

Ellershouse 3 Wind Project Development Agreement

Council First Reading

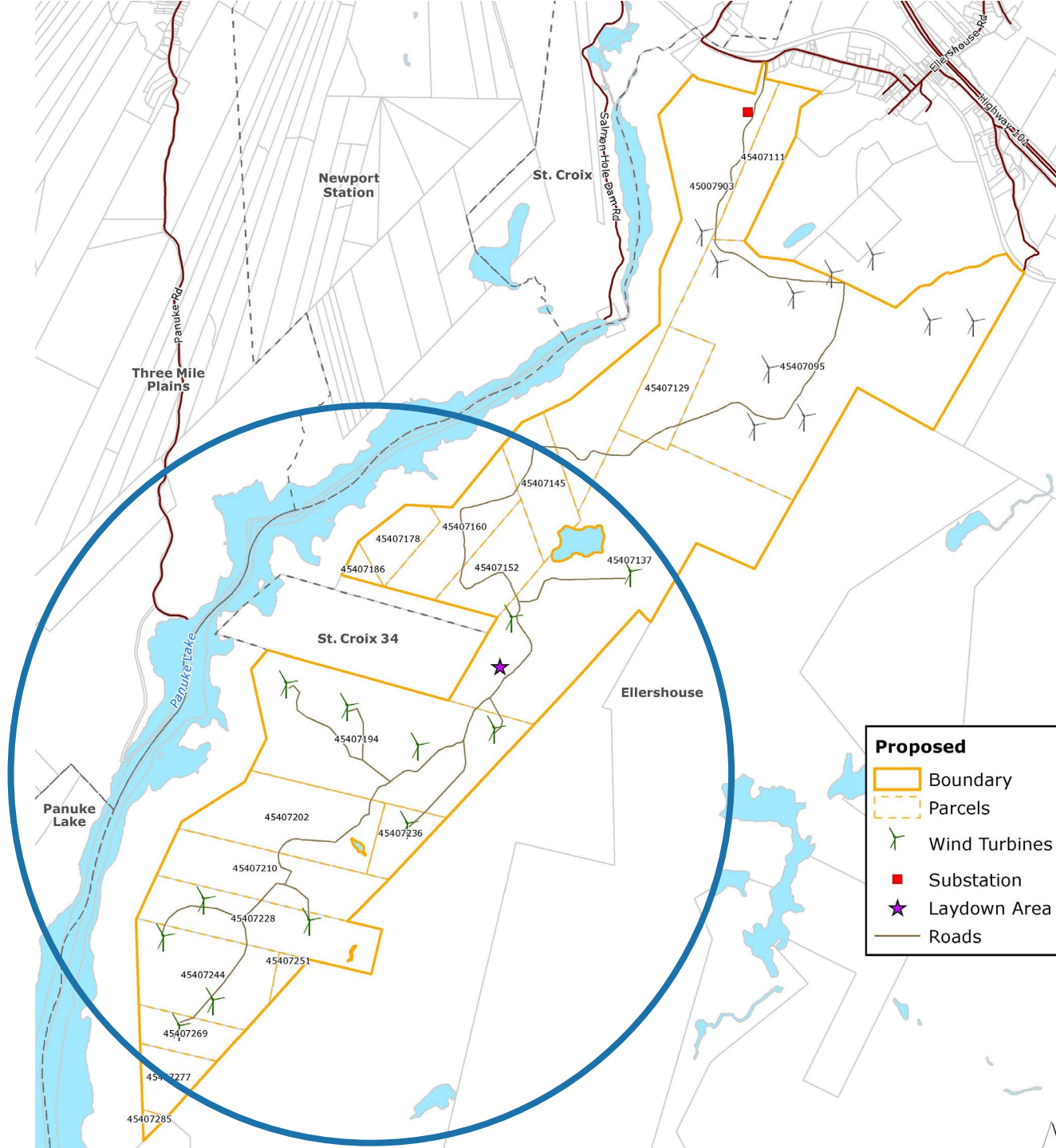
October 8, 2024

something inspiring awaits



Application

- A completed application was received on March 20th, 2024 from Julia Cushing of Potentia Renewables Inc.
- The application is for a development agreement to permit 12 turbines to expand the existing Ellershouse Wind Farm.



