



PLANNING STAFF MEMO

SUBJECT: Proposed Amendments to City of Miramichi Zoning By-law – Data Centres & Battery Energy Storage Facilities

MEETING DATE: April 21st, 2026

AGENDA ITEM: 2026-2-1 (Tabled from March 30th, 2026)

Pursuant to Section 110(1) of the *Community Planning Act* (c.19), the City of Miramichi Council has requested the written views of the Planning Review and Adjustment Committee (PRAC) on proposed amendments to the City of Miramichi Zoning By-law (By-law No. 110).

This memo provides supplemental information requested by PRAC at its March 30th, 2026 meeting, where the item was tabled pending further review, including additional context on comparable developments, jurisdictional approaches, infrastructure and environmental considerations, and follow-up input from partner departments and agencies.

These amendments have been requested by the City to define, permit, and regulate data centres and battery energy storage facilities in the City’s Zoning By-law. No specific developments are formally proposed at this time. The proposed amendments do not include any changes to the zoning boundaries or designations of any properties under Schedule A, Zoning Map, of the City’s Zoning By-law.

PRAC is encouraged to review and refer to the original staff report (2026-2-1), attached to this memo, for full background and analysis.

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Proposed Amendments (Recap)

The following is a summary of the amendments as presented in the March 30th, 2026 staff report.

The proposed amendments to the Zoning By-law involve defining, regulating, and permitting two separate (but sometimes combined) uses: data centres and battery energy storage facilities.

Specific amendments are outlined in the attached table, and are summarized below:

- ‘Data Centre’ and ‘Battery Energy Storage Facility’ will be added to the list of defined uses in Section 1 of the By-law
- ‘Data Centre’ and ‘Battery Energy Storage Facility’ will be listed as permitted main uses in the Heavy Industrial (HI) zone
- ‘Data Centre’ will be further regulated with specific zoning provisions in Section 3 of the zoning by-law

Further details are outlined in the attached amendment table.

Additional Information (Case Studies and Key Considerations)

The following information is provided in response to items raised by PRAC to support further consideration of the proposed amendments.

Hive Digital Technologies (Grand Falls)

- Operates a 70MW capacity data centre in Grand Falls (purpose built) along with a smaller facility nearby in a converted warehouse
- Began as a cryptocurrency mining operation (similar infrastructure needs; energy intensive, cooling required)
- Relies on grid power with backup generators (possibly diesel generators with limited battery backup)
- Has its own dedicated electrical substation
- Utilizes a closed loop liquid cooling system; very limited water usage (water is cycled through a heat exchanger and returned through pipes for cooling purposes)

Beacon AI Centres (Saint John – Proposed)

- 120ha parcel of land in the new Spruce Lake Industrial Park (SLI zone)
- Will include a partnership to construct a 190MW natural gas power plant to supply power
- Does not intend to use municipal water supply
- Subject to Environmental Impact Assessment

Jurisdictional Scan/Regulatory Environment

- Saint John Zoning By-law explicitly defines Data Centre and permits it in the new Spruce Lake Industrial Zone
 - main building setback of 250m from non-industrial property lines
 - other development (including site development) has a minimum setback of 150m from a residential use
 - 7.5m treed space required along side and rear lot lines
 - No additional regulations specifically for data centres
- Other jurisdictions do not specifically define or permit data centres, however, likely permit them under broader definitions (either as-of-right, or as discretionary applications)
 - Fredericton (Research & Advanced Technology) and Moncton (Business and Technology) each have specific light industrial zones for high-tech industry and offices; may permit data centres at certain scales, at staff discretion, or be subject to discretionary application
 - Riverview's Zoning By-law definition for Office Use can include data processing and storage, although this might not apply at an industrial-type scale as seen with modern data centres
 - Generally, most jurisdictions in NB would likely handle a modern, large data centre proposal as a discretionary use, either requiring the approval of the

PRAC/PAC or municipal council (in the absence of not having it specifically defined, permitted, or regulated in any zones)

This reflects a range of approaches, with many jurisdictions relying on case-by-case review rather than as-of-right permissions.

Power Generation in NB

Power usage is a major consideration and factor when determining the wider impact of data centres. Power usage is high in order to provide adequate cooling and other HVAC system components for the facilities. Typically, they make use largely or entirely on grid power, which in NB is provided by NB power. In 2023, power generation sources in NB were divided between the following¹:

Renewable (wind, solar, biomass)	~34%
Nuclear	~34%
Non-Renewable/Fossil Fuel (Natural Gas, Coal, Diesel)	~32%

NB Power aims to increase wind and solar power generation capacity by 5x by 2035, along with additional nuclear capacity (possibly with Small Modular Reactors). In the wider Canadian context, NB relies heavily on fossil fuel power generation. Non-renewable/fossil fuel power generation sources contribute greatly to accelerating climate change impacts and pollution generally.

Noise Impacts from Data Centres

A commonly noted land use impact of data centres is persistent noise pollution, noticed by and impacting communities at a wider scale. HVAC (including ventilation and some cooling equipment) can generate constant noise at levels approaching 100db, including low and high frequency hums. Certain types of backup power generators, especially those using gas, propane or diesel, can generate intermittent noise at louder levels approaching 110db or more. The range of noise impacts is difficult to measure given the number of variables, however, residents may expect “nuisance” noise levels even multiple kilometers away from the source data centre. This will depend highly on a specific project, technology and building methods used, location selection, and scale.

Department & Agency Comments (Supplemental)

Partner departments and agencies were encouraged to provide further comments in addition to those provided for the original report.

City of Miramichi Department of Economic Development

¹ Government of Canada: New Brunswick Clean Energy Snapshot (2025-06-04). <https://www.canada.ca/en/services/environment/weather/climatechange/climate-plan/clean-electricity/overview-new-brunswick.html>

- Regarding the City seeking these “as of right” amendments instead of project-specific approvals: “this economic development opportunity will likely be part of the new five (5) year economic development and tourism strategy. We intend to work with Opportunities New Brunswick to attract investment in this area. Having data centers and battery storage facilities listed as a permitted use sends a stronger message to investors than a tailored process.”
- Noted benefits of data centres include:
 - “Construction-phase economic activity
 - Permanent job creation
 - Labour market diversification
 - Increased municipal tax revenue to fund public services
 - Alignment with broader provincial and national economic development goals
 - Multiplier effect (attracting supporting industries and infrastructure)”
- “I see the future need for data storage only growing. With expanding developments in the use of Artificial Intelligence, the demand for strategically located data centers to provide fast, reliable access to information makes Miramichi an ideal location since we have the vacant heavy industrial land, access to reliable power, and sources of fresh water to support the cooling process.”
- Clarified that the amendments were requested by the current council

City of Miramichi Fire Department

The Fire Department was requested to provide additional input related to emergency response capacity, particularly with respect to battery energy storage facilities and associated hazardous material risks. At the time of writing, no additional comments have been received. Should feedback be provided in advance of the meeting, it will be circulated to PRAC. Otherwise, any updates will be presented at the meeting.

NB Department of Environment

- Further to the Department’s previous comments, they undertook a detailed review of the Heavy Industrial zoned areas of the City (where the amendments are proposed).
- The report, attached to this memo, “serves as guidance for any future planning by the GMSC, property owners, development officers, land surveyors, local governments, etc., for potential environmental constraints and considerations for these Zonage Areas”.

- Noted two potential/likely scenarios that could trigger an Environmental Impact Assessment requirement for a proposed project (related to wetland/watercourse impact area; and potential water supply/new water works).
- Includes detailed information on watercourse/wetland impacts, potential requirements for WAWA permit, and mitigation steps.
- Other potential environmental constraints on development include areas within a “flood hazard area”; areas with “species at risk” (requiring further consultation with the Department of Natural Resources); areas within a Designated Protected Wellfield; areas subject to the recommendations within the Coastal Area Protection Policy.
- Report concluded that “The WAWA Branch has reviewed the provided information and has no apparent concerns at this time; however, it is the responsibility of planning authorities to determine if a property is suited for the intended development”.
- Staff note that any proposed development would be reviewed against all applicable provincial regulations and referred to the appropriate departments before a permit can be issued. The requirements will depend on the exact location, design, and nature of the development.

