



File #: BL-19-025, **Version:** 1

TAMRMS#: B06

Bylaw 27/2019 Land Use Bylaw Amendment - Solar Arrays (1st Reading)

Presented by: Jean Ehler, Manager, Development Branch

RECOMMENDATION(S)

1. That Bylaw 27/2019, being Amendment 171 to the Land Use Bylaw 9/2005, be read a first time.
2. That a public hearing on Bylaw 27/2019 be scheduled for September 16, 2019.

PURPOSE OF REPORT

The purpose of this report is to introduce Administration's proposed amendments to the Land Use Bylaw (LUB) which, if passed, would:

- (a) allow ground located solar collectors as a discretionary use in the Commercial and Industrial Services (CIS) land use district; and
- (b) clarify that roof-based solar collector systems (already allowed under the LUB) include ballasted flat-roof systems that have no point of attachment to a roof apart from being placed there.

ALIGNMENT TO PRIORITIES IN COUNCIL'S STRATEGIC PLAN

This initiative supports Strategic Priority #6 (Environmental Stewardship) with respect to reducing St. Albert's environmental footprint, since solar-generated electric power can displace an equivalent amount of electricity generated through combustion of fossil fuels.

ALIGNMENT TO LEVELS OF SERVICE DELIVERY

N/A

ALIGNMENT TO COUNCIL DIRECTION OR MANDATORY STATUTORY PROVISION

N/A

BACKGROUND AND DISCUSSION

In February, 2016, Council approved amendments to the LUB which:

- introduced “**solar collector**” as a use;
- introduced General Regulations which control the installation of a solar collector attached to the roof or wall of a building in all Land Use Districts; and
- stipulated that a development permit was not required provided that the General Regulations which control the installation of a solar collector are fully complied with.

Currently the LUB does accommodate the installation of solar collectors on car port structures, and

the installation of solar roof tiles. Recent enquiries regarding the possibility of installing a ground located solar collector structure (a racking system with attached rails) in the CIS district, indicated that a review of the existing regulations was required. At the same time, it became apparent that the LUB did not allow for installation of ballasted flat roof systems which have no point of attachment or fixture to the roof of a building other than being placed (located) on a roof.

The proposed amendments will align the St. Albert approach with that of other municipalities in Alberta.

The amendments would:

- narrow the existing definition for **“solar collector”** so that it means only a roof or wall located structure;
- allow for the location of ballasted systems on roofs;
- add a new definition for **“solar collector, ground”** to distinguish it from a roof or wall located structure;
- enable the installation of ground mounted (ground located) solar collector racking systems with attached rails in the CIS district as a discretionary use;
- add text to **Section 6.20 Prohibited Uses**, and reword **Section 6.24 Solar Collectors** to regulate both **“solar collector, roof or wall”**, and **“solar collector, ground”**; and
- add text to **Section 9.17 Commercial and Industrial Services (CIS) Land Use District** whereby a **“solar collector, ground”** is designated a discretionary use.

STAKEHOLDER COMMUNICATIONS OR ENGAGEMENT

Internal communication was limited to discussions with the City’s Building Inspection Services Branch Manager, and an exchange of information with the City’s Senior Manager, Assessments. Regarding possible taxation implications, any owner/developer who approaches the City to discuss assessment and tax consequences on a larger solar project, should enter into a dialogue with Assessment, who can assist in providing a tax estimate. Large scale solar farm developers would have to contact the province directly.

External communication was limited to meetings with, and email exchanges between City Administration and a business owner who installs solar collector systems and would like to do so in St. Albert. Information thus obtained resulted in the proposals before Council.

IMPLICATIONS OF RECOMMENDATION(S)

Financial:

None at this time.

Legal / Risk:

None at this time.

Program or Service:

None at this time.

Organizational:

None at this time.

ALTERNATIVES AND IMPLICATIONS CONSIDERED

Should Council not support the recommendation, the following alternatives could be considered:

a) Alternative 1.

That Council do nothing. The *status quo* is maintained, in that the Land Use Bylaw would remain 'silent' on ground located solar collectors, thereby limiting options for the installation of this technology in the Commercial and Industrial Services (CIS) Land Use District.

