

## Policy

Section: 10. Planning and Development

Policy: Battery Energy Storage Policy

Policy By-Law: 33-2025

Date: April 28 2025

Revision:

### Coverage:

This policy will govern all battery energy storage within in the administrative boundary of the Municipality of Arran-Elderslie.

### Policy Statement:

Municipalities play a critical role in being central to decisions about the type and location of new infrastructure needed to support energy transition. This policy provides direction for Battery Energy Storage System projects intended to support the electrical grid.

The Municipality will consider impacts from potential land use conflicts, fire safety, agricultural operations, and environmental constraints to minimize impacts to the built and natural environments of the municipality.

### Legislative Authority:

*Municipal Act, 2001, Planning Act, R.S.O. 1990*

### Contents:

#### 1. Definitions

**Battery Energy Storage Systems (BESS)-** means an energy storage system that can store and deploy generated energy, typically a group of batteries that charge (i.e. collect energy) and store electrical energy from the grid or energy generation facility and then discharge that energy at a later time to provide electricity or other grid services when needed. BESS generally consist of batteries, battery storage containers, on-site switch yard, inverters, associated interconnection transmission line, and supervisory control and data acquisition system.

**The Independent Electricity Systems Operator (IESO)-** means the agency that regulates and manages the flow of electricity across Ontario to ensure reliability.

**Municipal Support Confirmation (MSC)** - the mechanism by which the IESO

authorizes municipal governments to endorse energy projects for the purpose of making an application to the IESO in response to an RFP for an electrical generation contract. They are general in nature and do not preclude projects from having to meet municipal regulatory requirements or obtain any municipal development approvals or permits.

## 2. Responsibility of the Developer

That the Developer engages in pre-consultation with the Municipality and County of Bruce prior to the request for a Municipal Support Resolution.

That the Developer enters into an agreement with the Municipality to satisfy all the requirements, financial and otherwise, of the Municipality concerning the development.

That the Developer is responsible to meet all applicable code and standards that apply to BESS including but not limited to: The Planning Act, The Ontario Building Code (OBC), Ontario Electrical Safety Code (OESC), The Ontario Fire Code (OFC), National Building Code (NBCC), the Canadian Electrical Code (CE Code, Underwriters laboratories (UL) and the National Fire Protection Association (NFPA).

Notification and Public Consultation will be required as part of the process and taken into consideration in the approval process.

## 3. The Agreement (s)

One or more agreements shall include but not be limited to the following clauses:

Construction – shall include all requirements prior to commencing construction.

Haul Routes- shall include details on haul routes which shall be approved by the municipality and any other agency having jurisdiction.

Private Access Roads - shall include locations.

Electrical Distribution System – shall address any electrical distribution system required as part of the development including easements.

Environmental Impacts – shall meet requirements for environmental impacts mitigation and replacement plan.

Grading and Drainage – shall meet the municipal requirements and approvals.

Municipal Road Use – shall meet all municipal requirements for utilizing

municipal roads.

Operation and Maintenance – The municipality acknowledges that the operation is regulated by IESO and it is not the intent of the Municipality to attempt to regulate operations through the agreement.

The developer shall notify the municipality of all operational changes and maintenance windows.

The developer shall meet the requirements for the safe operation and maintenance of the development including fire protection and emergency response plans.

Commissioning and Decommissioning – shall include a plan for provisions related to the commissioning and decommissioning including removing all installed facilities and restoring the lands, including securities acceptable to the municipality.

Community Benefit Contribution – shall include a negotiated annual payment to the municipality to be used for community benefit projects as determined by the municipality based on the capacity, along with an annual CPI inflationary factor.

Costs – any cost incurred by the municipality with respect to the development shall be borne by the developer. The Developer shall deposit an amount as indicated in the Municipal Fees and Charges By-Law.

General Provisions – shall include all other requirements of the municipality.

Insurance – shall include any requirements the municipality may require.

Liability – shall save harmless the municipality and its representatives from all actions, causes of actions, suits, claims, cost, interest and demands whatsoever which may arise either directly or indirectly by reason of the agreement.

Noise – shall include information detailing the expected noise level and any proposed abatement measures.

Security – shall include all securities as may be required, but will include, and shall not be limited to, construction, maintenance, and decommissioning.

More detail and requirements may be included in the final agreement.

#### 4. Site Guidelines

Council will evaluate the suitability of the location and the land use compatibility of the proposed Battery Energy Storage Facility.

Proposed developments must meet municipal regulatory requirements and obtain any municipal development approvals or permits required.

Battery Energy Storage Facilities are better suited in Industrial Areas and may be considered in Rural or Agricultural Area where they can be located on land of lower agricultural capability or ensure the continued use of prime agricultural land for farm use and minimize the loss of production farm land.

All applications are subject to land use planning applications and site plan control.

Site Provision:

	Feature	Provision Guideline
1	Minimum Setback to sensitive land uses (i.e. residential use buildings, day care, place of worship, school, library, community centre, open space or institutional use)	300 meters  Subject to potential increases to that setback based on the review of plans and studies which would accompany an application for a site-specific Zoning By-law Amendment, including fire protection and emergency response plans
2	Screening	Landscape screening shall be required and compatible with the general appearance and character of the surrounding area.
3	Maximum Percentage Size Limit of the lot area depending on the zone, as well as establishing setback and screening requirements.	Agriculture Zone – 2% of the total lot area to a maximum of one hectare  Rural Area – 20%  Industrial Area – 20%