Municipal Support Resolution Protocol

Background

The Independent Electricity System Operator has forecasted that electricity demand in Ontario is anticipated to grow 75 per cent by 2050 driven by economic growth, population growth, increased electrification and the expiration of existing generator contracts and facility refurbishments. To address this increased demand, the Independent Electricity System Operator has identified the need to procure additional energy generation and storage capacity. As part of this procurement process, proponents are asked to demonstrate municipal support for the submission of their proposal by receiving a municipal support resolution from the local municipality. A municipal support resolution is made by or on behalf of a municipality and is intended to only be a demonstration of support for the narrow purposes of the Independent Electricity System Operator procurement process.

This results in a municipality having to provide preliminary support prior to the project undergoing the standard planning review process. As such, a protocol has been developed to assist staff and Council in the evaluation of these requests.

1. Goals

The goals of the protocol are:

1.1 To provide a consistent and timely process for the review of municipal support resolution requests for energy generation and storage projects, solely for the purposes of the Independent Electricity System Operator Procurement process;

1.2 To ensure that as much information as possible is provided to the City and residents regarding the proposed energy generation and energy storage system;

1.3 To encourage consultation with the City of Hamilton as early in the process as possible;

1.4 To provide an opportunity for meaningful public consultation with residents regarding the siting of project; and,

1.5 To provide an opportunity for the City to undertake an early assessment of proposals against applicable land use policies.

2. Criteria

The following submission criteria has been developed to help staff and Council evaluate requests to issue municipal support resolutions for the sole purpose of energy storage and energy generation procurements issued by the Independent Electricity System Operator.

It should be noted that municipal support resolutions do not exempt energy projects from applicable environmental or land use approvals including site plan, zoning by-law amendment, and/or official plan amendment applications. If a project receives a municipal support resolution but does not meet provincial or municipal laws and regulations, the project would not be permitted to move forward. The intent of the criteria is to ensure the goals outlined in section 1 are met prior to the issuance of a municipal support resolution.

2.1 Location

To assist in the siting of energy projects in a manner consistent with the City of Hamilton Official Plans and compatible with surrounding land uses, the City's expectation is that the municipal support resolution request shall demonstrate and/or identify the following:

- That the type and location of the project generally conform to the land use policies of the City's official plans.
- That the proposal will not negatively impact the planned function of the subject lands and surrounding area over the long term.
- That the proposal is compatible with the surrounding area and identifies distances to nearby sensitive uses. The proponent's analysis shall include:
    - Any provincial requirements or industry standards that the project will follow to address land use compatibility issues such as fire safety, environmental impact, and noise.
    - A discussion of potential siting and design measures that can be utilized to mitigate potential noise, fire safety, environmental, and visual impacts to surrounding land uses.
- The distance between the proposed facility and the transmission system connection point.
- The proposal is not within Core Areas as identified in Schedule B of the Urban and Rural Hamilton Official Plan.

2.2 Technology Type

The Municipal Support Resolution Protocol applies to a range of energy generation and energy storage projects, including:

- Wind energy generation facilities;
- Ground mounted solar energy generation facilities;
- Hydroelectric generation facilities;
- Natural gas generation facilities; and,
- Energy storage facilities.

The Municipal Support Resolution Protocol and associated fee apply to ground mounted solar projects only and do not apply to rooftop solar proposals. Council has adopted a Conditional Blanket Municipal Support Resolution for all rooftop solar proposals within the City of Hamilton, subject to the following conditions:

1. The project is participating in the Independent Electricity System Operator Long-term 2 Request for Proposals; and,
2. The proponent has engaged with the ward councillor and the appropriate local distribution company prior to the submission of a request of for a Blanket Municipal Support Resolution confirmation letter.

Proponents should also be aware that the City has previously passed motions regarding wind turbine development and gas-fired energy generation projects. Additionally, the issuance of a municipal support resolution for a greenhouse gas emitting energy project would not support the City's Community Energy Emissions Plan and Climate Action Strategy. City staff will provide input to proponents on how their proposed technology aligns with the City's energy policies and targets at the pre-engagement meeting.

2.3 Design and Operation

As a request for a municipal support resolution can occur prior to submission and evaluation of required Planning Act applications, the proponent is required to provide preliminary site design information as part of the municipal support resolution request.

To ensure that staff and council have sufficient information to assess the municipal support resolution request, the preliminary site design information should include the following at a minimum:

- Any existing buildings, natural features, or cultural heritage resources on the subject lands.
- The proposed location of the project.
- Site statistics including total area of the facility and proposed setbacks from lot lines.

