

Digby Municipality Planning Advisory Committee

Process for the Preparation of By-laws to Regulate Wind Turbine Development

The following is a summary of the process to develop the By-laws, with a brief description of decisions made during the process to date and the future steps to be carried out. Decisions were made by the Planning Advisory Committee (PAC). The PAC meetings were open to the public and very well attended. At almost every meeting, the PAC heard submissions. The great majority of these submissions were from residents.

Process up to January, 2009

March, 2008	Council decided to prepare by-laws to regulate wind turbine development and solicited proposals from consultants to assist the PAC with the preparation of the by-laws. The 4SiteGroup was selected as consultants.
May 6, 2008	Consultant met with the PAC to formulate a process for the preparation of the by-laws, which are known as a Municipal Planning Strategy and Land Use By-law. It was agreed that the first step would be to hold an information meeting to inform the public of Council's decision to prepare by-laws and to provide information about the process.
June 4, 2008	<p>A Public Awareness Meeting was held Notice of the meeting was published in the paper and the meeting was well attended. Those in attendance were informed that in the coming months the PAC would meet a number of times to prepare draft documents. It was emphasized the PAC meetings would be open to the public.</p> <p>It was also suggested that anyone who had any questions or comments could forward them to the Chief Administrative Officer. The questions would be answered by the consultants and posted on the Municipality's website. (This proved to be very successful; residents posed questions which were answered and put on the website.)</p> <p>The attendees were informed that after the PAC is satisfied with the draft by-laws, a public meetings would be held to obtain the views of the residents. The views expressed by residents would be considered by the PAC and may result in changes to the draft by-laws.</p> <p>The attendees were informed that after any necessary changes were made to the draft by-laws the PAC would recommend that they be adopted by Council. Council would be required to hold a public hearing before it could adopt the by-laws. Only those councilors present at the public hearing may vote on the adoption.</p>
July 15, 2008	Meeting of the PAC. The PAC reviewed background information provided by the consultants. The various approaches authorized to regulate wind turbine development, including the advantages and disadvantages of each approach, and the regulatory framework in other municipalities were discussed. The PAC decided to use both separation distances from residences and setbacks from property lines as the way to regulate wind

<p>August 27, 2008</p>	<p>turbine development. Consultants were asked to prepare draft by-laws using this approach. The actual separation distances would be decided by PAC at future PAC meetings.</p> <p>Meeting of the PAC. The PAC reviewed the draft by-laws. The PAC decided to include a decommissioning provision in the by-laws. The PAC decided on a specific separation distances and a setback for domestic turbines but did not come to a decision with respect to utility scale turbines.</p>
<p>September 10, 2008</p>	<p>Meeting of the PAC. The PAC decided to use the development agreement approach in the by-laws to regulate utility scale turbines. This approach provides an opportunity for residents to provide input on each development proposal before the development may be approved by Council. In addition, this approach provides a greater degree of flexibility as each proposal will be evaluated individually against criteria contained in the by-laws. Consultants were asked to provide development agreement policies from other municipalities and prepare draft development agreement policies for PAC's consideration.</p>
<p>November 19, 2008</p>	<p>The PAC visited the wind farm in Pubnico and spoke with the area's councilor and a resident who lives near the wind farm. The PAC felt it had acquired valuable information from the visit.</p> <p>Meeting of the PAC. The PAC reviewed the development agreement policies prepared by the consultant. Consultants were asked to prepare revised draft by-laws using the development agreement policies for the next PAC meeting.</p>
<p>December 9, 2008</p>	<p>Meeting of the PAC. There was general agreement with respect to the policies contained in the By-law but the PAC requested that the rest of the document be shortened and be modified to be more "reader-friendly".</p> <p>The consultants were asked to prepare revised documents early January, 2009 and forward revised documents to the PAC. If the PAC is generally satisfied with the revisions, the PAC will schedule public meetings to obtain public input. At an earlier meeting the PAC had agreed to hold these public meetings as follows; one in Weymouth, one in Rossway, and one at the Municipal Building.</p>

Future Process To Begin in early 2009

- **PAC to hold three public meetings**
- **PAC will consider all comments received**
- **PAC may make changes to the by-laws as a result of the comments**
- **PAC will recommend the by-laws to Council for formal adoption**
- **Council shall hold a public hearing to receive further public comment**
- **Council will make a decision on the by-laws**