

Land-based Aquaculture

Application to Amend the Municipal Planning Strategy

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Presented to the Planning Advisory Committee



C+D community design

REPORT OVERVIEW	
Request	We have received an application to amend the Municipal Planning Strategy and Land Use By-Law to permit broader land-based aquaculture activities in the Rural Industrial Zone.
Description	<p>The Municipal Planning Strategy permits closed containment aquaculture in several zones through development agreement.</p> <p>The aquaculture industry is constantly researching and evolving to establish best practices. The current Land Use By-Law definition of closed containment land base aquaculture is limiting and may result in the Municipality missing an opportunity to consider a development that is suitable for the region.</p>
Recommendation	<p>It is recommended that the Planning Advisory Committee recommend that council APPROVE the proposal to:</p> <ol style="list-style-type: none"> 1. Amend the Municipal Planning Strategy to remove the “closed containment” terminology
Relevant Policies and Legislation	<p>Public Participation Program Policy P-102-21 Municipal Planning Strategy -Part 8 Rural Development Land Use By Law – Part 15 Rural Industrial (RI) Zone Municipal Government Act 225-230</p>
Follow Up Action	<p>An amendment to a Planning Document (MPS, LUB OR SUBDIVISION BY-LAW) requires the Planning Advisory Committee to perform a <i>Public Participation Program</i>.</p> <p>This Application Requires the Following Steps:</p> <ol style="list-style-type: none"> 1. Public Participation Program (PAC) 2. 1st Reading (Council) 3. Public Hearing (Council) 4. 2nd Reading (Council)

Table of Contents

Land-based Aquaculture	1
Application.....	4
Aquaculture	5
The Land Use Perspective	5
Jurisdiction	7
Government of Canada	7
Government of Nova Scotia.....	8
The Municipality of Yarmouth	9
Existing Municipality of Yarmouth Policies	9
Policy Analysis	10
Municipal Government Act.....	10
Municipal Planning Strategy	10
Land Use By-Law	11
Recommendation.....	11
Proposed Municipal Planning Strategy Amendments.....	11
Proposed Land Use By-Law Amendments.....	12
Additional Materials	14
Municipal Government Policies.....	14
Municipal Planning Strategy Policies.....	15
Land Use By-Law Policies	18

Table of Figures

Figure 1 Currently Zoned Rural Industrial Properties within the Municipality	4
Figure 2 Canadian Jurisdiction Model for Aquaculture Operations	7
Figure 3 Government of Nova Scotia Licensing Process.....	8

Application

We have received an application to amend the Municipal Planning Strategy and Land Use By-Law to permit broader land-based aquaculture activities in the Rural Industrial Zone.

