



The Municipality of Highlands East Schedule 'A' to By-Law #2017-66 Solar Projects Policy

Purpose:

The purpose of this policy is to establish principles and priorities for the consideration of solar projects in Highlands East and to establish a procedure for the processing of requests for Municipal Support Resolutions and/or public consultation and/or municipal commenting processes for applications under the Green Energy Act or any other approval process.

The Municipality will consider Applications for Solar Projects on a case by case basis.

Scope:

This policy applies to the whole of the geographic area of the Municipality of Highlands East including public lands.

Definitions:

Abutting means a property which shares a common boundary or is separated from an adjacent property by a road allowance – open or closed.

Applicant means the person(s) submitting the proposal to the Municipality and any

Application(s) for permits or approvals from any government or agency.

Environmental Protection means lands designated and/or zoned Environmental Protection in the Highlands East Official Plan or Zoning By-law.

Ground Mount Solar is defined as a solar project which is pad mount, rack mount or otherwise mounted for installation on the ground.

Official Plan means the Highlands East Official Plan and any amendments thereto.

Owner(s) means a person(s) identified as the Owner(s) in the Municipal property system as may be amended from time to time upon the receipt of Land Transfer Deeds, written notification from lawyers handling estates or property sales and/or reports from the Municipal Property Assessment Corporation.

Residential is defined as a property which is zoned in a Residential category in the Municipal Zoning By-law.

Road Authority means the Ministry of Transportation, the County of Haliburton or the Municipality of Highlands East as applicable.

Rooftop Solar is defined as a solar project installed on the roof of any structure.



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Settlement Area means a **Hamlet** or **Existing Residential** area as designated in the Municipality of Highlands East Official Plan.

Large Scale Industrial Solar Project means any Ground Mount Solar project of more than 5 acres on a property.

Wetland means an area identified as a Provincially Significant Wetland (PSW), locally significant wetland or unevaluated wetland in the County of Haliburton Geographical Information System (GIS) based on data received from the Ministry of Natural Resources.

Zoning or **Zoning By-law** means the Highlands East Comprehensive Zoning By-law and any amendments thereto.

Principles:

The Municipality of Highlands East supports, in principle, solar projects as an alternate form of energy generation however municipal support is prioritized and limited as follows:

Rooftop Solar

1. First Priority will be given to **Rooftop Solar** projects on existing structures.
2. **Applications** for **Rooftop Solar** projects will be processed on new or expanded structures only when and where the purpose or use of the structure is permitted in the **Zoning By-law** and the proposed structure is setback from property lines and/or screened in such a manner as to address any potential land use conflicts to the satisfaction of the Municipality.
3. **Rooftop Solar** projects being proposed on a property under Site Plan Control or any **Rooftop Solar** projects being proposed on any existing or proposed structures on a non **Residential** property or non **Agricultural lands** may be subject to Site Plan Control to address any site development or redevelopment related issues at the sole discretion of the Municipality, if such property is subject to Site Plan Control in the Official Plan.
4. In the event that the **Owner(s)** is not the **Applicant** for a **Rooftop Solar** project, written authorization shall be received as part of the Building Permit and/or Site Plan application process.

Ground Mount Solar – Micro or Small Scale

1. Second Priority will be given to Micro **Ground Mount Solar** projects consisting of one or two pad mount or rack mount installations (i.e. MicroFIT) per property located on lands outside of a **Settlement Area** when and where the proposed



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project is suitably setback from property lines and/or screened in such a manner as to address any potential land use conflicts to the satisfaction of the Municipality.

