



**City of Kingston  
Committee of Adjustment  
Meeting Number 02-2021  
Monday, January 18, 2021 at 5:30 p.m.**

**Correspondence**

- a) Correspondence received from Michael S. Polowin, Partner Gowling WLG dated January 14, 2021 regarding 160 MacDonnell Street.  
Schedule Pages 1 - 3
- b) Correspondence received from Ethel Kozliner dated January 13, 2021 regarding 160 MacDonnell Street.  
Schedule Page 4
- c) Correspondence received from Patricia Frost dated January 15, 2021 regarding 160 MacDonnell Street.  
Schedule Page 5
- d) Correspondence received from Phillip Isotalo dated January 13, 2021 regarding 160 MacDonnell Street.  
Schedule Page 6
- e) Correspondence received from Wendy Craig dated January 11, 2021 regarding 160 MacDonnell Street.  
Schedule Page 7
- f) Correspondence received from Donna Lounsbury dated January 15, 2021 regarding 230 Frontenac Street.  
Schedule Page 8
- g) Correspondence received from Donald Mitchell dated January 15, 2021 regarding 35 Gibson Avenue.  
Schedule Page 9
- h) Correspondence received from Anna Klaussen dated January 16, 2021 regarding 160 MacDonnell Street.  
Schedule Page 10
- i) Correspondence received from Mike Gallagher regarding 17 Gordon Street.  
Schedule Page 11
- j) Correspondence received from Mr. Prell, Planner regarding Hydrogeological Assessment In Support Of Consent D10-028-2020 and D10-029 2020 Babcock Road.  
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- k)** Correspondence received from Donna Lounsbury dated January 18, 2021 regarding 230 Frontenac Street.

Schedule Page 25

January 14, 2021

**Via E-Mail**

Michael S. Polowin

City of Kingston - Committee of Adjustment  
216 Ontario Street  
Kingston, ON K7L 2Z3

**Attention: Phillip Prell  
Planner**

Dear Mr. Prell,

**Re: 160 MacDonnell, Kingston - January 18, 2021 Committee of Adjustment Meeting - D10-040-2020**

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Please convey this letter to the Committee in advance of the hearing on this matter.

We are counsel to the Applicant in this matter, owner of 160 MacDonnell Street, Kingston ("Subject Property"), which seeks a consent to sever the Subject Property into two rectangular parcels, with 7.9m frontages and maintaining existing lot depth ("Proposed Lots"). The Applicant intends to construct a new single detached house and include a second residential unit on each new lot ("Proposed Development"). The Proposed Development will not require any variances on the Proposed Lots.

Planning staff has recommended the denial of this application on the basis of section 51(24)(f) of the Planning Act, which provides that regard shall be had to the dimensions and shapes of the proposed lots. It is our opinion that the law does not permit the use of this section in the manner proposed by staff, and the suggestion is simply not supportable in law. This section of the *Planning Act* is intended to capture cases where a proposed lot configuration is extraordinary, without precedent, or creates dimensions and shapes that are without precedent relative to the lot patterns that currently exist in the area. For example, flag-shaped lots have been considered inappropriate, where such lot shapes were uncommon in the area and there was no compelling reason for it.

On the other hand, as the Tribunal found in *Sherwood v. Lucan Biddulph (Twp)*, it is not appropriate to deny an application where proposed dimensions are rectangular and maintain a regular pattern consistent with the depths of adjacent lots.

There is nothing extraordinary about the configuration of the Proposed Lots. In fact, there are six (6) other lots with frontages below 8m, and sixteen (16) lots with frontages of 8-10.99m, within two blocks of the Subject Property. Lot frontage of approximately or below 8m is not uncommon, extraordinary or without precedent in the surrounding area. Further, the Proposed Lots are rectangular and maintain the regular pattern of the area, consistent with the depths of adjacent lots. There is no basis to deny the application on the basis of section 51(24)(f) of the Planning Act.

Gowling WLG (Canada) LLP  
Suite 2600, 160 Elgin Street  
Ottawa ON K1P 1C3 Canada

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It is also important to note that the Proposed Lots comply with the Zoning Bylaw. The law is clear that the Zoning Bylaw is deemed to conform with the Official Plan. Therefore, there is no basis in law to suggest that lots that comply with the Zoning Bylaw can in any manner be said not to conform to the Official Plan.

Finally, we note that some of the correspondence received by the Committee speaks to the nature of the development of the Proposed Lots, and the fact that students may live there. That development is not before the Committee, and it is our view of the law that any issues related to the development cannot be a part of the Committee's decision. What the Applicant will build must, unless future variances are sought, comply with the Zoning Bylaw. The Application is merely for a consent.

Moreover, the Committee will be familiar with the legal prohibition on "people zoning". Any commentary on the identity of potential occupants or any quality of them is strictly prohibited in consideration of this Application.

There is a long line of case law confirming that the authority, be it the Committee or the Tribunal, may only consider the permissions at issue. Given that any development must be permitted as of right under the ZBL, any issues relating to the development of the Proposed Lots (as opposed to the consent requested) are outside the scope of what may be considered by the authority.

