

# Appendix C3:

## Agency Correspondence (Letters/Email)



Bellamy, Megan <mbellamy@dillon.ca>

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## FW: Amendments for the proposed Sol-Luce Kingston PV Solar Project

1 message

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AshbyBeatrice <b.ashby@samsung.com>

24 September 2013 16:46

To: "Petruniak, Jennifer" <jpetruniak@dillon.ca>, Megan Bellamy <mbellamy@dillon.ca>

Cc: jose.dearmas@samsung.com

for your records

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From: AshbyBeatrice [mailto:[b.ashby@samsung.com](mailto:b.ashby@samsung.com)]

Sent: September-24-13 4:46 PM

To: Agatha Garcia-Wright ([agatha.garciawright@ontario.ca](mailto:agatha.garciawright@ontario.ca)); 'vic.schroter@ontario.ca'; 'Guido, Sandra (ENE)'; 'Raetsen, Sarah (ENE)'

Cc: 'jose.dearmas@samsung.com'; 'AshbyBeatrice'; 'kathy.park@samsung.com'; 'danielchoi@samsung.com'; '김준성'

Subject: Amendments for the proposed Sol-Luce Kingston PV Solar Project

Dear Vic and Agatha,

Attached please find a letter providing an overview of amendments for the proposed Sol-Luce Kingston PV Solar Project. We trust this letter provides sufficient information. If additional information or clarification is required, please do not hesitate to contact me.

Kindest Regards,

Beatrice



Beatrice Ashby | Senior Manager | Renewable Energy Approval | Samsung Renewable Energy Inc.

55 Standish Court, 9th Floor, Mississauga, ON L5R 4B2, Canada T: 905.501.5663 M: 416.888.2190

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2 attachments

 Figure 1 Project Location and New Lands.pdf  
166K

 Letterto MOE\_Significant amendment\_Kingston.pdf  
77K

## KINGSTON SOLAR LP

9<sup>th</sup> Fl. 55 Standish Court, Mississauga, ON L5R 4B2 Canada Tel: 905-501-5658 Fax: 905-285-1852

September 24, 2013

Ontario Ministry of the Environment  
2 St. Clair Avenue West, Floor 12A  
Toronto, ON M4V 1L5

Attention: Agatha Garcia-Wright, Director

### **RE: Sol-Luce Kingston PV Solar Project Amendment Letter**

Dear Ms. Garcia-Wright:

Kingston Solar LP is proposing to develop, construct and operate the Sol-Luce Kingston PV Solar Project (Project), a 100 MW facility. A Renewable Energy Approval (REA) application was submitted for this project on September 18, 2012 under O. Reg. 359/09 of the *Environmental Protection Act*. The Project was undergoing technical review by the Ministry of the Environment (Ministry) when the 'technical review clock' was stopped by Kingston Solar LP to accommodate an amendment for the proposed Project.

This letter provides an overview of amendments for the proposed Project, which we believe to be significant (major) under the REA guidelines. We are seeking confirmation that the following changes constitute a significant (major) amendment before submitting a formal REA Modifications Document to the Ministry. We understand the acceptance and review of this letter may take between 2-3 business days.

The Modifications Document will be accompanied by addendums and/or revised reports for the following:

- Natural Heritage Assessment (including re-confirmation from the Ministry of Natural Resources);
- Water Reports;
- Archaeological Assessment (including a re-issued comment letter from the Ministry of Tourism, Culture and Sport);
- Cultural Heritage Screening (which may require comments from the Ministry of Tourism, Culture and Sport, should a full Cultural Heritage Assessment be required);
- Noise Study Report; and,
- Consultation Report.

Changes to the Core REA Reports (Project Description Report, Construction Plan Report, Design and Operations Report and Decommissioning Plan Report) will be overviewed in the Modifications Document with references to the sections where the proposed changes apply.

The amended design layout for the Sol-Luce Kingston PV Solar Project will provide the locations of the facility components. Kingston Solar LP proposes to shift a portion of the power allocation to new lands not previously included as part of the REA. For your information, we have attached a figure that provides an overview of both the project location as it was originally defined, and the additional lands as part of this proposed amendment.

## KINGSTON SOLAR LP

9<sup>th</sup> Fl. 55 Standish Court, Mississauga, ON L5R 4B2 Canada Tel: 905-501-5658 Fax: 905-285-1852

Based on discussions with Ministry Staff and the unofficial guidelines for amending REA applications, we understand that additional natural environment studies, archaeological and cultural heritage assessments, and consultation activities may be required to fulfill the requirements of the amendment. We expect that the Ministry's response to this letter will provide further guidance as to what activities will be required before resubmission of the REA application for the project.

We trust this letter provides sufficient information to confirm that the amendment required for the Sol-Luce Kingston PV Solar Project will be considered significant (major). If additional information or clarification is required, please do not hesitate to contact me.

Best Regards,

A. José De Armas  
Project Development Manager

Copies to:

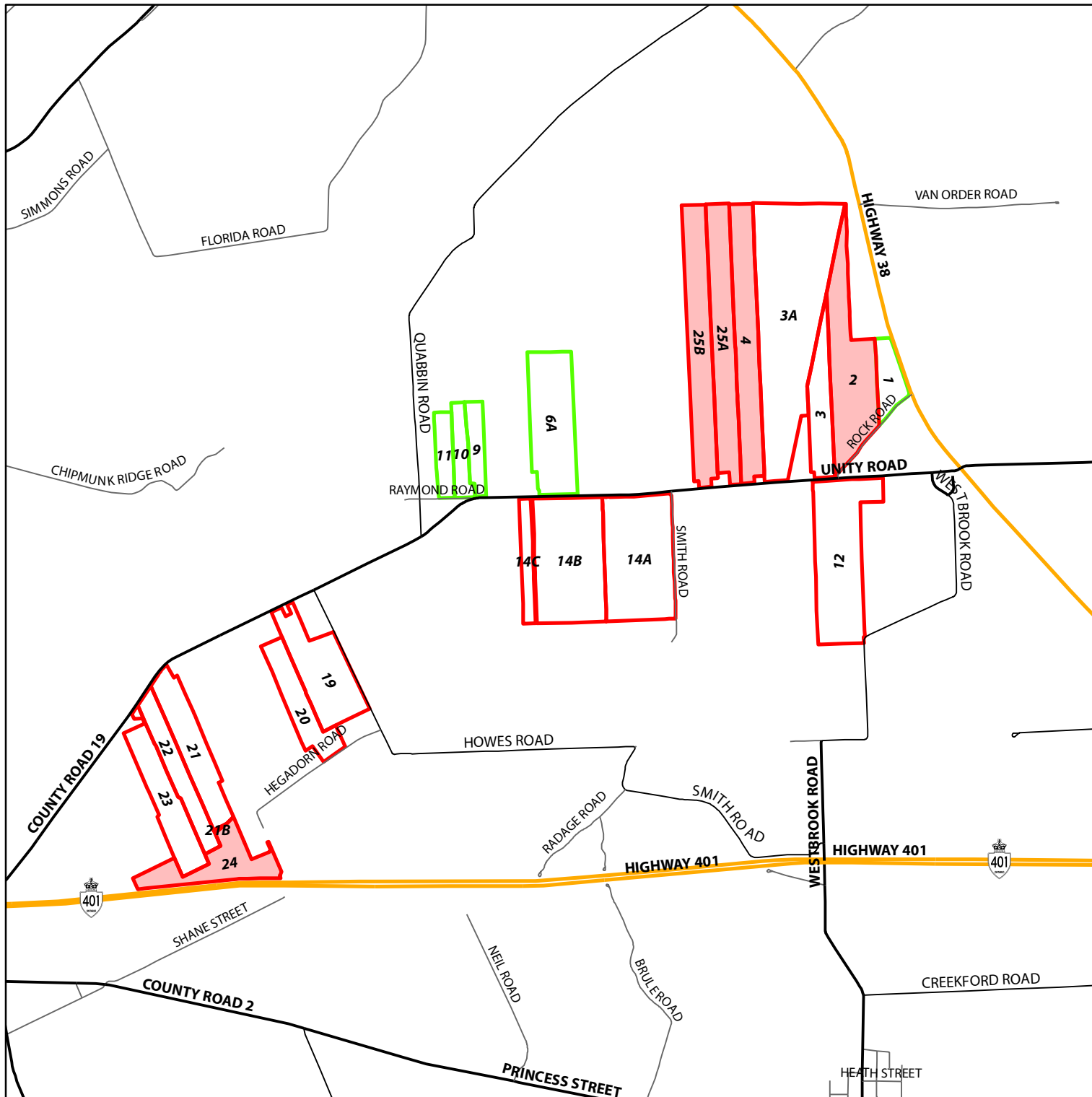
Sarah Raetsen, Project Evaluator








Vic Schroter, Director, Section 47.5 *Environmental Protection Act*

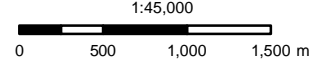
Attach: Figure 1: Project Location and New Lands

# Sol-luce Kingston Solar PV Energy Project

## Figure 1: Project Location and New Lands



-  Highway
-  Arterial Road
-  Collector Road
-  Local Road
-  Property Boundary of Project Location Lands
-  Removed Properties from Project Location
-  Property Where New Lands for Study Occur



**Ministry of the Environment**

Environmental Approvals Branch

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**Ministère de l'Environnement**

Direction des autorisations  
environnementales

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Tél. : 416 314-8001  
Télec. : 416 314-8452



September 27, 2013

A. José De Armas  
Project Development Manager  
Kingston Solar LP  
55 Standish Court, 9<sup>th</sup> Floor  
Mississauga ON L5R 4B2  
Email: [jose.dearmas@samsung.com](mailto:jose.dearmas@samsung.com)

Dear Mr. De Armas:

Thank you for meeting with staff of the Ministry of the Environment (MOE) on July 16, 2013 to discuss your Renewable Energy Approval (REA) application for the Sol-Luce Kingston PV Solar Project. In the meeting we discussed proposed modifications to the project layout.

The purpose of this letter is to address the ministry's expectations as they relate to the proposed project modifications and to provide further clarification on additional work/documentation requirements regarding the modifications to your project.

The MOE has reviewed your Amendment Letter dated September 24, 2013, which provides an overview of the amendments for the proposed project. We understand that there is an amended design layout for the project, which will shift a portion of the power allocation to new lands not previously included as part of the REA application. The MOE also understands that the amended design layout will require additional natural heritage studies, as well as archaeological and cultural heritage assessments.

The MOE requires Kingston Solar LP to implement the following steps to ensure that the application and all associated documentation is updated, and consultation on the modifications is undertaken:

- Provide a modifications document to the MOE that includes:
  - A summary of the proposed project change(s);
  - A list of reach report and study submitted with the initial REA application and a description of the amendments to each,
    - Where reports or studies do not require a material change to the content, explain how the proposed change does not impact the document.
    - Where there are notification and public consultation requirements, a description of activities should be documented as amendments to the Consultation Report.
    - Where appropriate, include a table that shows the page number, section, original text and revised text.
  - Identification and a summary of those documents that are now required with respect to the proposed project change(s) that were not part of the initial REA application.

- A copy of the original and revised site plan.
- Your project website must be updated with the modifications document once prepared.
- Written confirmation from the Ministry of Tourism, Culture and Sport (MTCS) and the Ministry of Natural Resources (MNR) must be obtained and included in the modifications document, indicating that they have reviewed the proposed modifications, including any revisions to the Archaeological Assessment and Cultural Heritage reports and Natural Heritage Assessment Reports.
- A council resolution from the City of Kingston must be obtained and included in the modifications document.
- It is expected that Kingston Solar LP will hold an additional public meeting regarding the project changes, after consultation with MTCS and MNR has taken place and confirmation from the two agencies has been obtained. The council resolution from the City must also be obtained prior to the meeting:
  - Kingston Solar LP must make the modifications document available to the public as described in subsection 16.0.1(3)3 and 32.3(1)4, as appropriate at least 30 days prior to the meeting.
  - At the public meeting, Kingston Solar LP must provide a detailed description and explanation of the project change(s) and the rationale for the change. If the changes to the project are related to, or may have an impact on, concerns and comments previously raised during the consultation process, this should be discussed at the meeting as well. While the focus of the meeting should be the proposed change(s) to the project and how it impacts the original reports and studies, Kingston Solar LP should be prepared to address questions regarding all aspects of the project.
  - Upon completion of the public meeting, the Consultation Report must be revised to include a copy of the proposed project change notice of the public meeting and evidence that it was made public in accordance with the regulation. The report must also include a description of the public meeting held as a result of the project change, a summary of comments received at the meeting, and a description of how those comments were considered. The modifications document should also be updated, as appropriate.

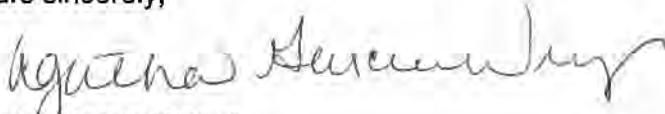
An Instrument Proposal Notice for this project was posted on the Environmental Registry (EBR) for 30 day public review and comment from February 12 to March 29, 2013. Once Kingston Solar LP has provided the public with additional opportunity to review the proposed modifications to the project, and revised project documents have been submitted to the MOE, the ministry will re-post the REA application for 30 days to allow opportunity for the public to comment directly to the MOE on this proposal.

As you are aware, the six month technical review clock for this project was stopped on July 22, 2013. The clock will remain stopped until the additional public meeting is held, and the modifications document and updated consultation report are submitted to the MOE. Once we have the required information, we will then be better able to provide you with an update on timelines.



If you have any questions regarding these matters, please contact Sarah Raetsen, Senior Program Support Coordinator, at [sarah.raetsen@ontario.ca](mailto:sarah.raetsen@ontario.ca) or 416-326-6089.

Yours sincerely,



Agatha Garcia-Wright  
Director  
Environmental Approvals Branch


cc: Vic Schroter, Supervisor, Team 5, MOE EAB  
Zeljko Romic, Senior Program Support Coordinator, MOE EAASIB  
Beatrice Ashby, Senior Manager, Renewable Energy Approval, Samsung Renewable Energy Inc.

Subject: "  
From: " " " " " " " "  
Date:  
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CC: " " " " " " " "  
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From: AshbyBeatrice [mailto:b.ashby@samsung.com]  
Sent: October 1, 2013 10:37 AM  
To: Raetsen, Sarah (ENE); jose.dearmas@samsung.com  
Cc: kathy.park@samsung.com; danielchoi@samsung.com; '김준성'; Garcia-Wright, Agatha (ENE); Schroter, Vic (ENE); Romic, Zeljko (ENE)  
Subject: RE: Amendments for the proposed Sol-Luce Kingston PV Solar Project

Hi Sarah,  
As discussed please consider revising the attached to reflect the following:

*Excerpt:*  


As per our discussion in your offices on July 16, 2013 it was agreed that the Ministry would commence their review of the amended application, and hence restart the clock, as soon as modifications report is made available for public review; 30 days prior to the additional public meeting.

*Excerpt:*  


As discussed please kindly remove the above statement regarding a council resolution from the City of Kingston. As you may be aware Kingston Sol Luce's PPA (NTP) is subject to municipal resolution.

We are available to discuss should you have any questions or concerns.  
Best,  
Beatrice

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From: Raetsen, Sarah (ENE) [mailto:Sarah.Raetsen@ontario.ca]  
Sent: September-30-13 3:36 PM  
To: jose.dearmas@samsung.com; AshbyBeatrice

Cc: [kathy.park@samsung.com](mailto:kathy.park@samsung.com); [danielchoi@samsung.com](mailto:danielchoi@samsung.com); '김준성'; Garcia-Wright, Agatha (ENE); Schroter, Vic (ENE); Romic, Zeljko (ENE)  
Subject: RE: Amendments for the proposed Sol-Luce Kingston PV Solar Project

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**Sarah Raetsen** | Senior Program Support Coordinator | Approval Services Unit - Team 5 | **Ministry of the Environment** | Environmental Approvals Branch  
2 St. Clair Ave. W., Floor 12A, Toronto, ON M4V 1L5 | Phone: (416) 326-6089 | Fax: (416) 314-8452 | Email: [sarah.raetsen@ontario.ca](mailto:sarah.raetsen@ontario.ca)

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From: AshbyBeatrice [<mailto:b.ashby@samsung.com>]  
Sent: September 24, 2013 4:46 PM  
To: Garcia-Wright, Agatha (ENE); Schroter, Vic (ENE); Guido, Sandra (ENE); Raetsen, Sarah (ENE)  
Cc: [jose.dearmas@samsung.com](mailto:jose.dearmas@samsung.com); 'AshbyBeatrice'; [kathy.park@samsung.com](mailto:kathy.park@samsung.com); [danielchoi@samsung.com](mailto:danielchoi@samsung.com); '김준성'  
Subject: Amendments for the proposed Sol-Luce Kingston PV Solar Project

Dear Vic and Agatha,  
Attached please find a letter providing an overview of amendments for the proposed Sol-Luce Kingston PV Solar Project. We trust this letter provides sufficient information. If additional information or clarification is required, please do not hesitate to contact me.  
Kindest Regards,  
Beatrice



Beatrice Ashby | Senior Manager | Renewable Energy Approval | Samsung Renewable Energy Inc.

55 Standish Court, 9th Floor, Mississauga, ON L5R 4B2, Canada T: 905.501.5663 M: 416.888.2190

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Attachments:

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October 7, 2013

A. José De Armas  
Project Development Manager  
Kingston Solar LP  
55 Standish Court, 9<sup>th</sup> Floor  
Mississauga ON L5R 4B2  
Email: [jose.dearmas@samsung.com](mailto:jose.dearmas@samsung.com)

Dear Mr. De Armas:

The purpose of this letter is to clarify some items in the Ministry of the Environment's (MOE's) letter dated September 27, 2013.

Our letter had indicated that a council resolution from the City of Kingston must be obtained and included in the modifications document. The MOE understands that a council resolution from the City of Kingston is required for Kingston Solar LP's Notice to Proceed (NTP); therefore, the MOE will not require a copy of the resolution as part of the modifications document. However, the MOE expects that the revised Consultation Report submitted following the final public meeting will have updated information related to municipal consultation. In addition, the MOE requests that you provide a copy of the council resolution once it is received.

Our letter had also indicated that the six month technical review clock would remain stopped until the public meeting is held and the modifications document and updated Consultation Report are submitted to the MOE. Once the modifications document is made publicly available and submitted to the MOE, the MOE will re-start the technical review clock. The MOE will also be better able to provide you with an update on timelines at that time.

If you have any questions regarding these matters, please contact Sarah Raetsen, Senior Program Support Coordinator, at [sarah.raetsen@ontario.ca](mailto:sarah.raetsen@ontario.ca) or 416-326-6089.

Yours sincerely,

Agatha Garcia-Wright  
Director  
Environmental Approvals Branch

cc: Vic Schroter, Supervisor, Team 5, MOE EAB  
Zeljko Romic, Senior Program Support Coordinator, MOE EAASIB  
Beatrice Ashby, Senior Manager, Renewable Energy Approval, Samsung Renewable Energy Inc.

