

TO	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE MEETING ON OCTOBER 31, 2016
FROM:	GEORGE KOTSIFAS, P. Eng. MANAGING DIRECTOR, DEVELOPMENT AND COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL
SUBJECT:	REQUEST FOR MUNICIPAL COUNCIL SUPPORT RESOLUTION GROUND MOUNTED SOLAR PROJECT UNDER THE FEED-IN TARIFF (FIT) PROGRAM

RECOMMENDATION

That, on the recommendation of the Manager of Development Planning, the following actions be taken with respect to the application for a Category 2 FIT project to construct a ground mounted solar project at 1875 Wharncliffe Road South:

- a) the Applicant **BE ADVISED** that the Municipal Council supports the construction and operation of this project; and
- b) a Municipal Council Support Resolution in the form attached as Appendix “A” and “B” to this report **BE ISSUED** for this project; and
- c) the Mayor and the City Clerk **BE AUTHORIZED** to sign the Municipal Council Support Resolution noted in b) above;

it being noted that the sole purpose of this resolution is to enable the applicant to receive priority points under the Feed-in Tariff (FIT) Program and may not be used for any other form of municipal approval in relation to the project.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

July 23, 2012 – Report to PEC on municipal support resolutions for local renewable electricity generation projects seeking Ontario Feed-in-Tariff (FIT) Contracts.

September 24, 2012 – Follow-up report to PEC on municipal support resolutions for local renewable electricity generation projects seeking Ontario FIT Contracts.

January 8, 2013 – Report to PEC on Planning Fees By-law CP-18, to implement fees for applications under the FIT Program.

October 29, 2013 – Report to PEC on projects seeking contracts under FIT Version 3.0.

June 1, 2015 – Report to PEC on projects seeking contracts under FIT Version 4.0.

July 20, 2015 – Report to PEC on program requirements for FIT 3.1 Contract holders.

July 18, 2016 – Report to PEC on projects seeking contracts under FIT Version 5.0.

October 4, 2016 – Report to CWC on Landfill Gas Utilization Update and Next Steps

PURPOSE

The purpose of this report is to recommend a Municipal Council support resolution for a ground mounted solar project seeking a contract under the Ontario Power Authority FIT Program Version 5.0.

BACKGROUND

The Ontario government Feed-in Tariff (FIT) Program was enacted in conjunction with the Green Energy and Green Economy Act, 2009, to facilitate the increased development of renewable generating facilities in the Province. The Province has recently announced that the window for receiving applications under the current FIT Program (Version 5.0), opens on October 31, 2016 and closes on November 18, 2016. Applications that are received during this timeframe will be evaluated by the Ontario Power Authority and awarded priority points, which are used to determine an applicant’s ranking relative to other applications.

In response to the Provincial FIT Program operated by the Ontario Power Authority (OPA), staff brought forward a recommendation report to Planning and Environment Committee on July 23, 2012 to establish a process for civic administration to implement the FIT Program requirements. The recommendations were approved at the July 25th, 2012 meeting of Municipal Council, including two standardized forms prepared by staff for the purpose of Municipal Support Resolutions.

Fees for different types of FIT projects in the City of London were established by an amendment to the Planning Fees By-law CP-18, adopted by Council on January 15, 2013. Revised forms for municipal Council Support Resolutions under FIT Version 3.0 were released by the Ontario Power Authority for both Blanket Municipal Support Resolutions and individual project Municipal Support Resolutions for use by Ontario municipalities. These revised forms were presented in a report to the Planning and Environment Committee meeting on October 29th, and endorsed by Council on November 5th, 2013.

In order to receive priority points under the “Municipal Council Support” category a project must have received the support of the local municipality in which the project is located in the form of a Municipal Council Support Resolution. As noted in Table 1 below, the process requirements for FIT Category 2 Type Projects, including ground mounted solar panel installations, require a report to the Planning and Environment Committee and in some instances a site specific Municipal Support Resolution.

Table 1:

Project Type	Description	File Handler	Process Requirements	Fee
Micro FIT	Renewable Electricity Generation Projects (10 kW or less)	Zoning Officer	Issuance of Compliance form	\$60
FIT - Category 1	All rooftop solar panel installations anywhere	Zoning Officer	Issuance of Compliance form	\$30
FIT - Category 2	All ground mounted solar panel installations at specific locations with little impact on adjacent properties	Development Services Staff	PEC Report for Municipal Support Resolution	\$300
FIT - Category 3	Wind turbines, biomass and biogas installations at specific locations	Development Services Staff	PEC Report for Municipal Support Resolution	\$1000

The *Green Energy Act, 2009, as amended*, permits renewable energy projects to be installed notwithstanding restrictions that might otherwise be imposed to prevent or restrict the activity by

local municipal by-laws (i.e. Zoning). The purpose of the Municipal Support Resolution is to enable an applicant to receive priority points that can be applied under the FIT Program evaluation criteria and the resolution does not apply to any other form of municipal approval in relation to the project. Municipal Council could refuse to endorse a Municipal Support Resolution if it is determined that the proposed facility could significantly impact adjacent land uses or municipal operations.

