



Agenda

Agricultural Advisory Committee Meeting

Tuesday, June 9, 2026 - 7:00 p.m.

Administration Centre - Council Chambers 2231
Nursery Road, Minesing ON

Page

1. Call to Order

1.1. Call to Order

Recommendation

That this meeting of the Township of Springwater Agricultural Advisory Committee come to order at _____ p.m.

2. Disclosure of Pecuniary Interest

3. Previous Minutes

3.1. Approval of Minutes from April 7, 2026

3 - 5

Recommendation

That the April 7, 2026 Minutes of the Township of Springwater Agricultural Advisory Committee be approved as presented.

[Minutes of the Agricultural Advisory Committee Meeting of April 7, 2026](#)

4. New Business/Reports for Discussion

4.1. Hosting a Meeting with the NVCA

6 - 14

[Nottawasaga Valley Conservation Authority November 2024 Correspondence](#)

5. Work Plan - Active Items

5.1. Advocating for Reduced 1/2 Load Restrictions

5.2. Farm Tour including ditches and drains

6. Work Plan - Items for Future Consideration

6.1. The following items are earmarked for future consideration:

7. Other Business

This item provides members with the opportunity to discuss business that doesn't require immediate action to be taken by the Committee, and raises a possible issue for further discussion at a future meeting. Members can also provide general information items that they would like to share under Other Business.

8. Information Items

15 - 19

8.1. That the items listed herein be received for information:

1. **Memo regarding Campaigning at Municipal Events or on Municipal Property**
2. **Memo regarding Minimum Distance Separation Requirements**

Recommendation

That the items listed herein be received for information:

1. Memo regarding Campaigning at Municipal Events or on Municipal Property
 2. Memo regarding Minimum Distance Separation Requirements
- [1. Memo regarding Campaigning at Municipal Events or on Municipal Property](#)
- [2. Memo regarding Minimum Distance Separation Requirements](#)

9. Adjournment

9.1. Adjournment

Recommendation

That the June 9, 2026, meeting of the Township of Springwater Agricultural Advisory Committee does now adjourn at _____ p.m.

10. Next Meeting

10.1. Next Meeting is scheduled for **September 9, 2026 at 7:00pm.**



Minutes

Agricultural Advisory Committee Meeting

Tuesday, April 7, 2026 - 7:00 p.m.

Administration Centre - Council Chambers 2231
Nursery Road, Minesing ON

Present:

Member James Drury
Member Wanda Maw - Chapman
Chair Mark Priest
Member Matt Ververs
Simcoe County Federation of Agriculture
Representative Colin Elliott
Committee Member David Spring

Also Present:

Katja Awender, Legislative / Records
Coordinator
Trevor Harvey, Director of Public Works &
Infrastructure
Dan Eberhardt, Manager of Roads

Regrets:

Councillor Ward 5 Phil Fisher

1. Call to Order

1.1. Call to Order

Resolution

Moved by Maw - Chapman
Seconded by Spring

That this meeting of the Township of Springwater Agricultural Advisory
Committee come to order at 7:00 p.m.

Carried

2. Disclosure of Pecuniary Interest

Nil.

3. Previous Minutes

3.1. Approval of Minutes from February 25, 2026

Resolution

Moved by Elliott
Seconded by Drury

That the February 25, 2026, Minutes of the Township of Springwater
Agricultural Advisory Committee be approved as presented.

Carried

4. New Business/Reports for Discussion

4.1. Snow Fence Trial

The Director of Public Works and Infrastructure and the Manager of Roads gave a verbal presentation to the Committee regarding a snow fence trial on agricultural properties and received the Committee's feedback.

5. Work Plan - Active Items

5.1. Farm Tour including ditches and drains

Resolution

Moved by Drury

Seconded by Ververs

That the Committee request Staff take drone footage of the following drains during the week of April 13-17:

- Swaley Drain (including Swaley at George Johnston Road)
- Seventh Line Drain
- Giffen Drain
- Phelpston Marsh/Pump

Carried

5.2. Hosting a Meeting with the NCVA

Nil.

5.3. Advocating for Reduced 1/2 Load Restrictions

Nil.

6. Work Plan - Items for Future Consideration

6.1. The following items are earmarked for future consideration:

Nil.

7. Other Business

The Legislative - Records Coordinator advised that the Planning Department is preparing a memo to the Committee regarding their questions on Minimum Distance Separation Requirements.

