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Council Memorandum

To: Council
Cc: Ron Taylor, Chief Administrative Officer
Date: January 30, 2018
From: Cathie Ritchie, City Clerk
Subject: Feed-In Tariff (FIT) Program – Prescribed Resolution of Support – Ground Mount Solar Project – 390 Northline Rd., 2387282 Ontario Inc. (Coppins)

Recommendation:

Whereas capitalized terms not defined herein have the meanings ascribed thereto in the FIT Contract, Version 3.1;

And Whereas 2387282 Ontario Inc. (the "Supplier") has entered into a FIT Contract to construct and operate a ground mount solar Facility (the "Project") on 390 Northline Road (the "Lands") in the City of Kawartha Lakes (the "Local Municipality") under the Province's FIT Program;

And Whereas the Supplier previously requested that the Council of the Local Municipality ("Council") indicate by resolution Council's support for the construction and operation of the Project on the Lands or all Projects with the same Renewable Fuel anywhere in the Local Municipality, and Council did provide such support in a prior resolution.

And Whereas the Supplier has requested that the Council indicate, by a resolution dated no earlier than June 10, 2015 (the "New Resolution"), Council's continued support for the construction and operation of the Project on the Lands;

And Whereas where a New Resolution is received in respect of a Project, the Supplier will be recognized as fulfilling the requirements under Section 2.4(d)(vii) of the FIT Contract, which may result in the Supplier being offered Notice to Proceed in accordance with the terms of the Supplier's FIT Contract;

Now Therefore Be It Resolved That Council of the City of Kawartha Lakes supports the construction and operation of the Project on the Lands. This resolution's sole purpose is to enable the Supplier to achieve Notice to Proceed under its FIT Contract and may not be used for the purpose of any other form of municipal approval in relation to the FIT Contract or Project or for any other purpose.

Background:

On June 6, 2017 Council adopted the following resolution:

CR2017-493

Moved By Councillor James

Seconded By Councillor Elmslie

RESOLVED THAT City of Kawartha Lakes supports the construction and operation of the Project on the Lands located at 390 Northline Road;
THAT this resolution's sole purpose is to enable the Supplier to achieve Notice to Proceed under its FIT Contract and may not be used for the purpose of any other form of municipal approval in relation to the FIT Contract or Project or for any other purpose;

THAT the Chief Administrative Office and the Director of Development Services be authorized to sign the required Independent Electricity System Operator (IESO) forms on behalf of the Council of the City of Kawartha Lakes for the ground mount solar project that was previously endorsed by Council at 390 Northline Road (Coppins), as attached; and

THAT this resolution shall expire 12 months after its adoption by Council.

The City has been notified that the Independent Electricity System Operator (IESO) requires the Council Resolution of Support to be submitted, and provide confirmation in the prescribed forms.

Risks/Considerations

The FIT Contract has commenced based on the June 6, 2017 Council Resolution No. CR2017-043 enabling the Supplier to achieve "Notice to Proceed" under its FIT Contract.

As the contract has proceeded, and Motion CR2017-043 authorized the Chief Administrative Officer and the Director of Development Services to sign the required IESO forms on behalf of the Council of the City of Kawartha Lakes, a motion to reconsider or rescind the June 6, 2017 motion is not being recommended.

Conclusion:

The prescribed resolution will meet the requirements of the Independent Electricity System Operator.