

THE CORPORATION OF THE TOWNSHIP OF MULMUR

BY LAW NO. - 2007.

**BEING A BY-LAW OF THE CORPORATION OF THE TOWNSHIP OF MULMUR
TO ADOPT AN AMENDMENT TO THE OFFICIAL PLAN.**

(OPA NO. 12 – Energy Conversion Systems Amendment)

**The Council of the Corporation of the Township of Mulmur, in accordance with
the Planning Act, R.S.O. 1990, hereby enacts as follows:**

1. **THAT** Amendment No. 12 to the Official Plan for the Township of Mulmur is hereby adopted.
2. **THAT** the Clerk is hereby authorized and directed to make application to the Ministry of Municipal Affairs for approval of the aforementioned Amendment No. 12 to the Official Plan for the Township of Mulmur.
3. **THAT** this by-law shall come into force and take effect on the day of the final passing thereof.

By-law read a first and second time this day of , 2007.

By-law read a third time and finally passed this day of , 2007.

THE CORPORATION OF THE TOWNSHIP OF MULMUR

MAYOR - GORDON MONTGOMERY

CLERK - TERRY HORNER

CERTIFICATION

Certified that the above is a true copy of By-law No. - 2007 as enacted and passed by the Council of the Township of Mulmur on the day of , 2007.

CLERK TERRY HORNER

**OFFICIAL PLAN
FOR THE
TOWNSHIP OF MULMUR

AMENDMENT NO. 12**

Amendment No. 12 to the Official Plan for the Township of Mulmur was prepared and recommended to the Council of the Township of Mulmur under the provisions of the Planning Act, R.S.O. 1990, on the day of , 2007.

Mayor - Gordon Montgomery

Clerk - Terry Homer

This Amendment was adopted by the Corporation of the Township of Mulmur by By-law No. – 2007, in accordance with the provisions of the Planning Act R.S.O. 1990, on the day of , 2007.

Mayor - Gordon Montgomery

Clerk -Terry Homer

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THE CONSTITUTIONAL STATEMENT

PART A - THE PREAMBLE does not constitute part of this Amendment.

PART B - THE AMENDMENT consisting of the following text constitutes Amendment No. 11 to the Official Plan of the Township of Mulmur.

PART C - THE APPENDICES does not constitute part of this Amendment. The Appendices consist of the following:

Appendix 1 – Copy of Planning Report

Appendix 2 – Copy of Notices of Public Open House and Public Meeting

Appendix 3 - Minutes of Public Meeting

Appendix 4 - Copy of Correspondence Received

PART A - THE PREAMBLE

1.0 Purpose

The proposed Official Plan Amendment would replace the current Wind Energy Conversion Systems policies and expand the policies to include other types of Energy Conversion Systems.

The proposed Amendment does not change the land use designation of any land in the Township.

2.0 Location

The proposed changes apply to all lands in the Township.

3.0 Basis

This Amendment is the culmination of a comprehensive review and up-date of the Wind Energy Conversion Systems policies first introduced as part of the five-year review and up-date to the Official Plan approved as part of Official Plan Amendment No. 6 in 2004.

This Amendment has been deemed necessary to address the provisions of the 2005 Provincial Policy Statement, to address other types of energy conversion facilities as well.

This Amendment will provide the policy foundation and a framework for reviewing any Planning Act application dealing with energy conversion projects in the Township.

This Amendment will also form a basis for the establishment of comprehensive Planning Act application requirements, pursuant to s. 34(10.1) and (10.2) of the Planning Act.

PART B - THE AMENDMENT

1.0 Introduction

All of this part of the document, entitled Part B - The Amendment, which consists of the following text, but does not include any Schedule, constitutes Amendment No. 12 to the Official Plan for the Township of Mulmur.

2.0 Details of the Amendment

The Official Plan of the Township of Mulmur, as amended, is hereby further amended as follows:

1. Section 5.18 Wind Energy Conversion Systems, is amended by deleting the section in its entirety and replacing it with the following:

5.18 ENERGY CONVERSION SYSTEMS

Energy conversion systems consist of mechanical devices designed to convert wind, solar or other forms of naturally occurring energy into electricity.

