

THE MUNICIPALITY OF THE COUNTY OF KINGS

REPORT TO MUNICIPAL COUNCIL

Subject: Public Hearing – Amendments to the Municipal Planning Strategy and Land Use Bylaw
Large-scale wind turbines
File: P12-01

From: Planning Services

Date: June 20th, 2012

Background

In May of 2011, Council completed a three year project to develop regulations for large-scale wind turbines in the County.

Since then a number of potential wind turbine projects have been proposed and discussed. These projects have resulted in significant public interest in the Municipality's regulations concerning large-scale wind turbines. In response to this interest, Council committed to review its regulations in early 2012.

On April 24th, 2012, the Planning Advisory Committee (PAC) directed Staff to draft amendments concerning large-scale wind turbines that would indicate that Council intends to further review the issues and in the meantime not permit large-scale wind turbines in any area of Kings County. PAC forwarded the draft amendments directly to a Public Participation Meeting (PPM), held at 5:00PM on May 10th, 2012.

On May 14th, 2012, PAC considered the draft amendments and recommended to Council that they be approved.

On May 15th, 2012, Municipal Council gave First Reading to the proposed amendments, attached as Appendix A, and forwarded them on to a Public Hearing.

Public Hearing

At this Public Hearing people have the opportunity to present opinions on the proposal directly to Municipal Council. Council is scheduled to consider approving the attached Municipal Planning Strategy and Land Use Bylaw amendments by giving them Second Reading at the Municipal Council meeting to be held on July 3rd, 2012 at 6:00PM in the Municipal Council Chambers. However, changes to Council's committee structure will be considered on June 5th. If changes are made, Council will instead be scheduled to consider approving the attached amendments by giving them Second Reading on June 27th, 2012 at 1:00PM or 6:00PM in the Municipal Council Chambers. If approved, the amendments will be forwarded to the Provincial Director of Planning for review.

Appendix A

THE MUNICIPALITY OF THE COUNTY OF KINGS

AMENDMENTS TO BYLAW #56 COUNTY OF KINGS MUNICIPAL PLANNING STRATEGY

AND

AMENDMENTS TO BYLAW #75 COUNTY OF KINGS LAND USE BYLAW

**Removal of Policies Regarding Development of Large-scale Wind Turbines
in Rural Areas of the County**

BYLAW #56 – MUNICIPAL PLANNING STRATEGY

1. Delete Section 5.5, **SITING OF LARGE-SCALE WIND TURBINES**, and replace it with the following Section 5.5:

5.5 CONSIDERATION OF LARGE SCALE WIND TURBINES

Large-scale wind turbines are an important source of renewable energy that can also have significant impacts on the landscape and residents. After a three year planning process, Council, in May 2011, approved Municipal Planning Strategy and Land Use Bylaw amendments aimed at encouraging large-scale wind turbines to locate in rural areas. Highlights of these amendments included listing large-scale wind turbines as a use permitted as-of-right and a 2300ft (700m) minimum separation distance between turbines and dwellings.

In December 2011, however, residents began to express significant concerns with Council's policies as specific proposals for large-scale wind turbines became known. In response to community concerns, Council undertook a project to review its regulations in early 2012, including open houses, a questionnaire and expert advice on health and safety impacts. Council, at this time, recognized the complexity of the issues and wished to take more time to review the information and consult with the public. In the meantime, therefore, Council decided to not permit large-scale wind turbines in any area of the Municipality of the County of Kings.

5.5.1 Consideration of Large Scale Wind Turbines Policy

As Council further reviews the complex planning issues, Council shall not permit large-scale wind turbines in any area of the Municipality.

2. Remove Section 5.5 from **PART 5 DEVELOPMENT REGULATORY POLICIES** of the Table of Contents, and replace it with the following Section 5.5:

5.5 CONSIDERATION OF LARGE-SCALE WIND TURBINES

BYLAW #75 – LAND USE BYLAW

1. Delete the following definitions from Section 1.161 of the Land Use Bylaw:

- 1.161.1 **Blade Clearance;**
- 1.161.3 **Decommissioning;** and
- 1.161.5 **Large-scale Wind Turbine**

and renumber the subsequent Subsections accordingly.

2. Remove Subsection 10.1.6, **Siting of Large-Scale Wind Turbines** from Section 10.1 of the Land Use Bylaw.
3. Remove Large-scale Wind Turbines from the lists of uses permitted subject to conditions in the A1, F1, R6 and S1 Zones.