

Appendix D

Property Line Setback Assessment



North Kent Wind 1 Project Property Line Setback Assessment

Prepared for:

North Kent Wind 1 LP 2050 Derry Road West, 2nd floor Mississauga, ON L5N 0B9

Project Number:

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Date:

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1. Introduction

1.1 Purpose

The Property Line Setback Assessment was prepared to address Section 53 of Ontario Regulation 359/09 (O. Reg. 359/09). Section 53 requires a written assessment to identify any impacts to business, infrastructure, properties or land use activities resulting from a turbine location being proposed at a distance equal to or less than the hub height of the turbine (99.5 m) from an adjacent property line.

This Report has been prepared to assess proposed wind turbine locations within the North Kent Wind 1 Project that do not meet the minimum setback from neighbouring properties that are not participating in the Project. This setback is equal to the height of the wind turbine hub and is measured from the centre of base of the wind turbine to the lot line of the adjacent (non-participating) properties.

AECOM analyzed twenty-eight (28) turbines within the North Kent Wind 1 Project to evaluate any anticipated impacts to businesses, infrastructure, properties and land use activities and, where required, present mitigation measures to address any potential adverse impacts.

1.2 Legislation

As mentioned above, Section 53 of O. Reg. 359/09 outlines the setback requirements for Class 4 wind facilities such as the North Kent Wind 1 Project. Section 53 (1) (b) states that no person shall construct, install or expand a wind turbine as part of a Class 4 wind facility unless:

"the distance between the base of the wind turbine and all boundaries of the parcel of land on which the wind turbine is constructed, installed or expanded is equivalent to, at a minimum, the height of the wind turbine, excluding the length of any blades." (O. Reg. 359/09; MOECC, 2014)

This Property Line Setback Assessment fulfills Section 53 (3) which states that Section 53 (1) (b) does not apply if:

- a) "the distance between the base of the wind turbine and all boundaries of the parcel of land on which it is constructed, installed or expanded is equivalent to, at a minimum, the length of any blades plus 10 metres; and
- b) as part of an application for the issue of a renewable energy approval or a certificate of approval in respect of the construction, installation or expansion of the wind turbine, the person who is constructing, installing or expanding the wind turbine submits a written assessment,
 - i. demonstrating that the proposed location of the wind turbine will not result in adverse impacts on nearby business, infrastructure, properties or land use activities, and
 - ii. describing any preventative measures that are required to be implemented to address the possibility of any adverse impacts mentioned in subclause (i)". (O. Reg. 359/09; MOECC, 2014)

1.3 Project Description

The North Kent Wind 1 Project (the Project) is being proposed by North Kent Wind 1 LP, by its general partner, North Kent Wind 1 GP Inc. (North Kent Wind 1). North Kent Wind 1 is a joint venture limited partnership owned by affiliates of Pattern Renewable Holdings Canada, ULC (Pattern Development) and Samsung Renewable Energy, Inc. (Samsung Renewable Energy).



North Kent Wind 1 is proposing to develop a wind energy project located north of the City of Chatham in the Municipality of Chatham-Kent, Ontario. The Project will be located on both public and private lands. The location of the Project was developed based on interest expressed by local landowners, municipal support for the Project, the availability of wind resources and the availability of existing infrastructure for connection to the electrical grid.

The Project is generally bounded by Oldfield Line to the north, Bear Line Road to the west, Pioneer Line and Pine Line / Darrell Line to the south and Centre Side road and Caledonia Road to the east. The area encompassed by these boundaries is referred to as the Project Study Area (PSA). **Figure 1** shows a map of the PSA.

The Project will use wind to generate energy through the use of commercial wind turbine technology. The proposed wind turbine technology for this Project is a Siemens SWT-3.2-113 turbine (see example in **Figure 2**). As a note, the total number of turbines is dependent on the individual megawatts (MW) generation capacity of each turbine. With a nameplate capacity of up to 100 MW, the Project is categorized as a Class 4 wind facility and will be in compliance with the requirements outlined for such facilities.

Approximately 46 turbine locations are currently being assessed for the Project. It is important to note that the total number of turbines will depend on the nominal rating of each turbine.

A summary of key information regarding the Wind Turbine Generators is provided in **Table 1**.

