



West Hants

## Public Hearing Agenda

1. Intro by Mayor
2. Presentation by Planner (Alex Dunphy)
3. Presentation by Applicant (Natural Forces)
4. Comments or Questions from Public
5. Conclusion of Public Hearing



# Benjamins Mill Wind Project Development Agreement

Public Hearing & Second Reading

August 21, 2023

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# Application

- A completed application was received on January 13, 2022 from Meg Morris on behalf of Natural Forces
- The application was for a development agreement to permit a 24-unit wind turbine project in Benjamins Mill

# Application - Environmental Assessment

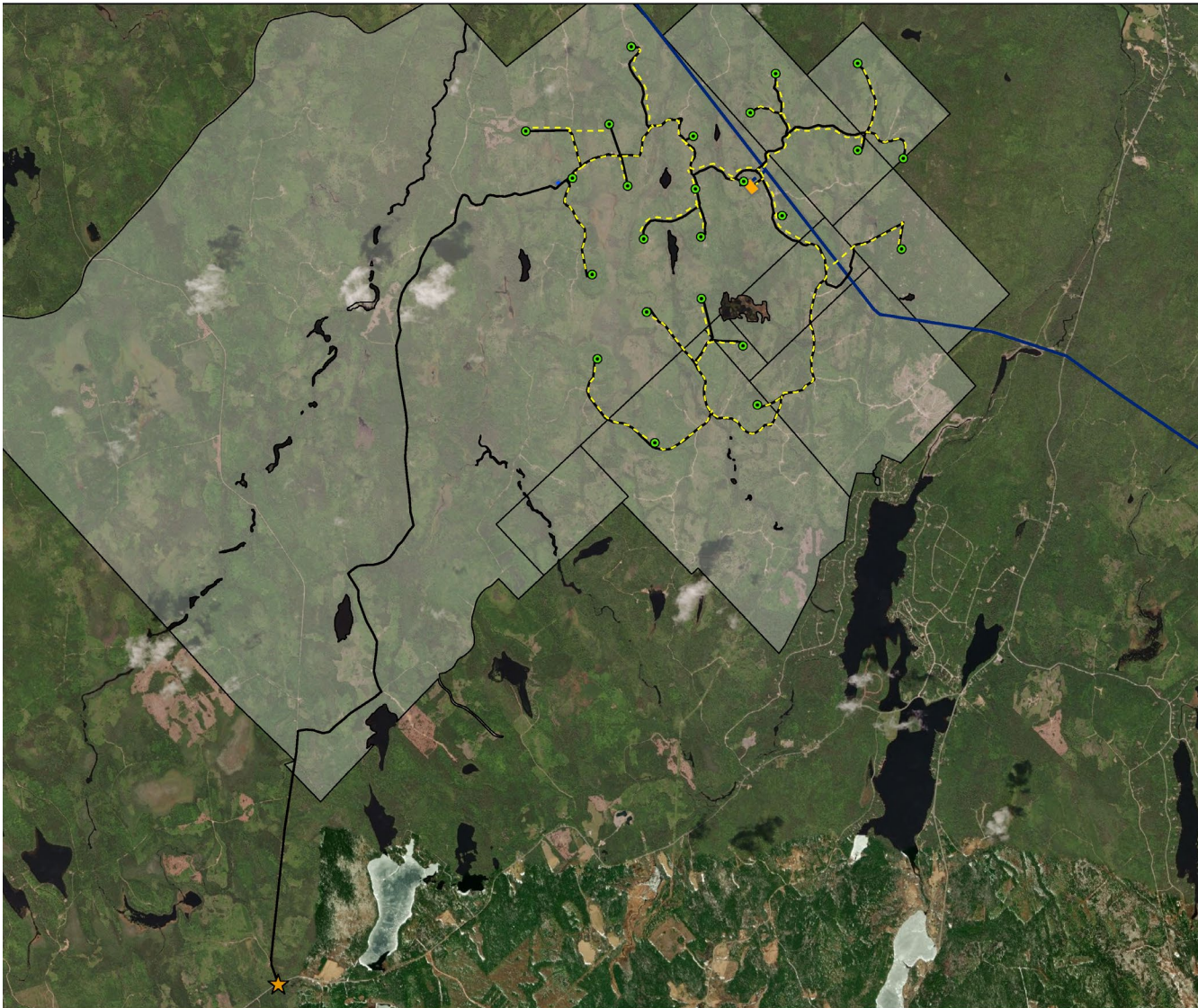
- On March 9, 2022, the Minister of Environment and Climate Change determined that there was insufficient documentation to make a decision on the Environmental Assessment Approval.
- On January 6, 2023, Natural Forces resubmitted for Environmental Assessment Approval consideration.
- On February 12, 2023, the Minister of Environment and Climate Change granted Environmental Assessment Approval, subject to a list of conditions.





