

**VIA EMAIL**

July 23, 2025

Township of Armour  
PO Box 533, 56 Ontario Street  
Burk's Falls, Ontario  
P0A 1C0

ATTN: Charlene Watt

**RE:                   Supplementary Planning Justification Report  
Applications for Official Plan Amendment, Zoning By-law Amendment  
and Site Plan Approval  
Town File: 2025-01  
219 Peggs Mountain Road  
Township of Armour, ON**

**Our File:           SOL/ARM/25-01**

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## **1.0 BACKGROUND**

Applications for Official Plan Amendment ("OPA") and Zoning By-law Amendment ("ZBA") were submitted by SolarBank (the "Applicant") to the Township of Armour and deemed complete on January 21<sup>st</sup>, 2025. The OPA and ZBA applications submitted by SolarBank facilitate the development of a Battery Energy Storage System ("BESS") on the lands located at 219 Peggs Mountain Road in the Township of Armour ("Subject Lands").

A Planning Justification Report dated October 3, 2024 was prepared by DeLoyde Development Solutions and was submitted in support of the noted applications. A peer review of the Planning Justification Report was provided by TULLOCH, dated May 15, 2025 ("Planning Comments").

This Supplementary Planning Justification Report responds to the Planning Comments, including supplementary planning opinion and analysis.

### **1.1 History of Proposed Planning Applications**

The proposed BESS facility and OPA and ZBA applications have been subject to extensive review and evaluation with the Township of Armour:

- The proponent initially met with Township of Armour late in 2022.
- On November 17, 2022 Township of Armour Council granted a Municipal Support Resolution for the proposed BESS:
  - *"NOW THEREFORE be it resolved that the Council of the Township of Armour supports the development, construction and operation of the Long-Term Reliability Project proposed by Abundant Solar Energy Inc. on the municipal lands described as Concession 6 Lot 3, Township of Armour, District of Parry Sound, municipally known as 221 Peggs Mountain Road"*
- On July 21, 2023, the Applicant initiated further discussions with municipal staff for the development of the subject lands.

- The Applicant was requested (August 25, 2023) to provide a Planning Justification Report, prior to arranging a pre-consultation meeting with the municipality. A Planning Justification Report was accordingly provided to the municipality, and the municipality subsequently provided comments on the same. A revised Planning Justification Report was provided December 14, 2023.
- Following receipt of the revised Planning Justification Report, a pre-consultation meeting was held on January 11, 2024.
- On January 15, 2024, municipal staff outlined expected next steps based on the pre-consultation meeting, beginning initially with applications for OPA and ZBA. The requested next steps specified that certain materials would be reviewed through a future site plan application (i.e. site sketch, stormwater management plans, etc.), and that other materials would be reviewed at the time of building permit (including hazard mitigation analysis, fire risk assessment, emergency response plan, etc.). Most submission materials would not be required until the OPA and ZBA were approved.
- On May 16, 2024 the Applicant submitted applications for an OPA and ZBA to the municipality for review, based on the January 15, 2024 direction from staff.
- The municipality responded to the application on May 28, 2024, noting that a number of matters were missing from the application.
- The Applicant provided the Town with additional information and documentation on June 1, 2024.
- A second pre-consultation meeting was held on June 13, 2024.
- Following the second pre-consultation meeting, several meetings were held with Staff to review the contents of submission items. The Fire Chief was provided with the Hazard Mitigation Analysis and Emergency Response Plans for review (October 2024) in advance of the application being deemed as complete, at the request of the municipality. On January 13, 2025 it was confirmed that the reports were reviewed, and one comment was provided related to the emergency water supply. The reports were otherwise considered as acceptable.
- Applications were subsequently deemed as complete by the municipality on January 21, 2025.
- A Public Information Session was held on April 7, 2025.
- Peer review comments were provided to the applicant beginning April 23, 2025, and extending to June 24, 2025.

The Applicant has demonstrated commitment to working with the municipality as part of the processing of the applications to facilitate the proposed BESS facility.

## **2.0 PROPOSED PLANNING APPLICATIONS AND DEVELOPMENT**

The Applicant has submitted applications for an Official Plan Amendment, Zoning By-law Amendment, and now Site Plan Approval, to the Township of Armour to facilitate development of a Battery Energy Storage System ("BESS").

BESS's are an application of commonly-used existing technology, which function to capture and store excess electrical energy from the power grid, to then be supplied back to the power grid (such as during peak demand periods or electrical outages). The BESS will collect energy during times when there is excess supply, such as in low-demand periods, for use when demand is higher. Among the commonly used categories of use in the field of land use planning, the BESS facility can best be categorized as a utility type function, which has characteristics and qualities that are industrial in nature.

The proposed BESS facility is comprised of 9 battery containers that will have a maximum capacity of 4.99MW/19.96MWh, in addition to other facilities for the regular functioning of the

BESS, such as an electrical house and electrical equipment. The proposed battery containers and much of the operating equipment is contained within an area of approximately 900 sq.m, enclosed by a fence that surrounds the BESS. The BESS is located to the south of the solar array that is currently operating on the subject lands. Access to the BESS is proposed via a 6.1m new/expanded access road.

Battery storage is not a new technology; however, its scale and application in supporting the existing power grid at a network level is emerging. Battery storage exists in communities in everyday applications. Battery storage travels with many residents daily as a component of their cellphones. Battery storage occupies space in many residential homes as part of laptops, tablets, and other chargeable technology. Larger applications of batteries are also being utilized in electric vehicles, which are parked in driveways, parking lots, within streets, and even in garages that may be attached to a dwelling unit. More frequently, home battery storage systems have become commonplace, providing energy backup options for personal home use during a power outage, or to store excess renewable energy (i.e. from private solar generation). The Tesla Powerwall is an example of this application of battery storage, providing up to 40.5 kWh of storage.

The application of BESS to support the existing electricity network has emerged recently, and BESS facilities exist and are being integrated into communities across Ontario in a variety of rural and urban settings to support energy supply. For example, located in downtown Toronto at 49 Bulwer Street is a BESS that has been operating since 2020 by Toronto Hydro, and is adjacent to mixed-use buildings containing residential dwelling units, and an elementary school. In Haldimand County, there are 278 lithium-ion batteries that form one of Canada's largest BESS project to date, which produce 250 MW of electricity and are reported to reduce greenhouse gas emissions by between 1.2 and 4.1 million tonnes during its life-cycle. There are dozens of examples of BESS being applied in Ontario and Canada.

## **2.1 Proposed Use: As of Right**

The proposed BESS facility is permitted as of right on the subject lands, despite the submitted applications for OPA and ZBA that are requested by the Township of Armour.

The subject lands are developed and used for electricity generation and supply, and are occupied by a solar array of approximately 15,000 sq.m in size. It is our understanding that the use of lands for electricity generation was established 2019. Electricity generation and supply is therefore lawfully established. *The Planning Act* (Section 34(9)) establishes that Zoning By-laws may not be passed to prohibit the use of any land, if the use of that land is lawfully established. Further, it is well established that lawfully established uses may be expanded, enlarged, or used for a similar purpose.

The proposed BESS facility is used for energy capture and storage, which is an extension of, and directly related to, the energy generation use of the subject lands. The storage of energy cannot exist without the production of energy. The use is understood to be similar in nature, and related to the existing function of the lands. The proposed BESS is therefore lawfully established and permitted as of right.

As is detailed in this Report, in addition to the use being lawfully established, the use of the subject lands for a BESS is permitted by all relevant planning policy and by-laws:

- The Provincial Planning Statement specifies that “energy storage systems” are permitted on Rural Lands in municipalities (Policy 2.6.1).
- The Official Plan designates the lands as Rural Community, the definition of which permits small scale low water use industrial operations, and facilities for the operation

of a public utility. The policies of the Official Plan promote the use of land for energy efficiency and conservation.

- The Township of Armour Zoning By-law 27-95 permits the BESS as of right because it is a “public utility”.

