

**AMENDED RECOMMENDATIONS ITEM 5.2
CITY OF HAMILTON
M O T I O N**

Committee Date: July 7, 2015

MOVED BY COUNCILLOR.....

SECONDED BY COUNCILLOR

5.2. Proposed Kalyn 250 Kw Electricity Generator located at 97 5 Concession Road East, Former Township of East Flamborough (PED15107) (Ward 15)

- (a) That the Mayor and Council acknowledge the receipt of the letter entitled "Cecil Kalyn Municipal Council Support Resolution", dated June 9, 2015, from Cecil Kalyn (Appendix "A" to Report PED15107);
- (b) That the Mayor and Council support the development, construction, and operation of the proposed 250 kilowatt (Kw) electrical generator using biomass as fuel located at 97 5th Concession Road East, former Township of East Flamborough by Cecil Kalyn for the sole purpose of receiving Priority Points under the Independent Electricity System Operator's (IESO) Feed-in Tariff (FIT) Program, but not for the approval of the proposed project;
- (c) That the Mayor and City Clerk be authorized and directed to sign the IESO "Prescribed Template – Municipal Council Support Resolution" Form IESOMRD/f-FIT-010r2 attached as Appendix "B" to Report PED15107 on behalf of City Council and any other documents necessary to implement subsection (b);
- (d) Should Mr. Kalyn's bid be successful, the City of Hamilton request the Minister of the Environment that an environmental assessment of this project be conducted; and,
- (e) That the General Manager of Planning and Economic Development or designate be authorized to negotiate and execute any agreements if the General Manager of Planning and Economic Development deems beneficial or necessary to fully implement subsection (b), in a form satisfactory to the City Solicitor, setting out Cecil Kalyn's commitments to the City of Hamilton, including commitments provided in Report PED15107.

Attachment



FEED-IN TARIFF PROGRAM

WRITABLE FORM

120 Adelaide Street West, Suite 1600
 Toronto, Ontario M5H 1T1
 T 416-967-7474
 F 416-967-1947
 www.ieso.ca

TEMPLATE: MUNICIPAL COUNCIL SUPPORT RESOLUTION

Section 5.1(g)(i) of the FIT Rules, Version 4.0

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<div style="border: 1px solid black; padding: 2px; width: 20px; text-align: center; font-weight: bold;">1</div> <p>Resolution number: _____</p> <p>Date resolution was passed: _____</p>	<p>FIT Reference Number: _____</p> <p><i>(The FIT Reference Number must be inserted by the Applicant in order for the resolution to comply with the FIT Rules, even where Local Municipality letterhead is used. This is not to be inserted by the Local Municipality.)</i></p>
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2

[WHEREAS] capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 4.0.

[AND WHEREAS] _____ (insert the name of the Applicant) _____ (the "Applicant") proposes to construct and operate a _____ (insert description of Project, including Renewable Fuel (e.g., Rooftop Solar Project, Biogas Project)) _____

(the "Project") on _____ (insert the address of Property(ies), or if no address, PIN or legal description) _____ (the "Lands") in _____ (insert the name of the Local Municipality) _____ under the province's FIT Program;

[AND WHEREAS] the Applicant has requested that Council of _____ (insert the name of the Local Municipality) _____ indicate by resolution Council's support for the construction and operation of the Project on the Property.

[AND WHEREAS] pursuant to the FIT Rules, Version 4.0, Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other Persons applying for FIT Contracts;

[NOW THEREFORE BE IT RESOLVED THAT]

Council of the _____ (insert the name of the Local Municipality) _____ supports the construction and operation of the Project on the Lands.

This resolution's sole purpose is to enable the Applicant 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 Project, or for any other purpose.

3

Signed: _____	Signed: _____
Title: _____	Title: _____
Date: _____	Date: _____

(Signature lines for elected representatives. At least one signature required.)



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PRESCRIBED FORM: MUNICIPAL COUNCIL RESOLUTION CONFIRMATION

Section 3.8(g) and 5.1(g)(i) of the FIT Rules, Version 4.0

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<p>1</p> <p>Resolution number: _____</p> <p>Date resolution(s) was passed: _____</p>	<p>FIT Reference Number: _____</p> <p><i>(The FIT Reference Number must be inserted by the Applicant in order for the resolution to comply with the FIT Rules.)</i></p>
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2

Capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 4.0.

I am the/an _____ (insert title or position with the Local Municipality) of the _____ (insert the name of the Local Municipality) (the "Municipality"), and have the delegated authority to provide this confirmation on behalf of the Municipality and without personal liability.

3

_____ (insert the name of the Applicant) (the "Applicant") proposes to construct and operate a
(This must be the same Applicant (i.e., same name) as stated in the Municipal Council Support Resolution or Land Use Restriction Exemption Resolution provided as attached)

_____ (insert type of Project (e.g., rooftop solar, ground mount solar, bioenergy, on-shore wind)) (the "Project") on
(This must be the same description as stated in the Municipal Council Support Resolution or Land Use Restriction Exemption Resolution provided as attached)

_____ (insert address or legal description) (the "Lands") in the Municipality under the province's FIT Program.
(This must be the same description as the Lands in the Municipal Council Support Resolution or Land Use Restriction Exemption Resolution provided, as attached)

4

The resolution(s) provided with this Confirmation is *(check one or both as applicable)*:

a) A Municipal Council Support Resolution *(if selected, check one of the following)*:

 1) A new FIT 4.0 Municipal Council Support Resolution. *(if selected the resolution must be attached as Exhibit "A")*

 2) A pre-existing FIT 3.0 Municipal Council Support Resolution which has not been rescinded. *(if selected the resolution must be attached as Exhibit "A")*

 ii) I have confirmed that the Project being proposed by the Applicant under the Province's FIT Program is the same Project on the same Lands as the Project that was the subject of the Municipal Council Support Resolution attached as Exhibit "A".

b) A Land Use Restriction Exemption Resolution *(if selected the resolution must be attached as Exhibit "A")*.

5

Name: _____ Signed: _____

Title: _____ Date: _____

(Signature block for authorized signee. Must be an original ink signature)



Independent Electricity System Operator

FEED-IN TARIFF PROGRAM

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EXHIBIT "A" RESOLUTION(S)

(Attach one or more of the new FIT 4.0 Municipal Council Support Resolution, the FIT 3.0 Municipal Council Support Resolution previously passed in support of the Project, and the Land Use Restriction Exemption Resolution, as applicable.)