8. Information Items

Nil.

9. Adjournment

9.1. Adjournment

Resolution

Moved by Spring

Seconded by Maw - Chapman

That the April 7, 2026, meeting of the Township of Springwater Agricultural Advisory Committee does now adjourn at 8:18 p.m.

Carried

10. Next Meeting

10.1. Next Meeting is scheduled for June 9, 2026, at 7:00pm.

Mark Priest, Chair

Katja Awender, Legislative / Records Coordinator



Nottawasaga Valley
Conservation Authority

November 15, 2024

The Township of Springwater
Agricultural Advisory Committee
Attention Mark Priest, Chair
2231 Nursery Road
Minesing, ON
L9X 1A8

Dear Mr. Priest,

Thank you for your letter to the NVCA requesting clarification to some questions from the Township's Agricultural Advisory Committee. Our staff have reviewed the questions and are pleased to present a response, which can be found in Appendix A of this letter.

Additionally, the NVCA has its own Agricultural Advisory Committee that regularly meets to discuss issues of interest to the agricultural community. Your letter, along with our staff's responses, will be added to the agenda of their next meeting for their review and consideration as well.

If you have any questions, please feel free to contact me. Although our CAO, Doug Hevenor, is currently away due to illness, I am available to assist.

Regards,

A handwritten signature in cursive script that reads "S. Flannagan".

Sheryl Flannagan
Director, Corporate Services/Acting CAO

Appendix A - Responses

Permitting timelines and process

1. What are the timelines for permit and drain improvement-related processes?

Once an applicant has submitted the minimum application requirements outlined on the application form, the NVCA will pre-screen the application and inform the applicant if the application is complete or if additional technical information, including any studies, will be required within 21 days of receiving the application. Once an application is deemed complete, the NVCA strives to make a decision on an application within 90 days of the file being with the NVCA for review.

This process is for any application submitted to the NVCA. Applicants are always encouraged to have a pre-consultation. During the pre-consultation meeting the applicant will be made aware of all the requirements to support the application. Pre-consultations can make the permitting process quicker when the applicant submits since they are aware of all the requirements.

Drainage related improvement projects are discussed later in this memo.

2. Can you provide an overview of the permit process for Agricultural property and explain how it may differ from the process for other types of properties?

As mentioned above, the permit process for an Agricultural property is the same as all permit applications. An application, depending on the scope of works, will be assigned a fee, the timeline for review and decision making is the same (21-day notification, decision within 90 days).

The difference between Agricultural permits and other types of permits, is that agricultural permits do not have a major works category or the associated fee (\$1561). Agricultural fees are as follows:

- Minor works, or works located in regulated adjacent areas: \$255
- Works located within flood and/or erosion hazards: \$561

3. Does the NVCA recognize the differences in need and value for types of permits in terms of prioritizing processing? For example, would a permit for a shed on a farm be treated the same as a Shopping Centre or apartment building in terms of timelines, agreements, and accountability for a turn-around?

The NVCA operates on a first in, first out basis system for applications to be fair to all applicants, however the scope of works and the level of complexity also factors into how quickly a permit application can be decided on.

What is being compared here in the question is not apples to apples as an accessory structures (shed) and large scale commercial develop or residential use (Shopping Centre or apartment building) involve different approvals processes. A shed within the regulated area may not subject to the *Planning Act* and would be subject to the review process noted above, the Shopping Centre or Apartment Building would be subject to the *Planning Act* and timelines outlined in the *Planning Act*.

A more direct comparison is a new family dwelling in the regulated area with a shed, and the same timelines, processes and accountability is the same; however, many factors go into how quickly a file can be decided on.

These factors can include:

- a. Type of works being proposed
- b. Where is the proposed development located (i.e., floodplain, wetland buffer)? Are there areas outside the regulated area that are suitable for development?
- c. Are technical studies required to ensure it is safe to develop in its proposed location?
- d. What is the level of risk and can we address our concerns through conditions?

It is important to note that Ontario Regulation 41/24 Section 5 outlines exceptions for detached non-habitable structures under 15 m² located outside a wetland or watercourse when fill is not required from needing a permit.

4. How are applications managed to prevent application build-up? What is the value for taxpayers? What are the criteria for permits?

