

BYLAW No. 1-2017

Rural Municipality of Rocanville No. 151

A Bylaw for the Purpose of Regulating Wind Energy Facilities and Wind Farms

The Council of the Rural Municipality of Rocanville No. 151, in the Province of Saskatchewan, enacts as follows:

1. This Bylaw may be cited as “**The Wind Energy Facilities & Wind Farms**”.

2. In this Bylaw, including this section:

(a) “**Municipality**” means the Municipality of Rocanville No. 151.

(b) “**Wind Farm**” means a wind energy facility consisting of two or more wind turbines.

(c) “**Wind Turbine**” means a device that converts kinetic energy of the wind into rotational energy to turn an electrical generator shaft. The height of a wind turbine tower is measure from the base of the tower foundation to the highest point of the blades at their apex.

(d) “**Wind Energy Facility**” means a single wind turbine and all equipment, machinery and structures utilized in connection with the conversion of wind to electrical energy. This includes, but is not limited to, all associated transmission, storage, collection and supply equipment, substations, transformers, site access, service roads and machinery.

3. An application for a wind energy facility or wind farm shall provide documentation, to Council's satisfaction as follows:

(a) A site location plan showing the subject property, adjacent roads, railways, telecommunications facilities (to ensure avoidance of microwave transmission corridors), property lines and all habitable buildings within 1.6 kilometers of the proposal.

(b) A detailed site plan drawn to scale showing the location of the proposed wind turbines and all associated facilities indicating cable locations for domestic usage and power grid connections, existing vegetation, proposed access and landscaping.

(c) Confirmation of site ownership by the proponent or where the land is not owned by the proponent evidence of site control and right to access through provisions of a lease or easement agreement with the owner.

(d) Proponents are responsible for obtaining any required federal or provincial permits, licenses and approvals for construction and maintenance of wind energy facilities and must remit a copy to the municipality.

(e) Details respecting the color and markings for the proposed tower including required lighting in accordance with federal aviation requirements.

(f) Validation by a professional engineer of the structural integrity of the proposed supporting tower and foundation or a description of required manufacturing specifications.

(g) For wind farms, additional information may be required respecting:

(i) Illustration of sight line vistas from residential buildings within 1.6 kilometers of the proposed development utilizing photographic representations of the development area;

(ii) A decommissioning plan addressing the manner of physical removal of the facility, removal of any hazardous materials and site restoration to a natural condition, should the use of the facility be discontinued.

4. The following standards apply to wind energy facilities and wind farms:

- a) Wind turbines are limited to a maximum height of 100 meters.
- b) The setback of a wind turbine to any public road right of way and railway right of way shall be greater than or equal to the height of the wind turbine.
- c) The setback of a wind turbine to any property boundary shall be greater than or equal to the height of the wind turbine.
- d) Council may approve a lesser separation where the applicant submits a copy of the agreement between the developer of a wind energy facility or wind farm and the neighboring property owner, agreeing to a lesser separation. Such agreements shall contain the provision that parties to the agreement will register an interest on the titles of the affected land. Where such agreements are made, Council shall be a party to the agreement and may use Section 235 of The Act to register an interest to the titles of the affected lands.

5. Any person who contravenes any provisions of this Bylaw is guilty of an offence and is liable on summary conviction to a minimum fine of One Thousand Dollars (\$1,000.00) and a maximum fine not in excess of Five Thousand Dollars (\$5,000.00) or in default of payment of the fine and cost, to imprisonment for a period not exceeding 30 days.

6. The provisions of this Bylaw shall apply within the limits the Rural Municipality of Rocanville No. 151.

7. This Bylaw shall come into force and take effect on final passing thereof.



Reeve

Anderson
Administrator



Certified a true copy of Bylaw No.1-2017.

Anderson
Administrator

Read a Third Time and Adopted this
11th day of May, 2017.