

# NOTICE OF PUBLIC HEARING

## CONDITIONAL USE APPLICATION

R.M. of St. Andrews

Under authority of *The Planning Act*, the municipal Council will hold a public hearing at the time and location listed below to hear from those who wish to speak in support or objection, or to ask questions. For more info on how to register for the public hearing please contact the municipality at 204-738-2264.

**Tuesday**  
**November 12<sup>th</sup>, 2024**  
**5:30pm**

**Council Chambers**  
**500 Railway Ave.**  
**R.M. of St. Andrews**

*Note: property owners are responsible for notifying "tenants"*

### APPLICATION INFORMATION

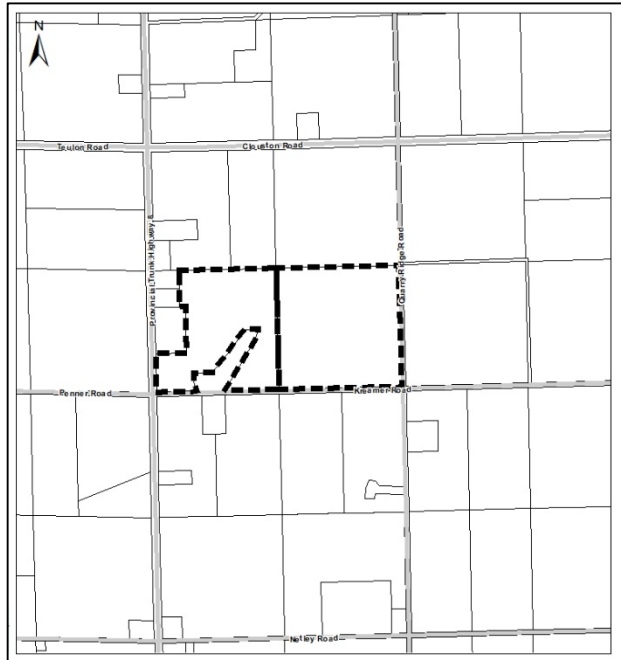
**Application File:** CU 26, 2024

**Applicant:** Burns Maendel Consulting

**Property Location:** Kraemer Road,  
R.M. of St. Andrews  
Roll #561900, 562305  
Pt. SE 19-16-4E, Lot 4/5  
& 8, Plan 19314

**Application Purpose:**

The applicant proposes to establish a farming colony, which would include a variety of uses.



Property Zone	Conditional Use Request	Proposed by Applicant
"A80" Agricultural General Zone	Any other agricultural use not listed (Table 10 – Agricultural Use Table)	Farming colony

A copy of the above-noted proposal and supporting material is available on the Red River Planning District website at <https://www.redriverplanning.com/hearings.php> or by contacting the Red River Planning District in person during normal business hours Monday to Friday at 2978 Birds Hill Road, East St. Paul, by phone at 204 669-8880, or by email at [info@rrpd.ca](mailto:info@rrpd.ca)

## CONDITIONAL USE APPLICATION REPORT

<b>Date</b>	October 17, 2024
<b>Application File</b>	<b>CU 26, 2024</b>
<b>Applicant</b>	Burns Maendel Consulting

### SUBJECT PROPERTY INFORMATION

<b>Property Location</b>	
- Street Address	Kraemer Rd., R.M. of St. Andrews
- Roll #	561900, 562305
- Legal	Pt. SE 19-16-4E, Lot 4/5 & 8, Plan 19314
<b>Zoning</b>	"A80" Agricultural General zone RM of St. Andrews Zoning By-law No. 4066
<b>Development Plan Designation</b>	"RA" Resource and Agriculture designation RRPD Development Plan By-law No. 272/19
<b>Secondary Plan Designation</b>	None
<b>Property Size</b>	160 acres in site area 201.6 feet in site width  <i>NOTE: Information is based on GIS data</i>

### APPLICATION DETAILS / PROPOSAL

Property Zone	Conditional Use Request	Proposed by Applicant
"A80" Agricultural General Zone	Any other agricultural use not listed (Table 10 – Agricultural Use Table)	Farming colony

#### Application Purpose

The applicant is proposing to establish a farming colony (Hutterite colony), which would consist of residences in connection with agricultural industrial operations. The proposals include an initial 28 housing units which would eventually expand to a maximum build-out of 43 units, communal buildings including a kitchen, cold storage, dining hall, church, school, gym, and greenhouses. There would also be an industrial area featuring shops, fuel storage, light manufacturing facilities, livestock processing facilities, and maintenance facilities. The proposed intensity of uses for this application is outlined in the letter of intent and site plan.

