

December 5, 2024

AA-025-24

Via e-mail

Allison Hannah, Committee Clerk  
Environment, Infrastructure and Transportation Policies Committee  
**City of Kingston**  
216 Ontario Street  
Kingston, ON K7L 2Z3

Dear Ms. Hannah,

**Re: Cataraqi Conservation Motion for Proposed Biosolids and Biogas Facility**

At the Cataraqi Conservation Full Authority Board Meeting of December 4, 2024, Board members were provided with an update about the Proposed Regional Biosolids and Biogas Facility. The following resolution was passed by the Cataraqi Conservation Board:

“That Report IR-131-24, Kingston Regional Biosolids and Biogas Facility Update (December 2024), Be Received; and,

That a copy of Report IR-131-24, Kingston Regional Biosolids and Biogas Facility Update (December 2024) Be Provided to the City of Kingston and Utilities Kingston; and,

That the Board Directs Staff to send a letter to Utilities Kingston, the City of Kingston Council, and the City of Kingston Environment, Infrastructure, and Transportation Policies Committee with the following recommendations:

- That the City of Kingston and Utilities Kingston commit to further engagement with Cataraqi Conservation to address remaining concerns relating to the scope and findings of the Air Impact Assessment for the proposed biosolids and biogas facility; and,
- That the City of Kingston and Utilities Kingston strongly consider enhanced odour emission prevention / mitigation measures to exceed Ministry standards including potential additional capital and operating costs at the proposed biosolids and biogas facility, with the aim to protect the use and enjoyment of Little Cataraqi Creek Conservation Area.”

Attached please find a copy of Cataraqi Conservation report IR-131-24 from the December 4, 2024, Full Authority Board meeting agenda.

As noted in the above motion, Cataraqi Conservation is making two recommendations regarding the Proposed Regional Biosolids and Biogas Facility:

- That the City of Kingston and Utilities Kingston commit to further engagement with Cataraqi Conservation to address remaining concerns relating to the scope and findings of the Air Impact Assessment for the proposed biosolids and biogas facility; and,
- That the City of Kingston and Utilities Kingston strongly consider enhanced odour emission prevention / mitigation measures to exceed Ministry standards including potential additional capital and operating costs at the proposed biosolids and biogas facility, with the aim to protect the use and enjoyment of Little Cataraqi Creek Conservation Area.

Cataraqi Conservation staff are available to further discuss the project at any time. If there are any questions regarding the above motion and recommendations, or the attached report, please feel free to contact us.

Yours truly,

*(original signed by)*

David Ellingwood  
General Manager

Attachment #1 - Cataraqi Conservation Report IR-131-24 - Kingston Regional Biosolids and Biogas Facility Update (December 4, 2024)

cc: Lanie Hurdle, Chief Administrative Officer  
Paige Agnew, Commissioner, Growth and Development Services  
Mr. Don Amos, Cataraqi Conservation Municipal Representative  
Mr. Gary Oosterhof, Cataraqi Conservation Municipal Representative  
Ms. Lisa Osanic, Cataraqi Conservation Municipal Representative  
Ms. Wendy Stephen, Cataraqi Conservation Municipal Representative



**Date:** December 4, 2024  
**To:** Full Authority Board  
**From:** Michael Dakin, Supervisor, Development Review

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## 1 Type of Report

Consent Item   
Item for Board Consideration

## 2 Topic

Kingston Regional Biosolids and Biogas Facility Update (December 2024)

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## 3 Recommendation

**That** Report IR-131-24, Kingston Regional Biosolids and Biogas Facility Update (December 2024), **Be Received**; and,

**That** a copy of Report IR-131-24, Kingston Regional Biosolids and Biogas Facility Update (December 2024) **Be Provided** to the City of Kingston and Utilities Kingston; and,

**That** the Board **Directs Staff** to send a letter to Utilities Kingston, the City of Kingston Council, and the City of Kingston Environment, Infrastructure, and Transportation Policies Committee with the following recommendations:

- That the City of Kingston and Utilities Kingston commit to further engagement with Cataraqui Conservation to address remaining concerns relating to the scope and findings of the Air Impact Assessment for the proposed biosolids and biogas facility; and,
- That the City of Kingston and Utilities Kingston strongly consider enhanced odour emission prevention / mitigation measures to exceed Ministry standards including potential additional capital and operating costs at the proposed biosolids and biogas facility, with the aim to protect the use and enjoyment of Little Cataraqui Creek Conservation Area.

