

Renwick, Meredith (ENERGY)

From: jsweeney2@hotmail.com
Sent: September 21, 2011 2:35 PM
To: Write2us (ENERGY)
Subject: Greenfield South Power Plant Mississauga

FYI @
PC - comments on
location of
Mississauga gas-
fired power plant
S-GTA New
Supply

I am enquiring about the above mentioned Plant and what the Liberal Government plans to do about its location. There is another Certificate of Approval being discussed at the moment, what is your opinion on this unsatisfactory site. As the Election is close at hand, the community in the area would like to know the Governments decision before the Election. Thi site is in the wrong area close to homes, schools, Hospital, and Continuing Care Centre. Regards John Sweeney.
from: John Sweeney

Pitkeathly, Doreen (ENERGY)

From: Duguid_Brad-MPP-CO [bduguid.mpp.co@liberal.ola.org]
Sent: September 21, 2011 5:46 PM
To: Write2us (ENERGY)
Subject: FW: NO to the Sherway Power Plant

Monica Annand, Constituency Assistant
for Brad Duguid MPP
Scarborough Centre
1450 Midland Ave Suite 204
416-615-2183

From: SUSAN FERRACUTI [mailto:sferracuti@rogers.com]
Sent: Wednesday, September 21, 2011 5:35 PM
To: Duguid_Brad-MPP-CO; write2us@energy.gov.on.ca; Wilkinson_John-MPP-CO; j.wilkinson@ontario.ca; john.wilkinson@ontario.ca; McGuinty_Dalton-MPP-CO
Subject: NO to the Sherway Power Plant

We strongly urge you to **NOT** to build the power plant in Etobicoke. It is too close to homes, hospitals, malls and the Etobicoke Creek.

John and Susan Ferracuti

Pitkeathly, Doreen (ENERGY)

From: jsweeney2@hotmail.com
Sent: September 21, 2011 2:37 PM
To: Write2us (ENERGY)
Subject: [Possible SPAM]:Greenfield South Power Plant Mississauga

I am enquiring about the above mentioned Plant and what the Liberal Government plans to do about its location. There is another Certificate of Approval being discussed at the moment, what is your opinion on this unsatisfactory site. As the Election is close at hand, the community in the area would like to know the Governments decision before the Election. Thi site is in the wrong area close to homes,schools,Hospital,and Continuing Care Centre. Regards John Sweeney.

from: John Sweeney

Pitkeathly, Doreen (ENERGY)

From: guitarman5000@hotmail.com
Sent: September 22, 2011 4:36 PM
To: Write2us (ENERGY)
Subject: Proposed Gas-Fired Power Plant accross from Sherway Gardens

Mr.Duguid,

I think it is your responsibility to ensure that this proposed gas-fired power plant in the Sherway Gardens area not be built. It is a heavily populated area and the health risks to the citizens living and working in the area are far to great. This type of plant is extremely dangerous and I'm sure you would not want this in your neighbourhood.

Sincerely,

Grant Ruffle

from: Grant Ruffle

Pitkeathly, Doreen (ENERGY)

Sent: September 22, 2011 4:34 PM
To: Write2us (ENERGY)
Subject: [Possible SPAM]:Proposed Gas-Fired Power Plant accross from Sherway Gardens

Mr.Duguid,

I think it is your responsibility to ensure that this proposed gas-fired power plant in the Sherway Gardens area not be built. It is a heavily populated area and the health risks to the citizens living and working in the area are far to great. This type of plant is extremely dangerous and I'm sure you would not want this in your neighbourhood.

Sincerely,

Grant Ruffle

from: Grant Ruffle

Pitkeathly, Doreen (ENERGY)

From: Duguid_Brad-MPP [bduguid.mpp@liberal.ola.org]

Sent: September 24, 2011 5:09 PM

To: Write2us (ENERGY)

Subject: FW: South Greenfield Power Plant

From: Heather W [mailto:hlynnw@gmail.com]

Sent: Monday, September 19, 2011 8:18 PM

To: councillor_milczyn@toronto.ca; mayor@mississauga.ca; Cansfield_Donna-MPP; McGuinty_Dalton-MPP-CO; Broten_Laurel-MPP-CO; Wilkinson_John-MPP-CO; Sousa_Charles-MPP; Duguid_Brad-MPP; mayor_ford@toronto.ca

Subject: South Greenfield Power Plant

I am extremely concerned that construction of the Greenfield South power plant in the City of Mississauga is ongoing.

As I am sure you are aware, the site backs onto the Etobicoke Creek, a hospital, residential areas, and new condominiums that were not taken into consideration in the initial approvals of the project. I greatly appreciate that Minister John Wilkinson has decided to review the MOE's decision to review the approval for the plant. I understand that MOE issued a certificate of approval in 2008, but with the changes in the provincial energy picture and the surrounding land use changes, the project needs to be called into question. The initial approvals were granted when local, gas-fired powered generation was seen to be the right solution, but seemingly the picture has changed given the recent decision in Oakville. I think it's important for residents to know whether this is the right source of energy, if needed at all, and whether our airshed in the western and downtown portions of Toronto is any less sensitive than that in Oakville.

Simply stated, the plant seems unnecessary and potentially dangerous to public health and safety, it is too close to residential and environmental areas, and will have detrimental cumulative impacts on the airshed. Just like the Oakville plant, the Greenfield South Power Plant needs to be axed by Minister John Wilkinson and Premier Dalton McGuinty.

Please advise as to the status of the review of the Certificate of Approval and when the public can expect to see a decision on that review.

Thank you,
Heather



Dufferin-Peel Catholic District School Board

40 Matheson Boulevard West, Mississauga, Ontario L5R 1C5 • Tel: (905) 890-1221 • Fax: (905) 890-7610

September 19, 2011

The Honourable Leona Dombrowsky
Minister of Education
2nd Floor, 880 Bay Street
Toronto, ON M7A 1N3

The Honourable Brad Duguid
Ministry of Energy
900 Bay Street, 4th Floor
Hearst Block
Toronto ON M7A 2E1

The Honourable John Wilkinson
Minister of the Environment
77 Wellesley Street West
11th Floor, Ferguson Block
Toronto ON M7A 2T5

Dear Ministers Dombrowsky, Duguid and Wilkinson:

**Re: Greenfield South Power Project
City of Mississauga**

The Dufferin-Peel Catholic District School Board wishes to express concern regarding the construction of the Greenfield South Power Plant, located in east Mississauga. As you are aware, there has been substantial concern expressed in the community regarding the installation of this plant, and its close proximity to residential areas in this part of Mississauga.

The Board has five elementary schools located within 3 kilometres of the site: St. Alfred Elementary, St. Edmund Elementary, St. Sofia Elementary, St. Thomas More and Blessed Teresa of Calcutta Elementary Schools. There are approximately 2125 elementary students, as well as staff at these schools.

The Board is concerned with the construction of the Greenfield South Power Corporation in this proximity to the residential areas and educational facilities. There are concerns with the air quality in this part of Mississauga and the impact of plant emissions on the air quality.

We appreciate your support in the protection of Dufferin-Peel students and staff.

Yours truly,

Anna Abbruscato
Chair of the Board

- c. Trustees
MPP Elect, Mississauga East-Cooksville
Jim Tovey, Councillor, City of Mississauga, Ward 1
Chris Fonseca, Councillor, City of Mississauga, Ward 3
Charles Sousa, MPP, Mississauga South
John B. Kostoff, Director of Education, DPCDSB

MC-2011-3742

① 141 C: MO
RJ

PL. Dufferin-Peel Catholic
District School Board writes
to Ministers of Energy, Education
and Environment about
concerns about Mississauga
gas plant.
S: GTA New Supply



DRC-2011-3813

Pitkeathly, Doreen (ENERGY)

⊖ DRC-RS

From: amyo.chan@cibc.ca
Sent: October 12, 2011 11:01 AM
To: Write2us (ENERGY)
Subject: Mississauga Power Plant

P.C. Asks for confirmation
That Mississauga gas plant
has been cancelled
S: GTA Newsupply

Hello,

Can you confirm that the Eastern Power plant has been cancelled (as part of Prem. McGuinty's election promise)?

Please advise by Thurs. Oct 13.

Thanks,

Amy

from: Amy

MC-2011-3895

INFORMATION COPY

October 17, 2011

Mr. Allan Nice
22 Strathmanor Drive
Bowmanville, Ontario
L1C 4L3

⊖ FYI c: RJ
PC: Premier forwards, for
information, suggestion
to locate gas plant in
Wesleyville.
S: GTA new supply

Dear Mr. Nice:

Thank you very much for your kind congratulations and for taking the time to share your thoughts on provincial energy policy. I welcome every opportunity to hear what Ontarians have to say about the issues that matter most to them — and about their vision for our great province. I have taken the liberty of providing the Minister of Energy with a copy of your message so that the minister, too, is aware of your suggestion.

It is an honour to once again be chosen Premier of Ontario. As our government enters its third term of office, my colleagues and I look forward to working on behalf of all our citizens — with renewed energy and determination — to make sure that Ontario remains at the forefront of opportunity. I can assure you that we will continue to listen actively to the views and concerns of Ontarians, and to deliver the strong, stable government they deserve. By continuing to work together, I am confident we can build an even brighter future for our province and ensure its long-term success.

Again, thank you for contacting me and for your suggestion. Please accept my best wishes.