Staff Recommendation and Proposed Motion

Staff are satisfied that the proposed amendments are generally consistent with the intent of the Municipal Plan, particularly in supporting industrial development and economic growth, while recognizing the need to balance environmental considerations with infrastructure capacity.

To facilitate the City’s request to define, permit, and regulate data centres and battery energy storage facilities, staff recommend that the Planning Review and Adjustment Committee adopt the following motion:

“Pursuant to Section 110(1) of the *Community Planning Act*, it is the view of the City of Miramichi Planning Review and Adjustment Committee (PRAC) that the City of Miramichi amend the City of Miramichi Zoning By-law (By-law No. 110) as generally outlined in Attachment 1.”

Attachments

1. Original Planning Staff Report 2026-2-1 with Attachments
2. NB Department of Environment (WAWA Branch) Report

Memo Prepared On: Wednesday, April-15-26

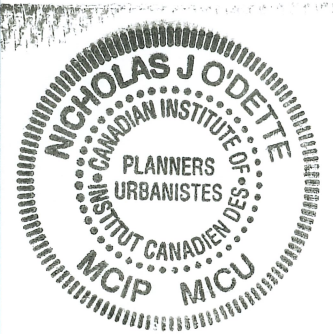
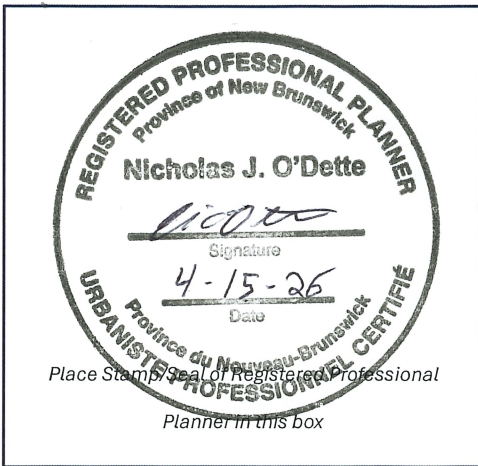
Prepared by:

Nic O'Dette, RPP, MCIP
Planning Services Manager



Reviewed by:

Justin Forbes, RPP, MCIP
Planning Director





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DEVELOPMENT
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Attachment 1

Planning Staff Report 2026-2-1 and Attachments



PLANNING STAFF REPORT

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Proposed Amendments

The proposed amendments to the Zoning By-law involve defining, regulating, and permitting two separate (but sometimes combined) uses: data centres and battery energy storage facilities.

Specific amendments are outlined in the attached table, and are summarized below:

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Background

Currently, staff are not aware of any purpose-built data centres or battery storage facilities in Miramichi or the wider region. Research has been prepared to better understand the general characteristics of these uses:

Battery Energy Storage Systems	<ul style="list-style-type: none">• Involves multiple large banks of batteries connected as a system• Usually connected to the power grid; charged during off-peak demand hours and discharged during peak hours• Uses lithium-ion battery technology• Can be considered “modular”; relatively easy to scale and setup• Increasingly being used as backup power systems for data centres, instead of gas generators• Have been implemented by public utilities including NS Power; NB Power recently issued an Expression of Interest for “15-Year Battery Storage Partnership... 50 MW for approximately four hours and provide short-duration flexibility needed to manage intermittent wind and solar resources”¹• Can include a power substation, and are often built at the site of disused power generation projects or large industrial developments that already have the grid connections• As a main use (“grid-scale”), they have a unique industrial appearance, but not dissimilar to other utility uses• Some on-site staff, plus maintenance
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¹ NB Power, “NB Power Invites Expressions of Interest for 15-Year Battery Storage Partnership,” accessed March 26, 2026, <https://www.nbpower.com/en/about-us/news-media-centre/news/2025/nb-power-invites-expressions-of-interest-for-15-year-battery-storage-partnership>

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*Oneida Energy Storage Project, Haldimand County, ON – 250mw, largest in Canada
(Northland Power)*

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Data Centres	<ul style="list-style-type: none">• Large, purpose-built structures for storage and operation of IT infrastructure (computers, servers, data storage, other digital networking equipment)• Supports internet/digital services, networking, either owned by an IT company themselves or offered as a service to many.• Can introduce significant employment opportunities for construction, but may be somewhat limited ongoing opportunities in maintenance, security, and other operations.• Usually resembles a typical modern industrial warehouse or manufacturing facility; usually just 1-2 storeys in height.• Significant power demands, typically classified in size by MW; sometimes augmented by on-site renewable or other private power generation (power demand for a small to medium data centre is roughly similar to an OSB/plywood or paper mill, and many other heavy industrial plants)• Significant water demand for cooling purposes; however, some new advances include closed-loop systems; some don't require any municipal water for cooling. Cooling water usually evaporates.• Can include battery energy storage as backup power solutions, or to reduce dependency on grid power during peak hours.• HVAC systems can generate significant noise levels, perceived as a low-frequency hum, sometimes 24/7; "disruptive" noise levels could be heard as far as 1km away depending on conditions.• Typically located in well-served areas with municipal water and high capacity power transmission.
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Proposed Bell Data Centre, Sherwood SK - 300MW, will be largest in Canada (Bell/CBC)



Hive Digital Technologies 70MW Data Centre, Grand Falls NB (theenergymag.com)

Planning Considerations

Industrial Zoning in Miramichi

The City of Miramichi Zoning By-law designates three distinct industrial zones: Business/Light Industrial (BLI), Airport-Compatible Business (ACB), and Heavy Industrial (HI) – see Map in Attachment 2:

	BLI	ACB	HI
Plan Policy	Attention given to outdoor storage requirements and screening, parking requirements. Refers to municipal-serviced locations, and ideal location along main corridors.	Refers to light to medium industrial uses, with an additional focus on airport related commercial. Policy for location near major transportation corridors, with some reference to minimizing land use conflicts.	Refers to large scale industry and/or those with large outdoor storage areas, heavy equipment and material storage “obnoxious” uses that generate significant land use impact. Focus on situating these uses on main transportation corridors and minimizing land use impacts
Locations	Primarily located in the Newcastle and Chatham industrial parks. Some existing long-term light industrial uses have been “spot zoned”.	Located on former CFB Chatham lands. Includes the Miramichi Airport and surrounding industrial lands to the north and south.	Reflects most existing or former heavy industrial lands. Includes all former (and current) mill sites, Valero fuel tanks, Newcastle Port Facility, Former Domtar lands. Most vacant land is concentrated in western Newcastle, around Curtis Corner and south of the Rte 8 Bypass.
Permitted Uses	Manufacturing, warehousing, transport depot, heavy equipment storage and maintenance; wide range of commercial uses; some institutional uses.	Similar to BLI but tailored to the specific location and existing uses; more institutional uses permitted.	Hazardous and polluting industrial uses (refinery, fuel storage, pulp/paper/saw mill; other uses with significant land use impacts (waste composting, salvage yard, power plant)

