



The Corporation of
THE TOWN OF SHELBURNE

Municipal Offices:

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May 29, 2012

County of Dufferin Council
c/o Ms. Pam Hillock, Clerk
55 Zina Street
Orangeville, ON

RE: Dufferin Wind Power Proposal

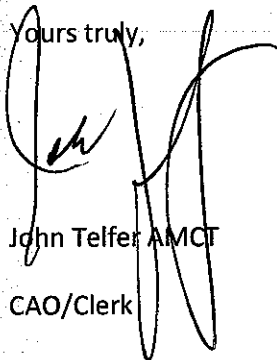
Dear Warden and Members of County Council:

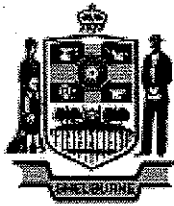
I have been instructed by Town Council to forward our opposition to having a transmission line through an urban area and concerns forwarded to County Council for consideration.

Our Town Planner presented a detailed report to Town Council on May 28, 2012, outlining the information and planning comments associated with the proposal. Enclosed is a copy of the Planner's report dated May 15, 2012.

Also enclosed is a copy of the resolution passed unanimously by Town Council, as a result of the report and Town Council's opposition to using the rail corridor, particularly through a urban centre, when alternative routes are available, primarily being Option #1.

I trust you understand Town Council's position on this matter and will give it due consideration.

Yours truly,

John Telfer AMCT
CAO/Clerk



TOWN OF SHELBURNE

COUNCIL RESOLUTION

No. 7

Date: May 28, 2012

Moved by: Egan

Seconded by: Benotto

BE IT RESOLVED THAT Council receives the report from the Town Planner dated May 15, 2012 regarding the Dufferin Wind Power proposed transmission line route as presented and circulated;

AND FURTHER THAT the Town Planner be directed to forward a letter to County Council outlining our concerns;

AND FURTHER THAT the Town of Shelburne does not want a proposed transmission power line from Dufferin Wind Power going down the current rail lines owned by Dufferin County.

CARRIED UNANIMOUSLY: K. Bennington

Requested Vote to be recorded

☐ Yes

☐ No

Councillor Walter Benotto

Yea

Nay

☐

☐

Councillor A.J. Cavey

☐

☐

Councillor Randy Chambers

☐

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Councillor Geoff Dunlop

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Councillor Tom Egan

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Deputy-Mayor Ken Bennington

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☐

Mayor Ed Crewson

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☐



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May 15, 2012

File No.: 11095.250

Town of Shelburne
203 Main Street East
Shelburne ON L0N 1S0

Attention: Mr. John Telfer, Clerk/CAO
VIA EMAIL to jtelfer@townofshelburne.on.ca

Re: Dufferin Wind Power (DWP) – Proposed Transmission Line Route

I am pleased to provide a summary of my comments regarding the above-noted proposal. My comments are restricted to land use planning matters. In making submissions it is advisable for the Town to include input from the Town's engineer, legal counsel and other professional advisors, staff and Council.

1. Regulatory Context

Under Section 62.0.2 of the Planning Act, renewable energy undertakings are not subject to the Provincial Policy Statement (PPS), the Growth Plan for the Greater Golden Horseshoe, municipal official plans and a by-law or order passed under Part V of the Planning Act (eg. municipal zoning by-laws). However, municipalities are able to comment on renewable energy proposals through the Renewable Energy Approval (REA) process. The Town should use this opportunity to make submissions to the proponent, the County of Dufferin as the owner of the former rail corridor, and to the Ministry of Environment (MOE). In this regard you should consider forwarding this letter and any additional comments of the Town of Shelburne to DWP, the County and the MOE.

2. Review of Documents Provided by DWP

My review of the studies provided by the proponent and related planning comments are limited to the parts of the documentation specifically dealing with the proposed transmission line route along the sections of the former rail corridor that are within the Town of Shelburne. The DWP reports are noted as draft and lack sufficient detail regarding the proposed transmission line through Shelburne. As outlined in this letter, additional information is required to allow for a complete land use planning evaluation of the proposal.