The Applicant has submitted applications to amend the Township of Armour Official Plan and Zoning By-law at the request of the municipality, despite the use being lawfully established and permitted.

## **2.2 Official Plan Amendment**

An application to amend the Township of Armour Official Plan (“OPA”) was requested by the Township of Armour and submitted by SolarBank. It is our opinion that an OPA is not required to facilitate the proposed BESS facility on the Subject Lands, and that the proposal complies with the Armour Official Plan.

Notwithstanding, enclosed to this letter is a draft OPA. The draft OPA proposes to add a new subsection 2.1.3(c)viii) to the Official Plan as follows:

*A Battery Energy Storage System shall be permitted on lands at 219 Peggs Mountain Road and described as Part Lot 3 Con 6 Armour Township.*

## **2.3 Zoning By-law Amendment**

An application to amend the Township of Armour Zoning By-law 27-95, as amended (“ZBA”) was requested by the Township of Armour and submitted by SolarBank. It is our opinion that a ZBA is not required to facilitate the proposed BESS facility on the Subject Lands, and that the proposal is as of right within the Armour Zoning By-law.

Notwithstanding, enclosed to this letter is a draft ZBA. The draft ZBA proposes to add a site-specific exception to apply to the subject lands, and modify Section 19 of Zoning By-law 27-95 by adding the following:

*Notwithstanding any provisions to the contrary, a Battery Energy Storage System is permitted at 219 Peggs Mountain Road, described as Part Lot 3 Con 6 Armour Township.*

## **2.4 Site Plan Approval**

The resubmission of the OPA and ZBA applications is also accompanied by submission of the application for Site Plan Approval (“SPA”). The pre-consultation meeting minutes dated January 15, 2024, identify a number of materials required for OPA, ZBA, and SPA. The Applicant has submitted all required materials identified through pre-consultation, which would be required for the municipality to review the SPA application. It is appropriate for the Applicant to submit the SPA for review, concurrent with the OPA and ZBA. The municipality has not identified any additional requirements for SPA that have not already been submitted, and the materials being reviewed for OPA/ZBA provide sufficient level of detail to process the SPA application.

The Applicant is required to proceed to site plan approval, and has submitted all materials requested by the municipality to facilitate this application.

### 3.0 SUPPLEMENTARY PLANNING ANALYSIS

#### 3.1 Planning Act, R.S.O. 1990, c. P.13

The Ontario Planning Act, R.S.O. 1990, c. P.13 (the “Planning Act”) is the provincial legislation that provides the rules and regulation that guides land use planning in Ontario. The stated purpose of the Planning Act includes providing for a land use planning system led by provincial policy, and to integrate matters of provincial interest in municipal planning decisions (Section 1.1).

Section 2 of the Planning Act outlines matters of Provincial Interest, and states that “*The council of a municipality... in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as,*”. Matters of provincial interest include:

- the protection of ecological systems, including natural areas, features and functions;
- the protection of the agricultural resources of the Province;
- the supply, efficient use and conservation of energy and water;
- the conservation and management of natural resources and the mineral resource base;
- the minimization of waste;
- the protection of public health and safety;
- the mitigation of greenhouse gas emissions and adaptation to a changing climate.

*Summary Planning Opinion:* The proposed BESS facility implements matters of provincial interest. In particular, the facility will contribute to an efficient use of energy and resources, minimize waste and is a technology that is responsive to a changing climate. The BESS has been reviewed from a public health and safety and compatibility perspective.

#### 3.2 Provincial Planning Statement

The Provincial Planning Statement (“PPS”) is a policy statement issued under Section 3 of the Planning Act, and all decisions that affect planning matters “shall be consistent with” the PPS. The Provincial Planning Statement provides policy direction on matters of provincial interest related to land use planning and development, and sets the policy foundation for regulating the development and use of land province-wide.

The Planning Justification Report dated October 3, 2024 provided analysis of the PPS. The Peer Review comments from TULLOCH dated May 15, 2025, requested analysis of additional sections of the PPS. We provide the following supplementary analysis of the PPS.

The PPS establishes a policy context for the creation of communities that plan to reduce greenhouse gas emissions, and that provide opportunity for the expansion of energy supply systems. Relevant policies include:

- **Policy 2.9.1** *Planning authorities shall plan to reduce greenhouse gas emissions and prepare for the impacts of a changing climate through approaches that:*
  - c) *support energy conservation and efficiency;*
  - d) *promote green infrastructure, low impact development, and active transportation, protect the environment and improve air quality; and*
  - e) *take into consideration any additional approaches that help reduce greenhouse gas emissions and build community resilience to the impacts of a changing climate*

- **Policy 3.8.1** *Planning authorities should provide opportunities for the development of energy supply including electricity generation facilities and transmission and distribution systems, energy storage systems, district energy, renewable energy systems, and alternative energy systems, to accommodate current and projected needs.*
- **Energy Storage System:** *means a system or facility that captures energy produced at one time for use at a later time to reduce imbalances between energy demand and energy production, including for example, flywheels, pumped hydro storage, hydrogen storage, fuels storage, compressed air storage, and battery storage.*

**Planning Analysis:** The proposed BESS is explicitly permitted and encouraged by the PPS, and municipalities are required to plan to reduce greenhouse gas emissions and prepare for climate change. The proposed BESS is a use that will enhance clean energy opportunities by storing underutilized energy for use at peak demand times, reducing energy waste and making efficient use of existing power generation.

The PPS provides direction for creating healthy rural communities, including the following relevant policy:

- **Policy 2.5.1** *Healthy, integrated and viable rural areas should be supported by:*
  - a) *building upon rural character, and leveraging rural amenities and assets;*
  - d) *using rural infrastructure and public service facilities efficiently;*
  - e) *promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;*
- **Policy 2.6.1.** *On rural lands located in municipalities, permitted uses are:*
  - a) *the management or use of resources;*
  - d) *agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards;*
  - e) *home occupations and home industries;*
  - g) *other rural land uses.*
- **Policy 2.6.2.** *Development that can be sustained by rural service levels should be promoted.*
- **Policy 2.6.3.** *Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the uneconomical expansion of this infrastructure.*
- **On-farm diversified uses:** *means uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, uses that produce value-added agricultural products, and electricity generation facilities and transmission systems, and energy storage systems.*

**Planning Analysis:** The PPS provides specific guidance for development activity in rural areas and on rural lands. Policy 2.6.1 outlines specifically what uses **are permitted on rural lands**, which **includes “energy storage systems”** as part of on-farm diversified uses, such as the proposed BESS. The proposed BESS contributes to sustainable use and management of energy resources, and is appropriate for the available rural service levels. For consistency with the PPS, municipalities shall permit energy storage systems on rural lands.

The PPS addresses land use compatibility, to ensure sensitive uses and major facilities are planned to avoid, minimize, or mitigate adverse effects, including the following policy:

- **Policy 3.5.1.** *Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and*

safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.

- **Policy 3.5.2.** *Where avoidance is not possible in accordance with policy 3.5.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other major facilities that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses is only permitted if potential adverse affects to the proposed sensitive land use are minimized and mitigated, and potential impacts to industrial, manufacturing or other major facilities are minimized and mitigated in accordance with provincial guidelines, standards and procedures.*
- **Major Facilities:** *means facilities which may require separation from sensitive land uses, including but not limited to airports, manufacturing uses, transportation infrastructure and corridors, rail facilities, marine facilities, sewage treatment facilities, waste management systems, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities.*

**Planning Analysis:** The proposed BESS facility is not considered a Major Facility. The PPS makes specific reference to, and defines “energy storage systems”, which are distinct from “energy generation facilities”. The definition of Major Facility provides examples of facilities that require separation, and it is not necessarily an exhaustive list. Rather it is a broad term that is utilized to capture uses that may produce harmful emissions as part of routine operations (odour or air quality, noise, vibration). Major Facilities generally require Environmental Compliance Approval when there are emissions or discharges related to its operations. The Report by EXP dated September 26, 2024, concludes that Environmental Compliance Approval is not required for the proposed BESS.