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Supporting Municipal Plan Policies	Conflicting Municipal Plan Policies
<p>10. Industrial (a) General Goals 4. To encourage appropriate redevelopment and re-use of existing heavy industrial sites and facilities.</p>	<p>8. Environment (a) General Policies 2. Ensure protection of the City’s groundwater resources. 4. Encourage energy conservation.</p>
<p>10. Industrial (a) General Policies 7. Encourage the rehabilitation of brownfield sites, including contaminated former industrial lands, by purchasing land and pursuing funding through external government and agency grants, for potential strategic future sale by the City.</p>	<p>8. Environment (b) Climate Change Policies 1. Promote a culture of thinking about climate change resiliency. 2. Develop effective zoning practices that incorporate planning principles that consider climate change impacts, introduce adaptation measures, and reduce greenhouse gas emissions</p>
<p>10. Industrial (e) Heavy Industry Preamble “the Municipal Plan should anticipate and welcome new types of heavy industries, should demand warrant, by providing appropriately designated lands that would be desirable for such activities.”</p>	<p>8. Environment (f) Water Conservation Proposals 1. Undertake a public education program encouraging residents to conserve water and continue with such measures as water metering. 2. Limit water use, especially during dry periods when wells are likely to be lowered. This would include limiting activities such as watering lawns, washing cars, and filling pools.</p>
<p>7. Economic Development (a) General Goals 1. To diversify the local economy. 2. To attract and retain business, investment, and employment opportunities. 5. To encourage increases to the tax base for the City.</p>	<p>8. Environment (h) Energy Proposals 1. Reduce energy and water consumption and minimize waste using clean, renewable energy, and alternative “smart” infrastructure technologies in the City’s municipal infrastructure system.</p>

<p>7. Economic Development (I) Brownfield Redevelopment Preamble “there are significant opportunities associated with the redevelopment of brownfield sites associated with former inactive industrial properties. Whereas many of these sites have road, rail and in some cases water access, they are well located for future development, many also include industrial scale infrastructure that would enable reuse for other industrial/commercial uses.”</p>	
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Staff Assessment

The City’s Heavy Industrial zone is assessed as a suitable fit for permitting the proposed uses, especially Data Centres. Currently, without these uses defined and permitted in the Zoning By-law, any proposed development would require a discretionary approval, either as a ‘use variance’ (Planning Review and Adjustment Committee approval, with public notification of the development), or as a zoning by-law amendment (i.e. rezoning). Staff note that if these uses are listed as permitted in the HI zone, there are no further discretionary powers of council or the PRAC to review or approve such developments. No public participation or notification will be required for such developments in this case, unless required by an outside department or agency (i.e. Department of Environment, NB Power). “As of right” permitted developments typically only become public knowledge when the required building permit is issued – it is required to be posted on-site, and would be shown on the GMSC Development Services website dashboard (updated weekly).

Data centre developments are becoming increasingly controversial throughout North America. Some jurisdictions have implemented a moratorium on their development, some have restricted them outright, and others have placed a cap on their capacity (regulating through power consumption). Land use impacts, as previously mentioned, can be negative depending on the specifications of the development. Noise, power use, and water consumption are all widely-noted concerns, which impact well beyond the local neighbourhood. Other cities in New Brunswick already permit data centre development in different forms; Saint John explicitly permits them in their proposed Spruce Lake Industrial Park, while Fredericton and Moncton may permit them under existing definitions. Staff also recognize the compatibility with other heavy industrial uses in the City’s Zoning By-law, albeit with different land use impacts.

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All development applications are reviewed against zoning by-law (and National Building Code) requirements along with provincial requirements, adding some measure of certainty. It is expected that any newly proposed data centre would require at least preliminary consultation with the Department of Environment, for potential determination of an Environmental Impact Assessment, before a permit could be issued. Depending on the location and details of the proposed development, it may also be subject to the *Watercourse and Wetland Alteration Regulation (90-80) - Clean Water Act*. The City's Director of Engineering and the Director of Public Works will review the development details and note servicing (water and sewer) constraints or design requirements. Other agencies, including NB Power, would also be thoroughly briefed on and consulted for their recommendation on power grid capacity for any proposal.

The Municipal Plan broadly encourages industrial development, where measures can be taken to mitigate land use impacts, in appropriate, pre-planned and well-serviced locations. The Economic Development policies of the Plan can also be seen as encouraging new industry and employment opportunities. Permitting these uses, especially data centres, must be balanced against the conflicting Environmental policies and goals in the Plan. Development Services staff are confident that this can be achieved when reviewing development-specific proposals/applications, with appropriate discretion and referrals to external departments and agencies.

Department & Agency Comments

External departments and agencies were notified of the proposed amendments, with a request for comments on the proposed permitted uses.

City of Miramichi Department of Engineering & Public Works

- The City's Director of Engineering provided comments from their Water Model Consultant
- They recognized the different technologies available for cooling data centres, but noted "all of them are water hogs"
- Suggested general concern about the water consumption of data centres and speculated on alternative water sources (Miramichi River, private well); noted potential negative effects of each

City of Miramichi Fire Department

- Comments were provided from a Fire Prevention Officer. Agreed with the proposal to allow the uses only within the Heavy Industrial zone
- Stated that each proposed development would need to be reviewed on a case-by-case basis, including a review from the Office of the Fire Marshall

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- Noted a significant fire risk from these facilities; ensuring water supply for fire protection would be part of any development review

NB Power

- Comments provided from a regional Project Engineering Assistant
- Noted that the power supply for any new data centre would require that the applicant submit a 'Load Request Form' to NB Power
- "Depending on the location of the electrical service, our available capacity will vary greatly"
- Noted that battery energy storage facilities can be used "on the customer side of the billing meter" to offset their peak demand on grid power

NB Department of Environment

- Comments were provided by a Wetland Biologist with the Watercourse and Wetland Alternation Branch
- Stated their interest in further reviewing the proposed amendments
- Noted that water demand is of consideration for these projects, and is of interest related to the WAWA Regulation

Views of the Public

No notice has been provided regarding PRAC's consideration of this new item, as neither the *Community Planning Act*, nor the PRAC's Procedural By-law require public notification before PRAC meetings for this type of application, although these meetings remain open to the public. The agenda and staff report are posted on the Greater Miramichi Service Commission's website in advance of the meeting, ensuring transparency and access to information for those who wish to attend.

Prior to the Public Hearing for this item, the City will provide its mandatory public notice, which will be posted online as required under the *Community Planning Act*.

Staff Recommendation and Proposed Motion

Staff recognize the City's interest in proactively defining and permitting data centres and battery energy storage facilities within the Zoning By-law to support emerging forms of industrial development and economic diversification and the Commission's role in supporting that request. The HI Zone is the most appropriate location for these uses, given its intent to accommodate large-scale industrial activities with potential off-site impacts, and its separation from most residential uses. The current HI zoning regulations contain large lot-creation standards and wide setbacks between uses and adjacent property lines, differing depending on the adjacent use.

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At the same time, staff note that both data centres and battery energy storage facilities can, depending on the scale, design, and location of the specific proposal, introduce unique land use considerations, including power demand, water consumption, noise generation, and in the case of battery systems, fire and other safety considerations.

Permitting these uses as-of-right within the HI zone provides clarity and predictability for potential investment; however it also limits the City's and Staff's ability to evaluate site-specific land use compatibility through a discretionary public process. The proposed as-of-right amendments represent a reasonable step in enabling these uses but staff recommend the City continue to monitor the evolving regulatory and land use context for these types of developments and consider, as needed, the introduction of additional zoning provisions through future amendments.

Based on the above, staff are satisfied that the proposed amendments are generally consistent with the intent of the Municipal Plan, particularly with respect to supporting industrial development and economic growth while recognizing the need to balance environmental considerations with infrastructure capacity.

Therefore, Staff recommend that to facilitate the City's request to define, permit, and regulate data centres and battery energy storage facilities, the Planning Review and Adjustment Committee adopt the following motion:

“Pursuant to Section 110(1) of the *Community Planning Act*, it is the view of the City of Miramichi Planning Review and Adjustment Committee (PRAC) that the City of Miramichi amend the City of Miramichi Zoning By-law (By-law No. 110) as generally outlined in Attachment 1.”