Please note that while the applicant is also proposing a livestock operation, it will come from a separate Conditional Use application.

### **OPTIONS FOR COUNCILS CONSIDERATION**

Under section 106(1) of *the Planning Act*, on completion of the public hearing, Council may:

- (a) reject the application; or
- (b) approve the application if the conditional use proposed in the application
  - (i) will be compatible with the general nature of the surrounding area,
  - (ii) 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,
  - (iii) is generally consistent with the applicable provisions of the development plan by-law, the zoning by-law and any secondary plan by-law.

### **RECOMMENDED CONDITIONS OF APPROVAL**

Should Council approve the requested uses, the following conditions are recommended:

1. This conditional use is limited to what has been presented in this application. Any further changes, replacement or additions would require a new conditional use approval.
2. Applicant / owner obtains all required permits from the Red River Planning District.
3. Applicant / owner to provide the Municipality with digital copies of provincially approved environmental act license, including lagoon design plan(s) and discharge route(s).
4. Private roads must be constructed to a minimum width of 4.2m to permit emergency vehicle access.
5. Applicant / owner to provide written confirmation from the Municipality that the Fire Department's concerns have been addressed. Please contact Chief Seth Johnson at (204) 389-2004 or [northall@rmofstandrews.com](mailto:northall@rmofstandrews.com).

**RRPD LOCATION MAP**




**SUPPORTIVE MAPPING**

Conditional Use Application CU 26, 2024


Kraemer Rd., RM of St. Andrews

Designation: "RA" Resource & Agriculture

Zoning: "A80" Agricultural General

 Subject Property

 Parcel Outline

 Roads



Please refer to applicant's Site Plan. Not To Scale. For Discussion Purposes Only.

**ADDITIONAL INFORMATION**  
(from applicant, municipality, government departments, etc.)



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Brandon, MB R7A 0L3  
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www.bmce.ca

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July 9, 2024

Red River Planning District  
2978 Birds Hill Rd.  
East St. Paul, MB R2E 1J5

**Reference:** Norwood Colony Farms Ltd.

**Subject:** Letter of Intent for New Colony at S ½ 19-16-4E

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We write this letter of intent on behalf of Norwood Colony Farms Ltd. (applicant) for the property located at SE 19-16-4E and part of SW 19-14-6E. (subject site). They are proposing to construct a community farm wherein a Hutterite colony will inhabit residences in connection with light industrial operations, agricultural operations, and livestock activities carried out on the subject site or nearby. The community farm will include communal features including facilities required for cooking, eating, living, sleeping, educating, and congregating.

This letter has been drafted for submittal with a Conditional Use Application with reference to the Manitoba Planning Act, the Red River Planning District (RRPD) Development Plan (By-Law No. 272/19), and the Rural Municipality (RM) of St. Andrews Zoning By-law (By-law No 4066).

We acknowledge that the livestock operation that is proposed with this development will require an additional Conditional Use Approval; therefore, this application is focused on approval for the residential and light industrial components of the development. However, for full disclosure on the project in its entirety, the following project summary includes information pertaining to the livestock operation as well.

**Project Summary**

The intent of the development is to construct a new colony site, including the associated residences, communal buildings, industrial buildings, agricultural facilities, and utilities. The residential, communal and industrial uses are proposed for the northern portion of SE 19-16-4E, bounded by new shelterbelt plantings. The proposed broiler barn and layer barn are planned for southeast of the main development, still in SE 19-16-4E. The north and east portions of the development are proposed to include extensive gardens separating the developments from the adjacent properties and treed right-of-ways (ROWs). The domestic lagoon is proposed for the adjacent quarter of SW 20-16-4E to accommodate substantial distances from neighbouring residences. Drawing C1.2 has been attached as a site plan demonstrating the complete development, which will occur in phases over the next twenty (25+) years as the community grows.