For the purposes of this Plan, a distinction is made between small and large scale systems of various types.

5.18.1 WIND ENERGY CONVERSION SYSTEMS

For the purposes of this Official Plan, Wind Energy Conversion System, wind turbine, wind farm, wind generator, and wind generating system shall have similar meaning.

5.18.1 i) Small Scale Wind Energy Conversion Systems

Small scale wind energy conversion systems shall be those that meet all of the following criteria:

1. generate less than nameplate capacity rating of 50 kW.a;
2. comprise only one generating device per land holding;
3. generate electricity for uses on the property on which it is situated, as an accessory to some other existing, permitted principal use or uses on the lot.
4. Net metering is permitted, provided that the amount of electricity produced, on average, does not exceed that which is required by the uses on the property.

5.18.1 i) a) Policies and Requirements

The establishment of a small scale conversion system is permitted on parcels of 2.0 ha. or more in size on lands zoned “Agricultural”, “Rural” and “Recreational” as accessory to some other existing, permitted principal use on the same lot. The height of such turbines, measured from average grade at its base to the highest point, generally the blade tip, shall not exceed the lesser of 24.4 m. or the maximum height recommended by the manufacturer or distributor.

Small scale wind turbines may also be permitted on parcels of less than 2.0 ha and at appropriate locations on lands within other zones, except in an “Environmental Protection” Zone, by site-specific amendment to the Zoning By-law. The maximum height of such turbines shall be 24.4 m. or such lesser height as deemed appropriate for the site and area, and shall be set out in the site-specific Zoning By-law Amendment.

Zoning By-law Amendments for individual projects shall contain additional standards and requirements appropriate for such structures and locations.

5.18.1 ii) Large Scale Wind Energy Conversion Systems

Large scale systems are those that:

1. involve one or more generating devices that individually and collectively produce more than nameplate capacity rating of 50 kW.a. and;
2. are intended to feed electricity into the commercial electricity transmission grid, on a commercial basis.

5.18.1 ii) a) General Policies and Requirements

Large scale wind energy conversion systems will only be permitted, by a site-specific amendment to the Township’s Zoning By-law, where the following policies and requirements can be met.

Large scale wind energy conversion systems may be permitted at appropriate locations on lands designated “Rural”. In areas designated “Agricultural”, such systems may also be permitted where they can be located on lands of lower agricultural capability or in such a way as to maximize the continued use of prime agricultural lands for farming purposes. Such facilities shall be located so as to minimize the loss of productive agricultural land.

Large scale systems shall not generally be permitted in other land use designations and will only be permitted by site-specific amendment to this Official Plan if, among other matters to be considered which may be applicable to any specific proposal;

- all of the policies of this Plan can be satisfied;
- it can be clearly demonstrated that the facility is appropriate for the site and area;
- that potential land use conflicts can be appropriately mitigated and minimized;
- that the wind resources at the proposed location are adequate for the use, based on the positive results of appropriate, on-site meteorological testing, and;
- it can be demonstrated that the establishment of such facilities is sufficiently valuable to the electricity supply system of the Province as to outweigh the public interest in terms of protecting the sensitive nature and maintaining the scenic values of the Niagara Escarpment and of the Township generally.

Projects will not be approved:

- in areas where wind resources are insufficient to ensure the viability of the facility.

According to “Windatlas” wind resources mapping of the Zones of Wind Potential in Southern Ontario, wind speed and wind energy potential at 30, 50 and 80 m. above the ground’s surface generally declines from west to east across the Township and can be considered to range from moderate to low. As a result, wind resources may be marginal, at best, for the establishment of such facilities and may only be sufficient in the areas to the west of the Niagara Escarpment Plan area within the Township.

The adequacy of the wind resource at the proposed location must be confirmed through on-site meteorological testing of a duration of a minimum of one year.