# Project Area

- The wind turbines are clustered in the eastern portion of the project area
- The site is accessed by Hingley Road which runs perpendicular to New Ross/Russell Road
- The nearest home to a proposed wind turbine is 1.6 km away



Proposed Benjamins Mill Wind Project

Preliminary Site Plan and Location

**Legend**

- ★ Current Road Access Point
- Turbine Locations
- Proposed Collector Lines
- Proposed Access Road
- Ben Mill - 287c 138 kV Interconnection
- Substation
- Laydown
- Existing 138kV Line
- Private Lands

**Notes**

1. Turbine markers are not to scale

**Sources**

- Basemap provided by the Province of Nova Scotia
- Basemap: ESRI World Topo Map

N

0 250 500 750  
Metres

Scale: 1:50,000

Spatial Reference: NAD 1983 UTM Zone 20N

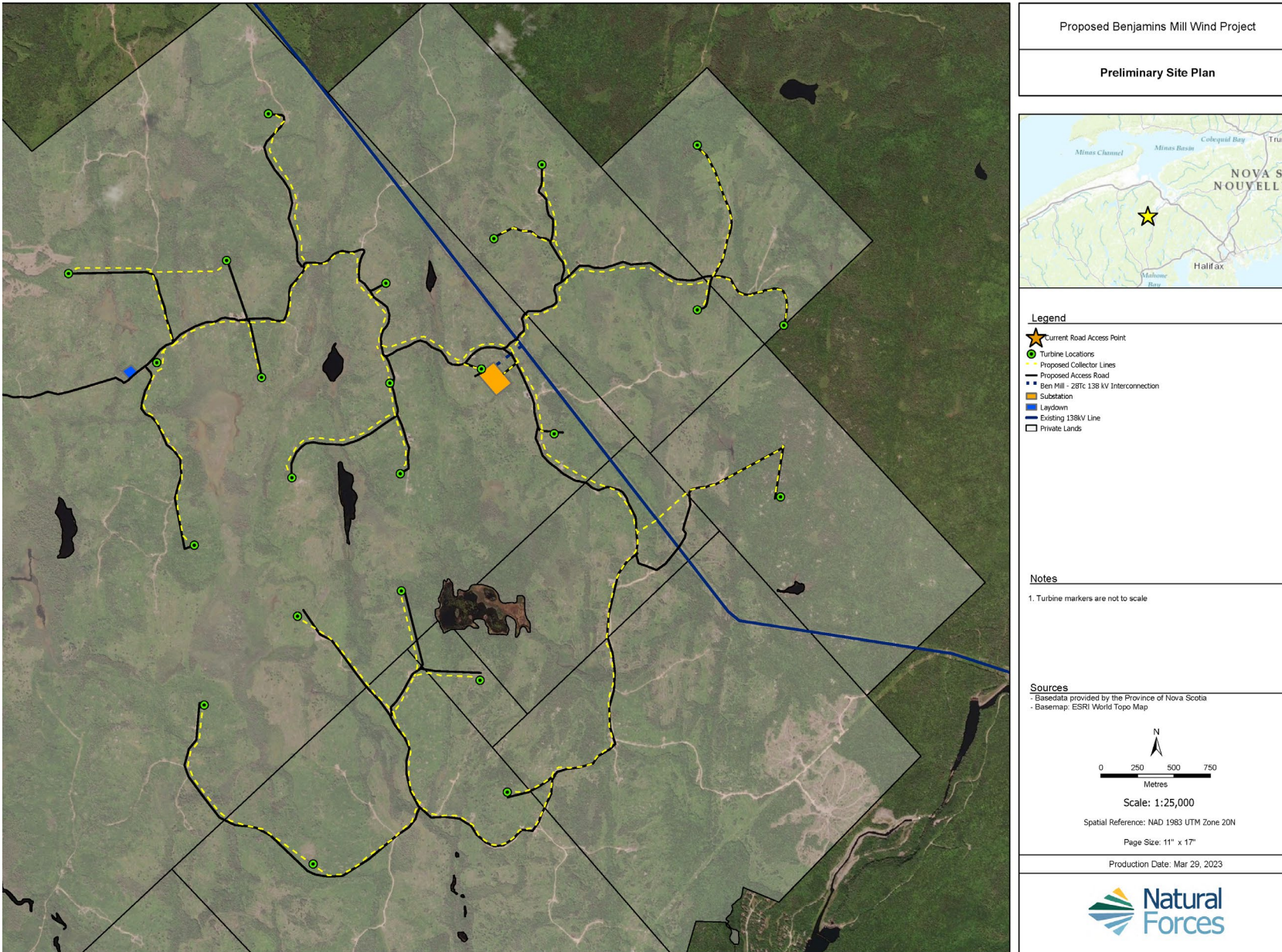
Page Size: 11" x 17"

