

APPENDIX B - RM NOTICE OF CONDITIONAL USE HEARING –
SITE A – NW 34-3-5W1 AND CORRESPONDENCE



RURAL MUNICIPALITY OF STANLEY
UNDER THE PLANNING ACT
NOTICE OF HEARING OF APPLICATION
FOR A CONDITIONAL USE ORDER

The Council of the Rural Municipality of Stanley under the authority of *The Planning Act* will hold a HEARING at:
RM of Stanley Administration Office
Council Chambers
23111 PTH 14, SW $\frac{1}{4}$ 7-3-4W

THURSDAY, MAY 8, 2014
9:10 a.m.

at which time and place the Council will receive representations from the applicant and any persons who wish to make them in respect of the following application for a Conditional Use under the R.M. of Stanley Zoning By-Law No. 20-08, as amended.

File Number: CU2008-56

Applicant: Hespler Enterprises Ltd. & Kroeker Farms Ltd.
Owner: Hespler Enterprises Ltd.

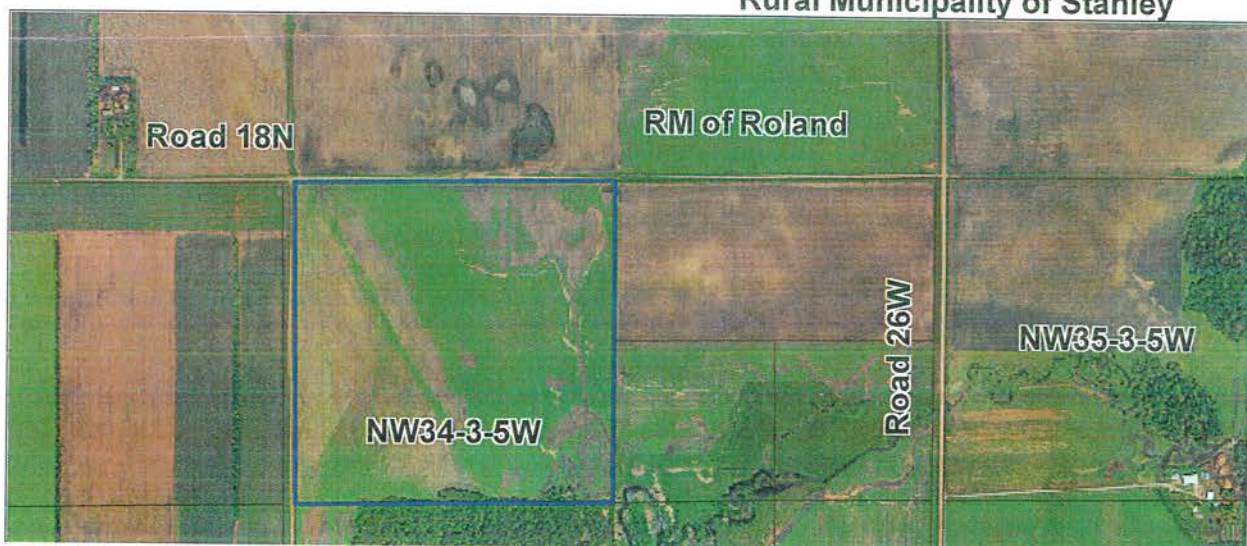
Subject: The purpose of this application is to permit the construction of an irrigation dugout (reservoir), storing 255 acre feet of water (325m x 325m) in the NE corner of the property in the AG zone.

Premises: NW 34-3-5W (as shown in blue below)

Certificate of Title: 2691782

Zoning: "AG" Agriculture General Zone


Dale Toews, CAO
Rural Municipality of Stanley



HESPLER ENTERPRISES/KROEKER FARMS - IRRIGATION PROJECT

1. PROJECT DETAILS

- Store up to 600 acre feet of water from spring runoff on Shannon Creek and Thornhill Coulee, at up to 3 reservoir sites; named **Sites A, B, and C**. Distribute water using underground pipeline systems from reservoirs to potato fields.
- Irrigate up to 3600 acres of land in 1:3 rotation; with a maximum 6 inches of water.
- Secure potato production against drought; and secure quality of potatoes.
- Meet conditions of Environment Act and Water Rights licenses; and Conditional Use Permit(s).
- Construct from 3 – 5 years.