- within 1,000 m. of the Niagara Escarpment Plan area and the Bruce Trail.

This is due to the extreme visibility of wind turbines and the impacts of associated lighting, and the sensitive nature and scenic values of the Niagara Escarpment landscape, which has been recognized as a UNESCO heritage reserve area.

- within 1,000 m. of the boundaries of the “Community” designation, as defined on the Schedules to this Official Plan.
- In a large area in the south-west portion of the Township surrounding the aircraft navigation beacon located in the West Half of Lot 10, Concession 1 WHS, unless a clearance from the appropriate federal agency or agencies having jurisdiction has been obtained.

The radius of the affected area is determined by the height of the turbine and generally varies from a 5 to 8 km. radius from the navigation beacon.

- within the approach path, as defined by NavCan or the appropriate Federal authority, of any airport or landing strip, whether commercial or private;

- in and within 120 m. of any Provincially Significant Wetlands or in any area designated as “Natural Area” in the Official Plan and/or zoned “Environmental Protection” in the Zoning By-law.

Appropriate set-backs from such areas shall be established through appropriate studies and implemented through the Zoning By-law Amendment and site plan approval processes, to provide adequate buffers.

Where the potential for the establishment of large scale Wind Energy Conversion Systems exists, based on the above, the following policies and requirements shall apply.

5.18.1.ii) b) Critical Issues and Related Requirements

A. Impacts on Scenic Values and Rural Character

The impact of the generation facility and of related transmission facilities which are required to be established or up-graded, on scenic values and the predominantly agricultural, rural and natural character of the area in which the facility is to be located is a primary concern of the Township.

Proposals that have a significant detrimental impact on these values and the character of the area in which they are proposed to be located are not acceptable and will not be approved. Where projects are favourably considered, preference will be given to turbine and transmission line locations which have the least impact on scenic values and the largely undeveloped and predominantly open rural, agricultural and natural landscape.

- An assessment, prepared by a qualified professional, of the impact of the generation facility and of the transmission facilities, on scenic values and rural character within an area defined, in the case of the generating facility, by the greater of a 2 km. radius of the generating facility or the area from which the turbine(s) will be visible from the ground and, in the case of transmission lines, within 500 m. on both sides of the lines, shall be required.

In this regard, the proponent shall provide a detailed landscape analysis and provide a map showing the location of vantage points and zones of visual influence. Photo montages, showing both daytime and night time views, shall be provided to simulate the appearance of the turbines and transmission lines as they would be viewed from key locations including views from residences, building sites, from vantage points on the escarpment and from such features accessible to the public as the Bruce Trail and area roads.

The assessment shall include an evaluation of all alternative locations, and recommendations for minimizing and mitigating visual impacts at the preferred location(s) wherever practical.

- To reduce visual impacts, the Municipality may require that the turbines as well as other ancillary infrastructure be finished in neutral/natural colours acceptable to Council, that the use of colours is consistent within a wind farm and between wind farm developments where possible, that lights are set to operate in a synchronized fashion, that the turbines are geared to ensure that the blades rotate in the same direction, that on-site connective cabling be laid underground, that fences be of a consistent design and act as an effective screen where appropriate, and that a landscape plan and/or tree planting plan approved by Council be carried out, among other requirements.
- Transmission lines which must be located where the impacts on scenic values and/or the rural character cannot be adequately mitigated, such as within and adjacent to the Niagara Escarpment Area and to other public lands which have been acquired

and made available for public uses because of their natural qualities, scenic beauty and vistas (such as the Boyne River Valley Provincial Park), will be required to be in-ground.

B. Economic Impacts

The impact of such proposals on the economy of the Township, which is based largely on the scenic values and the fact that it is a substantially undeveloped, rural and natural place, is also a primary concern of the Township.

