

MDS Report

# Flatt Point Subdivision

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Part of Lot A, Concession South of Prince Edward Bay, Geographic Township of South  
Marysburgh, County of Prince Edward



Prepared for Michael Kerford  
by IBI Group

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# 1 Introduction

The owner of the lands known as Flatt Point and legally described as Part of Lot A, Concession South of Prince Edward Bay, Geographic Township of South Marysburgh, all within the County of Prince Edward (Assessment Roll #135080401007501) is proposing to develop the lands with a 16-lot residential subdivision.

In accordance with the Provincial Policy Statement (PPS) and the County of Prince Edward Official Plan, “new land uses, including the creation of lots and new or expanding livestock operations, shall comply with the Minimum Distance Separation Formulae (MDS)”.

We have completed an MDS review for the subject lands which included the following:

- Review of the Minimum Distance Separation (MDS) Document, Publication 852; and
- Desktop review of potential barns within 1,500 metres of the subject lands.

MDS I is applied to new non-farm uses and MDS II is applied to new or expanded livestock facilities. In this case, MDS I is applied as a residential subdivision is proposed.

As per Guideline #6, “all existing livestock within a 750 metre distance of a proposed Type A land use and within 1,500 metres of a proposed Type B land use shall be investigated and MDS I setback calculations undertaken where warranted”. Type A land uses are defined in Guideline #33 of the MDS Document and Type B land uses are as defined Guideline #34 of the MDS document.

In this case, as per Guideline #34, the proposed use is a Type B land use as the development results in the creation of four or more lots for development, which are in immediate proximity to one another (e.g., sharing a common contiguous boundary, across the road from one another, etc.), regardless of whether any of the lots are vacant” hence all livestock facilities within 1,500 metres of the subject land were investigated (Appendix 1).

# 2 Applicable MDS Guidelines and Definitions

**Design Capacity:** MDS must consider the design capacity of the livestock facility; that is the maximum number of livestock that can be reasonably housed in all of the livestock barns on a lot.

**Livestock Barn:** One or more permanent buildings located on a lot which are intended for housing livestock, and are structurally sound and reasonably capable of housing livestock.

## Guideline #12

Guideline 12 provides that a reduced MDS I setback may be permitted provided there are four, or more non-agricultural uses or dwellings located within the intervening area (120 degrees field of view between the livestock facility and the proposed dwelling).

## Guideline #20

As per Guideline 20, design capacity for MDS shall include all unoccupied livestock barns except where: the structure is not structurally sound; the property is zoned such that the building shall not be used for housing livestock; or the floor area of the unoccupied livestock barn is less than 100 square metres.

## Guideline #41

Measurements for MDS I for the creation of new lots are to be made as specified in Guideline 41. For proposed lots without an existing dwelling that are >1 ha, MDS I setbacks are measured as the shortest distance between a 0.5 ha or larger building envelope and the livestock occupied

portion of the barn. For proposed lots with an existing dwelling that are <1 ha, MDS I setbacks are measured as the shortest distance between the existing dwelling and the surrounding livestock occupied portion of the barn.

### 3 Identified Barns within 1,500 metres

We conducted a desktop review of aerial imagery to identify livestock barns within 1,500 metres of the subject lands (Appendix 1). Based on the desktop review, the following summarizes the identified barns and whether or not MDS calculations were required.

#### **Barns Separated by Four or More Intervening Land Uses**

As per Guideline 12 of the MDS document, where there are four or more non-agricultural land uses located between the proposed development and the livestock facility, MDS I may be reduced to become the distance of the farthest of the qualifying non-agricultural uses, residential uses and/or dwellings. As such, and MDS calculations for the barns shown in white in Appendix 1 were not required.

#### **Barns Exempt from MDS**

##### **3271 County Road 13**

There is an existing barn on the property which accommodates the Halfmoon Bay Winery. It appears significant investment has been put into establishing the structure as a winery and as such the structure would not meet the intent of MDS as it does not meet the definition of a livestock barn given it is not intended for housing livestock but is instead used as a winery building.

##### **3423 County Road 13**

There is an existing barn on the property. During the desktop review we flagged this structure for further investigation. From the aerial imagery and Google Streetview imagery, as well as some local knowledge, there is no indication that the structure is occupied with livestock (i.e. no fencing around the structure, no manure piles in the adjoining yard). Given the barn is unoccupied, and the property is zoned Rural Residential 2 'RR2' which does not permit agricultural uses, Guideline #20 identifies that MDS does not apply.

#### **Barns Generating MDS Setbacks**

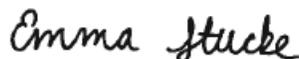
There are no barns within 1,500 metres of the subject lands that generate MDS setbacks.

### 4 Conclusion

Based on our desktop review, there are no barns within 1,500 metres of the subject lands that generate an MDS Setback. As such, we can confirm that the proposed development complies with MDS.

Sincerely,

**IBI Group**



Emma Stucke, MCIP, RPP  
Planner

# Appendix 1 – Desktop MDS Investigation