Project Area

- 10 Existing turbines
- 12 new proposed turbines
- Turbines are all over 1km from homes and 550m to cabins
- Turbines all located on private forestry company owned lands



Application - Environmental Assessment

- Ellershose 3 GP Inc submitted the project for Provincial Environmental Assessment (EA) review in May, 2023.
- The Provincial Minister of Environment and Climate Change approved the project in July 2023.
 - Variety of conditions relating to: Water resources, habitat, flora and fauna, air/noise/visual impacts, complaint resolution plan, contingency plan, and decommissioning plan.
- All project information may be found on the Nova Scotia Environment and Climate Change website:

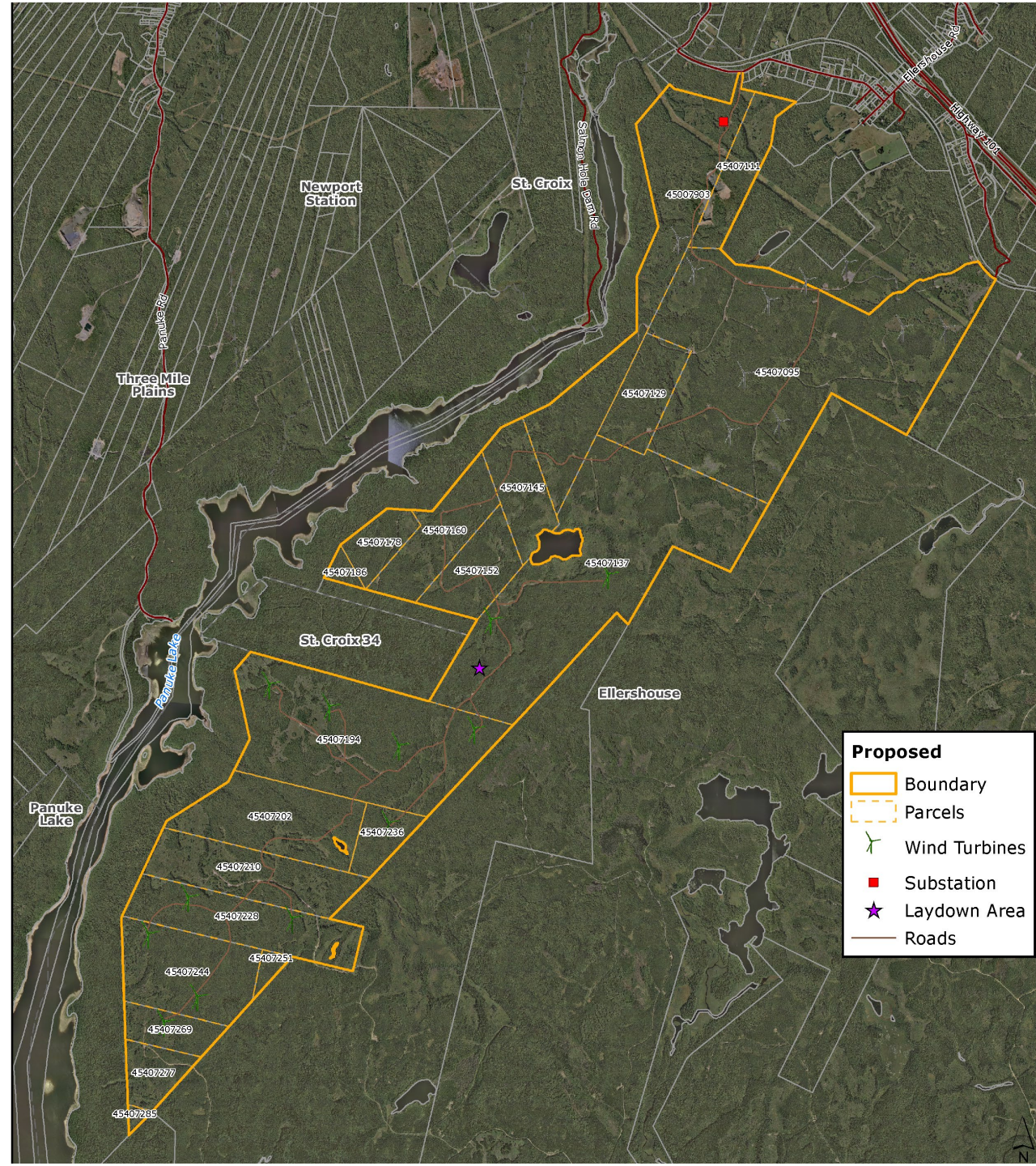
<https://novascotia.ca/nse/ea/ellershouse-3-wind/>



