

Bear Lake Wind Project Development Agreement

Planning and Heritage Advisory Committee (PAC/HAC)

October 10, 2024

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Application

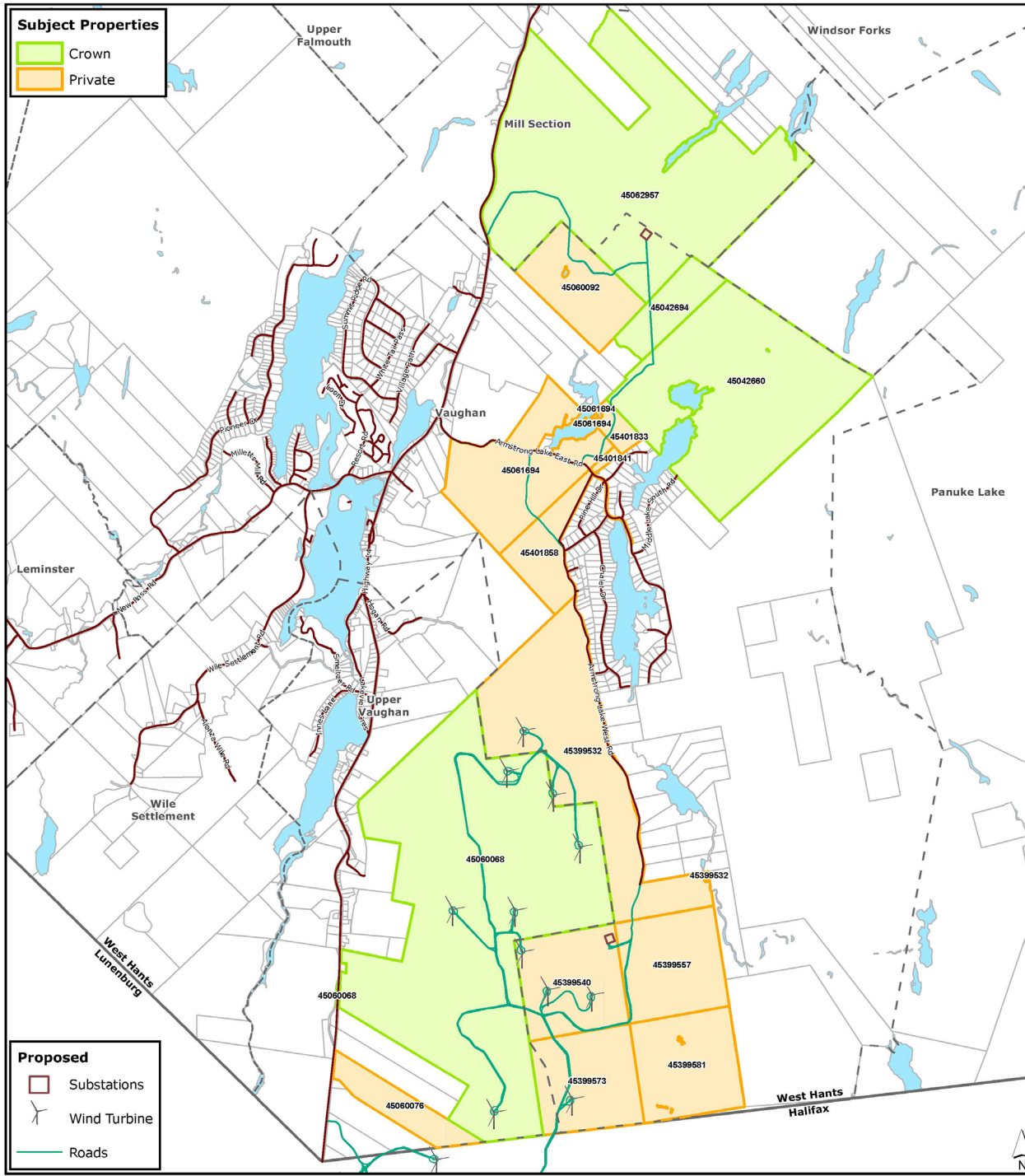
- A completed application was received on March 8, 2024, from Andrea Cosman and Mark Stewart on behalf of Bear Lake Wind Ltd.
- The application is for a development agreement to permit 11 turbines within West Hants Regional Municipality.