## Agenda

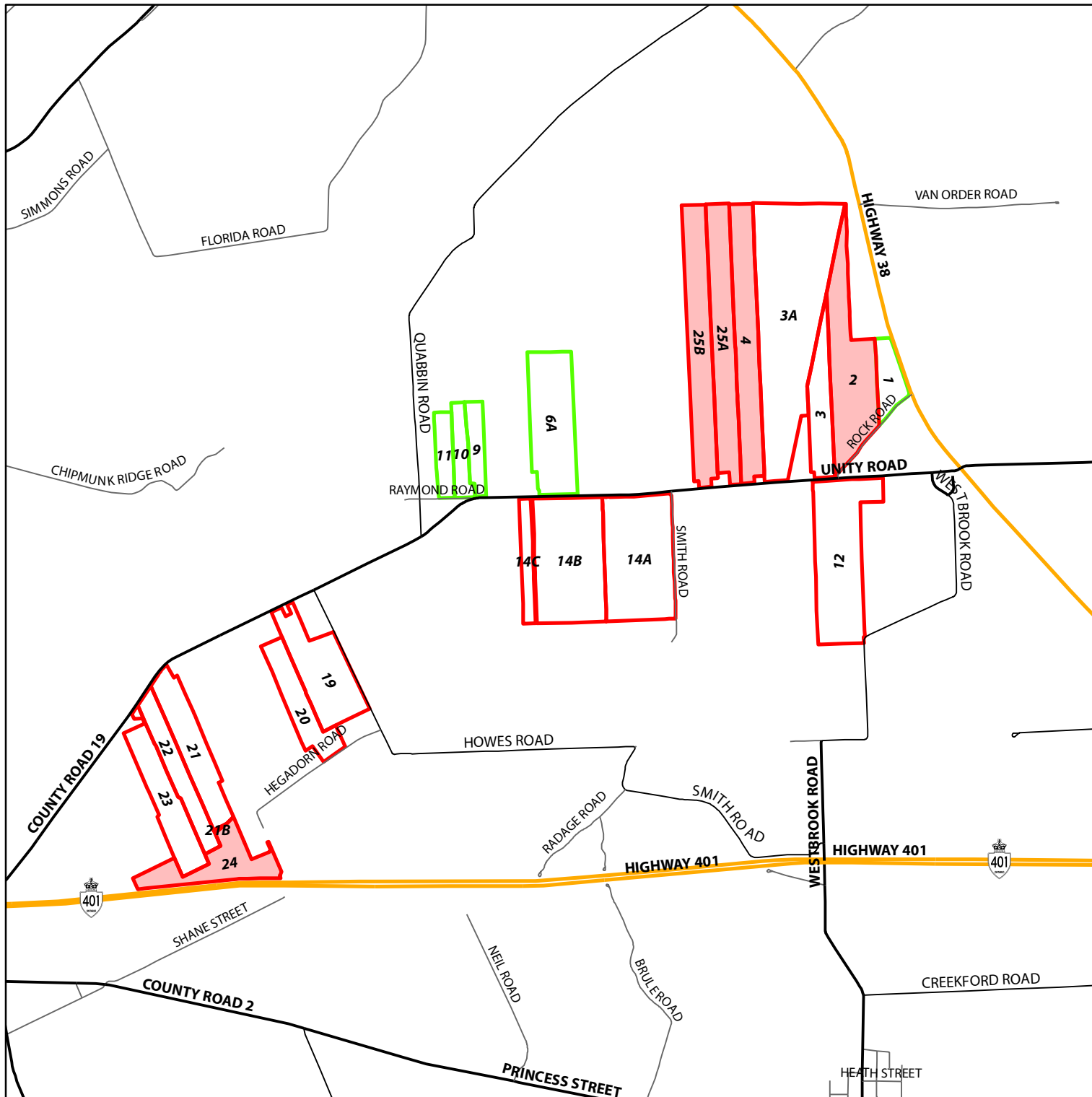
1641 Perth Road, Kingston, ON  
October 23, 2013 11:00am – 3:00pm








### AGENDA

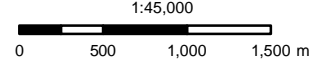
1. Overview of project and current status
2. Amendment to add new lands
3. CRCA comments :
  - a. Natural hazards/ Natural Heritage Features
    - i. Watercourses and Watercourse crossings
    - ii. Glenvale Creek Flood Plain
    - iii. Wetlands
  - b. Stormwater Management
    - i. During Construction (Sediment and Erosion Control)
    - ii. Design Criteria (Water quality and quantity)
    - iii. Grading and Site Servicing
  - c. Groundwater Protection
4. Permits from CRCA
5. Next Steps / Other Items

# Sol-luce Kingston Solar PV Energy Project

## Figure 1: Project Location and New Lands



-  Highway
-  Arterial Road
-  Collector Road
-  Local Road
-  Property Boundary of Project Location Lands
-  Removed Properties from Project Location
-  Property Where New Lands for Study Occur





## CATARAQUI REGION CONSERVATION AUTHORITY

1641 Perth Road, P.O. Box 160 Glenburnie, Ontario K0H 1S0  
Phone: (613) 546-4228 Toll-free (613 area code): 1-877-956-CRCA  
Fax: (613) 547-6474 E-mail: crca@cataraquiregion.on.ca  
Websites: www.cleanwatercataraqui.ca & www.cataraquiregion.on.ca

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August 17, 2012

Files: REP/CKN/154/2012

### Sent by E-mail

Calvin Chan MCIP, RPP  
Intermediate Policy Planner  
Planning and Development Department  
City of Kingston

Dear Mr. Chan:

**Re: Renewable Energy Project (D05-001-2011)  
Sol-luce Kingston Solar PV Energy Project  
Unity Road, City of Kingston**

Staff of the Cataraqui Region Conservation Authority (CRCA) have reviewed the following documents prepared by AMEC Environmental & Infrastructure (all dated May 9, 2012) in support of the above-mentioned solar energy project:

- Draft Project Description Report
- Draft Design and Operations Report
- Draft Construction Plan Report
- Draft Decommissioning Plan Report
- Draft Natural Heritage Assessment/Environmental Impact Study
- Draft Water Assessment and Water Body Report
- Draft Stormwater Management Plan

We also reviewed the letter from the Ministry of Natural Resources to Samsung Renewable Energy Inc., dated June 11, 2012.

### Site Description

The proposed development consists of a 100 MW photovoltaic project on 261 hectares of land located on multiple properties along Unity Road/Mud Lake Road in the City of Kingston and Loyalist Township. The project would be located in both the Millhaven Creek and the Glenvale Creek watersheds, in proximity to numerous tributaries and unevaluated wetlands.

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Member of



## **Discussion**

The main interests of the CRCA in this proposal are the avoidance of natural hazards (flooding and erosion) on-site as well as upstream and downstream of the project, the protection of natural heritage features, the provision of adequate stormwater management, and the protection of groundwater aquifers. Staff provide the following comments regarding the proposed solar project based on these interests.

### **A. Natural Hazards/Natural Heritage Features**

By virtue of Ontario Regulation 148/06, the CRCA regulates all development and site alteration within a certain distance to areas subject to natural hazards (e.g. flooding and erosion), areas adjacent to wetlands and regulates in-water development activities. More specifically, the regulation applies to all lands within 15 metres of a floodplain of a watercourse or waterbody, within 15 m of an erosion hazard limit and within 30 m of an unevaluated wetland. The proposed solar project involves development within these regulated areas. Within these areas written permission from the CRCA is required prior to commencing development (including grading, placement or removal of fill, fencing, and any other site disturbance).

#### ***Watercourses***

The solar project involves development and site alteration adjacent to watercourses throughout the project area. Many of these watercourses are identified in the Draft Water Assessment and Water Body Report and are classified as permanent streams, intermittent streams or grassed waterway / drainage swale / surface drainage. The CRCA's Guidelines for Implementing Ontario Regulation 148/06 define a watercourse as "an identifiable depression in the ground in which a flow of water regularly or continuously occurs". This definition recognizes the important hydrologic and ecologic value of watercourses regardless of the scale and size of the feature. CRCA staff use this definition in their implementation of the regulation. As such, development and site alteration adjacent to these features must meet specific regulatory requirements. The following comments reflect how these requirements would apply to the solar project.

1. For the most part, Figure 3-1: Aquatic Features and Classifications Map, accurately identifies the various streams, tributaries and drainage features that meet the CRCA definition of a watercourse. However, through site observation and aerial imagery interpretation, there are some watercourses that have not been included. For example:
  - a) There is a definable drainage feature at the south of Property Area 11A that flows from east to west, crossing Quabbin Road at Raymond Road.
  - b) A second drainage feature exists north of this location and flows northeast to southwest, with a crossing approximately 240 m north of Raymond Road on Quabbin Road.
  - c) There is a small tributary to GC-Trib-1 at the south of Property Area 1 that flows east to west under Highway 38 north of Rock Road.



- d) There is a watercourse at the north end of Property Area 22 that flows from east to west, just south of the Trans-Canada Pipeline, then turns north and crosses Mud Lake Road at the civic address 256 Mud Lake Road.
  - e) The southern portion of Property Area 14A contains what appears to be an intermittent watercourse that meanders in a roughly southeasterly direction where it then outlets to GC Trib-2. This watercourse requires further assessment by the consultant.
2. Since engineered floodplain mapping is not available for the watercourses within the project area and thus floodplain elevations are not known, CRCA staff, as per Guidelines for Implementing Ontario Regulation 148/06, apply a setback of 30 metres from the average high watermark or top of bank of the watercourse. This applies to all development and site alteration activities. If the extent of the floodplain can be approximated using accepted scientific and engineering principles, the CRCA may consider a reduction to this setback. To our knowledge, the proponent has not completed hydrologic analyses and so the 30 m setback applies to all watercourses.
  - a) We note that MC Trib-2b and a small, unnamed tributary section flowing east to west into MC Trib-2A would be regulated and therefore require a setback.
3. The main branch of Glenvale Creek flowing through Property Areas 13 and 14 is anticipated to have a very wide floodplain due to local topography. A 30 m setback from this watercourse is not sufficient in order to be outside of the hazard area. Development at Property Area 12 appears to be setback from the low-lying area adjacent to the creek. However, CRCA staff may request that the proponent demonstrate, via hydrologic analysis, that proposed development is a minimum of 6 m from the flood plain in this location.
4. Where development is proposed adjacent to watercourses with significant embankments, the erosion hazard limit, determined based on slope composition, may require a more restrictive setback than the floodplain setback.

### ***Proposed Watercourse Crossings***

Permits will be required for any proposed watercourse crossing or in-water work including culverts and bridges for access roads, utility trenches, fencing and any other infrastructure. The CRCA also reviews in-water work under a level II agreement with the Department of Fisheries and Oceans. In-water work must be designed so as to avoid any potential impact to fish and fish habitat as per the *Fisheries Act*.

5. Culvert and bridge crossings must be appropriately designed so as to avoid potential upstream and downstream flood risk.
6. Wildlife corridors should be maintained wherever possible. Where a development area is bisected by a watercourse, fencing should run along the perimeter, at an appropriate setback from the watercourse, of each half of the development area so as to avoid unnecessary fence crossings over watercourses.

## ***Wetlands***

The CRCA regulates development and site alteration within 30 metres of any non-provincially significant wetland that is a minimum of 0.5 ha in size and/or is considered to be hydrologically connected. Figure 3-4 from the Natural Heritage Assessment and Environmental Impact Study identifies wetlands within the project area. In total 33 wetlands were assessed by the consultant.

7. As per the CRCA's Guidelines for Implementing Ontario Regulation 148/06, new development and site alteration is required to be setback 30 m from the boundary of a wetland. Development within 30 m may only occur where there are no reasonable alternatives for development outside of the 30 m and where it can be demonstrated that the hydrologic function of the wetland is not affected. It is the opinion of CRCA staff that there are reasonable alternatives for each of the wetlands assessed in the Natural Heritage Assessment and Environmental Impact Study.
8. Table 5-1 in Appendix A identifies development setbacks of less than 30 m for wetland numbers 2, 3, 11, 17, 18, 25, 30 and 31. The setbacks for these wetlands range from 12 m to 29 m. The CRCA will require that the 30 m setback be met for these wetlands.
9. As a general comment, the wetlands are not shown consistently through the submission documents (e.g. should be identified in the Draft Design and Operations Report and appendices).

## **B. Stormwater Management**

1. The Draft Stormwater Management Plan does not evaluate all sites for quantity control. The hydrologic analysis of the evaluated proposed solar array areas result in post-development peak flow numbers of varying increases. There will need to be a specific analysis for every property showing that post-development peak flows are no greater than pre-development flows, including proposed property-specific mitigations to protect streams from increased flow, erosion and flooding. Enhanced quality protection measures are required for areas draining to Glenvale Creek, based on the draft City of Kingston Master Stormwater Management Plan (December 2001).
2. Given the likelihood that rain water flowing off the panels will concentrate at the lower edge of solar panel tables, the ground directly below will be subjected to increased erosion forces during storms, encouraging channel development and leading to an increase in post-development runoff. This will limit the opportunity to infiltrate in a manner equaling pre-development as stated in the draft Stormwater Management Plan. Assuming that rainfall can infiltrate into the ground similar to pre-development conditions helped by the rain flowing around/between individual panels, then the use of proposed grass/vegetated filter strips may be sufficient to limit post-development peak runoff rates to pre-development levels provided that the proposed Maintenance and Monitoring Program is strictly adhered to. It is crucial that vegetation be maintained and that any erosion is repaired immediately. It is suggested that gaps be left between individual solar panels to promote infiltration of rain water.

3. The area under and between the panel rows is proposed to be vegetated (“grassed filter strips”), which should help with runoff control once the site is established. However, no information is provided about controlling runoff during site construction when all of the vegetation will be removed, and at the temporary construction staging areas. Construction sediment and erosion control measures will have to be site-specific, detailed and illustrated (e.g. check dam locations, silt-fence, etc.).
4. One of the reports states that due to the existing rural and agricultural land uses, watercourses are not highly sensitive to temporary disturbances, and that the effects vary by watercourse. Temporary disturbances from agricultural uses, such as tilling, last a few weeks at most. Disturbances from the construction of this project will last 15 months. Were the impacts to each watercourse determined? What about downstream impacts? It will be important to install appropriate sediment and erosion control measures prior to site disturbance and to maintain the 30 m buffers throughout construction period. Information should also be provided about controlling runoff during construction.
5. Some of the reports indicate that the topography of the solar array areas will change from pre-development conditions, while others indicate that there will be no topographic changes. Based on our experience with other sites and based on the photos they include in the Design and Operations Report, there will be grading/leveling at these locations. Grading plans will need to be provided for each site, illustrating how drainage is maintained to sub-watersheds as in pre-development conditions. The grading plans must include proposed ditches/swales along access roads, new water crossings and any other details necessary to illustrate intended conveyance of stormwater runoff.
6. More details should be provided for the proposed stormwater collection system at the substation location. Based on the draft City of Kingston Master Stormwater Management Plan (December 2001), it will require an “enhanced” level of protection for quality control since it drains to Glenvale Creek. It will also need to be demonstrated that there will not be a post-development peak flow increase over pre-development (2, 5, 10, 25, 50, 100 year storms).
7. More details are required about the transformer containment area. The reports reference an oil control device. What is it? How is it difference from the sump pump oil/grease sensor? Where is the stormwater outlet that drains the containment facility?

### **C. Groundwater Protection**

1. Very limited information is provided about groundwater protection and monitoring in the submitted draft reports. According to Samsung this topic is being addressed by Dillon Consulting in a report that will be released in the near future. It is our understanding through previous discussions with Samsung representatives that it includes a program of well water quality monitoring prior to construction. Staff recommended that the program also monitoring for relevant parameters during and after installation of the solar arrays. This recommendation is based on the apparent scarcity of knowledge about the impact of solar installations on groundwater, and on community interest. We would appreciate an opportunity to review and provide comment on the report.

Mr. Chan (D05-001-2011)  
August 17, 2012

2. We suggest that Samsung consider having designated refueling and lubrication locations that take into consideration the location of highly vulnerable aquifers, karst, existing wells, etc.

Thank you for the opportunity to provide input on this proposal. If you have any questions please contact the undersigned at (613) 546-4228 extension 235 or by e-mail at woods@cataraquiregion.on.ca.

Yours truly,

Original signed by:

Christine Woods MCIP, RPP  
Environmental Planner

cc: Katherine Park, Solar Division, Samsung Renewable Energy, via e-mail kathy.park@samsung.com  
Murray Beckel, Director of Planning and Development Services, Loyalist Township, via e-mail

# Minutes

1641 Perth Road, Kingston, ON  
October 23, 2013 11:00am – 1:30pm

## Attendees:

Name	Organization	Position
Michael Dakin	CRCA	Resource Planner
Shawn Fairbank	CRCA	Watershed Engineering Technologist
Amanda Mallory	CRCA	GIS Technician
Jennifer Petruniak	Dillon Consulting	Project Manager (Biologist)
Megan Bellamy	Dillon Consulting	Environmental Planner
Lorenzo De Santis	Dillon Consulting	Engineer (Municipal)
Grace Tesa	Dillon Consulting	Engineer (Water Resources)
Darin Burr	Dillon Consulting	Hydrogeologist
Beatrice Ashby	Kingston Solar LP	Senior Renewable Energy Approvals Manager
A. José De Armas	Kingston Solar LP	Project Development Manager
Kurt Kim	Kingston Solar LP	Manager
Kathy Park	Kingston Solar LP	Assistant Manager

## Acronyms:

CRCA = Cataraqui Region Conservation Authority  
MNR = Ministry of Natural Resources  
MOE = Ministry of the Environment  
NHA = Natural Heritage Assessment  
OWES = Ontario Wetland Evaluation System  
SWM = Stormwater Management

PSW = Provincially Significant Wetland  
REA = Renewable Energy Approval  
ROW = Rights of Way  
EPC = Engineering, Procurement and Construction  
DEM = Digital Elevation Model

### **1. Overview of project and current status**

- Jen: The purpose of this meeting is to go through the comment letter from 2012 and understand what CRCA is expecting to see from submissions, and how you would like to be engaged in future.
- José: In response to the guidelines passed by the City of Kingston on May 1, 2012, Samsung is amending their REA application to accommodate the setback and ROW

requirements by adding new lands. To make sure the resolution goes smoothly, the project location has been altered by eliminating Properties #1, 6A, 7, 9, 10 and 11 and adding new lands closer to the transmission corridor. We want to make sure that comments provided last year (August 17, 2012 letter) as well as the City of Kingston's more recent comments (May 24, 2012 letter) on Natural Heritage are thoroughly addressed well before the amended NHA is submitted to the MNR.

- Jen: Our process moving forward with the Ministry is to do an addendum to the NHA as well as a NHA modifications document which discusses what gets removed / added from the original. Some technology has changed from the original application as well, such as new inverter stations. This change will require a completely revised noise study report. ABB [the Engineering contractor] has done a first draft of the project layout for this meeting. We would like to get feedback from CRCA, especially for any red flag issues in order to finalize the project boundary/fence line for the NHA submission. We will be holding another Public Meeting in Kingston and Loyalist separately, which is currently targeted for the beginning of January 2014. After the meeting, Consultation Report will be submitted for review and approval of the REA by the MOE.
- Jen: Pre-construction surveys were completed as committed to in the original NHA and any subsequent field work required to assess the baseline conditions within the project area will be undertaken prior to the start of construction following the NHA addendum.

## **2. Wetland on Property #24**

- Jen: We would like to focus on Property 24. Starting with the southwest corner, some lands were pre-existing. Initially, we were exploring if the wetland was a PSW. To help with timing, we have decided not to propose development in the wetland and the project layout will be revised accordingly.
- José: We are aware that the landowner for Property 24 gave feedback to CRCA to see if an access route could be provided to the layout. We will provide a buffer between the 401 corridor and project location boundary so there is access to that section of the property.
- Michael: CRCA went to the property to determine if there was a history of flooding in the area. Our regulation [[Ontario Regulation 148/06](#)] applies to any wetland if it's a minimum of 0.5 ha in size and is hydrologically connected. We require a 30 m setback.
- José: We will not be building anything west of wetland boundary with the 30 m setback applied.
- Jen: The boundary we use for wetlands is based on the OWES protocol - it has to be delineated using the OWES protocol by an OWES qualified person.
- Michael: The fact that you are avoiding development in this area makes it easier for us from a permitting perspective.

### **3. CRCA comments :**

#### **a. Natural hazards/ Natural Heritage Features**

##### **i. Watercourses and Watercourse crossings**

- Jen: There is a block of panels on Property 22 that is not shown on the map which will require another watercourse crossing (for a total of 4 for that block of development).
- Michael: We don't see issues with permitting going forward in this area. The watercourse portion of our regulation works because we use a standard 30 m setback where there is not a defined floodplain. This setback could be reduced to 6 m where there are no serious natural heritage concerns and specific hydrologic study is done. Jen: From the perspective of REA, we can't put panels within 30 m of a watercourse.
- José: We would like to ensure there are no problems with permitting for the 4 water crossings. Shawn: If the crossings can be designed to accommodate the 100-year storm with no upstream or downstream increases to flood levels, we don't anticipate a problem. Grace: To clarify, the crossing may have a capacity of a lesser storm (1 in 5-year, for example) so as long as there is a spillway to convey flow in the event of a larger storm, this should be fine. Sediment and erosion controls would need to be in place.
- José: We understand from your correspondence that you do think it is warranted to issue development permits within the 30 m setback from a wetland. What information would be required to allow development in an area like this? Michael: CRCA has similar requirements for wetlands and watercourses. You would need to demonstrate that from a flood hazard perspective there are no impacts.