The immediate priority will be placed on establishing site grades and elevations to adhere to drainage requirements, then constructing roads and utilities for the site prior to building construction.

#### Development Details

The proposed development intends to establish the following residential and light industrial at SE 19-6-4E over the next twenty (25+) years:

- **Housing:** An initial 28 housing units, to a maximum future build-out of 43 units. The long-term intent of the development would accommodate a standard population of 120, a maximum occupancy of approximately 220 persons at full-build out, with no more than 250 persons residing on site long term.
- **Communal buildings,** including: kitchen, cold storage, dining hall, church, school, gym, and greenhouses.
- **Industrial area:** shops, fuel storage, light manufacturing facilities, livestock processing facilities, and the necessary utilities and maintenance buildings. A portion of the gravel pad surrounding the industrial area may encroach onto SW 19-16-4E to provide adequate turn radii to access the shops.
- **Roads and drainage features** to support these amenities.

The adjacent quarters will include minor construction to support the proposed development:

- A stormwater management area at NE 19-16-4E, if surface water retention is required.
- Gravel access roads through SW 19-16-4E and NW 19-16-4E to connect with the existing bin yard at NW 19-16-4E and for access to PTH No. 17 (Clouston Road).
- A domestic wastewater lagoon at SW 20-16-4E.

Provincial approvals for the industrial, agricultural and environmental aspects of the development will be obtained as required. These buildings and specific uses will be determined as the development is populated and begins to expand. For the purposes of this application, the site plan indicates where future buildings will be located to ensure all aspects of the community have been considered during preliminary planning. The following summarizes our main objectives:

- Shop facilities will include necessary trades for the operation of the community and agricultural operation.
- Shops may include facilities for carpentry, blacksmithing, plumbing, electrical, and machinery repairs.
- Livestock facilities for broiler and layer hens, which will be applied for as a separate conditional use application through the Technical Review Committee process.
- Modern colonies have been diversifying with light manufacturing industries. At this time, the industry of choice has not been officially determined for the new colony, however, the future industrial development will be supplementary to farming and the traditional communal lifestyle.
- Associated access roads, drainage features, and shelterbelts.

#### Subject Site Details

The subject site is located between the communities of Teulon (to the west), Dunnottar (to the northeast), and Netley (to the southeast). It is comprised of several parcels across the NW, SW, and SE quarters of 19-6-4E, with the focus of development in the southeast quarter as shown on Drawing C1.1 Master Site Plan, attached. The parcels have frontage along



PTH No. 17 (Clouston Road) to the north, PTH No. 8 to the west, and Kreamer Road to the south. There is a hog operation located in the adjacent quarter at NW 20-16-4E of which the colony is part owner and operator. This livestock operation already has the necessary licenses and permits for operation and predates the proposed colony development. As such, it is not being considered as part of this application.

19-6-4E is an ideal site for the new community and its supportive operations, due to its zoning designation, access to PTH 8 and PTH 17, and the nature of the surrounding area. The colony currently owns and operates approximately 6000 acres in the region, with 19-6-4E a potential "central hub" for the agricultural operation to continue from.

**Land Use Designation**

The site is zoned as A80 Agricultural General as per the RM of St. Andrews Consolidated Zoning Map, Zoning By-law 4066 (updated July 22, 2021). The Red River Planning District Development Plan (By-law No. 272/19, August 19, 2020), Map 2 shows the subject site is designated Resource and Agricultural (RA). The following table summarizes applicable criteria from Table 10 (Agricultural use Table) of the Zoning By-law:

Use	A80 Zone
General Farm Activities	Permitted
Animal Units less than 100	Permitted
Animal Units greater than 100	Conditional
Agricultural Commercial	Permitted
Agricultural Industrial	Conditional
Produce Sales (Limited)	Permitted
Single Family Dwelling	Permitted
Two Family Dwelling	Conditional

**Table 1: Agricultural Use Table 10**

All buildings shall maintain a minimum 15.24m front yard setback as per Table 11 of the zoning by-law.

