



**TOWNSHIP OF
WAINFLEET**

"Wainfleet - find your country side!"

PLANNING DEPARTMENT

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MINIMUM DISTANCE SEPARATION (MDS I) GUIDE

FOR NEW NON-AGRICULTURAL USES ADJACENT
TO EXISTING LIVESTOCK FACILITIES



The Need for Minimum Distance Separation

In the rural and agricultural areas of Ontario, the Provincial Policy Statement (2014) requires new land uses and new or expanding livestock facilities to comply with Minimum Distance Separation (MDS) formulae. The Township has implemented this policy in Section 3.0 of the Township's [Official Plan](#) and Section 4.14 of the [Zoning By-law 034-2014](#).

The purpose of these requirements is to prevent land use conflicts between farmers and their rural neighbours, and minimize any nuisance complaints due to agricultural odour. Where there is sufficient separation distance between different rural uses, history has shown there have been fewer odour complaints.

What does this mean to you?

Before a building permit can be issued for a new house, you must identify the location of all existing livestock facilities on adjacent properties as well as the size and type of livestock facility or manure storage area. This information is submitted to the Township and used to calculate the Minimum Distance Separation required between uses and confirm if your proposal complies.

Minimum Distance Separation (MDS) is a recommended distance between a livestock facility and another land use. The distance of the setback (MDS) depends on several factors:

- The type and number of livestock within a facility;
- The size of the farm operation;
- The type of manure storage;
- The tillable hectares;
- The form of development present or proposed.

When Does MDS I Apply?

MDS I applies to **new** non-agricultural development (i.e. a proposed residential lot or dwelling) and determines the required setback from existing adjacent livestock facilities.

MDS I does not apply to accessory buildings and structures to a dwelling such as decks, garages, gazebos, outbuildings, patios, picnic areas and sheds.

MDS I & II do not apply to abattoirs, apiaries, feed storages, greenhouses, kennels, slaughterhouses, pastures, stockyards or livestock facilities less than 10m².

Non-Compliance

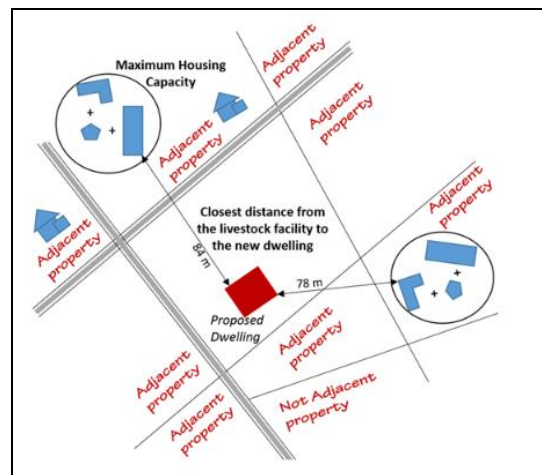
If the proposed building does not meet the MDS I setbacks, the applicant should adjust their proposal. A minor variance is an option, however approval of reduced setbacks are strongly discouraged as it increases the risk of land use conflicts.

MDS Submission Items – Information Required

1) Farm Data Sheet (MDS 1)

Applicants are responsible for collecting information from the livestock owner and submitting the MDS I Farm Data Sheet **for each adjacent** livestock facility.

- a) If a property contains more than one livestock facility, the Maximum Housing Capacity would be the **total of all facilities on site**.
- b) Closest distance from the livestock facility to the new dwelling is the distance between the proposed dwelling **to the closest livestock building only**, and not to each facility.



2) Site Plan

Applicants are responsible for submitting a site plan that shows the location of all existing and proposed buildings in relation to the lot lines. The site plan should also show the distance between the proposed the dwelling and the closest livestock building for each adjacent property.

Niagara Region's online interactive map, [Niagara Navigator](#), can be used to locate an image of your property and measurements can be obtained through the measurement tool.

MDS for Planning Act Applications

Should a minor variance or any other Planning Act applications be required for the proposed development, the applicant is responsible for providing the final MDS calculations in support of their application. The Township will not provide this service. Applicants may retain an independent consultant for such purposes.

Additional Information

For more information regarding the MDS Formulae please visit the [Ontario Ministry of Agriculture Food and Rural Affairs website](#).