Attachments

1. Zoning By-law Amendments
2. Map of City of Miramichi Industrial Zones

Report Prepared On: Thursday, March-26-26

Prepared by:

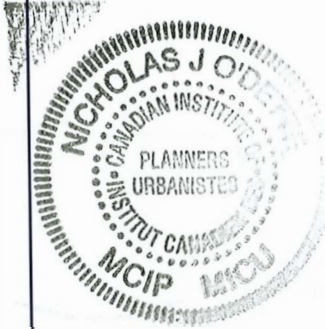
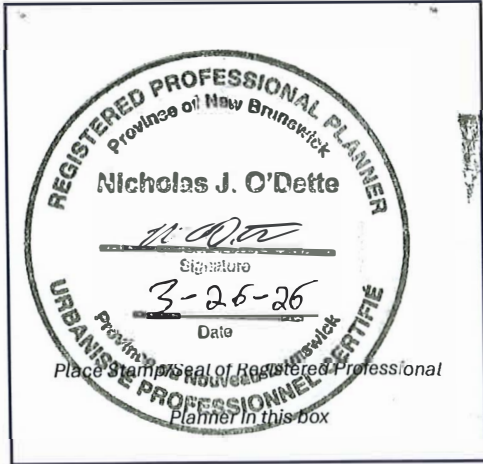
Nic O'Dette, RPP, MCIP
Planning Services Manager

Nic O'Dette

Agenda item: 2026-2-1

Reviewed by:

Justin Forbes, RPP, MCIP
Planning Director



Attachment 1: Proposed Zoning By-law Amendments

Amendment Reference	Purpose	Page and Section(s)	Amended (New) Text
1	Define Battery Energy Storage Facility	Section 1	BATTERY ENERGY STORAGE FACILITY means a use of land, buildings or structures for the operation of interconnected battery systems used to store and deliver electrical energy, either on- or off-site, but does not include accessory non-commercial use.
2	Define Data Centre	Section 1	DATA CENTRE means a use of land, buildings or structures for the storage, operation, and maintenance of networking information technology infrastructure, including but not limited to the large-scale use of servers, computers, and other data storage equipment, intended for the processing, storage and transmission of digital data. May include associated power generation equipment.
3	Add specific use regulations for Data Centres under 'Special Provision for Specific Uses'	Section 3.4.17	3.4.17 Data Centre 1. Where permitted in the Heavy Industrial zone, the development of a Data Centre shall also be subject to the following: a) Municipal or private water and sewage disposal shall be provided to the satisfaction of the City of Miramichi Director of Engineering and/or Public Works, with attention given to the proposed water consumption and disposal of such facility; b) Electrical power connection shall be reviewed and approved by NB Power, with attention given to the proposed electrical power demand/consumption of such facility;

Zoning By-law Amendments (AHWG Discussion Items)

Amendment Reference	Purpose	Page and Section(s)	Amended (New) Text
			<p>c) The development shall receive any required approvals specified under provincial regulation, including, but not limited to, the <i>Watercourse and Wetland Alteration Regulation - Clean Water Act</i> and the <i>Environmental Impact Assessment Regulation - Clean Environment Act</i>; and</p> <p>d) Any main or accessory structure forming an integral component of a data centre, including backup power generation facilities, shall be located a minimum of 250m from the nearest residential use.</p>
4	Update industrial zones table reflecting the two new permitted main uses in the HI zone	Section 8 p. 119	*Edit table to reflect changes proposed to section *
5	Add 'Battery Energy Storage Facility' as a permitted main use in the HI Zone		ii. battery energy storage facility
6	Add 'Data Centre' as a permitted main use in the HI Zone		viii. data centre



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

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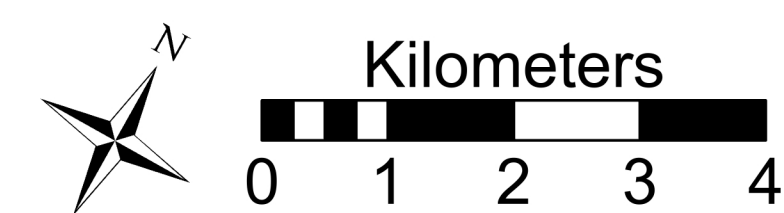
Attachment 2

Map of City of Miramichi Industrial Zones

Heavy Industrial Zone

Legend

-  Heavy Industrial Zone
-  Other Industrial Zones
-  Non-Industrial Zones
-  Unzoned



Scale: 1:60,000

Drawn by: Alex Hanes, MPI.
Spatial Reference
Name: NAD 1983 CSRS New Brunswick Stereographic
PCS: NAD 1983 CSRS New Brunswick Stereographic
GCS: GCS North American 1983 CSRS
Datum: North American 1983 CSRS
Projection: Double Stereographic



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DEVELOPMENT
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Attachment 2

NB Department of Environment (WAWA Branch) Report

March 30, 2026

Subject : Proposed Zoning Amendment City of Miramichi to Permit Data Centres

The Watercourse and Wetland Alteration (WAWA) Branch with the Department of Environmental and Local Government (DELG) has reviewed the Proposed Zoning Amendment of the Heavy Industrial Areas for the City of Miramichi to Permit Data Centres. The review utilized the [WAWA Reference Map](#), aerial imagery and other available desktop tools to assess the potential for wetlands and watercourses in or near the proposed areas. Though the WAWA Branch recognizes that the Greater Miramichi Service Commission (GMSC) has not received any proposed development of this nature, the information provided serves as guidance for any future planning by the GMSC, property owners, development officers, land surveyors, local governments, etc., for potential environmental constraints and considerations for these Zonage Areas.

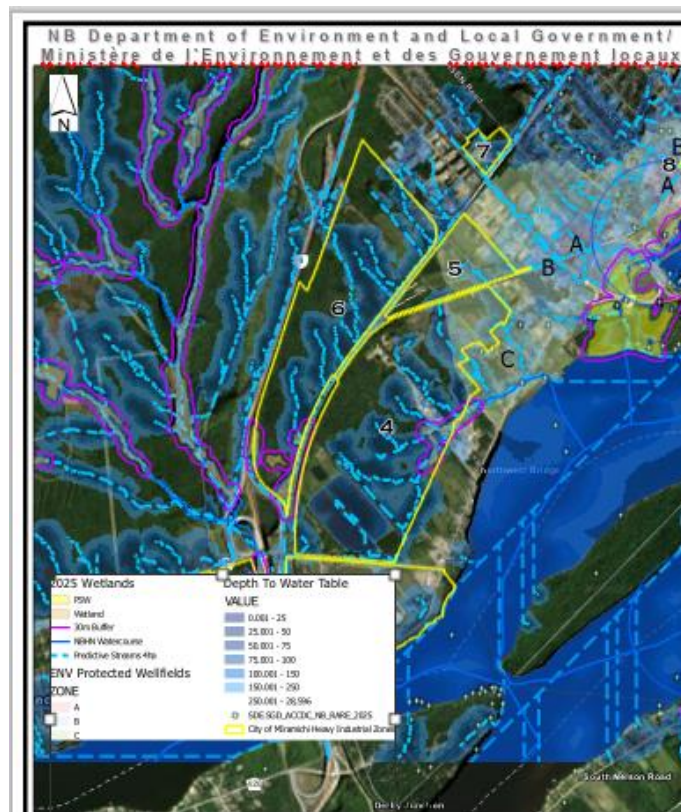
Please note that if should a proposed development associated with these areas have the potential to impact 2 hectares of wetland or all waterworks with a capacity greater than fifty cubic metres of water daily may be subject to an Environmental Impact Assessment Registration as per Triggers 'V' or 'S', respectively of Schedule A of the *Environmental Impact Assessment Regulation – Clean Environment Act*. Please consult with the Environmental Impact Assessment Branch at EIAEIE@gnb.ca or (506) 444-5382 to determine EIA requirements.