Yours truly,

ORIGINAL SIGNED BY PREMIER October 17, 2011

Dalton McGuinty
Premier

c: Minister of Energy



7

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feedbackid = 221166
sendto = CSU <incomingcsu@cab.gov.on.ca>
sendfrom = dmcguinty@premier.gov.on.ca
sendreply =
senderip = 99.246.194.62
senddate = 10/07/2011
preferredlanguage = English
requesturl =
https://correspondence.premier.gov.on.ca/en/feedback/submitAddress.aspx?Feedback
ID=221166&SID=-2110731852
senderPrefix = Mr.
sendername = Mr. allan nice
senderFirstName = allan
senderLastName = nice
senderaddress = 22 strathmanor dr.
sendercity = bowmanville
senderpostalcode = L1C 4L3
senderprovince = Ontario
senderemail =
sendermessage = heloo mr. mcguinty;
```

let me first congradulate you on your victory. living here in durham east and knowing john o'toole very well over the years through work at general motors I obviously voted for him.

I would like to suggest to you an idea I have. down the road from us in the town of wellseyville on the shores of lake ontario sets a vacant never finished hydro plant that was to be a natural gas generating station. it was never completed but the grid, towers, lines and site were.

I think this would be a great place to relocate the problem of building in oakville and mississauga to this site at a much reduced cost. those people would be happy and it wouldn't upset anybody in this area since the site has already been choosen. also It would take the pressure off you of dealing with the expansion of the nuclear plant at darlington at amuch cheaper cost and a whole lot of less headaches that are going to come up in the near future. curently the people are seeking a court order to delay or stop the expansion plans here in darlington.

I see this as a win win situation for you and a very smart idea something your party could use right now in the light of contoversy in the hydro industry. anyway thank you for letting me express my ideas and I wish you and your party sucess in the future.

thank you
al nice

lastmodifieddate =

MC-2011-3933

Pitkeathly, Doreen (ENERGY)

From: Smith, Margaret (CAB)
Sent: October 21, 2011 11:49 AM
To: Longkines, Minda (ENERGY); Lindsay, Ken (ENERGY); Pitkeathly, Doreen (ENERGY)
Subject: CSU 1001831 - FYI
Attachments: 1-20005319-INCOMING_RUSH.tif; Document2.doc

⊖ FYI C: RJ
hard copy to MU
Re. Premier forwards
resolution sent by

Mississauga Mayor
Hazel McCallion request-
ing govt take immed-
iate action to cancel
Mississauga gas plant.
S: GTA New Supply

10/21/2011

INFORMATION COPY

October 21, 2011

Her Worship Hazel McCallion, CM, LL D
Mayor
City of Mississauga
300 City Centre Drive
Mississauga, Ontario
L5B 3C1

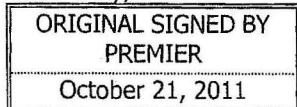
Dear Mayor McCallion:

Thank you for your letter of October 13 providing me with a copy of council's resolution regarding the Loreland Eastern Power Plant. The views of our municipal leaders are very important to me and I appreciate your keeping me informed of council's activities.

As this issue falls under the jurisdiction of the Honourable Chris Bentley, Minister of Energy, I have sent him a copy of council's resolution. I trust that the minister will also take council's views into consideration.

Thank you again for writing. Please accept my best wishes.

Yours truly,



Dalton McGuinty
Premier

c: The Honourable Chris Bentley



OFFICE OF THE MAYOR

October 13, 2011

The Honourable Dalton McGuinty
Premier of Ontario
Legislative Building
Queen's Park
Toronto, Ontario
M7A 1A1

Dear Mr. Premier

Re: Loreland Eastern Power Plant

The Council of the Corporation of the City of Mississauga at its meeting on October 12, 2011 adopted the enclosed Resolution 00240-2011 with respect to the Loreland Eastern Power Plant.

On behalf of the Members of Council, I urge you to take immediate action on your election promise to the residents of our City.

Sincerely,

HAZEL McCALLION, C.M., LL.D.
MAYOR

cc: Mississauga MPPs
Southwest Etobicoke MPPs

Enc



THE CORPORATION OF THE CITY OF MISSISSAUGA
300 CITY CENTRE DRIVE, MISSISSAUGA, ON L5B 3C1
TEL 905-896-5555 FAX 905-896-5879
mayor@mississauga.ca



RESOLUTION 0240-2011
adopted by the Council of
The Corporation of the City of Mississauga
at its meeting on October 12, 2011

Moved by Jim Tovey

Seconded by Chris Fonseca

That the Council of The Corporation of the City of Mississauga request the Premier of Ontario to take immediate action to fulfill their election promise and cancel the contract for the Loreland Eastern Power Plant, and

That as part of the cancellation of the project, the necessary actions be taken to halt construction and return the site to its pre-construction condition, and

That this request be forwarded to the Premier of Ontario and all Mississauga and southwest Etobicoke MPPs

Pitkeathly, Doreen (ENERGY)

DRC-2011-3943

⊖ DRC-RT

From: Irene Wojcik Gabon [ir37@rogers.com]
Sent: October 24, 2011 5:31 PM
To: Write2us (ENERGY); Hazel McCallion
Subject: Fw: [Bulk] Google Alert - Power Plants in Mississauga

P.C. Asks if Mississauga
gas plant has been
Cancelled

S: GTA New Supply

Cancelled? Stop? ? Discuss? Move Is this another 360 by Dalton McGuinty? IAG.

----- Original Message -----

From: Google Alerts
To: ir37@rogers.com
Sent: Monday, October 24, 2011 3:46 PM
Subject: [Bulk] Google Alert - Power Plants in Mississauga

News

1 new result for **Power Plants in Mississauga**

Full steam ahead at 'cancelled' Mississauga gas plant

Toronto Star

A massive generator enroute today to the **Mississauga Power Plant** that Premier Dalton McGuinty promised to cancel during the recent provincial election ...

Tip: Use site restrict in your query to search within a site (site:nytimes.com or site:.edu). [Learn more.](#)

[Delete this alert.](#)

[Create another alert.](#)

[Manage your alerts.](#)

10/25/2011

Pitkeathly, Doreen (ENERGY)

From: yakuptec@hotmail.com
Sent: October 25, 2011 1:25 PM
To: Write2us (ENERGY)
Subject: Mississauga POWER PLANT

⊖ DRC-2011-3938
DRC-RJ

Pl. Ask why Mississauga
gas plant hasn't been
Cancelled.
S. GTA New Supply

To: Minister of Energy Chris Bentley

Why have you not pulled the plug on the MISSISSAUGA POWER PLANT?

We voted for the liberals for this reason?

Please advise when you will officially pull the plug on this location?

Thank You
Yakup Tecimer
from: Yakup Tecimer

Pitkeathly, Doreen (ENERGY)

From: rainstorm077@hotmail.com
Sent: October 25, 2011 3:22 PM
To: Write2us (ENERGY)
Subject: What is going on with the Power Plant?

DRC-2011-3973
DRC (RJ)

PC: Asks why Mississauga
gas plant construction hasn't been stopped.
S: GTA now supply

I am very concerned to see that the Mississauga Power Plant is still underway as reported by the National Post yesterday.

See: <http://news.nationalpost.com/2011/10/24/construction-continues-at-mississauga-power-plant/>

Clearly the Liberals are looking like liars with this being the first and most public broken promise. I along with my friends and family voted Liberals specifically because of this Liberal campaign promise. I've driven by the plant and I still see that construction is moving ahead quickly which is extremely disturbing. Let it be known that "we the public" are outraged! The Liberals PROMISED to cancel the plant. With each day that passes we are losing yet more money and YOU and the Liberals are losing credibility fast. Why have the Liberals not issued a statement as to what is happening? Why has a stop-work order not been issued? Make no mistake we will not sit quietly on this until action is taken place fast and the plant is cancelled.

As a resident of the area, my neighbours and I have recently checked the Chip website <http://www.chipcanada.org/?q=node/39> and we can see that the status is still the same. No one is speaking up! I myself can attest that before elections it seemed everyone was talking my calls and returning my emails (including your office), but now that the Liberals have been sworn no one is accountable and no one is making this a priority. Why do YOU not care about this issue?

We wanted ANSWERS!
We want this to end NOW!
We want to hear from YOU!

Rain
from: Rain

DRC-2011-3974

⊖ DRC (RJ)

Pitkeathly, Doreen (ENERGY)

From: cmoore148@cogeco.ca
Sent: October 26, 2011 8:35 AM
To: Write2us (ENERGY)
Subject: Gas powered plants

PC: Citizen asks about costs
of decisions re: Oakville and
Mississauga gas plants.
S: GTA New Supply

Dear Mr. Bentley,

Although I recognize your short time in office, your Government has been in power for the past eight years and as such, should be able to provide the information I'm requesting regardless of your short tenure. I'm copying you on a letter sent to my local representative, Kevin Flynn, and Premier McGuinty.

Dear Mr. Flynn,

I'm wondering if you might shed some light on an issue that's been bothering me for quite some time, and, thanks to a recent article in the National Post (Oct 24th), has reignited my desire to finally get some clarity on the issue. I'm referring to the Gas powered plants both in Mississauga, and in Oakville. I have yet to see any hard numbers from your Government on the cost of stopping the Oakville plant and now I read that the Mississauga plant continues to forge ahead despite the Premiers' election promise to relocate. Not being one to rely on media for the hard facts, I thought I would give you the opportunity to provide some answers regarding a) the cost of stopping the Oakville plant and b) the current total cost in production at the Mississauga plant and if it is to be relocated, the cost of moving the plant.

I trust that you won't respond with the all too typical...."we don't have the numbers yet but we're working on them". After all, any properly run business is well aware of the costs incurred when engaging in a mega-project of this nature and if not, will surely pay the price. My fear is that your Governments continued "we don't have the costs yet" response can likely be translated in to a massive over expenditure on two failed projects.

Mr. Flynn, I implore you to dig deep and respond with the truth about the actual costs involved in these two gas powered plants.

Thank you,
Russ Moore

from: Russ Moore

Pitkeathly, Doreen (ENERGY)

From: Bentley_Chris-MPP-CO [cbentley.mpp.co@liberal.ola.org]
Sent: November 1, 2011 11:37 AM
To: Write2us (ENERGY)
Subject: FW: Who is in charge Mr. Bentley?

Joyce Kmith
Constituency Assistant
Chris Bentley, MPP
11 Baseline Road East, Unit 8
London, ON N6C 5Z8
T - (519)657-3120 F - (519)657-0368

From: Rain Storm [mailto:rainstorm077@hotmail.com]
Sent: October 25, 2011 3:18 PM
To: Bentley_Chris-MPP-CO
Subject: Who is in charge Mr. Bentley?

Dear Chris Bentley,

I am very concerned to see that the Mississauga Power Plant is still underway as reported by the National Post yesterday.

See: <http://news.nationalpost.com/2011/10/24/construction-continues-at-mississauga-power-plant/>

Clearly the Liberals are looking like liars with this being the first and most public broken promise. I along with my friends and family voted Liberals specifically because of this Liberal campaign promise. I've driven by the plant and I still see that construction is moving ahead quickly which is extremely disturbing. Let it be known that "we the public" are outraged! The Liberals PROMISED to cancel the plant. With each day that passes we are losing yet more money and YOU and the Liberals are losing credibility fast. Why have the Liberals not issued a statement as to what is happening? Why has a stop-work order not been issued? Make no mistake we will not sit quietly on this until action is taken place fast and the plant is cancelled.

As a resident of the area, my neighbours and I have recently checked the Chip website <http://www.chipcanada.org/?q=node/39> and we can see that the status is still the same. No one is speaking up! I myself can attest that before elections it seemed everyone was talking my calls and returning my emails (including your office), but now that the YOU and the Liberals have been sworn no one is accountable and no one is making this a priority. Why do YOU not care about this issue?

We wanted ANSWERS!
We want this to end NOW!
We want to hear from YOU!

Rain

11/01/2011

Pitkeathly, Doreen (ENERGY)

From: Bentley_Chris-MPP-CO [cbentley.mpp.co@liberal.ola.org]

Sent: November 1, 2011 11:28 AM

To: Write2us (ENERGY)

Subject: FW: Greenfield South Power Plant

Joyce Kmith
Constituency Assistant
Chris Bentley, MPP
11 Baseline Road East, Unit 8
London, ON N6C 5Z8
T - (519)657-3120 F - (519)657-0368

From: john sweeney [mailto:jsweeney2@hotmail.com]

Sent: October 28, 2011 9:07 AM

To: Sousa_Charles-MPP-CO; Broten_Laurel-MPP-CO; Cansfield_Donna-MPP-CO; Bentley_Chris-MPP-CO; Bradley_James-MPP-CO

Subject: Greenfield South Power Plant

When will the Premier stop this Plant ?. You asked for our vote, and we delivered in getting the Liberals elected. Now its time for the Premier to keep his promise. As a community we are constantly seeing this Plant moving forward at full speed ahead, and the Premier keeping quiet about it. The Cabinet has been formed for the past few weeks, and no action has taken place that has given the community any faith in the promises that were made. Forget about moving the Plant somewhere else and the discussion's with Eastern Power, let's move forward and STOP THE WORK ON THIS PLANT NOW.

John Sweeney.

Pitkeathly, Doreen (ENERGY)

From: Bentley_Chris-MPP-CO [cbentley.mpp.co@liberal.ola.org]
Sent: November 1, 2011 11:26 AM
To: Write2us (ENERGY)
Subject: FW: Greenfield South Power

Joyce Kmith
Constituency Assistant
Chris Bentley, MPP
11 Baseline Road East, Unit 8
London, ON N6C 5Z8
T - (519)657-3120 F - (519)657-0368

From: Neil Flanagan [mailto:nflanagan@prospectech.com]
Sent: October 31, 2011 11:26 AM
To: Bentley_Chris-MPP
Subject: Greenfield South Power

Chris,

Can you please advise the status of the proposed power plant project at 1796 Mattawa Ave in Mississauga.

We have recently received equipment orders from Greenfield South Power Corporation and as reported recently in the news we understand this project may be cancelled.

Thanks

Neil Flanagan
ProSpec Technologies Inc
Ph. 905-632-5960
Fx. 905-632-9990
nflanagan@prospectech.com
www.prospectech.com

Pitkeathly, Doreen (ENERGY)

From: Rain Storm [rainstorm077@hotmail.com]
Sent: November 2, 2011 2:43 PM
To: Write2us (ENERGY)
Subject: FW: Who is in charge Mr. Bentley?
Follow Up Flag: Follow up
Flag Status: Red

Handwritten note:
Please refer to the office to address a letter to respond to the request for information.

Hi There,

I am waiting to hear from someone on your end in regards to my email below.

Thank you,
Rain

Subject: RE: Who is in charge Mr. Bentley?
Date: Mon, 31 Oct 2011 15:36:40 -0400
From: cbentley.mpp.co@liberal.ola.org
To: rainstorm077@hotmail.com

Good Afternoon,

Thank you for your e-mail. I apologize for the delayed response.

As this matter falls under Mr. Bentley's responsibilities in his role as the Minister of Energy, I have forwarded your correspondence to his ministry office at Queen's Park for their response. They can be reached at write2us@ontario.ca or 1-888-668-4636.

Have a nice day.

Joyce Kmith
Constituency Assistant
Chris Bentley, MPP
11 Baseline Road East, Unit 8
London, ON N6C 5Z8
T - (519)657-3120 F - (519)657-0368

From: Rain Storm [mailto:rainstorm077@hotmail.com]
Sent: October 25, 2011 3:18 PM
To: Bentley_Chris-MPP-CO
Subject: Who is in charge Mr. Bentley?

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See: <http://news.nationalpost.com/2011/10/24/construction-continues-at-mississauga-power-plant/>

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11/02/2011

yet more money and YOU and the Liberals are losing credibility fast. Why have the Liberals not issued a statement as to what is happening? Why has a stop-work order not been issued? Make no mistake we will not sit quietly on this until action is taken place fast and the plant is cancelled.

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We wanted ANSWERS!
We want this to end NOW!
We want to hear from YOU!

Rain

MC-2011-4181

C:RJ

⊖

FYI

Page 1 of 2

Pitkeathly, Doreen (ENERGY)

From: Bentley_Chris-MPP-CO [cbentley.mpp.co@liberal.ola.org]
Sent: November 7, 2011 9:23 AM
To: Write2us (ENERGY)
Subject: FW: Moving the Mississauga Power Plant

PC- Frequent anti-wind writer
and media critic Parker
Gallant copies minister on
e-mail exchange with
another frequent writer
(Grant Church) re: moving
The Mississauga gas
plant
S-GTA New Supply

Joyce Kmith
Constituency Assistant
Chris Bentley, MPP
London West
8-11 Base Line Road East
London, Ontario
N6C 5Z8
(519) 657-3120

From: parker.gallant@sympatico.ca [mailto:parker.gallant@sympatico.ca]
Sent: November 6, 2011 2:46 PM
To: Steve Bihari; churchg@sympatico.ca; Bentley_Chris-MPP-CO; Peter Tabuns
Subject: Moving the Mississauga Power Plant

Steve, I know where they should move it! This posting on the transformingtonto website tells them where:
<http://transformingtonto.ca/etl.html> Pay attention to this in particular:

"A better alternative to meet Toronto's electricity needs consists of an integrated combination of energy conservation and efficiency, new renewables and natural gas-fired combined heat and power plants. This combination will provide the city with a more reliable, cost effective and efficient electricity system, and will directly contribute to better air quality and a reduced contribution to global warming from the city itself."

The Toronto Danforth riding held by Peter Tabuns of the NDP apparently were OK with it back when Tabuns was running against Ben Chin in the bi-election about 5 years ago. They didn't want the transmission lines but they were OK with gas generation. Peter Tabuns beat out the Liberal candidate Ben Chin (Ben was rewarded with a nice job at the OPA however by McGuinty) and one of the reasons was Tabuns fought the transmission lines going through the riding. Ben Chin had no choice but to support his party and was beaten.

I copied this to both of them so they can get together and work out the minor details. Maybe it will be the litmus test to see if the Liberals can get along with the other parties eh?

Parker

Date: Sun, 6 Nov 2011 14:22:33 -0500
Subject: Re: [windconcerns] Mississauga Power Plant Construction on the Weekend
From: steve.bihari@gmail.com
To: churchg@sympatico.ca
CC: windconcerns@googlegroups.com

Once the plant is finished, they're going to "move" it. That's the McGuinty promise.

He must believe the GTA voters are really stupid for them to buy that one.

But I digress...

11/07/2011

On Sat, Nov 5, 2011 at 6:17 PM, Grant Church <churchg@sympatico.ca> wrote:

Hi Everyone,

It was a beautiful day today in Mississauga. The power plant is still under construction, even on a Saturday. What do you suppose their up to? Are they just going to stick it to McGuinty for his cynical ploy to build the plant in the first place and then 11 days before the election cancel it to save some seats. The company could say them, "How much are you willing to pay us to call it a day?" Maybe a billion would be too small to ask?

Enjoy the pictures I took and save them as a testimony against the evil plans of the McGuinty Government. I think the plant will be completed and deliver power to the grid despite all the opposition and the McGuinty promise. There were many protest signs in a nearby residential neighbourhood with homes as close as 300 m from the plant, scaling the Google map.

To see the site of the plant copy this address to Google maps and zoom into street view. A backhoe is sitting on the fenced property. The picture might be a year or two old. The number on the fence is 2315.

2379 Loreland Ave, Mississauga, Peel Regional Municipality, Ontario L4X 2A6

They could stick a few wind turbines in the area since they elected Liberals.

Sincerely,

Grant

--
You received this message because you are subscribed to the Google Groups "Wind Concerns" group.

To post to this group, send email to windconcerns@googlegroups.com.

To unsubscribe from this group, send email to windconcerns+unsubscribe@googlegroups.com.

For more options, visit this group at <http://groups.google.com/group/windconcerns?hl=en>.

--
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To unsubscribe from this group, send email to windconcerns+unsubscribe@googlegroups.com.

For more options, visit this group at <http://groups.google.com/group/windconcerns?hl=en>.

11/07/2011

Fisher, Petra (ENERGY)

From: Kulendran, Jesse (ENERGY)
Sent: November-09-11 3:15 PM
To: Lindsay, David (ENERGY)
Cc: Silva, Joseph (ENERGY)
Subject: Ministers' Pre-Cabinet Scrums - Mississauga
Attachments: Nov. 9 - Ministers' Pre-Cabinet Scrums.doc

FYI.

Jesse Kulendran - Senior Coordinator, Policy & Special Projects - Deputy Minister's Office - Ministry of Energy - Tel.: 416-327-7025 - Blackberry: 416-206-1394

From: Lepage, Guy (CAB)
To: @CAB-QPscrums
Cc: @CAB-Issues
Sent: Wed Nov 09 15:11:11 2011
Subject: Ministers' Pre-Cabinet Scrums

MEDIA EVENT: MINISTERS' PRE-CABINET SCRUMS
November 9, 2011

Location:
Outside Cabinet Meeting Room, Legislature
Speakers:
Minister Bentley, Minister Sousa
Media Attendance:
Print - 5

10) TV - 4

7) Radio - 1

3) Media Questions:

Questions for Minister Bentley:

Q: Is there no progress to report on this gas-fired plant that you guys promised to move?
I have no further progress to report.

Q: Construction continues. It is starting to be a bit of an embarrassment for the government isn't it? You make this big promise. It is a huge deal. It probably saves Charles Sousa's seat and maybe a couple of others. And 35 days after the election, we still don't have any progress.

We have committed to move the plant, relocate the plant. I know the OPA is working very hard on this issue and I don't have any further progress to report.

Q: Wouldn't it be smart to at least stop construction. Wouldn't you like to see construction stopped?

What we would all like to see is the plant be relocated as quickly as possible, that there be discussions that conclude as expeditiously and as fairly to all parties as possible.

Q: Isn't there a tipping point though when you have spent so much money building a plant that is not going to go there that it doesn't make any financial sense any more to move it?

As I said before, I am not going into the minute by minute discussions about various parts of this. I know the OPA is involved in this and they are working as hard as they can. It would be my hope to see a resolution to this as quickly and expeditiously as possible and we can get the plant relocated as fairly and as quickly as possible.

Q: Why is the construction still ongoing? You must have an answer to this. Why is it still ongoing if you guys want to move the plant?

As I said before I am not going to engage in minute by minute, hour by hour. It really isn't helpful. It doesn't help advance the discussion. It doesn't advance....

Q: It does not provide any answers.

It does not advance the goal of moving the plant.

Q: And neither does building this thing. Building the thing does not advance moving the plant Minister. So what happens if they finish the plant and it's built and it's fully constructed and ready to go. Will you still relocate it?

As I said, the OPA is involved in this and they are working very hard. The government has made a commitment and I am hoping to see this resolved as quick and expeditiously as possible. I don't have any further information to report at this time.

Q: You are the minister and you have the possibility to come out and introduce a bill or have a stop work order, you have that possibility, why don't you use it?

So as I said I am not going to engage in minute by minute, hour by hour....

Q: This isn't minute by minute, hour by hour, this is something where public dollars are being wasted.

As I said, I am not going to engage in minute by minute, hour by hour. It does not advance the issue, it does not advance the interest of the people of Ontario that the OPA is involved from our end.

Q: If you won't engage in minute by minute, what are you engage in because people want the answers and you are not providing any?

I am hopeful they are going to be successful in the resolution....

Q: So when are you going to be engaging?

I actually can't any more to that so thank you very much.

Q: Are you legally barred from stopping work. In other words did you just legally service notice and there is some legal notice period before you can actually stop construction?

As I said I am not getting in the minute by minute, hour by hour, we've got the OPA....

Q: Minister you are not the attorney general any more. I am sorry this is not something that is before the courts. You are a line minister and people want to know what is happening in your file. And you can't give us a straight answer on that.

We are acting in the best interests, the best interests are not served by me engaging the type of discussion you would like me to. It is best served by supporting the OPA in the work they are trying to do to bring this to...

Q: Are you afraid of a lawsuit?

I don't think I can add any more than that.

Q: How about the Oakville plant that you guys closed a year and a bit ago? You did close that one but we did not find out how that is going to cost. Do we have any resolution to that one?

It's not come to a conclusion but I understand discussions are ongoing, yes.

Q: Are you afraid of a lawsuit?

Sorry?

Q: Are you afraid of a lawsuit in Mississauga?

As I say I don't think I can add anything more but thank you very much.

Questions for Minister Sousa:

Q: (joined in progress) ...still going on at the Mississauga power plant that you announced was going to be cancelled.

SOUSA: As we said, as we've committed to, we're going to have the plant relocated and we're in the process of doing it. Discussions are being had, I understand from the Minister of Energy, from the Premier's commitment, publicly stating the same fact and that's what's happening.

Q: If you're going to cancel it, why is the construction still going on?

Q: It's a question to your incumbents (sic) actually that wonder why the construction is still going on, so as an MPP, can you answer that question?

SOUSA: Yeah, and I can appreciate the concerns that my residents have and that's why we're working hard to ensure that we have an agreement to have it removed and to have it moved and that's what's occurring.

Q: Are you legally required to give notice? Like do you legally have to say we're giving you notice and then in so many days they can actually stop work? Is that the hang up?

SOUSA: Right now they're having those discussions. Let the process proceed. I don't want to divulge things that will compromise the situation. That's what's happening. They're having those discussions now to have it moved.

Q: What discussion?

SOUSA: They're having, we've already committed that we're going to move the plant. We've made the commitment that we're going to do so. And we've said that that's going to happen.

Q: But why not issue a stop-work order? You used to be labour minister. You know about these kind of things. Issue a stop-work order. I mean, it's being built and yet it's supposedly not going to be built. It seems absolutely absurd.

SOUSA: Let them go through the process.

Q: I don't understand. Why can't you stop construction while these discussions are going on?

SOUSA: They're having the discussion now to, as we said, we want the agreement to be with the proponents so we can come an accord as to where it should go and that's what's happening.

Q: I'm asking why you don't stop it while the discussions are going on.

SOUSA: You know, they're having, we've made it very clear that the plant's not going to be put in that location and we're making efforts to move it.

Q: Are you guys afraid of a lawsuit?

SOUSA: I'm not going to get into that right now.

Q: Will you go as far as having the plant totally built and relocate it? Could we go as far as having it built completely? It's a fair question. Like, people living in this riding and across Ontario want to know. It's costing the province a lot of money right now.

SOUSA: We're taking everything into consideration, ensuring that the plant will be moved. We're going to make every effort to make sure that that happens as soon as possible.

N.B.: Comments captured are not verbatim quotes

Prepared by:

Guy Lepage/Senior Issues Analyst

Leah Covert/ Research and Administration Coordinator

MEDIA EVENT: MINISTERS' PRE-CABINET SCRUMS

November 9, 2011

Location:

Outside Cabinet Meeting Room, Legislature

Speakers:

Minister Bentley, Minister Sousa

Media Attendance:

Print – 5

TV – 4

Radio – 1

Media Questions:

Questions for Minister Bentley:

Q: Is there no progress to report on this gas-fired plant that you guys promised to move?	I have no further progress to report.
Q: Construction continues. It is starting to be a bit of an embarrassment for the government isn't it? You make this big promise. It is a huge deal. It probably saves Charles Sousa's seat and maybe a couple of others. And 35 days after the election, we still don't have any progress.	We have committed to move the plant, relocate the plant. I know the OPA is working very hard on this issue and I don't have any further progress to report.
Q: Wouldn't it be smart to at least stop construction. Wouldn't you like to see construction stopped?	What we would all like to see is the plant be relocated as quickly as possible, that there be discussions that conclude as expeditiously and as fairly to all parties as possible.
Q: Isn't there a tipping point though when you have spent so much money building a plant that is not going to go there that it doesn't make any financial sense any more to move it?	As I said before, I am not going into the minute by minute discussions about various parts of this. I know the OPA is involved in this and they are working as hard as they can. It would be my hope to see a resolution to this as quickly and expeditiously as possible and we can get the plant relocated as fairly and as quickly as possible.
Q: Why is the construction still ongoing? You must have an answer to this. Why is it still ongoing if you guys want to move the plant?	As I said before I am not going to engage in minute by minute, hour by hour. It really isn't helpful. It doesn't help advance the discussion. It doesn't advance...
Q: It does not provide any answers.	It does not advance the goal of moving the plant.
Q: And neither does building this thing. Building the thing does not advance moving the plant Minister. So what happens if they finish the plant and it's built and it's fully constructed and ready to go. Will you still relocate it?	As I said, the OPA is involved in this and they are working very hard. The government has made a commitment and I am hoping to see this resolved as quick and expeditiously as possible. I don't have any further information to report at this time.
Q: You are the minister and you have the possibility to come out and introduce a bill or have a stop work order, you have that possibility, why don't you use it?	So as I said I am not going to engage in minute by minute, hour by hour....
Q: This isn't minute by minute, hour by hour, this is something where public dollars are being wasted.	As I said, I am not going to engage in minute by minute, hour by hour. It does not advance the issue, it does not advance the interest of the people of Ontario that the

▪ Corporate Issues ▪ Cabinet Office ▪

▪ Issues Manager - Craig Sumi: (416) 325-3772 ▪ Media Monitoring - Paul Stinson: (416) 561-0632 ▪

	OPA is involved from our end.
Q: If you won't engage in minute by minute, what are you engage in because people want the answers and you are not providing any?	I am hopeful they are going to be successful in the resolution....
Q: So when are you going to be engaging?	I actually can't any more to that so thank you very much.
Q: Are you legally barred from stopping work. In other words did you just legally service notice and there is some legal notice period before you can actually stop construction?	As I said I am not getting in the minute by minute, hour by hour, we've got the OPA....
Q: Minister you are not the attorney general any more. I am sorry this is not something that is before the courts. You are a line minister and people want to know what is happening in your file. And you can't give us a straight answer on that.	We are acting in the best interests, the best interests are not served by me engaging the type of discussion you would like me to. It is best served by supporting the OPA in the work they are trying to do to bring this to...
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Q: How about the Oakville plant that you guys closed a year and a bit ago? You did close that one but we did not find out how that is going to cost. Do we have any resolution to that one?	It's not come to a conclusion but I understand discussions are ongoing, yes.
Q: Are you afraid of a lawsuit?	Sorry?
Q: Are you afraid of a lawsuit in Mississauga?	As I say I don't think I can add anything more but thank you very much.
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Q: (joined in progress) ... still going on at the Mississauga power plant that you announced was going to be cancelled.	SOUSA: As we said, as we've committed to, we're going to have the plant relocated and we're in the process of doing it. Discussions are being had, I understand from the Minister of Energy, from the Premier's commitment, publicly stating the same fact and that's what's happening.
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Q: Are you legally required to give notice? Like do you legally have to say we're giving you notice and then in so many days they can actually stop work? Is that the hang up?	SOUSA: Right now they're having those discussions. Let the process proceed. I don't want to divulge things that will compromise the situation. That's what's happening. They're having those discussions now to have it moved.
Q: What discussion?	SOUSA: They're having, we've already committed that we're going to move the plant. We've made the commitment that we're going to do so. And we've said that that's going to happen.
Q: But why not issue a stop-work order? You used to be labour minister. You know about these kind of things. Issue a stop-work order. I mean, it's being built and yet it's supposedly not going to be built. It seems absolutely absurd.	SOUSA: Let them go through the process.

Q: I don't understand. Why can't you stop construction while these discussions are going on?	SOUSA: They're having the discussion now to, as we said, we want the agreement to be with the proponents so we can come an accord as to where it should go and that's what's happening.
Q: I'm asking why you don't stop it while the discussions are going on.	SOUSA: You know, they're having, we've made it very clear that the plant's not going to be put in that location and we're making efforts to move it.
Q: Are you guys afraid of a lawsuit?	SOUSA: I'm not going to get into that right now.
Q: Will you go as far as having the plant totally built and relocate it? Could we go as far as having it built completely? It's a fair question. Like, people living in this riding and across Ontario want to know. It's costing the province a lot of money right now.	SOUSA: We're taking everything into consideration, ensuring that the plant will be moved. We're going to make every effort to make sure that that happens as soon as possible.

N.B. : Comments captured are not verbatim quotes

Prepared by:

Guy Lepage/Senior Issues Analyst

Leah Covert/ Research and Administration Coordinator

Fisher, Petra (ENERGY)

From: Kovesfalvi, Sylvia (ENERGY)
Sent: November-09-11 4:03 PM
To: McMichael, Rhonda (CAB)
Cc: Sharkawi, Rula (ENERGY)
Subject: The Canadian Press: Discussions underway but no new info on Mississauga gas plant, McGuinty says

In case this comes up in the 4pm meeting.

Questions continue to be focused on why construction is continuing and what is this going to cost? Also refers to the 2003 oak ridges moraine and gov't inability to keep that promise.

From: Energy In The News (ENERGY)

Sent: November 9, 2011 3:49 PM

To: Bacci, Gloria (ENERGY); Biggs, Megan (ENERGY); Brown, Nzinga (ENERGY); Calwell, Carolyn (ENERGY); Carson, Cheryl (ENERGY); Cayley, Daniel (ENERGY); Cheung, Cathy (ENERGY); Collins, Jason R. (ENERGY); Cooper, Linda (ENERGY); Dier, Kirby (ENERGY); Dreyfuss, Eric (ENERGY); George, Shemain (ENERGY); Gerard, Paul (ENERGY); Gibbs, Diana (ENERGY); Gordon, Robert (ENERGY); Johnson, Paul (ENERGY); Kacaba, Jennifer (ENERGY); King, Ryan (ENERGY); Kourakos, Georgina (ENERGY); Kovesfalvi, Sylvia (ENERGY); Krstev, Viki (ENERGY); Kulendran, Jesse (ENERGY); Landmann, Peter (ENERGY); Lindsay, Ken (ENERGY); Linington, Brenda (ENERGY); Malcolm, Pauline (ENERGY); Mieto, Erika (ENERGY); Mitchell, Andrew (ENERGY); Morton, Robert (ENERGY); Nutter, George (ENERGY); O'Donnell, Cheryl (ENERGY); Olsheski, Mark (ENERGY); Oxford, Kelly (ENERGY); Perry, Ann (ENERGY); Perun, Halyna N. (ENERGY); Pitkeathly, Doreen (ENERGY); Pletsch, Adam (ENERGY); Prithipal, Shantie (ENERGY); Rehob, James (ENERGY); Renwick, Meredith (ENERGY); Sharkawi, Rula (ENERGY); Shear, Dan (ENERGY); Silva, Joseph (ENERGY); Sluiman, Harmony (ENERGY); Smith, Mark (ENERGY); Springman, Hartley (ENERGY); Stefanac, Rosalind (ENERGY); Sylvis, Laura (ENERGY); Thompson, Erin (ENERGY); Todd, Brian (ENERGY); Wismer, Jennifer (ENERGY); Wolgelerenter, Debbie (ENERGY); Zoladek, Marta (ENERGY)

Subject: The Canadian Press: Discussions underway but no new info on Mississauga gas plant, McGuinty says

Discussions underway but no new info on Mississauga gas plant, McGuinty says

By Romina Maurino

THE CANADIAN PRESS

TORONTO – The governing Liberals are no closer to moving a gas plant they promised to shut down during the provincial election despite calls from the opposition to at least stop work on the site so that taxpayers don't get stuck with a massive bill.

“The taxpayers are just being hosed,” said Progressive Conservative critic Jim Wilson.

“I think (Premier Dalton McGuinty) didn't have an end game and I think he misled the people of Mississauga and the people of Ontario.”

Both the Tories and the New Democrats question the government's decision to allow construction to continue on a plant they have promised to relocate, and wondered whether the Liberals will be able to keep their promise as the Mississauga facility gets closer to completion.

McGuinty could ask for a work stop order while he negotiates to move the plant, Wilson said, but is instead letting the project progress.

“He's probably in the hundreds of millions of dollars at this point, and every day they drive in another nail or turn another bolt, the cost to Ontario taxpayers is going up,” said Wilson.

McGuinty has insisted he will move the plants but had no progress to report Wednesday, only saying that “discussions are still underway.”

He also couldn't say how long those discussions will take.

Energy Minister Chris Bentley refused to answer questions about why the government was allowing the plant to grow bigger, which would only make its transport more difficult and costly.

“I'm not going to get into the minute-by-minute discussions about various parts of this,” said Bentley.

“It would be my hope to see a resolution to this as quickly and expeditiously as possible.”

New Democrat Jonah Schein said that answer wasn't good enough, especially given that the promise was a last-minute decision just days away from last month's election.

“We need to hear from the government on this issue, this is a big deal,” he said.

“They changed their mind at the last minute there, and we need to get some answers about that.”

The opposition also pointed out that if the government ultimately backtracks on the promise, it wouldn't be the first time: McGuinty had vowed to block the construction of homes in Oak Ridges Moraine during the 2003 election but said after that win that he wouldn't be able to do it.

Wilson hinted that if it comes to that, his party could go as far as to push for a by-election the ridings around the power plant, where four Liberals were re-elected because residents wanted the facility gone. They said the Greenfield South plant, which straddles the Toronto-Mississauga border, was too close to homes, schools, a hospital, a hospice and a large mall.

Taxpayers are already on the hook for a cancelled gas plant in Oakville - another Liberal riding.

Cayley, Daniel (ENERGY)

From: Kacaba, Jennifer (ENERGY)
Sent: November-09-11 4:19 PM
To: Pitkeathly, Doreen (ENERGY); Calwell, Carolyn (ENERGY)
Cc: Lindsay, Ken (ENERGY)
Subject: RE: Mississauga Correspondence

Hi Doreen,

Thanks for following up -- I believe we have everything now.

Jennifer

Jennifer Kacaba
Counsel

Legal Services Branch
Ministry of Attorney General
Ministry of Energy and Ministry of Infrastructure
777 Bay Street, 4th Floor
Toronto, Ontario M5G 2E5
Tel: (416) 212-4867
Fax: (416) 325-1781