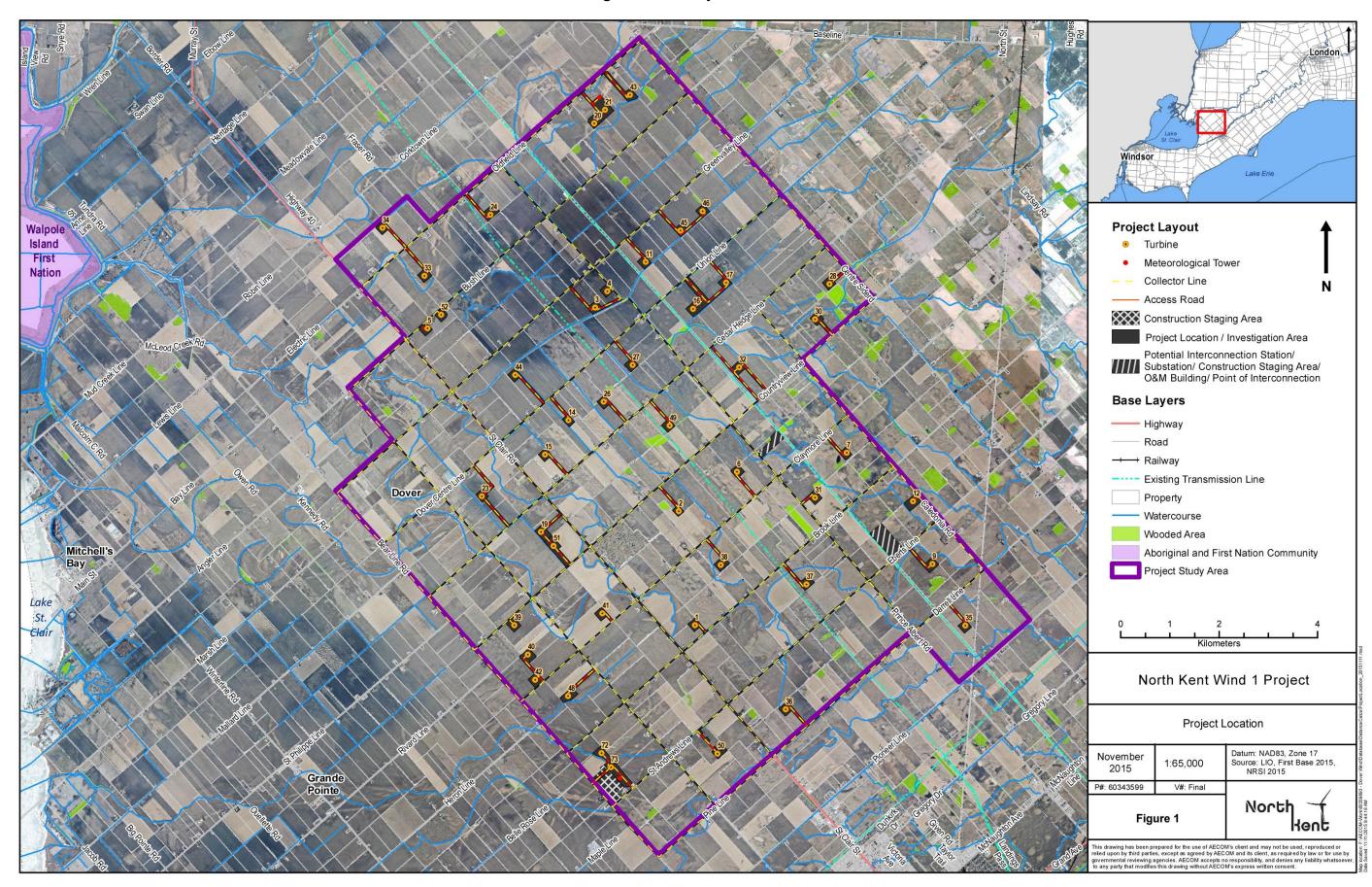
Table 1: Summary of Key Wind Turbine Generator Information

Wind Turbine Generators					
Make and Model	Siemens SWT-3.2-113				
Total Number Permitted	46 turbines				
Approximate Number Constructed	36 turbines				
Nominal Turbine Power	2.772 to 3.2 MW				
Number of Blades	3				
Blade Length	55 metres (m)				
Hub Height	99.5 m				
Rotor Diameter	113 m				
Cut-in Wind Speed	3 to 5 metres per second (m/s)				
Cut-out Wind Speed	32 m/s				
Rated Wind Speed	12 to 13 m/s				
Swept Area	10,000 metres squared (m ²)				
Foundation Dimensions	25 m diameter				

For this project there are twenty-eight (28) turbines which require further assessment to identify any potential impacts associated with siting the turbines closer than the turbine hub height (99.5 m) from a property line. Note, based on the turbine model listed in **Table 1** the minimum setback from a property line would be 65 m (blade length +10 m). For any turbines sited closer to a property line than 65 m, an agreement is required as per O. Reg. 359/09 (MOECC, 2014).