Heavy Industrial Areas 1, 2 and 3



1. The WAWA Reference Map indicates that a watercourse, wetlands and/or the respective 30 metre (m) buffers are present in areas identified in the map above as Area 2 and 3, further Area 1 is within 30 m of a watercourse. However, this map is a reference tool only and it is possible that there is a watercourse or a wetland that is not depicted on the WAWA Reference Map on or within 30 m of the property. Any alteration in or within 30 m of a watercourse or a wetland based on DELG's [definitions](#) **will require a WAWA permit**.
2. Additionally, our assessment indicates the potential for an unmapped wetlands and watercourses in or within 30 m of Area 2 and 3. Prior to any development on the property, the WAWA Branch recommends that the presence/boundaries of wetlands be assessed on the ground by a [qualified wetland delineator](#).
3. Refer to DELG's [Guidelines for Development within 30 m of a Watercourse](#) for information on the WAWA application review process for conducting alterations in or within 30 m of a watercourse.
4. Please note that the watercourse (Miramichi River) in question is considered a tidal watercourse, in which Scenario 1 of the [Guidelines for Development within 30 m of a Watercourse](#) apply.
5. A three-step mitigation approach is required when proposing an alteration in or within 30 m of a wetland. These steps include, in sequential order, avoidance at the planning stage, minimization of impacts to the extent possible, and, finally, compensation for any permanent wetland impacts that cannot be avoided, granted the project is approved. Therefore, all lots should have sufficient buildable area outside of regulated features (i.e., wetlands and their 30 m buffers) to ensure wetland impacts are minimized during the planning phase. Please refer to DELG's [Wetland Compensation Guidelines](#) for more information on the compensation process.
6. Areas 2 and 3 are partially located within a flood hazard area. Flood hazard areas have been identified by DELG due to the risk of experiencing flooding due to climate change up to the year 2100. DELG strongly recommends against the construction of any structure that will require evacuation during times of flooding, storm surge, or ice floes. This includes residential, commercial, industrial, and permanent recreational structures. For more information, please refer to the [Flooding in New Brunswick Webpage](#).
7. During the review Areas 2 and 3 were identified as Crown land parcels, it was noted that there may be species at risk at the project location for Areas 1, 2 and 3. For more information, please contact the Department of Natural Resources (DNR) Species at Risk (SAR) Group.

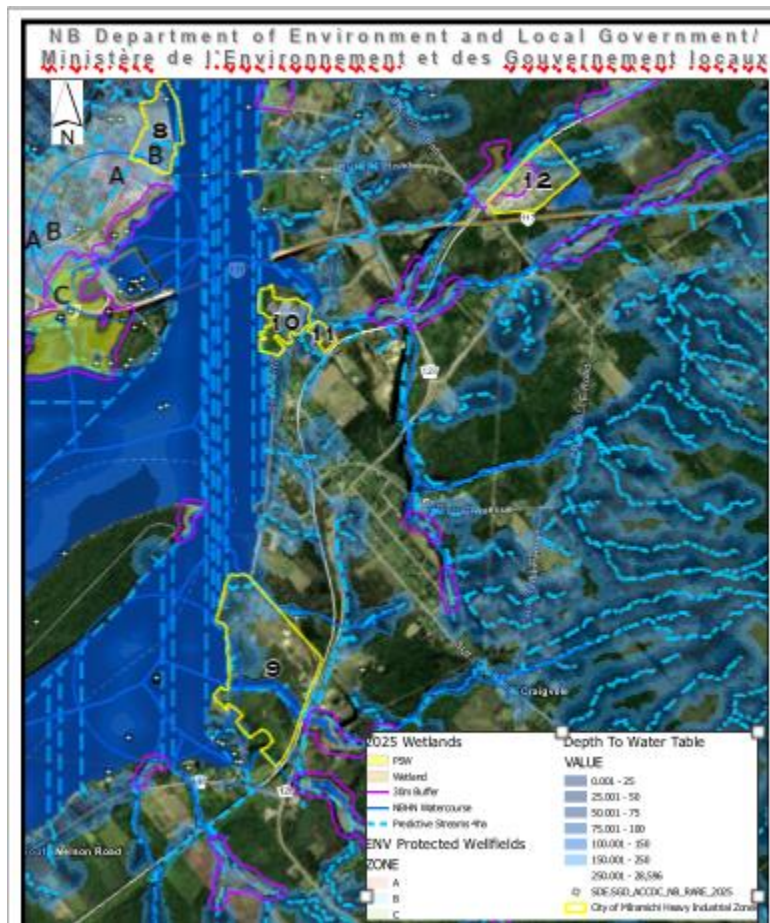
Heavy Industrial Areas 4, 5, 6 and 7



8. The WAWA Reference Map indicates that wetlands and their respective 30 m buffers present in areas identified in the map above as Area 4 and 6 further a watercourse and its 30 m buffer is present in Area 4. However, this map is a reference tool only and it is possible that there is a watercourse or a wetland that is not depicted on the WAWA Reference Map on or within 30 m of the property. Any alteration in or within 30 m of a watercourse or a wetland based on DELG's [definitions](#) **will require a WAWA permit**.
9. Additionally, our assessment indicates the potential for unmapped wetlands and/or watercourses in or within 30 m of Areas 4, 5, 6 and 7. Prior to any development on the property, the WAWA Branch recommends that the presence/boundaries of wetlands be assessed on the ground by a [qualified wetland delineator](#).
10. Refer to DELG's [Guidelines for Development within 30 m of a Watercourse](#) for information on the WAWA application review process for conducting alterations in or within 30 m of a watercourse.
11. A three-step mitigation approach is required when proposing an alteration in or within 30 m of a wetland. These steps include, in sequential order, avoidance at the planning stage, minimization of impacts to the extent possible, and, finally, compensation for any permanent wetland impacts that cannot be avoided, granted the project is approved. Therefore, all lots should have sufficient buildable area outside of regulated features (i.e., wetlands and their 30 m buffers) to ensure wetland impacts are minimized during the planning phase. Please refer to DELG's [Wetland Compensation Guidelines](#) for more information on the compensation process.

12. During the review Areas 4 and 5 were identified as overlapping with Zones B and C of the Designated Protected Wellfield for Miramichi. Since there are restrictions on development activities within Protected Wellfields, more information should be obtained from the Regional Water Planning Officer of the Healthy Environments Branch of DELG prior to zoning changes and more information on guidance and restrictions for heavy industrial development within the designated areas.
13. During the review it was noted that there may be species at risk at the project location for Areas 5. For more information, please contact the Department of Natural Resources (DNR) Species at Risk (SAR) Group.

Heavy Industrial Areas 8, 9, 10, 11, and 12



8. The WAWA Reference Map indicates that a watercourse and its respective 30 m buffer is present in Area 8 and 11, four watercourses and their respective 30 m buffers are present in Area 9, two watercourses and their respective 30 m buffer are present in Area 10, and a watercourse, wetland and their respective 30 m buffers are present in Area 12. However, this map is a reference tool only and it is possible that there is a watercourse or a wetland that is not depicted on the WAWA Reference Map on or within 30 m of the property. Any alteration in or within 30 m of a watercourse or a wetland based on DELG's [definitions](#) **will require a WAWA permit**.
9. Additionally, our assessment indicates the potential for unmapped wetlands and/or watercourses in or within 30 m of Areas 9, 10, 11 and 12. Prior to any development on the

property, the WAWA Branch recommends that the presence/boundaries of wetlands be assessed on the ground by a [qualified wetland delineator](#).

