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INSTRUCTIONS: ACCESS RIGHTS DECLARATION

Section 3.5(d) of the FIT Rules, Version 5.0

Page i of i Aug 2016 IESOMRD/F-FIT-001r1

Capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 5.0.

INSTRUCTIONS APPLICABLE TO ALL PRESCRIBED FORMS

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3. The first page of the Prescribed Form must be marked with the FIT Reference Number associated with the Application.
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8. If the signature of the Applicant is required for a Prescribed Form, the Prescribed Form must be signed by an individual with authority to bind the Applicant.
9. With the exception of this instruction page, instructions within the Prescribed Form will be enclosed in brackets and italicized.

INSTRUCTIONS SPECIFIC TO THIS PRESCRIBED FORM

10. If the Applicant is an individual, and the Applicant is the declarant, a best description of the relationship may be used in the field in item 2(b) of this Prescribed Form. As examples, "Applicant", "individual" or "natural person" would all be accepted.
11. Exhibit "A": Solicitor's Acknowledgement must only be completed by the "Solicitor" identified in item 4, and for greater clarity, the advice that the Solicitor is providing is to the Applicant and not to the individual making the declaration.
12. The original ink signature must be provided on the Prescribed Form included with the hard copy Application materials.
13. With respect to item 4(b), please provide all PINs associated with each Property on which the Site is located. Where a single Property contains a condominium with a large number of sequential PINs, the PINs can be entered as a range (for example: 10000-0000 to 10000-0025). Where the PINs are not available, the legal description and municipal address of the Property can be provided.

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FEED-IN TARIFF PROGRAM

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PRESCRIBED FORM: ACCESS RIGHTS DECLARATION

Section 3.5(d) of the FIT Rules, Version 5.0

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1	STATUTORY DECLARATION, PROVINCE OF ONTARIO IN THE MATTER OF an Application under the Feed-In Tariff Rules, Version 5.0. Capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 5.0.	FIT Reference Number: _____ <i>(The FIT Reference Number must be inserted by the Applicant in order for the Prescribed Form to comply with the FIT Rules.)</i>
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I, _____ (insert the name of the declarant), of the _____ (insert City/Town/Region, etc.) of _____ (insert the name of the City/Town/Region, etc.), in _____ (insert the name of the Province or State) DO SOLEMNLY DECLARE, on behalf of the Applicant, without personal liability, the following information:

2	a) The legal name of the Applicant is: _____ b) I am the / an _____ (insert office held, e.g. president, officer, etc.) of the Applicant and have knowledge of the matters herein described. c) The Applicant has submitted, or intends to submit, an Application under the FIT Rules, Version 5.0.
---	---

3	I confirm that the Project <i>(check if applicable)</i> : ☐ will be located on a Site entirely on lands within the meaning of paragraph (a) of the definition of First Nation Lands.
---	--

4	SOLICITOR AND PROPERTY INFORMATION a) The Applicant has retained _____ (insert the name of the retained Solicitor) (the "Solicitor"), a solicitor licensed to practice law in the province of Ontario, to provide the Applicant with legal advice with respect to the Applicant's Access Rights to the Site identified in the Application. b) Insert the Property Identification Number(s) ("PIN(s)") for the Property or Properties on which the Site is located. If there is no PIN, insert the legal description of the Site. _____ c) I confirm that the Applicant holds Access Rights to the Site as of the date of this Access Rights Declaration. d) If the Application is for a Rooftop Solar Project on an Unconstructed Building, I confirm and acknowledge that the definition of Site contains provisions specific to such Projects. e) I confirm that the Applicant <i>(check if applicable)</i> : ☐ has been granted Access Rights from a Municipal Site Host or Public Sector Entity Site Host. f) I confirm that the Applicant <i>(check if applicable)</i> : ☐ has been granted Access Rights from an Indigenous Community Site Host. g) Where an Application is in respect of a Project on federal Crown lands, in addition to the rights in Sections 2.1(m)(i) and 2.1(m)(ii) of the FIT Rules, Version 5.0, Access Rights may include a "Priority Permit" issued pursuant to the <i>Dominion Water Power Act</i> (Canada), a "Survey Permit" issued by Parks Canada pursuant to the <i>Dominion Water Power Act</i> (Canada), or equivalent binding commitment from the federal Crown.
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PRESCRIBED FORM: ACCESS RIGHTS DECLARATION

Section 3.5(d) of the FIT Rules, Version 5.0

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h) Prior to submission of this Prescribed Form, the Applicant acknowledges it must attach hereto the executed Exhibit "A" the Solicitor's Acknowledgement (to be completed by the Solicitor), indicating that the Solicitor has provided the Applicant with legal advice regarding the subject matter of this Access Rights Declaration and as described herein.

5 AND I MAKE THIS SOLEMN DECLARATION conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the <i>Canada Evidence Act</i>.	
Name of Declarant	Declared before me at _____ (insert City, Town, Region, etc.) of _____ (insert the name of the City, Town, Region, etc.) in the province of Ontario
Signature of Declarant	this _____ day of _____, 20 _____
(Statutory declarations must be solemnly declared and signed before commissioners of oaths or similar officials (e.g. notary public).)	Name of Commissioner of Oaths, etc.
	Signature of Commissioner of Oaths, etc.

EXHIBIT "A" SOLICITOR'S ACKNOWLEDGEMENT

This is to certify that I have provided legal advice to _____ (insert the legal name of the Applicant) (the "Applicant") in respect of the Applicant's Access Rights to the Site identified in the FIT 5.0 Application that is proposed to be located on:

(Insert PIN(s) for the Property or Properties on which the Site is located, or if there is no PIN, insert the legal description of the Site)

I have reviewed the Applicant's Access Rights Declaration declared by the Applicant on _____ (insert the date of the statutory declaration (item 5)) and hereby confirm that the declarations contained therein are true as at the date hereof.