The NVCA has 5 Planners who are crossed trained to handle either planning and permit files, if one planner's workload becomes too heavy, another planner may step in to assist with the file. Planning and engineering team also meet weekly to discuss permit applications to ensure timelines are being met.

The NVCA's mandate is to protect people and property from natural hazards, when an applicant is provided a permit from the NVCA, they can be assured that their project is safe from natural hazards.

Section 28(1) of the Conservation Authorities Act outlines the prohibited activities that require permit:

28 (1) No person shall carry on the following activities, or permit another person to carry on the following activities, in the area of jurisdiction of an authority:

1. Activities to straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or to change or interfere in any way with a wetland.

Section 1(1) of Ontario Regulation 41/24 outlines the definition of development activity:

1. (1) In section 28 of the Act and in this Regulation,

"development activity" means,

- (a) the construction, reconstruction, erection or placing of a building or structure of any kind,
- (b) any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure,
- (c) site grading, or
- (d) the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.

5. How are lines of communication kept open during processes to ensure communications are followed up on, and actions are carried out?

Applicants are welcome to email the NVCA, either at permits@nvca.on.ca, if they have been in communication with the assigned planner, they are welcome to call and email for status updates. The office is open to the public and there is always a person available for walk in inquiries. However the NVCA has a hybrid policy so it is best to book time with the assigned planner if you are wishing to speak to them in-person.

6. What proactive steps are being taken in consideration of obligations to the paying the customer?

The NVCA has recently implemented a screening process for new applications to outline any additional studies needed to support the application, if applicable and respond to the applicant with 21-days of receiving an application. Once the application has been deemed complete staff follow-up with an email and phone call. Staff also follow-up with a phone call at the 30-day mark once an application has been deemed complete to provide an update on the review. NVCA also highly encourages pre-consultations, this meeting will outline all materials required to support an application, NVCA finds that review timelines are shorter when a pre-consultation is undertaken.

Agricultural Land - community value and prioritization

1. Does NVCA weigh the needs of the agricultural and community value of agricultural operations vs. those owners whose permits are for individualistic benefit? If so, how is this done?

NVCA operates on a first in, first out basis to be fair to all applicants. The complexity of the application factors into the review timelines, however the NVCA strives to make a decision on all files within 90 days of an application being with the NVCA.

2. How are the required (submitted) studies reviewed and applied in the permit process?

The submitted studies are reviewed by our in-house technical team (ecologists and engineers). These studies are reviewed against our polices and provincial standards to ensure the level of risk is acceptable and safe to allow for development within the regulated area. The studies may also be the basis of conditions set out in a permit (e.g., that mitigation measures are followed, and updated flood elevation is being applied for floodproofing). The NVCA may ask for some clarification on the supplied reports if we have questions regarding the findings of the studies.

3. What is the NVCA's position on land improvements for Agricultural property, including drains?

NVCA holds no position on land improvement for Agricultural properties, including drains. The NVCA appreciates the necessity for drains on Agricultural properties, however we work within the framework provided to the conservation authority by the Province under the *Conservation Authorities Act*. It is important to note that creation of a drain under the *Drainage Act* that would meet the definition of a watercourse would make it a regulated feature.

“watercourse” means a defined channel, having a bed and banks or sides, in which a flow of water regularly or continuously occurs.

Drainage - farm drains and municipal Drains

NVCA staff have responded to the questions below based on our understanding of the Provincial framework provided to conservation authorities. Any specific questions around drainage can be directed to your local drainage superintendent.

1. Why does the municipal drain (DART program) differ from the homeowner/farm drain processes?

The municipal drain (DART program) differs from the homeowner/farm drain process for a few reasons:

a) The DART program was developed between Ministry of Natural Resources, Ministry of Agriculture, Food and Rural Affairs, Conservation Ontario, conservation authorities, the Drainage Superintendents Association of Ontario, the Ontario Society of Professional Engineers Land Drainage Committee, Ontario Federation of Agriculture, Ontario Farm Environmental Coalition, and the Rural Ontario Municipal Association, The goal of the team was to explore the options and propose solutions to the legal liability issues for municipalities and conservation authorities arising from the provisions under the *Drainage Act* and the *Conservation Authorities Act*; to do this, the team set out to develop a means for municipalities and conservation authorities to fulfill their responsibilities under each Act without compromising the intent of either statute.

