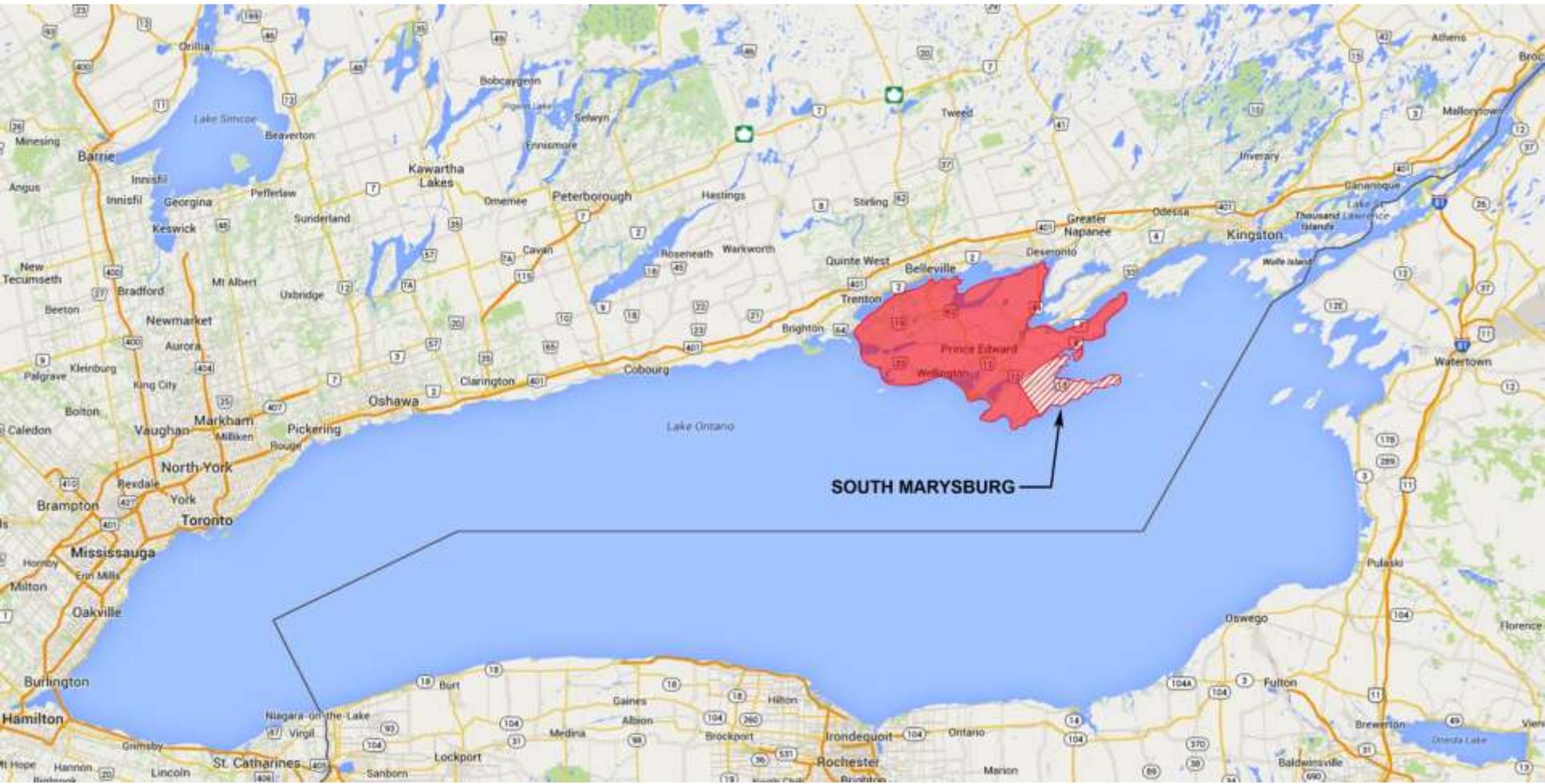


# **The White Pines Wind Project: A precedent-setting case for the protection of cultural heritage landscapes in Ontario**



Presented by Liz Driver and Edwin Rowse  
Heritage Canada The National Trust conference, 3 October 2014



1. Within the context of the *Green Energy Act*, is the legal protection of heritage under the *Ontario Heritage Act* and the Provincial Policy Statement sufficient to protect Ontario's heritage?

