

RE: Ontario's Energy Plan and Wind Turbines

Dear Mayor and Council:

I am following up on our letter of December 14 as I thought it was important to ensure that your municipality is aware of the Ontario government's recently announced plans that have potential to lead to new wind turbine installations in rural Ontario. This plan is included among the energy program that was announced at the Rural Ontario Municipal Association meeting and in a speech that Todd Smith, as Minister of Energy, gave to the Empire Club. The program includes a pilot SMR pilot nuclear facility at Darlington, expanded hydroelectric generation capacity, new RFPs for medium term and long term generation capacity and a program to certify renewable energy generation capacity.

We are specifically concerned about the certification program. While details on the program are limited, we are concerned that wind turbines are included among the renewable energy generation facilities that can be certified under the program. The wind companies are certainly listening as leasing activity in support of a project has already been reported in southwestern Ontario.

While changes introduced by the government allow municipalities to regulate the creation of new wind turbine facilities within their communities through zoning by-laws, other regulatory changes by the government exempts existing wind projects from these municipal by-laws, even when the project operator is replacing the existing wind turbines with larger, more powerful equipment. On this basis, the project repowering included in the recent Ministerial Directive would not require any municipal input or approval due to this regulation.

Many municipalities that have started the process of drafting by-laws relative to wind turbines find that they need direction on appropriate setbacks that would be included in a municipal zoning by-law. They know that the existing setbacks in Regulation 359/09 are not sufficient to protect residents and they are looking to the provincial government for revised setbacks reflecting the learning from the existing projects and the lived experiences in other jurisdictions. If the province is reviving wind power development, it needs to take a leadership role by updating these regulations immediately.

We are also concerned about the government's failure to address the problems created by the existing wind turbine projects. These projects operate under Renewable Energy Approvals or REAs that set out very strict operating requirements. First, project operators are required to prove that the project is operating within the 40 dBA audible noise limit by filing noise audit reports prove compliance. Many projects were provided with specific deadlines for the submission of these reports. The attached appendix shows the status of these audits based on public information. Only 45% of projects have reached some form of closure with the other continuing to operate (three continuing even though they have been found to be non-compliant) despite concrete timelines for action in their REAs.

The failure of the government to enforce the requirements of the REAs for wind turbine project operators to investigate and resolve complaints about project operations is another concern. More than 5,800 Incident Reports have been created as a result of complaints about noise emissions from wind

turbine projects and based on feedback from the residents in our communities there has been little or no action by the project operators on these matters. Frankly, the government has shown no interest in working on behalf of rural residents. This is an additional concern as 39% of the Incident Reports, prepared and signed by Provincial Officers, include references to adverse health effects.

If you have not already made adjustments to your zoning by-laws, I hope that your Council will take advantage of this reminder to review their contents in the context of the government's apparent plans to start construction of more wind turbines despite the past failings of this technology.

Our view is that the provincial government needs to:

- **Update the direction provided in terms of setbacks** between wind turbines and other activities,
- The government needs to **take more aggressive action in enforcing the terms of the approvals** for existing wind turbines before authorizing the construction of any new turbines, and,
- Bar operators of projects with these compliance failures from participating in any of the contract extensions or opportunities to bid on capacity expansions that are envisioned in the recent Ministerial Directive.

If you agree, we ask that you communicate your concern to Minister David Piccini, Ontario Minister of Environment, Conservation and Parks as well as your local MPP(s).

If your municipality is interested in joining the Multi-Municipal Wind Turbine Group to receive updates on these matters please contact the Deputy-Clerk for information on the fee structure. The group meets every second month and Zoom facilitates the participation of members beyond easy driving distance of the normal meeting site in Chesley.

Yours truly,

Tom Allwood,

Chair, Multi-Municipal Wind Turbine Working Group

Councillor, Municipality of Grey Highlands

c. Honourable David Piccini, Minister of Environment, Conservation and Parks,
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