

May 9, 2013

BY EMAIL: [boardsec@ontarioenergyboard.ca](mailto:boardsec@ontarioenergyboard.ca)  
ORIGINALS TO FOLLOW BY PUROLATOR COURIER

MS. KIRSTEN WALLI  
BOARD SECRETARY  
ONTARIO ENERGY BOARD  
P O BOX 2319  
2300 YONGE STREET  
SUITE 2701  
TORONTO ON M4P 1E4

Dear Ms. Walli:

Re: Board File No.: EB-2011-0140  
Our File No.: 12524-6  
Reply Submissions of Algoma Coalition

#### **Support for Project**

The Algoma Coalition generally supports the East-West Tie Line project and believes it is a necessary and prudent infrastructure project for the benefit of Northern Ontario and the province as a whole.

The Algoma Coalition approaches these submissions primarily from a planning perspective and with regard to the opportunities that the Province, through the *Growth Plan for Northern Ontario, 2011*, has committed to bring to municipalities in Northern Ontario.

#### **Stakeholder Group**

The Algoma Coalition represents several stakeholder municipalities in the Northeast Region. For the purposes of the East-West Tie Line, the townships of Manitouwadge, White River, Chapleau and Hornepayne have joined the Algoma Coalition. The Township of Dubreuilville and the Municipality of Wawa are long-standing members.

This is a coalition of communities who have suffered a loss of 1200 direct industrial jobs in the recent past, not including the exponentially larger number of indirect jobs, often as a partial result of the uncompetitive electricity rates in Ontario. The Algoma Coalition urges applicant transmitters to consult with and partner with these northern municipalities.

#### **Designated Growth Plan Area**

The area where the East-West Tie Line is to be constructed has been designated as a Growth Plan Area pursuant to the *Places to Grow Act, 2005*, S.O. 2005, c.13 and *O.Reg 416/05*, s.3. Some relevant



excerpts from this Plan are attached hereto as **Appendix A**. The original document can be found at:

<https://www.placestogrow.ca/images/pdfs/GPNO-final.pdf>

The *Growth Plan for Northern Ontario, 2011* (the "Plan") has been established pursuant to the aforementioned legislation and *must* be considered in designating a transmitter and proceeding with both phases of this decision making process (s.14, *Places to Grow Act, 2005*). It is the submission of the Algoma Coalition that the Plan has not been considered or complied with by the Board or the applicants in respect of this project to date.

Section 1.2 of the Plan sets out its purpose being to engage and empower residents, businesses, institutions and communities to work together to build a stronger Northern Ontario and recognizes that to achieve these long term goals, strategic coordination, partnerships and collaboration are essential.

The fact is that municipalities in Northern Ontario right now have considerable resources – both financial and otherwise – to offer to applicants and have a significant interest in ensuring the success, long term viability and local access to this major infrastructure project.

While the Coalition generally supports the East-West Tie Line, it is our opinion that the project has failed the Plan in that there has been no collaboration with municipalities, no partnerships with municipalities and no engagement of the municipalities. We do credit the process for the collaboration and engagement at the First Nation level, however, the lack of collaboration and consultation with municipalities and residents is the direct responsibility of both the Province of Ontario and the applicants.

The Algoma Coalition respectfully submits that the requirement that applicants merely show that they are capable of consultation rather than engage in actual consultation with municipalities prior to designation falls short of the overreaching collaborative approach that is rooted within the Plan. To uphold the spirit of the Plan, the applicants ought to be engaging with the affected municipalities to discuss their goals, their current and future needs, their concerns with respect to the project as well as their interest in opportunities for equity partnerships.

Organizations such as the Algoma Coalition are not staffed or funded in a manner that would allow them to easily organize or proactively take steps to coordinate with industry for significant consultation. As a result, support and efforts to ensure meaningful consultation at every stage of development and growth must come from the Province and industry in order to uphold the priorities articulated in the Plan. These priorities are legislated and cannot continue to be set aside by the Province.



#### Section 1.4 – Guiding Principles

Guiding principles 1, 4, 5 and 6 have been largely ignored by both the Province and applicants as they relate to this energy project due to the lack of consultation and engagement at the municipal and community level.

#### Section 1.7 – A Collaborative Approach to Implementation

This section states that the Plan identifies policy directives that encourage collaboration among other orders of government as well as non-governmental partners. It is regrettable that the East-West Tie Line process up to now has not taken this section seriously. If it had, opportunities for collaboration would have been executed with the municipal level of government. This omission should be rectified prior to proceeding further with the project and certainly before a transmitter is designated. The Algoma Coalition continues to submit that *actual* collaboration with affected municipalities and residents be a weighted Decision Criteria.

#### Section 2 – Economy

The preamble states that the Plan is intended to support growth and diversify the region's traditional resource-based industries. To comply with the Plan, the East-West Tie Line project must include opportunities for local use of the proposed infrastructure. In order to take advantage of opportunities that may exist in emerging sectors such as the bio economy, then access to power is needed; hence the need to be able to access the proposed grid by both consumers and local generators of energy.

#### Section 2.2 – An Economic action Plan for Northern Ontario

"The Province will collaborate with the federal government, as well as business and industry, municipalities, Aboriginal communities and organizations..." Unfortunately there has been no collaboration but such collaboration should be encouraged and ingrained in the result of these hearings.

Sections 2.2.2 and 2.2.3 are not supported due to the fact that no collaboration or engagement has been provided to the municipal level of government.

Section 2.2.5 states that "Industry will be encouraged to participate in the development and implementation of the Province's five year economic action plans and regional economic plans." No information has been provided as to just what the Province's economic action plan is and, further, no regional economic action plans have been published so it is not known if these have been considered. Given that a portion of the Algoma Coalition – the Northeastern Superior



Mayors Group has been working together on economic matters for 12 years, it would appear that this group has been overlooked.

### Section 2.3 – A Growing and Diversified Economy

This section discusses the fact that it is important for Northern Ontario to develop a growing and diversified economy. For this project to facilitate this portion of the Plan, it will be very important for the proposed grid to be accessible to consumers, such as the manufacturing sector among others, and local generators. This is to be read in conjunction with smaller communities who have been disenfranchised of development.

The section also discusses the renewable energy sector. Given that we already have a capacity issue, access to the proposed grid will be needed in order to create or take advantage of existing local opportunities. In so far as the *Green Energy Act, 2009*, S.O. 2009, c. 12 was intended to foster growth of renewable energy and remove barriers to renewable energy projects, without access to the grid, local generators in Northern Ontario cannot avail themselves of these opportunities, amounting to another piece of legislation that has failed to benefit the North.

