

## UNDERTAKINGS

<u>No.</u>	<u>Transcript</u>	<u>Undertaking</u>	<u>Response</u>
1.	Questions 177-179 at pages 55 lines 3-25 and page 56 lines 1-17.	To provide invoices or a breakdown or a table specifying the date and amounts of PDC work done by NORR Architects that makes up the approximate \$1.4 million referenced in paragraph 15 of the Affidavit of David Macey.	The breakdown is attached.
2.	Questions 191-192 at page 60 lines 19-25 and page 61 lines 1-11.	To provide the letter dated January 20, 2021 from the municipality of North Grenville indicating a correctional facility is a permitted use.	See attached letter from the municipality of North Grenville dated January 20, 2021 to the consultant retained by IO.
3.	Questions 238-239 at page 74 lines 16-25 and page 75 lines 1-22.	To advise whether the \$2,463,910.02 purchase cost for the Kemptville site included the \$1,028,151 in necessary watermain work.	<p>During the holding period, in fiscal year 2020-2021, the Ministry paid \$1,082,263.89 to ARIO for the necessary watermain work.</p> <p>The depreciated value for that watermain work (\$1,028,151.61) was included as part of the \$2,463,910.02 purchase price that the Ministry paid to ARIO for the property in March 2022.</p> <p>In fiscal year 2021-2022, ARIO reimbursed the Ministry for that depreciated value (\$1,028,151.61) to ensure that the Ministry did not pay twice for the watermain work.</p>

			This can be seen in the tables found in Appendix 1 to the land transfer invoice in Exhibit "C" to the Affidavit of David Macey.
4.	Questions 343-347 at page 104 lines 11-25, page 105 lines 1-25 and page 106 lines 1-5.	To produce the figure for IO staff costs for the window from September 26, 2020 (30-day filing deadline) to August 16, 2022 (issuance of application).	\$1,861,924  Should a change in site occur, it's expected additional IO staff costs will be incurred for project management of site related activities such as Background Assessment, Early Works and Due Diligence Reports, Municipal Approvals, PSOS development, and Community Consultations.
5.	Question 282 at page 88 lines 1-3 [given off the record].	To advise of the cost of due diligence work for the period of September 26, 2020 (30-day filing deadline) to August 16, 2022 (issuance of application).	\$1,056,234

## REFUSALS

<b><u>No.</u></b>	<b><u>Transcript</u></b>	<b><u>Under-advisement</u></b>	<b><u>Grounds for Refusal</u></b>
1.	Questions 160-162 at page 49 lines 10-25 and page 50 lines 1-13.	To advise what amount was allocated to the project on June 26, 2020.	Irrelevant.
2.	Questions 168-172 at page 51 lines 17-25, page 52 lines 1-25 and page 53 lines 1-18.	To advise of the initial DBFM budget range for the Thunder Bay facility.	Irrelevant.
3.	Questions 380-386 at page 116 lines 20-25, page 117 lines 1-25, page 118 lines 1-25, page 119 lines 1-25, page 120 lines 1-13 and page 121 lines 1-7.	<p>i. To advise how much money was spent on due diligence staff time and PDC work on the initial Ottawa Correctional Complex (OCC) vision from March 2017 until the vision shifted.</p> <p>ii. To advise whether there was, in May 2017, an allocation range or budget range for the OCC project, or the OCC vision, similar to what is now published on the IO website for Kemptville.</p>	<p>Irrelevant.</p> <p>Irrelevant.</p>

**EOCC - Kemptville PDC**

## Cost Breakdown

Scope	Costs up to Oct. 21, 2022	Estimated % to be redone based on PDC assessment	Estimated Cost to be redone
- Functional Program	329,575.00	10%	32,957.50
- Background	74,989.81	66%	49,493.27
- Master Plan Report	155,068.50	90%	139,561.65
- Block Schematics	180,263.45	25%	45,065.86
- Municipal Approvals	44,834.04	90%	40,350.64
- Project Specific Output Specifications	374,988.09	10%	37,498.81
- Pre-RFP Release	103,832.51	20%	20,766.50
- Cash Allowance	108,302.00	78%	84,192.00
<b>Total</b>	<b>1,371,853.40</b>		<b>449,886.23</b>

Wednesday, 20 January 2021

Attention:  
Jaime Posen  
Senior Planner  
Fotenn

Re: Zoning for a Correctional Facility

Dear Jaime,

The Municipality confirms that a Public Use by a Public Authority is a permitted use on the property legally described as Concession 3, Part of Lots 23 and 24, and Concession 4 Part of Lots 24 to 29, being Parts 2, 3, 5 and 6 on Reference Plan 15R10707.

