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# LEGISLATIVE REVIEW PAPER: WIND TURBINES COMPARING KINGS COUNTY AND ANNAPO利S COUNTY BYLAWS

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## **Discuss the Bylaws: What is their purpose?**

### **Kings County Bylaws on Wind Turbines.**

In reading the bylaw on wind turbines it states in section 10.1.6 title Siting of Large-Scale Wind Turbines. The blade clearance shall be minimum a of 25 feet, and so on. The document goes on to state that if you take the height of the tallest wind turbine and that will get you the minimum separation distance between wind turbines. Then if you take the height of that wind turbine and double it that is when you will get the minimum setback from the rear, front and side lot lines, public rights-of-way and also coastlines. Under the same section it states the following:

*“...the wind turbine(s) shall be located a minimum of 2300 feet (700 m) from any dwelling on a neighboring property. This separation distance does not apply to a dwelling on the same property on which the large-scale wind turbine is installed or a dwelling on a neighboring property containing a wind turbine that is part of the same proposal...”* (This quote came from the County of Kings Land Use Bylaws; titled Relevant Land Use Bylaw Sections on the County of Kings website, follow this link:

<http://www.countyofkings.ca/residents/planning/windturbines.aspx> ).

So, the purpose of having the wind turbine bylaws in the County of Kings, is so that the companies building these wind turbines do not build them too close to roads, public buildings, or residential areas. So, by using these values you can make sure that the wind turbines are then not being built to close to homes or areas that they may not be wanted in the first place.

I have recently found out that the these bylaws have been put to the side for the time being, due to that the planning department had other things on the go and they need more time to

go over everything that was talked about in the public meeting. The people of Kings County were not overly happy with the idea of having wind turbines.

So, with that being said there has been no progress made on the wind turbine bylaws for the County of Kings.

## **Annapolis County Bylaws on Wind Turbines**

*“The purpose of this Land Use By-law is to carry out and implement the land use development policies contained within the Annapolis County Municipal Planning Strategy in accordance with the Municipal Government Act. The Glossary Link MGA also enables the Municipality of the County of Annapolis to adopt a Subdivision By-law to control the division of land. These three documents provide the framework for planning and development in the Planning Area.” (<http://annapoliscounty.ca/property-development/41-zoning-development-control-unlisted/287-county-of-annapolis-land-use-bylaw> )*

The quote that you have read above basically states what the purpose of this bylaw is with Annapolis County. Within this bylaw there is a section that I found interesting it is titled Compliance with other bylaws 3.2 and this is what it states:

*“Nothing in this By-law shall exempt a person from complying with the requirements of any other by-law of the Municipality or from obtaining any license, permit or approval required by this or any other By-law of the Municipality or any regulations of the Province or the Government of Canada. Where these provisions conflict with those or any other by-law of the Municipality or a regulation of the Province or the Government of Canada, the higher or more stringent regulation shall prevail.” (<http://annapoliscounty.ca/property-development/41-zoning-development-control-unlisted/287-county-of-annapolis-land-use-bylaw> )*

So, this quote above is stating that if you do not complete the correct steps for applying for a permit then you cannot continue. It also says that if your application break any other bylaw within the Municipality then the person whose name is on the application may not be approved. An application must follow ALL the bylaws no matter what, unless you have applied for a variance and have that application approved that is the only exception.

## **Where Were They Enacted?**

### **Kings County Bylaws on Wind Turbines**

The Kings County Wind Turbine Bylaws were enacted on January 19<sup>th</sup>, 2012. Although the bylaws were never fully put in place, they were placed on the backburner due to the planning department having many other things to finish and schedule conflicts. The planning department for Kings County needs more time to go over everything that was talked about at previous public meetings.

### **Annapolis County Bylaws on Wind Turbines**

The Annapolis County Wind Turbines Bylaws were enacted on December 1<sup>st</sup>, 2011. Unlike the Kings County Wind Turbine Bylaws, these bylaws for Annapolis County were enacted and then put in place and followed to this very date.

## **In Your Opinion Are These Bylaws Necessary?**

In my opinion yes these bylaws are necessary to have in place. The reason being is that if you don't have them in place then you will have people building them in odd locations and WAY too close to residential housing, which some people do not care for the noise that they give off at times. This noise is caused by the blade cutting through the wind at a high rotation.

The most interesting fact that I have found with the Kings County Wind Turbine Bylaws is that they have been put on hold for the time being, or just until they have more time to go over things in more detail. The thing that gets me is that they paid people to do all this work and then after they hold this public meeting with the people who live in Kings County, they just push it to the side and said we will look at this when we have more time to look over things. So, they did all this work and spent all this money (I am guessing that they spent some money on this project), and peoples time when they could have been working on something that helps the county out in the near future not down the road in I don't know how many years.

## **Compare and Contrast The Chosen Bylaws, Are They Clearly Written? Which is Preferable in Your Opinion? Why? Are They Likely Effective?**

### **Clearly Written?**

Kings County → Yes

Annapolis County → Yes, but there needs to be double spacing instead of single line spacing, for easier reading.

### **Which is Preferable in Your Opinion? Why?**

Kings County, would be preferable in my opinion. The reason being is that they have all these maps showing a distance of 300 meters, 750 meters, and also 1500 meters from roads and residential housing. Another reason why I would choose the Kings over Annapolis is because everything is in PDF format and you can download it and take it with

you anywhere you go and you don't need the internet to access them. Whereas the Annapolis stuff is all online and you need to be connected to the internet to access them.

## **Are They Likely Effective?**

As of right now I believe that the Annapolis County Bylaws are more effective than the Kings County Bylaws. The reason being is that the Kings County Bylaws have not been fully in place yet, due to that the people who live in Kings County do not want wind turbines, at one of the public meetings that the County had with the public there was a petition that was signed by 200 people who signed the position in disagreement with the idea of putting the wind turbine farms in Kings County.

Kings County	Annapolis County
<ul style="list-style-type: none"><li>• Clear to read</li><li>• Easy to follow</li><li>• Downloadable</li><li>• Detailed</li><li>• Included maps to better explain what was being said</li></ul>	<ul style="list-style-type: none"><li>• Needs to be a full space or a half a space between each line, found it a little hard to read.</li><li>• Online only</li><li>• Detailed</li><li>• No maps included</li><li>• States in the Table of Contents that there are maps, but there are none to be found = miss leading</li></ul>

## Works Cited

N/A. (2011, December 1). *County of Annapolis Land Use Bylaw*. Retrieved from Annapolis County: <http://annapoliscounty.ca/property-development/41-zoning-development-control-unlisted/287-county-of-annapolis-land-use-bylaw>

N/A. (2012, August 30). *P12-01: Large Scale Wind Turbines* . Retrieved from County of Kings : <http://www.countyofkings.ca/residents/planning/windturbines.aspx>