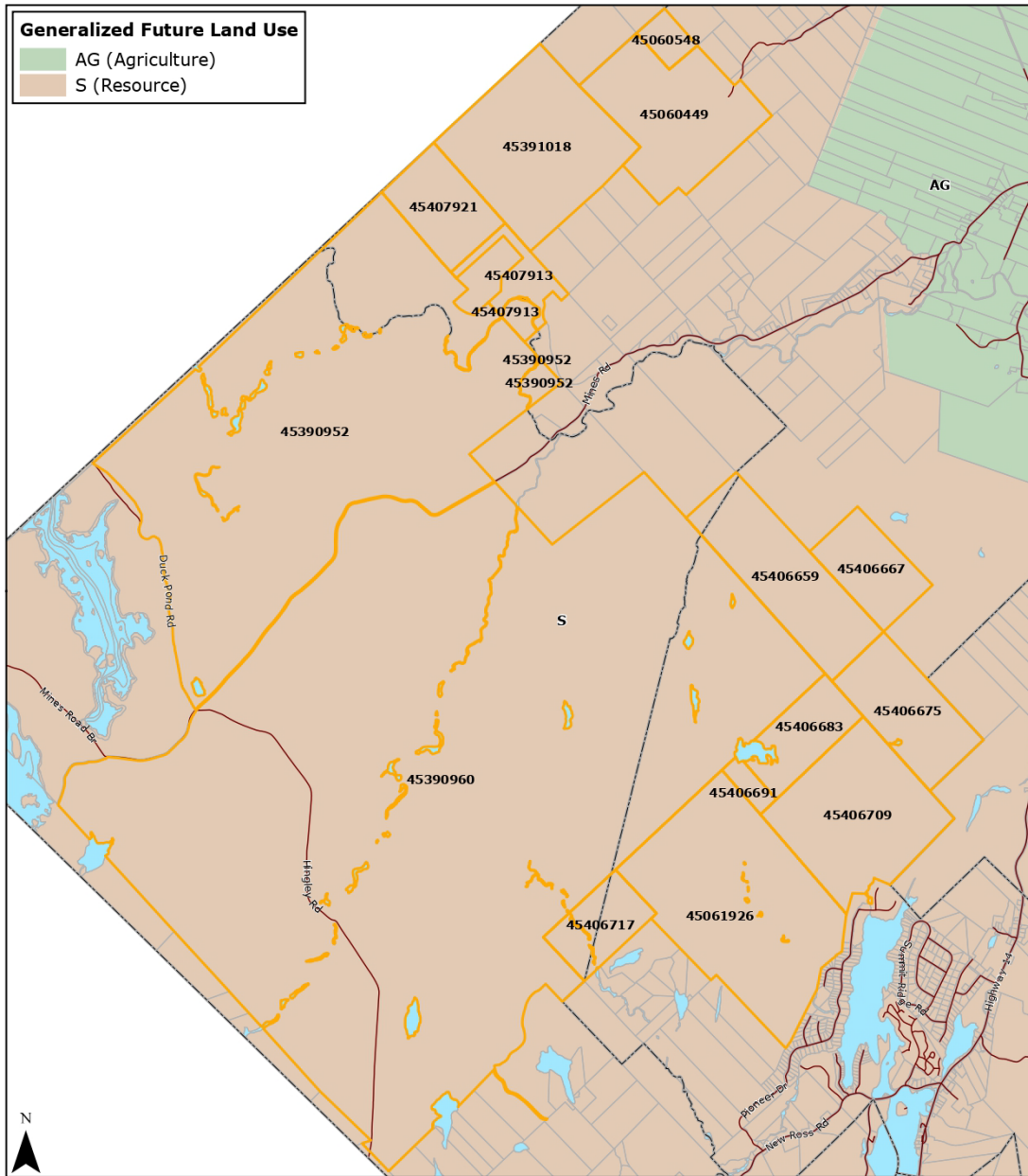
Production Date: Mar 29, 2023



# Project Area

- The wind turbines are clustered in the eastern portion of the project area
- The site is accessed by Hingley Road which runs perpendicular to New Ross/Russell Road
- The nearest home to a proposed wind turbine is 1.6 km away





# GFLUM

Current Designation:

- Resource

All properties abutting the project area are also designated Resource.

Base data derived from the Nova Scotia Property Records Database (NSPRD) and the Nova Scotia, Geomatics Centre (NSGC), Copyright Her Majesty The Queen in Right of the Province of Nova Scotia. This map is a graphical representation only. It is not a land survey and is not intended for used for legal descriptions or to calculate exact dimensions or area. Prepared by: West Hants Regional Planning and Development Department January, 2022