In *Statler v. Ottawa (City)*, the Committee of Adjustment had refused to grant an application for minor variances and severances to permit the construction of a new dwelling. One of the bases for refusal was that the Committee required the submission of detailed building plans, which the applicant had not provided. The Ontario Municipal Board (as it then was) granted the permissions, and noted with respect to the requirement for building plans that (paras 25-26):

The matters before the Board are the severance of a lot, along with the authorization of variances related to a reduction in lot area and an increase in density and **not an application for the authorization of variances to the performance standards/zoning requirements to permit the construction of a structure.**

While the City's preference would be to have the full building plans showing the size, mass and location of a proposed dwellings including lot coverage and floor space index, this is not necessary given that the Appellant has provided evidence that the proposed severed lot is appropriately sized to contain a building that conforms to the relevant zoning requirements through his planning consultant... **Further detail regarding a proposed future building is not relevant to the zoning permissions sought.** *[emphasis added]*

Similarly, in *2517632 Ontario Inc.*, the Tribunal was dealing with the settlement of a Procedural Order in a matter dealing with consents and variances relating to lot width and lot area. The Appellants wished to include in the Issues List questions related to built form and impact of the development on the neighbourhood. The Tribunal found that:

The Tribunal notes that the variances sought do not relate to site-specific development proposals. Should any Party wish to give evidence on built

form considerations, they must be mindful of the fact that no buildings are proposed at this time, and that built form would have to be treated as a box or envelope that complies with the performance standards set out in the ZBL.

Therefore, it is our view that the Committee must not consider issues related to built form and impact of the development on the neighbourhood, as there are no buildings before the Committee for relief in this matter. As a consequence, we strongly recommend the approval of the Application.

We thank you for your attention to this matter and look forward to the hearing on the 18<sup>th</sup>.

Yours very truly,



Michael S. Polowin  
Partner

MSP

cc: Mike Keene  
Client

**From:** [REDACTED]  
**To:** [Prell.Phillip](mailto:Prell.Phillip)  
**Subject:** Fwd: Committee of Adjustment - 160 MacDonnell Street, File Number D10-0402020, Application to sever lot  
**Date:** Wednesday, January 13, 2021 12:55:27 PM

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

**From:** Ethel Kozliner [REDACTED]  
**To:** [planning@cityofkingston.ca](mailto:planning@cityofkingston.ca) <[planning@cityofkingston.ca](mailto:planning@cityofkingston.ca)>  
**Cc:** [prell@cityofkingsotn.ca](mailto:prell@cityofkingsotn.ca) <[prell@cityofkingsotn.ca](mailto:prell@cityofkingsotn.ca)>; [pstroud@cityofkingston.ca](mailto:pstroud@cityofkingston.ca) <[pstroud@cityofkingston.ca](mailto:pstroud@cityofkingston.ca)>  
**Sent:** Wed, Jan 13, 2021 12:39 pm  
**Subject:** Committee of Adjustment - 160 MacDonnell Street, File Number D10-0402020, Application to sever lot

To the Committee of Adjustment,

I am writing to express my objection to the application to sever the lot at 160 MacDonnell Street.

As noted in the report by the City of Kingston (Report to the Committee of Adjustment Report Number COA-21-007 dated January 18, 2021 found at [https://www.cityofkingston.ca/documents/10180/38811676/Committee-of-Adjustment\\_Meeting-02-2021\\_Report-COA-21-007\\_160-MacDonnell-Street.pdf/9929fbb4-7ddf-f19c-d847-9a8dde9cee6c?t=1610136887775](https://www.cityofkingston.ca/documents/10180/38811676/Committee-of-Adjustment_Meeting-02-2021_Report-COA-21-007_160-MacDonnell-Street.pdf/9929fbb4-7ddf-f19c-d847-9a8dde9cee6c?t=1610136887775)):

The proposed development has the potential to destabilize the surrounding stable neighbourhood as this would be the first development with a frontage of less than 8.0 metres that is on a local street within the immediate vicinity (Exhibit F). It is staff's position that approval of a reduced lot frontage and resulting narrower building widths may set an undesirable precedent for the immediate area. The proposal does not conform to the Official Plan.

Ultimately, in the discussion portion of the report, there is a "recommended denial of this application".

This proposal for 160 MacDonnell Street could destabilize a stable community. The property is part of a real community of families, in family homes, not an area intended to maximize commercial potential with structures and properties that don't reflect those in the neighbourhood.

Although I will not be in attendance at the public meeting on January 18, 2021, I would like to receive a copy of the notice of decision and to be included in any future updates.

Respectfully,

Ethel Kozliner  
93 Napier Street

**From:** [Gregory.Katharine](#) on behalf of [Planning Outside Email](#)  
**To:** [Prell.Phillip](#)  
**Cc:** [Sthamann.Lindsay](#)  
**Subject:** FW: C/o Secretary Treasurer, Committee of Adjustmen Re: 160 MacDonnell Street. File Number D10-040-2020  
**Date:** Friday, January 15, 2021 8:29:51 AM

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## Objection letter for 160 MacDonnell Street. File Number D10-040-2020

Kathy Gregory  
Clerk/Secretary  
Planning Services  
1211 John Counter Blvd.  
216 Ontario Street, Kingston, ON K7L 2Z3  
613-546-4291 extension 3184  
[kgregory@cityofkingston.ca](mailto:kgregory@cityofkingston.ca)

**From:** Patricia Frost [REDACTED]  
**Sent:** Friday, January 15, 2021 12:35 AM  
**To:** Planning Outside Email <[Planning@cityofkingston.ca](mailto:Planning@cityofkingston.ca)>  
**Subject:** C/o Secretary Treasurer, Committee of Adjustmen Re: 160 MacDonnell Street. File Number D10-040-2020

I am writing to express my objection to the application to sever the lot at 160 MacDonnell Street. I agree very strongly with the Committee of Adjustment when they " recommended denial of the application". Allowing the building of two narrow homes, with less than 8 metres of frontage each, is not in keeping with existing homes in our community. I agree that this would set a dangerous precedent which could have the effect of altering the communal fabric of the neighbourhood. Thank you for your attention to this matter.