Figure 1: Project Location





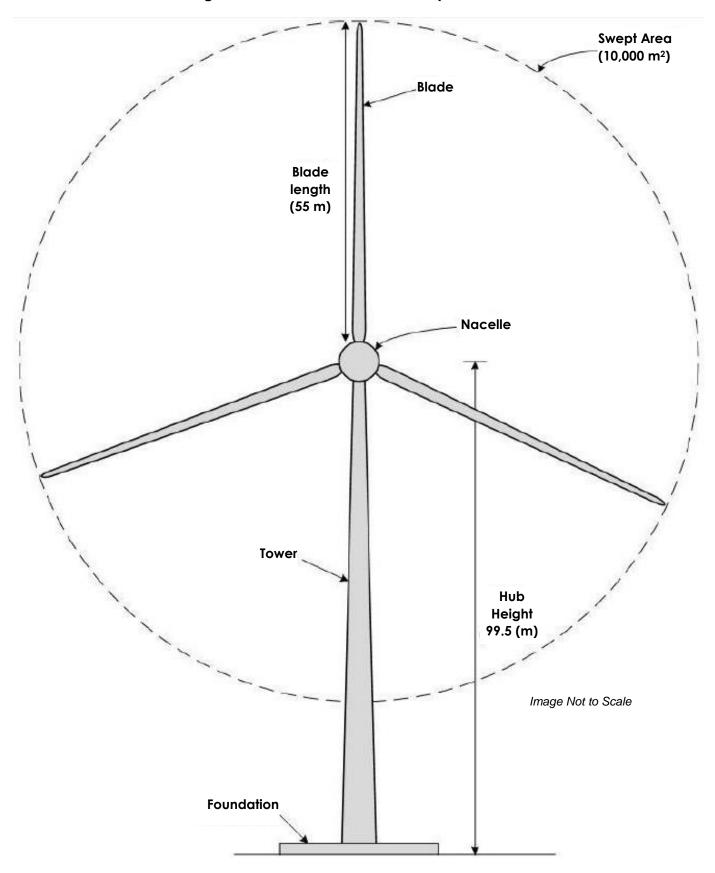


Figure 2: Basic Wind Turbine Specifications



2. Analysis

This report identifies turbines that were sited less than 101 m from a lot line through desktop analysis and field confirmation. It also provides an analysis of surrounding land uses, identification of potential impacts on surrounding land uses and applicable mitigation measures for such impacts. Although the wind turbine hub height is 99.5 m, the analysis includes an additional 1.5 m beyond the requirements to account for any potential errors with Geographical Information System (GIS) mapping and data. A detailed description of the methodology for this analysis is provided below.

1. Desktop Analysis of Setback Distances

AECOM used GIS base layers provided by North Kent Wind 1 to identify the distance in metres (m) between the base of the wind turbines and the adjacent property line. Based on a turbine hub height of 99.5 m, AECOM conducted an assessment of all turbines located within 101 m of a property line (Turbines 1, 2, 6, 9, 11, 12, 14, 15, 17, 19, 20, 24, 26-28, 35, 37, 40-41, 43-46, 48-51, 72).

2. Field Confirmation of Setback Analysis

AECOM field staff conducted a windshield survey of the properties assessed in the desktop analysis to confirm any new or demolished buildings that may not have been reflected in the GIS base layers. The field staff also determined the land uses of adjacent properties for each assessed property.

3. Analysis of Surrounding Land Uses

AECOM conducted a review of the Municipality of Chatham-Kent Official Plan (2014) and Comprehensive Zoning By-law (No. 216-2009) to confirm the land use characteristics of properties adjacent to the assessed property.

4. Identifying Potential Impacts on Surrounding Land Uses and Mitigation Measures
AECOM reviewed the potential impacts to surrounding land uses as a result of turbine operation at
a distance less than 101 m from adjacent property lines. Where potential impacts are identified,
the report includes recommend measures to mitigate such impacts. The following sections provide
a summary of the potential impacts and mitigation measures for each turbine.

2.1 Description

The wind turbines assessed in this report are located between 70.97 m to 100.89 m from non-participating property lines as depicted in **Appendix A** (Turbine Details and Photo Table) and **Appendix B** (Turbine Maps). The adjacent lands for all of the assessed turbines are entirely used for agricultural purposes, the majority of which is field crops. The Municipality of Chatham-Kent designates the adjacent properties as Agricultural in the Official Plan (2014) and zones the properties as either A1 or A1-1, both of which are Agricultural zones, in the Comprehensive Zoning Bylaw (2009). Land uses on the adjacent properties to the assessed wind turbines are restricted to agricultural uses and agriculturally-related uses.

2.2 Potential Effects

Adverse impacts to the adjacent properties from the reduced setback may include damage to field crops as a result of turbine failure. However, this potential impact already exists at a 99.5 m setback and is not significantly increased by a setback reduction of up to 28.53 m.



2.3 Mitigation Measures and Net Effects

Potential adverse impacts to adjacent properties would be mitigated by applying standard preventative measures that follow best management practices such as:

- certification of the wind turbine design by professional engineers;
- · regular maintenance and monitoring of the wind turbine; and,
- wind turbine shutdown protocols during extreme weather.

Applying these preventative measures would address any potential adverse impacts resulting from a setback distance less than the turbine's hub height of 99.5 m.