### Section 3 – People

The proposals reviewed do not provide any information with respect to how the people of the region can be trained, educated and used for the proposed project and how these jobs could remain in the area.

Should the necessary resources not be developed in the area through partnerships with the various educational institutions and applicant transmitters? This will drive a skilled and innovative population.

It is noted by the Algoma Coalition that at least two applicants have operation facilities in Northern Ontario. As such it is clear that such facilities are feasible and as such it is recommended by the Algoma Coalition that any applicant being considered detail an operations facility in Northern Ontario and that this be a weighted Decision Criteria.

### Section 4 – Communities

This section discusses areas that serve as economic and service hubs across the North. While they are not named, it is clear that Wawa is one such hub. This section goes on to state; "They are also points of convergence for major infrastructure, including transportation, energy, information and communications technology and community infrastructure."



#### Section 4.2 – Long Range Planning

This section discusses the need for long range planning and for collaboration between communities in such matters. However, consultation with these same communities should be sought by the applicants so that they understand what planning is ongoing across the area of the project. This will ensure that vital access points exist to enable local business to facilitate the Plan and take advantage of opportunities rather than a continuation of marginalization that has frustrated growth. The East-West Tie Line is a single component of a larger network, the planning of which should be based on a twenty to twenty-five year scheme. This would also bring it in line with the long-term scheme of the Growth Plan. The Algoma Coalition submits that, at this time, there has been a failure to capitalize on this planning opportunity.

#### Section 4.3 – Economic and Service Hubs

The MNDM was to identify and develop economic and service hubs across Northern Ontario. To date, there has been no movement on this matter, however such hubs are known and should be utilized. However, as discussed above these hubs are already well known and should be used in regards to this project. Section 4.3.4 quotes: "Economic and service hubs shall be focal areas for investment in regional transportation, energy, information and communications technology and community infrastructure."

#### Section 5 – Infrastructure

This section discusses energy generation and transmission infrastructure in Northern Ontario as being key to the growing economy and that such investments should be coordinated with collaboration and discussion with various level of government. Section 5.1 quotes: "This Plan provides a vehicle for aligning and coordinating infrastructure investment to support its economic development priorities and to meet the needs of existing and future residents. This requires working closely with partners including the federal government and municipalities."

#### Section 8 – Implementation

The development of the North shall ensure that the population is engaged and informed and that their views shall be sought out and that methods such as regional meetings shall be used for this purposes – this was absent from this project and should be required of all applicants prior to designating a transmitter. The results of this collaboration should be a weighted Decision Criteria.

The section also discusses coordinated and collaborative decision making and that municipalities shall be included in this way, and has been neglected in the proposals.



The Algoma Coalition has been approached by three applicants but these discussions for the most part have been limited to cursory introductions. Although, with one exception these exchanges occurred at the 'eleventh hour', the Algoma Coalition intends to engage with these applicants in the coming weeks to discuss how they envision the successful transmitter working with affected communities. The Algoma Coalition submits that the Board should consider in designating a transmitter the extent and quality of these discussions.

### **Decision Criteria**

The Ontario Energy Board's Phase 1 Decision and Order dated July 12, 2012 outlined the Decision Criteria for the designation process which are as follows:

- Organization;
- First Nation and Métis participation;
- Technical capability;
- Financial capacity;
- Proposed Design for the East-West Tie line;
- Schedule;
- Costs;
- Landowner, municipal and community consultation;
- First Nation and Métis consultation;
- Other factors.

No consideration was given to the Growth Plan.

The Algoma Coalition respectfully requests that the Board, in this designation process, consider socioeconomic benefit for communities on and served by this East-West Tie Line corridor as a major Decision Criteria. As a major infrastructure project in Northern Ontario, the Coalition requests that, in the designation process, the Board consider and prefer applicants who will use local labour and supplies in construction, operation and maintenance of the project. To comply with the above mentioned legislation, this project must benefit the communities through and near which it travels.

On the issue of the cost criteria, it is submitted that the applicants' cost estimates could have been made more accurate through the use of local knowledge and expertise.

Additionally, requiring applicants to have a consultation plan with the municipalities located throughout the routing of the East-West Tie Line project, primarily for land use planning purposes, should be added to the Decision Criteria. The land use planning, social and economic issues that will affect all of the communities along the path of this new transmission project need to be fully developed and considered during



the development phase. Only those local communities can provide that level of diligence.

The operation and maintenance plan for this asset is extremely important to the long term energy supply to the Northeast and Northwest regions. The reliability of the asset will be directly affected by maintenance planning and execution. As well, this could be a major economic benefit to the region if the designated transmitter proposes to have human resources located in the vicinity of the asset. Again, waiting until the asset has been constructed to try and have these discussions is unrealistic. The Board needs to address this issue during the designation process and the applicants need to be required to address this issue to the best of their ability during the second phase of this process. Similar to the cost of construction, it is not reasonable to expect a precise level of accuracy at this initial stage of development. However, the plan to deal with this issue can be established and the Board can then monitor a designated transmitter's performance against that plan.

#### **Weighted Decision Criteria**

With respect to the issue of rankings of the Decision Criteria, the Algoma Coalition continues to submit that ranking the Decision Criteria will benefit the designation process. This will allow applicants to focus on the aspects of the proposals considered most critical by the Board. The Algoma Coalition suggests that a clear and weighted Decision Criteria metric should be struck by the Ontario Energy Board so that all applicants will know and understand the Decision Criteria that will be used by the Board in designating a applicant to construct the East-West Tie Line.

The Algoma Coalition specifically requests that socioeconomic benefit to the stakeholder northern communities be specifically considered and strongly weighted in the designation process.

The recently released scoring process for FIT 2.0 from the OPA, specifically assigns points to a project's application for municipal support for said project. The Algoma Coalition submits that the Board should add similar criteria to the Transmitter Designation Process.

#### **Consultation Process**

As indicated above, the Algoma Coalition notes that many groups are being consulted during the designation process but there has been a notable absence of consultation with the many northern communities on or near the proposed project. As the East-West Tie Line passes through the backyards of many northern communities, the Algoma Coalition requests that a consultation process be designed and mandated to allow affected communities to have input into items such as routing and access near or through their communities. Issues of access and routing will be addressed in the Environmental



Assessment stage; however, it must be noted that consultation now with affected municipalities would have the effect of expediting these regulatory processes leading to a much more efficient designation process. Efficiencies such as this will facilitate the construction of the project in a more reasonable timeframe.