Respectfully submitted,  
Patricia Frost  
107 Napier Street

**From:** [REDACTED]  
**To:** [Prell.Phillip](mailto:Prell.Phillip)  
**Subject:** Committee of Adjustment - 160 MacDonnell St, File # D10-0402020, Application to Sever Lot  
**Date:** Wednesday, January 13, 2021 1:38:50 PM

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To the Committee of Adjustment,

I am writing to express my objection to the application to sever the lot at 160 MacDonnell Street in Kingston, Ontario.

As noted in the report by the City of Kingston (Report to to the Committee of Adjustment Report Number COA-21-007 dated January 18, 2021 found at [https://www.cityofkingston.ca/documents/10180/38811676/Committee-of-Adjustment\\_Meeting-02-2021\\_Report-COA-21-007\\_160-MacDonnell-Street.pdf/9929fbb4-7ddf-f19c-d847-9a8dde9cee6c?t=1610136887775](https://www.cityofkingston.ca/documents/10180/38811676/Committee-of-Adjustment_Meeting-02-2021_Report-COA-21-007_160-MacDonnell-Street.pdf/9929fbb4-7ddf-f19c-d847-9a8dde9cee6c?t=1610136887775)):

The proposed development has the potential to destabilize the surrounding stable neighbourhood as this would be the first development with a frontage of less than 8.0 metres that is on a local street within the immediate vicinity (Exhibit F). It is staff's position that approval of a reduced lot frontage and resulting narrower building widths may set an undesirable precedent for the immediate area. The proposal does not conform to the Official Plan.

Ultimately, in the discussion portion of the report, there is a "recommended denial of this application".

This proposal for 160 MacDonnell Street could destabilize a stable community. The property is part of a real community of families, in family homes, and not an area intended to maximize commercial potential with structures and properties that don't reflect those in the neighbourhood.

Although I will not be in attendance at the public meeting on January 18, 2021, I would like to receive a copy of the notice of decision and to be included in any future updates.  
Thank you for your time.

Sincerely,

Phillip Isotalo  
93 Napier Street  
Kingston, Ontario



**From:** [Gregory, Katharine](#) on behalf of [Planning Outside Email](#)  
**To:** [Prell, Phillip](#)  
**Subject:** FW: File D10-040-2020  
**Date:** Monday, January 11, 2021 12:17:18 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)

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Hi Phil,  
Letter of abjection for D10-060-2020 -160 MacDonnell Street.  
Kathy



**Kathy Gregory**

Clerk/Secretary  
Planning Services  
Community Services  
City of Kingston  
Located at: 1211 John Counter Blvd.,  
216 Ontario Street Kingston, ON K7L 2Z3  
613-546-4291 extension 3184  
[kgregory@cityofkingston.ca](mailto:kgregory@cityofkingston.ca)



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**From:** Wendy Craig [REDACTED]  
**Sent:** Monday, January 11, 2021 11:12 AM  
**To:** Planning Outside Email <[Planning@cityofkingston.ca](mailto:Planning@cityofkingston.ca)>  
**Subject:** File D10-040-2020

I would like to formally indicate that I have significant concerns regarding this application. First, this is an area that has problematic water issues in all the backyards and what will be the consequence for other properties of this building with respect to water.

Second, I am concerned about the potential size of the proposed buildings and for the single detached and associated rental unit. What is the size of these buildings and how many people will be renting in the units.

Third, I am concerned regarding parking in the area and traffic.

My sense of this application is that it is to build what will be rental unit in the single dwelling and in the associated rental unit that will in fact be the equivalent of an apartment unit.

I believe that this application should not be approved until the drawings for the building are included with the application. At this point in time the current application has the potential to put in the equivalent of a large scale apartment building in the middle of a city block that currently primarily is single dwelling residences.

Without the plans for development included, this application needs to be stopped and there needs to be adequate information on the impact of the building on the water drainage of adjunct properties as this is already a significant issue.

Wendy Craig, PhD., FRSC, O.C., O.Ont

[REDACTED]  
[REDACTED]  
Queen's University  
Kingston, Ontario

[REDACTED]

**From:** Donna Lounsbury

**Sent:** Friday, January 15, 2021 1:34 PM

**To:** Albakry, Waleed <walbakry@cityofkingston.ca>; Thompson, James <jcthompson@cityofkingston.ca>

**Cc:** Stroud, Peter <pstroud@cityofkingston.ca>; 'Chris Walmsley'

**Subject:** Committee of Adjustment Meeting Monday, January 18th - 230 Frontenac Street application

Dear James and Waleed,

I have just visited the Committee of Adjustment website to review materials for the COA Monday meeting on the 230 Frontenac Street application. I followed the link provided under the meeting agenda for materials on this application. To my dismay, much of the information provided is incorrect or, in some cases, missing. For some reason, five community member letters for other applications (both 101 College Street and 98 Clergy Street) are mixed in with the submissions for 230 Frontenac Street. Additionally, some important submissions received just prior to the December COA meeting have been omitted. These include the written submission from Peter Stroud.

The DASH site for this application also does not include any of the additional community submissions received just prior to the December meeting. The important opinion letter which you received from Bob Clark, Principal Planner with Clark Consulting Services, is not there, nor are letters from Peter Stroud, Joan Bowie and I believe at least one other member of the community, received prior to the December 14<sup>th</sup> COA meeting.

