

## Wind Farm Approval Process

References: **Guide: Provincial Approvals for Renewable Energy Projects** [http://www.ene.gov.on.ca/en/business/green-energy/docs/REP\\_Guide.pdf](http://www.ene.gov.on.ca/en/business/green-energy/docs/REP_Guide.pdf)  
**Ontario Regulation 359/09**: search for this regulation at <http://www.search.e-laws.gov.on.ca>  
**Environmental Registry**: [http://www.ebr.gov.on.ca/ERS-WEB-External/content/about.jsp?f0=aboutTheRegistry.info&menuIndex=0\\_1](http://www.ebr.gov.on.ca/ERS-WEB-External/content/about.jsp?f0=aboutTheRegistry.info&menuIndex=0_1)

<b>Renewable Energy Approval (REA)</b>  Ministry of the Environment - Environmental Assessment and Approvals Branch	<b>Step 1: Pre-Submission</b>	<p><b>1. Engage in Project Planning:</b></p> <ul style="list-style-type: none"> <li>- Describe project</li> <li>- Conduct studies and complete construction, operating, and decommissioning plans</li> <li>- Obtain land lease options for properties</li> <li>- Determine turbine placement.</li> <li>- Setbacks are based on noise matrix and setbacks to non-participating land – See guide p. 41</li> <li>- Setbacks are required for natural features or a study is required if project is to be within these setbacks. Ministry of Natural Resources determines if features are significant, if at risk species of habitats are affected, and if approvals are required.</li> </ul> <p><b>2. Discuss project with the public:</b></p> <ul style="list-style-type: none"> <li>- Notify landowners within 120 metres of the project</li> <li>- Place a notice in a local newspaper – notice must be published on two separate days</li> <li>- Hold community consultation meeting at the start of project planning</li> <li>- Make any studies available for public review at least 60 days before REA application – on Invenergy project website</li> <li>- Hold final public consultation meeting once all of the information needed to make an REA application is gathered</li> </ul> <p><b>3. Discuss project with Aboriginal communities:</b></p> <ul style="list-style-type: none"> <li>- Obtain list of Aboriginal communities from Ministry of the Environment that must be notified or may have an interest in the environmental impact or rights that may be affected by it</li> <li>- Give notice and project information</li> <li>- Document results of discussions and measures to address any issues</li> </ul> <p><b>4. Discuss project with Municipalities:</b></p> <ul style="list-style-type: none"> <li>- Circulate Municipal Consultation Form to clerks at Municipalities (and upper-tier Municipalities), Local Roads Boards or Local Services Boards at least 90 days before submitting an REA application</li> <li>- Form addresses infrastructure/servicing (project area, property boundaries, road access, municipal service connections, traffic management plans, rehabilitation of areas/infrastructure damaged during construction, emergency management procedures)</li> <li>- Proponents must show how they addressed municipal concerns or why they were unable to do so</li> </ul>
	<b>Step 2: Consultation</b>	Optional consultation with: Ministry of the Environment, Ministry of Natural Resources, Conservation Authorities

	<b>Step 3: REA Application</b>	<ol style="list-style-type: none"> <li>1. Provide all required information to Ministry of the Environment <ul style="list-style-type: none"> <li>- Project Report (including information about the ownership of the land on which the project is to be located)</li> <li>- Construction Plan</li> <li>- Consultation Report: summary of communication with members of the public, Aboriginal Communities, Municipalities</li> <li>- Design and Operations Report</li> <li>- Decommissioning Plan</li> <li>- Technical Reports</li> <li>- Studies/information about impact on cultural resources (archeological and heritage), natural resources (areas of natural and scientific interest, significant woodlands and valleylands, significant habitat for wildlife including birds and bats, conservation reserves), water bodies.</li> </ul> </li> <li>2. Apply for other approvals and permits at this time</li> </ol>
	<b>Step 4: Public Notice to the Environmental Registry</b>	<ol style="list-style-type: none"> <li>1. Ministry of the Environment posts a notice on the Environmental Registry that an application has been made for an REA.</li> <li>2. The public can review and provide comments regarding the project on the Registry.</li> </ol>
	<b>Step 5: Decision</b>	<ol style="list-style-type: none"> <li>1. Ministry of the Environment considers application and all public comments received through the Environmental Registry.</li> <li>2. Ministry of the Environment and other Ministries post their decision on the Registry.</li> </ol>
	<b>Third Party Hearing</b>	A third party can request a hearing to the Environmental Review Tribunal within 15 days of the posting of the notice of the approval on the Environmental Registry.
<b>Ontario Power Authority</b>	Power Contract through Feed In Tariff program	
<b>Conservation Authority</b>	Some projects require permits	
<b>Ministry of Natural Resources</b>	Some projects require permits under the Endangered Species Act, Fish and Wildlife Conservation Act, approvals for water crossings (may include turbine access roads crossing streams), Aggregate Resource Act, MNR confirmation for dealing with natural features	
<b>Municipalities</b>	Building permits only. Renewable energy projects are no longer subject to zoning by-laws and official plans.	
<b>Ministry of Culture</b>	Some projects require authorization under the Ontario Heritage Act (archaeological and heritage resources)	
<b>Federal Involvement</b>	CBC Radio Advisory Board of Canada and Canadian Wind Energy Association Guidelines RCMP re: mobile communications services Transport Canada re: lighting and marking requirements for Canadian Aviation Regulations Aeronautical Obstruction Clearance Form Environment Canada if potential to impact migratory birds, water quality, or a National Weather Radar Station	