Orthophoto

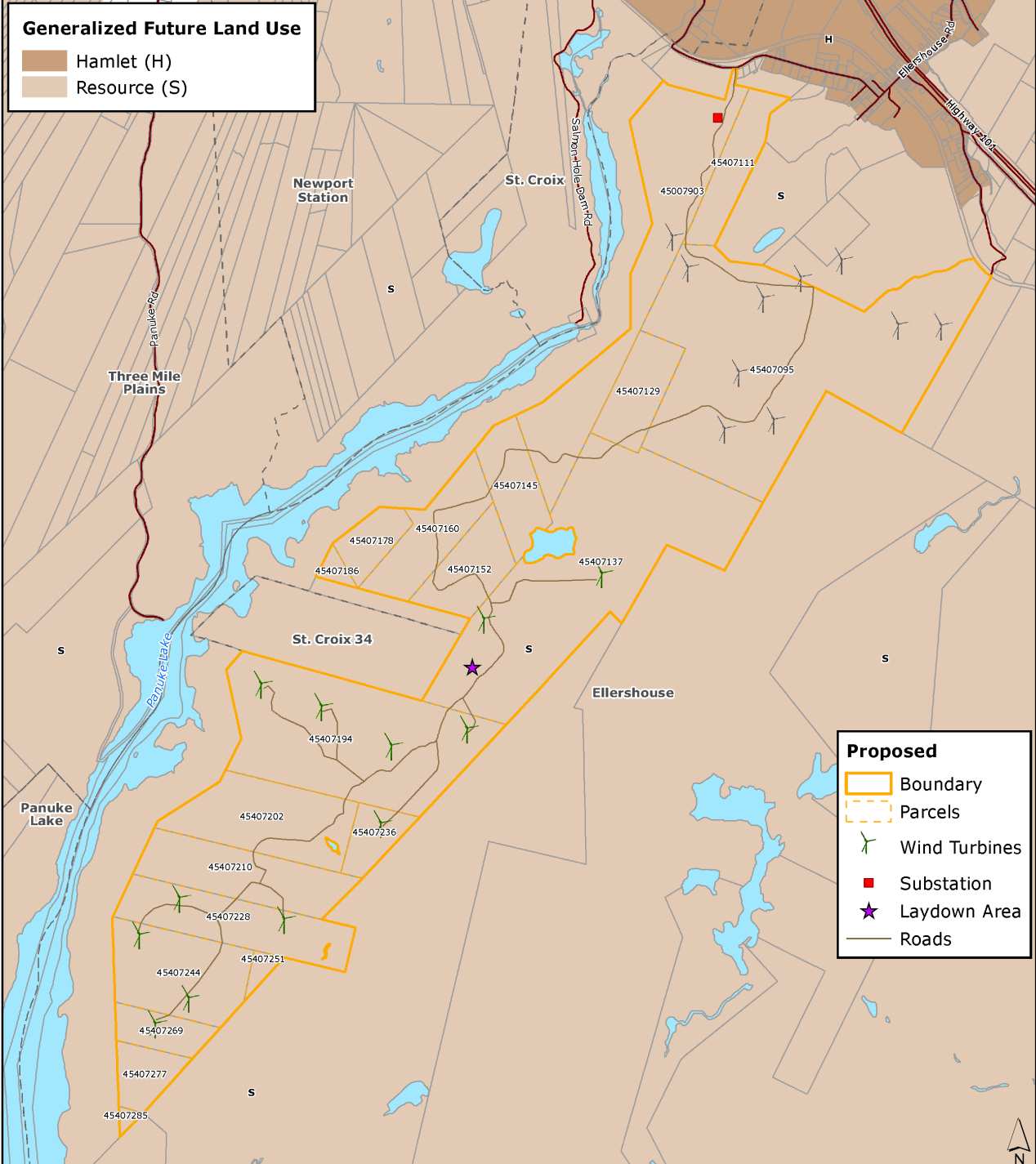
14 PIDs and a portion of two PIDs, covering approximately 2,350 acres in total area.

