

TECHNICAL REVIEW COMMITTEE

A TECHNICAL REVIEW REPORT PREPARED FOR THE

Municipality of North Norfolk

ROCKING U FEEDERS LTD.

NE 1/4 17-10-10 W1

TRC 12-118

December 11, 2025

A. INTRODUCTION – THE TEAM

The Technical Review Committee (TRC) is supported by the following department personnel:

Agriculture (AGR)

- Agri-Resource Engineer
- Business Development Specialists
- Veterinarians
- Agri-Ecosystem Specialists

Natural Resources and Indigenous Futures (NRIF)

- Crown Lands Manager
- Fish Habitat Specialist
- Habitat Mitigation Biologist

Environment and Climate Change (ECC)

- Environmental Engineer
- Environment Officer
- Water Rights Licensing Technologist
- Land-Water Specialist
- Groundwater Specialist

Manitoba Transportation and Infrastructure (MTI)

- Senior Development Review Technologist
- Senior Flood Protection Planning Officer

Municipal and Northern Relations (MNR)

- Community Planners

And any other specialist or department that may have an interest or is consulted during the TRC process.

THE TECHNICAL REVIEW COMMITTEE (TRC) REPORT

Purpose of TRC Reports

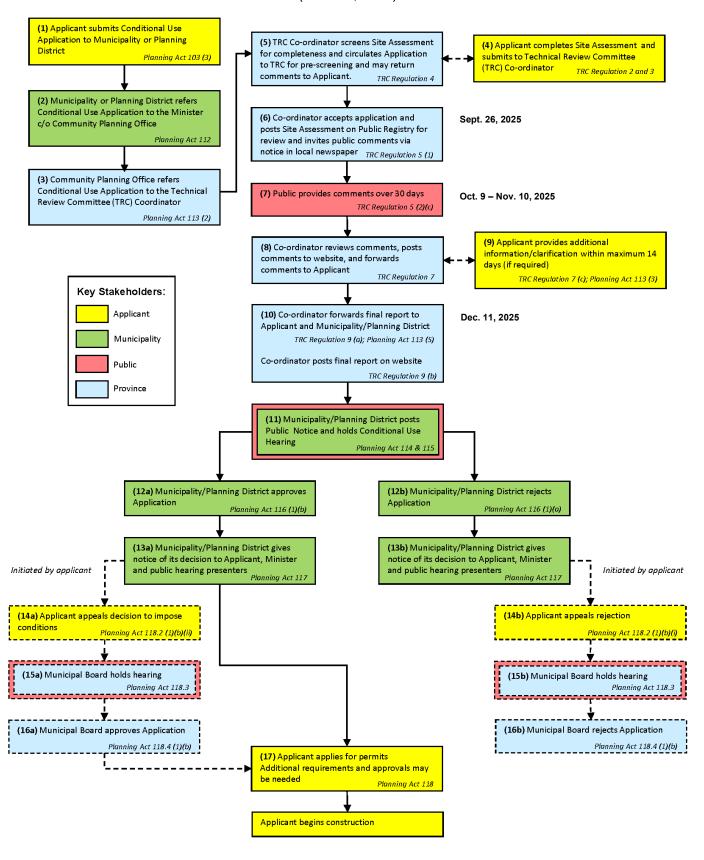
To provide objective, credible, technically-based assessments that:

- a) Enable municipal councils or planning district boards to make informed decisions regarding Conditional Use applications;
- b) Create common stakeholder understanding regarding livestock proposals, their potential impacts, and related regulatory requirements and safeguards;
- c) Provide a vehicle/forum that enables the sharing of public concerns and proponent responses;
- d) Offer recommendations to both councils/boards and proponents; and
- e) Represent the fulfillment of the TRC's role, as per 116(1)(b)(i) of The Planning Act to determine, based on available information, 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.

Should a municipal council or planning district board provide conditional approval of a proposal, the project proponent may be required to obtain various permits and licenses from the Province to address in greater detail environmental aspects of the proposal. As of November 1, 2019, a proponent may appeal a council/board's rejection of their application or appeal a condition imposed on the approval of a council/board to the Municipal Board.

