



Department of Municipal Affairs

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File No.: 09-11-0016
Log No.: 25-028

July 30, 2025

Keith MacDonald
CAO
Municipality of the County of Inverness
375 Main Street
Port Hood, NS B9A 2R7

Dear Keith MacDonald:

Re: Municipal Planning Strategy and Land Use By-law Amendments: Wind Turbines

Adopted by Council of the Municipality of the County of Inverness: May 22, 2025

Pursuant to Section 208(6) of the *Municipal Government Act*, the Minister of Municipal Affairs has approved, with amendments, the above-noted Planning documents.

Every municipality is required to adopt Planning documents that are reasonably consistent with the Minimum Planning Requirements Regulations. The above-noted documents were determined to not meet the provisions in the Regulations that set out the maximum setback from residences. Council has made other amendments to setbacks that do not have a clear rationale or that appear to be based on "visual impact," which is not something that Council can consider under the Regulations.

The amendments made by the Minister are to ensure that the wind turbine regulations do not conflict with Minimum Planning Requirements Regulations.

Subsection 208(8) requires that Council cause a notice to be published in the local newspaper or on the Municipality's website advising that the documents are in effect on the date of the notice and stating where they may be inspected.

Enclosed are two copies of the Planning documents, each with a copy of the Minister's approval of the documents, with amendments.

Should you have any questions regarding the above, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Graham Fisher".

Graham Fisher
A/Provincial Director of Planning
(Graham.Fisher@novascotia.ca / 902.424.2990)

Encl.
/kz

MUNICIPALITY OF THE COUNTY OF INVERNESS
MUNICIPAL PLANNING STRATEGY AND LAND USE BY-LAW AMENDMENTS
CONCERNING WIND TURBINE DEVELOPMENT
APPROVED BY COUNCIL OF THE MUNICIPALITY OF THE COUNTY OF
INVERNESS: MAY 22, 2025

REFUSAL TO APPROVE

The following amendments to the Land Use By-Law (LUB), adopted by the Council of the Municipality of the County of Inverness at a meeting held on May 22, 2025, pursuant to subsection 208(6) of the *Municipal Government Act*, are *not* approved:

- In Section 4.4(c) **and public highways**
 - In Section 4.4(c) ~~10 metres (32.8 feet)~~ **50 metres (164 feet)**
 - In Section 4.4(e) ~~and public highways~~
 - In Section 4.4(f) ~~100~~ **2,000**
-

APPROVAL WITH AMENDMENTS

The Municipal Planning Strategy (MPS), adopted by the Council of the Municipality of the County of Inverness at a meeting held on May 22, 2025, and the remaining sections of the LUB, pursuant to Subsection 208(6) of the *Municipal Government Act*, are approved with the following amendments:

AMENDMENT #1

In the LUB section 4.4 a), remove “Minimum setback from all residences, except residences located on the same lot as the wind turbine, shall be **the greater of 1500 meters or five (5) times the height of the turbine.**”

And replace with the following text:

“The minimum setback from all residences, except residences located on the same lot as the wind turbine, shall be four (4) times the height of the turbine.”

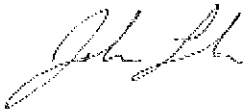
AMENDMENT #2

In the Land Use By-law, remove the following text from section 4.4.c): "~~rotor turbine, measured from grade to the highest point of the rotors arc;~~"

And replace with the following text under 4.4.c):

"turbine."

Dated at Halifax Regional Municipality, Nova Scotia, this 29th day of July, 2025.



Honourable John A. Lohr
Minister of Municipal Affairs

Amending Pages as recommended to Council from the November 21, 2025 Inverness County Planning Advisory Committee.

Please note specifically the change in 4.4(a) of amendments proposed for the Land Use Bylaw from 1,000 metres (Staff Report Recommendation) to 1,500 metres.

**A BYLAW TO AMEND THE INVERNESS COUNTY MUNICIPAL PLANNING
STRATEGY CONCERNING THE REGULATION OF WIND TURBINE
DEVELOPMENT**

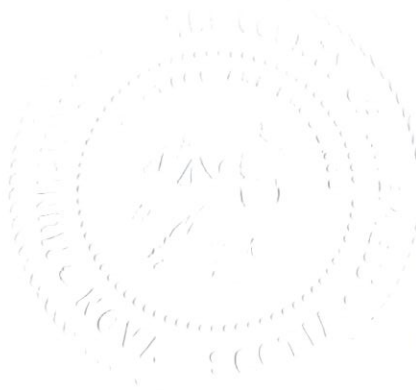
The Municipal Planning Strategy for Inverness County Concerning the Regulation of Wind Turbine Development is hereby amended by:

1. Removing to the following text shown in strikethrough to Policy R-5
the subsequent: Policy R-5

Council shall establish minimum lot size and setback requirements from all property lines for wind turbines in the General Resource (GR-1). Notwithstanding this minimum setback requirement, where a ~~domestic-scale~~ wind turbine development is proposed on a lot where the immediately adjacent property is subject to a long term lease for the ~~domestic wind-turbine~~ use, the setback requirement for the turbine from a property line shall not apply.

