

Bear Lake Wind Project Development Agreement

PAC/HAC

March 13th, 2025

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Application Overview

- **A completed application** was received on February 25, 2025, from Rebecca Crump and Jennifer Deleskie on behalf of Bear Lake Wind Ltd.
- The application is for a development agreement to permit **11 turbines** within West Hants Regional Municipality.
- This application for development agreement was previously submitted under previous MPS policy; the applicants have **resubmitted the same application** to be considered under new MPS policy.



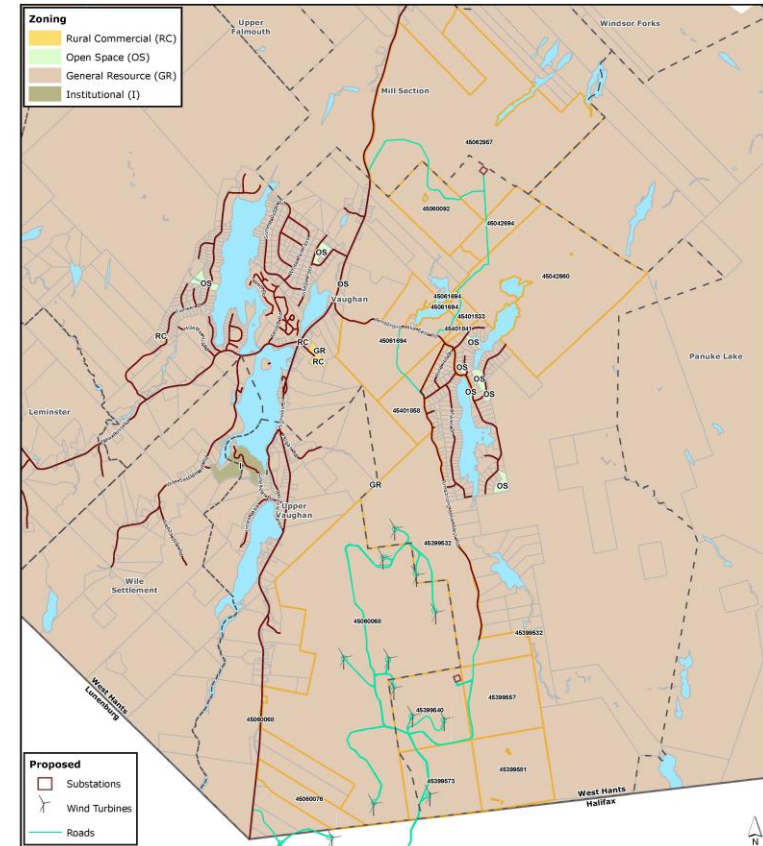
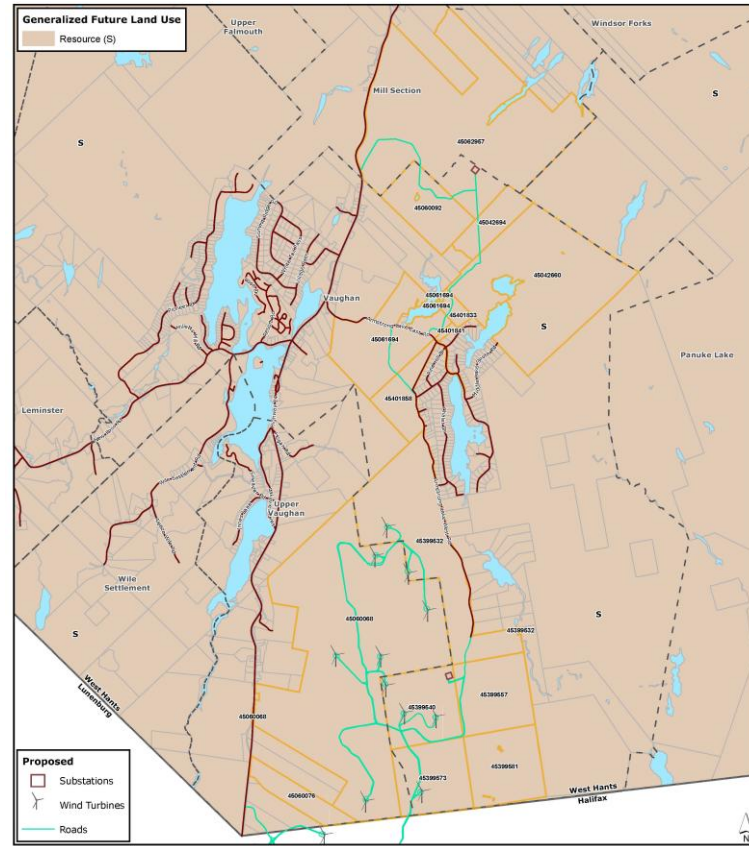
Relevant Legislative and Environmental Approvals