Jennifer.Kacaba@ontario.ca

From: Pitkeathly, Doreen (ENERGY)
Sent: November 9, 2011 4:16 PM
To: Kacaba, Jennifer (ENERGY); Calwell, Carolyn (ENERGY)
Cc: Lindsay, Ken (ENERGY)
Subject: RE: Mississauga Correspondence

Hi Jennifer, Carolyn:

I just want to check that we're all sorted out on the correspondence files now.

Something obviously went wrong in the sending of the files the first time. I checked my sent folder and tried opening the files and had the same problem that they all showed as June. I'm sorry about that. I can't understand what happened. We re-sent the very same files and they were all fine. It's most disturbing and seems to indicate that we will now have to check every attachment after it is sent as well as before!

Please let me know if you need anything else from us.

Doreen

From: Kacaba, Jennifer (ENERGY)
Sent: November 9, 2011 2:57 PM
To: Pitkeathly, Doreen (ENERGY)
Subject: RE: Mississauga Correspondence

416-212-4867

Jennifer Kacaba
Counsel

Legal Services Branch
Ministry of Attorney General
Ministry of Energy and Ministry of Infrastructure
777 Bay Street, 4th Floor
Toronto, Ontario M5G 2E5
Tel: (416) 212-4867
Fax: (416) 325-1781
Jennifer.Kacaba@ontario.ca

From: Pitkeathly, Doreen (ENERGY)
Sent: November 9, 2011 2:53 PM
To: Kacaba, Jennifer (ENERGY)
Subject: Re: Mississauga Correspondence

What's your number?

From: Kacaba, Jennifer (ENERGY)
To: Pitkeathly, Doreen (ENERGY)
Cc: Lindsay, Ken (ENERGY)
Sent: Wed Nov 09 14:25:19 2011
Subject: Re: Mississauga Correspondence

Ok thanks Doreen I am also on my way back to office - will be there in 15 minutes.

Jennifer

From: Pitkeathly, Doreen (ENERGY)
To: Kacaba, Jennifer (ENERGY)
Cc: Lindsay, Ken (ENERGY)
Sent: Wed Nov 09 14:23:13 2011
Subject: Re: Mississauga Correspondence

I'm on my way back to the office. I will call you. I think they are all different but I have run into this problem before.

From: Kacaba, Jennifer (ENERGY)
To: Calwell, Carolyn (ENERGY); Petersen, Shannon (ENERGY)
Cc: Pitkeathly, Doreen (ENERGY); Perun, Halyna N. (ENERGY)
Sent: Wed Nov 09 14:18:20 2011
Subject: Re: Mississauga Correspondence

Will do.

Jennifer

From: Calwell, Carolyn (ENERGY)
To: Petersen, Shannon (ENERGY); Kacaba, Jennifer (ENERGY)

Cc: Pitkeathly, Doreen (ENERGY); Perun, Halyna N. (ENERGY)

Sent: Wed Nov 09 14:15:41 2011

Subject: FW: Mississauga Correspondence

When I open these, they all seem to be the same letters. Please sort this out. I may be unavailable for the rest of the aft. Apologies. 1st of 2 emails.

From: Pitkeathly, Doreen (ENERGY)

Sent: November 9, 2011 11:25 AM

To: Calwell, Carolyn (ENERGY)

Cc: Lindsay, Ken (ENERGY); Kovesfalvi, Sylvia (ENERGY)

Subject: RE: Mississauga Correspondence

2nd Email

The file was too large to send. I am sending in several emails.

Hi Carolyn,

Here are the results of our correspondence search for the Mississauga Greenfield power plant.

The first six PDFs contain all that we received for that month together in one file. All together, these represent approximately 120 pieces of correspondence.

The other 24 PDFs are additional logged letters relating to the power plant.

We did not have time to be as thorough as we normally would be, so I apologize if there are some irrelevant files attached.

Please let me know if you need anything else.

Thanks,

Doreen

<<July - Mississauga Correspondence.pdf>> <<November - Mississauga Correspondence.pdf>>
<<September - Mississauga Correspondence.pdf>>

Cayley, Daniel (ENERGY)

From: Calwell, Carolyn (ENERGY)
Sent: November-09-11 5:17 PM
To: King, Ryan (ENERGY); Kovesfalvi, Sylvia (ENERGY)
Subject: RE: more on repud....

If there is still opportunity - to the question, Why wasn't the contract terminated sooner? Answer should track language of Minister's letter of Oct. 24 because it will be asked for: We initiated discussions with Eastern Power as soon as we received the Minister's letter asking us to seek a satisfactory resolution of the Mississauga site.

To the question, Why should anyone contract...? Answer, This is a unique case should be modified: This is a unique case and these circumstances do not apply to other contracts or issues.

Apologies for the delay.

Carolyn

From: King, Ryan (ENERGY)
Sent: Wed 09/11/2011 3:06 PM
To: Kovesfalvi, Sylvia (ENERGY); Calwell, Carolyn (ENERGY)
Subject: RE: more on repud....

Minor suggestions

From: Kovesfalvi, Sylvia (ENERGY)
Sent: November 9, 2011 2:53 PM
To: King, Ryan (ENERGY); Calwell, Carolyn (ENERGY)
Subject: more on repud....
Importance: High

Hi – CO wanted to add OPA q&a as well ... and a clearer sense of who answers what. I've reorganized info into a chart form ... slightly altering messaging as required. If there are any q's you think only OPA should answer or only gov't should answer, please indicated.

Appreciate your input – this is an ASAP. (I said I'd try to have it to them an hour ago).

Sorry and thank you.

From: McMichael, Rhonda (CAB)
Sent: November 9, 2011 11:53 AM
To: Kovesfalvi, Sylvia (ENERGY)
Cc: Sharkawi, Rula (ENERGY)
Subject: RE:
Importance: High

thanks for this. I think they were hoping for an OPA q and a too. What would their responses be to the questions they are handling. Let me know when it would be possible to get that piece ...

From: Kovesfalvi, Sylvia (ENERGY)
Sent: November 9, 2011 11:17 AM
To: McMichael, Rhonda (CAB)
Cc: Sharkawi, Rula (ENERGY)
Subject:

Hi Rhonda –

At Rula's request, I am forwarding a proposed media protocol and additional QAs re repudiation.

This has been approved by Legal.

Sylvia
7-4334

Cayley, Daniel (ENERGY)

From: Kovesfalvi, Sylvia (ENERGY)
Sent: November-09-11 5:39 PM
To: King, Ryan (ENERGY)
Cc: Calwell, Carolyn (ENERGY); Sharkawi, Rula (ENERGY)
Subject: FW:
Attachments: QA - repudiationNov09.POLICY-APPROVED(rk).doc

Hi - CO would like to add one more question ...

How come you've cancelled the plant in Oakville but not in Northern York Region?

These are two very different situations. Southwest GTA's local reliability issues can be addressed through building transmission. Transmission projects were rejected by the people of Northern York Region, and a generating facility is required immediately in the region to meet North American standards for reliability.

The messaging above is from last year - can we still use it?

-----Original Message-----

From: Kovesfalvi, Sylvia (ENERGY)
Sent: November 9, 2011 3:48 PM
To: McMichael, Rhonda (CAB); Sharkawi, Rula (ENERGY)
Subject:

With document name change.

-----Original Message-----

From: McMichael, Rhonda (CAB)
Sent: November 9, 2011 3:43 PM
To: Sharkawi, Rula (ENERGY); Kovesfalvi, Sylvia (ENERGY)
Subject: FW: QA - repudiationNov10 LEGAL-APPROVED(rk).doc

Just so you know I made one change -- "find" to "look for" in regards to a new site, it didn't make sense.

Have forwarded, and will forward the new version when it's avail. Thanks.

-----Original Message-----

From: McMichael, Rhonda (CAB)
Sent: November 9, 2011 3:43 PM
To: Gherson, Giles (CAB); Turnbull, Tiffany (CAB)
Cc: Betzner, Lynn (CAB); Guest, Alana (CAB)
Subject: QA - repudiationNov10 LEGAL-APPROVED(rk).doc

Hi Giles/Tiffany:

Please find attached the draft government and OPA messaging if you want to share in advance of the 4:00 call. This has Energy policy approval, but is still with legal, so there may be an updated version. I will forward the legal-approved version as soon as it's available.

Rhonda

MEDIA PROTOCOL

Generally the Minister's Office responds to strategic questions and OPA responds to operational questions.

Strategic - Minister's Office (Minister or Erika Botond)

- Government's decision to relocate the plant
- Government's commitment to relocate the plant.

Operational - OPA (Colin Andersen or Kristen Jenkins)

- Status of contract negotiations, and process for finding another site
- History of Eastern site selection (required approvals, public consultation, etc).

Process

- The OPA immediately notifies the Ministry of Energy of any Greenfield-related media call (Communications Director, Media Manager and Spokesperson).
- The Ministry immediately notifies Minister's Office, Deputy Minister's Office, Legal and Cabinet Office.
- The OPA submits proposed responses; the ministry secures approvals (Cabinet Office, DMO, Legal, Policy).
- The Minister's Office confirms who responds and how (phone/email).

WHO SAYS WHAT – General Guidelines

	MINISTER	OPA
Key Messages	<p>I understand that the OPA has had discussions with the proponent (Eastern Power). The OPA has notified Eastern that the OPA will not proceed with the contract.</p> <p>The OPA will continue to look for another site for the gas plant.</p> <p>The government will continue to ensure that the best interests of Ontario's communities and ratepayers remain the primary priority.</p>	<p><i>We have notified Eastern that the OPA will not proceed with the contract.</i></p> <p><i>Contract negotiations are commercially sensitive and we cannot provide any additional information at this time.</i></p> <p><i>We will continue to look for another site for the gas plant.</i></p> <p><i>Once potential sites have been identified, the public will be consulted before a final decision is made.</i></p>
<p><u>Contract Termination</u></p> <p>Who terminated the contract?</p> <p>Why was the contract terminated? Were other solutions not viable?</p> <p>Did the OPA terminate the contract at the government's request?</p>	<p>I understand the OPA has had discussions with the proponent (Eastern Power) and has notified them that the OPA will not proceed with the contract.</p> <p>Contract negotiations are commercially sensitive. These discussions are confidential. We are confident the OPA negotiated in the best interests of Ontarians.</p> <p>The OPA, as the contract holder, has been in discussions with Eastern Power to resolve this matter in the best interests of Ontarians.</p>	<p><i>We have notified Eastern Power that we will not be proceeding with the contract.</i></p> <p><i>Contract negotiations are commercially sensitive. These discussions are confidential. We have negotiated in the best interests of Ontarians.</i></p> <p><i>Our goal has been to resolve this matter in the best interest of Ontarians. We believe this decision best serves the public interest. Contract negotiations are commercially sensitive and we cannot say more than that.</i></p>

Why wasn't the contract terminated sooner?	Discussions began as soon as they could between OPA and Eastern. This decision is the result of those discussions.	<i>We initiated discussions with Eastern Power as soon as we received the Minister's letter asking us to begin discussions. This decision is the result of those discussions.</i>
If the OPA is terminating the contract, how can you get the company (Eastern) to work with the OPA to relocate the site?	The OPA is in discussions with Eastern Power and we expect them to find a satisfactory resolution.	<i>We are in discussions with the proponent.</i>
Will Eastern Power be the company to build the relocated plant? Do you have assurances from them on that?	At this time, the OPA is in discussions with Eastern Power to find a satisfactory resolution.	<i>We are in discussions with Eastern Power and hope to reach a satisfactory resolution.</i>
Will you put this back out to tender?	At this time, the OPA is in discussions with Eastern Power to find a satisfactory resolution.	<i>We are in discussions with Eastern Power and hope to reach a satisfactory resolution.</i>
What is the process for finding another site?	The OPA is best able to answer this. We can confirm that the site selection will include public consultation.	<i>We will consider available locations, local generation needs and transmission and distribution support. Once options are identified, the public will be consulted.</i>

<p><u>Construction</u></p> <p>Now that the OPA has terminated the contract, will work stop at the site?</p> <p>Will legislation be required to stop construction?</p> <p>Minister, your spokesperson said that legislation was not needed, is this true?</p>	<p>My understanding is that the OPA has notified the proponent that it is not proceeding with the contract. The OPA continues to have discussions about stopping work at the site.</p> <p>Legislation is an option, however, the best option, and the one we are choosing at this time, is to have the OPA work with Eastern Power to find satisfactory resolution.</p> <p>It is our expectation the OPA and Eastern Power will work together to find a satisfactory resolution.</p> <p>The best option, and the one we are choosing at this time, is to have the OPA work with Eastern Power to find satisfactory resolution to the site.</p>	<p><i>We have notified Eastern that we are not proceeding with the contract. We continue to have discussions about stopping work at the site.</i></p> <p><i>The government is best able to answer that question.</i></p> <p><i>We are in discussions and hope to reach a satisfactory resolution.</i></p> <p><i>The government is best able to answer that question.</i></p>
<p><u>Contract Value</u></p> <p>Why should anyone want to contract with OPA or government after this?</p> <p>What's the status of negotiations with TransCanada?</p>	<p>The government and our agencies have successful track records for negotiating and fulfilling contracts in the best interest of Ontario taxpayers. This is a unique case and should not be used to apply to other contracts or issues.</p> <p>Like any other business, energy partners work together to respond to changing conditions. Contracts are renegotiated or terminated on a small and large scale across businesses of all types.</p> <p>The OPA is in discussions with TransCanada. We do not have an update at this time.</p>	<p><i>Our agency has a successful track record for negotiating and fulfilling contracts in the best interest of Ontario taxpayers.</i></p> <p><i>This is a unique case and should not be used to apply to other contracts or issues.</i></p> <p><i>We are in discussions with TransCanada. We do not have an update at this time.</i></p>

<p>Will the cost of these contract cancellations be made public knowledge at some time?</p>	<p>Our government is committed to conducting business in an open and transparent manner. We will provide what we can when we can.</p>	<p><i>Contracts are commercially sensitive. It is up to the proponent to determine what they are willing to make public and when.</i></p>
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Cayley, Daniel (ENERGY)

From: King, Ryan (ENERGY)
Sent: November-09-11 5:40 PM
To: Jennings, Rick (ENERGY)
Subject: Fw:
Attachments: QA - repudiationNov09.POLICY-APPROVED(rk).doc

Duplicate attachment removed

Rick is this ok?

----- Original Message -----

From: Kovesfalvi, Sylvia (ENERGY)
To: King, Ryan (ENERGY)
Cc: Calwell, Carolyn (ENERGY); Sharkawi, Rula (ENERGY)
Sent: Wed Nov 09 17:39:21 2011
Subject: FW:

Hi - CO would like to add one more question ...

How come you've cancelled the plant in Oakville but not in Northern York Region?

These are two very different situations. Southwest GTA's local reliability issues can be addressed through building transmission. Transmission projects were rejected by the people of Northern York Region, and a generating facility is required immediately in the region to meet North American standards for reliability.

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With document name change.

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Sent: November 9, 2011 3:43 PM

To: Gherson, Giles (CAB); Turnbull, Tiffany (CAB)
Cc: Betzner, Lynn (CAB); Guest, Alana (CAB)
Subject: QA - repudiationNov10 LEGAL-APPROVED(rk).doc

Hi Giles/Tiffany:

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Rhonda

Cayley, Daniel (ENERGY)

From: Calwell, Carolyn (ENERGY)
Sent: November-09-11 6:28 PM
To: Kulendran, Jesse (ENERGY)
Cc: Perun, Halyna N. (ENERGY); Kacaba, Jennifer (ENERGY)
Subject: Chart for Binder
Attachments: Greenfield South Public Comment.doc

I would suggest that this version would be most preferable, to the extent that we have the opportunity to switch it.

Carolyn

Greenfield South - Public Documents

Policy Rationale:

The 280 MW gas-fired generation facility, under construction at 2315 Loreland Avenue, has received significant local opposition from citizens and local civic leaders from the time of the award of a Clean Energy Supply contract to Greenfield South Power Corporation in 2005 to date. The City of Mississauga has filed resolutions opposing the facility at its current location. In response to this opposition, the government asked the Ontario Power Authority to engage Greenfield South Power Corporation in finding an alternative location for the plant. These discussions, if unsuccessful, may necessitate more proscriptive measures to stop the plant going forward.

The following provides examples of the public comment of which the Ministry is aware on this matter.

Number	Title	Date	Brief Description
1	City of Mississauga Report MG.01.REP EC.14.LOR	January 26, 2006	Staff report to the Council of the City of Mississauga regarding Request for Individual Environmental Assessment Greenfield South Power Project Eastern Power Limited (Ward 1) recommending that the Commissioner of Transportation and Works be authorized to forward a letter to the Minister of the Environment request that the Minister review and vary a decision to deny the request for elevation of the project an individual Environmental Assessment. Documents the City staff's environmental concerns, including municipal water servicing, destruction of the natural environment and non-compliance with the City's Official Plan.
2	Correspondence	March 6, 2006	Correspondence from Markland Homes Association to the Minister of Energy regarding meeting with CHIP and expressing concern about the impact of the Greenfield South Power Project on the community.
3	Correspondence	February and March, 2006	Correspondence from an individual to the Minister of Energy regarding concern about the potential harm of a power plant close to residence.
4	City of Mississauga Minutes of Session 18	October 24, 2007	Report of Closed Session discussion of OMB Decision on Appeals by Greenfield South Power Corporation resulting in a resolution that the City of Mississauga not continue with a Motion

			to the Divisional Court seeking leave to appeal the decision of the Ontario Municipal Board in the matter of certain appeals by Greenfield South Power Corporation.
5	Letter requesting information	July 21, 2008	Letter from Mayor McCallion to Minister of Energy regarding the status of the Eastern Power project so that the citizens who strongly objected to the Eastern Power project may be informed.
6	Letter	August 20, 2008	Letter from Minister of Energy and Infrastructure to Mayor McCallion regarding the status of power procurement activities in the southwest Greater Toronto Area and addressing environmental considerations related to Greenfield South.
7	Correspondence	November 2, 2008	Correspondence from area resident to Minister of Energy and MPP Mississauga - South regarding Town Hall Meeting on 28 th October 2008 and expressing fear about power plants in neighbourhood.
8	Miscellaneous Correspondence	Various, 2009	Correspondence from various individuals to the Minister of Energy and local MPP regarding concern for the Greenfield facility.
9	Letter enclosing report	September 28, 2009	Letter from Mayor McCallion to Minister of Energy concluding there is no need for this plant based on enclosed report entitled Demand and Supply Considerations Oakville & Mississauga Areas dated September 17, 2009, providing assessment of OPA's load forecasting for the area designated Southwest GTA, an overview of the present and future loads.
10	Why new natural gas power plants are a good fit for the GTA [NOT!]	April 25, 2010	Statement from Mississauga Residents Associations' Network (MIRANET) – Clean Air Subcommittee in response to Toronto Star Opinion Column. Responds to TransCanada's proposal for gas plant in Oakville and expresses concern about natural gas plants generally.
11	Correspondence	May 5, 2010	Letters from Mayors McCallion, Burton and Trainer of Mississauga, Oakville and Haldimand respectively to the

			Minister of Energy expressing concern about fossil fuel generation in the Clarkson Airshed.
12	Miscellaneous Correspondence	October 2010	Correspondence from various individuals to the Minister of Energy and local MPP regarding concern for the Greenfield facility.
13	City of Mississauga Report EC.14.POW	February 8, 2011	Staff report to Planning and Development Committee regarding Proposed Review of the Land Use Planning Framework for Power Generation Facilities recommending that the Committee provide staff with direction on a preferred scope for a review of the land use planning framework for power generating facilities. Notes that "the issue of power generating facilities and their appropriate location has been a recurrent issue for the last decade".
14	Miscellaneous Correspondence	April, June 2011	Correspondence from various individuals to the Premier, various Ministers and MPPs regarding concern for the Greenfield facility, with replies where available.
15	Resolution 0173-2011 of the Council of the City of Mississauga and related Minutes	June 22, 2011	Resolution by the Council of City of Mississauga to request from the Minister of the Environment a Full Environmental Assessment to be conducted on the Greenfield South proposal. Outlines Mississauga Council's concerns over location of the plant in a densely populated urban area and implications for emissions in the Etobicoke Lakeview airshed.
16	Request for Full Environmental Assessment from the City of Mississauga	June 24, 2011	Letter from Mayor McCallion to Minister of Energy regarding Mississauga Resolution 0173-2011 requesting a full Environmental Assessment following the Minister's statement that there would be a review of the Greenfield South power proposal for new environmental evidence. Outlines Mississauga Mayor's concerns over location of the plant and concern about health implications for residents of Mississauga.
17	Miscellaneous Correspondence	July 2011	Correspondence from various individuals to the Premier, various Ministers and MPPs regarding concern

			for the Greenfield facility, with replies where available.
18	Recommendation GC- 0469-2011 of the Council of the City of Mississauga and related Minutes	July 6, 2011	Recommendation adopted by the Council of the City of Mississauga that endorses the report entitled " <i>Provincial Election 2011: Summary of Key Issues for the City of Mississauga</i> " and additional question for provincial political parties as follows: "would your party ensure a full Environmental assessment is conducted on the Greenfield South Power plant proposal" and "will you as a Provincial candidate oppose the construction of the Greenfield South power plant"
19	Greenfield South Power Plant - Council Motion	July 8, 2011	Motion to the Council of the City of Mississauga requesting that Minister of Environment to conduct a Full Environmental Assessment and that the Minister of Energy conduct a full review to determine the necessity of manufacturing 280 MW in a densely populated urban area and consider alternatives to the proposal.
20	Miscellaneous Correspondence	August 2011	Correspondence from various individuals to the Premier, various Ministers and MPPs regarding concern for the Greenfield facility, with replies where available.
21	Letter from the Ontario Liberal Party	August 19, 2011	Letter from Premier McGuinty to Mayor McCallion enclosing responses to the City of Mississauga's provincial election questionnaire.
22	Miscellaneous Correspondence	September 2011	Correspondence from various individuals to the Premier, various Ministers and MPPs regarding concern for the Greenfield facility, with replies where available.
23	Miscellaneous Correspondence	October 2011	Correspondence from various individuals to the Premier, various Ministers and MPPs regarding concern for the Greenfield facility, with replies where available.
24	Statement from Charles Sousa MPP	October 25, 2011	The government remains committed to the relocation of the plant, as well as developing more rigorous controls for location choices in future projects.
25	Miscellaneous Correspondence	November 2011	Correspondence from various individuals to the Premier, various Ministers and MPPs regarding concern

			for the Greenfield facility, with replies where available.
26	Petition	To November 7, 2011	Petition to STOP the Sherway Power Plant in Mississauga/Etobicoke as the plant is near a waterway and a hospital and will result in damage to people, the environment and wildlife. Received 2,187 signatures to November 7, 2011
27	Greenfield South Power Corporation - Detailed Chronology	Undated	Chronology of events leading up to the approval and construction of the Greenfield South plant, beginning with the OPA's RFO for 'Clean Energy Supply' in September 2004, prepared by staff of the City of Mississauga. Includes history of zoning by-law appeals to the OMB
Section B			
1	Eastern Power Update - Ward 1 Councillor's Report	Spring/Summer 2006	Reports on site plan approval and release of the holding provision to permit construction of a 280 MW power generating facility.
2	Proposed plant could be online by 2012	March 13, 2009	Reports of Ontario Municipal Board hearing at which the City of Mississauga provided evidence that it made changes to its by-laws as ordered by the OMB in 2007. Documents residents' concerns about lack of public input upon award of contract. Quotes Sherway Homeowners and Recreational Association and Concerned Homeowners for Intelligent Power, which is characterized as a consortium of 8 ratepayers groups.
3	Permit issued for power plant – Mississauga.com	June 1, 2011	Report of building permit issued for construction of the 280 MW power plant and concerns of the Coalition of Homeowners for Intelligent Power and the Mississauga Residents' Associations Network related to its location near homes, Trillium Health Centre West Toronto and Etobicoke Creek.
4	Power plant becomes election issue - Toronto Star	June 12, 2011	Following the issuing of the building permit for the plant, which despite the OMB ruling in 2007 was not issued until 2011, residents groups opposing the project, including Markland Wood Homeowners Association, representing

			1,300 Etobicoke homes, vowed to make the plant an election issue in the Provincial election. Former Energy Minister and Etobicoke MPP Donna Cansfield announced her intention to fight the project, stating "this plant should not be built while there is any question as to its safety or necessity." Documents concerns of the.
5	MOE to review power plant – Inside Toronto	June 15, 2011	Report of Minister of Environment John Wilkinson's statement that the plans for the power plant would be reviewed in light of recent construction of a new set of condominium towers near the site and reaction of the Coalition Homeowners for Intelligent Power, which has opposed the plant since 2005..
6	Greenfield South Power Plant – Mississauga.com	July 8, 2011	Open letter from Mayor Hazel McCallion and Councillor Jim Tovey detailing the history of the project and stating that the City had run out of options with regard to opposing the proposal once the OMB decision amended the City's Official Plan and Zoning By-law. The Chief Building official was bound to issue a building permit once the project complied with required laws.
7	Calm crowd attended power plant meeting – Inside Toronto	August 12, 2011	Letter to the Editor providing an account of a meeting about the future power plant, characterizing the meeting as "grass roots democracy in action".
8	Group holds power plant rally – Mississauga.com	August 23, 2011	Provides notice of a rally to be held on September 15, 2011 for citizens concerned about the power plant, organized by Coalition of Homeowners for Intelligent Power, apparently representing 14,000 homes, with participation from the Mississauga Residents' Associations Network.
9	Residents ramp up power plant fight – Inside Toronto	Sept 16, 2011	Reports that hundreds of residents protested near the plant's location. Discontent has grown since the construction on the site began despite the Environment Minister's pledge to review the approval of the plant obtained in 2008. The purpose of the protest was to urge the Premier to cancel the project. Rally organizers

			called for residents to make the power plant an issue in the provincial election.
10	Power plant review ongoing – Inside Toronto	Sept 19, 2011	Ongoing environmental review not complete, but residents asking that the review be completed before the Provincial election. Ministry of Environment spokesperson said that it was too early to speculate on when the review will be complete, what the outcome will be, and whether cancellation of the project is an option.
11	Politicians should stop playing with Ontario's electricity –	Sept 29, 2011	Opinion piece by Tom Adams regarding the announcement from the Liberals that if elected, the Greenfield Plant would be relocated. Criticises the announcement as a political move to secure votes, with a lack of information provided regarding costs of the cancellation, including replacement generation. Also criticises the energy-related campaign promises of other political parties. With all 3 parties now in opposition to the plant, there is no debate on the wider issues associated with the cancellation.
12	Construction continues at Mississauga power plant – National Post	Oct 24, 2011	One month after the Liberals decided to halt the Greenfield project, construction is still ongoing. A generator was seen being delivered to the site. Spokesperson for the Ministry stated that there hasn't been time to work out the details of the cancellation yet, but that the government is committed to relocating the plant. Critics remain sceptical that the promise to relocate the plant was genuine.
13	New Generator Unplugged for Power Plant – Toronto Sun	Oct 24, 2011	Article with criticism from both PC and NDP leaders on the continued construction of the plant. Both party leaders state that the longer construction continues, the greater the cost will be to tax payers if and when the plant is relocated.
14	Liberals in talks to move plant – Mississauga.com	Oct 26, 2011	Ministry of Energy spokesman stated that discussions to relocate the plant are taking place, and that no legislation will be required to halt construction of the plant. Criticism by the opposition and residents persists as construction on the plant continues. Refers to

			Applewood Acres Homeowners Association.
15	Miscellaneous	Between February 2, 2006 and November 2, 2011	Reports from miscellaneous sources related to the Greenfield South power plant.

DRAFT

Section C			
1	Bill 8		Bill 8, The Separation Distances For Natural Gas Power Plants Act, 2010, a Private Members Bill
2	Official Report of Debates (Hansard)	March 22, 2010	Introduction of Bill 8
3	Correspondence	April 23, 2010	Correspondence from an individual to the Premier, the Minister of Energy, the Minister of Environment and MPP in support of Bill 8.
4	Correspondence	March 24, 2011	Correspondence in support of Bill 8.

Cayley, Daniel (ENERGY)

From: Calwell, Carolyn (ENERGY)
Sent: November-09-11 7:28 PM
To: Calwell, Carolyn (ENERGY)

Confidential & Privileged

Drafting Instructions – November 10, 2011

Definition

Other structures –municipal services shouldn't be affected (site will ultimately be redeveloped)
Assume land serviced before project commenced [Carolyn – check that status report]

Carolyn: Amanda to research Mississauga by-laws re: demolition, remediation

2. Prohibition on continuing construction

If corporation tells its contractors to stop constructing, then we risk contractual interference claims from the contractors. We need to preclude this potential liability.

You addressed prevention of theft and damage to property. We should probably also address Occupiers' liability – corporation remains responsible.

4. Termination of the Agreement

Termination should be effective on the date that the OPA repudiates the contract, November x, 2011 (we will be able to confirm shortly). Contract has been entered into – we don't need to deem it never entered into.

The Corporation self financed – we don't need to address any repayment.

The bill should terminate any contracts that the Corporation has related to work on the site. See comment above re: contractual interference. The policy intent is that Greenfield would be paid its reasonable, sunk costs, which should allow it to then pay its contractors for the work that they had done. Contractors' lost profit will need to be addressed through the compensation provisions.

Query whether we need a provision that requires the Corporation to pay its contractors. Although they aren't precluded from litigation under their contracts, we wouldn't want the Corporation to find a way not to pay them for their costs incurred.

Lenders' rights – Carolyn to follow up with Malle Hanslep

5. Extinguishment of causes of action

Is "in respect of the project or the site" sufficient to catch contractors?

This section should have effect as of the date of the RFP by which the Corporation was selected for this project. Carolyn to confirm.

Once the outcome of the site is determined, we will be able to address expropriation – for now, please assume no expropriation (as you have).

6. Compensation

Payment will be made to the Corporation – it would then need to sort out its own obligations to make to contractors and suppliers.

Project development expenses would commence at date of OPA agreement, you proposed. End date for reasonable expenses is the repudiation date.

The expenses incurred by not yet paid would be (i) pursuant to a contract between the Corporation and a third party (ii) for work or equipment to be provided in relation to the project and at the site (iii) unavoidable (for want of a better word) by the Corporation (in other words, if they can mitigate, they must).

I expect that my client will prefer not to address legal fees directly.

Compensation if the Crown takes the land still needs to be determined – one option that I've heard is that Crown will buy for fair market value, as is and then do any post-acquisition work through Infrastructure Ontario.

Accounting should include provision of contracts as well.

Fisher, Petra (ENERGY)

From: Kovesfalvi, Sylvia (ENERGY)
Sent: November-10-11 9:00 AM
To: Morton, Robert (ENERGY); Gerard, Paul (ENERGY)
Subject: Greenfield
Attachments: QA - repudiationNov09 LEGALandPOLICY-APPROVED.6pm.doc

Duplicate attachment removed

Hi – Attached, for your reference, is what I spent some of yesterday working on.

CO asked for a media protocol outlining messages for OPA and messages for our ministry.

This has been written in anticipation of a contract termination (doesn't mean that will happen – just in case).

This document is likely to evolve as discussions evolve.

Please keep it confidential – for your use only if you are asked for messaging.

I'm not filing on shared at this point.

Let me know if you have any questions; wish to discuss.

Thanks.

From: Kovesfalvi, Sylvia (ENERGY)
Sent: November 9, 2011 8:35 PM
To: Calwell, Carolyn (ENERGY); King, Ryan (ENERGY)
Subject: Fw:

For your records.

Sent from my BlackBerry Wireless Handheld

From: Kovesfalvi, Sylvia (ENERGY)
To: McMichael, Rhonda (CAB)
Cc: Sharkawi, Rula (ENERGY)
Sent: Wed Nov 09 18:09:46 2011
Subject:

Hi Rhonda –

Attached is Legal and Policy approved messaging/QA including the question about why is Northern York Region going ahead (and not Mississauga and Oakville).

Legal thought this format was most appropriate (and didn't have further suggestions about how to narrow what questions only OPA should answer and what questions only Minister should answer).

Sylvia
7-4334

Cayley, Daniel (ENERGY)

From: Conrad, Katherine (ENE)
Sent: November-10-11 9:50 AM
To: Calwell, Carolyn (ENERGY)
Subject: RE: Greenfield South Power - MOE approvals

Carolyn,

As a follow-up to this, my client has confirmed that there is nothing before MOE in terms of applications for further approvals for the Greenfield plant.

Katherine

From: Conrad, Katherine (ENE)
Sent: November 07, 2011 11:22 AM
To: Calwell, Carolyn (ENERGY)
Subject: Fw: Greenfield South Power - MOE approvals

Carolyn, this is what I sent to Fran last week. As far as I know, two moe approvals. Client is supposed to be confirming early this week whether any approvals are currently in the works - but I am pretty sure there aren't any. Let me know if you need anything else.

Katherine Conrad, Counsel, Ministry of the Environment

From: Conrad, Katherine (ENE)
To: Carnerie, Fran (ENE)
Cc: Borg, Laurence (ENE); Hewitt, Myra (ENE)
Sent: Fri Nov 04 14:58:19 2011
Subject: Greenfield South Power - MOE approvals

Fran,

MOE has issued two approvals for this project:

- 1) Air Certificate of Approval No. 2023-7HUMVW – issued Dec. 10, 2008. No amendments.
- 2) Municipal Drinking Water System Certificate of Approval No. 2098-7J6NYD – issued Sept. 4, 2008. This Certificate revokes and replaces CoFA No. 2684-7GVLH9 (name change – administrative amendment)

I would have liked to get confirmation from Ian Parrott that MOE has not issued any other permits or approvals for this project, but he's been unavailable today. I did however search the IDS database with Rudolf Wan, the senior air & noise engineer who worked on the Air CoFA, and these were the only approvals we found.

Katherine

Katherine Conrad

Counsel

Ministry of the Attorney General | Legal Services Branch - Environment
135 St. Clair Avenue West, 10th Floor | Toronto, Ontario M4V 1P5

☎ (416) 212-7372

☎ (416) 314-6579

✉ katherine.conrad@ontario.ca

This communication is solicitor/client privileged and contains confidential information intended only for the person(s) to whom it is addressed. Any unauthorized disclosure, copying, other distribution of this communication or taking any action on its contents is strictly prohibited. If you have received this message in error, please notify us immediately and delete this message without reading, copying or forwarding it to anyone.

Cayley, Daniel (ENERGY)

From: Calwell, Carolyn (ENERGY)
Sent: November-10-11 10:00 AM
To: Rehob, James (ENERGY)
Subject: FW: gov2011.046 draft 1 - passworded
Attachments: gov2011.046 (Greenfield South Power Project).e01PW.doc

Duplicate attachment removed

Hi James,

This is where we are. Password is Lot3Con1. Please come by to discuss next steps.

Carolyn

From: MacNaughton, Catherine (JUS)
Sent: November 8, 2011 2:31 PM
To: Calwell, Carolyn (ENERGY)
Subject: gov2011.046 draft 1 - passworded

Hi Carolyn,

Here is a really rough draft 1 with questions indicating my ignorance, for your review. Password is hopefully what I emailed to you earlier.

Catherine Macnaughton
Legislative Counsel
Office of Legislative Counsel (Ontario)
3600 - 99 Wellesley Street West
Toronto, Ontario M7A 1A1

(416) 326-2787
catherine.macnaughton@ontario.ca

Cayley, Daniel (ENERGY)

From: Calwell, Carolyn (ENERGY)
Sent: November-10-11 10:08 AM
To: Wilson, Malliha (JUS); Marsello, Leonard (JUS); Compton, Shona (JUS); McKinlay, Tom (JUS)
Cc: Perun, Halyna N. (ENERGY); Slater, Craig (JUS); Wong, Taia (JUS)
Subject: RE: Draft letter

I just heard from DM Lindsay that Art Birchenough is meeting Greg Vogt this afternoon – this letter is no longer in play. Pens down on this one.

Carolyn

From: Wilson, Malliha (JUS)
Sent: November 10, 2011 9:48 AM
To: Calwell, Carolyn (ENERGY); Marsello, Leonard (JUS); Compton, Shona (JUS); McKinlay, Tom (JUS)
Cc: Perun, Halyna N. (ENERGY); Slater, Craig (JUS); Wong, Taia (JUS)
Subject: Re: Draft letter

Comment - but can slow down a bit

Sent from my BlackBerry Wireless Device

From: Wilson, Malliha (JUS)
To: Calwell, Carolyn (ENERGY); Marsello, Leonard (JUS); Compton, Shona (JUS); McKinlay, Tom (JUS)
Cc: Perun, Halyna N. (ENERGY); Slater, Craig (JUS); Wong, Taia (JUS)
Sent: Thu Nov 10 09:36:20 2011
Subject: Re: Draft letter

Have asked Tom to comment as well.

Sent from my BlackBerry Wireless Device

From: Calwell, Carolyn (ENERGY)
To: Marsello, Leonard (JUS); Compton, Shona (JUS)
Cc: Wilson, Malliha (JUS); Perun, Halyna N. (ENERGY); Slater, Craig (JUS)
Sent: Thu Nov 10 09:31:58 2011
Subject: Draft letter

Privileged & Confidential

We have been asked to draft a letter that could go from the OPA's negotiator, Art Birchenough, to Greenfield South Power Corporation as an interim step before formal repudiation of contract. I have attached a draft and would appreciate your review and comments. I have also pasted the draft in below for ease of reference.

This is a link to the Toronto Star story referenced in the letter: <http://www.thestar.com/news/mississauga/article/1083907-power-plant-will-close-even-if-finished-liberals-insist>

Carolyn

CONFIDENTIAL & PRIVILEGED – IN CONTEMPLATION OF LITIGATION -- DRAFT FOR DISCUSSION

Dear Mr. Vogt:

You are aware of the community opposition to the Greenfield South Generation Station and the media coverage of the government's intention to relocate the plant, including a story in today's Toronto Star.

On behalf of the Ontario Power Authority, I have contacted you numerous times with the aim of reaching a satisfactory resolution of the Mississauga Site. You have generally failed to show me the courtesy of a response and you have not responded to the term sheet that the OPA sent to you on November 3rd, despite your promises to do so.

You are ignoring the reality that is apparent for this project. We expected that once we contacted you in effort to reach a resolution for this site, you would understand that construction should come to an immediate stop. The Ontario Power Authority is disappointed that you have been unwilling to commence serious negotiations and have continued with construction on the site.

I ask that you contact me so that we may have meaningful discussions. In light of the apparent circumstances with respect to this project, I respectfully ask you to reconsider your decision to continue construction.

Yours truly,

Art Birchenough

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Cayley, Daniel (ENERGY)

From: Michael Lyle <Michael.Lyle@powerauthority.on.ca>
Sent: November-10-11 10:58 AM
To: Calwell, Carolyn (ENERGY)
Cc: Perun, Halyna N. (ENERGY)
Subject: RE: Letter
Attachments: Greenfield South Power Plant OPA Board letter 10 11 2011.doc; greenest2011_english-(custom)verysmall.gif

Attachment appears as image below

As discussed.

Michael Lyle
General Counsel and Vice President
Legal, Aboriginal & Regulatory Affairs
Ontario Power Authority
120 Adelaide Street West, Suite 1600
Toronto, Ontario, M5H 1T1
Direct: 416-969-6035
Fax: 416.969.6383
Email: michael.lyle@powerauthority.on.ca

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From: Calwell, Carolyn (ENERGY) [mailto:Carolyn.Calwell@ontario.ca]
Sent: November 8, 2011 7:01 PM
To: Michael Lyle
Cc: Perun, Halyna N. (ENERGY)
Subject: Letter

Mike, please see further proposed revision.

Carolyn

Carolyn Calwell
Deputy Director
Ministry of Energy & Ministry of Infrastructure
Legal Services Branch
Ministry of the Attorney General
777 Bay Street, Suite 425
Toronto ON M5G 2E5

416.212.5409

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CONFIDENTIAL & PRIVILEGED – DRAFT FOR DISCUSSION

Dear Minister:

I am writing to you on behalf of the Ontario Power Authority's (OPA) Board of Directors with respect to the Greenfield South Power Plant, which the Ministry of Energy procured in 2004. The OPA was subsequently directed to enter into a contract with Greenfield and is now the sole counterparty. The Board clearly understands that the government's intention to relocate the plant as outlined in your letter to the OPA on October 24, 2011. The purpose of this letter is to ensure that the government's intention is met.

The OPA Board of Directors takes very seriously its responsibilities to our contract counter-parties. Like the provincial government, we would like to achieve a resolution for the Greenfield South plant that provides both fair treatment to the counterparty and Ontario ratepayers. We also think it is important that electricity developers generally continue to have confidence to invest in Ontario and that gas-fired generation continues to be accepted as an important, cost-effective and safe part of the province's electricity supply mix. At the same time, we recognize the public concern about the location of this plant and public requests that construction of the plant stop.

After receiving your October 24th letter, the OPA commenced discussions with Greenfield South. To date, the OPA's preferred approach has been to reach an agreement with Greenfield South to stop construction and negotiate an arrangement to relocate the plant or terminate the contract. Since then, it has become clearer that Greenfield South may not agree to such an approach. In light of this, the logical next step appears to be to notify Greenfield South that the OPA will not be proceeding with the contract, which makes termination of the contract a logical next step. ~~The Board of Directors is therefore seeking the Government's support in taking this step.~~

I wish to assure you that, even after taking this step, the OPA will seek to continue discussions with Greenfield South to arrive at an agreement on appropriate compensation. Given our shared interest in ratepayer value, the board would then also like to commence a dialogue with you on the most appropriate way to allocate the compensation between the OPA and the Crown.

I look forward to your reply.

Yours sincerely,

Jim Hinds
Chair

Cayley, Daniel (ENERGY)

From: Calwell, Carolyn (ENERGY)
Sent: November-10-11 10:10 AM
To: Rehob, James (ENERGY)
Attachments: Instructions.10 11 2011'.doc

My instructions, based on the draft received, so far. I'm off the phone if you now have time.

Carolyn

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Confidential & Privileged

Drafting Instructions – November 10, 2011

Definition

Other structures –municipal services shouldn't be affected (site will ultimately be redeveloped)

Assume land serviced before project commenced [ENE LSB – check that status report]

ENE LSB: Amanda to research Mississauga by-laws re: demolition, remediation

2. Prohibition on continuing construction

If corporation tells its contractors to stop constructing, then we risk contractual interference claims from the contractors. We need to preclude this potential liability.

You addressed prevention of theft and damage to property. We should probably also address Occupiers' liability – corporation remains responsible.

4. Termination of the Agreement

Termination should be effective on the date that the OPA repudiates the contract, November x, 2011 (we will be able to confirm shortly). Contract has been entered into – we don't need to deem it never entered into.

The Corporation self financed – we don't need to address any repayment.

The bill should terminate any contracts that the Corporation has related to work on the site. See comment above re: contractual interference. The policy intent is that Greenfield would be paid its reasonable, sunk costs, which should allow it to then pay its contractors for the work that they had done. Contractors' lost profit will need to be addressed through the compensation provisions.

Query whether we need a provision that requires the Corporation to pay its contractors. Although they aren't precluded from litigation under their contracts, we wouldn't want the Corporation to find a way not to pay them for their costs incurred.

Lenders' rights – ENE LSB to follow up with Malle Hanslep

5. Extinguishment of causes of action

Is "in respect of the project or the site" sufficient to catch contractors?

This section should have effect as of the date of the RFP by which the Corporation was selected for this project. ENE LSB to confirm.

Once the outcome of the site is determined, we will be able to address expropriation – for now, please assume no expropriation (as you have).

6. Compensation

Payment will be made to the Corporation – it would then need to sort out its own obligations to make to contractors and suppliers.

Project development expenses would commence at date of OPA agreement, you proposed. End date for reasonable expenses is the repudiation date.

The expenses incurred by not yet paid would be (i) pursuant to a contract between the Corporation and a third party (ii) for work or equipment to be provided in relation to the project and at the site (iii) unavoidable (for want of a better word) by the Corporation (in other words, if they can mitigate, they must).

I expect that my client will prefer not to address legal fees directly.

Compensation if the Crown takes the land still needs to be determined – one option that I've heard is that Crown will buy for fair market value, as is and then do any post-acquisition work through Infrastructure Ontario.

Accounting should include provision of contracts as well.

Fisher, Petra (ENERGY)

From: Arp, Jeff (ENE)
Sent: November-10-11 11:34 AM
To: Pitkeathly, Doreen (ENERGY)
Cc: Lindsay, Ken (ENERGY)
Subject: medium-sized favour

Doreen,

I have six outstanding correspondence items from September regarding the construction of what we have been calling the Greenfield South gas-fired generating station. It occurred to me that you may have received similar correspondence and sent replies that might allow me to close those files. Would you mind checking for me, and providing any replies that were sent?

E-mails were sent by the following five individuals between Sept 20-22: Ronald Middel, Sandy Schroder, Shiyamala Devan, Christine Sheehan, and Grant Ruffle.

A September 19 letter was sent by Anna Abbruscato on behalf of the Dufferin Peel Catholic DSB.

Sorry for being a tad high-maintenance ☺

Jeff

Cayley, Daniel (ENERGY)

From: Calwell, Carolyn (ENERGY)
Sent: November-10-11 12:22 PM
To: Rehob, James (ENERGY)
Subject: IESO Approvals - Additional thoughts

Hi James,

For Greenfield, it's not clear to me whether IESO would have granted an "approval" for this project. If approval has been granted, 2 questions: 1) can it be revoked; 2) do we need to include it in the list of approvals in the legislation?

In conversation yesterday, Ryan suggested that Greenfield probably has an agreement with the IESO (or will need one). I wonder if we need to deal with that as well.

Carolyn

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Cayley, Daniel (ENERGY)

From: Perun, Halyna N. (ENERGY)
Sent: November-10-11 12:24 PM
To: Jennings, Rick (ENERGY)
Cc: King, Ryan (ENERGY)
Subject: RE: gas plant in BC

Rick - thank you. This is helpful. I'd like to provide your text to Malliha as she's likely to want to know about this.

Halyna

Halyna N. Perun
A/Director
Legal Services Branch
Ministries of Energy & Infrastructure
777 Bay Street, 4th Floor, Suite 425
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From: Jennings, Rick (ENERGY)
Sent: November 10, 2011 12:13 PM
To: Perun, Halyna N. (ENERGY); Lindsay, David (ENERGY)
Cc: King, Ryan (ENERGY)
Subject: RE: gas plant in BC

No, I don't know specifically what the reference was to.

Glen Clark was Premier from 1996 to 1999, during his term a proposal to build a natural gas line from the Mainland to Vancouver Island went forward this included supply gas to several generators to be built on Vancouver Island. The proposed Port Alberni gas station was to be owned by B.C. Hydro. The proposal for the proposed Port Alberni plant was withdrawn in 2001 from Environmental Assessment but it was not under construction. In any event, the Government would have been able to stop a B.C. Hydro project very quickly.

In 2006, B.C. Hydro awarded two 30 year contracts for coal powered projects. In 2007, the Government announced a new policy that would require coal projects to have carbon capture and storage which is not currently technologically or economically feasible. This effectively killed the projects.

From: Perun, Halyna N. (ENERGY)
Sent: November 10, 2011 9:05 AM
To: Jennings, Rick (ENERGY)
Cc: King, Ryan (ENERGY)
Subject: gas plant in BC

Hi Rick – last night there was a reference to a gas plant being stopped in BC in two days – do you know more about this? I can ask our student to look into this but thought I'd follow up with you to see if you had any further info on how that was stopped – thank you

Halyna

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Cayley, Daniel (ENERGY)

From: Rehob, James (ENERGY)
Sent: November-10-11 12:46 PM
To: Calwell, Carolyn (ENERGY)
Cc: Perun, Halyna N. (ENERGY)
Subject: RE: Update on Gas Plant matters

Privileged & Confidential Legal Advice / Solicitor & Client Privileged

November 10, 2011

Hi, Carolyn – Here is an update on matters related to the legislation:

- Just spoke to Catherine McNaughton – she knows we'll be sending instructions by end of day, however she notes that (i) their office is closed tomorrow and, due to renovations and weekend, we likely won't see a next draft until early next week (Monday).
- Conversation with Myra: The highlights of that conversation were:
 - o CLOC (Tom Marshall now retired) felt that there had to be a policy reason *[I read as nexus]* between the proposed Bill to nullify the authorizations, etc. re. Adams Mine and environmental policy. The policy rationale ultimately identified was that Government no longer wanted waste to be injected into lakes. Myra noted that it would be helpful to find an "energy" policy reason, and Myra and I discussed the legitimacy of rationale such as requiring that gas plants no longer be built *close* to populated areas, communities etc. - the notion of amending other legislation to reflect what ever reason is ultimately identified, such as the OEBA and the EA, in order to embed these related amendments into the appropriate legislation. Creating a policy rationale beyond the Adams Mine Act was intended to assist the Crown in fending off ongoing litigation, including trade disputes which might (and did) arise. So far its unclear whether these ancillary amendments have actually reduced litigation risk for the Crown as the one trade dispute that arose appeared to fail on unrelated grounds (failure to identify a US investor).
 - o Our proposal goes beyond the intended scope of the Adams Mine legislation since MOE did not have actual contracts to deal with, but only the extinguishing of previously issued approvals.
 - o Compensation issues were quite difficult and challenging – they took time to settle and (from Myra's recollection) ultimately landed on sunk costs and did not attempt to compensate for lost revenue.
 - o Other changes could be considered including revisiting the OEB's role in addressing environmental and land-use matters (from an energy perspective) in the IPSP – raises issues related to the appropriate scope of OEB authority over environmental matters generally, and in respect of the IPSP in particular.
- Malle – left vm message and sent email, awaiting call-back.
- Resourcing: I may to enlist the assistance of others (David?) in order to address discrete issues – perhaps we can discuss – thanks!

Carolyn, I'm looking into the IESO approvals question and I'll come back to you on that when I have a clearer answer.
James

From: Calwell, Carolyn (ENERGY)
Sent: November 10, 2011 10:10 AM
To: Rehob, James (ENERGY)
Subject:

My instructions, based on the draft received, so far. I'm off the phone if you now have time.

Carolyn

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Cayley, Daniel (ENERGY)

From: Perun, Halyna N. (ENERGY)
Sent: November-10-11 12:57 PM
To: Jennings, Rick (ENERGY)
Cc: Lindsay, David (ENERGY); King, Ryan (ENERGY); Calwell, Carolyn (ENERGY)
Subject: RE: gas plant in BC

Hi – We received the below information from CLOC – Jamison might have been referring to the Duke Point gas plant – which (a) is not in Glen Clark's time and (b) had an "escape clause" in the contract – which is not the case here. Our student is doing a bit of further research on PO's question.

We understand that the PO is looking for background information on a BC power plant project that was apparently terminated quite quickly and without difficulty. Although MEI has not been able to provide us with any details of the specific case the PO is referencing, we assume that they are thinking of the cancellation of the Duke Point gas plant in 2005.

We have gathered background information regarding the termination of the Duke Point gas plant from media reports available on the internet. The essential elements of the situation seem to be as follows:

In November 2004, BC Hydro announced that it had signed a 25-year "energy purchase agreement" with Duke Point Power LP ("Duke") to build a 262-megawatt gas-fired plant in the Duke Point industrial area of Nanaimo. There was considerable local opposition to the project and, on June 17, 2005, BC Hydro announced that it was abandoning the project. BC Hydro relied on an "escape clause" included in their contract with Duke that allowed them to walk away from the project. While Hydro's official position for terminating the project was "a lack of time to meet the expected short-fall of power", it appears from the media coverage that local opposition and other variables motivated the decision.

We have not been able to locate the precise text of the "escape clause" in the media reports on this matter and, therefore, we are not really in a position to comment on the details of the provision. In any event, the ARCES Contract between the OPA and Greenfield does not include any kind of similar "termination for convenience" provision that the OPA could rely on in this case.

We note that BC Hydro was required to pay Duke \$5.5 million for terminating the agreement. BC Hydro also had to write off \$120 million that it had already invested in the project.

Halyna

Halyna N. Perun
A/Director
Legal Services Branch
Ministries of Energy & Infrastructure
777 Bay Street, 4th Floor, Suite 425
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Ph: (416) 325-6681 / Fax: (416) 325-1781
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Sent: November 10, 2011 12:13 PM
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Cc: King, Ryan (ENERGY)
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Cayley, Daniel (ENERGY)

From: Rehob, James (ENERGY)
Sent: November-10-11 1:50 PM
To: Calwell, Carolyn (ENERGY)
Cc: Perun, Halyna N. (ENERGY)
Subject: RE: Update on Gas Plant matters

Privileged & Confidential Legal Advice / Solicitor & Client Privileged

November 10, 2011

Hi, I spoke to Malle Hanslep, Dep Director at MOF,

-Although she indicated that she did not have any specific experience on legislation relating to the cancellation of contracts, she had some helpful insights including

-Contacting the OPA to determine (with precision) who the financiers are, and what follow-on contracts (and parties) would be directly effected by the cancellation, and to seek CLOC's advice regarding the extent to which we can cancel such contracts, extinguish liability and draft defensive provisions accordingly.

-This begs the question as to whether I can speak to the OPA about these issues - perhaps you can let me know if and if so, who, I may contact.

-she noted that there may be some value in discussing the financial aspects with IO who has more experience in lending arrangements;

-She mentioned the *Hydro One: Directors and Officers Act* in relation to the termination of Clitheroe (previous President and CEO of H1) and the H1 Board as another example of "termination" legislation beyond the *Adams Mine Act*. I am now reviewing this legislation in case it provides fodder for drafting, etc.; Malle also mentioned a matter involving Jean Cretien cancelling an air port as well as Bob Rae being sued for promising to cancel some kind of reclamation site – I will try to follow up on these matters as well, as time permits (I may ask Amanda to assist as her time permits).

Confidential - Timing: Both Catherine and Malle discussed with me the potential of including this as a Budget Bill item, although it appears that this years Budget Bill is quite small and I did not pursue issues with her, leaving that open for a further conversation. Neither had any specific information about whether this option was being pursued at the centre.

-I'll cc you both on the instruction set I provide to Catherine.

Thanks!

James

From: Rehob, James (ENERGY)
Sent: November 10, 2011 12:46 PM
To: Calwell, Carolyn (ENERGY)
Cc: Perun, Halyna N. (ENERGY)
Subject: RE: Update on Gas Plant matters

Privileged & Confidential Legal Advice / Solicitor & Client Privileged

November 10, 2011

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Sent: November 10, 2011 10:10 AM
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Subject:

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Carolyn

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Cayley, Daniel (ENERGY)

From: Kacaba, Jennifer (ENERGY)
Sent: November-10-11 2:08 PM
To: Calwell, Carolyn (ENERGY)
Subject: FW: Chart for Binder
Attachments: Greenfield South Public Comment - JK edits.doc

Importance: High

[a few small edits in track changes for your consideration](#)

From: Calwell, Carolyn (ENERGY)
Sent: November 9, 2011 6:28 PM
To: Kulendran, Jesse (ENERGY)
Cc: Perun, Halyna N. (ENERGY); Kacaba, Jennifer (ENERGY)
Subject: Chart for Binder

I would suggest that this version would be most preferable, to the extent that we have the opportunity to switch it.

Carolyn

Greenfield South - Public Documents

Policy Rationale:

The 280 MW gas-fired generation facility, under construction at 2315 Loreland Avenue, has received significant local opposition from citizens and local civic leaders from the time of the award of a Clean Energy Supply contract to Greenfield South Power Corporation in 2005 to date. The City of Mississauga has filed resolutions opposing the facility at its current location. In response to this opposition, the government asked the Ontario Power Authority to engage Greenfield South Power Corporation in finding an alternative location for the plant. These discussions, if unsuccessful, may necessitate more prescriptive measures to stop the plant going forward.

The following provides examples of the public comment of which the Ministry is aware on this matter.

Number	Title	Date	Brief Description
1	City of Mississauga Report MG.01.REP EC.14.LOR	January 26, 2006	Staff report to the Council of the City of Mississauga regarding Request for Individual Environmental Assessment Greenfield South Power Project Eastern Power Limited (Ward 1) recommending that the Commissioner of Transportation and Works be authorized to forward a letter to the Minister of the Environment request that the Minister review and vary a decision to deny the request for elevation of the project an individual Environmental Assessment. Documents the City staff's environmental concerns, including municipal water servicing, destruction of the natural environment and non-compliance with the City's Official Plan.
2	Correspondence	March 6, 2006	Correspondence from Markland Homes Association to the Minister of Energy regarding meeting with CHIP and expressing concern about the impact of the Greenfield South Power Project on the community.
3	Correspondence	February and March, 2006	Correspondence from an individual to the Minister of Energy regarding concern about the potential harm of a power plant close to residence.
4	City of Mississauga Minutes of Session 18	October 24, 2007	Report of Closed Session discussion of OMB Decision on Appeals by Greenfield South Power Corporation resulting in a resolution that the City of Mississauga not continue with a Motion

			to the Divisional Court seeking leave to appeal the decision of the Ontario Municipal Board in the matter of certain appeals by Greenfield South Power Corporation.
5	Letter requesting information	July 21, 2008	Letter from Mayor McCallion to Minister of Energy regarding the status of the Eastern Power project so that the citizens who strongly objected to the Eastern Power project may be informed.
6	Letter	August 20, 2008	Letter from Minister of Energy and Infrastructure to Mayor McCallion regarding the status of power procurement activities in the southwest Greater Toronto Area and addressing environmental considerations related to Greenfield South.
7	Correspondence	November 2, 2008	Correspondence from area resident to Minister of Energy and MPP Mississauga - South regarding Town Hall Meeting on 28 th October 2008 and expressing fear about power plants in neighbourhood.
8	Miscellaneous Correspondence	Various, 2009	Correspondence from various individuals to the Minister of Energy and local MPP regarding concern for the Greenfield facility. <u>Most of correspondence is from local residents.</u>
9	Letter enclosing report	September 28, 2009	Letter from Mayor McCallion to Minister of Energy concluding there is no need for this plant based on enclosed report entitled Demand and Supply Considerations Oakville & Mississauga Areas dated September 17, 2009, providing assessment of OPA's load forecasting for the area designated Southwest GTA, an overview of the present and future loads.
10	Why new natural gas power plants are a good fit for the GTA [NOT!]	April 25, 2010	Statement from Mississauga Residents Associations' Network (MIRANET) – Clean Air Subcommittee in response to Toronto Star Opinion Column. Responds to TransCanada's proposal for gas plant in Oakville and expresses concern about natural gas plants generally.
11	Correspondence	May 4 5, 2010 & <u>May 5, 2010</u>	Letters from Mayors McCallion, Burton and Trainer of Mississauga, Oakville

			and Haldimand respectively to the Minister of Energy expressing concern about fossil fuel generation in the Clarkson Airshed <u>and supporting conversion of Nanticoke into biomass and gas plant.</u>
12	Miscellaneous Correspondence	October 2010	Correspondence from various individuals <u>(including local residents, a city councilor and a Homes Association)</u> to the Minister of Energy and local MPP regarding concern for the Greenfield facility.
13	City of Mississauga Report EC.14.POW	February 8, 2011	Staff report to Planning and Development Committee regarding Proposed Review of the Land Use Planning Framework for Power Generation Facilities recommending that the Committee provide staff with direction on a preferred scope for a review of the land use planning framework for power generating facilities. Notes that "the issue of power generating facilities and their appropriate location has been a recurrent issue for the last decade".
14	Miscellaneous Correspondence	April, June 2011	Correspondence from various individuals <u>(including local residents, local counselors)</u> to the Premier, various Ministers and MPPs regarding concern for the Greenfield facility, with replies where available.
15	Resolution 0173-2011 of the Council of the City of Mississauga and related Minutes	June 22, 2011	Resolution by the Council of City of Mississauga to request from the Minister of the Environment a Full Environmental Assessment to be conducted on the Greenfield South proposal. Outlines Mississauga Council's concerns over location of the plant in a densely populated urban area and implications for emissions in the Etobicoke Lakeview airshed.
16	Request for Full Environmental Assessment from the City of Mississauga	June 24, 2011	Letter from Mayor McCallion to Minister of Energy regarding Mississauga Resolution 0173-2011 requesting a full Environmental Assessment following the Minister's statement that there would be a review of the Greenfield South power proposal for new environmental evidence. Outlines Mississauga Mayor's concerns over

			location of the plant and concern about health implications for residents of Mississauga.
17	Miscellaneous Correspondence	July 2011	Correspondence from various individuals <u>(including local residents and the Mayor of Mississauga)</u> to the Premier, various Ministers and MPPs regarding concern for the Greenfield facility, with replies where available.
18	Recommendation GC- 0469-2011 of the Council of the City of Mississauga and related Minutes	July 6, 2011	Recommendation adopted by the Council of the City of Mississauga that endorses the report entitled " <i>Provincial Election 2011: Summary of Key Issues for the City of Mississauga</i> " and additional question for provincial political parties as follows: "would your party ensure a full Environmental assessment is conducted on the Greenfield South Power plant proposal" and "will you as a Provincial candidate oppose the construction of the Greenfield South power plant"
19	Greenfield South Power Plant - Council Motion	July 8, 2011	Motion to the Council of the City of Mississauga requesting that Minister of Environment to conduct a Full Environmental Assessment and that the Minister of Energy conduct a full review to determine the necessity of manufacturing 280 MW in a densely populated urban area and consider alternatives to the proposal.
20	Miscellaneous Correspondence	August 2011	Correspondence from various individuals <u>and local residents</u> to the Premier, various Ministers and MPPs regarding concern for the Greenfield facility, with replies where available. <u>Some of the correspondence criticizes a July 28th public information session on the power plant.</u>
21	Letter from the Ontario Liberal Party	August 19, 2011	Letter from Premier McGuinty to Mayor McCallion enclosing responses to the City of Mississauga's provincial election questionnaire.
22	Miscellaneous Correspondence	September 2011	Correspondence from various individuals <u>(including local residents and a school board)</u> to the Premier, various Ministers and MPPs regarding concern for the Greenfield facility, with replies where available.
23	Miscellaneous	October 2011	Correspondence from various

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	Correspondence		individuals <u>(including local residents and the Mississauga Mayor)</u> to the Premier, various Ministers and MPPs regarding concern for the Greenfield facility, with replies where available.
24	Statement from Charles Sousa MPP	October 25, 2011	The government remains committed to the relocation of the plant, as well as developing more rigorous controls for location choices in future projects.
25	Miscellaneous Correspondence	November 2011	Correspondence from various individuals to the Premier, various Ministers and MPPs regarding concern for the Greenfield facility, with replies where available.
26	Petition	To November 7, 2011	Petition to STOP the Sherway Power Plant in Mississauga/Etobicoke as the plant is near a waterway and a hospital and will result in damage to people, the environment and wildlife. Received 2,187 signatures to November 7, 2011
27	Greenfield South Power Corporation - Detailed Chronology	Undated	Chronology of events leading up to the approval and construction of the Greenfield South plant, beginning with the OPA's RFO for 'Clean Energy Supply' in September 2004, prepared by staff of the City of Mississauga. Includes history of zoning by-law appeals to the OMB
Section B			
1	Eastern Power Update - Ward 1 Councillor's Report	Spring/Summer 2006	Reports on site plan approval and release of the holding provision to permit construction of a 280 MW power generating facility.
2	Proposed plant could be online by 2012	March 13, 2009	Reports of Ontario Municipal Board hearing at which the City of Mississauga provided evidence that it made changes to its by-laws as ordered by the OMB in 2007. Documents residents' concerns about lack of public input upon award of contract. Quotes Sherway Homeowners and Recreational Association and Concerned Homeowners for Intelligent Power, which is characterized as a consortium of 8 ratepayers groups.
3	Permit issued for power plant – Mississauga.com	June 1, 2011	Report of building permit issued for construction of the 280 MW power plant and concerns of the Coalition of

			Homeowners for Intelligent Power and the Mississauga Residents' Associations Network related to its location near homes, Trillium Health Centre West Toronto and Etobicoke Creek.
4	Power plant becomes election issue - Toronto Star	June 12, 2011	Following the issuing of the building permit for the plant, which despite the OMB ruling in 2007 was not issued until 2011, residents groups opposing the project, including Markland Wood Homeowners Association, representing 1,300 Etobicoke homes, vowed to make the plant an election issue in the Provincial election. Former Energy Minister and Etobicoke MPP Donna Cansfield announced her intention to fight the project, stating "this plant should not be built while there is any question as to its safety or necessity." Documents concerns of the.
5	MOE to review power plant – Inside Toronto	June 15, 2011	Report of Minister of Environment John Wilkinson's statement that the plans for the power plant would be reviewed in light of recent construction of a new set of condominium towers near the site and reaction of the Coalition Homeowners for Intelligent Power, which has opposed the plant since 2005..
6	Greenfield South Power Plant – Mississauga.com	July 8, 2011	Open letter from Mayor Hazel McCallion and Councillor Jim Tovey detailing the history of the project and stating that the City had run out of options with regard to opposing the proposal once the OMB decision amended the City's Official Plan and Zoning By-law. The Chief Building official was bound to issue a building permit once the project complied with required laws.
7	Calm crowd attended power plant meeting – Inside Toronto	August 12, 2011	Letter to the Editor providing an account of a meeting about the future power plant, characterizing the meeting as "grass roots democracy in action".
8	Group holds power plant rally – Mississauga.com	August 23, 2011	Provides notice of a rally to be held on September 15, 2011 for citizens concerned about the power plant, organized by Coalition of Homeowners for Intelligent Power, apparently

			representing 14,000 homes, with participation from the Mississauga Residents' Associations Network.
9	Residents ramp up power plant fight – Inside Toronto	Sept 16, 2011	Reports that hundreds of residents protested near the plant's location. Discontent has grown since the construction on the site began despite the Environment Minister's pledge to review the approval of the plant obtained in 2008. The purpose of the protest was to urge the Premier to cancel the project. Rally organizers called for residents to make the power plant an issue in the provincial election.
10	Power plant review ongoing – Inside Toronto	Sept 19, 2011	Ongoing environmental review not complete, but residents asking that the review be completed before the Provincial election. Ministry of Environment spokesperson said that it was too early to speculate on when the review will be complete, what the outcome will be, and whether cancellation of the project is an option.
11	Politicians should stop playing with Ontario's electricity –	Sept 29, 2011	Opinion piece by Tom Adams regarding the announcement from the Liberals that if elected, the Greenfield Plant would be relocated. Criticises the announcement as a political move to secure votes, with a lack of information provided regarding costs of the cancellation, including replacement generation. Also criticises the energy-related campaign promises of other political parties. With all 3 parties now in opposition to the plant, there is no debate on the wider issues associated with the cancellation.
12	Construction continues at Mississauga power plant – National Post	Oct 24, 2011	One month after the Liberals decided to halt the Greenfield project, construction is still ongoing. A generator was seen being delivered to the site. Spokesperson for the Ministry stated that there hasn't been time to work out the details of the cancellation yet, but that the government is committed to relocating the plant. Critics remain sceptical that the promise to relocate the plant was genuine.
13	New Generator Unplugged for	Oct 24, 2011	Article with criticism from both PC and NDP leaders on the continued

	Power Plant – Toronto Sun		construction of the plant. Both party leaders state that the longer construction continues, the greater the cost will be to tax payers if and when the plant is relocated.
14	Liberals in talks to move plant – Mississauga.com	Oct 26, 2011	Ministry of Energy spokesman stated that discussions to relocate the plant are taking place, and that no legislation will be required to halt construction of the plant. Criticism by the opposition and residents persists as construction on the plant continues. Refers to Applewood Acres Homeowners Association.
15	Miscellaneous	Between February 2, 2006 and November 2, 2011	Reports from miscellaneous sources related to the Greenfield South power plant.

Section C			
1	Bill 8		Bill 8, The Separation Distances For Natural Gas Power Plants Act, 2010, a Private Members Bill
2	Official Report of Debates (Hansard)	March 22, 2010	Introduction of Bill 8
3	Correspondence	April 23, 2010	Correspondence from an individual to the Premier, the Minister of Energy, the Minister of Environment and MPP in support of Bill 8.
4	Correspondence	March 24, 2011	Correspondence in support of Bill 8.

Fisher, Petra (ENERGY)

From: Rehob, James (ENERGY)
Sent: October-02-12 8:06 PM
To: Rehob, James (ENERGY)
Subject: FW: Research re. Greenfield South Project

From: Rehob, James (ENERGY)
Sent: Thursday, November 10, 2011 2:29 PM
To: Letourneau, Amanda (ENERGY)
Subject: RE: Research re. Greenfield South Project

From: Rehob, James (ENERGY)
Sent: November 10, 2011 2:19 PM
To: Letourneau, Amanda (ENERGY)
Subject: Research re. Greenfield South Project

Privileged & Confidential

November 10, 2011

Hi, Amanda. We're working on some pretty urgent and confidential matters related to the cancellation of the Greenfield South power plant, and I will need your ongoing assistance until we have the Bill in the House. To begin with,

1. Would you please research the by-laws for Mississauga in order to identify (and provide to me) by-laws related to demolition and site remediation? Come and discuss
2. Can you come see me to discuss how we might determine whether land (the Greenfield site, which is part of Lot 3 of Concession 1, Municipal Address is 2315 Loreland Avenue) **has municipal services at the site (such as electricity, sewage, water etc)**

Thanks, and come see me to discuss - James

James P. H. Rehob
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Ministry of Energy and
Ministry of Infrastructure
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Fisher, Petra (ENERGY)

From: Kovesfalvi, Sylvia (ENERGY)
Sent: November-10-11 2:32 PM
To: 'McMichael, Rhonda (CAB)'
Cc: Sharkawi, Rula (ENERGY)
Subject: Mississauga Gas Plant - Media Scan - 20111110.doc
Attachments: Articles - Mississauga Gas Plant 9.26.11-11.10.11.pdf; Mississauga Gas Plant - Media Scan - 20111110.doc

Media clippings
removed

Hi Rhonda –

We've been updating our Greenfield media scan on a regular basis.

Attached is our most recent, in case it's helpful to the 4pm meeting.



Media Scan

Mississauga Gas Plant

September 26, 2010 – November 10, 2011

Media Scan Summary

Date Range of Scan

September 26, 2010 – November 10, 2011

Analysis

- While the issue of a potential gas plant siting on Loreland Avenue in Mississauga had existed since 2007, no activity had taken place since the Ontario Municipal Board ruled against an appeal to stop the plant going ahead, and the issue was dormant until June 2, 2011 when it was revealed that a building permit had been issued to Eastern Power to construct the plant.
- The plant quickly came to be described as an election issue, and sitting local MPP Donna Cansfield (a former energy minister) expressed her opposition to the plant. The Premier's June 20 comment "There's never a wrong time to do the right thing" was often referred to in the weeks and months to come.
- On July 25, it was reported that construction was going ahead on the site. This spurred new criticism from citizens doubtful that the province was likely to stop a plant that was already being built.
- The Liberals announced on September 24 that they would close the plant if re-elected. Initial response to this announcement was critical, seeing the move as a "flip-flop", "desperate" or "cynical". However, after the election, political commentators suggested the move did not harm – and may have benefited – Liberal incumbents in the area.
- On October 24, the Progressive Conservatives drew attention to the ongoing construction of the plant, and freshly appointed energy minister Chris Bentley issued a statement committing to relocate it.
- The issue has continued to be raised since then in scrums with the Premier and Minister Bentley. Both reiterate the government's commitment to relocate the plant but give little other detail about negotiations with Eastern Power.

Key Quotes

Date	Quote	Who	Source
November 9, 2011	"Discussions are still underway. I have nothing new to report at this time."	Premier McGuinty	Media Availability Transcript, November 9, 2011
November 9, 2011	Citizenship and Immigration Minister Charles Sousa, whose Mississauga South riding borders the power plant, emphasized it would close. Before cabinet on Tuesday, he said he could appreciate the concerns that residents have when trucks are rumbling toward the bustling worksite in spite of election campaign assurances. "We are going to have the plant relocated and we are in the process of doing that," said Sousa. "I don't want to divulge things that will compromise the situation."	MPP Charles Sousa	Toronto Star, November 9, 2011
November 9, 2011	"I'm not going to get into the minute-by-minute discussions about various parts of this. It would be my hope to see a resolution to this as quickly and expeditiously as possible."	Energy Minister Chris Bentley	Canadian Press, November 9, 2011

