

PROPERTY DESCRIPTION:

Civic address: 450 Eastview Rd

Legal Description (e.g. Lot, Plan No. and District Lot):

Lot 6, KAP11043 PID 009-530-380

Current land use: Residential

Surrounding land uses: Residential

REQUESTED VARIANCE(S):

List all requested variances to the regulations in bylaws of the Regional District. Each variance should be marked on the applicable drawings. A variance cannot be considered where use or density would be affected.

Zoning Bylaw: 15. Small Holdings Zones

Section No.: 15.1.6

Current regulation: b) no accessory building or structure shall exceed a height of 4.5m.

Proposed variance: pole is 6.55 m with an east/west turn to a max of 8.55m.

Section No.:

Current regulation:

Proposed variance:

DEVELOPMENT INFORMATION:

Please provide a general description of the proposed development:
(e.g. "to allow for an addition over an existing garage")

Swiss Solar Tech has installed a solar pole that exceeds the 4.5m height, we understood the regulation as the solar pole being: 15.1.6 b) no accessory building or structure shall exceed a height of 10m

The pole we have installed is 6.5m with an east/west turn to 8.55m and we are applying a variance to allow for this pole to remain as installed.

SUPPORTING RATIONALE:

When considering a variance request, Regional District staff will *generally* assess the proposal against the following criteria:

- *is the proposed variance consistent with the general purpose and intent of the zone?*
- *is the proposed variance addressing a physical or legal constraint associated with the site (e.g., unusual parcel shape, topographical feature, statutory right-of-way, etc.)?*
- *is strict compliance with the zoning regulation unreasonable or un-necessary?*
- *will the proposed variance unduly impact the character of the streetscape or surrounding neighbourhood?*

A request to change a zoning regulation should only be considered as a last resort to a design challenge. Please explain how the requested variance(s) meet the assessment criteria listed above:

We are seeking the variance on the above "is strict compliance with the zoning regulation unreasonable or un-necessary."

Swiss Solar Tech made the error of installing a pole higher than 4.5m but feel we also have justification for installing the pole at the height.

- Without the 0.95m of concrete foundation the pole will only be 1.8m from the ground.
- Wildlife and people are able to move under the pole at this height without incident.
- The clearance under the pole helps the wind load to pass the structure
- Manufacture recommends more clearance under pole
- The pole is at the rear setback and does not block anyones view (see picture)
- We did get structural engineering approval prior to installation

**** See Engineering report, pictures and drawings attached to this variance**