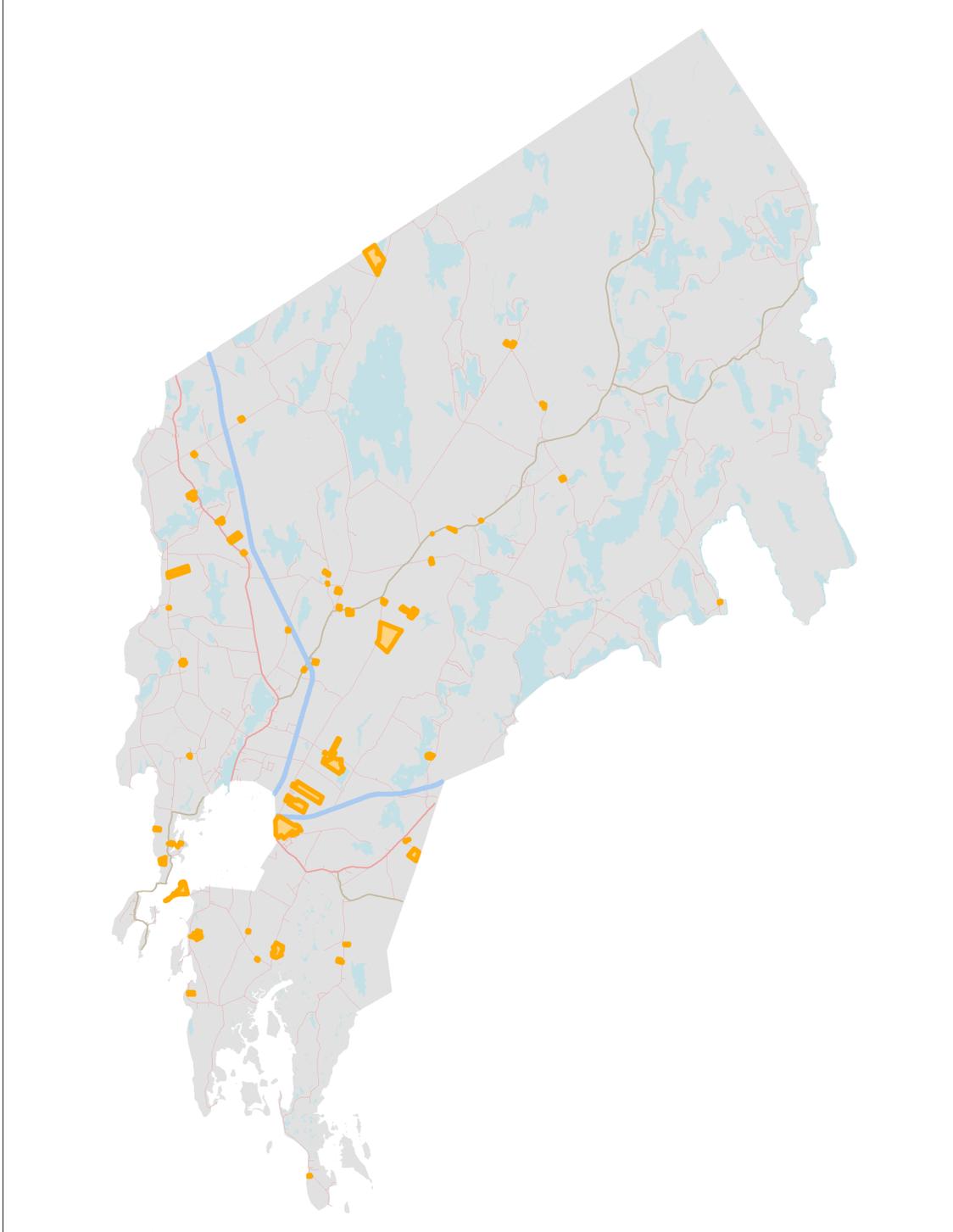


Figure 1 Currently Zoned Rural Industrial Properties within the Municipality

Aquaculture

Globally we are seeing a decline in habitat and species within the natural fishing industry. This is largely due to climate change, contamination, and overfishing. Growing demand for seafood and a desire to preserve existing fish ecosystems has driven a desire to find a way to produce and distribute sustainable food sources.

Aquaculture is a term generally applied to industry that cultivates and harvests seafood. This is a very broad term because there are so many sea and water life species that we consume; trout, oysters, salmon, sea cucumbers, and cod all fall within the same umbrella of the aquaculture industry. Each type of product has a different process to grow, cultivate, transport, and consume.

The concept of “agriculture” is one that society has quickly accepted, most of our food is adapted, grown and mass produced. However, when this concept is applied to seafood harvesting, there is a stigma that arises, which is challenging to overcome.

As the demand for seafood has increased, technology has made it possible to grow food in coast marine waters and the open ocean. Aquaculture is a method used to produce food and other commercial products, restore habitat and replenish wild stock by rebuilding populations of threatened and endangered species. Fifty percent of seafood consumed is derived from aquaculture. In Nova Scotia, aquaculture is licenced and regulated by the Government of Nova Scotia. Today our province produces mussels, oysters, and salmon that is consumed within our province and exported throughout the world.

Land-based based and open pen facilities are both permitted in Nova Scotia with many established land-based fish culture facilities that produce several different species. The industry and scientific communities continue to work on various types of systems and designs to produce a high-quality product that will expand fish to be farmed in closed containment system. Regulations of these system falls within the jurisdiction of the Provincial Government.

The Land Use Perspective

The aquaculture industry is a raising contributor to the Nova Scotia economy. The industry itself creates jobs, generates tax dollars, and directly injects international money into the local economy. This industry is particularly valuable because it can be in rural communities where it is difficult to achieve economic stimulus. The aquaculture industry also has the added benefit of creating spin off industry through the supply and processing end of the food supply.

Municipal Planning Strategies are a vital tool for planning the use of coastal areas. Good land use plans will avoid conflict between various users, such as aquaculture and fishing, and balance their interests against major community needs, such as recreation, marine and conservation. Ideally this type of land use planning should cross local authority boundaries.

The aquaculture industry is an excellent example supporting the adoption of Regional Planning and inter-authority joint planning.

Some important land use considerations and terminology that greatly impact the overall effect that an operation can have on the surrounding area is whether it will be “ocean based” or “land-based” and whether it will be using a “open-pen” or “enclosed pen” system. There also have been many advancements in barrier-technique technology to prevent escape which would limit impact on adjacent properties.

Other operation elements that could influence adjacent properties and the broader Municipality include:

- Water consumption,
- Wastewater disposal,
- Obnoxious smells associated with fish product,
- Loud sounds associated with industry,
- Lighting units that are bright and operate over long periods of time,
- Increased traffic and large transport vehicles,
- Possible destruction of ecosystems through species escapes and contamination,
- Restriction and privatization of public access to the coast, and
- Not in my backyard, public backlash, and perception.

These are the types of concerns that are important to address through good planning and land use policy. Considering land-based aquaculture facilities on a site-by-site basis through a re-zoning and development agreement process, Council will have the control to address each of these concerns through secondary planning regulations registered for the individual property.