2. Third Priority will be given to Small Scale **Ground Mount Solar** projects of 5 or less acres (i.e. FIT) subject to the following:
 - a. For the purposes of the 5 acre area calculation, the Applicant shall include the area of the proposed Ground Mount Solar project on the property, including the proposed layout and any access routes, buffer zones or setbacks that would take Agricultural land out of production and are required to facilitate the solar project.
 - b. The Applicant shall provide a written authorization from the Owner(s) of the Property.
 - c. The subject portion of the property shall be located outside of a Settlement Area.
 - d. The subject portion of the property shall not be designated Agricultural or Environmental Protection.
 - e. The subject portion of the property shall not be zoned Residential.
 - f. The subject portion of the property shall not be Abutting a Residential property without notice being provided to abutting property owner.
 - g. The subject portion of the property shall not be located within 120 metres of a Provincially Significant Wetland or located within a Locally Significant or Unevaluated Wetland unless an Environmental Impact Study has been prepared to the satisfaction of the Municipality of Highlands East and the recommendations contained within the EIS are addressed by the Applicant.
 - h. The subject portion of the property shall not be zoned Environmental Protection or located within 30 metres of a watercourse or located within a floodplain.
 - i. The Applicant shall submit a detailed drawing(s) drawn to scale showing the proposed Ground Mount Solar project on the subject portion of the property including:
 - i. Property dimensions and area
 - ii. Site location, dimensions and area of the proposed Solar Project
 - iii. Layout of proposed solar installation
 - iv. Location and Type of any existing structures on the property
 - v. Proposed location of entrance and access roads to solar project
 - vi. Proposed setbacks from the solar installation to the property lines, existing buildings, watercourses and wetlands
 - vii. Distance from proposed solar project to any residences on all Abutting properties
 - viii. Existing and/or proposed screening or buffering between proposed solar installation and the adjacent road and/or Abutting residences – type and location



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- ix. Aerial photography showing the existing land uses together with proposed Solar Project site.
 - j. The Applicant shall submit an Agricultural Land Evaluation to confirm that the soils classification at the proposed location for the Ground Mount Solar project is not Class 1, 2 or 3 or Organic. The Agricultural Land Evaluation shall be prepared by a qualified person and include mapping with the same information as provided on the drawing required above for reference.
 - k. The Applicant shall submit confirmation from the Road Authority that an entrance would be available to access the subject site such to any requirements of the Road Authority to obtain permits or approvals.
3. Fourth priority will be given to **Large Scale Industrial Solar Projects** of 5 acres or more subject to the following:
- a. For the purposes of the greater than 5 acre area calculation, the Applicant shall include the area of the proposed Ground Mount Solar project on the property, including the proposed layout and any access routes, buffer zones or setbacks that would take Agricultural land out of production and are required to facilitate the solar project.
 - b. The Applicant shall provide a written authorization from the Owner(s) of the Property.
 - c. The subject portion of the property shall be located outside of a Settlement Area.
 - d. The subject portion of the property shall not be designated Agricultural or Environmental Protection.
 - e. The subject portion of the property shall not be zoned Residential.
 - f. The subject portion of the property shall not be Abutting a Residential property without notice being provided to abutting property owner.
 - g. The subject portion of the property shall not be located within 120 metres of a Provincially Significant Wetland or located within a Locally Significant or Unevaluated Wetland unless an Environmental Impact Study has been prepared to the satisfaction of the Municipality of Highlands East and the recommendations contained within the EIS are addressed by the Applicant.
 - h. The subject portion of the property shall not be zoned Environmental Protection or located within 30 metres of a watercourse or located within a floodplain.
 - i. The Applicant shall submit a detailed drawing(s) drawn to scale showing the proposed Ground Mount Solar project on the subject portion of the property including:
 - i. Property dimensions and area
 - ii. Site location, dimensions and area of the proposed Solar Project
 - iii. Layout of proposed solar installation
 - iv. Location and Type of any existing structures on the property



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- v. Proposed location of entrance and access roads to solar project
 - vi. Proposed setbacks from the solar installation to the property lines, existing buildings, watercourses and wetlands
 - vii. Distance from proposed solar project to any residences on all Abutting properties
 - viii. Existing and/or proposed screening or buffering between proposed solar installation and the adjacent road and/or Abutting residences – type and location
 - ix. Aerial photography showing the existing land uses together with proposed Solar Project site.
 - j. The Applicant shall submit an Agricultural Land Evaluation to confirm that the soils classification at the proposed location for the Ground Mount Solar project is not Class 1, 2 or 3 or Organic. The Agricultural Land Evaluation shall be prepared by a qualified person and include mapping with the same information as provided on the drawing required above for reference.
 - k. The Applicant shall submit confirmation from the Road Authority that an entrance would be available to access the subject site such to any requirements of the Road Authority to obtain permits or approvals.
4. Priority will be given to Ground Mount Solar Applications which do not take any Agricultural lands out of production.
5. In the event that an Application is proposing to take any Agricultural lands out of production the Applicant shall demonstrate to the satisfaction of Council that the productivity of the lands at the site of the proposed solar project are and have historically been marginal to the overall farm operation due to a physical, topographical or similar constraints.
6. Under no circumstance shall any Class of Agricultural land be taken out of production for the sole or intended purpose of facilitating a proposed Application for a Ground Mount Solar project.

