

February 3, 1978

The Honorable Reuben Baetz  
Minister of Energy  
12th Floor  
56 Wellesley Street West  
Toronto, Ontario  
M7A 2B7

Dear Mr. Baetz,

May I congratulate you on your recent appointment on behalf of the Canadian Environmental Law Association. We are pleased that the Premier has seen fit to appoint someone of your calibre to this important Ministry.

I have taken the liberty of marking the envelope to this letter Personal and Confidential in the hope that it will reach you personally. Some time ago, a lawyer with your Ministry, Diana Saxe, completed a paper on solar rights. Despite the fact that your Ministry recently announced three solar energy projects, it has never publicly announced that it is considering drafting legislation to safeguard the right to sunlight. Dr. Harry Swain of the Federal Office of Energy Conservation has advised me that the federal government is taking no action with regard to this issue, nor are the provinces, as they are awaiting the outcome of your Ministry's studies.

The Canadian Environmental Law Association believes that it will be impossible to implement solar energy initiative in an orderly fashion unless those who make capital expenditure on solar energy equipment can be assured that their sunlight will not be blocked by the construction of buildings or other structures on neighbouring lands.

Legislation giving such assurances would appear to be a condition precedent to any solar development and perhaps to wind energy development in the province.

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We would request that you facilitate passage of adequate legislation as early as possible, and we would welcome public discussion of this issue.

Sincerely,  
CANADIAN ENVIRONMENTAL LAW ASSOCIATION

John Swaigen,  
Counsel

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