Jurisdiction

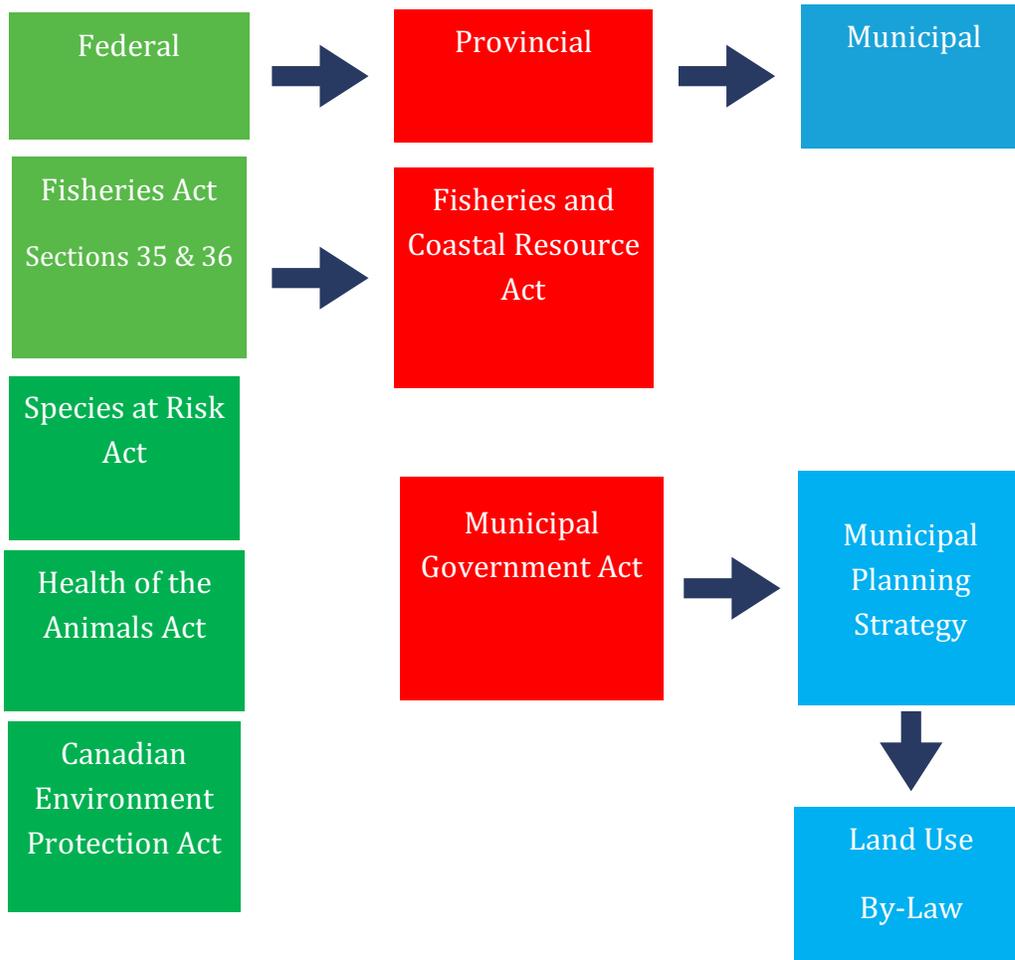


Figure 2 Canadian Jurisdiction Model for Aquaculture Operations

Government of Canada

Currently aquaculture is regulated by section 35 and 36 of the Canadian Fisheries Act. For the purposes of the Act, aquaculture is defined as the cultivation of fish. The Federal Government is responsible for navigation, disease prevention and environment. The Act sets out the authority for provincial governments to license aquaculture facilities. The act outlines the licensing process for a facility to dump animal water products, and pesticides. The Act requires that an operator submit an annual report to the Minister.

The Federal Government, led by the Department of Fisheries and Oceans, performed consultations for a national law to govern aquaculture in Canada in February 2021. The intention is to develop minimum national standards. A Draft Aquaculture Act has been released for public review with the hope of adopting legislation in 2022.