##### **ii. Glenvale Creek Flood Plain**

- Grace: Our floodplain delineation exercise is focused on Glenvale Creek. There are no crossings proposed on the main branch. We are working with JD Barnes (land surveyor) so we can augment the DEM data to build our hydraulic model. We will generate a surface so we can cut sections using Hec-RAS to build a floodplain model. We chose to extend our survey 500 m downstream of the confluence with Glenvale Creek with Trib 1 of Glenvale Creek so that the boundary we establish doesn't affect Property 12. We need to determine the floodplain extents within Property 12 so we can apply the setbacks and make sure that development doesn't encroach. We will not create an impact if we are maintaining existing flows. We can comment on the current level of service for the crossing at Unity Road. Anything we establish at a downstream point will not propagate upstream into our study area. The other part of our study is developing the 1/100-year flows. The drainage area for this portion Glenvale Creek is extensive so we will be using the modified index flood method.

- CRCA has provided background information, which we will review and incorporate into our analysis as needed.
- Grace: Our model will have two flow change locations; one upstream of Unity Road and the other the drainage area influence for confluence. In the drainage area, the floodplain delineation was somewhere around 70 km<sup>2</sup>. We will probably use the MNR regression equation to double check our numbers as well as any background information you may have from other studies. Our end product will be an accurate delineation of the floodline and will establish appropriate setbacks. From what we have seen so far, it looks like there might be a spill happening from one system to another but I think we are above the spill. If we are in a situation where there is an undefined floodplain (and there is a true spill), we can talk about options at that point. JD Barnes will generate an entire surface for us to work with. For all the other watercourses we are going to observe the 30 m setback requirement.
  - Michael: CRCA is available for feedback throughout the process.
  - José: The report will be submitted in late November/early December. How long do you think it will take to review and provide comments? Michael: We should be able to get it back to you within a month and as soon as we receive it, will try and give you an indication of how long our review will take. Jen: Dillon will also try and provide advance notice when the report will be coming in to facilitate the review.
  - Michael: As part of your study, would we see individual water course crossing hydrology? Grace: That is a separate process altogether. We would establish criteria for crossings but it is a separate process and would occur at the permitting stage with CRCA at the time of detailed design for the project.
  - *Grace clarified that the level of service of culverts will be determined between the Owner and their EPC (ABB).*

### iii. Wetlands

- Jen: The focus of the natural heritage review will be on wetland areas within the proposed new properties. Our source for wetland layers is MNR mapping but the wetland boundaries within the project layout boundary were refined by Dillon using the OWES protocol. Action: Dillon to provide refined wetland shapefiles to CRCA. We have had conversations with MNR about the removal of woodland. Where a wetland infringes the property boundary, we have setback 30 m. There are some very small wetland areas that we will be developing on Property 24 and 25A and B, however they are isolated and are considered to be dug ponds. Both are less than 0.5 ha in size. Michael: There is nothing at this point that causes us concern. *Jen confirmed that CA will be reviewing reports on behalf of municipality (including NHA which will have MNR sign off).*
- Jen: Is there anything that you want to see so we can have comfort that there is nothing that will require us to change the layout? Michael: Please provide a memo about the wetlands. The main one we were interested in is on Property 24 but it



sounds like you are avoiding that altogether. Jen: We will provide mapping as well as site investigation notes. Action: Dillon to provide wetland memo to CRCA. We are aiming to have the documents available for review by interested parties in early December.

- José: What permitting timelines can we expect for water crossings? Michael: With the exception of individual water crossings, if we are just looking at everything regulated within 30 m (including utility lines and anything within 120 m of a provincially significant wetland), the permitting process should be very straightforward and should take less than a month for approvals. Action: CRCA to look into permitting and see if they have to be on a property-by-property basis or if they can be project-wide. *José confirmed that the permits from CRCA are valid for two years and Michael clarified they can be extended to 5 years with Board approval or renewed if required after the 2 year period.*

## **b. Stormwater Management**

### **i. During Construction (Sediment and Erosion Control)**

- Michael: We provide advice to the municipality regarding stormwater management. Our comments reflect our normal policies as they would apply to a development application under the Planning Act. From a permitting perspective, we can only address what is within our regulated area and make sure our policies are met.
- Grace: We are developing grading plans on a site by site basis, and as part of that exercise we can show where erosion and sediment controls will be in place. We will also be providing guidance for the detailed design phase in the form of best management practices. In the SWM report we will address mitigation measures during construction and operations. We will prepare basic drawings and typical specifications, but it will be the responsibility of EPC to refine them.

### **ii. Design Criteria (Water quality and quantity)**

- Grace: We want to ensure we have the right design criteria for the operations phase. The previous analysis has demonstrated no impact or change in peak flows and an ability to maintain the same drainage patterns. The amount of grading and hard surface in these projects is limited. *Michael clarified that CRCA will expect as similar level of treatment as can be found in the City of Kingston's SWM plan.*
- Grace: Site servicing will be looking at ditches or swales and trying to maintain current flows and ensure that the water is getting back into the ground.

### **iii. Grading and Site Servicing**

- Lorenzo: From a servicing perspective, the most we are expecting is to recommend culvert installations. With respect to the transformer containment area, we will try and give you the most detail as possible but the containment is mostly supplier and EPC driven. Jen: The substation containment is generally stipulated in the REA from the MOE. Lorenzo: The grading will attempt to follow pre-development conditions as

we work through on a site-by-site basis. Post-development grading is usually a by-product of the array and access road layout.

- Shawn: What is process for panel installation?
- Jen: The racking used at the facility will likely be attached by helical screws. As long as vegetation is low and we aren't dealing with shading impacts, we shouldn't need to remove much vegetation. There are some areas where vegetation will have to be removed but we will keep existing ground vegetation where possible.
- Lorenzo: We know there was a concern about panel separation and water runoff. The panels do have spaces between them and allow flow through. *Jen provided pictures to show examples of installed panels on racking systems and driplines following rainfall events.*
- Grace: Our design criteria is to maintain pre-development peak flows. If there is an increase in runoff, is there a range of increase that is acceptable? We can provide more storage if needed. We can generally show some sizing and storage to mitigate issues.
- Michael: There is no defined "acceptable" range. We'd have to review.

### **c. Groundwater Protection**

- Darin: Groundwater enters our discussion in two different ways: 1) MOE often puts a condition in the REA for some kind of groundwater monitoring. Groundwater is also an important topic locally. Community concerns centre on water quality, and water quantity. Samsung undertook a groundwater assessment to understand baseline conditions. Approximately 60 people were approached (half participated) and the information was presented at open houses. Kingston has a high vulnerability aquifer; however a solar installation doesn't require the use of chemicals so there are no risks beyond what you would expect at a normal construction site. One of the other concerns is runoff from construction getting into fractured rock. The groundwater assessment provided recommendations to mitigate these effects, including keeping temporary soil stock piles away from wells, minimizing the time holes are left open, etc.
- Darin: Another concern was that groundwater wouldn't infiltrate the ground and would just run off the panels. While we haven't experienced this to be an issue (water still hits the ground and there isn't a large amount of water that forms at the drip line), mitigation measures proposed as part of the original REA included using vegetated strips. We don't think that water quality/quantity pre-construction will be different than post-construction. Mitigation measures to support this include having designated fuelling areas, spill containment, and monitoring of emergency measures.
- Darin: One of the concerns from landowners was if holes could become preferential pathways. We don't think so because any fractures you have would be sealed with cement, and the posts would be affecting the top 2 m of bedrock, and the top 3 or 4

m are fractured already. There will be no large scale use of cleaning agents or herbicides. If panels need washing, potable water would be used so there is no significant risk of contamination.

#### 4. Permits from CRCA

- Michael: What kind of work is anticipated for infrastructure crossings? Jen: We will be installing underground cabling. If there is a permanent watercourse, it is generally crossed using directional drilling. If the watercourse is intermittent and dry at the time of construction, open cut trenching may be used. The methods of installation will follow the applicable DFO Operational Statements.

#### 5. Next Steps / Other Items

- Action Item: Samsung to provide final layout with landscape information to the municipality next week and cc the CRCA.
  - *Michael confirmed that all future communications should be filtered through him – he will circulate to the rest of the team.*
- Action Item: Samsung to forward the link to the water well survey program to CCRA ([http://www.samsungrenewableenergy.ca/sites/default/files/Water\\_Well\\_Survey\\_Program\\_Public\\_Report\\_rev\\_1.pdf](http://www.samsungrenewableenergy.ca/sites/default/files/Water_Well_Survey_Program_Public_Report_rev_1.pdf))

**Ministry of Tourism, Culture and Sport**

Culture Programs Unit  
Programs and Services Branch  
Culture Division  
401 Bay Street, Suite 1700  
Toronto ON M7A 0A7  
Tel.: (416) 314-2120  
Email: Andrea.Williams@ontario.ca

**Ministre du Tourisme, de la Culture et du Sport**

Unit des programmes culturels  
Direction des programmes et des services  
Division de culture  
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Tl. : (416) 314-2120  
Email: Andrea.Williams@ontario.ca



Oct 25, 2013

Walter Frank McCall (P389)  
Stantec Consulting

**RE: Review and Entry into the Ontario Public Register of Archaeological Reports: Archaeological Assessment Report Entitled, "Sol-luce Kingston Solar PV Energy Project, Additional Stage 2 Archaeological Assessment, Various Lots, Concessions 5 and 6 Western Addition, Geographic Township of Kingston, now City of Kingston, Frontenac County; Various Lots, Concession 4, Geographic Township of Ernestown, now Loyalist Township, Lennox and Addington County, Ontario", Dated Oct 25, 2013, Filed with MTCS Toronto Office on Oct 24, 2013, MTCS Project Information Form Number P389-0016-2013, OPA Reference Number FIT-FXXXXXX**

Dear Doctor, McCall:

This office has reviewed the above-mentioned report, which has been submitted to this ministry as a condition of licensing in accordance with Part VI of the Ontario Heritage Act, R.S.O. 1990, c 0.18. <sup>1</sup> This review has been carried out in order to determine whether the licensed professional consultant archaeologist has met the terms and conditions of their licence, that the licensee assessed the property and documented archaeological resources using a process that accords with the 2011 Standards and Guidelines for Consultant Archaeologists set by the ministry, and that the archaeological fieldwork and report recommendations are consistent with the conservation, protection and preservation of the cultural heritage of Ontario.<sup>2</sup>

The report documents the assessment of the study area as depicted in Figures 4-1 through 4-6 of the above titled report and recommends the following:

"The Stage 2 archaeological assessment of the Sol-luce Kingston Solar PV Energy Project identified one archaeological site, Stantec Location 1 (BbGd-58). The cultural heritage value or interest of the site is considered to be sufficiently documented. Therefore, no further archaeological assessment of Stantec Location 1 (BbGd-58) is recommended and no further archaeological assessment of the properties discussed in this report is required.

The Ministry of Tourism, Culture and Sport is asked to review and accept this report into the Ontario Public Register of Archaeological Reports."

Based on the information contained in the report, the ministry is satisfied that the fieldwork and reporting for the archaeological assessment are consistent with the ministry's 2011 Standards and Guidelines for Consultant Archaeologists and the terms and conditions for archaeological licences. This report has been entered into the Ontario Public Register of Archaeological Reports. Please note that the ministry makes no representation or warranty as to the completeness, accuracy or quality of reports in the register.

Should you require any further information regarding this matter, please feel free to contact me.

Sincerely,

Andrea, Williams  
Archaeology Review Officer

cc. Archaeology Licensing Officer  
A. Jose DeArmas, Samsung Renewable Energy Inc.  
Mansoor Mahmood, Ministry of Environment

<sup>1</sup>This letter constitutes the Ministry of Tourism, Culture and Sports written comments where required pursuant to section 22 of O. Reg. 359/09, as amended (Renewable Energy Approvals under the Environmental Protection Act), regarding the archaeological assessment undertaken for the above-captioned project. Depending on the study area and scope of work of the archaeological assessment as detailed in the report, further archaeological assessment reports may be required to complete the archaeological assessment for the project under O. Reg. 359/09. In that event Ministry comments pursuant to section 22 of O. Reg. 359/09 will be required for any such additional reports.

<sup>2</sup>In no way will the ministry be liable for any harm, damages, costs, expenses, losses, claims or actions that may result: (a) if the Report(s) or its recommendations are discovered to be inaccurate, incomplete, misleading or fraudulent; or (b) from the issuance of this letter. Further measures may need to be taken in the event that additional artifacts or archaeological sites are identified or the Report(s) is otherwise found to be inaccurate, incomplete, misleading or fraudulent.

----- Forwarded message -----

From: "Kulpa, Paula (MTCS)" <Paula.Kulpa@ontario.ca>

To: "Rivard, Meaghan" <Meaghan.Rivard@stantec.com>

Cc: "Muir, Jeff" <Jeff.Muir@stantec.com>, "Schiller, Chris (MTCS)" <Chris.Schiller@ontario.ca>

Date: Tue, 5 Nov 2013 12:24:12 -0700

Subject: RE: Sol-luce Kingston Solar PV Energy Project (MTC DPR file no.: PLAN -00EA071)

Subject: Heritage Assessment Report and Project Layout Modifications

Project: Sol-luce Kingston Solar PV Energy Project

Applicant: Kingston Solar LP Inc.

Location: Multiple Lots in City of Kingston and Loyalist Township

MTCS File No.: PLAN-00EA071

Meaghan,

Thank you for providing us with the letter dated October 29, 2013, regarding the proposed refinements for the above noted project. The ministry has reviewed the submitted documentation. These changes do not affect the recommendations of the June 8, 2012 version of the report. As a result these changes do not affect the comments provided by the ministry in the letter dated June 11, 2012. Therefore, a new MTCS written comments letter is not required.

If further changes to the project layout take place, please continue to keep our office informed.

Regards,

Paula

Paula Kulpa

Team Lead – Heritage Land Use Planning

Tel: [1.416.314.7137](tel:1.416.314.7137) | Fax: [1.416.314.7175](tel:1.416.314.7175) | E-mail: [paula.kulpa@ontario.ca](mailto:paula.kulpa@ontario.ca)

---

From: Rivard, Meaghan [mailto:[Meaghan.Rivard@stantec.com](mailto:Meaghan.Rivard@stantec.com)]

Sent: October 29, 2013 3:05 PM

To: Kulpa, Paula (MTCS)

Cc: Muir, Jeff

Subject: Sol-luce Kingston Solar PV Energy Project (MTC DPR file no.: PLAN -00EA071)

Importance: High

Good afternoon Paula,

Please find attached a letter related to proposed modifications to the above mentioned Project.

Laura Hatcher was the original reviewer of the Project and issued a letter of satisfaction on June 11, 2012. Given her current secondment, I thought it best to provide this directly to you. Please let me know if I should redirect this to a specific Heritage Planner with the MTCS.

Best,

Meaghan

**Meaghan Rivard, MA, CAHP**

Heritage Consultant

Stantec

171 Queens Avenue, 6th Floor London ON N6A 5J7

Phone: [519-645-2007](tel:519-645-2007) ext 6664

Cell: [226-268-9025](tel:226-268-9025)

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[Meaghan.Rivard@stantec.com](mailto:Meaghan.Rivard@stantec.com)



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From: "Rivard, Meaghan" <Meaghan.Rivard@stantec.com>  
To: "Kulpa, Paula (MTCS) (Paula.Kulpa@ontario.ca)" <Paula.Kulpa@ontario.ca>  
Cc: "Muir, Jeff" <Jeff.Muir@stantec.com>  
Date: Tue, 29 Oct 2013 13:04:38 -0600  
Subject: Sol-luce Kingston Solar PV Energy Project (MTC DPR file no.: PLAN -00EA071)

Good afternoon Paula,

Please find attached a letter related to proposed modifications to the above mentioned Project.

Laura Hatcher was the original reviewer of the Project and issued a letter of satisfaction on June 11, 2012. Given her current secondment, I thought it best to provide this directly to you. Please let me know if I should redirect this to a specific Heritage Planner with the MTCS.

Best,

Meaghan

Meaghan Rivard, MA, CAHP

Heritage Consultant



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From: "Kulpa, Paula (MTCS)" <[Paula.Kulpa@ontario.ca](mailto:Paula.Kulpa@ontario.ca)>

To: "Rivard, Meaghan" <[Meaghan.Rivard@stantec.com](mailto:Meaghan.Rivard@stantec.com)>

Cc:

Date: Mon, 4 Nov 2013 10:36:13 -0700

Subject: RE: Sol-luce Kingston Solar PV Energy Project (MTC DPR file no.: PLAN -00EA071)

Meaghan,

I did receive the email and I will be the one to review the file. I should get you a respond no later than end of day Wednesday.

PK

Paula Kulpa

Team Lead – Heritage Land Use Planning

Tel: 1.416.314.7137 | Fax: 1.416.314.7175 | E-mail: [paula.kulpa@ontario.ca](mailto:paula.kulpa@ontario.ca)

---

From: Rivard, Meaghan [mailto:[Meaghan.Rivard@stantec.com](mailto:Meaghan.Rivard@stantec.com)]

Sent: November 4, 2013 10:02 AM

To: Kulpa, Paula (MTCS)

Subject: RE: Sol-luce Kingston Solar PV Energy Project (MTC DPR file no.: PLAN -00EA071)

Good morning Paula,

Happy Monday... Could you confirm that you received the below email and that our letter has been pointed in the right direction?

Thanks.

Best,

Meaghan

---

From: Rivard, Meaghan

Sent: Tuesday, October 29, 2013 3:05 PM

To: Kulpa, Paula (MTCS) ([Paula.Kulpa@ontario.ca](mailto:Paula.Kulpa@ontario.ca))

Cc: Muir, Jeff

Subject: Sol-luce Kingston Solar PV Energy Project (MTC DPR file no.: PLAN -00EA071)

Importance: High

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Best,

Meaghan

Meaghan Rivard, MA, CAHP

Heritage Consultant

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2 attachments

 let\_heritage\_kingston\_solar\_20131029.pdf  
1062K

 let\_heritage\_kingston\_solar\_20131029.pdf  
1062K

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Bellamy, Megan <[mbellamy@dillon.ca](mailto:mbellamy@dillon.ca)>  
Draft To: "Rivard, Meaghan" <[Meaghan.Rivard@stantec.com](mailto:Meaghan.Rivard@stantec.com)>

11 November 2013 07:59

Thank you very much Meaghan!  
Have a great day!

Megan



Megan Bellamy, M.R.E.M.  
Dillon Consulting Limited  
235 Yorkland Blvd Suite 800  
Toronto, Ontario, M2J 4Y8  
T - 416.229.4647 ext. 2423  
F - 416.229.4692  
MBellamy@dillon.ca  
www.dillon.ca

Please consider the environment before printing this email

[Quoted text hidden]

[Quoted text hidden]

----- Forwarded message -----

From: "Kulpa, Paula (MTCS)" <Paula.Kulpa@ontario.ca>  
To: "Rivard, Meaghan" <Meaghan.Rivard@stantec.com>  
Cc: "Muir, Jeff" <Jeff.Muir@stantec.com>, "Schiller, Chris (MTCS)" <Chris.Schiller@ontario.ca>  
Date: Tue, 5 Nov 2013 12:24:12 -0700  
Subject: RE: Sol-Luce Kingston Solar PV Energy Project (MTC DPR file no.: PLAN -00EA071)

Subject: Heritage Assessment Report and Project Layout Modifications  
Project: Sol-Luce Kingston Solar PV Energy Project  
Applicant: Kingston Solar LP Inc.  
Location: Multiple Lots in City of Kingston and Loyalist Township  
MTCS File No.: PLAN-00EA071

Meaghan,

Thank you for providing us with the letter dated October 29, 2013, regarding the proposed refinements for the above noted project. The ministry has reviewed the submitted documentation. These changes do not affect the recommendations of the June 8, 2012 version of the report. As a result these changes do not affect the comments provided by the ministry in the letter dated June 11, 2012. Therefore, a new MTCS written comments letter is not required.

