
Stovel and Associates Inc.
Planners, Agrologists and Environmental Consultants

July 02, 2026

Theyonah Manoharan, P.Eng.
Fergus Development Inc. / Geranium
3190 Steeles Avenue East, Suite 300
Markham, ON L3R 1G9

RE: Updated MDS Opinion – Fergus Golf Course Redevelopment, Township of Centre Wellington

Stovel and Associates Inc. (“SAI”) was previously retained to review the proposed redevelopment of a portion of the Fergus Golf Club, now known as the Belwood Golf Club, in the Township of Centre Wellington. The Belwood Golf Club lands are hereinafter referred to as the “Site” (see Figure 1). The purpose of SAI’s involvement was to provide input related to the application of Minimum Distance Separation (“MDS”) requirements.

SAI’s prior reporting on this matter is included as attachments to this letter, as follows:

Attachment 1: SAI MDS Analysis dated February 16, 2022.

Attachment 2: SAI Response to Colville Consulting Inc. dated February 24, 2023.

Background

In 2023, the Site received approvals to develop the southeast lands for 118 residential units, while maintaining the northwest lands for the 18-hole golf course and associated servicing infrastructure. These approvals included a Zoning By-law Amendment, Draft Plan of Subdivision 23T-22001, Draft Plan of Condominium 23CD-22001, and Provincial approval associated with County of Wellington Official Plan Amendment 119.

SAI understands that the Applicant has revisited the 2023 approvals and is now proposing a 446-unit plan of subdivision on the southeast lands. The northwest lands will continue to contain the water and wastewater facilities which are now being proposed as municipal facilities, and a redeveloped 18-hole golf course. The residential lots and roads associated with the proposed redevelopment are now proposed within a plan of subdivision, and a plan of condominium is no longer required. To facilitate the proposed redevelopment, a Zoning By-law Amendment Application and a Revision to Draft Plan of Subdivision 23T-22001 are required.

Purpose

The purpose of this letter is to confirm whether the revised development proposal changes the conclusions of SAI’s February 16, 2022 MDS Report.

MDS Guidelines

In the February 16, 2022 MDS Analysis, SAI reviewed the proposal in accordance with *The Minimum Distance Separation (MDS) Document, Publication 853*, issued by the Ontario Ministry of Agriculture, Food and Rural Affairs. The MDS Analysis concluded that the MDS Guidelines recognize redevelopment scenarios where existing approvals are already in place for non-agricultural uses.

Implementation Guideline #10 provides that amendments to rezone or redesignate land already zoned or designated for a non-agricultural use only need to meet MDS I setbacks if the amendment will permit a more sensitive land use than existed before.

The previous MDS Analysis concluded that the existing and approved recreational/residential uses on the Site were considered Type B Land Uses for the purposes of Publication 853. The proposed redevelopment continues to involve residential development on the southeast lands and the continuation/redevelopment of the golf course use on the northwest lands. While the current proposal revises the unit count, tenure, servicing approach and road ownership, these changes do not result in a change from a Type A Land Use to a Type B Land Use for the purposes of MDS. Rather, the proposal remains a continuation of Type B Land Uses on lands that are already designated, zoned and approved for non-agricultural recreational/residential development.

SAI's February 24, 2023 response to Colville Consulting Inc. further confirmed that, based on Guidelines #10 and #34 of Publication 853, the proposed redevelopment, including residential uses, conforms to the requirements of the Minimum Distance Separation Formula and subsequently conforms to Official Plan policy 9.2.2 with respect to consideration of MDS I setbacks.

Updated MDS Opinion

The current proposal continues to involve residential development on the southeast lands and the continuation/redevelopment of the golf course use on the northwest lands. The limits of the revised Draft Plan of Subdivision 23T-22001 remain the same. While the proposal has changed with respect to unit count, tenure, road ownership and servicing approach, it does not introduce a more sensitive land use than previously existed or was previously approved for the subject lands. The proposal remains a continuation of Type B Land Uses.

