

**RURAL MUNICIPALITY OF PROGRESS NO. 351**  
**BYLAW NO. 02-2023**

A Bylaw to amend Bylaw No. 3-2017, known as the Zoning Bylaw of the Rural Municipality of Progress No. 351.

The Council of the Rural Municipality of Progress No. 351, in the Province of Saskatchewan, enacts to amend Bylaw No. 3-2017 as follows:

1. **Section 3.5 Application Requirements, subsection 3.5.2** is amended by deleting subsection **(8)** in its entirety and replacing it with the following new regulations:

“(8)       Solar Farms and Wind Energy Facilities

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

- (a) A site location plan showing the subject property, adjacent roads, railways, telecommunications facilities, property lines and all habitable buildings within one (1) one mile of the proposal.
- (b) A detailed site plan drawn to scale showing the location of the proposed solar farm or wind turbine(s) 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 the solar farm or wind energy facilities and must remit a copy to the municipality.
- (e) For wind energy facilities, details respecting the colour and markings for the proposed tower including required lighting in accordance with federal aviation requirements, and validation by a professional engineer of the structural integrity of the proposed supporting tower and foundation or a description of required manufacturing specifications.
- (f) For solar farms or wind energy facilities consisting of two or more wind turbines, additional documentation may be required:
  - (i) a detailed decommissioning plan, and decommission cost estimate, 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.
  - (ii) a performance bond, irrevocable letter of credit or other form of security, equal to the cost of decommissioning the facility. The RM shall return the security once the decommission plan has been executed to the satisfaction of the municipality.”

2. **Section 4.13 Special Standards and Regulation** is amended by deleting **subsection 4.13.17** in its entirety and replacing with the following new regulations:

“**4.13.17 wind Energy Facilities**

- (1) Wind energy facilities shall be accommodated as a discretionary use in each zoning district in this Bylaw, either as an accessory use to an established principal use on a site or as the principal use of a site. The following standards apply to wind energy facilities:



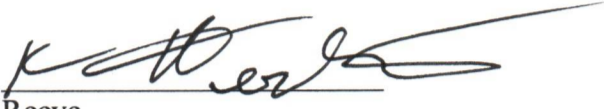
- (a) The setback of a wind turbine to any public road right of way and railway right of way that existed on the day of proponent submitted an application to the Municipality to construct, install or expand the wind energy facility, shall be greater than or equal to the height of the wind turbine
  - (b) The setback of a wind turbine to any property boundary of a Non-Participating Noise Receptor that existed on the day the proponent submitted an application to the Municipality to construct, install or expand the wind energy facility, shall be greater than or equal to the height of the wind turbine.
  - (c) Council may approve a lesser separation where the applicant submits a copy of the agreement between the developer of a wind turbine and the Non-Participating Noise Receptor, agreeing to a lesser separation. Such agreements must contain the provision that the 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 title(s) of the affected lands.”
- (2) Council will evaluate Discretionary Use application for single Wind Turbines with the following criteria. Wind turbines shall be located in a manner in which they are separated from the nearest non-participating noise receptor in the following way:
- (a) Wind turbines with a rotor diameter between 0.1 m and 5.0 m: 100 metre separation distance;
  - (b) Wind turbines with a rotor diameter between 5.01 m and 12.5 m: 250 metre separation distance; and
  - (c) Wind turbines with a rotor diameter greater than 12.5 m: 350 metre separation distance.”
3. **Section 4.13 Special Standards and Regulation** is amended by deleting subsection 4.13.18 in its entirety and replacing with the following new regulations:

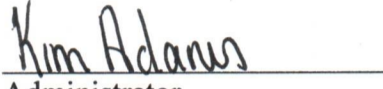
**“4.13.18 Wind Farms (two or more turbines)**

- (1) Wind Farms shall be accommodated as a discretionary use in the A - Agricultural District, either as an accessory use to an established principal use on a site or as the principal use of a site. The following standards apply to Wind Farms:
- (a) The setback of a wind turbine to any public road right of way and railway rights of way that existed on the day the proponent submitted an application to the Municipality to construct, install, or expand the wind energy conversion facility shall be greater than or equal to the height of the turbine as herein defined.
  - (b) The setback of a wind turbine to any property boundary of a Non-Participating Noise Receptor that existed on the day the proponent submitted an application to the Municipality to construct, install or expand the wind energy conversion facility, shall be greater than or equal to the height of the wind turbine.
  - (c) Council may approve a lesser separation where the applicant submits a copy of the agreement between the developer of a wind turbine and the Non-Participating Noise Receptor, agreeing to a lesser separation. Such agreements must contain the provision that the 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 title(s) of the affected lands.
- (2) Council will evaluate Discretionary Use application for Wind Farms with the following criteria:

- (a) In addition to the criteria outlined in Section 4.13.17, Wind Farms shall be separated from the nearest non-participating noise receptor by a distance of 550 metres.”

4. This Bylaw shall come into force and take effect upon being approved by the Minister of Government Relations.

  
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Reeve

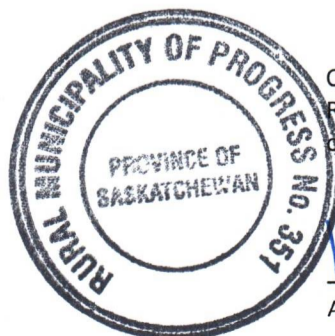
  
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Administrator



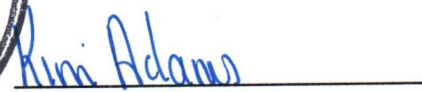
This Bylaw read a first time on May 9, 2023

This Bylaw read a second time on August 16, 2023

This Bylaw read a third time and adopted on August 16, 2023



CERTIFIED A TRUE COPY of Bylaw 02/2023.  
Read a 3<sup>rd</sup> time and adopted by resolution  
of council this 16<sup>th</sup> day of August, 2023.

  
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Administrator