November 2, 2011	"We've committed to relocate the plant. There are discussions ongoing between the OPA and Eastern. I'm hoping for an early as resolution to those discussions as possible, and as fair a resolution to all parties as possible. It would be not be in the interest of either the discussions or the people of Ontario if I engage in a minute-by-minute comment on the proceedings."	Energy Minister Chris Bentley	Pre-Cabinet Scrum Transcript, November 2, 2011
November 2, 2011	"We are working on it. It has been a bit more complicated than we originally anticipated. But we will relocate that plant. [...] Discussions are ongoing. That's all I can say at this point."	Premier Dalton McGuinty	Pre-Cabinet Media Availability Transcript, November 2, 2011
October 26, 2011	"It was a dumb place to put it, a dumb place to have it. There was a lot of mistakes. I'm not here to defend it. I'm just here to make sure it gets fixed." "We're going to have it removed. The commitment is that it will be done."	Mississauga South MPP Charles Sousa	Mississauga News, October 26, 2011
October 24, 2011	"The Ontario government is committed to relocating the natural gas plant originally planned for Mississauga. The government will work with the company to find a suitable location for this plant. More information will become available as discussions progress."	Energy Minister Chris Bentley	Minister's Office
September 24, 2011	"A re-elected Liberal government will move swiftly and without delay to work with the developer to move this plant away from homes, schools and hospitals."	Mississauga South MPP Charles Sousa	National Post, "Construction hasn't stopped at Mississauga power plant", October 24, 2011
February 12, 2011	"There is a continuing, productive conversation with TransCanada ... There's really nothing to report by way of specifics at this point in time."	Premier Dalton McGuinty	Toronto Star
October 2010	"I'm proud to be a part of a government that has listened to this community and made the responsible choice to protect our sensitive airshed. I'm very happy to say that no new gas plant will be built in Oakville or Mississauga."	Mississauga South MPP Charles Sousa	Toronto Star, June 13, 2011
October 2010	Changes in the province's electricity picture since the Oakville plant was proposed "made it clear this proposed natural gas plant is no longer required."	Energy Minister Brad Duguid	Toronto Star, June 13, 2011

October 7, 2010	<p>The 900-megawatt Oakville facility, adjacent to the Ford factory and one kilometre from homes and schools, was no longer needed. "Nor will this plant be moving forward elsewhere in the GTA." Duguid said extra power the Oakville area needs in future will come through transmission lines, but wasn't specific on what that would entail.</p> <p>However, circumstances are "completely different" for a power plant in York region, the minister stressed. That contentious facility, to be built on a flood plain in a Progressive Conservative riding, is still going ahead.</p>	Energy Minister Brad Duguid	Toronto Star
October 7, 2010	<p>The Liberals are expected to say the Oakville plant was approved at a time when there "was a need to replace coal and to address needs of local reliability" for the electricity supply.</p> <p>"This is no longer the case and there is no need for a gas plant in the southwest GTA" and electricity to meet the area's needs can now be carried in on transmission lines from elsewhere, a government insider said.</p>	Unnamed government spokesperson	InsideHalton
October 7, 2010	<p>"As we're putting together an update to our Long-Term Energy Plan, it has become clear we no longer need this plant in Oakville. With transmission investments we can keep the lights on and still shut down coal-fired generators."</p>	Energy Minister Brad Duguid	InsideHalton
October 7, 2010	<p>"Our new Long Term Energy Plan will reflect changes in supply and demand over the last few years and in putting together this Long Term Energy Plan it has become clear that the Province no longer needs this proposed natural gas plant here in Oakville. Four years ago, when the need for this plant was first identified we were working to address local reliability issues and the need to build cleaner supply as we phased out dirty coal fire generation by the end of 2014. I am pleased to share with all of you today that because of the changes in demand and the progress of our plan, because of the power we are saving</p>	Energy Minister Brad Duguid	InsideHalton

	through our conservation programs and because of the investments we've made that have increased supply from clean and renewable resources, reliability has been strengthened."		
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Key Articles	
Media Outlet	Summary
Toronto Star November 10, 2011 Robert Benzie	Power plant will close even if finished, Liberals insist – Robert Benzie reports the Liberal Party insists a power plant still being constructed in Mississauga will be closed even if the plant is completely built. Energy Minister Chris Bentley said Tuesday that the province is committed to relocating the plant and that he has no new progress to report. Premier Dalton McGuinty echoed the statement, adding, "Discussions are still underway." Citizenship and Immigration Minister Charles Sousa, MPP for Mississauga South, which borders the power plant, said Tuesday that he understands the concerns of residents, but refused to comment on the ongoing discussions over concerns that that could "compromise the situation." Progressive Conservative MPP Jim Wilson (Simcoe-Grey) said the Premier "misled" Ontarians, and that every additional day of construction work is costing taxpayers. Because negotiations between the OPA and Eastern are supposedly continuing, Wilson said the government could easily go to court to get a stop-work order and halt construction.
Waterloo Region Record November 5, 2011 Editorial	Liberals bungle new power plant – An editorial in the Waterloo Region Record says that whether the Ontario Liberals keep building a new power plant in Mississauga or honour their promise to kill it, they have exposed themselves as inept managers of a major public project. Either way, they will have botched an important part of their energy policy - an area in which they are supposedly experts. And if the Greenfield South gas-fired power plant is axed, they will waste a shocking amount of money - how much they refuse to say - in a year Ontario faces a \$16 billion deficit.
Toronto Star November 3, 2011 Robert Benzie and Rob Ferguson	Hard to stop gas-fired plant in Mississauga, Liberals admit - Yesterday, Premier Dalton McGuinty the relocation of the Mississauga gas plant has been "a little bit more complicated" than the Liberal Party originally expected. During a tense exchange with reporters yesterday, Energy Minister Chris Bentley refused to get into specifics on the talks apparently going on between the Ontario Power Authority (OPA) and Eastern Power, which is still building the plant. PC Leader Tim Hudak has warned the government is "making the (financial) hole ever worse" by drawing out the move of the plant.
Toronto Sun October 28, 2011 Christina Blizzard	Rural Ontario zapped by Grit power policy - Toronto Sun columnist Christina Blizzard suggests that the government's promise to relocate the Greenfield South power plant "makes it sound as if some giant crane will come along, pluck it up in one piece from the residential area where it's now located and plunk it down in a field close to nowhere. That's not going to happen. The plant was well on its way to completion. Changing plans now will cost hundreds of millions of dollars --a disgraceful waste of time and money." Blizzard calls on the Minister to have some courage when it comes to where cancelled power plants in Mississauga and Oakville

	will now be located, noting, "Sure, you don't place a gas-powered plant next to a school. But sometimes, you have to do the right thing and put it close to a residential area."
National Post October 25, 2011 Tristin Hopper	Construction hasn't stopped at Mississauga power plant - Construction is still underway at a gas-fired Mississauga power plant the Ontario Liberals promised to move during the recent provincial election. Conservative Leader Tim Hudak says the arrival of a huge generator at the site of the Mississauga power plant will make the facility even more expensive to relocate and is questioning why construction is continuing on the site after the Liberal government promised to relocate the plant. He is also concerned about how much the province will be forced to pay in compensation to plant owner Greenfield South Power Plant. Hudak said, "This Mississauga power plant was supposed to have been cancelled by Dalton McGuinty during the election campaign. It's now 18 days later and the plant is ... (still being) built. In fact, this is the most expensive component of what's probably a \$300 million to \$400 million project. Are they now breaking a promise only three weeks after the election?"
September 29, 2011 The Globe and Mail Adam Radwanski	Liberal Leader's decisive image takes shock from power-plant pledge – Adam Radwanski writes that the Liberals gave the appearance of panic by promising to scrap a gas-fired power plant being built in Mississauga - undermining the "steady hand at the tiller" pitch the two-term Premier has been making to voters. Uncertainty about the plant's future - the Liberals have said it will be "moved" - also adds to the sense, says Radwanski, that Mr. McGuinty is flying by the seat of his pants.
September 29, 2011 National Post Tom Adams	Stop playing with Ontario's electricity - Tom Adams is critical of the Liberal party commitment to relocate the planned gas plant for Mississauga, and argues that because all three parties support not locating a plant in Mississauga there will be no debate on the wider issues associated with the cancellation of the generator, specifically regarding political interference with energy planning. He cites the most recent 18-month outlook from the IESO which states "A new natural gas generation plant is essential in the southwest GTA. It is critical for supporting the elimination of coal-fired generation by 2014 and to meet the electricity needs of a region whose peak load has grown more than twice as quickly as the provincial average."
September 27, 2011 Toronto Star Editorial	Energy NIMBYs win – A Toronto Star editorial writes that it's all too predictable that Liberal Leader Dalton McGuinty is promising to pull the plug on a gas-fired power plant in Mississauga. An earlier editorial in this space said that on the eve of a provincial election, in a hotly contested riding, there was no practical way the government would hold firm. As if on cue, less than two weeks before voting day, the Liberals announced that "a compelling local argument," plus nearby condo expansion, led them to conclude that the plant was ill-advised. McGuinty insisted the reversal's pre-election timing was a coincidence. One wonders how he could keep a straight face. The retreat marks the second time in less than a year that McGuinty's government has given up on building a power plant serving the southwest Greater Toronto Area. Last October the government axed a 900-megawatt gas-fired plant proposed for Oakville after strong opposition from well-heeled residents. This from a premier who once boldly declared that "NIMBYism will no longer prevail" in his Ontario.
September 25, 2011 Canadian Press Diana Mehta	McGuinty defends scrapping power plant as PCs pounce on 'desperate' Liberals - A quiet weekend pledge to scrap a gas-fired plant west of Toronto forced Ontario's election-minded premier onto the defensive Sunday as his political rivals slammed the move as a crass attempt at grabbing votes. In a barely publicized announcement on Saturday, four local Liberal candidates made the promise to stop

	<p>construction of the 280-megawatt natural gas-powered facility in Mississauga, Ont. At a campaign stop, Premier Dalton McGuinty gamely defended the decision amid questions about the timing of the low-key announcement that came less than two weeks before the Oct. 6 vote. McGuinty said the community had changed significantly since the plant was proposed in 2005, which was why his party had changed tack. But the opposition parties pounced on the move, with Tory Leader Tim Hudak denouncing McGuinty's "latest flipflop."</p>
<p>Toronto Star June 21, 2011 San Grewal</p>	<p>Power plant in doubt, McGuinty hints - Ontario Premier Dalton McGuinty hinted Monday that the controversial construction of a gas-fired power plant on the Toronto-Mississauga border might not go ahead. "There's never a wrong time to do the right thing and that's what we'll do," McGuinty told reporters.</p>
<p>Mississauga News June 9, 2011 MPP Donna Cansfield (Letter)</p>	<p>Oppose the power plant - In a letter to the editor, MPP and former energy minister Donna Cansfield writes that she feels MPP are responsible to their constituents first and foremost. She writes that the proposed Mississauga gas power plant, while not located inside Etobicoke, will impact the quality of local air and residents are right to be concerned. The plant is similar many respects to the cancelled Oakville plant, she says: both were planned to provide power to the same region, both sites are located close to residential areas including schools and parks, and both represent risks to the same air shed. With the cancellation of the Oakville plant, and with work still being done on developing Ontario's Long-Term Energy Plan, this plant should not be built while there is any question as to its safety or necessity.</p>
<p>Toronto Star June 6, 2011 San Grewal</p>	<p>Residents steamed over plant plan - San Grewal reports for the Toronto Star that some Mississauga residents are furious to hear a building permit has been issued to construct a gas-fired power plant in an environmentally sensitive area. "I was shocked when I heard the permit was issued," said Dr. Boyd Upper, a resident who has fought the project for years. He said residents thought the plan was dead because nothing had happened since 2007, when Eastern Power Ltd. won the right to build the plant in an Ontario Municipal Board ruling that went against the city.</p>
<p>Mississauga News June 2, 2011 Chris Clay</p>	<p>Permit issued for power plant - Chris Clay reports that the City of Mississauga issued a building permit on Monday that allows construction of a 280-megawatt power plant on Loreland Ave, near the Mississauga/Etobicoke border, to begin. Ward 1 Councillor Jim Tovey said, "It's a terrible location," said Tovey. "Because of the OMB decision, the City had to issue the permits. It's pretty frustrating." Tovey said there's nothing more the City can do to stop the project and hopes the provincial government steps in. But he doesn't think that's likely to happen.</p>

Fisher, Petra (ENERGY)

From: Silva, Joseph (ENERGY)
Sent: November-10-11 2:42 PM
To: Lindsay, David (ENERGY)
Subject: FW: letters

Fyi Deputy

From: Silva, Joseph (ENERGY)
Sent: November 10, 2011 2:40 PM
To: Calwell, Carolyn (ENERGY); Perun, Halyna N. (ENERGY)
Cc: Dunning, Rebecca (ENERGY)
Subject: RE: letters

Rebecca just handed me an envelope address to Minister Bentley. I did not open and gave to his Chief of Staff, who indicated let's go ahead and put a hold for a meeting this afternoon to discuss letters.

Rebecca – he was with someone, so I could not get a time that would work for him. Does Maria have access to his calendar?

From: Calwell, Carolyn (ENERGY)
Sent: November 10, 2011 1:56 PM
To: Silva, Joseph (ENERGY); Perun, Halyna N. (ENERGY)
Cc: Dunning, Rebecca (ENERGY)
Subject: RE: letters

I understand from Mike Lyle that the OPA will be hand delivering Mr. Hinds' letter to the Minister to the DMO very shortly.

Carolyn

From: Silva, Joseph (ENERGY)
Sent: November 10, 2011 1:37 PM
To: Perun, Halyna N. (ENERGY); Calwell, Carolyn (ENERGY)
Cc: Dunning, Rebecca (ENERGY)
Subject: FW: letters

FYI

Halyna – you're on same page with DM. We'll need to show what we've got to the MO. Can you push MAG then to give us the products for a meeting this PM? Thanks a million

From: Silva, Joseph (ENERGY)
Sent: November 10, 2011 1:36 PM
To: MacLennan, Craig (ENERGY)
Cc: Dunning, Rebecca (ENERGY)
Subject: RE: letters

Hi Craig – we'd like to show you the letters as they currently stand, as long as the record of materials. Perhaps if you're comfortable with the products, you can then bring to Minister Bentley and facilitate his review/signature over the weekend (in case it's needed over the weekend). Can you do a quick meeting at 4 PM?

From: Silva, Joseph (ENERGY)
Sent: November 10, 2011 11:26 AM
To: MacLennan, Craig (ENERGY)
Subject: Re: letters

Okay, thanks, good to know. Once the drafts get finalised, I/David will bring them to you. Did you want/able to accommodate a formal time set aside with legal in room?

Sent using BlackBerry Wireless

From: MacLennan, Craig (ENERGY)
To: Silva, Joseph (ENERGY)
Sent: Thu Nov 10 11:24:39 2011
Subject: Re: letters

If we have to we can always bring the letters to him.

Cm

From: Silva, Joseph (ENERGY)
To: MacLennan, Craig (ENERGY)
Sent: Thu Nov 10 11:14:56 2011
Subject: Fw: letters

Hi craig - fyi. Is the Minister here today? If he's not in, do we wait until Monday? Thanks very much

Sent using BlackBerry Wireless

From: Dunning, Rebecca (ENERGY)
To: Silva, Joseph (ENERGY)
Sent: Thu Nov 10 11:13:16 2011
Subject: RE: letters

I don't think the Minister is here today.

From: Silva, Joseph (ENERGY)
Sent: November 10, 2011 11:11 AM
To: Perun, Halyna N. (ENERGY)
Cc: Calwell, Carolyn (ENERGY); Dunning, Rebecca (ENERGY)
Subject: letters

Hi Halyna – the DM flagged that we're getting close on the letters from M to OPA and vice versa. We'll need to set time aside for a final walk-thru of letters and to get M signature today. Can you let me know when you think we can be ready to set this meeting up?

Rebecca – we'll need to put a hold in M calendar for a meeting, half-hour I think on vapour lock letters.

Joseph Silva

Executive Assistant (A) to the Deputy Minister of Energy

Hearst Block 4th Flr, 900 Bay St, Toronto ON M7A 2E1

Tel: 416-325-2371 , Email: Joseph.Silva@ontario.ca

CONFIDENTIAL & PRIVILEGED – DRAFT FOR DISCUSSION

Dear Minister:

I am writing to you on behalf of the Ontario Power Authority's (OPA) Board of Directors with respect to the Greenfield South Power Plant, which the Ministry of Energy procured in 2004. The OPA was subsequently directed to enter into a contract with Greenfield and is now the sole counterparty. The Board clearly understands that the government's intention is to relocate the plant as outlined in your letter to the OPA on October 24, 2011. The purpose of this letter is to ensure that the government's intention is met.

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The OPA Board of Directors takes very seriously its responsibilities to our contract counter-parties. Like the provincial government, we would like to achieve a resolution for the Greenfield South plant that provides both fair treatment to the counterparty and Ontario ratepayers. We also think it is important that electricity developers generally continue to have confidence to invest in Ontario and that gas-fired generation continues to be accepted as an important, cost-effective and safe part of the province's electricity supply mix. At the same time, we recognize the public concern about the location of this plant and public requests that construction of the plant stop.

After receiving your October 24th letter, the OPA commenced discussions with Greenfield South. To date, the OPA's preferred approach has been to reach an agreement with Greenfield South to stop construction and negotiate an arrangement to relocate the plant or terminate the contract. Since then, it has become clear that Greenfield South may not agree to such an approach. In light of this, the logical next step appears to be to notify Greenfield South that the OPA will not be proceeding with the contract.

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I wish to assure you that, even after taking this step, the OPA will seek to continue discussions with Greenfield South to arrive at an agreement on appropriate compensation. Given our shared interest in ratepayer value, the board would then also like to commence a dialogue with you on the most appropriate way to allocate the compensation between the OPA and the Crown.

I look forward to your reply.

Yours sincerely,

Jim Hinds
Chair

**CONFIDENTIAL & PRIVILEGED – IN CONTEMPLATION OF LITIGATION -- DRAFT
FOR DISCUSSION**

Dear Mr. Hinds:

In response to your letter of November 10, 2011 and in recognition that community opposition to the Greenfield South Generation Facility is ongoing and well documented, I am writing to acknowledge the OPA's efforts to negotiate with the developer of the facility, Greenfield South Power Corporation, with an aim to achieving a satisfactory resolution concerning the Mississauga site. The government remains committed to having the plant relocated.

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I have given careful consideration to public statements, correspondence to the government and resolutions of the Council of the City of Mississauga. While full recognition must be given to rate-payer value and the fair treatment of contractual counterparties, as suggested in your letter, in light of the strong and persistent opposition to the plant, the government supports the OPA's decision to not proceed with the contract and any other appropriate commercial and other steps that the OPA must take in seeking to stop construction of the gas plant at its current location.

The circumstances in Mississauga are unique. The government remains committed to a strong, stable supply of electricity for Ontario and continued support of those making investments in Ontario's electricity system.

Sincerely,

Chris Bentley,
Minister

Cayley, Daniel (ENERGY)

From: Perun, Halyna N. (ENERGY)
Sent: November-10-11 2:48 PM
To: Lindsay, David (ENERGY)
Cc: Silva, Joseph (ENERGY); Calwell, Carolyn (ENERGY)
Subject: Letters
Attachments: Greenfield South Power Plant OPA Board letter 10 11 2011 (f).doc; Energy Letter to the OPA.10 11 2011.(f).doc

Duplicate attachments removed

Privileged and Confidential

As discussed, we understand that the OPA is sending their letter to the Minister today (sounds like it's already arrived). The "OPA Board" letter attached is what we expect it to look like but as the OPA held the pen on this one, there may be differences. The Energy Minister's letter (also attached) is still in approvals at MAG. We have advised MAG of time pressures.

Before the Minister signs the proposed letter to the OPA, the Minister should review the record prepared. That record will be delivered soon.

Halyna

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Cayley, Daniel (ENERGY)

From: Perun, Halyna N. (ENERGY)
Sent: November-10-11 3:14 PM
To: Wilson, Malliha (JUS)
Cc: Calwell, Carolyn (ENERGY)
Subject: FW: URGENT APPROVAL REQUEST - OPA Letters
Attachments: Greenfield South Power Plant OPA Board letter 10 11 2011.doc; Energy Letter to the OPA.10 11 2011.doc

Duplicate attachment removed

Importance: High

Hi Malliha – We'll need to know about the "Energy Letter to the OPA" by **4 p.m.** – the main change from yesterday's DAG approved version is that as the word "terminates" the contract is removed from the proposed OPA letter to the Minister (i.e. instead it's the OPA will not be proceeding with the contract...), the Energy letter mirrors the new language and refers to the OPA's decision "not to proceed with" the contract.

Please let me know if we have the go-ahead on this version. CLOC did not have any substantive comments on this letter.

Halyna

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Cayley, Daniel (ENERGY)

From: Kovesfalvi, Sylvia (ENERGY)
Sent: November-10-11 4:09 PM
To: Calwell, Carolyn (ENERGY); King, Ryan (ENERGY)
Subject: Urgent: 4:00 PM Meeting
Attachments: QA - repudiationNov09 POLICY-OPA Revisions - 11-10-11.doc

Hi carolyn and ryan - in mtg and can't read attached on bb. Are you able to review and let me know if you have any concerns with OPA's suggested changes asap. Thank you.

Sent from my BlackBerry Wireless Handheld

From: McMichael, Rhonda (CAB)
To: Sharkawi, Rula (ENERGY); Kovesfalvi, Sylvia (ENERGY)
Sent: Thu Nov 10 16:01:05 2011
Subject: FW: 4:00 PM Meeting

Can you take a look and pass thru your legal? thanks.

From: Kristin Jenkins [mailto:Kristin.Jenkins@powerauthority.on.ca]
Sent: November 10, 2011 3:22 PM
To: abirchenough@cogeco.ca; Colin Andersen; Lindsay, David (ENERGY); Michael Lyle; JoAnne Butler; Imbrogno, Serge (OFA); Mayman, Gadi (OFA); Segal, Murray (JUS); Livingston, David (IO); Betzner, Lynn (CAB); Wallace, Peter (FIN); Hume, Steen (CAB); McMichael, Rhonda (CAB)
Cc: Amaral-Costa, Maria (CAB)
Subject: RE: 4:00 PM Meeting

Attached are OPA's proposed revisions to the messaging and Qs and As circulated yesterday.

Kristin

Kristin Jenkins | Vice President, Corporate Communications | **Ontario Power Authority** | 120 Adelaide Street West, Suite 1600 | Toronto, ON M5H 1T1 | tel. 416.969.6007 | fax. 416.967.1947 | www.powerauthority.on.ca

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Greenfield Contract Termination (Repudiation)
November 9, 2011

MEDIA PROTOCOL

Generally the Minister's Office responds to strategic questions and OPA responds to operational questions.

Strategic - Minister's Office (Minister or Erika Botond)

- Government's decision to relocate the plant
- Government's commitment to relocate the plant.

Operational - OPA (Colin Andersen or Kristen Jenkins)

- Status of contract negotiations, and process for finding another site
- History of Eastern site selection (required approvals, public consultation, etc).

Process

- The OPA immediately notifies the Ministry of Energy of any Greenfield-related media call (Communications Director, Media Manager and Spokesperson).
- The Ministry immediately notifies Minister's Office, Deputy Minister's Office, Legal and Cabinet Office.
- The OPA submits proposed responses; the ministry secures approvals (Cabinet Office, DMO, Legal, Policy).
- The Minister's Office confirms who responds and how (phone/email).

WHO SAYS WHAT – General Guidelines

	MINISTER	OPA
Key Messages	<p>I understand that the OPA has had discussions with the proponent (Eastern Power). The OPA has notified Eastern that the OPA will not proceed with the contract.</p> <p>The OPA will continue to look for another site for the gas plant.</p> <p>The government will continue to ensure that the best interests of Ontario's communities and ratepayers remain the primary priority.</p>	<p><u>After pursuing discussions to reach a negotiated agreement, we have notified Eastern that the OPA will not proceed with the contract.</u></p> <p><u>We are seeking to continue discussions with Eastern on next steps. Contract negotiations are commercially sensitive and we cannot provide any additional information on these discussions at this time.</u></p> <p>We will continue to look for another site for the gas plant.</p> <p>Once potential sites have been identified, the public will be consulted before a final decision is made.</p>
Contract Termination		
Who terminated the contract?	<u>Following discussions with Eastern Power, OPA decided not proceeding with the contract was an appropriate next step.</u>	<u>After pursuing discussions to reach a negotiated agreement, we have notified Eastern that the OPA will not proceed with the contract.</u>
Why was the contract terminated? Were other solutions not viable?	<p>I understand the OPA has had discussions with the proponent (Eastern Power) and has notified them that the OPA will not proceed with the contract.</p> <p>Contract negotiations are commercially sensitive. These discussions are confidential. We are confident the OPA negotiated <u>is working</u> in the best interests of Ontarians.</p>	<p><u>The government has been clear that its intention is to have the plant relocated. Given the government's intention, and following discussions with Eastern, OPA decided not proceeding with the contract was the appropriate next step.</u></p>
Did the OPA terminate the contract at the government's request?	<u>The OPA, as the contract holder, has been in discussions with Eastern Power to resolve this matter in the best interests of Ontarians. Following discussions with Eastern Power, OPA decided not proceeding with the contract was an appropriate next step.</u>	<u>The government has been clear that its intention is to have the plant relocated. Given the government's intention, and following discussions with Eastern,</u>

<p>Why wasn't the contract terminated sooner?</p>	<p>Discussions began as soon as they could between OPA and Eastern. This decision is the result of those discussions.</p>	<p>OPA decided not proceeding with the contract was the appropriate next step Contract negotiations are commercially sensitive. These discussions are confidential. We have negotiated in the best interests of Ontarians.</p> <p>We initiated discussions with Eastern Power as soon as we received the Minister's letter asking us to begin discussions. This decision. Not proceeding with the contract is the result of these discussions.</p>
<p>If the OPA is terminating the contract, how can you get the company (Eastern) to work with the OPA to relocate the site?</p>	<p>The OPA is inwill seek further discussions with Eastern Power and we expect them to find a satisfactory resolution.</p>	<p>We are inwill seek further discussions with the proponent.</p>
<p>Will Eastern Power be the company to build the relocated plant? Do you have assurances from them on that?</p>	<p>At this time, Ithe OPA is in will seek further discussions with Eastern Power to find a satisfactory resolution.</p>	<p>We are inwill seek further discussions with Eastern Power and hope to reach a satisfactory resolution.</p>
<p>Will you put this back out to tender?</p>	<p>At this time, Ithe OPA is in discussionswill seek further discussions with Eastern Power to find a satisfactory resolution.</p>	<p>We will seek further discussions with Eastern Power and hope to reach a satisfactory resolution.</p>

<p>What is the process for finding another site?</p>	<p>The OPA is best able to answer this. We can confirm that the site selection will include public consultation.</p>	<p>We will consider available locations, local generation needs and transmission and distribution support. Once options are identified, the public will be consulted. The process has not been finalized but will consider local generation needs and transmission and distribution support. Once options are identified, the public will be consulted.</p>
<p><u>Construction</u></p> <p>Now that the OPA has terminated the contract, will work stop at the site?</p> <p>Will legislation be required to stop construction?</p> <p>Minister, your spokesperson said that legislation was not needed, is this true?</p>	<p>My understanding is that the OPA has notified the proponent that it is not proceeding with the contract. The OPA continues to have discussions about stopping work at the site.</p> <p>Legislation is an option, however, the best option, and the one we are choosing at this time, is to have the OPA work with Eastern Power to find satisfactory resolution.</p> <p>It is our expectation the OPA and Eastern Power will work together to find a satisfactory resolution.</p> <p>The best option, and the one we are choosing at this time, is to have the OPA work with Eastern Power to find satisfactory resolution to the site.</p>	<p>We have notified Eastern that we are not proceeding with the contract. We <u>will seek</u> further <u>discussions</u> about stopping work at the site.</p> <p>The government is best able to answer that question.</p> <p>We <u>will see further</u> are in discussions and hope to reach a satisfactory resolution.</p> <p>The government is best able to answer that question.</p>

<p><u>Contract Value</u></p> <p>Why should anyone want to contract with OPA or government after this?</p> <p>What's the status of negotiations with TransCanada?</p> <p>Will the cost of these contract cancellations be made public knowledge at some time?</p>	<p>The government and our agencies have successful track records for negotiating and fulfilling contracts in the best interest of Ontario taxpayers. This is a unique case and should not be used to apply to other contracts or issues.</p> <p>Like any other business, energy partners work together to respond to changing conditions. Contracts are renegotiated or terminated on a small and large scale across businesses of all types.</p> <p>The OPA is in discussions<u>Discussions</u> with TransCanada <u>continue</u>. We do not have an update at this time.</p> <p>Our government is committed to conducting business in an open and transparent manner. We will provide what we can when we can.</p>	<p>Our agency OPA has a successful track record for negotiating and fulfilling contracts in the best interest of Ontario taxpayers-ratepayers.</p> <p><i>This is a unique case and should not be used to apply to other contracts or issues.</i></p> <p>We are in Ddiscussions with TransCanada <u>continue</u>. We do not have an update at this time.</p> <p><i>Contracts are commercially sensitive. It is up to the proponent to determine what they are willing to make public and <u>when</u>.</i></p>
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Comment [01]: Is this accurate?

Fisher, Petra (ENERGY)

From: MacCallum, Doug (ENERGY)
Sent: November-10-11 4:12 PM
To: King, Ryan (ENERGY)
Cc: McKeever, Garry (ENERGY); Chapman, Tom (ENERGY)
Subject: RE: FOLLOW-UPS: Minister's Briefings

I note on slide 15 there's a reference to Greenfield South being in the IPSP. No specific edit, but that will need to be addressed in the presentation.

Doug

From: King, Ryan (ENERGY)
Sent: November 10, 2011 9:00 AM
To: Chapman, Tom (ENERGY); Bishop, Ceiran (ENERGY); MacCallum, Doug (ENERGY); Jobe, Cedric (ENERGY); Nakahara, Ken (ENERGY)
Cc: Norman, Jonathan (ENERGY); McKeever, Garry (ENERGY)
Subject: FW: FOLLOW-UPS: Minister's Briefings

Unrelated content removed

From: Hellin, Matthew (ENERGY)
Sent: November 9, 2011 4:57 PM
To: Collins, Jason R. (ENERGY); King, Ryan (ENERGY)
Cc: Krstev, Viki (ENERGY); Sermat-Harding, Kaili (ENERGY); Cross, Annamaria (ENERGY)
Subject: RE: FOLLOW-UPS: Minister's Briefings

Hi Ryan, Jason,

Unrelated content removed

Thanks very much.

Matt

From: Cross, Annamaria (ENERGY)
Sent: November 9, 2011 11:16 AM
To: Collins, Jason R. (ENERGY); King, Ryan (ENERGY)
Cc: Krstev, Viki (ENERGY); Hellin, Matthew (ENERGY)
Subject: FOLLOW-UPS: Minister's Briefings
Importance: High

Unrelated content removed

Fisher, Petra (ENERGY)

From: Letourneau, Amanda (ENERGY)
Sent: November-10-11 4:19 PM
To: Perun, Halyna N. (ENERGY)
Cc: Rehob, James (ENERGY)
Subject: RE: gas plant in BC

Categories: Green Category

Hi Halyna,

I could not find anything relating to any cancellations between 1996 and 1999. Regarding the Duke Point Power Plant that was cancelled in 2004, I could not find legislation relating to the cancellation. I found Hansard excerpts that state that it was not the government's decision to cancel the project but a decision by BC Hydro:

G. Gentner: The Utilities Commission's hearings were not quite complete before the government pulled the pin on the project, so why didn't Hydro wait a few more weeks?

Hon. R. Neufeld: The government did not pull the pin. I want to get that clearly on the record. That was a decision by B.C. Hydro to actually cancel that contract.

G. Gentner: Why did B.C. Hydro pull the pin, and why didn't it wait a few extra weeks for the completion of the Utilities Commission's hearings?

Hon. R. Neufeld: The reasons are well known via press release from B.C. Hydro with the reasons that they cancelled the contract. They were already five months into a process that had been appealed. They made a business decision in the best interests of the ratepayers that they should cancel that, because there would be a much shorter period than there may be if, in fact, the hydro lines that go across to the Island actually failed. It's a pretty short period of time to when they thought, or to when they know, they can get electricity provided by new cables by BCTC across the water. It became a decision, interestingly enough — something that started in 1994 and still wasn't complete in 2004.

I think Hydro was very patient in trying to get through that process to make sure there was electricity on Vancouver Island, and the best interests over that period of time decided that BCTC should build cables to Vancouver Island.^[1]

The decision came shortly after the BC Court of Appeal granted leave to appeal the BC Utilities Commission's decision to approve the project in *Joint Industry Electricity Steering Committee v. British Columbia (Utilities Commission)* [2005] B.C.J. No. 1321.

That's all the information I could find that CLOC hadn't already provided. If you have any questions or you'd like me to spend more time on this let me know.

Thanks,

Amanda

From: Perun, Halyna N. (ENERGY)
Sent: November 10, 2011 12:41 PM
To: Letourneau, Amanda (ENERGY)
Cc: Carson, Cheryl (ENERGY); Rehob, James (ENERGY)
Subject: FW: gas plant in BC

Privileged and Confidential

Hi Amanda – Please see below. Could you please find out if there was any legislation in B.C. that dealt with stopping a gas plant?

I don't want to send you on a wild goose chase – so maybe James can assist. Last evening, at a meeting with the Premier's Office, there was a reference to a gas plant that Glen Clark was able to stop in two days and we were asked why this was not possible in Ontario. I wanted to get a sense of what might have been at play in B.C. Anyway, you'll see from Rick Jennings's response that we're likely to be looking at a 1996-1999 timeframe; or in fact, the reference could have been to the 2007 policy pertaining to carbon capture and storage (which had nothing to do with Glen Clark or gas!). Anyway – please give it a try.

As this request pertains to the Mississauga gas plant, it's urgent.

Halyna

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From: Jennings, Rick (ENERGY)
Sent: November 10, 2011 12:13 PM
To: Perun, Halyna N. (ENERGY); Lindsay, David (ENERGY)
Cc: King, Ryan (ENERGY)
Subject: RE: gas plant in BC

No, I don't know specifically what the reference was to.

Glen Clark was Premier from 1996 to 1999, during his term a proposal to build a natural gas line from the Mainland to Vancouver Island went forward this included supply gas to several generators to be built on Vancouver Island. The proposed Port Alberni gas station was to be owned by B.C. Hydro. The proposal for the proposed Port Alberni plant was withdrawn in 2001 from Environmental Assessment but it was not under construction. In any event, the Government would have been able to stop a B.C. Hydro project very quickly.

In 2006, B.C. Hydro awarded two 30 year contracts for coal powered projects. In 2007, the Government announced a new policy that would require coal projects to have carbon capture and storage which is not currently technologically or economically feasible. This effectively killed the projects.

From: Perun, Halyna N. (ENERGY)
Sent: November 10, 2011 9:05 AM
To: Jennings, Rick (ENERGY)
Cc: King, Ryan (ENERGY)
Subject: gas plant in BC

Hi Rick – last night there was a reference to a gas plant being stopped in BC in two days – do you know more about this? I can ask our student to look into this but thought I'd follow up with you to see if you had any further info on how that was stopped – thank you

Halyna

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^[1] British Columbia, Legislative Assembly, *Hansard*, No. 8 (23 November, 2005) at 2185 online at : <http://www.leg.bc.ca/hansard/38th1st/h51123p.htm>

Cayley, Daniel (ENERGY)

From: Rehob, James (ENERGY)
Sent: November-10-11 4:49 PM
To: Calwell, Carolyn (ENERGY); Perun, Halyna N. (ENERGY)
Subject: FW: Greenfield South - Questions

FYI: Client reviewing questions/issues – hope to have something back soon in order to further drafting.

From: King, Ryan (ENERGY)
Sent: November 10, 2011 4:44 PM
To: Rehob, James (ENERGY)
Subject: RE: Greenfield South - Questions

James, I've provided some answers to Rick for review. Will communicate after receiving his input.

From: Rehob, James (ENERGY)
Sent: November 10, 2011 4:27 PM
To: King, Ryan (ENERGY)
Cc: Calwell, Carolyn (ENERGY); Perun, Halyna N. (ENERGY)
Subject: Greenfield South - Questions

Privileged & Confidential / Solicitor & Client Privileged

November 10, 2011

Hi, Ryan – In connection with our conversation, here are some questions we need your assistance with:

1. Confirmation of site/municipal address: We have it as "Lot 3, Concession 1, in Municipality of Mississauga, municipal address: **2315 Loreland Avenue**;