The confirmation provided herein is not a legal opinion of the undersigned to the IESO including without limitation with respect to title to the Site or the enforceability of any agreement.

DATED this _____ day of _____, 20 _____.	Name of Solicitor
(The Prescribed Form containing the original ink signature must be provided in the hard copy Application materials.)	Signature of Solicitor



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INSTRUCTIONS: LAND EVALUATION STUDY PEER REVIEW DECLARATION FOR NON-ROOFTOP SOLAR PROJECT

Section 3.8(c)(v)(B) of the FIT Rules, Version 5.0

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Capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 5.0.

INSTRUCTIONS APPLICABLE TO ALL PRESCRIBED FORMS

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9. With the exception of this instruction page, instructions within the Prescribed Form will be enclosed in brackets and italicized.

INSTRUCTIONS SPECIFIC TO THIS PRESCRIBED FORM

10. The peer reviewer must attach his/her curriculum vitae to the Prescribed Form as Exhibit "A".
11. The Land Evaluation Study report must be attached to the Prescribed Form as Exhibit "B".
12. The original ink signature must be provided on the Prescribed Form included with the hard copy Application materials.
13. The date and title of the Land Evaluation Study report requested in item 2(c) of this Prescribed Form should be the date and title found on the coverpage of the report. For additional clarity, the date requested is not the date the study was conducted, but rather the date of the report itself.

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PRESCRIBED FORM: LAND EVALUATION STUDY PEER REVIEW DECLARATION FOR NON-ROOFTOP SOLAR PROJECT

Section 3.8(c)(v)(B) of the FIT Rules, Version 5.0

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1	STATUTORY DECLARATION, PROVINCE OF ONTARIO IN THE MATTER OF an Application under the Feed-In Tariff Rules, Version 5.0. Capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 5.0.	FIT Reference Number: _____ <i>(The FIT Reference Number must be inserted by the Applicant in order for the Prescribed Form to comply with the FIT Rules.)</i>
I, _____ (insert the name of the declarant) _____, of the _____ (insert City/Town/Region, etc.) _____ of _____ (insert the name of the City/Town/Region, etc.) _____, in _____ (insert the name of the Province, State, etc.) _____, DO SOLEMNLY DECLARE, on behalf of the Applicant, without personal liability, the following information:		

2	a) This declaration is being made on behalf of: _____ (insert the legal name of the Applicant) _____ (the "Applicant"). b) I have the following qualifications <i>(enter in text field below and attach curriculum vitae as Exhibit "A")</i>: _____ <i>(Qualifications must be at least equal to the minimum qualifications as described in the document located at the URL: http://www.energy.gov.on.ca/en/fit-and-microfit-program/fit-soilstudy/).</i> c) A land evaluation study was conducted in respect of the Property(ies) on which the Site is located on: _____ (insert the date of the Land Evaluation Study report) _____ _____ (insert the title of the Land Evaluation Study report) _____ (the "Land Evaluation Study"). d) The description of all Properties on which the Site is located is as follows <i>(if a PIN is not available, use legal description)</i>: _____ (insert PIN(s) or legal description(s) of the Property(ies) on which the Land Evaluation Study was performed) _____ e) I have direct knowledge that the Land Evaluation Study was performed in accordance with the prescribed standardized methodology accompanied by a peer review process ("Peer Review Process"), as set out by the Ontario Ministry of Agriculture, Food and Rural Affairs at the URL: http://www.energy.gov.on.ca/en/fit-and-microfit-program/fit-soilstudy/. f) The Peer Review Process was carried out as follows: _____ (insert description of Peer Review Process. If space is insufficient, attach further documentation) _____ g) The Land Evaluation Study accompanied by the Peer Review Process demonstrates that the Site is not located on CLI Organic Lands, CLI Class 1 Lands, CLI Class 2 Lands or CLI Class 3 Lands. h) I have no direct or indirect professional, financial or personal affiliation with, or interest in, the Site or the FIT Project intended to be located on the Site, the Applicant or its affiliates, other than payment for the review itself. i) The Land Evaluation Study accompanied by the Peer Review Process and its results are consistent with accepted survey methodologies, industry standards and best practice.
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3	AND I MAKE THIS SOLEMN DECLARATION conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the <i>Canada Evidence Act</i> .	
Name of Declarant	Declared before me at _____ (insert City, Town, Region, etc.) _____ of _____ (insert the name of the City, Town, Region, etc.) _____ in the province of Ontario	
Signature of Declarant	this _____ day of _____, 20____	
<i>(Statutory declarations must be solemnly declared and signed before commissioners of oaths or similar officials (e.g. notary public). Signatures must be in original ink.)</i>	Name of Commissioner of Oaths, etc.	
	Signature of Commissioner of Oaths, etc.	



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**PRESCRIBED FORM: LAND EVALUATION STUDY PEER REVIEW DECLARATION FOR
NON-ROOFTOP SOLAR PROJECT**

Section 3.8(c)(v)(B) of the FIT Rules, Version 5.0

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EXHIBIT "A" CURRICULUM VITAE OF PEER REVIEWER

Attach the curriculum vitae of the peer reviewer.



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EXHIBIT "B" Land Evaluation Study

Attach the Land Evaluation Study report described in item 2(c).



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INSTRUCTIONS: MUNICIPAL or PUBLIC SECTOR ENTITY PARTICIPATION PROJECT DECLARATION

Sections 3.11(a)(iii) and 5.1(c)(ii) of the FIT Rules, Version 5.0

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10. If the Applicant is an individual, and the Applicant is the declarant, a best description of the relationship may be used in the field in item 2(b) of this Prescribed Form. As examples, "Applicant", "individual" or "natural person" would all be accepted.
11. If the Municipal or Public Sector Entity is not the Applicant and therefore holds either a Direct Economic Interest in the Applicant, or an indirect Economic Interest in the Applicant, Exhibit "A" must be attached.
12. If the Applicant has issued more than one type of securities, the number and type of all issued and outstanding securities must be included in Exhibit "A".
13. Complete Exhibit "B" where the Municipality holds an Economic Interest in the Applicant through an LDC Affiliate.