Despite not being a Major Facility, the applications are supported by technical analysis studying compatibility, including an Acoustic Assessment Report prepared by EXP.

The BESS is proposed to be separated from sensitive receptors, is located behind the existing solar array, and is designed such that it is enclosed, ensuring the use is buffered visually and physically from existing sensitive land uses. As noted on the Site Plan, the BESS is proposed to be located more than 297m from the nearest existing dwelling unit. In addition, the facility is designed with a physical buffer space, that totals 36m of separation from combustible vegetation.

The PPS seeks to protect existing natural heritage features and areas, including the following relevant policy:

- **Policy 4.1.1.** *Natural features and areas shall be protected for the long term.*
- **Policy 4.1.2.** *The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.*
- **Policy 4.1.7.** *Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.*
- **Policy 4.1.9.** *Nothing in policy 4.1 is intended to limit the ability of agricultural uses to continue.*

**Planning Analysis:** The proposed BESS facility is small in footprint, occupying an area of approximately 900 sqm. on the subject lands, which otherwise total approximately 32.37

hectares. Nevertheless, a fulsome Environmental Impact Study has been prepared in support of the proposal and outlines mitigation measures that will be taken, and which in the opinion of the technical experts, results in the proposed BESS facility being environmentally feasible and consistent with applicable policy.

The PPS directs development to areas that are not considered hazardous, including the following relevant policy:

- **Policy 5.2.9.** *Development shall generally be directed to areas outside of lands that are unsafe for development due to the presence of hazardous forest types for wildland fire. Development may however be permitted in lands with hazardous forest types for wildland fire where the risk is mitigated in accordance with wildland fire assessment and mitigation standards.*

*Planning Analysis:* The subject lands are covered in part by trees. The Armour Official Plan includes a "Wildland Fire Hazard Map" (dated September 2018) as Appendix A, which is a coarse scale assessment of the hazards. The Hazard classification maps out "Extreme" and "High" hazards. The proposed BESS is in proximity to lands identified as "High" hazard risk, which is lower on the scale than "Extreme". Policy 5.2.9 does not preclude development in proximity to, or within areas that are a hazardous forest type for wildland fire. Rather, the PPS policy is a trigger to ensure that development in certain high-risk areas is done so appropriately, and in a manner that ensures appropriate safeguards are in place and that the hazard risk is mitigated to an acceptable level.

The Policy references the "Wildland Fire Assessment and Mitigation Standards" ("WFAMS"), which have been reviewed as it relates to the proposed BESS. Important to note is that the WFAMS provides clarity for interpreting the relevant policy, including that *"...it may be acceptable for development to occur on lands affected by the hazardous forest types, if the risk is mitigated to moderate to low."* Further, the WFAMS specifies that there are other ways, beyond the WFAMS, to implement the relevant PPS policy and mitigate risk: *"There may be additional ways to implement policy 3.1.8 [now 5.2.9]... beyond the approaches set out in this Manual"*.

The WFAMS speaks to mitigation measures, including design related approaches such as vegetation management, creation of defensible space / separation distance. The WFAMS is largely intended to protect public health and safety, and accordingly its structure and focus is on the design of sites that may be occupied by people (residential dwelling units).

Of particular note are the various mitigation principles of Section 6.1 of the WFAMS, which relates largely to creation of separation between possible fuel sources and proposed development. Specifically, the WFAMS focuses on principles of establishing defensible space through vegetation management and physical separation from fuel sources. The WFAMS suggests an area that is 30m from a structure is *"the most crucial area to apply vegetation management for protecting any type of infrastructure or structure, because this is where embers are most likely to ignite small new fires and where radiant heat is most likely to affect the structure"*.

The proposed development is supported by numerous technical studies, which in our opinion address PPS Policy 5.2.9 on a site-specific basis, and are more applicable than the evaluation criteria set forth in the WFAMS. The WFAMS provides useful criteria for application; however, there is limited consideration of industrial facilities. The WFAMS is largely related to development of sensitive land uses, such as residential occupancy buildings (i.e. single detached dwellings), which may be constructed of combustible materials such as wood.



The facility is designed with a 30m buffer where vegetation will be controlled and limited to maintained grass. At the edge of the vegetated 30m buffer is a 6m gravel road that surrounds the facility, creating a physical separation of 36m to the facility. The proposed buffer area is beyond that suggested by the WFAMS, reducing risk of radiant heat or embers from affecting the BESS, in the case of a wildland fire.

The site has been designed to ensure defensible space that is beyond Provincial guidance, mitigating risk that the BESS will be impacted by, or cause a wildland fire. In addition, the site is designed with appropriate access for firefighter response, which has been proposed in consultation with the municipality. The proposed BESS is not a building that is intended for human habitation, and there is limited risk in this regard to human health and safety.

The following reports were submitted in the context of the application:

- Emergency Training Schedule with Fire Department
- Emergency Response Plan
- Hazard Mitigation Analysis
- Fire Suppression Memo
- Vegetation Management Plan

The PPS also importantly addresses how it should be implemented. As noted, decisions must be consistent with the policy of the PPS, and the following implementation policies are relevant:

- **Policy 6.1.5.** *Official plans shall identify provincial interests and set out appropriate land use designations and policies. Official plans shall provide clear, reasonable and attainable policies to protect provincial interests and facilitate development in suitable areas. In order to protect provincial interests, planning authorities shall keep their official plans up-to date with the Provincial Planning Statement. The policies of the Provincial Planning Statement continue to apply after adoption and approval of an official plan.*
- **Policy 6.1.6.** *Planning authorities shall keep their zoning and development permit by-laws up-to-date with their official plans and the Provincial Planning Statement by establishing permitted uses, minimum densities, heights and other development standards to accommodate growth and development.*
- **Policy 6.1.7.** *Where a planning authority must decide on a planning matter before their official plan has been updated to be consistent with the Provincial Planning Statement, or before other applicable planning instruments have been updated accordingly, it must still make a decision that is consistent with the Provincial Planning Statement.*

**Planning Analysis:** Municipalities are required to make decisions that are consistent with the PPS, even if their Official Plan or Zoning By-law has not yet been updated to implement the PPS. The municipality is required to make a decision on the submitted applications that is consistent with the PPS.

**Summary Planning Opinion:** The PPS provides policy direction on matters of provincial interest related to land use planning and development. The PPS permits and encourages the establishment of “energy storage systems”, which is a defined term. The previous Provincial Policy Statement (2020), did not make reference to “energy storage systems”. The recent inclusion and application of this new term in the PPS is a relevant and clear indication of the updated policy direction of the Province for land use planning decisions. The application of the PPS is clear: energy conservation and adapting to climate change is a critical land use planning issue that communities in the Province are faced with, and the proposed BESS is

part of addressing that issue. The PPS permits the proposed BESS, and the municipality is required to make a decision on the applications that is consistent with the PPS.

### 3.3 Growth Plan for Northern Ontario

The Growth Plan for Northern Ontario (“GPNO”) was released in March, 2011, and provides guidance for the development and decision making of northern communities. The GPNO is broad in scope, with fundamental underlying principles that are focused on enhancing the economic and social wellbeing of Northern Ontario and its communities.