The Township recognizes that such proposals have a broader public benefit; that some, small benefit will accrue to the Township through such things as increased assessment and Development Charges; that some limited short term employment and business opportunity will be generated and; that landowners with turbines on their holdings will realize financial gain. These benefits must be identified and quantified, and weighed against the costs to the Township and its ratepayers of potential changes to the area's rural economy as a consequence of such projects, whether directly or indirectly.

The rural economy of the Township is unique and is largely dependant on the high quality, scenic landscapes of the area, where real estate values are typically high and where the owners of those properties are among the greatest generators of local economic activity. Increased assessment, additional business activity, enhanced property values, the establishment of home based businesses and job creation are among the benefits being realized. The impacts of the introduction of large scale wind energy conversion facilities must not result in the erosion of the existing rural economy of the Township.

- A detailed assessment, prepared by a qualified professional, shall be provided as part of any application for approval under the Planning Act, describing and quantifying the economic impacts of the proposed facility, including the costs and benefits to the Township generally, as well as the impacts on the rural economy of the local area in which the facility is to be located.

- An assessment of the project's effects on property values shall be provided, to address any concerns raised by adjacent and/or visually impacted property owners.

Guidelines shall be developed by the Township for the technical supporting information required, and proponents shall be required to comprehensively address these important matters.

5.18.1 ii) c) Planning Policies and Requirements

A detailed and comprehensive planning analysis and justification report shall be required, which addresses all applicable Federal, Provincial and municipal policies and requirements. Proposals which do not meet all applicable policy requirements will not be approved.

- A planning analysis and justification report shall be provided, to demonstrate how the proposal meets all of the policy and other applicable requirements of the Province and the Township, including the requirements for a complete application. This report shall also provide a description of the cultural, as well as the open rural and natural character of the area and demonstrate how the proposal will impact on this character and provide recommendations as to how the potential for land use conflict can be managed and minimized.
- The turbines shall be located so that they do not present an undue constraint to the construction of a permitted principal building or structure on an adjacent lot, if undeveloped. The impact of the introduction of Wind Energy Conversion Systems on the development potential of adjacent lands for purposes such as the creation of new lots by consent, the erection of telecommunication facilities, the construction of an airstrip, among other potential impacts, must be identified and evaluated. The proponents will be required to provide detailed information at open houses and public meetings which demonstrates these potential impacts.
- Turbines, access roadways, transmission facilities and related developments shall also be located so that the consumption of prime agricultural lands and the impacts on normal farming practices are minimized. A report justifying the need to locate such systems on prime agricultural lands, based on the criteria described in Policy 2.3.5 and Policy 1.8.3 of the Provincial Policy Statement, shall be provided.
- A "Stage 2 Archaeological Study" if required by the Ministry of Culture, shall be submitted. All of the recommendations of the study and/or requirements of the Ministry must be incorporated into the design and construction and/or the operation and maintenance plans for the facility, as appropriate.

5.18.1 ii) d) Technical Policies and Requirements

The following technical policies and requirements, as a minimum, are applicable to all large scale Wind Energy Conversion Systems.