A Municipality has a legal obligation to undertake routine maintenance and repairs on Municipal Drains and may be liable for any damages caused by neglecting the Drains.

A Municipal Drain is an engineered drain meaning that an engineer’s report contains plans, profiles, and specifications defining the location, size and depth of the drain meaning that when the Municipality undertakes the routine maintenance and repair of these infrastructures, the CA is aware of the typical requirements the CA would ask for when a homeowner/farmer is looking to apply for works on their drain.

b) As of April 1, 2024, Ontario Regulation 41/24 now exempts the maintenance and repair of municipal drains from a permit as long as the works are conducted in accordance with the mitigation requirements set out in the DART program.

c) It is important to note that the DART program only speaks to pre-determined standard maintenance and repairs. These are still regulated watercourses, any works outside the DART program (or occurring within a wetland) are still required to be reviewed by the NVCA and may require a permit including; the creation of a new drain (that is not already an established drain and being made a municipal drain under the Drainage Act and a by-law), changes to the location, size, shape, and/or depth, etc.

2. What is the NVCA’s position on field tile? Is it considered to be a benefit?

The NVCA does not have a position on field tiling, however the NVCA appreciates the necessity of field tiling within the Agricultural community. The NVCA works within the framework provided by the Province.

Ontario Regulation 41/24 exempts the following from requiring a permit:

“the installation of new tile drains that are not within a wetland or watercourse, within 30 metres of a wetland or within 15 metres of a watercourse, and that have an outlet of water that is not directed or connected to a watercourse, wetland or river or stream valley, or the maintenance or repair of existing tile drains”

While the Regulation excepts the maintenance and repair of existing tile drains, it is important to know that works on an outlet that is connected to a watercourse may require a permit if works are to be done within the watercourse or to the banks or sides of the watercourse. Property owners are encouraged to reach out to the NVCA and discuss plans before starting works to ensure a permit is not required.

Modernization, including elevation and flood plains mapping updates

1. How are maps and elevations updated, and what new technologies are being applied to update maps?

NVCA staff are undertaking a comprehensive regulation mapping update. Using LiDAR, updated flood studies and modelling, and adjusting our modelling approach to define slope erosion hazards in line with Ontario Regulation 41/24, the NVCA has seen a reduction of 32,000 hectares of regulated area. As well, Section 4 of Ontario Regulation 41/24 outlines when mapping is to be updated and when the public is to be consulted.

NVCA’s last major update to the regulation mapping occurred in 2014. Since then there have been numerous legislative changes, studies and updated information that impact on the regulation mapping criteria layers.

The key mapping layers that comprise the mapped regulated area includes:

- riverine flood hazards, slope hazards, and meander belt plus 15 metre allowance,
- wetlands and associated 30 metre allowance, and
- Georgian Bay shoreline hazards (100-year flood level; shoreline erosion over a 100-year period and dynamic beach) plus 15 metres allowance inland.
- Other regulated hazards land, unstable soil or bedrock.

Staff have been updating and developing draft mapping with the focus on using the 2017 shoreline hazard studies produced by Shoreplan, updated wetland mapping, available flood studies (e.g., Creemore, Wasaga Beach) and updated slope hazard identification (using TRCA’s methodology)

Stakeholder engagement is required prior to finalization of the draft mapping. The proposed stakeholder engagement process includes: 1) circulation to municipalities for input (summer 2024); 2) notifying other key stakeholders and the public including a public information session (late fall 2024); and 3) presenting the final mapping, summary of the stakeholder engagement and an overview of the mapping update process to the Board for approval (late 2024/early 2025).

It is important to note that our regulation is text based and mapping a tool used to screen for potential hazards on a property. Some regulated features may not be mapped.

2. What are the invasive species programs and efforts in the area?

More on invasive species can be found here: <https://www.nvca.on.ca/lands-stewardship/invasive-species/>.

Please note that NVCA does not offer a service to remove invasive species on private property. If you are looking for tips on dealing with invasive species on your property, see our fact sheets on our website or visit [Ontario's Invading Species Awareness Program](#).

3. How are flood plains determined (with statutory authority)? And why is this done without a public process?

Ontario Regulation 41/24 outlines the flood event standards each Conservation Authority can regulate. For the NVCA, we regulate on the 100 Year Flood Event Standard, the Timmins Flood Event Standard and the 100-yr flood level plus wave uprush (for properties along the shoreline). Besides the 100-year flood level plus wave uprush, NVCA applies the higher flood elevation (100-yr or Timmins event) to a property to ensure that the protection of life and property is ensured.