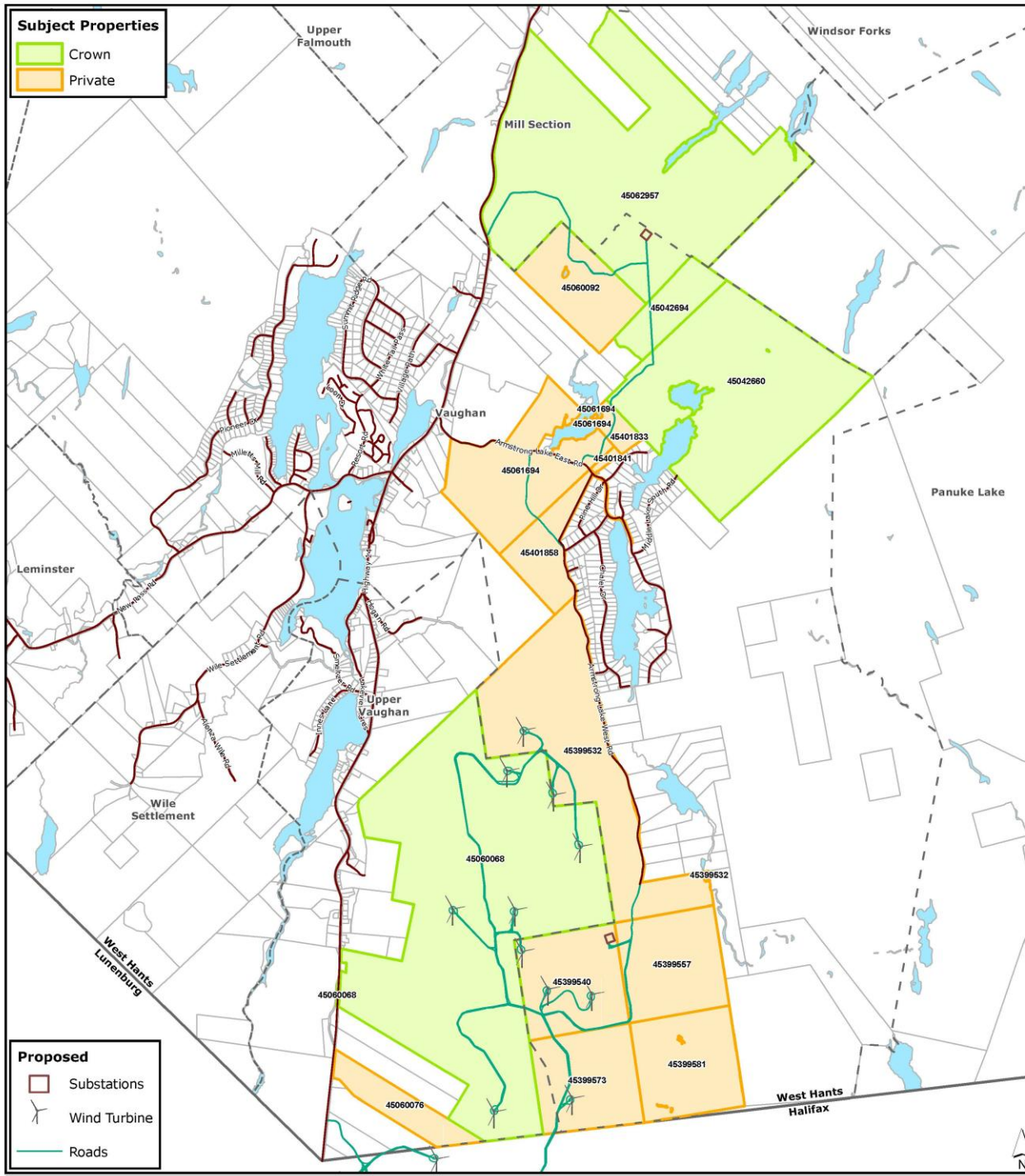
- **December 2023:** Application received **Environmental Assessment Approval** from the NS Department of Environment & Climate Change.
- **January 2025:** WHMPS **policy was amended** with new requirements for large wind turbine development. Development agreement still required, but subject to amended criteria.



