods and the character of our villages neighboring developments, and site's shape/size. and rural landscapes It will provide clearly visible entrances from the public sidewalks at the property line. 2) Development in Hubs and along Corridors shall respond to context, transect area and overlay policies. The development should generally be located to frame the adjacent street, park or greenspace, and should provide an appropriate

setback within the street context, with clearly visible main entrances from public sidewalks. Visual impacts associated with above grade utilities should be mitigated.

Section 4: City-Wide Policies

4.6.6 Enable the sensitive integration of new development of Low-rise, Mid-rise and High-rise buildings to ensure Ottawa meets its intensification targets while considering liveability for all.

6. Low-rise buildings shall be designed to respond to context, and transect area policies, and shall include areas for soft landscaping, main entrances at-grade, front porches or balconies, where appropriate. Buildings shall integrate architecturally to complement the surrounding context.

The proposed development has been designed with the neighbourhood context in mind. As well, the design seeks to minimize any potential impacts on adjacent lots. The proposed design is in scale to the adjacent property. The building design respects both by-law and Official Plan direction.

Section 5: Transects

5.2.1 Recognize a suburban pattern of built form and site design

- 3) The Inner Urban Transect is generally planned for mid- to high-density development, subject to:
- a) Proximity and access to frequent street transit or rapid transit;
- b) Limits on building heights and massing, as per the underlying functional designation, and the separation of tower elements, established through secondary plans or area-specific policy, the functional designations and urban design policies in Subsection 4.6, or as a result of the application of heritage conservation policies in Subsection 4.5: and
- c) Resolution of any constraints in water, sewer and stormwater capacity.

The proposed project is within the *Inner Urban Transect* which supports mid- to high-rise development. However, the development parcel does not have the size or configuration to support this. Mid- to high-rise development would also be a challenging condition for the adjacent residential neighbors due to privacy and shadow concerns. The zoning does not allow for medium- or high-rise development.

Section 5: Transects

- 5.2.3 Provide direction to the Hubs and Corridors located within the Inner Urban Transect
- 3) Along Minor Corridors, permitted building heights are as follows, subject to appropriate height transitions and stepbacks:

The project is proposing low-rise development heights that are within the 2-6 storey range.

a) Generally, not less than 2 storeys and in the maximum height range of between 4 to 6 storeys, except where a secondary plan or area-specific policy specifies different heights;

b) Where the Zoning By-law permits a Low-rise building, an amendment to this Plan shall not be required to consider a building of 5 or 6 storeys; c) The wall heights directly adjacent to a street of such buildings shall be proportionate to the width of the abutting right of way, and consistent with the objectives in the urban design section on Midrise built form in Subsection 4.6.6, Policy 7); and d) The height of such buildings may be limited further on lots too small to accommodate an appropriate height transition.

Section 5: Transects

5.2.4 Provide direction to Neighbourhoods located within the Inner Urban Transect

- 1) Neighbourhoods located in the Inner Urban area and within a short walking distance of Hubs and Corridors shall accommodate residential growth to meet the Growth Management Framework as outlined in Subsection 3.2, Table 3b. The Zoning By-law shall implement the density thresholds in a manner which adheres to the built form requirements as described in Subsection 5.6.1, as applicable and that:
- a) Allows and supports a wide variety of housing types with a focus on missing-middle housing, which may include new housing types that are currently not contemplated in this Plan;
- b) The application of Zoning By-law development standards to be applied as one lot for zoning purposes to support missing middle housing; c) Provides for a low-rise built form, by requiring in
- c) Provides for a low-rise built form, by requiring in Zoning a minimum built height of 2 storeys, generally permitting 3 storeys, and where appropriate, will allow a built height of up to 4 storeys to permit higher-density low-rise residential development;
- d) Provides an emphasis on regulating the maximum built form envelope that frames the public right of way rather than unit count or lot configuration; and
- e) In appropriate locations, to support the production of missing middle housing, lower-

The proposed low-rise semi-detached residential use achieves the plan's direction for *Inner Urban Transect* developments, providing a missing middle-housing typology that responds to the context of the Alta Vista neighbourhood and the needs of the *Evolving Neighbourhood*. The heights proposed in this project are within the 2-6 storey range (low-rise development range).

density typologies may be prohibited.