Section 21.1 of the *Conservation Authorities Act* (CA Act) sets out the Mandatory Programs and Services which must be delivered by all conservation authorities; these are described in more detail under Ontario Regulation 686/21. Section 21.1.1 of the CA Act refers to the Municipal Programs and Services that conservation authorities are permitted to provide under agreement with its member municipalities. Section 21.1.2 sets out the Other Programs and Services that conservation authorities are permitted to deliver.

In order for the Conservation Authority to carry out one of their core mandates, i.e., undertake watershed-based programs to protect people and property from flooding and other natural hazards, defining and mapping the extent the flood hazard is essential. Secondly, a CA has an advisory role for Municipalities for emergency response related to flood and risk of flooding. Modeling the extent of the flood hazard and monitoring (stream and meteorological) included.

Section 21.1 of the CA Act also defines the CA's regulatory role where the extent of the Flood hazard is used to review permit and/or development applications near water features. The CA Act defines a watercourse as a channel with a bed and banks where water flows regularly or continuously. The CA Act also regulates features that have hazards, Erosion and Flood, while municipalities review features without hazards.

A flood plain is an area of low-lying ground adjacent to a river, formed mainly of river sediments and subject to flooding. Flood Plains are natural geological features, part of the natural system. All watercourse features have a flood Plain. Using industry modelling practices, development pressure communities, and identifying areas of Risk, the authority's goal is to have all of the watercourse flood plain's defined (using the best available data that the NVCA can obtain).

More on the standards for these flood elevations can be found in Schedule 2 of Ontario Regulation 41/24.

As mentioned, Section 4 of Ontario Regulation 41/24 outlines when the public is to be consulted on mapping updates.

4. What is the water from tile outlets classified as, and what is the reasoning behind the classification?

The NVCA does not define the water from tile outlets, however, it is understood from this website: <https://www.ontario.ca/page/top-10-common-law-drainage-problems-between-rural-neighbours> "Water from tile drainage systems is considered to be surface water". Surface water has no defined course it is "the water that falls as precipitation, but which finds its way to a natural watercourse by percolation or flow". More on this classification should be directed to your local drainage superintendent.

5. What are the differences between the internal vs provincial/statutory policies, processes, and regulations governing the NVCA?

NVCA is governed by the *Conservations Authority Act* (the Act), most people who come in contact with the NVCA are looking for a permit under Section 28.1 of the Act. Section 28 outlines the Prohibited Activities within a regulated area. Section 28.1 gives the Authority the powers to issue permits for the prohibited activities and outlines the parameters we are relate all permit applications against, or the "tests". These "tests" are:

- the activity is not likely to affect the control of flooding, erosion, dynamic beaches or unstable soil or bedrock;
- the activity is not likely to create conditions or circumstances that, in the event of a natural hazard, might jeopardize the health or safety of persons or result in the damage or destruction of property

Ontario Regulation 41/24 provides the more administrative aspects of how NVCA defines and regulates our areas. It provides clarity on what makes an application complete, timelines, conditions of a permit, mapping requirements, policies we are to have in place, pre-consultations, etc.

Our internal policies are how we implement the above, internal policies allow for a more localized approach to ensuring people and property are safe from natural hazards and outlines technical guidelines for how we implement the "tests" of the Act and apply the regulated areas outlined in Ontario Regulation 41/24.

6. What is being done to modernize processes?

NVCA staff have developed a standard operating procedure for file intake and review and refined the pre-screening and technical screening process to be able to meet the 21-day timeline to either deem applications complete or respond to the applicant within that timeframe with the outstanding information required to complete our review.

NVCA staff have updated our procedural guidelines and Fee policy to reflect current legislation. The updated Procedural guidelines and Fee Policy was recently approved by the Board of Directors at the October 2024 Board meeting.

In 2024 - NVCA staff have made updates to their internal data management system (i.e., adding a start/stop button) to better track the amount of time applications are with the NVCA and the time the applicant is following up on NVCA comments to improve reporting and transparency.