3. Conclusion

Based on the analysis of the twenty-eight (28) turbines requiring justification for the reduced property line setback, there are no anticipated adverse impacts for the reduced setbacks once the standard preventative measures based on best management practices have been applied. None of the assessed turbines will be sited less than 65 m from an adjacent property and therefore no agreements with landowners are required.



4. References

Municipality of Chatham-Kent, 2009:

Municipality of Chatham-Kent Comprehensive Zoning By-law (No. 216-2009). Approved by Council December 14, 2009, Consolidated June 2, 2015.

Municipality of Chatham-Kent, 2014:

Municipality of Chatham-Kent Official Plan. Consolidated May 20, 2014.

Ontario Ministry of the Environment and Climate Change (MOECC), 2014:

Ontario Regulation 359/09. Renewable Energy Approvals under Part V.0.1 of the *Environmental Protection Act*.



Appendix A

Turbine Details and Photos Table



	J	JTM Coor	rdinates	Host	t Land Parcel	Turbine Distance from Non-participating	Direction of Neighbouring	N I	leighbouring Land Parcel	Municipality of Chatham- Kent Official Plan	Municipality of Chatham-	Field Notes	Photos
I	D	X	Υ	#	Street	Lot Line (m)	Land Parcel from Turbine	#	Street	Designation ⁱ	Kent Zoning By-law ⁱⁱ		
	1 39	396873	4702359	8615	Brook Line	98.37	Northeast	8771	Brooke Line	Agricultural	A1	No structures (i.e., barns, storage buildings, stables) are present within 101 m of the turbines on non-participating properties as shown on the orthographic mapping in Appendix B.	
	2 39	96541.8	4704663	- (Country View Line	78.36	Southeast	-	Claymore Line	Agricultural	A1	No structures (i.e., barns, storage	The state of the s
						78.56	Southwest	-	Claymore Line	Agricultural	A1	buildings, stables) are present within 101 m of the turbines on non-participating properties as shown on the orthographic mapping in Appendix B.	
						78.92	Northeast	8846	Country View Line	Agricultural	A1		



Turbir	e UTM Cod	ordinates	Host	t Land Parcel	Turbine Distance from Non-participating	Direction of Neighbouring	N L	leighbouring Land Parcel	Municipality of Chatham- Kent Official Plan	Municipality of Chatham- Kent Zoning By-law ⁱⁱ	Field Notes	Photos
ID	Х	Y	#	Street	Lot Line (m)	Land Parcel from Turbine	#	Street	Designation ⁱ	Kent Zoning By-law"		
6	397729	4705464	9365	Claymore Line	80.69	Southwest	9127	Claymore Line	Agricultural	A1	No structures (i.e., barns, storage buildings, stables) are present within 101 m of the turbines on non-participating properties as shown on the orthographic mapping in Appendix B.	
					20.04	Northwest		Occupation Viscous Line	Assistant			
	401702.6	4703601	9622	Fharts Line	96.64	Northeast		Caledonia Rd	Agricultural	Δ1	No structuras (i.a. barns storaga	
9	401702.6	4703601	9622	Eberts Line	88.12	Northeast	24534	Caledonia Rd	Agricultural	A1	No structures (i.e., barns, storage buildings, stables) are present within 101 m of the turbines on non-participating properties as shown on the orthographic mapping in Appendix B.	



Turbir	e UTM Cod	ordinates	Hos	t Land Parcel	Turbine Distance from Non-participating	Direction of Neighbouring	N	leighbouring Land Parcel	Municipality of Chatham- Kent Official Plan	Municipality of Chatham-	Field Notes	Photos
ID	Х	Y	#	Street	Lot Line (m)	Land Parcel from Turbine	#	Street	Designation ⁱ	Kent Zoning By-law ⁱⁱ		
11	395879.9	4709716	9394	Greenvalley Line	76.72	Northeast	9380	Greenvalley Line	Agricultural	A1	No structures (i.e., barns, storage buildings, stables) are present within 101 m of the turbines on non-participating properties as shown on the orthographic mapping in Appendix B.	
					87.96	Southeast	9593	Union Line	Agricultural	A1-1		
12	401301.7	4704868	9677	Eberts Line	83.05	Northwest	9688	Brooke Line	Agricultural	A1	No structures (i.e., barns, storage buildings, stables) are present within 101 m of the turbines on non-participating properties as shown on the orthographic mapping in Appendix B.	