Accordingly, based on the information reviewed, it remains SAI's opinion that the revised proposal does not change the conclusions of the February 16, 2022 MDS Analysis or the February 24, 2023 Response to Colville Consulting Inc. Based on Implementation Guideline #10 of Publication 853, MDS I setbacks do not need to be calculated for the proposed redevelopment, as the proposed amendments do not permit a more sensitive land use than existed before.

Should you have any questions, please do not hesitate to contact SAI.

Yours truly,

Robert Stovel

Robert P. Stovel, M.Sc., M.C.I.P., R.P.P., P. Ag.

ATTACHMENT 1:

MEMORANDUM



To: Fergus Development Inc./Geranium

From: Stovel and Associates Inc.

Date: February 16, 2022

RE: MDS Report (Fairview Recreational/Residential Area)

Stovel and Associates Inc. (SAI) was retained by 883890 Ontario Limited c/o Fergus Development Inc. ("FDI") to review the Minimum Distance Separation ("MDS") guidelines for a proposed redevelopment of a portion of the Fergus Golf Course for a recreational/residential condominium project in the Township of Centre Wellington ("TCW"). The property is bisected by Wellington County Road No. 19 and bounded by 3rd Line on the east and is currently occupied by the Fergus Golf Course. The existing golf course consists of two parcels; the northwest parcel which is 42.35 ha, situated on the north side of Wellington Road 19, and the southeast parcel which is 39.85 ha, situated on the south side of Wellington Road 19. The proposed residential redevelopment is located on the southeast parcel (the "SE Site") and the communal water and wastewater services are integrated into the existing Golf Course, which will remain, on the northwest parcel (the "NW Site"). The MDS guidelines will therefore be evaluated for the SE Site based on the location of the proposed redevelopment.

SAI was asked by FDI to review the MDS provisions in relation to *The Minimum Distance Separation (MDS) Document, Publication 853*, issued by the Ontario Ministry of Agriculture, Food and Rural Affairs (2016) ("Publication 853"), and prepare a technical report to guide the redevelopment plan for the subject property.

EXECUTIVE SUMMARY

SAI completed a MDS analysis with respect to the proposed redevelopment of the SE Site. This property is currently designated and zoned for a mixed Recreational/Residential development and there is an approved Draft Plan of Condominium in place since 1996 for the lands in question. The proposed redevelopment of the SE Site requires planning approvals, including Official Plan Amendment, Zoning By-law Amendment and a new Draft Plan of Subdivision and Draft Plan of Condominium to permit the proposed number of residential units and with the associated golf course use located on the north side of Wellington Road 19.

The MDS Guidelines recognize the potential for this type of redevelopment scenario, where there are existing approvals for non-agricultural uses, and Implementation

Guideline 10 sets out a mechanism for consideration. Guideline 10 indicates that MDS I setbacks shall only need to be met if the amendment(s) will permit more sensitive land uses (i.e., Type B rather than Type A) than existed before.

Based on a review of this Guideline, SAI is of the opinion that MDS I setbacks do not need to be calculated for the proposed redevelopment of the subject property.

The following paragraphs provide an overview of the planning framework, MDS analysis and recommendations for the redevelopment plan.

1. Planning Framework

The subject property was approved for residential and recreational development in 1996. The approvals included a site-specific official plan amendment and zoning by-law amendment (former Township of West Garafraxa) and a Draft Plan of Condominium with associated conditions (approved by the Ministry of Municipal Affairs), which permits residential development generally in the southeast and southwest portions of the subject property and a golf course on the balance of the lands. SAI understands that there are no references to MDS in those approval documents from the 1990s.

In 1999, with the approval of the County of Wellington Official Plan, the Official Plan for the Township of West Garafraxa ceased. The following excerpt from the current County of Wellington Official Plan sets out the existing development permissions on the subject property:

"9.2.2 Fairview Recreational/ Residential Area

On Part of Lots 9 and 10, Concession 3, a Recreational/Residential community may be developed. The predominant and primary use of the lands shall consist of private open space. In this regard, a public golf course, consisting of at least nine (9) holes, shall be permitted as well as a driving range and other ancillary uses, such as clubhouse, pro shop and parking area. Secondary uses shall consist of limited residential uses to be developed in accordance with the policies of this subsection.