NVCA staff are developing an E-permitting platform to allow applicant to upload applications and submission material and track the status of their application on-line. This platform is anticipated to roll out in Q1 of 2025

7. Is there a process for appealing outdated EP locations? If so, how is the appeal process carried out?

EP is a zoning designation under the local Municipalities Zoning By-Law. While they are generally in line with NVCA's regulated area or wetlands this may not always be the case. The process to try and remove an EP designation would start with the Township with an application for a Zoning By-law amendment and potentially an Official Plan amendment under the *Planning Act*.

8. Is there a process to upgrade culverts across their protected drains and creeks?

It is important to note that drains and creeks are not "protected" they are regulated and works can be done on regulated features. Unless the drain is a municipal drain, any landowner can apply to the NVCA to upgrade/replace culverts. Some additional information may be required to ensure the sizing is correct to protect from any negative effects of under sizing up or down stream or even on your own property.



Township of Springwater Municipal & School Board Election Election Day - October 26, 2026

To:	All Township Departments, Community Recreation Associations, Township of Springwater Committees, Elmvale Business Improvement Area, Springwater Public Library, and Springwater Farmers Market – Elmvale
From:	Renée Ainsworth, Clerk
Date:	April 21, 2026
Re:	2026 Municipal Elections – Campaigning at Municipal Events or on Municipal Property

As we head into the 2026 election season, please be advised that there are restrictions surrounding political campaigning and partisan activities at all Township sanctioned/hosted event as well as on any Township property.

As a department, committee or board of the Township of Springwater, any event you host is considered a Township sanctioned/hosted event. As such, the following regulations and restrictions are in place until October 26, 2026:

- Political Campaigning and Partisan Activities are prohibited at all events. Campaigning means: working in an organized and active way towards a particular candidate(s) or the election in general and includes any materials (buttons, t-shirts, signs, flyers etc) at the event or event grounds; rental of space or booth at an event for campaign purposes; stopping or actively seeking out attendees for campaign purposes. These restrictions also apply to Third-Party Advertisers, who are registered with the Township to provide paid advertisements relating to the election. Township of Springwater election officials are exempt and shall be permitted to promote election information for electors at Township events.
- Political Campaigning or Partisan Activities is restricted from being conducted at a committee or board meeting. **This includes soliciting endorsement signatures.**
- Township Departments, Committees and Boards are prohibited from hosting a Candidate Debate, promoting such debate or providing funding towards a debate. Any debates must be organized by non-Township groups and organizations.

- Campaign or political materials are not permitted to be placed within a Township facility, software, program, website or printed materials. This includes the Administration Centre, Community Halls, the Arena, Township Yards and their properties. This also includes any websites, social media and electronic mail or printed material. The Elmvale Library shall be exempt and allow all candidates to place campaign materials in a pre-determined location within each of its branches, at the discretion of the Library CEO.
- Everyone is encouraged to share or post Township election materials, including the Unofficial/Certified List of Candidates, Voters Information or general election information. Approved information can be found on the Township website at www.springwater.ca/elections.
- Candidates may only undertake campaigning on Township properties/facilities provided they have paid full-market rental fees and rates for use of such facilities and have otherwise complied with any other Township of Springwater policy pertaining to the use of such facilities. The Administration Centre, located at 2231 Nursery Rd shall not be rented for any campaigning purposes.

The Township Election Team is looking for opportunities to conduct general election education/voter registration at upcoming events. If your committee or board/CRA is hosting an event before October 26th, please let the Clerks team know. If each group could provide us with a list of their events, and how to request a booth/table, it would be greatly appreciated.

Non-Township Events:

Campaigning at a non-Township event is at the discretion of the event organizers.

If you have any questions about the above, please do not hesitate to contact a members of the Clerks Department at clerks@springwater.ca or via telephone at 705-728-4784 x 2304.

To: Agricultural Advisory Committee

From: Planning Department

Date: June 9, 2026

Re: Minimum Distant Separation (MDS) Information

On February 25, 2026, the Committee discussed minimum distance separation requirements and posed the following questions to staff:

1. Why can a new subdivision be built right up against the boundary line of an agricultural property?
2. What is the manure spreading requirement when a residential area is built beside an agricultural property?
3. Why are the MDS requirements different for residential vs agricultural properties?
4. How does Council apply the MDS standards when approving new subdivisions? Do they have to abide by all the guidelines?

This Memo serves a response to the Agricultural Advisory Committee.