The table below summarizes information regarding the proposed transmission line provided in the various documents, and related comments are provided in the right-hand column:

DRAFT PROJECT DESCRIPTION REPORT (PDR)	PLANNING COMMENTS
<p>Section 3, p. 3:</p> <p>Two options are being considered to connect the project to the provincial transmission grid:</p> <p>OPTION #1 – dual 69 kV power line located with municipal road right-of-way connecting the project substation to a second substation at a point of interconnection 35.6 km south in the Town of Mono, crossing the Townships of Melancthon, Mulmur and Amaranth</p> <p>OPTION #2 – 230 kV power line located largely within the abandoned rail line right-of-way and crossing the Townships of Melancthon and Amaranth and the Town of Shelburne to connect to a switching station adjacent to the Orangeville transformer station</p> <p>DWP is seeking approval of both options, but only one would be constructed.</p>	<p>Why are approvals required for two options if only one will be constructed? How will DWP decide which option to construct if both are permitted?</p>
<p>Section 3.2, Table 1, p. 5-7:</p> <p>Table 1 includes the authorization of Road Users Agreements by the Townships of Melancthon, Mulmur and Amaranth and Town of Mono in the list of potential authorizations and requirements for the project.</p>	<p>Table 1 does not identify any approvals or authorizations required from the Town of Shelburne and County of Dufferin. It is my understanding that an easement agreement would be required with the County for the use of the former rail-corridor for the transmission line under Option #2. In addition, any underground utility work within or crossing municipal right-of-way owned by the Town of Shelburne should require the Town's authorization. Municipal authorizations required from the County and the Town for Option #2 should be clearly spelled out in the report.</p>
<p>Section 4.1, p. 7-12</p> <p>OPTION 1 requires 35.6 km of 69.5 kV power line, of which DWP is responsible for only 2.77 km including 54 new wooden poles, and Hydro One Networks will be responsible for the remainder of the power line including replacing 500 existing hydro poles with taller towers to accommodate the existing lines. DWP will be responsible for the new dual 69 kV lines and stringing the line along these sections. The poles would be spaced 50-55m at a depth of 2.5m.</p>	<p>This seems like a logical option if the existing poles need to be taller anyway for existing lines. In principle the improved utilization of existing infrastructure, where possible, should be a priority over building new infrastructure.</p> <p>DWP presented Town Council with different information for Option 1 (45m spacing, significant volume of additional poles required – up to 500+ new poles, etc).</p>

DRAFT PROJECT DESCRIPTION REPORT (PDR)	PLANNING COMMENTS
<p>OPTION 2 requires 48 km of 230 kV power line, of which DWP is responsible for the entire length, including 437 new poles, plus easements across private property and the County-owned abandoned rail RoW. The overhead power line will require 25m of space within the rail RoW. The poles would be spaced 110m apart at a depth of 2.5m.</p>	<p>Based on this information, this option requires significantly more new poles and greater total length of power lines, plus new easements. The abandoned rail RoW is 25m wide through Shelburne, therefore this suggests the entire width is needed for the proposed power lines. Can other existing and planned uses of the corridor co-exist with the power line (eg. existing snowmobile trail, future multi-use trail). Does this 25m width allow for any buffering/setbacks to sensitive land uses? There is no mention of potential underground line through Shelburne. What are the long-term operational and capital maintenance requirements of introducing a new transmission corridor with new poles and lines in Option 2 as compared to Option 1 where there are existing poles and lines that already require maintenance and replacement?</p> <p>DWP presented Town Council with different information for Option 2 (90m spacing, 8m pole depth, underground lines through urban area).</p>
<p>Section 4.2, p. 13</p> <p>Table 3 indicates the following construction timing: Option 1 – Summer 2013, two months Option 2 – Summer 2013, three months</p>	<p>Option 2 takes longer to construct than Option 1. There are no operation and maintenance activities identified for the transmission lines.</p> <p>Decommissioning requirements would be different for Option 1 vs. Option 2 (ie. the poles could remain for existing lines, another benefit of Option 1).</p>
<p>Figure 2b: Power Line Option #1 and #2 (map)</p>	<p>It appears that Option 2 could be re-routed to the west along existing RoWs for a small section to avoid the urban area of Shelburne. This opportunity should be investigated and documented.</p>
<p>Section 5, Description of Environmental Effects, p. 21</p> <p>Section 5.6 Land Use and Resources, p. 26 “No recreation activities should be impacted by the project.”</p> <p>Section 5.7 Local Interests, Land Use and Infrastructure, p. 21 “No municipal water/wastewater services will be required nor affected.”</p>	<p>Effects listed and evaluated should include disruption to existing and future trail uses within the abandoned rail RoW corridor in Shelburne and potential municipal service disruptions if existing underground infrastructure (sanitary and storm sewers, watermain, etc), roadways or other urban services in Shelburne are impacted by construction and/or operation.</p>