**Access & Transportation**

The northwest quarter of 19-6-4E is located adjacent to two highways with control zone setbacks, put in place by the province. Per the Controlled Area Map (updated September 22, 2020) obtained from Manitoba Infrastructure, Highway Planning and Design, the following table shows the applicable control setbacks from the Provincial Trunk Highways (PTH):

Highway	Control
PTH 8	76.2m
PTH 17	38.1m
Intersection	304.8m Radius

**Table 2: Control Zone Setbacks**

As shown on Drawing C1.1, there are two gravel roads proposed for the development: the first is already partially developed as access from PTH 17 to the existing bin yard in NW 19-6-4E, and the second is proposed as a new access from Clouston Road into the community development in SE 19-6-4E. Two access roads have been proposed, as it is good practice for a development of this size to have

two means of unimpeded access for emergency vehicles. The colony will maintain both access roads to ensure that emergency vehicles have well-constructed, graded, and maintained access.

The two service roads will permit the colony and its associated traffic to divert trucks for their agricultural operation off the public highway and municipal roads at the earliest opportunity. The colony will encourage all commercial traffic and the majority of agricultural traffic associated with their industrial and agricultural operations to utilize the north access, allowing the south access to be primarily passenger traffic and the occasional piece of agricultural equipment through the south. The intent is that the internal road will provide additional safety, allowing equipment from the colony's fields to the south to traverse through the site rather than along Highway 8.

The proposed design aims to minimize disruptions to the surrounding properties with the location of these access roads. As such, the approaches are set back significantly from the highway intersections to avoid interferences, while also optimizing distances from the access roads to residences and nearby businesses.

#### **Flooding Considerations**

The subject site is located more than 7.0 kilometers west of Lake Winnipeg and is approximately 10.0m higher in elevation than the High-water Boundary (1997 Flood Level), as shown on the Development Constraint Map 13. Contour elevation data observed on Toporama (Atlas of Canada) shows the elevation near the High-water Boundary as 220m, while the contour elevation just east of the site is 230m. Based on this information, flooding from the east lakes is not a concern.

#### *The Planning Act Test*

Under Section 103(1) of The Planning Act, approval must be obtained prior to undertaking a conditional use. The decision of the Council to approve an application for a conditional use must be made in the context of Section 116(1) of the Planning Act, wherein the proposed operation:

116(1)(b)(ii)

(A) will be compatible with the general nature of 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, the zoning-by-law and any secondary plan by-law.

The following is an evaluation of this legal test as defined in the Planning Act.

#### **It will be compatible with the general nature of the surrounding area.**

The term "general nature of the surrounding area" is not defined in the Planning Act or other Manitoba regulations. However, as the region is zoned as AG80 and AR, the site has



already been evaluated by policy makers with due consideration for the character and nature of the lands in the surrounding area. Given this zoning, the ability to adhere to and exceed the necessary setbacks from other developments and land uses, and the nature of the proposed operation, the establishment of dwellings, farm buildings, and light manufacturing facilities are all compatible with the general nature of the surrounding area.

Colony developments are common to rural southern Manitoba, including this area northwest of Winnipeg. The closest colonies to this site are Netley Colony (5 km south) and Interlake Colony (10 km northwest). This type of mixed-use residential and industrial development is suited for A80 land, given the large parcel size and the adjacent land uses also being agricultural and resources based.

**It 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.**

Adjacent parcels to the north and east are owned by the applicant. The north site will remain agricultural land with the possibility of a small portion being utilized for the construction of a stormwater management area in the event that surface water retention is required. The east site will remain cultivated land with a portion of the property utilized for the construction of a domestic lagoon to serve the colony development.

As such, the plausible impact to people, properties, and potential development in the surrounding area are all minimal. Any impacts that may be considered detrimental can be suitably mitigated through the use of good design and compliant operation.

**It is generally consistent with the applicable provision of the development plan by-law and the zoning by-law.**

#### **Development Plan**

The development plan sets out the long-range goals and objectives for the district which helps to guide development in an environmentally and economically sustainable manner. Based on the land use designation of RA, the proposed development, with its agricultural and resource-related uses is consistent with the goals and objectives of the Development Plan.

As discussed in the Subject Site Details section, 19-6-4E is an ideal site for the new community and its supportive operations, due to its land use designation, access to PTH 8 and PTH 17, and the nature of the surrounding area. Requirements for transportation, groundwater protection, municipal site services, flood mitigation, mineral resources, heritage resources, and rare species have all been complied with or exceeded in the design of the development. Thus, the development is consistent with the applicable provisions of the Red River Planning District Development Plan (By-law No. 272/19, 2020).