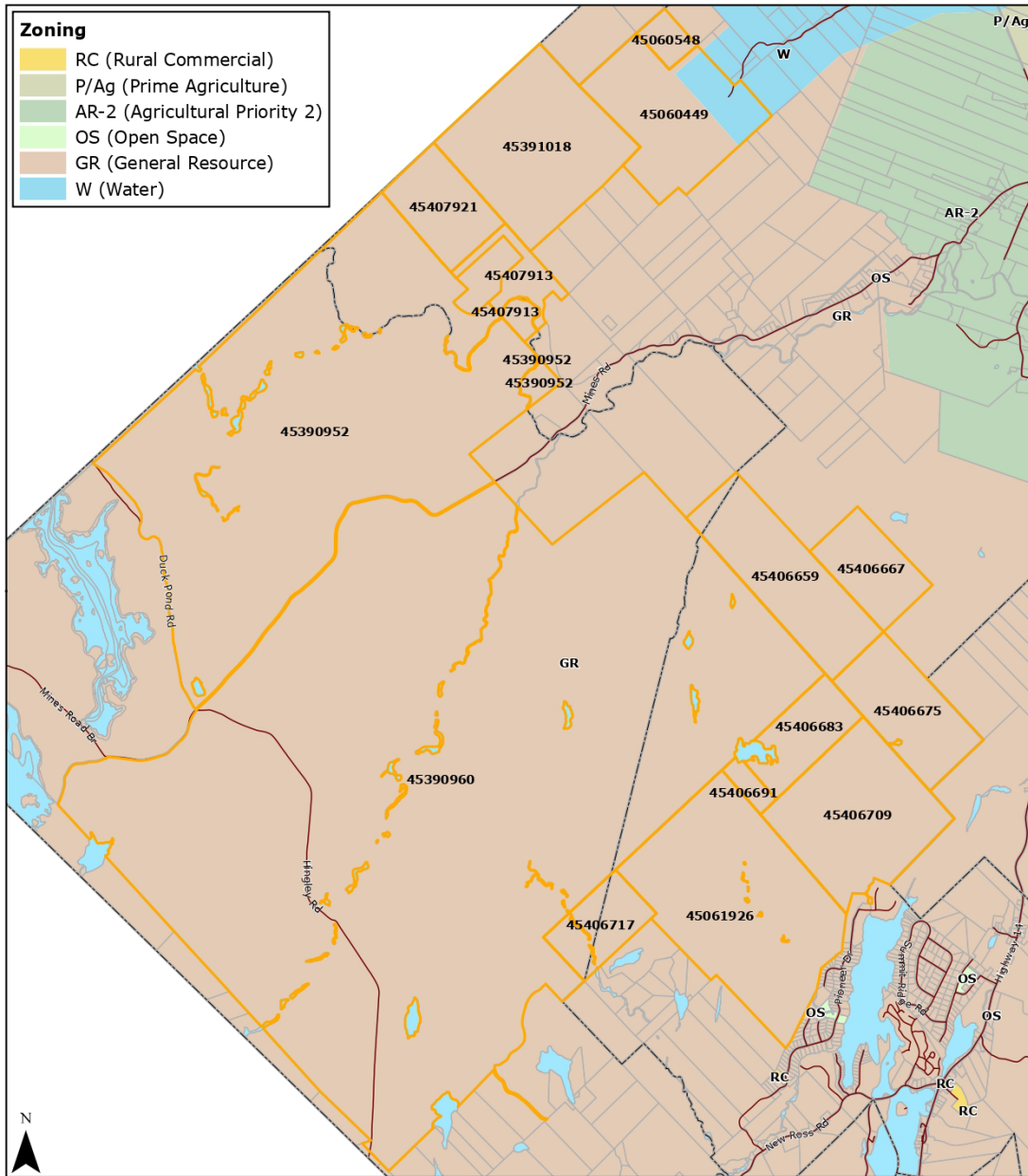
**Benjamins Mill  
Generalized Future  
Land Use**

0 1,000 2,000  
Metres  
Scale: 1:74,000

- Subject Properties
- Communities
- Parcels
- Roads

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# Zoning

Zone:

- General Resource (GR)
- Water Supply (W)

The proposed wind turbines are located solely on lands zoned General Resource (GR).

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Prepared by: West Hants Regional Planning and Development Department January, 2022

**Benjamins Mill Zoning**

0 1,000 2,000 Metres Scale: 1:74,000

- Subject Properties
- Communities
- Parcels
- Roads





Photomontage of Project Area from Bent Ridge  
(Provided by Natural Forces)

# West Hants MPS – Enabling Policy

**Policy 4.24.4** enables Council to consider the development of permanent or long-term installations of large wind turbines or wind farms outside of the Growth Centre, Village, and Hamlet designations 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 a Shadow Flicker Impact Assessment and a Sound Level Impact Assessment as part of the conditions to 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;
- the proposed development appears reasonably suited for the resource context of the project area; and
- the developer is working directly with the Nova Scotia Department of Public Works to ensure that all necessary permits and road upgrades are completed.



# West Hants MPS – General Criteria Policy

**Policy 16.3.1** states general criteria for development agreements. 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 Engineering Division have no concerns which have not been addressed in this report.



# Additional Considerations

- The applicant requested edits to the wording of the development agreement regarding sublease agreement on April 19, 2023.
- On July 19, the Municipal Solicitor advised staff that an agreement had been reached on the draft development agreement and that they would be able to recommend in favour of the revised development agreement.