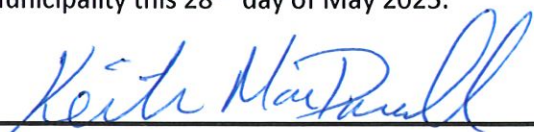
2. Adding to the following text in **bold** to Policy R-5 the subsequent:
Policy R-6

Council shall allow consenting landowners to waive setback requirements for domestic scale and utility scale turbines.



This is to certify that the by-law of which this is a true copy, was passed at a duly called meeting of the Municipal Council of the Municipality of the County of Inverness held on the 22nd day of May 2025.

Given under the hand of the Municipal Clerk and under the corporate seal of the Municipality this 28th day of May 2025.



Mr. Keith MacDonald, CAO

**A BY-LAW TO AMEND THE INVERNESS COUNTY LAND USE BY-LAW
CONCERNING THE REGULATION OF WIND TURBINE DEVELOPMENT**

1. The "Table of Contents" of the Land Use By-law is hereby amended by renumbering the page numbers accordingly for each Part and Section.
2. Part 4: "General Resource (GR-1) Zone" of the Land Use By-law is hereby amended by removing the following text shown in strikethrough and adding the following text in **bold** to Section 4.4:

REQUIREMENTS RELATING TO UTILITY SCALE WIND TURBINES

4.4 Further to Section 4.2 of this By-law, no person shall erect a utility scale wind turbine in the General Resource (GR-1) Zone except in accordance with the following requirements:

- a) Minimum setback from all residences, except residences located on the same lot as the wind turbine, shall be ~~600 metres (1969 feet). There is no setback requirement from residences located on the same lot;~~ **the greater of 1500 meters or five (5) times the height of the turbine.**
- b) The minimum separation distance between turbines shall be equal to the height of the tallest turbine;
- c) Minimum setback from all property lines **and public highways** shall be ~~10 metres (32.8 feet)~~ **50 metres (164 feet)** plus 1.0 times the height of the ~~rotor~~ **turbine, measured from grade to the highest point of the rotors arc;**
- d) There are no setback requirements for new residences constructed subsequent to a utility scale wind turbine development;
- e) Minimum setbacks from watercourses ~~and public highways~~ shall be 60 metres;
- f) Minimum setback from all coastlines shall be ~~100~~ **2,000** metres; ~~and~~
- g) **An increased setback may be required for certain Utility Scale Wind Turbines, in excess of the minimum Setback as set out in subsections 4.4 (a) of this By-law, if an increased minimum setback is necessary that Utility Scale Wind Turbines shall not have an Ambient Degradation Noise Standard greater than 40 dB(A) as measured at existing residences; and**
- h) There shall be no signs, advertisements or objects attached to or added to the turbine(s).

3. Part 4: "General Resource (GR-1) Zone" of the Land Use By-law is hereby amended by removing the following text shown in strikethrough and adding the following text in **bold** to Section 4.5 and renumbering the section accordingly:

SPECIAL PROVISIONS

- 4.5 Notwithstanding the requirements of Sections 4.3 and 4.4 of this By-law, the following special provisions shall be considered:

...

*Exemption from **Boundary Setback***

- 4.5.6 The minimum setback from all adjacent lot boundaries ~~shall~~ may be waived or reduced if such adjacent property owner(s) agree(s) to grant an easement binding on the current and future landowners. **No waiver or reduction of the minimum setback from lot boundaries shall be granted if the waiver or reduction violates the applicable requirements Section 4.3 or Section 4.4, especially regarding any other landowner who has not provided written permission.**

4. Part 6: "Definitions" of the Land Use By-law is hereby amended by adding the following text in **bold**:

PART 6 DEFINITIONS

***A-Weighted Decibel or dB(A)* refers to a measurement of Environmental Noise, whereby A-frequency weighting used to compensate for the varying sensitivity of the human ear to sounds at different frequencies.**

***Ambient Degradation Noise Standard* refers to the average noise level over a specified period of time, usually composed of sound from many sources, near and far.**

Coastline refers to the part of land adjoining the ocean or its saltwater arms at the high water mark.