2. Description of project: Currently, the description for the project reads: "'project' means the Greenfield South Power Project undertaken by the Corporation on the site" and site has a description related to the above-noted land description/municipal address; – are there any other elements of the project which you wish us to capture as part of the "project" – e.g. any related facilities, equipment, buildings, lands or structures not necessarily captured by the bolded language above but which you want us to capture in order to cease or halt activity?
3. Other structures on, improvements to, the land –
 - a. Do you want to (i) maintain the structures that are both related and unrelated to the project? Do you just want those structures unrelated to the project? (fencing, lighting, storage buildings on site that are not directly project-related - not sure what they'd be but we put the question forward. Put another way, should land be completely cleared or remain "as is" at the time construction ceases.
 - b. Electricity-related equipment/installation – do we know what transmission-connection or other equipment are now on-site? Is all such equipment to be removed?
 - c. Are there other structures on adjacent property, on the street (hydro poles, sewer/water manes, etc.) which need to be dealt with? (removed?);
 - d. Confirm whether our approach of leaving all municipal services (electrical, water, sewage) in place to the extent those services have been provided. Can you assist in helping us confirm whether such services are now in place?
4. Remediation of the land: in line with the above, is it the intention that the land be returned to its "pre-remediation stage" or will the construction simply be expected to cease and the land left "as is" (e.g. with the partial construction-related improvements remaining). If the latter, this will likely form part and parcel of "sunk costs" where there might be some salvage or alternative use value that the developer might be expected to provide for

itself (e.g. to sell to another project-developer, to return to the supplier, to put to an alternative use (doubtful) – I gather any salvage value would be quite low but we have to consider).

5. Currently, the legislative draft differentiates between the “generation facility” (e.g. turbines, equipment, etc.) and the “land” (real property) on which the generation facility is located. This is to reflect the fact that the turbines and equipment may well be relocated to another site, and the site put to an alternative, more environmentally benign use. Let us know if at first blush this approach causes any problems from the information or policy instructions you have for us at this time. Obviously we understand that the policy is still maturing.
6. Financing – did the OPA or any other entity (e.g. the Crown) provide “up front” financing that needs to be repaid to the Crown? On this point, we understand that the main financiers are “EIG” and “Credit Swiss”- can you confirm – are there any additional lenders?
7. Follow-on Contracts: The main contract between the OPA and Greenfield South Power Co. is obviously the main target. However, significant liability will arise under the many follow-on contracts including with sub-contractors, contracts for equipment, installation of gas line and provision of natural gas, other related suppliers. Is there any policy decision on whether or not to compensate suppliers for the loss or termination of those contracts? (We will be looking at these issues closely with CLOC but your directional advice at this point is important for us to keep the Bill moving forward). Termination of all contracts can give rise to several types of liability including (i) liability for sunk costs which we are addressing; (ii) liability for lost revenue (no instructions yet – can you confirm position on same?) (iii) liability based on the penalty/default and other discipline provisions contained in the follow-on contracts (do you have any policy instructions on whether these are to be addressed? Of course the positions Energy takes may have to be modified once we run the issues and the drafts of this Bill by CLOC who have to consider wider Government implications).
8. Note re. Date/Timing: The current draft uses “April 12, 2005” (which is the date of the restated contract entered into between the OPA and Greenfield South as the trigger date). We are exploring whether we need to take the date back further (e.g. date at which the RFP was issued). Do you have any thoughts or instructions on this?

Kind regards,

James

James P. H. Rehob

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Ministry of Energy and
Ministry of Infrastructure
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Fax: 416-325-1781
james.rehob@ontario.ca

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Fisher, Petra (ENERGY)

From: Letourneau, Amanda (ENERGY)
Sent: November-10-11 5:39 PM
To: Rehob, James (ENERGY)
Subject: Municipal by-laws and services
Attachments: Mississauga_ca - Services Online - Property Information.mht; Part 8 - E1 to E3.pdf; planning map. pdf.pdf; building2011update.pdf; Mississauga_ca - Residents - Site Plan Control By-law.mht

Categories: Red Category

Hi James,

Here is what I've been able to find so far:

The Mississauga by-law relating to building and demolition permits is attached (By law 29-11)

Also attached is the Property Information Report from the Mississauga.ca website. The information report lists the site as Vacant Industrial Land.

The property is subject to the [Site Plan Control By-law regulations](#). Properties subject to the regulations of the Site Plan Control By-law require that the owner receive site plan approval from the Development and Design Division for any new development on-site or addition. This requirement is necessary prior to the issuance of a building permit. Further explanation on the site plan control by-law is attached.

I'm having difficulty with the Zoning by-law because it's fairly complicated, but I attached the exemption that applies to the land (under E2-20 in the document) that allowed a power generation facility as an additional permitted use under the by-law.

I could not find any information on the provision of municipal services to the site.

Let me know if there is anything specific you'd like me to find or look into further.

Thanks,

Amanda

Amanda Letourneau
Articling Student
Legal Services Branch
Ministries of Energy and Infrastructure
777 Bay Street, 4th Floor, Suite 425
Toronto, ON M5G 2E5
P: 416-325-7304
F: 416-325-1781

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PROPERTY DETAILS

[View Another Property](#)

Address:	2315 LORELAND AVE	Ward:	1
Legal Description:	CON 1 SDS PT L 2, 3, 43R7398 PT 1 LESS 43R24263 PT 1	Councillor:	JIM TOVEY
Roll Number:	21-05-070-054-10901-0000	Area:	43869.48 SM
Common Name:		Depth:	0.00 M
Property Code:	VACANT INDUSTRIAL LAND	Frontage:	0.00 M
		Status:	Registered

Site Plan Control

This property is subject to Site Plan Control By-law regulations.

Properties subject to the regulations of the Site Plan Control By-law require that the owner receive site plan approval from the Development and Design Division for any new development on-site or addition. This requirement is necessary prior to the issuance of a building permit. To read more about the Site Plan Approval process please [click here](#)

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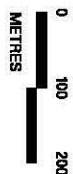
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- Greenbelt Overlay

Zoning Notation Example:
R4-12 = R4-Exception 12

- Unregistered Roads

MAP 12
Schedule "B" To
By-law No. 0225-2007
Revised: 2009 March 31

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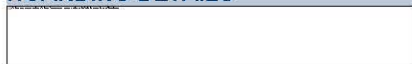
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FREQUENTLY ASKED QUESTIONS (FAQ'S)

- [Do I need a preliminary meeting before submitting a site plan application?](#)
- [What are the application requirements for site plans \(i.e. fees, number of drawings, etc.\)?](#)
- [How long does the site plan approval process take?](#)
- [Can the agent sign the Environmental Site Screening Questionnaire and Declaration?](#)
- [Is my property subject to Conservation Authority screening and if so, how much is the fee?](#)
- [I would like to discuss my proposal further before I apply? Can I set up a meeting?](#)

1 - 6 of 9 Items Found | [View All](#)

HOARDING DETAILS



Click on the link below or this image to access a details specification for site hoarding.

- [Hoarding Specification - Planning and Building](#)

[Residents](#) > [Planning & Building](#) > [Official Plan & Zoning By-laws](#) > [Site Plan Control By-law](#)

Site Plan Control By-law



If you are planning construction of a new building or addition, you need to know if your property is subject to Site Plan Control.

This page is intended to explain the Site Plan Control process, determine if it applies to your property, and provide you with additional information before you get started.

What is the Purpose of Site Plan Control?

The Site Plan process is a key component of the implementation of Mississauga Plan, the City's Official Plan, and its District Plans. These Plans contain various policies which relate to technical matters and design issues. The technical policies relate to transportation, environmental concerns, and easements, among other matters.

Is My Property Subject to Site Plan Control?

Areas under site plan control are identified by By-law 0293-2006. To determine if your property is under site plan control, you can use the resources on this page. It is important to determine this **BEFORE** you begin the building permit application process, as Site Plan Approval is one of the requirements of a

complete building permit application. The table below contains links to the Site Plan Control By-law text and schedules.

How the Site Plan Control By-law Works

The By-law states that ALL land within the City of Mississauga is designated as a Site Plan Control area and that no person can undertake development without site plan approval. The By-law goes on to exempt certain types of development (Section 4), then further describes a number of exceptions to these exemptions. The By-law also contains 10 schedules that geographically identify lands subject to Site Plan Control.

Item	Description	Last Updated
By-law 0293-2006	Entire text and Schedules of Site Plan Control By-law 0293-2006 (original In Effect date: July 05, 2006)	June 23, 2010
Amendments	By-laws that have been passed by Council to amend the Site Plan Control By-law. By-law 0080-2007 Feb 28, 2007 By-law 0162-2007 Apr 25, 2007 By-law 0238-2007 Jun 20, 2007 By-law 0359-2007 Sep 26, 2007 By-Law 0146-2008 May 07, 2008 By-law 0185-2010 June 23, 2010	June 23, 2010
Schedule 1	By-law applies to all development or redevelopment on lands with an Employment zone abutting roads shown on Schedule 1	Jun 23, 2010
Schedule 2	By-law applies to all development or redevelopment on lands with an Employment zone abutting roads shown on Schedule 2	Jun 23, 2010
Schedule 3	By-law applies to all development or redevelopment on lands identified on Schedule 3	Jun 23, 2010
Schedule 4	By-law applies to all development or redevelopment on lands identified on Schedule 4	Jul 5, 2006
Schedule 5	By-law applies to all development or redevelopment on lands zoned for detached dwellings on land identified on Schedule 5	Jul 5, 2006
Schedule 6	By-law applies to all development or redevelopment on lands identified on Schedule 6	Jul 5, 2006
Schedule 7	By-law applies to all development or redevelopment on lands identified on Schedule 7 abutting Mississauga Road	Jun 23, 2010
Schedule 8	By-law applies to all development or redevelopment on lands identified on Schedule 8 - Port Credit Conservation District	Jul 5, 2006
Schedule 9	By-law applies to all development or redevelopment on lands identified on Schedule 9	Jul 5, 2006
Schedule 10	By-law applies to all development or redevelopment on lands identified on Schedule 10	Feb 28, 2007
Schedule 11	By-law applies to all development or redevelopment on lands identified on Schedule 11	May 07, 2008

Still wondering if your Property is subject to Site Plan Control?

Contact the Zoning Section of Building Division, at 905-896-5581 between 8:30am and 4:30pm, Monday to Friday.

My Property is Subject to Site Plan Control - What's Next?

For those properties subject to Site Plan Control, a building permit cannot be issued until Site Plan Approval has been granted. The site plan process is administered through the Development and Design Division of the Planning and Building Department.

Details with respect to the site plan process and application information is available online on the City's [Development Applications page](#). For questions about what is required for a site plan application and the associated fees, please contact the Development and Design Division at 905-615-3200 ext 5511 between 8:30am and 4:30pm, Monday to Friday.

FIND PROPERTIES

Find by Address

The Street Name is mandatory when searching for a property by address. If you wish to browse by Street Name only, it may take a while to display the result of the search.

Street Name Street No

Find by Roll Number

Your roll number can be found in the upper right hand corner of your latest Tax Bill. When looking up records below, please disregard the first (2) digits on your Tax Bill, ie 05-00-0-000-00000-0000.

05						-0000
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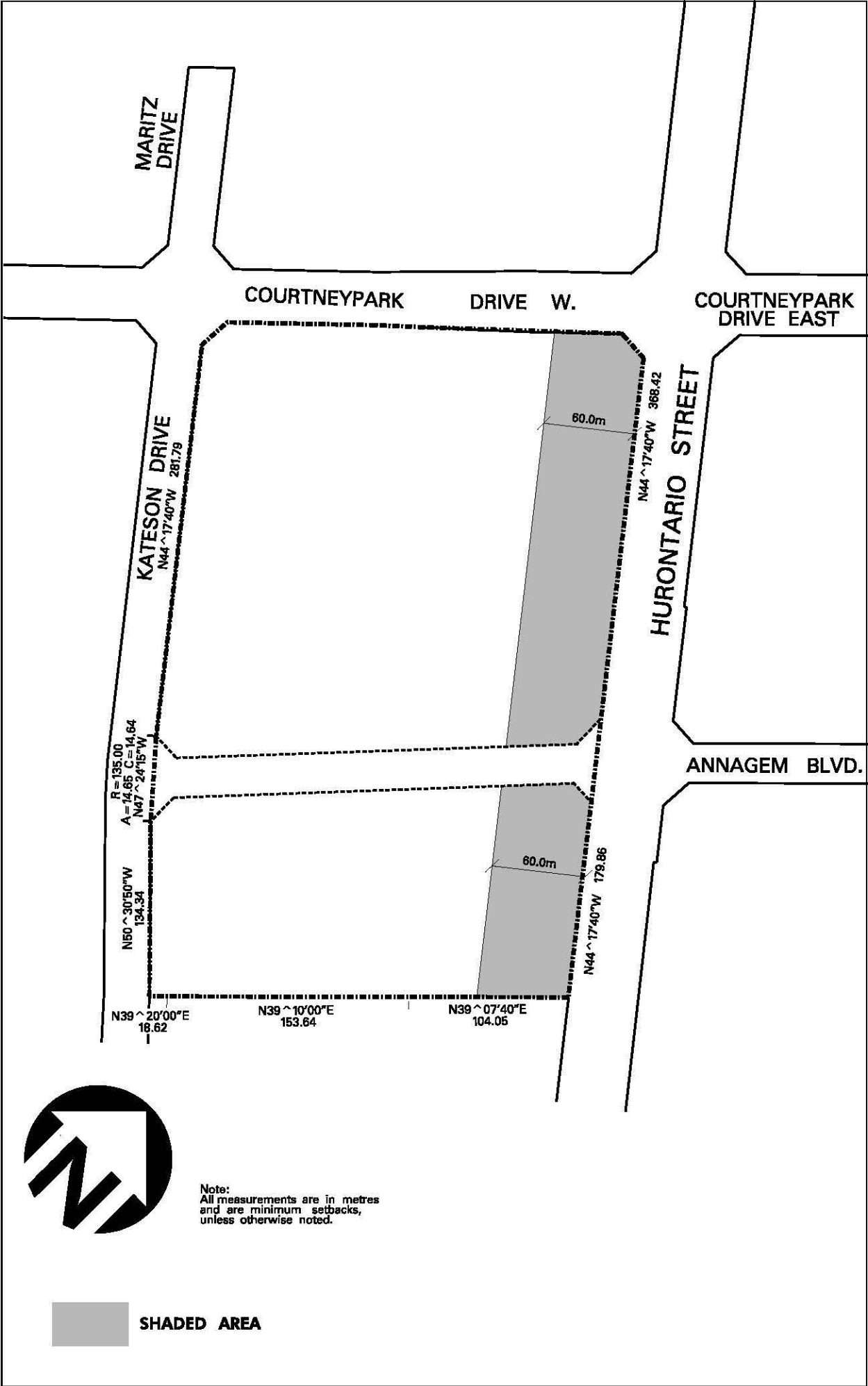


8.2.2 E1 Exception Zones

Refer to Article 1.1.2.3 - Exception Zones and Exception Zone Schedules

8.2.2.1	Exception: E1-1	Map # 43W	By-law:
In an E1-1 zone the permitted uses and applicable regulations shall be as specified for an E1 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
8.2.2.1.1	(1)	Restaurant	
	(2)	Take-out Restaurant	
	(3)	Convenience Restaurant	

8.2.2.2	Exception: E1-2	Map # 44E	By-law: 0191-2009
In an E1-2 zone the permitted uses and applicable regulations shall be as specified for an E1 zone except that the following uses/regulations shall apply:			
Regulations			
8.2.2.2.1	Minimum depth of a landscaped buffer along the entire length of the lot line abutting Hurontario Street, exclusive of a sight triangle		7.5 m
8.2.2.2.2	Minimum depth of a landscaped buffer along the entire length of the lot line abutting Courtneypark Drive West, Maritz Drive and Kateson Drive		4.5 m
8.2.2.2.3	Minimum setback of a building or structure to Hurontario Street, exclusive of a sight triangle		9.0 m
8.2.2.2.4	Maximum setback to Hurontario Street of a building or structure located wholly or partially within the shaded area identified on Schedule E1-2 of this Exception		15.0 m
8.2.2.2.5	Driveways, parking spaces or aisles shall not be located beyond the front wall of any building or structure located wholly or partially within the shaded area identified on Schedule E1-2 of this Exception		
8.2.2.2.6	"Front Wall" means all or part thereof of any building or structure adjacent to Hurontario Street		



Schedule E1-2
Map 44E

8.2.2.3	Exception: E1-3	Map # 54W	By-law:
In an E1-3 zone the permitted uses and applicable regulations shall be as specified for an E1 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
8.2.2.3.1	(1)	Motor Vehicle Sales, Leasing and/or Rental Facility - Restricted	
Regulations			
8.2.2.3.2		Maximum gross floor area - non-residential	55 208 m ²
8.2.2.3.3		Maximum number of storeys of a building or structure or parts thereof, in height above established grade, excluding any mechanical penthouses, within 110.0 m of a railway right-of-way	9 storeys
8.2.2.3.4		Minimum setback of a building or structure to Argentia Road	6.0 m

8.2.2.4	Exception: E1-4	Map # 54W	By-law:
In an E1-4 zone the applicable regulations shall be as specified for an E1 zone except that the following uses/regulations shall apply:			
Permitted Uses			
8.2.2.4.1	Lands zoned E1-4 shall only be used for the following:		
	(1)	Retail Store	
	(2)	Financial Institution	
	(3)	Office	
	(4)	Entertainment Establishment	
	(5)	Personal Service Establishment	
	(6)	Recreational Establishment	
	(7)	Private Club	
	(8)	Restaurant	
	(9)	Convenience Restaurant	
	(10)	Take-out Restaurant	
Regulations			
8.2.2.4.2	Maximum gross floor area - non-residential		10 500 m ²
8.2.2.4.3	Minimum setback of a building or structure to Highway 401		14.0 m
8.2.2.4.4	Minimum setback of a building or structure to Argentia Road		4.5 m
8.2.2.4.5	Minimum setback of a building or structure to Winston Churchill Boulevard		5.9 m
8.2.2.4.6	Minimum landscaped area		10% of the lot area
8.2.2.4.7	Minimum number of parking spaces per 100 m ² gross floor area - non-residential		5.4

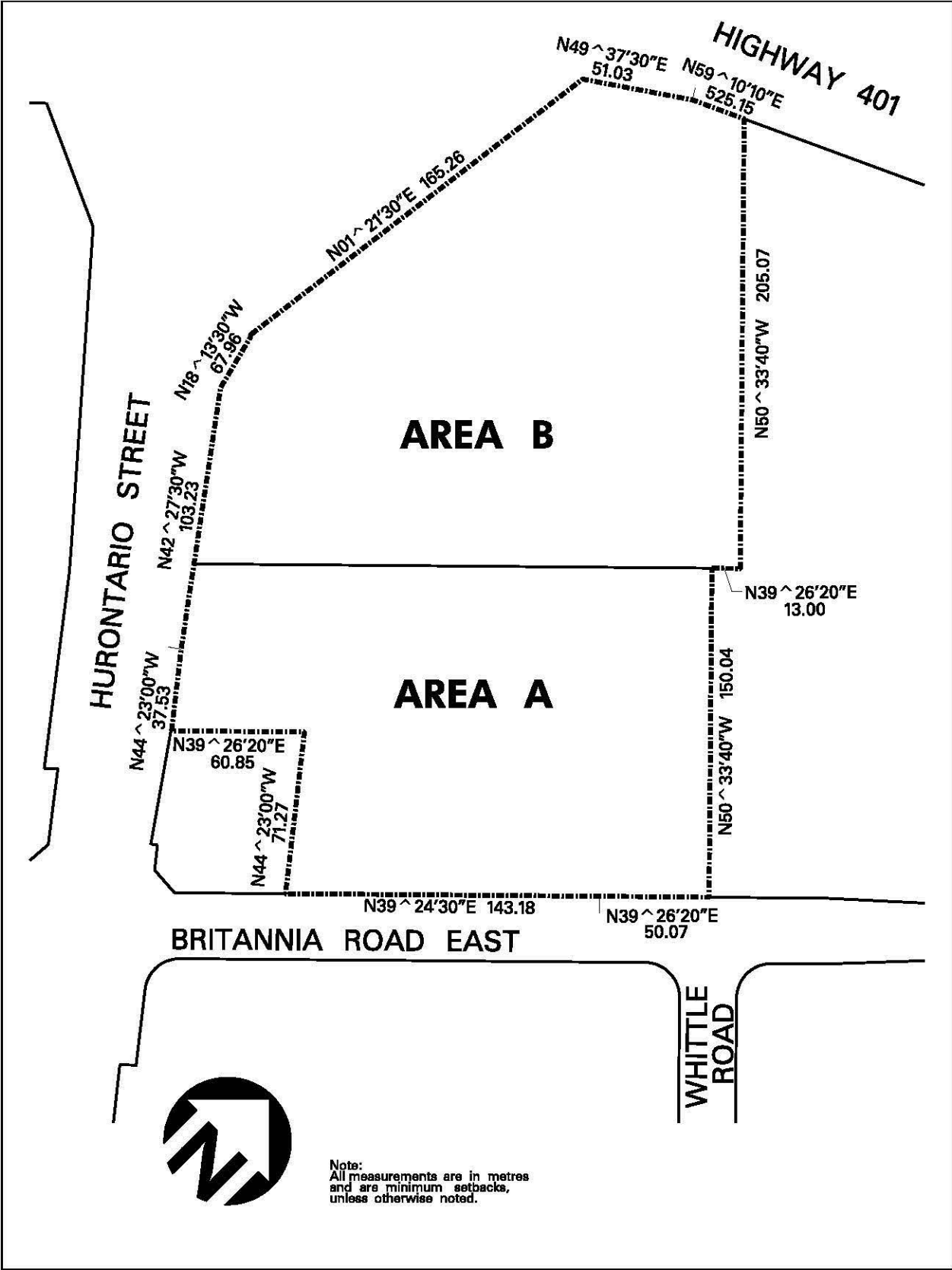
8.2.2.5	Exception: E1-5	Map # 36W	By-law: 0191-2009
In an E1-5 zone the permitted uses and applicable regulations shall be as specified for an E1 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
8.2.2.5.1	(1)	C3 uses contained in Subsection 6.2.1 of this By-law, except: (1.1) Motor Vehicle Rental Facility (1.2) Motor Vehicle Sales, Leasing and/or Rental Facility - Restricted (1.3) Convenience Restaurant	
Regulations			
8.2.2.5.2	Uses contained in Subsection 8.2.1 of this By-law, and those remaining uses permitted in Subsection 6.2.1 of this By-law, shall comply with the C3 zone regulations contained in Subsection 6.2.1 of this By-law		
8.2.2.5.3	The provisions contained in Subsection 8.1.8 and 8.1.9 of this By-law shall not apply		

8.2.2.6	Exception: E1-6	Map # 44E	By-law: 0411-2008, 0191-2009/OMB Order 2010 May 05
In an E1-6 zone the permitted uses and applicable regulations shall be as specified for an E1 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
8.2.2.6.1	(1)	Restaurant	
	(2)	Take-out Restaurant	
	(3)	Outdoor storage accessory to a manufacturing facility, science and technology facility or warehouse/distribution facility	
	(4)	Outdoor patio accessory to a restaurant or take-out restaurant	
Regulations			
8.2.2.6.2	Minimum landscaped buffer along the lot line abutting Hurontario Street		10.0 m
8.2.2.6.3	Minimum landscaped buffer along the lot line of any street other than Hurontario Street		3.0 m
8.2.2.6.4	Maximum setback to the first storey of a streetwall of the first building erected on a lot abutting a street identified in Note (6) to Table 8.2.1 contained in Subsection 8.2.1 of this By-law		35.0 m
8.2.2.6.5	The provisions of Line 6.2 in Table 8.2.1 contained in Subsection 8.2.1 of this By-law shall not apply		
8.2.2.6.6	A maximum of 30% of the length of a streetwall of the first storey of a building may be set back beyond the maximum setback of 35.0 m		
8.2.2.6.7	Minimum distance from a surface parking space to a street identified in Note (6) to Table 8.2.1 contained in Subsection 8.2.1 of this By-law		35.0 m
8.2.2.6.8	A maximum of one (1) row of vehicle parking spaces shall be permitted within 35.0 m of Hurontario Street where a manufacturing facility or warehouse/distribution facility is located within 35.0 m of Hurontario Street		

Exception E1-6 continued on next page

8.2.2.6	Exception: E1-6	Map # 44E	By-law: 0411-2008, 0191-2009/OMB Order 2010 May 05
Exception E1-6 continued from previous page			
8.2.2.6.9	Parking spaces shall not be permitted between the exterior wall of an office building or medical office building and the lot line abutting Hurontario Street		
8.2.2.6.10	Where a building is located within 35.0 m of Hurontario Street, the pedestrian street entrance shall face Hurontario Street		
8.2.2.6.11	Maximum number of courier/messenger service delivery vehicles permitted to be stored outside	10	
8.2.2.6.12	The provisions contained in Subsection 8.1.5 of this By-law shall apply to all areas used for outdoor storage accessory to a manufacturing facility, science and technology facility or warehouse/distribution facility		
8.2.2.6.13	"Pedestrian Street Entrance" means the door designed as an access point into a building for pedestrians and provides a direct pedestrian access to Hurontario Street		

8.2.2.7	Exception: E1-7	Map # 43W	By-law: 0411-2008, 0191-2009/ OMB Order 2010 May 05
In an E1-7 zone the permitted uses and applicable regulations shall be as specified for an E1 zone except that the following uses/regulations shall apply:			
Regulations			
8.2.2.7.1	The provisions of Lines 6.0 to 6.3, 13.0 and 14.0 in Table 8.2.1 contained in Subsection 8.2.1 of this By-law shall not apply to Area B identified on Schedule E1-7 of this Exception		
8.2.2.7.2	Maximum setback of the first storey of a streetwall of a building erected on a lot abutting a street identified in Note (6) to Table 8.2.1 contained in Subsection 8.2.1 of this By-law and located within Area A identified on Schedule E1-7 of this Exception	20.0 m	
8.2.2.7.3	The provisions of Line 6.2 in Table 8.2.1 contained in Subsection 8.2.1 of this By-law shall not apply		
8.2.2.7.4	A maximum of 30% of the length of a streetwall of the first storey of a building within Area A, identified on Schedule E1-7 of this Exception, may be set back beyond the maximum setback of 20.0 m		
8.2.2.7.5	Minimum distance from a surface parking space in Area A, identified on Schedule E1-7 of this Exception, to a street identified in Note (6) to Table 8.2.1 contained in Subsection 8.2.1 of this By-law	20.0 m	
8.2.2.7.6	Where a building is located within 20.0 m of Hurontario Street in Area A, identified on Schedule E1-7 of this Exception, the pedestrian street entrance shall face Hurontario Street		
8.2.2.7.7	Maximum number of courier/messenger service delivery vehicles permitted to be stored outside	10	
8.2.2.7.8	"Pedestrian Street Entrance" means the door designed as an access point into a building for pedestrians and provides a direct pedestrian access to Hurontario Street		



Schedule E1-7
Map 43W

8.2.2.8	Exception: E1-8	Map # 44E	By-law: 0191-2009
In an E1-8 zone the permitted uses and applicable regulations shall be as specified for an E1 zone except that the following uses/regulations shall apply:			
Regulations			
8.2.2.8.1	Maximum percentage of gross floor area - non-residential used for accessory uses	30%	
8.2.2.8.2	Minimum height of all buildings and structures located within 145.0 m of Hurontario Street	3 storeys	

8.2.2.9	Exception: E1-9	Map # 43W	By-law: 0191-2009
In an E1-9 zone the permitted uses and applicable regulations shall be as specified for an E1 zone except that the following uses/regulations shall apply:			
Regulations			
8.2.2.9.1	Maximum percentage of gross floor area - non-residential used for accessory uses	30%	
8.2.2.9.2	Minimum height of all buildings and structures located within 177.0 m of Hurontario Street and 129.0 m of Courtneypark Drive East	3 storeys	

8.2.2.10	Exception: E1-10	Map # 54W	By-law: 0379-2009
In an E1-10 zone the permitted uses and applicable regulations shall be as specified for an E1 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
8.2.2.10.1	(1) Retail-Warehouse (2) Garden Centre (3) Restaurant accessory to a retail-warehouse or garden centre (4) Equipment, tool and truck rental centre accessory to a retail-warehouse (5) Outdoor display and sales area accessory to a retail-warehouse		
Uses Not Permitted			
8.2.2.10.2	(1) Truck Terminal (2) Waste Processing Station (3) Waste Transfer Station (4) Composting Facility (5) Body-Rub Establishment (6) Adult Entertainment Establishment (7) Night Club		
Regulations			
8.2.2.10.3	Maximum gross floor area - non-residential		11 000 m ²
8.2.2.10.4	Maximum gross floor area - restaurant used for an accessory restaurant		100 m ²
8.2.2.10.5	Maximum area used for outdoor display and sales accessory to a retail-warehouse		275 m ²
8.2.2.10.6	Maximum area used for outdoor display and sales accessory to a garden centre including seasonal nursery stock		2 520 m ²
8.2.2.10.7	Minimum landscaped area		10% of the lot area
8.2.2.10.8	Minimum front yard		15.0 m
8.2.2.10.9	Minimum side yard		10.0 m
8.2.2.10.10	Minimum rear yard		15.0 m
8.2.2.10.11	Maximum height above established grade of outdoor display of all materials, goods or products		4.6 m
8.2.2.10.12	"Retail-Warehouse" means a building or structure, or part thereof where goods are stored and offered for sale and shall include only the following: home furnishing and home improvement products, furniture, appliances, electrical fixtures, carpets and floor coverings, building supplies, plumbing supplies, draperies and decorating supplies such as paints and wallpaper		
8.2.2.10.13	Minimum number of parking spaces per 100 m ² gross floor area - non-residential for a retail-warehouse		1.6

8.2.2.11	Exception: E1-11	Map # 36W	By-law:
In an E1-11 zone the permitted uses and applicable regulations shall be as specified for an E1 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
8.2.2.11.1	(1) Restaurant (2) Convenience Restaurant (3) Take-out Restaurant		

8.2.2.12	Exception: E1-12	Map # 44E	By-law: 0191-2009
In an E1-12 zone the permitted uses and applicable regulations shall be as specified for an E1 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
8.2.2.12.1	(1) Convenience Restaurant (2) Take-out Restaurant (3) Office and computer supplies and equipment sales		
Regulations			
8.2.2.12.2	Maximum percentage of gross floor area - non-residential used for accessory uses		30%
8.2.2.12.3	Maximum gross floor area - non-residential used for a drug store or drug dispensary		250 m ²
8.2.2.12.4	Minimum depth of a landscaped buffer along the entire length of the front lot line		4.5 m
8.2.2.12.5	Minimum front yard setback of all buildings and structures situated within 50.0 m of the front lot line		6.0 m
8.2.2.12.6	Maximum front yard setback of all buildings and structures situated within 50.0 m of the front lot line		8.5 m
8.2.2.12.7	Minimum exterior side yard		2.0 m
8.2.2.12.8	Minimum interior side yard		2.0 m
8.2.2.12.9	Minimum rear yard		7.5 m
8.2.2.12.10	Minimum height		3 storeys
Holding Provision			
<p>The holding symbol H is to be removed from the whole or any part of the lands zoned H-E1-12 by further amendment to Map 44E of Schedule B contained in Part 13 of this By-law, as amended, upon satisfaction of the following requirements:</p> <p>(1) the submission of a site development plan and application to the satisfaction of the City of Mississauga that are consistent with the following urban design policies and guidelines:</p> <p>(1.1) <i>Mississauga Plan</i> - Section 4.15.5.3 (Gateway District Special Site 2 Policies);</p> <p>(1.2) <i>Mississauga Plan</i> - Section 3.10.3 (Node General Policies)</p> <p>(1.3) <i>Upper Hurontario Corridor: A design mandate for excellence</i> - Section 4.1 (Major Nodes).</p>			

8.2.2.13	Exception: E1-13	Map # 54W	By-law:
In an E1-13 zone the permitted uses and applicable regulations shall be as specified for an E1 zone except that the following uses/regulations shall apply:			
Regulations			
8.2.2.13.1	Maximum floor space index		0.52
8.2.2.13.2	Maximum gross floor area - non-residential		22 000 m ²

8.2.2.14	Exception: E1-14	Map # 43W	By-law: 0191-2009
In an E1-14 zone the permitted uses and applicable regulations shall be as specified for an E1 zone except that the following uses/regulations shall apply:			
Regulations			
8.2.2.14.1	Maximum percentage of gross floor area - non-residential used for accessory uses		30%
8.2.2.14.2	Minimum height		3 storeys

8.2.2.15	Exception: E1-15	Map # 43W	By-law: 0191-2009
In an E1-15 zone the permitted uses and applicable regulations shall be as specified for an E1 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
8.2.2.15.1	(1) Restaurant (2) Take-out Restaurant (3) Convenience Restaurant (4) Outdoor patio accessory to a restaurant, convenience restaurant or take-out restaurant		
Regulations			
8.2.2.15.2	Required parking for lands located between Hurontario Street, Courtney Park Drive East, Edwards Boulevard and Annagem Boulevard shall also be permitted on the south side of Annagem Boulevard on all lands zoned E1-15		
8.2.2.15.3	Maximum number of courier/messenger service delivery vehicles permitted to be stored outside		10
8.2.2.15.4	Minimum setback of a restaurant, take-out restaurant, convenience restaurant or an outdoor patio accessory to a restaurant, take-out restaurant or convenience restaurant from Hurontario Street		50.0 m

8.2.2.16	Exception: E1-16	Map # 37E	By-law: 0191-2009
In an E1-16 zone the permitted uses and applicable regulations shall be as specified for an E1 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
8.2.2.16.1	(1) Existing accessory day care		

8.2.2.17	Exception: E1-17	Map # 44E	By-law: OMB Effective Date 2008 May 15 Case No.: PL070625 File No.: R070149
In an E1-17 zone the permitted uses and applicable regulations shall be as specified for an E1 zone except that the following uses/regulations shall apply:			
Regulation			
8.2.2.17.1	The provisions of Lines 6.0 and 8.0 contained in Table 8.2.1 of this By-law shall not apply		

8.2.2.18	Exception: E1-18	Map # 34E	By-law: 0323-2009/ OMB Order 2010 May 10
In an E1-18 zone the permitted uses and applicable regulations shall be as specified for an E1 zone except that the following uses/regulations shall apply:			
Uses Not Permitted			
8.2.2.18.1	(1) Manufacturing Facility (2) Warehouse/Distribution Facility		
Additional Permitted Uses			
8.2.2.18.2	(1) Manufacturing facility legally existing on the date of passing of this By-law (2) Warehouse/distribution facility legally existing on the date of passing of this By-law (3) Repair service as an accessory use in compliance with Subsection 8.1.2 of this By-law		
Regulations			
8.2.2.18.3	Minimum floor space index - non-residential		0.5
8.2.2.18.4	Maximum setback to the first three (3) storeys of a streetwall of the first building erected on a lot abutting lands zoned PB1		7.5 m
8.2.2.18.5	Maximum setback to the first three (3) storeys of a streetwall of the first building erected on a lot abutting Commerce Boulevard, Explorer Drive or Skymark Avenue		5.0 m
8.2.2.18.6	A maximum of 30% of the length of a streetwall of the first three (3) storeys of a building or structure identified in Sentences 8.2.2.18.4 and 8.2.2.18.5 of this Exception, may be set back beyond the maximum setback		
8.2.2.18.7	Minimum height of all buildings and structures except that: (1) a maximum of 30% of the building footprint may be less than four (4) storeys		4 storeys
8.2.2.18.8	Where a building is located within 10.0 m of lands zoned PB1, Eglinton Avenue West, Commerce Boulevard, Explorer Drive or Skymark Avenue, the main front entrance shall face the street. Where a building is located at the intersection of two (2) of these streets and/or lands zoned PB1, or any combination thereof, the main front entrance shall be located at the corner of the building facing the intersection, or a building entrance shall be located facing each street and/or lands zoned PB1		
8.2.2.18.9	Expansion or alteration to any building or structure legally existing on the date of passing of this By-law shall be permitted and shall not be subject to the regulations of Sentences 8.2.2.18.3 to 8.2.2.18.8 of this Exception		
8.2.2.18.10	Expansion of any use legally existing on the date of passing of this By-law shall be permitted and shall not be subject to the regulations of Sentences 8.2.2.18.3 to 8.2.2.18.8 of this Exception		
8.2.2.18.11	In an office building, where the non-office uses, including medical office and real estate office, are greater than 20% of the total GFA - non-residential, separate parking will be required for all of such uses in accordance with the regulations contained in Table 3.1.2.2 of this By-law. Parking for banquet hall/conference centre/convention centre will be provided in accordance with the applicable regulations contained in Table 3.1.2.2 of this By-law.		

8.2.2.19	Exception: E1-19	Map # 34E, 34W, 35E	By-law: 0322-2009
In an E1-19 zone the permitted uses and applicable regulations shall be as specified for an E1 zone except that the following uses/regulations shall apply:			
Uses Not Permitted			
8.2.2.19.1	(1) Manufacturing Facility (2) Warehouse/Distribution Facility		
Additional Permitted Uses			
8.2.2.19.2	(1) Manufacturing facility legally existing on the date of passing of this By-law (2) Warehouse/distribution facility legally existing on the date of passing of this By-law (3) Repair service as an accessory use in compliance with Subsection 8.1.2 of this By-law		
Regulations			
8.2.2.19.3	Minimum floor space index - non-residential		0.5
8.2.2.19.4	Maximum setback to the first three (3) storeys of a streetwall of the first building erected on a lot abutting lands zoned PB1 or Eglinton Avenue West		7.5 m
8.2.2.19.5	Maximum setback to the first three (3) storeys of a streetwall of the first building erected on a lot abutting Explorer Drive, Orbitor Drive, Satellite Drive, Spectrum Way or Skymark Avenue		5.0 m
8.2.2.19.6	A maximum of 30% of the length of a streetwall of the first three (3) storeys of a building or structure identified in Sentences 8.2.2.19.4 and 8.2.2.19.5 of this Exception, may be set back beyond the maximum setback		
8.2.2.19.7	Minimum height of all buildings and structures except that: (1) a maximum of 30% of the building footprint may be less than two (2) storeys		2 storeys
8.2.2.19.8	Where a building is located within 10.0 m of lands zoned PB1, Eglinton Avenue West, Explorer Drive, Orbitor Drive, Satellite Drive, Spectrum Way or Skymark Avenue, the main front entrance shall face the street . Where a building is located at the intersection of two (2) of these streets and/or lands zoned PB1, or any combination thereof, the main front entrance shall be located at the corner of the building facing the intersection , or a building entrance shall be located facing each street and/or lands zoned PB1		
8.2.2.19.9	Expansion or alteration to any building or structure legally existing on the date of passing of this By-law shall be permitted and shall not be subject to the regulations of Sentences 8.2.2.19.3 to 8.2.2.19.8 of this Exception		
8.2.2.19.10	Expansion of any use legally existing on the date of passing of this By-law shall be permitted and shall not be subject to the regulations of Sentences 8.2.2.19.3 to 8.2.2.19.8 of this Exception		
8.2.2.19.11	In an office building , where the non-office uses, including medical office and real estate office , are greater than 20% of the total GFA - non-residential , separate parking will be required for all of such uses in accordance with the regulations contained in Table 3.1.2.2 of this By-law. Parking for banquet hall/conference centre/convention centre will be provided in accordance with the applicable regulations contained in Table 3.1.2.2 of this By-law.		

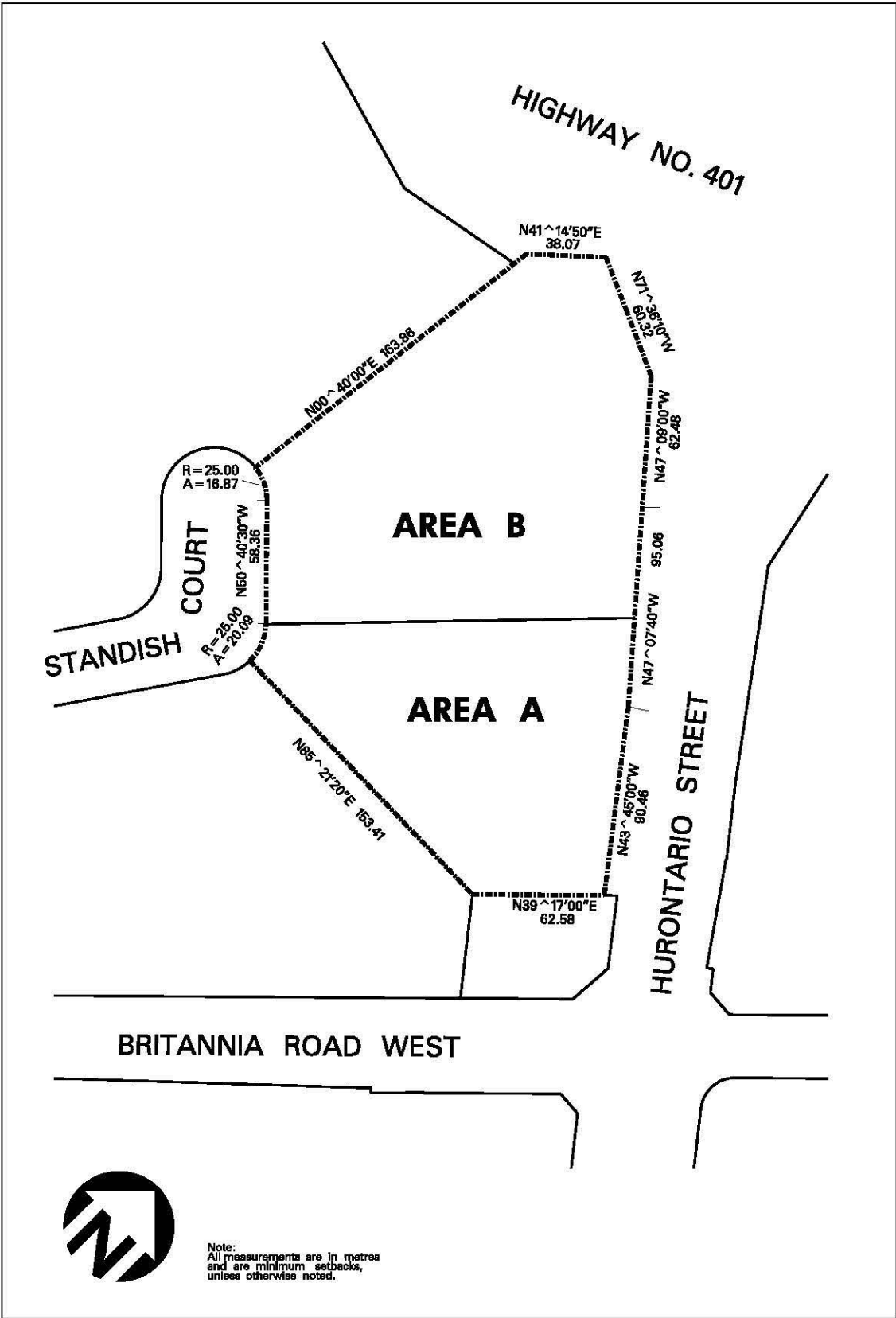
8.2.2.20	Exception: E1-20	Map # 44E	By-law: 0191-2009/ OMB Order 2010 May 05
In an E1-20 zone the permitted uses and applicable regulations shall be as specified for an E1 zone except that the following uses/regulations shall apply:			
Regulations			
8.2.2.20.1	Where a building is located within 10.0 m of Hurontario Street, the pedestrian street entrance shall face Hurontario Street		
8.2.2.20.2	"Pedestrian Street Entrance" means the door designed as an access point into a building for pedestrians and provides a direct pedestrian access to Hurontario Street		

8.2.2.21	Exception: E1-21	Map # 44E	By-law: 0191-2009/ OMB Order 2010 May 05
In an E1-21 zone the permitted uses and applicable regulations shall be as specified for an E1 zone except that the following uses/regulations shall apply:			
Regulations			
8.2.2.21.1	The provisions of Lines 6.0 to 6.3, 13.0 and 14.0 in Table 8.2.1 contained in Subsection 8.2.1 of this By-law shall not apply		
8.2.2.21.2	For the purposes of this By-law, all lands zoned E1-21 shall be considered one (1) lot		

8.2.2.22	Exception: E1-22	Map # 44E	By-law: 0191-2009/ OMB Order 2010 May 05
In an E1-22 zone the permitted uses and applicable regulations shall be as specified for an E1 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
8.2.2.22.1	(1)	Required parking, driveways and aisles for lands zoned E1-23 and abutting lands zoned E1	
Regulations			
8.2.2.22.2		The provisions of Lines 6.0 to 6.3, 13.0 and 14.0 in Table 8.2.1 contained in Subsection 8.2.1 of this By-law shall not apply to Area B identified on Schedule E1-22 of this Exception	
8.2.2.22.3		Maximum setback of the first storey of a streetwall of a building erected on a lot abutting a street identified in Note (6) to Table 8.2.1 contained in Subsection 8.2.1 of this By-law and located within Area A identified on Schedule E1-22 of this Exception	18.0 m
8.2.2.22.4		The provisions of Line 6.2 in Table 8.2.1 contained in Subsection 8.2.1 of this By-law shall not apply	
8.2.2.22.5		A maximum of 30% of the length of a streetwall of the first storey of a building within Area A, identified on Schedule E1-22 of this Exception, may be set back beyond the maximum setback of 18.0 m	
8.2.2.22.6		Minimum distance from a surface parking space in Area A, identified on Schedule E1-22 of this Exception, to a street identified in Note (6) to Table 8.2.1 contained in Subsection 8.2.1 of this By-law	18.0 m

Exception E1-22 continued on next page

8.2.2.22	Exception: E1-22	Map # 44E	By-law: 0191-2009/ OMB Order 2010 May 05
Exception E1-22 continued from previous page			
8.2.2.22.7	Where a building is located within 18.0 m of Hurontario Street in Area A identified on Schedule E1-22 of this Exception, the pedestrian street entrance shall face Hurontario Street		
8.2.2.22.8	"Pedestrian Street Entrance" means the door designed as an access point into a building for pedestrians and provides a direct pedestrian access to Hurontario Street		



Schedule E1-22
Map 44E

8.2.2.23	Exception: E1-23	Map # 44E	By-law: 0191-2009/ OMB Order 2010 May 05
In an E1-23 zone the permitted uses and applicable regulations shall be as specified for an E1 zone except that the following uses/regulations shall apply:			
Regulation			
8.2.2.23.1	Required parking may be located on lands zoned E1-22		

8.2.2.24	Exception: E1-24	Map # 37E	By-law: 0191-2009/ OMB Order 2010 May 05
In an E1-24 zone the permitted uses and applicable regulations shall be as specified for an E1 zone except that the following uses/regulations shall apply:			
Regulations			
8.2.2.24.1	Maximum setback of the first storey of a streetwall of a building erected on a lot abutting a street identified in Note (6) to Table 8.2.1 contained in Subsection 8.2.1 of this By-law		15.0 m
8.2.2.24.2	The provisions of Line 6.2 in Table 8.2.1 contained in Subsection 8.2.1 of this By-law shall not apply		
8.2.2.24.3	A maximum of 30% of the length of a streetwall of the first storey of a building may be set back beyond the maximum setback of 15.0 m		
8.2.2.24.4	Where a building is located within 15.0 m of Hurontario Street, the pedestrian street entrance shall face Hurontario Street		
8.2.2.24.5	"Pedestrian Street Entrance" means the door designed as an access point into a building for pedestrians and provides a direct pedestrian access to Hurontario Street		

8.2.2.25	Exception: E1-25	Map # 37E	By-law: 0191-2009/ OMB Order 2010 May 05
In an E1-25 zone the permitted uses and applicable regulations shall be as specified for an E1 zone except that the following uses/regulations shall apply:			
Regulations			
8.2.2.25.1	Maximum setback to the first storey of a streetwall of an addition to an existing building		48.0 m
8.2.2.25.2	Maximum setback of the first storey of a streetwall of a building erected on a lot abutting a street identified in Note (6) to Table 8.2.1 contained in Subsection 8.2.1 of this By-law		10.0 m
8.2.2.25.3	The provisions of Line 6.2 in Table 8.2.1 contained in Subsection 8.2.1 of this By-law shall not apply		
8.2.2.25.4	A maximum of 30% of the length of a streetwall of the first storey of a building may be set back beyond the maximum setback of 10.0 m		
8.2.2.25.5	Where a building is located within 10.0 m of Hurontario Street, the pedestrian street entrance shall face Hurontario Street		

Exception E1-25 continued on next page

8.2.2.25	Exception: E1-25	Map # 37E	By-law: 0191-2009/ OMB Order 2010 May 05
Exception E1-25 continued from previous page			
8.2.2.25.6	Expansion or alteration to any building or structure legally existing on the date of passing of this By-law shall not be subject to the regulations of Lines 6.0 to 6.3, 13.0 and 14.0 in Table 8.2.1 contained in Subsection 8.2.1 of this By-law		
8.2.2.25.7	"Pedestrian Street Entrance" means the door designed as an access point into a building for pedestrians and provides a direct pedestrian access to Hurontario Street		

8.2.3 E2 Exception Zones

Refer to Article 1.1.2.3 - Exception Zones and Exception Zone Schedules

8.2.3.1	Exception: E2-1	Map # 19, 25, 36W, 44W, 45W, 46E, 53 W, 54E, 54W, 58, 59	By-law: OMB Order 2008 November 10 Case No.: PL070625 File No.: R070168
In an E2-1 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Uses Not Permitted			
8.2.3.1.1	(1)	Truck Terminal	
	(2)	Waste Processing Station	
	(3)	Waste Transfer Station	
	(4)	Composting Facility	
	(5)	Body-Rub Establishment	
	(6)	Adult Entertainment Establishment	
	(7)	Night Club	
Regulation			