The GPNO provides Provincial priorities for development and investment in northern communities, focused on six key principles:

1. *creating a highly productive region, with a diverse, globally competitive economy that offers a range of career opportunities for all residents*
2. *developing a highly educated and skilled workforce to support an evolving knowledge-based economy and excellence in the trades*
3. *partnering with Aboriginal peoples to increase educational and employment opportunities*
4. *delivering a complete network of transportation, energy, communications, social and learning infrastructure to support strong, vibrant communities*
5. *demonstrating leadership in sustainable growth and environmental management*
6. *establishing innovative partnerships to maximize resources and ensure this Plan achieves its ambitious vision and is fiscally sustainable*

Energy production, including “Renewable Energy and Services” is a key theme and priority of the Province as noted in the GPNO. Relevant policies include:

- **Policy 2.2.2** *The Province will focus economic development strategies on the following existing and emerging priority economic sectors and the distinct competitive advantages that Northern Ontario can offer within these sectors: h. renewable energy and services.*
- **Policy 2.2.3** *Economic development strategies for existing and emerging priority economic sectors will examine opportunities to:*
  - a) *strengthen networks and collaboration among businesses, industry, the education and research sectors, economic development organizations and northern communities*
  - b) *attract investment*
  - c) *grow and retain existing competitive businesses, including export development activities and diversification into value-added business opportunities*
  - d) *respond to labour market needs and opportunities through education, training and entrepreneurship supports*
  - e) *support research tailored to the Northern Ontario context to inform business development and infrastructure planning*
  - f) *improve the clarity and efficiency of the provincial regulatory and legislative framework*
  - g) *integrate sector considerations in labour market and infrastructure planning*
- **Policy 2.3.9.1** *Efforts by the Province, industry and, where appropriate, other partners, to grow and diversify the renewable energy sector should include:*
  - a) *facilitating the entry of new participants and entrepreneurs, including Aboriginal communities, cooperatives and commercial developers, in the development of renewable energy generation and sustainable energy solutions*
  - b) *attracting investment by enabling municipalities and local distribution companies to invest in community-based renewable energy projects*

- c) *identifying and promoting manufacturing and service industries related to renewable energy generation*
- d) *undertaking an approach to energy planning that supports regional needs by applying staged, flexible options that effectively address the unique needs and priorities of all communities, including those not connected to the grid, as well as the industrial sector in the North*
- e) *promoting Northern Ontario as a location for renewable energy investment, research and commercialization.*
- **Policy 5.2.1** *Infrastructure planning, land-use planning, and infrastructure investments will be co-ordinated to implement this Plan. Infrastructure includes, but is not limited to: transportation systems, water and wastewater infrastructure, waste management systems, energy infrastructure, community infrastructure, and information and communications technology infrastructure.*
- **Policy 5.2.2** *In Northern Ontario, the Province will give priority to infrastructure investments that support the policies in this Plan.*
- **Policy 5.2.4** *Infrastructure planning and investments will contribute to a culture of conservation by, wherever feasible, utilizing approaches and technologies that reduce energy and water use, increase efficiencies, and promote intensification and brownfield site redevelopment.*
- **Policy 5.2.5** *All municipalities are encouraged to co-ordinate with neighbouring communities and industry to improve the long-term viability and sustainability of infrastructure investments.*
- **Policy 5.6.1** *The Province, working with the Ontario Power Authority and licensed transmission and distribution companies, will identify investment opportunities in Northern Ontario's transmission and distribution systems to maintain reliability, meet new and growing demands, and accommodate renewable energy generation.*
- **Policy 5.6.2** *The Province will work with Hydro One, the Ontario Power Authority, remote off-grid communities and the federal government to identify opportunities and assess the feasibility of long-term alternatives to diesel generated power.*
- **Policy 5.6.3** *The Province will work with the Ontario Power Authority and local distribution companies to seek opportunities to increase the efficiency of energy use in Northern Ontario communities.*

*Summary Planning Opinion:* The GPNO is characteristically an economic development plan, which identifies several Provincial priorities for focusing economic development strategies in northern communities. The policies of the GPBO emphasize the importance of the energy sector, and particularly green / renewable energy. Section 2.3.9.1 of the GPNO focuses specifically on strategies in which to grow and diversify the renewable energy sector in northern Ontario, including promoting the area as a location for investment, research and commercialization.

In our opinion, the GPNO supports and encourages the development of BESS as a way to diversify and expand the energy sector in Northern Ontario. The BESS can contribute towards less reliance on non-renewable energy by reserving excess energy supply.

### 3.4 Armour Official Plan

The October 3, 2024 Planning Justification Report provides a planning analysis of the Armour Official Plan. The Peer Review comments from TULLOCH dated May 15, 2025, requested analysis of additional sections of the Official Plan.

The subject lands are located with the “Rural Community” land use designation in the Armour Official Plan. The definition of the Rural Community (Policy 2.1.1) provides for a number of predominant land uses that are permitted, including (but not limited to) small scale low water use industrial operations, such as the proposed BESS. Objectives of the Rural Community are outlined by Policy 2.1.2, and include:

- *To promote businesses and low water using industries thereby increasing sustainable employment opportunities for Armour Township residents, both seasonal and permanent;*
- *To ensure that new development or redevelopment is compatible with and appropriately separated from surrounding uses and that negative environmental impacts and land use conflicts are avoided or minimized; and*
- *To promote the use of alternative/renewable energy systems such as wind turbines, solar panels, bio-diesel, ethanol and wood hot water heating systems.*

*Planning Analysis:* The proposed BESS conforms with the definition and objectives of the Rural Community land use designation, including the provision of alternative energy systems.

The policies of 2.1.3(c) relate to Industrial uses of land in the Rural Community, and include:

- *The industrial use of land in the Rural Community shall be for manufacturing, assembly, processing, fabrication, warehousing and storage of goods and materials. This policy also permits compatible commercial, public and institutional uses deemed suitable and accessory to industrial operations such as factory outlets, offices, restaurants and caretakers apartments.*
- *Council shall exercise discretion in zoning lands for industrial uses in order to permit only dry industries in the municipality. Dry industries are defined as those whose fluid waste discharge consists of nothing more than the domestic waste water of employees and customers and does not exceed 10,000 litres/day.*
- *Industrial uses in the Rural Community shall be required to locate only where access is available to a municipal road maintained by the Township on a year-round basis with no seasonal load limits.*
- *Industrial uses shall be sited to screen outside storage from view by means of buffering and setbacks.*
- *Industrial uses shall only be permitted by amendment to the Armour Township Zoning By-law and shall be subject to Site Plan Agreements under Section 41 of the Planning Act. Prior to a decision to amend the Zoning By-law, MOECP's D-Series Guidelines for Land Use Compatibility (D-1 and D-6) shall be applied, the appropriate technical studies carried out, and the recommendations from these studies implemented through such tools as (but not limited to) the Zoning By-law, site plan agreements, holding provisions, and MOECP Certificates of Approval.*
- *Where considered desirable by the approval authority, a study shall be required by a qualified Professional Engineer to indicate:*
  - *That a private well for an individual on-site water service can be located without danger of contamination by any on-site or off-site sewage system; and*
  - *That suitable conditions exist for an individual onsite sewage disposal system.*
  - *Where a land use change or industrial development is proposed that may adversely affect existing uses, a land use compatibility study that assesses the impacts of odour noise, vibration, particulate or other emissions may be required in accordance with provincial D-series guidelines.*

*Planning Analysis:* The industrial policies of the Official Plan that apply to the Rural Community, permit a broad range of industrial uses, with particular emphasis on uses that are ‘dry’ in nature, meaning they do not require significant water as part of routine operations. The

proposed BESS facility does not require significant water supply for normal operating conditions, and is appropriate for the land use designation. There will be no outdoor storage, and access will be from municipal roads.

Section 2.4 of the Armour Official Plan relates to Environmental Constraint Areas. Policy 2.4.3c) relates to Significant Habitat of Endangered and Threatened Species and Significant Wildlife Habitat; Policy 2.4.3f) relates to Wetlands. The EIS prepared by SLR concludes that no impacts to natural heritage features are expected from the proposed development.

