

MUNICIPAL COUNCIL

A Special Session of the Municipal Council of the Municipality of the County of Colchester was conducted virtually and in-person on Thursday, November 16, 2023, at 6:00 pm.

In peace and friendship, and in the spirit of truth and reconciliation, it was acknowledged that the Municipality of Colchester is in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq.

Roll Call

The roll was called with the following Councillors in attendance:

Mayor Christine Blair, Chair	
Councillor Eric Boutilier	District 1 (<i>virtual</i>)
Councillor Laurie Sandeson	District 2
Deputy Mayor Geoff Stewart	District 3
Councillor Mike Cooper	District 4
Councillor Tim Johnson	District 5
Councillor Karen MacKenzie	District 6
Councillor Michael Gregory	District 7
Councillor Lisa Patton	District 8
Councillor Marie Benoit	District 9
Councillor Victoria Lomond	District 10
Councillor Wade Parker	District 11

Staff Present

Dan Troke, Chief Administrative Officer
Anna-Marie Manley, Municipal Solicitor
Tracey Veno, Recording Secretary
Paul Smith, Director of Community Development
Pam Macintosh, Manager of Planning Services
Michelle Boudreau, Director of Public Works
Scott Fraser, Director of Corporate Services
Phil Redden, Director of Solid Waste
Jenn Martin, Economic Development Officer
Devin Trefry, Research, Policy and Community Engagement Officer
Mollie MacBurnie-Haas, IT Support Technical

The purpose of this Special Session of Council is to consider Second Reading of amendments to the Wind Turbine Development By-law.

Public Presentations on Wind Turbine Development By-law Review AND Second Reading – Amendment to the Wind Turbine Development By-law

Mayor Blair began the meeting advising that Council will first hear presentations then will proceed with the business portion of the meeting, which is Second Reading of amendments to Chapter 56 - Wind Turbine Development By-law.

Each presenter is asked to identify themselves before proceeding with their presentation and will have three minutes to speak. A 30 second warning will be given to speakers. Staff will assist the presenters, if needed. After each presentation is complete, Council may ask questions of the presenter.

22 members of the public addressed Council, both in favour of and opposed to the proposed amendments. Below summarizes the highlights of each presenter.

Catherine Johnston (virtually) – Ms. Johnston advised that she is a resident of Colchester County, is in support of passing Second Reading and in developing the Municipal Planning Strategy (MPS) and Land Use By-law (LUB) before any new wind turbine projects are approved. Concerns included the project changing the long-term land use and impacts; the number and height of the turbines; lack of and inconsistent information about the project such as construction disruptions, negative health impacts, affects on wildlife; weak NS environmental assessment; land being inhabitable by humans or animals; decreased property values; and unfair pressures to residents and Council.

Margaritta Sanders – Ms. Sanders expressed support for the proposed amendments and not proceeding with industrialized projects until a LUB plan is completed. Points included dysfunctional behaviour of the province; not adding the Everwinds project to the list of other failures and fiascos in Atlantic Canada; if this project is so great, this and possibly other better proposals will be there; falling to promises of big money; and duties of Council to constituents. Concerns were expressed on implications, land mass, living with known and unknown consequences, and lack of studies to viability.

John Perkins – Speaking in support of the proposed amendments, Mr. Perkins urged Council to pass Second Reading of the By-law. He noted support for renewable energy, however concerns included lack of understanding the consequences of industrialization and hydrogen hype, 35,000 acres being a huge swath of land, and rushing into this could be catastrophic to Colchester. He also noted the tax dollars is compelling but if the project is good the taxes will be there in a year when the county-wide planning is complete.

Jim Roycroft – Mr. Roycroft indicated that he is a Senior Wind Technician with Dalhousie Mountain, Infinity Wind, and Clydesdale Ridge Projects. He noted decades of pollution from a Trenton plant, concerns of our worsening situation due to wildfires, floods, hurricanes, and the need to get off coal as quickly as possible. Speaking in favour of the proposed wind project, he indicated that wind is an available and ready option; the Cobequid Hills is the best location with good wind, power lines, and low population density; and the current By-law in place is comprehensive and robust.

Gar Moffatt – Mr. Moffatt indicated that he is a lifetime resident of Colchester and spoke in favour of the proposed amendments to the By-law and waiting until a framework is in place to be aligned with other counties. He noted concerns of this being turned into a referendum on this project as well as the size, proximity and density of the project. The County is on the cusp to shape and determine all forms of development, not just industrialized wind projects; and be better positioned to say where and how development should take place. He noted the frustrations last year with the lack of tools to do what Cumberland was able to do.

Madeline Conacher – Ms. Conacher stated that she is a resident near Tatamagouche and reiterated points as noted by others. She urged Council not to be fooled by the hype of hydrogen and take the time to pause to analyze and put the proper tools in place. Concerns included unprofessionalism of the company and the project producing hydrogen ammonia not to get Nova Scotia off coal dependency, rather to send to Germany.