# Development Agreement Details

## *Requirements*

- Permits a wind farm including all associated equipment, facilities, and improvements necessary for the conversion of wind energy into electricity and delivery thereof
- A total of 24 turbines
- A setback from any property not included in the Project Area equal to the total height of a turbine, a setback of 1000 metres from any turbine to any dwelling, hotel, or motel, and a setback of 550 metres from any turbine to any woods camp
- Driveway access from Hingley Road
- Signage and illumination shall be regulated under Section 5.18 and 7.0 of the Land Use By-law (excepting that required from Transport Canada)
- Operation requirements reflecting the Environmental Assessment for sound level and shadow flicker



# Public Information Meeting Notes

- Two Public Information Meetings were held on February 10, 2022 and February 23, 2022. The meetings were broadcast live on the Municipal Facebook page.
- 10 members of the public attended the February 10, 2022 Public Information Meeting and 8 members of the public attended the February 23, 2022 Public Information Meeting.
- The deadline for comments was March 3, 2022.
- Meg Morris, the applicant, gave a presentation on the specifics of the proposed wind farm.



# Public Information Meeting Feedback

No members of the public spoke at the February 10, 2022 Public Information Meeting and 6 members of the public spoke at the February 23, 2022 Public Information Meeting. Concerns from the public included:

- topographic mapping, property access, potential expansion, distance from residences, land value, effects of blasting on wells, positioning of project area, noise and projections, turbine appearance, increased buffering request, road upgrades, effects of construction and operation on wells, and RFP project scale.

Staff received 7 phone calls from the public, concerns included:

- requested meeting attendance, property damage due to road development and heavy vehicle use, increased buffering request, negative health effects, and mailout requests to include Canyon Point residents rather than the head office.



# Public Information Meeting Feedback

Staff received 12 emails from the public, concerns included:

- virtual meeting attendance, map clarity, project scale, protected area for moose, disturbance due to noise and vibration, property value, effects on mental health, unknow project scope, illumination, elevation and view, effects of blasting on wells, site access, former development agreements on adjacent land, community control on turbine operation, topographic mapping, sound and visual modeling, safety for nearby residences, site descriptions, uncertainty in construction and road upgrades, and endangered species.



Public Information Meeting –  
February 10, 2022

Follow-up Public Information Meeting –  
February 23, 2022

Staff Review

PAC/HAC Review and Recommendation –  
April 13, 2023

Regional Council First Reading –  
April 25, 2023

**Public Hearing & Second Reading –  
August 21, 2023**

Notice Placed in Paper

14 Day Appeal period

# Process

The Public Information Meetings were held last year and the applicant has been holding open houses and sending out newsletters throughout the process.

All statutory requirements have now been met.



# Applicant Presentation



# Comments or Questions from Public



# Public Hearing Comments / Questions

- The Public Hearing was advertised:
  - in the paper on both July 1 and 8;
  - letters to property owners within 300 ft of the subject lot; and
  - sign placed on site
- Staff received one phone call, two emails, and one piece of correspondence was submitted which will now be read out.





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# Recommendations (1 of 2)

...that Council gives Second Reading to and approves entering into a development agreement to allow a Wind Farm on PIDs 45390960, 45406659, 45406667, 45406675, 45406683, 45406709, 45061926, 45406691, 45406717, 45390952, 45407921, 45391018, 45407913, 45060449, and 45060548 which is substantively the same as the draft set out in Attachment A of the report #21-18B to Mayor Zebian and Members of West Hants Regional Municipality Council dated August 21, 2023.



# Recommendations (2 of 2)

...that Council require that the development agreement with Natural Forces Lands GP Ltd and Atlantic Star Forestry Ltd. for PIDs 45390960, 45406659, 45406667, 45406675, 45406683, 45406709, 45061926, 45406691, 45406717, 45390952, 45407921, 45391018, 45407913, 45060449, and 45060548 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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