Section 2.4g) relates to Wildland Fire Hazard Areas, and is as follows:

*MNRF has provided Appendix "A" preliminary mapping of potential wildland fire hazard areas in Armour Township. This generalized MNRF mapping does not confirm or exclude the presence of hazardous forest types but may be used as a starting point for the completion of an Armour Township wildland fire assessment plan.*

*In the interim, before a wildland fire assessment plan has been prepared, the following guidelines are suitable for use in guiding applications for new development in or near potentially dangerous areas of Armour Township identified on Appendix "A" as follows:*

*(i) If it is found that the wildland fire risk potential is high to extreme, the MNRF recommends undertaking the two-step process (levels 1 and 2) for assessing the required mitigation efforts, as described in the Wildland Fire Risk Assessment and Mitigation Reference Manual, 2017.*

**Planning Analysis:** Policy 2.4g) does not preclude development within or in proximity to potential wildland fire hazard areas. Rather, the Policy directs for additional evaluation where necessary in the context of the Wildland Fire Risk Assessment and Mitigation Reference Manual. The manual includes an assessment form for evaluating the appropriateness of development in the area of wildland fire risk areas, to ensure risk is mitigated. Generally, the assessment form is related primarily to sensitive lands uses. The materials submitted as part of the application provide thorough assessment of possible risk, and design mitigation that includes vegetation management and a designed buffer (30m plus a 6m gravel road), which physically separates the facility from the surrounding uses and vegetation.

Normal operations of the BESS are not a risk for wildland fire. The BESS has been designed to separate the facility from possible risk, including the aforementioned 30m buffer, in addition to the 6m gravel road that surrounds the facility. Vegetation management is proposed within this 30m buffer, which goes beyond typical recommendation and will remove all shrubbery, trees, etc., and only consist of maintained grass. This approach will ensure vegetation and overgrowth is controlled in proximity to the facility and that the facility continues to have a defensible buffer, well beyond typical recommendations.

In the case of wildland fire proximate to the BESS facility, the proposed location and vegetated buffer will similarly provide a defensible space to the facility, mitigating the possible spread in close proximity to the facility, and is beyond Provincial guidelines.

The applications are supported by technical review and analysis, including the following studies:

- Emergency Training Schedule with Fire Department
- Emergency Response Plan
- Hazard Mitigation Analysis
- Fire Suppression Memo
- Vegetation Management Plan

The results of the analysis suggest that the BESS can meet the five HMA approval criteria outlined in NFPA.

Section 3.9 of the Armour Official Plan relates to Public Uses, and states: *Uses such as public parks and similar recreational facilities, and the installation of facilities essential to the operation of a public utility, with the exception of landfill and/or waste disposal sites, shall be permitted within the Rural and Waterfront Communities of this Plan, provided that such uses will be compatible with surrounding uses.*

**Planning Analysis:** The proposed BESS facility is a public use as defined by Section 3.9 of the Official Plan, which is permitted in the Rural Community. The policy specifies that the installation of facilities essential operation of a public utility is permitted. Section 3.9 does not only apply to lands or uses that are publicly owned. While the BESS will be privately owned and operated, it will be used by the public utility company, and is an important component of the long term functioning of the utility network.

Section 4.4 of the Armour Official Plan relates to Energy Conservation and Climate Change. The section states that *"It is the intent of this Plan to promote energy conservation in all areas of the Township of Armour. Accordingly, development which minimizes energy consumption and emphasizes the use of renewable energy sources will be encouraged to the extent practicable and feasible."* Policy 4.4.2 states:

*"To promote energy efficiency in the growth and management of the Township, Council will endeavour to achieve the following:*

- (i) Reduce energy consumption and dependency on non-renewable energy sources, particularly in all Township-owned and operated facilities and equipment;*
- (ii) Encourage the use of wind energy, solar panels and the production of crops for biodiesel and ethanol fuels;*

*In reviewing new development applications under the Planning Act, climate change mitigation shall be considered through:*

- (i) Designing to reduce greenhouse emissions;*
- (ii) Designing to improve air quality;*
- (iii) Designing for compact development; and*
- (iv) Designing for energy conservation including renewable energy systems."*

**Planning Analysis:** The proposed BESS conforms with the Armour Official Plan as it relates to energy conservation. The Armour Official Plan promotes energy conservation in all areas of the town, and promotes development that minimizes energy consumption and emphasizes renewable energy. The BESS is intended to store excess energy supply, for distribution at peak times, which assists in meeting local energy needs and reduces excess consumption, and is directly conforming to and supportive of Section 4.4 of the Armour Official Plan.

The Armour Official Plan addresses matters of land use compatibility, including Policy 4.5, as follows:

*"Appropriate buffering shall be required between land uses which are incompatible. In considering buffering requirements Council shall ensure that such buffering is sufficient to minimize the land use conflict, and is appropriate to the particular conditions encountered. Reference shall be made to the Ministry of Environment Conservation & Parks D-Series Guidelines for Land Use Compatibility. Buffering may include appropriate combinations of the following:*

- (a) Vegetation in the form of landscaped strips, rows of trees and bushes, and grassed areas;*

- (b) Architectural screening such as perforated or solid walls, fences, trellis work or other appropriate structures;
- (c) Extra distance separation;
- (d) Prohibition of parking, loading and unloading, and outside storage adjacent to residential uses;
- (e) Regulation of lighting and signs so that they are deflected away or shielded from adjacent residential uses; and
- (f) Earth berms.”

**Planning Analysis:** The proposed BESS facility is not considered a Major Facility as per the PPS. Facilities that generate emissions (particulate matter, noise, vibration, etc.), as part of normal operations, generally require Environmental Compliance Approval. The Report by EXP dated September 26, 2024, concludes that Environmental Compliance Approval is not required for the proposed BESS, based on its technical specifications and operating conditions.

The applications are supported by technical analysis, including an Acoustic Assessment Report prepared by EXP.

While the BESS not a Major Facility, nor is inherently incompatible with the surrounding land uses, the BESS is proposed to be separated from sensitive receptors, is located behind the existing solar array, and is designed such that it is enclosed, ensuring the use is buffered visually and physically from existing sensitive land uses. As supported by several technical materials, no anticipated adverse impacts are anticipated to these sensitive land uses.

Section 4.7 of the Armour Official Plan relates to Dark Sky Policy. The proposed BESS facility is not expected to generate significant light emissions to facilitate normal operations. The location is in a rural setting. The applications are subject to site plan approval, in which detailed design matters are reviewed and implemented, including lighting. Section 4.7 of the Armour Official Plan is generally not relevant to the proposed applications. The proposed development will comply with Section 4.7.

**Summary Planning Opinion:** The proposed BESS facility conforms with the policies of the Township of Armour Official Plan, and in our opinion, an Amendment to the Official Plan is not required or warranted. The Armour Official Plan promotes energy conservation in all areas of the Township of Armour, including on lands designated Rural Community. The Rural Community is intended to permit a broad range of dry-industrial land uses, and uses that are related to a public utility are permitted. The proposed facility is adequately screened and separated from neighbouring land uses, and is co-located with the existing and related use of the subject lands.

### **3.5 Armour Zoning By-law 27-95**

The subject lands are zoned Rural “RU” under the Township of Armour Zoning By-law 27-95, as amended. In our opinion, the proposed BESS facility is permitted as of right within the Township of Armour Zoning By-law, for the ensuing reasons.

There are a number of permitted uses in the RU zone as detailed in Section 6.1 of the Zoning By-law, including: Agricultural uses; a single detached dwelling; conservation, forestry and wildlife uses; resource management uses; and accessory uses, buildings and structures.

In addition, Section 5.23 of the Zoning By-law establishes that the provisions of the zoning by-law shall not apply to the use of any lot or erection of any building or structure for the purposes of **public services**.

The following definitions are of particular relevance to interpreting the Township of Armour Zoning By-law:

- "Accessory Use" means a use naturally and normally incidental to, subordinate to or exclusively devoted to a principal use and located on the same lot therewith
- "Public" when used in reference to a building, structure, use or lot, means a building, structure, use or lot used by a public agency to provide a service to the public.
- "Public Agency" means (a) the Government of Canada, the Government of Ontario or any municipal corporation; (b) any ministry, department, commission, corporation, authority, board or other agency established from time to time by the Government of Canada, the Government of Ontario or any municipal corporation; (c) **any public utility** [emphasis added]; or (d) any railway company authorized under The Railway Act, as amended from time to time, or any successors thereto.
- "Public Utility" means (a) any agency, corporation, board or commission providing electricity, gas, steam, water, telegraph, telephone, cable television, transportation, drainage or sewerage or waste collection and disposal services to the public; or (b) a use pertaining to any such agency, corporation, board or commission.
- "Resource Management Use" means land used solely for the preservation and enhancement of the natural environment.