Livestock Technical Review Process

(June 19, 2024)



B. DESCRIPTION OF PROPOSED LIVESTOCK OPERATION

Further information may be found at https://www.gov.mb.ca/mr/livestock/public registries.html

Applicant: Rocking U Feeders Ltd.

Site Location: NE ½ 17-10-10 W1 (Refer to map below)

Proposal: The proponent seeks to expand an existing beef operation. The proposal involves increasing the number of backgrounders from 9,800 to 14,700 animals, representing 4,900 to 7,350 animal units.

This will involve the following:

- · use of existing feedlots and buildings;
- Use of field manure storage;
- Estimated daily water use of 147,000 imperial gallons from an existing well;
- · Composting of mortalities; and
- Truck haul routes as shown in map below.



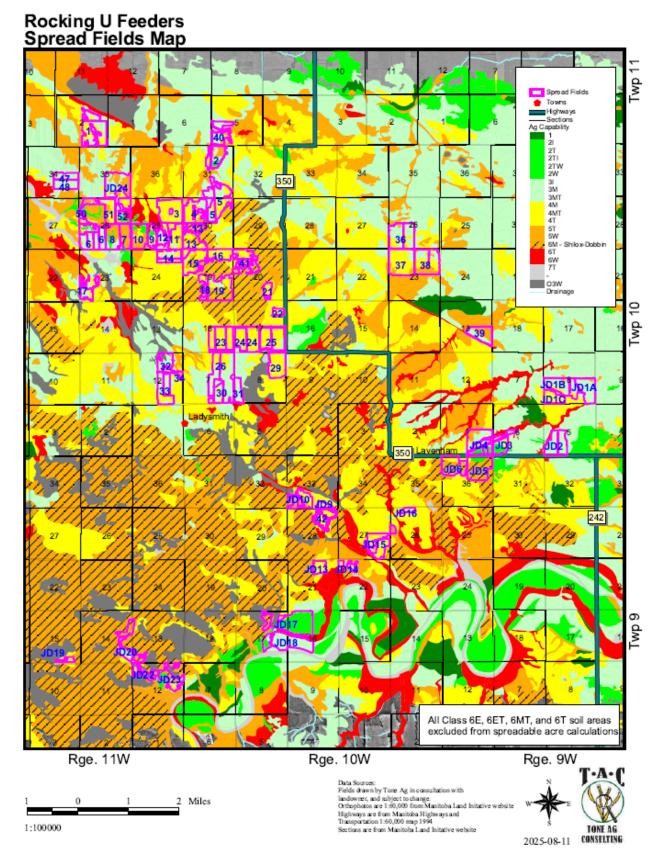
Location Map



Project Site Map



Truck Haul Routes Map



Spread Field Map

C. SITE ASSESSMENT OVERVIEW

Related Section in the Site Assessment		Related Provincial Requirements and Safeguards	Dept.	
	Description of Operation and Nature of Project	The Planning Act requires that that an application to approve a conditional use for a livestock operation involving 300 or more animal units must be referred to the Livestock Technical Review Committee (TRC) for review.		
		The Nor-Mac Planning District Development Plan By-law 3-2010, Section 3.3.3, Livestock Policies, and The RM of North Norfolk Zoning By-law No. 785-2011, Policy 12.6, requires the referral of the application to the TRC for review.		
1		Rocking U Feeders Ltd.'s application is to expand the existing beef operation (backgrounders) from 4,900 animal units to 7,350 animal units. As such, it has been referred to the TRC for review.	MNR	
		The Technical Review Committee Regulation 119/2011 requires an applicant to submit a completed site assessment.		
		The TRC has received and accepted for review a complete site assessment from Rocking U Feeders Ltd., including all information necessary to review the application.		
2	Type and Size of Operation	Rocking U Feeders Ltd. is seeking Conditional Use approval to expand their beef operation from 9,800 backgrounders (4,900 animal units) to 14,700 backgrounders (7,350 animal units).		
3	Animal Confinement Facilities	Feedlot beef operation (backgrounders) – 1,955,085 square feet.	MNR	
4	Confined Livestock Areas	The applicant will use an existing confined livestock area (CLA). Under the Livestock Manure and Mortalities Management Regulation, the applicant must: • Ensure the CLA does not pollute surface water, a surface watercourse, groundwater, or soil. • Remove manure at least once per year and store or land-apply.		
5	Project Sites Unsuitable for Development	The proposal does not include modification to or construction of confined livestock areas or manure storages. The proponent has communicated that in Table 4-1, the "Feedlot" line should state "Use existing as is".		
6	Water Source: Well Water Requirements of 147,000 imperial gallons per day	Use Licensing Section; however, they will need to submit an application to amend the existing licence in order to increase water use allocation due to the additional animals.		

