

REPORT TO COUNCIL



Date: April 17, 2018

RIM No. 0940-00

To: City Manager

From: Community Planning Department (AW)

Application: DVP17-0196

Owner: Israel & Mila Shapiro

Address: 261 Rialto Drive

Applicant: Israel Shapiro

Subject: Development Variance Permit

Existing OCP Designation: S2RES – Single/Two Unit Residential

Existing Zone: RR1 – Rural Residential 1

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP17-0196 for Lot 37 Section 6 TWP 23 ODYD Plan 19808 located at 261 Rialto Drive, Kelowna, BC, to allow the construction of a carriage house subject to the following:

1. The dimensions and siting of the buildings to be constructed on the land be in accordance with Schedule "A";
2. The elevations of the single family dwelling to be constructed on the land be in accordance with Schedule "B".

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted:

Section 12.1.6(b): RR1 – Rural Residential 1 - Development Regulations

To vary the height of the proposed addition from 2 ½ storeys permitted to 3 storeys proposed.

Section 12.1.6(d): RR1 – Rural Residential 1 - Development Regulations

To vary the side yard setback from 3.0m required to 1.8m proposed.

AND FURTHER THAT this Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

2.0 Purpose

To vary the maximum height of the proposed addition to the existing single family dwelling from 2 ½ storeys permitted to 3 storeys proposed and to vary the side yard setback from 3.0m required to 1.8m proposed.

3.0 Community Planning

Community Planning Staff recommend support for the requested variances. While two variances are required to accommodate the 2 storey addition to the single family dwelling, the proposal does a good job of working with the natural grade change of the lot by stepping the building up the slope rather than attempting to regrade the property. The impacts are anticipated to be minimal and stepping the building helps to break up the massing from Rialto Drive, the total height of the addition also fits within the 9.5m maximum height. The proposed addition is at the rear of the property and shouldn't impact the views from adjacent properties. Although a variance is required to the side yard setback to accommodate the proposed addition, it is only slightly closer than the footprint of the existing attached garage.

The subject property is located at the end of the cul-de-sac on Rialto Drive. An existing attached garage will be demolished to make space for the proposed addition. Due to the existing grade change, the inclusion of a basement and the flat roof design, a portion of the completed project will not fit within the permitted 2 ½ storey building envelop.

4.0 Proposal

4.1 Project Description

The subject property has an existing detached garage and a garage attached to the single family dwelling. The attached garage will be demolished to make room for additional living space.

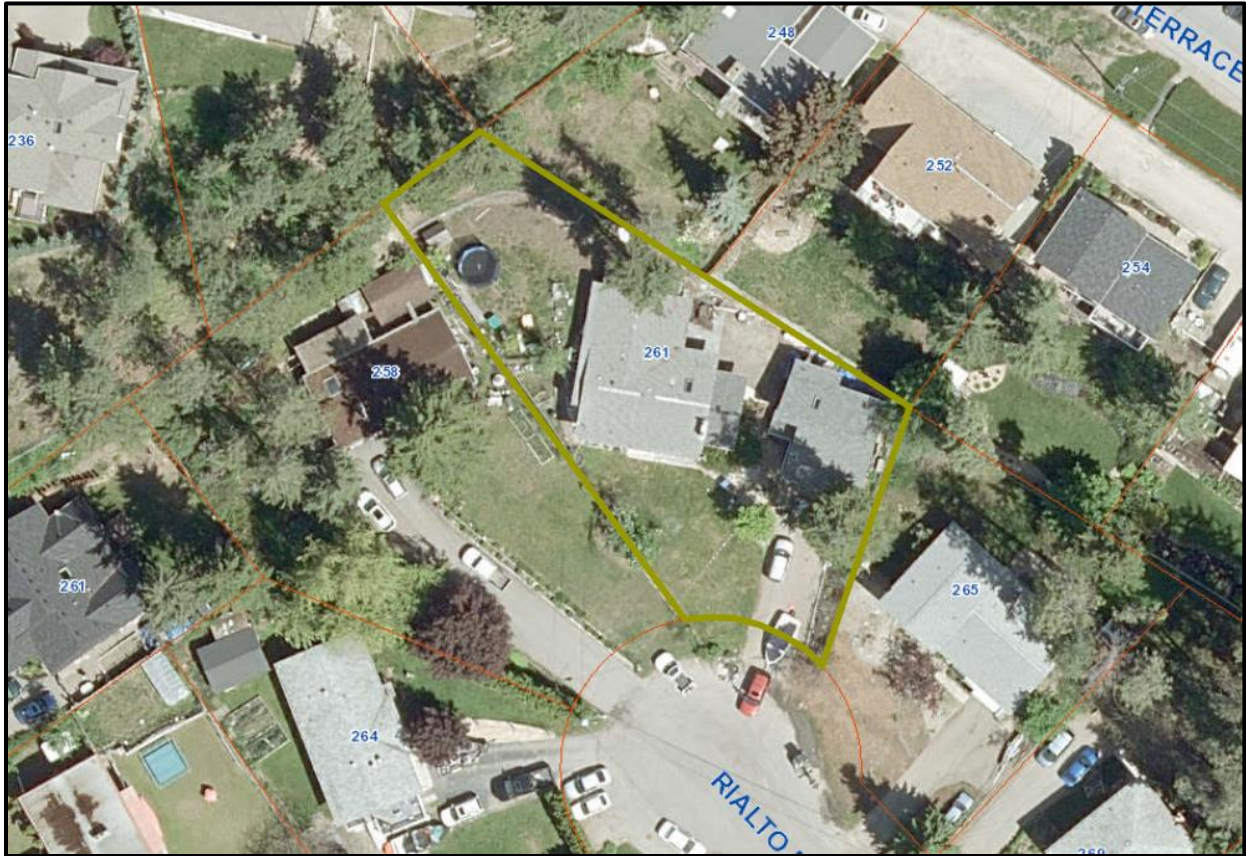
4.2 Site Context

The subject property is located on Rialto Drive just off of Clifton Road.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RR1 – Rural Residential 1	Single Family Dwelling
East	RR1 – Rural Residential 1	Single Family Dwelling
South	RR1 – Rural Residential 1	Single Family Dwelling
West	RR1 – Rural Residential 1`	Single Family Dwelling

Subject Property Map: 261 Rialto Drive



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RR ₁ ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Height	9.5 m / 2 ½ storeys	9.1m / 3 storeys*
Front Yard	6.0 m	+6.0 m
Side Yard (south)	3.0 m	3.0 m
Side Yard (north)	3.0 m	1.8 m*
Rear Yard	10.0 m	+10.0 m
* Vary height from 2 ½ storeys permitted to 3.0 storeys proposed.		
* Vary side yard setback from 3.0m required to 1.8m proposed.		

5.0 Technical Comments

5.1 Building & Permitting Department

No Comment.

5.2 Development Engineering Department

This development variance permit application to vary the height of single family detached house from 2 ½ story to 3 story's (proposed) does not compromise any municipal services. Rialto drive does not have domestic sewer. Existing septic system must be approved to accept proposed fixture count.

5.3 Fortis BC

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Rialto Drive. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.

Report prepared by: Alec Warrender, Property Officer Specialist

Approved for Inclusion: Terry Barton, Urban Planning Manager

Attachments: Draft Development Variance Permit DVP17-0202

Schedule "A": Siting and Dimensions

Schedule "B": Elevations