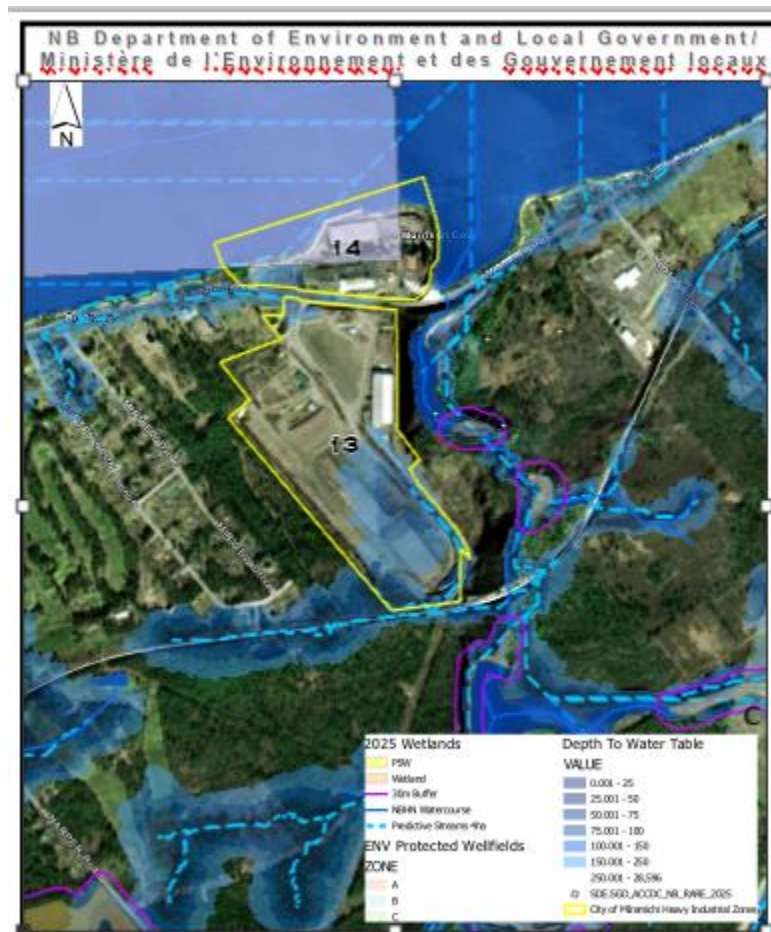
10. Refer to DELG's [Guidelines for Development within 30 m of a Watercourse](#) for information on the WAWA application review process for conducting alterations in or within 30 m of a watercourse.
11. Please note that the watercourse (Miramichi River) in question is considered a tidal watercourse, in which Scenario 1 of the [Guidelines for Development within 30 m of a Watercourse](#) apply for Areas 9 and 10.
12. A three-step mitigation approach is required when proposing an alteration in or within 30 m of a wetland. These steps include, in sequential order, avoidance at the planning stage, minimization of impacts to the extent possible, and, finally, compensation for any permanent wetland impacts that cannot be avoided, granted the project is approved. Therefore, all lots should have sufficient buildable area outside of regulated features (i.e., wetlands and their 30 m buffers) to ensure wetland impacts are minimized during the planning phase. Please refer to DELG's [Wetland Compensation Guidelines](#) for more information on the compensation process.
13. Please note that the watercourse in question is considered a tidal watercourse. Any alteration within 30 m of a tidal watercourse of Area 8 will be subject to the [Coastal Area Protection Policy](#).
14. Areas 8, 9, 10 and 11 are partially or fully located within a flood hazard area. Flood hazard areas have been identified by DELG due to the risk of experiencing flooding due to climate change up to the year 2100. DELG strongly recommends against the construction of any structure that will require evacuation during times of flooding, storm surge, or ice floes. This includes residential, commercial, industrial, and permanent recreational structures. For more information, please refer to the [Flooding in New Brunswick Webpage](#).
15. The coast along Area 8 is outside of the jurisdiction of the *Watercourse and Wetland Alteration Regulation*. Therefore, there is no requirement to obtain a Watercourse and Wetland Alteration (WAWA) permit for alterations within 30 metres of the coast **provided that** there are also no watercourses or wetlands, as per the [definitions](#) within 30 metres of the alteration.

The [Coastal Areas Protection Policy](#) contains recommendations on activities taking place in coastal areas.

Please note that any alteration below the Ordinary High-Water Mark may require a License of Occupation from the Crown Lands Branch at the Department of Natural Resources and Energy Development. The Crown Lands Branch can be reached at 1-888-312-5600 for more information.

16. During the review Area 8 was identified as overlapping with Zones A, B and C of the Designated Protected Wellfield for Miramichi. Since there are restrictions on development activities within Protected Wellfields, more information should be obtained from the Regional Water Planning Officer of the Healthy Environments Branch of DELG prior to zonage changes and more information on guidance and restrictions for heavy industrial development within the designated areas.
17. During the review it was noted that there may be species at risk at the project location for Areas 8, 9 and 10. For more information, please contact the Department of Natural Resources (DNR) Species at Risk (SAR) Group.

Heavy Industrial Areas 13 and 14



18. The WAWA Reference Map indicates that a 30 m buffer for a watercourse is present in Areas 13 and 14. However, this map is a reference tool only and it is possible that there is a watercourse or a wetland that is not depicted on the WAWA Reference Map on or within 30 m of the property. Any alteration in or within 30 m of a watercourse or a wetland based on DELG's [definitions](#) **will require a WAWA permit**.
19. Additionally, our assessment indicates the potential for unmapped wetlands and/or watercourses in or within 30 m of Area 13. Prior to any development on the property, the WAWA Branch recommends that the presence/boundaries of wetlands be assessed on the ground by a [qualified wetland delineator](#).
20. Refer to DELG's [Guidelines for Development within 30 m of a Watercourse](#) for information on the WAWA application review process for conducting alterations in or within 30 m of a watercourse.
21. Please note that the watercourse (Miramichi River) in question is considered a tidal watercourse, in which Scenario 1 of the [Guidelines for Development within 30 m of a Watercourse](#) apply.
22. A three-step mitigation approach is required when proposing an alteration in or within 30 m of a wetland. These steps include, in sequential order, avoidance at the planning stage, minimization of impacts to the extent possible, and, finally, compensation for any permanent wetland impacts that cannot be avoided, granted the project is approved. Therefore, all lots should have sufficient

buildable area outside of regulated features (i.e., wetlands and their 30 m buffers) to ensure wetland impacts are minimized during the planning phase. Please refer to DELG's [Wetland Compensation Guidelines](#) for more information on the compensation process.

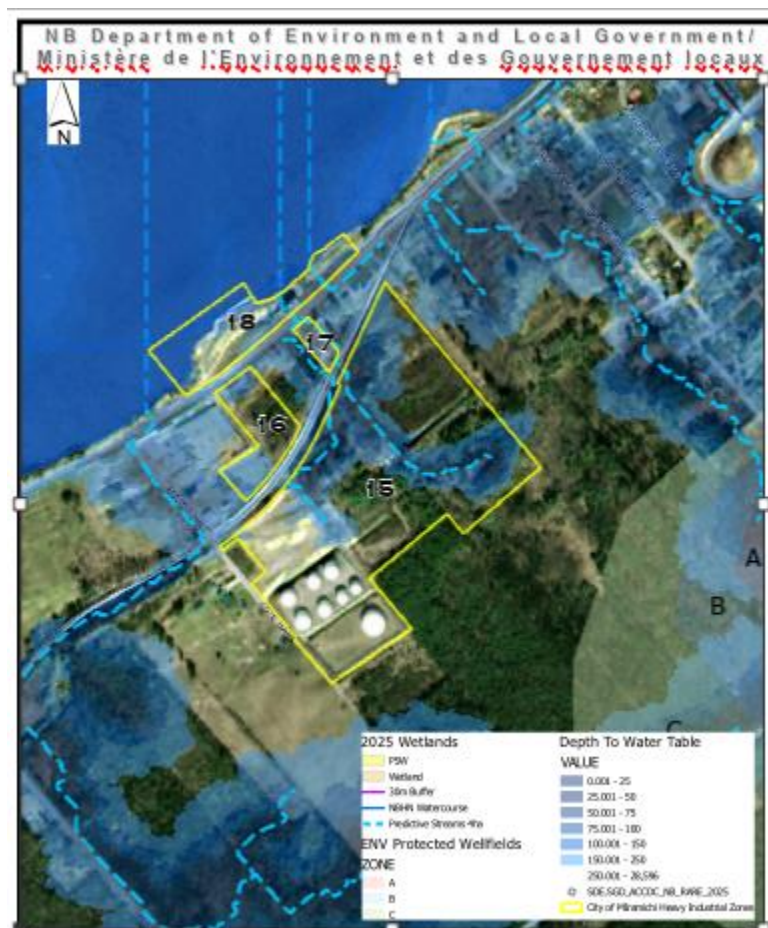
23. Please note that the watercourse in question is considered a tidal watercourse. Any alteration within 30 m of a tidal watercourse of Area 14 will be subject to the [Coastal Area Protection Policy](#).
24. Area 14 is partially located within a flood hazard area. Flood hazard areas have been identified by DELG due to the risk of experiencing flooding due to climate change up to the year 2100. DELG strongly recommends against the construction of any structure that will require evacuation during times of flooding, storm surge, or ice floes. This includes residential, commercial, industrial, and permanent recreational structures. For more information, please refer to the [Flooding in New Brunswick Webpage](#).
25. The coast along Area 14 is outside of the jurisdiction of the *Watercourse and Wetland Alteration Regulation*. Therefore, there is no requirement to obtain a Watercourse and Wetland Alteration (WAWA) permit for alterations within 30 m of the coast **provided that** there are also no watercourses or wetlands, as per the [definitions](#) within 30 M of the alteration.