#### **4 Purpose**

To update the Full Authority Board on progress relating to a potential biosolids and biogas facility currently being considered by Utilities Kingston (“UK”) and City of Kingston (“City”) at a property adjacent to the Little Cataraqui Creek Conservation Area (“LCCCA”).

#### **5 Background**

This report is a further update to IR-103-24, Kingston Regional Biosolids and Biogas Facility Update (September 2024) and IR-126-22 - Utilities Kingston Biosolids/Biogas Project (October 2022). Background information pertaining to the project purpose, an overview of Cataraqui Conservation’s involvement, and discussion of the findings and outcomes of the Municipal Class Environmental Assessment for the proposed facility at the Knox Farm property is available in these reports.

Since report IR-103-24, Kingston Regional Biosolids and Biogas Facility Update was provided to the Board in September 2024, staff have continued to monitor project progress, have had ongoing discussions with the proponent and their consultant, and have also received additional input from concerned members of the public (see documents under Correspondence in this Agenda). A delegation by a group of concerned residents was provided to the Board at the October 30, 2024, Full Authority Meeting. Communications items were included as part of the October 30, 2024, meeting agenda package, including a Comment Response Table from UK’s consultant (Dillon) with responses to common concerns.

#### **6 Strategic Plan**

This report supports Goal #1: Champion watershed protection and climate resilience and Goal #3: Build awareness of Cataraqui Conservation’s place in the community of Cataraqui Conservation’s Strategic Plan 2024 to 2027.

#### **7 Input from Other Sources**

Cataraqui Conservation staff, including the Supervisor, Development Review, Manager, Conservation Lands, and General Manager have been involved in discussions regarding the project. Staff have consulted with project leads at Utilities Kingston and their consultants. Staff have also been in contact with concerned residents in the area.

## 8 Analysis

The project is currently being reviewed by UK staff from a business case feasibility perspective. Cataraqui Conservation staff understand the next step will be a formal recommendation, in the form of a report from UK, to the City of Kingston's Environment, Infrastructure, and Transportation Policies Committee (EITP) on December 10, 2024. Following this, a recommendation (whether to proceed) would go to City Council. This is expected in mid-December, although a specific date has not been confirmed at the time of writing of this report.

As mentioned by staff, it is important to note that the decision whether to proceed with the biosolids and biogas facility project is within the purview of municipal Council. It is up to Council to weigh the merits of the proposal as a capital project and whether to allocate municipal resources to proceed with applicable approval processes and detailed project design. Cataraqui Conservation's role is twofold: a commenting agency responsible for specific technical matters in accordance with the *Conservation Authorities Act for Planning Act* applications, and, as a neighbouring landowner that owns and manages Little Cataraqui Creek Conservation Area.

Cataraqui Conservation's overall position with regards to technical matters (e.g. natural hazards, stormwater management, etc.) was addressed in section 8.2 of report IR-103-2024. From a neighbouring landowner perspective, it was also noted in this report that "likely the greatest potential impact to Cataraqui Conservation's interests may be odour affecting users and staff at LCCCA." This remains staff's focus at present and has been the topic of further discussion with the project proponent.

It is understood that the facility can be designed to meet applicable air quality criteria and can operate under regulatory compliance guidelines. From the Air Impact Assessment author (Dillon):

*It is anticipated that an odour BMPP [Best Management Practice Plan] will be required to support an application for Environmental Compliance Approval (ECA) for the Facility. Final design of odour mitigation systems will be assessed to ensure off-site odour compliance will be met prior to construction. These mitigative measures will be typical of normal operations of a waste management facility and consistent with industry best practices.*

It is also understood that odour impacts are subjective and can be ephemeral in nature. However, even intermittent, low to moderate odour emissions are of concern for a facility in proximity to a high-use public facility with outdoor recreation and education programming as is the case with Little Cataraqui Creek Conservation Area. It is possible that the biosolids and biogas facility, even following standard design and operational requirements, could affect use and enjoyment of the conservation area. Of particular concern is the Outdoor Centre and associated programming – which is the focus of public use at the property. If users are deterred from the conservation area, this would adversely affect an important community resource and revenue source for Cataraqui Conservation. It is difficult to quantify potential losses, but this is something that should be considered by Cataraqui Conservation and the City.

