

Rural Municipality of Franklin

Application For:

File No.
Tax Roll

C01-13-136800
136800

Variation Order
Conditional Use

Amendment To:

Basic Planning Statement
Development Plan

Zoning By-Law
Planning Scheme

Owner:

Nevin Bender

Applicant:

Nevin Bender

Legal Description of Property:

NE 14-2-4E

Location of Property:

22120 9W

Council Requires that the following, as indicated, be supplied:

(a) Certificate of Search

(b) Certificate of Title

(c) Authorization to Apply

(d) Survey Plan by M.L.S.

(e) Valid option to Purchase

(f) Other Data:

Technical Review

Applicable Documents

Basic Planning Statement

Development Plan

Zoning By-Law

Planning Scheme

Subject Provision

Proposed Changes:

(a) Varied to Allow:

(b) Conditional Use Requested:

Livestock operation between 200 - 600
animal units

(c) Amended to:

Reasons in Support:

I undertake to observe and perform all provisions of the Planning Act, the applicable Development Plan, Basic Planning Statement, Zoning By-Law or Planning Scheme, any development agreement entered into under Section 48 of the Planning Act and any conditions imposed under sections 57 or 59 of the Planning Act, and the provisions of other relevant laws or by-laws.

Signature of Owner:

Nevin Bender

Date: Oct 23 2013

Address of Owner:

Telephone: 204-427-3311

Signature of Applicant:

Date: 20

Address:

Telephone:

APPLICATION RECEIVED BY:

JA

DATE: Oct 23/13 2013

APPLICATION FEE:

\$100.00

RURAL MUNICIPALITY OF FRANKLIN #127
CERTIFIED RESOLUTION NO. 195-14

Date: July 29, 2014

Moved by: Greg Janzen

Seconded by: Peter Friesen

And Carried

Whereas Application C01-13-136800 has been made to Council for a Conditional Use for property on NE 14-2-4E in the R.M. of Franklin;

And Whereas the Application requests to allow for the development of a Livestock operation with between 200 and 600 animal units;

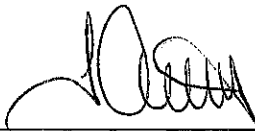
Be it Resolved that Council approve the application with the following conditions:

- 1) The proponent is required to submit an *Application for Permit to Construct, Modify, or Expand a Manure Storage Facility* to Manitoba Conservation and Water Stewardship for each Manure Storage Facility (MSF) to be constructed;
- 2) Construction of a MSF shall not commence until a permit is granted by the Director, and adequate notification is given to Manitoba Conservation and Water Stewardship;
- 3) The proponent shall ensure the MSF, alone or in combination with other MSFs located on the property of the agricultural operation, is/are of sufficient capacity to store all livestock manure produced and used by the agricultural operation;
- 4) Livestock manure shall be stored until such a time that it can be applied as fertilizer;
- 5) The proponent must submit a Manure Management Plan (MMP) annually to Manitoba Conservation and Water Stewardship in accordance with the *Livestock Manure and Mortalities Management Regulation (MR 42/98)*;
- 6) All unused and abandoned wells on the site and spread fields should be properly sealed and a sealed well report filed with the Groundwater Management Section of Conservation and Water Stewardship;

- 7) The proponent must ensure all setbacks requirements are observed in accordance with the *Livestock Manure and Mortalities Management Regulation* and *Nutrient Management Regulation* for livestock manure application;
- 8) In accordance with the *Livestock Manure and Mortalities Management Regulation*, the proponent must annually submit to Manitoba Conservation and Water Stewardship analytical results from samples of drinking water provided to their livestock;
- 9) The proponent should prepare a contingency plan in the event of a catastrophic event resulting in mass mortalities;
- 10) Manitoba Conservation and Water Stewardship requires that all deficiencies and issues regarding environmental performance identified by the professional engineer be addressed prior to populating the CLA with 300 AU or more.
- 11) All setback distances for wells of 100 meters be respected and no variances to this be allowed.
- 12) Proponent shall improve fencing to ensure livestock is contained within property.

I, Tammy Anstett, Assistant Chief Administrative Officer of the R.M. of Franklin, do hereby certify that this is a true and correct copy of Resolution No. 195-14, passed on the 29th day of July, 2014 by the Council of the R.M. of Franklin.

DATED this 30th day of July, 2014.



**Tammy Anstett
Assistant Chief Administrative Officer
Rural Municipality of Franklin**