WHMPS and WHLUB Designation and Zoning

- Resource Designation
- Entire project area is within the General Resource (GR) zone.
 - Prioritizes resource uses, allows some rural residential and commercial uses.

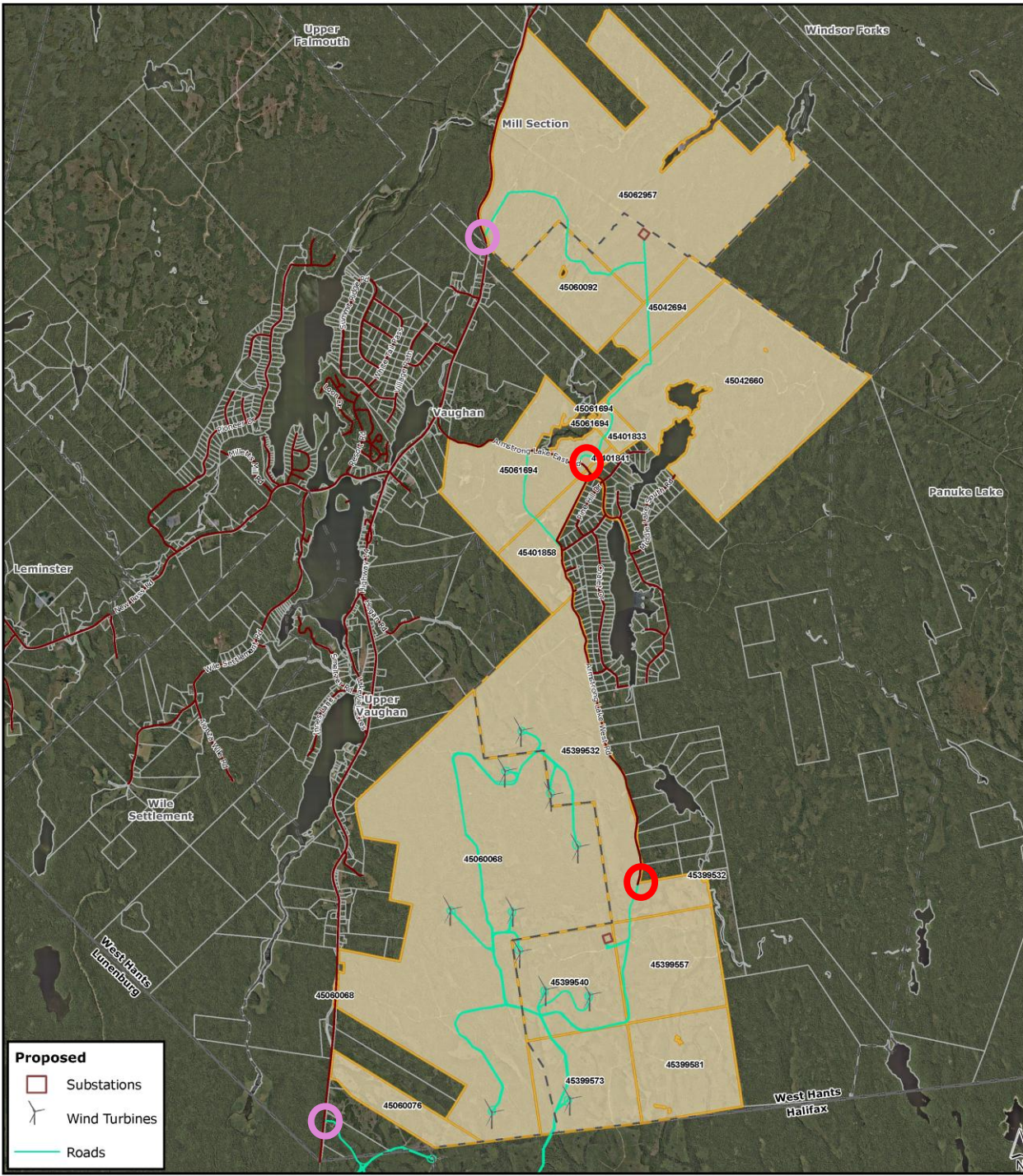




Project Area and Details

- 15 turbine project-11 turbines proposed in WHRM
- Each turbine: **5.9 MW capacity, 206.5m height.**
- The project spans **8,294 acres**, with **6 turbines on 4 Crown land lots** and **5 on 11 private land lots**
- Additional **4 turbines** in Chester and Halifax Regional Municipality.





Orthophoto

- **Primary access** from Highway 14
- Chalet Hamlet – **emergency access / egress** to be provided



Community and Stakeholder Feedback

- **Public Information Meeting (PIM) hosted in April 2024**
 - 80 members of the public attended the PIM, 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.
 - **No change to application, no requirement for an additional PIM.**
 - **Public Hearing still required.**
- **Concerns Raised:**
 - Environmental impact (wildlife, water, noise).
 - Property value & visual appeal.
 - Fire safety & decommissioning.
 - Number and density of wind farms in the area.
- **Supporters Highlighted:**
 - Local employment & economic benefits.
 - Reduced carbon emissions.
 - Community Benefit Agreement (funds, bursaries, proximity payments).



Development Agreement Details

Requirements

- **Permits a wind farm with 11 turbines including all associated equipment and facilities necessary**
- **Setbacks:**
 - **1,000m** minimum from dwellings, **550m** minimum from wood camps, **1.1x turbine height** from lot lines.
- **Fire Safety:**
 - **Fire safety measures** include temperature sensors, alarms, and emergency access plans.
- **Stormwater Management & Environmental Protection:**
 - **Stormwater Management Plan required prior to permit** to ensure no increased peak flow runoff post-development.
 - **Noise limits: Max 40 dBA at residences and shadow flicker limits: Max 30 min/day or 30 hrs/year.**
- **Access:**
 - Primary access from Highway 14; emergency access/egress to be provided to Chalet Hamlet