It is a great concern to me that just one business day prior to the meeting, the appropriate and correct submissions have not been posted publicly. This gives little time for interested members of the community to review important documents and express their points of view if they wish.

I would please ask that you pass on my concerns to the Chair of the Committee of Adjustment because I strongly believe that a transparent process, with public access to the complete file of materials, is essential to good decision making.

Sincerely,

Donna Lounsbury

226 Frontenac Street

From: Donald Mitchell [REDACTED]  
Sent: January 15, 2021 1:48 PM  
To: Sthamann,Lindsay  
Subject: Report Number - COA-21-008

Good afternoon Lindsay.

My name is Donald Mitchell and I am a resident of 43 Gibson Avenue.

I'm writing regarding Report Number - COA-21-008.

It is my impression that Exhibits B-F of the report may not be current and thereby might do a disservice to the application, applicant and committee in the decision process.

For clarity, both 51 & 47 Gibson have added covered front porches in the last 10-11 years with 47 Gibson also having added a carport to the southern side of their building (adjacent to our property 43 Gibson). These positive enhancements don't seem accurately represented by the exhibits and I felt the CoA should know that requests of similar nature to the subject application have occurred in recent years. Further 31 Gibson is currently undertaking a secondary unit project behind their current home so that the footprint of that structure is not as represented as it will be in coming months.

In the above context, the requested variances of 35 Gibson seems both minor in nature and positive enhancements to the neighbourhood. They will improve not only the lived experience of the occupant of that home but will also improve the streetscape and engagement experience of other residents in the neighbourhood.

Our family have zero concerns and support the initiative.

Cheers Don.

From:  
Sent: January 16, 2021 2:16 PM  
To: Planning@cityofkingston.ca  
Cc: pstroud@cityofkingston.ca  
Subject: Committee Adjustment-Application to Server Lot at 160 MacDonnell Street; File # D10-0402020

I would like to object to the application to sever the 160 MacDonnell Street lot and strongly support the application's denial.

Ours is a residential neighbourhood in danger of being "infested" more and more by landlords whose only aim is to squeeze money out of student rentals, without making sure the neighbourhood is not affected. I blame many immature students for their inappropriate behaviour contributing to the decline of this area. However, even more so I blame the landlords, as well as the City, which allows student and other rentals to pop up like mushrooms wherever these often unethical and often absent landlords want to have them.

With the insane amount of property taxes in this area (in comparison to property taxes in other Kingston areas), one would like to be assured that the neighbourhood is not going to turn into a ghetto. My property tax amount thinks my neighbourhood should be gated, with a club house, and an Olympic size pool - NO garbage and NO destroyed, neglected properties.

Re: the "fit" aspect of the proposed buildings - architectural anarchy comes to mind.

I apologise for a delayed response to the issue yet sincerely hope it is going to be taken into account.

Respectfully,

Anna Klaussen  
87 Napier Street  
Kingston

Attention: Chair and Members of the Committee of Adjustment

RE: 17 Gordon Street, Kingston – File #D13-060-2020

I would like the roof plus Eavestrough at the above property not to encroach on to my property. I would also like the Eavestrough to re-direct the water away from the property line at 19 Gordon Street.

The letter of consent (Exhibit H) should be disregarded as Paulette Lewis is a tenant & has no rights of ownership to 19 Gordon Street.

Sincerely,

Mike Gallagher

Owner of 19 Gordon Street







01 October 2020  
Project Number: 200518

Brodie Richmond  
Manager - Environmental Operations and Projects  
City of Kingston

**RE: Hydrogeological Assessment In Support Of Consent  
D10-028-2020 and D10-029 2020 Babcock Road**

Dear Mr. Brodie Richmond:

BluMetric Environmental Inc. (BluMetric™) is writing to provide additional hydrogeological information in support of consent for the proposed severances at 3108 Babcock Road, Kingston, Ontario. Well interference testing in conjunction with pumping tests were conducted for the site in 2019 and 2020 by BluMetric and a hydrogeological assessment report was submitted dated March 10<sup>th</sup> 2020. It was identified in the report review letter from City of Kingston and dated July 17<sup>th</sup> 2020 that additional sampling would be required to confirm that the provincial drinking water quality objectives can be met from the existing dug well supplies.

Chlorine disinfection of the wells was conducted and then 48hrs later, resampling of the South well was completed on August 24<sup>th</sup>, 2020. Resampling was for the North Well was completed on September 3<sup>rd</sup>, 2020. The absence of any free chlorine was confirmed with a Hanna C114 multimeter, prior to sample collection. All water samples were submitted to Caduceon Laboratories of Kingston, Ontario for analysis. Caduceon Laboratories is accredited by the Canadian Association for Laboratory Accreditation Inc. (CALA). A copy of the laboratory results are provided below. Table 1 summarizes the full general chemistry analytical data and identifies any parameters that exceed the Ontario Ministry of the Environment's Drinking Water Standards, Objectives and Guidelines (ODWSOG) criteria.

Tel. 613-531-2725

Fax. 613-531-1852

BluMetric Environmental Inc.

The Tower, The Woolen Mill, 4 Cataraqui Street, Kingston, Ontario, Canada K7K 1Z7

[www.blumetric.ca](http://www.blumetric.ca)



While the stated ODWSOG for Total Coliform is 0 counts per 100 mL of sample, it is recognized that this objective has been set as an indicator of inadequate disinfection within the distribution systems associated with water works. For private water wells not subject to approval under the OWRA, the MECP and Health Units have historically used the limit of less than five (5) counts per 100 mL in the absence of a chlorine residual as indicating acceptable water quality.

