

RESOLUTION

Resolution # 2022 0285

WHEREAS the Planning Act requires a conditional use application for livestock operations involving 300 or more animal units; and  
WHEREAS **Barry Reimer** (herein, the "Owner") owns the property legally described as the **SE 33-03-16 W Crown Royal Site** (herein, the "Property") and  
WHEREAS HyLife Ltd (herein, the "Applicant") has submitted a condition use application to establish a 18,000 head- weanlings nursery operation consisting of 594 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. **TRC-12-091** 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 June 6th, 2022 to receive representations of the Applicant and any other person; and  
WHEREAS the Council of the Municipality of Killarney – Turtle Mountain believes that the proposed operation:

- Will be compatible with the general nature of the surrounding area
- Will not be detrimental to the health or general welfare of people living or working in the surrounding area, or negatively affect other properties or potential development in the surrounding area
- And is generally consistent with the applicable provisions of the development plan by-law, the zoning by-law, and any secondary plan by-law;

THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Killarney – Turtle Mountain approves conditional use application **CU 01-22**, subject to the following conditions:

1. Approval of this application shall expire if not acted upon within twelve months, as per section 110(1) of the Planning Act.
2. The Owner/Applicant must comply with all federal and provincial regulations regarding this type of development, including municipal zoning provisions.
3. The Owner/Applicant must install a synthetic manure storage cover before any animal occupancy occurs. The cover must be maintained and in place at all times.
4. The Owner/Applicant must construct and maintain a shelterbelt as described in the Development Agreement.
5. The Owner/Applicant must enter into a Development Agreement, as per Section 116(2) & 107(1)(c) of the Planning Act, with the Municipality to deal with the affected property and any contiguous land owned or leased by the owner/applicant, on one or more of the following matters:
  1. The timing of construction of any proposed building.
  2. The control of traffic,
  3. The construction or maintenance – at the owner's expense or partly at the owner's expense – of roads, traffic control devices, fencing, landscaping, shelter belts or site drainage works required to service the livestock operation'
  4. Contribution by the Owner/Applicant toward the Municipality's costs of operating and maintaining municipal roads.
  5. Contribution by the Owner/Applicant toward the Municipality's dust control works costs.
6. The Owner/Applicant agrees to take immediate action to mitigate any concerns/complaints received by the Municipality of Killarney – Turtle Mountain.
7. The Owner/Applicant agrees to use the newest best acceptable farm practices.