Provincial Environmental Assessment Approval

- On December 13, 2023, the Minister of the Department of Environment and Climate Change gave the Bear Lake Wind Project Environmental Assessment Approval, subject to a list of conditions:
 - a surface water management plan, a detailed sediment and erosion control plan, a wildlife management plan, a comprehensive complaint resolution plan, a Mi'kmaq communication plan, a blasting plan, a monitoring program for Mainland Moose, an adaptive management plan in relation to bird and bats, decommissioning and site reclamation plan.
- All project information may be found on the Nova Scotia Environment and Climate Change website:

<https://novascotia.ca/nse/ea/bear-lake-wind-power/>

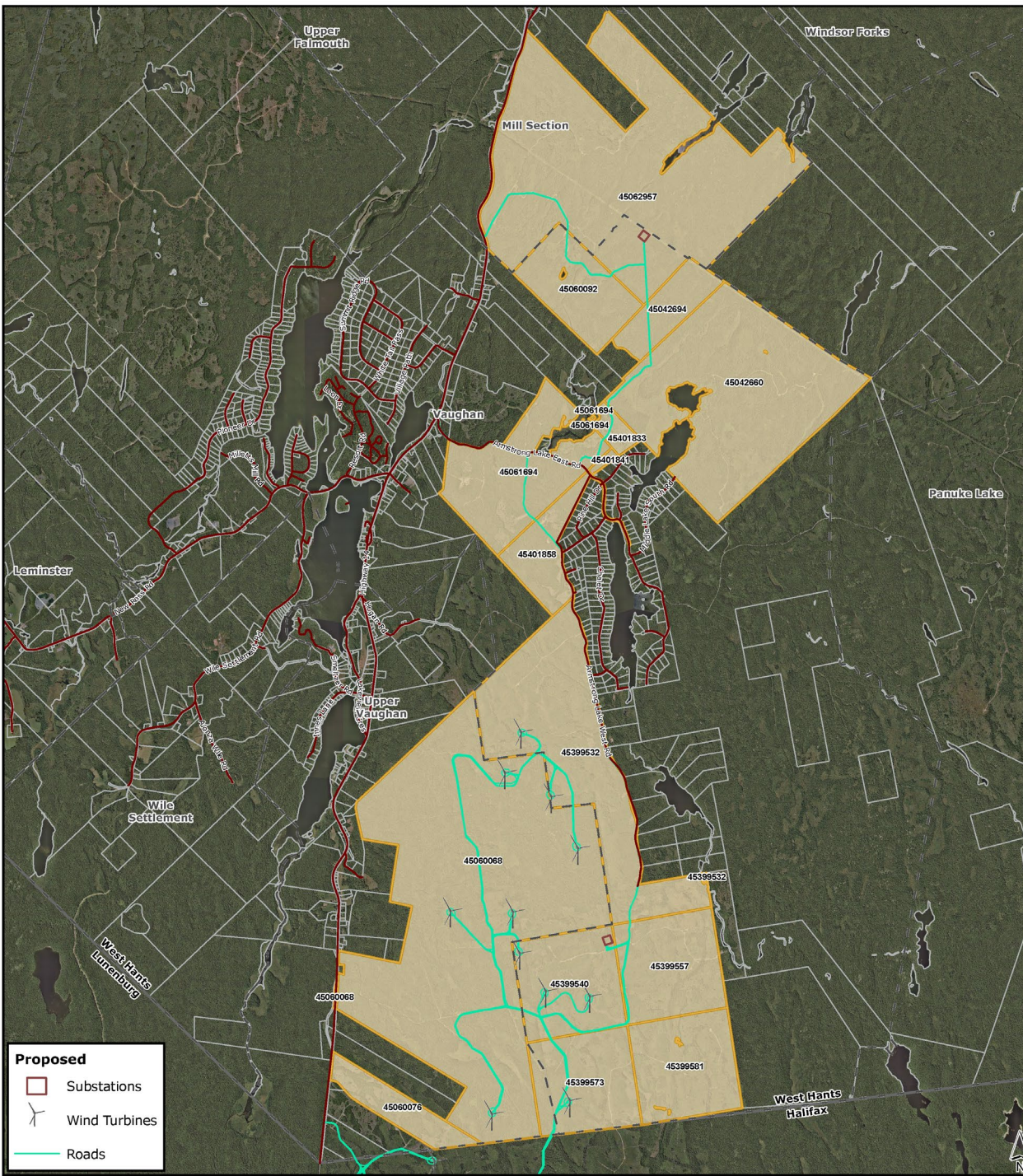




Project Area

- 15 turbine project
- 11 turbines proposed in WHRM
- 15 separate lots within WHRM:
 - 4 Crown lots with 6 turbines
 - 11 lots in private ownership with 5 turbines



