

**Minutes of Committee of the Whole**  
**April 12, 2022**



**Meeting # 19**

**Time:** 6:00 pm

**Location:** Council Chambers

**Council Present in Council Chambers:** Mayor Ron Vandewal, Ray Leonard, John McDougall, Doug Morey, Alan Revill, Norm Roberts, Randy Ruttan, Ron Sleeth, Ross Sutherland

**Staff Present in Council Chambers:** Louise Fragnito - Chief Administrative Officer, Angela Maddocks - Clerk, Tom Berriault - Chief Building Official, Claire Dodds - Director of Development Services

1. Call to Order and Roll Call

a) **Motion**

Moved by Councillor Leonard

Seconded by Councillor Roberts

That the April 12, 2022 Committee of the Whole meeting be called to order at 6:00 p.m.

Carried

b) The Clerk conducted the roll call as outlined in the attendance noted above.

Mayor Vandewal took the opportunity to announce the passing of Gordon Young of Perth Road and to extend condolences to his family. Mr. Young was a long time volunteer firefighter and Deputy Chief of the Perth Road Fire Hall.

2. Declaration of pecuniary interest and the general nature thereof

a) There were no declarations reported.

3. Approval of Agenda

a) **Motion**

Moved by Councillor Sutherland

Seconded by Councillor McDougall

That the agenda for the April 12, 2022 Committee of the Whole meeting be approved as presented.

Carried

4. Scheduled Closed Session - not applicable

5. Public Meeting

a) **Motion**

Moved by Councillor Ruttan

Seconded by Deputy Mayor Revill

That a public meeting be held to allow for input on the update to the Building By-law and building permit fees.

Carried

b) **Update to Building By-law - Building Permit Fees**

Claire Dodds, Director of Development Services presented the report noting that the Ontario Building Code (OBC) and Ontario Regulation 332/12 requires that a public meeting be held in advance of adding new fees into the Building By-law and to ensure that a minimum of 21 days public notice of the meeting is provided. She noted that staff placed an advertisement in the March 10, 2022 edition of the Frontenac News and posted information regarding the proposed update to the Building By-law on the Township website. A notice was also placed in the South Frontenac banner advertisement in Frontenac News for each of the past three weeks and that to date there have been no comments received from the public on the proposed changes to the Building By-law. There were no members of the public registered to join this meeting virtually.

Ms. Dodds explained that the current Building By-law 2014-26 (as amended) includes language that automatically adjusts the Township's building fees annually on February 1st based on the 3rd quarter Statistics Canada Non-Residential Building Construction Cost Index: Ottawa.

In prior years, this index resulted in increases similar to inflation as measured by the Total Consumer Price Index (CPI). This allowed fees to keep up with the cost of delivering building services, which is largely driven by annual wage increases, vehicle maintenance and insurance.

At its regular meeting on January 11, 2022, Council deferred the staff recommendation to replace the current non-residential cost index with the October Total CPI and passed a motion to freeze building fees until additional information could be provided regarding the cost of delivering building services and the size and appropriateness of the building reserve. At the same meeting, Council also approved the staff recommendation to freeze Part 8 fees until at least February 1, 2023, to determine the cost of delivering that new service.

She noted that at the January 25th, 2022 meeting, Council directed staff to schedule a public meeting in accordance with the requirements of the Building Code to amend the by-law to update the way the permit fees are updated, calculated and along with an option of putting into effect a freeze on fee increases when the building reserve reaches a threshold of the rolling three (3) year average of the building services operating costs.

Ms. Dodds reviewed the recommendations to ensure fees remain more closely tied to service delivery costs and to prevent excessive increases in any given year due to irregular inflation and based on 3rd Quarter Non-Residential Building Construction Cost Index: Ottawa is much higher than in the past at 13.6% this would have resulted in a considerable increase to the Township's building fees which would not be correlated with the cost of delivering those services. She noted that staff believe these are good changes.

Councillor Sutherland agreed that these were great changes. He questioned the scenario where the 4% range doesn't support maintaining adequate funds within the reserve. He felt there was nothing in the by-law that directs this issue to come back to Council based on inflation's fluctuations.

Louise Fragnito explained that annually, during budget deliberations this would be reviewed and amended accordingly. She noted there could be language in the by-law to address this concern and that would speak to the three year rolling average. She also noted that the current reserve policy does not have a

"capping" established. Ms. Fragnito also noted that the budget took into account a full compliment of staffing which actually wasn't achieved.

Deputy Mayor Revill agreed with Councillor Sutherland's concerns, but he felt it would take a pretty dramatic set of circumstances for the reserve to drop significantly and thereby creating the possibility of the municipality having to lay off staff in the Building Department specifically.

Councillor Ruttan noted that further to Councillor Sutherland's point, in practical terms, he asked what would have to happen before the reserve would fall below the benchmark or a deficit.

Claire Dodds explained that part of the structure is to bring the reserve balance down to a more average annual operating costs that would essentially allow to fund to hold existing staff and cover operating expenses. The loss of construction value and reduced fee amounts would affect the reserve balance. She also noted the challenge to recruit and maintain qualified staff for some positions.

Councillor McDougall confirmed with the CAO that this would be looked at annually at budget time.

Councillor Morey asked about when the reserve is above what is budgeted and where does this money go to. Ms. Fragnito explained any surplus would stay in the reserve but would be re-evaluated at budget time.