Gregor Wilson – Mr. Wilson indicated that he lives in and is raising his family in Colchester County. He noted past experiences and shared community concerns regarding wildlife, biodiversity, watershed wetlands, health impacts, tourism and recreational impacts, and the vague non-committal promises from the company, with the same issues existing today with the current project. Noted concerns included the lack of sufficient community engagement; lack of information and answers from the company; the exporting of the majority of the product produced; and not enough answers to understand consequences of such a massive project. Mr. Wilson supports the proposed amendments to allow time to put the county-wide MPS and LUB in place.

Kathryn Anderson – Ms. Anderson lives in the Falls near Earltown. She is a major investor in the Colchester Cumberland Windfield Project and clearly is not against wind farms for decarbonization. However, she is in favour of the proposed amendments to delay new development until the land use planning is complete. She expressed concerns regarding the lack of and inconsistent answers provided at the Earltown open house; the viability of the project; impact on wetland and forests; lack of green house gas (GHG) emissions involved in the project.

Lydia Jenkinson – Ms. Jenkinson lives in Central New Annan. She is in favour of the proposed amendments and encouraged Council to wait until the county-wide LUB and MPS are completed. She spoke of duties to understand the implications of the project; safety for citizens; residents not being responsible for development costs for profit corporations; and ensuring energy projects focus on green energy for the citizens of the County and province.

John MacKinnon – Mr. MacKinnon indicated that although he is from Colchester, he does not currently reside here but has family who does. He provided background experience working with wind projects. Speaking in opposition of the proposed by-law amendments, he commented on objections being from a vocal minority; stringent regulations currently in place; financial benefits to the community; potential job opportunities; and future considerations.

Paul Firminger – Mr. Firminger indicated that he is in support of wind energy and stressed the importance of creating a better future. However, he talked about the beautiful unobstructed views in Wentworth Valley and expressed concern that the existing by-law has nothing to address esthetics. He also spoke on using the power here rather than exporting and capitalizing on wind resources and not destroying the environment.

Suzanne Hirsch – Ms. Hirsch noted that she lives at the bottom of Warwick Mountain and spoke in favour of the proposed amendments. Concerns of industrial development included impacts on forests, water cycle and aquifers, erosion and droughts, and landscapes. She noted the importance of considering how to give back to help regenerate damages and not caring for the land affecting the local economy, and well being of people and communities.

Kate Fitzgibbons – Ms. Fitzgibbon spoke in favour of the proposed amendments to the By-law and pausing new developments until county-wide

MPS and LUB is completed. Included in her presentation were concerns on the lack of an LUB providing little control over industrial development; the size of the development being one-third the size of PEI; and profound and lasting impacts on county residents.

Bernie Turner – Mr. Turner stated that he is a resident of Belmont and the proposed development would be in his backyard. Having just found out about this, he indicated that the community has not had enough time to consider effects of this industrial development. He expressed concern regarding impacts on size of land; an already vulnerable eco system; and the history of generations and artifacts being destroyed. He is for green energy but at what cost. Mr. Turner asked that Council vote in favour of the proposed amendment.

Chief Terry Paul (virtually) – Chief Paul advised that he is the elected Chief of Membertou First Nations. In his presentation, Chief Paul spoke of Membertou's involvement in the KmtnuK project and partnership with Everwind Fuels; the positive economic successes; opportunity to be part of the solution to green energy; and the focus on minimal environmental, wildlife, wetland and vegetation impacts of the project. He also spoke of the commitment to minimal clearing and habitat disruption and it no longer being okay for companies to benefit off the lands and waters. This project will help generate revenues creating opportunities to contribute to housing, public spaces, transit and beyond.

Rose Paul – Ms. Paul indicated that she is from Paqtnkek First Nations and is the CAO for Bayside Corporation. She indicated support for the wind project speaking on Mi'kmaw people having seats where decisions are being made and on Friendship Accords building relations to work together on project-based solutions such as renewable energy. Also included as part of her presentation was the commitment to working together to reducing the carbon footprint in the area and meeting net zero goals. The project is partially owned by Indigenous communities and is happening on Mi'kmaw lands; Paqtnkek. First Nations are equity partners with Everwind production facility and Windy Ridge project in Colchester; and this is a win/win solution for the area.

Adam Trudeau – Mr. Trudeau is Director, Project Management for Everwind Fuels and is proudly from Nova Scotia. He spoke of the opportunities and benefits of the project including affording people who have left the province for job work to return to Nova Scotia; offering a portion of the power produced back to the NS grid; and providing economic benefits to the communities.

Darryl McDonald – Mr. McDonald advised that he is the CEO for Potlotek First Nation, works closely with the Potlotek Development Corporation for renewable projects, and helping the community towards self sufficiency. Economic development around renewable energy is a top priority. He spoke of being equity partners in the Windy Ridge Project and the Everwind Production Facility, owners and leaders in renewable energy, and of being caretakers and stewards of the land. A moratorium would further prevent opportunity to reduce reliance on fossil fuels, support decarbonization and fight global warming.