Section 5: Transects

5.6.1 Evolving Neighbourhood Overlay

3) In the Evolving Neighborhood Overlay, the City:
a) Where the Zoning By-law for an area has not been updated either before adoption of this Plan in anticipation of this Plan's policy direction, or post adoption of this Plan, to be consistent with the policy intent of this Plan, the City will generally be supportive of applications for low-rise intensification that seek to amend the development standards of the underlying zone where the proposal demonstrates that the development achieves objectives of the applicable transect with regards to density, built form and site design in keeping with the intent of Sections 3 and 5 of this Plan:

The proposal is for a low-rise intensification in an *Evolving Neighbourhood*. However, it requires three minor variances to achieve this. The proposed development achieves the built form, density, and site design objectives of the *Inner Urban Transect*.

Section 6: Urban Designations

6.3.1 Define neighbourhoods and set the stage for their function and change over the life of this Plan

2. Permitted building heights in Neighbourhoods shall be Low-rise, except: a) Where existing zoning or secondary plans allow for greater building heights; or b) In areas already characterized by taller buildings.

The proposed development is a low-rise infill development that meshes well with the existing context that contains primarily low-rise residential buildings.

Section 6: Urban Designations

- 6.3.1 Define neighbourhoods and set the stage for their function and change over the life of this Plan
- 4. The Zoning By-law and approvals under the Planning Act shall allow a range of residential and nonresidential built forms within the Neighbourhood designation, including:
 a) Generally, a full range of Low-rise housing
- a) Generally, a full range of Low-rise housing options sufficient to meet or exceed the goals of Table 2 and Table 3b;
- b) Housing options with the predominant new building form being missing middle housing, which meet the intent of Subsection 6.3.2, Policy 1).

The proposed development is a missing middle low-rise development that will help the city meet or exceed the densities established in Table 2 and Table 3b.

Section 6: Urban Designations

- 6.3.1 Define neighbourhoods and set the stage for their function and change over the life of this Plan
- 5. The Zoning By-law will distribute permitted densities in the Neighbourhood by:
- a) Allowing higher densities and permitted heights, including predominantly apartment and shared accommodation forms, in areas closer to, but not limited to, rapid-transit stations, Corridors and major neighbourhood amenities;
- b) Allowing lower densities and predominantly ground-oriented dwelling forms further away from rapid-transit stations, Corridors and major neighbourhood amenities; and
- c) Provide for a gradation and transition in permitted densities and mix of housing types between the areas described in a) and b).

The proposed development is located between Bank Street and the Alta Vista neighborhood at the end of a *Minor Corridor* and nearby neighbourhood amenities and a rapid transit station. It is located near a *hub*. The site's context is well situated to allow for low-rise missing middle densities and forms.

The proposed minor variances do not present any conflict to Ottawa's Official Plan. With regards to this project, the general intent and purpose of the Official Plan is to facilitate the development of low-density missing-middle residential in neighbourhoods while ensuring that development is compatible with the area. If granted, the proposed minor variances would maintain the general intent and purpose of the Official Plan by accommodating the development of a low-rise semi-detached residential building with two principal residences on a *Minor Corridor* in an *Evolving Neighbourhood* within the *Inner Urban Transect*.

The proposed minor variances maintain the general intent and purpose of the Official Plan.

B. The proposed Minor Variances maintain the general intent and purpose of the zoning bylaw:

The purpose of the R2 - Residential Second Density Zone is to:

- 1. Restrict the building form to detached and two principal dwellings in areas designated as General Urban Area in the Official Plan;
- 2. Allow a number of other residential uses to provide additional housing choices within the second density residential areas;
- 3. Permit ancillary uses to the principal residential use to allow residents to work at home:
- 4. Regulate development in a manner that is compatible with existing land use patterns so that the detached and two principle dwelling, residential character of a neighbourhood is maintained or enhanced; and
- 5. Permit different development standards, identified in the Z subzone, primarily for areas designated as Developing Communities, which promote efficient land use and compact form while showcasing newer design approaches.