Consultation that occurs post-designation will severely restrict the availability for municipalities to enter into opportunities for significant partnerships – a financial opportunity that would bring vast benefits to the communities involved.

In addition to the Growth Plan for Northern Ontario, the Coalition refers the Board, as an example of the significance of consultation on projects such as the subject, to the consultation process laid out in the *Environmental Protection Act*, Regulation 359/09, sections 16 and 18.

It is clear that the Legislature has recognized the necessity and importance of consulting affected municipalities and stakeholder groups in renewable energy projects. The relevant sections of that regulation are attached hereto as **Appendix B**.

It is respectfully submitted that the OEB not designate a transmitter without providing the Coalition with the opportunity to have a consultation with the applicants.

### **Transfer Capacity**

The Algoma Coalition supports the IESO suggestion that reliability and transfer capacity be added as “must pass” criteria in this designation process. In fact, the Coalition believes that Transfer Capacity must be the primary consideration in this project. There are many energy opportunities for businesses and communities in Northern Ontario that are not proceeding only because the current line does not have sufficient transfer capacity to admit new generation or significant consumers (e.g. Ring of Fire) to the Ontario grid.

When the designated transmitter completes the Leave to Construct process and proceeds with construction, the expected life of this transmission asset should be in the order of 70 years. Therefore, maximizing transfer capacity at this stage of the process is extremely important.

***The Growth Plan for Northern Ontario, 2011 Section 5.6 Energy***, specifically deals with the need for infrastructure investments in Northern Ontario. This is a 25 year plan and that planning horizon should be the focus of any consultations resulting from the transmitter designation process.

As well, since the asset needs to operate for many decades reliability is another significant criterion that must be dealt with early on to mitigate the risk of an asset that is paid by the ratepayer but does not



perform adequately for the needs of the area over its useful operating life.

**Tracking the Performance of the Designated Transmitter**

The Board should require the designated transmitter to file quarterly reports on its progress against the various performance criteria established by the Board through this process. This would allow the Board to track progress and provide an opportunity for the Board to intervene if acceptable progress is not being made by the designated transmitter.

**Designating a Back-up**

Instead of designating a "back-up" transmitter, the Algoma Coalition submits that at the end of Phase 2, all of the applicants should be listed in order of the Board's preference to proceed. The Board could then use that list to progressively select an alternate should the initially designated transmitter not be able to proceed. In preparing the list, the Board may elect to not include certain applicants if it is proven that an applicant has not established through their application the ability to complete the project in a meaningful fashion and not does meet the minimum thresholds.

**ALL OF WHICH IS RESPECTFULLY SUBMITTED**

Yours very truly,  
**WISHART LAW FIRM LLP**



ALEXANDRIA M. LITTLE  
Telephone Ext.: 238  
Email: [alittle@wishartlaw.com](mailto:alittle@wishartlaw.com)  
Assistant: Brittany Hodgkinson  
Telephone Ext.: 248  
Email: [bhodgkinson@wishartlaw.com](mailto:bhodgkinson@wishartlaw.com)

AML:cbh

Encl.

cc: See Schedule Attached Containing List of Parties Served



**SCHEDULE A - LIST OF PARTIES SERVED BY EMAIL**

shelley.grice@rogers.com;  
c.w.clark@sympatico.ca;  
cbayne@bayniche-conservancy.ca;  
Marion.Fraser@rogers.com;  
tbrett@foglers.com;  
nmelchio@wmnlaw.com;  
jcyr@wmnlaw.com;  
rwarren@weirfoulds.com;  
jgirvan@uniserve.com;  
EGDRegulatoryProceedings@Enbridge.com;  
ryan.farquhar@enbridge.com;  
pfaye@rogers.com;  
DavidMacIntosh@nextcity.com;  
csmith@torys.com;  
mzajdeman@brookfield.com;  
kfriedman@davis.ca;  
GGazankas@glp.com;  
regulatory@hydroone.com;  
gnettleton@osler.com;  
regulatory@HydroOne.com;  
paula.lukan@ieso.ca;  
action@lsarc.ca;  
jason@jtmlaw.ca;  
pmanning@manningenvironmentallaw.com;  
douglasmcunningham@gmail.com;  
northwatch@onlink.ca;  
jabouchar@willmsshier.com;  
cgodby@harrisonpensa.com;  
nancy.marconi@powerauthority.on.ca;  
Miriam.Heinz@powerauthority.on.ca;  
jkwik@elenchus.ca;  
richard.stephenson@paliareroland.com;  
jay.shepherd@canadianenergylawyers.com;  
mark.rubenstein@canadianenergylawyers.com;  
rod\_taylor@sympatico.ca;  
mrodger@blg.com;  
steve.hodgkinson@altalink.ca;  
doug.bradbury@cnpower.com;  
scott.hawkes@fortisontario.com;  
ckeizer@torys.com;  
amcphee@glp.ca;  
psierra@isoluxcorsan.com;  
gzacher@stikeman.com;  
cory.blair@res-americas.com;  
Helen.newland@fmc-law.com;



**CONTINUED - SCHEDULE A - LIST OF PARTIES SERVED BY EMAIL**

gvegh@mccarthy.ca;  
tom\_patterson@transcanada.com;  
oliver.romaniuk@nexteraenergy.com;  
ian.mondrow@gowlings.com;  
pthompson@blg.com;  
andrew.skalski@HydroOne.com;  
jmadden@pstlaw.ca;  
tdyck@torys.com;  
cbrant@willmsshier.com;  
mgardner@willmsshier.com;  
bill@jbsenergy.com;  
ataylor@energyboutique.ca;  
paul.clipsham@cme-mec.ca;  
amonem@pstlaw.ca;  
markbowler@metisnation.org;  
cwrap@wawa.cc;  
rreid@nsci.ca;  
Jennifer.Lea@ontarioenergyboard.ca;  
Mona.Habashy@ontarioenergyboard.ca



390 Bay Street, Suite 500  
Sault Ste. Marie, Ontario  
Canada P6A 1X2  
Tel. 705.949.6700  
Fax 705.949.2465

[www.wishartlaw.com](http://www.wishartlaw.com)



## **APPENDIX "A"**

### **EXCERPTS FROM GROWTH PLAN FOR NORTHERN ONTARIO 2011**

#### **1.2 PURPOSE**

This Plan has been prepared under the Places to Grow Act, 2005. The Act sets out the following purposes:

- a) to enable decisions about growth to be made in ways that sustain a robust economy, build strong communities and promote a healthy environment and a culture of conservation;





- b) to promote a rational and balanced approach to decisions about growth that builds on community priorities, strengths and opportunities and makes efficient use of infrastructure;
- c) to enable planning for growth in a manner that reflects a broad geographical perspective and is integrated across natural and municipal boundaries;
- d) to ensure that a long-term vision and long-term goals guide decision-making about growth and provide for the co-ordination of growth policies among all levels of government.

