



CITY OF KINGSTON
REPORT TO COUNCIL

Report No.: 12-284

TO: Mayor and Members of Council
FROM: Cynthia Beach, Commissioner, Sustainability & Growth
RESOURCE STAFF: Paul MacLatchy, Director, Environment & Sustainable Initiatives
DATE OF MEETING: September 18, 2012
SUBJECT: Support in Principle for Rooftop Solar Applications Made Under the Provincial Feed-in Tariff (FIT) Program

EXECUTIVE SUMMARY:

This report recommends that Council indicates support in principle for applications made to the Provincial Feed-in Tariff (FIT) for roof top installation and operation of solar photovoltaic panels. This report and the recommended resolution do not apply to renewable energy projects proceeding through the microFIT (10 kW or less) stream.

Under the new FIT rules, municipal support in principle is required for award of “priority points” which would increase the likelihood of the Province offering applicants a generation contract by providing favour to projects within municipalities where blanket support has been provided.

Provision of a blanket support in principle will allow rooftop solar projects to avoid petitioning City Council for support on an individual basis.

Unlike large ground mounted projects, rooftop solar projects of any size are exempt from the Renewable Energy Approvals (REA) process.

RECOMMENDATION:

WHEREAS the Province's FIT Program encourages the construction and operation of rooftop solar generation projects (the "Projects"); and

WHEREAS one or more Projects may be constructed and operated in the City of Kingston; and

WHEREAS, pursuant to the rules governing the FIT Program (the “FIT Rules”), Applications whose Projects receive the formal support of Municipalities will be awarded priority points, which

September 18, 2012

- Page 2 -

may result in these Applicants being offered a FIT Contract prior to other persons applying for FIT Contracts;

THEREFORE BE IT RESOLVED THAT:

Council of the City of Kingston supports without reservation the construction and operation of the Projects anywhere in the City of Kingston.

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.

AUTHORIZING SIGNATURES:

<p><u>ORIGINAL SIGNED BY COMMISSIONER</u> Cynthia Beach, Commissioner, Sustainability and Growth</p>
<p><u>ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER</u> Gerard Hunt, Chief Administrative Officer</p>

CONSULTATION WITH THE FOLLOWING COMMISSIONERS:

Lanie Hurdle, Community Services	N/R
Denis Leger, Transportation, Properties & Emergency Services	√
Jim Keech, President & CEO, <i>Utilities Kingston</i>	N/R

(N/R indicates consultation not required)

OPTIONS/DISCUSSION:Background

The *Green Energy Act* of 2009 addresses, among other things, the establishment of renewable energy generation in the Province of Ontario. As part of the implementing the Act the Ontario Power Authority (OPA) introduced the Feed-In Tariff Program that provides contracts with guaranteed pricing structures for the purchase of electricity generated by renewable technologies and supplied to the Provincial electricity grid. The FIT program provides for two types of contracts depending on generation capacity:

1. The FIT Program – projects greater than or equal to 10 kilowatts (kW)
2. The microFIT Program – projects less than 10kW in size

A 10kW solar roof top installation would require approximately 800 square feet of roof space.

In 2011 the Ontario Ministry of the Environment began a review of the FIT Program with the focus of, among other things, adjusting pricing levels and establishing a system for prioritizing applications.

Presently the new rules for FIT, referred to as FIT 2.0, will determine prioritization of approval of project applications using a points system. Project applications with higher numbers of points will be approved in advance of those with lower point scores. Points are awarded based on a number of factors including two (2) points provided for projects where a City Council has provided a specific resolution for a particular project or blanket resolution for a class of projects. Projects that proceed to application without municipal support would be disadvantaged and may have their approvals delayed or constructively denied.

Building Permits Required

Any project that is awarded a contract under the FIT 2.0 rules will have 18 months to install the project. Before installation can proceed the applicant must apply for and obtain a Building Permit from the City of Kingston's Building & Licensing Department. During the review of the Building Permit application, the municipality ensures that the solar installation is safe by abiding by the requirements of the Building Code. Structural implications such as the roof's ability to safely carry the load of the solar panels and proper fastening of the panels to the roof are examined along with inspection of electrical safety requirements.

Other Municipal Concerns

Consultation with other City departments and other jurisdictions has yielded the following areas of concern in regard to rooftop solar panel installations that are not covered by the Building Code and the associated review process for Building Permits.

September 18, 2012

- Page 5 -

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1. Solar Reflection and Airport Operations: Other municipalities (Mississauga, 2012) have identified glare from rooftop solar panel installations as a potential concern for the safety of air traffic in landing and take-off situations and have indicated a preference for roof top solar installations that use anti-glare surfaces only.
 2. Safety of Emergency Responders: Fire and rescue operations often require access to roof tops and in serious situations rapid creation of access through the roof structure. The presence of an energized solar photovoltaic system on the roof presents a potential hazard to Fire and Rescue responders.
 3. Heritage Preservation: Larger (>10kW) roof top solar installations are generally upon flat roofs and less likely to be located upon heritage buildings but nevertheless any rooftop solar installation upon a heritage building will be subject to the requirements of the Ontario Heritage Act and therefore require a heritage permit from the City of Kingston.

The City of Mississauga has passed their blanket resolution of support for rooftop solar installations and has made their support contingent upon a project's conformance with Mississauga's requirements for anti glare panels, fire safety and heritage preservation. Based upon direction received from the Ontario Power Authority's Feed in Tariff (FIT) representatives, the most current version of the FIT 2.0 rules do not allow municipalities to insert similar qualifications into their blanket support resolutions.

The blanket resolution that is the subject of this report applies only to roof-mounted solar projects. Roof mounted solar projects of any size are exempt from the Provincial Renewable Energy Approval (REA) process and therefore the blanket resolution does not apply to any renewable energy project that is subject to the REA process.

EXISTING POLICY/BY LAW:

Rooftop projects that are the subject of this report and the recommended resolution of municipal support are exempt from the Provincial requirements for a Renewable Energy Approval (REA) and therefore also exempt from the City of Kingston's Municipal Consultation and Review Process for Renewable Energy Project Applications as described within Report to Council 12-078 and the fees for such applications as described within 12-137.

NOTICE PROVISIONS:

No notice provisions are required.

ACCESSIBILITY CONSIDERATIONS:

There are no accessibility considerations directly related to this report.

FINANCIAL CONSIDERATIONS:

None.

CONTACTS:

Paul MacLatchy, Director Environment & Sustainable Initiatives 613-546-4291 ext 1226

OTHER CITY OF KINGSTON STAFF CONSULTED:

Grant Bain, Director of Planning & Development
Terry Willing, Director of Building and Licensing
Harold Tulk, Fire Chief
David Snow, Manager of Norman Rogers Airport
Shirley Bailey, Manager Heritage & Urban Design

EXHIBITS ATTACHED:

None.