Karin Finkenzeller (virtually) – Ms. Finkenzeller advised that she is a journalist from Germany. She indicated that she understands wanting to move away from coal, however, does not fully understand how producing hydrogen ammonia to be exported to Germany will help Nova Scotia.

Debi Atkinson – Ms. Atkinson indicated that she is angry. Until recently, she had no idea who Everwind Fuels was and spoke of ongoing negotiations and approvals prior to Canada passing legislation that would allow the production of green hydrogen in Canada. Concern was expressed around selling hydrogen ammonia to Germany and providing no benefits to Nova Scotia; wind and solar energy alone will not run the plant requiring the purchase of power from NS Power and making our carbon footprint worse. Ms. Atkinson urged Council to pause new development until the county-wide LUB is complete.

Nancy Frame – Ms. Frame spoke in favour of the proposed by-law amendments and the tremendous pressures being put on Council to not approve the amendments. Concern was expressed with denying opportunity to have the tools and processes in place for the best protection and benefits to the residents; being protected from industrialization; and, this development being the largest that Council has ever been responsible for. Ms. Frame begged Council not to be pressured or threatened to push this development through before the important land use regulations and policies are in place and encouraged Council to approve Second Reading putting a pause on new development.

Logan Greaves – Mr. Greaves spoke in support of the wind project advising that he works at a wind turbine site. He mentioned the beautiful views, the nice roads that are utilized by the farmers; wind being one of the two main ways for energy; and this being an opportunity for Nova Scotia to be on the forefront. He did note however that he feels for the locals and their concerns.

Mayor Blair called two times for any further members of the public wishing to speak and on hearing none, inquired about written submissions. The CAO advised that a number of submissions have been received and all have been distributed to Council either in advance of the meeting or on table this evening.

The Mayor indicated that Council would now proceed with dealing with Second Reading respecting amendments to the 2023 Wind Turbine Development By-law. Documents outlining the proposed amendments were circulated to Council members and have been made available to the public.

The CAO advised that the guidelines of the Municipal Government Act regarding advertising of the First and Second Readings have been followed.

Paul Smith, Director of Community Development, indicated the purpose of this item is to give Second Reading to proposed amendments to the Wind Turbine Development (WTD) By-law which would pause new development until December 31, 2024, when the county-wide Municipal Planning Strategy (MPS) and Land Use By-law (LUB) is completed and approved by Council. Included in his report was a recap of the moratorium and WTD By-law amendments in February 2023; the most recent concerns of Protect Wentworth Valley around the density and number of turbines proposed in

Colchester; and views that a MPS and LUB being the most effective tool to manage such development. The proposed amendments, as noted at Section 7.2 in the WTD By-law, were approved at First Reading on October 26th and is before Council for consideration of Second Reading.

Mayor Blair recognized that all levels of government appreciate green energy and Council does not seek to prohibit wind turbine development. Colchester is a leader in sustainability planning with programs such as Solar and Cozy Colchester.

Council held considerable debate on the proposed amendment which would pause any new development until December 31, 2024, when the county-wide MPS and LUB are completed. Discussion points included:

- things moving too quickly for such a large development;
- concerns and discrepancies around number of proposed wind turbines;
- a lot of unanswered questions;
- residents having a voice in the Plan It Colchester process;
- the need for more community engagement;
- all but one Council member voting in favour of First Reading;
- constituents' message to preserve rural Colchester;
- economic benefits and how revenues would be spent;
- importance of other power sources;
- duties to listen to all constituents;
- concerns of how the project will get Nova Scotia off the grid if 80% of product is being exported;
- environmental regulations in place;
- environmental concerns;
- doing whatever can be done to help global climate change;
- positives in having 20% of product here in Nova Scotia;
- providing job opportunities in Nova Scotia;
- support for green energy;
- Indigenous leaders being good stewards of the land;
- thousands of litres of water being exported weekly with no benefits to the County;
- proponents being vested in communities;
- intimidation tactics, threats and lack of respect throughout the process;
- good intentions of all;
- lack of community involvement throughout the Plan It Colchester consultation process; and,
- opportunity for Colchester to be progressive and be a leader.

Moved by Councillor Benoit and seconded by Councillor Lomond

“That Council approve, by way of Second Reading, amendments to Chapter 56 Wind Turbine Development By-law.” Motion DEFEATED (*Mayor Blair, Deputy Mayor Stewart, Councillors Boutilier, Cooper, Johnson, Patton and Parker opposed*).

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Mayor Blair noted that since Second Reading was not approved, the existing Wind Turbine Development By-law remains in effect.

Adjournment

With no further business on the matter, Mayor Blair declared the meeting adjourned at 8:14 pm.

Tracey Veno
Recording Secretary