If further changes to the project layout take place, please continue to keep our office informed.

Regards,

Paula

Paula Kulpa

Team Lead – Heritage Land Use Planning

Tel: [1.416.314.7137](tel:1.416.314.7137) | Fax: [1.416.314.7175](tel:1.416.314.7175) | E-mail: [paula.kulpa@ontario.ca](mailto:paula.kulpa@ontario.ca)

---

From: Rivard, Meaghan [mailto:[Meaghan.Rivard@stantec.com](mailto:Meaghan.Rivard@stantec.com)]

Sent: October 29, 2013 3:05 PM

To: Kulpa, Paula (MTCS)

Cc: Muir, Jeff

Subject: Sol-luce Kingston Solar PV Energy Project (MTC DPR file no.: PLAN -00EA071)

Importance: High

Good afternoon Paula,

Please find attached a letter related to proposed modifications to the above mentioned Project.

Laura Hatcher was the original reviewer of the Project and issued a letter of satisfaction on June 11, 2012. Given her current secondment, I thought it best to provide this directly to you. Please let me know if I should redirect this to a specific Heritage Planner with the MTCS.

Best,

Meaghan

**Meaghan Rivard, MA, CAHP**

Heritage Consultant

Stantec

171 Queens Avenue, 6th Floor London ON N6A 5J7

Phone: [519-645-2007](tel:519-645-2007) ext 6664

Cell: [226-268-9025](tel:226-268-9025)

Fax: [519-645-6575](tel:519-645-6575)

[Meaghan.Rivard@stantec.com](mailto:Meaghan.Rivard@stantec.com)



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----- Forwarded message -----

From: "Rivard, Meaghan" <[Meaghan.Rivard@stantec.com](mailto:Meaghan.Rivard@stantec.com)>  
To: "Kulpa, Paula (MTCS) ([Paula.Kulpa@ontario.ca](mailto:Paula.Kulpa@ontario.ca))" <[Paula.Kulpa@ontario.ca](mailto:Paula.Kulpa@ontario.ca)>  
Cc: "Muir, Jeff" <[Jeff.Muir@stantec.com](mailto:Jeff.Muir@stantec.com)>  
Date: Tue, 29 Oct 2013 13:04:38 -0600  
Subject: Sol-luce Kingston Solar PV Energy Project (MTC DPR file no.: PLAN -00EA071)

Good afternoon Paula,

Please find attached a letter related to proposed modifications to the above mentioned Project.

Laura Hatcher was the original reviewer of the Project and issued a letter of satisfaction on June 11, 2012. Given her current secondment, I thought it best to provide this directly to you. Please let me know if I should redirect this to a specific Heritage Planner with the MTCS.

Best,

Meaghan

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From: "Kulpa, Paula (MTCS)" <[Paula.Kulpa@ontario.ca](mailto:Paula.Kulpa@ontario.ca)>

To: "Rivard, Meaghan" <[Meaghan.Rivard@stantec.com](mailto:Meaghan.Rivard@stantec.com)>

Cc:

Date: Mon, 4 Nov 2013 10:36:13 -0700

Subject: RE: Sol-luce Kingston Solar PV Energy Project (MTC DPR file no.: PLAN -00EA071)

Meaghan,

I did receive the email and I will be the one to review the file. I should get you a respond no later than end of day Wednesday.

PK

Paula Kulpa

Team Lead – Heritage Land Use Planning

Tel: 1.416.314.7137 | Fax: 1.416.314.7175 | E-mail: [paula.kulpa@ontario.ca](mailto:paula.kulpa@ontario.ca)

---

From: Rivard, Meaghan [mailto:[Meaghan.Rivard@stantec.com](mailto:Meaghan.Rivard@stantec.com)]

Sent: November 4, 2013 10:02 AM

To: Kulpa, Paula (MTCS)

Subject: RE: Sol-luce Kingston Solar PV Energy Project (MTC DPR file no.: PLAN -00EA071)

Good morning Paula,

Happy Monday... Could you confirm that you received the below email and that our letter has been pointed in the right direction?

Thanks.

Best,

Meaghan

---

From: Rivard, Meaghan  
Sent: Tuesday, October 29, 2013 3:05 PM  
To: Kulpa, Paula (MTCS) ([Paula.Kulpa@ontario.ca](mailto:Paula.Kulpa@ontario.ca))  
Cc: Muir, Jeff  
Subject: Sol-luce Kingston Solar PV Energy Project (MTC DPR file no.: PLAN -00EA071)  
Importance: High

Good afternoon Paula,

Please find attached a letter related to proposed modifications to the above mentioned Project.

Laura Hatcher was the original reviewer of the Project and issued a letter of satisfaction on June 11, 2012. Given her current secondment, I thought it best to provide this directly to you. Please let me know if I should redirect this to a specific Heritage Planner with the MTCS.

Best,

Meaghan

Meaghan Rivard, MA, CAHP

Heritage Consultant

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171 Queens Avenue, 6th Floor London ON N6A 5J7



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Stantec Consulting Ltd.  
171 Queens Avenue, 6th Floor  
London ON N6A 5J7  
Tel: (519) 645-2007  
Fax: (519) 645-6575

October 29, 2013  
File: 160940253

**Attention: Paula Kulpa, Team Lead: Heritage Land Use Planning**  
Ministry of Tourism, Culture and Sport – Culture Services Unit

Dear Paula Kulpa,

**Reference: Sol-Luce Kingston Solar PV Energy Project – Project Layout Modifications**

Stantec Consulting Ltd. (Stantec) was retained by Kingston Solar LP (the “Proponent”) to review project modifications to the Sol-luce Kingston Solar PV Energy Project (“the Project”) as they pertain to heritage resources. The following letter represents review of modifications in relation to the findings of the *Cultural Heritage Assessment Report* completed by MHBC Planning, Urban Design, and Landscape Architecture (MHBC) in June, 2012.

#### **PROJECT DESCRIPTION**

Kingston Solar LP intends to design and construct a solar facility with a maximum name plate capacity of approximately 100 MW AC (megawatts of alternating current). The solar output will be collected and connected to an electrical substation capable of transforming the power from distribution voltage to a transmission voltage of 230 kV. The renewable energy facility will be rated as a Class 3 Solar Facility. The Project Area is located to the north and south of Unity Road and south of Mud Lake Road in the City of Kingston and Loyalist Township.

#### **HERITAGE CONTEXT**

MHBC was retained by AMEC, a Division of AMEC Americas Limited, on behalf of the Proponent to undertake the heritage assessment for the Project as required by O. Reg. 359/09. The *Cultural Heritage Assessment Report* received written comments expressing satisfaction from the Ministry of Tourism, Culture, and Sport (MTCS) on June 11, 2012. There has been no further correspondence regarding cultural heritage associated with the Project.

#### **PROPOSED MODIFICATION DESCRIPTION**

The proposed modifications to the Project following the completion of the *Cultural Heritage Assessment Report* involve the relocation of project components at the Project Location and the addition of two properties to the Project Location (see Table 1). While the Study Area described within the *Cultural Heritage Assessment Report* is unchanged, the location of the project components within this area has been modified. These modifications include the addition of project components to five properties and the removal of project components from five properties.



October 29, 2013

Paula Kulpa, Team Lead: Heritage Land Use Planning

Page 2 of 11

Reference: Sol-Luce Kingston Solar PV Energy Project – Project Layout Modifications

**Table 1: Summary of Proposed Modifications**

<b>Property Number</b>	<b>Description</b>	<b>Modification</b>
Property 1	No municipal address, corner of Rock Road and Highway 38 Part Lot 1-2, Concession 6 Western Addition, former Kingston Township, now City of Kingston  <i>Legal Description: PT LT 1-2 CON 6 WESTERN ADDITION KINGSTON AS IN FR319482 LYING N OF FORCED RD AKA ROCK RD; S/T DEBTS IN FR319482; KINGSTON</i>	Removal of project components
Property 2	2945 Highway 38, Lot 1, Concession 6 Western Addition, former Kingston Township, now City of Kingston  <i>Legal Description: PT LT 2-3 CON 6 WESTERN ADDITION KINGSTON PT 1, 13R11037 T/W FR750411; KINGSTON</i>	Removal and relocation of project components
Property 6A	4006 Unity Road, Part Lot 9, Concession 6 Western Addition, former Kingston Township, now City of Kingston  <i>Legal Description: PT LT 9 CON 6 WESTERN ADDITION KINGSTON</i>	Removal of project components
Property 9	4095 Unity Road, Part Lot 11, Concession 6 Western Addition, former Kingston Township, now City of Kingston  <i>Legal Description: PT LT 11 CON 6 WESTERN ADDITION KINGSTON PT 1, 13R10933; KINGSTON</i>	Removal of project components
Property 10	4114 Unity Road, Part Lot 11, Concession 6 Western Addition, former Kingston Township, now City of Kingston  <i>Legal Description: PT LT 11 CON 6 WESTERN ADDITION KINGSTON PT 1 &amp; 2, 13R6247 EXCEPT PT 1, 13R10933; KINGSTON</i>	Removal of project components
Property 11	Adjacent to Raymond Road, Part Lot 11, Concession 6 Western Addition, former Kingston Township, now City of Kingston  <i>Legal Description: PT LT 11 CON 6 WESTERN ADDITION KINGSTON AS IN TKB414; KINGSTON</i>	Removal of project components
Property 25A	3680 Unity Road, Lot 5, Concession 6 Western Addition, former Kingston Township, now City of Kingston  <i>Legal Description: PT LT 5 CON 6 WESTERN ADDITION KINGSTON AS IN FR544429; KINGSTON</i>	Addition of Project Location and project components
Property 25B	3734 Unity Road, Lot 6, Concession 6 Western Addition, former Kingston Township, now City of Kingston  <i>Legal Description: E1/2 LT 6 CON 6 WESTERN ADDITION KINGSTON AS IN RP1562; KINGSTON</i>	Addition of Project Location and project components



Reference: Sol-Luce Kingston Solar PV Energy Project – Project Layout Modifications

Where available, property descriptions were taken from the MHBC Report. Where descriptions did not include a municipal address, they have been provided and are based on the City of Kingston GIS mapping available online (<https://www.cityofkingston.ca/explore/maps>).

## REPORT REVIEW

Stantec was provided with the *Cultural Heritage Assessment Report* prepared by MHBC. Upon review, it was determined that of these eight properties where modifications are proposed, six had been previously assessed (see Table 2). The *Cultural Heritage Assessment Report* determined that:

*The properties identified as potential candidate sites for the development of solar energy all comprise generally flat agricultural land, some of which is in agricultural production but much appears to be either marginal or recolonizing in character with naturalization, succession growth.*

*There still remain traces of former field systems at most of these locations. The results of the brief historical overview reveal that all of the identified properties have some historical association with former land clearance and agricultural settlement.*

*In accordance with Ontario Regulation 9/06 which identifies a number of criteria for determining cultural heritage value, and as required by Ontario Regulation 359/09 the inventoried properties are considered to have:*

- *direct associations with the historical theme of land settlement and related agricultural activity [Criterion (2) 2. (i)], and*
- *contextual value as they are historically linked to their surroundings [Criterion (2) 3. (ii)].*

*Given the characteristics of fields as evidence of former historical agricultural practices and farming activity these identified resources are essentially unremarkable in their cultural heritage value.*

In all cases, except Property 2, where the Project Location has been removed from the northern portion of the property and relocated southward towards Rock Road and east towards Highway 38 to accommodate for the additional proposed project components, it was determined that the assessment addressed the property parcels in their entirety (see Table 2). As a result, it was determined that additional assessment is required for the two new properties, Property 25A and Property 25B, as well as the south and east portions of Property 2.

Table 2 Summary of Property Assessment and Requirements for Additional Assessment

Property Number	Previously Assessed	Additional Assessment Required
Property 1	Yes	No
Property 2	Yes	Yes



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Paula Kulpa, Team Lead: Heritage Land Use Planning

Page 4 of 11

Reference: Sol-Luce Kingston Solar PV Energy Project – Project Layout Modifications

<b>Property Number</b>	<b>Previously Assessed</b>	<b>Additional Assessment Required</b>
Property 6A	Yes	No
Property 9	Yes	No
Property 10	Yes	No
Property 11	Yes	No
Property 25A	No	Yes
Property 25B	No	Yes

Based on review of the *Cultural Heritage Assessment Report*, it was determined that Property 2, Property 25A, and Property 25B required assessment. As such, a windshield survey was undertaken to identify potential heritage resources at the Project Location. What follows is a summary of findings and evaluations.

## **PROPERTY DESCRIPTION**

### **Property 2**

Property 2 is a mixed use site containing residential structures situated outside of the Project Location. It is largely covered with expansive grasslands and the south portion of the property contains low lying scrub due to various rock outcrops. The property contains a modern residence, a large greenhouse, sheds, workshops, and various outbuildings, all of which were determined to be less than 40 years of age. Adjacent to the residence were multiple piles of metal debris. A recently constructed barn was identified northwest of the residence with functioning solar panels situated along the south side of the structure. A log structure was identified as one of the multiple outbuildings, although it was visually identified to be less than 40 years of age.

### **Property 25A**

Property 25A is an active mixed-use agricultural site with cultivated fields and a woodlot at the north portion of the property. Contained within the Project Location, a residence, barn, and two out buildings all in a state of abandonment were identified and determined to be older than 40 years of age.

The frame residence is a one and one half storey structure with a projecting side shed addition. The medium pitched roof is clad in metal (likely tin) and the residence is clad in asphalt insulbrick siding. Along the west wall timber planks are exposed. There are three windows in the south facing front façade, one window in the west wall, two in the north wall, and two in the east wall. The glass in all windows throughout the residence has been broken or removed. The foundation appears to be concrete.

The timber frame structures on the property, including the barn and two outbuildings, are in a visual state of disrepair. Originally an L-shaped barn, with a metal roof, timber frame, and stone foundation, the roof has collapsed over the south and west sides of the barn. The remaining structure is largely clad with plywood sheets where the timber planks are missing. Both outbuildings are clad in metal roofs, with moderate pitches, timber frame, and timber siding. Although neither is in active use, one appears to be a former chicken coup and one was used for farm equipment storage. The former chicken coup is clad in



October 29, 2013

Paula Kulpa, Team Lead: Heritage Land Use Planning

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Reference: Sol-Luce Kingston Solar PV Energy Project – Project Layout Modifications

shiplap siding with replacement timber planks visible as well while the storage shed is clad in vertical timber planks.

### **Property 25B**

Property 25B is an active mixed-use agricultural site with cultivated fields and a woodlot at the north portion of the property. A large farmstead sits at the south portion of the property fronting Unity Road outside of the Project Location. The farmstead contains a residence, timber frame barn, and single storey agricultural building with an undetermined use. Although contained within the property boundary, these buildings are all situated outside of the Project Location.

The farmstead contains what appeared to be a single storey side gabled structure with a moderate roof pitch, red brick exterior, and undetermined foundation (not pictured). The structure was heavily obstructed by foliage which restricted photography, description and assessment.

The agricultural buildings included a front gabled timber frame barn and a single storey multi-purpose L-shaped building. The barn was clad in a metal roof, with timber siding, and an undetermined foundation. A side shed addition contained similar characteristics although was constructed of concrete along the east and north walls. At the rear of the barn was a concrete silo. The second structure was heavily obstructed by foliage but visible from the adjacent property. The building was covered with a black metal roof, modern siding and sat on an undetermined foundation. The low to moderate pitch of the roof was replicated in all visible gables. At the east side of the building a large machine door was apparent suggesting the building was used primarily for machinery storage.

### **EVALUATION OF CULTURAL HERITAGE VALUE OR INTEREST ACCORDING TO ONTARIO REGULATION 9/06:**

#### **Property 2**

(Plates 1 – 3)

*Design or Physical Value:* None identified.

*Historical or Associative Value:* Minimal value identified associated with land settlement and agricultural usage. Satisfies criterion 2. (i).

*Contextual Value:* None identified.

*Heritage Attributes:* Land division along early survey grid pattern.

*Discussion:* The modern residence as well as numerous modern structures has altered the relationship of the residence with the land, thereby removing the contextual value of the property. While the land use remains loosely associated with its historical roots, when considering the parcel in its entirety, it no longer defines the character of the area due to the extensive modifications which have taken place.



Reference: Sol-Luce Kingston Solar PV Energy Project – Project Layout Modifications

**Property 25A**  
(Plates 4 – 12)

*Design or Physical Value:* None identified.

*Historical or Associative Value:* Minimal value identified associated with land settlement and agricultural usage. Satisfies criterion 2. (i).

*Contextual Value:* The structures are historically linked to the property as purpose-built agricultural buildings.

*Heritage Attributes:* Land division along early survey grid pattern.

*Discussion:* The massing, size, and construction techniques, including the timber planks exposed on the west side of the residence and the concrete foundation, suggests the residential structure dates from the early to mid-20<sup>th</sup> century. The timber frame residence, barn, and outbuilding construction is common throughout the surrounding area and is not considered unique, representative, or an early example of construction, although it is characteristic of 19<sup>th</sup> to early 20<sup>th</sup> century agricultural construction. The *Historical Atlas of the Counties of Frontenac, Lennox, and Addington* indicates that Ralph Bennington owned the property in 1878 and a structure, possibly one of the agricultural buildings which survive, is situated at the front of the property. Although the position of the buildings set back from the road appears somewhat unusual within the Project Location, it is relatively common throughout the surrounding area and former Kingston Township more specifically.

**Property 25B**  
(Plates 13 – 16)

*Design or Physical Value:* Timber frame barn is representative of a relatively early, if common, type of construction method dating to the 19<sup>th</sup> century. Although likely constructed later, it represents a common feature of the agricultural landscape.

*Historical or Associative Value:* Minimal value identified associated with land settlement and agricultural usage. Satisfies criterion (2) 2. (i).

*Contextual Value:* The property is historically linked to its surrounding. Satisfies criterion (2) 3. (ii).

*Heritage Attributes:* Timber frame construction. Land division along early survey grid pattern

*Discussion:* Similar to surrounding properties, the land use primarily is responsible for the cultural heritage interest and value identified, although minimal. The property was owned by John Harker in 1878 according to the *Historical Atlas of the Counties of Frontenac, Lennox, and Addington* and a church is indicated on southeast side of the property, outside of the Project Location. Where structures could not be assessed, as was the case for the red brick structure, it was assumed to have cultural heritage value or interest thereby requiring the completion of an assessment of impacts of the proposed Project.



October 29, 2013

Paula Kulpa, Team Lead: Heritage Land Use Planning

Page 7 of 11

Reference: Sol-Luce Kingston Solar PV Energy Project – Project Layout Modifications

## PHOTOGRAPH CATALOG

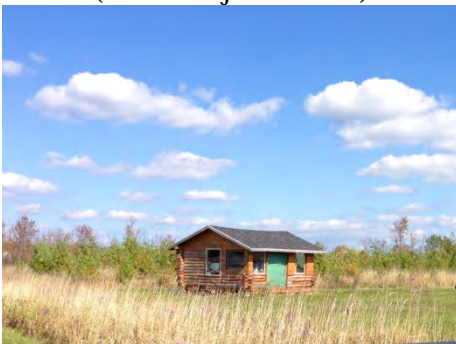
**Plate 1** Property 2, looking northeast, modern barn  
(outside Project Location)



**Plate 2** Property 2, looking east, various outbuildings  
(outside Project Location)



**Plate 3** Property 2, looking east, modern log structure  
(outside Project Location)



**Plate 4** Property 25A, looking northeast, barn ruins



**Plate 5** Property 25A, looking west, timber barn clad in  
plywood



**Plate 6** Property 25A, looking south, timber barn clad in  
plywood







October 29, 2013

Paula Kulpa, Team Lead: Heritage Land Use Planning

Page 8 of 11

Reference: Sol-Luce Kingston Solar PV Energy Project – Project Layout Modifications

**Plate 7** Property 25A, looking north, outbuilding



**Plate 8** Property 25A, looking east, former chicken coup



**Plate 9** Property 25A, looking east, residence



**Plate 10** Property 25A, looking west, residence



**Plate 11** Property 25A, looking northeast, residence



**Plate 12** Property 25A, looking south, residence





October 29, 2013

Paula Kulpa, Team Lead: Heritage Land Use Planning

Page 9 of 11

Reference: Sol-Luce Kingston Solar PV Energy Project – Project Layout Modifications

**Plate 13** Property 25B, looking southwest, foliage coverage of residence (outside Project Location)



**Plate 14** Property 25B, looking north, timber barn (outside Project Location)



**Plate 15** Property 25B, looking southwest, barn shed addition (outside Project Location)



**Plate 16** Property 25B, looking west, outbuilding (outside Project Location)





Reference: Sol-Luce Kingston Solar PV Energy Project – Project Layout Modifications

## ASSESSMENT OF IMPACTS

Where cultural heritage value or interest was identified according to Ontario Regulation 9/06, the anticipated direct and indirect impacts were assessed. These impacts were identified according to InfoSheet #5 in *Heritage Resources in the Land Use Planning Process, Cultural Heritage and Archaeology Policies of the Ontario Provincial Policy Statement, 2005* (Ministry of Tourism and Culture 2006). Table 3 outlines the anticipated impacts of the proposed additional project components in relation to the heritage attributes.