FARM DATA SHEET

Proposal: Construction of a New Dwelling Creation of a New Lot Others: _____

Civic Address of Subject Property: _____

For Livestock Facility Owner:

Owner of Livestock Facility _____

Telephone _____ Civic Address _____

Total Lot Size _____ ha _____ ac

Closest distance from the livestock facility to the new dwelling, lot or land use _____ m _____ ft

Closest distance from the manure storage system to the new dwelling, lot or use _____ m _____ ft

Signature of Livestock Facility Owner _____ Date _____

Animal Type or Material	Description	Housing Capacity (maximum)	Manure Storage Type
Swine	Sows with litter, dry sows/boars Segregated Early Weaning (SEW)		
	Sows with litter, dry sows or boars (non-SEW)		
	Breeder gilts (entire barn designed specifically for this purpose)		
	Weaners (7 kg - 27 kg)		
	Feeders (27 kg - 105 kg)		
Dairy Cattle	Milking-age cows (dry or milking) <input type="checkbox"/> Large <input type="checkbox"/> Medium <input type="checkbox"/> Small		
	Heifers (5 months to freshening) <input type="checkbox"/> Large <input type="checkbox"/> Medium <input type="checkbox"/> Small		
	Calves (0 - 5 months) <input type="checkbox"/> Large <input type="checkbox"/> Medium <input type="checkbox"/> Small		
Beef Cattle	Cows, including calves to weaning (all breeds)		
	Feeders (7 - 16 months)		
	Backgrounders (7 - 12.5 months)		
	Shortkeepers (12.5 - 17.5 months)		
Veal	Milk-fed		
	Grain-fed		
Goats	Does and bucks (for meat kids; includes unweaned offspring and replacements)		
	Does and bucks (for dairy; includes unweaned offspring and replacements)		
	Kids (dairy or feeder kids)		
Sheep	Ewes and rams (for meat lambs; includes unweaned offspring and replacements)		
	Ewes and rams (dairy operation; includes unweaned offspring and replacements)		
	Lambs (dairy or feeder lambs)		
Horses	Horses (including unweaned offspring) <input type="checkbox"/> Large <input type="checkbox"/> Medium <input type="checkbox"/> Small		
Chickens	Layer hens (for eating eggs; after transfer from pullet barn)		
	Layer pullets (day olds until transferred into layer barn)		
	Broiler breeder growers (males/females transferred out to layer barn)		
	Broiler breeder layers (males/females transferred in from grower barn)		
	Broilers <input type="checkbox"/> 8 week <input type="checkbox"/> 9 week <input type="checkbox"/> 10 week <input type="checkbox"/> 12 week <input type="checkbox"/> other cycle		
Turkeys	Turkey pullets (day old until transferred to layer turkey barn)		
	Turkey breeder layers (males/females transferred in from grower barn)		
	Breeder toms		
	Broilers (day olds to 6.2 kg)		
	Hens (day olds up to 6.2 kg to 10.8 kg; 7.5 kg is typical)		
	Toms (day olds to over 10.8 to 20 kg; 14.5 kg is typical)		
	Turkeys at any other weights		
Other livestock			
Manure imported to a lot not generating manure	Maximum capacity of permanent storages at any time: solid or liquid capacity.		
Anaerobic Digester	Maximum capacity of permanent storages at any time: solid or liquid capacity.		

*see terms defined on back page

Definitions & Permanent Manure or Material Storage Types

Existing Livestock Facility

A livestock facility, or a portion of a livestock facility, intended for keeping or housing of livestock and containing one or more barns or structures. Includes *manure or material storages*, whether associated with a livestock facility or not, and anaerobic digesters, which have already been constructed.

Manure or Material Storage

Permanent storages, which may or may not be associated with a livestock facility containing liquid manure (<18% dry matter), solid manure (\geq 18% dry matter), or digestate (< 18% dry matter). Permanent storages may come in a variety of:

- Locations (under, within, nearby, or remote from the barn)
- Materials (concrete, earthen, steel, wood)
- Coverings (open top, roof, tarp, or other materials)
- Configurations and shapes
- Elevations (above, below or partially above grade)

Tillable Hectares/Acres

Land, including pasture that can be worked or cultivated to grow crops.

Housing Capacity

Maximum livestock capacity for all facilities on a lot at any time, even if currently empty but able to house livestock.

Permanent Manure or Material Storage Types:

Solid Manure: 18% dry matter, or more

Liquid Manure: Less than 18% dry matter

Digestate: Less than 18% dry matter

- | | |
|----|---|
| O | No storage required (manure/material stored for less than 14 days) |
| V1 | Solid, inside, bedded pack |
| V2 | Solid, outside, covered |
| V3 | Solid, outside, no cover, greater than or equal 30% dry matter |
| V4 | Solid, outside, no cover, 18% to less than 30% dry matter, with covered liquid runoff storage |
| L1 | Solid, outside, no cover, 18% to less than 30% dry matter, with uncovered liquid runoff storage |
| V5 | Liquid, inside, underneath slatted floor |
| V6 | Liquid, outside, with a permanent tightly fitting cover |
| V7 | Liquid (digestate), outside, no cover |
| L2 | Liquid, outside, with permanent floating cover |
| M1 | Liquid, outside, no cover, straight-walled storage |
| M2 | Liquid, outside, roof, but with open sides |
| H1 | Liquid, outside, no cover, sloped-sided storage |