*The proposed design of the Recreational/Residential community shall project the predominant use of the property as public golf course with limited residential uses. In this regard, the development of the property shall follow a pattern whereby golf course holes, pathways and vegetative buffer zones are located along all property lines with residential uses to the interior of the site. All residential units shall have access to private internal roads built to appropriate standards. No direct access shall be permitted for any residential unit to County Road 19 or 3rd Line. **All residential units shall meet the requirements of the Minimum Distance Separation Formula.** (Bolding/Underlining for emphasis by the writer)*

The maximum number of residential units permitted on the property shall not exceed forty-one (41), exclusive of the existing residential unit within the clubhouse already on the property.

The residential units to be included on the property shall be limited to two (2) distinct areas on the property. The first residential area on the parcel will be located to the easterly boundary between the 3rd Line and the existing bush and shall consist of a maximum of twenty-one (21) residential units. The residential units shall consist of single detached homes with a minimum of 8 metre separations between dwellings. The second residential area shall consist of that portion of the property immediately south of the existing clubhouse. A maximum of twenty (20) units shall be permitted in this area. The residential units shall consist of single detached homes. All residential units to be developed on the property shall proceed by plan(s) of condominium only. The subject property is identified as a site plan control area.

2. Proposed Redevelopment

The proposed redevelopment provides for 118 single detached residences through a plan of condominium on the SE Site. The details of the proposal are set out in the draft OPA and ZBA which are attached to the GSP Planning Justification Report (2022).

The main difference between the proposed redevelopment and the existing approved development is that the proposed redevelopment contemplates a higher number of residences than originally planned, in conjunction with the retention of the existing 18-hole golf course on the north side of Wellington County Road 19, rather than a 9-hole golf course on the subject property.

Adjacent Livestock Operations

SAI completed a reconnaissance survey of the local area, defined as 1.5 km surrounding the SE Site. Several agricultural operations were identified with this study area. However, given the proximity of non-farm land uses to these agricultural operations, only the farm located at Part of Lot 9, Concession 3, is determined to be of particular relevance to the proposed redevelopment. This agricultural operation is a dairy farm with substantial agricultural infrastructure related to the dairy operation.

The proponents of the proposed development toured the dairy farm in question with the owner and noted that the dairy herd is approximately 80 cattle.

Background information was reviewed, and it was determined that the barns are located approximately 210 m from the subject property and the manure storage is located approximately 280 m from the subject property.

The following paragraphs provide an overview of the relevant MDS Guidelines that relate to the proposed redevelopment and the application of MDS I setbacks.

3. Minimum Distance Separation (MDS) Guidelines

Publication 853 (2016) sets out the guidelines for MDS in land use planning in the Province of Ontario ("Province"). The MDS only addresses odour-related concerns and MDS only applies to Agricultural and Rural Lands.

There are two different formulae that have been developed by the Province: the MDS I formula and the MDS II formula. MDS I formula calculates the minimum distance separation requirements between existing livestock facilities and proposed new non-agricultural uses or lot creation. The MDS II formula calculates the minimum distance separation from existing or approved non-farm development. In this application, only MDS I guidelines are pertinent and therefore considered.

Software developed by the Ontario Ministry of Agriculture, Food and Rural Affairs ("OMAFRA") is used to calculate the MDS I guidelines for the livestock facilities. The provincial guidelines set out matters to assist planners with the interpretation of the MDS guidelines. The following guidelines are relevant to the proposed redevelopment:

#10. MDS 1 Setbacks for Zoning By-Law and Official Plan Amendments

A MDS I setback is required for all proposed amendments to rezone or redesignate land to permit development in prime agricultural areas and rural lands presently zoned or designated for agricultural use. This shall include amendments to allow site-specific exceptions which add non-agricultural uses or residential uses to the list of agricultural uses already permitted on a lot, but shall exclude applications to rezone a lot for a residence surplus to a farming operation (e.g., to a rural residential zone) in accordance with Implementation Guideline #9 above.