Government of Nova Scotia

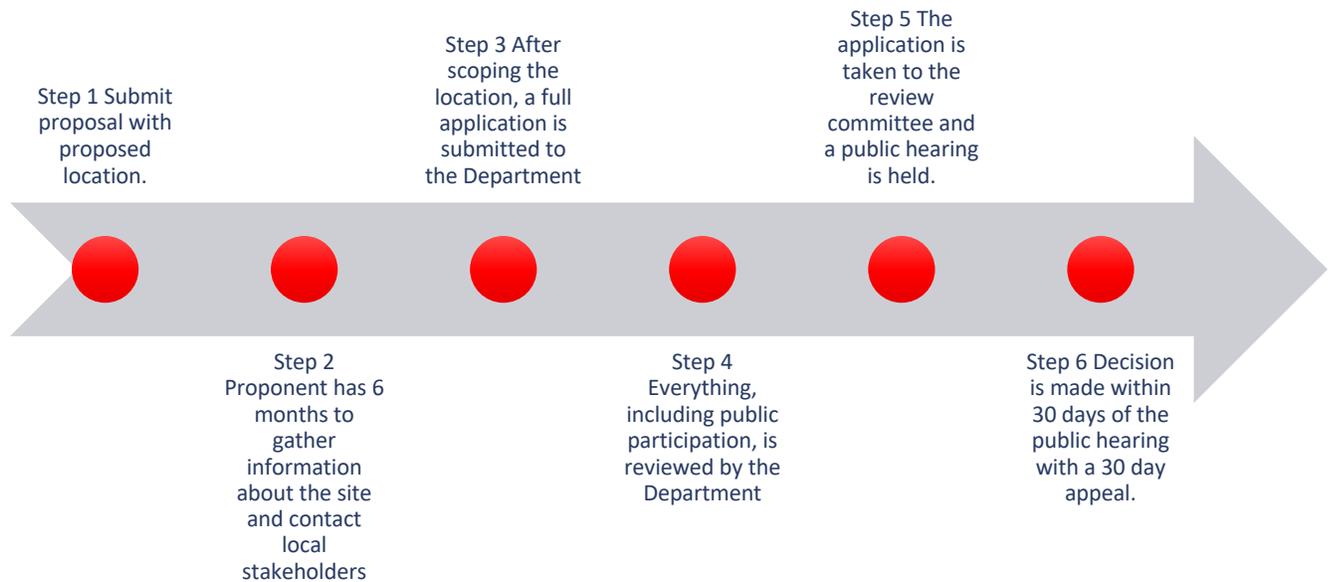


Figure 3 Government of Nova Scotia Licensing Process

The Provincial Government regulates and licenses marine sites, land-based sites and relocation sites for aquaculture development as outlined within Part V Aquaculture of the Fisheries and Coastal Resources Act. The applications are reviewed by an independent aquaculture review board. A criterion of the application process is to engage public stakeholders by hosting a public meeting.

The Government of Nova Scotia is open to planning and supporting Municipalities that wish to engage and invite the aquaculture industry through help determining suitable and unsuitable sites for the creation of an aquaculture development area.

Land-based aquaculture development is licensed through authority given by the Fisheries and Coastal Resources Act, Section 64. The operator is required to submit an extensive Development Plan to receive a license. The Operator must engage whatever experts are necessary to provide information on production plan, location, water source, water discharge, infrastructure, system, containment, **site history**, technical ability, compliance history, financial viability, **description of other users in the area, significance of proposed area to wildlife, impacts to other users and wildlife, and assurance of public right of navigation to waterways.**

The province has a [website](#) for the public that informs on all licensed aquaculture facilities, breeches or concerns associated with aquaculture facilities and applications being considered through public hearing. At present there are 146 active aquaculture farms in Nova Scotia, 111 shellfish farms, 13 marine fin fish, and 22 land-based facilities.

The Municipality of Yarmouth

The Municipal Government Act gives Municipalities the authority to adopt Planning Strategies and Land Use By-Law regulating:

- Dimensions for frontage and **lot area**
- Maximum floor area
- Maximum area of ground the structure may cover.
- The location of a structure on the lot
- The height of structures
- The percentage of land that may be built on.
- **The size, or other requirements related to yards,**
- The density of dwelling units
- The establishment and location of off-street parking and loading
- The locations of developments adjacent to pits and quarries
- The period of time for which temporary developments may be permitted.
- Prohibit the type, number, size and location of signs.
- **Require or prohibit fences, walks, outdoor lighting and landscaping.**
- Require planting or retention of trees and vegetation for the purposes of landscaping, buffering, sedimentation or erosion control.
- **The location of disposal sites for any waste material**
- Regulate or prohibit the altering of land levels.
- The external appearance of structures
- **Set out conditions, including performance standards.**
- Provide incentive or bonus zoning.
- Prescribe methods for controlling erosion and sedimentation during construction.
- Regulate or prohibit excavation, filling in or placement of fill for land on floodplain to
- Prohibit development that, in the opinion of Council, will be costly to the municipality.
- **Regulate or prohibit development within a specified distance of a watercourse or water supply.**
- Prohibit development on areas that are unsuitable for development due to land topography or contamination.

These are the controls within the authority of the Municipality of Yarmouth to control aquaculture developments. To address some of the concerns outlined within this report, I have bolded some of the tools that could be used to regulate any permitted aquaculture practice while still protecting the adjacent properties as well as the natural environment.

Existing Municipality of Yarmouth Policies

The Municipality of the District of Yarmouth has existing policies related to aquaculture and has one existing development agreement for an Eel Aquaculture Facility in the Hebron Business Park.

The Municipal Planning Documents reference “indoor and outdoor aquaculture” and “land-Based Closed Containment Aquaculture Operations” providing a definition for land-based closed containment as a “facility that utilizes closed containment systems to contain all inputs and outputs.”

Currently only land-based aquaculture is permitted within the Municipality of Yarmouth by development agreement. The vision of the Municipal Planning Strategy is that these developments be directed and encouraged within the Industrial Zones, but through the

additional requirements and hurdles of a Development Agreement. Although there is a reference to indoor and outdoor aquaculture being permitted as of right in the Marine Industrial Zone (9.1.3) but this policy was not carried over into the Land Use By-Law.