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PRESCRIBED FORM: MUNICIPAL or PUBLIC SECTOR ENTITY PARTICIPATION PROJECT DECLARATION

Sections 3.11(a)(iii) and 5.1(c)(ii) of the FIT Rules, Version 5.0

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Aug 2016

IESOMRD/f-FIT-009r1

1	STATUTORY DECLARATION, PROVINCE OF ONTARIO IN THE MATTER OF an Application under the Feed-In Tariff Rules, Version 5.0. Capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 5.0.	FIT Reference Number: _____ <i>(The FIT Reference Number must be inserted by the Applicant in order for the Prescribed Form to comply with the FIT Rules.)</i>
I, _____ (insert the name of the declarant) _____, of the _____ (insert City/Town/Region, etc.) _____ of _____ (insert the name of the City/Town/Region, etc.) _____, in _____ (insert the name of the Province or State) _____ DO SOLEMNLY DECLARE, on behalf of the Applicant, without personal liability, the following information:		

2	a) The legal name of the Applicant is: _____ b) I am the / an _____ (insert office held, e.g. president, officer, etc.) _____ of the Applicant and have knowledge of the matters herein described. c) The Applicant has submitted, or intends to submit, an Application under the FIT Rules, Version 5.0.
---	---

3	a) The Municipal or Public Sector Entity(ies) (check one): ☐ is the Applicant (if selected, item 4 does not apply) ☐ holds a Direct Economic Interest in the Applicant ☐ holds an indirect Economic Interest in the Applicant through an LDC Affiliate (this option is only applicable to a Municipal Participation Project)
---	--

4	a) The full legal name of the Municipal or Public Sector Entity(ies) is: _____ b) The Economic Interest held by the Municipal or Public Sector Entity(ies) is (check one): ☐ A Direct Economic Interest Where the Municipal or Public Sector Entity(ies) is not the Applicant and it holds a Direct Economic Interest in the Applicant, attach to this form as Exhibit "A", the register of shareholders or equivalent, that lists the respective number of shares or equivalent held by the shareholders, or equivalent, in the Applicant. ☐ An indirect Economic Interest through an LDC Affiliate (note: this option is only applicable to a Municipal Participation Project) Where the Municipality holds an indirect Economic Interest in the Applicant through an LDC Affiliate: i) Attach to this form as Exhibit "A" the register(s) of shareholders or equivalent that list the respective number of shares or equivalent held by the shareholders, or equivalent, in the Applicant and each of the intermediate entities between the Applicant and the Municipality through which the Municipality holds its Economic Interest in the Applicant; and ii) Attach to this form as Exhibit "B" an organizational chart showing the Applicant and the Municipality's Economic Interest in the Applicant, including the LDC Affiliate and all other intermediate entities between the Applicant and the Municipality through which the Municipality holds its Economic Interest in the Applicant.
---	---

5	AND I MAKE THIS SOLEMN DECLARATION conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the <i>Canada Evidence Act</i> .	
Name of Declarant		Declared before me at _____ (insert City, Town, Region, etc.) _____ of _____ (insert the name of the City, Town, Region, etc.) _____ in the province of Ontario
Signature of Declarant		this _____ day of _____, 20 _____
<i>(Statutory declarations must be solemnly declared and signed before commissioners of oaths or similar officials (e.g. notary public).)</i>		Name of Commissioner of Oaths, etc.
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PRESCRIBED FORM: MUNICIPAL or PUBLIC SECTOR ENTITY PARTICIPATION PROJECT DECLARATION

Sections 3.11(a)(iii) and 5.1(c)(ii) of the FIT Rules, Version 5.0

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EXHIBIT "A" REGISTER OF SHAREHOLDERS, MEMBERS, ETC.

a) If the Municipal or Public Sector Entity(ies) holds a Direct Economic Interest in the Applicant:

Where the Municipal or Public Sector Entity(ies) is not the Applicant and holds a Direct Economic Interest in the Applicant, attach the register(s) of members, shareholders or equivalent that lists the respective number of membership units, shares or equivalent held by the Municipal or Public Sector Entity in the Applicant.

b) If the Municipality holds an indirect Economic Interest in the Applicant through an LDC Affiliate:

Where the Municipality holds an indirect Economic Interest in the Applicant attach the register(s) of shareholders or equivalent, that lists the respective number of shares (or equivalent) held by the shareholders, or equivalent, in the Applicant and each of the immediate entities between the Applicant and the Municipality through which the Municipality holds its Economic Interest in the Applicant.



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EXHIBIT "B" ORGANIZATIONAL CHART OF THE MUNICIPALITY'S ECONOMIC INTEREST IN THE APPLICANT

This chart is only required where the Municipality holds an indirect Economic Interest in the Applicant through an LDC Affiliate.

Attach an organizational chart showing the Applicant and the Municipality's Economic Interest in the Applicant including, ALL intermediate entities between the Applicant and the Municipality through which the Municipality holds its Economic Interest in the Applicant.



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INSTRUCTIONS: VISUAL SCREENING AND SETBACK ACKNOWLEDGEMENT

Section 3.8(e) of the FIT Rules, Version 5.0

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11. Councils of Local Municipalities have the option of drafting the Municipal Council Setback Resolution on the Council or equivalent governing body letterhead. The language of the Municipal Council Setback Resolution must be the same as shown in the template.
12. If the Municipal Council Setback Resolution in Exhibit "B" is being provided, it must be attached to the Municipal Council Setback Resolution Confirmation in Exhibit "A".
13. The Municipal Council Setback Resolution Confirmation in Exhibit "A" must be completed by an authorized representative of a Local Municipality.
14. Where no resolution number exists for the Municipal Council Setback Resolution in Exhibit "B", insert "N/A" into the appropriate field.