For the purposes of this assessment, Total Coliform counts of less than 5 per 100 mL of sample (and 0 for E. coli and faecal coliforms) was considered as indicative of acceptable well water quality. The initial round of well water quality testing conducted on October 22<sup>nd</sup> 2019 and October 24<sup>th</sup> 2019 produced Total Coliform values greater than the acceptable limit for both dug well supplies.

**Table 1: Sample Results**

Parameter	Units	M.D.L.	Client ID:		190445		South Well	North Well
			Lab Sample ID:		ODWS		B20-25219-2	B20-26653-1
			Date Collected:		O.Reg.169 (mg/L)AO&OG	Type of Objective	24-Aug-20	03-Sep-20
			Reference Method	Date/Site Analyzed				
Total Coliform	cfu/100mL	1	SM9222B	Multiple	0, 5	MAC	3	0
E coli	cfu/100mL	1	SM9222B	Multiple	0	MAC	0	0
Fecal Coliform	cfu/100mL	1	SM9222D	Multiple			0	0
Heterotrophic Plate Count	cfu/mL	10	SM9215D	Multiple			420	70
Alkalinity(CaCO3) to pH4.5	mg/L	5	SM 2320B	Multiple	30-500	OG	197	184
pH @25°C	pH Units		SM 4500H	Multiple	6.5-8.5	OG	7.84	7.65
Conductivity @25°C	µmho/cm	1	SM 2510B	Multiple			874	984
Free Chlorine	mg/L						0	0
Colour	TCU	2	SM 2120C	Multiple	5	AO	6	12
Turbidity	NTU	0.1	SM 2130	Multiple	5	AO	2.8	9.1
Fluoride	mg/L	0.1	SM4110C	Multiple	1.5	MAC	0.5	< 0.1
Chloride	mg/L	0.5	SM4110C	Multiple	250	AO	73	115
Nitrite (N)	mg/L	0.1	SM4110C	Multiple	1	MAC	< 0.1	< 0.1
Nitrate (N)	mg/L	0.1	SM4110C	Multiple	10	MAC	0.2	4.2
Sulphate	mg/L	1	SM4110C	Multiple	500	AO	118	124
Ammonia (N)-Total	mg/L	0.01	SM4500-NH3-H	Multiple			0.05	0.17
TDS	mg/L	1	Calc.	Multiple	500	AO	462	525
Dissolved Organic Carbon	mg/L	0.2	EPA 415.2	Multiple	5	AO	5.4	6.1
Hardness (as CaCO3)	mg/L	1	SM 3120	Multiple	80-100	OG	331	379

Parameter	Units	M.D.L.	Client ID:		190445	South Well	North Well	
			Lab Sample ID:		ODWS	B20-25219-2	B20-26653-1	
			Date Collected:		O.Reg.169 (mg/L)AO&OG	Type of Objective	24-Aug-20	03-Sep-20
			Reference Method	Date/Site Analyzed				
Calcium	mg/L	0.02	SM 3120	Multiple			94.9	129
Iron	mg/L	0.005	SM 3120	Multiple	0.3	AO	0.016	0.17
Magnesium	mg/L	0.02	SM 3120	Multiple			22.9	13.8
Manganese	mg/L	0.001	SM 3120	Multiple	0.05	AO	<b>0.22</b>	<b>0.298</b>
Potassium	mg/L	0.1	SM 3120	Multiple			12.1	4.8
Sodium	mg/L	0.2	SM 3120	Multiple	200,20	AO, MAC	<b>60.3</b>	<b>64.6</b>

ODWSOG: Ontario Drinking-Water Standards, Objectives and Guidelines, June 2003

OG: Operational Guideline. AO: Aesthetic Objective. MAC: Maximum Acceptable Concentration

Shaded cell with **bold** value indicates results exceeds ODWSOG Objective/Guideline

\* Medical officer of health advisory if sodium exceeds 20 mg/L. Sodium AO is 200 mg/L

RDL - Reported Detection Limit

Overall, the well chemistry results indicate that water quality meets all prescribed health-related objectives. Some operational guideline (OG) and aesthetic objective (OA) parameters such as total dissolved solids (TDS) and sodium were found elevated, not atypical for well supplies in this area.

Elevated levels of nitrates were found in the initial sampling of the North and South Well. These values were far greater than the ODWSOG standard of 10mg/L and was attributed to the blasting compounds used by the well installer. After prolonged development and resampling the Nitrate concentrations were lowered below the ODWSOG of 10 mg/L.

Elevated hardness levels were measured for water samples from both test wells. The ODWSOG states that water hardness measurements above 300 mg/L are considered “very hard” and only untreated water with hardness “in excess of 500 mg/L are unacceptable for most domestic purposes.” Elevated hardness may adversely affect the efficiency and effectiveness of treatment, disinfection and distribution and may result in the formation of scale deposits. Elevated hardness is treatable with a conventional water softener. The measured hardness levels for both wells are within the concentration ranges that are considered treatable with commonly available systems.

The measured TDS level for the north well exceeded the AO of 500 mg/L. The principal constituents of TDS are chloride, sulphates, calcium, magnesium and bicarbonates. The effects of TDS on drinking water quality depend on the levels of the individual components. TDS concentrations above 500 mg/L may result in mineral deposition in household appliances such as water electric kettles. TDS levels can be reduced by treatment such as reverse osmosis. TDS is not a health-related parameter, and so for the purposes of this assessment, the concentrations are indicative of acceptable water quality. The TDS in the wells had reduced with further well pumping and may continue to decrease with further well development.