Related Section in the Site Assessment		Related Provincial Requirements and Safeguards	Dept.
	Development Plan	The Planning Act requires that development plans include a livestock operation policy that guides zoning by-laws dealing with livestock operations.	
		The Planning Act requires that municipalities issue a development permit before any development takes place on a site. All development must comply with the Zoning By-law and Development Plan. Any proposed development that does not comply with required separation distances or setbacks must obtain Council approval following public hearing to vary those requirements.	
7		Designation The site of the proposed livestock operation, located in the NE ½ 17-10-10 W1 in the Municipality of North Norfolk, is designated Rural/Agriculture Policy Area (Nor-Mac Planning District Development Plan By-law 3-2010). The proposal complies with Development Policies contained in Section 3.3.3 (Livestock Policies).	MNR
		Note: The Nor-Mac Planning District Development Plan By-law 3-2010 was approved on April 16, 2012, that allows existing operations to expand beyond 300 animal units within the Rural/Agriculture Policy Area as a Conditional Use.	
	Zoning By-Law	Zoning	
		The site of the proposed operation is zoned "R/A" Rural/Agricultural Zone (RM of North Norfolk Zoning By-law No. 785-2011) with a minimum site area requirement of 80 acres and a minimum site width requirement of 100 feet.	
8		The proposed operation complies with the Zoning By-law site requirements of the "R/A" Zone.	
		There is a signed agreement with Rossendale Holding Co. in place to put the feedlot pens right against the property line on the south side of the feedlot.	
		Note: The RM of North Norfolk Zoning By-law No. 785-2011 was approved on May 3, 2012, to allow existing operations to expand beyond 300 animal units within the "R/A" Zone as a Conditional Use.	
9	Separation Distances	According to the RM of North Norfolk Zoning By-law No. 785-2011, the required minimum separation distance between the feedlot and the nearest single residence is 4,430 feet. A variance order is required to decrease this distance to from 4,430 feet to 1,960 feet.	MNR
		The feedlot meets the minimum separation distance of 11,811 feet to the nearest designated area (actual distance is 17,915 feet).	

Related Section in the Site Assessment		Related Provincial Requirements and Safeguards	
10	Wells	The proposal indicates that water for the proposed livestock operation will be sourced from an existing well at NE ½ 17-10-10 W1. The provincial water well database contains information for a well associated with the proposed operation. The proponent has indicated that they are not aware of any abandoned wells on the project site or manure spread fields. However, if any abandoned wells are encountered during operations, they must be properly sealed in accordance with <i>The Groundwater and Water Well Act</i> and its associated regulations, and a Sealed Well Report must be filed with Manitoba Environment and Climate Change, Groundwater Management Section. For guidance on well sealing and submission of reports, contact Manitoba Environment and Climate Change at (204) 945-6959 or consult: https://www.gov.mb.ca/water/groundwater/wells_groundwater/index.html . A licensed well drilling professional should carry out well sealing for all but the most basic wells. A list of currently licensed well drilling professionals is available at the link above. As a reminder, under the Livestock Manure and Mortalities Management Regulation, a minimum setback of 20 metres must be maintained from any well, spring, or sinkhole during manure spreading, or 15 metres where a permanent vegetative buffer is in place.	
11	Water Control Works	No water control works are being proposed.	
12	Manure Type and Storage: Solid/Field Storage	The applicant will store solid manure as field storage. Under the Livestock Manure and Mortalities Management Regulation, the applicant must: • Locate the manure at least 100 m from any surface watercourse, sinkhole, spring, or well. • Ensure the manure does not pollute surface water, groundwater, or soil. • Land-apply the stored manure the following year.	
13	Mortalities disposal methods identified: Composting		
14	Setback Distances from Manure, Livestock, and Mortalities to Water and Operation Boundaries	distances. However, under the Livestock Manure and Mortalities Management Regulation (M.R. 42/98), confined livestock areas that were constructed prior to	