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WRITABLE FORM

PRESCRIBED FORM: VISUAL SCREENING AND SETBACK ACKNOWLEDGEMENT

Section 3.8(e) of the FIT Rules, Version 5.0

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I, _____ (insert the name of the declarant) _____, of the _____ (insert City/Town/Region, etc.) _____ of _____ (insert the name of the City/Town/Region, etc.) _____, in _____ (insert the name of the Province or State) _____ DO SOLEMNLY DECLARE, on behalf of the Applicant, without personal liability, the following information:

2	a) The legal name of the Applicant is: _____
	b) I am the / an _____ (insert office held, e.g. president, officer, director, etc.) _____ of the Applicant and have knowledge of the matters herein described.
	c) The Applicant has submitted, or intends to submit, an Application in respect of a Non-Rooftop Solar Facility under the FIT Rules, Version 5.0.

3	Municipal address of the Site (required if Property(ies) have a Municipal address):	
	Property Identification Number(s) ("PIN(s)") (required if Property(ies) have a PIN):	
	Legal description of Site (required where there is no PIN):	

4	The Property or Properties on which the Site of the Project is located <i>(Check all that apply):</i> ☐ is, in whole or in part, on Rural-Residential Lands; ☐ Abuts an opened road allowance; ☐ Abuts a Residential Cluster; ☐ Abuts a Residential Property.
----------	---

5	I hereby confirm as follows: a) the Applicant will comply with the Visual Screening Requirements in respect of the Project; b) the Applicant will comply with the Setback Requirements.
----------	---

6	Attached to this form are <i>(Attach only where Setback Requirements applicable to the Site are determined based on the adoption of a Municipal Council Setback Resolution):</i> Exhibit "A" the Municipal Council Setback Resolution Confirmation confirming the Municipal Council Setback Resolution; and Exhibit "B" the Municipal Council Setback Resolution of the Local Municipality applicable to the Site and upon which the Applicant will rely in complying with the Setback Requirements.
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Section 3.8(e) of the FIT Rules, Version 5.0

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7	AND I MAKE THIS SOLEMN DECLARATION conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the <i>Canada Evidence Act</i> .	
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Signature of Declarant	this _____ day of _____, 20 _____	
<i>Statutory declarations must be solemnly declared and signed before commissioners of oaths or similar officials (e.g. notary public).</i>	Name of Commissioner of Oaths, etc.	
	Signature of Commissioner of Oaths, etc.	



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PRESCRIBED FORM: VISUAL SCREENING AND SETBACK ACKNOWLEDGEMENT

Section 3.8(g) of the FIT Rules, Version 5.0

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1	EXHIBIT "A"	MUNICIPAL COUNCIL SETBACK RESOLUTION CONFIRMATION	FIT Reference Number: _____ <i>(The FIT Reference Number must be inserted by the Applicant in order for the resolution to comply with the FIT Rules.)</i>
Resolution Number: _____ Date resolution(s) was passed: _____			

2	Capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 5.0. 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 legal name of the Applicant) (the "Applicant") proposes to construct and operate a <i>(This must be the same Applicant (i.e., same name) as stated in the Municipal Council Setback Resolution provided, as attached)</i> Non-Rooftop Solar Project (the "Project") on _____ (insert the PIN or legal description of the Property(ies)) <i>(This must be the same description as the Lands in the Municipal Council Setback Resolution provided, as attached)</i> (the "Lands") in the Municipality under the province's FIT Program.
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4	The resolution provided with this Confirmation is the Municipal Council Setback Resolution.
----------	---

5	Name: _____ Signed: _____ Title: _____ Date: _____ <i>(Signature block for authorized signee. Must be an original ink signature)</i>
----------	--



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WRITABLE FORM

PRESCRIBED FORM: VISUAL SCREENING AND SETBACK ACKNOWLEDGEMENT

Section 3.8(g) of the FIT Rules, Version 5.0

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1	EXHIBIT "B"	MUNICIPAL COUNCIL SETBACK RESOLUTION	FIT Reference Number: _____ Resolution number: _____ Date resolution was passed: _____
Capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 5.0. <i>(Attach a Municipal Setback Resolution of the Local Municipality in the following form or using the following as template language in respect of the adoption of such Municipal Council Setback Resolution.)</i>			

2	[WHEREAS] _____ (insert the legal name of the Applicant) (the "Applicant") proposes to construct and operate a Non-Rooftop Solar Project (the "Project") on _____ (insert the PIN or legal description of the Property(ies)) which are considered Rural-Residential Lands that _____ (insert whether such lands "Abut a Residential Cluster" or "do not Abut a Residential Cluster", as applicable) in _____ (insert the name of the Local Municipality) under the province's FIT Program; [AND WHEREAS], the Applicant has requested that the Council of _____ (insert the name of the Local Municipality) indicate by resolution that the Project have a Setback in the amount of _____ (insert the number of metres, may not be less than 20) metres. [NOW THEREFORE BE IT RESOLVED THAT]: Council of the _____ (insert the name of the Local Municipality) supports that the Project have a Setback in the amount of _____ (insert the number of metres, may not be less than 20) metres. This resolution's sole purpose is to enable the Applicant to design, construct and operate the Project with a particular Setback in accordance with the FIT Rules, Version 5.0. This resolution 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	Name: _____ Title: _____ Signature: _____ Date: _____	Name: _____ Title: _____ Signature: _____ Date: _____
<i>(Signature lines for elected representatives.)</i>		

INSTRUCTIONS: ZONING CERTIFICATE FOR NON-ROOFTOP SOLAR PROJECT

Section 3.8(d), (e), (f) and (g) of the FIT Rules, Version 5.0

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Capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 5.0.