"Energy Storage Systems", including "Battery Energy Storage Systems", are not explicitly defined by the Township of Armour Zoning By-law.

In our opinion, the proposed BESS facility is permitted within the Township of Armour Zoning By-law for the following reasons:

- The Zoning By-law defines a number of terms, including various land uses. There is no defined term or use that is explicitly related to "energy storage systems". In instances where a use or term is not more explicitly defined, it is appropriate to consider if another term accurately captures the function of that use.
- The proposed BESS use is a "public utility" as defined by the Zoning By-law which will be connected to the electrical grid, which is operated by a public utility corporation. The BESS will be owned by a private corporation and it will be utilized by the public utility company to supplement the electrical grid. The public utility, as per the definition, can include a corporation and is related to the providing of a service to the public, which the proposed BESS will do. The Zoning By-law, Section 5.23, exempts uses and/or buildings/structures that are for the purpose of public services ("public utility").
- The subject lands are developed and used for electricity generation and supply, and are occupied by a solar array. The function of the proposed BESS is for storage and distribution of electricity. The storage and distribution of electricity is "accessory" to the primary function of the subject lands. Without electricity supply, which the use of the subject lands provide, there would be no opportunity for electricity storage. More specifically, the BESS is naturally and normally incidental to the primary function of the subject lands, which is for the generation of electricity.
- The electricity generation and supply of the subject lands is a lawfully established use on the subject lands as a result of the existing solar array. The BESS is an extension of the existing, lawfully established use.

Zoning Provisions that apply to the subject lands for the RU zone are outlined in Section 6.2 of the Township of Armour Zoning By-law. Relevant zoning provisions include minimum lot



frontage (100m), minimum lot area (4ha), maximum lot coverage (20%), and minimum yard setbacks (15m front; 10m interior side; 12m rear).

Section 6.4 of the Zoning By-law relates to "Separation of Noisy and Odorous Uses"; however, this section of the by-law applies to typical farming activities such as livestock uses, manure storage, or sawmills and is not applicable to the proposed BESS.

The existing zoning provisions applicable to the subject lands are appropriate, and no other relief or additional zoning provisions are warranted.

#### **4.0 CONCLUSION**

It is our opinion that the proposed development is in the public interest and represents good land use planning. It is our opinion that the submission is consistent with the Provincial Planning Statement, is in conformity with the Armour Official Plan and implements the Armour Zoning By-law 27-95, as amended. Amendments to the Official Plan and Zoning By-law were requested by the Township of Armour, and submitted by the Applicant. Notwithstanding the proposed planning applications, the proposed use of the subject lands for the BESS is permitted as of right.

Energy conservation and adapting to climate change is a critical land use planning issue that communities in the Province are faced with. The proposed BESS contributes to addressing energy supply needs, and is in the public interest.

If you have any questions, or if you would like to discuss this further, please do not hesitate to contact us.