- Wind generation facilities which generate in excess of 2 MW of energy shall be subject to an Environmental Screening Process as set out in the Ontario Environmental Assessment Act. A Statement of Completion of the Environmental Pre-screening Process, or a Minister of Environment and Energy, or Director's decision shall be required as part of any Planning Act application.
- The submission of any proposal that is subject to the Canadian Environmental Assessment Act shall be supported by a copy of the appropriate Federal approval/decision.
- Turbines shall have a "Type certification/type certificate" (international standards issued by the International Electrotechnical Commission (IEC) from a certified approval body indicating conformity with national or international standards. The project shall use only turbines that have achieved type certification by a reputable and third party verification institute such as DNV, GL, Riso, WindTest, etc. with a demonstrated design life of at least 20 years.
- A Certificate of Approval (AIR) from the Ministry of the Environment and Energy must be obtained and a copy submitted to the Township as part of any Planning Act application.
- A report shall be provided as part of any Planning Act application, containing an analysis of the potential for overshadowing, blade glint and shadow flicker effects of proposed turbines on existing residential uses as well as on potential residential uses on vacant building lots and within building envelopes established by agreement between the owner of the lot and the Township, within a 500 m. radius for overshadowing and within a 1500 m. radius of any turbine for shadow flicker and blade glint. Shadow flicker impacts shall not exceed 30 minutes per day and 30 hours per year. The report shall indicate how these impacts have been calculated and include the results of actual testing and/or modeling, as applicable.
- An assessment, prepared by a qualified professional and/or a letter from the Ministry of the Environment shall be provided as part of any Planning Act application, confirming that the facility meets the Ministry's noise attenuation requirements (NPC-232 or its equivalent/ successor) for all sensitive noise receptors within 1500 m. of any turbine and that reasonable and appropriate measures have been employed to minimize the impacts of noise. Noise impacts shall also be limited so that the potential to develop and use existing adjacent vacant lots and lots with building envelopes established by agreement between the owner and the Township for as-of-right purposes is maintained.
- An assessment of potential electromagnetic interference on radio, television, air transport/navigation, microwave transmissions, etc. facilities and services shall be prepared by a qualified professional in consultation with the relevant authorities, including recommendations for mitigation of impacts. Generally, interference shall be minimized, if not eliminated through appropriate turbine design and siting. The siting of turbines within the line-of-sight between transmitters and receivers should be

avoided. Pre and post installation testing may be required. Should post testing impacts be detected, remediation shall be required.

- An assessment by a qualified professional shall be required, detailing the potential for impacts on airports/airfields/airstrips and on aircraft safety, in consultation with Transport Canada, NAVCAN, or the appropriate authority as well as with the owner/operator of the facility. Turbines shall not be permitted to protrude into any obstacle limitation surface of any airfield. As part of this assessment, the lighting requirements of turbines and the impacts of lighting shall be assessed, and mitigation measures recommended, to minimize impacts.
- An assessment of the potential hazards associated with blade throw, ice throw and structure topple shall be provided. Measures adequate to ensure the public safety, including set-backs from property lines, roads and other rights-of-way used by the public, including any attendant amenity areas, shall be required to be implemented.

5.18.1 ii) e) General and Operational Policies and Requirements

The following general and operational policies and requirements, as a minimum, are applicable to all large scale Wind Energy Conversion Systems.

- The proponent shall identify the owner and operator of the facility as well as the landowners of all affected properties and provide a detailed and accurate description of the project, including the number, type, height and location of all turbines and ancillary infrastructure, the proposed timing of construction, construction access requirements, the proposed timetable and duration of the project, as well as plans for and/or the potential for additional units or future phases.
- A report shall be prepared which provides a summary of the wind measurement findings based on a minimum of one year of appropriate meteorological observation within the project area, and the submission of engineering drawing and specifications of the turbines, including make and model, rated power output, rotor diameter, cut-in and cut-off wind speeds, hub height, construction materials, colour and finishes (with specialist's advice to suit requirements of each particular location) manufacturer's certification of noise emissions including sound power and narrow band frequency spectrum. All such design information, plans and specifications shall be certified by a professional engineer who holds a recognized professional engineering license in Ontario.
- A decommissioning and site rehabilitation plan shall be provided which indicates the circumstances under which the removal of the turbines and all related infrastructure will be undertaken. Securities which are, at all times, adequate to cover the full costs of decommissioning and site rehabilitation shall be required to be provided by the proponents.

- An Environmental Management Plan outlining the operational and maintenance requirements of the facility, addressing the storage and use of hazardous materials and substances, fuels, lubricants, etc., and describing a spills action and remediation plan, etc. shall be provided.
- An Emergency Services Plan shall be provided, to demonstrate how the operator will deal with emergencies, including severe weather conditions and icing, and an operational protocol for dealing with safety, incident prevention, unauthorized access, vandalism and property damage, terrorism and local emergency services liaison, etc. Methods for alerting the public of potential hazards and impacts must be acceptable to the Township, the County of Dufferin (Emergency Services Department) and the Ontario Provincial Police.