The measured turbidity level for the north well exceeded the AO of 5.0 NTU. Turbidity is a measure of how light scatters when it bounces off suspended particles in water (Health Canada, 2003). Increased turbidity can reduce the efficacy of disinfection systems but in secure groundwater supplies turbidity is generally non-organic and as a result, should not pose as a health risk or affect disinfection (Health Canada, 2003). Turbidity can be treated with a filtration system. A general trend of decreasing turbidity was noted as the wells were pumped (developed). Turbidity was elevated in the North Well, however within guidelines in the South Well. It is anticipated that turbidity will continue to decrease with usage but filtration prior to disinfection is recommended for all water supply wells prior to consumption for domestic use. The laboratory analysis for Turbidity showed that the results in the north well were above the aesthetic objective (AO).



Manganese was exceeded the respective AO of 0.5 mg/L for both wells. The elevated levels of manganese in drinking water can impart a brownish colour to laundered goods, plumbing fixtures and the water itself. Conventional water treatment methods are available for both iron and manganese removal.

Sodium concentrations at the North and South Wells were below the AO of 200 mg/L but exceeded the Medical Officer of Health notification level of 20 mg/L. In cases where sodium exceeds 20 mg/L the medical officer of the public health unit should be notified in order to alert persons with relevant medical conditions. Given that the wells are not currently in use this is not immediately required. However a letter was prepared and mailed to the Medical Officer of Health to satisfy this requirement. A copy of the letter is attached. Copies of the laboratory certificate of analysis are also attached.

The overall objective of this report was to provide a defensible demonstration that private water servicing on the proposed severance will provide adequate water quality and quantity for domestic use, and will not result in adverse interference impacts on existing nearby wells. Interference impacts were addressed in the previously submitted report. It is recognized that the proponent will have UV disinfection systems required as part of the dug well water supply systems for the residences.

We trust that this additional testing satisfies the City's requirements.

Respectfully submitted,  
**BluMetric Environmental Inc.**



Alija Bos, B.Sc., P.Geo.  
Hydrogeologist

Encl.

## ATTACHMENTS





# INTEROFFICE MEMORANDUM

## BUSINESS, REAL ESTATE & ENVIRONMENT

**TO:** Phillip Prell – Planner, Planning Services

**Cc:** Tim Park – Manager, Development Approvals  
Paul MacLatchy, Environment Director

**FROM:** Brodie Richmond – Manager, Environment Operations and Programs

**DATE:** July 17, 2020

**RE:** **Hydrogeological assessment in support of Consent D10-028-2020 and D10-029-2020 Babcock Road**

---

We have reviewed the report completed by BluMetric dated 10 March 2020 submitted in support of the applications noted above. We have found that it **does not meet the criteria to support the severances at this time due to the presence of health related bacteria exceeding guideline criteria**. This memo presents the results of our review and provides an explanation of those findings.

The purpose of the hydrogeological assessment is to satisfy the conditions for well construction, water quantity, potential interference, and water quality. The following summarizes the review findings:

### 1) Hydrogeological Assessment Report

The requirements for the Hydrogeological Assessment Report are outlined in the City of Kingston Standard for Hydrogeological Assessments in Support of (1-3) non-serviced land severances section 4.0. The standard states that the report must be signed by a Professional Engineer (P.Eng.) or Professional Geoscientist (P.Geo.). The report submitted is signed by a Professional Geoscientist.

### 2) Well Construction

The Hydrogeologist has stated that the two wells (North and South parcels) are constructed to O.Reg. 903 (as amended) standards. It is noted that the wells are constructed by digging/blasting techniques. In accordance with the City's policy, the Hydrogeologist provided evidence that this was the best option for achieving a potable water source in this location.

### 3) Water Quantity

The Hydrogeologist has reported the results of a six hour pump test and subsequent groundwater recovery that is satisfactory for water quantity requirements for the two proposed new residential lots.

#### **4) Potential Interference**

The Hydrogeologist has reported the results of acceptable interference testing and monitoring and has concluded:

*“The pumping tests indicate that no well interference issues are anticipated for these wells.”*

#### **5) Water Quality**

The Hydrogeologist has completed analytical testing in accordance with the City’s standard for health related parameters and has also reported on several operational and aesthetic parameters. Health related parameters for Total Coliform bacteria and sodium were found to exceed criteria.

The general chemical parameter of sulphate, total dissolved solids (TDS) and hardness were reported to exceed Ontario Drinking Water Standards for aesthetic/operational criteria.

#### **Health Related Parameters**

##### Bacteria

The Hydrogeologist has reported a repeated exceedance of Total Coliforms in the North Well.

The Hydrogeologist has reported one sample of the South well that returned exceedances of Total Coliforms and E. Coli followed by another sample, collected at a later date, that showed an acceptable result. While we can appreciate the work that has been conducted to date, it is our practice to require two (2) satisfactory sampling results following an adverse health result.

The City’s standard for rural severances, section 4.3, states: Standard for Health related parameters, with the exception of sodium, must be obtained without treatment. Furthermore, where health related criteria are not met, procedure D-5-5 recommends against approval of the development.

##### Sodium

Sodium is considered a health related limit as a “warning level” only. It is a requirement of the City’s Standard as well as a recommendation of the Provinces procedure D-5-5 that levels of sodium that exceed 20 mg/L are reported to the local Medical Officer of Health. In addition, the City requires that a warning indicating elevated levels of Sodium must be included in future agreements of purchase and sale for the property. The aesthetic objective for sodium is 200 mg/L.

The Hydrogeologist has not included a copy of the required notification reporting elevated sodium results to the local medical officer of Health however has recommended that this be completed upon severance approval.