Related Section in the Site Assessment		Related Provincial Requirements and Safeguards	
15	Building in Designated Flood Areas	Project is <u>not</u> in a Designated Flood Area. One spread field (JD1A) is adjacent to Rossendale Drain, which is designated Provincial Water Infrastructure. A Provincial Water Infrastructure permit from MTI – Hydrologic Forecasting and Water Management branch is required under <i>The Water Resources Administration Act</i> for any activity occurring on or near Provincial Water Infrastructure.	
16	Odour control measures (project site)	Rocking U Feeders Ltd. has indicated that there are existing shelterbelts. Should odour become a problem for neighbouring residents, there is a complaints process under <i>The Farm Practices Protection Act</i> . A person who is disturbed by any odour, noise, dust, smoke or other disturbance resulting from an agricultural operation may make a complaint, in writing, to the Manitoba Farm Industry Board <i>The Farm Practices Act</i> is intended to provide for a quicker, less expensive and more effective way than lawsuits to resolve nuisance complaints about farm practices. It may create an understanding of the nature and circumstances of an agricultural operation, as well as bring about changes to the mutual benefit of all concerned, without the confrontation and the expense of the courts.	
		There are no odour control practices identified. There is an existing shelterbelt.	MNR
	Land Available for Manure Application		
17		The spread fields are located within the Municipality of North Norfolk. The land for manure application is designated Rural/Agriculture Policy Area and complies with Section 3.3.3 Livestock policies of the Nor-Mac Planning District Development Plan By-law 3-2010.	MNR
		The spread fields located in the Municipality of Norfolk Treherne and the RM of Victoria are designated Rural Policy Area and comply with Policy 3.5 Livestock Operation Policies of the South Central Planning District Development Plan Bylaw 35-2019.	WINK
18	Setbacks for Manure Application	ure Under the Livestock Manure and Mortalities Management Regulation, manure spreading must meet setback distances to all surface watercourse and groundwater features.	
	Manure Transportation and Application	Please be advised that any structures placed within the controlled area of a Provincial Trunk Highway (PTH) or Provincial Road (PR) (125 ft from the edge of the right-of way) requires a permit from our office. For permit information, please email accessmgmt@gov.mb.ca or call 204-583-2433. Permit information can also be found at https://forms.gov.mb.ca/highway-permits-application/index.html .	
19		The placement of temporary drag lines or any other temporary machinery/ equipment for manure application within the right-of-way of any PTH or PR requires permission from Manitoba Transportation and Infrastructure's Steinbach Office. Please contact Brian Hickman, Regional Planning Technologist, at (204) 726-6822 or Brian.Hickman@gov.mb.ca . Please also notify the Regional Planning Technologist for the placement of temporary draglines or other temporary equipment for manure application within the controlled area of a PTH or PR (125 ft from the edge of the right-of-way).	МТІ