Policy Analysis

Municipal Government Act

The Municipal Government Act enables Council to create and administer Planning Documents and to establish a Public Participation Program for the consideration of changes to their planning documents. The Municipal Government Act also allows Council to consider entering into a Development Agreement with a developer.

The proposed application will require a change to the Municipality's Municipal Planning Strategy and Land Use By-Law.

The relevant policies from the Municipal Government Act for this application are listed in [additional materials](#).

Municipal Planning Strategy

The Rural Development Designation is described within the Municipal Planning Strategy as a large rural area within Yarmouth that has a variety of development types and landscape characteristics.

The vision for this area is to recognize the mixed types of developments that make up the character of Yarmouth's rural communities. This will be done by spot zoning areas that are existing commercial as **Rural Commercial** and those that are existing industrial as **Rural Industrial**. The remainder properties are then blanket zoned **Rural Development**.

This spot zoning approach allows for the diversity of uses that enable the rural character of the region but maintains some control and consideration for Council when proposals have the potential of creating conflict. For additional control, the Municipal Planning Strategy enables land-based closed containment aquaculture developments to occur in the Rural Industrial Zone only through Development Agreement.

Aquaculture developments are industrial by nature, to be consistent with the policies and vision of the Municipal Planning Strategy, it would be appropriate to rezone any proposed lots to Rural Industrial.

An amendment to the language in the Municipal Planning Strategy to consider broader land-based aquaculture facilities would allow Council to consider a wider group of industry proposals within our area, while still maintaining the control through Development Agreement.

The relevant policies from the Municipal Planning Strategy for this application are listed in [additional materials](#).

Land Use By-Law

The Land Use By-Law carries the vision from the Municipal Planning Strategy into regulations.

The Land Use By-Law, through Part 15, enables the Rural Industrial (RI) Zone. These policies describe the lot requirements for a property to be zoned Rural Industrial, included is a ***minimum lot area of 29,063 sq ft.***

Policy 15.4 ***permits land-based closed containment aquaculture operations*** to proceed by Development Agreement in the Rural Industrial Zone.

The relevant policies from the Land Use By-Law for this application are listed in [additional materials](#).

Recommendation

It is recommended that Council consider amending the Municipal Planning Strategy to allow a broader definition of aquaculture developments in the Rural Industrial Zone.

It is also recommended that as Council moves forward with their Municipal Planning Strategy Review, that they take the time to carefully consider their vision on coastal management and coastal industry within the Municipality of the District of Yarmouth. The Municipality may choose to consider expanding on the existing aquaculture policies and create more thoughtful land use regulations that suit the current demand for coastal industries but also protect the many important water accesses in the region. Ideally this could be an entire section within the Municipal Planning Strategy that is dedicated to coastal protection and coastal dependent uses.

Proposed Municipal Planning Strategy Amendments

8.4 “....

Council anticipates that some future industrial development will locate in the Rural Development Designation. Therefore, Council will establish a Rural Industrial (RI) Zone in the Land Use By-law to permit a wide range of light and heavy industrial uses, commercial uses, as well as single detached dwellings as a main or accessory use to an industrial or commercial use. Council recognizes that fish reduction plants and fish plants have the potential to generate odours which are a nuisance to residential development. These uses, excluding new fish plants in the Bunker Island Rural Industrial (RI) Zone and existing fish plants located elsewhere in the Rural Development Designation, will not be permitted in the Rural Industrial (RI) Zone. Some industrial uses including bulk petroleum storage, asphalt paving plants, recycling depots, salvage and/or scrap yards, sawmills and planer mills and ***land-based closed-containment aquaculture operations*** are recognized as

having the potential for environmental impacts or may create conflict with adjacent existing uses. These uses will be permitted in the Rural Industrial zone by development agreement.”

Council recognizes that the topographical layout of the Municipality provides significant opportunity to industrial uses that require access to fresh and saltwater systems. In addition, Council understands that the regulations for Aquaculture Uses are spread across three government jurisdictions, with regulations and industry practices being researched and improved upon constantly. To prevent missed opportunity, Council will consider aquaculture operations on an individual basis within the rural areas of the Municipality. By allowing the potential for this type of development to occur, Council is opening economic development opportunities, new jobs, and infrastructure investments into new areas.

Council supports industrial operations, such as aquaculture, because they generate jobs, and infuse money into the local economy. Council also recognizes that these operations require state of the art technology and access to energy. By approving these uses in rural areas Council hopes to create a new and larger demand for access to high-speed internet and energy sources which may incentivize providers of these services to offer improved options.

However, many residents have chosen to reside in rural areas because of the lower population and the associated area characteristics, such as low light and noise pollution and the isolation. For this reason, it is important to maintain this tranquil environment by considering larger industry, include aquaculture, through development agreement with site specific policies to protect the natural environment and features, noise level and light pollution of the operation.