Turbine	UTM Coo	ordinates	Hos	st Land Parcel	Turbine Distance from Non-participating	Direction of Neighbouring	١	leighbouring Land Parcel	Municipality of Chatham- Kent Official Plan	Municipality of Chatham- Kent Zoning By-law ⁱⁱ	Field Notes	Photos
ID	Х	Y	#	Street	Lot Line (m)	Land Parcel from Turbine	#	Street	Designation ⁱ	Kent Zoning By-law		
14	394312	4706514	8750	Union Line	71.1	Northeast	8904	Union Line	Agricultural	101 m of the turbines on non- participating properties as shown of	buildings, stables) are present within 101 m of the turbines on non- participating properties as shown on the orthographic mapping in Appendix	
					94.47	East	8885	Cedar Hedge Line		A1		
				80.79	Southwest	8853	Cedar Hedge Line	Agricultural	A1			



Turbine	UTM Cod	ordinates	Но	st Land Parcel	Turbine Distance from Non-participating	Direction of Neighbouring	١	Neighbouring Land Parcel	Municipality of Chatham- Kent Official Plan	Municipality of Chatham-	Field Notes	Photos
ID	Х	Υ	#	Street	Lot Line (m)	Land Parcel from Turbine	#	Street	Designation ⁱ	Kent Zoning By-law ⁱⁱ		
15	393831	4705813	8713	Cedar Hedge Line	94.97	Northeast	8759	Cedar Hedge Line	Agricultural		No structures (i.e., barns, storage buildings, stables) are present within 101 m of the turbines on non-participating properties as shown on the orthographic mapping in Appendix B.	
					97.05	Northwest	25911	St Clair Rd	Agricultural	A1		
17	397508	4709300	-	Union Line	83.56	Northeast	9782	Union Line	Agricultural		No structures (i.e., barns, storage buildings, stables) are present within 101 m of the turbines on non-participating properties as shown on the orthographic mapping in Appendix B.	



rbine	UTM Cod	ordinates	Host	Land Parcel	Turbine Distance from Non-participating	Direction of Neighbouring	I	Neighbouring Land Parcel	Municipality of Chatham- Kent Official Plan	Municipality of Chatham-	Field Notes	Photos
ID	Х	Y	#	Street	Lot Line (m)	Land Parcel from Turbine	#	Street	Designation ⁱ	Kent Zoning By-law ⁱⁱ	1.0.2.1.000	
					93.49	Southeast	9709	Cedar Hedge Line	Agricultural	A1		
19	393752.1	4704242	25692	St Clair Rd	85.94	Southwest	-	Country View Line	Agricultural	A1	No structures (i.e., barns, storage buildings, stables) are present within 101 m of the turbines on non-participating properties as shown on the orthographic mapping in Appendix B.	
20	394828.7	4712531	9846	Oldfield Line	77.28	Southwest	9772	Oldfield Line	Agricultural	A1	No structures (i.e., barns, storage buildings, stables) are present within 101 m of the turbines on non-participating properties as shown on the orthographic mapping in Appendix B.	



Turbin	e UTM Cod	ordinates	Hos	st Land Parcel	Turbine Distance from Non-participating	Direction of Neighbouring	Ne L	eighbouring and Parcel	Municipality of Chatham- Kent Official Plan	Municipality of Chatham- Kent Zoning By-law ⁱⁱ	Field Notes	Photos
ID	Х	Y	#	Street	Lot Line (m)	Land Parcel from Turbine	#	Street	Designation ⁱ	Kent Zoning By-law ["]	Tiold Notes	1 110.000
24	39272	4710675	-	Oldfield Line	70.97	Southeast	9229	Bush Line	Agricultural	A1	No structures (i.e., barns, storage buildings, stables) are present within 101 m of the turbines on non-participating properties as shown on the orthographic mapping in Appendix B.	
26	395026.2	4706889	9025	Cedar Hedge Line	88.06	Northwest	9056	Union Line	Agricultural	A1	No structures (i.e., barns, storage buildings, stables) are present within 101 m of the turbines on non-participating properties as shown on the orthographic mapping in Appendix B.	



Turbin	e UTM Cod	ordinates	Host	Land Parcel	Turbine Distance from Non-participating	Direction of Neighbouring	ı	Neighbouring Land Parcel	Municipality of Chatham- Kent Official Plan	Municipality of Chatham-	Field Notes	Photos
ID	Х	Y	#	Street	Lot Line (m)	Land Parcel from Turbine	#	Street	Designation ⁱ	Kent Zoning By-law ⁱⁱ		
					90.85	Northwest	9091	Cedar Hedge Line	Agricultural	A1		
27	395614.2	4707629	9152	Union Line	80.17	Southeast	9151	Cedar Hedge Line	Agricultural	A1	No structures (i.e., barns, storage buildings, stables) are present within 101 m of the turbines on non-participating properties as shown on the orthographic mapping in Appendix B.	
					80.22	Northeast	-	Prince Albert Road	Agricultural	A1		



