



RURAL MUNICIPALITY OF RITCHOT
UNDER THE PLANNING ACT
CONDITIONAL USE APPROVAL
C14-2018

WHEREAS owner Paul Leopky of Red Plain Farms Ltd., of property located at 3127 Krahn Rd, legal description SE13-7-3 EPM, has made application to expand the current Grower/Finisher hog operation from 250 animals (358AU) to 5000 animals (715 AU) in the AG Agricultural General Zone;

AND WHEREAS a Livestock Operation over 300 Animal Units is a conditional use in the "AG" Agricultural General Zone of the Rural Municipality of Ritchot Zoning By Law 18-2002;

AND WHEREAS Council has considered the application and any representation for or against the conditional use application;

THEREFORE, LET IT BE RESOLVED that Conditional Use Application No. C14-2018 is APPROVED, subject to the following conditions:

1. Applicant ensures that manure application meets the setback requirements outlined in the Provincial Livestock Manure and Mortalities Management Regulation (MR 49/98) and the new Nutrient Management Regulation (MR 62/2008).
2. Applicant obtains a Provincial Waterway Authorization for any Development crossing along a Provincial Waterway. Including the use of temporary manure hose.
3. Applicant obtain a designated flood area permit from the Manitoba Infrastructure for any new permanent structures, and must provide with a permanent flood protection to the 1:200 year flood protection.
4. Applicant acquires a Water Rights Use License by submitting an application to Construct a Well and Divert Groundwater, as per "The Waters Rights Act".
5. Applicant submit an annual Manure Management Plans (MMP), as prescribed under the Livestock, Manure and Mortalities Management Regulation (LMMMR). to the Environmental Approvals Branch of Sustainable Developments for approval.
6. Applicant addresses odour mitigation by planting 3 rows of trees - 2 rows of fast-growing trees, and 1 row of slower growing trees, at 12 feet distance from each other, around the perimeter of the subject property, at the property lines.
7. Applicant seals any unused water wells on the site or spread fields.
8. Applicant obtains a development permit to construct a structure to contain the livestock operation and manure storage facility, designed by an engineer practicing in that field, which structure is in compliance with the Livestock Manure and Mortalities Management Regulation.
9. Applicant ensures compliance with the standards established in the Manitoba Farm Practice Guidelines.
10. Applicant shall obtain a permit from Manitoba Water Stewardship for the flood level elevations prior to construction.
11. Applicant shall promptly remove any mud, manure or other extraneous material which might be deposited on municipal rights-of-way due to the operation's manure management. If the municipality must clean municipal ROW's due to applicant's operation, municipality will invoice applicant for cost of cleaning.
12. Any barn in excess of 6,458 square feet will require a building permit from the Office of the Fire Commissioners.
13. Applicant to adhere to any other conditions and recommendations set out in the Provincial report TRC 12-050.
14. Applicant shall provide a signed confirmation letter accepting the terms of this order. There may be site audits conducted to ensure compliance, and any non-compliance issues may be cause to revoke the Conditional Use at any time.

Minute reference: **Res. No. 2018 0030**

Mayor, Chris Ewen

per Chief Administrative Officer, Mitch Duval

Note: Council may revoke the authorized Conditional Use (permit) for any violation of any of its conditions.

- The Conditional Use approval expires if it is not acted on within 12 months, unless renewed before the expiry date by Council for a period up to 12 months.

**Municipality of Ritchot
Regular Council Meeting
January 23, 2019**

Conditional Use C14-2018, Red Plain Farms application to allow an existing hog Livestock Operation expansion from 357 AU to 720 AU SE 13-7-3EPM, located +/- 2miles south of Niverville, north of PR305.

Resolution Number: 20190030

DULY MOVED & SECONDED

WHEREAS owner Paul Leoppky of Red Plain Farms Ltd., of property located at 3127 Krahn Rd, legal description SE13-7-3 EPM, has made application to expand the current Grower/Finisher hog operation from 2500 animals (358AU) to 5000 animals (715 AU) in the AG Agricultural General Zone;

AND WHEREAS a Livestock Operation over 300 Animal Units is a conditional use in the "AG" Agricultural General Zone of the Rural Municipality of Ritchot Zoning By Law 18-2002;

AND WHEREAS Council has considered the application and any representation for or against the conditional use application;

THEREFORE, LET IT BE RESOLVED that Conditional Use Application No. C14-2018 is APPROVED, subject to the following conditions:

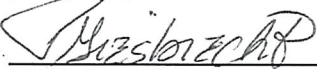
1. Applicant ensures that manure application meets the setback requirements outlined in the Provincial Livestock Manure and Mortalities Management Regulation (MR 49/98) and the new Nutrient Management Regulation (MR 62/2008).
2. Applicant obtains a Provincial Waterway Authorization for any Development crossing along a Provincial Waterway. Including the use of temporary manure hose.
3. Applicant obtain a designated flood area permit from the Manitoba Infrastructure for any new permanent structures, and must provide with a permanent flood protection to the 1:200 year flood protection.
4. Applicant acquires a Water Rights Use License by submitting an application to Construct a Well and Divert Groundwater, as per "The Waters Rights Act".
5. Applicant submit an annual Manure Management Plans (MMP), as prescribed under the Livestock, Manure and Mortalities Management Regulation (LMMMR). to the Environmental Approvals Branch of Sustainable Developments for approval.
6. Applicant addresses odour mitigation by planting 3 rows of trees - 2 rows of fast-growing trees, and 1 row of slower growing trees, at 12 feet distance from each other, around the perimeter of the subject property, at the property lines.
7. Applicant seals any unused water wells on the site or spread fields.
8. Applicant obtains a development permit to construct a structure to contain the livestock operation and manure storage facility, designed by an engineer practicing in that field, which structure is in compliance with the Livestock Manure and Mortalities Management Regulation.
9. Applicant ensures compliance with the standards established in the Manitoba Farm Practice Guidelines.
10. Applicant shall obtain a permit from Manitoba Water Stewardship for the flood level elevations prior to construction.
11. Applicant shall promptly remove any mud, manure or other extraneous material which might be deposited on municipal rights-of-way due to the operation's manure management. If the municipality must clean municipal ROW's due to applicant's operation, municipality will invoice applicant for cost of cleaning.
12. Any barn in excess of 6,458 square feet will require a building permit from the Office of the Fire Commissioners.
13. Applicant to adhere to any other conditions and recommendations set out in the Provincial report TRC 12-050.
14. Applicant shall provide a signed confirmation letter accepting the terms of this order. There may be site audits conducted to ensure compliance, and any non-compliance issues may be cause to revoke the Conditional Use at any time.

For: Mayor C. Ewen, Councillors S. Pelletier, R. Mamchuk, C. Claydon, J. Boulanger

Against: None

Carried

Certified a true and correct copy of Resolution passed by Council assembled in St. Adolphe, Manitoba.



per: Mitch Duval
Chief Administrative Officer

COPY