

June 9, 2025

Laura Maxwell, RPP, MCIP, P.Eng.
Director, Land Development
The Taggart Group of Companies
3187 Albion Road South
Ottawa, ON K1V 8Y3

Dear Ms. Maxwell,

RE: Minimum Distance Separation (MDS) Conformity Letter for Tewin Area, Ottawa

Colville Consulting Inc. was retained to assess conformity with the Minimum Distance Separation (MDS) formulae, as required for the creation of a new Secondary Plan for the Tewin Urban Expansion Area. The Tewin Area is approximately 600 ha in size and is designated Neighbourhoods with a Future Neighbourhoods Overlay in Schedule C17 of the City of Ottawa Official Plan.

While the entire Tewin Area is subject to this designation, City Council approved 445.35 ha of net developable area to be added to the Urban Boundary on February 10, 2021, with provincial approval received on November 4, 2022. Development of the Council-approved 445.35 ha is not permitted until the Future Neighbourhoods Overlay is lifted through an Official Plan Amendment to adopt a new Secondary Plan. The remaining 155 ha is proposed to retain its current Future Neighbourhoods Overlay designation in the City of Ottawa Official Plan.

In summary, within the City of Ottawa's provincially approved Official Plan, the Tewin Area has been identified for inclusion within the urban settlement area, and 445.35 ha will be developed for urban (i.e., non-agricultural) uses following completion of the Secondary Plan and approval of the implementing Official Plan Amendment.

AGRICULTURAL POLICY

Provincial Planning Statement

Land Use Policy and development in Ontario are directed by the Provincial Planning Statement. The PPS was issued under the authority of Section 3 of the Planning Act and came into effect on October 20, 2024. Section 3 of the Planning Act states that decisions affecting planning matters "shall be consistent with" policy statements issued under the Act.

Policies for Settlement Area Boundary Expansion

Section 2.3.2 of the PPS outline policies for settlement area boundary expansion. Section 2.3.2.1 states in part that “In identifying a new settlement area or allowing a settlement area boundary expansion, planning authorities shall consider the following:

- e) whether the new or expanded settlement area complies with the minimum distance separation formulae;”

In accordance with the PPS, the City of Ottawa, in designating the Tewin Area for urban expansion, was required to evaluate compliance with the MDS formulae. The City of Ottawa Official Plan was approved by the Province, and designates the Tewin Area with a Future Neighbourhoods Overlay, reflecting the planned context of these lands for urban uses, subject to the preparation of a Secondary Plan.

City of Ottawa Official Plan

Schedule C17 of the City of Ottawa Official Plan designates the Tewin Area as Neighbourhoods with a Future Neighbourhoods Overlay. Section 5.6.2 of the City of Ottawa Official Plan outlines policies for the Future Neighbourhood Overlay and states in part that “The Future Neighbourhood Overlay is applied to lands that have been added to the urban boundary to accommodate City growth in the Suburban Transect and that form part of the Urban Greenfield Area.”

Section 5.6.2.1 continues by stating in part that:

- 1) *Development may only receive draft approval or final approval on land within the Future Neighbourhoods Overlay once the overlay has been removed through an Official Plan amendment. Removal of the overlay can only occur once the policies of this section have been satisfied.*
- 2) *The underlying designation within the Future Neighbourhoods Overlay is Neighbourhood. Through the Official Plan amendment to remove the overlay, other designations may be established, where applicable, and shall be consistent with designations of the parent Official Plan.*
- 5) *A community design plan including applicable studies per section 12 shall be approved by Council and that approval may be concurrent with the adoption of an Official Plan Amendment which would remove the Future Neighbourhood Overlay and establish a Secondary Plan for the lands.*
- 8) *Development within the Future Neighbourhood Overlay shall be consistent with the policies of this Plan, in particular Subsection 5.4.4.*

Section 12, Local Plans, of the City of Ottawa Official Plan provides further direction for the development in the Future Neighbourhoods Overlay. Section 12.1 states in part that:

- 6) In all designations, with the exception lands covered by the Future Neighbourhood Overlay, development may proceed in the absence of a secondary plan or area-specific policy, in a manner consistent with the policies of this Official Plan.
- 8) Secondary plans will be prepared in accordance with the structure outlined in Annex 4. This is a framework only and specific terms of reference will be developed for each plan. Among other matters, the terms of reference will define the boundary of the planning area, which will be adjusted to include large vacant or underutilized sites, publicly-owned lands and other land

suitable for intensification. A schedule will be included to show the process and when the plan will be completed.

Section 12.2 of the City of Ottawa Official Plan outlines policies with establish direction for the creation of secondary plans in Future Neighbourhood. Section 12.2.1 states in part that “The creation of a new secondary plan or revision to an existing secondary plan is required prior to development of any lands with a Future Neighbourhood Overlay and all of the following are required in advance of the City initiating an Official Plan Amendment to implement said secondary plan and remove the Future Neighbourhood Overlay:

- f) Minimum distance separation assessment, in accordance with provincial regulations;”

As outlined above, the underlying Neighbourhoods designation of the Tewin Area is an urban land use designation. In order to remove the Future Neighbourhoods Overlay from the Tewin Area, the creation of a new Secondary Plan is required. As part of the Secondary Plan process, a minimum distance separation assessment must be completed in accordance with provincial regulations.

APPLICATION OF MDS I FORMULA

Minimum Distance Separation (MDS) is a land use planning tool developed by the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) to minimize land use conflicts and nuisance complaints arising from odours generated by livestock operations. The MDS calculates a recommended separation distance between a livestock facility and/or manure storage and other land use(s). The most recent version of the MDS Guidelines, The Minimum Distance Separation (MDS) Document, Publication 853 (2016), came into effect on March 1st, 2017.

The MDS uses two separate formulae depending on the type of land use proposed: MDS I and MDS II. The MDS I formula is used when new non-agricultural development is proposed in proximity to livestock operations. The MDS II formula is used when a new, enlarged, or remodeled livestock facility or manure storage system is proposed in proximity to existing or approved development.

Importantly, the MDS formulae only apply outside of approved settlement areas. Guideline #36 of the MDS Document clearly states that “MDS I setbacks are NOT required for proposed land use changes (e.g., consents, rezonings, redesignations, etc.) within approved settlement areas, as it is generally understood that the long-term use of the land is intended to be for non-agricultural purposes.”

As stated above, in designating the Tewin Area for urban expansion, the City of Ottawa was required to evaluate compliance with the MDS formulae. The City of Ottawa also requires the Secondary Plan to demonstrate compliance with the MDS formulae. Given that the Tewin Area is located within the City of Ottawa’s provincially approved urban settlement area, MDS I setbacks are not required. As such, in accordance with provincial guidance, the Tewin Area complies with the Minimum Distance Separation Formulae.

SUMMARY

Prior to the removal of the Future Neighbourhoods Overlay from the Tewin Area, the City of Ottawa requires the completion of a Secondary Plan, to be adopted through an Official Plan Amendment. As part of the Secondary Plan process, an assessment of the Minimum Distance Separation (MDS) formulae, in accordance with provincial guidance, is required by the Official Plan, as discussed above.

However, in accordance with Guideline #36 of the MDS Guidance Document, the MDS formulae apply only to lands located outside of approved settlement areas. As the Tewin Area is currently designated for urban uses (subject to a Secondary Plan process), the MDS formulae do not apply. Therefore, as currently reflected in the City's approved Official Plan, the Tewin Area conforms to the PPS policies respecting Minimum Distance Separation.

Please call me at 905-935-2161 or email sean@colvilleconsultinginc.com if you have any questions regarding our analysis.

Regards,

A handwritten signature in blue ink, reading "Sean Colville".

Sean Colville, B.Sc., P.Ag.
Colville Consulting Inc.