



October 9, 2025

[REDACTED]
Ian R. Dunbar
McInnes Cooper
[REDACTED]

Dear Mr. Dunbar

**M12505 – Planning Appeal – Development Agreement Refusal – Bear Lake Wind Ltd.
– Vaughan/Upper Vaughan**

A Notice of Appeal filed by Bear Lake Wind Ltd. was received by the Board on October 3, 2025.

A panel consisting of Julia E. Clark, LL.B., Vice Chair, M. Kathleen McManus, K.C., Ph.D., Member, and Darlene Willcott, LL.B., Member has been assigned to this appeal.

Friday, October 17, 2025, Preliminary Hearing

A telephone conference will be conducted by the panel on **Friday, October 17, 2025, at 2:30 p.m.** with you and Jonathan Cuming, the solicitor for West Hants Regional Municipality. This preliminary hearing is scheduled to set dates for the hearing and to address any preliminary issues. Please see the draft timeline attached as Schedule "A".

To participate in this telephone conference, please call **1-888-338-0510** and enter the participant's code **9933962#**. Participants are requested to call in five minutes prior to the scheduled start time and remain on the line until the conference call is activated. If this time is not suitable, please contact me immediately (contact information below). All hearings are recorded.

The agenda for the telephone conference is as follows:

- 1) Formal standing/aggrieved person status acknowledged.
- 2) Set hearing and filing dates/duration.
- 3) Service of notice - list of assessed owners/condos in vicinity.
- 4) Publishing notice - appropriate newspaper.
- 5) Location of hearing.
- 6) Possible solution of some issues.
- 7) Availability of Informal Settlement Conference.
- 8) Other matters identified by the parties.
- 9) A further preliminary hearing can be scheduled if needed.

Proposed Hearing Date and Timeline

The *Municipal Government Act (Act)* generally requires the hearing of the appeal to occur within **45 days** of the Municipality filing the Appeal Record. **If these proposed dates are not convenient, the parties are encouraged to speak amongst themselves to agree on a hearing date, if possible, and the dates for filing evidence.**

Limited Right of Appeal

The *Act* sets out the Board's powers in each type of planning case. Your right to bring an appeal in each type of case is also limited (s.250 of the *Act*). Only evidence and comments relevant to Council's decision and the applicable Municipal Planning Strategy may be considered by the Board.

Informal Settlement Conference is available

An Informal Settlement Conference is a process where a Board Member helps parties to reach a voluntary solution on some or all the issues in dispute. The Board will only hold an Informal Settlement Conference if all parties voluntarily agree to participate. All Settlement Conferences are conducted on a **confidential** basis.

In the course of the Informal Settlement Conference, the Member may offer opinions to the parties about the likely outcome, in the view of that Member, if the appeal proceeds to a hearing on the merits, and/or alternative procedures which may be available to the parties.

If an agreement is not reached, the Board will schedule a public hearing. The Presiding Board Member may not participate in the hearing of the appeal or application, unless otherwise requested by all parties involved in the Informal Settlement Conference.

For more information, please see *Rule 16* of the *Board's Municipal Government Act Rules*.

Information Sheet (attached)

Please see the attached information sheet which contains information on each time requirement leading to the hearing date.

As documents are filed in this appeal they will be posted to the Board's website at <https://www.nserbt.ca/nsrab> and can be found by clicking on "Matters & Evidence", "Search Records", and in the "Go Directly to Matter" search box, insert Matter Number "**M12505**".



If you have any questions regarding this letter, please contact me at 902-424-1333 or by email at lisa.wallace@novascotia.ca .

Yours very truly,

Lisa Wallace

Lisa Wallace
Chief Clerk of the Board

Attachments (2)

- c. Jonathan G. Cuming, Counsel for the Respondent
Dawn Sutherland, Provincial Director of Planning