Related Section in the Site Assessment		Related Provincial Requirements and Safeguards		
		Under the Livestock Manure and Mortalities Management Regulation, the applicant must: Operate with an annual manure management plan which includes: Manure type, volume, and nutrient values; Spread field location and soil class; Soil tests showing nitrogen and phosphorus levels; Crops to be grown; Manure application rate. Ensure manure does not pollute groundwater, soil or escape the operation's boundaries. Follow requirements for the land application of manure, including nitrogen limits and phosphorus thresholds.	ECC	
20	Manure Application on Lands Subject to Frequent Flooding or Inundation	The applicant has indicated that no spread fields are located within the Red River Valley Special Management Area or any other regularly inundated area.	ECC	
	Projected Truck Haul Routes and Access Points	The proposed truck haul route utilizes an existing Government Road Allowance connecting onto PR 350. We don't anticipate a significant increase in use and have no concerns.		
21		The proposed site is accessed by municipal road 57 Road N and PR 350. As per Section 116(2) of <i>The Planning Act</i> , municipalities, as a condition of approval, may require proponent to enter into a development agreement regarding the condition and upkeep of local roads used as truck haul routes.	MNR	
Conservation Data Centre Report		Provincial Requirements Known rare species will not be impacted on new site/lands Related Provincial Safeguards The information provided in the assessment suggest that there will not be any conflicts with species protected under The Endangered Species and Ecosystems Act and/or The Species at Risk Act, or designated as rare or uncommon by the Manitoba Conservation Data Centre (MBCDC). This review is based on existing data known to the MBCDC of the Wildlife Branch at the time of the review. These data are dependent on the research and observations of our scientists and reflects our current state of knowledge. An absence of data does not confirm the absence of any rare or endangered species. Many areas of the province have never been thoroughly surveyed, however, and the absence of data in any particular geographic area does not necessarily mean that species or ecological communities of concern are not present. The information should, therefore, not be regarded as a final statement on the occurrence of any species of concern. All future observations of rare or endangered species made by the proponent should be reported to the MBCDC for further review.	NRIF	

Provincial Departments: Agriculture (AGR); Environment and Climate Change (ECC); Transportation and Infrastructure (MTI); Municipal and Northern Relations (MNR); Natural Resources and Indigenous Futures (NRIF)

D. PUBLIC COMMENTS AND DISPOSITIONS

Public Comment Summary			
Cam Cleaver	Concerns Concerns Regarding: The impact on the community's potable water. The impact on nearby roads. The potential for increased odour.		
Sharon and Rodger Leckie	Support Expressed that the operation is well operated and that they are in favour of the expansion.		

A full copy of the public comments as well as the proponent's response may be viewed on the public registry at: https://www.gov.mb.ca/mr/livestock/public registries.html

See Appendix B for the proponent's response to the public comments.

E. CONCLUSIONS AND RECOMMENDATIONS

Conclusion

The information contained in the Site Assessment submitted by the proponent generally meets provincial requirements. 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.

Recommended Actions to Council

- 1. As per Section 114(2) of *The Planning Act*, at least 14 days before the date of the hearing, Council must:
 - a) send notice of the hearing to
 - i. the applicant,
 - ii. the Minister (c/o the Portage Community Planning Office),
 - iii. all adjacent planning districts and municipalities, and
 - iv. every owner of property located within three kilometres of the site of the proposed livestock operation, even if the property is located outside the boundaries of the planning district or municipality; and
 - b) publish the notice of hearing in one issue of a newspaper with a general circulation in the planning district or municipality or, when there is no newspaper with a general circulation in the area, post the notice in the office of the planning district or municipality and at least two other public places in the district or municipality; and
 - c) post a copy of the notice of hearing on the affected property in accordance with the Posting Requirements outlined in Section 170 of *The Planning Act*.
- 2. Council should specify the type(s) of operation, legal land location, number of animals in each livestock category, total animal units, and expiration date (as per Section 110(1) of *The Planning Act*) in its Conditional Use Order.
- 3. As per Section 117 of *The Planning Act*, Council must send a copy of its Conditional Use Order to
 - a) the applicant,
 - b) the Minister (c/o the Portage Community Planning Office), and
 - c) every person who made representation at the hearing.
- 4. According to the RM of North Norfolk Zoning By-law No. 785-2011, the required minimum separation distance between the feedlot and the nearest single residence is 4,430 feet. A variance order is required to decrease this distance to from 4,430 feet to 1,960 feet.
- 5. As per Section 169(4)(b) of *The Planning Act*, a copy of the notice of hearing to vary the separation distance involving a livestock operation must be sent to every owner of property located within the separation distance that is proposed to be varied.
- 6. As per Section 174(1) of *The Planning Act*, Council can hold all required hearings together in a single combined hearing. It is recommended that during the course of this public hearing, Council first deal with the conditional use order followed by the variance order.
- 7. As per Section 174(2) of *The Planning Act* the notice of hearing for each matter to be considered at a combined hearing may be combined into a single notice of hearing.
- 8. After holding the public hearing, Council may approve the application if the operation:
 - a) Will be compatible with the surrounding area,

