

**Special Council Meeting Number 2015-20**  
**Addeds**  
**Wednesday August 26, 2015**

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### **Delegations**

The consent of Council is requested for the **addition** of the following delegations:

- 1) Philippe Abergel, Development Manager, Renewable Energy Systems Canada Inc., will appear before Council to speak to Report Number 80: Received from the Rural Advisory Committee with respect to Cataraqui Ridge Solar LP Project.
- 2) Charmaine Thompson, Vice President, Ontario Projects, Sky Power, will appear before Council to speak to Report Number 80: Received from the Rural Advisory Committee with respect to SkyPower Projects.
- 3) Greg Rossetti, Bondfield, and Jeff Allan, First Ontario Energy, will appear before Council to speak to Report Number 80: Received from the Rural Advisory Committee with respect to Bondfield NCC Solar LP II.

### **Briefing**

The consent of Council is requested for the **addition** of the following briefing:

- 1) Lanie Hurdle, Commissioner of Community Services, will be providing a briefing with respect to the process for municipal council support resolutions and municipal agreements for large ground mounted solar energy projects (Report Number RAC-15-009).

### **Reports**

#### **Report Number 80: Received from the Rural Advisory Committee**

The consent of Council is requested for the **amendment** of the following proponent's name in the title and within the report of Clause 3) Report Number 80: Received from the Rural Advisory Committee:

3. Request for Municipal Council Support under the Large Renewable Procurement (LRP) – **Kingston East Solar Energy Partnership**

### **Information Reports**

The consent of Council is requested for the **addition** of the following Information Report:

#### **1. Solar Land Lease Agreements**

This report is to solicit proposals from qualified applicants to develop a solar project on the Kingston East Landfill, and further to authorize the Mayor and Clerk to sign all agreements necessary to lease the land to the highest scoring proposal to the satisfaction of the Director of Legal Services.

(The Report of the Commissioner of Corporate & Strategic Initiatives (15-381) is attached as Schedule Pages 1-4)  
(File Number CSU-L15-000-2015)

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**Communications**

The consent of Council is requested for the **addition** of the following Communications:

**Referred to All Members of Council**

- 20-465 From Philippe Abergel, Development Manager, Renewable Energy Systems Canada Inc., re Cataraqui Ridge Solar LP Project.  
(Distributed to all Members of Council on August 26, 2015)  
(File Number CSU-E11-000-2015)
- 20-466 From Gord and Pam Taylor regarding Rural Affairs - SkyPower Application - Vibrancy Fund.  
(Distributed to all Members of Council on August 26, 2015)  
(File Number CSU-E11-000-2015)
- 20-467 From Douglas Proska, Compass Renewable Energy Consulting Inc. with respect to K&P Trail concerns.  
(Distributed to all Members of Council on August 26, 2015)  
(File Number CSU-E11-000-2015)
- 20-472 From Philippe Abergel, Development Manager, Renewable Energy Systems Canada Inc., re Cataraqui Ridge Solar LP Project – Site Considerations.  
(Distributed to all Members of Council on August 26, 2015)  
(File Number CSU-E11-000-2015)
- 20-475 From Laura Lee Morris, resident, regarding SkyPower Solar Projects.  
(Distributed to all Members of Council on August 26, 2015)  
(File Number CSU-E11-000-2015)
- 20-476 From Annemarie Eusebio, Intermediate planner, Policy Planner, Building and Licensing - public meeting summary - Kingston East Solar Project  
(Distributed to all Members of Council on August 26, 2015)  
(File Number CSU-E11-000-2015)
- 20-488 From Sara Babcock, resident of Unity Road, with respect to SkyPower Solar Projects.  
(Distributed to all Members of Council on August 26, 2015)  
(File Number CSU-E11-000-2015)
- 20-493 From Philippe Abergel, Development Manager, Renewable Energy Systems Canada Inc., re Cataraqui Ridge Solar LP Project - Information and Project Revision.  
(Distributed to all Members of Council on August 26, 2015)  
(File Number CSU-E11-000-2015)
- 20-494 From Tyson Champagne, Executive Director, SWITCH Ontario, Municipal letter of support.  
(Distributed to all Members of Council on August 26, 2015)  
(File Number CSU-E11-000-2015)
- 20-495 Dave Restivo, Invenergy LLC, regarding Kingston East Solar Project – Meeting Summary Report.  
(Distributed to all Members of Council on August 26, 2015)  
(File Number CSU-E11-000-2015)



**City of Kingston  
Report to Council  
Information Report Number 15-381**

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**To:** Mayor and Members of Council  
**From:** Cynthia Beach, Commissioner, Corporate & Strategic Initiatives  
**Resource Staff:** Peter Huigenbos, Manager, Real Estate & Land Development  
**Date of Meeting:** August 26, 2015  
**Subject:** Report on Solar Land Lease Agreements

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**Executive Summary:**

At its June 16, 2015, Council directed staff to issue a Request for Proposals (RFP) to solicit proposals from qualified applicants to develop a solar project on the Kingston East Landfill, and further authorized the Mayor and Clerk to sign all agreements as necessary to lease the land to the highest scoring proposal to the satisfaction of the Director of Legal Services. The RFP was issued and awarded to Invenergy Solar Canada Development GP Limited (Invenergy) under the name of Kingston East Landfill Solar LP.

