

ROMA DORGAN
AND OTHERS

APPELLANTS

v.

THE TOWN OF TIGNISH

RESPONDENT

RESPONDENT'S SUBMISSIONS

Maritime Electric identified the LeClairs' parcel 562777 as an ideal site for its new substation. The parcel is located on Route 2, the Old Western Road. From this location, the new substation can be more easily connected to the existing transmission line. Being located on the primary highway that services West Prince will also allow better access for Maritime Electric vehicles and personnel. The site has other benefits as well, namely:

- There is very little existing development in the immediate vicinity of the site.
- The site is located at the outer limits of the Town's boundaries and does not border any residential zones.
- The site is close to the electrical load in the Tignish area. Positioning a substation near the electrical load it is serving increases reliability and power quality for customers in that area. Having centrality to the load also increases the ability of the feeder to interface with distributed generation, such as rooftop solar systems.
- The site is adjacent to an existing transmission line. The existing line will be used to supply the substation, and in turn residents in the Town of Tignish. Should a site be selected that is not near a line, a new line would have to be constructed. Constructing a new line would cause delays and inconvenience, add additional costs for ratepayers, and would likely impact a greater number of Tignish residents.

Maritime Electric was able to secure an agreement to purchase part of parcel 562777 from the LeClairs. The parcel has already been subdivided for this purpose and is identified as Lot 2022-1 on the survey plan. The transaction is contingent upon the Land being approved for Maritime Electric's proposed use. If this transaction with the LeClairs cannot close soon then the timing of the substation project is in jeopardy.

The rezoning, and Maritime Electric's proposed use of the site, is consistent with the Town of Tignish's Official Plan policies. The following statements in the Town's Official Plan support this position:

1. Vision

4.3 *The Community's Vision Statement is as follows:*

Over the next 15 years Tignish will become a renewed Community.

Economically, it will continue to be the centre of the cooperative activities in the region. Its past as rail centre will be celebrated and the former rail lands will evolve into a combination community recreation centre and a contributor to the economy by attracting visitors. The Community's function as a service centre for the fishing industry will continue. Tignish will become a significant destination for visitors focusing on a renewed core area, the Confederation Trail, the wind power industry and festivals and events. Its farmland and forested areas will continue to be an important part of the Community's economic well-being.

Environmentally, the required steps to protect the Community's water supply will be taken and its central sewer and water systems will be expanded and upgraded. The land base of the Community will continue to develop and evolve sustainably and with regard for the natural environment.

Physically, the Community will complete a renewal and beautification of the core area and develop the majority of the vacant residential lots which are serviced. The existing residential subdivisions will be substantially developed, in some cases following redesign. A part of the Community will be selected as the major focus of new residential growth. Beautification of the Community will be extended throughout the core area into other parts of the Community. The viable farm and forested lands will be protected so that they can remain in production.

Socially, the Community will attract or retain more young families and the population distribution will be consistent with the rest of the West Prince region. A renewed pride of place in Tignish will be established and the Community will be clearly and positively distinguished from others in the region.

4.4 *The setting of short-term objectives for achieving the vision serves as a means of operationalizing the achievement of the vision. A summary of these objectives for 2013 is as follows:*

- a) *30% of the existing vacant residential lots will be built on.*
- b) *a local improvement plan for the core area will be developed and 50% implemented.*
- c) *40% of the lots in undeveloped subdivisions will be built on or resubdivided.*
- d) *Attendance at festivals and events will be increased by 25%.*

- e) *30 acres of residential land will be identified for new housing initiatives and a servicing plan developed.*
- f) *a plan for the upgrading and expansion of the central water and sewerage systems will be developed and implementation will proceed based on need and the availability of capital funds.*
- g) *the Community bylaws will be reviewed and:*
 - i) *targeted to dealing with new development and structural issues;*
 - ii) *directed to the protection of the farm and forested lands.*
 - iii) *ensure protection of the water supply and sewage treatment plant;*
 - iv) *an enforcement plan for the bylaws will be developed and implemented.*
- h) *the Province will be requested to regulate development in the Community water supply watershed which lies adjacent to and outside of the Community.*

The Town's vision statement contemplates growth and sustainable development. In order to achieve these goals, an upgraded power system is critical. Clean energy and carbon reduction demand a reliable, enhanced electrical grid. This can only be achieved with additional investments in infrastructure. Maritime Electric is willing to make a significant investment in the Tignish community, but it needs a land base for its infrastructure in order to do so.

2. Social Objectives

5.1 SOCIAL OBJECTIVES

5.1.1 The social objectives of the Community are:

- a) *to see the population distribution move towards that of the Province as a whole.*
- b) *to increase pride of place in the Community.*
- c) *to improve stability and safety in the Community.*

Approving a rezoning to allow a new substation to be constructed would meet the Official Plan objective of improving safety and stability in the community.

3. Economic Objectives

5.2 ECONOMIC OBJECTIVES

5.2.1 *The economic objectives of the Community are:*

- a) *to be the major service centre for the Tignish area.*
- b) *to foster and protect farming and forestry in the Community.*
- c) *to increase the assessment base of the Community.*
- d) *to expand commercial development and employment opportunities in the Community.*
- e) *to maintain property tax and sewer and water rates at competitive levels.*

An upgraded electrical system is a key requirement to achieving the Town's objectives of becoming the major service centre in the Tignish area, protecting the farming industry and expanding commercial development.

4. Other Official Plan Considerations

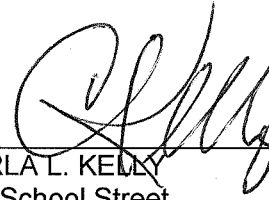
The Official Plan directs the Town to minimize land use conflicts. Any land use conflicts created by the rezoning can be mitigated through the design of the development. Maritime Electric's plans for the site include the following mitigation measures:

- Where not affecting powerlines, Maritime Electric will plant a border of trees surrounding the Land to improve the appearance of the site and to provide screening and a visual buffer from adjacent properties.
- Any outdoor storage shall be hidden from the view of adjacent properties by the means of the trees referenced above, a landscaped buffer hedge or other architectural screening such as a fence.
- The transformer is the only equipment in the station that generates noise. The transformer is regularly tested and is required to be below 70dBA, which is the sound level of a regular washing machine, an office environment or inside a car driving at 60 mph.

5. Conclusion

Rezoning the site to permit a substation is consistent with the Respondent's Official Plan policies and, in particular, the Respondent's vision for the community and its social and economic objectives.

ALL OF WHICH IS RESPECTFULLY SUBMITTED this 28 day of November, 2024.



CARLA L. KELLY
101 School Street
Tignish, PE C0B 2B0
902.882.2417
ckelly@bellaliant.com
Lawyer for the Respondent

TO: The Island Regulatory and Appeals Commission
mwalshdoucette@irac.pe.ca