Accordingly, staff have had further discussions with UK and Dillon on this subject. As part of this, staff have asked for clarification and further information on the odour modelling completed within the study area. Through these discussions it was confirmed that several sensitive receptors on the conservation area property were included in the assessment, including Trail 4, the rental dwelling, and former administration office. However, the Outdoor Centre was not included as a sensitive receptor in the odour modelling.

Staff have since asked that the Outdoor Centre be included in updated odour modelling so that there is a better understanding of potential odour at and around this building. Staff have also asked for further information about odour emissions and how they might compare to other odour sources to get a better understanding what levels users might experience. Lastly, staff have asked about the feasibility of design and operational features that may control odour emissions beyond the minimum regulatory standards and how enhanced measures would impact capital and operational costs.

These questions require further analysis by the proponent and consultant. Due to project timelines, it may not be feasible for additional information to be provided in advance of the December Full Authority Meeting or ahead of municipal Committee and Council meetings.

Without a better understanding of risks, a precautionary approach is warranted. Ideally, no decisions would be made on whether to proceed with the project without the additional air quality information and the time to fully consider potential impacts. However, this may not be feasible and, ultimately, is not Cataraqui Conservation's decision to make. If the decision is not deferred, staff feel it advisable that the City of Kingston consider building in an additional cost factor for the project to account for enhanced odour prevention / mitigation controls.

The estimated capital cost for Design Concept 1 is \$71,100,100 and annual operating costs are estimated at \$2,160,000 (Environmental Study Report, Dillon Consulting, August 2024). Staff are not able to provide a specific additional cost factor for enhanced odour control. However, some level of contingency for both capital and operational costs (informed by UK and their consultant) is recommended at this time.

Should Utilities Kingston and the City of Kingston not be prepared to consider enhanced odour control costs, it is the opinion of staff that the decision to proceed with the project not be made at this time.

In the Board's deliberation on this matter, it is also worth considering how Cataraqui Conservation's position should be conveyed to the City Committee and Council.

### *Next Steps*

As noted above, it is understood that the next step will be for UK to undertake a business case study to determine the financial feasibility of the proposed biosolids and biogas facility. Following that, a recommendation will be made to the EITP Committee and City Council whether to proceed with the proposal as a municipal capital project. Should the project be endorsed by Council, necessary planning and regulatory approvals would be required along with detailed design.

## **9 Financial Implications**

N/A.

## **10 Conclusion**

Cataraqui Conservation staff continue to be engaged in the proposed Kingston Regional Biosolids and Biogas Facility at the Knox Farm property adjacent to Little Cataraqui Creek Conservation Area.

As an adjacent landowner, Cataraqui Conservation's main interest in the project is compatibility with Little Cataraqui Creek Conservation Area. Staff have asked the proponent (Utilities Kingston) and their consultant for further information to understand potential impacts of odour on the conservation area property. At the time of writing, this information has not been received. If further information becomes available staff will communicate this to the Board in advance or at the December 4, 2024, Full Authority Meeting.

As the City of Kingston proceeds with decision making over the next several weeks, it is the opinion of staff that attention be given to this matter and that the City's Environment, Infrastructure, and Transportation Policies Committee and Council be informed of Cataraqui Conservation's concerns. Should the City proceed with the project, it is recommended that an additional capital and operational cost factor be built into cost estimates so that the proposed biosolids and biogas facility could achieve enhanced odour prevention and mitigation as a means to protect the use and enjoyment of the Little Cataraqui Creek Conservation Area.

Respectfully submitted,  
(original signed by)

Approved for circulation,  
(original signed by)

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Michael Dakin, MCIP, RPP  
Supervisor, Development Review

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David Ellingwood  
General Manager