Report Date: August 19, 2019

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Deputy Chief Administrative Officer: Kerry Hiltz

Chief Administrative Officer: Kevin Scoble

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CITY OF ST. ALBERT

BYLAW 27/2019

Being Amendment 171 to Land Use Bylaw 9/2005

The Council of the City of St. Albert, duly assembled, hereby ENACTS AS FOLLOWS:

1. Section 1.6 Definitions is amended by inserting the following definition after “sod farm” and before “solar collector”:

‘ **“solar collector, ground”** means a non-reflective accessory structure not located on a building, used to collect sunlight that is part of a system used to convert radiant energy from the sun into thermal or electrical energy;’

and

The definition for **“solar collector”** is amended by inserting the words **‘roof or wall’** after **“solar collector”**:

‘ **“solar collector, roof or wall”** means a non-reflective accessory structure located on a building, used to collect sunlight that is part of a system used to convert radiant energy from the sun into thermal or electrical energy;’

2. Part 6. General Regulations, Section 6.20 Prohibited Uses is amended by inserting the following text after 6.20(1)(aa) “school, post-secondary” and before 6.20(1)(bb) “supportive housing”:

“solar collector, ground”.

3. Part 6. General Regulations, Section 6.24 Solar Collectors is deleted in its entirety and replaced with the following text:

“Section 6.24 Solar Collectors

(1) Solar Collector, Roof or Wall

(a) The solar collector shall be located on the roof or wall of a building.

(b) Within the R1, R2, RX, and RXL Residential Land Use Districts:

- i) a solar collector located on a roof with a pitch of less than 4:12 must not extend beyond the outermost edge of the roof, but may:
 - (A) project a maximum of 0.5 m from the surface of the roof when the solar collector is located 5.0 m or less from a side

property line, measured directly from any point along the side property line; and

(B) where the solar collector is located more than 5.0 m from a side property line, it may project a maximum of 1.3 m from the surface of the roof.

ii) a solar collector located on a roof with a pitch of 4:12 or greater may project a maximum of 1.3 m from the surface of the roof, and must not extend beyond the outermost edge of the roof.

(c) Within all Land Use Districts except R1, R2, RX, and RXL Residential Land Use Districts:

i) a solar collector located on a roof with a pitch of less than 4:12 may project a maximum of 2.0 m from the surface of the roof, and must be located at least 1.0 m inward from the outermost edge of the roof.

ii) a solar collector located on a roof with a pitch of 4:12 or greater may project a maximum of 1.3 m from the surface of the roof, and must not extend beyond the outermost edge of the roof.

(d) A solar collector located on a pitched roof shall not project vertically beyond the height of any existing roofline or any roof peak.

(e) In all instances, the maximum distance by which a solar collector may project from the surface of the roof is determined by measuring the perpendicular distance between the surface of the roof and the exterior surface of the solar collector.

(f) A solar collector that is located on a wall may project a maximum of 0.6 m from the surface of that wall.

(2) Solar Collector, Ground

A solar collector, ground:

(a) Shall be an accessory use to the principal use on a parcel located in the CIS Land Use District;

(b) Shall not project vertically beyond the height of any existing roofline or any roof peak of the principal building;

(c) Shall comply with the setback requirements for accessory buildings of the District;

(d) Shall be located in a side yard or rear yard only;

- i) when located in a side yard, no portion of the installation shall project beyond the front face of the principal building;

(e) Must be located and arranged so that:

- i) glare is not directed at an adjacent site and indirect glare does not adversely affect an adjacent site; and
- ii) traffic safety is not adversely affected.

(f) Shall not be located adjacent to a residential land use district.”

4. Part 9. Commercial and Industrial Services (CIS) Land Use District, Section 9.17(4) Discretionary Land Uses is amended by inserting “solar collector, ground” to “(II) accessory developments to any use listed in (3) or (4).”, so that it reads:

“(II) accessory developments to any use listed in (3) or (4), and solar collector, ground.”

5. All sections are renumbered accordingly.
6. The Chief Administrative Officer is authorized to consolidate Bylaw 9/2005.
7. This Bylaw comes into effect when it is passed.

READ a First time this ____ day of _____ 20____.

READ a Second time this ____ day of _____ 20____.

READ a Third time this ____ day of _____ 20____.

SIGNED AND PASSED this ____ day of _____ 20____.

MAYOR

CHIEF LEGISLATIVE OFFICER