This Plan is a strategic framework that will guide decision-making and investment planning in Northern Ontario over the next 25 years. It contains policies to guide decision-making about growth that promote economic prosperity, sound environmental stewardship, and strong, sustainable communities that offer northerners a high quality of life. It also recognizes that a holistic approach is needed to plan for growth in Northern Ontario. A skilled and healthy population, modern and efficient infrastructure, and well-planned communities are critical to achieving long-term global competitiveness.

This Plan reflects a shared vision between northerners and the Government of Ontario that engages and empowers residents, businesses, institutions and communities to work together to build a stronger Northern Ontario. It takes a broad geographic perspective to support co-ordinated decision-making that respects the diverse needs of rural, urban, remote and Aboriginal communities. This Plan recognizes that to achieve these long-term goals, strategic co-ordination, partnerships and collaboration are essential. This Plan is intended to complement other provincial and regional initiatives that also contribute to the long-term sustainability and prosperity of Northern Ontario.

This Plan is structured around six theme areas: economy, people, communities, infrastructure, environment and Aboriginal peoples. Within each theme, this Plan identifies a series of policies to achieve its vision.



## 1.4 GUIDING PRINCIPLES

Delivering this Plan's vision will involve the combined efforts of governments and diverse partners across Northern Ontario, focused on six key principles:

1. Creating a highly productive region with a diverse, globally competitive economy that offers a range of career opportunities for all residents.
2. Developing a highly educated and skilled workforce to support an evolving knowledge-based economy and excellence in the trades.
3. Partnering with Aboriginal peoples to increase educational and employment opportunities.
4. Delivering a complete network of transportation, energy, communications, social and learning infrastructure to support strong, vibrant communities.
5. Demonstrating leadership in sustainable growth and environmental management.
6. Establishing innovative partnerships to maximize resources and ensure this Plan achieves its ambitious vision and is fiscally sustainable.

## 1.7 A COLLABORATIVE APPROACH TO IMPLEMENTATION

This Plan provides policy direction for decisions, investments and actions of the Province. It also identifies policy directions that encourage collaboration among other orders of government, as well as non-governmental partners.

4 Growth Plan for Northern Ontario All ministries of the Ontario government will have a role to play in implementing the policy and investment priorities outlined in this Plan. Implementation will also require collaboration within and between provincial, municipal and federal governments, Aboriginal communities and organizations, Francophone organizations, industry, businesses, labour organizations, community organizations, and education and research institutions. To successfully implement this Plan, these partners will need to work together over the long term.

The vision of this Plan is comprehensive and far-reaching, and will take time to achieve. Short-, medium- and long-term actions are required to



Implement the policies of this Plan. Some actions are underway and can be delivered within shorter time frames, while other matters will require further study and planning, and further dialogue with northerners



# 2 Economy

## 2.1 PREAMBLE

This Plan supports and complements the work of northerners, including the region's businesses, entrepreneurs and institutions, to build a strong, resilient and more diversified northern economy.

The policies in this section of this Plan are intended to support growth and diversify the region's traditional resource-based industries. This Plan also seeks to nurture and develop new and emerging economic sectors that have the greatest potential to bring new jobs and opportunities to the North and optimize its competitive advantages in the global economy.

Forestry and the minerals sector are vital to Ontario's economy. These sectors will continue to drive the North's economy through innovation, value-added products and services, and sustainable resource management practices. The North's fertile agricultural areas have growth opportunities in local and niche markets, while a freshwater aquaculture industry is fueled by local and global demand for new, environmentally sustainable sources of fish. Across each of these sectors, opportunities exist in the emerging bioeconomy such as forest-based biomass, bioplastics, agrifuels and biopharmaceuticals.



Within arts and cultural industries, as well as in the tourism sector, competitive advantages arise from the North's unique history, culture and natural environment. This includes gaining an appreciation of the history and culture of Aboriginal peoples and Northern Ontario's French-speaking population, reconnecting with nature, and enjoying the diversity and vibrancy of urban communities.



Driven by innovation and entrepreneurship, the digital economy is creating new career paths for youth, expanding access to health, education and other services, and capitalizing on a bilingual workforce for back-office firms.

The North is home to advanced manufacturing industries, including steel and equipment manufacturing, that gain advantage, in part, from proximity to resources and the shipping channels of the Great Lakes.

The health sciences sector is capitalizing on the region's innovations in health delivery and its renowned medical research and science facilities. To bridge the region's vast geography, a strong transportation and aviation sector has also emerged.

Combining the region's natural assets and strong reputation for environmental stewardship generates opportunities in renewable energy, water technologies, and other environmental technologies.

Each of these sectors has an important role to play in the growth of the northern economy. Across all of these sectors, this Plan emphasizes the value of innovation, collaboration, entrepreneurship, research, and environmental stewardship. A forward-thinking approach also includes labour market planning to prepare the workforce for emerging opportunities.

## 2.2 AN ECONOMIC ACTION PLAN FOR NORTHERN ONTARIO

- 2.2.1 The Province will collaborate with the federal government, as well as business and industry, municipalities, Aboriginal communities and organizations, the education and research sectors, and community organizations on economic development strategies for existing and emerging priority economic sectors as set out in Policies 2.2.2, 2.2.3 and 2.2.4. This collaboration will include ongoing policy research related to northern economic and community development.





2.2.2 The Province will focus economic development strategies on the following existing and emerging priority economic sectors and the distinct competitive advantages that Northern Ontario can offer within these sectors:

- a) advanced manufacturing
- b) agriculture, aquaculture and food processing
- c) arts, culture and creative industries
- d) digital economy
- e) forestry and value-added forestry-related industries
- f) health sciences
- g) minerals sector and mining supply and services
- h) renewable energy and services
- i) tourism
- j) transportation, aviation and aerospace
- k) water technologies and services.