#### **Zoning By-law**

The zoning by-law defines and prescribes development standards for buildings and structures within the municipality. The site is zoned A80 Agricultural General as per the RM of St Andrews Consolidated Zoning Map, Zoning By-law 4066 (updated July

23, 2021). All buildings and features will conform to the bulk and siting requirements for AG80-zoned lands.

#### Public Engagement

Rock Lake Colony, parent colony of Norwood Colony Farms Ltd., and Burns Maendel Consulting Engineers Ltd. hosted a public Open House at Netley Community Centre on May 15, 2024 for two hours. Invitations to this meeting were delivered to residences within one (1) mile of the project boundaries, that is, any residence within a one-mile radius of the property line for NW 19-16-4E, SW 19-16-4E, or SE 19-16-4E. The Red River Planning District and the Rural Municipality of St. Andrews were also provided with notice of the open house.

Thirty-three members of the community signed the attendance sheet, though it is anticipated that more may have been in attendance. Of these attendees, there were at least two RM councilors and the RM's economic development officer present.

Daniel Burns, P. Eng., presented an overview of the proposed development. This included outlining what the conditional use application process is, the history of the colony, the features of what is being proposed with the development, and the additional approvals and licenses that will be required to construct and operate the colony. The floor was then opened to community questions and comments.

This open house provided an opportunity for leaders from the colony to engage with future neighbors and establish open communication regarding the proposed project. Clarifications and suggestions raised during the open house were reviewed and some have been incorporated into the design presented in the attached drawing.

#### Additional Approvals

Should this conditional use permit be approved, a number of additional reviews, approvals and licenses will be required prior to the construction of certain aspects of the development:

##### **Permits**

Buildings permits, plumbing permits, and occupancy permits will be appropriately obtained from the RM, per the requirements outlined in section 4.2 of the Zoning By-Law.

##### **Livestock Approvals**

This intensive livestock operation application will be accompanied by the Site Assessment application and review process through the Province of Manitoba's Technical Review Committee (TRC). Following the TRC's review and recommendations of the application, should the RM grant conditional use, the necessary permits will be obtained prior to establishing the livestock operation. This will include building and plumbing permits for the barns, and a permit for the earthen manure storage facility under the Livestock Manure and Mortalities Management Regulation (LMMMR).

**Heritage Resource Impact**

The Heritage Resource Branch (HRB) has been contacted to identify if the project site is likely to contain heritage resources. Should the HRB identify the potential for artifacts, a Heritage Resource Impact Assessment (HRIA) will be performed by a certified archaeologist. A Heritage Resources Protection Plan (HRPP) will be included in the project planning and construction, in the event heritage resources are accidentally encountered.