- 1. Maintains. The proposed development contains a semi detached form in the *General Urban Area*.
- 2. Maintains.
- 3. Maintains.
- 4. Maintains. The proposed development is not trying to achieve uses, heights, densities, massing, or forms that are out of character to the surrounding neighbourhood. The neighbourhood's context was considered as the building was designed. The development of this building at 1270 Kilborn Ave will compliment or enhance the character of the neighbourhood while blending in seamlessly.
- 5. N/A.

Permitted Uses:

- bed and breakfast, see Part 5, Section 121
- detached dwelling diplomatic mission, see Part
- 3. Section 88
- duplex dwelling, see Part 5, Section 138 (By-law 2010-307)
- group home, see Part 5, Section 125
- home-based business, see Part 5, Section 127
- home-based daycare, see Part 5, Section 129
- linked-detached dwelling , see Part 5, Section 138 (By-law 2010-307)
- park retirement home, converted see Part 5, Section 122

Maintains. The proposed development contains a semi-detached dwelling.

- additional dwelling unit, see Part 5, Section 133 - semi-detached dwelling, see Part 5, Section 138 (By-law 2010-307) - urban agriculture, see Part 3, Section 82 (By-law 2017-148) TABLE 158A – R2F SUBZONE PROVISIONS 1. Achieves 1. Minimum lot width = 10m2. Achieves 2. Minimum lot area = 300m2 3. Achieves 3. Maximum building height = 8m 4. Variance required 4.88m proposed vs 6m required. 4. Minimum front yard setback = 6m 5. Variance required 5. Minimum Corner Side Yard Setback = 4.5m 3.7m proposed vs 4.5m required. 6. Achieves 6. Minimum rear yard setback = 7.5m 7. Minimum interior side yard setback = 3.0m total 7. Achieves (no less than 1.2m on one yard) Alternative Yard Setbacks affecting Low-rise Variance required. Residential Development in the R1 to R4 Zones 6.39m2 proposed vs 8.58m2 required. within the Greenbelt (Section 144) Where dwellings containing multiple principal dwelling units are developed on a corner lot with the dwelling units fronting on and facing different streets, a minimum interior yard area is required, whether the lot is to be severed or not, that abuts the rear yard and interior side yard, by extending a parallel line from the minimum required rear yard setback affecting the abutting lot, across the longest shared common lot line into the affected site for a distance equal to 30% of the affected lot's actual width, as noted in the Illustration below. Residential Neighbourhood Commercial Suffix No neighbourhood commercial proposed at 1270 (Section 141) Kilborn Ave. Low-Rise Residential Development in All The development will be designed in accordance Neighbourhoods within the Greenbelt (Section with S. 139. 139)

The purpose and intent of the R2 zone in Zoning By-law No. 2008-250 is to guide the development of detached dwellings and properties with two principal dwellings. This project is a semi-detached development with two principal dwellings. While three minor variances are required to respond to the irregular shaped lot, the general intent and purpose of the by-law are maintained. The requested variances do not permit a development better suited for a different zone or different residential zone like R1, R3, or R4. Rather the variances are requested to allow for a semi-detached dwelling suitable for the R2F subzone.

The proposed minor variances maintain the general intent and purpose of the zoning by-law.

C. The variances are desirable for the appropriate development of the property:

The minor variances to front yard and corner yard setbacks and interior yard area allow for a project that is appropriate for the circumstances of property, the neighbourhood, and the City of Ottawa. On the property level, the unique, parallelogram-shaped lot at 1270 Kilborn Avenue presents distinct site planning challenges as it is difficult to place a properly sized rectangular building footprint within the standard setback lines that reflect the shape of the lot lines. This parcel shape creates irregular angles from which setback distances are measured, leading to minor encroachments by the rectangular building in specific areas. As a result, the requested variances are driven by the site's geometric constraints rather than an intention to overextend the building's footprint.