Following Committee's request Township Planning Staff met with staff at the Ontario Ministry of Agriculture, Food and Agribusiness (OMAFRA) to discuss MDS and manure storage spreading requirements, along with the questions posed by the Committee.

Minimum Distance Separation (MDS)

Answer from OMAFA Staff:

“From a land use planning perspective, the Provincial Planning Statement (PPS) 2024 introduced agricultural impact assessments province wide. In this context, avoiding, minimizing, and mitigating impacts on the agricultural system should be considered for all new and expanding non-agricultural uses in the prime agricultural area, as well as for settlement area boundary expansions. While I recognize the subdivision being discussed may be located within an existing settlement area boundary, the Agricultural Impact Assessment (AIA) Guidance Document (attached) offers helpful discussion regarding compatibility and mitigating impacts on the agricultural system.

Page 30-32 of the AIA Guidance Document discusses measures to mitigate impacts, and Appendix E provides an overview of edge planning.

Municipalities should try to avoid approving non-agricultural uses that are likely to conflict with certain farming activities in or nearby prime agricultural areas. Where this proximity cannot be avoided, edge planning can improve compatibility between uses. For example, edge planning can help to reduce issues related to trespassing and vandalism, noise, dust, lighting, spread of weeds, pests, spray drift and odour. Edge planning is most frequently associated with the interface between residential and agricultural uses but could also be used for other non-agricultural uses in or adjacent to prime agricultural areas.

There are two main categories of ways to implement edge planning: site design and buffers. The most effective edge planning combines both if justified based on the proposed use and the potential for compatibility issues.

Appendix E goes on to provide a more detailed discussion of buffers, including recommendations from the British Columbia Agricultural Land Commission's Guide to Edge Planning (2015) (e.g., comprised of mixed deciduous and coniferous plants with foliage from base to crown to mitigate against dust and spray drift)."

The Province has released the [Agricultural Impact Assessment \(AIA\) Guidance Document](#), which offers helpful discussion regarding compatibility and mitigating impacts on the agricultural system.

MDS resources available online, include:

- [The Minimum Distance Separation \(MDS\) Document, Publication 853](#)
- [Minimum Distance Separation \(MDS\) Training June 2025](#)
- [Working with Minimum Distance Separation Formula and Guidelines](#) (Training September 2025)

With respect to calculating MDS for residential versus agricultural properties, OMAFA added the following:

"MDS I calculations for a settlement boundary expansion and MDS II calculation for altered livestock facility use slightly different factors, which result in providing opportunity for a modest expansion for livestock operations surrounding a settlement area boundary. If you look at the formulae for MDS I versus MDS II you will notice that there is only one different factor between the two formulae (Factor E for MDS I and Factor C for MDS II).

- $MDS\ I = A \times B \times D \times E$
- $MDS\ II = A \times B \times D \times C$

In this context, Factor E provides a slightly larger setback than Factor C, resulting in flexibility for a modest expansion for surrounding livestock facilities where the proposed settlement area boundary complies with the MDS formulae. Where the proposed settlement area boundary does not comply with the MDS formulae

there may not be the same opportunity for possible future expansion of the existing livestock facilities.”

Manure Storage

OMAF Staff have provided the following information regarding manure spreading:

“The manure spreading requirements for Ontario farmers are listed in the Nutrient Management Regulation (O. Reg 267/03) and these are the same for all farmers regardless if they are located beside a residential area or not.

Most of the spreading requirements specify setbacks from wells, provision of vegetated buffer zones along surface water courses, prohibition of spreading on frozen or snow-covered ground between December and March unless certain conditions are met, prohibition of high trajectory irrigation guns for spreading manure, etc.

I assume that your question is more focused on odour and nuisance from the manure spreading. Contrary to many rumours there is not a legal requirement to inject or incorporate manure when this activity happens during the growing season. While this practice is certainly a Best Management Practice to conserve nutrients and reduce odours from the manure application that the Ministry encourages, it is not a required practice.”

Conclusion

OMAF Staff have also notified Township that they are working on a training/outreach plan and typically, OMAFA offers one virtual MDS session annually, but nothing has been scheduled at this time. The Township will be notified on future MDS training sessions should any members of the Committee be interested.

Should the Committee have additional questions regarding MDS or similar topics, Township Staff will continue to reach out to the technical experts at OMAFA.