2. Will the government – specifically the Ministry of Tourism, Culture and Sport and the Ministry of the Environment and Climate Change – act properly to uphold the province's legislative framework for heritage?

Cruikshank  
Stokes

The Settler's Dream



# The Settler's Dream

*A Pictorial History of the Older Buildings of Prince Edward County*

Tom Cruickshank  
Peter John Stokes

County of  
Prince  
Edward

Colour photography by John de Visser

**1. The character of South Marysburgh within Prince Edward County**

**1. The proposed Wind Project**

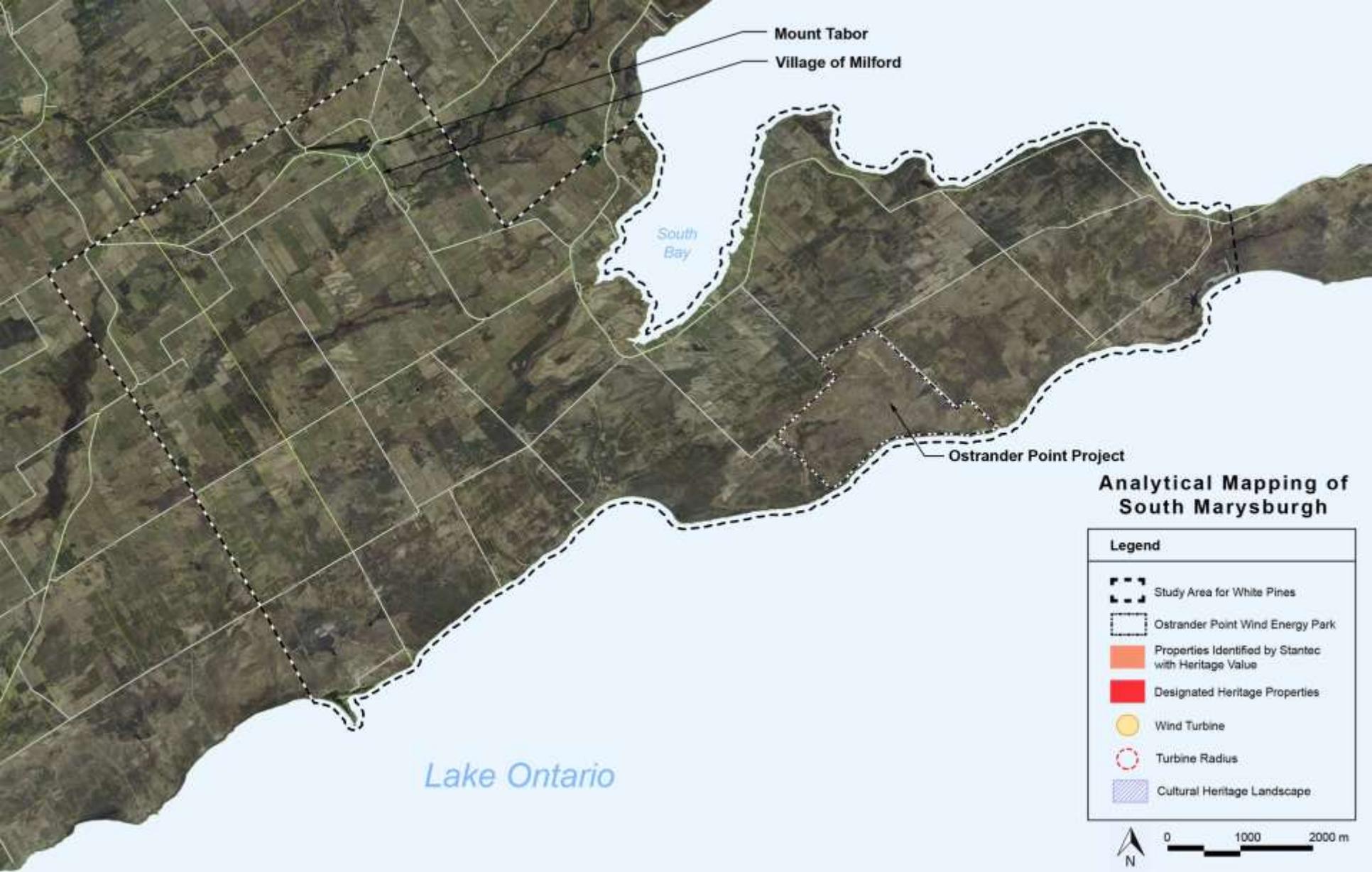
**1. Ontario's Renewable Energy Approval process for heritage**