2.2.3 Economic development strategies for existing and emerging priority economic sectors will examine opportunities to:

- a) strengthen networks and collaboration among businesses, industry, the education and research sectors, economic development organizations and northern communities
- b) attract investment



- c) grow and retain existing competitive businesses, including export development activities and diversification into value-added business opportunities
- d) respond to labour market needs and opportunities through education, training and entrepreneurship supports

- e) support research tailored to the Northern Ontario context to inform business development and infrastructure planning
- f) improve the clarity and efficiency of the provincial regulatory and legislative framework
- g) integrate sector considerations in labour market and infrastructure planning.

2.2.4 The Province will bring an integrated approach to these economic development strategies through the creation of regular five-year economic action plans for Northern Ontario that address:

- a) the emergence and development of the existing and emerging priority economic sectors
- b) existing and emerging priority economic sectors that should be the focus of economic development efforts for the next five-year period.

2.2.5 Industry will be encouraged to participate in the development and implementation of the Province's five-year economic action plans and regional economic plans.

2.2.6 The Province will work to attract investment to Northern Ontario through:

- a) integrated and timely one-window response to investment opportunities
- b) measures to address barriers to investment such as information and communications technology infrastructure energy costs labour and transportation
- c) working with other orders of government to co-ordinate approvals and address complex interjurisdictional issues.





## 2.3 A GROWING AND DIVERSIFIED ECONOMY

- 2.3.1 In addition to the matters identified in Policy 2.2.3, economic development initiatives undertaken by the appropriate parties to grow and diversify each existing and emerging priority economic sector, should include but not be limited to the measures described in Policies 2.3.2 through 2.3.12.

### 2.3.2 Advanced Manufacturing

1. Efforts by the Province, industry and, where appropriate, other partners, to grow and diversify the advanced manufacturing sector should include:
  - a) supporting innovation, research and commercialization of value-added products and services in the existing and emerging priority economic sectors
  - b) working with prospective investors to identify Northern Ontario opportunities.

### 2.3.3 Agriculture, Aquaculture and Food Processing

1. Efforts by the Province, industry and, where appropriate, other partners, to grow and diversify the agriculture, aquaculture and food processing sector should include:
  - a) undertaking and disseminating research focused on northern climatic and environmental conditions
  - b) identifying opportunities for developing the bioeconomy within this sector, including innovative uses of agriculture/food processing, biomass, and collaboration among producers, processors, the forest industry, biorefineries and the biopharmaceutical industry
  - c) identifying land improvement and environmental sustainability needs



- d) expanding production in the North to contribute to a sustainable local food source for Northern Ontario residents
- e) exploring opportunities for complementary economic activities on agricultural land as appropriate

- f) supporting buy-local initiatives that increase consumer awareness of Ontario-produced foods and encourage Ontarians to buy locally, including Northern Ontario products
- g) marketing and branding that showcases environmental stewardship, innovation and food safety
- h) supporting development of production, processing and distribution systems.

#### 2.3.4 Arts, Culture and Creative Industries

1. Efforts by the Province, industry and, where appropriate, other partners, to grow and diversify the arts, culture and creative industries sector should include:
  - a) creating opportunities for cultural and artistic expression in urban, rural and remote communities, particularly among youth
  - b) promoting incentives for film and television, interactive digital media, and computer animation and special effects
  - c) expanding access to information and communications technology infrastructure
  - d) celebrating the unique cultures and histories of the peoples of Northern Ontario
  - e) supporting postsecondary education and training programs in digital media.

#### 2.3.5 Digital Economy

1. Efforts by the Province, industry and, where appropriate, other partners, to grow and diversify the digital economy sector should include:
  - a) expanding access to information and communications technology



infrastructure to address current and future needs of businesses, organizations and private citizens

- b) supporting postsecondary education and training programs in digital media



- c) encouraging adoption of current information and communications technologies.

### 2.3.6 Forestry and Value-Added Forestry-Related Industries

1. Efforts by the Province, industry and, where appropriate, other partners, to grow and diversify the forestry and value-added forestry-related industry sectors should include:

- a) marketing that showcases Ontario as a global leader in environmentally sustainable forestry and forest stewardship
- b) maximizing the value from the timber resource and optimizing the use of unused fibre
- c) providing a greater role for market forces in the pricing and allocation of Crown timber
- d) creating financially self-sufficient business entities to manage Crown forestry resources on an economically efficient scale
- e) supporting ongoing collaboration among the Province, industry and other partners through a cluster council
- f) encouraging and promoting opportunities for wood construction and the use of wood in public building projects
- g) optimizing forestry's role in carbon trading and sequestration opportunities
- h) identifying opportunities for developing the bioeconomy within this sector, including innovative uses of forestry biomass, and collaboration between pulp and paper mill operators and future biorefineries in Northern Ontario and the chemical, energy, plastics and automotive

industries

- i) adopting innovations in the replanting and regeneration of Ontario's forests
- j) supporting research and commercialization expertise in the health, use and regeneration of Ontario tree species, climate change adaptation, and forestry-based bioproducts



k) expanding access to forest resource information

l) facilitating the entry of new participants and entrepreneurs, including Aboriginal businesses, co-operatives and commercial developers.

#### 2.3.1 Health Sciences

1. Efforts by the Province, industry and, where appropriate, other partners, to grow and diversify the health sciences sector should include:

a) leveraging Northern Ontario's expertise in electronic and distributed health delivery systems and technology into new business and export opportunities

b) identifying opportunities for developing biopharmaceuticals and promoting cross-sector collaboration

c) investing in health sciences research and development.

#### 2.3.8 Minerals Sector and Mining Supply and Services

1. Efforts by the Province, industry and, where appropriate, other partners, to grow and diversify the minerals and mining supply and services sectors should include:

a) marketing that showcases Ontario as a global leader in environmentally sustainable mineral development and stewardship

b) creating new value-added resource sector opportunities through research, development and application of advanced processing and manufacturing technologies

c) expanding the mining supply and services industry, increasing exports, and supporting particular areas of competitive advantage including deep mining techniques and clean technologies

d) improving timeliness and clarity in regulatory processes, supported by a one window, co-ordinated process for approvals



- e) expanding geoscience mapping and data collection and public access to resource information to expedite the discovery and development of new minerals and other resources
- f) investing in research and innovation that improves the efficiency of industry operations, with an emphasis on extraction and exploration technologies, environmental technologies, and mine closure and rehabilitation processes
- g) enabling new mining opportunities
- h) facilitating partnerships among communities and industry to optimize community employment and benefits
- i) facilitating the entry of new participants and entrepreneurs, including Aboriginal businesses, co-operatives and commercial developers.