5.18.1 ii) f) Application and Administration Provisions

A Complete Application Requirements

- A comprehensive list of requirements for a “complete application” for Planning Act approvals shall be developed and approved by Council as a policy of the municipality prior to accepting as “complete” any application for any such proposal.
- The application requirements may be revised from time to time, without requiring an amendment to this Plan, and may vary according to the intricacies of any specific proposal, to ensure that a comprehensive review can be undertaken, and a fully informed decision can be reached on each application.

B Zoning By-law Amendment Applications

Requirements deemed by Council to be necessary to appropriately control and regulate the use, on a site-by-site and case-by-case basis, shall be introduced by means of the amending by-law for each facility.

The following policies and requirements, among others that may become apparent through the preparation of a Planning Act application submission or through the review of such proposals, are applicable to all large scale Wind Energy Conversion Systems.

- A single application for a Zoning By-law Amendment for a wind farm involving more than one landholding may be submitted. Council may approve all or only some part or parts of a proposal, and may elect to consider separate amending by-laws for the individual properties involved with any proposal. The Township’s Tariff of Fees By-law shall be revised accordingly, to ensure that the costs incurred by the municipality in the course of processing such amendments are apportioned accordingly and fully recovered.

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- An application for a Zoning By-law Amendment shall not be deemed to be a complete application unless documentation has been prepared and submitted with the application which addresses all of the above requirements, where applicable.
- The Zoning By-law Amendment shall contain minimum standards and requirements for all such facilities. Site-specific amendments may contain additional provisions to appropriately regulate such uses, on a case-by-case basis.
- Public Notice of an application for a large scale wind energy conversion system shall include a display advertisement for two consecutive weeks in each of the three local newspapers covering the Township, a notice mailed by first class mail to all landowners within a 1.0 km. distance of the property or the limits of the wind farm area, as well as the posting of a separate notice sign at a conspicuous location at the front lot line and any exterior side lot line of each affected parcel.

C. Use of “Holding” Symbol

The site-specific Zoning By-law Amendment may include a “Holding” symbol and requirements relating to the removal of the “Holding” symbol may include:

- the execution and registration of a site plan agreement,
- submission of documentation showing that a contract allowing the facility to be connected to the electrical transmission grid has been executed;
- submission of the Ontario Energy Board license or other documentation indicating that the developer may operate as a licensed electricity generator;
- Council acceptance of an Operational Protocol and Emergency Response Plan;
- The execution of all required agreements and receipt of all securities required to guarantee the performance of the proponents’ and/or landowners’ obligations.
- Any other documentation deemed to be necessary to satisfy the requirements of the Municipality, Niagara Escarpment Commission, Nottawasaga Valley Conservation Authority, any adjoining upper and lower tier municipality, the Province of Ontario and/or the Government of Canada.

D. Site Plan Control

- All such facilities shall be subject to Site Plan Control, and a separate application for site plan control shall be submitted for each affected separate landholding with any application for re-zoning. An appropriate, separate site plan agreement shall be required to implement and enforce conditions of approval against each of the affected properties.

- The site plan agreement shall contain provisions to address the possible abandonment or de-commissioning and the eventual removal and/or replacement of all such facilities. Securities adequate to assure performance by the developer and/or the landowner (as appropriate) shall be provided in accordance with specific provisions contained in the site plan agreement.

E. Other Agreements

- A separate agreement requiring cash deposits, a bond, letter of credit or other security sufficient to guarantee performance of other, off-site obligations of the proponent and/or the landowner, and permitting the Township to redeem and

apply all or any part of the securities to the performance of the work, may be required for such purposes as the reinstatement of public roads damaged by the transport of components, materials and equipment to/from the site.

F. MET Towers Require “Temporary Use” Zoning

- Meteorological test towers shall require re-zoning as temporary uses. An agreement may be required to provide for removal and site rehabilitation.