- Description of technology used. E.g., the anticipated number and type of solar panels and/or batteries proposed.
- Points of ingress and egress.
- Preliminary location of any fencing and visual barriers.
- Location of connection point to the transmission line and a description of any works proposed in the municipal right of way.

2.4 Evidence of Community Engagement

Prior to making a request for a municipal support resolution, the proponent shall demonstrate that community engagement has taken place, including:

- The creation of a public project website that provides project details and outlines the proposed engagement plan.
- Providing notice of the proposal to property owners within 240 metres of the subject property if located in the Urban Area and 550 metres if located in the Rural Area.
- At least one consultation meeting, held with the local community in a format determined in consultation with the Ward Councillor.
- Evidence that the City's Planning Division was notified a minimum of 10 business days in advance of the consultation event.
- Evidence that proponents have contacted local Indigenous Communities, prior to submitting a municipal support resolution request, to inform and discuss their proposal.
- Submission of a consultation summary prepared in accordance with the City of Hamilton Public Consultation Summary and Comment Response guidelines.

2.5 Community Benefits

The benefits that energy storage and energy generation projects provide can vary depending on factors such as existing energy bottlenecks and utilization of renewable

energy sources. As such, the proponent shall provide information on any community benefits that the proposal will provide, for example:

- The anticipated number of local jobs created by the proposal;
- Local Indigenous partnerships;
- A high-level overview of how the proposed project will contribute to achieving Hamilton's Climate Action Strategy including reducing Green House Gas emissions to reach net-zero by 2050 or sooner, and build grid resiliency to the impacts of climate change; and,
- Any other anticipated benefits that will be provided to the City of Hamilton through the proposal.

2.5.1 Community Benefit Agreement

Community Benefit Agreements are formal agreements through which the municipality and a project proponent can negotiate terms to secure local benefits and/or share in project revenues so they can be reinvested into the community. As part of the Municipal Support Resolution Protocol, the project proponent is required to enter into a Community Benefit Agreement with the City of Hamilton that is conditional on the proponent being successful in their bid into the Independent Electricity System Operator procurement process.

As an interim measure, the proposed Municipal Support Resolution Protocol requires that proponents enter into a Community Benefit Agreement with the City of Hamilton and propose a community benefit based on priorities that are identified through the required community consultation. This proposed community benefit would be considered by Council through the municipal support resolution request process.

This Community Benefit Agreement would be contingent on the project proponent being successful in their bid into the Independent Electricity System Operator procurement process.

For example, several municipalities have entered into agreements or received commitments from proponents participating in the Independent Electricity System

Operator procurement process, to provide an annual community benefit of approximately $1,000 per megawatt of project contract capacity over the life of the project.

3. Municipal Support Resolution Request Process

The municipal support resolution request process begins with early discussions between the applicant and City staff, followed by community engagement led by the applicant. Once the formal request and supporting materials are submitted, staff circulate the information for review, provide comments, and prepare a report for Planning Committee and City Council consideration. If Council grants approval, the municipal support resolution is finalized and issued. The individual steps of the protocol and approximate timelines are listed in Appendix “A” to this document.

4. Submission Materials

A proponent making a Municipal Support Resolution Request to the City is required to submit the following:

- Cover letter;
- Municipal Support Resolution Request Form;
- Municipal Support Resolution Request (Independent Electricity System Operator Procurement) Fee; and,
- The required materials and information identified in the Municipal Support Resolution Request Form.

The Municipal Support Resolution Request Form outlines the required submission materials and information in greater detail.

CONTACT: Planning Division: pdgening@hamilton.ca

Appendices and Schedules Attached

Appendix A: Municipal Support Resolution Request Process

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Protocol Requirement	Timeline
1. Pre-engagement Meeting with City Staff Regarding Proposal and Protocol Process.	Contingent on Applicant
2. Community Engagement Occurs in Accordance with Section 2.5 of the Municipal Support Resolution Protocol.	Contingent on Applicant
3. Municipal Support Resolution Request Form and Required Information Submitted.	Contingent on Applicant
4. Municipal Support Resolution Request Form and Supporting Materials Circulated for Staff Review and Comment.	21 Days
5. Report Prepared by Staff	Approximately 70 Days
6. Report Considered by Planning Committee	1 Day
7. Planning Committee Report Considered by City Council	Approximately 1 Week Following Planning Committee
8. If Approved, Municipal Support Resolution is Signed and Issued	Approximately 1 Week Following Council