#### 2.3.9 Renewable Energy and Services

1. Efforts by the Province, industry and, where appropriate, other partners, to grow and diversify the renewable energy sector should include:
  - a) facilitating the entry of new participants and entrepreneurs, including Aboriginal communities, co-operatives and commercial developers, in the development of renewable energy generation and sustainable energy solutions
  - b) attracting investment by enabling municipalities and local distribution companies to invest in community-based renewable energy projects
  - c) identifying and promoting manufacturing and service industries related to renewable energy generation
  - d) undertaking an approach to energy planning that supports regional needs by applying staged, flexible options that effectively address the unique needs and priorities of all communities, including those not connected to the grid, as well as the industrial sector in the North
  - e) promoting Northern Ontario as a location for renewable energy



investment research and commercialization.

### 2.3.10 Tourism

1. Efforts by the Province, industry and, where appropriate, other partners, to grow and diversify the tourism sector should include:
  - a) investing in strategic public infrastructure and the provincial parks system to improve the competitiveness of the tourism industry and enhance the visitor experience
  - b) improving training and skills development in strategic areas such as e-technology, marketing, business planning and customer service to enable the tourism industry to better serve domestic and international travelers
  - c) encouraging regional co-operation to expand and diversify Northern Ontario's tourism offerings and increase tourism visitation and receipts
  - d) encouraging regions and communities to undertake cultural planning that identifies opportunities for promoting tourism, including Aboriginal niche tourism opportunities, and building on the presence of a strong Francophone community to tap into French-speaking markets
  - e) encouraging new, flexible and high-quality tourism products for domestic and international visitors
  - f) linking Northern Ontario tourism to provincial and national marketing campaigns and promoting the uniqueness of the Northern Ontario experience.

### 2.3.11 Transportation, Aviation and Aerospace

1. Efforts by the Province, industry and, where appropriate, other partners, to grow and diversify the transportation, aviation and aerospace sector should include:
  - a) capitalizing on Northern Ontario's extensive knowledge and experience in air transportation to rural and remote communities
  - b) encouraging the development and application of innovative aviation technologies, training and infrastructure.





### 2.3.12 Water Technologies and Services

1. Efforts by the Province, industry and, where appropriate, other partners, to grow and diversify emerging opportunities in the water, wastewater and stormwater technologies and services sector should include:

- a) supporting and promoting research opportunities

encouraging collaboration among Northern Ontario's water technology industries and key water users, including communities, and forestry, mining and renewable energy sectors

## 4.2 LONG-RANGE PLANNING FOR ALL COMMUNITIES

4.2.1 All municipalities should, either individually, or collaboratively with neighbouring municipalities and Aboriginal communities, prepare longterm community strategies. These strategies should support the goals and objectives of this Plan, identify local opportunities to implement the policies of this Plan, and be designed to achieve the following:

- a) economic, social and environmental sustainability
- b) accommodation of the diverse needs of all residents, now and in the future
- c) optimized use of existing infrastructure
- d) a high quality of place
- e) a vibrant, welcoming and inclusive community identity that builds on unique local features
- f) local implementation of regional economic plans, where such plans have been completed.

4.2.2 Municipalities and planning boards are encouraged to:

- a) align their official plan policies with their long-term community strategies developed in accordance with Policy 4.2.1
- b) employ the use of available tools to support and facilitate land-use planning that implements their long-term community strategies.

4.2.3 The Province will encourage collaboration with Aboriginal communities in land-use planning in accordance with the Policies in 7.5.

# Infrastructure

## 5.1 PREAMBLE

Efficient, modern infrastructure is critical to Northern Ontario's future. Transportation, education, health, energy, water and wastewater infrastructure, information and communications technology and community infrastructure are the building blocks for economic growth. Throughout this Plan, policies and priorities are identified related to skills development, health, research and development, business innovation, sector diversification, and much more. The success of each of these will depend on the necessary infrastructure being in place to support and sustain them.

Transportation infrastructure, including roads, rail, air, and waterways, connects communities within the North to one another and to the rest of the world. Northerners often need to travel great distances to access work, education and health services. Northern businesses need to be able to reach markets around the world. For Northern Ontario's remote communities, winter roads and air transportation are vital lifelines for fuel, food, basic amenities and access to education, health and emergency services. An integrated, long-term transportation plan is needed to maintain and enhance the North's transportation infrastructure and to improve connectivity among the various modes of travel.

Information and communications technology infrastructure is now core infrastructure for businesses and industries of all sizes. It is critical to the delivery of education and health services and it has become mainstream in communications, social interaction and leisure activities. In a global marketplace, access to current information and communications technologies has become a



minimum requirement for businesses to operate competitively. Infrastructure for modern and efficient information and communications technology is particularly important to rural and remote communities. It provides residents with access to information, public services, health support, education and training, and employment opportunities.

Energy generation and transmission infrastructure in Northern Ontario supports all sectors of the northern economy, particularly large energy users in the manufacturing and resource sectors. It also supplements the energy supply to other parts of the province. The availability of renewable resources, such as hydro-electric, wind and biofuels, places the North at a significant competitive advantage when it comes to expanding Ontario's renewable energy supply. Investment in Northern Ontario's energy generation and transmission infrastructure supports the growth and development of the energy sector and also provides secure and reliable energy supply for all sectors of the northern economy.

This Plan provides a vehicle for aligning and co-ordinating infrastructure investments to support its economic development priorities, and to meet the needs of existing and future residents. This requires working closely with partners including the federal government and municipalities.

## 5.2 CO-ORDINATED, STRATEGIC INFRASTRUCTURE INVESTMENTS

5.2.1 Infrastructure planning, land-use planning, and infrastructure investments will be co-ordinated to implement this Plan.

Infrastructure includes, but is not limited to: transportation systems, water and wastewater infrastructure, waste management systems, energy infrastructure, community infrastructure, and information and communications technology infrastructure.

5.2.2 In Northern Ontario, the Province will give priority to infrastructure investments that support the policies in this Plan.

5.2.3 The Minister of Infrastructure will work with partner ministries, the federal government, and other public sector partners to identify strategic infrastructure needs to support the implementation of this Plan.

- 5.2.4 Infrastructure planning and investments will contribute to a culture of conservation by, wherever feasible, utilizing approaches and technologies that reduce energy and water use, increase efficiencies, and promote intensification and brownfield site redevelopment.
- 5.2.5 All municipalities are encouraged to co-ordinate with neighbouring communities and industry to improve the long-term viability and sustainability of infrastructure investments.

