

**DATE:** June 14, 2021

**REPORT NO:** PD-75-2021

**SUBJECT:** Recommendation Report - Final Renewable Energy System Policies for Approval to Incorporate into the Township of West Lincoln Official Plan – File No. 1701-005-19 and Amendment to the Township of West Lincoln Zoning By-law – File No. 1601-007-21

**CONTACT:** Brian Treble, Director of Planning & Building

**OVERVIEW:**

- Previous staff reports PD-081-19 and PD-06-2021 were written and presented to the Township of West Lincoln Planning, Building, Environmental Committee (the Committee) recommending that we commence the process of creating renewable energy official plan policies. An Open House was held on December 22<sup>nd</sup>, 2020 and a Public Meeting was held on January 11<sup>th</sup>, 2021.
- On October 13<sup>th</sup>, 2020, Recommendation Report PD-139-2020 was written to obtain authority to commence the formal public consultation process by holding an Open House and formal public meeting.
- In late 2019, at least two meetings occurred with several representatives of local wind action groups who are concerned about the existing and future impacts of the existing wind turbines on West Lincoln and its residents.
- Policy from the early 2000s was originally identified by Planning Staff as an acceptable basis from which to draft new policy now that authority has been transferred back to the Township.
- Upon review and reflection, that policy approach was out of date, and not going to work based on what we now know; and as a result, a new policy was drafted. Further work occurred subsequent to the Open House and Public Meeting.
- A virtual open house was held on December 22<sup>nd</sup>, 2020 and was attended by 6 members of the public who had an interest in green/renewable energy policy. A public meeting was held on January 11<sup>th</sup>, 2021, at which 5 members of the public were in attendance.
- This policy work is generally in line with the Township's recently approved "Plan to Mitigate Environmental Impacts" report (November, 2020).
- Good discussions occurred at the open house and public meeting and as a result, following the public meeting, Township Planning staff further consulted with agencies on the revised attached policy prior to the preparation of this recommendation report. The draft policy has been further circulated to the interested members of the community for further input, as well.

**RECOMMENDATION:**

1. That, Report PD-75-2021, regarding “Recommendation Report - Final Renewable Energy System Policies for Approval to Incorporate into the Township of West Lincoln Official Plan – File No. 1701-005-19 and Amendment to the Township of West Lincoln Zoning By-law – File No. 1601-007-21”, dated June 14<sup>th</sup>, 2021, be RECEIVED; and,
2. That, Section 34(17) of the Planning Act apply and that no further public meeting is required; and,
3. That, Official Plan Amendment No. 56 (File No. 1701-005-19) be approved and that a corresponding authorizing bylaw be APPROVED and passed to authorize the Mayor and Clerk to sign all Official Plan Amendment approval documents; and,
4. That staff be authorized to circulate the Notice of Decision on the approval of Official Plan Amendment No. 56 to the agencies and public to commence the 20 day appeal period as Regional Council approval is not required; and,
5. That, Zoning By-law Amendment 1601-007-21 and a corresponding bylaw be APPROVED and passed; and,
6. That, Staff be authorized to circulate the Notice of Decision for the Zoning By-law Amendment with the corresponding 20-day appeal period, with full force and effect occurring once Official Plan Amendment No 56 has been approved without appeal.

**ALIGNMENT TO STRATEGIC PLAN:**

**Theme #6**

- Efficient, Fiscally Responsible Operations
- Plan to Mitigate Environmental Impacts (November 2020)

**BACKGROUND:**

The Green Energy and Green Economy Act was first approved in 2009 by the Provincial Government and placed all approval and authority for all Green Energy applications at the Provincial level. Local land use planning policies were over ridden by that act. The current Provincial government has now repealed most of the previous legislation resulting in the need for local renewable energy land use planning policy again.

**CURRENT SITUATION:**

In addition to the comments made in staff reports, PD-081-19, PD-139-2020, and PD-006-21 it became clear that a lot more is now known about wind and solar power facilities than existed prior to 2010. As a result, PD-139-2020 introduced a draft new policy set for discussion at a virtual Open House and Public Meeting.

This policy was written to require that substantial justification be provided along with an official plan amendment where power is being generated to provide broader community/public benefit.

If a renewable energy system is being installed for the benefit of one house or one property (and less than 10 KW) then no amendment to the Official Plan is required and only regulations of the Zoning By-law would apply.