Table 3 Direct and Indirect Impacts

Potential Impact	Relevance to Properties
<b>Destruction</b> of any, or part of any, <i>significant heritage attributes or features</i>	Not anticipated; land division will be maintained.  Note: In order to facilitate the construction of the Project, the structures identified on Property 25A require removal. Their position on the property is such that avoidance is not possible and as a result, demolition is proposed. The buildings themselves do not represent heritage resources as there was no cultural heritage value or interest identified. Therefore, a detailed analysis of impacts and subsequent mitigation is not required.
<b>Alteration</b> that is not sympathetic, or is incompatible, with the historic fabric and appearance	Not anticipated; alterations will occur within existing parcels thereby avoiding modification to the historic fabric.
<b>Shadows</b> created that alter the appearance of a <i>heritage attribute</i> or change the viability of a natural feature or plantings, such as a garden	Not anticipated; shadows will not impact land division or the relationship of any buildings.
<b>Isolation</b> of a <i>heritage attribute</i> from its surrounding environment, context or a <i>significant</i> relationship	Not anticipated; identified heritage attributes will remain connected with the surrounding area.
<b>Direct or indirect obstruction</b> of <i>significant views</i> or vistas within, from, or of built and natural features	Not anticipated; no significant views or vistas identified.
<b>A change in land use</b> such as rezoning a battlefield from open space to residential use, allowing new <i>development or sit alteration</i> to fill the formerly open spaces	Anticipated; open space will be modified for the duration of the Project with solar panel infill. While a change is noted, this will not negatively impact identified heritage attributes as the land use is currently mixed; a trend that will be continued through the introduction of solar panels.
<b>Land disturbances</b> such as a change in grade that alters soils, and drainage patterns that adversely <i>affect an archaeological resource</i>	Not applicable; archaeological resources are considered in the Archaeological Assessment Reports (various stages).



October 29, 2013  
Paula Kulpa, Team Lead: Heritage Land Use Planning  
Page 11 of 11

Reference: Sol-Luce Kingston Solar PV Energy Project – Project Layout Modifications

Given the extensive coverage of solar panels within the Project Location, a change of land use was identified as a potential impact. Solar panels will be filling in the previously open spaces comprised of agricultural fields. As discussed in Table 3, this impact is in keeping with the current land use which is characterized as mixed use agricultural. Therefore, no further mitigation is required.

### **RECOMMENDATIONS**

Based on these findings, it was determined that the analysis, assessment, and recommendations of the *Cultural Heritage Assessment Report* remain unchanged as a result of the proposed project layout modification.

We ask that the MTCS review the attached figures illustrating the proposed project layout modification and the proposed layout changes. Following review, if appropriate, we request confirmation of Stantec's review and MTCS comment regarding the proposed modification as related to recommendations of the *Cultural Heritage Assessment Report*.

Regards,

**STANTEC CONSULTING LTD.**

Meaghan Rivard, MA, CAHP  
Heritage Consultant  
Phone: 519-645-2007 Ext. 6664  
Fax: 519-645-6575  
Meaghan.Rivard@stantec.com

Attachment: Figure 1

c. Jeff Muir, Project Manager, Stantec Consulting Ltd.

rm document1

- Legend
- Property Boundary
  - Plate Location
  - Highway
  - Other Road
  - Project Location - General Solar Layout Boundary (Subject to Change)
  - Property Number

4910000

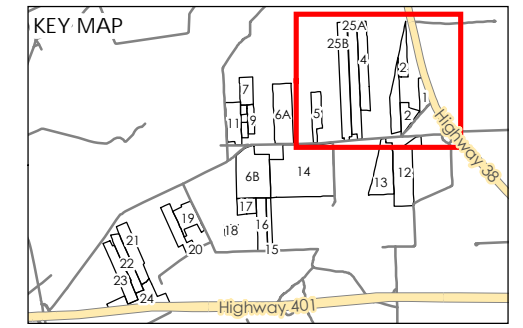
4909000

Inset



4910000

4909000



- Notes
1. Coordinate System: NAD 1983 CSRS UTM Zone 18N
  2. Base features produced under license with the Ontario Ministry of Natural Resources © Queen's Printer for Ontario, 2013.

October 2013  
160940253

Client/Project  
 Kingston Solar LP  
 Sol-luce Kingston Solar PV Energy Project  
 Additional Stage 2 Archaeological Assessment

Figure No.  
 1

Title  
 Built Heritage





Bellamy, Megan <[mbellamy@dillon.ca](mailto:mbellamy@dillon.ca)>

---

## Fwd: Kingston Sol-luce solar project

1 message

---

Hasler, Caleb <[chasler@dillon.ca](mailto:chasler@dillon.ca)>  
To: Megan Bellamy <[mbellamy@dillon.ca](mailto:mbellamy@dillon.ca)>

6 November 2013 15:02

This is my only communication with MNR.



Caleb Hasler, Ph.D.  
Dillon Consulting Limited  
**WE HAVE MOVED**  
177 Colonnade RD South, Suite 101  
Ottawa, Ontario, K2E 7J4  
T - 613.745.2213 ext. 3027  
[CHasler@dillon.ca](mailto:CHasler@dillon.ca)  
[www.dillon.ca](http://www.dillon.ca)

 Please consider the environment before printing this email

----- Forwarded message -----

From: Halloran, Joe (MNR) <[Joe.Halloran@ontario.ca](mailto:Joe.Halloran@ontario.ca)>  
Date: Mon, Nov 4, 2013 at 11:48 AM  
Subject: RE: Kingston Sol-luce solar project  
To: "Hasler, Caleb" <[chasler@dillon.ca](mailto:chasler@dillon.ca)>  
Cc: Jennifer Petruniak <[JPetruniak@dillon.ca](mailto:JPetruniak@dillon.ca)>, "Pitt, Kathleen (MNR)" <[Kathleen.Pitt@ontario.ca](mailto:Kathleen.Pitt@ontario.ca)>

Hi Caleb,

In reviewing the figure you attached, there are no additional records.

If you haven't already, please contact MNR Peterborough District regarding ESA for these additional lands being considered.

Cheers,

Joe Halloran

A\Renewable Energy Program Coordinator

Southern Region

Ph: 705-755-5353

[joe.halloran@ontario.ca](mailto:joe.halloran@ontario.ca)

From: Hasler, Caleb [mailto:[chasler@dillon.ca](mailto:chasler@dillon.ca)]  
Sent: November 4, 2013 9:38 AM  
To: Halloran, Joe (MNR)  
Cc: Jennifer Petruniak  
Subject: Kingston Sol-luce solar project

Hi Joe,

We are in the process of finalizing the addendum documents for the NHA reports of the Kingston Sol-luce solar project.

Do you have any records relating to natural features or wildlife species that may fall within the new lands being reviewed? We've reviewed NHIC and other online resources, as well as the AMEC NHA reports.

I've attached a figure for reference purposes. The lands in question are highlighted in orange.

Thanks

Caleb



Caleb Hasler, Ph.D.  
Dillon Consulting Limited  
**WE HAVE MOVED**  
177 Colonnade RD South, Suite 101  
Ottawa, Ontario, K2E 7J4  
T - 613.745.2213 ext. 3027  
[CHasler@dillon.ca](mailto:CHasler@dillon.ca)  
[www.dillon.ca](http://www.dillon.ca)



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From: AshbyBeatrice [<mailto:b.ashby@samsung.com>]  
Sent: November 15, 2013 4:44 PM  
To: Schroter, Vic (ENE); Garcia-Wright, Agatha (ENE); Raetsen, Sarah (ENE)  
Cc: 'DeArmasA.Jose'; [kathy.park@samsung.com](mailto:kathy.park@samsung.com); 'Daniel Choi'; 'SIMON KIM(김준성)'; 'AshbyBeatrice'  
Subject: Amendments to the proposed Sol-Luce Kingston PV Solar Project

Dear Vic and Agatha,

Attached please find a letter providing further information regarding amendments to the proposed Sol-Luce Kingston PV Solar Project. We trust this letter provides sufficient information. If additional information or clarification is required, please do not hesitate to contact me.

Kindest Regards,

Beatrice



Beatrice Ashby | Senior Manager | Renewable Energy Approval | Samsung Renewable Energy Inc.  
55 Standish Court, 9th Floor, Mississauga, ON L5R 4B2, Canada T: 905.501.5663 M: 416.888.2190

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**KINGSTON SOLAR LP**

9<sup>th</sup> Fl. 55 Standish Court, Mississauga, ON L5R 4B2 Canada Tel: 905-501-5658 Fax: 905-285-1852

November 15, 2013

Ontario Ministry of the Environment  
2 St. Clair Avenue West, Floor 12A  
Toronto, ON M4V 1L5

Attention: Agatha Garcia-Wright, Director

**RE: Sol-Luce Kingston Solar PV Energy Project Amendment Letter**

Dear Ms. Garcia-Wright:

As you are aware, Kingston Solar LP is proposing to develop, construct and operate the Sol-Luce Kingston Solar PV Energy Project (Project), a 100 MW facility. A Renewable Energy Approval (REA) application was submitted for this project on September 18, 2012 under O. Reg. 359/09 of the *Environmental Protection Act*. The Project was undergoing technical review by the Ministry of the Environment (Ministry) when the 'technical review clock' was stopped by Kingston Solar LP to accommodate an amendment for the proposed Project.

On September 24 2013, Kingston Solar LP provided you with a letter that contained an overview of amendments for the proposed Project, which were confirmed by the Ministry to constitute a Major Design Change under the REA guidelines. Kingston Solar LP proposed to shift a portion of the project infrastructure to new lands not previously included as part of the REA.

Further to our letter in September, Kingston Solar LP would now like to clarify that the use of Properties 4 and 24 will be largely consistent with what was presented as part of the original REA application. Changes made to these lands will be minor in nature and in response to requirements provided by the City of Kingston, Loyalist Township and the Cataraqui Region Conservation Authority. For clarity, we have attached a figure to this letter outlining the use of these properties (**Figure 1**) and the revised Project Location site plan (**Figure 2**).

Kingston Solar LP will be proceeding with the preparation of a Modifications Document for the Sol-Luce Kingston PV Solar Project with the lands as shown. Please confirm receipt of this letter and feel free to contact the undersigned if there are any questions or concerns.

Best Regards,

A. José De Armas

Project Development Manager

Copies to:

Sarah Raetsen, Project Evaluator

Vic Schroter, Director, Section 47.5 *Environmental Protection Act*

**KINGSTON SOLAR LP**

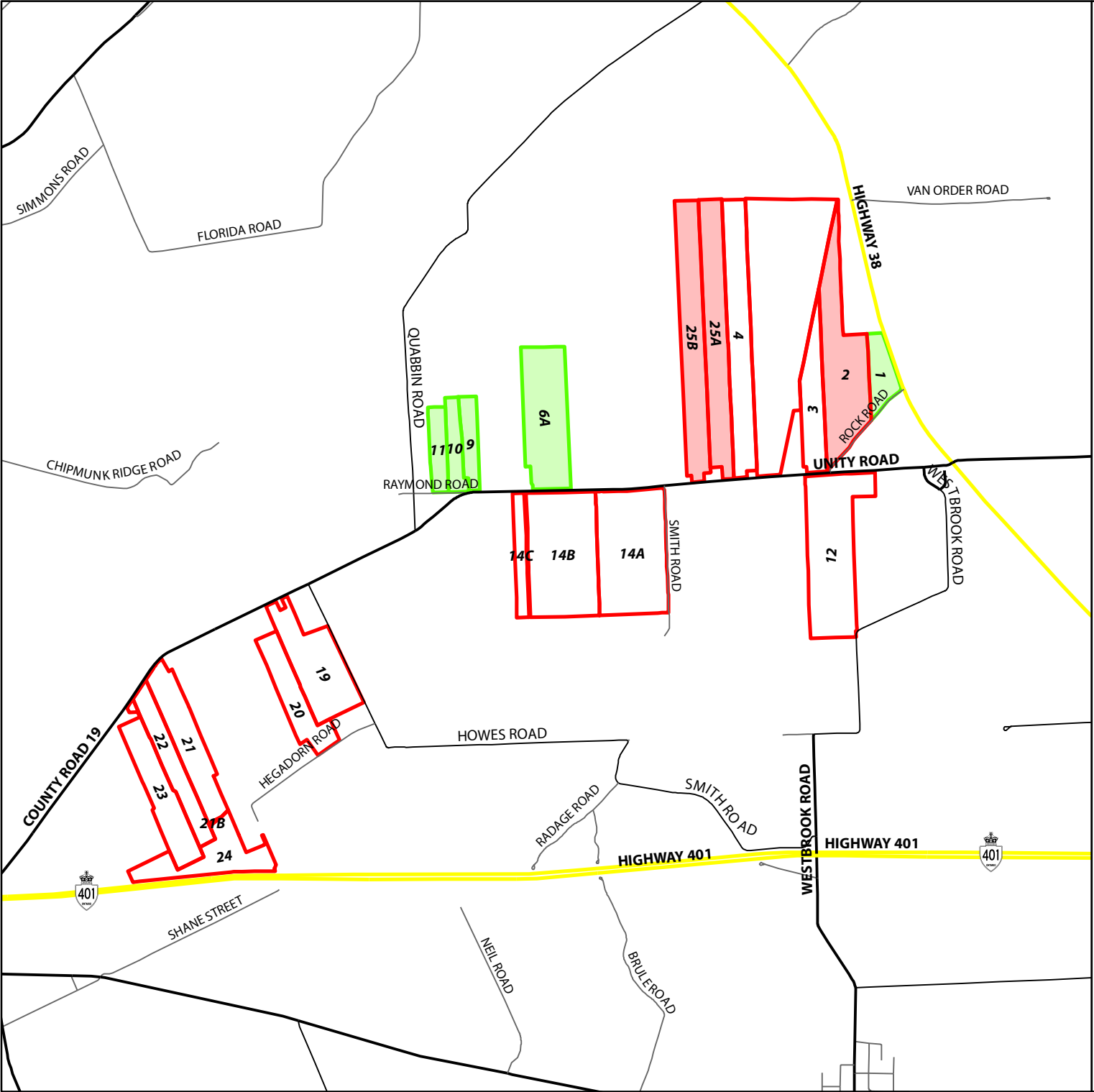
9<sup>th</sup> Fl. 55 Standish Court, Mississauga, ON L5R 4B2 Canada Tel: 905-501-5658 Fax: 905-285-1852

Attach: Figure 1: Project Location and New Lands

Figure 2: Project Location

Sol-luce Kingston Solar PV Energy Project

Figure 1:  
Project Location  
and New Lands



- Highway
- Arterial Road
- Collector Road
- Local Road
- Property Boundary of Project Location Lands
- Removed Properties from Project Location
- Property Where New Lands for Study Occur



1:45,000

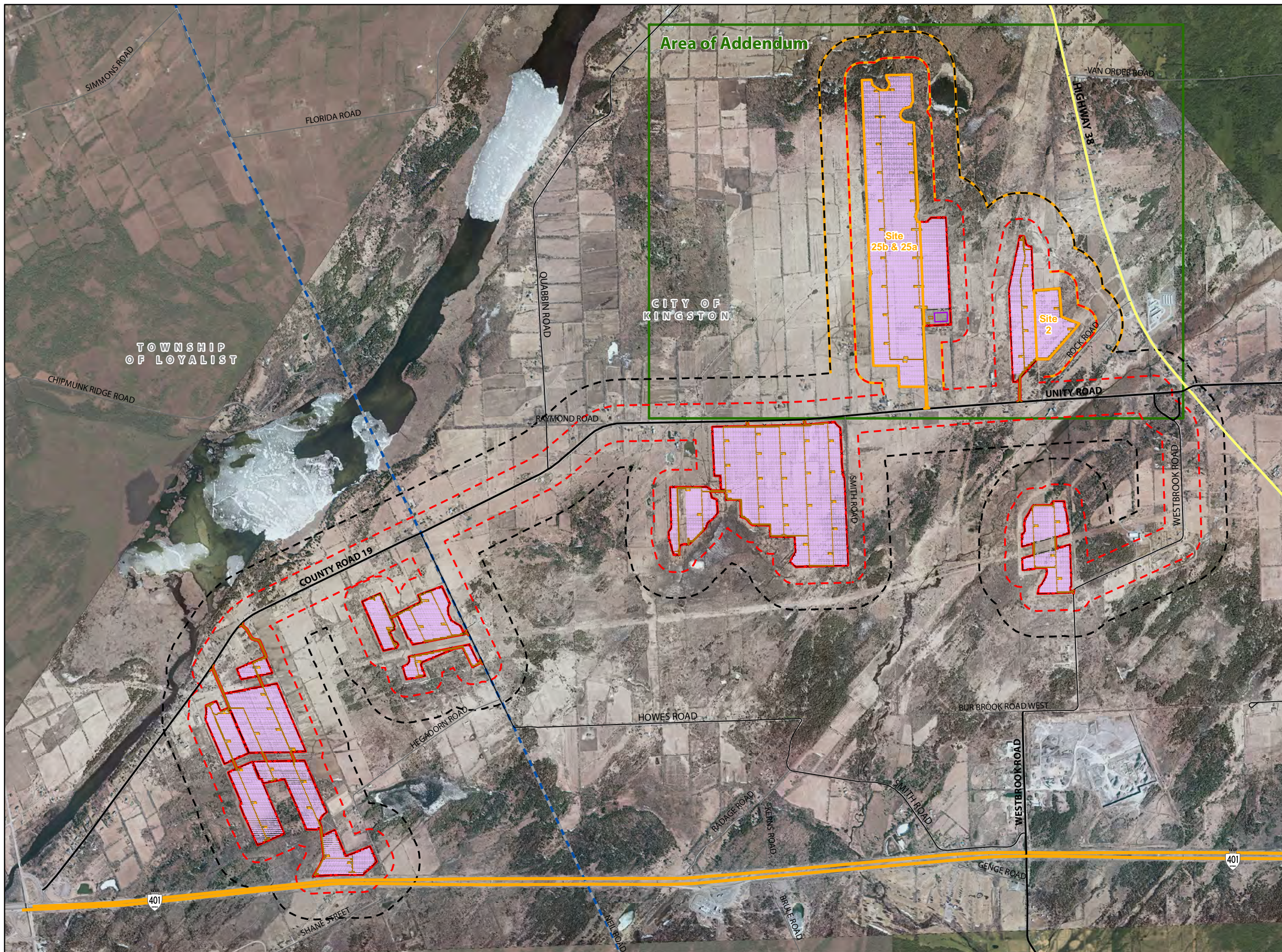
0 500 1,000 1,500 m



Created By: GM  
Checked By: JLP  
Date Created: 9/17/2013  
Date Modified: 11/14/2013  
File Path:  
I:\GIS\13xxxx Kingston Solar REA Amendment\ Mapping

Sol-luce Kingston Solar PV Energy Project

Figure 2  
Project Location

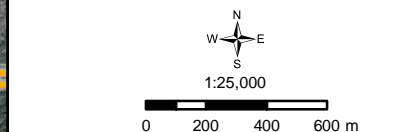


Legend

- Freeway
- Expressway / Highway
- Arterial Road
- Collector Road
- Local Road
- Project Location
- Amended Project Location
- 120 m Project Location Setback
- 300 m Project Location Setback
- 120 m Amended Project Location Setback
- 300 m Amended Project Location Setback
- Municipal Boundary

Project Components

- Solar Panels
- Inverters
- Access Road
- Fence
- Substation





## Agenda for Friday's Meeting

1 message

Petruniak, Jennifer <jpetruniak@dillon.ca> 4 December 2013 13:30  
To: "joe.halloran" <joe.halloran@ontario.ca>, "Pitt, Kathleen (MNR)" <Kathleen.Pitt@ontario.ca>  
Cc: "A.Jose De Armas" <jose.dearmas@samsung.com>, Beatrice Ashby <b.ashby@samsung.com>, "kathy.park@samsung.com" <kathy.park@samsung.com>, Kurt Kim <kurt.kim@samsung.com>, 김준성 <simon76.kim@samsung.com>, 김형국 <hk97.kim@samsung.com>, "mrjustin.lee" <mrjustin.lee@samsung.com>, Michael Enright <menright@dillon.ca>, Caleb Hasler <chasler@dillon.ca>, 138436 <138436@dillon.ca>, Megan Bellamy <mbellamy@dillon.ca>

Hi Joe and Kate,

Please accept the attached agenda in advance of Friday's meeting.  
4 from Kingston Solar LP will be attending and 2-3 from Dillon.