Turb		ordinates	Но	st Land Parcel	Turbine Distance from Non-participating	Direction of Neighbouring	I	Neighbouring Land Parcel	Municipality of Chatham- Kent Official Plan	Municipality of Chatham-	Field Notes	Photos
ID	Х	Υ	#	Street	Lot Line (m)	Land Parcel from Turbine	#	Street	Designation ⁱ	Kent Zoning By-law ⁱⁱ		
28	399611.4	4709270	-	Centre Side Road	99.49	Southeast	10071	Country View Line	Agricultural	A1	No structures (i.e., barns, storage buildings, stables) are present within 101 m of the turbines on non-participating properties as shown on the orthographic mapping in Appendix B.	
35	402373.9	4702350	9559	Pioneer Line	73.47	Northeast	9577	Pioneer Line	Agricultural	A1	No structures (i.e., barns, storage buildings, stables) are present within 101 m of the turbines on non-participating properties as shown on the orthographic mapping in Appendix B.	
37	399138	4703184	9226	Brook Line	83.05	Southeast	-	Brook Line-	Agricultural	A1	No structures (i.e., barns, storage buildings, stables) are present within 101 m of the turbines on non-participating properties as shown on the orthographic mapping in Appendix B.	



Turbi	ne UTM Cod	ordinates	Hos	t Land Parcel	Turbine Distance from Non-participating	Direction of Neighbouring	N L	eighbouring and Parcel	Municipality of Chatham- Kent Official Plan	Municipality of Chatham-	Field Notes	Photos
ID	Х	Y	#	Street	Lot Line (m)	Land Parcel from Turbine	#	Street	Designation ⁱ	Kent Zoning By-law ⁱⁱ		
40	393486	4701762	25258	Baldoon Road	83.32	Northwest	25320	Baldoon Road	Agricultural	A1	No structures (i.e., barns, storage buildings, stables) are present within 101 m of the turbines on non-participating properties as shown on the orthographic mapping in Appendix B.	
41	394992.1	4702594	25209	Baldoon Road	80.11	Northeast	25194	St Clair Rd	Agricultural	A1	No structures (i.e., barns, storage buildings, stables) are present within 101 m of the turbines on non-participating properties as shown on the orthographic mapping in Appendix B.	
43	395556.3	4713106	9982	Oldfield Line	94.79	Northeast	10000	Oldfield Line	Agricultural	A1	No structures (i.e., barns, storage buildings, stables) are present within 101 m of the turbines on non-participating properties as shown on the orthographic mapping in Appendix B.	



Turbine	UTM Cod	ordinates	Hos	st Land Parcel	Turbine Distance from Non-participating	Direction of Neighbouring	Inection of Neighbouring Land Parcel	Municipality of Chatham- Kent Official Plan	Municipality of Chatham- Kent Zoning By-law ⁱⁱ	Field Notes	Photos	
ID	X	Υ	#	Street	Lot Line (m)	Land Parcel from Turbine	#	Street	Designation ⁱ	Kent Zoning By-law	I Iola Notes	
44	393222	4707428	-	Union Line	91.02	Northeast	8921	Union Line	Agricultural	A1	No structures (i.e., barns, storage buildings, stables) are present within 101 m of the turbines on non-participating properties as shown on the orthographic mapping in Appendix B.	
45	396578.7	4710352	9692	Greenvalley Line	80.19	Southwest	9824	Greenvalley Line	Agricultural	A1	No structures (i.e., barns, storage buildings, stables) are present within 101 m of the turbines on non-participating properties as shown on the orthographic mapping in Appendix B.	



Turl		UTM Coo	ordinates	nates Host Land Parce		Turbine Distance from Non-participating	Direction of Neighbouring	Ne L	eighbouring and Parcel	Nent Onicial Flan	Municipality of Chatham-	Field Notes	Photos
ı ı	D	Х	Υ	#	Street	Lot Line (m)	Land Parcel from Turbine	#	Street	Designation ⁱ	Kent Zoning By-law ⁱⁱ		
						99.83	Southeast	-	Union Line	Agricultural	A1		
4	16				Greenvalley Line	100.89	Southeast	9923	Union Line	Agricultural	A1	No structures (i.e., barns, storage buildings, stables) are present within 101 m of the turbines on non-participating properties as shown on the orthographic mapping in Appendix B.	
4	18	394303	4700916	25020	Baldoon Road	82.09	Northwest	25106	Baldoon Road	Agricultural	A1	No structures (i.e., barns, storage buildings, stables) are present within 101 m of the turbines on non-participating properties as shown on the orthographic mapping in Appendix B.	