The [Coastal Areas Protection Policy](#) contains recommendations on activities taking place in coastal areas.

Please note that any alteration below the Ordinary High-Water Mark may require a License of Occupation from the Crown Lands Branch at the Department of Natural Resources and Energy Development. The Crown Lands Branch can be reached at 1-888-312-5600 for more information.

26. During the review it was noted that there may be species at risk at the project location for Areas 13 and 14. For more information, please contact the Department of Natural Resources (DNR) Species at Risk (SAR) Group.

Heavy Industrial Areas 15, 16, 17 and 18



27. The WAWA Reference Map does not indicate the presence of any watercourse or wetland in or within 30 m of Areas 15, 16, 17 and 18. However, it is a reference tool only and it is the landowner or developers' responsibility to ensure no alteration occurs in or within 30 m of a watercourse or wetland (defined as per the [definitions](#)) without a WAWA Permit.
28. Additionally, our assessment indicates the potential for unmapped wetlands and/or watercourses in or within 30 m of Areas 15 and 17. Prior to any development on the property, the WAWA Branch recommends that the presence/boundaries of wetlands be assessed on the ground by a [qualified wetland delineator](#).
29. Refer to DELG's [Guidelines for Development within 30 m of a Watercourse](#) for information on the WAWA application review process for conducting alterations in or within 30 m of a watercourse.
30. Please note that the watercourse (Miramichi River) in question is considered a tidal watercourse, in which Scenario 1 of the [Guidelines for Development within 30 m of a Watercourse](#) apply.
31. A three-step mitigation approach is required when proposing an alteration in or within 30 m of a wetland. These steps include, in sequential order, avoidance at the planning stage, minimization of impacts to the extent possible, and, finally, compensation for any permanent wetland impacts that cannot be avoided, granted the project is approved. Therefore, all lots should have sufficient buildable area outside of regulated features (i.e., wetlands and their 30 m buffers) to ensure wetland

impacts are minimized during the planning phase. Please refer to DELG's [Wetland Compensation Guidelines](#) for more information on the compensation process.

32. Please note that the watercourse in question is considered a tidal watercourse. Any alteration within 30 m of a tidal watercourse of Area 18 will be subject to the [Coastal Area Protection Policy](#).
33. Areas 18 is partially located within a flood hazard area. Flood hazard areas have been identified by DELG due to the risk of experiencing flooding due to climate change up to the year 2100. DELG strongly recommends against the construction of any structure that will require evacuation during times of flooding, storm surge, or ice floes. This includes residential, commercial, industrial, and permanent recreational structures. For more information, please refer to the [Flooding in New Brunswick Webpage](#).
34. The coast along Area 18 is outside of the jurisdiction of the *Watercourse and Wetland Alteration Regulation*. Therefore, there is no requirement to obtain a Watercourse and Wetland Alteration (WAWA) permit for alterations within 30 m of the coast **provided that** there are also no watercourses or wetlands, as per the [definitions](#) within 30 M of the alteration.

The [Coastal Areas Protection Policy](#) contains recommendations on activities taking place in coastal areas.

Please note that any alteration below the Ordinary High-Water Mark may require a License of Occupation from the Crown Lands Branch at the Department of Natural Resources and Energy Development. The Crown Lands Branch can be reached at 1-888-312-5600 for more information.

Heavy Industrial Areas 19 and 20



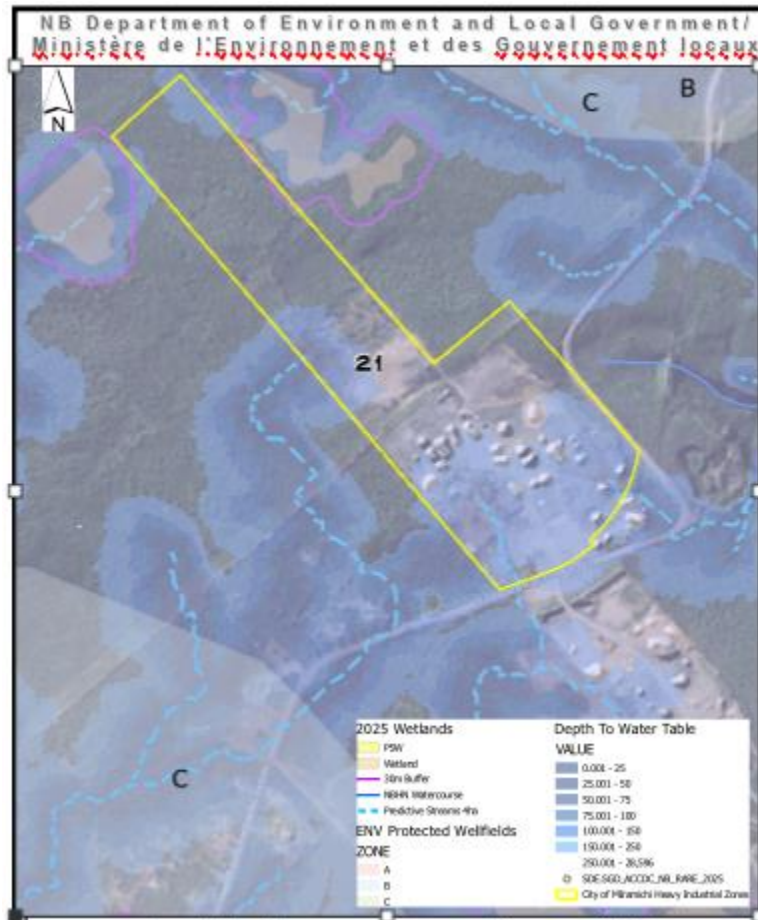
35. The WAWA Reference Map indicates that a watercourse and its respective 30 m is present in Area 20, and a Provincial Significant Wetland and its respective 30 m buffer is present in Area 19. However, this map is a reference tool only and it is possible that there is a watercourse or a wetland that is not depicted on the WAWA Reference Map on or within 30 m of the property. Any alteration in or within 30 m of a watercourse or a wetland based on DELG's [definitions](#) **will require a WAWA permit**.
36. Additionally, our assessment indicates the potential for unmapped wetlands in or within 30 m of Areas 19 and 20. Prior to any development on the property, the WAWA Branch recommends that the presence/boundaries of wetlands be assessed on the ground by a [qualified wetland delineator](#).
37. Provincially Significant Wetlands (PSW) have been attributed special status because they are fulfilling critical functions and values for New Brunswick's environment, wildlife, and people. A goal of the Wetlands Conservation Policy is to prevent the loss of PSW's, therefore, there are limited permissible alterations in or within 30 m of a PSW. It is very likely that a **WAWA permit will not be issued** for alterations such as cutting vegetation, grubbing/land preparation, the placement of fill material, construction of a dwelling, installation of a septic system, etc., in or within 30 m of the PSW.
38. Refer to DELG's [Guidelines for Development within 30 m of a Watercourse](#) for information on the WAWA application review process for conducting alterations in or within 30 m of a watercourse.
39. Please note that the watercourse (Miramichi River) in question is considered a tidal watercourse, in which Scenario 1 of the [Guidelines for Development within 30 m of a Watercourse](#) apply.
40. A three-step mitigation approach is required when proposing an alteration in or within 30 m of a wetland. These steps include, in sequential order, avoidance at the planning stage, minimization of impacts to the extent possible, and, finally, compensation for any permanent wetland impacts that cannot be avoided, granted the project is approved. Therefore, all lots should have sufficient buildable area outside of regulated features (i.e., wetlands and their 30 m buffers) to ensure wetland impacts are minimized during the planning phase. Please refer to DELG's [Wetland Compensation Guidelines](#) for more information on the compensation process.
41. Please note that the watercourse in question is considered a tidal watercourse. Any alteration within 30 m of a tidal watercourse will be subject to the [Coastal Area Protection Policy](#).
42. Areas 19 and 20 are fully located within a flood hazard area. Flood hazard areas have been identified by DELG due to the risk of experiencing flooding due to climate change up to the year 2100. DELG strongly recommends against the construction of any structure that will require evacuation during times of flooding, storm surge, or ice floes. This includes residential, commercial, industrial, and permanent recreational structures. For more information, please refer to the [Flooding in New Brunswick Webpage](#).
43. The coast along Areas 19 and 20 is outside of the jurisdiction of the *Watercourse and Wetland Alteration Regulation*. Therefore, there is no requirement to obtain a Watercourse and Wetland Alteration (WAWA) permit for alterations within 30 m of the coast **provided that** there are also no watercourses or wetlands, as per the [definitions](#) within 30 m of the alteration.