2. SITE A RESERVOIR – NW 34-3-5W (HESPLER ENTERPRISES) (FIGURE 1 - 3)

- Development permit and access to creek pending from Water Stewardship. Application made.
- Environmental Act License pending submission (early May).
- Store up to 250 - 300 acre feet of water. Plan for summer, 2014 construction start. Feasibility report issued.
- Irrigate lands in vicinity (up to 7 miles) generally South, West and North of Site A.
- Utilizes available lacustrine clay to provide liner materials and keyway (Figure 2). Tile drainage intercepts seepage, downslope water movement and monitors safety.
- Site requires additional drilling to confirm depth to clay, and lack of under laying beach deposits (sands). (June, 2014) (Figure 3).
- Expected to be off the aquifer or overlain by thick clay and till.
- Off set from Creek so no impact on Creek flooding area. Local drainage will be rerouted. Off set from road will depend on location and depth to clay. Anticipated off set 40 m.
- Off set from properties in E 34-3-5 W is minimal (e.g. 5 – 10 m) do to need to optimize for location of clay materials.

3. SITE B AND C RESERVOIRS AND PIPELINES

- Sites B and C reservoirs under active consideration. One in RM of Roland, one in RM of Stanley.
- Feasibility reports pending on Sites B and C. Further pre-design work in June – July, 2014. Potential construction in 2015 or 2016.
- Up to 15 miles of pipelines in RM of Stanley, RM of Roland and RM of Thompson servicing 26 fields.
- Examining 3 phase power supply.

Figure 1 - Provisional Site Plan Pending Approvals - Site A NW 34-3-5W1

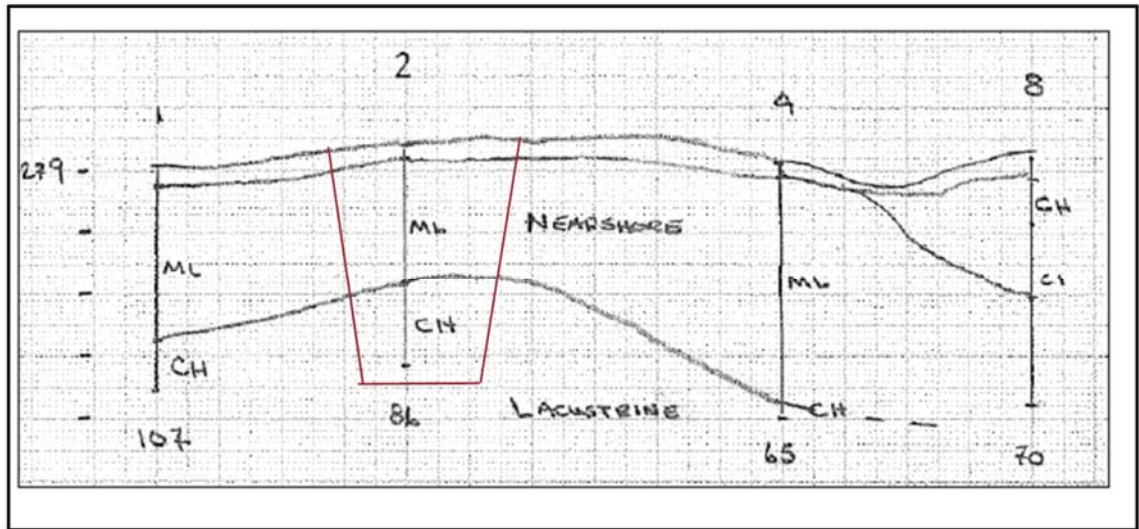
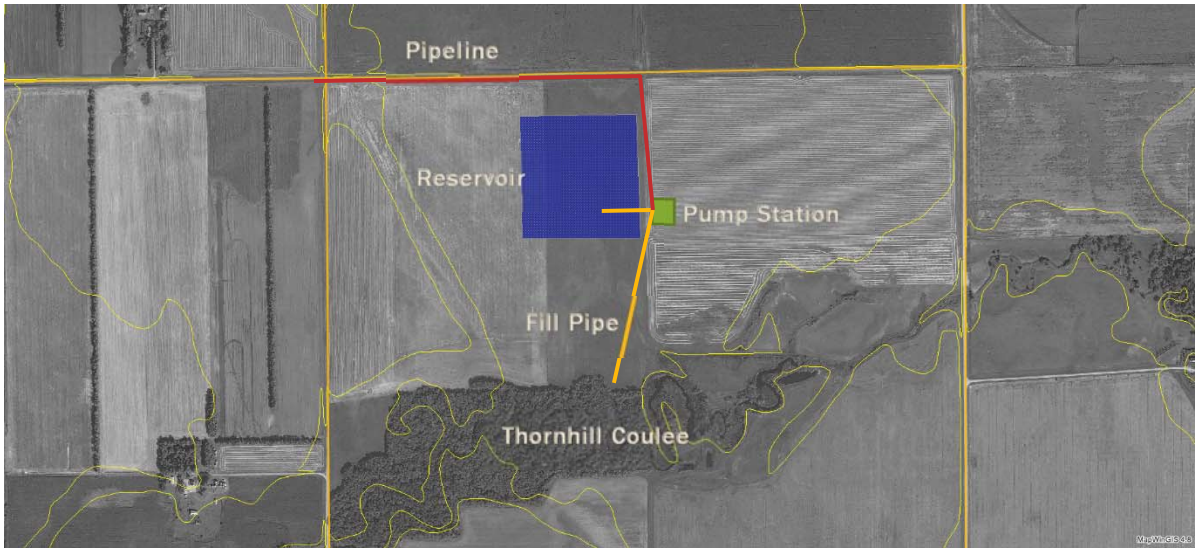