Council reaffirmed their requirement to monitor this reserve closely.

There were no members of the public connected to this meeting virtually.

Moved by Councillor Ruttan

Seconded by Deputy Mayor Revill

That Council the proposed update to the Building By-law 2014-26 as amended to make a number of changes that better reflect the costs to deliver building services including:

- Indexing the Fees set out in Schedule "C" to the October Total CPI deviation to a maximum increase of 4% annually, instead of using the 3rd quarter Statistics Canada Non-Residential Building Construction Cost Index: Ottawa; and,
- Endorsing establishing a limit to the size of the building reserve that is equivalent to annual building services operating costs based on a rolling three (3) year average; and,
- That upon reaching the reserve limit, building fees as set out in Schedule "C" of the Building By-law No. 2014-26 would be frozen; and,

That Council direct staff to bring back a by-law to amend Building By-law 2014-26 to reflect these changes to an upcoming Council meeting.

Carried

c) **Motion - Close Public Meeting**

Moved by Councillor Sleeth

Seconded by Councillor Morey

That having provided an opportunity for input on the Building By-law update, the public meeting be closed.

Carried

6. Delegations - none

7. Reports Requiring Direction

a) **Restricted Acts of Council (Lame Duck Period)**

This report updated Council on the Lame Duck Period in relation to the 2022 Municipal Election and sought Council direction on delegation of authority during this time period.

Moved by Councillor Roberts  
Seconded by Councillor Sutherland

That Council receive the CAO's report dated April 12, 2022, for information and direct staff to prepare a by-law delegating applicable authority to the Chief Administrative Officer with respect to the actions set out in the Municipal Act, 2001 Section 275(3) during the period which Council may be restricted from certain acts (Lame Duck period).

Carried

b) **Floating Accommodations on Waterways over Ontario's Public Lands**

The Ministry of Northern Development, Mines, Natural Resources and Forestry are seeking input on potential ideas and approaches to manage "camping" on water and the use of floating accommodations on waterways over Ontario's public lands. This report provided background information on the issue, and suggested responses to the questions posed by the Ministry.

Moved by Councillor Ruttan  
Seconded by Deputy Mayor Revill

That Committee of the Whole feedback provided to staff in response to the Ministry of Northern Development, Mines, Natural Resources and Forestry (the Ministry) on approaches to managing camping on water, and the use of floating accommodations over Ontario's Public Lands; be filed by staff to the Ministry by April 19, 2022.

Carried

8. Reports for Information

a) **Notice of Motion - Monitoring and Enforcing Site Plans**

- The report provides information in response to a notice of motion requesting an outline of Development Services staff capacity for the monitoring and enforcement of site plans and condominium conditions for ongoing development work.

9. Rise & Report from Committees of Council

a) **Cataraqui Region Conservation**

Deputy Mayor Revill noted that Council should be aware of its water control structures that are largely underfunded. While the township owns Sydenham Dam, the authority has reserve funds in place for the maintenance works. He speculated that the township could anticipate an increase in the conservation levy for those special projects. Deputy Mayor Revill confirmed that there have been ongoing assessments made on all of these structures.

Mayor Vandewal questioned the liability from a township perspective and if there was anything on the township books recognize this. The CAO confirmed that she would review this and report back.

b) **Quinte Conservation**

Councillor Roberts reported that there was not a March meeting. He noted that a recent memo indicated that projections about Bay of Quinte indicate there is any flooding anticipated this year.

c) **Rideau Valley Conservation**

Councillor McDougall echoed liability concerns that Deputy mayor Revill spoke to. He noted that the condition of the 14 Island Lake Dam which is owned by the cottagers which creates confusion.

He noted that the last meeting was focused on the annual RVCA report.

10. Information Items

a) **Rideau Valley Conservation Authority - 2021 Annual Report**

b) **2021 Emergency Management Compliance**

c) **2022 Senior of the Year Award**

d) **Limestone District School Board - Letter to Ministers and Municipal Partners, re: Housing Crisis**

11. Notice of Motions

- a) Councillor Sleeth served a notice of motion for the township to research ways to recognize acknowledge the important contributions service clubs and churches have made, and continue to make for the community during COVID.

12. Announcements/Statements by Councillors

- a) In reference to agenda item 10 d), Councillor McDougall inquired about affordable housing and if there is an opportunity for an update on township housing projects including McMullen Manor progress. He also questioned the status of the communal service.

Ms. Fragnito indicated she would reach out to Kingston Housing Authority for an update on the reconstruction of McMullen Manor in Verona. with respect to the communal services a report will be coming back to Council in may.

Councillor Sleeth asked about the anticipated ground breaking for the Verona Housing project. The CAO felt it would be late 2023 or early 2024 but the servicing component needs to be confirmed before any construction begins. Ms. Dodds indicated there would be significant provincial approvals required as part of this process.

- b) Mayor Vandewal asked about updating signage to reflect the new branding and population numbers on gateway signage.

The CAO indicated that Council will have an opportunity to review the design.

13. Question of Clarity (from the public on outcome of agenda items)

- a) There were no members of the public joined virtually to this meeting.

14. Closed Session - not applicable

15. Adjournment

- a) **Motion**

Moved by Councillor Sleeth  
Seconded by Councillor Morey

Committee of the Whole  
April 12, 2022

That the Committee of the Whole meeting of April 12, 2022 be adjourned at 6:59  
p.m.

Carried