Lots are primarily cleared forestry land abutting Panuke Lake. Owned by Atlantic Star Forestry, leased by Wagner Forestry and subleased by Potentia Renewables Inc.



Generalized Future Land Use

- Hamlet (H)
- Resource (S)

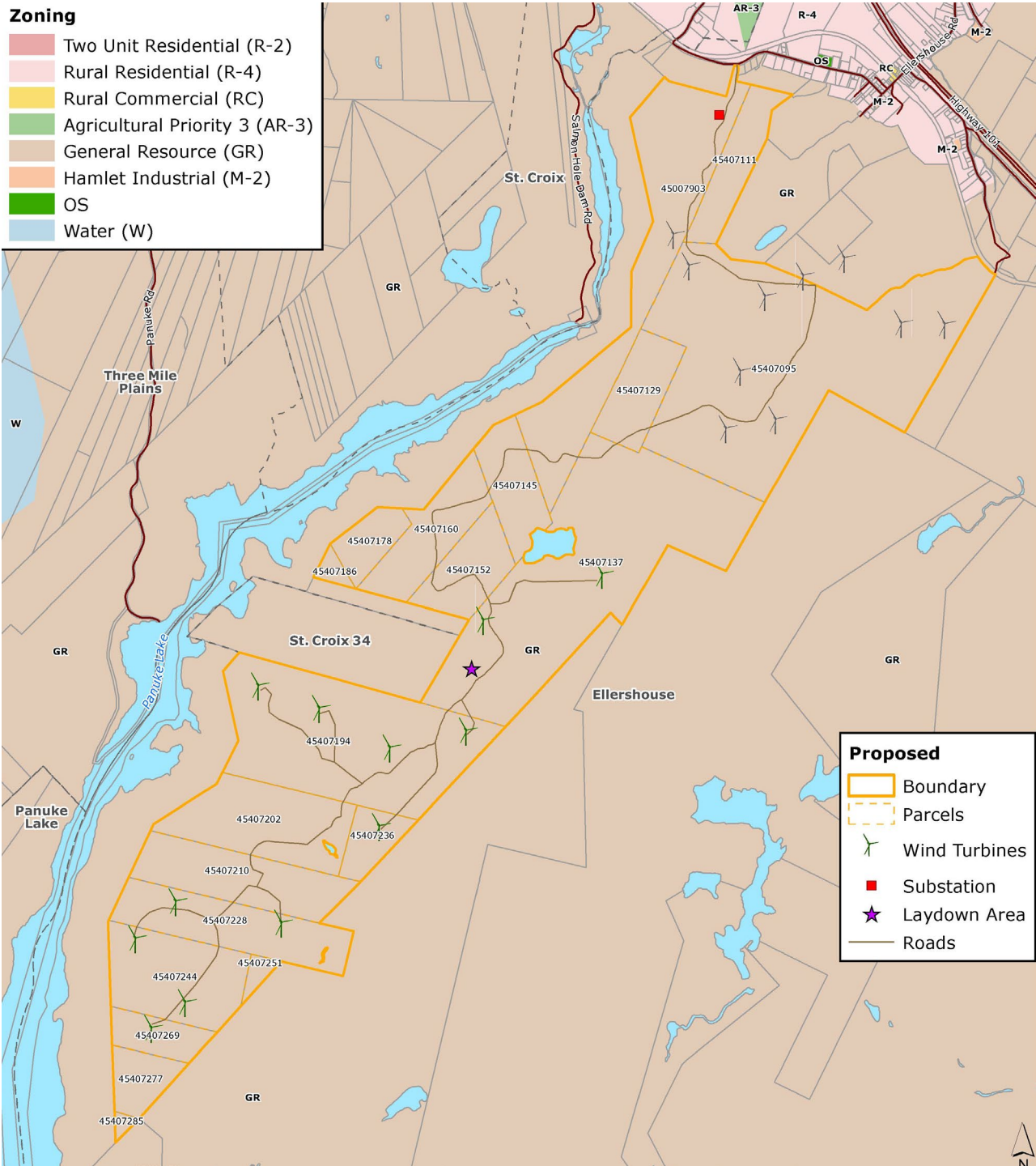


GFLUM

Resource Designation

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Zoning

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



West Hants MPS Policies

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 conditions to the Environmental Assessment Approval ensure that adequate separation distances are maintained from adjacent land uses to minimize the impacts of noise and shadow to ensure public safety;
- based on the visualizations, the proposed development appears reasonably suited for the resource context of the area; and
- the developer is working directly with the Nova Scotia Department of Public Works to ensure that all necessary work is completed.



West Hants MPS Policies

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 Fire Chief, Development Officer, Manager of Building and Fire Inspection Services, Area Manager of the Nova Scotia Department of Public Works, and Public Works Engineering Division have no concerns which have not been addressed in this report.



Development Agreement Details

Requirements

- Permits a wind farm including all associated equipment, facilities, and improvements necessary
- A total of 12 additional turbines
- Property line setback equal to the total 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
- Existing driveway access from Ellershouse Road
- Operation requirements reflecting the Environmental Assessment for sound level and shadow flicker
- 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 Surface Water (Stormwater) Management Plan; and
- the requirements of the Environmental Assessment Approval.



Public Information Meeting Notes

- A Public Information Meeting was held on May 7. The meeting was broadcast live on the Municipal Facebook page.
