

THE MUNICIPALITY OF KILLARNEY - TURTLE MOUNTAIN

UNDER THE PLANNING ACT

**CONDITIONAL USE ORDER NO. CU 11-17
TECHNICAL REVIEW NO. 12-034**

WHEREAS Kent Peters Farming Co. Ltd. , owner of property legally described as DESC SE-12-01-18-WPM, Roll #37700, and located in The Municipality of Killarney - Turtle Mountain, applied to the Council of The Municipality of Killarney-Turtle Mountain for approval of a conditional use order under The Municipality of Killarney-Turtle Mountain Zoning By-Law 2-2016, in order to allow the development of a 10,000 head – hog finisher operation consisting of 1,430 animal units within the 'AG' Agricultural General Zone, and after careful consideration of the application and any representations made for or against it,

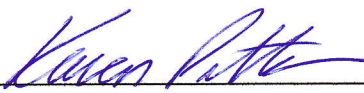
The Council of The Municipality of Killarney - Turtle Mountain in meeting duly assembled this the 16th day of May, A.D., 2018;

APPROVED the said application.

The conditional use order CU 11-17 was approved with conditions for the property legally described as DESC SE-12-01-18-WPM, Roll #37700.

Approval shall expire if not acted upon within 12 months of the date of making.

Minute Reference: Conditional Use Hearing May 9th, 2018
Conditional Use Hearing May 16th, 2018



Karen Patterson, CMMA
Chief Administrative Officer
Municipality of Killarney-Turtle Mountain

Killarney - Turtle Mountain

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16 May, 2018

RESOLUTION

Resolution # 2018 0151

Moved by: Joan Kemp

Seconded by: Connie Blixhavn

WHEREAS the Planning Act requires a conditional use application for livestock operations involving 300 or more animal units; and WHEREAS KENT PETERS FARMING CO. LTD (herein, the "Owner") owns the property legally described as the SE ¼ 12-1-18 WPM (herein, the "Property") and WHEREAS HyLife Ltd (herein, the "Applicant") has submitted a conditional use application to establish a 10,000 head-hog finisher operation consisting of 1430 animal units on the Property; and WHEREAS the application underwent a technical review by the Province of Manitoba in accordance with Part 7, Division 2 of the Planning Act; and

WHEREAS the Technical Review Committee Report No. 12-034 contains the following conclusion with respect to this matter: "The information contained in the Site Assessment submitted by the proponent generally meets Provincial requirements. In addition, based on available information it has been determined that the proposed operation will not create a risk to health, safety or the environment, or that any risk can be minimized through the use of appropriate practices, measures and safeguards"; and WHEREAS the Municipality held a public hearing on May 7th, 2018 to receive representations of the Applicant and any other person; and


THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Killarney – Turtle Mountain approves conditional use application **CU 11-17**, subject to the following conditions:

1. The Owner/Applicant must comply with all federal, provincial and municipal regulations and by-laws regarding this development.
2. The Owner/Applicant must install a manure storage cover by May 7th, 2023, and maintain the cover in place and in good condition. The installation of the manure storage cover is subject to Council's consideration of the need for the cover and may be waived based on objective criteria concerning the odour nuisance. If the need for a cover is not waived, the Owner/Applicant must obtain Council's approval for the plan providing for the type and standards for the cover.
3. The Owner/Applicant must install and maintain in place and in good condition a treed shelterbelt in accordance with the plan to be approved by the Municipality. The shelterbelt specifications and design requirements shall be included in the development agreement.
4. The Owner/Applicant must contribute toward the Municipality's increased operation and maintenance costs concerning the municipal roads identified on Schedule A to this Order. The annual contribution is \$12,000.00, with an annual increase based on the increase in the Consumer Price Index (Manitoba).
5. The Owner/Applicant must contribute towards dust control work concerning the municipal roads identified on Schedule A to this Order as per outlined in the development agreement.
6. The Owner/Applicant must enter into a development agreement under the Planning Act with the Municipality to deal with the affected property and any contiguous land owned or leased by the Owner/Applicant.
7. The Owner/Applicant to provide to the Municipality annually by June 1st information on the product and method being used in the manure storage facility to control odour.
8. The Owner/Applicant and the Municipality shall meet up to twice or a least once a year. The purpose of the meeting shall be, in good faith, to address and resolve issues arising from the livestock operation approved under this Order.
9. The intensive livestock operation shall involve and produce no more than 1430 animal units.

RECORDED VOTE:

Name	In Favour	Opposed
Mayor Rick Pauls		x
Councillor Mike Bellew	x	
Councillor Connie Blixhavn	x	
Councillor Randy Hodge		x
Councillor Joan Kemp	x	
Councillor Ron Opperman	x	
Councillor Janice Smith	x	

Carried



Mayor
Killarney - Turtle Mountain