

BYLAW NO. 394

COPY

RURAL MUNICIPALITY OF ARLINGTON No. 79

A bylaw to amend Bylaw No. 364, known as the Zoning Bylaw.

The Council of the Rural Municipality of Arlington No. 79 in the Province of Saskatchewan, enacts to amend Bylaw No. 364 as follows:

1. Section 3.2 – Number of Principal Buildings, Residences and Uses on a Parcel is amended by repealing and replacing Section 3.2(b) with the following:

b. Council may, at its discretion, issue a development permit for additional principal uses or buildings in the Commercial, Agricultural, and Hamlet District.

2. Part 3: General Regulations is amended by adding the following directly after 3.21.

3.22 Solar Energy Development, Ground Mounted

Solar energy systems mounted to the ground are subject to the following requirements:

- (1) A site plan shall be submitted as part of the development permit application that includes:
 - (a) property lines, existing uses and vegetation on the site;
 - (b) proposed solar energy system including all equipment, machinery and structures used for the collection, conversion and transmission of solar energy to electrical energy;
 - (c) associated development including but not limited to roads and access, cabling, distribution and transmission lines, power grid connections, fencing and proposed landscaping;
 - (d) Areas of potential shading on adjacent properties.
- (2) Solar energy systems shall meet the setback requirements of the zoning district.
- (3) Council may apply development standards limiting the size and height of the solar energy system.
- (4) Confirmation of site ownership by the applicant or, where the land is not owned by the applicant, evidence of site control and right to access through provisions of a lease or easement agreement with the landowner.
- (5) Applicants are responsible for obtaining any required federal and provincial permits, licenses and approvals for construction and maintenance of the solar energy system and must remit a copy to the RM.
- (6) Reasonable accessibility for emergency service vehicles shall be required.
- (7) Solar energy systems shall be designed to maximize the preservation of onsite and abutting natural areas to the greatest extent and developed areas shall incorporate designed landscape amenities.
- (8) Vegetative screening and/or a security fence to surround the perimeter of a solar energy system may be required as a condition of the development permit.
- (9) Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the solar energy system and shall not occur on any slopes greater than 15% to minimize erosion.
- (10) Council may require the developer to take mitigating measures to ensure the solar energy system has minimal environmental impacts to the surrounding lands.
- (11) Lighting of a solar energy system shall be limited for safety and operational purposes and shall be reasonably shielded from abutting properties and directed downward to incorporate full cut-off fixtures to reduce light glare and pollution.
- (12) Nuisance control including but not limited to weeds and rodents may be required as a condition of the development permit.
- (13) Where hazardous materials will be utilized within the solar energy system impervious containment areas capable of controlling any release to the environment and to prevent contamination of ground water will be required.
- (14) There shall be no sounds, light, glare, heat, dust or other emissions that will, in Council's opinion, detract from the amenity of the area other than those

that are necessary for the operation of the system. Council may require the developer undertake studies to determine potential impacts and to implement mitigating measures to ensure the solar energy system produces minimal disturbance to the surrounding lands.

- (15) No advertising shall appear on the solar energy system.
- (16) A decommissioning plan may be required to address the manner of physical removal of the system, removal of any hazardous materials and site restoration to a natural condition, should the solar energy system be abandoned or become defective.
- (17) A solar energy system is considered to be abandoned or defective if it has not been in operation for a period of one year. If abandoned, the solar energy system shall be repaired by the owner or removed by the owner within the time period designated by the RM.
- (18) Any changes to the original development permit shall require a new permit to be issued.

3. Part 5: A – Agricultural District is amended by adding the following discretionary use directly after 5.2(d)(iv).

(v) Solar energy system, ground-mount

4. Part 9 – Definitions is amended by adding the following definitions in appropriate alphabetical order:

Solar Energy System: a system capable of collecting and converting solar radiation into electrical energy by the use of semiconductor devices, called photovoltaic cells, which generate electricity when exposed to sunlight. The system includes the electrical generating and accessory facilities including but is not limited to photovoltaic panels, mounting racks and hardware, cable and wiring, collection and supply equipment, transformer and a substation.

Solar Energy System, Ground-Mount: a solar energy system that is directly installed on specialized solar racking systems, which are attached to an anchor in the ground.

Solar Energy System, Roof-Mount: a solar energy system consisting of solar panels installed directly on the roof of a building. Solar panels are mounted and secured using racking systems specifically designed to minimize the impact on the roof and prevent any leaks or structural damage.

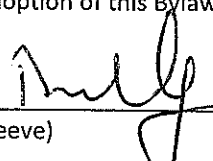
5. This bylaw shall come into force on the date of final approval by the Minister of Government Relations.

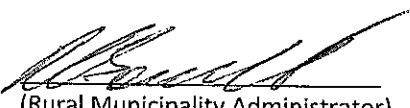
Read a First Time the 20th day of March, 2019

Read a Second Time the 17th day of April, 2019

Read a Third Time the 17th day of April, 2019

Adoption of this Bylaw this 17th day of April, 2019


(Reeve)


(Rural Municipality Administrator)



Certified to be a true copy of Bylaw No. 394
adopted by the council of the Rural Municipality of
Arlington No. 79 on the 17 day of April, 2019.

(SEAL) 
Administrator

