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TO	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE PUBLIC PARTICIPATION MEETING ON TUESDAY JANUARY 8, 2013
FROM:	GEORGE KOTSIFAS, P. Eng. MANAGING DIRECTOR, DEVELOPMENT AND COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL
SUBJECT:	AMENDMENT TO PLANNING FEES BY-LAW CP-18 APPLICATIONS UNDER THE FEED-IN TARIFF (FIT) PROGRAM PUBLIC PARTICIPATION MEETING - TUESDAY JANUARY 8, 2013

RECOMMENDATION

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the attached proposed by-law (Appendix "A") **BE INTRODUCED** at the Municipal Council meeting on January 15, 2013, for the purpose of amending Planning Fees By-law No. CP-18 by adding Schedule "D", which establishes fees for municipal input on local renewable electricity generation projects seeking Ontario Feed-in-Tariff (FIT) contracts.

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

September 24, 2012 – Report to the Planning and Environment Committee to address changes to the prescribed forms for Municipal Support Resolutions under the Ontario Feed-in Tariff Program.

PURPOSE

The purpose of this report is to recommend 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 Ontario Feed-in-Tariff (FIT) Program.

BACKGROUND

The Ontario Feed-in-Tariff (FIT) Program applies to projects that are larger than 10 kilowatts in nameplate capacity. Projects at this scale are typically associated with commercial, institutional, industrial and high density residential properties. Projects on low-density residential rooftops are typically smaller than 10 kilowatts, and fall under the separate Micro-Fit program.

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 & 25, 2012 meeting of Municipal Council, including two standardized forms prepared by staff for the purpose of Municipal Support Resolutions.

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Subsequently, the Ontario Power Authority released prescribed forms for both a Blanket Municipal Support Resolution and individual project Municipal Support Resolutions for use by Ontario municipalities. The new prescribed forms were approved at the October 9, 2012 meeting of Municipal Council.

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.

This proposed fee structure was identified in the September 24, 2012 Planning and Environment Committee report. The resolution endorsed by Municipal Council on October 9th, 2012 directed administration to take the necessary action to provide notice of the proposed fee schedule, and amend Planning Fees By-law CP-18.

Notice of the proposed amendments to the Planning Fees By-law and the scheduled public participation meeting was provided in the "Londoner" on December 20th, 2012.

It has recently been announced by the Province that the Ontario Power Authority will start to receive applications under the FIT Program from small FIT proponents (i.e. for applications with a proposed capacity of more than 10 kilowatts and up to 500 kilowatts) on December 14, 2012, with an application end date of January 18, 2013. The timing of the Large FIT application window has not yet been communicated by the Province.




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CONCLUSION

An amendment is required to Planning Fees By-law CP-18, to include fees for the review of applications under the Ontario Feed-in-Tariff (FIT) Program. Notice of the proposed fee schedule has been provided and the January 8, 2013 public meeting was scheduled to consider input on the proposed fees.

The proposed fees, which were previously identified in the September 24, 2012 Planning & Environment Committee report, are differentiated to reflect the processing costs that are anticipated for each application category. The proposed fees are considered reasonable and are recommended for inclusion in the Planning Fees By-law.

PREPARED & RECOMMENDED BY:	REVIEWED BY:
	
TERRY GRAWEY MANAGER, DEVELOPMENT SERVICES & PLANNING LIAISON	JENNIE RAMSAY, P. Eng. MANAGER, DEVELOPMENT SERVICES
	
for GEORGE KOTSIFAS, P.Eng. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL	

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APPENDIX "A"

Bill No.
2013

By-law No. CP-18 - _____

A by-law to amend By-law CP-18 by establishing fees for processing applications on local renewable electricity generation projects seeking Ontario Feed-in-Tariff (FIT) contracts.

WHEREAS Section 69(1) of the Planning Act, R.S.O. 1990, provides for the establishment of fees for the processing of applications made in respect of planning matters;

AND WHEREAS it is deemed appropriate to establish fees for applications that are submitted to the City for review under the Ontario Feed-in-Tariff Program;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. By-law No. CP-18 is amended by adding SCHEDULE "D" as follows:

SCHEDULE "D"

ONTARIO FEED-IN TARIFF (FIT) APPLICATIONS

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

2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on January 15, 2013

Agenda Item # Page #

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Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading – January 15, 2013
Second Reading – January 15, 2013
Third Reading – January 15, 2013