The [Coastal Areas Protection Policy](#) contains recommendations on activities taking place in coastal areas.

Please note that any alteration below the Ordinary High-Water Mark may require a License of Occupation from the Crown Lands Branch at the Department of Natural Resources and Energy Development. The Crown Lands Branch can be reached at 1-888-312-5600 for more information.

44. During the review it was noted that there may be species at risk at the project location for Areas 19 and 20. For more information, please contact the Department of Natural Resources (DNR) Species at Risk (SAR) Group.

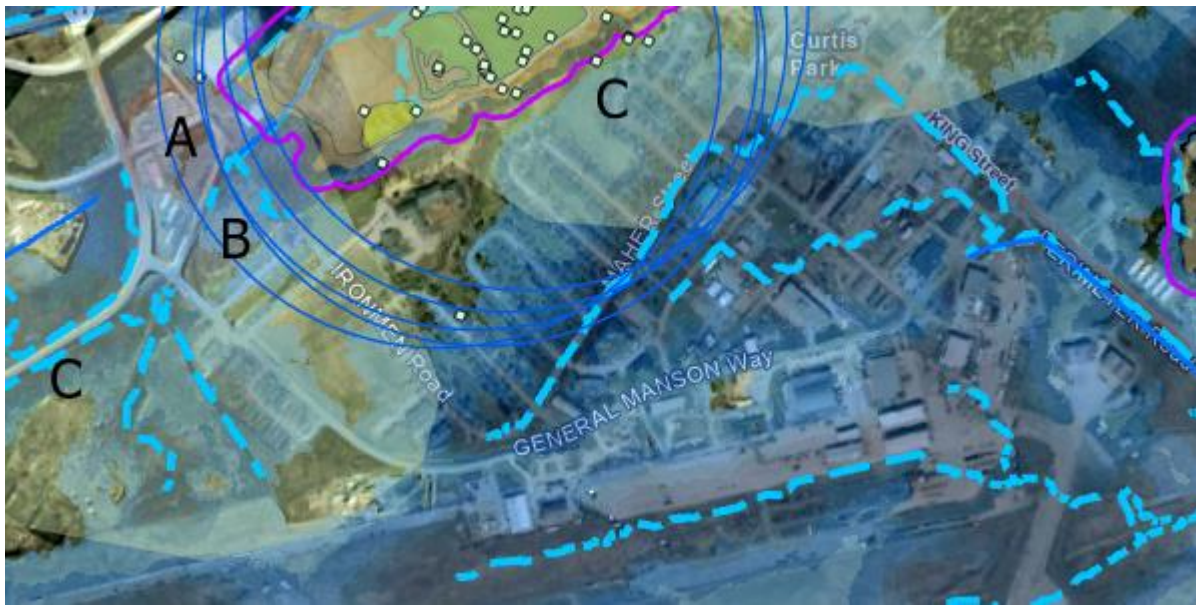
Heavy Industrial Area 21



21. The WAWA Reference Map indicates that the respective 30 m buffers for two wetlands and a watercourse are present in Area 21. However, this map is a reference tool only and it is possible that there is a watercourse or a wetland that is not depicted on the WAWA Reference Map on or within 30 m of the property. Any alteration in or within 30 m of a watercourse or a wetland based on DELG's [definitions](#) **will require a WAWA permit**.
22. Additionally, our assessment indicates the potential for unmapped wetlands and or watercourses in or within 30 m of Area 21 as well as that the mapped features identified above as being larger than depicted. Prior to any development on the property, the WAWA Branch recommends that the presence/boundaries of wetlands be assessed on the ground by a [qualified wetland delineator](#).

23. Refer to DELG's [Guidelines for Development within 30 m of a Watercourse](#) for information on the WAWA application review process for conducting alterations in or within 30 m of a watercourse.
24. A three-step mitigation approach is required when proposing an alteration in or within 30 m of a wetland. These steps include, in sequential order, avoidance at the planning stage, minimization of impacts to the extent possible, and, finally, compensation for any permanent wetland impacts that cannot be avoided, granted the project is approved. Therefore, all lots should have sufficient buildable area outside of regulated features (i.e., wetlands and their 30 m buffers) to ensure wetland impacts are minimized during the planning phase. Please refer to DELG's [Wetland Compensation Guidelines](#) for more information on the compensation process.
25. During the review it was noted that there may be species at risk at the project location for Area 20 and 20. For more information, please contact the Department of Natural Resources (DNR) Species at Risk (SAR) Group.

Heavy Industrial Area – General Manson Way



26. During the review General Mason Way was identified as overlapping with Zones A, B and C of the Designated Protected Wellfield for Miramichi. Since there are restrictions on development activities within Protected Wellfields, more information should be obtained from the Regional Water Planning Officer of the Healthy Environments Branch of DELG prior to zonage changes and more information on guidance and restrictions for heavy industrial development within the designated areas.
27. During the review it was noted that there may be species at risk at the project location for General Mason Way. For more information, please contact the Department of Natural Resources (DNR) Species at Risk (SAR) Group.

The WAWA Branch has reviewed the provided information and has no apparent concerns at this time; however, it is the responsibility of planning authorities to determine if a property is suited for the intended development.

This review and associated recommendations are based on current regulations and guidelines which are subject to change.

For additional information on the above, please refer to the documentation available on the DELG's [Website](#).

Should you have any questions or require additional information, don't hesitate to contact me directly.

Sincerely,



Elizabeth Walsh
Wetland Biologist

Watercourse and Wetland Alteration Branch
Department of Environment and Local Government