Application Process:

Rooftop Solar

All inquiries regarding the proposed development of Rooftop Solar projects shall be processed by the Chief Building Official or designate in accordance with the Ontario Building Code Act and its regulations and where applicable, the Official Plan policies and Site Plan Control By-law.

Applications for Roof Top Solar projects shall be submitted on the Municipal application



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forms for building permits and/or site plan approval, including prescribed information.

Applications shall be accompanied by the fees and deposits as may be determined by Council in the Building By-Law and/or Planning Fees By-law as may be applicable.

In the event of Site Plan Approval, the Owner shall be required to enter into a Site Plan Agreement to be registered on the property and shall pay the fees, deposits and/or securities as applicable.

Ground Mount Solar- Micro, Small or Large Industrial Scale

All inquiries regarding the proposed development of Ground Mount Solar projects in the Municipality shall be directed to the Chief Building Official or designate.

The Chief Building Official shall provide a copy of this Policy to any prospective Applicant.

Any person seeking to file an Application for a Micro Ground Mount Solar installation shall file an Application with the Chief Building Official or designate. If the Application meets all of the requirements of this Policy, the Chief Building Official shall Report to Council recommending endorsement. If the Application does not meet the requirements of this Policy, the Applicant will be notified in writing and may come as a Delegation to Council in support of their Application.

Any person seeking to file an Application for a Small or Large Industrial Scale Ground Mount Solar installation shall proceed to file the required information with the Chief Building Official or designate and the Chief Building Official or designate shall review each Application in the order of receipt to determine whether the Municipal requirements have been met. Applications which do not meet the requirements will not proceed beyond this step and the Applicant will be notified. In the event that an Applicant does not complete the Application process outlined in this Policy and chooses to proceed without municipal support, a letter of opposition will be issued by the CAO as per this Policy.

If the Application meets the Municipal requirements, the Chief Building Official shall prepare a Report to Council and arrange with the Municipal Clerk for the Applicant to attend as a Delegation at a Regular Council Meeting. A copy of any presentation to be made by the Applicant to Council shall be submitted not less than 10 days prior to the Council meeting in order that the Chief Building Official or designate may prepare a Report to Council to be considered at the same meeting.

Council, in its sole discretion, will decide whether or not to endorse any Solar project. If Council chooses to support an Application, they will pass the necessary Resolution for signing by the Reeve and/or Clerk.

Upon Council endorsement of an Application, the Chief Building Official or designate may



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sign any Forms as may be required with respect to conformity with the Official Plan and/or Zoning By-law and/or land use planning clearance.

Prior Applications endorsed by Council

In the event that an Applicant has previously received Council endorsement for a Small or Large Industrial Scale Ground Mount Solar Application prior to the approval date of this Policy and in the event that one or more of the requirements of this Policy have not been met, Council may decide whether or not, in its sole discretion, to reaffirm its Municipal Support Resolution.

Any such request for endorsement shall be filed with the CAO and placed on the next Council agenda by the Clerk. The CAO may prepare a Report to Council or recirculate the Report to Council prepared at the time of the original request if no changes have been made to the Application.

Fees & Charges:

Rooftop Solar

The usual fees for building permits and/or site plan approval shall apply to Rooftop Solar.

In the event that a Municipal Official is required to sign a form in conjunction with any Rooftop Solar Application, this Authority is delegated to the CBO and Clerk (second signature) and no Council approval is required provided that the Applicant has met or will meet the requirements set out in this Policy prior to installation.

