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TO	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE MEETING ON MONDAY SEPTEMBER 24, 2012
FROM:	GEORGE KOTSIFAS, P. Eng. MANAGING DIRECTOR, DEVELOPMENT AND COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL
SUBJECT:	LOCAL RENEWABLE ELECTRICITY GENERATION PROJECTS SEEKING ONTARIO FEED-IN TARIFF CONTRACTS

RECOMMENDATION

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the following actions be taken with respect to local renewable electricity generation projects seeking Ontario Feed-In-Tariff (FIT) Contracts:

- a) pursuant to section 13.8 of the Council Procedure By-law, the actions of the Municipal Council taken at its meeting held on July 24 and 25, 2012, with respect to clause 5 of the 20th Report of the Planning and Environment Committee, related to the approval of forms for Municipal Support Resolutions under the Province's FIT Program **BE RECONSIDERED** as the Ontario Power Authority (OPA) has subsequently released prescribed forms related to this Program;
- b) the said Clause 5 of the 20th Report of the Planning and Environment Committee from its meeting held on July 23, 2012 **BE RESCINDED**; and,
- c) the Civic Administration **BE DIRECTED** to undertake the following actions with respect to proposed changes (Program Rules) to the Feed-in-Tariff (FIT) Program, operated by the Ontario Power Authority (OPA):
 - i) undertake the process described in the recommendations below when the Draft FIT Program Rules (April 5, 2012), which are designed to assist renewable energy project developers obtain timely Municipal Council Support Resolutions, are finalized in the very near future; it being noted that if the FIT Program Rules are substantially changed when finalized, the Civic Administration will revise these recommendations and resubmit, if required;
 - A) co-ordinate and review all requests for a Municipal Council Support Resolution and determine if the request(s) fall into Category 1 Projects (all rooftop solar anywhere in London), Category 2 Projects (ground-mounted solar at specific locations in London) or Category 3 Projects (significant FIT projects, such as wind, biomass and biogas at specific locations in London);
 - B) for Category 1 Projects, the proposed resolution that the construction and operation of rooftop solar projects, having little or no potential for impacts on adjacent properties, be supported without reservation anywhere in London where permitted by the Province of Ontario's Feed-In Tariff (FIT) Program rules be approved, as set out in the Municipal Council Blanket Support Resolution attached hereto as Appendix "A";
 - C) for Category 2 Projects, the proposed resolution that the construction and operation of ground-mounted solar projects, having little or no potential for impacts on adjacent properties, be supported at a specific location(s) identified by the project developer where permitted by the Province of Ontario's Feed-In Tariff (FIT) Program rules be approved as a two step process.

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- i) the Civic Administration prepare a recommendation report to the appropriate Standing Committee, commenting on the proposed location; and,
 - ii) if supported by the Civic Administration, submit a Municipal Council Support Resolution attached hereto as Appendix "B" as part of the report to the appropriate Standing Committee; and,
- D) for Category 3 Projects, the Civic Administration will review and offer recommendations to Council on the required steps for undertaking these types of projects and opportunities for a Municipal Council Support Resolution;
- E) co-ordinate the Municipal Council Support Resolution process through the Development & Compliance Division; it being noted that liaison will take place with the Civic Administration from the Land Use Planning Division and Environmental & Engineering Services;
- d) the Mayor and the City Clerk **BE AUTHORIZED** to sign any requested Council Resolution for Category 1 Projects using the Municipal Council Blanket Support Resolution (Appendix "A"); it being noted that these recommendations are solely for the purpose of enabling an applicant of the FIT Program to receive priority points under the new FIT Program rules, 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; and,
- e) the Civic Administration **BE DIRECTED** to take the necessary action to provide notice of the proposed fee schedule for processing Category 2 and Category 3 FIT applications and an amendment to Planning Fees By-law CP-18 to be considered at a future Public Participation Meeting before the appropriate Standing Committee.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

July 23, 2012 – Report to the Planning and Environment Committee – Municipal Support Resolutions for Local Renewable Electricity Generation Projects Seeking Ontario Feed-in-Tariff Contracts.

PURPOSE

The report is provided to replace the previously Council approved forms for Municipal Support Resolutions under the Province's FIT Program with new prescribed forms provided by the Ontario Power Authority. The report also recommends amendments to the Planning Fees By-law CP-18 to implement a proposed fee structure for the processing of applications for municipal support under the FIT Program.

DISCUSSION

As a result of proposed changes 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 24 and 25, 2012 meeting of Municipal Council, including two standardized forms prepared by staff for the purpose of Municipal Support Resolutions. Subsequently, the OPA has released prescribed forms for both a Blanket Municipal Support Resolution and individual project Municipal Support Resolutions for use by Ontario municipalities.

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The new prescribed forms are attached as Appendices “A” and “B”. These forms are to replace the previously approved standardized resolutions included as Appendices “A” and “B” of the July 23, 2012 Planning and Environment Committee Report.

Staff from Development and Compliance Services will coordinate the FIT Program for the City of London. Staff have developed an application form for applicants to use when requesting Municipal Support under the FIT Program. The “Renewable Energy Project Application” form is attached as Appendix “C”. The proposed application form will provide staff with the base information necessary to receive, track and liaise proposed applications.

There are four categories of applications under the FIT Program. Staff have considered the various file types to determine the administrative and logistical requirements for each. The MicroFIT and Category 1 projects have administrative needs similar to issuance of Lawyers Letters in that a request is received and documentation is provided. Category 2 projects by definition have little or no impact on adjacent properties but still require preparation of a PEC report and issuance of the prescribed Municipal Support Resolution form. Category 3 projects are more involved and require preparation of a PEC report to review the proposal and offer recommendations to Council on the consideration of these types of projects for Municipal Support Resolution.