DRAFT PROJECT DESCRIPTION REPORT (PDR)	PLANNING COMMENTS
<p>Section 5.10 Public Health and Safety, p. 27 "Noise, vibration and dust during construction are the key causes of human health impacts. Commonly perceived health and safety risks associated with wind turbines include...electro-magnetic fields. These potential and perceived risks will be addressed in detail in other REA reports."</p>	<p>Other urban municipalities have adopted requirements for Electromagnetic Field (EMF) Management Plans and policies and guidelines for reducing EMF exposure from hydro corridors, in response to health concerns and uncertainties about the impacts of existing and proposed high voltage transmission lines. The effects listed and evaluated for the Option 2 transmission line route should include the potential for increased EMF exposure in Shelburne and related impacts on local land use policy, development planning and decision-making as a result introducing a new high voltage transmission line within an urban area. Potential cost implications for the Town and local development interests as a result of Option 2 include the costs of undertaking EMF Management Plans and implementing precautionary measures in the planning, design and development of future land uses on either side of the abandoned railway RoW and for planned recreational uses within the corridor. Consistent with the requirements in other urban municipalities in Ontario, DWP should be required to provide an EMF Management Plan and to integrate precautionary measures into the design of proposed high voltage transmission line within an urban area (Option 2).</p>
<p>Section 5.11 Areas Protected under Provincial Plans and Policies, p. 28 "The project is not located in an area governed by a provincial plan."</p>	<p>Dufferin County is within the area governed by the Places to Grow Act and the Provincial Growth Plan for the Greater Golden Horseshoe. Shelburne is expected to accommodate a significant portion of the population target allocated by the Province to Dufferin County via the Growth Plan. Land along the abandoned rail RoW in Shelburne is proposed for residential intensification including a current townhouse proposal which will contribute to meeting growth and density targets mandated by the Growth Plan. The reports provided by DWP should identify if any new setbacks or other mitigation measures are required as a result of proposed transmission lines and evaluate the effects of Option 2 on planned residential intensification projects and areas and any related impacts on Shelburne's ability to achieve and maintain conformity with the Growth Plan.</p>

DRAFT CONSTRUCTION PLAN REPORT	PLANNING COMMENTS
<p>Section 3.1, p. 6:</p> <p>OPTION #2 – the proposed 230 kV power line is expected to be largely above ground but will require up to eleven underground sections to avoid overhead provincially significant wetland crossings and densely populated areas.</p>	<p>How do these environmental effects and directional drilling costs required in Option #2 compare to Option #1? Which is the preferred option?</p>
<p>Section 4.1, Table 2, p. 9-11:</p> <p>Table 1 identifies the following materials to be delivered for each transmission line option:</p> <p>OPTION #1 – 69kV utility cable; 50', 70', 75' and 80' wooden poles (distributed along the power line route); electrical transformers and related equipment</p> <p>OPTION #2 – 230kV utility cable; 437 poles; electrical transformers and related equipment</p>	<p>Height and type of poles not specified for Option #2. Total number of poles not identified for Option #1. The method of transporting the materials and comparative level of effort required for Option #1 (delivery along existing roads?) vs. Option #2 (method of delivery?) is not provided or evaluated. The report should address potential impacts of delivery trucks and construction materials accessing the abandoned railway RoW in the urban area and potential impacts on existing underground services that cross under the RoW.</p>
<p>Section 4.4, p. 14</p> <p>Option #2 – "The second power line option would require the installation of approximately 487 poles within the rail easement. Pole spacing would range from 90 m to greater than 200 m dependent upon terrain, features, and permitting."</p>	<p>The number of poles and spacing identified in this section is not consistent with other sections of this report, other DWP reports provided for this project, and the information presented to Town Council by DWP. This section discusses the use of underground lines in wetland areas but not within the urban area of Shelburne.</p>
<p>Section 4.7.2, p. 17</p> <p>"Clearing may also be required for portions of the site access roads, crane paths, collector lines and power line right-of-way."</p>	<p>The report should more clearly define and document the extent of clearing required within the abandoned railway RoW for Option #2, identify related environmental impacts on the corridor and adjacent land, and impacts to existing and future trail use. A naturalized corridor with shade provided by adjacent trees is preferred for the planned future use of the corridor for walking/multi-use trail.</p>
<p>Section 4.8.7, 4.8.8, p. 22-23</p> <p>Option 1 – "The power line will be an overhead line and require 8-10 m of space within the municipal road right-of-way."</p> <p>Option 2 – "The overhead power line will require 25 m of space within the rail RoW. The tower structures of the power line will be composed of single poles and will be spaced about 110 m apart and installed to a typical depth of 2.5 m."</p>	<p>Why does Option 2 require 25 m of space whereas Option 1 only needs 8-10 m?</p> <p>The pole spacing for Option 2 identified in this section is not consistent with other sections of this report and the information presented to Town Council by DWP.</p> <p>This section discusses the use of underground lines in wetland areas but not within the urban area of Shelburne.</p>