Figure 2 - Geologic Cross Section of Reservoir Site N-S (ML- Silt; CH - Clay)

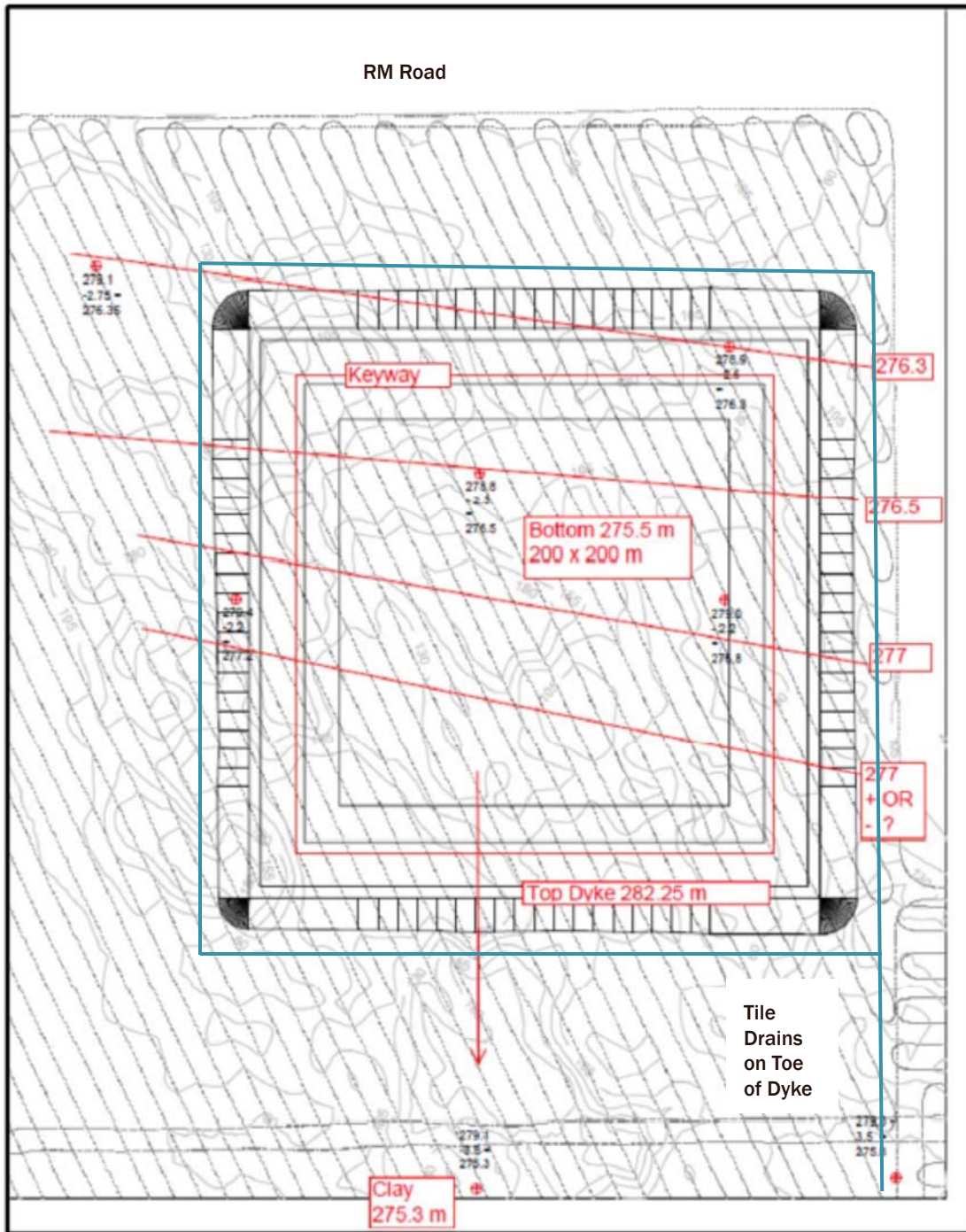



Figure 3 - Preliminary Reservoir Layout c/w Test Holes and Elevation Clay (Interpolate)

	RURAL MUNICIPALITY OF STANLEY	POLICY NO. 43-13
	ADOPTED BY: Resolution No.	Last Updated: February 2013
	DATE: February 21 2013	Page: 1 of 4
	TITLE: Works in RM Right of Way	Department: Public Works

POLICY STATEMENT:

To regulate construction activity in the RM Municipal Right of Way. This policy deals with the construction and use of private works on, over, along or under municipal Right of Ways.

The following criteria applies to all facility installation projects in the Municipal Right of Way land excepting MB Hydro/Natural Gas, Oil Pipeline, MTS, Manitoba Water Service Board and other specially approved projects which are covered under separate individual agreements.

PROCEDURES:

Application Form

All construction work and use of private works on, over, along or under Municipal Right of Ways require an application form to be filled out prior to construction commencing. All aspects of the work must be included in the application such as: size, location, depth, dimensions, capacity, impacts on neighboring lands .etc.

Commencement of Work

Any work performed in the RM Right of way must be approved by the RM prior to the work commencing.

Above Ground Objects

All above ground objects/facilities (valves, pedestals, flush outs, outlets..etc) are to be marked appropriately and the as-built location is to be provided to RM. Above ground objects are to be located away from ditch bottoms and on the opposite embankment of the roadway where possible to avoid any disturbances with future road/ditch work.

Location of facilities.

Lines/pipes are to be installed away from the ditch bottom and on the opposite embankment of the road way where possible to avoid any disturbances with future road/ditch work.

All privately owned facilities (irrigation, drain tile, sump pits...etc) are to be located on private property.

Under special circumstances and with the prior consent of the municipality, private facilities may be installed in a municipal right of way.

Depth

Facilities are to be installed to ensure the top of the line is a minimum of 1.5 meters below any existing ditch bottom and a minimum of 2 meters below any road surface. Under special circumstances, consideration may be given to reduce these minimum depths as mutually agreed upon between the Municipality and the Owner/Installer of the facility.

Water Lines:

A minimum distance of 0.5 meter shall be maintained between any existing water lines and any new pipelines. The Municipality will provide utility locates for municipal owned utilities, and it is the owner/installers responsibility to ensure minimum separation distances are adhered to.

Drainage Pipes/Drain Tile:

Where drainage pipes (culverts) or drain tile within the municipal road allowance and or streets need to be temporarily removed during construction, or relocated, such work shall be done in consultation with The Municipality, to the specifications of The Municipality with the owner/installer of the pipeline being responsible for all costs related to such works.