## **Operational and Aesthetic Parameters**

The Hydrogeologist has reported that sulphate, TDS, and hardness exceeded aesthetic objectives. The city has no requirements for these aesthetic parameters.

## **Conclusions**

We do not recommend approval of the consent applications at this time due to the presence and history of bacteria in the subject site wells. If the proponent wishes to pursue the consent on either site, they will need to submit updated information that identifies satisfactory results for the full health related parameter suite, completed during the same sampling event.

If satisfactory results can be obtained on the raw water samples, we would agree with the Hydrogeologist's recommendation for disinfection equipment to ensure a long-term safe yield on the dug wells and to manage aesthetic issues.

Please contact the undersigned if you require any further clarification.

Respectfully submitted,

Brodie Richmond, P.Ge. (Ltd), C.E.T.  
Manager, Environment Operations and Programs



C.O.C.: G87701

REPORT No. B20-25219

**Report To:**

**Blumetric Environmental**

3108 Carp Rd, PO Box 430  
 Carp ON K0A 1L0 Canada

**Attention:** Alija Bos

**Caduceon Environmental Laboratories**

285 Dalton Ave  
 Kingston Ontario K7K 6Z1  
 Tel: 613-544-2001  
 Fax: 613-544-2770

DATE RECEIVED: 24-Aug-20

JOB/PROJECT NO.:

DATE REPORTED: 28-Aug-20

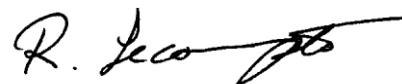
P.O. NUMBER: 200518-01

SAMPLE MATRIX: Groundwater

WATERWORKS NO.

<b>Client I.D.</b>	South Well		
<b>Sample I.D.</b>	B20-25219-2		
<b>Date Collected</b>	24-Aug-20		

Parameter	Units	R.L.	Reference Method	Date/Site Analyzed			
Total Coliform	cfu/100mL	1	SM9222B	24-Aug-20/K	3		
E coli	cfu/100mL	1	SM9222B	24-Aug-20/K	0		
Fecal Coliform	cfu/100mL	1	SM9222D	24-Aug-20/K	0		
Heterotrophic Plate Count	cfu/mL	10	SM9215D	24-Aug-20/K	420		
Alkalinity(CaCO3) to pH4.5	mg/L	5	SM 2320B	25-Aug-20/O	197		
pH @25°C	pH Units		SM 4500H	25-Aug-20/O	7.84		
Conductivity @25°C	µmho/cm	1	SM 2510B	25-Aug-20/O	874		
Colour	TCU	2	SM 2120C	26-Aug-20/O	6		
Turbidity	NTU	0.1	SM 2130	26-Aug-20/O	2.8		
Fluoride	mg/L	0.1	SM4110C	27-Aug-20/O	0.5		
Chloride	mg/L	0.5	SM4110C	27-Aug-20/O	73.0		
Nitrite (N)	mg/L	0.1	SM4110C	27-Aug-20/O	1.2		
Nitrate (N)	mg/L	0.1	SM4110C	27-Aug-20/O	0.2		
Sulphate	mg/L	1	SM4110C	27-Aug-20/O	118		
Ammonia (N)-Total	mg/L	0.01	SM4500-NH3-H	26-Aug-20/K	0.05		
TDS (Calc. from Cond.)	mg/L	1	Calc.	26-Aug-20	462		
Dissolved Organic Carbon	mg/L	0.2	EPA 415.2	25-Aug-20/O	5.4		
Hardness (as CaCO3)	mg/L	1	SM 3120	26-Aug-20/O	331		
Calcium	mg/L	0.02	SM 3120	26-Aug-20/O	94.9		
Iron	mg/L	0.005	SM 3120	26-Aug-20/O	0.016		
Magnesium	mg/L	0.02	SM 3120	26-Aug-20/O	22.9		
Manganese	mg/L	0.001	SM 3120	26-Aug-20/O	0.220		
Potassium	mg/L	0.1	SM 3120	26-Aug-20/O	12.1		
Sodium	mg/L	0.2	SM 3120	26-Aug-20/O	60.3		



Richard Lecompte  
 Laboratory Supervisor

R.L. = Reporting Limit

Test methods may be modified from specified reference method unless indicated by an \*

Site Analyzed=K-Kingston,W-Windsor,O-Ottawa,R-Richmond Hill,B-Barrie

The analytical results reported herein refer to the samples as received. Reproduction of this analytical report in full or in part is prohibited without prior consent from Caduceon Environmental Laboratories.

**C.O.C.: G87010**

**REPORT No. B20-26653**

**Report To:**

**Blumetric Environmental**  
 3108 Carp Rd, PO Box 430  
 Carp ON K0A 1L0 Canada

**Attention:** Alija Bos

**Caduceon Environmental Laboratories**

285 Dalton Ave  
 Kingston Ontario K7K 6Z1  
 Tel: 613-544-2001  
 Fax: 613-544-2770

DATE RECEIVED: 03-Sep-20

JOB/PROJECT NO.:

DATE REPORTED: 10-Sep-20

P.O. NUMBER: 200518-01

SAMPLE MATRIX: Groundwater

WATERWORKS NO.