The irregular shape of the lot necessitates adjustments to accommodate the proposed building footprint effectively. Allowing for minor variances enables the development to make optimal use of the property. Due to the limited magnitude of these variances, the project maintains key open spaces on the property, preserving sufficient areas in the front, side, and rear yards to ensure site-lines for traffic, privacy and light access with neighbors, road access, parking, and outdoor amenity space.

The setback variances do not present any negative impact to neighbors or the streetscape on Lamira St or Kilborn Ave. The slight encroachments resulting from the lot's shape allow the building to remain visually consistent with nearby residential properties. The surrounding area, characterized by a mix of low-rise detached homes and low-rise multi-family housing, provides a context in which the proposed semi-detached, low-rise design can blend seamlessly, regardless of the variances to setbacks. The variances allow the structure to respect the neighborhood's architectural character and prevailing design patterns.

The proponent and the design team have taken care to create a development that respects the form and character of the neighbourhood and responds to the parcel's shape and dimensions. As demonstrated elsewhere, the variances allow for a development that is consistent with the zoning by-law and Official Plan, respecting the city's intentions for the site.

The minor variances are desirable for the appropriate development of the property.

D. The proposed variances are minor in nature:

The proposed variances to front yard and corner yard setbacks and interior yard area are being requested to facilitate development that is appropriate for the site, neighbourhood, and city. If these minor variances are granted, the project will continue to be developed in alignment with the City of Ottawa's zoning by-law and Official Plan.

The variances requested represent modest adjustments to the existing R2F-c and S.144 zoning requirements rather than substantial changes. For example, the front yard setback requirement stipulates a minimum of 6 meters; however, the proposed setback is reduced to 4.88 meters, resulting in a minor encroachment of 1.12 meters, due to the irregular shape of the lot and the orientation of the proposed building to match the neighboring properties orientation. This small deviation maintains the overall intent of open space in the front yard while accommodating the proposed building footprint. Similarly, the adjustments to the corner side yard is minimal. At the interior yard, the reduction is 2.19m2, due to the corner lot provision, the angle of the lot and the way that the additional interior yard is calculated. These variances reflect incremental changes that retain a balance between meeting zoning objectives and allowing for practical site utilization, ensuring that the overall design remains livable, respectful of neighboring properties, and compatible with the surrounding urban fabric.

The requested variances allow the proposed low-density residential building to retain adequate separation from neighboring properties and from the roadway, ensuring there is no significant obstruction to sightlines in the roundabout nor the privacy or access to natural light to neighbors. The limited nature of the setback variances thus ensures that the development remains contextually appropriate and sensitive to the surrounding environment, aligning with the objectives of local zoning and official plan provisions.

Finally, the proposed semi-detached building is situated on the lot in a manner that is very similar to the existing triplex.

The proposed variances are minor in nature.

4.0 CONCLUSION

This document adequately demonstrates that the proponent should be granted minor variances to front yard and corner yard setbacks and to interior yard area zoning requirements. The general intent and purpose of the Official Plan is maintained, the general intent and purpose of the Zoning By-Law is maintained, the variance is desirable for the appropriate development of the property, and the proposed variances are minor in nature.

The following minor variances are necessary to allow for the proposed residential development:

Front lot

Front Yard Setback: 4.88m proposed vs 6.0m specified in Column VII of the R2F "semi" subzone provisions in Table 158 of City of Ottawa ZBL 2008 - 250.

Total variance required: 1.12m

Corner Yard Setback: 3.7m proposed vs 4.5m specified in Column VII of the R2F "semi" subzone provisions in Table 156A of City of Ottawa ZBL 2008 - 250. Total variance required: 0.8m.

Rear lot

Interior Yard Area: 6.39m2 proposed vs 8.58m2 calculated by the directions set forth in *Interior Yard Area* (6) of Section 144 of City of Ottawa ZBL 2008 - 250. Total variance required 2.19m2

Terrain Development Consulting and the property owner welcome the review of this submission.

Jennifer Murray, P.Eng., MBA Owner



TERRAIN