Yours very truly,

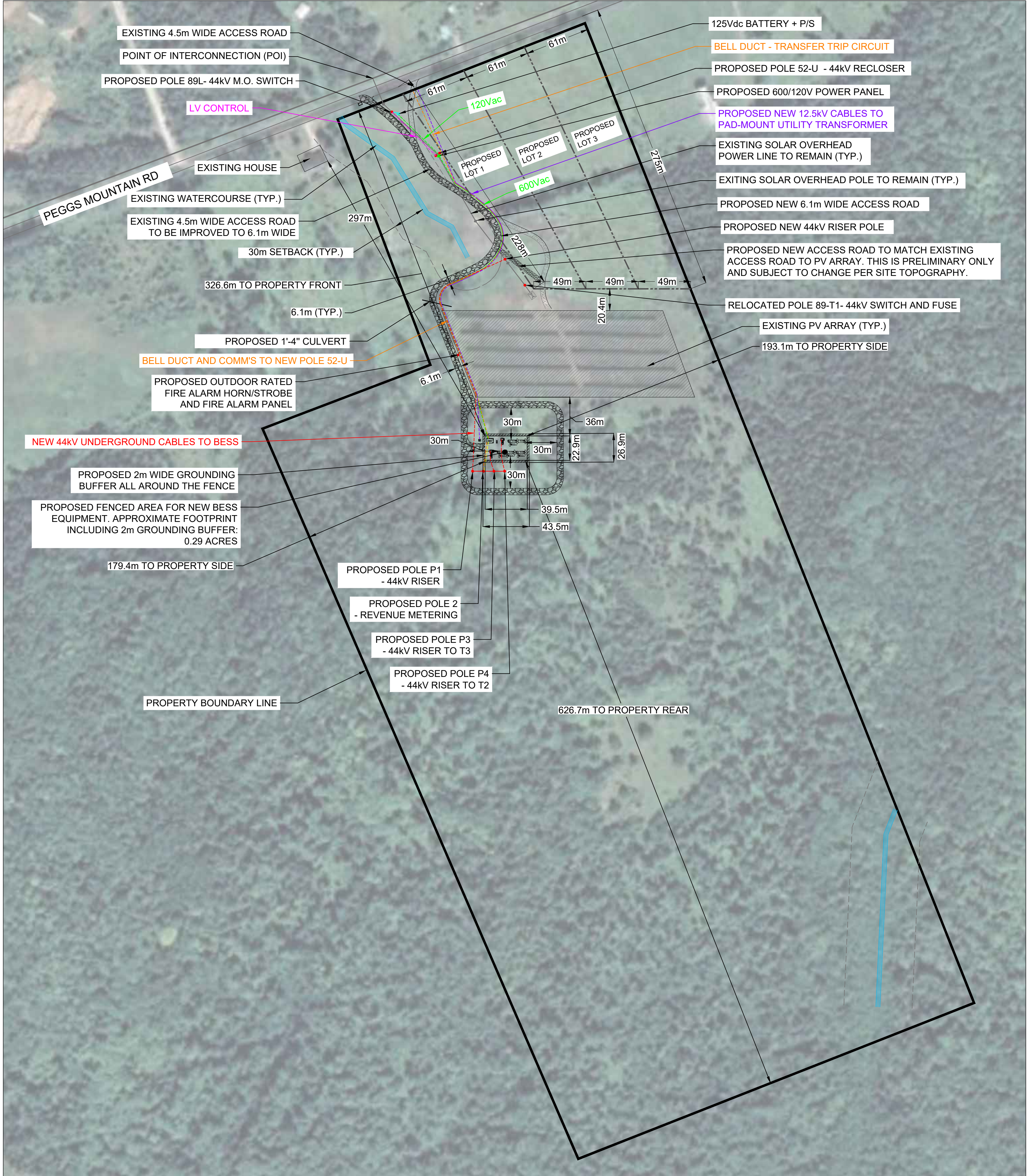
**ZELINKA PRIAMO LTD.**



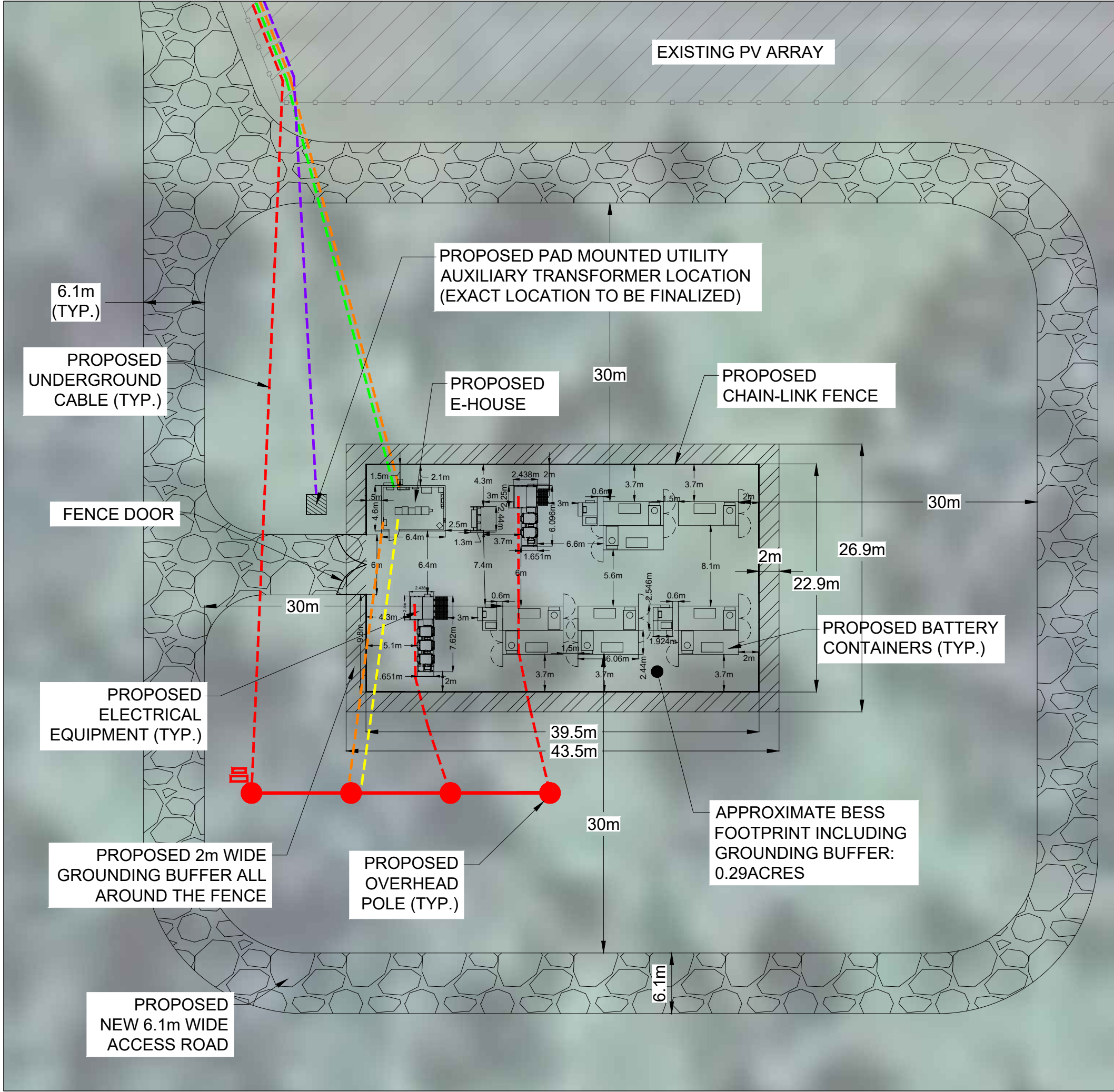
Rob MacFarlane, MPL, MCIP, RPP  
Senior Associate

Encl.    Concept Site Plan  
          Draft Official Plan Amendment  
          Draft Zoning By-law Amendment

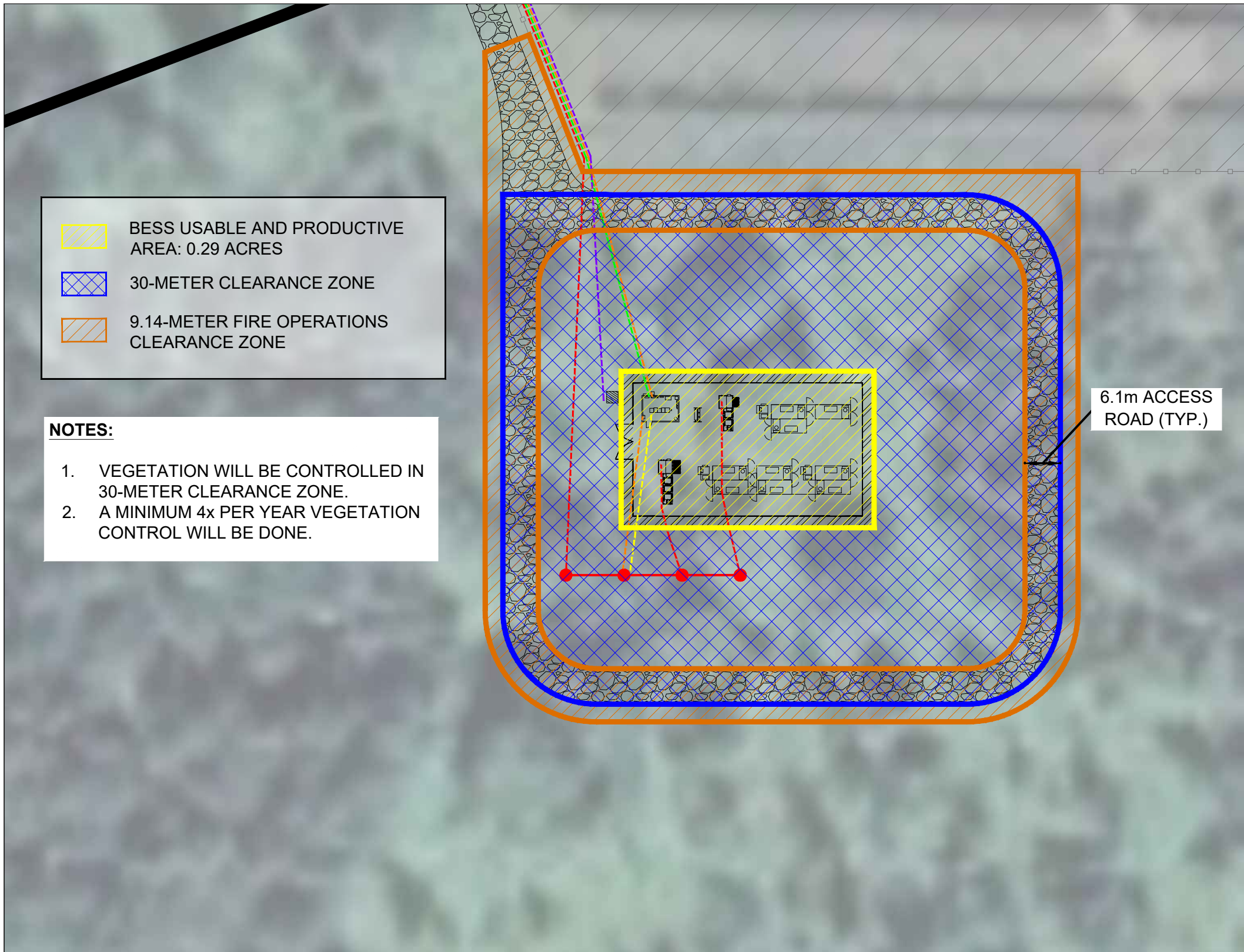




1 KEY PLAN  
E100 SCALE: 1:2100



2 EQUIPMENT LAYOUT  
E100 SCALE: 1:400



3 BESS AND CLEARANCE ZONES  
E100 N.T.S.



Suite 803, 505 Consumer Road,  
North York M2J 4V8  
T: 416 494 9559  
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ISSUE STAGE:

PERMIT

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REV#	DESCRIPTION	DATE	D.B.	C.B.
06	ISSUED FOR PERMIT	2024-11-28	S.Z.	H.R.
05	ISSUED FOR REVIEW	2024-11-14	S.Z.	H.R.
04	ISSUED FOR REVIEW	2024-03-04	S.Z.	M.S.
03	ISSUED FOR REVIEW	2024-02-21	S.Z.	M.S.
02	ISSUED FOR REVIEW	2024-01-16	S.Z.	S.X.
01	ISSUED FOR CONSENT APPLICATION	2023-12-21	S.Z.	S.X.
00	ISSUED FOR CIA	2023-07-28	S.Z.	S.X.