At the same meeting, Council authorized the Mayor and Clerk to execute a lease agreement with RES Canada (Catarauqui Ridge Solar LP) for a solar project on a city owned property at fair market value on McAdoo's Lane to the satisfaction of the Director of Legal Services.

Both companies have executed option to lease agreements for these projects but neither of the agreements have been presented to the Mayor and Clerk for signature as of the date of this report. It is staff's understanding of Council's direction in regard to these projects that the lease agreements will only be executed if the company is successful in obtaining Municipal Support and Municipal Agreement Resolutions at the special meeting of Council on August 26, 2015.

**Recommendation:**

This report is for information purposes only.

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**Authorizing Signatures:**

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**Cynthia Beach, Commissioner,  
Corporate & Strategic Initiatives**

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**Gerard Hunt, Chief Administrative Officer**

**Consultation with the following Commissioners:**

|  |              |
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| Lanie Hurdle, Community Services                             | Not required |
| Denis Leger, Transportation, Facilities & Emergency Services | Not required |
| Jim Keech, President and CEO, Utilities Kingston             | Not required |

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**Options/Discussion:**

On June 16, 2015 Council passed the following resolution:

**That** Council authorize the Mayor and the Clerk to execute all necessary agreements and documents as may be required to lease city-owned lands adjacent to the RES Canada “Catarauqui Ridge Solar Project” at McAdoo’s Lane at fair market value, in a form satisfactory to the Director of Legal Services;

Details regarding conditions are described in [Council Report 15-298](#). Staff has completed negotiations with RES Canada (RES) for the Catarauqui Ridge Solar Project and RES has executed an option to lease agreement on the City lands which is contingent on being awarded a Large Renewable Procurement (LRP) contract. The Lease agreement has not been provided by staff to the Mayor and Clerk for final execution.

It is staff’s understanding of Council’s direction that the lease agreement shall only be executed by the Mayor and Clerk if Council approves a Municipal Council Support and Municipal Agreements Resolutions for the proponent’s particular project.

Therefore, should Council approve Municipal Council Support and Municipal Agreements Resolutions for RES Canada at the August 26<sup>th</sup> meeting, staff will forward the lease agreement(s) for signing by the Mayor and Clerk. Should Council not approve the Municipal Council Support and Municipal Agreements Resolutions, the City will not enter into the lease.

On June 16, 2015, Council also passed the following resolution:

**That** Council authorize staff to release a Request for Proposals to lease the closed Kingston East Landfill Site lands for a Large Renewal Procurement project and award the RFP to the highest scoring proposal, in a form satisfactory to the Director of Legal Services; and

**That** Council authorize the Mayor and the Clerk to execute all necessary agreements and other documents as may be required to lease the closed Kingston East Landfill Site lands to the highest scoring proposal, in a form satisfactory to the Director of Legal Services.

Staff has completed negotiations with Invenergy Solar Canada Development GP Limited (Invenergy) as Invenergy was the highest scoring proposal of the RFP process. Invenergy has executed an option to lease agreement on the City lands which is contingent on being awarded an LRP contract. The Lease agreement has not been provided by staff to the Mayor and Clerk for final execution. [Council Report 15-299](#) outlines the conditions for lease approval.

It is staff’s understanding of Council’s direction that the lease agreement shall only be executed by the Mayor and Clerk if Council approves Municipal Council Support and Municipal Agreements Resolutions for the proponent’s particular project.

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Therefore, should Council approve Municipal Council Support and Municipal Agreements Resolutions for Invenergy at the August 26<sup>th</sup> meeting, staff will forward the lease agreement(s) for signing by the Mayor and Clerk. Should Council not approve the Municipal Council Support and Municipal Agreements Resolutions, the City will not enter into the lease.

Staff will be in attendance at the August 26<sup>th</sup> meeting to answer any questions or provide any clarification required from Council.

**Existing Policy/By Law:**

Revenue Leasing and Licensing Policy last revised by Council December 20, 2011

**Notice Provisions:**

None

**Accessibility Considerations:**

None

**Financial Considerations:**

None

**Contacts:**

Peter Huigenbos, Manager, Real Estate & Land Development, 613-546-4291 ext. 3148

**Other City of Kingston Staff Consulted:**

Mark McLaughlin, Senior Legal Counsel

**Exhibits Attached:**

None