**– for brevity, REA or “Ree-A”**

**1. How the process has unfolded in the County**

**1. What happens next and what has been learned thusfar**

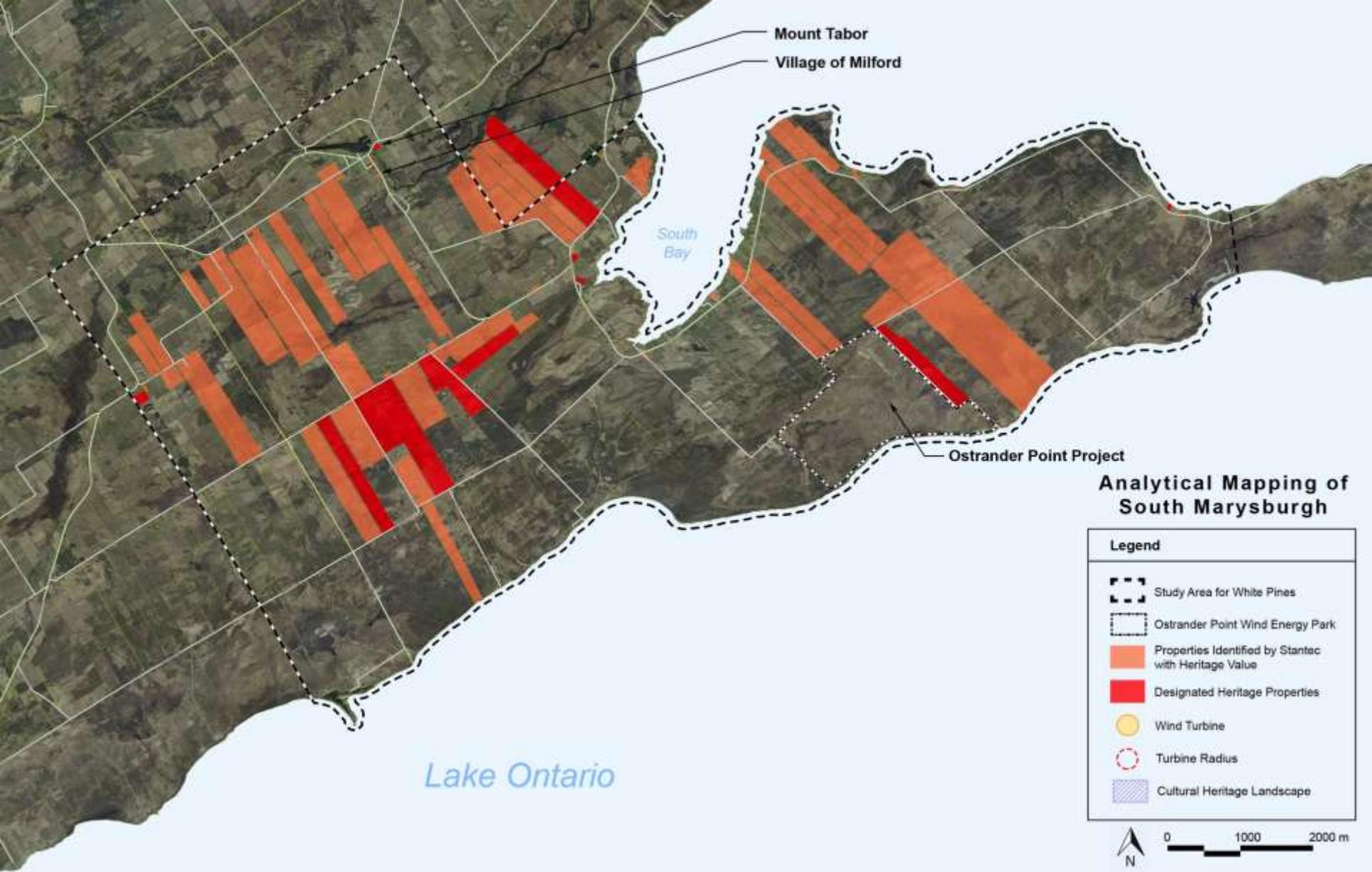


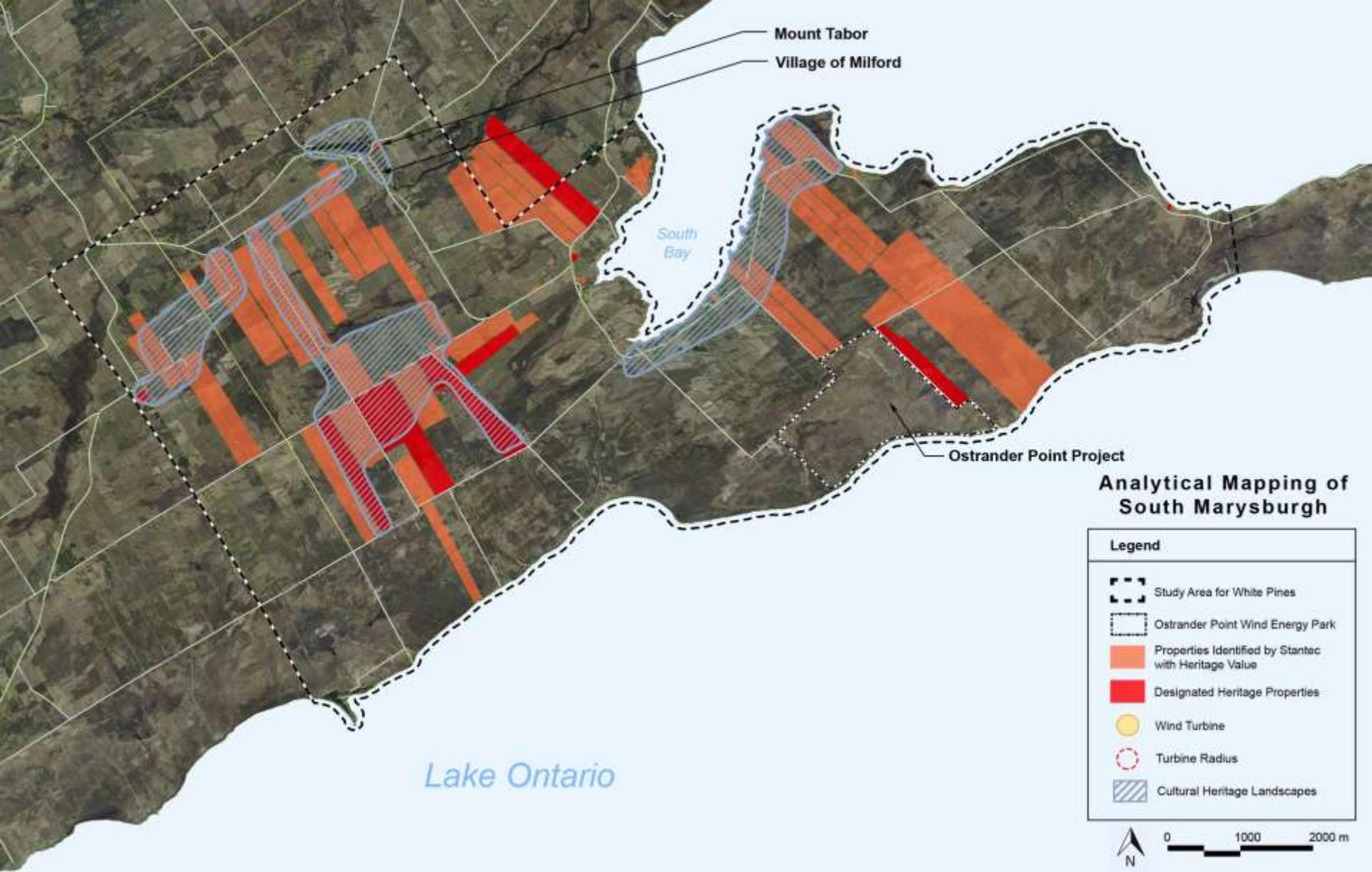


### Analytical Mapping of South Marysburgh

Legend	
	Study Area for White Pines
	Ostrander Point Wind Energy Park
	Properties Identified by Stantec with Heritage Value
	Designated Heritage Properties
	Wind Turbine
	Turbine Radius
	Cultural Heritage Landscape







Mount Tabor  
Village of Milford

South Bay

Ostrander Point Project

Lake Ontario

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Mount Tabor across the Mill Pond