- 12 members of the public attended the Public Information Meeting, with 6 speaking during the meeting
- The deadline for comments was May 21, 2024
- Staff received emails from one resident and two pieces of written correspondence in support of the development during the public comment period.



Public Comment Summary

Comments and questions from the public included:

- Lifespan of turbines
- Stormwater management
- Uranium/Geotechnical
- Project ownership
- Support from the developer regarding the trail system
- Employment opportunities
- Good working relationship with developer and community
- Upgrading and maintenance of roads
- Support from the developer with student bursaries



Public Information Meeting – May 7

Staff Review

PAC/HAC Review and Recommendation –
September 12, 2024

**Regional Council First Reading –
October 8, 2024**

Public Hearing & Second Reading –
November 26, 2024*

Notice placed in Paper

14-day appeal period

Process

*anticipated date



Recommendations (1 of 2)

...that Council gives First Reading and will hold a Public Hearing to consider entering into a development agreement to allow a Wind Farm on PIDs 45407194, 45407202, 45407210, 45407228, 45407244, 45407251, 45407269, 45407277, 45407285, 45407178, 45407236, 45407152, 45407160, 45407186, and a portion of PIDs 45407137 and 45407145 which is substantively the same as the draft set out in Attachment B of the report File #21-16 to the Planning and Heritage Advisory Committee dated September 12, 2024.



Recommendations (2 of 2)

...that Council requires that the development agreement with Ellershouse 3 Wind Limited Partnership, Wagner Forest NS Ltd., and Atlantic Star Forestry Ltd. for PIDs 45407194, 45407202, 45407210, 45407228, 45407244, 45407251, 45407269, 45407277, 45407285, 45407178, 45407236, 45407152, 45407160, 45407186, and a portion of PIDs 45407137 and 45407145 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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