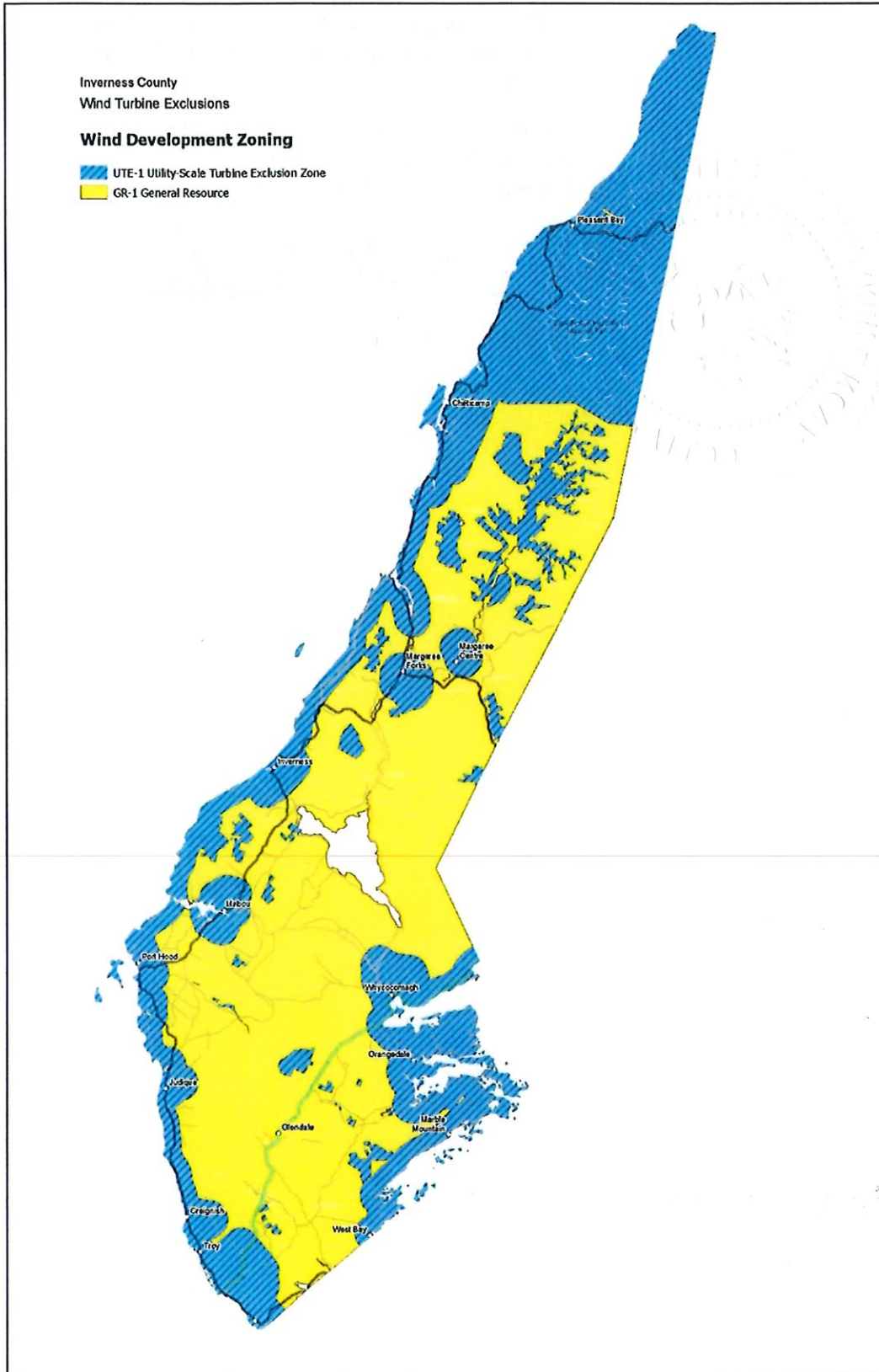
Domestic Wind Turbine refers to a device for converting wind power to electricity, which has a nameplate capacity of not more than 100 Kilowatts (kW) and which is intended primarily to reduce on-site consumption of utility power.

***Environmental Noise* refers to a measurement of the noise level already present within an environment in the absence of a wind turbine or wind farm.**

Height of Wind Turbine refers to the distance from the bottom of the turbine to the height of a rotor blade in vertical position.

...

5. Schedule "A" titled "Zoning Map" of the Land Use By-law is hereby amended by replacing the map with the map located below that is included in this set of amendments:



MEMO

This is to certify that the by-law of which this is a true copy, was passed at a duly called meeting of the Municipal Council of the Municipality of the County of Inverness held on the 22nd day of May 2025.

Given under the hand of the Municipal Clerk and under the corporate seal of the Municipality this 28th day of May 2025.

A handwritten signature in cursive script, appearing to read "Keith MacDonald", is written over a solid horizontal line.

Mr. Keith MacDonald, CAO