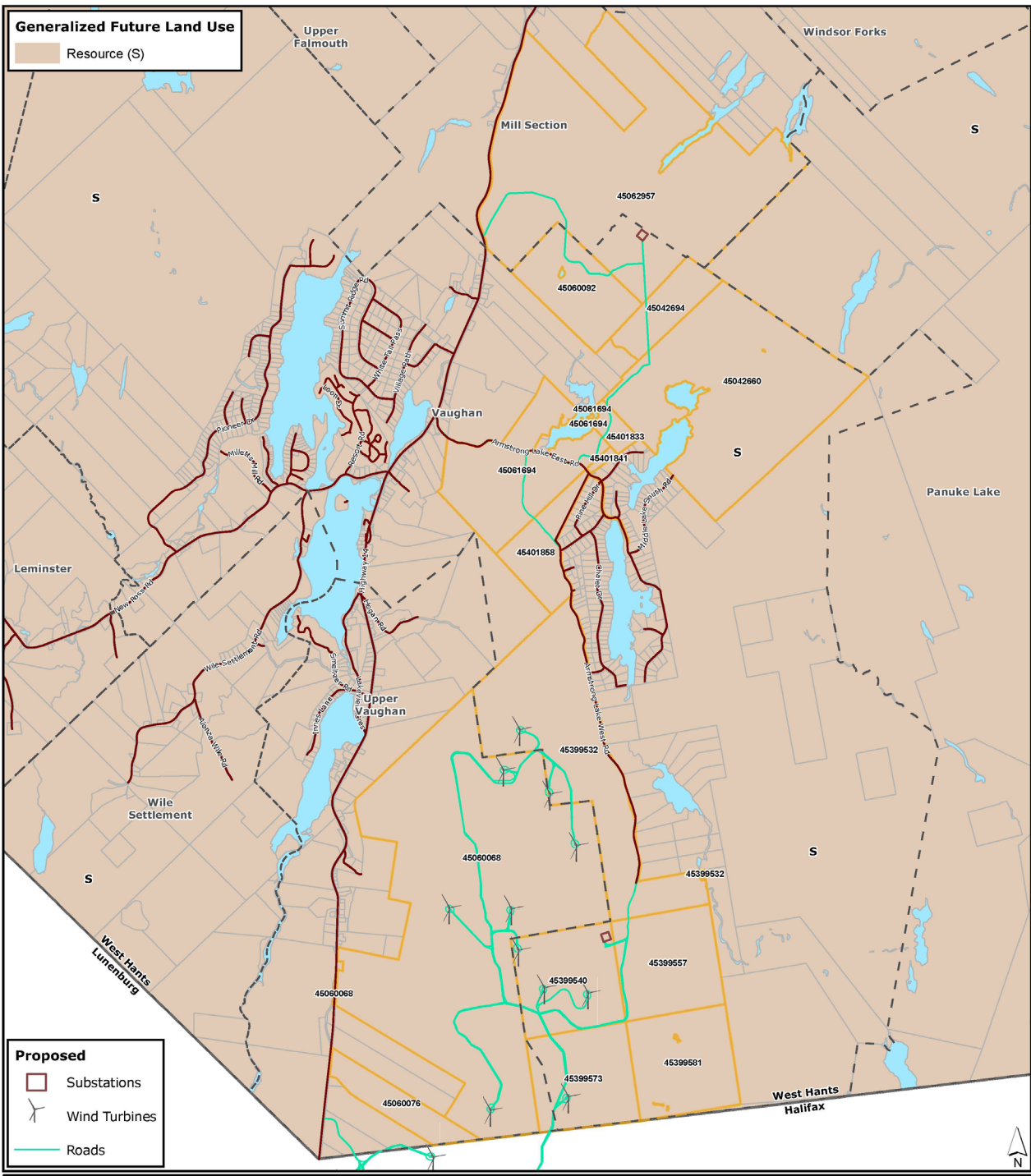


Orthophoto

Primary access from Highway 14

Chalet Hamlet – emergency access / egress to be provided

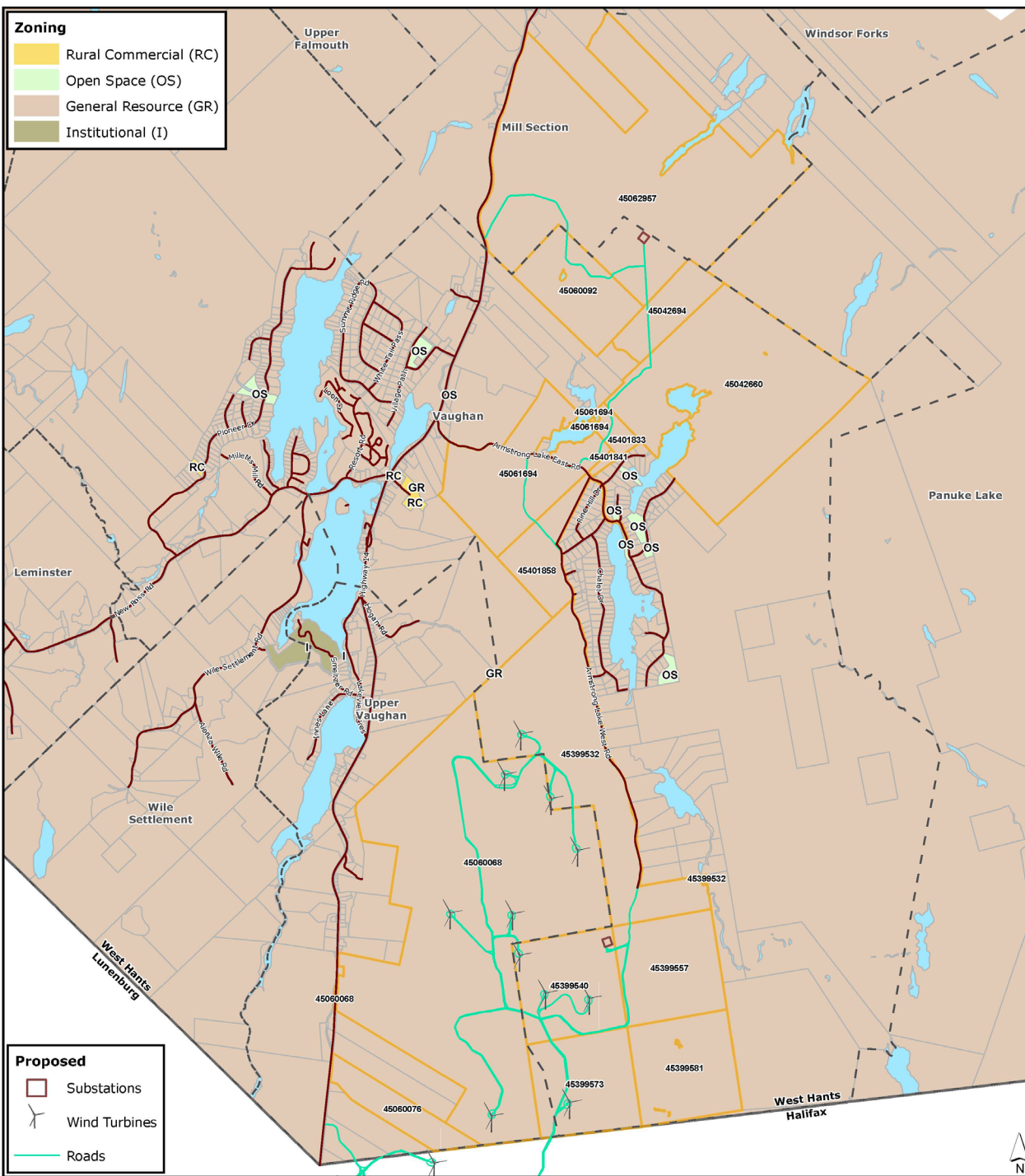




GFLUM

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Zoning

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Public Information Meeting Notes

- A Public Information Meeting was held on April 8. The meeting was broadcast live on the Municipal Facebook page.
- 80 members of the public attended the Public Information Meeting, with 20 speaking during the meeting.
- The deadline for comments was April 22, 2024.
- Staff received emails from 61 individuals during the public comment period.