8.2.3.1.2	"Parking Area" means an open, unobstructed area of land consisting of one (1) or more parking spaces that is served by driveways and/or aisles, where motor vehicles less than or equal to 3 000 kg in weight are parked on a temporary basis for a period of not more than 14 days and a fee may or may not be charged. This definition of parking area shall only apply to lands zoned E2-1 identified on Maps 45W, 46E, 53W, 54E and 54W		

8.2.3.2	Exception: E2-2	Map # 58	By-law: 0379-2009
In an E2-2 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
8.2.3.2.1	(1)	C3 uses contained in Subsection 6.2.1 of this By-law, except: (1.1) Motor Vehicle Rental Facility	
Uses Not Permitted			
8.2.3.2.2	(1)	Truck Terminal	
	(2)	Waste Processing Station	
	(3)	Waste Transfer Station	
	(4)	Composting Facility	
	(5)	Body-Rub Establishment	
	(6)	Adult Entertainment Establishment	
	(7)	Night Club	
	(8)	deleted	
	(9)	Motor Vehicle Repair Facility - Restricted	
Regulation			
8.2.3.2.3	Uses contained in Subsection 8.2.1 of this By-law, and those remaining uses contained in Subsection 6.2.1 of this By-law, shall comply with the C3 zone regulations contained in Subsection 6.2.1 of this By-law		

8.2.3.3	Exception: E2-3	Map # 58	By-law: 0379-2009
In an E2-3 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Uses Not Permitted			
8.2.3.3.1	(1) Truck Terminal		
	(2) Waste Processing Station		
	(3) Waste Transfer Station		
	(4) Composting Facility		
	(5) Body-Rub Establishment		
	(6) Gas Bar		
	(7) <i>deleted</i>		
	(8) Motor Vehicle Repair Facility - Restricted		
	(9) <i>deleted</i>		
	(10) Motor Vehicle Wash Facility - Restricted		
	(11) Motor Vehicle Service Station		
	(12) Adult Entertainment Establishment		
	(13) Night Club		
Regulations			
8.2.3.3.2	The provisions contained in Subsection 8.1.4 of this By-law shall not apply		
8.2.3.3.3	Minimum setback from lands zoned OS2		30.0 m

8.2.3.4	Exception: E2-4	Map # 59	By-law: 0379-2009
In an E2-4 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Uses Not Permitted			
8.2.3.4.1	(1) Truck Terminal		
	(2) Waste Processing Station		
	(3) Waste Transfer Station		
	(4) Composting Facility		
	(5) Body-Rub Establishment		
	(6) Gas Bar		
	(7) <i>deleted</i>		
	(8) Motor Vehicle Repair Facility - Restricted		
	(9) <i>deleted</i>		
	(10) Motor Vehicle Wash Facility - Restricted		
	(11) Motor Vehicle Service Station		
	(12) Adult Entertainment Establishment		
	(13) Night Club		
Regulation			
8.2.3.4.2	Minimum front yard where the opposite side of the street on which the lot fronts is in a Residential Zone		20.0 m

8.2.3.5	Exception: E2-5	Map # 18	By-law:
In an E2-5 zone the applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Permitted Uses			
8.2.3.5.1	Lands zoned E2-5 shall only be used for the following:		
	(1) Science and technology facility within an enclosed building		
	(2) Education and Training Facility		
	(3) Overnight Accommodation		
	(4) Office accessory to a science and technology facility		
8.2.3.5.2	A banquet hall/conference centre/convention centre, fitness centre, financial institution, restaurant and take-out restaurant shall only be permitted provided that such uses are located within, and form an integral part of, the building used for one (1) or more of the uses permitted in Sentence 8.2.3.5.1 of this Exception		
Regulations			
8.2.3.5.3	Minimum lot area		0.8 ha
8.2.3.5.4	Maximum gross floor area - non-residential		0.4 times the lot area
8.2.3.5.5	Maximum percentage gross floor area - non-residential of all uses listed in Sentence 8.2.3.5.2 of this Exception		15%

8.2.3.6	Exception: E2-6	Map # 18	By-law: 0325-2008. 0379-2009
In an E2-6 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
8.2.3.6.1	(1)	Education and Training Facility	
Uses Not Permitted			
8.2.3.6.2	(1)	Truck Terminal	
	(2)	Waste Processing Station	
	(3)	Waste Transfer Station	
	(4)	Composting Facility	
	(5)	Body-Rub Establishment	
	(6)	Adult Entertainment Establishment	
	(7)	Night Club	
	(8)	deleted	
	(9)	Motor Vehicle Repair Facility - Restricted	
	(10)	Motor Vehicle Rental Facility	
	(11)	deleted	
	(12)	Motor Vehicle Wash Facility - Restricted	
	(13)	Motor Vehicle Service Station	
	(14)	Gas Bar	
	(15)	Convenience Restaurant	
	(16)	Motor Vehicle Sales, Leasing and/or Rental Facility - Commercial Motor Vehicles	
Regulations			
8.2.3.6.3	The provisions contained in Subsection 8.1.4 of this By-law shall not apply		
8.2.3.6.4	Maximum gross floor area - non-residential		0.4 times the lot area
8.2.3.6.5	Offices and medical offices shall be permitted provided that such uses are located within and form an integral part of, the building used for any other permitted use or a group of buildings on the same lot		

8.2.3.7	Exception: E2-7	Map # 18	By-law: 0325-2008, 0379-2009
In an E2-7 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
8.2.3.7.1	(1)	Education and Training Facility	
Uses Not Permitted			
8.2.3.7.2	(1)	Truck Terminal	
	(2)	Waste Processing Station	
	(3)	Waste Transfer Station	
	(4)	Composting Facility	
	(5)	Body-Rub Establishment	
	(6)	Adult Entertainment Establishment	
	(7)	Night Club	
	(8)	deleted	
	(9)	Motor Vehicle Repair Facility - Restricted	
	(10)	Motor Vehicle Rental Facility	
	(11)	deleted	
	(12)	Motor Vehicle Wash Facility - Restricted	
	(13)	Motor Vehicle Service Station	
	(14)	Gas Bar	
	(15)	Convenience Restaurant	
	(16)	Motor Vehicle Sales, Leasing and/or Rental Facility - Commercial Motor Vehicles	
Regulations			
8.2.3.7.3	The provisions contained in Subsection 8.1.4 of this By-law shall not apply		
8.2.3.7.4	Maximum gross floor area - non-residential		0.6 times the lot area
8.2.3.7.5	Notwithstanding Sentence 8.2.3.7.4 of this Exception, the maximum gross floor area - non-residential used for offices		0.6 times the lot area
8.2.3.7.6	Offices and medical offices shall be permitted provided that such uses are located within and form an integral part of, the building used for any other permitted use or a group of buildings on the same lot		

8.2.3.8	Exception: E2-8	Map # 23, 27, 33	By-law:
In an E2-8 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Regulations			
8.2.3.8.1	The provisions of Lines 10.0 to 13.0 contained in Table 2.1.2.1.1 of this By-law shall not apply		
8.2.3.8.2	The provisions contained in Sentence 8.1.5.1.1 of this By-law shall not apply		

8.2.3.9	Exception: E2-9	Map # 11	By-law: 03 79-2009
In an E2-9 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Uses Not Permitted			
8.2.3.9.1	(1)	Transportation Facility	
	(2)	Truck Terminal	
	(3)	Waste Processing Station	
	(4)	Waste Transfer Station	
	(5)	Composting Facility	
	(6)	Body-Rub Establishment	
	(7)	Adult Entertainment Establishment	
	(8)	<i>deleted</i>	
	(9)	Motor Vehicle Repair Facility - Restricted	
	(10)	Motor Vehicle Rental Facility	
	(11)	<i>deleted</i>	
	(12)	<i>deleted</i>	
	(13)	Motor Vehicle Wash Facility - Restricted	
	(14)	Motor Vehicle Service Station	
	(15)	Gas Bar	
	(16)	Motor Vehicle Sales, Leasing and/or Rental Facility - Commercial Motor Vehicles	
	(17)	Night Club	
	(18)	Cardlock Fuel Dispensing Facility	
Regulations			
8.2.3.9.2	The provisions contained in Subsection 8.1.4 of this By-law shall not apply		
8.2.3.9.3	Maximum floor space index office		0.5

8.2.3.10	Exception: E2-10	Map # 11	By-law: 0379-2009
In an E2-10 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Uses Not Permitted			
8.2.3.10.1	(1) Truck Terminal (2) Waste Processing Station (3) Waste Transfer Station (4) Composting Facility (5) Body-Rub Establishment (6) Adult Entertainment Establishment (7) <i>deleted</i> (8) Motor Vehicle Repair Facility - Restricted (9) Motor Vehicle Rental Facility (10) <i>deleted</i> (11) Motor Vehicle Wash Facility - Restricted (12) Motor Vehicle Service Station (13) Gas Bar		
Regulations			
8.2.3.10.2	The provisions contained in Subsections 8.1.4, 8.1.5 and 8.1.6 of this By-law shall not apply		
8.2.3.10.3	Maximum floor space index office	0.5	
8.2.3.10.4	Maximum gross floor area - non-residential used for accessory retail sales and accessory retail display	25%	
8.2.3.10.5	Minimum front yard	0.25 m	
8.2.3.10.6	Minimum easterly side yard	6.0 m	
8.2.3.10.7	Minimum westerly side yard	13.5 m	

8.2.3.11	Exception: E2-11	Map # 11	By-law:
In an E2-11 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
8.2.3.11.1	(1) Place of Religious Assembly (2) Uses Accessory to a Place of Religious Assembly (3) Private School		
Regulations			
8.2.3.11.2	The provisions contained in Subsections 8.1.5 and 8.1.6 of this By-law shall not apply		
8.2.3.11.3	Maximum floor space index office		0.5
8.2.3.11.4	Maximum gross floor area - non-residential		5 200 m ²
8.2.3.11.5	Maximum gross floor area - non-residential used for a worship area		616 m ²
8.2.3.11.6	Minimum parking spaces provided		393
8.2.3.11.7	"Uses Accessory to a Place of Religious Assembly" means an office, travel agency, and funeral preparation room		

8.2.3.12	Exception: E2-12	Map # 11, 27, 45W, 53W	By-law:
In an E2-12 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
8.2.3.12.1	(1) Public School (2) Day Care		
Regulations			
8.2.3.12.2	The provisions of Lines 2.0 to 10.0 contained in Table 2.1.9.1 of this By-law shall apply		
8.2.3.12.3	The provisions contained in Subsections 8.1.5 and 8.1.6 of this By-law shall not apply		
8.2.3.12.4	Maximum floor space index office		0.5
8.2.3.12.5	Minimum width of a landscaped buffer abutting a G1 zone		7.0 m

8.2.3.13	Exception: E2-13	Map # 35W	By-law:
In an E2-13 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
8.2.3.13.1	(1) Accessory Convenience Uses		
Regulations			
8.2.3.13.2	Maximum gross floor area - non-residential		270 m ²
8.2.3.13.3	Maximum gross floor area - non-residential used for accessory convenience uses		158 m ²
8.2.3.13.4	"Accessory Convenience Uses" shall mean a shop where food and convenience goods are stored and offered for sale at retail and may include an automatic banking machine but such establishment does not include the preparation of food		

8.2.3.14	Exception: E2-14	Map # 17	By-law: 0379-2009
In an E2-14 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Uses Not Permitted			
8.2.3.14.1	(1)	Truck Terminal	
	(2)	Waste Processing Station	
	(3)	Waste Transfer Station	
	(4)	Composting Facility	
	(5)	Body-Rub Establishment	
	(6)	Adult Entertainment Establishment	
	(7)	Night Club	
	(8)	Overnight Accommodation	
	(9)	Conference Centre/Convention Centre	
	(10)	deleted	
	(11)	Motor Vehicle Repair Facility - Restricted	
	(12)	Motor Vehicle Rental Facility	
	(13)	Motor Vehicle Service Station	
	(14)	Gas Bar	
	(15)	deleted	
	(16)	Motor Vehicle Wash Facility - Restricted	
Holding Provision			
The holding symbol H is to be removed from the whole or any part of the lands zoned H-E2-14 by further amendment to Map 17 of Schedule B contained in Part 13 of this By-law, as amended, upon satisfaction of the following requirements:			
	(1)	development will not be permitted on the lands until the long-term care, maintenance, and security of the gas control system for the former North Sheridan Landfill site is established by the Region of Peel;	
	(2)	development proposals must demonstrate that they will not interfere with the migration gas control system of the former North Sheridan Landfill site.	

8.2.3.15	Exception: E2-15	Map # 04	By-law: 0396-2009/ OMB Order 2010 May 17
In an E2-15 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
8.2.3.15.1	(1)	Garden Centre	
Uses Not Permitted			
8.2.3.15.2	(1)	Transportation Facility	
	(2)	Truck Terminal	
	(3)	Waste Processing Station	
	(4)	Waste Transfer Station	
	(5)	Composting Facility	
	(6)	Contractor Service Shop	
	(7)	Adult Entertainment Establishment	
	(8)	Body-Rub Establishment	
	(9)	Cardlock Fuel Dispensing Facility	
Regulation			
8.2.3.15.3	Outdoor storage of particulate materials such as but not limited to salt and sand shall be within enclosed containers, a structure with a minimum of three (3) sides and a roof, or otherwise covered		

8.2.3.16	Exception: E2-16	Map # 12, 23	By-law:
In an E2-16 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Uses Not Permitted			
8.2.3.16.1	(1)	Adult Entertainment Establishment	
	(2)	Body-Rub Establishment	
	(3)	Night Club	

8.2.3.17	Exception: E2-17	Map # 44E	By-law: 0379-2009
In an E2-17 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
8.2.3.17.1	(1)	Outdoor patio accessory to a restaurant or convenience restaurant	
Uses Not Permitted			
8.2.3.17.2	(1)	Waste Processing Station	
	(2)	Waste Transfer Station	
	(3)	Composting Facility	
	(4)	Body-Rub Establishment	
	(5)	Day Care	
	(6)	Adult Entertainment Establishment	
	(7)	Adult Video Store	
Regulations			
8.2.3.17.3	deleted		
8.2.3.17.4	Maximum gross floor area - non-residential used for offices		0.5 times the lot area
8.2.3.17.5	Minimum front yard		6.0 m
8.2.3.17.6	Minimum exterior side yard		6.0 m
8.2.3.17.7	Minimum interior side yard		4.5 m
8.2.3.17.8	Minimum setback of a building or structure from the Highway 401 right-of-way		13.7 m
8.2.3.17.9	Minimum setback of a building or structure to McLaughlin Road		7.5 m
8.2.3.17.10	Maximum height of a building or structure used for offices		2 storeys
8.2.3.17.11	Maximum number of courier/messenger service delivery vehicles permitted to be stored outside		10

8.2.3.18	Exception: E2-18	Map # 14	By-law:
In an E2-18 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Uses Not Permitted			
8.2.3.18.1	(1)	Truck Terminal	
	(2)	Waste Processing Station	
	(3)	Waste Transfer Station	
	(4)	Composting Facility	
	(5)	Body-Rub Establishment	
	(6)	Adult Entertainment Establishment	
	(7)	Night Club	

Exception E2-18 continued on next page

Part 8 - Employment Zones

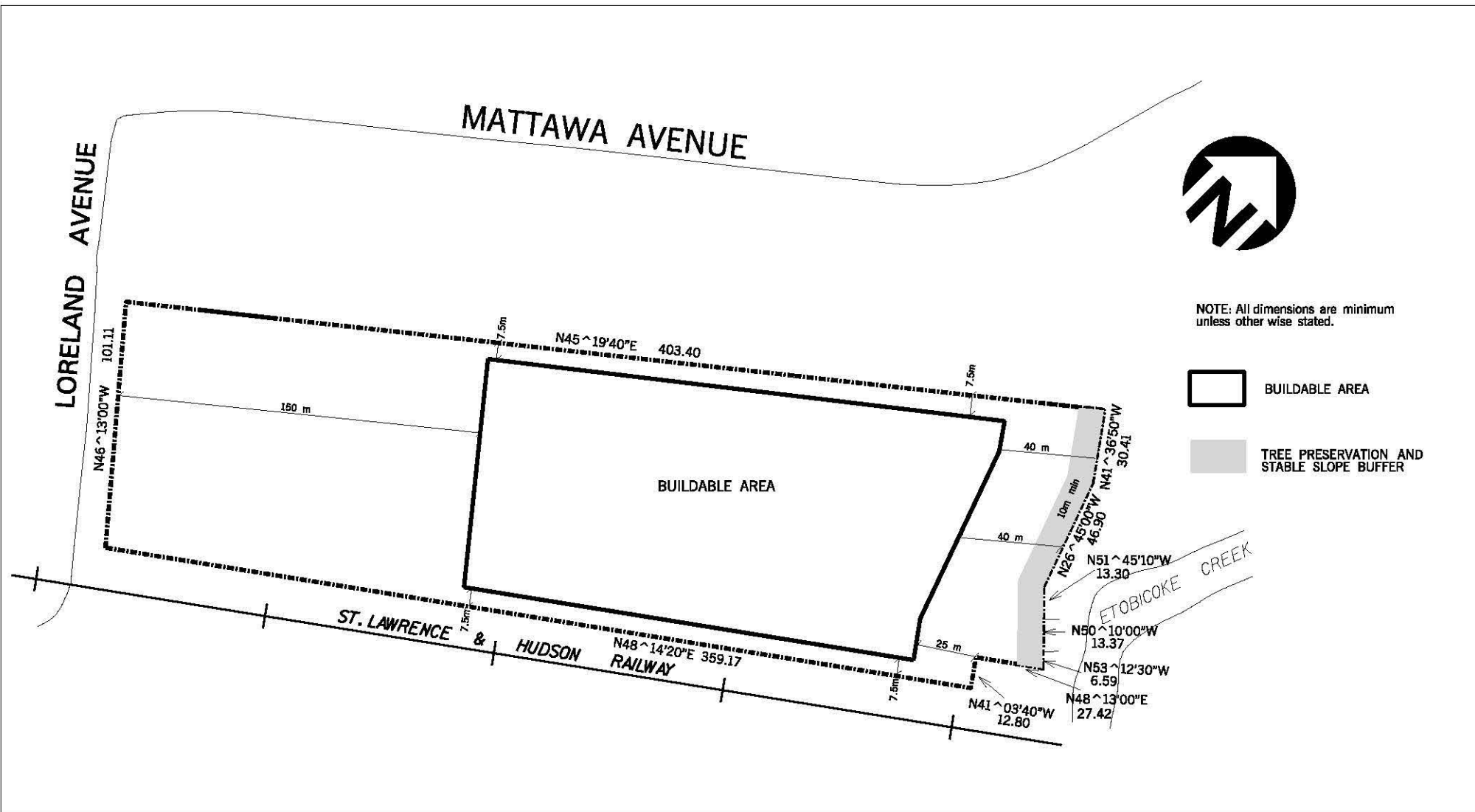
8.2.3.18	Exception: E2-18	Map # 14	By-law:
Exception E2-18 continued from previous page			
Regulations			
8.2.3.18.2	Minimum landscaped buffer abutting a Residential Zone		15.0 m
8.2.3.18.3	Minimum setback of a building or structure to a Residential Zone		25.5 m
8.2.3.18.4	A chain-link fence shall be required along the lot line abutting the Residential Zone		
8.2.3.18.5	Minimum height of a chain-link fence required under Sentence 8.2.3.18.2 of this Exception		1.8 m
8.2.3.18.6	No building or structure shall have doors or windows facing a Residential Zone		

8.2.3.19	Exception: E2-19	Map # 12, 13, 23, 27, 35W, 36E, 44E, 49E, 54W	By-law:
In an E2-19 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
8.2.3.19.1	(1)	E3 uses contained in Subsection 8.2.1 of this By-law, except: (1.1) Power Generating Facility	
Regulations			
8.2.3.19.2	The provisions contained in Sentence 8.1.5.1.1 of this By-law shall not apply		
8.2.3.19.3	Uses contained in Sentence 8.2.3.19.1 of this Exception and the E2 uses contained in Subsection 8.2.1 of this By-law, shall comply with the E3 zone regulations contained in Subsection 8.2.1 of this By-law		

8.2.3.20	Exception: E2-20	Map # 12	By-law: OMB Order 2009 March 17 Case No.: PL060319 File No.: R070162
In an E2-20 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
8.2.3.20.1	(1) Motor Vehicle Body Repair Facility (2) Contractor's Yard (3) Outdoor Storage (4) Power Generating Facility		
Regulations			
8.2.3.20.2	Maximum percentage of lot area used for outdoor storage	45%	
8.2.3.20.3	The area used for outdoor storage shall not be closer to any streetline than the main building or structure		
8.2.3.20.4	Minimum landscaped buffer abutting Loreland Avenue	6.0 m	
8.2.3.20.5	Minimum rear yard setback from tree preservation and stable slope buffer	7.5 m	
8.2.3.20.6	The rear yard setback shall be measured from the western extent of the tree preservation and stable slope buffer		

Exception E2-20 continued on next page

8.2.3.20	Exception: E2-20	Map # 12	By-law: OMB Order 2009 March 17 Case No.: PL060319 File No.: R070162
Exception E2-20 continued from previous page			
8.2.3.20.7	Minimum width of the tree preservation and stable slope buffer		10.0 m
8.2.3.20.8	Minimum height of fencing surrounding the area used for outdoor storage		2.9 m
8.2.3.20.9	The fence surrounding the area used for outdoor storage shall not be situated closer to any streetline than any portion of the main building or structure or closer to the rear property line than the required minimum rear yard		
8.2.3.20.10	Maximum height of materials in the area used for outdoor storage		2.9 m
8.2.3.20.11	"Tree Preservation and Stable Slope Buffer" means an area where no building or structure, walk, patio, vehicular driveway or ramp, whether surfaced or not, any curb, retaining wall, motor vehicle parking area or open storage is permitted and where existing vegetation shall not be removed except where dead, hazardous or for conservation uses.		
8.2.3.20.12	All site development plans shall comply with the tree preservation and stable slope buffer identified on Schedule E2-20 of this Exception		
8.2.3.20.13	A power generating facility shall also comply with the following: (1) maximum height 28.0 m (2) maximum height of storage tanks 11.0 m (3) maximum height of heat recovery steam generator structure 37.0 m (4) maximum height of heat recovery steam generator stack and relief valve vent piping 43.0 m (5) maximum capacity of all storage tanks, excluding cooling towers 6 500 m³ (6) minimum setback of storage tanks from the northerly interior side lot line 15.0 m (7) fuel oil shall not be used for the production of electrical power (8) site development plans for a power generating facility shall comply with Schedule E2-20 of this Exception		
Holding Provision			
Only the following use shall be permitted prior to the removal of the holding symbol H: (1) Power generating facility in which stormwater from all hard surfaced areas shall be harvested and used in conjunction with municipal water for process cooling. The holding symbol H is to be removed from the whole or any part of the lands zoned H-E2-20 by further amendment to Map 12 of Schedule B contained in Part 13 of this By-law, as amended, upon satisfaction of the following requirement: (1) delivery of executed Servicing and Development Agreements regarding the construction of municipal works to service the site and arrangements for associated land dedications, easements, securities, and, arrangements for the applicable Tree Permit application.			



Schedule E2-20
Map 12

8.2.3.21	Exception: E2-21	Map # 01	By-law: 0379-2009
In an E2-21 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Uses Not Permitted			
8.2.3.21.1	(1)	Truck Terminal	
	(2)	Waste Processing Station	
	(3)	Waste Transfer Station	
	(4)	Composting Facility	
	(5)	Body-Rub Establishment	
	(6)	Adult Entertainment Establishment	
	(7)	Night Club	
	(8)	<i>deleted</i>	
	(9)	Motor Vehicle Repair Facility - Restricted	
	(10)	Motor Vehicle Rental Facility	
	(11)	Gas Bar	
	(12)	<i>deleted</i>	
	(13)	Motor Vehicle Wash Facility - Restricted	
	(14)	Motor Vehicle Service Station	

8.2.3.22	Exception: E2-22	Map # 27	By-law:
In an E2-22 zone the permitted uses and applicable regulations shall be as specified for an E2 zone			
Holding Provision			
The holding symbol H is to be removed from the whole or any part of the lands zoned H-E2-22 by further amendment to Map 27 of Schedule B contained in Part 13 of this By-law, as amended, upon satisfaction of the following requirement:			
	(1)	the applicant enter into Servicing and Development agreements to dedicate and construct the road and municipal services required in support of the development of these parcels to the satisfaction of the City.	

8.2.3.23	Exception: E2-23	Map # 52E	By-law: 0379-2009
In an E2-23 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Uses Not Permitted			
8.2.3.23.1	(1)	Place of Religious Assembly	
	(2)	Library	
	(3)	Motor Vehicle Repair Facility - Restricted	
	(4)	Overnight Accommodation	
	(5)	Restaurant	
	(6)	Financial Institution	
	(7)	Broadcasting/Communication Facility	
Regulations			
8.2.3.23.2	The provisions contained in Subsections 8.1.5 and 8.1.6 of this By-law shall not apply		
8.2.3.23.3	Minimum setback of all buildings and structures from the lot line abutting a Residential Zone		20.0 m
Holding Provision			
<p>The holding symbol H is to be removed from the whole or any part of the lands zoned H-E2-23 by further amendment to Map 52E of Schedule B contained in Part 13 of this By-law, as amended, upon satisfaction of the following requirements:</p> <p>(1) the stormwater management facility (Part 1, Reference Plan 43R-25114) and storm sewer outlet to Fletcher's Creek shall be constructed and operable to the satisfaction of the City Transportation and Works Department and Credit Valley Conservation;</p> <p>(2) the completion of services (including storm sewers) and registration of Draft Plan of Subdivision T-M95022, Ben-Ted Limited;</p> <p>(3) delivery of an executed Development Agreement in a form satisfactory to The Corporation of the City of Mississauga;</p> <p>(4) satisfactory arrangements being made with the City Transportation and Works Department for establishing a 0.3 m reserve across the Saint Barbara Boulevard frontage of the site.</p>			

8.2.3.24	Exception: E2-24	Map # 35E, 35W, 36E, 36W, 40W, 43E, 43W, 44E, 44W, 45W, 46E, 51E, 54E, 54W, 58, 59	By-law: 0379-2009
In an E2-24 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Uses Not Permitted			
8.2.3.24.1	(1)	Truck Terminal	
	(2)	Waste Processing Station	
	(3)	Waste Transfer Station	
	(4)	Composting Facility	
	(5)	Body-Rub Establishment	
	(6)	Adult Entertainment Establishment	
	(7)	Night Club	
	(8)	<i>deleted</i>	
	(9)	Motor Vehicle Repair Facility - Restricted	
	(10)	Motor Vehicle Rental Facility	
	(11)	Gas Bar	
	(12)	Motor Vehicle Service Station	
	(13)	<i>deleted</i>	
	(14)	Motor Vehicle Wash Facility - Restricted	
Regulations			
8.2.3.24.2	The provisions contained in Subsection 8.1.4 of this By-law shall not apply		
8.2.3.24.3	Notwithstanding the provisions contained in Subsection 8.1.5 of this By-law, accessory outdoor storage shall not be permitted in a yard abutting Highway 401, 403 or 410		

8.2.3.25	Exception: E2-25	Map # 54W	By-law:
In an E2-25 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
8.2.3.25.1	(1)	E3 uses contained in Subsection 8.2.1 of this By-law, except:	
	(1.1)	Power Generating Facility	
Regulations			
8.2.3.25.2	The provisions contained in Sentence 8.1.5.1.1 of this By-law shall not apply		
8.2.3.25.3	Minimum setback of a building, structure or part thereof, to a gas transmission pipeline easement		10.0 m
8.2.3.25.4	Uses contained in Sentence 8.2.3.25.1 and the E2 uses contained in Subsection 8.2.1 of this By-law, shall comply with the E3 zone regulations contained in Subsection 8.2.1 of this By-law		

8.2.3.26	Exception: E2-26	Map # 54E	By-law: 0379-2009
In an E2-26 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Uses Not Permitted			
8.2.3.26.1	(1) Truck Terminal		
	(2) Waste Processing Station		
	(3) Waste Transfer Station		
	(4) Composting Facility		
	(5) Body-Rub Establishment		
	(6) Adult Entertainment Establishment		
	(7) Night Club		
	(8) <i>deleted</i>		
	(9) Motor Vehicle Repair Facility - Restricted		
	(10) Motor Vehicle Rental Facility		
	(11) Motor Vehicle Service Station		
	(12) <i>deleted</i>		
	(13) Motor Vehicle Wash Facility - Restricted		
	(14) Gas Bar		
Regulations			
8.2.3.26.2	The provisions contained in Subsection 8.1.4 of this By-law shall not apply		
8.2.3.26.3	Minimum setback of buildings, structures or parts thereof, to Highway 401		13.7 m

8.2.3.27	Exception: E2-27	Map # 22	By-law:
In an E2-27 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Regulation			
8.2.3.27.1	The provisions contained in Sentence 8.1.5.1.1 of this By-law shall not apply		

8.2.3.28	Exception: E2-28	Map # 44E	By-law: 0191-2009
In an E2-28 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
8.2.3.28.1	(1)	Outdoor patio accessory to a restaurant or convenience restaurant	
Uses Not Permitted			
8.2.3.28.2	(1)	Truck Terminal	
	(2)	Waste Processing Station	
	(3)	Waste Transfer Station	
	(4)	Composting Facility	
	(5)	Body-Rub Establishment	
	(6)	Adult Entertainment Establishment	
	(7)	Night Club	
Regulations			
8.2.3.28.3	The provisions contained in Subsection 8.1.4 of this By-law shall not apply		
8.2.3.28.4	Maximum setback of a building or structure from Derry Road West		16.5 m
8.2.3.28.5	Minimum setback of motor vehicle parking and loading facilities from Derry Road West		16.5 m

8.2.3.29	Exception: E2-29	Map # 45W, 46E	By-law:
In an E2-29 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
8.2.3.29.1	(1)	Outdoor Storage	
Uses Not Permitted			
8.2.3.29.2	(1)	Truck Terminal	
	(2)	Waste Processing Station	
	(3)	Waste Transfer Station	
	(4)	Composting Facility	
	(5)	Body-Rub Establishment	
	(6)	Adult Entertainment Establishment	
	(7)	Night Club	
Regulations			
8.2.3.29.3	The provisions contained in Subsections 8.1.5 and 8.1.6 of this By-law shall not apply		
8.2.3.29.4	The provisions contained in Subsection 8.1.7 of this By-law shall apply		

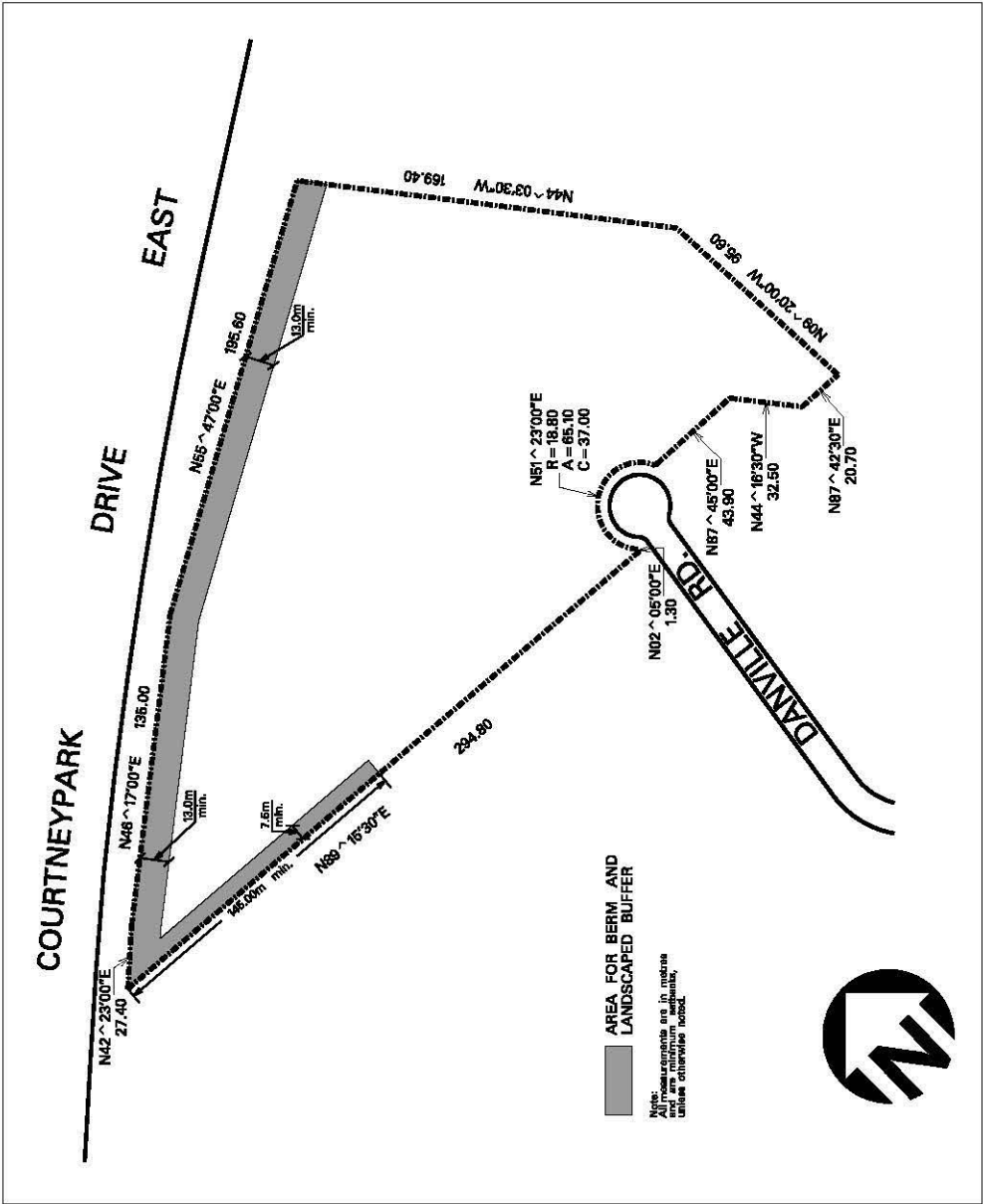
8.2.3.30	Exception: E2-30	Map # 23, 53W	By-law:
In an E2-30 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the uses/regulations shall apply:			
Additional Permitted Use			
8.2.3.30.1	(1)	Day Care	
Uses Not Permitted			
8.2.3.30.2	(1)	Adult Entertainment Establishment	
	(2)	Body-Rub Establishment	
	(3)	Night Club	
	(4)	Truck Terminal	
	(5)	Waste Processing Station	
	(6)	Waste Transfer Station	
	(7)	Composting Facility	

8.2.3.31	Exception: E2-31	Map # 18	By-law:
In an E2-31 zone the applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Permitted Uses			
8.2.3.31.1	Lands zoned E2-31 shall only be used for the following:		
	(1)	Science and Technology Facility	
	(2)	Educational and Training Facility	
	(3)	Overnight Accommodation	
	(4)	Office accessory to a science and technology facility	
	(5)	Private School	
8.2.3.31.2	A banquet hall/conference centre/convention centre, fitness centre, financial institution, restaurant, take-out restaurant and/or convenience restaurant shall only be permitted provided such uses are located within, and form an integral part of the building used for one (1) or more of the uses contained in Sentence 8.2.3.31.1 of this Exception		
Regulations			
8.2.3.31.3	Minimum lot area		0.8 ha
8.2.3.31.4	Maximum gross floor area - non-residential		0.4 times the lot area
8.2.3.31.5	Maximum percentage of gross floor area - non-residential of all uses contained in Sentence 8.2.3.31.2 of this Exception		15%

8.2.3.32	Exception: E2-32	Map # 43E	By-law:
In an E2-32 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
8.2.3.32.1	(1)	Retail Store	
Regulations			
8.2.3.32.2	Maximum gross floor area - non-residential		7 450 m ²
8.2.3.32.3	Maximum gross floor area - non-residential used for all retail stores		300 m ²

8.2.3.33	Exception: E2-33	Map # 43E	By-law:
In an E2-33 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
8.2.3.33.1	(1)	Convenience retail and service kiosk accessory to a cardlock fuel dispensing facility	
Regulations			
8.2.3.33.2	Maximum gross floor area - non-residential used for an accessory convenience retail and service kiosk		400 m ²
8.2.3.33.3	Required parking for a permitted use may be located on lands zoned U-6		

8.2.3.34	Exception: E2-34	Map # 43E	By-law:
In an E2-34 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Regulation			
8.2.3.34.1	All landscaped buffers shall comply with Schedule E2-34 of this Exception		



Schedule E2-34
Map 43E

8.2.3.35	Exception: E2-35	Map # 45W	By-law: 0379-2009
In an E2-35 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
8.2.3.35.1	(1)	Private Community Centre	
Uses Not Permitted			
8.2.3.35.2	(1)	Truck Terminal	
	(2)	Waste Processing Station	
	(3)	Waste Transfer Station	
	(4)	Composting Facility	
	(5)	Body-Rub Establishment	
	(6)	Adult Entertainment Establishment	
	(7)	Night Club	
	(8)	Adult Video Store	
Regulation			
8.2.3.35.3	The provisions contained in Subsection 8.1.4 of this By-law shall not apply		

8.2.3.36	Exception: E2-36	Map # 23	By-law:
In an E2-36 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
8.2.3.36.1	(1)	Recycling and processing of concrete and asphalt	
	(2)	E3 uses contained in Subsection 8.2.1 of this By-law, except:	
	(2.1)	Power Generating Facility	
	(2.2)	Composting Facility	
	(2.3)	Waste Transfer Station	
Regulation			
8.2.3.36.2	The provisions of Line 11.0 contained in Table 2.1.2.1.1 of this By-law shall not apply		

8.2.3.37	Exception: E2-37	Map # 36E	By-law:
In an E2-37 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
8.2.3.37.1	(1)	Motor vehicle parking facilities associated with the lands zoned OS2-6	

8.2.3.38	Exception: E2-38	Map # 33, 35W, 40W, 41E, 49E	By-law:
In an E2-38 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Uses Not Permitted			
8.2.3.38.1	(1)	Truck Terminal	
	(2)	Waste Processing Station	
	(3)	Waste Transfer Station	
	(4)	Composting Facility	
	(5)	Adult Entertainment Establishment	
	(6)	Body-Rub Establishment	
	(7)	Broadcasting/communication facility including any lands used for a right-of-way	

8.2.3.39	Exception: E2-39	Map # 40W	By-law:
In an E2-39 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
8.2.3.39.1	(1)	Personal Service Establishment	
	(2)	Travel Agency	
	(3)	Photography Studio	
Regulations			
8.2.3.39.2	Minimum number of parking spaces per 100 m ² gross floor area - non-residential used for a motor vehicle rental facility		1.6
8.2.3.39.3	Minimum number of parking spaces per leased vehicle which is stored within a building or structure		1.0
8.2.3.39.4	Tandem parking will be permitted		

8.2.3.40	Exception: E2-40	Map # 26	By-law:
In an E2-40 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
8.2.3.40.1	(1)	Outdoor patio accessory to a restaurant, convenience restaurant or take-out restaurant	
Uses Not Permitted			
8.2.3.40.2	(1)	Motel	
	(2)	Waste Processing Station	
	(3)	Waste Transfer Station	
	(4)	Composting Facility	

8.2.3.41	Exception: E2-41	Map # 42W	By-law:
In an E2-41 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Regulation			
8.2.3.41.1	Maximum number of motor vehicles stored outdoors accessory to a truck rental facility		25

8.2.3.42	Exception: E2-42	Map # 35W, 42W, 50E, 50W	By-law:
In an E2-42 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Regulations			
8.2.3.42.1	Notwithstanding Sentence 8.1.5.1.1 of this By-law, the maximum area permitted to be used for outdoor storage		50% of lot area
8.2.3.42.2	An outdoor storage area shall not be situated closer to any street line than the rear wall of the main building or structure		

8.2.3.43	Exception: E2-43	Map # 42W	By-law:
In an E2-43 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
8.2.3.43.1	(1) Storage and sale of the following: <ul style="list-style-type: none"> (1.1) Motor vehicle parts and accessories (1.2) Trailer parts (1.3) Tires and accessories (1.4) Construction tools and accessories (1.5) Farm equipment and accessories (1.6) Plumbing supplies (1.7) Electrical supplies (1.8) Building supplies 		
8.2.3.43.2	Uses contained in Sentence 8.2.3.43.1 shall only be permitted provided such establishment incorporates the storage and sale of two (2) or more different types of the commodities listed		

8.2.3.44	Exception: E2-44	Map # 50W	By-law:
In an E2-44 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Regulations			
8.2.3.44.1	The provisions contained in Sentence 8.1.6.1.2 of this By-law shall not apply		
8.2.3.44.2	Minimum setback of outdoor storage from Dixie Road		110.0 m
8.2.3.44.3	Maximum number of trucks or truck trailers, accessory to the sale, leasing, repair and assembly of trucks and trailers permitted to be displayed outside		4

8.2.3.45	Exception: E2-45	Map # 50W	By-law:
In an E2-45 zone the applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Permitted Uses			
8.2.3.45.1	Lands zoned E2-45 shall only be used for the following:		
	(1)	Gas Bar	
	(2)	Motor Vehicle Service Station	
	(3)	Restaurant	
	(4)	Office	
Use Not Permitted			
8.2.3.45.2	(1)	Outdoor storage of motor vehicles over 5 000 kg gross weight or construction equipment	
Regulations			
8.2.3.45.3	Maximum gross floor area - restaurant used for all restaurants		171 m ²
8.2.3.45.4	Maximum gross floor area - non-residential used for all offices		130 m ²

8.2.3.46	Exception: E2-46	Map # 45W	By-law:
In an E2-46 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
8.2.3.46.1	(1)	Motor Vehicle Sales, Leasing and/or Rental Facility - Restricted	
Regulation			
8.2.3.46.2	The provisions contained in Sentence 8.1.5.1.1 of this By-law shall not apply		

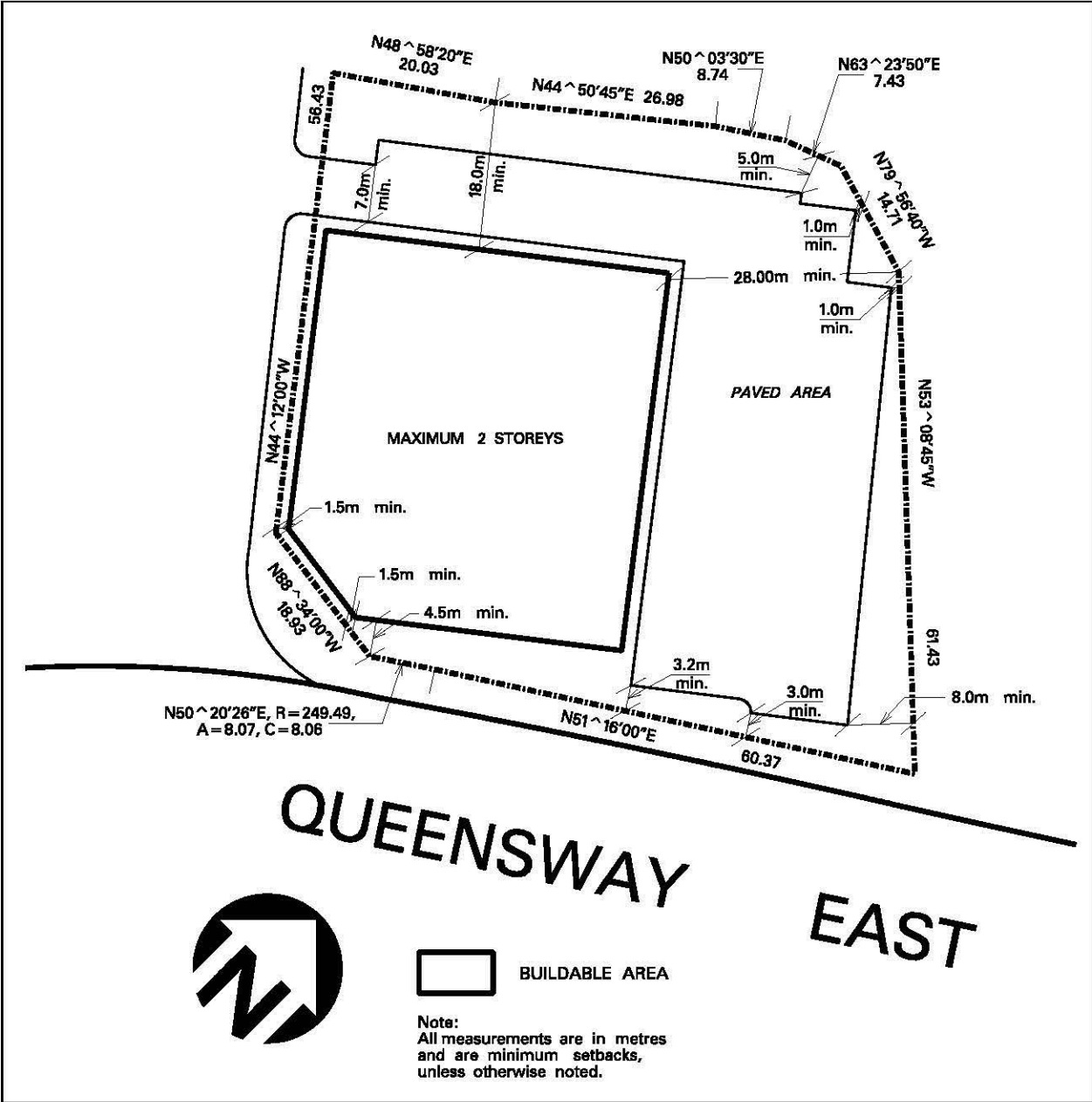
8.2.3.47	Exception: E2-47	Map # 46E	By-law:
In an E2-47 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
8.2.3.47.1	(1)	Motor Vehicle Sales, Leasing and/or Rental Facility - Restricted	
	(2)	Motor Vehicle Equipment Outlet	

8.2.3.48	Exception: E2-48	Map # 51W	By-law:
In an E2-48 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
8.2.3.48.1	(1)	Motor Vehicle Sales, Leasing and/or Rental Facility - Restricted	
Uses Not Permitted			
8.2.3.48.2	(1)	Truck Terminal	
	(2)	Waste Processing Station	
	(3)	Waste Transfer Station	
	(4)	Composting Facility	
	(5)	Body-Rub Establishment	
	(6)	Adult Entertainment Establishment	
	(7)	Night Club	
Regulation			
8.2.3.48.3	Minimum landscaped buffer along the lot line abutting Derry Road East		7.5 m

8.2.3.49	Exception: E2-49	Map # 44W	By-law: 0379-2009
In an E2-49 zone the applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Permitted Use			
8.2.3.49.1	Lands zoned E2-49 shall only be used for the following:		
	(1)	Motor Vehicle Sales, Leasing and/or Rental Facility - Restricted	
Regulations			
8.2.3.49.2	Minimum front yard		6.0 m
8.2.3.49.3	Maximum height		11.0 m
8.2.3.49.4	The provisions contained in Subsection 8.1.5 of this By-law shall not apply		

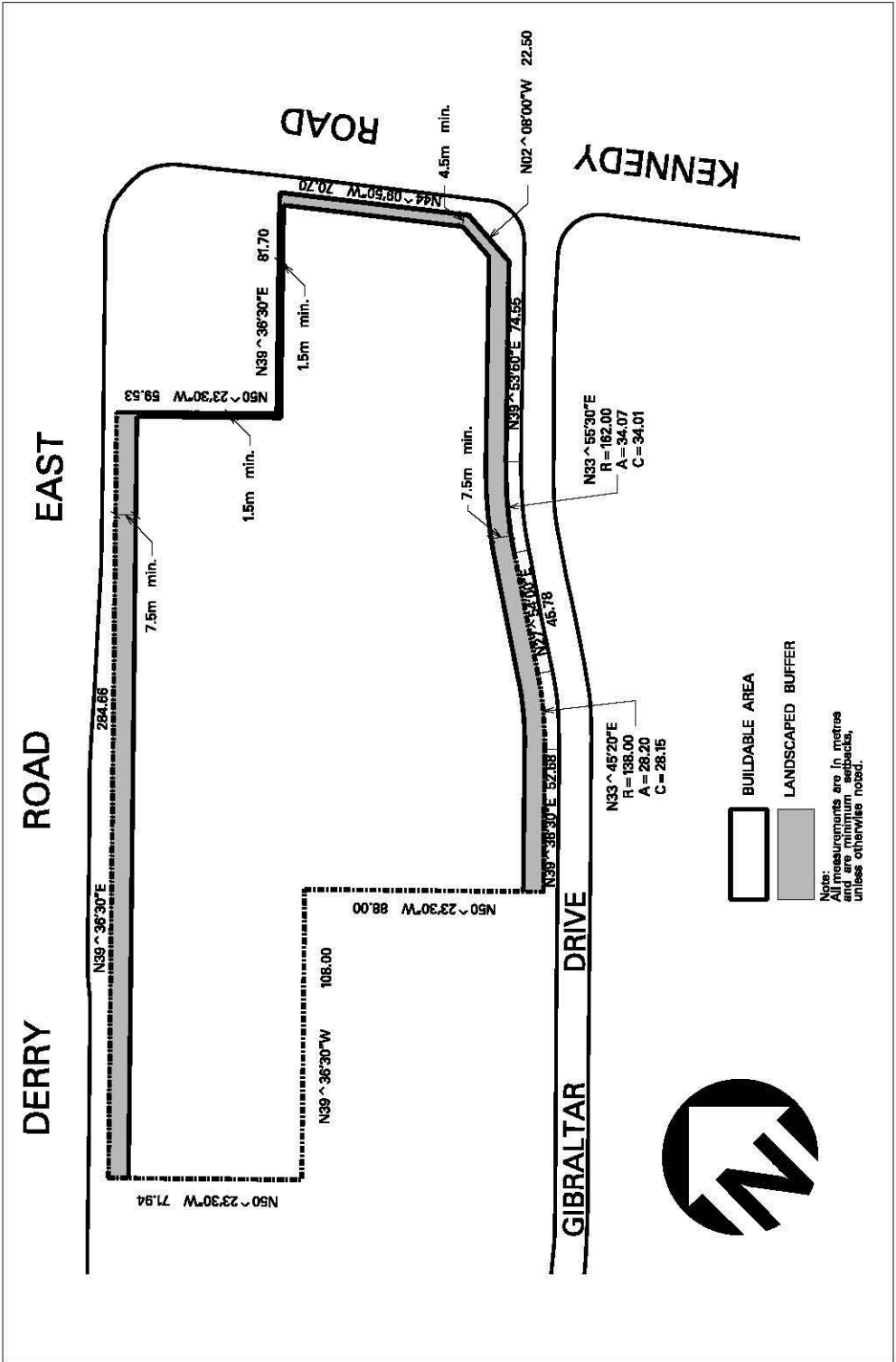
8.2.3.50	Exception: E2-50	Map # 51W	By-law: 0191-2009
In an E2-50 zone the applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Permitted Uses			
8.2.3.50.1	Lands zoned E2-50 shall only be used for the following:		
	(1)	E1 uses contained in Subsection 8.2.1 of this By-law	
	(2)	Motor vehicle tire sales, service and installation facility	
Regulations			
8.2.3.50.2	Uses contained in Sentence 8.2.3.50.1 of this Exception shall comply with the E1 zone regulations contained in Subsection 8.2.1 of this By-law except that:		
	(1)	minimum rear yard	3.3 m
	(2)	minimum height of all buildings and structures, excluding the area used for tire sales	7.3 m

8.2.3.51	Exception: E2-51	Map # 12	By-law: 0379-2009
In an E2-51 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
8.2.3.51.1	(1)	Retail Store	
Uses Not Permitted			
8.2.3.51.2	(1)	Truck Terminal	
	(2)	Waste Processing Station	
	(3)	Waste Transfer Station	
	(4)	Composting Facility	
	(5)	Body-Rub Establishment	
	(6)	Adult Entertainment Establishment	
	(7)	Motor Vehicle Repair Facility - Restricted	
	(8)	Motor Vehicle Rental Facility	
	(9)	Night Club	
Regulations			
8.2.3.51.3	The provisions contained in Subsection 8.1.4 of this By-law shall not apply		
8.2.3.51.4	Maximum gross floor area - non-residential		2 600 m ²
8.2.3.51.5	Maximum gross floor area - non-residential used for all retail stores		1 300 m ²
8.2.3.51.6	All site development plans shall comply with Schedule E2-51 of this Exception.		



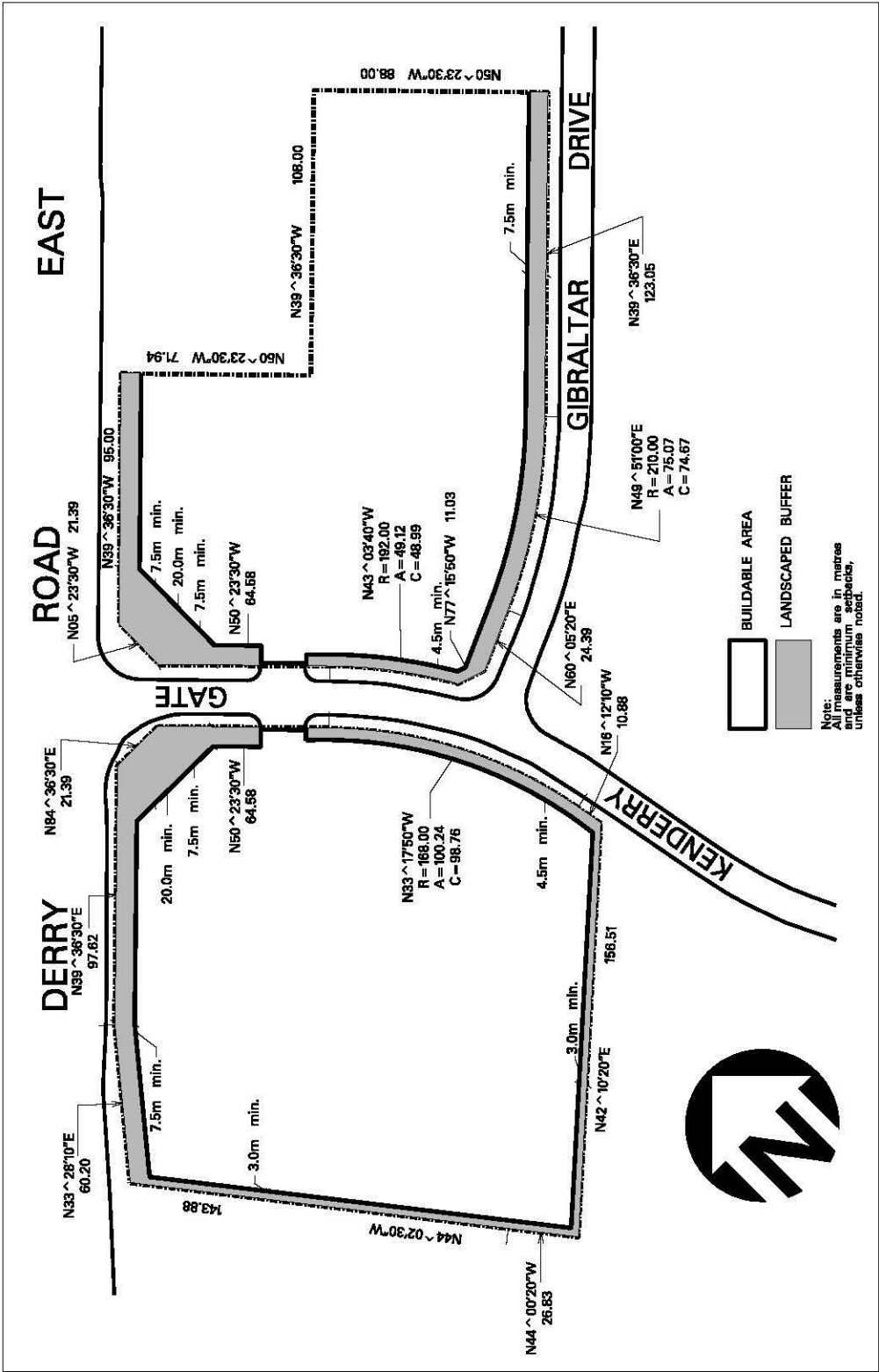
Schedule E2-51
Map 12

8.2.3.52	Exception: E2-52	Map # 43W	By-law:
In an E2-52 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
8.2.3.52.1	(1)	Repair and service of trucks and truck trailers, including the installation of heating/air conditioning equipment, with temporary outdoor storage of trucks and truck trailers, accessory to the repair and service operation	
Regulations			
8.2.3.52.2	The provisions contained in Sentence 8.1.5.1.1 of this By-law shall not apply		
8.2.3.52.3	Maximum gross floor area - non-residential used for office		0.5 times the lot area
8.2.3.52.4	All landscaped buffers shall comply with Schedule E2-52 of this Exception		



Schedule E2-52
Map 43W

8.2.3.53	Exception: E2-53	Map # 43W	By-law:
In an E2-53 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
8.2.3.53.1	(1)	Repair and service of trucks and truck trailers, including the installation of heating/air conditioning equipment, with temporary outdoor storage of trucks and truck trailers, accessory to the repair and service operation	
Regulations			
8.2.3.53.2	The provisions contained in Sentence 8.1.5.1.1 of this By-law shall not apply		
8.2.3.53.3	All landscaped buffers shall comply with Schedule E2-53 of this Exception		



Schedule E2-53
Map 43W

8.2.3.54	Exception: E2-54	Map # 44W	By-law: 0379-2009
In an E2-54 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
8.2.3.54.1	(1)	Motor Vehicle Sales, Leasing and/or Rental Facility - Restricted	
Uses Not Permitted			
8.2.3.54.2	(1)	Body-Rub Establishment	
	(2)	Adult Video Store	
	(3)	Adult Entertainment Establishment	
	(4)	Night Club	
	(5)	Private Club	
	(6)	Entertainment Establishment	
	(7)	Recreational Establishment	
	(8)	Active Recreational Use	
	(9)	Broadcasting/Communication Facility	
	(10)	Gas Bar	
	(11)	Motor Vehicle Rental Facility	
	(12)	<i>deleted</i>	
	(13)	Motor Vehicle Repair Facility - Restricted	
	(14)	Motor Vehicle Sales, Leasing and/or Rental Facility - Commercial Motor Vehicles	
	(15)	Motor Vehicle Service Station	
	(16)	<i>deleted</i>	
	(17)	Motor Vehicle Wash Facility - Restricted	
	(18)	Truck Terminal	
	(19)	Waste Processing Station	
	(20)	Waste Transfer Station	
	(21)	Composting Facility	
Regulations			
8.2.3.54.3	The provisions contained in Subsection 8.1.5 of this By-law shall not apply		
8.2.3.54.4	Minimum front yard		6.0 m
8.2.3.54.5	Minimum exterior side yard		4.5 m

8.2.3.55	Exception: E2-55	Map # 44W	By-law: 0379-2009
In an E2-55 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
8.2.3.55.1	(1)	Motor Vehicle Sales, Leasing and/or Rental Facility - Restricted	
Uses Not Permitted			
8.2.3.55.2	(1)	Restaurant	
	(2)	Convenience Restaurant	
	(3)	Body-Rub Establishment	
	(4)	Adult Video Store	
	(5)	Adult Entertainment Establishment	
	(6)	Night Club	
	(7)	Private Club	
	(8)	Entertainment Establishment	
	(9)	Recreational Establishment	
	(10)	Active Recreational Use	
	(11)	Broadcasting/Communication Facility	
	(12)	Gas Bar	
	(13)	Motor Vehicle Rental Facility	
	(14)	deleted	
	(15)	Motor Vehicle Repair Facility - Restricted	
	(16)	Motor Vehicle Sales, Leasing and/or Rental Facility - Commercial Motor Vehicles	
	(17)	Motor Vehicle Service Station	
	(18)	deleted	
	(19)	Motor Vehicle Wash Facility - Restricted	
	(20)	Truck Terminal	
	(21)	Waste Processing Station	
	(22)	Waste Transfer Station	
	(23)	Composting Facility	
Regulations			
8.2.3.55.3	The provisions contained in Subsections 8.1.4 and 8.1.5 of this By-law shall not apply		
8.2.3.55.4	Maximum gross floor area - non-residential used for all offices		11 140 m ²
8.2.3.55.5	Minimum depth of landscaped buffer along the lot line abutting Ivandale Drive		7.0 m
8.2.3.55.6	The lot line abutting Ivandale Drive shall be deemed to be the front lot line		7.0 m
8.2.3.55.7	Minimum front yard		7.0 m
8.2.3.55.8	Minimum exterior side yard		4.5 m
8.2.3.55.9	Maximum building height		10.7 m

8.2.3.56	Exception: E2-56	Map # 37W	By-law: 0379-2009
In an E2-56 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Uses Not Permitted			
8.2.3.56.1	(1)	Truck Terminal	
	(2)	Waste Processing Station	
	(3)	Waste Transfer Station	
	(4)	Composting Facility	
	(5)	Body-Rub Establishment	
	(6)	Adult Entertainment Establishment	
	(7)	Night Club	
	(8)	<i>deleted</i>	
	(9)	Motor Vehicle Repair Facility - Restricted	
	(10)	Motor Vehicle Rental Facility	
	(11)	Gas Bar	
	(12)	Motor Vehicle Service Station	
	(13)	<i>deleted</i>	
	(14)	Motor Vehicle Wash Facility - Restricted	
Regulation			
8.2.3.56.2	Minimum setback where the opposite side of the street is a Residential Zone		30.0 m

8.2.3.57	Exception: E2-57	Map # 06, 07	By-law: 0379-2009
In an E2-57 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Uses Not Permitted			
8.2.3.57.1	(1)	Truck Terminal	
	(2)	Waste Processing Station	
	(3)	Waste Transfer Station	
	(4)	Composting Facility	
	(5)	Body-Rub Establishment	
	(6)	Adult Entertainment Establishment	
	(7)	Night Club	
	(8)	Outdoor Storage	
	(9)	Transportation Facility	
	(10)	Broadcasting/Communication Facility	
	(11)	Financial Institution	
	(12)	Restaurant	
	(13)	Convenience Restaurant	
	(14)	Take-out Restaurant	
	(15)	<i>deleted</i>	
	(16)	Motor Vehicle Repair Facility - Restricted	
	(17)	Motor Vehicle Rental Facility	
	(18)	Gas Bar	
	(19)	Motor Vehicle Service Station	
	(20)	<i>deleted</i>	
	(21)	Motor Vehicle Wash Facility - Restricted	
	(22)	Overnight Accommodation	
	(23)	Banquet Hall/Conference Centre/Convention Centre	
	(24)	Entertainment Establishment	
	(25)	Recreational Establishment	
	(26)	Accessory Outdoor Storage	
Regulation			
8.2.3.57.2	Notwithstanding the provisions contained in Subsection 8.1.5 of this By-law, accessory outdoor storage shall not be permitted		

8.2.3.58	Exception: E2-58	Map # 07, 08	By-law: 0325-2008, 0379-2009
In an E2-58 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Uses Not Permitted			
8.2.3.58.1	(1)	Broadcasting/Communication Facility	
	(2)	Transportation Facility	
	(3)	Truck Terminal	
	(4)	Animal Boarding Establishment	
	(5)	Waste Processing Station	
	(6)	Waste Transfer Station	