City staff have considered the work involved and the financial impact to applicants and are proposing a fee structure for processing FIT applications as shown in Table 1 below.

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

Notes:

1. microFIT and FIT Category 1 compliance form turnaround not to exceed two weeks.
2. FIT Category 1 compliance form to be accompanied by blanket municipal council resolution.
3. Building permits are required for all rooftop installations.

Fees for Micro FIT and FIT – Category 1 projects are already in place and can be applied at this time. For the Category 2 and Category 3 projects, notice must be provided prior to amending to Planning Fees By-law CP-18 and the proposed amendment must be brought back for consideration at a future public meeting before it is enacted. This action is proposed in recommendation clause c).



CONCLUSION

Following Council Approval of the proposed recommendations, all new requests for renewable energy projects would require the attached application form. The proposed process is intended to provide for consistent, timely responses to these requests as it is anticipated that Developers will be working with a very short time frame to pull together the necessary points to submit their applications to the OPA.

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Public notice must be provided before the proposed application fees for the municipal review process can be adopted for Category 2 and Category 3 FIT projects. Before the fees are introduced, proposed changes to Planning Fees By-law CP-18 will be advertised and brought back to a future public meeting for consideration.

SUBMITTED BY:	RECOMMENDED BY:
	
JENNIE RAMSAY, P. Eng. MANAGER, DEVELOPMENT SERVICES	GEORGE KOTSIFAS, P.Eng. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL

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APPENDIX A:



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

PRESCRIBED FORM/TEMPLATE: MUNICIPAL COUNCIL BLANKET SUPPORT RESOLUTION

Section 6.1(d)(i) - FIT Rules, Version 2.0

QPAP/FIT-014r1

Capitalized terms not defined herein have the meanings ascribed thereto in the FIT Rules, Version 2.0.

Resolution NO: _____ Date: _____

WHEREAS the Province's FIT Program encourages the construction and operation of
_____ e.g. rooftop solar, ground mount solar, bioenergy, on-shore wind _____ generation projects (the "Projects");

AND WHEREAS one or more Projects may be constructed and operated in _____ insert the name of the Local Municipality _____;

AND WHEREAS, pursuant to the rules governing the FIT Program (the "FIT Rules"), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in these Applicants being offered a FIT Contract prior to other persons applying for FIT Contracts;

NOW THEREFORE BE IT RESOLVED THAT:

Council of the _____ insert the name of the Local Municipality _____ supports without reservation the construction and operation of the Projects anywhere in _____ insert the name of the Local Municipality _____.

This resolution's sole purpose is to enable the participants in the FIT Program 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 Projects or any other purpose.

This resolution shall expire twelve (12) months after its adoption by Council.

(Note: signature lines for councillors or other representatives, as appropriate)

FIT reference number: _____
(Note: Must be inserted by Applicant to complete Application)

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APPENDIX B:



130 Adelaide Street West, Suite 1900
Toronto, Ontario M5H 1T1
T 416-967-7474
F 416-967-1947
www.powerauthority.on.ca

PRESCRIBED FORM/TEMPLATE: MUNICIPAL COUNCIL SUPPORT RESOLUTION

Section 6.1(d)(i) - FIT Rules, Version 2.0

OPARP/1-FIT-015:1

Capitalized terms not defined herein have the meanings ascribed thereto in the FIT Rules, Version 2.0.

Resolution NO: _____ **Date:** _____

WHEREAS _____ (the "Applicant") proposes to construct and operate a
insert description of type of project (e.g. rooftop solar, ground mount solar, bioenergy, on-shore wind)

(the "Project") on: _____ (the "Lands") in
insert the name of the Local Municipality
under the Province's FIT Program;

AND WHEREAS the Applicant has requested that Council of _____
insert the name of the Local Municipality
indicate by resolution Council's support for the construction and operation of the Project on the Property;

AND WHEREAS, pursuant to the rules governing the FIT Program (the "FIT Rules"), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other persons applying for FIT Contracts;

NOW THEREFORE BE IT RESOLVED THAT:

Council of the _____ supports without reservation the
insert the name of the Local Municipality
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.

(Note: signature lines for councilors or other representatives, as appropriate)

FIT reference number: _____
(Note: Must be inserted by Applicant to complete Application)

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APPENDIX C:



Renewable Energy Project Application

A. Project Information			
Building number, street name		Unit Number	Postal Code
			Lot/Con.
B. Applicant Information			
Applicant is: <input type="checkbox"/> Owner or <input type="checkbox"/> Authorized Agent of Owner			
Last Name	First Name	Corporation or Partnership	
Street Address		Unit Number	Lot/Con.
Municipality	Postal Code	Province	E-mail
Telephone Number ()	Fax ()	Cell ()	
C. Owner (if different from applicant)			
Last Name	First Name	Corporation or Partnership	
Street Address		Unit Number	Lot/Con.
Municipality	Postal Code	Province	E-mail
Telephone Number ()	Fax ()	Cell ()	
D. FIT Category			
MicroFIT (<10 kW)	<input type="checkbox"/>	Fee Amount:	
FIT Category – 1 (Rooftop solar anyplace)	<input type="checkbox"/>	Fee Amount:	
FIT Category – 2 (Ground Mounted Solar Projects at Specific Locations)	<input type="checkbox"/>	Fee Amount:	
FIT Category – 3 (All Other Renewable Electricity Projects)	<input type="checkbox"/>	Fee Amount:	
E. Declaration of applicant			
I _____ declare that:			
<ol style="list-style-type: none"> The information contained in the application and/or other attached documentation is true to the best of my knowledge. If the owner is a corporation or partnership, I have the authority to bind the corporation or partnership. 			
_____ Date:		_____ Signature of Applicant	