Turbine			Host Land Parcel	Turbine Distance from Non-participating	Direction of Neighbouring	Neighbouring Land Parcel		Municipality of Chatham- Kent Official Plan	Municipality of Chatham-	Field Notes	Photos
ID	Х	Y	# Street	Lot Line (m)	Land Parcel from Turbine	#	Street	Designation ⁱ	Kent Zoning By-law ⁱⁱ		
				88.30	South	-	Brook Line	Agricultural	A1		
49	396365	4706402	9240 Cedar Hedge Li	ne 74.84	Northeast	9241	Country View Line	Agricultural	A1	No structures (i.e., barns, storage buildings, stables) are present within 101 m of the turbines on non-participating properties as shown on the orthographic mapping in Appendix B.	
				81.08	Southeast	9073	Country View Line	Agricultural	A1		



Turbine	UTM Cod	ordinates Ho	est Land Parcel	Turbine Distance from	Direction of Neighbouring	N	Neighbouring	Municipality of Chatham-	Municipality of Chatham-		
ID	Х	Υ #	Street	Non-participating Lot Line (m)	Land Parcel from Turbine	#	Land Parcel Street	Kent Official Plan Designation	Kent Zoning By-law ⁱⁱ	Field Notes	Photos
50	397337.8	4699753 -	St. Andrews Line	84.94	Southeast	24379	Baldoon Road	Agricultural	A1	No structures (i.e., barns, storage buildings, stables) are present within 101 m of the turbines on non-participating properties as shown on the orthographic mapping in Appendix B.	
51	394007	4703955 25504	St Clair Rd	87.12	Southwest	-	Country View Line	Agricultural	A1	No structures (i.e., barns, storage buildings, stables) are present within 101 m of the turbines on non-participating properties as shown on the orthographic mapping in Appendix B.	
72	394976	4699764 -	Baldoon Road	87.72	Northeast		Baldoon Road	Agricultural	A1	No structures (i.e., barns, storage buildings, stables) are present within 101 m of the turbines on non-participating properties as shown on the orthographic mapping in Appendix B.	

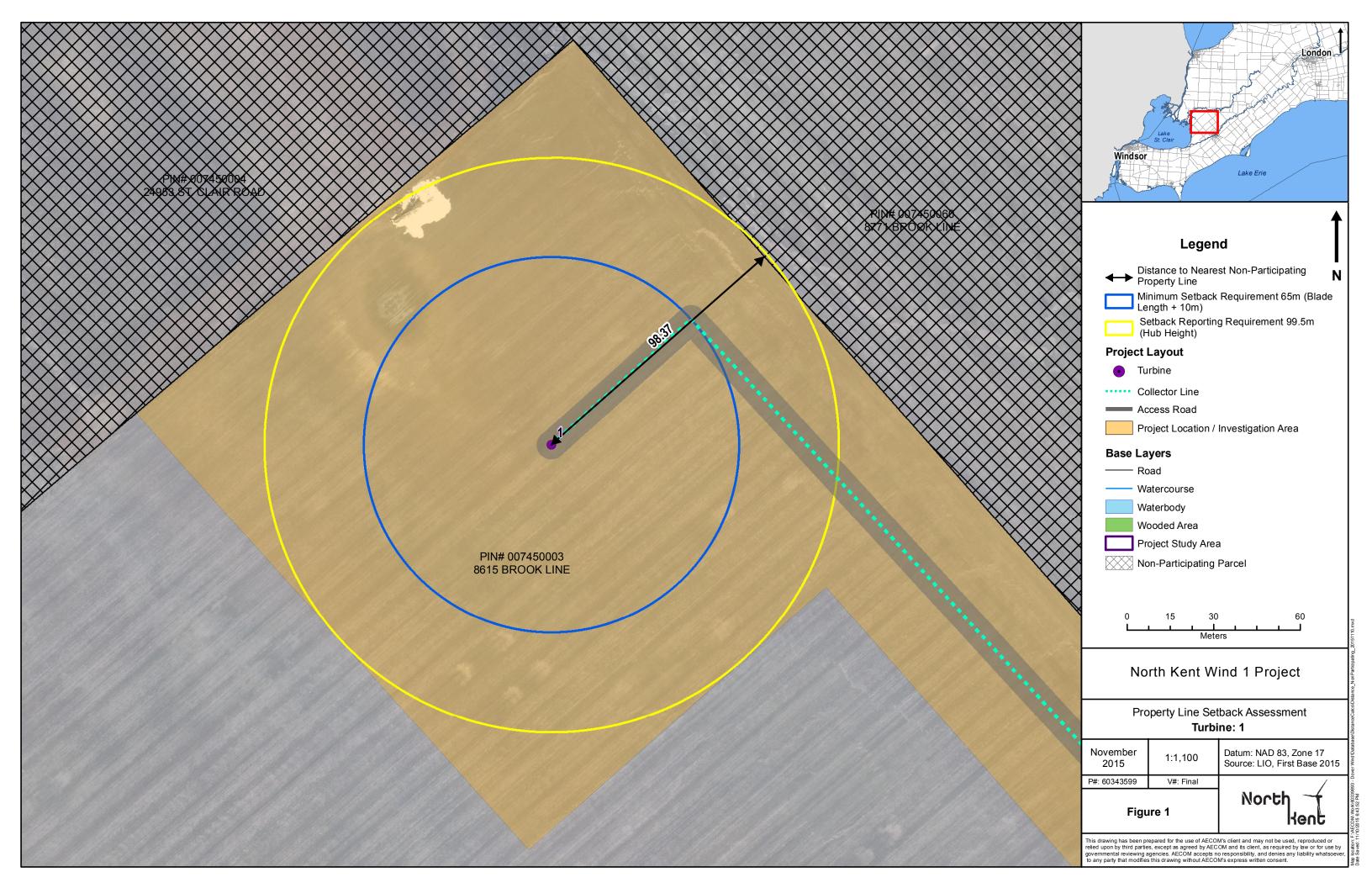
i. Agricultural: Agricultural Area Policies as per Section 3.10 of the Municipality of Chatham-Kent Official Plan, Consolidated May 20, 2014