Policy 8.4.7

To establish a requirement in the Land Use By-law to permit bulk petroleum storage, asphalt paving plants, recycling depots, salvage and/or scrap yards, sawmills and planer mills and land-based ~~closed containment~~ aquaculture operations in the Rural Industrial zone by development agreement in accordance with the policies in Section 15.1.9 of this Strategy.

Proposed Land Use By-Law Amendments

It is proposed that the Land Use By-Law be amended to be consistent with the proposed additions to the Municipal Planning Strategy.

15.4 DEVELOPMENTS PERMITTED BY DEVELOPMENT AGREEMENT

bulk petroleum storage depots
permanent asphalt paving plants
land-based ~~closed containment~~ aquaculture operations.
recycling depots
salvage yards and scrap yards

Public Participation Program

The Municipal Government Act requires Council to adopt a public participation program policy concerning the preparation of planning documents. This policy may differ between municipalities and be different for different types of planning documents and changes. The content of the public participation program is outlined in the public participation program policy.

The Municipality of Yarmouth requires that the Planning Advisory Committee oversee a public participation program whenever consider an amendment to any of their planning documents. This program shall consist of a public meeting and notice of the public meeting on MODY's website and social media.

For this proposal, it is recommended that the Planning Advisory perform the requirements of the public participation program, as well as consider some additional public engagement methods.

Additional Materials

Municipal Government Policies

Public Participation program

1. A council shall adopt, by policy, a public participation program concerning the preparation of planning documents.
2. A council may adopt different public participation programs for different types of planning documents.
3. The content of a public participation program is at the discretion of the council, but it shall identify opportunities and establish ways and means the opinions of the public concerning the proposed planning documents. 18, s. 204.
- 4.

Requirements for adoption of planning documents

205 A council shall adopt, by by-law, planning documents.

1. A by-law adopting planning documents shall be read twice.
2. Before planning documents are read for a second time the council shall hold a public hearing.
3. A council shall complete the public participation program before placing the first notice for a public hearing in a newspaper circulating in the municipality.
 - a. The notice for the public hearing is sufficient compliance with the requirement to advertise second reading of a by-law.

Public hearing

1. Prior to holding a public hearing required pursuant to this Part, the clerk shall give notice of the public hearing in a newspaper, circulating in the municipality, inserted at least once a week, for two successive weeks.
2. The first notice of the public hearing shall be published at least fourteen days before the date of the public hearing.
3. The notice of the public hearing shall
 - a. state the place where, and the hours during which, the proposed documents may be inspected by the public;
 - b. state the date, time and place set for the public hearing;
 - c. describe by metes and bounds, a plan, map, sketch or civic address or other description adequate to identify the area affected by the proposed documents;
 - d. give a synopsis of the proposed documents, if the public hearing is with respect to an amendment to a municipal planning strategy or land-use by-law or the approval or amendment of a development agreement.
4. Copies of the proposed documents or portions of the documents shall be provided to a person, on request, upon payment of a reasonable fee set by the council, by policy, sufficient to recover the cost of providing the copies.
5. Upon the publication of the first notice of the public hearing, the clerk shall send a copy of the notice to the clerk of every municipality that immediately abuts an area affected by the proposed documents.
6. Upon the publication of the first notice of the public hearing, the clerk shall send a copy of the notice to the village clerk of every village in which an affected property is situate.
1998, c. 18, s. 206; 2014, c. 21, s. 4.

Municipal Planning Strategy Policies

8.1 RURAL DEVELOPMENT DESIGNATIONS AND ZONES

The extensive rural area of the Municipality of the District of Yarmouth is quite diverse in character and includes small coastal communities, inland communities as well as cottage developments around the numerous lakes scattered throughout the municipality. The majority of this development is located along existing public highways. Although the predominant land use is residential and low density in nature, many mixed land uses, common in rural areas, co-exist with the residential character of the landscape. Land uses such as agriculture, forestry, institutional, recreational, commercial and industrial provide employment for many rural dwellers and complement the vitality of rural areas. The Rural Development Designation covers most of the rural municipality of Yarmouth and in fact covers the largest geographical area in the municipality ranging from inland forests, rivers and lakes to coastal areas.

Past land use planning policies have recognized the mixed use nature of developments that characterize rural areas and permitted a wide range of rural oriented uses. This Municipal Planning Strategy while intending to accommodate a wide range of uses in a variety of zones in the Rural Development Designation will only permit certain types of land uses by site plan approval or development agreement rather than as-of-right. The land uses regarded as requiring additional site specific control are land uses that have the potential for causing conflict with existing uses because of the potential for noise, odour, dust, pollution and other nuisance factors associated with such uses. These uses include but are not limited to large scale wind farms, shooting ranges, motor vehicle race tracks, intensive livestock operations, fur farms, salvage yards and industrial uses with potential to generate noise, odour, dust or pollution.

