



**To: Municipality of Barrington Planning Advisory Committee**  
**From: Chris Millier**  
**Date: February 25, 2020**  
**Re: Proposed Amendments to the Barrington Land Use By-law Relating to Lobster Storage Facilities**

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## **1 Introduction**

A staff report was dated January 2, 2020 was prepared following the August 22, 2019 Planning Advisory Committee discussion relating to setbacks for lobster storage facilities. Following a survey of regulations in adjacent municipalities relating to lobster storage facilities the staff report identified a proposed definition for a “lobster storage facility” and recommended that they be included as permitted uses in the Residential and Rural Zones.

The purpose of this report is to provide the Planning Advisory Committee an overview of the proposed changes relative to the Municipality’s current Municipal Planning Strategy and Land Use By-law and provide draft amendment text to implement amendments.

## **2 Discussion**

The Municipal Planning Strategy makes numerous references acknowledging the history and social and economic significance of the fishing industry, including the lobster industry, to Municipality. Fishery related uses, including “lobster pounds”, are referenced in the Rural Centre – Woods Harbour, Residential Island and the Industrial Marine parts of the Strategy.

In general the existing text and related policies are supportive of existing and new fishery uses and in particular lobster pounds. The intent of the Strategy is support new fishery related uses provided appropriate development controls, including setbacks, are in place to minimize potential land use conflict.

While lobster pounds are identified as permitted uses in a number of zones (Rural Development RD Zone Part 11.1, Industrial Marine IM Zone Part 13.1), the Land Use By-law does not contain a specific definition for the use. The January 2, 2020 staff report also identifies that lobster-related uses and facilities would be consistent with the range of other fishery-related uses which are permitted within the Mixed Use MU Zone.

Council can consider amendments to the Land Use By-law such as the establishment of new definitions and changes to permitted uses within a zone without an amendment to the Municipal Planning Strategy provided that the Land Use By-law amendment is consistent with the intent of relevant policies and the overall intent of the Strategy itself.

A review of the Strategy confirms that recognition and encouragement of fishery-related activities in a variety of zones is envisioned by various policies and that enabling language relating to permitted uses within the Rural Development RD Zone, the Industrial Marine IM Zone and the Mixed Use MU Zone support inclusion of lobster-related uses.

To assist in regulating new development the January 2, 2020 staff report recommends establishing a definition for “Lobster Storage Facility”. A number of definitions from adjacent municipalities as well as provincial regulatory definitions have been examined to assist in the establishment of a proposed definition reflective of the industry in the Municipality.

### **3 Proposed Draft Amendment to the Land Use By-law**

The following draft amendments would implement the recommendations of the January 2, 2020 staff report:

The Municipality of the District of Barrington Land Use By-law be amended as follows:

1. Amend Part 9.1, Mixed Use MU Zone, Permitted Developments by inserting the following use:
  - *Lobster Storage Facility*
2. Amend Part 11.1, Rural Development RD Zone, Permitted Developments by deleting the words “Lobster pound” and replacing them with the words “*Lobster Storage Facility*”
3. Amend Part 13.1, Industrial Marine IM Zone, Permitted Developments by deleting the words “Lobster pound and lobster storage facilities” and replacing them with the words “*Lobster Storage Facility*”

4. Amend Part 19, Definitions, by inserting the following new definition:

*“**Lobster Storage Facility** means an enclosed facility or part of a facility constructed onshore which is capable of holding live lobster for future sale to the wholesale or retail markets in controlled conditions utilizing pumped seawater.”*