Amendments to rezone or redesignate land already zoned or designated for a non-agricultural use, shall only need to meet the MDS I setbacks if the amendment(s) will permit a more sensitive land use than existed before. *In other words, if the proposal is to change an existing Type A land use (e.g., industrial use outside of a settlement area) to a Type B land use (e.g., commercial) in accordance with Implementation Guidelines #33 and #34, then an MDS I setback shall be required. (Bolding/Underlining for emphasis by the writer)*

#29. Factor E: Encroaching Land Use Factor (Table 4)

Factor E is determined by selecting the encroaching land use factor in Table 4 (Type A Land Use or Type B Land Use) that best matches the descriptions in Implementation Guidelines #33 and #34. Factor E is based on the relative sensitivity of an encroaching land use as it relates to odour from an existing livestock facility. The more sensitive the land use (based on an anticipated higher density of human occupancy, habitation or activity), the greater the value (1.1 or 2.2) of the encroaching land use factor and the further the resulting MDS I setbacks, all other things being equal.

#33. Type A Land Uses (Less Sensitive)

MDS I: For the purposes of MDS I, proposed Type A land uses are characterized by a lower density of human occupancy, habitation or activity including, but not limited to:

- *industrial uses outside a settlement area;*
- *open space uses;*
- *building permit applications on existing lots outside a settlement area for dwellings, unless otherwise specified in a municipality's zoning by-law in accordance with Implementation Guideline #7;*
- *the creation of lots for agricultural uses, in accordance with Implementation Guideline #8; and*
- *the creation of one or more lots for development on land outside of a settlement area that would NOT result in four or more lots for development 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.*

#34. Type B Land Uses (More Sensitive)

For the purposes of MDS I, proposed Type B land uses are characterized by a higher density of human occupancy, habitation or activity including, but not limited to:

- *new or expanded settlement area boundaries;*
- *an official plan amendment to permit development, excluding industrial uses, on land outside a settlement area;*
- *a zoning by-law amendment to permit development, excluding industrial uses or dwellings, on land outside a settlement area; and*
- *the creation of one or more lots for development on land outside a settlement area, that results in 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.*

Because of the increased sensitivity of these uses, a new or expanding Type B land use will generate an MDS I setback that is twice the distance as the MDS I setback for a Type A land use. This is reflected in the value of Factor E which is 2.2 for Type B versus 1.1 for Type A.

Open space uses are specifically identified as a Type A use, but are defined as follows:

Open space uses: *Environmental areas and parks that have limited public visitation and usually do not require buildings or alter the natural topography, such as conservation areas and parks typically without buildings and infrastructure.*

By contrast, golf courses are specifically mentioned in the definition of “recreational uses”, which are identified as uses that generate frequent or regular public visitation, as follows:

Recreational uses: *Uses that generate frequent or regular public visitation and usually require buildings or infrastructure, such as campgrounds, golf courses, sports fields and trailer parks.*

Accordingly, it is our opinion that a golf course does not constitute an “open space use”, as defined in Publication 853. Further, given that golf courses are recognized as a recreational use that has a higher level of human activity, it is our opinion that a golf course (and certainly the playable portions of a golf course and tee blocks/greens) constitutes a Type B Land Use (More Sensitive) for the purposes of Publication 853.

4. MDS Analysis

Implementation Guideline #10 of Publication 853 provides direction with respect to the application of MDS I setbacks for the proposed redevelopment. Given that the existing and approved land uses (both recreational (golf course) and residential land uses) are considered Type B Land Uses for the calculation of both MDS I and MDS II separation distances, it is our opinion that further MDS I calculations are not required.

Amendments to rezone or redesignate land already zoned or designated for a non-agricultural use, shall only need to meet the MDS I setbacks if the amendment(s) will permit a more sensitive land use than existed before. In other words, if the proposal is to change an existing Type A land use (e.g., industrial use outside of a settlement area) to a Type B land use (e.g., commercial) in accordance with Implementation Guidelines #33 and #34, then an MDS I setback shall be required.