Public Comment Summary

Those opposed to the project cited the following concerns:

- Environmental impacts
- Too many wind farms
- Fire suppression
- Distance to residential areas
- Decommissioning
- Perceived health impacts
- Use of Crown land
- Lack of financial benefit to WHRM
- Perceived impact to property values
- Impact of trucks/machinery on Hwy 14
- Need for third-party to fact check



Public Comment Summary Cont.

Those in favour of the project cited the following benefits:

- Increase local employment opportunities
- Project to provide:
 - Community vibrancy fund
 - Bursaries
 - Proximity payments
- Help reduce global carbon emissions
- Secondary access for Chalet Hamlet
- Provincial and Federal approval for the project already received



Development Agreement Details

Requirements

- Permits a wind farm including all associated equipment and facilities necessary
- A total of 11 turbines
- Property line setback equal to 1.1 times the height of a turbine
- A setback of 1000 metres from any turbine to any dwelling, hotel, or motel, and 550 metres from any woods camp
- Primary access from Highway 14; emergency access/egress to be provided to Chalet Hamlet
- Stormwater management plan prior to development permit
- Decommissioning Fund



Development Agreement Details

Substantive Matters

- the uses permitted on the Property, including the maximum number of turbines;
- the minimum setback requirements;
- the requirements for a stormwater management plan; and
- the secondary emergency access requirement.



Specific Policy

Policy 4.24.4 enables Council to consider installations of large wind turbines or wind farms by development agreement. In summary, the criteria are met since:

- the proposed development has received Environmental Assessment Approval from the Minister of Environment and Climate Change;
- the proposed development is required to provide an updated shadow flicker assessment and noise modelling prior to road construction and/or upgrades as specified in the conditions of the Environmental Assessment Approval to ensure that adequate separation distances are maintained from adjacent land uses to minimize impacts of noise and shadow and to ensure public safety;

...



Specific Policy Cont.

...

- the turbine selection and siting, and requirements for automatic aircraft detection system or dimmable lighting on each turbine will reduce the visual intrusiveness of the proposal; and
- the developer is working directly with representatives from the Nova Scotia Department of Public Works to ensure that all necessary permits and road upgrades are completed.



General Policy

Policy 16.3.1 states general criteria for development agreements and amendments to the Land Use By-law. In summary, the criteria are met since:

- the proposal is not considered premature or inappropriate for the area;
- no municipal costs related to the proposal are anticipated; and
- the Development Officer, Manager of Building and Fire Inspection Services, Fire Chief, and Area Manager of the Nova Scotia Department of Public Works have no concerns which have not been addressed in the report.



Public Information Meeting – April 8

Staff Review

**PAC/HAC Review and Recommendation –
October 10, 2024**

Regional Council First Reading –
November 26, 2024*

Public Hearing & Second Reading –
January 28, 2024*

Notice placed in Paper

14-day Appeal Period

Process

*anticipated date



Recommendations (1 of 2)

...that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider entering into a development agreement to allow a Wind Farm on PIDs 45060068, 45399540, 45399573, 45399532, 45060076, 45060092, 45061694, 45062957, 45399557, 45399581, 45401833, 45401841, 45401858, 45042660, and 45042694 which is substantively the same as the draft set out in Attachment D of the report File #24-03, **except for a change to the setbacks to 1.7 km to property line unless agreed to by property owners, the addition of a gate for the emergency access road, and non-passive fire suppression system based on current technology available,** to the Planning and Heritage Advisory Committee dated October 10, 2024.



Recommendations (2 of 2)

...that PAC/HAC recommends that Council require that the development agreement with Bear Lake Wind Ltd., Wagner Forest NS Ltd., and Atlantic Star Forestry Ltd., for PIDs 45060068, 45399540, 45399573, 45399532, 45060076, 45060092, 45061694, 45062957, 45399557, 45399581, 45401833, 45401841, 45401858, 45042660, and 45042694 be signed within 120 days from the date of final approval by Council or the date that any appeals have been disposed of; otherwise this approval will be void and obligations arising hereunder shall be at an end.



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