	(7)	Composting Facility	
	(8)	Self Storage Facility	
	(9)	Propane Storage	
	(10)	Convenience Restaurant	
	(11)	Night Club	
	(12)	Overnight Accommodation	
	(13)	Adult Video Store	
	(14)	Adult Entertainment Establishment	
	(15)	Body-Rub Establishment	
	(16)	Cardlock Fuel Dispensing Facility	
Regulation			
8.2.3.58.2	The regulations of Line 5.1 contained in Table 8.2.1 of this By-law shall not apply		

8.2.3.59	Exception: E2-59	Map # 27	By-law:
In an E2-59 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
8.2.3.59.1	(1)	Retail Commercial Uses Accessory to an Office	
	(2)	Outdoor patio accessory to a restaurant, convenience restaurant or take-out restaurant	
Uses Not Permitted			
8.2.3.59.2	(1)	Adult Entertainment Establishment	
	(2)	Body-Rub Establishment	
	(3)	Adult Video Store	
Regulations			
8.2.3.59.3	Maximum gross floor area - non residential used for all retail commercial uses accessory to an office		15%
8.2.3.59.4	All retail commercial uses accessory to an office shall be conducted wholly within a building or structure principally used for an office		
8.2.3.59.5	"Retail Commercial Uses Accessory to an Office" means a retail store, personal service establishment, veterinary clinic, financial institution and motor vehicle sales, leasing and/or rental facility - restricted		

8.2.3.60	Exception: E2-60	Map # 43W	By-law:
In an E2-60 zone the applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Permitted Use			
8.2.3.60.1	Lands zoned E2-60 shall only be used for the following:		
(1)	Works Yard		

8.2.3.61	Exception: E2-61	Map # 44W	By-law: 0379-2009
In an E2-61 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
8.2.3.61.1	(1)	Motor Vehicle Sales, Leasing and/or Rental Facility - Restricted	
Uses Not Permitted			
8.2.3.61.2	(1)	Truck Terminal	
	(2)	Waste Processing Station	
	(3)	Waste Transfer Station	
	(4)	Composting Facility	
	(5)	Body-Rub Establishment	
	(6)	Adult Entertainment Establishment	
	(7)	Night Club	
	(8)	Recreational Establishment	
	(9)	Broadcasting/Communication Facility	
	(10)	deleted	
	(11)	Motor Vehicle Repair Facility - Restricted	
	(12)	Gas Bar	
	(13)	Motor Vehicle Service Station	
	(14)	deleted	
	(15)	Motor Vehicle Wash Facility - Restricted	
Regulations			
8.2.3.61.3	Minimum landscaped buffer abutting a Residential Zone		4.5 m
8.2.3.61.4	Minimum landscaped buffer abutting a Residential Zone for all permitted uses contained in Table 8.2.1		15.0 m
8.2.3.61.5	Minimum setback to Mavis Road		6.0 m
8.2.3.61.6	Minimum setback to a Buffer Zone		6.0 m

8.2.3.62	Exception: E2-62	Map # 12	By-law:
In an E2-62 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
8.2.3.62.1	(1)	Food Store	
Regulation			
8.2.3.62.2	Maximum gross floor area - non-residential food store		320 m ²

8.2.3.63	Exception: E2-63	Map # 44E	By-law: 0191-2009
In an E2-63 zone the applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Permitted Uses			
8.2.3.63.1	Lands zoned E2-63 shall only be used for the following:		
	(1) E1 uses contained in Subsection 8.2.1 of this By-law		
Regulation			
8.2.3.63.2	Uses contained in Sentence 8.2.3.63.1 of this Exception shall comply with the E1 zone regulations contained in Subsection 8.2.1 of this By-law		

8.2.3.64	Exception: E2-64	Map # 27	By-law:
In an E2-64 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Regulations			
8.2.3.64.1	The lot line abutting Eglinton Avenue East shall be deemed to be the front lot line		
8.2.3.64.2	Minimum front yard		3.0 m
8.2.3.64.3	Minimum exterior side yard		5.0 m
8.2.3.64.4	Minimum interior side yard		5.0 m
8.2.3.64.5	Minimum rear yard		7.5 m
8.2.3.64.6	Minimum setback to a sight triangle		3.0 m

8.2.3.65	Exception: E2-65	Map # 43E	By-law:
In an E2-65 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
8.2.3.65.1	(1)	Outdoor storage of trucks or trailers accessory to a warehouse/distribution facility	
	(2)	Maintenance of trucks or trailers accessory to a warehouse/distribution facility	
Regulations			
8.2.3.65.2		Maximum gross floor area - non-residential used for accessory truck or trailer maintenance	1 200 m ²
8.2.3.65.3		Minimum setback of a building or structure used for accessory truck or trailer maintenance to Kennedy Road	400.0 m
8.2.3.65.4		Trucks or trailers stored outside shall be permitted to locate in front of loading bay doors provided that the storage or parking of trucks or trailers does not obstruct any aisle or driveway	

8.2.3.66	Exception: E2-66	Map # 27	By-law:
In an E2-66 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
8.2.3.66.1	(1)	Long-Term Care Dwelling	
	(2)	Retirement Dwelling	

8.2.3.67	Exception: E2-67	Map # 49E	By-law: 0379-2009
In an E2-67 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Uses Not Permitted			
8.2.3.67.1	(1)	Truck Terminal	
	(2)	Waste Processing Station	
	(3)	Waste Transfer Station	
	(4)	Composting Facility	
	(5)	Body-Rub Establishment	
	(6)	Adult Entertainment Establishment	
	(7)	Night Club	
	(8)	Accessory Dwelling Unit	
	(9)	<i>deleted</i>	
	(10)	Motor Vehicle Repair Facility - Restricted	
	(11)	Motor Vehicle Rental Facility	
	(12)	Gas Bar	
	(13)	Motor Vehicle Service Station	
	(14)	<i>deleted</i>	
	(15)	Motor Vehicle Wash Facility - Restricted	
Regulation			
8.2.3.67.2	Minimum setback of outdoor storage to a Residential Zone		30.0 m

8.2.3.68	Exception: E2-68	Map # 33	By-law:
In an E2-68 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Uses Not Permitted			
8.2.3.68.1	(1)	Truck Terminal	
	(2)	Waste Processing Station	
	(3)	Waste Transfer Station	
	(4)	Composting Facility	
	(5)	Body-Rub Establishment	
	(6)	Broadcasting/communication facility including any lands used for a right-of-way	
	(7)	Motor Vehicle Body Repair Facility	
Regulations			
8.2.3.68.2	The regulations of Line 4.0 contained in Table 8.2.1 of this By-law shall not apply		
8.2.3.68.3	Maximum percentage of accessory uses that are retail stores		50%
8.2.3.68.4	Minimum front yard		6.0 m
8.2.3.68.5	Minimum exterior side yard		6.0 m
8.2.3.68.6	Minimum interior side yard		6.0 m
8.2.3.68.7	Minimum rear yard		6.0 m
8.2.3.68.8	Minimum setback of any underground parking structures and associated stairwells, ramps and/or access ramps		1.5 m

8.2.3.69	Exception: E2-69	Map # 49E	By-law:
In an E2-69 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Regulation			
8.2.3.69.1	Minimum setback to a Greenbelt Zone		10.0 m

8.2.3.70	Exception: E2-70	Map # 42E	By-law:
In an E2-70 zone the applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Permitted Use			
8.2.3.70.1	Lands zoned E2-70 shall only be used for the following:		
	(1) The existing skeet club		
Regulation			
8.2.3.70.2	Enlargement or redevelopment of the existing buildings or structures shall not be permitted		

8.2.3.71	Exception: E2-71	Map # 46E	By-law:
In an E2-71 zone the applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Permitted Use			
8.2.3.71.1	Lands zoned E2-71 shall only be used for the following:		
	(1) Essential Emergency Service		

8.2.3.72	Exception: E2-72	Map # 50W	By-law:
In an E2-72 zone the applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Permitted Use			
8.2.3.72.1	Lands zoned E2-72 shall only be used for the following:		
	(1) Place of Religious Assembly		

8.2.3.73	Exception: E2-73	Map # 44E, 51W	By-law: 0191-2009
In an E2-73 zone the applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Permitted Uses			
8.2.3.73.1	Lands zoned E2-73 shall only be used for the following:		
	(1)	E1 uses contained in Subsection 8.2.1 of this By-law	
	(2)	Motor Vehicle Service Station	
	(3)	Gas Bar	
Regulation			
8.2.3.73.2	Uses contained in Sentence 8.2.3.73.1 of this Exception shall comply with the E1 zone regulations contained in Subsection 8.2.1 of this By-law		

8.2.3.74	Exception: E2-74	Map # 54E	By-law: 0325-2008
In an E2-74 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Uses Not Permitted			
8.2.3.74.1	(1)	Truck Terminal	
	(2)	Waste Processing Station	
	(3)	Waste Transfer Station	
	(4)	Composting Facility	
	(5)	Body-Rub Establishment	
	(6)	Adult Entertainment Establishment	
	(7)	Night Club	
Regulations			
8.2.3.74.2	The landscaped buffer width along the front lot line shall be a minimum width equal to 40% of the front yard setback		
8.2.3.74.3	The lot line abutting Mississauga Road shall be deemed to be the front lot line		
8.2.3.74.4	Minimum setback to Mississauga Road		25.0 m
8.2.3.74.5	A maximum of one (1) aisle accommodating no more than two (2) rows of parking shall be permitted in the front yard		

8.2.3.75	Exception: E2-75	Map # 54W	By-law:
In an E2-75 zone the applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Permitted Use			
8.2.3.75.1	Lands zoned E2-75 shall only be used for the following:		
	(1)	Pumping Station	

8.2.3.76	Exception: E2-76	Map # 55	By-law:
In an E2-76 zone the permitted uses and applicable regulations shall be as specified for an E2 zone			
Holding Provision			
<p>The holding symbol H is to be removed from the whole or any part of the lands zoned H-E2-76 by further amendment to Map 55 of Schedule B contained in Part 13 of this By-law, as amended, upon satisfaction of the following requirements:</p> <ol style="list-style-type: none"> (1) satisfactory arrangements to secure the provision of adequate sanitary sewer, storm sewer and water services with sufficient capacity to service the full development of the site; (2) satisfactory arrangements to secure the provision of adequate access to the site including roads, sidewalks, traffic signals, street lighting and the location of entrances and exits to and from the site, to the satisfaction of the City's Commissioner of Transportation and Works; (3) satisfactory arrangements to secure the provision of hydro-electric power services of sufficient capacity to service the full development of the site, to the satisfaction of Enersource Hydro Mississauga; (4) payment to the City of all planning, processing and administration fees in relation to the development of the site; (5) payment of all arrears of municipal taxes and local improvement charges for the site; and, (6) payment of all applicable development levies or imposts, if any, required by the City, the Regional Municipality of Peel or Enersource Hydro Mississauga, in accordance with the development levy policies applicable to the site, or the approval of those parties, to the effect that satisfactory arrangements to secure the payment of any such development levies or impacts have been made. 			

8.2.3.77	Exception: E2-77	Map # 45W, 46E	By-law:
In an E2-77 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
8.2.3.77.1	(1)	Retail Store	
	(2)	Garden Centre	
Uses Not Permitted			
8.2.3.77.2	(1)	Truck Terminal	
	(2)	Waste Processing Station	
	(3)	Waste Transfer Station	
	(4)	Composting Facility	
	(5)	Body-Rub Establishment	
	(6)	Adult Entertainment Establishment	
	(7)	Night Club	

8.2.3.78	Exception: E2-78	Map # 52E	By-law: 0191-2009
In an E2-78 zone the applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Permitted Uses			
8.2.3.78.1	Lands zoned E2-78 shall only be used for the following:		
	<div><div>(1)</div><div>E1 uses contained in Subsection 8.2.1 of this By-law</div><div>(2)</div><div>Restaurant</div><div>(3)</div><div>Convenience Restaurant</div><div>(4)</div><div>Outdoor patio accessory to a restaurant or convenience restaurant</div></div>		
Regulations			
8.2.3.78.2	Uses contained in Sentence 8.2.3.78.1 of this Exception shall comply with the E1 zone regulations contained in Subsection 8.2.1 of this By-law except that:		
	<div><div>(1)</div><div>minimum landscaped buffer along the lot line of any street other than Hurontario Street or Derry Road West</div></div>		3.0 m
	<div><div>(2)</div><div>minimum landscaped buffer along the lot line abutting a D zone</div></div>		3.0 m
	<div><div>(3)</div><div>minimum setback of a free-standing building or structure used for a restaurant or convenience restaurant from Hurontario Street</div></div>		100.0 m
	<div><div>(4)</div><div>maximum number of courier/messenger service delivery vehicles permitted to be stored outside</div></div>		10

8.2.3.79	Exception: E2-79	Map # 42E	By-law:
In an E2-79 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
8.2.3.79.1	(1)	C3 uses contained in Subsection 6.2.1 of this By-law, except:	
	(1.1)	Amusement Arcade	
	(2)	Outdoor patio accessory to a restaurant or convenience restaurant	
Uses Not Permitted			
8.2.3.79.2	(1)	Body-Rub Establishment	
	(2)	Adult Entertainment Establishment	
	(3)	Adult Video Store	
	(4)	Place of Religious Assembly	
	(5)	Day Care	
	(6)	Private School	
Regulation			
8.2.3.79.3	Maximum percentage of gross floor area - non-residential used for retail stores		50%

8.2.3.80	Exception: E2-80	Map # 59	By-law:
In an E2-80 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Uses Not Permitted			
8.2.3.80.1	(1)	Body-Rub Establishment	
	(2)	Adult Entertainment Establishment	
	(3)	Night Club	
Regulations			
8.2.3.80.2	Maximum gross floor area - non-residential for offices and medical offices		0.36 times the lot area
8.2.3.80.3	Minimum landscaped buffer along the lot line abutting Burnhamthorpe Road West		6.0 m
8.2.3.80.4	Minimum landscaped buffer along the lot line abutting Highway 403		7.5 m
8.2.3.80.5	Minimum landscaped buffer along the lot line abutting The Collegeway		4.5 m
8.2.3.80.6	Minimum setback of all buildings and structures from the lot line abutting Ridgeway Drive		20.0 m
8.2.3.80.7	Maximum setback of all buildings and structures from the lot line abutting Burnhamthorpe Road West		31.0 m
8.2.3.80.8	Maximum setback of all buildings and structures from the lot line abutting Highway 403		35.0 m
8.2.3.80.9	Maximum setback of all buildings and structures from the lot line abutting The Collegeway		29.0 m
8.2.3.80.10	Minimum setback of all buildings and structures from any sight triangle		0.0 m

8.2.3.81	Exception: E2-81	Map # 59	By-law:
In an E2-81 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
8.2.3.81.1	(1) Motor Vehicle Body Repair Facility (2) Contractor's yard and/or shops including unlimited outdoor storage (3) Outdoor Storage		
Uses Not Permitted			
8.2.3.81.2	(1) Body-Rub Establishment (2) Adult Entertainment Establishment (3) Night Club		
Regulations			
8.2.3.81.3	Maximum gross floor area - non-residential used for offices and medical offices	0.36 times the lot area	
8.2.3.81.4	The provisions contained in Sentence 8.1.5.1.1 of this By-law shall not apply		

8.2.3.82	Exception: E2-82	Map # 40W	By-law:
In an E2-82 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
8.2.3.82.1	(1) Bingo Hall (2) Retail Store		
Uses Not Permitted			
8.2.3.82.2	(1) Truck Terminal (2) Waste Processing Station (3) Waste Transfer Station (4) Composting Facility (5) Body-Rub Establishment (6) Broadcasting/communication facility including any lands used for a right-of-way		
Regulations			
8.2.3.82.3	Maximum gross floor area - non-residential used for a retail store	215 m ²	
8.2.3.82.4	"Retail Store" means a printing establishment with an accessory post office, mail room and computer services		

8.2.3.83	Exception: E2-83	Map # 13	By-law:
In an E2-83 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
8.2.3.83.1	(1)	Warehousing and processing of fruits and/or vegetables as a principal use, with accessory bulk sales of fruits and vegetables, and with accessory sales of wine-making essentials within the building or structure or canopied areas	
Regulations			
8.2.3.83.2	Maximum gross floor area - non-residential used for the uses contained in Sentence 8.2.3.83.1 of this Exception		1 260 m ²
8.2.3.83.3	Motor vehicle parking and loading shall be provided in accordance with Part 3 of this By-law, at the industrial/manufacturing facility (single-occupancy building) rate for the uses contained in Sentence 8.2.3.83.1 of this Exception		
8.2.3.83.4	"Accessory Bulk Sales of Fruits and Vegetables" means retail sales of unpackaged fruits and vegetables, either in processed or non-processed form, in quantities either in boxes, crates, bins or other containers		

8.2.3.84	Exception: E2-84	Map # 35W	By-law: 0379-2009
In an E2-84 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Regulations			
8.2.3.84.1	Minimum lot frontage - corner lot used for a motor vehicle wash facility - restricted		70.0 m
8.2.3.84.2	Minimum lot frontage - interior lot used for a or motor vehicle wash facility - restricted		60.0 m
8.2.3.84.3	Maximum gross floor area - non-residential used for a convenience retail and service kiosk		340 m ²
8.2.3.84.4	Maximum gross floor area - non-residential used for an accessory take-out restaurant		70 m ²
8.2.3.84.5	Maximum number of convenience retail and service kiosks on all lands zoned E2-84		1
8.2.3.84.6	The lot line abutting Britannia Road East shall be deemed to be the front lot line		
8.2.3.84.7	Minimum front yard		16.0 m
8.2.3.84.8	Minimum exterior side yard		7.5 m
8.2.3.84.9	Minimum interior side yard		5.0 m
8.2.3.84.10	Minimum rear yard		10.5 m

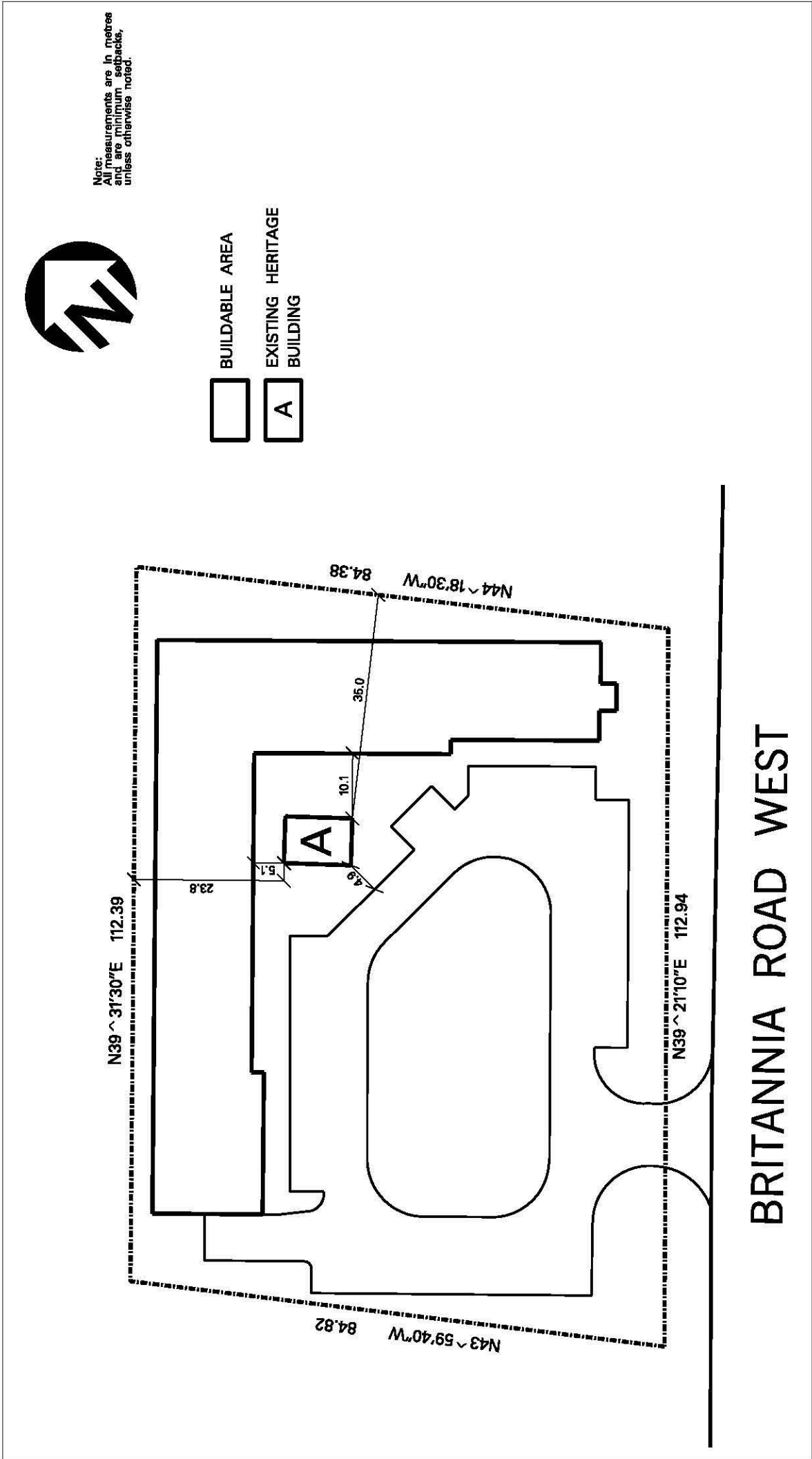
8.2.3.85	Exception: E2-85	Map # 50W	By-law:
In an E2-85 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
8.2.3.85.1	(1)	Accessory commercial building which includes an automatic banking machine, restaurant , laundromat, showers for use of cardlock fuel dispensing customers only and convenience store	
Regulations			
8.2.3.85.2		Maximum gross floor area - non-residential for an accessory commercial building	375 m ²
8.2.3.85.3		Minimum depth of a landscaped buffer along the entire length of the lot lines abutting Dixie Road and the northern property line	6.0 m
8.2.3.85.4		Minimum setback of an accessory commercial building to Dixie Road	6.0 m
8.2.3.85.5		Minimum setback of an accessory commercial building to Drew Road	5.0 m
8.2.3.85.6		Maximum setback of an accessory commercial building to Dixie Road and Drew Road	11.0 m
8.2.3.85.7		No buildings or structures shall be situated closer than 19.0 m to the rear lot line or 80.0 m to the interior or exterior side lot lines	
8.2.3.85.8		Driveways, parking spaces, aisles or loading areas shall not be located between any building or structure and the Dixie Road and Drew Road lot lines	
8.2.3.85.9		Minimum number of parking spaces per 100 m ² gross floor area - non-residential used for an accessory commercial building	5.4

8.2.3.86	Exception: E2-86	Map # 27	By-law:
In an E2-86 zone the applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Permitted Uses			
8.2.3.86.1		Lands zoned E2-86 shall only be used for the following:	
	(1)	Restaurant	
	(2)	Convenience Restaurant	
	(3)	Take-out Restaurant	
Regulations			
8.2.3.86.2		The regulations contained in Subsection 3.1.5 of this By-law shall not apply	
8.2.3.86.3		Minimum number of stacking lane parking spaces	12
8.2.3.86.4		Minimum distance between the last required stacking lane parking space and the closest entry driveway	16.0 m
8.2.3.86.5		Minimum width of the stacking lane	4.0 m
8.2.3.86.6		Minimum centreline radius of the stacking lane	6.5 m on any curve

8.2.3.87	Exception: E2-87	Map # 23, 49W	By-law:
In an E2-87 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
8.2.3.87.1	(1) Salvage Yard		
	(2) E3 uses contained in Subsection 8.2.1 of this By-law, except:		
	(2.1) Power Generating Facility		
Regulations			
8.2.3.87.2	The provisions contained in Sentence 8.1.5.1.1 of this By-law shall not apply		
8.2.3.87.3	A salvage yard operation shall be conducted within an enclosed building or structure or within an area surrounded by a rigid fence		
8.2.3.87.4	Storage of materials outside within enclosed containers will not be permitted		
8.2.3.87.5	Minimum height of fence		1.8 m
8.2.3.87.6	Maximum height of scrap metal and salvage stored on site		6.0 m
8.2.3.87.7	Uses contained in Sentence 8.2.3.87.1 and the E2 uses contained in Subsection 8.2.1 of this By-law, shall comply with the E3 zone regulations contained in Subsection 8.2.1 of this By-law		

8.2.3.88	Exception: E2-88	Map # 35E	By-law: 0325-2008
In an E2-88 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Use Not Permitted			
8.2.3.88.1	(1)	Motel	
Regulation			
8.2.3.88.2	For the purposes of this By-law, all lands zoned E2-88 shall be considered one (1) lot		

8.2.3.89	Exception: E2-89	Map # 46E	By-law: 0065-2010
In an E2-89 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
8.2.3.89.1	(1) Retail Store (2) Personal Service Establishment (3) Motor vehicle sales, leasing and/or rental facility - restricted excluding an accessory motor vehicle body repair facility		
Uses Not Permitted			
8.2.3.89.2	(1) Transportation Facility (2) Truck Terminal (3) Waste Processing Station (4) Waste Transfer Station (5) Composting Facility (6) Contractor Service Shop (7) Adult Video Store (8) Adult Entertainment Establishment (9) Animal Boarding Establishment (10) Body-Rub Establishment (11) Cardlock Fuel Dispensing Facility (12) Night Club (13) Private Club (14) Parking Lot (15) Courier/Messenger Service		
Regulations			
8.2.3.89.3	Maximum gross floor area - non-residential		2 841 m ²
8.2.3.89.4	Maximum gross floor area - non-residential used for a retail store, a personal service establishment, or any combination thereof		995 m ²
8.2.3.89.5	Minimum interior side yard		3.18 m
8.2.3.89.6	Minimum rear yard		3.15 m
8.2.3.89.7	In addition to the regulation of Line 24.0 in Table 3.1.2.2 contained in Article 3.1.2.2 of this By-law, parking for a retail store, a personal service establishment, or any combination thereof will be provided in accordance with the applicable regulations contained in Table 3.1.2.2 of this By-law		
8.2.3.89.8	Enlargement of the existing Heritage Building identified as 'A' on Schedule E2-89 of this Exception shall not be permitted		
8.2.3.89.9	All site development plans shall comply with Schedule E2-89 of this Exception		

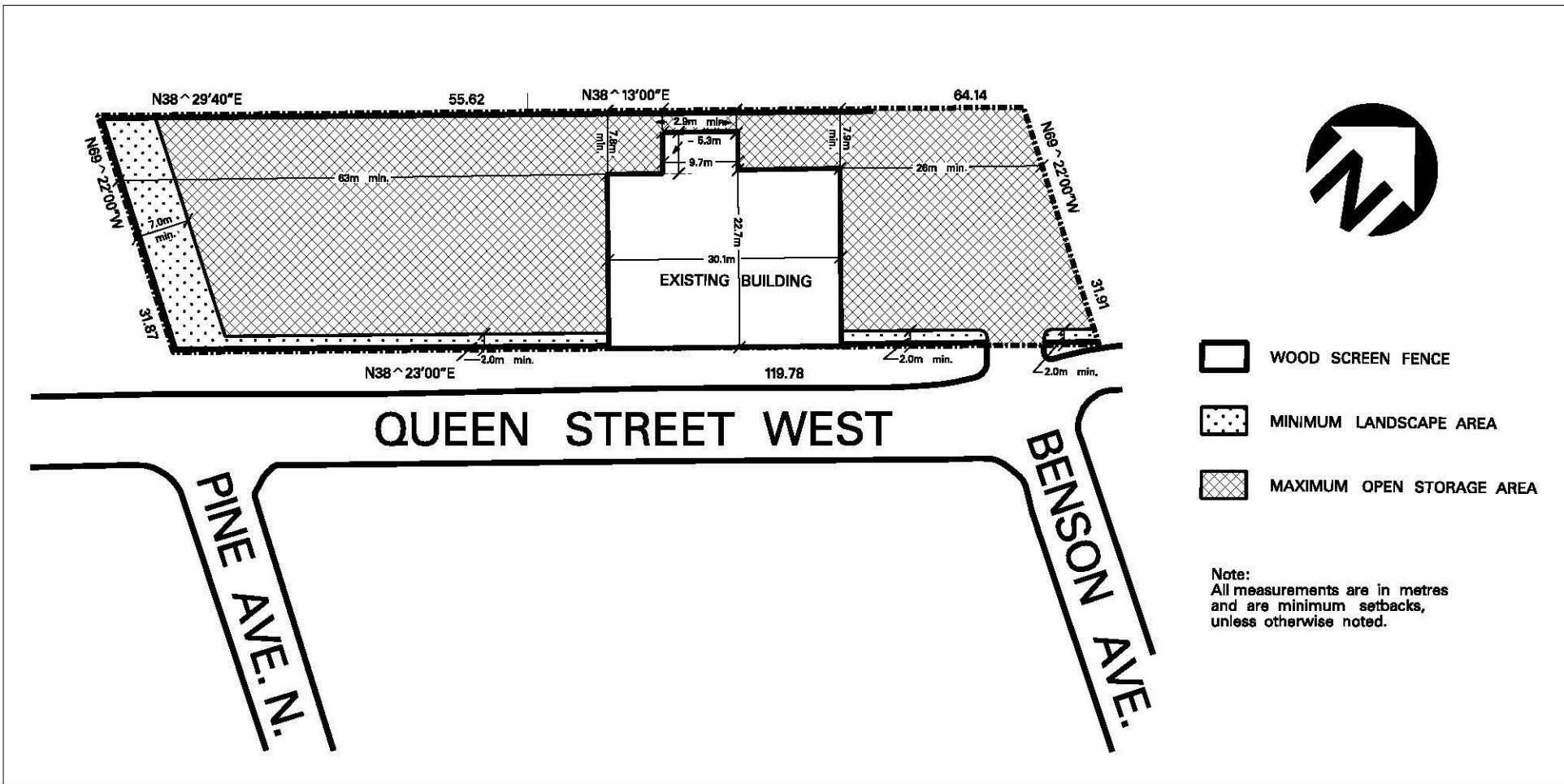


Schedule E2-89
Map 46E

8.2.3.90	Exception: E2-90	Map # 49W	By-law:
In an E2-90 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
8.2.3.90.1	(1)	Outdoor patio accessory to a convenience restaurant	
Regulations			
8.2.3.90.2	Maximum gross floor area - restaurant		230 m ²
8.2.3.90.3	Maximum percentage of gross floor area - restaurant used for an outdoor patio accessory to a convenience restaurant		20%
8.2.3.90.4	Maximum percentage of gross floor area - non-residential used for the retail sale of motor vehicle parts within a warehouse used for the distribution of motor vehicle parts		40%

8.2.3.91	Exception: E2-91	Map # 23, 27	By-law:
In an E2-91 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
8.2.3.91.1	(1)	Garden Centre	
Uses Not Permitted			
8.2.3.91.2	(1)	Adult Entertainment Establishment	
	(2)	Body-Rub Establishment	
	(3)	Night Club	

8.2.3.92	Exception: E2-92	Map # 08	By-law:
In an E2-92 zone the applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Permitted Use			
8.2.3.92.1	Lands zoned E2-92 shall only be used for the following:		
	(1) Building Restoration Operation		
Regulations			
8.2.3.92.2	Maximum gross floor area - non-residential used for a building restoration operation		790 m ²
8.2.3.92.3	Maximum height		6.0 m
8.2.3.92.4	Maximum height of all materials stored on site		1.8 m
8.2.3.92.5	Minimum height of fence		1.8 m
8.2.3.92.6	Required parking spaces		13
8.2.3.92.7	Required loading spaces		1
8.2.3.92.8	"Building Restoration Operation" means lands, buildings and structures used for the storage and maintenance of equipment and materials used in the restoration and reconstruction of industrial and commercial buildings, masonry cleaning and repair and fire damage restoration, but may include warehousing, open storage and accessory offices		
8.2.3.92.9	All site development plans shall comply with Schedule E2-92 of this Exception		



Schedule E2-92
Map 08

8.2.3.93	Exception: E2-93	Map # 59	By-law:
In an E2-93 zone the applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Permitted Uses			
8.2.3.93.1	Lands zoned E2-93 shall only be used for the following:		
	(1)	Active Recreational Use	
	(2)	Cemetery	
Regulation			
8.2.3.93.2	A cemetery shall comply with the OS3 zone regulations contained in Subsection 9.2.1 of this By-law		

8.2.3.94	Exception: E2-94	Map # 45W	By-law:
In an E2-94 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
8.2.3.94.1	(1)	Private School	
Regulation			
8.2.3.94.2	Maximum number of classrooms in a private school		4

8.2.3.95	Exception: E2-95	Map # 52E	By-law:
In an E2-95 zone the applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Permitted Use			
8.2.3.95.1	Lands zoned E2-95 shall only be used for the following:		
	(1)	Office	

8.2.3.96	Exception: E2-96	Map # 36W	By-law: 0379-2009
In an E2-96 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
8.2.3.96.1	(1)	E3 uses contained in Subsection 8.2.1 of this By-law, except: (1.1) Power Generating Facility (1.2) Motor Vehicle Body Repair Facility (1.3) Motor Vehicle Body Repair Facility - Commercial Motor Vehicle	
Regulations			
8.2.3.96.2	The provisions contained in Sentence 8.1.5.1.1 of this By-law shall not apply		
8.2.3.96.3	Uses contained in Sentence 8.2.3.96.1 of this Exception and the E2 uses contained in Subsection 8.2.1 of this By-law, shall comply with the E3 zone regulations contained in Subsection 8.2.1 of this By-law		

8.2.3.97	Exception: E2-97	Map # 27	By-law: 0358-2007
In an E2-97 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
8.2.3.97.1	(1)	Vehicle Pound Facility	
Regulations			
8.2.3.97.2	A vehicle pound facility shall comply with the E3 zone regulations contained in Subsections 8.1.7 and 8.2.1		
8.2.3.97.3	A fence having a minimum height of 1.8 m shall be required around the perimeter of the area to be used for outdoor storage for a vehicle pound facility, but in no event shall the fence be situated closer to any street line than any portion of the main building		

8.2.3.98	Exception: E2-98	Map # 46E	By-law: 0364-2007, 0379-2009
In an E2-98 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
8.2.3.98.1	(1)	Outdoor patio accessory to a restaurant, convenience restaurant and take-out restaurant	
Uses Not Permitted			
8.2.3.98.2	(1)	Adult Video Store	
	(2)	Adult Entertainment Establishment	
	(3)	Body-Rub Establishment	
	(4)	deleted	
	(5)	Motor Vehicle Repair Facility - Restricted	
	(6)	Broadcasting/Communication Facility	
	(7)	Radio and Television Transmission Tower	
Regulations			
8.2.3.98.3	The provisions of Lines 1.0 to 3.0 contained in Table 2.1.2.1.1 and Line 5.1 contained in Table 8.2.1 of this By-law shall not apply		
8.2.3.98.4	Minimum depth of a landscaped buffer along the lot line abutting Britannia Road West		15.0 m
8.2.3.98.5	Minimum depth of a landscaped buffer along the lot line abutting Millcreek Drive		4.5 m
8.2.3.98.6	Minimum depth of a landscaped buffer along the lot line abutting any other street		3.0 m
8.2.3.98.7	Minimum setback of any area used for outdoor storage to Britannia Road West, for lands east of Millcreek Drive		100.0 m
8.2.3.98.8	Minimum setback of a loading space to Britannia Road West, for lands east of Millcreek Drive		50.0 m

8.2.3.99	Exception: E2-99	Map # 46E	By-law: 0364-2007, 0379-2009
In an E2-99 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
8.2.3.99.1	(1)	Outdoor patio accessory to a restaurant, convenience restaurant and take-out restaurant	
Uses Not Permitted			
8.2.3.99.2	(1)	Adult Video Store	
	(2)	Adult Entertainment Establishment	
	(3)	Body-Rub Establishment	
	(4)	deleted	
	(5)	Motor Vehicle Repair Facility - Restricted	
	(6)	Broadcasting/Communication Facility	
	(7)	Radio and Television Transmission Tower	
Regulations			
8.2.3.99.3	The provisions of Lines 1.0 to 3.0 contained in Table 2.1.2.1.1 and Line 5.1 contained in Table 8.2.1 of this By-law shall not apply		
8.2.3.99.4	Maximum area used for outdoor storage that shall be located on the same lot	the lesser of 10% of the lot area or 20% of the gross floor area - non-residential of the building, structure or part thereof	
8.2.3.99.5	Minimum depth of a landscaped buffer along the lot line abutting Britannia Road West	20.0 m	
8.2.3.99.6	Minimum depth of a landscaped buffer along the lot line abutting Millcreek Drive	4.5 m	
8.2.3.99.7	Minimum depth of a landscaped buffer along the lot line abutting lands zoned E2-100	15.0 m	
8.2.3.99.8	Minimum depth of a landscaped and tree preservation buffer along the lot line abutting Erin Mills Parkway	15.0 m	
8.2.3.99.9	Minimum depth of a landscaped buffer along the lot line abutting any other street	3.0 m	
8.2.3.99.10	"Landscaped and Tree Preservation Buffer" means an area intended to allow for the retention and remediation of ground and forest cover to attain a self-sustaining forest ecosystem and natural vegetative screen where no buildings or structures of any kind other than for lot line fencing shall be permitted.		

8.2.3.100	Exception: E2-100	Map # 46E	By-law: 0364-2007
In an E2-100 zone the applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Permitted Uses			
8.2.3.100.1	Lands zoned E2-100 shall only be used for the following:		
	<div><div>(1)</div><div>Gas Bar</div></div> <div><div>(2)</div><div>Motor Vehicle Repair Facility - Restricted</div></div> <div><div>(3)</div><div>Motor Vehicle Service Station</div></div> <div><div>(4)</div><div>Motor Vehicle Wash Facility - Restricted</div></div> <div><div>(5)</div><div>Restaurant</div></div> <div><div>(6)</div><div>Convenience Restaurant</div></div> <div><div>(7)</div><div>Take-out Restaurant</div></div>		
Regulations			
8.2.3.100.2	The provisions of Subsection 2.1.14 and Lines 1.0 to 3.0 contained in Table 2.1.2.1.1 of this By-law shall not apply		
8.2.3.100.3	Minimum front yard		4.5 m
8.2.3.100.4	Minimum exterior side yard		4.5 m
8.2.3.100.5	Minimum interior side yard		0.0 m
8.2.3.100.6	Minimum rear yard		0.0 m

8.2.3.101	Exception: E2-101	Map # 18	By-law: 0248-2009
In an E2-101 zone the applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Permitted Uses			
8.2.3.101.1	Lands zoned E2-101 shall only be used for the following:		
	<div><div>(1)</div><div>Office</div></div> <div><div>(2)</div><div>Broadcasting/Communication Facility</div></div> <div><div>(3)</div><div>Manufacturing Facility</div></div> <div><div>(4)</div><div>Science and Technology Facility</div></div> <div><div>(5)</div><div>Warehouse/Distribution Facility</div></div> <div><div>(6)</div><div>Wholesaling Facility</div></div> <div><div>(7)</div><div>Restaurant</div></div> <div><div>(8)</div><div>Convenience Restaurant</div></div> <div><div>(9)</div><div>Take-out Restaurant</div></div> <div><div>(10)</div><div>Commercial School</div></div> <div><div>(11)</div><div>Financial Institution</div></div> <div><div>(12)</div><div>Banquet Hall/Conference Centre/Convention Centre</div></div> <div><div>(13)</div><div>Overnight Accommodation</div></div> <div><div>(14)</div><div>Active Recreational Use</div></div> <div><div>(15)</div><div>Recreational Establishment</div></div> <div><div>(16)</div><div>Private Club</div></div> <div><div>(17)</div><div>Repair Establishment</div></div> <div><div>(18)</div><div>Parking Lot</div></div> <div><div>(19)</div><div>University/College</div></div> <div><div>(20)</div><div>Courier/Messenger Service</div></div> <div><div>(21)</div><div>Education and Training Facility</div></div>		
Regulations			
8.2.3.101.2	The provision contained in Subsection 8.1.4 of this By-law shall not apply		
8.2.3.101.3	For the purposes of this By-law, all lands zoned E2-101 shall be considered one (1) lot		

Exception E2-101 continued on next page

Part 8 - Employment Zones

8.2.3.101	Exception: E2-101	Map # 18	By-law: 0248-2009
Exception E2-101 continued from previous page			
8.2.3.101.4	Maximum total floor space index - non-residential used for office and overnight accommodation		0.7
8.2.3.101.5	Minimum landscaped area		30% of the lot area
8.2.3.101.6	The lot line abutting North Sheridan Way shall be deemed to be the front lot line		
8.2.3.101.7	Maximum height		5 storeys
8.2.3.101.8	Minimum depth of a landscaped buffer measured from a lot line that abuts a Residential Zone		4.5 m

8.2.3.102	Exception: E2-102	Map # 58	By-law: 0109-2008
In an E2-102 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
8.2.3.102.1	(1)	Public School	
Regulations			
8.2.3.102.2	The provisions contained in Subsection 1.1.4 of this By-law shall not apply to a public school		
8.2.3.102.3	The provisions contained in Article 2.1.9.1 of this By-law shall apply to a public school		

8.2.3.103	Exception: E2-103	Map # 43W	By-law: 0191-2009
In an E2-103 zone the applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Permitted Uses			
8.2.3.103.1	Lands zoned E2-103 shall only be used for the following:		
	(1)	E1 uses contained in Subsection 8.2.1 of this By-law	
	(2)	Gas Bar	
	(3)	Motor Vehicle Wash Facility - Restricted	
Regulations			
8.2.3.103.2	Uses contained in Sentence 8.2.3.103.1 of this Exception shall comply with the E1 zone regulations contained in Subsection 8.2.1 of this By-law except that:		
	(1)	maximum percentage of gross floor area - non-residential used for accessory uses	30%
	(2)	minimum height	3 storeys
	(3)	minimum height - reconstructed gas bar	6.0 m

8.2.3.104	Exception: E2-104	Map # 43W	By-law: 0191-2009
In an E2-104 zone the applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Permitted Uses			
8.2.3.104.1	Lands zoned E2-104 shall only be used for the following:		
	<div><div>(1)</div><div>E1 uses contained in Subsection 8.2.1 of this By-law</div></div> <div><div>(2)</div><div>Restaurant</div></div> <div><div>(3)</div><div>Convenience Restaurant</div></div> <div><div>(4)</div><div>Take-out Restaurant</div></div> <div><div>(5)</div><div>Outdoor patio accessory to a restaurant, convenience restaurant or take-out restaurant</div></div>		
Regulations			
8.2.3.104.2	Uses contained in Sentence 8.2.3.104.1 of this Exception shall comply with the E1 zone regulations contained in Subsection 8.2.1 of this By-law except that:		
	<div><div>(1)</div><div>maximum gross floor area - non-residential used for restaurants, convenience restaurants and take-out restaurants</div></div>	1 450 m ²	
	<div><div>(2)</div><div>maximum percentage of gross floor area - non-residential used for accessory uses</div></div>	30%	
	<div><div>(3)</div><div>minimum height</div></div>	3 storeys	

8.2.3.105	Exception: E2-105	Map # 51W	By-law: 0191-2009
In an E2-105 zone the applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Permitted Uses			
8.2.3.105.1	Lands zoned E2-105 shall only be used for the following:		
	(1) E1 uses contained in Subsection 8.2.1 of this By-law		
Regulations			
8.2.3.105.2	Uses contained in Sentence 8.2.3.105.1 of this Exception shall comply with the E1 zone regulations contained in Subsection 8.2.1 of this By-law except that:		
	(1)	maximum percentage of gross floor area - non-residential used for accessory uses	30%
	(2)	minimum height	3 storeys

Appeal to By-law 0191-2009 - as it applies to the lands under appeal identified on Map 44E.			
8.2.3.106	Exception: E2-106	Map # 44E	By-law: 0191-2009
In an E2-106 zone the applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Permitted Uses			
8.2.3.106.1	Lands zoned E2-106 shall only be used for the following:		
	(1) E1 uses contained in Subsection 8.2.1 of this By-law		
Regulations			
8.2.3.106.2	Uses contained in Sentence 8.2.3.106.1 of this Exception shall comply with the E1 zone regulations contained in Subsection 8.2.1 of this By-law except that:		
	(1)	maximum percentage of gross floor area - non-residential used for accessory uses	30%
	(2)	minimum height of all buildings and structures located within 92.0 m of Hurontario Street and 161.0 m of Derry Road West	3 storeys

Appeal to By-law 0191-2009 - as it applies to the lands under appeal identified on Map 44E.			
8.2.3.107	Exception: E2-107	Map # #43W, 44E, 51W, 52E	By-law: 0191-2009
In an E2-107 zone the applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Permitted Uses			
8.2.3.107.1	Lands zoned E2-107 shall only be used for the following:		
	(1) E1 uses contained in Subsection 8.2.1 of this By-law		
Regulation			
8.2.3.107.2	Uses contained in Sentence 8.2.3.107.1 of this Exception shall comply with the E1 zone regulations contained in Subsection 8.2.1 of this By-law		

8.2.3.108	Exception: E2-108	Map # 04, 11	By-law: 0396-2009/ OMB Order 2010 May 17
In an E2-108 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
8.2.3.108.1	(1)	Use legally existing on the date of passing of this By-law	
Uses Not Permitted			
8.2.3.108.2	(1)	Transportation Facility	
	(2)	Truck Terminal	
	(3)	Waste Processing Station	
	(4)	Waste Transfer Station	
	(5)	Composting Facility	
	(6)	Contractor Service Shop	
	(7)	Adult Entertainment Establishment	
	(8)	Body-Rub Establishment	
	(9)	Cardlock Fuel Dispensing Facility	
Regulation			
8.2.3.108.3		Outdoor storage of particulate materials such as but not limited to salt and sand shall be within enclosed containers, a structure with a minimum of three (3) sides and a roof, or otherwise covered	

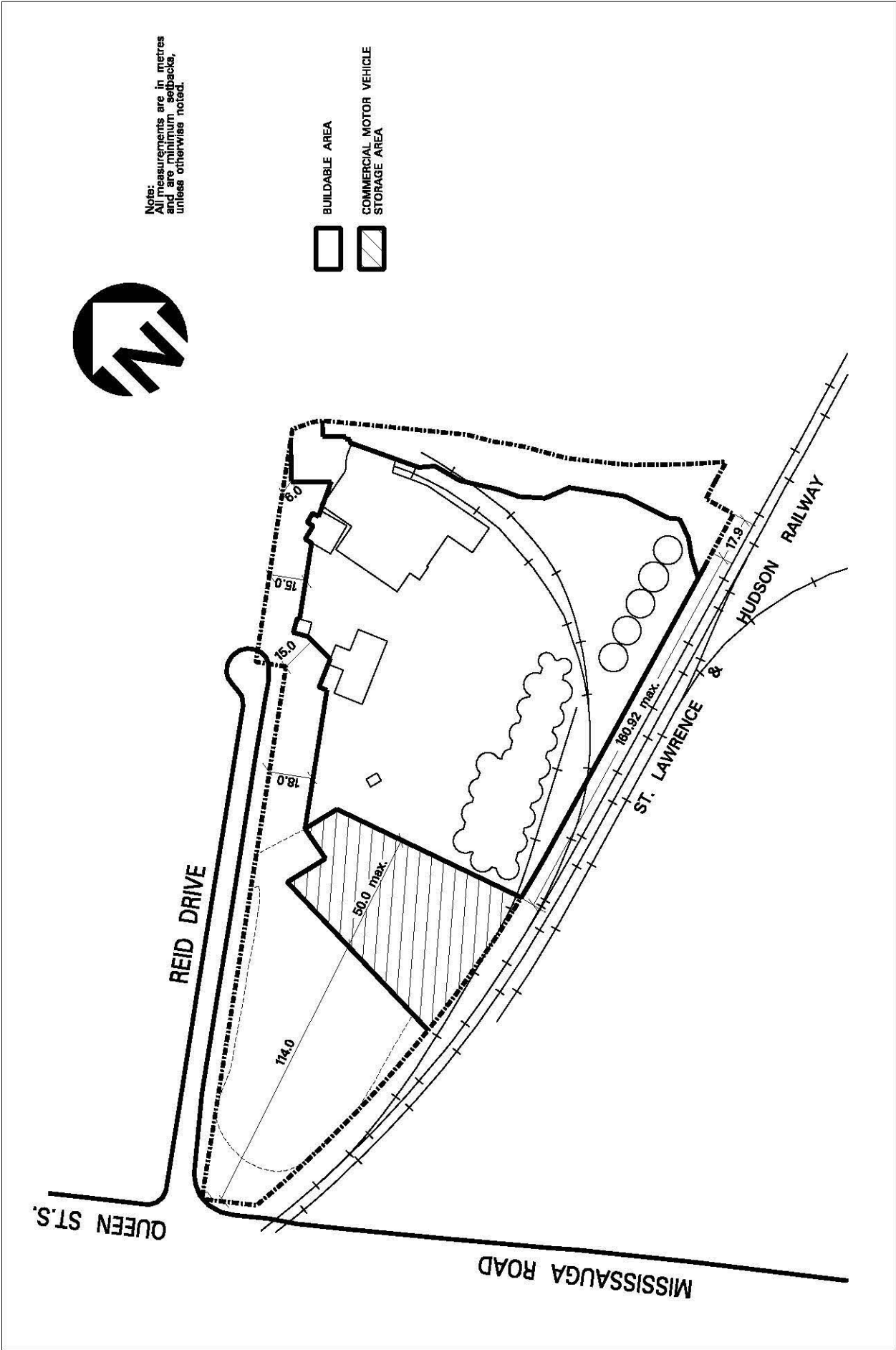
8.2.3.109	Exception: E2-109	Map # 04	By-law: 0396-2009/ OMB Order 2010 May 17
In an E2-109 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
8.2.3.109.1	(1)	Use legally existing on the date of passing of this By-law	
	(2)	Gas Processing Operation	
Uses Not Permitted			
8.2.3.109.2	(1)	Transportation Facility	
	(2)	Truck Terminal	
	(3)	Waste Processing Station	
	(4)	Waste Transfer Station	
	(5)	Composting Facility	
	(6)	Contractor Service Shop	
	(7)	Adult Entertainment Establishment	
	(8)	Body-Rub Establishment	
	(9)	Cardlock Fuel Dispensing Facility	
Regulations			
8.2.3.109.3		Outdoor storage of particulate materials such as but not limited to salt and sand shall be within enclosed containers, a structure with a minimum of three (3) sides and a roof, or otherwise covered	
8.2.3.109.4		Minimum number of parking spaces per 100 m ² GFA - non-residential for a gas processing operation	1.6

8.2.3.110	Exception: E2-110	Map # 04	By-law: 0396-2009/ OMB Order 2010 May 17
In an E2-110 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Permitted Use			
8.2.3.110.1	(1)	Use legally existing on the date of passing of this By-law	
Uses Not Permitted			
8.2.3.110.2	(1)	Transportation Facility	
	(2)	Truck Terminal	
	(3)	Waste Processing Station	
	(4)	Waste Transfer Station	
	(5)	Composting Facility	
	(6)	Contractor Service Shop	
	(7)	Adult Entertainment Establishment	
	(8)	Body-Rub Establishment	
	(9)	Cardlock Fuel Dispensing Facility	
Regulation			
8.2.3.110.3		Outdoor storage of particulate materials such as but not limited to salt and sand shall be within enclosed containers, a structure with a minimum of three (3) sides and a roof, or otherwise covered	

8.2.3.111	Exception: E2-111	Map # 55	By-law: 0406-2008, 0379-2009
In an E2-111 zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
8.2.3.111.1	(1)	Day care accessory to a place of religious assembly	
Uses Not Permitted			
8.2.3.111.2	(1)	Transportation Facility	
	(2)	Truck Terminal	
	(3)	Waste Processing Station	
	(4)	Waste Transfer Station	
	(5)	Composting Facility	
	(6)	Self Storage Facility	
	(7)	Contractor's Service Shop	
	(8)	deleted	
	(9)	Motor Vehicle Repair Facility - Restricted	
	(10)	Motor Vehicle Rental Facility	
	(11)	deleted	
	(12)	Motor Vehicle Wash Facility - Restricted	
	(13)	Gas Bar	
	(14)	Motor Vehicle Service Station	
	(15)	Motor Vehicle Sales, Leasing and/or Rental Facility - Commercial Motor Vehicles	
	(16)	Adult Video Store	
	(17)	Adult Entertainment Establishment	
	(18)	Body-Rub Establishment	
	(19)	Card Lock Fuel Dispensing Facility	
	(20)	Parking Lot	

8.2.3.112	Exception: E2-112	Map #	By-law:

8.2.3.113	Exception: E2-113	Map # 38W	By-law: OMB Order 2009 October 07 Case No.: PL070625 File No.: R070164
In an E2-113 zone the applicable regulations shall be as specified for an E2 zone except that the following uses/regulations shall apply:			
Permitted Uses			
8.2.3.113.1	Lands zoned E2-113 shall only be used for the following:		
	(1) Grain processing and grain milling facility		
	(2) Outdoor storage accessory to grain processing and grain milling facility		
	(3) Required parking for lands zoned G1-13		
Regulations			
8.2.3.113.2	The provisions contained in Subsection 8.1.5, except Sentence 8.1.5.1.1, of this By-law shall apply		
8.2.3.113.3	The provisions contained in Subsection 1.1.4, Article 2.1.17.1 and the regulations of Lines 12.1, 12.2 and 12.5 contained in Table 8.2.1 of this By-law shall not apply		
8.2.3.113.4	Outdoor storage shall only be permitted within the buildable area identified on Schedule E2-113 of this Exception except that the temporary on-site storage of commercial motor vehicles (ie. trucks, tractors and/or trailers) for freight handling including pick-up, delivery and transitory storage of goods directly related to the permitted use shall also be permitted within the Commercial Motor Vehicle Storage Area identified on Schedule E2-113 of this Exception		
8.2.3.113.5	Notwithstanding Sentence 8.2.3.113.7, a security building with a maximum gross floor area - non-residential of 20 m ² shall be permitted outside the buildable area identified on Schedule E2-113 of this Exception		
8.2.3.113.6	Minimum number of parking spaces per 100 m ² gross floor area - non-residential	1.6	
8.2.3.113.7	All site development plans shall comply with Schedule E2-113 of this Exception		



Schedule E2-113
Map 38W