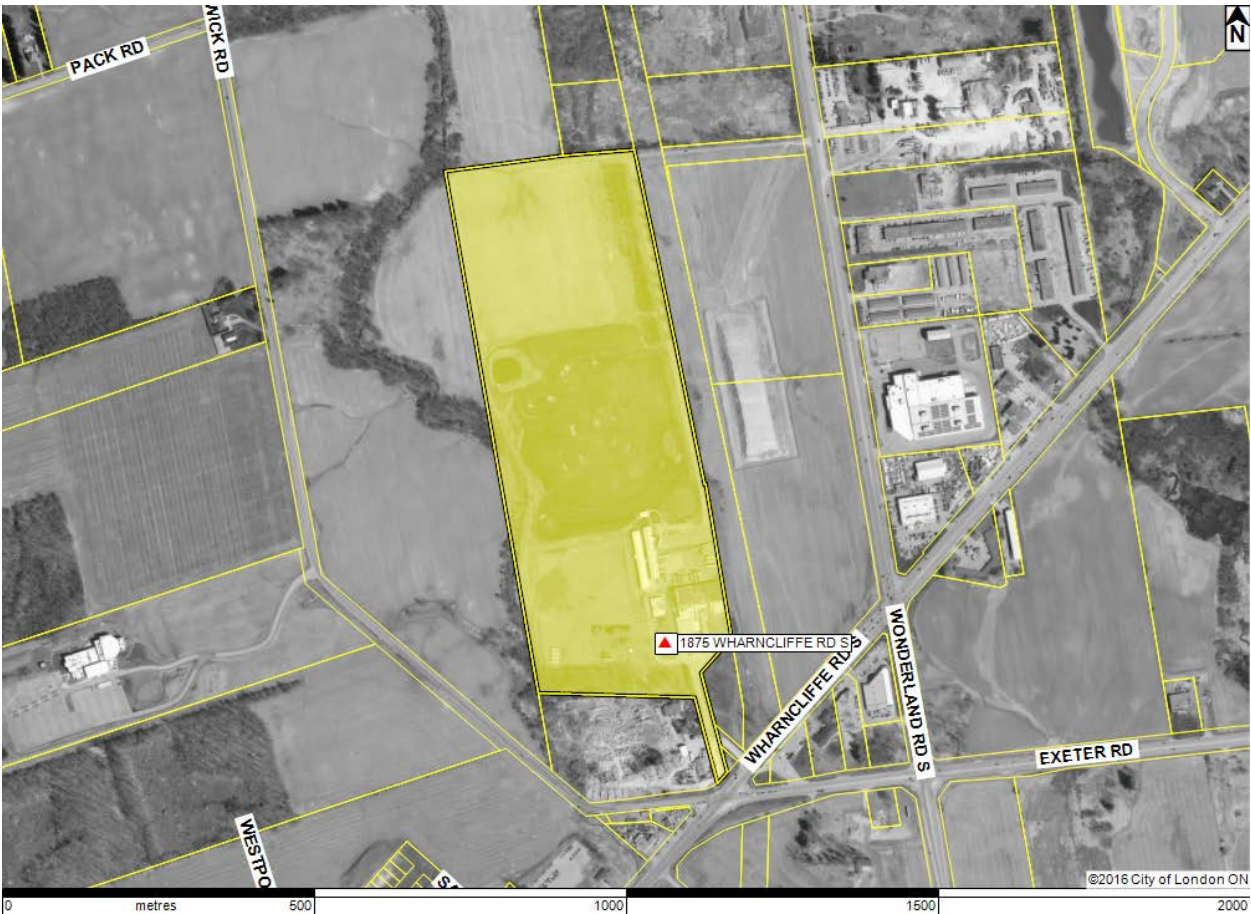
The only action required at this time is the endorsement of updated Municipal Council resolution forms prepared by the Province for Category 2 applications under the FIT 5.0 program.

**Current Application:**

An application has been received from Moose Power Inc. for a Municipal Council Resolution in support of a FIT Category 2 project. The proposal is for a 500kw ground mount solar project located on the northerly portion of a 28.3 hectare (70 acre) site on the north side of Wharncliffe Road, west of Wonderland Road South (See Site Map). Documentation submitted with the application is attached as Appendix “A”.

The site in question is zoned Urban Reserve (UR4), which provides for and regulates existing uses on lands which are primarily undeveloped for urban uses. There is an existing industrial / manufacturing use on site as well as a temporary golf driving range, training facility and pro shop on site.

**Location Map**








CONCLUSION

Council is being requested to endorse a Municipal Support Resolution under the FIT Version 5.0 Program for a ground mounted solar project at 1875 Wharncliffe Road South. The project is considered to be appropriate for the proposed location, and is not expected to have any significant impact on surrounding land uses or municipal operations. This endorsement will provide the applicant with priority points to be considered in the evaluation of FIT applications by the Ontario Power Authority but is not relevant to any other form of municipal approval in relation to the application.

