

By-Law Number 1080
Town Of Castor

A BYLAW OF THE TOWN OF CASTOR IN THE PROVINCE OF ALBERTA TO AUTHORIZE AMENDMENTS TO THE TOWN OF CASTOR LAND USE BYLAW NUMBER 1006.

Whereas Pursuant to Section 639 of the Municipal Government Act, Statutes of Alberta, 2000, Chapter M-26.1, and amendments thereto, the Council of the Town of Castor in the Province of Alberta has adopted Bylaw Number 1006 Land Use Bylaw;

And Whereas The Council deems it desirable to amend Land Use Bylaw 1006;

Now Therefore: The Council of the Town of Castor, duly assembled, enacts the following:

An amendment to Land Use Bylaw 1006 to introduce new definitions into the Land Use Bylaw for “Renewable Energy System” as a discretionary use:

1. Add the following to Part I, Section 2 Definitions:

“**Renewable Energy System**” means the processes, installations and any other structure or systems which produce electrical power to be used for the on-site and off-site consumption requirements by alternative means such as, but not limited to;

a) “**Solar – Household**” means an active or passive photovoltaic system using solar panels to collect solar energy from the sun and convert it to energy that is primarily intended for sole use and consumption on-site by the land owner, resident or occupant, and does not exceed 5 megawatts.

b) “**Solar – Commercial**” means an system using solar technology to collect energy from the sun and convert it to energy that is intended for off-site consumption, distribution of the marketplace, or a solar energy system that does not meet the definition of Solar – Microgeneration.

c) “**Geothermal**” means a renewable source of energy that employs the use of a heat pump to warm or cool air by utilizing the constant temperatures of the earth.

d) “**Wind – Household**” means a single wind turbine with rotos (blades) no longer than 1 metre in diameter for a total of 2 meters and has a maximum tower height (measured from the ground to the tips of the rotors) to be determined by the Development Authority. This unit has a nomial capacity and is located on the applicant’s property.

2. In part VI; Land Use districts; list “Renewable Energy System: Solar – Household”, “Renewable Energy System – Geothermal” “Renewable Energy: Wind – Household” as discretionary uses in the following:

R-1 Low Density Residential District
R-2 General Residential District
R-3 Multiple Unit Residential District
RE Residential Estates District
MHP Manufactured Park District
MHR – Manufactured Home Residential District

3. In part VI; Land Use districts; list “Renewable Energy System: Solar – Commercial” as discretionary uses in the following:

C-1 Central Commercial District
HWY-C Highway Commercial District
I Industrial District
CS Community Service District

4. Replace “Section 56. Resource Conservation” with the following:

1. 56. Renewable Energy Systems:

- 1) Renewable energy systems such as, but not limited to, active and passive solar, photovoltaic solar panels, heat exchange systems and generators are encouraged as a method to reduce green house gas emissions and to promote sustainability objectives within the Town. Renewable energy systems shall require a development permit to ensure there are no nuisance effects that extend beyond the site and shall have consideration for the following requirements:
 - a) Renewable energy systems shall meet the minimum requirements for accessory buildings and uses in the applicable land use district including setbacks and height; and
 - b) Renewable energy systems shall be considered a discretionary use in all land use districts.
 - c) Renewable Energy Systems shall follow the minimum requirements for accessory buildings and uses in the appropriate Land Use District.
 - d) A Renewable Energy System may be connected or disconnected from the electrical grid in accordance with the requirements of the power line company;
 - e) may provide residual power to the grid but is not intended to produce power primarily for resale;
- 2) Solar – Household
 - a) Development permit applications for solar energy system, household, shall be accompanied by the following additional information:
 - (i) Documentation demonstrating the system is designed to produce energy primarily for sole use and consumption on-site by the landowner, resident or occupant;
 - (ii) Manufacturer’s specifications for system design and rated output;
 - (iii) Orientation of the solar panels

- (iv) For panels mounted to the roof of a building or accessory structure or affixed to the wall of a building or accessory structure, a description of how the panels are to be mounted or affixed, maximum projection from roof or wall, and structural capacity of the building/wall to support the proposed development;
 - (v) For free-standing solar panels, a description of the proposed ground mount design and maximum height from existing grade.
 - (vi) All systems for mounting and securing solar panels shall meet to all Safety Codes requirements.
- b) Solar panels must be located such that they do not create undue glare on neighboring parcels or public roadways.
 - c) Solar panels mounted on the roof of a building or accessory structure must not extend beyond the outermost edge of the roof.
 - d) The maximum projection of solar panels affixed to the wall or mounted to the roof of a building or accessory structure shall be 1.5 ft (0.45m).
 - e) Setback requirement are as prescribed in the applicable land use district. In land use districts where accessory building setbacks are defined, those setbacks shall prevail and be applied for free-standing solar panels.
 - f) The maximum height of a free-standing solar panels shall not exceed 13.8 feet (4.2 meters)
 - g) Solar panel installations may be affixed to a building wall (principal and/or accessory), mounted to the roof of a building (which is considered to be part of the principle building) or mounted to the ground as a free standing structure. The maximum number of solar panel installations per parcel and location may be regulated based on the existing use of the parcel and/or adjacent parcels.

3) Solar – Commercial

- (a) Development permit applications for solar energy system, commercial/industrial shall be accompanied by the following additional information:
 - (i) The location of overhead utilities on or abutting the subject parcel and identification of any sensitive, environmental or topographical features which may be present on the parcel;
 - (ii) An accurate site plan depicting the titled parcels and location of the other solar energy system; the site plan must also depict the required setbacks from property lines and the proximity to structures, or

uses on the site and adjacent parcels of land;

(iii) Detailed information about the system type, number of structures, height of structures, and the energy process and rated output

(b) Setback requirements are as prescribed in the applicable land use district. In land use districts where accessory building setbacks are defined, those setbacks shall prevail and be applied for free-standing solar panels.

(c) Solar panel installations may be affixed to a building all (principal and/or accessory). Mounted to the roof of a building (which is considered to be part of the principal building) or mounted to the ground as a free standing structure. The maximum number of solar panel installations per parcel and location may be regulated based on the existing use of the parcel and/or adjacent parcels.

4) Geothermal

(a) A geothermal energy system must be constructed to ensure no nuisance effects, such as light reflection or noise, extend beyond the site.

(b) There shall be no above ground portion of the structure in the Rear Yard shall comply with all regulations of the Land Use Bylaw

5) Wind – Household

(a) An accurate site plan showing and labelling the information for the development including the specific locations of any proposed structures with setbacks from property lines and surrounding buildings within 0.5 km (.31 miles); The setback shall conform to the requirements of the underlying zone for both principal and accessory buildings located with the subject property;

(b) The wind energy conversion system shall be no closer to the property line than the total height of the unit, including any guy wire anchors

(c) At no time shall any portion of the structure be permitted to extend closer than 3m (10 ft.) to any property line.

This Bylaw amends Land Use Bylaw Number 1006.

This Bylaw shall have force and take effect on the final reading thereof.

READ a first time this 24th Day of August, 2020.

READ a second time this 28th Day of September, 2020.

READ a third time and finally passed this 28th Day of September, 2020.

“Original Signed”

MAYOR

“Original Signed”

CHIEF ADMINISTRATIVE OFFICER