Ground Mount Solar:

Micro

The Application Fee for Micro Ground Mount Solar Clearance is \$350 which is non-refundable.

Small Scale

The Application Fee for a Small Scale Ground Mount Solar Clearance is \$1,200 (\$350 non-refundable fee included in deposit).

In the event that the Applicant for a Small Scale Ground Mount Solar has preconsulted with the Chief Building Official or designate and the Application meets the Municipal requirements, half of the non-refundable Application Fee (\$425) will be returned to the Applicant at the time of Council endorsement provided that no external costs have been incurred while processing the Application. In the event that the Applicant does not preconsult and/or the Application does not meet the requirements set out in this Policy, the entire Application Fee is non-refundable.

In the event that the Application is a resubmission for a Council resolution only and there are no changes and no Delegation or Report to Council required, no Application Fee



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would apply. If there are any changes to the Application at the time of resubmission which require a Report to Council, an Application Fee of \$600 is required.

Large Industrial Scale

The Application Fee for a Large Industrial Scale Ground Mount Solar Clearance is \$2,000 (\$350 non-refundable fee included in deposit).

In the event that the Applicant for a Large Industrial Scale Ground Mount Solar has preconsulted with the Chief Building Official or designate and the Application meets the Municipal requirements, half of the non-refundable Application Fee (\$825) will be returned to the Applicant at the time of Council endorsement provided that no external costs have been incurred while processing the Application. In the event that the Applicant does not preconsult and/or the Application does not meet the requirements set out in this Policy, the entire Application Fee is non-refundable.

In the event that the Application is a resubmission for a Council resolution only and there are no changes and no Delegation or Report to Council required, no Application Fee would apply. If there are any changes to the Application at the time of resubmission which require a Report to Council, an Application Fee of \$1,000 is required.

Public Consultation:

Rooftop Solar Projects

There is no Public Consultation process for Rooftop Solar projects provided that the Applications meet the requirements of this Policy.

Ground Mount Solar Projects- Micro, Small & Industrial Scale

Prior to Council consideration, the CAO shall issue a Notice to the Applicant, property owner and all abutting land owners notifying them of the date, time and location of the meeting where the Application will be considered by Council as well as when, where and how to obtain a copy of the Report to Council prior to the meeting. This Notice shall be issued not less than 20 days prior to the meeting date and the Report shall be publicly posted not less than 72 hours prior to the Council meeting for viewing.

Large Scale Industrial Solar Projects

In the event that any person proposes a Large Scale Industrial Solar project in the Municipality, the Applicant shall register their intent with the CAO including the proposed location(s) or areas of the Municipality under consideration. Upon registration, Council shall be copied on all correspondence to the public by the Applicant including any invitations or notices to attend a public consultation session.

Council may, at its sole discretion, convene its own Public Meeting to inform the public of any Large Scale Industrial Solar projects proposed in the Municipality. Public Notice shall be given by the CAO to the Applicant, the Owner(s) and the Owners of all properties



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within 120 metres of the subject property/ies. Said notice shall be given by regular mail not less than 20 days prior to the Public Meeting. Notice shall also be posted on the Municipal website and in any other manner deemed appropriate by Council to make the public aware of the meeting.



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Appendix "A"

