

On Monday August 14, the CAO received correspondence from our former CAO, Keith Dewar, who recently applied for and had approved, a permit for Rooftop Solar development.

Keith's email stated:

"I had the opportunity to read through the newly developed bylaws for Three Rivers. I noted that they do not require a permit for roof mounted solar panels 3.2.2 p). As noted when I first enquired, I was not in agreement with the interpretation by the RMV's development officer. As you can see the rationale provided was not sufficient for Three Rivers as I expect that they considered his rationale. It is my understanding that interpreting the development bylaw should be done by legal counsel not the development officer as this is a legal document.

I would ask that you raise this question with the Mayor and determine if this should be taken to the RMV's legal counsel for interpretation as our bylaws are silent as to the need for a permit. In my mind these should be considered an acceptable renovation as the building is not been altered. Even if a permit was required the need for an engineer's certificate takes the requirement even further then would seem reasonable. In the end all this did not my installation was to add cost and time and detracted from the overall objective of reducing my carbon footprint."

The Three Rivers Development Bylaw states that no Development Permit is required for:

"p) Roof mounted solar arrays subject to the following:

(a) the solar PV or solar thermal equipment would not protrude more than 0.2 metres beyond the plane of the wall or the roof slope when measured from the perpendicular with the external surface of the roof slope.

(b) it would not result in the highest part of the solar PV or solar thermal equipment being higher than the highest part of the roof (excluding any chimney).

To me this seems very reasonable, and I want to inform Council that **I intend to ask for legal guidance on the interpretation of our Dev Bylaw as it applies to Roof-Mounted solar**, as our bylaw is indeed silent on the issue, and it is in the public interest to support renewable energy expansion whenever possible. This legal advice could result in a municipal policy interpreting our current Development Bylaw, even before a new Official Plan and Development Bylaw is in place.

A number of other solar installations have been done in recent years. The development officer is of the opinion that roof-mounted solar is included in our Development Bylaw when it states that a permit is required to "construct any Structure on a Property", and has shared that other municipalities he works in also require permits for both roof-mounted and ground-mounted solar, and that an engineering report on the roof structure is required for approval of a roof-mounted structure.

However, upon investigation, municipal staff found that Charlottetown does not require a development permit, nor engineering reports for roofs, for roof-mounted solar.