The proposal is a continuation of Type B land uses on the subject property.

5. Conclusions

SAI completed a MDS analysis with respect to the proposed redevelopment of the SE Site. This property is currently designated and zoned for a mixed Recreational/Residential development and there is an approved Draft Plan of Condominium in place since 1996 for the lands in question. The proposed redevelopment of the SE Site requires planning approvals, including Official Plan Amendment, Zoning By-law Amendment and a new Draft Plan of Subdivision and Draft Plan of Condominium to permit the proposed number of residential units, together with the associated golf course use located on the north side of Wellington County Road 19.

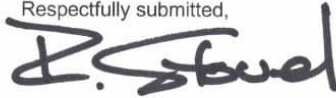
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Guideline 10 sets out a mechanism for consideration. Guideline 10 indicates that MDS I setbacks shall only need to be met if the amendment(s) will permit more sensitive land uses (i.e., Type B rather than Type A) than existed before.

Based on a review of this Guideline, SAI is of the opinion that MDS I setbacks do not need to be calculated for the proposed redevelopment of the subject property.

Should you have any questions, please do not hesitate to contact SAI.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "R. Stovel". The signature is stylized with a large, sweeping "S" and a distinct "R".

Robert P. Stovel, M.Sc., P. Ag., R.P.P.

ATTACHMENT 2:

Stovel and Associates Inc.

Planners, Agrologists and Environmental Consultants

February 24, 2023

Fergus Development Inc.
3190 Steeles Ave. E
Suite 300
Markham, ON
L3R 1G9

RE: MDS Analysis – Response to Colville Consulting Inc.

Colville Consulting Inc. ("Colville") completed a peer review of the MDS Analysis (SAI, Feb. 16, 2022). In the peer review letter report, Colville stated the following:

While we generally agree with this interpretation of the MDS Guidelines, prior to fully endorsing these conclusions, we are recommending that SAI rationalize why Section 9.2.2 of the Wellington County Official Plan is not applicable to the proposed redevelopment."

As explained in the SAI MDS Analysis report, the subject property was approved for residential and recreational development in 1996. The approvals included a site-specific OPA and ZBA (former Township of West Garafraxa) and a draft Plan of Condominium with associated conditions (approved by the Ministry of Municipal Affairs). SAI understands that there are no references to MDS in those approval documents.

The current application contemplates the proposed redevelopment of the site. Amendments to the Official Plan and Zoning By-law were submitted to the municipalities in support of the proposal. These new amendments are being reviewed under the current policies and regulations in place at the time of submission. The most recent guideline that addresses Minimum Distance Separation requirements is: The Minimum Distance Separation (MDS) Document, Publication 853, issued by the Ontario Ministry of Agriculture, Food and Rural Affairs (2016).

Publication 853 provides guidance on the application of MDS. Guideline 10 provides clarity to the applicability of MDS I setbacks for this type of application. Guideline 34 is also relevant in that development proposals for the creation of one or more lots for development outside a settlement area and Recreational uses like golf courses are both considered Type B Land Uses. For the purpose of calculating MDS I setbacks, both of these proposed uses are weighed the same in Factor E.

Given the direction provided in Guidelines 10 and 34, it is my opinion that the proposed redevelopment of the site, including residential uses, conforms to the requirements of

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Minimum Distance Separation Formula and subsequently, the proposed application conforms to Official Plan policy 9.2.2, with respect to consideration of MDS I setbacks.

It is important to note that Official Plan policy 9.2.2 refers to the MDS formula, which is defined as the formulae developed by the Province to separate uses so as to reduce incompatibility concerns about odour from livestock facilities", as opposed to a particular separation distance set out in the MDS Guideline. Therefore, the MDS Formulae is applied when read as a whole, including Guidelines 10 and 34.

Yours truly,

Robert Stovel

Robert P. Stovel, M.Sc., M.C.I.P., R.P.P., P. Ag.

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