DRAWING NAME:  
SITE PLAN

DRAWN BY:  
S.Z.

CHECKED BY:  
H.R.

SCALE:  
AS NOTED

DATE:  
2024-11-28

PROJECT ADDRESS:  
903  
219 PEGGS MOUNTAIN ROAD,  
ARMOUR, ONTARIO, P0A 1C0

PROJECT NO.:  
E-LT1-903

DRAWING NO:  
E-1

REV. NO:  
06



BY-LAW NO. \_\_\_\_\_

A BY-LAW TO AMEND

TOWNSHIP OF ARMOUR OFFICIAL PLAN

Permitting Battery Energy Storage Systems

219 Peggs Mountain Road

**THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF ARMOUR**

Box 533

Burk's Falls, Ontario

P0A 1C0

**OFFICIAL PLAN AMENDMENT NO. x**

**Passed by the Council of the Municipal Corporation of the Township of Armour**

Lands Affected:	This By-law applies only to the lands within the Township of Armour municipally known as 219 Peggs Mountain Road, legally described as Part Lot 3, Concession 6.
Present Designation:	Under the Township of Armour Official Plan, the lands are designated Rural Community.
Proposed Designation:	The amendment adds a site-specific exception for the lands to clarify that a Battery Energy Storage System (“BESS”) is permitted on the lands.
Zoning By-law:	A concurrent Zoning By-law Amendment is being brought into affect to clarify Battery Energy Storage System (“BESS”) as a permitted use in the site-specific Rural (Ru) zone for the lands.
By-law Purpose:	The goal of this By-law is to amend the Township of Armour Official Plan to confirm that Battery Energy Storage Systems (“BESS’s”) are a permitted use in the Rural Community designation on the lands, as per the Provincial Planning Statement, 2024.

**BY-LAW NO. \_\_\_\_\_**

**THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF ARMOUR**

The Council Of The Corporation of The Township of Armour, in Accordance with The Planning Act, 1990 , hereby enact as follows:

1. Amendment No. XX to the Township of Armour Official Plan, is hereby adopted.
2. That this By-law shall come into effect on the date it is passed by the Council of the Municipal Corporation of the Township of Armour, subject to the provisions of the Planning Act, R.S.O. 1990.

Read a **FIRST TIME** this \_\_\_\_ day of \_\_\_\_\_, 2025.

Read a **SECOND TIME** this \_\_\_\_ day of \_\_\_\_\_, 2025.

Read a **THIRD TIME** and **FINALLY PASSED** this \_\_\_\_ day of \_\_\_\_\_, 2025.

**THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF ARMOUR**

\_\_\_\_\_  
Rod Ward, Mayor

\_\_\_\_\_  
Charlene Watt, Clerk

## PART 1 – PREAMBLE

### (i) **Purpose of the Amendment**

The purpose of the amendment is to clarify the Township of Armour Official Plan to confirm that Battery Energy Storage Systems (“BESS’s”) are a permitted use on certain lands in the Rural Community designation.

### (ii) **Location of the Amendment**

This amendment applies to the lands within the Township of Armour municipally known as 219 Peggs Mountain Road, legally described as Part Lot 3, Concession 6.

### (iii) **Details of the Amendment**

#### **Text Changes**

Section 2.1 (Rural Community) is amended to add the following subsection:

*2.1.3(c)viii) “A Battery Energy Storage System shall be permitted on lands at 219 Peggs Mountain Road and described as Part Lot 3 Con 6 Armour Township.”*

### (iv) **Basis of the Amendment**

The applicant proposes to develop a Battery Energy Storage System on the lands located at 219 Peggs Mountain Road.

The subject lands are designated Rural Community in the Township of Armour Official Plan. The amendment meets the intent of the Official Plan, which permits a range of uses on lands designated Rural Community, including uses for “public utility”.

The Official Plan Amendment is consistent with the Provincial Planning Statement, 2024, which encourages and permits the use of lands (including Rural Lands) for Energy Storage Systems.

## PART 2 – BODY OF THE AMENDMENT

All of this part of the document entitled PART 2 - BODY OF THE AMENDMENT, consisting of the following text, constitute Amendment No. XX to the Official Plan of the Township of Armour.

### DETAILS OF THE AMENDMENT

The Official Plan of the Township of Armour is hereby amended as follows:

#### 1. TEXT CHANGE

Section 2.1 (Rural Community) of the Township of Armour Official Plan, is hereby amended to add the following subsection:

*2.1.3(c)viii) "A Battery Energy Storage System shall be permitted on lands at 219 Peggs Mountain Road and described as Part Lot 3 Con 6 Armour Township."*

ZONING BY-LAW NO. \_\_\_\_\_

A BY-LAW TO AMEND

ZONING BY-LAW NO. 27-95 as amended

Permitting Battery Energy Storage System

219 Peggs Mountain Road

**THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF ARMOUR**

Box 533  
Burk's Falls, Ontario  
P0A 1C0



## **EXPLANATORY NOTE**

### **To Zoning By-law No. [blank]**

#### **Passed by the Council of the Municipal Corporation of the Township of Armour**

Lands Affected:	This By-law applies only to the lands within the Township of Armour municipally known as 219 Peggs Mountain Road, legally described as Part Lot 3, Concession 6.
Present Zoning:	Under Armour Township Zoning By-law No. 27-95 (as amended), the lands are zoned Rural (Ru).
Proposed Zoning:	The amendment adds a site-specific exception for the lands to clarify that a Battery Energy Storage System (“BESS”) is permitted on the lands municipality known as 219 Peggs Mountain Road, legally described as Part Lot 3, Concession 6.
Official Plan Designation:	An amendment to the Township of Armour Official Plan clarifies that a Battery Energy Storage System (“BESS”) is a permitted use on the lands subject to this By-law.
By-law Purpose:	The goal of this By-law is to update Zoning By-law No. 27-95 (as amended) to confirm that Battery Energy Storage Systems (“BESS’s”) are a permitted use on the lands subject to this By-law.

**ZONING BY-LAW NO. \_\_\_\_\_**

**THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF ARMOUR**

Being a By-law under Section 34 of the *Planning Act, R.S.O. 1990*, to amend Zoning By-law No. 27-95, as amended, of the Municipal Corporation of the Township of Armour, with respect to adding permissions for Battery Energy Storage System (“BESS”) in the Rural (Ru) zone as it relates to the lands municipally known as 219 Peggs Mountain Road, legally described as Part Lot 3, Concession 6.

**WHEREAS** the Council of the Municipal Corporation of the Township of Armour has reviewed Zoning By-law No. 27-95, as amended, and finds it advisable to amend same;

**NOW THEREFORE** the Council of the Municipal Corporation of the Township of Armour enacts as follows:

1. **THAT** Section 2 (Definitions) of Zoning By-law No. 27-95, as amended, is hereby updated to add the following subsection:

2.XX **“Battery Energy Storage System (BESS)”** means a battery storage system or facility that captures energy produced at one time for use at a later time to reduce imbalances between energy demand and energy production.

2. **THAT** Section 19 (Exceptions) of Zoning By-law No. 27-95, as amended, is hereby updated to add the following subsection:

RU-X *“Notwithstanding any provisions to the contrary, a Battery Energy Storage System is permitted at 219 Peggs Mountain Road, described as Part Lot 3 Con 6 Armour Township.”*

3. **THAT** this By-law shall come into effect on the date it is passed by the Council of the Municipal Corporation of the Township of Armour, subject to the provisions of the Planning Act, R.S.O. 1990.

Read a **FIRST TIME** this \_\_\_\_ day of \_\_\_\_\_, 2025.

Read a **SECOND TIME** this \_\_\_\_ day of \_\_\_\_\_, 2025.

Read a **THIRD TIME** and **FINALLY PASSED** this \_\_\_\_ day of \_\_\_\_\_, 2025.

**THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF ARMOUR**

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Rod Ward, Mayor

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Charlene Watt, Clerk