INSTRUCTIONS APPLICABLE TO ALL PRESCRIBED FORMS

1. The instruction page is not required to be submitted with the hard copy Application materials.
2. Where the Prescribed Form has multiple pages, the Prescribed Form should be stapled.
3. The first page of the Prescribed Form must be marked with the FIT Reference Number associated with the Application.
4. Information provided in the Prescribed Form must be consistent with the information provided in the electronic Application Form.
5. Where a blank field for a section/page reference is provided in a Prescribed Form, enter the section/page reference of the Application where the substantiating evidence for that particular item can be found.
6. Apart from the completion of any blanks, bullets or similar uncompleted information in the Prescribed Form, no amendments may be made to the wording of this Prescribed Form.
7. Each Prescribed Form must be completed in its entirety. Fields marked "if applicable" must be completed if applicable to the Application. If not applicable, they should be marked "not applicable".
8. If the signature of the Applicant is required for a Prescribed Form, the Prescribed Form must be signed by an individual with authority to bind the Applicant.
9. With the exception of this instruction page, instructions within the Prescribed Form will be enclosed in brackets and italicized.

INSTRUCTIONS SPECIFIC TO THIS PRESCRIBED FORM

10. In most cases, a current zoning map must be attached as Exhibit "A" to this Prescribed Form in order to be complete. This map must show the Property on which the Project is proposed, the outline of the Site on that Property, as well as the relevant zoning designations for both the Property and all Abutting Property(ies).
11. For greater clarity regarding residential land use eligibility, refer to the guidance document found at the following link: <http://fit.powerauthority.on.ca/program-resources/instructions-and-guidance-documents>.
12. A Land Use Restriction Exemption Resolution allows for an Applicant's Project to have its Site located, in whole or in part, on one or more Properties that would otherwise be restricted from use or require compliance with Visual Screening Requirements and Setback Requirements pursuant to Sections 2.3(e), 2.3(f), 2.3(g) and 2.3(h) of the FIT Rules. The Land Use Restriction Exemption Resolution cannot be used to exempt a Non-Rooftop Solar Project from the agricultural land use restrictions found in Section 2.3, including the requirements in 2.3(c)(v).
13. Except in the case where the Application is in respect of a Project that falls under Section 2.3(c)(v) of the FIT Rules, an Applicant who submits a Template: Land Use Restriction Exemption Resolution is not required to submit a Prescribed Form: Zoning Certificate for Non-Rooftop Solar Project.
14. Where an Applicant is submitting a Template: Land Use Restriction Exemption Resolution and the Project falls under Section 2.3(c)(v) of the FIT Rules, the Applicant must submit this Prescribed Form: Zoning Certificate for Non-Rooftop Solar Project and demonstrate compliance by completing item 8 of this Prescribed Form. However, the Applicant does not have to complete item 7 of this Prescribed Form in this case, since the Land Use Restriction Exemption Resolution grants exemption from the residential land-use restrictions as identified in Sections 2.3(e), 2.3(f) and 2.3(g) of the FIT Rules.
15. The original ink signature must be provided on the Prescribed Form included with the hard copy Application materials.

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**FEED-IN TARIFF
PROGRAM**

WRITABLE FORM

PRESCRIBED FORM: ZONING CERTIFICATE FOR NON-ROOFTOP SOLAR PROJECT

Section 3.8(d), (e), (f) and (g) of the FIT Rules, Version 5.0

Page 1 of 4 | Aug 2016 | IESOMRD/F-FIT-003r1

1	An Applicant submitting an Application under the FIT Program for a Non-Rooftop Solar Project must submit this Prescribed Form in accordance with Section 3.8(g) of the FIT Rules, Version 5.0.	FIT Reference Number: _____ <i>(The FIT Reference Number must be inserted by the Applicant in order for the Prescribed Form to comply with the FIT Rules.)</i>
----------	---	--

2	Legal name of the Applicant:	
	Municipal address of the Site (required if Property(ies) have a Municipal address):	
	Property Identification Number(s) ("PIN(s)") (required if Property(ies) have a PIN):	
	Legal description of Site (required where there is no PIN):	

3	WHEREAS the Application is for a Non-Rooftop Solar Project; AND WHEREAS this form is submitted as required by one or more of Section 3.8(d), (e) and (f) of the FIT Rules and it contains a written certification regarding the use of the Property(ies) on which the Site is located; AND WHEREAS the Property(ies) on which the Site is located, and/or Property Abutting the Site is located, in whole or in part, in the Local Municipality of _____ (insert the name of the Local Municipality) (the "Subject Municipality") AND WHEREAS _____ (insert the name of the signatory), the "Undersigned" is (check applicable box): ☐ a Land Use Planner that is not otherwise restricted from providing this written certification pursuant to Section 3.8(g) of the FIT Rules; ☐ a director of planning or equivalent municipal official of the Subject Municipality who is a Land Use Planner; ☐ the chief building official of the Subject Municipality; ☐ the municipal chief administrative officer of the Subject Municipality; ☐ the municipal clerk of the Subject Municipality; ☐ other (specify): _____ (insert the title of the signatory) of the Subject Municipality.
----------	--

4	NOW THEREFORE THE UNDERSIGNED CERTIFIES to the IESO on behalf of the Subject Municipality, without personal liability (other than in the case of a Land Use Planner not employed by the Subject Municipality), and acknowledges that the IESO is relying on the certification that hereinafter follows: Interpretation a. Capitalized term not identified herein have the meanings ascribed to them in the FIT Rules, Version 5.0. b. Abut means in respect of two or more Properties, Properties that have a common border or boundary or are only separated from such common border or boundary by a right-of-way (other than a right-of-way in respect of which the owner, lessee, occupant or resident of one of such Properties has a property interest) having a width, at any point, of not greater than 15 metres. For greater certainty, Properties separated by "highways" (as defined in the <i>Highway Traffic Act</i>, RSO 1990, c H.8) or "railways" (as defined in the <i>Canada Transportation Act</i>, SC 1996, c 10) do not Abut. Abutting shall have a corresponding meaning. c. Commercial Uses means uses of real property for the purpose of buying, selling, renting or otherwise dealing in commodities or goods or supplying of services, and Commercial Uses includes use of real property that is an Agricultural Industrial Establishment. d. Exempt Residential Property means a Residential Property in respect of which a Lawfully Permitted Use is agriculture, and Residential Uses are permitted as ancillary to such Agricultural Uses.
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PRESCRIBED FORM: ZONING CERTIFICATE FOR NON-ROOFTOP SOLAR PROJECT