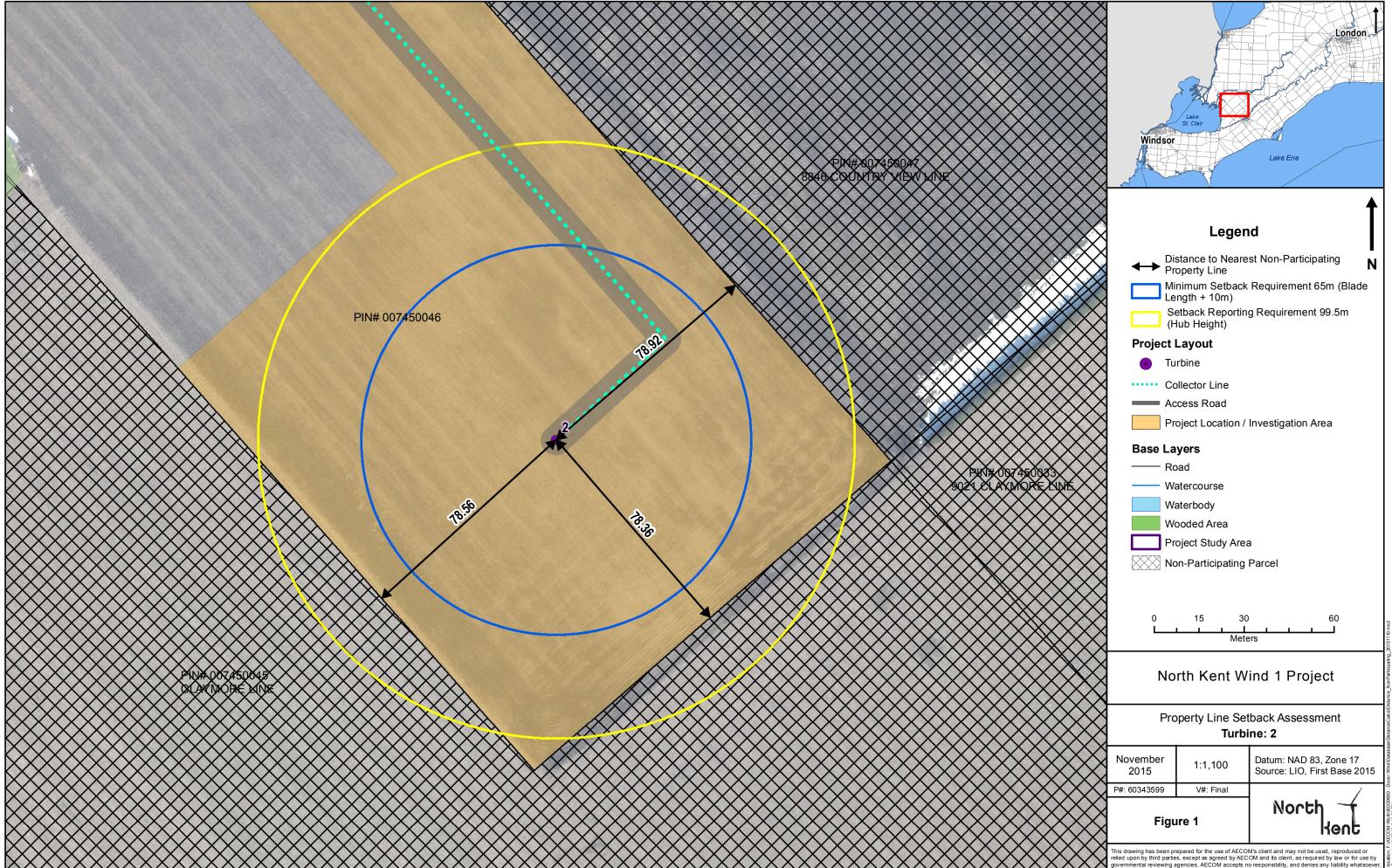
ii. A1: Agricultural Zone (Comprehensive Zoning By-law, The Corporation of the Municipality of Chatham-Kent; By-law No. 216-2009)
A1-1: Agricultural Zone where no dwellings may be erected (Comprehensive Zoning By-law, The Corporation of the Municipality of Chatham-Kent; By-law No. 216-2009)



Appendix B

Turbine Maps





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