8.1.1 Policies

It shall be the policy of Council:

1. To designate as Rural Development (RD) all lands including coastal islands outside the Hebron and Lakes District, Lake George Watershed, Marine Industrial, Coastal Wetlands, Dykeland and Hamlet designations as shown on Map 5 Generalized Future Land Use of the Municipal Planning Strategy. This Rural Development Designation is intended to accommodate a wide range and mixture of land uses common in rural areas.
2. To establish a Rural Development (RD) Zone in the Land Use By-law to correspond to the area designated Rural Development as shown on Schedule "A" Zoning map of the Land Use By-law to accommodate a wide range and mixture of land uses.
3. To permit in areas zoned Rural Development (RD):
 - Airport instrument approach and navigational systems
 - Agricultural and forestry uses excluding intensive livestock operations, fur farms and industrial uses
 - Communication buildings and structures
 - Day care centres
 - Existing fish plants as home occupations
 - Existing multi-unit dwellings and homes for special care
 - Existing shooting ranges
 - Guest homes and boarding homes
 - Institutional uses excluding correctional centres
 - Micro scale WTG
 - Private recreational clubs and fraternal organizations
 - Public parks and recreational uses excluding shooting ranges
 - Residential dwellings to a maximum of four dwelling units
 - Special uses on small lots
 - Utilities excluding wind farms
4. To consider the following uses by Development Agreement in the Rural Development (RD) Zone subject to specific criteria:

- Asphalt plants
- Fish reduction plants
- Fur farms (see Policies 10.1.4 and 10.1.5)
- Intensive livestock operations (see Policy 10.1.3 and 10.2.1)
- Motor vehicle race tracks
- Residential developments containing more than four (4) dwelling units
- Residential developments containing group dwellings and their supporting uses
- Salvage yards and scrap yards
- Shooting ranges
- Wind farms (see policy 11.1.1.3)

8.4 RURAL INDUSTRIAL

A wide range of both light and heavy industrial land use activity is dispersed throughout the Municipality in the Rural Development (RD) Designation. This type of industrial land use ranges from light industrial uses such as auto body and engine repair shops, lobster pounds and auto repair to heavy industrial type uses such as sawmills, boat shops, salvage yards, fish plants and bulk fuel storage depots. Many of these uses are located in less densely populated areas of the Municipality on large parcels of land. Approximately fifty properties scattered throughout the municipality, are currently zoned Rural Industrial (RI).

Many industrial uses produce noise, odour, dust and other emissions that may render them undesirable neighbours if located in too close proximity to more densely populated residential areas. Therefore Council will permit the location of industrial uses on private roads and private right-of-ways as well as public roads to enable these uses to locate in more remote rural areas of the municipality where they may be sufficiently separated from residential development.

Council anticipates that some future industrial development will locate in the Rural Development Designation. Therefore, Council will establish a Rural Industrial (RI) Zone in the Land Use By-law to permit a wide range of light and heavy industrial uses, commercial uses, as well as single detached dwellings as a main or accessory use to an industrial or commercial use. Council recognizes that fish reduction plants and fish plants have the potential to generate odours which are a nuisance to residential development. These uses, excluding new fish plants in the Bunker Island Rural Industrial (RI) Zone and existing fish plants located elsewhere in the Rural Development Designation, will not be permitted in the Rural Industrial (RI) Zone. Some industrial uses including bulk petroleum storage, asphalt paving plants, recycling depots, salvage and/or scrap yards, sawmills and planer mills and **land-based closed containment aquaculture operations** are recognized as having the potential for environmental impacts or may create conflict with adjacent existing uses. These uses will be permitted in the Rural Industrial zone by development agreement.

Existing industrial uses located within the Rural Development (RD) designation will be zoned as Rural Industrial (RI) with the exception of those lands zoned as Airport (AP) and Airport Noise Restriction (ANR). Additionally, lands generally adjacent to the municipal boundary between the Town of Yarmouth and the Municipality, in the vicinity of Highway 3 and the Hardscratch Road will be zoned as Rural Industrial (RI) to enable the further development in this area of industrial uses and to complement the existing Commercial Industrial designation in the Town of Yarmouth planning documents.

Policies

It shall be the policy of Council:

1. To establish a Rural Industrial (RI) Zone in the By-law to permit light and heavy industrial uses and commercial uses as well as single detached dwellings as a main or accessory use thereof in the Rural Development designation excluding new fish reduction plants and new fish plants (Refer to Policies 8.1.1.4 and 9.1.3)