- b) 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
- c) Is generally consistent with the applicable provisions of the development plan by-law and zoning by-law.
- 9. Council is requested to include in their resolution and/or Conditional Use Order notification that, as per Section 118.2(1) of *The Planning Act*, an applicant may appeal the following decisions of a board or council to the Municipal Board:
 - b) for an application for approval of a conditional use made in respect of a large-scale livestock operation,
 - i. a decision to reject the application,
 - ii. a decision to impose conditions.
- 10. As per Section 118, no development or expansion of a livestock operation that is the subject of an application under Part 7, Division 2 of *The Planning Act* may take place until:
 - a) the application is approved, and the applicant complies, or agrees to comply, with any condition imposed on the approval under this Division; and
 - b) the applicant obtains every approval, including any permit or licence, required under an Act, regulation or by-law in respect of the proposed operation or expansion, and complies with, or agrees to comply with, any condition attached to the approval.
- 11. Council is welcome to contact Manitoba Environment and Climate Change, Environmental Approvals Branch, or Regional Environmental Compliance and Enforcement staff with respect to the Livestock Manure and Mortalities Management Regulation (M.R. 42/98), including compliance and enforcement issues.

Recommended Actions to Proponent

- That a variance be applied for prior to the Conditional Use hearing to decrease the minimum separation distance between the feedlot and the nearest single residency. This will provide council with the option of holding a combined Conditional Use and Variance Hearing.
- 2. That the proponent request the municipality hold a combined hearing.
- 3. That any additional measures identified through subsequent provincial licencing or permitting in order to minimize any identified risks to health, safety and the environment be undertaken.
- 4. That as per Section 118.2(2)(b), an applicant may appeal the following decisions of a board or council to the Municipal Board respecting an application for approval of a conditional use:
 - i. a decision to reject the application,
 - ii. a decision to impose conditions.

F. TECHNICAL REVIEW COMMITTEE MEMBERS

Name	Department	Title Branch	Contact
Holly Ervick- Knote	Municipal and Northern Relations	Senior Planner Community Planning Services Branch	204-945-1312 holly.ervick- knote@gov.mb.ca
Petra Loro	Agriculture	Livestock Environment Specialist Sustainable Agriculture Branch	204-918-0325 petra.loro@gov.mb.ca
Julie Froese	Environment and Climate Change	Environmental Livestock Coordinator Environmental Approvals Branch	204-945-7104 julie.froese@gov.mb.ca
Karin Newman	Natural Resources and Indigenous Futures	Habitat Mitigation Specialist Wildlife Branch	karin.newman@gov.mb.ca
Jeff DiNella	Transportation and Infrastructure	Senior Development Review Technologist Highway Planning and Design Branch	204-430-7176

Appendix A

(Font pt.11)

Manitoba Natural Resources and Indigenous Futures – Lands and Planning Branch

The Lands and Planning Branch has reviewed the Rocking U Feeders Ltd. - TRC Pre-screening Request and the review of the information provided suggests there is no impact to Crown land administered under The Crown Lands Act. This review is based on information known to the Lands and Planning Branch as documented in the Crown Lands Registry System.