Thanks  
Jen



Jennifer Petruniak, M.Sc.  
Associate  
Dillon Consulting Limited  
235 Yorkland Blvd Suite 800  
Toronto, Ontario, M2J 4Y8  
T - 416.229.4647 ext. 2432  
F - 416.229.4692  
M - 416.671.6825  
JPetruniak@dillon.ca  
www.dillon.ca

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Dec 6 NHA and SAR meeting.pdf  
175K

## Agenda

300 Water Street, Room 352N

Peterborough, Ontario

December 6, 2013 11:30am – 1:00pm

Call-in: 1-866-500-5845

Access: 5367646#

1. Overview of the status of the NHA Addendum Review
2. Confirmation letter – review of schedule/expectations
3. NHA EIS Addendum and Requirements under Ontario Regulation 359/09
4. Species at Risk Permitting
5. Summary of Next Steps

# Minutes

300 Water Street, Peterborough  
 December 6, 2013 11:30am – 2:30pm

Attendees:

Name	Organization
Joe Halloran	MNR
Heather Zurbrigg	MNR
Kate Pitt	MNR
Kathy Woeller (phone)	MNR
Andy Baxter	MNR
Jennifer Petruniak	Dillon Consulting
Michael Enright	Dillon Consulting
Caleb Hasler (phone)	Dillon Consulting
Simon Kim	Kingston Solar LP
A. José De Armas	Kingston Solar LP
Beatrice Ashby	Kingston Solar LP
Kathy Park	Kingston Solar LP

Acronyms:

MNR = Ministry of Natural Resources  
 MOE = Ministry of the Environment  
 NHA = Natural Heritage Assessment  
 SI = Site Investigation  
 EIS = Environmental Impact Study  
 REA = Renewable Energy Approval

Item	Discussion
<b>Overview of the status of the NHA Addendum Review</b>	
Project Update	<ul style="list-style-type: none"> <li>Dillon and Kingston Solar LP provided the MNR with an overview of the major design amendment being undertaken and the sequence of requirements the project must satisfy.</li> <li>How the NHA Addendum is being approached and prepared was discussed.</li> </ul>
<b>Confirmation letter – review of schedule/expectations</b>	
Schedule	<ul style="list-style-type: none"> <li>Dillon overviewed the agreed upon review schedule with the MNR.</li> </ul>

Item	Discussion
	<ul style="list-style-type: none"> <li>• Joe acknowledged the agreed upon schedule and indicated that MNR is working toward December 13 sign-off, as long as sufficient information for review are all in receipt, but would not guarantee that a confirmation letter would be received on or before December 13.</li> <li>• MNR confirmed Heather is reviewing this file full-time.</li> </ul>
Implications	<ul style="list-style-type: none"> <li>• Simon provided details on how the timing of the confirmation letter not only impacts the overall REA schedule, but ultimately has larger implications to the manufacturing facility for the inverter stations. More than 100 people have been hired and one of the key drivers of the manufacturing line is the Sol-luce Kingston Solar PV Energy Project.</li> <li>• Jen overviewed next steps following receipt of the confirmation letter. The REA Amendment is expected to be submitted to the MOE on Monday, December 16, 2013. At that time the MOE will resume their technical review clock. The public release is scheduled for later that week; newspapers are on notice and just waiting for dates tied to the MNR confirmation letter.</li> </ul>
<b>NHA EIS Addendum and requirements under Ontario Regulation 359/09</b>	
Compensation for removal of natural features	<ul style="list-style-type: none"> <li>• Dillon and Kingston Solar maintain that there is no explicit requirement in the regulation that requires compensation to be included should significant natural features be developed within. There has been precedent set that features have been permitted for removal without compensation.</li> <li>• Kingston Solar LP provided the Minutes of Meeting from a previous meeting with MNR on December 2<sup>nd</sup>, 2011 where it was agreed that significant woodland would be removed as long as an EIS is prepared in order to preserve habitat for Species at Risk (Loggerhead Shrike Habitat)</li> <li>• Kingston Solar LP explained that the enormous efforts have been made, as agreed with MNR, by revising the layout in order to avoid developing the Loggerhead Shrike Habitat Category 1 in lieu of developing the significant woodland area, which was accepted as satisfactory by MNR in 2012.</li> <li>• Kingston Solar LP provided the further evidence in that the northern part of the property #4 in the original layout, where covers the significant woodland A and is located adjacent to proposed 25 A, B development area, was allowed to be developed with the removal of the significant woodland A. The test pitting of the Archaeological Assessment has been conducted in 2112 and 2013 with MNR's approval, but the northern part of property 4 was later dropped by Kingston Solar LP due to the contractual restriction with respective landowner.</li> <li>• Joe and Kate explained that the removal of the woodland area being discussed in that context was from different woodlands than the subject of the addendum. Some of these were not significant and it was more the "layers" of wildlife habitat that was causing concern.</li> <li>• It was decided to discuss in sequence the various natural features that were the subject of the NHA EIS Addendum during the meeting for clarity. All</li> </ul>



Item	Discussion
	wildlife habitats found to be candidate wildlife habitat (except for those previously identified in the original NHA report prepared by AMEC, 2012) in the NHA SI Addendum will be treated as significant in the NHA EIS Addendum until studies can be conducted prior to construction.
Woodland A	<ul style="list-style-type: none"> <li>• Dillon overviewed that after removal of the portion of woodland within the project location boundary, the woodland would still maintain the same criteria for significance as the pre-construction condition (i.e., total area and size of interior woodland).</li> <li>• On this basis, MNR indicated they would accept this rationalization and no compensation required.</li> </ul>
Waterfowl Stopover and Staging Area (Aquatic)	<ul style="list-style-type: none"> <li>• Agreement reached to remove the portion of WSSA D1 that included small (&lt;0.5 ha) in project location as it would not support needed concentration of waterfowl. Following that revision, only the buffer area surrounding the core habitat extends into the project location and post-construction all wetlands would have at least a 30 m buffer.</li> <li>• On this basis, MNR indicated they would accept this rationalization and no compensation required.</li> </ul>
Reptile Hibernaculum	<ul style="list-style-type: none"> <li>• The extent and type of candidate habitat was described. There is a large amount of pavement rock in the area mapped and multiple potential entry/exit points were observed. Mitigation measures if evaluated as significant would include avoidance of feature during overwintering period.</li> <li>• The method of installation for the racks was overviewed. Based on this, the habitat is expected to continue to exist and function post-construction.</li> <li>• On this basis, MNR indicated they would accept this rationalization and no compensation required.</li> </ul>
Waterfowl Stopover and Staging Area (Terrestrial)	<ul style="list-style-type: none"> <li>• This habitat was mapped as candidate as studies were not conducted in the Spring so it was unknown if fields flooded.</li> <li>• MNR suggested speaking to the landowner to determine and they would accept this to determine if the habitat should be considered further.</li> <li>• A call to the landowner was made after the meeting; the fields do not flood and as such this subsequently was screened out in the NHA SI Addendum.</li> </ul>
Turtle Wintering Area and Colonially Nesting Breeding Bird Habitat (Trees and Shrubs)	<ul style="list-style-type: none"> <li>• Due to the location of this habitat and the project components within 120 m, these features will be brought forward as Generalized Candidate Significant Wildlife Habitat</li> </ul>
Bat Maternity Colony	<ul style="list-style-type: none"> <li>• Caleb overviewed the cavity/snag survey undertaken at the request of the MNR. It was found there were approximately 12 cavity/snag trees per hectare.</li> </ul>

Item	Discussion
	<ul style="list-style-type: none"> <li>• Dillon overviewed that the habitat was not limiting in the overall feature and that development would remove only a small portion of FOM habitat. Timing windows would avoid impacts to species.</li> <li>• Joe requested a summary memo of this for him to discuss with his team. Committed to providing feedback later the same day memo received.</li> <li>• Discussion that some bats are now listed as Species at Risk under the <i>Endangered Species Act</i>. See below for more on this discussion. Note: this type of habitat is not easily compensated and compensation is not expected.</li> </ul>
Amphibian Breeding Habitat (Woodland)	<ul style="list-style-type: none"> <li>• Dillon overviewed how habitat was mapped. Based on the total area of wetland habitat within the overall woodland, removing the small areas of wetland in the project location is unlikely to provide an impact to the habitat or species.</li> <li>• Joe requested this be well-rationalized in the NHA EIS Addendum and timing windows adhered to.</li> </ul>
Waterfowl Nesting Area	<ul style="list-style-type: none"> <li>• The upland habitat surrounding wetlands was mapped. The area mapped within the project location includes coniferous woodland (FOC) and meadow and not likely to support waterfowl nesting.</li> <li>• On this basis, MNR indicated they would accept this rationalization and no compensation required.</li> </ul>
Interior Forest Habitat	<ul style="list-style-type: none"> <li>• This was mapped in error. The open area of the bog eliminates interior woodland greater than 200 m from the woodland edge. This will be screened out in the NHA SI Addendum.</li> </ul>
Marsh Breeding Bird	<ul style="list-style-type: none"> <li>• Habitat units outside of the project location will become Generalized Candidate Significant Wildlife Habitat</li> <li>• MBB D2 within the project location will be evaluated prior to construction. Further consideration will be given to MBB D4-D6 by Dillon with respect to Green Heron. If these habitat moves forward, based on the potential habitat available in the general area and within Woodland A, removal of MBB D2 (if evaluated to be significant) is not likely to affect marsh breeding birds. Timing windows will be required.</li> <li>• On this basis, MNR indicated they would accept this rationalization and no compensation required.</li> </ul>
Open Country Breeding Bird Habitat and Shrub/Early Successional Bird Breeding Habitat	<ul style="list-style-type: none"> <li>• These habitats were identified, evaluated and confirmed by the MNR during the original NHA. Compensation is included in the application for a permit under the <i>Endangered Species Act</i>.</li> </ul>
Raptor Wintering	<ul style="list-style-type: none"> <li>• These habitats were all evaluated as not significant in the original NHA. No further consideration provided.</li> </ul>

Item	Discussion
Area, Woodland Raptor Nesting, Habitat for Giant Swallowtail	
<b>Species at Risk Permitting</b>	
Bats	<ul style="list-style-type: none"> <li>Based on the amendments made to Ontario Regulation 242/08 under the <i>Endangered Species Act</i> on July 1, 2013, the project is eligible to submit a Notice of Activity Form for bats under the Transition provision. This will require immediately minimizing adverse effects and adhering to timing windows for construction, but no compensation is required.</li> </ul>
	<p>Based on the Addendum presented and changes to the project, the following is required:</p> <ul style="list-style-type: none"> <li>Addendum to the Species at Risk Report (be sure to consider Flooded Jellyskin)</li> <li>Recalculate habitat disturbance for Bobolink, Meadowlark and Loggerhead Shrike</li> <li>Submit an Addendum to the Avoidance Alternatives Form and Overall Benefit Form. A revised Information Gathering Form is not required.</li> </ul>
	<ul style="list-style-type: none"> <li>Kingston Solar LP inquired about the potential for the permit by April 2014.</li> <li>Proceeding with the permit as currently drafted, with inclusion of the permit addendum information, this should be achievable if information received in January.</li> <li>Kate confirmed that no additional EBR posting is required, if the permit proceeds without including potential Whip-poor-will habitat area.</li> </ul>
	<ul style="list-style-type: none"> <li>It was discussed that Woodland A may provide Whip-poor-will habitat. Kingston Solar LP has decided to conduct surveys in the 2014 breeding season and will apply for a subsequent permit if necessary.</li> </ul>

Please notify Jennifer Petruniak (Dillon Consulting) at [jpetruniak@dillon.ca](mailto:jpetruniak@dillon.ca) of any errors and omissions.

## Agenda

300 Water Street, Room 352N

Peterborough, Ontario

December 6, 2013 11:30am – 1:00pm

Call-in: 1-866-500-5845

Access: 5367646#

1. Overview of the status of the NHA Addendum Review
2. Confirmation letter – review of schedule/expectations
3. NHA EIS Addendum and Requirements under Ontario Regulation 359/09
4. Species at Risk Permitting
5. Summary of Next Steps

Ministry of  
Natural Resources  
Southern Region  
300 Water Street  
4<sup>th</sup> Floor, South Tower  
Peterborough, Ontario K9J 8M5  
Telephone: 705-755-3243  
Fax: 705-755-3292

Ministère des  
Richesses naturelles



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December 13, 2013

Mr. A. Jose De Amas  
Samsung Renewable Energy Inc.  
55 Standish Court  
Mississauga, ON L5R4B2

**RE: Modifications to Sol-Luce Kingston Solar PV Energy Project Location**

Dear Mr. Amas,

The Ministry of Natural Resources (MNR) has received the Sol-Luce Kingston Solar PV Energy Project NHA Modifications memo dated November 25, 2013 and the Sol-Luce Kingston Solar PV Energy Project Natural Heritage Assessment addendum dated December 13, 2013, that describes modifications to the Sol-Luce Kingston Solar PV Energy Project made subsequent to MNR's letter confirming the Natural Heritage Assessment in respect of the project.

In accordance with Appendix D of MNR's Natural Heritage Assessment Guide, a commitment has been made to complete pre-construction assessments of habitat use for candidate significant wildlife habitats. This is in addition to pre-construction assessments already committed to in the June 11, 2012 confirmation letter. MNR has reviewed and confirmed the assessment methods and the range of mitigation options. The results of these surveys will be submitted to MNR upon completion of the surveys. Pending completion of the pre-construction assessments and determination of significance, the appropriate mitigation is expected to be implemented, as committed to in the environmental impact study for the following candidate significant wildlife habitats:

- Reptile Hibernaculum (SH D1, and SH D2)
- Waterfowl Stopover and Staging Areas (Aquatic) (WSSA D1; WSSA D2 and WSSA D3)
- Bat Maternity Colonies (BMC D1)
- Waterfowl Nesting Area (WNA D1 and WNA D2)
- Amphibian Breeding Habitat (Woodland) (ABF D1)
- Marsh Breeding Bird Habitat (MBB D2)
- Habitat for Common Nighthawk (CN D1)

Upon review of the modifications, MNR is satisfied that the Natural Heritage Assessment requirements of Ontario Regulation 359/09 have been met. Please

add this letter as an addendum to the confirmation letter issued June 11, 2012 for the Sol-Luce Kingston Solar PV Energy Project.

If you wish to discuss this matter further, please contact Heather Zurbrigg at [heather.zurbrigg@ontario.ca](mailto:heather.zurbrigg@ontario.ca) or 613-258-8417.

Sincerely,



Joe Halloran  
Renewable Energy Program Coordinator *for*

Kathy Woeller  
Southern Region Land Use Planning Supervisor  
Southern Region MNR

cc Sarah Raetsen, Environmental Approvals Access & Service Integration Branch, MOE  
Narren Santos, Environmental Approvals Access & Service Integration Branch, MOE  
Zeljko Romic, Environmental Approvals Access & Service Integration Branch, MOE  
Karen Bellamy, District Manager, Peterborough District, MNR  
Jennifer Petruniak, Associate, Dillon Consulting

**From:** [AshbyBeatrice <b.ashby@samsung.com>](mailto:b.ashby@samsung.com)

**To:** [Ian.Parrott@ontario.ca](mailto:Ian.Parrott@ontario.ca)

**Date:** 12/16/2013 4:20:12 PM

**Subject:** Sol Luce Kingston Solar PV Energy Project - Release of Modifications Document

**Attachments:** [Letter - submission to MOE Director \(2013.Dec.16\).pdf](#)

Dear Mr. Parrott,

Please be kindly advised that that the attached letter along with hard copies of Kingston Solar LP, Sol Luce Kingston Solar PV Energy Project Modifications Document (REA Modifications Document) was provided to your attention today. Written confirmation from the Ministry of Natural Resources and the Ministry of Tourism Culture and Sport were included in the Modifications Document.

As per MOE direction and in accordance with O. Reg 359/09, on December 16, 2013 the REA Modifications Document and relevant information was provided on the Project website via the following link: <http://www.samsungrenewableenergy.ca/kingston>. Hard copies of the Modifications Document and relevant information were also provided to the respective Municipalities and were placed in municipal Public Libraries for public viewing as of December 16, 2013.

Notification the Modifications Document and of the Public Open House will be posted as follows:

- a. First Notice on December 19, 2013 both in *Kingston Whig Standard* and *Kingston This Week*
- b. Second Notice on January 9, 2014 both in *Kingston Whig Standard* and *Kingston This Week*


The Open House will be held in both municipalities respectively as follows:

- a. On January 22, 2014 at The Odessa Playground in Loyalist Township
- b. On January 23, 2014 at The Invista Centre in the City of Kingston

Notification of the release of REA Modifications Document and the Public Open House was also sent out to the respective Aboriginal communities, review agencies and to the public (e.g. landowners living within the 120 meter of the project boundary).

Should you have any questions or concerns please feel free to contact me directly.

Kindest regards,  
Beatrice Ashby

 **Description:**  
cid:image002. **Beatrice Ashby** | Senior Manager | Renewable Energy Approval | **Samsung Renewable Energy Inc.**  
55 Standish Court, 9th Floor, Mississauga, ON L5R 4B2, Canada T: 905.501.5663 M: 416.888.2190

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 cid:  
think green before you print

December 16, 2013

***This letter was sent to all members of the public, landowners and agencies on the project contact list.***

**RE: Notice of REA Amendment for Sol-Luce Kingston Solar PV Energy Project**

As you are aware, Kingston Solar LP is proposing to develop, construct and operate a 100 MWac ground-mount solar photovoltaic (PV) project to be known as the Sol-Luce Kingston Solar PV Energy Project (Project). A Renewable Energy Approval (REA) application was submitted for this project on September 18, 2012 under Ontario Regulation 359/09 of the *Environmental Protection Act*, and received the 'deemed complete' status by the Ministry of Environment (MOE) on February 12, 2013. The Project was undergoing technical review by the MOE when the 'technical review clock' was stopped by Kingston Solar LP to accommodate an amendment for the proposed Project.