Section 6.39 of Comprehensive Zoning By-law provides additional zoning provisions for public uses. According to Section 6.39 *the provisions of the Zoning By-law do not apply to the use of any lot or the location or use of any building or structure for the purpose of public use by...any department of the Government of Ontario*. These provisions are attached.

It is understood that the Correctional Facility is required by the department of the Solicitor General. As the proposed facility is related to the activities of this department of the Government of Ontario, the Correctional Facility would be in conformity with Section 6.39 Public Uses of the Comprehensive Zoning By-law.

As per Section 6.39 (a)(iii) *the lot coverage, setback and yard requirements prescribed for the zone in which such land, building or structure is located shall be complied with. The property is zoned Institutional*. The Zoning requirements for the Institutional zone are attached.

Sincerely,

A handwritten signature in black ink that reads "Amy Martin".

Amy Martin  
Acting Director of Planning and Development

cc: Gary Dyke, Chief Administrative Office, Municipality of North Grenville  
cc: Tate Kelly, Planner, Infrastructure Ontario  
cc: John Taglieri, Senior Project Manager, Infrastructure Ontario

contravenes any of the provisions of this By-Law applicable to each individual remaining building, accessory building or lot.

- d) Except where specifically permitted by this By-Law, not more than one dwelling shall be located on a lot.
- e) Notwithstanding anything contained in this By-Law, no person shall use or occupy any building for residential purposes unless such building has received occupancy permission from the Municipality in accordance with the Ontario Building Code.
- f) Notwithstanding anything contained in the By-Law, no person shall use any building, structure or land for any purpose that would potentially have a negative impact on groundwater resources in the Municipality. As part of the building permit, severance or rezoning process, the applicant may be required to obtain Ministry of Environment approval for any use. Specifically, individual development proposals which require 50,000 litres or more of water per day will require a water taking permit from the Ministry of Environment. Notwithstanding the foregoing policy, the watering of livestock shall not require a water taking permit.
- g) Any activity, other than the watering of livestock or a public use, that involves the taking of 50,000 litres or more of water per day shall be defined as the “commercial taking of water” and shall be deemed to be a specific “land use” which must be recognized in a site specific zoning category within this By-Law.
- h) Except as otherwise specifically permitted in this By-law, the following structures are prohibited in any zone:
  - i. Shipping containers

### **6.39 PUBLIC USES AND UTILITIES**

- a) The provisions of this By-Law shall not apply to the use of any lot or the location or use of any building or structure for the purpose of public use by the Corporation or by any local board of the Corporation as defined by *The Municipal Act, R.S.O. 1990*, as amended, any telephone or telecommunication corporation, any natural gas distribution system operated by the Corporation or on its behalf by a company distributing gas to the residents of the Corporation and possessing all the necessary powers, rights, licenses and franchise, any Conservation Authority, the United Counties of Leeds and Grenville, any department of the Government of Ontario or Canada, any use permitted under statutes of Ontario or Canada governing railway operations, including tracks, spurs and other

railway facilities provided that where such lot, building, structure, use or transmission facility is located in any zone:

- i. no goods, materials or equipment shall be stored in the open, except as permitted in such zone;
  - ii. any above ground use carried on under the authority of this paragraph in any residential zone shall be maintained in general harmony with residential buildings in such zone; and
  - iii. the lot coverage, setback and yard requirements prescribed for the zone in which such land, building or structure is located shall be complied with.
- b) Nothing in this By-Law shall prevent the use of any land as a public park, a public street or for the location of a properly authorized traffic sign or signal, any sign or notice of any Municipal, Provincial or Federal government department or authority, or any mail or utility box or for a street or prevent the installation of a watermain, sanitary/waste water sewer main, storm sewer main, water and/or waste water pumping station, gas main, pipeline, lighting fixtures, overhead or underground electrical facility, television, telecommunication, telephone, or other supply line or communication line or tower, or structure clearly accessory to the foregoing, provided that the location of same has been approved by the Municipality.