Manitoba Natural Resources and Indigenous Futures – Fisheries Branch

The Fisheries Branch has no concerns about the proposed expansion from a fish and fish habitat perspective. Please ensure that wastewater processing remains compliant with provincial regulations.

Manitoba Agriculture – Sustainable Agriculture Branch

In areas of lower livestock intensity, such as the RMs of Norfolk-Treherne, North Norfolk and Victoria, it is currently the Province of Manitoba's policy to require sufficient suitable land for all of the nitrogen and half of the phosphorus generated by the livestock. This policy assumes that more land is available in areas of lower livestock intensity to balance manure phosphorus with crop phosphorus removal, should it be necessary in the future.

Typical, modern feeding practices for beef were used to estimate nutrient excretion by 2 cycles of backgrounders at Rocking U Feeders Ltd. Ten-year Manitoba Agricultural Services Corporation (MASC) crop yield averages in the RMs of Norfolk-Treherne, North Norfolk and Victoria were used to estimate crop nitrogen uptake and phosphorus removal rates for the crop rotation specified in the proposal. Manitoba Agriculture adjusted the long-term average yield for sunflowers (from 187 cwt/acre to 18.7 cwt/acre based on the long-term average MASC yield of 1870 lbs/acre) and recalculated the land requirement.

Land suitability is determined using soil testing for phosphorus and soil survey to establish the agriculture capability. Soils must be below 60 ppm Olsen P to be considered suitable. Detailed soil survey is available in the area to determine the agriculture capability of the land. The soil survey indicates the land contains agriculture capability Classes 2 to 6. The limitations in the area are lack of moisture (M), wetness (W), slope (T) and erosion (E). Classes 1 to 5 are considered suitable for manure application.

Some of the manure application fields have areas that are mapped as Class 6. Manure application is prohibited on Class 6 soils because they are considered unsuitable for dryland annual crop production. However, aerial photos indicate that some of these soils are under annual crop production. Manitoba Agriculture staff conducted a site visit on July 31, 2025 to establish whether or not the Class 6 soils were under annual crop production and to assess their productivity. It was confirmed that fields mapped with areas of Class 6 were under annual crop production and were highly productive. This indicates that they are not Class 6. Manure application should not be prohibited on these soils.

The estimated land requirement for Rocking U Feeders Ltd is 4227 acres for the phosphorus or 6105 acres for the nitrogen, whichever is higher. Rocking U Feeders Ltd has satisfied the land requirement by demonstrating that they have access to 6084 suitable acres (which is well within the margin of error for our calculations).

Appendix B

Thank you for taking the time to share your concerns regarding our proposed expansion. We appreciate the opportunity to respond and want to address each of the issues you raised as clearly and respectfully as possible.

Water Protection:

Your potable well water is extremely important, and we take groundwater protection very seriously. As part of our regular farm management, we test all our water once a year, and our meat-house well is tested four times a year as required under our meat-cutting permit. Our expansion plan follows all provincial requirements for manure storage, field application setbacks, and construction standards designed to prevent leaching. We are committed to continuing these practices to ensure neighbouring wells remain protected.

Road Use on PR 350:

We understand your concerns about road conditions. We have made several efforts to help maintain PR 350, including formally requesting repairs and, with provincial permission, hauling the sides off the road at our own expense to improve drivability. We have also requested additional gravel each year but have been rejected to date. We remain committed to working with the Rural Municipality and Manitoba Transportation and Infrastructure to find solutions that help reduce the impact of farm-related traffic on the road.

Odour Concerns:

We recognize that odour can affect quality of life for nearby residents. In our opinion, the expansion will not make odour issues worse. We already follow best practices for manure handling and application, including spreading compost around other houses to help reduce odours in the area. As part of the expansion, we will continue to implement practices that minimize off-site impacts as much as possible.

We value being part of this community and are committed to operating responsibly, transparently, and with respect for our neighbours.

Sincerely,

Justin Unrau