



ITEM FOR: Council

DEPARTMENT: Planning Department

ITEM NO. 13 A) 1) b

MEETING DATE: December 10, 2012

SUBJECT: Council Endorsement of Roof-top Solar Projects in the Township of Clearview

RECOMMENDATION:

THAT for the purposes of the Province of Ontario's FIT Priority Point System, Council support without reservation, any project to install a roof-top solar power facility on an existing structure within the Township of Clearview; and further,

THAT this blanket endorsement does not constitute the Township's acceptance of any liability or responsibility for any given project; and further,

THAT any roof-top solar project installed in the Township must comply with all applicable local and Provincial policy and legislation, including but not limited to the Ontario Building Code.

BACKGROUND:

The Ontario Power Authority (OPA) has altered its processes to establish a point system for new FIT installations. The new rules mean that applicants receiving formal support from a municipality are awarded Priority Points. With an award of Priority Points the applicant may be offered a contract prior to other applicants.

The new process allows Council to undertake a blanket endorsement of all green energy proposals across the municipality, specific types of projects across the municipality, or individual projects.

The wording of the endorsement form is very specific and cannot be altered in any manner. The forms require that Council support "without reservation the construction and operation" of a project or projects. This has raised significant concern amongst many municipalities. There is a subsequent qualification in the form that indicates that the resolution of support may not be used for the purpose of any other municipal approval in relation to the project. This alleviates some concerns in regard to the fact that roof-top installations must meet Building Code requirements and the support without reservation does not negate that requirement. However, some concern remains amongst some municipalities about potential liabilities associated with a "without reservation" endorsement.

While there is significant concern about the nature and wording of the new OPA forms, the municipality also wants to support local businesses and responsible and appropriate renewable energy initiatives.

Staff have reviewed the forms and reviewed both industry and municipal issues around the use of forms. Council has previously assessed individual projects on a site-by-site basis. There now appears to be merit, however, in passing a blanket endorsement of roof-top solar projects, given their general benign nature and for the purposes of the FIT program.

This report is intended to assess the overall merits of roof-mount solar projects within the Township, and shall not be construed to include any other type of renewable energy project, such as ground-mount solar, wind, or biofuel generation facility. These types of projects have different impacts and shall continue to be assessed and brought before Council on a project-specific basis.

COMMENTS:

The Township Official Plan (2001) is oriented toward the wise use and management of land within the Municipality in all project considerations. Protection and preservation of the Township's natural heritage, open spaces, and agricultural lands is among the primary objectives of the Official Plan.

Roof-mount solar power generation facilities provide for the preservation of land. Because they are constructed on existing structures these facilities generally do not impede the intended function, aesthetic, or layout of a given site. These types of solar facilities often capitalize on expansive, underused rooftop areas in rural and industrial settings, preserving land or reserving it for other types of uses and development. Roof-mount solar facilities also conserve land consumption within settlement areas, where developable land is typically a valuable commodity. Rooftop solar facilities also contribute to the reduction in heat island effects.

On the basis that the resolution would support roof-mount solar projects with in the Township without reservation only for the purposes of the Priority Point system and for absolutely no other purpose, including accepting any liability or responsibility for the installation, and noting that the applicant must still satisfy Building Code requirements, staff recommend that Council provide the required resolution of support to advance these projects.

SCHEDULES:

A) Draft By-law 12-58

DATE: December 4, 2012

PREPARED BY:

Amy Cann, MCIP, RPP, Development Planner

APPROVED BY:

Michael Wynia, MCIP, RPP, Director of Planning, Development and Information Services

THE CORPORATION OF THE TOWNSHIP OF CLEARVIEW

BY-LAW NO. 12-58

BEING A BY-LAW TO PROVIDE BLANKET ENDORSEMENT OF ROOF-TOP SOLAR FACILITIES WITHIN THE TOWNSHIP OF CLEARVIEW IN ASSOCIATION WITH THE PROVINCE OF ONTARIO'S FEED-IN-TARIFF PRIORITY POINT SYSTEM.

WHEREAS the Council of the Corporation of the Township of Clearview receives the report from the Development Planner dated December 3, 2012 regarding Council Endorsement of Roof-top Solar Projects in the Township of Clearview;

NOW THEREFORE the Council of the Corporation of the Township of Clearview, enacts as follows:

- i) THAT for the purposes of the Province of Ontario's FIT Priority Point System, Council support without reservation, any project to install a roof-top solar power facility on an existing structure within the Township of Clearview; and further,
- ii) THAT this blanket endorsement does not constitute the Township's acceptance of any liability or responsibility for any given project; and further,
- iii) THAT any roof-top solar project installed in the Township must comply with all applicable local and Provincial policy and legislation, including but not limited to the Ontario Building Code.

BY-LAW 12-58 READ A FIRST, SECOND, AND THIRD TIME AND FINALLY PASSED THIS THE 10th DAY OF DECEMBER, 2012.

MAYOR

CLERK