DRAFT CONSTRUCTION PLAN REPORT	PLANNING COMMENTS
<p>Section 5.3.2, p. 29 "For the 230kV power line it is anticipated that 11 wetland features will have to be drilled under to mitigate potential negative effects to these features."</p>	<p>How do these environmental effects and directional drilling costs required in Option #2 compare to Option #1? Which is the preferred option? Figure 4b only identifies 9 locations for horizontal directional drilling – where are the other two locations?</p>
<p>Section 5.9.1, p. 38 "No municipal water/wastewater services will be required nor affected."</p>	<p>Effects listed and evaluated should include disruption to existing and future trail uses within the abandoned rail RoW corridor in Shelburne and potential municipal service disruptions if existing underground infrastructure (sanitary and storm sewers, watermains, etc), roadways or other urban services in Shelburne are impacted by construction activities.</p>
<p>Section 5.9.2, p. 38-39</p>	<p>Mitigation measures should demonstrate how the current trail uses and future development and use of the abandoned rail RoW as a multi-use trail and related municipal service crossings and roadway crossings will be protected within Shelburne. Opportunities for trail development should be considered as part of the proposed transmission line construction activities.</p>
<p>Section 6, p. 40 "There are net benefits of this project resulting from an increased municipal tax base for the Township of Melancthon and the County of Dufferin, increased number of employment opportunities (especially during the construction stage) and the generation of clean, renewable electricity. The operation of the wind farm will also provide annual economic benefits through royalties to landowners and a continuing need for supplies, services in the local and regional economies."</p>	<p>What are the local benefits, if any, to Shelburne? There are no clear benefits to Shelburne identified in this report. Enhancements to the abandoned railway RoW such as the development of a multi-use trail and other related measures should be incorporated into the Option #2 transmission line proposal to provide a net benefit to Shelburne.</p>
<p>Cultural Heritage Assessment – Proposed 230kV Transmission Line Executive Summary, p. vi "The transmission line will be located in Melancthon and Amaranth Townships." Executive Summary, p. vii "There are no properties or buildings designated as heritage properties/protected properties, nor are any properties within the study area currently recognized for their heritage or cultural value by either the Municipalities of Melancthon or Amaranth, or the Ontario Heritage Trust. None of the properties are, or have been, on any heritage list."</p>	<p>Why is the Town of Shelburne omitted in the description of the proposed transmission line location in this report?</p> <p>The Town of Shelburne and Heritage Shelburne Committee were not consulted regarding the section of the former railway RoW located within the Town and local heritage resources.</p>