Royal Road

- Narrow roads
- Hedgerows
- Sometimes no infrastructure

Crowes Road







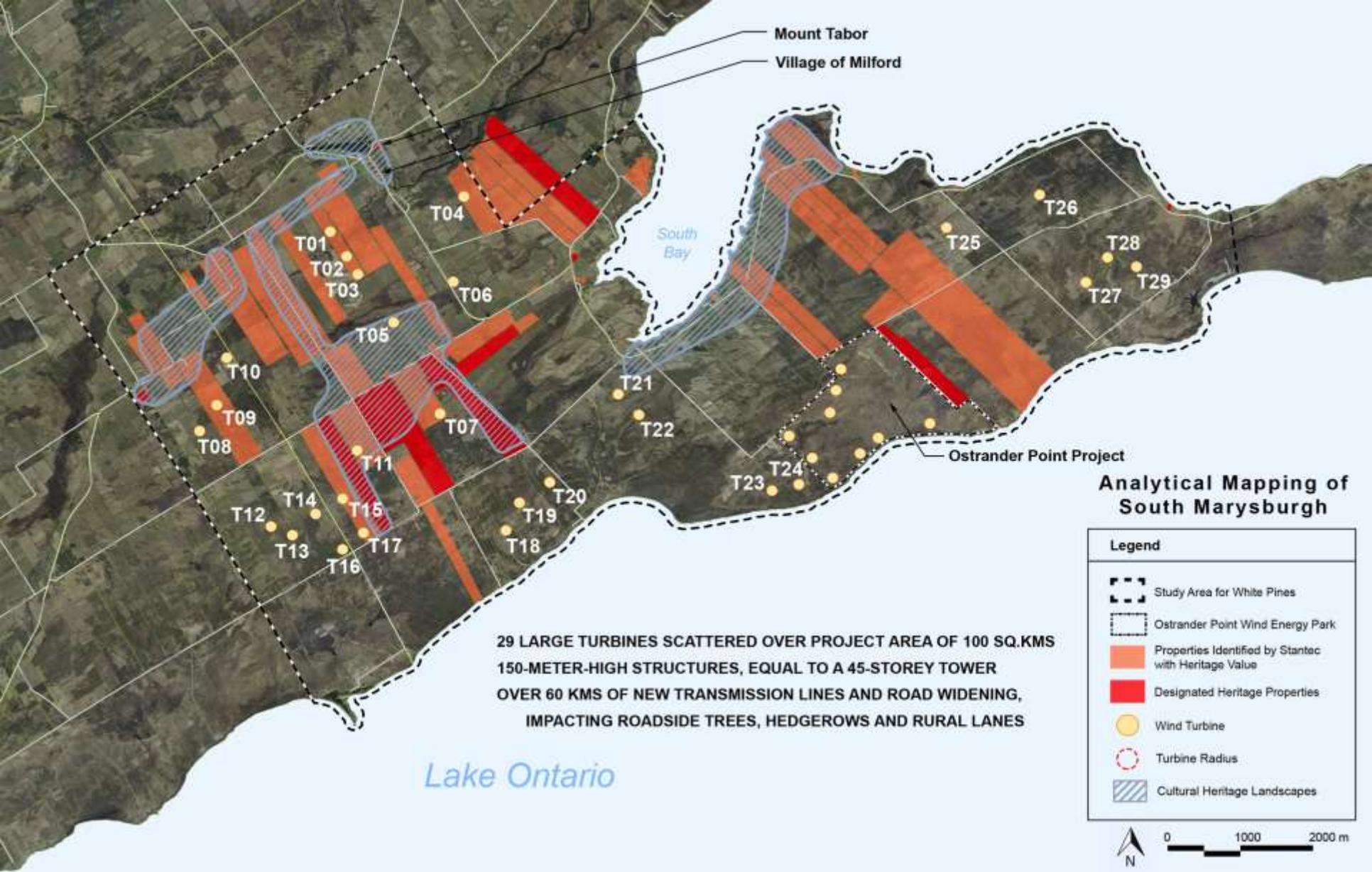




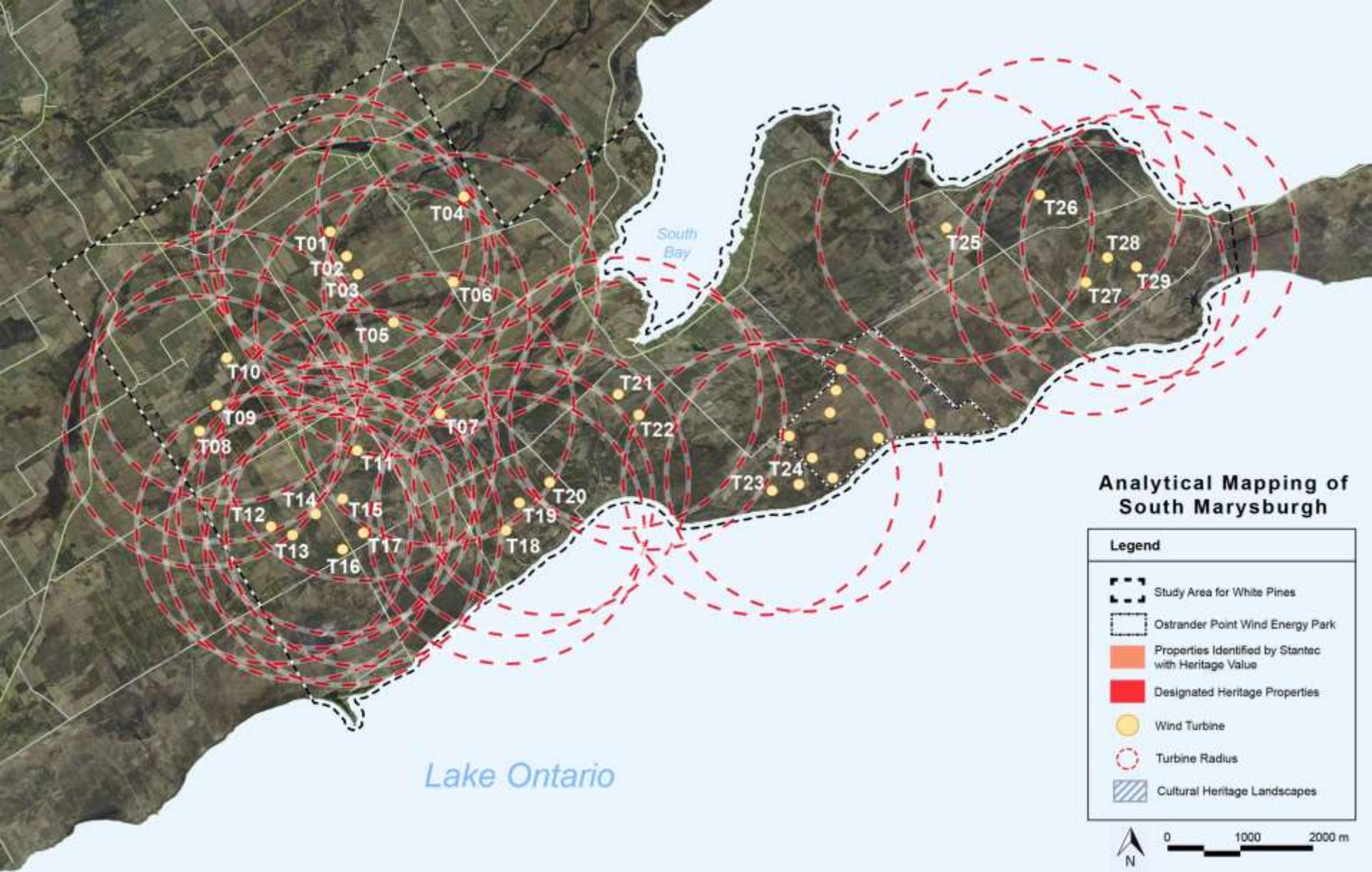
Designated driveshed, part of the winery's cultural heritage landscape

LONG DOG  
VINEYARD & WINERY





## 2. The proposed Wind Project



### 3. Ontario's REA process for heritage

- No cultural mapping to determine suitable development areas
- Proponent-driven process
- Removes heritage and planning approvals from Municipality
- Heritage element administered by Min. of Culture, under direction of Min. of Environment
- Min. of Culture relies on proponent for information, without verifying facts
- No right of appeal for heritage issues under REA
- The heritage protection of PPS (2014) and Ontario Heritage Act has never been tested within the REA process