<b>Client I.D.</b>	North Well			
<b>Sample I.D.</b>	B20-26653-1			
<b>Date Collected</b>	03-Sep-20			

Parameter	Units	R.L.	Reference Method		Date/Site Analyzed				
Total Coliform	cfu/100mL	1	SM9222B	03-Sep-20/K	0				
E coli	cfu/100mL	1	SM9222B	03-Sep-20/K	0				
Fecal Coliform	cfu/100mL	1	SM9222D	03-Sep-20/K	0				
Heterotrophic Plate Count	cfu/mL	10	SM9215D	03-Sep-20/K	70				
Alkalinity(CaCO3) to pH4.5	mg/L	5	SM 2320B	04-Sep-20/O	184				
pH @25°C	pH Units		SM 4500H	04-Sep-20/O	7.65				
Conductivity @25°C	µmho/cm	1	SM 2510B	04-Sep-20/O	984				
Colour	TCU	2	SM 2120C	08-Sep-20/O	12				
Turbidity	NTU	0.1	SM 2130	04-Sep-20/O	9.1				
Fluoride	mg/L	0.1	SM4110C	08-Sep-20/O	< 0.1				
Chloride	mg/L	0.5	SM4110C	08-Sep-20/O	115				
Nitrite (N)	mg/L	0.1	SM4110C	08-Sep-20/O	< 0.1				
Nitrate (N)	mg/L	0.1	SM4110C	08-Sep-20/O	4.2				
Sulphate	mg/L	1	SM4110C	08-Sep-20/O	124				
Ammonia (N)-Total	mg/L	0.01	SM4500-NH3-H	04-Sep-20/K	0.17				
TDS (Calc. from Cond.)	mg/L	1	Calc.	08-Sep-20	525				
Dissolved Organic Carbon	mg/L	0.2	EPA 415.2	08-Sep-20/O	6.1				
Hardness (as CaCO3)	mg/L	1	SM 3120	08-Sep-20/O	379				
Calcium	mg/L	0.02	SM 3120	08-Sep-20/O	129				
Iron	mg/L	0.005	SM 3120	08-Sep-20/O	0.170				
Magnesium	mg/L	0.02	SM 3120	08-Sep-20/O	13.8				
Manganese	mg/L	0.001	SM 3120	08-Sep-20/O	0.298				
Potassium	mg/L	0.1	SM 3120	08-Sep-20/O	4.8				
Sodium	mg/L	0.2	SM 3120	08-Sep-20/O	64.6				



Richard Lecompte  
 Laboratory Supervisor

R.L. = Reporting Limit

Test methods may be modified from specified reference method unless indicated by an \*

Site Analyzed=K-Kingston,W-Windsor,O-Ottawa,R-Richmond Hill,B-Barrie

The analytical results reported herein refer to the samples as received. Reproduction of this analytical report in full or in part is prohibited without prior consent from Caduceon Environmental Laboratories.



29 September 2020  
Project Number: 200518

Dr. Kieran Moore  
Kingston, Frontenac, Lennox & Addington Public Health  
221 Portsmouth Avenue  
Kingston, ON K7M 1V5

**RE: Groundwater Quality Hydrogeological Assessment at Proposed Severance  
2020 Babcock Road. Kingston, ON**

Dear Dr. Moore:

In support of potential property severance along Babcock Road in Kingston, Ontario, water quality testing was completed on the South Well August 24, 2020 and the North Well on September 3, 2020. The proposed severance consists of two lots. Part 1 is 1.09 Hectares (2.7 Acres) and Part 2 is 1.05 Hectares (2.6 Acres) and is located on Plan #21R12651 Part of 36133-0107 Part Lot 8, Concession 7, City of Kingston. The proposed severance is to be serviced by an individual dug wells.

MOECC (now MECP) *Procedure D-5-5 Technical Guideline for Private Wells: Water Supply Assessment, 1996 (D-5-5)*, indicates that the local Medical Officer of Health should be contacted when the concentration of sodium exceeds 20 mg/L. This letter is to inform you that a sodium concentration of 60.4 mg/L was reported from the raw water samples collected at the end of a six-hour constant discharge pumping test from the South lot well (A213094) and 64.6 mg/L from the North lot well (A214095) on the subject property.

Please contact the undersigned at (613) 531-2725 should you have any questions.

Respectfully submitted,  
**BluMetric Environmental Inc.**

A handwritten signature in black ink, appearing to read "Alija Bos", is written over a horizontal line.

Alija Bos, B.Sc., P.Geo,  
Hydrogeologist

Tel. 613-531-2725  
Fax. 613-531-1852

**BluMetric Environmental Inc.**

The Tower, The Woolen Mill, 4 Cataraqui Street, Kingston, Ontario, Canada K7K 1Z7

[www.blumetric.ca](http://www.blumetric.ca)  
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**From:** Donna Lounsbury

**Sent:** Monday, January 18, 2021 2:03 PM

**To:** Thompson, James <jcthompson@cityofkingston.ca>

**Cc:** Albakry, Waleed <walbakry@cityofkingston.ca>

**Subject:** Please convey this information to Committee of Adjustment - 230 Frontenac Street

Hello James,

Sorry for the last minute nature of this email but there is an important piece of information that has just come to my attention which the planning professional I have retained (Bob Clark) has indicated is going to potentially be a major problem for my property and house.

In the floor plans for the proposed building, the sump pump is positioned to drain right onto my property, in fact some two to three feet from my foundation. If you expand the basement floor plan, you can see it clearly. In these old neighbourhoods we have high ground water levels, so a sump pump is required and must drain to the exterior according to city bylaws. For my home, the sump pump runs almost continuously with large quantities of water expelling at frequent intervals. A hydrological study must be done to see how this basement water issue can be handled. It is not acceptable to have water drain onto the neighbouring properties.

I would be grateful if you could immediately apprise members of the COA about our concerns with this issue..

Many thanks,  
Donna Lounsbury