You are receiving this letter to notify you of the proposed amendments and draft documents, which are now available for review at <http://www.samsungrenewableenergy.ca/kingston>, and also to make you aware of an upcoming Public Meeting scheduled on January 22, 2014 in Loyalist Township and January 23, 2014 in the City of Kingston. The proposed amendments to the project are summarized as follows:

- Relocation of project components to new lands;
- Increase in the number of panels due to reallocation of project components to remote areas within the new properties;
- Change in the specification of the Medium Voltage Power Platforms (MVPPs);
- Reduction in the number of MVPPs;
- Relocation of MVPPs

As of December 19, 2013 (i.e., at least 30 days prior to the Public Meeting) copies of the following draft REA reports in support of the amendment will be released for public viewing:

- A REA Modifications Document that overviews the required amendments, addendums and revisions to reports required in support of the REA amendment application. This broadly includes: A Natural Heritage Assessment Addendum (including re-confirmation from the Ministry of Natural Resources);
- Water Addendum Report;
- Archaeological Assessment Addendum (including a re-issued compliance letter from the Ministry of Tourism, Culture and Sport [MTCS]);
- Cultural Heritage Screening Addendum; and,
- A revised Noise Study Report.

The above listed reports are available for viewing online at <http://www.samsungrenewableenergy.ca/kingston> and also at the following locations during business hours:

1. City of Kingston, City Hall, Clerk's Office, 216 Ontario Street, Kingston



## **KINGSTON SOLAR LP**

9<sup>th</sup> Fl. 55 Standish Court, Mississauga, ON L5R 4B2 Canada Tel: 905-501-5658 Fax: 905-285-1852

2. Kingston Frontenac Public Library, Isabel Turner Branch, 935 Gardiners Road, Kingston
3. Loyalist Township, 263 Main Street, Odessa; and
4. Odessa Branch Library, 102 Main Street, Odessa

Please note, only those documents related to the REA Amendment will be available in print at the above locations.

We encourage you to view these documents and attend the Public Meeting where you will have the opportunity to discuss the project with Kingston Solar LP and the REA Amendment consultant, Dillon Consulting Limited. The public meetings will be held at:

### **Old Palace at the Odessa Fairgrounds**

231 Main Street, Odessa, ON

DATE: January 22, 2014

TIME: 4:00 pm to 8:00 pm

### **Invista Centre (Rona Hall)**

1385 Gardiners Road, Kingston, ON

DATE: January 23, 2014

TIME: 4:00 pm to 8:00 pm

For reference, all documents part of the original REA submission continues to be available online at <http://www.samsungrenewableenergy.ca/kingston>.

Throughout the amendment process, Kingston Solar LP is committed to ongoing public consultation. Should you have any questions, comments or concerns about the project or the attached notice please do not hesitate to contact us at [solucekingston@samsungrenewableenergy.ca](mailto:solucekingston@samsungrenewableenergy.ca).

Best Regards,

A. José De Armas

Manager, Project Development

Attach: Notice of REA Amendment and Public Meeting

# NOTICE OF PUBLIC MEETINGS AND A PROPOSED CHANGE TO A RENEWABLE ENERGY PROJECT

For the Sol-Luce Kingston Solar PV Energy Project  
By Kingston Solar LP

**Project Name:** Sol-Luce Kingston Solar PV Energy Project

**MOE Reference Number:** 8229-8YFM9E

**OPA Reference Number:** F-002455-SPV-KC1-506

**Project Location:** The proposed project location is generally bounded by Quabbin Road to the north Mud Lake Road/County Road 19 to the west, Highway 401 to the south and Highway 38 to the east and is located within the City of Kingston (to the east) and Loyalist Township (to the west).

**Dated at the City of Kingston and Township of Loyalist this 19 day of December, 2013**

Kingston Solar LP is planning to engage in a renewable energy project for which the issuance of a Renewable Energy Approval (REA) is required. The project is subject to the provisions of the *Environmental Protection Act* (Act), Part V.0.1 and *Ontario Regulation* (Regulation) 359/09. This notice must be distributed in accordance with section 16.0.1 of the Regulation. This notice is being distributed to make the public aware of a **proposed change to the project** and that **public meetings about the changes** are to be held.

## Meeting Locations:

### **Old Palace at the Odessa Fairgrounds**

231 Main Street, Odessa, ON

DATE: January 22, 2014

TIME: 4:00 pm to 8:00 pm

### **Invista Centre (Rona Hall)**

1385 Gardiners Road, Kingston, ON

DATE: January 23, 2014

TIME: 4:00 pm to 8:00 pm

## Project Description and Proposed Change:

Pursuant to the Act and Regulation, the facility, in respect of which this project was originally proposed to be engaged in, consisted of a Class 3 Solar Facility. A **change is being proposed** to the project. The changes consist of:

- Reallocation of project components to new lands;
- Increase in the number of panels due to reallocation of project components to remote areas within the new properties;
- Change in the specification of the Medium Voltage Power Platforms (MVPPs);
- Reduction in the number of MVPPs;
- Relocation of MVPPs

If approved with this change, the facility would have a total nameplate capacity of approximately up to 100 MWac (AC). The project location, taking the proposed change into account, is described in the map (right).

## Documents for Public Inspection:

Kingston Solar LP updated the supporting documents that are required to form part of the Renewable Energy Approval application. Written copies of the draft supporting documents will be made available for public inspection on December 19, 2013 at the following locations:

- City of Kingston, City Hall, Clerk's Office, 216 Ontario Street, Kingston
- Kingston Frontenac Public Library, Isabel Turner Branch, 935 Gardiners Road, Kingston
- Loyalist Township, 263 Main Street, Odessa
- Odessa Branch Library, 102 Main Street, Odessa
- At the project website:  
<http://www.samsungrenewableenergy.ca/kingston>

## Project Contacts and Information:

Contact our study team to learn more about the proposed project, public meeting, to communicate questions or comments, or to be added to our project distribution list.

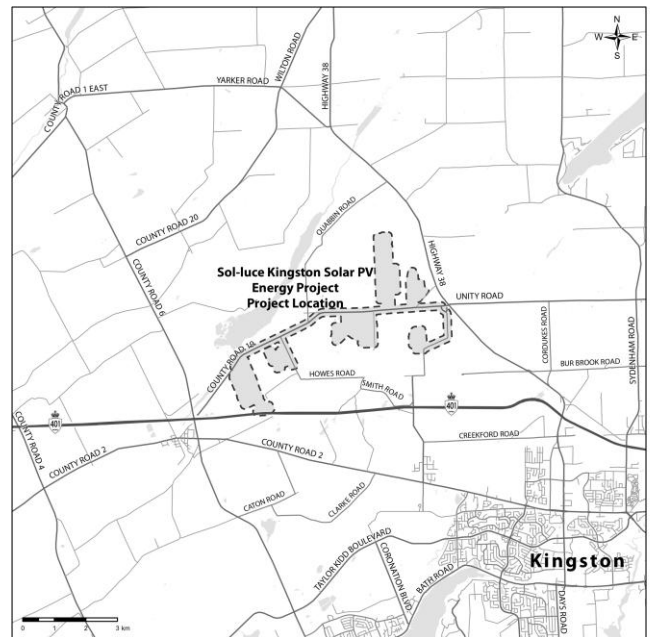
Project website: <http://www.samsungrenewableenergy.ca/kingston>

Project email: [solucekingston@samsungrenewableenergy.ca](mailto:solucekingston@samsungrenewableenergy.ca)

Project telephone: 905-501-5668 (or 1-855-359-2342)

A. José De Armas  
Manager, Project Development  
Samsung Renewable Energy Inc.  
55 Standish Court, 9<sup>th</sup> Floor  
Mississauga, ON, L5R 4B2

Jennifer Petruniak, Project Manager  
Dillon Consulting Limited  
235 Yorkland Boulevard, Suite 800  
Toronto, ON, M2J 4Y8





Bellamy, Megan <[mbellamy@dillon.ca](mailto:mbellamy@dillon.ca)>

---

## Fwd: Proof of Delivery for 695 X656 / Preuve de livraison pour le 695 X656

1 message

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Cooke, Maizie <[mcooke@dillon.ca](mailto:mcooke@dillon.ca)>  
To: Megan Bellamy <[mbellamy@dillon.ca](mailto:mbellamy@dillon.ca)>

16 December 2013 15:42

Hi Megan,

Here is the confirmation from Superior Delivery.  
Thank you.

-Indra.

----- Forwarded message -----

From: <[support@starship.ca](mailto:support@starship.ca)>  
Date: 2013/12/16  
Subject: Proof of Delivery for 695 X656 / Preuve de livraison pour le 695 X656  
To: [mcooke@dillon.ca](mailto:mcooke@dillon.ca)

Good Day,

Your delivery from 800-235 YORKLAND BLVD. going to 2 ST CLAIR AVE W has been delivered and signed by Rui hu.  
Please note, the times reflected in this email do not reflect the actual time of delivery. For further information please contact our office [\(416\) 679-1777](tel:416-679-1777).

Thank you.

Bonjour,

Votre envoi en provenance de 800-235 YORKLAND BLVD. à destination de 2 ST CLAIR AVE W a été livré et signé par Rui hu.  
Veuillez noter que l'heure indiquée dans le présent courriel ne correspond pas à l'heure réelle de la livraison. Pour obtenir plus de renseignements, veuillez communiquer avec notre bureau [\(416\) 679-1777](tel:416-679-1777).

Merci.

APPROVAL DOCUMENTATION

---

Maizie Cooke  
[Dillon Consulting Limited](http://Dillon Consulting Limited)  
235 Yorkland Blvd Suite 800  
Toronto, Ontario, M2J 4Y8  
T - [416.229.4646 ext. 2000](tel:416.229.4646)

F - 416.229.4692  
[MCooke@dillon.ca](mailto:MCooke@dillon.ca)  
[www.dillon.ca](http://www.dillon.ca)

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## KINGSTON SOLAR LP

9<sup>th</sup> Fl. 55 Standish Court, Mississauga, ON L5R 4B2 Canada Tel: 905-501-5658 Fax: 905-285-1852

December 16, 2013

Ministry of the Environment  
2 St. Clair Avenue West, Floor 12A  
Toronto, ON M4V 1L5

Attention: Ian Parrott

### **RE: Submission of REA Amendment for Sol-Luce Kingston Solar PV Energy Project**

Dear Mr. Parrott,

As you are aware, Kingston Solar LP is proposing to develop, construct and operate a 100 MWac ground-mount solar photovoltaic (PV) project to be known as the Sol-Luce Kingston Solar PV Energy Project (Project). A Renewable Energy Approval (REA) application was submitted for this project on September 18, 2012 under Ontario Regulation 359/09 of the *Environmental Protection Act*, and received the 'deemed complete' status by the Ministry of Environment (MOE) on February 12, 2013. The Project was undergoing technical review by the MOE when the 'technical review clock' was stopped by Kingston Solar LP to accommodate an amendment for the proposed Project.

Kingston Solar LP is sending this letter to notify you of the proposed amendments and draft documents, which are now available for review at <http://www.samsungrenewableenergy.ca/kingston>. The proposed amendments to the project are summarized as follows:

- Relocation of project components to new lands;
- Increase in the number of panels due to reallocation of project components to remote areas within the new properties;
- Change in the specification of the Medium Voltage Power Platforms (MVPPs);
- Reduction in the number of MVPPs;
- Relocation of MVPPs

This submission complies with the requirements of *Ontario Regulation 359/09* and contains all supporting documentation, including:

- A REA Modifications Document that overviews the required amendments, addendums and revisions to reports required in support of the REA amendment application. This broadly includes: A Natural Heritage Assessment Addendum (including re-confirmation from the Ministry of Natural Resources);
- Water Addendum Report;
- Archaeological Assessment Addendum (including a re-issued compliance letter from the Ministry of Tourism, Culture and Sport [MTCS]);
- Cultural Heritage Screening Addendum; and,
- A revised Noise Study Report.

**KINGSTON SOLAR LP**

9<sup>th</sup> Fl. 55 Standish Court, Mississauga, ON L5R 4B2 Canada Tel: 905-501-5658 Fax: 905-285-1852

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Throughout the amendment process, Kingston Solar LP is committed to ongoing public consultation. Should you have any questions, comments or concerns about the project or the attached notice please do not hesitate to contact us at [solucekingston@samsungrenewableenergy.ca](mailto:solucekingston@samsungrenewableenergy.ca).

Best Regards,

A. José De Armas

Manager, Project Development

Attach: Draft REA Amendment documents (2 copies)

## KINGSTON SOLAR LP

9<sup>th</sup> Fl. 55 Standish Court, Mississauga, ON L5R 4B2 Canada Tel: 905-501-5658 Fax: 905-285-1852

December 16, 2013

Ministry of the Environment  
Kingston District Office  
Box 22032  
1259 Gardiners Road  
Kingston, ON K7M 8S5

Attention: Trevor Dagilis

### **RE: Submission of REA Amendment for Sol-Luce Kingston Solar PV Energy Project**

Dear Mr. Dagilis,

As you are aware, Kingston Solar LP is proposing to develop, construct and operate a 100 MWac ground-mount solar photovoltaic (PV) project to be known as the Sol-Luce Kingston Solar PV Energy Project (Project). A Renewable Energy Approval (REA) application was submitted for this project on September 18, 2012 under Ontario Regulation 359/09 of the *Environmental Protection Act*, and received the 'deemed complete' status by the Ministry of Environment (MOE) on February 12, 2013. The Project was undergoing technical review by the MOE when the 'technical review clock' was stopped by Kingston Solar LP to accommodate an amendment for the proposed Project.

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- Water Addendum Report;
- Archaeological Assessment Addendum (including a re-issued compliance letter from the Ministry of Tourism, Culture and Sport [MTCS]);
- Cultural Heritage Screening Addendum; and,
- A revised Noise Study Report.

## **KINGSTON SOLAR LP**

9<sup>th</sup> Fl. 55 Standish Court, Mississauga, ON L5R 4B2 Canada Tel: 905-501-5658 Fax: 905-285-1852

For reference, all documents part of the original REA submission continues to be available online at <http://www.samsungrenewableenergy.ca/kingston>.

Throughout the amendment process, Kingston Solar LP is committed to ongoing public consultation. Should you have any questions, comments or concerns about the project or the attached notice please do not hesitate to contact us at [solucekingston@samsungrenewableenergy.ca](mailto:solucekingston@samsungrenewableenergy.ca).

Best Regards,

A. José De Armas

Manager, Project Development

Attach: Draft REA Amendment documents

**Ministry of  
the Environment**

Environmental Approvals  
Branch

2 St. Clair Avenue West  
Floor 12A  
Toronto ON M4V 1L5  
Tel.: 416 314-8001  
Fax: 416 314-8452

**Ministère de  
l'Environnement**

Direction des autorisations  
environnementales

2, avenue St. Clair Ouest  
Étage 12A  
Toronto ON M4V 1L5  
Tél : 416 314-8001  
Télééc. : 416 314-8452



January 17, 2014

José De Armas  
Kingston Solar LP  
55 Standish Court, 9<sup>th</sup> Floor  
Mississauga ON L5R 4B2  
e-mail: [Jose.DeArmas@samsung.com](mailto:Jose.DeArmas@samsung.com)

Dear Mr. De Armas:

The Ministry of the Environment (MOE) is in receipt of the Modifications Document for the Sol-Luce Kingston Solar PV Project, which was submitted to us on December 16, 2013. In our letter to you dated October 7, 2013 we stated that we would restart the clock when a Modifications Document was submitted to us and made available for public review. As of December 16, 2013 the MOE has restarted the clock on the technical review of this project.

The technical review clock on the Renewable Energy Approval (REA) application was stopped for a total of 147 days from July 22, 2013 to December 16, 2013. Due to the additional information provided, and the requirement to review new items not previously considered, the MOE will require additional time to review the information and make a decision on the project.

The MOE understands that public meetings are being held on January 22 and 23, 2014 to consult on the project changes. Following that, the MOE expects to receive a revised Consultation Report, which should include a copy of the notice circulated regarding the public meeting for the project change, and evidence that it was circulated in accordance with O. Reg. 359/09. The report must also include a description of the public meetings held as a result of the project change, a summary of comments received at the meetings, and a description of how those comments were considered. The Modifications Document should also be updated, as appropriate to address the comments. As noted in our October 7, 2013 letter, the MOE expects that the revised Consultation Report will have updated information related to municipal consultation.

The Instrument Proposal Notice for this project, which was posted on the Environmental Registry (EBR) for 45 day public review and comment, ended on March 29, 2013. Given the proposed modifications and consultation taking place, the MOE will re-post the REA application for 30 days to allow opportunity for the public to comment directly to the MOE on the changes. The notice will also state that any comments already submitted to the ministry on this proposal will be considered as part of the decision making process by the MOE.



The MOE is working towards a decision on your REA application and is targeting a decision date of April 30, 2014.

If you have questions or concerns regarding this matter, please contact Sarah Raetsen at (416) 326-6089.

Yours sincerely,



Ian Parrott  
Director (A)  
Environmental Approvals Branch

- cc. Simon Kim, Senior Manager, Solar Business Development, Samsung Renewable Energy Inc.  
Beatrice Ashby, Senior Manager, Renewable Energy Approval, Samsung Renewable Energy Inc.  
Zeljko Romic, Senior Program Support Coordinator, Service Integration, EAASIB, MOE

## KINGSTON SOLAR LP

9<sup>th</sup> Fl. 55 Standish Court, Mississauga, ON L5R 4B2 Canada Tel: 905-501-5658 Fax: 905-285-1852

January 20, 2014

Ian Parrott  
Director  
Environmental Approvals Access and Service Integration Branch  
2 St. Clair Avenue West  
Floor 12A  
Toronto, Ontario M4V 1L5

Dear Mr. Parrott,

**Re: Sol-Luce Kingston Solar PV Energy Project – Renewable Energy Approval (REA)  
review of modifications document and REA decision timelines**

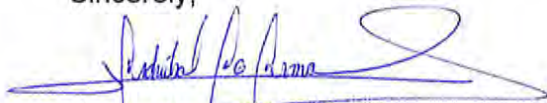
Thank you for your letter dated January 17, 2014 confirming the receipt of the Modifications Document and restarting of the clock as of December 16 2013 for the Sol-Luce Kingston Solar PV Energy Project ("Project").

The Project has undergone a significant amendment to address concerns raised by the City of Kingston, Loyalist Township and other stakeholders. Kingston Solar LP took the initiative to relocate infrastructure onto new properties located in remote areas within the original project boundary. Although the amendment has been deemed significant by the Ministry of Environment ("MOE"), the changes to the majority of related REA reports were relatively limited. Kingston Solar LP completed field studies to amend the Natural Heritage Assessment, Cultural Heritage Assessment and Stage 2 archaeology. Each of these reports was respectively submitted to the Ministry of Natural Resources ("MNR") and Ministry of Tourism Culture and Sports ("MTCS"). Kingston Solar LP subsequently received the pertinent comment letters from each ministry.

As part of the amendment Kingston Solar LP has changed the inverter locations and specifications while keeping the original manufacturer. Consequently a new Noise Study Report ("NSR") report was drafted. Kingston Solar LP understands that the MOE's engineers will be thoroughly reviewing the NSR reports to make sure it is compliant. In order to expedite the MOE's review of the NSR report our noise engineer consultant will be readily available to address any inquiries.

Kingston Solar LP has taken the unprecedented initiative to implement municipal guidelines which go above and beyond the O. Reg. 359.09 requirements. This undertaking has severely impacted our project timelines. These delays directly impact our manufacturing partners (panel and inverter manufacturers) who have also invested significant capital to create jobs and revitalize Ontario's economy. The target date of April 30 2014 for a decision on our REA application will further delay our project which will inevitably impact the operations of our manufacturing partners thus jeopardizing hundreds of Ontario jobs. Therefore we kindly request you to please expedite your review and provide the REA application approval for the Project by the first week of March 2014.