- **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 proposed development **meets, and exceeds, the required separation distances;** 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** to ensure safe roadway access is provided.



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 due to:
 - Adequacy of fire protection, road networks, and financial capacity of the municipality as no municipal costs are anticipated;
- 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.



Planning and Heritage Advisory Committee

Previous Concerns

At the October PAC/HAC meeting the committee raised the following concerns:

- Setbacks:
 - PAC/HAC recommended 1.7km to property lines unless permission granted from owners.
 - Development agreement exceeds current separation distance requirements.
- Gated Access:
 - PAC/HAC recommended adding a gate to the emergency access road.
 - Gate not desired by Chalet Hamlet Property Owners Association.
 - Not required by the Municipal Planning Strategy.
- Fire Suppression:
 - PAC/HAC recommended changes to the fire suppression system.
 - Fire Chief satisfied with current fire safety approach.



Process

Staff Review



Public Information Meeting for File # 24-03– April 8, 2024



PAC/HAC receives staff report and PIM Notes
PAC/HAC Review and Recommendation for File #24-03– October 10



Regional Council First Reading Postponed – November 28



Application resubmitted- February 25, 2025



PAC/HAC Review and Recommendation- March 13, 2025



Regional Council First Reading- March 25, 2025*



Public Hearing & Second Reading – April 22, 2025*



Notice of Approval



14-day Appeal Period

*anticipated date

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Recommendations (1 of 2)

Staff recommends that the PAC/HAC forward a positive recommendation by passing the following motion:

...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 #25-13 to the Planning and Heritage Advisory Committee dated March 13, 2025.



Recommendations (2 of 2)

...that PAC/HAC recommends that Council require that the development agreement with BearLake 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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