



OFFICE OF THE MAYOR

DISTRICT OF PARRY SOUND

56 ONTARIO STREET
PO BOX 533
BURK'S FALLS, ON
POA 1C0

(705) 382-3332

(705) 382-2954

Fax: (705) 382-2068

Email: rward@armourtownship.ca

Website: www.armourtownship.ca

DELIVERED VIA EMAIL

The Council of the Township of Armour understands fully that emotions and opinions run high with respect to the recent battery energy storage system (“BESS”) application, an application that was denied by Council on January 13, 2026 in light of specific concerns centering around public safety, firefighter safety, and protection of the environment. I would like to highlight some key points in order to provide full perspective, and also provide updates which the Township of Armour has received since Council opposed the planning application in January.

I will summarize some of the background below, followed by key points which Armour Township Council has had to recently consider.

- The BESS application on its own is not unusual nor should it have been unexpected – the province is backing these sorts of initiatives, which is encouraging private organizations to act. The fact that energy storage systems are specifically mentioned in the Provincial Planning Statement (PPS), 2024 should make this clear. There is nothing nefarious about what PowerBank is trying to do.
- To point one above, we as a municipality are creatures of the province. Part of our mandate is to support policy set at that level.
- Considerable effort in understanding all aspects of this application has been spent by township staff, members of Council, related departments such as Fire, and partners such as our planners and legal counsel. New facts or considerations have come up frequently (including recent information from our legal counsel – see below). As decisions have had to be made, Council has made the best decision it can make at the time, with the facts we have at the time.
- Council opposed the planning application at its January 13, 2026 council meeting on the basis of public safety, firefighter safety, and environmental concerns. PowerBank appealed this decision to the Ontario Land Tribunal (OLT), as is their right. Note that the OLT is a provincial planning authority – this is not a “civil case” but a case related to disputes with respect to land use planning.
- Based on expert opinion, costs associated with continuing to oppose this planning application at OLT would be the equivalent of putting a special tax levy on every single ratepayer in Armour of 5% for 1 or 2 straight years – in order to fight one battle. Which, again based on the opinion of our experts, is likely futile. See further information under the “Key Points” below.

Simply put, it's one thing to sign a piece of paper in opposition to a singular issue. It's another thing entirely to sign a cheque on behalf of every single taxpayer in Armour, which effectively imposes a full 5% tax levy over the course of 1 to 2 years.

Summary of Key Points from Recent Updates

Council recently received legal advice

Council received advice from its solicitor concerning the conduct of OLT hearings and the scope and breadth of evidence that is required to successfully defend decisions of Council before the Tribunal.

OLT Hearings are Largely Decided Upon the Basis of Expert Evidence

Expert evidence from qualified land use planners, engineers, environmental consultants etc. is required and in the absence of such evidence there is little to no chance of mounting a successful case before the OLT.

The Township's Own Consultants Have Concluded that the Requested Approvals Meet the Statutory Tests and thus the Township Has No Expert Evidence to Rely Upon to Defend the Appeal

The Township retained a significant number of experts to review and critique all of the supporting expert reports submitted by PowerBank and with limited exceptions, all of the expert reports submitted by PowerBank and all of the peer review reports obtained by the Township supported a conclusion that the applications for the Official Plan Amendment and Zoning By-law Amendment met the statutory tests (Planning Act).

The Township Essentially Has No Expert Evidence to Rely Upon to Defend the Appeal and its Peer Reviews Would Be Introduced by Power Bank to Confirm their Own Expert Evidence

Simply stated, the Township would be unable to rely upon the experts it originally retained to conduct the review to defend its decision to deny approval of the amendments. In addition, all of the Township's own expert reports would be introduced as evidence by PowerBank to supplement and confirm the evidence provided by PowerBank's experts. Thus, the Township would have to seek out new experts, at its sole cost and expense, to determine **whether they might** express contrary opinions.

The Allocation of Tax Dollars to Defend the OLT Appeal Must be Reasonably Justified and Balanced in the Context of Potential Outcomes

The process of seeking out new experts and attempting to counteract the significant documentary record that already exist would require the allocation of significant financial resources which when placed in the context of property tax bills would amount to at least a 5% increase on every tax bill in the Township. Council owes a duty to all tax payers in the Township to utilize those tax revenues with great care.

Council Does Have Remaining Concerns Which are Operational in Nature that are to be Addressed before Site Plan Approval and/or Building Permits are Issued

Based upon the input from senior staff and the peer reviews, Council does have remaining concerns, which although significant in nature, are matters that are operational in nature

and that Council and PowerBank are endeavouring to address at the site planning and building permit stage.

With this additional information, our goal should be to negotiate in good faith with the applicant to have things put into place which protect the municipality, our citizens, our firefighters across the region, and our environment, as best we can. We will use our energy and resources to find solutions which are in the best interests of all stakeholders. We remain committed to our key areas of concern and we will ensure this through the on-going planning process. It is key to understand that Armour is, by no means, giving up its ability to negotiate agreements which maximize protection of our citizens, our regional firefighters, and the environment.

Yours truly,

A handwritten signature in black ink, appearing to read 'Rod Ward', written in a cursive style.

Rod Ward
Mayor, Township of Armour