Sincerely,



Name: A. José De Armas  
Title: Project Development Manager

cc. Vic Schroter, Supervisor – Team 5, EAB, MOE  
Sandra Giudo, Senior Program Support Coordinator, Service Integration, EAASIB, MOE  
Sarah Raetsen, Senior Program Support Coordinator  
Greg Seniuk, Senior Policy Advisor, Office of the Minister of the Environment  
Seung-Gul (SK) Lee, President SRE



## Tracking Details

### Shipment Status



#### Package Status

Package Tracking Number: 330044675024

[View proof of delivery and signature](#)



**Delivered**

**Tuesday, December 17, 2013 9:54 a.m.**

Received By: Lisa

Service	Purolator Express Box	From	North York, ON, CA
Est. Shipment Weight	10:30AM	To	Kingston, ON, CA
Shipment Date	1 lb.		
References	Dec 16, 2013		
	138436-1005		

#### Shipment Summary

Tracking #	Deliver By	Status
330044675024	Dec 17, 2013	Delivered

Packages 1 to 1 of 1

#### History

Date	Local Time	Location	Description
Dec 17, 2013	9:54 a.m.	Kingston, ON	Shipment delivered to LISA at: RECEPTION
Dec 16, 2013	10:11 p.m.	Toronto Sort Ctr/ctr Tri, ON	Departed sort facility
Dec 16, 2013	9:52 p.m.	Toronto Sort Ctr/ctr Tri, ON	Arrived at sort facility
Dec 16, 2013	8:16 p.m.	Toronto Sort Ctr/ctr Tri, ON	Departed sort facility
Dec 16, 2013	8:13 p.m.	Toronto Sort Ctr/ctr Tri, ON	Arrived at sort facility
Dec 16, 2013	6:28 p.m.	Toronto (east/est), ON	Arrived at sort facility
Dec 16, 2013	5:33 p.m.	Toronto (east/est), ON	Picked up by Purolator at NORTH YORK ON
Dec 16, 2013	5:32 p.m.	Purolator	Shipping label created



## Tracking Details

### Shipment Status

Shipment Created

Picked Up

In Transit

Delivered

#### Package Status

Package Tracking Number: [REDACTED]

[View proof of delivery and signature](#)



**Delivered**

Tuesday, December 17, 2013 9:54 a.m.

Received By: Lisa

Service	Purolator Express Box	From	North York, ON, CA
	10:30AM	To	Kingston, ON, CA
Est. Shipment Weight	1 lb.		
Shipment Date	Dec 16, 2013		
References	138436-1005		

#### Shipment Summary

Tracking #	Deliver By	Status
[REDACTED]	Dec 17, 2013	Delivered

Packages 1 to 1 of 1

#### History

Date	Local Time	Location	Description
Dec 17, 2013	9:54 a.m.	Kingston, ON	Shipment delivered to LISA at: RECEPTION
Dec 16, 2013	10:11 p.m.	Toronto Sort Ctr/ctr Tri, ON	Departed sort facility
Dec 16, 2013	9:52 p.m.	Toronto Sort Ctr/ctr Tri, ON	Arrived at sort facility
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Dec 16, 2013	6:28 p.m.	Toronto (east/est), ON	Arrived at sort facility
Dec 16, 2013	5:33 p.m.	Toronto (east/est), ON	Picked up by Purolator at NORTH YORK ON
Dec 16, 2013	5:32 p.m.	Purolator	Shipping label created



## FedEx Shipment [REDACTED] Delivered

1 message

trackingupdates@fedex.com <trackingupdates@fedex.com>

20 December 2013 12:04

Reply-To: trackingmail@fedex.com

To: mbellamy@dillon.ca

This tracking update has been requested by:

Company Name: ASTLEY GILBERT LTD  
Name: KIRK M  
E-mail: 'not provided by requestor'

Our records indicate that the following shipment has been delivered:

Reference: [REDACTED]  
Ship (P/U) date: Dec 19, 2013  
Delivery date: Dec 20, 2013 11:45 AM  
Sign for by: L.CAVES  
Delivery location: KINGSTON, ON  
Delivered to: Receptionist/Front Desk  
Service type: FedEx Priority Overnight  
Packaging type: Your Packaging  
Number of pieces: 1  
Weight: 6.80 lb.  
Special handling/Services: Deliver Weekday

Tracking number: [REDACTED]

Shipper Information  
KIRK M  
ASTLEY GILBERT LTD  
42 CARNFORTH RD.  
NORTH YORK  
ON  
CA  
M4A2K7

Recipient Information  
CALVIN CHAN - SENIOR PLANNER  
CITY OF KINGSTON  
1211 JOHN COUNTER BLVD.,  
PLANNING AND DEVELOPMENT  
KINGSTON  
ON  
CA  
K7L4X7

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Thank you for your business.



**FedEx Shipment [REDACTED] Delivered**

1 message

trackingupdates@fedex.com <trackingupdates@fedex.com>

20 December 2013 11:17

Reply-To: trackingmail@fedex.com

To: mbellamy@dillon.ca

This tracking update has been requested by:

Company Name: ASTLEY GILBERT LTD  
Name: KIRK M  
E-mail: 'not provided by requestor'

Our records indicate that the following shipment has been delivered:

Reference: [REDACTED]  
Ship (P/U) date: Dec 19, 2013  
Delivery date: Dec 20, 2013 11:07 AM  
Sign for by: D.DOYLE  
Delivery location: GLENBURNIE, ON  
Delivered to: Receptionist/Front Desk  
Service type: FedEx Priority Overnight  
Packaging type: Your Packaging  
Number of pieces: 1  
Weight: 5.20 lb.  
Special handling/Services: Deliver Weekday

Tracking number: [REDACTED]

Shipper Information  
KIRK M  
ASTLEY GILBERT LTD  
42 CARNFORTH RD.  
NORTH YORK  
ON  
CA  
M4A2K7

Recipient Information  
MICHAEL DAKIN - RESOURCE  
PLANNER



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To learn more about FedEx Express, please visit our website at [fedex.com](http://fedex.com).

All weights are estimated.

Gordon Taylor & Pamela Hamilton Taylor

2444 Rock Road, Elginburg, ON K0H 1M0 613 389 8366

Ms. Sarah Raetsen  
Senior Program Support Coordinator  
2 St. Clair Avenue West  
Floor 12A  
Toronto Ontario  
M4V 1L5

January 24, 2014

Re: Sol Luce Kingston PV Proposal

Dear Ms. Raetsen,

Having attended the required public meetings on January 22 and 23, 2014 regarding this proposal I wish to have the following observations, confirmations and verbal agreements registered with you as you evaluate this amended application.

- We remain firmly opposed to the project in general and as amended based on the unprecedented size/ scale of the project and the real and potential impacts on this residential community.
- Transmission to collection point lines and poles: The public must absolutely be consulted on the size and location of these significant structures. No specifics were displayed or could be produced for comment at the meetings. Given what might be expected regarding the construction and the visual impact of such an installation, MOE must not approve the project without community consultation
- Regarding Transmission from Property 12: The proponent must re-route the transmission lines to the closest point of contact with the major Ontario Hydro corridor rather than building unsightly and unnecessary transmission facilities along Unity and Westbrook Roads. It was mentioned that Ontario Hydro makes it difficult for the proponent to gain access. The community should not bear the burden of unnecessary construction and unsightly infrastructure because of inter-agency difficulties.
- Fire Plan: A fire plan, publically vetted, is essential to the approval of such a massive project. There was no fire plan tabled for public scrutiny and this has been an identified issue since the first public meeting. This must not be developed solely between the local fire agencies and the proponent. Residents, having endured a widespread grass fire in

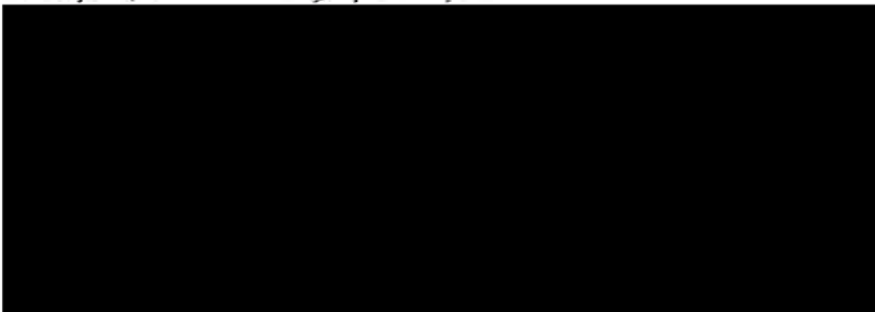


recent memory, are very concerned about the toxins potentially released into our residential environment in the case of an industrial fire.

- Rock Road: To confirm, the tabled amended plan shows no construction access or permanent service access roads or transmission lines to proposed project lands from, or on Rock Road (Kingston portion). None will be added.
- Property #1: To confirm the tabled amended plan shows that Property #1 at Rock Road and Highway #38 in Kingston portion is removed from the plan will NOT be developed in any manner.
- P.V. Panel and Racking Configuration: The overall panel and racking structure height was not published or presented formally. The public must be made aware of this with opportunity to comment or object prior to any MOE approval.
- Aesthetic Landscape Treatments: It is extremely important to the community in order to mitigate construction impacts that Aesthetic landscape treatments (Berms and Plantings) will be completed as the first step in construction prior to any fencing, and that security fencing will be installed behind (obscured by) the berms and plantings. This sequencing was agreed to the Samsung Project Manager (De Armes). We would request that this be a documented approval condition. Plantings should be of sufficient size that maturity is reached in 5 years. The 10 year simulation offered, while effective, is the mid-point of the project life and is excessively long to wait for an effective visual barrier.
- Community Liaison Committee (CLC): A CLC is essential during construction and during operation due to the massive size of this project and the potential for community impact in this residential community. Neither were plans tabled nor were any generic *Terms of Reference* available. Samsung representatives assumed any committee formed would be confined to the construction period. Samsung the developer confirmed that they don't plan to operate the project, and so the community must be offered a CLC with sufficient powers embedded in the terms of reference so that the community may protect itself from any operator through the life of the proposed project.

We appreciate your consideration and for ensuring that these issues and significant concerns are fully vetted, responded to and integrated into an agreement prior to the approval of any proposal. Should you require any clarification please contact us at your convenience.

Sincerely,



J. De Armes



Bellamy, Megan <mbellamy@dillon.ca>

## Fwd: Notice of REA Amendment for Sol-Luce Kingston Solar PV Energy Project - City of Kingston & Loyalist Township

1 message

**Petruniak, Jennifer** <jpetruniak@dillon.ca>  
To: Megan Bellamy <mbellamy@dillon.ca>

28 January 2014 15:47



**Jennifer Petruniak, M.Sc.**  
*Associate*  
**Dillon Consulting Limited**  
235 Yorkland Blvd Suite 800  
Toronto, Ontario, M2J 4Y8  
T - 416.229.4647 ext. 2432  
F - 416.229.4692  
M - 416.671.6825  
JPetruniak@dillon.ca  
www.dillon.ca

 Please consider the environment before printing this email

----- Forwarded message -----

From: **Jose. DeArmas** <jose.dearmas@samsungrenewableenergy.ca>  
Date: Tue, Jan 28, 2014 at 2:57 PM  
Subject: Fwd: Notice of REA Amendment for Sol-Luce Kingston Solar PV Energy Project – City of Kingston & Loyalist Township  
To: "jose.dearmas@samsung.com" <jose.dearmas@samsung.com>, "simon76.kim@samsung.com" <simon76.kim@samsung.com>, "kathy.park@samsung.com" <kathy.park@samsung.com>, Jennifer Petruniak <jpetruniak@dillon.ca>, tim smitheman <t.smitheman@samsung.com>

-

A. José De Armas  
Canada Phone #: 647-838-5774

Begin forwarded message:

**From:** Karine Dagenais <Karine.Dagenais@aadnc-aandc.gc.ca>  
**Date:** January 28, 2014 at 2:42:27 PM EST  
**To:** Soluce Kingston <solucekingston@samsungrenewableenergy.ca>  
**Subject:** Notice of REA Amendment for Sol-Luce Kingston Solar PV Energy Project – City of Kingston & Loyalist Township

Mr. De Armas,

I am writing in response to your letter of December 16, 2013 inquiring about claims in the above noted area.

In determining your duty to consult, you may wish to contact the First Nations in the vicinity of your area of interest to advise them of your intentions. To do this you may:

1. find the Reserves in your area of interest by consulting a map of the region such as the Province of Ontario Ministry of Aboriginal Affairs online map at <http://www.ainc-inac.gc.ca/ai/scr/on/rp/mcarte/mcarte-eng.asp> ; then
2. search for the First Nations located on those Reserves by using the *INAC Search by Reserve* site at <http://pse5-esd5.ainc-inac.gc.ca/fnp/Main/Search/SearchRV.aspx?lang=eng>.

To determine the First Nations in your area of interest who have submitted claims please consult the *Reporting Centre on Specific Claims* at <http://pse4-esd4.ainc-inac.gc.ca/SCBR/Main/ReportingCentre/External/ExternalReporting.aspx?lang=eng>.

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Please rest assured that it is the policy of the Government of Canada as expressed in *The Specific Claims Policy and Process Guide* that:

“in any settlement of specific native claims the government will take third party interests into account. As a general rule, the government will not accept any settlement which will lead to third parties being dispossessed.”

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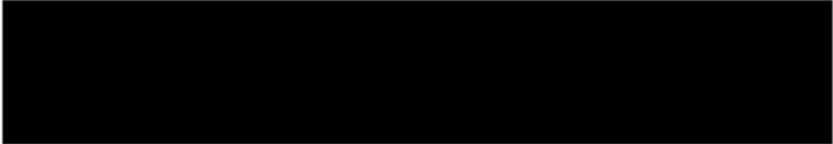
To the best of our knowledge, the information we have provided you is current and up-to-date. However, this information may not be exhaustive with regard to your needs and you may wish to consider seeking information from other government and private sources (including Aboriginal groups). In addition, please note that Canada does not act as a representative for any Aboriginal group for the purpose

of any claim or the purpose of consultation.

I hope this information will be of assistance to you. I trust that this satisfactorily addresses your concerns.

Sincerely,

Karine Dagenais  
Jr. Information Analyst  
Specific Claims Branch



Ms. Sarah Raetsen  
Senior Program Support Coordinator  
2 St. Clair Avenue West  
Floor 12A  
Toronto Ontario  
M4V 1L5

January 24, 2014

Re: Sol Luce Kingston PV Proposal

Dear Ms. Raetsen,

Having attended the required public meetings on January 22 and 23, 2014 regarding this proposal I wish to have the following observations, confirmations and verbal agreements registered with you as you evaluate this amended application.

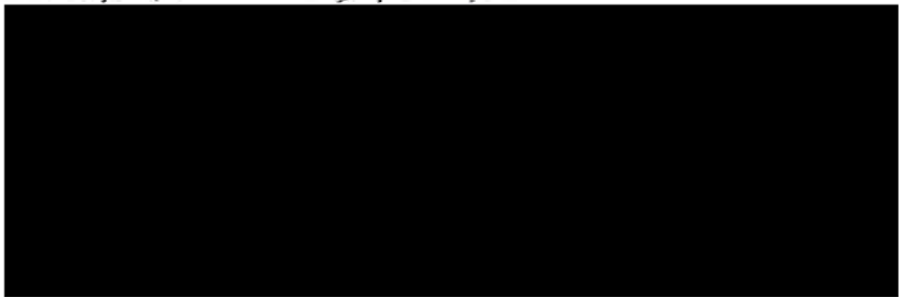
- We remain firmly opposed to the project in general and as amended based on the unprecedented size/ scale of the project and the real and potential impacts on this residential community.
- Transmission to collection point lines and poles: The public must absolutely be consulted on the size and location of these significant structures. No specifics were displayed or could be produced for comment at the meetings. Given what might be expected regarding the construction and the visual impact of such an installation, MOE must not approve the project without community consultation
- Regarding Transmission from Property 12: The proponent must re-route the transmission lines to the closest point of contact with the major Ontario Hydro corridor rather than building unsightly and unnecessary transmission facilities along Unity and Westbrook Roads. It was mentioned that Ontario Hydro makes it difficult for the proponent to gain access. The community should not bear the burden of unnecessary construction and unsightly infrastructure because of inter-agency difficulties.
- Fire Plan: A fire plan, publically vetted, is essential to the approval of such a massive project. There was no fire plan tabled for public scrutiny and this has been an identified issue since the first public meeting. This must not be developed solely between the local fire agencies and the proponent. Residents, having endured a widespread grass fire in

recent memory, are very concerned about the toxins potentially released into our residential environment in the case of an industrial fire.

- Rock Road: To confirm, the tabled amended plan shows no construction access or permanent service access roads or transmission lines to proposed project lands from, or on Rock Road (Kingston portion). None will be added.
- Property #1: To confirm the tabled amended plan shows that Property #1 at Rock Road and Highway #38 in Kingston portion is removed from the plan will NOT be developed in any manner.
- P.V. Panel and Racking Configuration: The overall panel and racking structure height was not published or presented formally. The public must be made aware of this with opportunity to comment or object prior to any MOE approval.
- Aesthetic Landscape Treatments: It is extremely important to the community in order to mitigate construction impacts that Aesthetic landscape treatments (Berms and Plantings) will be completed as the first step in construction prior to any fencing, and that security fencing will be installed behind (obscured by) the berms and plantings. This sequencing was agreed to the Samsung Project Manager (De Armes). We would request that this be a documented approval condition. Plantings should be of sufficient size that maturity is reached in 5 years. The 10 year simulation offered, while effective, is the mid-point of the project life and is excessively long to wait for an effective visual barrier.
- Community Liaison Committee (CLC): A CLC is essential during construction and during operation due to the massive size of this project and the potential for community impact in this residential community. Neither were plans tabled nor were any generic *Terms of Reference* available. Samsung representatives assumed any committee formed would be confined to the construction period. Samsung the developer confirmed that they don't plan to operate the project, and so the community must be offered a CLC with sufficient powers embedded in the terms of reference so that the community may protect itself from any operator through the life of the proposed project.

We appreciate your consideration and for ensuring that these issues and significant concerns are fully vetted, responded to and integrated into an agreement prior to the approval of any proposal. Should you require any clarification please contact us at your convenience.

Sincerely,



J. De Armes



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## RE: Notice of REA Amendment for Sol-Luce Kingston Solar PV Energy Project – City of Kingston & Loyalist Township

1 message

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A. José De Armas <jose.dearmas@samsung.com>

30 January 2014 11:55

Reply-To: jose.dearmas@samsung.com

To: Karine.Dagenais@aadnc-aandc.gc.ca

Cc: "Simon J.S. Kim" <simon76.kim@samsung.com>, Katherine Park <kathy.park@samsung.com>

Dear Ms. Dagenais,

Thank you for your email. Kingston Solar LP is aware of its Duty to Consult with First Nations and Métis communities having an interest in the proposed Sol-Luce Kingston Solar PV Energy project. Through consultation with the Ministry of the Environment (MOE) during the Renewable Energy Approvals (REA) process, we have identified the following groups as having potential interest in our project:

- Alderville First Nation;
- Algonquins of Pikwakanagan;
- Ardoch Algonquin First Nation;
- The Nation Huronne-Wendat;
- Curve Lake First Nation;
- Hiawatha First Nation (Mississaugas of Rice Lake);
- Kawartha Nishnawbe First Nation;
- Métis Nation of Ontario;
- Mohawk Council of Akwesasne;
- Shabot Obaadijwan First Nation; and
- Tyendinaga Mohawk Council.

All the above Aboriginal communities have been circulated information on the project as required by Ontario Regulation 359/09. Most recently, Aboriginal communities were made aware of and invited to Public Meetings held on January 22 and 23, 2014 to discuss proposed amendments to the REA application for the project.

Should you have any questions or concerns related to Aboriginal consultation for the Sol-Luce Kingston Solar PV Energy Project, please feel free to contact me at the information below.

Best Regards,

José



**A. José De Armas**

Manager, Project Development

**Samsung Renewable Energy Inc.**

55 Standish Court, 9th Floor

Mississauga, ON L5R 4B2

Tel: 905-501-5658

Mobile: 647-838-5774

[Jose.DeArmas@samsung.com](mailto:Jose.DeArmas@samsung.com)

<http://www.samsungrenewableenergy.ca/>

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**From:** Karine Dagenais <[Karine.Dagenais@aadnc-aandc.gc.ca](mailto:Karine.Dagenais@aadnc-aandc.gc.ca)>

**Date:** January 28, 2014 at 2:42:27 PM EST

**To:** Soluce Kingston <[solucekingston@samsungrenewableenergy.ca](mailto:solucekingston@samsungrenewableenergy.ca)>

**Subject: Notice of REA Amendment for Sol-Luce Kingston Solar PV Energy Project – City of Kingston & Loyalist Township**

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Sincerely,

Karine Dagenais

Jr. Information Analyst

Specific Claims Branch



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**SAMSUNG RENEWABLE ENERGY**