G. Peer Review

- The Township may require an independent peer review of technical information and plans submitted in support of any application, with the full cost of such external review to be borne by the applicant.

H. Building Permit and Development Charges

- A building permit shall be obtained prior to the erection of any and all such devices and systems. Development charges shall be applied in accordance with the Township’s Development Charges By-law and shall be collected at the time of issuance of municipal approval of the application for building permit.

5.18.2 SOLAR ENERGY CONVERSION SYSTEMS

Solar Energy Conversion Systems consist of photovoltaic or photoelectric devices and systems designed to convert solar energy into electricity.

For the purposes of this Plan, small scale systems are those that have a generating capacity less than the requirements of the principal permitted uses on the lot, regardless of whether or not they are connected to the electricity grid, up to a maximum generating capacity of 10 kW.

Large scale, commercial systems are those that have a generating capacity which exceeds the requirements of the principal permitted uses on the lot and/or generate

more than 10 kW total output, regardless of whether they are connected to the electricity transmission grid.

Where applicable, the policies and requirements which apply to Wind Energy Conversion Systems shall generally also apply, with appropriate modification, to Solar Energy Conversion Systems. The following policies and requirements shall also apply.

The establishment of any large scale or commercial Solar Energy Conversion System shall only be permitted by a site-specific amendment to the Zoning By-law at appropriate locations and in appropriate zones. Such uses, wherever permitted, shall be subject to the following:

- A detailed and accurate plan prepared by a qualified professional shall be submitted to illustrate the location, height and design details of the proposed system, the location and height of all other existing buildings and structures, as well as all other features on the subject property, and the location and height of all existing buildings and structures within 30 m. of the subject property.
- The Zoning By-law Amendment may contain additional provisions to appropriately regulate such developments and uses, on a site-by-site and case-by-case basis.
- The facility shall be located so that it does not present an undue constraint to the establishment of a permitted principal building or structure on an adjacent lot, if undeveloped, or to the natural growth of vegetation on an adjoining lot.
- All such facilities shall be subject to Site Plan Control, and an appropriate agreement may be required to implement and enforce conditions of approval.
- A building permit shall be obtained for any and all such facilities.

Small scale systems may be permitted in any designation other than “Natural Area”. Those which are proposed to be located within any area designated as “Community”, “Residential” or “Estate Residential” shall be subject to prior public notice to the owners of all lands within 120 m. of the lands on which the facility or device is to be situated, and a public consultation process.

At the discretion of Council, small scale facilities in built-up areas may also be subject to site plan control as a means of ensuring that any issues and concerns relating to land use compatibility are addressed.

5.18.3 THERMAL ENERGY CONVERSION SYSTEMS

Devices and systems which convert solar energy to thermal energy shall also be subject to this policy, where and as applicable. Such devices are permitted only where they are accessory to and exclusively serve a permitted principal use already established on a lot and, as such, they shall be considered as small scale uses.

Where applicable, the policies and requirements which apply to Wind Energy Conversion Systems shall generally also apply, with appropriate modification, to Thermal Energy Conversion Systems.

5.18.4 OTHER ENERGY GENERATION AND CONVERSION SYSTEMS

All other types of energy generation and/or conversion systems shall require an amendment to the Official Plan as well as an amendment to the Zoning By-law which shall include regulations specific to and appropriate for the type, scale and location of the specific project.

Where applicable, the policies and requirements which apply to Wind Energy Conversion Systems shall generally also apply, with appropriate modification, to other Energy Generation and Conversion Systems.

3.0 IMPLEMENTATION

The provisions of the Official Plan regarding the implementation of that Plan shall also apply to this Amendment

4.0 INTERPRETATION

The provisions of the Official Plan for the Township of Mulmur, as amended from time to time, shall apply to this Amendment.

PART C - THE APPENDICES

Appendix 1 – Copy of Planning Report

Appendix 2 – Copy of Notice of Public Open House and Notice of Public Meeting

Appendix 3 - Minutes of Public Meeting

Appendix 4 - Copy of Correspondence Received