## **6.40 SETBACKS**

### **6.40.1 Roads, Railways and TransCanada Pipeline**

- a) A permit from the Ministry of Transportation is required for:
  - i. the placing of a building, structure or entrance within 45 m (147 feet) of the limit of any provincial highway, 180 m (590 feet) of the centre point of any intersection on a King's Highway and 395 m (1,295 feet) of any intersection or interchange on a controlled-access highway (i.e. 416); and
  - ii. the placing of a sign within 400 m (1,312 feet) of the limit of the highway.
- b) No building or structure shall be erected in any zone closer than the sum of the front yard or exterior side yard requirement for such zone and the following where applicable:
  - i. 15 metres (49 ft.) from the centre of the right-of-way of a County road; and
  - ii. 10 metres (32.8 ft.) from the centre of the right-of-way of a Municipal road.
- c) All development shall be set back a minimum of 10 metres (30 ft.) from the centreline of all private lanes.

## **SECTION 29 – I – INSTITUTIONAL ZONE**

Within the Institutional (I) Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### **29.1 PERMITTED USES**

- ambulance station
- arena
- cemetery
- charitable camp
- club - commercial, private or fraternal organization
- community centre
- community facility
- conservation uses, including forestry, reforestation
- crematorium
- curling rink
- day nursery
- fair ground
- fire station
- health centre
- hospital
- library
- mobile canteen under license by the Municipality
- museum or art gallery
- nursing home or extended care facility
- place of assembly
- place of worship
- police station
- post office
- public administration office
- public campground
- public or private hospital
- public or private park, conservation area, playground, roadside park, public boat launch or swimming or picnicking area, playing field, recreational trail, swimming pool, wading pool, beach, picnic area, bandstand, skating rink,



skateboard park, tennis court, bowling green, golf course or other similar outdoor recreational uses, both passive and active

- public or private school
- public use
- public works garage
- recreation uses
- senior centre
- university or college
- building or structure related to a utility company, such as a natural gas company or telephone company
- accessory building, structures or use to a permitted use, including accessory retail uses, accessory eating establishments and accessory accommodations

## **29.2 ZONE REGULATIONS**

<b><u>Provisions</u></b>	<b><u>No Municipal Water or Sewer</u></b>	<b><u>Municipal Water and Sewer</u></b>
Minimum lot area	2000 m <sup>2</sup> (21528 ft <sup>2</sup> )	Nil
Minimum lot frontage	30 metres (98.43 feet)	23 metres (75.9 feet)
Minimum front yard	12 metres (39.4 feet)	7.5 metres (24.6 feet)
Minimum rear yard	12 metres (39.4 feet)	7.5 metres (24.6 feet)
Minimum side yard	6 metres (19.7 feet)(a)	3 metres (9.8 feet)(b)
Minimum exterior side yard	12 metres (39.4 feet)	7.5 metres (24.6 feet)
Maximum building height	13 metres (42.7 feet)	13 metres (42.7 feet)
Minimum landscaped open space	10 % (c)	10 % (c)
Maximum lot coverage	40 %	40 %

**Footnotes:**

- a) Where an interior side yard abuts a residential zone such interior side yard shall be a minimum of 12 metres (39.4 ft.).
- b) Where an interior side yard abuts a residential zone such interior side yard shall be a minimum of 6 metres (19.7 ft.).
- c) Minimum landscaped open space shall include a solid fence a minimum of 1.5 metres (4.9 feet) in height constructed of wood, metal or equivalent material along any lot line that abuts a residential zone.

**29.3 GENERAL PROVISIONS**

All special provisions of Section 6 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the Institutional (I) Zone.

**29.4 SPECIAL PROVISIONS****29.4.1 I Special Exception Zones**

Notwithstanding any other provision of this By-law to the contrary, on those lands delineated as being in a special exception zone the following provisions shall apply:

- a) **I-1-h** (Kemptville District Hospital)
  - i. An 80 unit apartment building, including 36 parking spaces shall be an additional permitted use.
  - ii. Removal of Holding Symbol: Notwithstanding the provisions of Section 29.2 to the contrary, on the lands zoned I-1, only those uses existing at the date of the passing of By-law /74-09 shall be permitted. The holding symbol (h) shall be removed in accordance with the applicable sections of the Planning Act, provided that the following item is addressed for the zone concerned: execution of the site plan control agreement.
- b) **I-2** (285 County Rd /44 – NG Municipal Centre)
  - i. Additional Permitted Uses:
    - Accommodation
    - Clinic