At least two consultations occurred in 2019 with representatives of Mothers Against Wind Turbines (MAWT) and the West Lincoln Glanbrook Wind Action Group (WLGWAG) in order to assist with a broader staff understanding and public perspective.

The science is growing exponentially every day on what works and does not work in the field of renewable energy. There are also very many conflicting professional opinions on the topic which makes policy preparation a challenge. For the safety and protection of the public, the proposed draft policy allows development but only after substantial consultation and professional input.

The average electricity consumption of an American family of four is in the neighbourhood of 50 KWh per day, or 1500KWh per month. Similar figures apply for Canadian consumption of power on average, and per year it has been suggested as:

- Canada – 12,836KWh per year
- USA – 10,654 KWh per year
- Europe – 4,667 KWh per year
- Japan – 5,945KWh

Information collected from various sources advises that 10KW is enough power to run a house: “Can a 10KW solar system power a house? Yes, a 10KW solar panel system will cover the average American household’s energy usage of about 10,649KWh of electricity per year...10KW solar systems do produce enough electricity that you could go off-grid.” Ten kilowatt solar systems are among the most popular energy system sizes in the country, producing enough electricity to power a house with slightly above average electricity consumption.

#### **FINANCIAL IMPLICATIONS:**

Not applicable to this report. Staff has moved forward with policy consulted and writing and costs are being covered by the planning operating budget.

#### **INTER-DEPARTMENTAL COMMENTS:**

At the date of this report, public input has now been received as a result of the Open House that was held on December 22<sup>nd</sup>, 2020 and the Public Meeting that was held on January 11, 2021. A summary of key points received at the open house and public meeting is as follows:

- Discussion about importance of proper setbacks for human health and the health of the environment.
- Other energy sources, nuclear and accumulators, for example.
- Importance of protecting agricultural lands and not allowing acres of solar panels or loss of agricultural productivity and the need to balance against food security.
- Significant impact of tree loss. Trees are important to help with carbon offsetting and environmental health.

- Importance of protecting human health
- Need ongoing monitoring policies.
- Importance of vibration impacts, safety code 6 etc.
- Importance of providing justification for the 10 KW policy.
- Should interim control be placed on the Township until a policy is approved?

Planning staff and members of Council received an email correspondence on January 1<sup>st</sup>, 2021, regarding further investigation into potential health impacts caused by wind turbines. This email was attached to the January 11, 2021 Technical Report (PD-006-21).

Planning staff have now further consulted with agencies including Wind Concerns Ontario and local community representatives again and are now prepared to recommend approval of the following Official Plan Amendment. Changes that have been made since the Public Meeting include:

1. Clarification of the studies required in advance of considering an application to be complete.
2. Further documentation on implementation requirements including monitoring and decommissioning.
3. Further explanation of the threshold of 10KW has been written into the policy.

The Regional staff letter of May 10<sup>th</sup>, 2021 generally supports the Township's policy approach and has advised that Regional Council approval is not required and that the policy now meets the Regional exemption criteria.

### **CONCLUSION:**

Staff present this recommendation report to conclude the renewable energy policy and regulation review. All of the work and public input has helped with a broader understanding and discussion that was needed for a new policy set for West Lincoln to address any future renewable energy system/projects and expansion of existing renewable energy projects. The Township West Lincoln, in accordance with Provincial Policy, must support a healthier environment which includes support for green technology while also protecting the health and wellbeing of our residents. This work is therefore also consistent with the Township of West Lincoln's own commitment through a "Plan to Mitigate Environmental Impacts" (November 2020).

A final recommendation report has now been prepared to recommend approval of an Official Plan Amendment and a Zoning By-law Amendment that implement final Official Plan and Zoning Amendments that support new renewable energy system development with proper studies and regulations included. This amendment is exempt from Regional Niagara Council approval and the appeal period commences following Township Council approval of the Official Plan Amendment and zoning by-law amendment.

**ATTACHMENTS:**

1. Draft By-law and Draft Policy – Official Plan Amendment No. 56
2. Regional Letter Dated May 10, 2021
3. Draft Amending Zoning By-law
4. Email from WCO – Warren Howard dated June 7<sup>th</sup>, 2021

**Prepared & Submitted by:**



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**Brian Treble**  
**Director of Planning & Building**

**Approved by:**



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**Bev Hendry**  
**CAO**