DRAFT CONSTRUCTION PLAN REPORT	PLANNING COMMENTS
<p>"The 230kV line would be primarily constructed on wood poles and be spaced approximately 30 m apart and would be approximately 22 m high. There would be around 300 poles within the rail corridor along the 32 km stretch from the entrance at the rail corridor to the Orangeville Transfer Station."</p> <p>Section 1.0, p. 1-2</p> <p>"As there are wetland features within the rail easement the proponent is proposing to use stronger poles, made out of steel or concrete for certain sections within the rail easement. These poles would be taller, but spaced further apart to avoid construction in wetland features."</p> <p>Section 2.3, p. 3</p> <p>Section 3.0, p. 5</p> <p>"The study area is an abandoned railway line corridor that is currently being used by the occasional recreational user as a walking and ATV (all-terrain vehicle) trail, although it is not listed on any trails to trails websites."</p> <p>Section 4.0, p. 6</p>	<p>This information conflicts with the descriptions of the proposed transmission line provided in the other reports provided by DWP and with the information presented to Town Council by DWP. A 30 m pole spacing over the 32 km route would require more than 1,000 poles. Other reports describe the route as 48 km in length.</p> <p>See comments above regarding the description of the project location and details.</p> <p>This information conflicts with the descriptions of the proposed transmission line provided in the other reports provided by DWP and with the information presented to Town Council by DWP.</p> <p>Why was the Town of Shelburne not consulted as part of the Municipal Heritage Inventory?</p> <p>The corridor is designated as a trail route in the Town of Shelburne Parks Master Plan and Active Transportation Plan, and is labeled as a trail in the Town's Official Plan.</p> <p>Shelburne is omitted in the Historic Summary.</p>

DRAFT DECOMMISSIONING REPORT	PLANNING COMMENTS
<p>Section 4.3.7, p. 9</p>	<p>The decommissioning report does not provide a comparative evaluation of the decommissioning requirements for the transmission line under Option #1 and #2. Removal of underground cables through the Town of Shelburne is not discussed or addressed.</p>

DRAFT DESIGN AND OPERATIONS REPORT	PLANNING COMMENTS
<p>Section 6.3.4, p. 22</p> <p>"The tower structures of the power line will be composed of single poles and will be spaced 110 m apart and installed to a typical depth of 2.5 m."</p>	<p>DWP presented Town Council with different information for Option 2 (90m spacing, 8m pole depth, underground lines through urban area).</p>
<p>Section 7.4, p. 26-28</p>	<p>Maintenance activities and requirements described in the report do not address the means of access and winter access to the 230kV line and poles proposed to be located in the abandoned railway RoW. Will snow clearing and/or the use of salt or other de-icing agents be required within the former railway RoW?</p>

DRAFT DESIGN AND OPERATIONS REPORT	PLANNING COMMENTS
Section 8, p. 31-44	See comments above regarding land use and public health and safety effects that should be identified and evaluated in the reports with appropriate mitigation measures and monitoring activities identified.
Section 10, p. 51	Dufferin County is within the area governed by the Places to Grow Act and the Provincial Growth Plan for the Greater Golden Horseshoe.

DRAFT PROPERTY LINE SETBACK REPORT	PLANNING COMMENTS
General	The setback report does not provide an indication of required or recommended setbacks for the proposed transmission lines.

DRAFT ENVIRONMENTAL IMPACT STUDY REPORT	PLANNING COMMENTS
Table 9, p. 154 Wetlands #53, 54, and 55 are located in the Town of Shelburne. The evaluation of impacts to these wetlands states that horizontal directional drilling will be used to bypass wetlands and that the poles for the 230kV line will be spaced 200-300m apart.	This information conflicts with the descriptions of the proposed transmission line in the other reports provided by DWP and with the information presented to Town Council by DWP. Would the entire transmission line be located underground through Shelburne?

DRAFT RECORDS REVIEW REPORT	PLANNING COMMENTS
Section 6, p. 15 "Within the Town of Shelburne, the 69kV Line will be located along the Trans Canada Trail (Town of Shelburne, 2006; see Appendix A1). Within the Township of Mulmur, the 230kV Line will occur adjacent to lands designated as agricultural, open space and natural area (Township of Mulmur, 2010, see Appendix A1). Within the Township of Mono, the 230kV Line will occur within lands designated as rural and environmental protection (Township of Mono, 2009; see Appendix A1)."	This information conflicts with the descriptions of the proposed transmission line in the other reports provided by DWP and with the information presented to Town Council by DWP.