Section 3.8(d), (e), (f) and (g) of the FIT Rules, Version 5.0

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e. **Industrial Uses** means uses of real property for the making, processing, fabrication, assembly, ornamenting, finishing or treating of raw materials or goods, warehousing or bulk storage of raw materials or goods, and, for certainty, Industrial Uses do not include Commercial Uses, Agricultural Uses or Municipal Uses.

f. **Lawfully Permitted Use** means a use permitted by:

- (i) a zoning by-law passed pursuant to Section 34 of the *Planning Act*, RSO 1990, c P.13; or
- (ii) in territories without municipal organization, land use control imposed by:
 - (1) a planning board being established pursuant to the *Planning Act*, RSO 1990, c P.13 and passing zoning by-laws; or
 - (2) zoning orders made by the Ontario Minister of Municipal Affairs and Housing; or
- (iii) a development permit issued pursuant to a development permit by-law enacted pursuant to O. Reg. 608/06 made under the *Planning Act*, RSO 1990, c P.13.

g. **Local Municipality** means any corporation that is a "local municipality" as defined in the *Municipal Act, 2001*, SO 2001, c 25 or the *City of Toronto Act, 2006*, SO 2006, c 11, Sched A or its geographic area, as the context requires.

h. **Residential Cluster** means

- (i) a group of five or more contiguously Abutting Residential Properties, where each such Residential Property Abuts at least one other such Residential Property, and where each such Residential Property is no more than two hectares in area; or
- (ii) a Property of any size that has as one of its Lawfully Permitted Uses a building or portion thereof designed to have three or more dwelling units.

i. **Residential Property** means a Property on which Residential Uses are Lawfully Permitted Uses.

j. **Residential Uses** means uses of real property *bona fide* used, designed or intended to be used for the purpose of living accommodation for one or more persons.

k. **Rural-Residential Lands** means a Property or Properties included in the definition of "Rural lands" in the 2014 Provincial Policy Statement issued by the Ontario Minister of Municipal Affairs and Housing under Section 3 of the *Planning Act*, RSO 1990, c P.13 as approved by the Lieutenant Governor in Council via Order in Council No. 107/2014 that, for clarity, excludes Prime Agricultural Areas and Settlement Areas, and on which Residential Uses and at least one other type of use are permitted by law to be the Principal Use of such Property or Properties.

l. **Site** means, in respect of a Project or a Facility, the real property on, over, in or under which the Project or Facility is, or is to be, situated, as such real property is identified in the Application and in the FIT Contract and which may be located in whole or in part on a Property or multiple Properties, provided real property on which the Connection Line (but not the rest of the Facility) is located shall be excluded from the "Site". With respect to Unconstructed Buildings, prior to the Commercial Operation Date the Site includes, at minimum, the real property on which the Unconstructed Building is to be built, is being built, or is built, as the case may be, as well as the Unconstructed Building itself, in its entirety.

The Site, Property(ies) on which the Site is located, and/or Property Abutting such Property(ies) is located, in whole or in part, in the Subject Municipality.

(Where such Property(ies) or any Abutting Property is or is proposed to be located in the Subject Municipality and in one or more neighbouring Local Municipalities, a separate Prescribed Form: Zoning Certificate for Non-Rooftop Solar Project must be completed and executed in respect of each such neighbouring Local Municipality.)

5

(If applicable) If the Undersigned is a Land Use Planner, the Undersigned certifies that they are not an employee of the Applicant, an Affiliate of the Applicant, or a Person that holds an Economic Interest in the Applicant or otherwise has a vested interest in the outcome of the Application. The Undersigned also certifies that they are not an employee of a Person that is an Affiliate of the Applicant, or of a Person that holds an Economic Interest in the Applicant, or of a Person that otherwise has a vested interest in the outcome of the Application. If the Undersigned is an employee of the Subject Municipality, the Undersigned certifies that the Subject Municipality:

- a) is not a Municipal Site Host for the Project that is subject of the Application;
- b) is not an Affiliate of the Applicant;
- c) does not hold an Economic Interest in the Applicant; or
- d) does not hold an Economic Interest in a Public Sector Entity Site Host.

6

The Undersigned has examined: *(Check one or both boxes as applicable)*

- ☐ for a Property(ies) on which the Site is located and any Property Abutting such Property(ies) in a Local Municipality, the zoning by-laws of the Subject Municipality.
- ☐ for Property(ies) on which the Site is located and any Property Abutting such Property(ies) in a territory without municipal organization, all relevant documents pertaining to the Lawfully Permitted Uses.



PRESCRIBED FORM: ZONING CERTIFICATE FOR NON-ROOFTOP SOLAR PROJECT

Section 3.8(d), (e), (f) and (g) of the FIT Rules, Version 5.0

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The Undersigned certifies that: *(Check the box(es) that apply to the Property(ies) on which the Site is located. Note that both boxes may apply to a Site if the Property on which the Site is located is in part on Rural-Residential Lands and in part on lands that are not Rural-Residential Lands. If the Property(ies) on which the Site is located is entirely on Rural-Residential Lands or entirely not on Rural-Residential Lands, only one box will apply.)*

Not located in whole or in part on Rural-Residential Lands

- ☐ the Site is located in whole or in part on Property or Properties (such Property(ies), the "First Property(ies)") that are not Rural-Residential Lands, and such First Property(ies) and all Properties Abutting such First Property(ies): (i) are not Residential Property(ies) or (ii) are Exempt Residential Property(ies).