PREPARED & RECOMMENDED BY:	REVIEWED BY:
LOU POMPILII, RPP MPA MANAGER, DEVELOPMENT PLANNING	PETER KOKKOROS, P.Eng. DEPUTY CHIEF BUILDING OFFICIAL DEVELOPMENT & COMPLIANCE SERVICES
SUBMITTED BY:	
GEORGE KOTSIFAS, P.Eng. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL	

APPENDIX “A”



**FEED-IN TARIFF PROGRAM**

WRITABLE FORM

Save As

Clear All

Print

120 Adelaide Street West, Suite 1600  
Toronto, Ontario M5H 1T1  
T 416-967-7474  
F 416-967-1947  
www.ieso.ca

**PRESCRIBED FORM: MUNICIPAL COUNCIL RESOLUTION CONFIRMATION**  
Section 3.8(g) and 5.1(g)(i) of the FIT Rules, Version 5.0

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1

Resolution number: \_\_\_\_\_  
  
Date resolution(s) was passed: \_\_\_\_\_

FIT Reference Number: \_\_\_\_\_  
  
(The FIT Reference Number must be inserted by the Applicant in order for the resolution to comply with the FIT Rules.)

2

Capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 5.0.

I am the / an \_\_\_\_\_ (insert title or position with the Local Municipality) \_\_\_\_\_ of the \_\_\_\_\_ City of London \_\_\_\_\_ (the "Municipality"), and have the delegated authority to provide this confirmation on behalf of the Municipality and without personal liability.

3

Moose Power Inc. \_\_\_\_\_ (the "Applicant") proposes to construct and operate a \_\_\_\_\_ (the "Project") on \_\_\_\_\_ (the "Lands")

(This must be the same Applicant (i.e., same name) as stated in the Municipal Council Support Resolution or Land Use Restriction Exemption Resolution provided, as attached)

(This must be the same description as stated in the Municipal Council Support Resolution or Land Use Restriction Exemption Resolution provided, as attached)

PIN: 08209-0184 \_\_\_\_\_ (the "Lands")

(This must be the same description as the Lands in the Municipal Council Support Resolution or Land Use Restriction Exemption Resolution provided, as attached)

in the Municipality under the province's FIT Program.

4

The resolution(s) provided with this Confirmation is (check one or both as applicable):

a) ☒ A Municipal Council Support Resolution (if selected, check either 1) or 2) as applicable):

1) ☒ A new FIT 5.0 Municipal Council Support Resolution. (if selected the resolution must be attached as Exhibit "A")

2) ☐ A pre-existing FIT 4.0.1 Municipal Council Support Resolution which has not been rescinded. (if selected the resolution must be attached as Exhibit "A")

i) I have confirmed that the Project being proposed by the Applicant under the Province's FIT Program is the same Project on the same Lands as the Project that was the subject of the Municipal Council Support Resolution attached as Exhibit "A".

b) ☐ A Land Use Restriction Exemption Resolution (if selected, check either 1) or 2) as applicable):

1) ☐ A new FIT 5.0 Land Use Restriction Exemption Resolution. (if selected the resolution must be attached as Exhibit "A")

2) ☐ A pre-existing FIT 4.0.1 Land Use Restriction Exemption Resolution which has not been rescinded. (if selected the resolution must be attached as Exhibit "A")

i) I have confirmed that the Project being proposed by the Applicant under the Province's FIT Program is the same Project on the same Lands as the Project that was the subject of the Land Use Restriction Exemption Resolution attached as Exhibit "A".

5

Name: \_\_\_\_\_

Signed: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

(Signature block for authorized signee. Must be an original ink signature)

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## APPENDIX “B”

Resolution Number: \_\_\_\_\_

FIT Reference Number: \_\_\_\_\_

Date Resolution was passed: November 8, 2016

**WHEREAS** capitalized terms not defined herein have the meaning ascribed to them in the FIT Rules, Version 5.0.

**AND WHEREAS** Moose Power Inc (the “Applicant”) proposes to construct and operate a ground mount non rooftop solar (PV) facility (the “Project”) at 1875 Wharncliffe Road South (the “Lands”) in the City of London under the Province’s FIT Program.

**AND WHEREAS** the Applicant has requested that the Council of the City of London indicate by resolution Council’s support for the construction and operation of the Project on the Property.

**AND WHEREAS**, pursuant to the FIT rules Version 5.0, Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in these Applicant being offered a FIT Contract prior to other persons applying for FIT Contracts;

### **NOW THEREFORE BE IT RESOLVED THAT:**

Council of the Corporation of the City of London supports the construction and operation of the Project on the Lands.

This resolution’s sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

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Matt Brown  
Mayor

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Catharine Saunders  
City Clerk

*(The reference number must be inserted by Applicant in order for the resolution to comply with the FIT rules, even where local Municipal letterhead is used. This is not to be inserted by the Local Municipality)*