Erosion controls:

Vegetation must surround all drainage outlets for erosion control. If no vegetation exists, the area must be seeded with grass prior to completion. Additional erosion controls may be required such as Rock, Rip-Rap, Geo-textile, and other methods.

Sump Pits/Pumped Outlets:

Application to include all details of the sump pit/pumped outlet including; size, location, capacity, pumping rate, estimated flow, slide sloping, erosion controls and any other information relevant to the project.

MTS (telecommunication lines):

MTS lines are to be directionally bored/pushed under roads with a minimum depth of 1.5 meters below existing ditch bottom, and 2 meters below any road surface.

Pedestals must not be located in the ditch bottom and are to be located along the Right of Way embankment opposite the side of the road.

Ditch Excavation:

Ditch excavations require a minimum of 4:1 slope, any variations from 4:1 need to be approved by The Municipality prior to commencing excavation.

Excavated Materials from ditch excavation:

The Installer/Contractor/Landowner is responsible to make suitable arrangements for handling the excess dirt material removed as part of a ditch excavation project. In situations where dirt excavation is required directly adjacent to a neighboring property, the neighboring property owner is to be given first option to receive the excavated material.

Surface Restoration:

Surfaces that are in any way disturbed during construction shall be restored to the condition they were in prior to construction. Any such restoration work shall be warranted by the Owner/Installer of the line for a period of 12 months from the date of such restoration work. If the Municipality determines that repairs are necessary within the warranty period, the Municipality shall give notice of such repairs and the repairs are to be made within 3 working days of giving of the notice.

All ditch excavations or other work which removes vegetation must be restored and seeded with grass to restore it back to its pre-construction condition.

Right of Way elevations are to be restored back to pre-construction levels.

Approaches:

In situations where a ditch requires excavation as part of a project, and the construction of the ditch requires an approach to be built to an affected property, the construction of the access (with an appropriately sized culvert) is the responsibility of the project applicant.

New approaches or culvert installs in existing approaches must be approved by The Municipality.

Culverts:

Costs associated with culvert installations/adjustments required as part of a drainage project are the responsibility of the applicant.

See *RM of Stanley Culvert Policy*.

Traffic Controls:

The owner/installer of the facility is responsible to perform any required traffic control measures which may include:

- Contacting interested organizations of the road closure:
 - Boundary Trails Hospital (911)
 - Fire Department(s)
 - School Division(s)
 - RM of Stanley Public Works Department
 - Businesses/organizations who may be impacted
- Performing all traffic control procedures:
 - Flagging
 - Barricades
 - Warning signs

As Constructed Plans:

As constructed plans are required for all work located within the Municipal Road Allowance. These plans are to be submitted to The Municipality within 6 months of the completion of the work in a format as required by The Municipality. As-built drawings are to include exact locations, elevations, dimensions.. Etc.

Works after pipe/line installation:

In the event that The Municipality determines that improvement/work need to be carried out within the Municipal Road Allowance or Street where a pipeline or above ground structure is located, and it is necessary to relocate or move the pipe/line, such locating and/or moving shall be performed by, and at the expense of the Owner of the pipe/line.

Locates:

Facility owner/Installer is responsible for completing all necessary locates.

Road Crossings

Road Crossing Construction is to be completed during daylight hours only.

A fee of \$500 is required for any road crossing application when the road will be cut. A fee of \$300 is required for any road crossing application when the crossing will be completed without cutting the road (boring, pushing, directional drill, tunneling etc.)

Fees must accompany an application for road crossing prior to the crossing application being reviewed.

Facilities crossing a municipal road or street shall be installed by jacking or boring, unless otherwise agreed to by the Municipality. In cases where open trenching is permitted, the following standards must be adhered to for backfilling:

- Trenches to be v-cut in accordance with MB Workplace Safety & Health regulations.
- Entire trench to be backfilled with A base material
- Backfill to be mechanically tamped in 6 inch layers

All road crossings are to be warranted for a period of 2 years.

Liability/Damage

The Municipality is not liable for any damage caused to the private works or to any accessory or related property located in the Municipality Right of Way and for any consequential damage arising from any work carried out by the Municipality.