Is located in whole or in part on Rural-Residential Lands

- ☐ the Site is located in whole or in part on Property or Properties (such Property(ies), the "First Property(ies)") that is or are Rural-Residential Land; and: *(complete (a) and (b) below)*

(a) such First Property(ies): *(Check one)*

☐ Abuts a Residential Cluster; or

☐ does not Abut a Residential Cluster

(b) such First Property(ies): *(Check one)*

☐ Abuts a Residential Property; or

☐ does not Abut a Residential Property

8

The Undersigned certifies that: *(Check Option 1 or Option 2)*

Option 1 - Not located on Commercial Use or Industrial Use lands

- ☐ The Non-Rooftop Solar Facility is not proposed to be located on a Property on which Commercial Uses or Industrial Uses are Lawfully Permitted Uses; or

Option 2 - Is located on Commercial Use or Industrial Use lands *(check one or both, as applicable)*

- ☐ Commercial Use lands ☐ Industrial Use lands

The Non-Rooftop Solar Facility is proposed to be located in whole or in part on a Property on which Commercial Uses or Industrial Uses, as applicable, are Lawfully Permitted Uses and the proposed Non-Rooftop Solar Facility does not constitute the Principal Use of the Property.

(insert description of the Principal Use of the Property)

9

The Undersigned certifies that: *(Check the applicable box)*

- ☐ Attached hereto as Exhibit "A" is either the current municipal zoning map (if the Property(ies) on which the Site is located is, in whole or in part, in a Local Municipality) or other current zoning map (if the Property(ies) on which the Site is located in whole or in part is in an area not organized as a Municipality but that has planning control such that there is a Lawfully Permitted Use in that area), clearly showing the Site in its entirety, First Property(ies) and Abutting Properties thereto in their entirety, and their relevant zoning designations.
- ☐ The Property(ies) on which the Site is located is in an area where:
- (a) there are no zoning by-laws passed pursuant to Section 34 of the *Planning Act*, RSO 1990, c. P.13; and
 - (b) there is no municipal organization, and there is no land use control imposed by:
 - (i) a planning board established pursuant to the *Planning Act*, RSO 1990, c. P. 13 and passing by-laws;
 - (ii) zoning orders made by the Ontario Minister of Municipal Affairs and Housing; or
 - (iii) a development permit issued pursuant to a development permit by-law enacted pursuant to O. Reg. 608/06 made under the *Planning Act*, RSO 1990, c. P.13.

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Restate PIN(s) for the Property or Properties on which the Site is located, or if there is no PIN, insert the legal description of the Site



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WRITABLE FORM

120 Adelaide Street West, Suite 1604
Toronto, Ontario M5H 1T1
T 416-967-7474
F 416-967-1947
www.ieso.ca

PREScribed FORM: ZONING CERTIFICATE FOR NON-ROOFTOP SOLAR PROJECT

Section 3.8(d), (e), (f) and (g) of the FIT Rules, Version 5.0

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11

Name: _____

DATED this _____ day of _____, 20__.

Title: _____

Signature: _____

E-mail: _____

*(The Prescribed Form containing the original ink signature
must be provided in the hard copy Application materials.)*

Phone Number: _____

Local Municipality (if employee of Subject Municipality):

(insert the name of the Local Municipality)

Registered Professional Planner accreditation date (if applicable):

EXHIBIT "A" CURRENT ZONING MAP

(Attach either a current municipal zoning map (if the Property(ies) on which the Site is located, in whole or in part, is in a Local Municipality) or other current zoning map (if located in territory without municipal organization that has planning control), clearly showing on such map the Site in its entirety, the First Property(ies) on which the Site is located in their entirety, and Abutting Property(ies) in their entirety, and for each of these Properties their relevant zoning designation.)

Instructions: Land Use Restriction Exemption Resolution

Section 3.8(g) of the FIT Rules, Version 5.0

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Capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 5.0.

INSTRUCTIONS APPLICABLE TO ALL RESOLUTIONS

1. The instruction page is not required to be submitted with the hard copy Application materials.
2. Where the resolution has multiple pages, the resolution should be stapled.
3. The first page of the resolution must be marked, by the Applicant, with the FIT Reference Number associated with the Application.
4. Information provided in the resolution must be consistent with the information provided in the electronic Application Form in order for the resolution to be considered eligible.
5. Apart from the completion of any blanks in the template resolution, no amendments, other than those outlined in instruction 6 below, may be made to the wording of this form.
6. Words in between square brackets (i.e. “[” and “]”) are immaterial to the intent of the template resolution and may be modified to follow standard procedure of the issuing body. Wording not contained within square brackets must not be changed in order for the resolution to be considered eligible.
7. The entirety of the resolution (all blanks) must be completed and it must be signed by an appropriate individual(s) in order for the resolution to be considered eligible.

INSTRUCTIONS SPECIFIC TO THIS RESOLUTION

8. Councils of Local Municipalities have the option of drafting the Template: Land Use Restriction Exemption Resolution on the Council or equivalent governing body letterhead. The language of the Template: Land Use Restriction Exemption Resolution must be the same as shown in the template in order for the Applicant to obtain exemption from the residential, commercial or industrial land-use restrictions under the FIT Program. The exemption will not be accepted if the resolution includes additional conditions or delegation of authority to staff for additional approvals.
9. The Template: Land Use Restriction Exemption Resolution must be attached to the separate Prescribed Form: Municipal Council Resolution Confirmation as Exhibit “A”.
10. The Prescribed Form: Municipal Council Resolution Confirmation may not be used as a substitute for a Land Use Restriction Exemption Resolution where no Land Use Restriction Exemption Resolution was previously issued for the Project.
11. A pre-existing FIT 4.0.1 Land Use Restriction Exemption Resolution may be provided to the IESO by an Applicant as Exhibit “A”, so long as the resolution was issued by the Municipality and is still in effect in relation to the

Instructions: Land Use Restriction Exemption Resolution

Section 3.8(g) of the FIT Rules, Version 5.0

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Applicant and the Project. In this case the Applicant must attach the pre-existing Land Use Restriction Exemption Resolution to the separate Prescribed Form: Municipal Council Resolution Confirmation as Exhibit "A".

