



July 16, 2019

4653018 Manitoba Ltd.
(HyLife Merlot Nursery)
Box 1312
Souris, MB
R0K 2C0

Re: Conditional Use Order # 2019 –07
As per Council Resolution # 2019-136
Municipality of Boissevain-Morton Council Meeting July 4, 2019

Please be advised that your application for Conditional Use Order # 2019-07 has been approved by Council at their meeting on July 4, 2019, subject to the following conditions

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

AND WHEREAS 4653018 MANITOBA LTD (HyLife Ltd.) (herein, the “Owner”) owns the property legally described as the S ½ SE 34-04-20 WPM (herein, the “Property”);

AND WHEREAS 4653018 Manitoba Ltd. (HyLife Ltd.) (herein, the “Applicant”) has submitted a conditional use application to allow a 24, 000 head (792 AUs) hog nursery operation consisting of 4 barns and a single cell provincially approved engineered earthen manure storage facility with a 400 – 500 day storage capacity;

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. 12-053 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

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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 July 2, 2019 to receive representations of the Applicant and any other person;

THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Boissevain-Morton approves conditional use application CU 2019-07, 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 December 31, 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 shelter belt in accordance with the plan to be approved by the Municipality. The shelter belt 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. The annual contribution is \$25,000.00, with an annual increase based on the increase in the Consumer Price Index (Manitoba). In the event that non-PR roads are utilized (as determined by the Municipality) – and road construction, road repairs, and/or gravel is required, the Owner/Applicant will be responsible for 80% of the total costs and the Municipality will be responsible for 20% of the total costs.

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5. The Owner/Applicant will be 100% responsible for the construction on the road allowance into the proposed site as per specific details outlined in the development agreement.
6. The Owner/Applicant must contribute toward the Municipality's dust control works concerning the municipal roads identified as outlined in the development agreement.
7. 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.
8. 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.
9. The Owner/Applicant and the Municipality shall meet up to twice or at 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.
10. The intensive livestock operation shall involve and produce no more than 792 animal units.

Municipal approval was granted on Thursday, July 4, 2019.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Poulin", written over a horizontal line.

Leo Poulin
CAO