**Environmental Approvals**

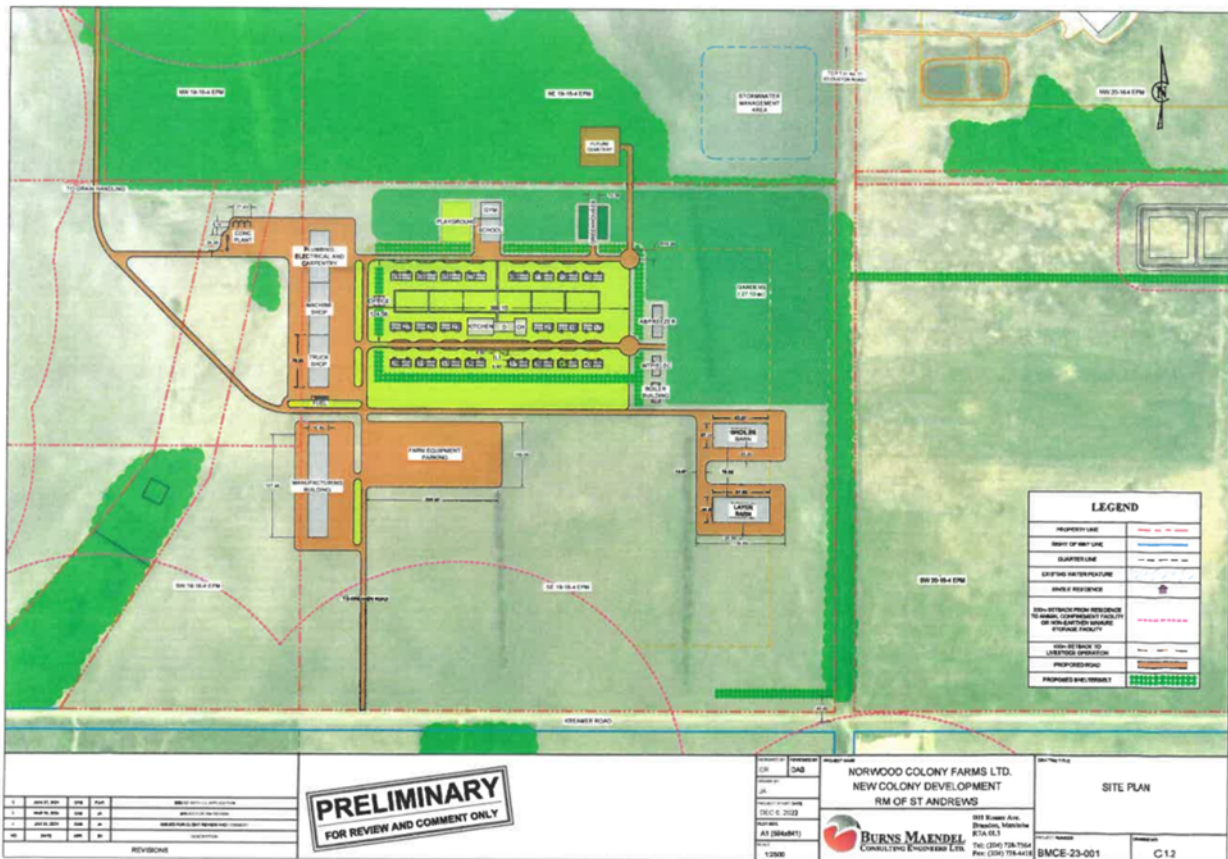
The domestic lagoon will be designed by a professional engineer licensed by Engineers Geoscientists Manitoba. Per the Environment Act, an Environmental Act Proposal will be prepared for the domestic lagoon in order to obtain a license to construct and operate the lagoon.

