



# Rural Municipality of Woodlands

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Woodlands, Manitoba  
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Douglas Oliver – Reeve

Karen Rothwell, CMMA  
Chief Administrative Officer

January 16, 2023

Boonstra Farms  
Box 17 Group 40 RR1  
Marquette, MB  
R0H 0V0

**RE: Conditional Use Application C22-04  
Variance Application V22-09  
E-42714  
72041 Road 6W  
R.M. of Woodlands**

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Enclosed please find a copy of Council's resolution approving the above-referenced conditional use and variance applications. Please note that the conditional use application was conditionally approved, and that **it is your responsibility to comply with the conditions detailed in the attached resolution.**

You must obtain a development permit for the construction of the manure storage from the RM of Woodlands and you must obtain a development permit from the RM of Woodlands for the construction of any new buildings. We will require blueprints/drawings for either project prior to issuing a permit.

You are required to enter into a development agreement with the RM of Woodlands. I will draft up an agreement and send it off to you for review.

Please advise if further information is required.

Regards,

Chad Green  
Building Inspector, R.M. of Woodlands  
Ph. 204-383-5679  
Email: [building@rmwoodlands.ca](mailto:building@rmwoodlands.ca)

## RM of Woodlands

P.O. Box 10 Woodlands, MB , Manitoba, R0C 3H0  
Tel: (204) 383-5679  
<https://rmwoodlands.ca/>

10 January, 2023

### RESOLUTION

**Resolution # 2023/004**

**Moved by:** Carl Fleury

**Seconded by:** Darryl Langrell

WHEREAS the Planning Act requires a conditional use application for livestock operations involving 300 or more animal units; and

WHEREAS Boonstra Farms Ltd. (herein, "the Owner") is the owner of the parcel legally described as Lot E Plan 42714 WLTO and located at 72041 Road 6W (herein, the "Property"); and

WHEREAS the Owner has applied to allow an expansion of the existing livestock (dairy) operation from 1200 animal units (600 dairy cows) (as approved under C09-02) to 4000 animal units (2000 dairy cows); 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-12-095 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 RM of Woodlands Zoning By-law 2648/14 states the required minimum separation distance between the Earthen Manure Storage Area and a single residence is approximately 2625 ft. The minimum separation distance required between an Animal Housing Facility/Confined Livestock Area/Non-Earthen Manure Storage and a single residence for a 3201-6400 AU operation is 1312 ft; and

WHEREAS there are 4 residences that will be within the required setbacks of the proposed earthen manure storage facility and animal housing facilities, so a variance will be required; and

WHEREAS the Municipality held a public hearing on January 3, 2023, to receive representations of the applicant and any other person; and

WHEREAS the Council of the Rural Municipality of Woodlands 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 Rural Municipality of Woodlands approves conditional use C22-04, subject to the following conditions:

1. This approval shall expire if not acted upon within 12 months, as per section 101(1) of *the Planning Act*.
2. The Owner must comply with all federal and provincial regulations regarding this type of development, including municipal zoning provisions.
3. A Development permit must be obtained for the expansion of the manure storage and for the development of the barns.
4. The Applicant enter into a Development agreement with the Municipality.
5. A variance be required for the required setbacks of the proposed earthen manure storage facility and animal housing facilities to the residences within that setback; and

FURTHER BE IT RESOLVED THAT the applicant may appeal council's decision to reject the application or appeal a condition imposed by council related to its approval as per section 118.2 of the Planning Act:

- As per Section 118.2(2)(b), an applicant may appeal the following decisions of a board or council to the Municipal Board:
  - For an application for approval of a conditional use made in respect of a large-scale livestock operation;
    - A decision to reject the application,
    - A decision to impose conditions.

7 For

Carried

I, Karen Rothwell, Interim Chief Administrative Officer of the Rural Municipality of Woodlands, certify this to be a true and correct copy of Resolution No. 2023/004 passed by the Council of the Rural Municipality of Woodlands on January 10, 2023.



Interim Chief Administrative Officer

10 January, 2023

## RESOLUTION

**Resolution # 2023/005**

**Moved by:** Valerie Steleck

**Seconded by:** Lorna Broadfoot

WHEREAS Boonstra Farms Ltd. (herein, "the Owner") is the owner of the parcel legally described as Lot E Plan 42714 WLTO and located at 72041 Road 6W (herein, the "Property"); and

WHEREAS the Property is zoned "RA" Rural Area in the R.M. of Woodlands Zoning By-law 2648/14; and

WHEREAS the Owner has received conditional use approval to increase the animal units to 4,000 animal units; and

WHEREAS a livestock operation that has between 3,201 to 6,400 animal units requires a minimum setback for an earthen manure storage facility to a residence, not including the residence of the owner/operator, to be 2,625 feet; and

WHEREAS a livestock operation that has between 3,201 to 6,400 animal units requires a minimum setback for an animal housing facility to a residence, not including the residence of the owner/operator, to be 1,312 feet; and

WHEREAS the Owner has submitted an application to vary the minimum setback for an earthen manure storage facility to a residence from the required 2,625 feet to 1,790 feet and to vary the minimum setback for an animal housing facility to a residence from the required 1,312 feet to 1,270 feet; and

WHEREAS the Municipality held a public hearing on January 3, 2023 to receive representations of the applicant and any other person;

THEREFORE BE IT RESOLVED THAT the Council of the Rural Municipality of Woodlands approves variation order V22-09, subject to the following conditions:

1. this approval shall expire if not acted upon within 12 months, as per section 101(1) of the *Planning Act*.

7 For

**Carried**

I, Karen Rothwell, Interim Chief Administrative Officer of the Rural Municipality of Woodlands, certify this to be a true and correct copy of Resolution No. 2023/005 passed by the Council of the Rural Municipality of Woodlands on January 10, 2023.



Interim Chief Administrative Officer