



Soloway Wright LLP
900 - 427 Laurier Avenue West
Ottawa ON K1R 7Y2

T: 613.236.0111 | 1.866.207.5880
F: 613.238.8507
www.solowaywright.com

Douglas B. Kelly
Partner

Direct line: 613.782.3215
Email address: kellyd@solowaywright.com

FILE NO:22636-1084

September 2, 2014

Town of Mississippi Mills
3131 Old Perth Rd
PO Box 400, Almonte ON
K0A 1A0

Dear Mayor Levi and Members of Council

Re: Enerdu Power Systems

I am legal Counsel for Enerdu Power Systems.

I have reviewed a staff report prepared for September 2, 2014 on the matter of the Heritage Conservation District Study by-law. I note that staff recommended that a by-law be enacted pursuant to section 40.1 of the Heritage Act. A draft by-law was part of the Report however the area for which the by-law would apply was not shown. Therefore it is unclear what the study area includes.

I am aware between January 27th, 2013 and 21st, 2013 the Minister of the Environment received 16 Part 2 Order requests for the environment assessment prepared for Enerdu Power System Inc. (Enerdu) for the proposed Enerdu Generation Station Expansion and Redevelopment Project.

I understand that the Town of Mississippi Mills was part of the 16 requests. The Minister by letter dated November 18th, 2013 advised Enerdu System Inc. that individual environment assessment or mediation was not required.

The Minister under the authority by of 16.3 of the Environment Assessment imposed conditions on the project as a result of the concerns raised in the Part 2 Order requests.

One of the conditions required a Heritage Impact Assessment and that assessment be reviewed by the Ministry of Tourism, Cultural, and Sport.

Ottawa Office

900 – 427 Laurier Avenue West, Ottawa ON K1R 7Y2
T: 613.236.0111 | 1.866.207.5880 | F: 613.238.8507

Kingston Office

510 – 366 King Street, Kingston ON K7K 6Y3
T: 613.544.7334 | 1.800.263.4257 | F: 1.800.263.4213

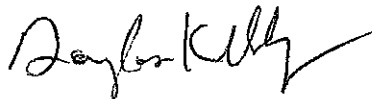
A Heritage Impact Assessment was prepared and reviewed with the Ministry. On August 28th, 2014 the Ministry of Tourism, Cultural, and Sport by letter accepted the recommendations of the Heritage Impact Assessment which include a requirement in Appendix 5 that a process be followed with the Town of Mississippi Mills for the design of the Powerhouse.

On the basis of above Orders, Approvals and Requirements by the various Ministries of the Government of Ontario Enerdu Power Inc. requests that this Project including the lands required for the Project not be included in the Heritage Conservation Study District as the Town of Mississippi Mills decided to raise the Heritage issue through a Part 2 Order request. The Minister of the Environment responded by imposing conditions on the Project to protect any heritage impacts.

Making this project part of a Heritage Conservation Study District appears to be contemptuous of the Minister's conditions.

Thank you for your consideration.

Yours very truly,



Douglas B. Kelly
DBK/st

cc. Ron Campbell