Schedule of Solar Applications That Have Received Municipal Support Resolutions

Private Land Owner Applications

2013

Property Owner	Property Description	Solar Company	Resolution Number	Date Passed
Ronald Dack	1031 Coumbs Rd. Monmouth Roll #601-79300	Peterborough Solar Projects (REES)	2013-03	October 17 th , 2013
	1561 Essonville Line Monmouth Roll #602-18110	Peterborough Solar Projects (REES)	2013-04	October 17 th , 2013
Gregory Flagler	27231 Hwy. 28 Cardiff Roll #101-58800	Peterborough Solar Projects (REES)	2013-05	October 17 th , 2013
Larry Dack	1053 Coumbs Road Monmouth Roll #601-67360	Peterborough Solar Projects (REES)	2013-06	October 17 th , 2013
Robert McCrea	18051 Hwy. 118 Monmouth Roll #601-79200	Peterborough Solar Projects (REES)	2013-07	October 17 th , 2013
Carmen Lee	1560 Essonville Line Monmouth Roll #602-03100	Peterborough Solar Projects (REES)	2013-08	October 17 th , 2013
Carmen Lee	1208 Essonville Line Monmouth Roll #602-02300	Peterborough Solar Projects (REES)	2013-09	October 17 th , 2013
David Card	1422 Upper Paudash Rd. Cardiff Roll #101-52100	Peterborough Solar Projects (REES)	2013-10	October 17 th , 2013
David Card	1422 Upper Paudash Rd. Cardiff Roll #101-51700	Peterborough Solar Projects (REES)	2013-11	October 17 th , 2013
Ronald Conlon	26852 Hwy. 28 Cardiff Roll #101-44500	Peterborough Solar Projects (REES)	2013-12	October 17 th , 2013
Ralph Watson	27228 Hwy. 28 Cardiff Roll #101-58000	Peterborough Solar Projects (REES)	2013-13	October 17 th , 2013



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2014

Property Owner	Property Description	Solar Company	Resolution Number	Date Passed
Ian Brown	18833 Hwy. 118 Monmouth Roll #601-58600	GreenLife	2014-159	July 8 th , 2014

2015

Property Owner	Property Description	Solar Company	Resolution Number	Date Passed
Joan Meharrie	1172 Paynes Road Monmouth Roll #602-13400	Ethosolar	2015-145	June 8 th , 2015
Michael Rahme	2957 Glamorgan Road Glamorgan Roll #903-27600	Abundant Solar	2015-155	June 8 th , 2015
Andrew Goin	Conc. 6, Pt. Lot 21-22 Cardiff Roll #101-51600	Abundant Solar	2015-156	June 8 th , 2015
Kenneth Clement	1346 Glamorgan Road Glamorgan Roll #902-43200 PIN #39229-0415	Abundant Solar	2015-261	October 5 th , 2015
Kenneth Clement	1346 Glamorgan Road Glamorgan Roll #902-43300 PIN #39229-0414	Abundant Solar	2015-262	October 5 th , 2015
David Michel	Conc. 14, Lot 3 Monmouth Roll #602-00200 PIN #39233-0282	Abundant Solar	2015-263	October 5 th , 2015

2016

Property Owner	Property Description	Solar Company	Resolution Number	Date Passed
Andrew Goin	Conc. 6, Pt. Lot 21-22 Cardiff Roll #101-51600 PIN #39249-0104	Abundant Solar	2016-317	September 12 th , 2016
Andrea Costello	2542 Hadlington Road Monmouth Roll #601-08200 PIN #39235-0247	Abundant Solar	2016-317	September 12 th , 2016
Blair Costello	2562 Hadlington Road Monmouth Roll #601-08000	Abundant Solar	2016-317	September 12 th , 2016



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	PIN #39235-0245			
John Hall	1347 Paynes Road Monmouth Roll #602-01000 PIN #39233-0260	Abundant Solar	2016-351	October 11 th , 2016
Cheryl Sanna	1541 Paynes Road Monmouth Roll #602-12800 PIN #39232-0180	Abundant Solar	2016-351	October 11 th , 2016

Municipal Land Owner Applications

2016

Property Owner	Property Description	Solar Company	Resolution Number	Date Passed	IESO Approved
Highlands East (Rooftop Unit)	2256 Loop Road Monmouth Roll #602-43800 PIN #39276-0289	Abundant Solar	2016-352	October 11 th , 2016	
Highlands East (Rooftop Unit)	2249 Loop Road Monmouth Roll #602-37400 PIN #39276-0328	Abundant Solar	2016-352	October 11 th , 2016	
Highlands East (Rooftop Unit)	1010 Meteorite Lake Rd. Cardiff Roll #103-18601 PIN #39242-0136	Abundant Solar	2016-352	October 11 th , 2016	
Highlands East	Ward 1 Landfill Bicroft Roll #401-13001 PIN #39248-0407	Abundant Solar	2016-352	October 11 th , 2016	
Highlands East	Ward 4 Landfill Monmouth Roll #601-49100, 601-49200 PIN #39274-0126	Abundant Solar	2016-352	October 11 th , 2016	