



**BYLAW NO. 1922**

**TOWN OF SMITHERS ZONING BYLAW NO. 1403  
AMENDMENT NO. 21-08**

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**WHEREAS** the Council may, under the authority of Section 479 of the *Local Government Act*, create different zones and regulate uses, density, and siting within each zone;

**NOW THEREFORE** the Council of the Town of Smithers, in open meeting assembled, hereby enacts as follows:

**1. CITATION:**

- 1.1 This bylaw may be cited as “Bylaw No. 1922 – Town of Smithers Zoning Bylaw No. 1403 Amendment No. 21-08” and takes effect as of the date of adoption.

**2. ADMINISTRATIVE PROVISION:**

- 2.1 If any section, subsection, sentence, clause or phrase in this bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the decision shall not affect the validity of the remaining portion of the bylaw.

**3. TEXT AMENDMENTS:**

- 3.1. Amend Section 1.2 Definitions by adding the following:

***“Provincial Agricultural Land Commission: means an independent administrative tribunal dedicated to preserving agricultural land and encouraging farming in British Columbia, established under Section. 4 of the Agricultural Land Commission Act.”***

***“Solar Energy System: means a device which relies upon solar radiation as an energy source for the generation of electrical or thermal energy for on-site consumption. Installing a solar energy system on a building or structure or ground would require a building permit.”***

- 3.2. Amend Section 4.8.1 by adding the following:

***“(h) Solar Energy Systems (subject to requirements listed under 4.8.4)”***

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3.3. Amend Section 4.8 by adding the following:

***“4.8.4 Solar energy systems shall be established in accordance with the following requirements:***

- ***Roof-mounted solar systems located on or within a principal or auxiliary building must not extend vertically beyond the maximum permitted height permitted in the subject zone by more than 1.0 m;***
- ***Roof-mounted solar systems located on or within a principal or auxiliary building must not extend horizontally beyond the outermost edge of the roof;***
- ***Ground-mounted systems, when limited to the height of auxiliary buildings and structures allowed in the subject zone, shall meet the minimum setbacks for auxiliary buildings and structures outlined in the subject zone;***
- ***Ground-mounted systems exceeding the height of auxiliary structure and buildings in the subject zone shall maintain a setback at least twice the height of the solar energy system installed on a subject parcel; and***
- ***The owner shall obtain approval from the Provincial Agricultural Land Commission (ALC) prior to the installation of a ground-mounted solar energy system where a parcel is identified as part of the Provincial Agricultural Land Reserve (ALR).”***

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READ A FIRST TIME THIS DAY OF 2021.

READ A SECOND TIME THIS DAY OF 2021.

PUBLIC HEARING HELD THIS DAY OF , 2021.

READ A THIRD TIME THIS DAY OF , 2021.

RECEIVED APPROVAL OF THE MINISTRY OF TRANSPORTATION AND  
INFRASTRUCTURE ON THIS DAY OF , 2021.

ADOPTED THIS DAY OF , 2021.

The Corporate Seal of the Town of Smithers  
was hereto affixed in the presence of:

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Gladys Atrill  
Mayor

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Dianna Plouffe  
Chief Administrative Officer

**CERTIFIED A TRUE AND CORRECT  
COPY** of "Bylaw No. 1922 – Town of  
Smithers Zoning Bylaw No. 1403  
Amendment No. 21-08".

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Duncan Malkinson  
Corporate Officer

DC/MA