## 4. How the REA process has unfolded in the County



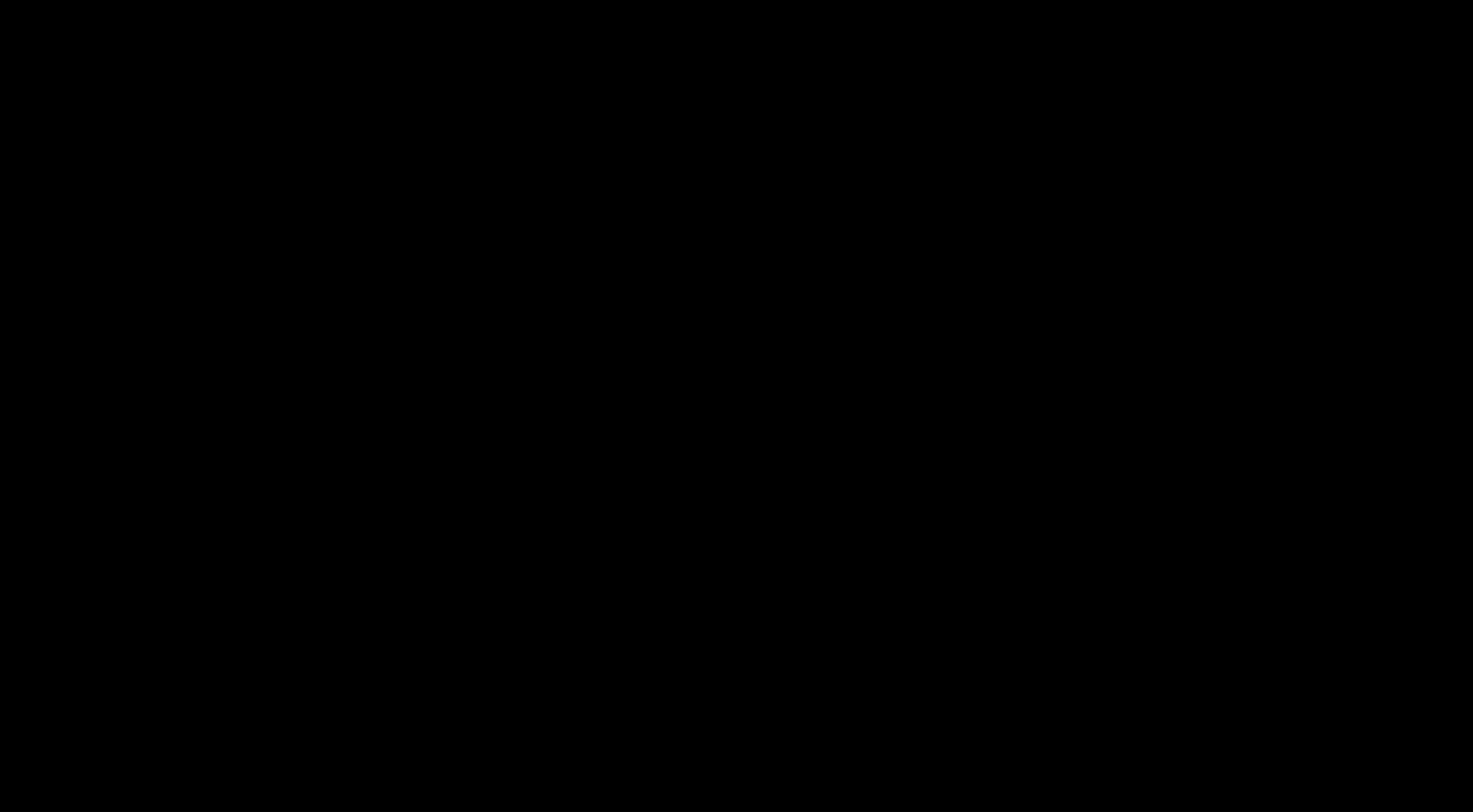
# Extraordinary findings of the final assessment

- May be the first time in Ontario that a report states that turbines can cause negative visual impacts
- 3 turbines have the potential to cause negative visual impacts on 21 heritage resources, including 3 cultural heritage landscapes and 5 designated properties
- The only way to mitigate the impacts is to remove or relocate the turbines

**BUT ...**

# Invalid rationale for no mitigation

- It is not possible to remove or relocate turbines because doing so will impact the “economic viability” of the project
- Ministry of Culture agreed, allowing “economic viability” to trump heritage protection
- Mis-application of the heritage concept of “reversibility”



## 5. What happens next?

- No REA decision yet
- Outcome for our heritage landscapes still unknown

# ... What we have learned

- For wind industry, legitimate heritage concerns = “anti-wind activism”
- Consultant constrained by proponent’s reluctance to pay for necessary study and resistance to real mitigation
- Guidelines reasonable, but not enforced
- Ministry of Culture not fully engaged in content of project, so dependent on proponent-driven process
- Ministry of Environment little understanding of heritage issues