12. Where no resolution number exists, insert "N/A" into the appropriate field.
13. The Applicant legal name and Project PIN (or legal description) must match the information provided in the electronic Application.
14. A Land Use Restriction Exemption Resolution allows for an Applicant's Project to have its Site located, in whole or in part, on one or more Properties that would otherwise be restricted from use or require compliance with Visual Screening Requirements and Setback Requirements pursuant to Sections 2.3(e), 2.3(f), 2.3(g), and 2.3(h) of the FIT Rules. The Land Use Restriction Exemption Resolution does not exempt a Non-Rooftop Solar Project from the agricultural land use restrictions found in Section 2.3, including the requirements in 2.3(c)(v).
15. An Applicant who submits a Template: Land Use Restriction Exemption Resolution is not required to submit a Prescribed Form: Zoning Certificate for Non-Rooftop Solar Project.

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Template: Land Use Restriction Exemption Resolution

Section 3.8(g) of the FIT Rules, Version 5.0

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Resolution Number: _____

FIT Reference Number: _____

Date Resolution was passed: _____

(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.)

[WHEREAS] Capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 5.0.

[AND WHEREAS] <insert the legal name of the Applicant> (the "Applicant") proposes to construct and operate a Non-Rooftop Solar Project (the "Project") on <insert the PIN or legal description of the Property(ies)> (the "Lands") in <insert the name of the Local Municipality> under the Province's FIT Program;

[AND WHEREAS], the Applicant has requested that the Council of <insert the name of the Local Municipality> indicate by resolution that the Project has an exemption from any or all of the residential, commercial and industrial land-use restrictions as identified in Sections 2.3(e), 2.3(f), 2.3(g) and 2.3(h) of the FIT Rules, Version 5.0.

[NOW THEREFORE BE IT RESOLVED THAT]:

Council of the <insert the name of the Local Municipality> exempts the Project on the Lands as described above from any or all of the residential, commercial and industrial land-use restrictions as identified in Sections 2.3(e), 2.3(f), 2.3(g) and 2.3(h) of the FIT Rules, Version 5.0.

This resolution's sole purpose is to provide municipal exemption from the above noted specific residential, commercial and industrial land-use restrictions 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.

Signed:

Signed:

Title:

Title:

Date:

Date:

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

Instructions: Municipal Council Support Resolution

Section 5.1(g)(i) of the FIT Rules, Version 5.0

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Capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 5.0.

INSTRUCTIONS APPLICABLE TO ALL RESOLUTIONS

1. The instruction page is not required to be submitted with the hard copy Application materials.
2. Where the resolution has multiple pages, the resolution should be stapled.
3. The first page of the resolution must be marked, by the Applicant, with the FIT Reference Number associated with the Application.
4. Information provided in the resolution must be consistent with the information provided in the electronic Application Form in order for the Application to be awarded Priority Points.
5. Apart from the completion of any blanks in the template resolution, no amendments, other than those outlined in instruction 6 below, may be made to the wording of this form.
6. Words in between square brackets (i.e. “[” and “]”) are immaterial to the intent of the template resolution and may be modified to follow standard procedure of the issuing body. Wording not contained within square brackets must not be changed in order for the Application to be awarded Priority Points.
7. The entirety of the resolution (all blanks) must be completed and it must be signed by an appropriate individual(s) in order for the Application to be awarded Priority Points.

INSTRUCTIONS SPECIFIC TO THIS RESOLUTION

8. Councils of Local Municipalities have the option of drafting the Template: Municipal Council Support Resolution on the Council or equivalent governing body letterhead. The language of the Template: Municipal Council Support Resolution must be the same as shown in the template in order for the Applicant to obtain Priority Points. Priority Points will not be awarded if the support resolution includes additional conditions or delegation of authority to staff for additional approvals.
9. The Template: Municipal Council Support Resolution must be attached to the separate Prescribed Form: Municipal Council Resolution Confirmation as Exhibit “A”.
10. The Prescribed Form: Municipal Council Resolution Confirmation may not be used as a substitute for a Municipal Council Support Resolution where no Municipal Council Support Resolution was previously issued for the Project.
11. A pre-existing FIT 4.0.1 Municipal Council Support Resolution (that was not a blanket support resolution) may be provided to the IESO by an Applicant as Exhibit “A”, so long as the resolution was issued by the Municipality and is still in effect in relation to the Applicant and the Project. In this case the Applicant must attach the pre-

Instructions: Municipal Council Support Resolution

Section 5.1(g)(i) of the FIT Rules, Version 5.0

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existing FIT 4.0.1 Municipal Council Support Resolution to the separate Prescribed Form: Municipal Council Resolution Confirmation as Exhibit "A".

12. Where no resolution number exists, insert "N/A" into the appropriate field.

13. The Applicant Legal Name, Project PIN (or legal description) and Renewable Fuel type must match the information provided in the electronic Application.

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Template: Municipal Council Support Resolution

Section 5.1(g)(i) of the FIT Rules, Version 5.0

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Resolution Number: _____

FIT Reference Number: _____

Date Resolution was passed: _____

(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.)

[WHEREAS] capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 5.0.

[AND WHEREAS] <insert the legal name of the Applicant> (the "Applicant") proposes to construct and operate a <insert description of the Project, including Renewable Fuel (e.g., Rooftop Solar, Biogas, etc.)> (the "Project") on <insert the PIN or legal description of the Property(ies)> (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 5.0, 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 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 any other purpose.

Signed:

Signed:

Title:

Title:

Date:

Date:

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