### 5.3 A MULTI-MODAL TRANSPORTATION SYSTEM

5

- 5.3.1 Transportation system planning, land-use planning, and transportation investments will be co-ordinated to implement this Plan.
- 5.3.2 The transportation system within Northern Ontario will be planned and managed with an emphasis on opportunities to:
  - a) optimize the capacity, efficiency and safety of the existing transportation system
  - b) link major markets, resource development areas, and economic and service hubs
  - c) meet the needs of the existing and emerging priority economic sectors and help implement regional economic plans
  - d) enhance connectivity among transportation modes including rail, road, marine and air
  - e) create or strengthen linkages between economic and service hubs and rural and remote communities
  - f) reduce emissions and other environmental impacts associated with transportation.

5.3.3 In recognition of the vital role that the air transportation network plays in Northern Ontario with respect to economic development, mobility, and access to core services such as health care and fire protection, the Province will participate in efforts with the federal government and municipalities to develop business development strategies for northern airports that address capital and operating needs and financing options.

5.3.4 The Province will work with partners to optimize the freight transportation and tourism development potential of northern waterways and ports in an environmentally responsible way.

5.3.5 The Province will work with remote communities and other orders of government to realign winter roads and work towards improved access for residents of these communities.

#### 5.4 EDUCATION INFRASTRUCTURE

5.4.1 The Province will work with the education, research and economic development sectors to increase access to education and training in Northern Ontario through innovative approaches to distributive education including:

- a) technologies to deliver on-site training in rural communities
- b) multi-use facilities for learning and training
- c) strengthening partnerships among school boards, training boards, postsecondary institutions including Northern Ontario's French-language colleges and bilingual universities, Aboriginal education and training organizations, distance learning networks, innovation centres and industry.

## 5.5 INFORMATION AND COMMUNICATIONS TECHNOLOGY INFRASTRUCTURE

5.5.1 Investments in information and communications technology infrastructure will support:

- a) economic development, including the implementation of Policy 2.2.1, as well as the implementation of regional economic plans as described in the Policies in 4.5
- b) educational attainment, including the implementation of Policy 3.2.1
- c) access to health care services, including the implementation of Policy 3.4.2
- d) public safety and emergency preparedness.

## 5.6 ENERGY

5.6.1 The Province, working with the Ontario Power Authority and licensed transmission and distribution companies, will identify investment opportunities in Northern Ontario's transmission and distribution systems to maintain reliability, meet new and growing demands, and accommodate renewable energy generation.

5.6.2 The Province will work with Hydro One, the Ontario Power Authority, remote off-grid communities and the federal government to identify opportunities and assess the feasibility of long-term alternatives to diesel-generated power.

5.6.3 The Province will work with the Ontario Power Authority and local distribution companies to seek opportunities to increase the efficiency of energy use in Northern Ontario communities

5

Infrastructure

8



## 8.1 PREAMBLE

This Plan has been prepared under the Places to Grow Act, 2005. It is a long-term framework to guide planning and decision-making over the next 25 years. This Plan sets out a vision and a series of policies that are designed to build stronger and more prosperous communities that are well-equipped to take advantage of new and emerging economic opportunities. Successful implementation of this Plan will require collaboration and partnerships that build upon the unique strengths of the North, its people, and its economy.

Some of the policies in this Plan will be supported by short-term actions that are implemented in the near future, both to achieve immediate outcomes and to lay the foundation for longer-term directions. Other policies will be supported by longer-term actions that are implemented over the course of several years.

While this Plan is a Government of Ontario plan, and the Ontario Ministries of Infrastructure and Northern Development, Mines and Forestry will lead this Plan's overall implementation, its success will be a collective effort, involving all communities, all orders of government, and all sectors of Northern Ontario. It will require collaboration within and among provincial, municipal, and federal governments, Aboriginal communities and organizations, Francophone organizations, industry, businesses, labour organizations, community organizations, and education and research institutions.

Ontario will work to engage the federal government as a key partner and explore opportunities to align federal policy and investment planning with the policies of this Plan and to support this Plan's implementation.

Aboriginal communities and organizations will play a key role in economic, infrastructure, labour force, and community planning both within Aboriginal communities and as partners in broader regional initiatives.

All communities in Northern Ontario will play an important role in the implementation of this Plan. They will be the driving forces at the local level with respect to economic, infrastructure, labour force, and community planning. All communities in Northern Ontario will be responsible for the implementation of this Plan through decisions that conform to this Plan and amending official plans to conform with this Plan.

Business and industry and their associations will be important contributors to economic development planning, including regional economic plans and sectoral development strategies. Their leadership and innovation across all sectors and all business areas will be essential to Northern Ontario's success.

Educational institutions will be the key partners in developing the skills and capacities of Northern Ontario residents, and leading the research that will position the North for economic success.

The Province will continue to engage northerners so that their views and aspirations shape this Plan's implementation. This work will include dialogue and information sharing to build understanding of this Plan's directions and to actively involve northerners in this Plan's delivery. This engagement will be supported by monitoring and performance measures that provide a continuing assessment of the status of this Plan's implementation.



## 8.2 AN ENGAGED AND INFORMED POPULATION

8.2.1 The Province will work to implement the policies of this Plan in a manner that is responsive to Northern Ontario through:

- a) establishing a northern policy institute
- b) seeking out the views and aspirations of Northern Ontario residents and businesses
- c) using a variety of consultation mechanisms, in both English and French, such as, regional public meetings and online consultation
- d) including individuals and organizations that possess expertise related to Northern Ontario's strengths, needs, and opportunities, where appropriate, on technical working groups, public boards, agencies, and commissions.

8.2.2 The Minister of Infrastructure and the Minister of Northern Development, Mines and Forestry will involve northerners in the implementation of this Plan, and will provide information to build understanding of this Plan and facilitate informed involvement in the implementation of this Plan.

## 8.3 CO-ORDINATED AND COLLABORATIVE DECISION-MAKING

8.3.1 A co-ordinated approach will be taken within the Province to implement this Plan.

8.3.2 Provincial ministries will work to implement the priorities and policies of this Plan in developing new programs or capital investments or when implementing existing programs or initiatives.

8.3.3 The Province will work collaboratively with other partners including the federal government, municipalities, Aboriginal communities and organizations, Francophone organizations, businesses, industry associations and community stakeholders to implement this Plan.

8.3.4 The Province will work with the federal government and municipalities to integrate regulatory and other approvals processes, where appropriate.



