

ETP-C2-1



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MEMBER COMMUNICATION

ALERT N°: 09/022

To the attention of the Clerk and Council
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ALERT

AMO Position on Bill 150, Green Energy and Green Economy Act

As AMO Alert (09/018) from March 25 indicated *Bill 150, the Green Energy and Green Economy Act* is currently before the Standing Committee on General Government. The following summary of the position endorsed by the AMO Board of Directors at its April 3 meeting is provided to help inform those municipalities interested in either making a submission to the committee or simply to learn more about the Bill.

AMO is generally quite pleased with the intended outcomes of this Bill in terms of making it easier to bring renewable energy projects to life and creating a culture of conservation so that people can go about their daily lives using less energy. While supportive of the proposed enhancements to energy conservation and generation set out in *Bill 150*, AMO does have concerns about the proposed planning approval amendment as it currently sits, as well as the existing property tax regime for renewable energy projects.

Planning Processes Recommendations:

1. *Renewable Energy Projects should not be permitted in:*
 - *Provincially significant wetlands*
 - *Significant habitat of endangered species and threatened species*
 - *Lots adjacent to airports*
 - *Significant woodlands*
 - *Areas designated as a UNESCO World Biosphere Reserve*
 - *Intake protection zones and well head protection areas (the limits of which will be defined in the Clean Water Act assessment reports)*
 - *In addition, ground-mount solar projects should not be permitted in Class 1,2, or 3 agricultural lands*
2. *Pertinent issues around site planning, mitigation, and rehabilitation be addressed via a Municipal Services Permit which must be acquired by the proponent prior to being granted a Building Permit. The Province must grant municipalities the power to request compliance to the Municipal Services Permit pursuant to the provision of "applicable law" of the Building Code Act.*
3. *The Ministry of the Environment should complete an independent analysis of the impact of renewable energy facilities on the natural environment and human health.*
4. *Existing renewable energy projects should have a grandparent clause to exempt them from the new planning process and recognize existing agreements between developers and municipalities.*

REFERRAL TO _____
 RECOMMENDED _____
 DIRECTION REQUIRED _____
 RECEIPT RECOMMENDED

5. In terms of the process proposed for solar and geothermal micro-systems on residential and commercial rooftops, AMO recommends:
- *All by-laws relating to health and safety, tree cutting, and heritage must remain in effect.*
 - *Exemptions should not be extended to biomass, biofuel, ground mount solar, or wind projects.*
 - *Projects proposed on Heritage easements should be subject to Heritage Trust approval.*
 - *Ministry staff must coordinate the rules in terms of scale and integration with renewable energy facilitator process for larger projects.*

Renewable Energy Generation Recommendations:

6. *The List of objectives under Ministerial power to direct the Feed-in Tariff (FIT) development should include combined heat and power (CHP) and "to support community-owned renewable energy and conservation projects". NOTE: AMO has an additional list of recommendations to improve the proposed FIT but this OPA-led consultation is outside of Bill 150.*
7. *Existing agreements between municipalities and developers should be grandparented. AMO is also pushing for a solution to the inadequate property tax regime in place for renewable energy projects.*

Energy Conservation Recommendations:

8. *The Minister must direct local distribution companies (LDCs) to provide municipalities with their consumption data in a timely manner (4-6 weeks maximum).*
9. *The Minister must direct LDCs to develop a consistent bill format*
10. *Provide clarification that municipal conservation and demand management (CDM) plans are mandatory for the corporation only, but provide option to work with the LDC on larger community plans. NOTE: AMO has an additional list of recommendations on municipal CDM plans.*
11. *LDCs should be directed to conduct on-bill financing for small renewable installations and energy efficiency retrofits via a separate, self-supporting fund.*
12. *Municipalities should have the option of using Local Improvement Charges (LICs) to finance residential and commercial renewable energy and energy efficiency projects.*
13. *A new Technology Advisory Council should be created to verify claims made by proponents about the efficiency of their products.*

AMO's submission will also include a number of other recommendations aiming to improve technical matters within *Bill 150* dealing with conservation and generation.

This information is available in the Policy Issues section of the AMO website at www.amo.on.ca.