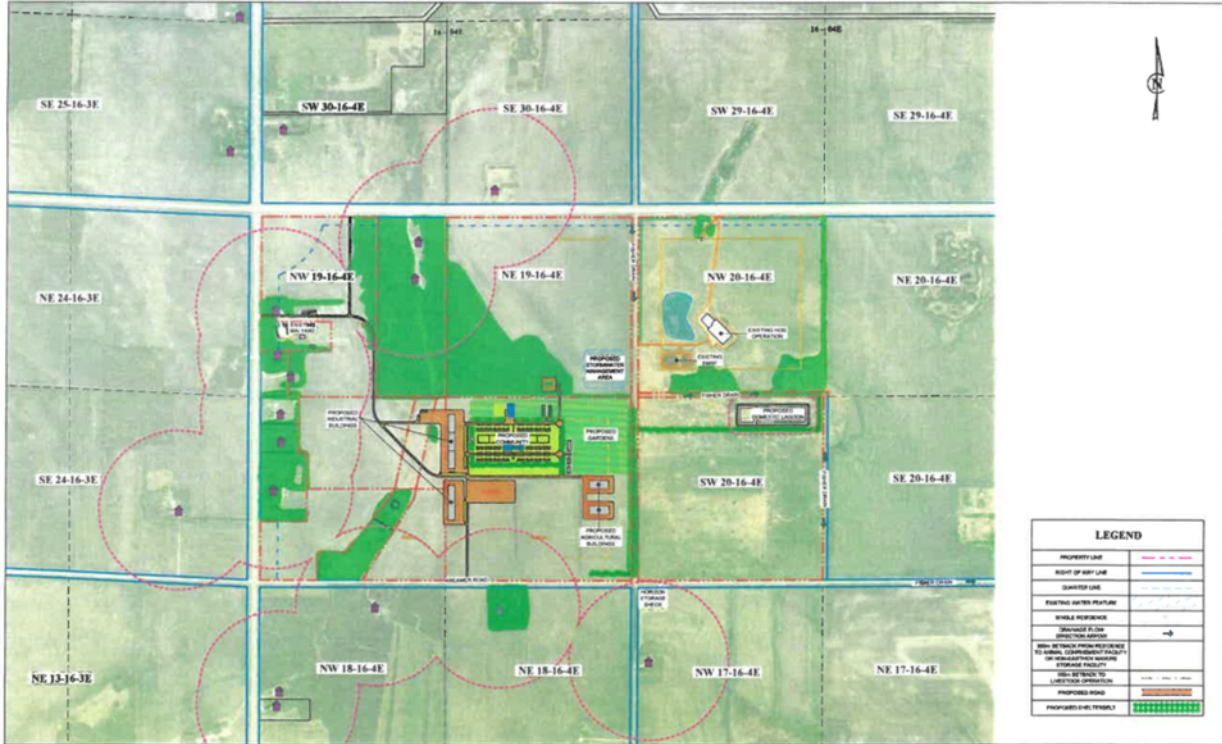
**Closing**

I trust that the above meets your requirements, however, should you require additional information please do not hesitate to contact the undersigned at 204-728-7364.

Yours truly,

BURNS MAENDEL CONSULTING ENGINEERS LTD.





LEGEND	
PROPERTY LINE	— — — — —
RIGHT OF WAY LINE	— — — — —
QUARTER LINE	— — — — —
PASTURE IMPROVEMENT	— — — — —
MOBILE HOME PARK	— — — — —
ROAD IMPROVEMENT	— — — — —
NEW OR EXISTING PAVEMENT	— — — — —
EXISTING PAVEMENT	— — — — —
EXISTING ASPHALT DRIVE	— — — — —
NEW OR EXISTING SIDEWALK	— — — — —
EXISTING SIDEWALK	— — — — —
EXISTING DRIVE	— — — — —
EXISTING UTILITY	— — — — —
PROPOSED UTILITY	— — — — —

NO.	DATE	BY	DESCRIPTION
1	10/12/2023	AM	PRELIMINARY
2	10/12/2023	AM	FOR REVIEW AND COMMENT ONLY

**PRELIMINARY**  
FOR REVIEW AND COMMENT ONLY

PROJECT NO.	2300
DATE	2023
SCALE	1:2000

NORWOOD COLONY FARMS LTD.  
NEW COLONY DEVELOPMENT  
RM OF ST ANDREWS

100 Burns Ave,  
Dundas, Ontario  
L7A 5L1  
Tel: (519) 724-7564  
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PROJECT NAME	BMCE-23-001
DATE	C1.1





# Rural Municipality of ST. ANDREWS

Box 130, 500 Railway Avenue  
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**COMMUNITIES WORKING TOGETHER**

July 25, 2024

Red River Planning District  
2978 Bird Hill Rd.  
East St. Paul, MB  
R2E 1J5  
Attn: Derek Eno, Manager of Planning Services

**Re: Conditional Use No. CU 26, 2024 – Kreamer Road (Roll No.'s 561900 & 562305)**

The RM of St. Andrews has reviewed the above noted Conditional Use application and has the following comments and conditions.

**Municipal Safety & Fire Hall:** The fire department has reviewed the proposed colony development and has some concerns. We require clarification if there is or will be, a planned water source and/or fire response, similar to the hydrant system established at the Netley Colony. Additionally, we require detailed information on any products, by-products, or services that the colony will or plans to produce, as these may pose potential hazards and affect our response measures.

**Public Works:** No concerns, our department is requesting digital copies of the final approved design drawings for the proposed lagoon and discharge route(s).

**Conditions:**

1. Conditional Use approval is limited to what is proposed within this application;
2. Applicant / Owner to provide the Municipality with digital copies of provincially approved environmental act license, including lagoon design plan(s) and discharge route(s);
3. Private roads must be constructed to a minimum width of 4.2m to permit emergency vehicle access;
4. Applicant / Owner to provide written confirmation from the Municipality that the Fire Department's concerns have been addressed. Please contact Chief Seth Johnson at (204) 389-2004 or [northhall@rmofstandrews.com](mailto:northhall@rmofstandrews.com).