## 8.4 MONITORING AND PERFORMANCE MEASURES

- 8.4.1 The Minister of Infrastructure and the Minister of Northern Development, Mines and Forestry will jointly monitor overall implementation of this Plan and report on what progress provincial ministries and municipalities have made to implement the policies in this Plan.
- 8.4.2 The Minister of Infrastructure and the Minister of Northern Development, Mines and Forestry will work with external partners to develop a set of performance indicators to assist in Plan monitoring and reporting as set out in Policy 8.4.1.
- 8.4.3 Success in achieving this Plan's outcomes will, in part, be measured by assessing progress in:
- a) attracting investment and business growth in Northern Ontario
  - b) diversifying the North's economic base
  - c) supporting education and skills development of the North's workforce
  - d) increasing the involvement of Aboriginal peoples in the northern economy
  - e) improving the connectivity of the northern population through information technologies.

It is further acknowledged that long-term progress in these areas requires sustained, co-ordinated efforts by the Province and all its external partners.

- 8.4.4 The Province is further committed to the development of performance measures for ministry-specific initiatives that support implementation of the policies in this Plan.

## 8.5 GENERAL IMPLEMENTATION

- 8.5.1 This Plan, including preamble sections, policies, definitions, schedule and appendices should be read in its entirety and all relevant policies are to be applied to each situation.
- 8.5.2 Terms in italics are defined in the Definitions section of this Plan. The definitions apply to these italicized terms regardless of whether the terms are singular or plural.
- 8.5.3 In the Definitions section, sources have been cited where the definitions are the same or have the same content as the definitions provided in the policy or statute cited.
- 8.5.4 Unless otherwise stated, the boundaries and lines displayed on Schedule 1 provide general direction only and are not to scale.
- 8.5.5 Where this Plan indicates that further analysis and assessment will be carried out but the analysis has not been completed, all relevant policies of this Plan continue to apply and any policy that relies on information that will be available from further analysis should be implemented to the fullest extent possible.
- 8.5.6 Where policies contain a list of sub-policies, the list of sub-policies is to be applied in its entirety unless otherwise specified.







## **Appendix B**

### **Environmental Protection Act Loi sur la protection de l'environnement**

#### **ONTARIO REGULATION 359/09**

#### **RENEWABLE ENERGY APPROVALS UNDER PART V.0.1 OF THE ACT**

##### **Consultation with public**

**16.** (1) A person who proposes to engage in a renewable energy project shall hold at least two public meetings, each on a separate day, in accordance with this section,

(a) in each local municipality in which the project location is situated; and

(b) if the project location is in unorganized territory,

(i) within 25 kilometres of the project location, or

(ii) in the local municipality that is closest to the project location, if there is no appropriate place to hold a public meeting in the area described in subclause (i). O. Reg. 359/09, s. 16 (1).

(2) During a period of at least 30 days immediately before the first public meeting is held, a person mentioned in subsection (1) shall make available a draft of the project description report prepared in accordance with Table 1 by,

(a) posting the drafts on the person's website, if the person has a website;

(b) making paper copies of the drafts available to the public in each local municipality and in each part of unorganized territory in which the project location is situated;

(c) making paper copies of the drafts available in any aboriginal community on the list obtained under section 14, if the aboriginal community agrees to the making of the drafts available in the community; and

(d) distributing the drafts to each aboriginal community mentioned in subparagraph 5 ii of subsection 15 (6). O. Reg. 521/10, s. 8.

(3) Revoked: O. Reg. 521/10, s. 8.

(4) At the first public meeting that is held, a person mentioned in subsection (1) shall make a draft of the project description report prepared in accordance with Table 1 available for inspection. O. Reg. 359/09, s. 16 (4).

(5) During a period of at least 60 days before the final public meeting is held, a person mentioned in subsection (1) shall make available drafts of all documents mentioned in subsection (6) by,

- (a) posting the drafts on the person's website, if the person has a website;
  - (b) making paper copies of the drafts available to the public in each local municipality and in each part of unorganized territory in which the project location is situated;
  - (c) making paper copies of the drafts available in any aboriginal community on the list obtained under section 14, if the aboriginal community agrees to the making of the drafts available in the community; and
  - (d) distributing the drafts to each aboriginal community mentioned in subparagraph 5 ii of subsection 15 (6). O. Reg. 359/09, s. 16 (5).
- (6) For the purposes of subsection (5), drafts of the following documents shall be made available if they are to be submitted as part of the application for the issue of a renewable energy approval:
- 1. All documents required under this Part to be submitted as part of the application, other than the consultation report prepared in accordance with Table 1.
  - 2. All documents that are to be submitted as part of the application for the purposes of obtaining an exemption from a provision of Part V. O. Reg. 359/09, s. 16 (6).

...

### **Consultation with municipalities, local authorities**

**18.** (1) A person who proposes to engage in a renewable energy project shall, in accordance with subsections (3) and (4), distribute drafts of the documents mentioned in subsection (2) to,

- (a) the clerk of each local municipality and upper-tier municipality in which the project location is situated;
- (b) the secretary-treasurer of the local roads board of each local roads area in which the project location is situated; and
- (c) the secretary of the Local Services Board of each board area in which the project location is situated. O. Reg. 521/10, s. 11.

(2) The documents referred to in subsection (1) are:

- 1. A project description report.
- 2. A document mentioned in subsection 16 (6), other than the documents described in clauses 22 (3) (a), 23 (3) (a), 28 (3) (b) and (c), 38 (2) (b) and (c), 41 (5) (b) and (c) and 43 (3) (b) and (c).
- 3. A consultation form. O. Reg. 521/10, s. 11.

(3) If section 16 applies,

- (a) the documents referred to in paragraphs 1 and 3 of subsection (2) shall be distributed under subsection (1) at least 30 days before the first public meeting is held for the purposes of subsection 16 (1); and
- (b) the documents referred to in paragraph 2 of subsection (2) shall be distributed under subsection (1) at least 90 days before the final public meeting is held for the purposes of subsection 16 (1). O. Reg. 521/10, s. 11.

(4) If section 16 does not apply, the documents referred to in paragraphs 2 and 3 of subsection (2) shall be distributed under subsection (1) at least 30 days before an application for a renewable energy project is submitted to the Director. O. Reg. 521/10, s. 11.

(5) The consultation form referred to in paragraph 3 of subsection (2) shall be distributed for the purpose of consulting on matters relating to municipal or local infrastructure and servicing and shall be in a form and format approved by the Director. O. Reg. 521/10, s. 11.

(6) This section does not apply to a person who proposes to engage in a renewable energy project in respect of a Class 2 wind facility. O. Reg. 521/10, s. 11.