2. Excluding lands zoned Airport (AP) and Airport Noise Restriction (ANR), Council will zone all other existing light and heavy industrial uses (including existing fish plants) and lands generally adjacent the Municipality and Town boundary abutting or having access to Highway 3 or the Hardscratch Road within the Rural Development Designation as Rural Industrial (RI) on Schedule "P" Zoning Map of the Land Use By-law.
3. **To consider proposals for the expansion of existing Rural Industrial (RI) Zone uses beyond the established zone boundaries or for new uses only by amendment to the By-law from the Rural Development (RD) Zone to the Rural Industrial (RI) Zone subject to satisfying the following criteria:**
 - a. **the compatibility of the proposed development on adjacent uses in the area with particular regard to the scale and bulk of the proposed buildings or structures**
 - b. **that the proposed development will not, by way of emissions of odour, dust, smoke, noise or vibration; disrupt or detrimentally affect adjacent land uses nor be a use characterized by producing wastes that can contaminate soils or watercourses or be incompatible by reason of traffic generation**
 - c. **8.4.1.3.3 that the proposed use conforms with all relevant criteria of policies 15.1.7.1 through 15.1.7.4 inclusive in the Implementation Chapter.**
4. To establish a special requirement in the By-law that new industrial uses or the expansion of existing industrial uses in the Rural Industrial (RI) Zone be **screened from abutting residential, institutional or recreational uses in any zone by natural landforms, existing or planted vegetation, an opaque fence or other method of landscaping or a combination of such method of screening to minimize visual incompatibility.**
5. To establish special abutting yard restrictions in the By-law for parking, loading, open storage and outdoor display where yards in the Rural Industrial (RI) Zone abut existing residential, institutional or recreational uses in any zone and special restrictions for open storage or outdoor display in front yards.
6. To establish a special exemption in the By-law reducing the minimum side yard requirement where Rural Industrial (RI) uses abut.
7. To establish a requirement in the Land Use By-law to permit bulk petroleum storage, asphalt paving plants, recycling depots, salvage and/or scrap yards, sawmills and planer mills and **land-based closed containment aquaculture operations in the Rural Industrial zone by development agreement in accordance with the policies in Section 15.1.9 of this Strategy.**

Land Use By-Law Policies

PART 15 RURAL INDUSTRIAL (RI) ZONE

15.1

PERMITTED DEVELOPMENTS

No development permit shall be issued for any use in the Rural Industrial (RI) Zone except for one or more of the following uses:

- any manufacturing, processing, industrial, assembly or warehousing operation within wholly enclosed buildings excluding new fish plants and fish reduction plants
- business offices accessory to any main use permitted in the (R1) Zone
- commercial uses accessory to any main use permitted in the (RI) Zone
- commercial uses permitted in the CG Zone subject to the requirements of Part 6 of this By-law
- communication buildings and structures
- equipment storage buildings
- existing fish plants, fish freezers and fish coolers
- fish coolers
- fish freezers
- lobster holding facilities
- municipal landfill sites
- single detached dwelling (1 only) accessory to any main use permitted in the RI Zone subject to the provision and requirements of the Rural Development (RD) Zone
- service industries
- temporary asphalt paving plants as conditional uses
- utilities excluding wind farms

15.2 WAIVER OF GENERAL PROVISION 4.11

Rural industrial uses are permitted on lots which abut and front on Private Roads and on lots which are served by right-of-way easements.

15.4 DEVELOPMENTS PERMITTED BY DEVELOPMENT AGREEMENT

- bulk petroleum storage depots
- permanent asphalt paving plants
- **land-based closed containment aquaculture operations**
- recycling depots
- salvage yards and scrap yards

ZONE STANDARDS AND SIZES

- ii. Any use where permitted in the **Rural Industrial (RI) Zone** connecting to an **on-site sewage disposal system**

Minimum Front Yard	7.6 m (25 ft)
Minimum Rear Yard	7.6 m (25 ft)
Minimum Side Yard	6 M (20 ft) on both sides
Minimum Lot Area	29,063 sq ft
Minimum Lot Frontage	6 m (20 ft)
Minimum Flankage Yard	7.6 m (25 ft)
Maximum Height	10.7 m (35 ft)
Parking	See Part 25

iii. Screening of Industrial Uses

1. Parking lots, loading spaces and areas of open storage on lots used for any industrial purpose shall be screened by natural landforms, existing or planted vegetation; an opaque fence or a combination of such method of screening so as not to be visible from abutting residential, institutional or recreational uses in any zone.
2. **Yards Abutting Residential, Institutional and Recreational Uses**

The following requirements shall apply where any yard of any industrial use abuts a residential, institutional or recreational use in any zone.

- a. no open storage shall be permitted in the abutting industrial yard;
- b. no parking lot or loading space shall be permitted in the abutting industrial yard within 6 m (20 ft) of a side or rear lot line;
- c. no open storage, outdoor display, parking lot or loading or unloading space shall be permitted in the minimum required industrial side yard or rear yard except where an opaque fence of no less than 1.8 m (6 ft) higher than the maximum elevation of the abutting residential, institutional or recreational yard, is erected in the abutting industrial yard.
- d. outdoor display and open storage for industrial uses shall be at least 7.9 m (25 ft) from the boundary line of a public road.

15.5.3 Side Yard Reduction

Where an industrial use abuts another industrial use in any zone, the abutting side yard requirement for each use may be reduced to 3 m (10 ft).

27.51 Land-based closed containment aquaculture operation means a facility for the cultivation of fish or shellfish which utilizes closed containment systems to contain all inputs and outputs.