DRAFT WATER BODY REPORT	PLANNING COMMENTS
Section 3, p. 4 "The first option, the 230kV Line, is located along the existing Hydro One 230kV Transmission line, which is located within the Townships of Melancthon and Amaranth and the Towns of Shelburne and Orangeville. The second option, the 69kV Line, is located along a railroad right-of-way, which is located within the Townships of Melancthon, Mulmur, Amaranth and Mono."	This information conflicts with the descriptions of the proposed transmission line in the other reports provided by DWP and with the information presented to Town Council by DWP.

DRAFT WATER BODY REPORT	PLANNING COMMENTS
<p>Table 5, p. 42</p> <p>Walter's Creek is identified as waterbody #27 and classified as a Class C Municipal Drain. The Besley Drain is identified as waterbody #28 and classified as a Class F Municipal Drain.</p> <p>Table 6, p. 50-52</p> <p>This table indicates that there will be an overhead 230kV transmission line in the location of waterbody #27 and #28 in Shelburne. Under "Magnitude of Effect" the information describes a 69kV Line design, poles installed a depth of 2.5 m and spaced 50-55 m apart. Potential effects listed during construction and decommissioning of above-ground transmission lines include excessive loss of riparian vegetation, erosion and sedimentation, loss of aquatic habitat and/or species, decrease in water quality.</p>	<p>This information conflicts with the descriptions of the proposed transmission line in the other reports provided by DWP and with the information presented to Town Council by DWP (ie. HDD underground through Shelburne). Why are the proposed transmission lines described as above-ground where they would cross waterbodies in Shelburne?</p>

DRAFT WATER ASSESSMENT REPORT	PLANNING COMMENTS
<p>Section 5.5.2, p. 28</p> <p>"The project location and setback area at water crossings 23-28 and 49 fall within Well Head Protection Area Zone D: Steady State Zone for the Town of Shelburne Well Supply."</p>	<p>The report should elaborate on this by describing related sourcewater protection policies and initiatives, any new risks or threats resulting from the proposal and related assessments that may be required.</p>

The draft documents provided by DWP is extensive (over 3,500 pages of information contained in 12 reports) and therefore the above reports were not reviewed in detail but rather scanned for items relating to the proposed 230kV transmission line of key interest and immediate relevance to planning in the Town of Shelburne. In addition to the above reports, the following documents have been provided to the Town by DWP but were not reviewed by GSP Group:

- Archaeological Assessments appended to the Draft Construction Report;
- Draft Wind Turbine Specification Report;
- Natural Heritage Assessment Draft Evaluation of Significance Report;
- Natural Heritage Assessment Draft Records Review Report;
- Draft Site Investigation Report.

The Town should consider the need for a detailed review of these reports by qualified professionals prior to taking a position on the proposed transmission line.

Summary

DWP is seeking approvals for two power line options for a proposed wind farm development located 14 km north of Shelburne in the Township of Melancthon. Option 1 would be located entirely outside of Shelburne primarily within existing municipal road right-of-way in the Townships of Melancthon, Mulmur, Mono and Amaranth, and would require only a small section of new transmission line corridor with the bulk of the line located along an existing pole line that already requires pole replacement for existing lines. Option 2 would be located within the County-owned abandoned railway right-of-way including the section through the west side of the Town of Shelburne, involving the development of an entirely new transmission corridor having a longer distance to the connection point and requiring several underground sections.

Based on my review there is insufficient and often conflicting information in the draft reports regarding the proposed transmission line through Shelburne and there are several planning comments and questions that require clarification and/or additional information from the proponent in order to formulate a planning recommendation to the Town. In my opinion, the municipality should not indicate its support for Option 2 until the following are provided by DWP to the satisfaction of the Town:

- Revised submissions addressing the planning comments summarized in this letter and any other comments and questions prepared by or on behalf of the Town of Shelburne;
- Justification of the need for approval of both power line options;
- A comparative evaluation indicating the preferred option for construction and the criteria to be used to determine which option will be constructed;
- Information demonstrating the need for the approval of a new transmission line corridor through an urban centre based on a consideration and evaluation of additional alternatives located outside of Shelburne including the potential for re-routing a section of the proposed Option 2 route around the west side of the Town.

Please don't hesitate to contact me if you have any questions or require further information.

Sincerely,

GSP Group Inc.



Steve Wever, MCIP, RPP
Senior Planner