

Stormwater Management

Planning Advisory Committee

March 19, 2024

Planning & Development Department



EAST HANTS

Background

- During their October 2023 Council meeting, Council passed a motion directing staff to write a report regarding stormwater management in unserviced areas of East Hants and provide options for Council’s consideration.
- A Stormwater System is defined in the Subdivision Bylaw as “any drainage system, whether above or below ground, constructed to collect, control, and transport stormwater from the area of land being subdivided to a point of discharge.”
- Currently, there are a few different land use scenarios that trigger the requirement for a Developer to complete a stormwater management plan.

Subdivision Bylaw

- Part 12: Stormwater Management of the SUB, requires stormwater management plans to be completed for tentative plans of Subdivision in the Growth Management Areas and Growth Reserve Areas, where more than three (3) lots or two (2) lots and a remainder are being created.
- A tentative plan of subdivision is required when a new road is being constructed.
- Part 12.2 of the SUB requires all land that is subdivided and drains into the Nine Mile River to have a stormwater management plan, no matter if a tentative plan of subdivision is required or not.
- Part 12 of the SUB outlines in detail when and what kind of stormwater management system is required.
- Stormwater design standards are included in the Municipal standards.
- Municipal Engineers confirm if a stormwater management plan has been designed per the Municipal standards.

Site Plan Approval

- Depending on the zone and the use of the land, stormwater management plans may be required under some site plan approval criteria identified in the Land Use Bylaw.
- Stormwater management plans in these situations are required to control stormwater at a particular development site and may not take into consideration the greater community.
- The stormwater management plan would have to be prepared and accepted before the Development Officer approves site plan approval.
- Not all site plan approvals require a stormwater management plan.

Development Agreement

- In some instances, a stormwater management plan or preliminary stormwater management plan may be required during negotiations for a development agreement.
- For instance, during the negotiations for Walkable Comprehensive Development District (WCDD) lands a preliminary stormwater plan is required and at the subdivision stage detailed stormwater management plans are required.
- Other development agreements, for individual development sites, may require detailed stormwater management plans as part of the terms of the development agreement.
- Therefore, a detailed stormwater management plan would have to be prepared and accepted before the Development officer issues a development permit for the proposed use of the land.
- A development agreement for land located outside of a GMA or GRA may contain a requirement for a stormwater management plan to be completed.

Municipal Standards

- In the previous situations, all required stormwater management plans have to be prepared per the Municipal standards.
- The Municipal standards require that stormwater management systems are designed by a professional Engineer and major stormwater systems have to be designed to carry the runoff from a 1:100 year storm.
- Data for a 1:100 year storm event can be updated through updates to the Municipal standards.

Bylaw P1200- Lot Grading and Drainage Bylaw

- The purpose of the Lot Grading and Drainage Bylaw is to manage the drainage of water on individual lots, so as not to have a negative impact on the subject property or adjoining lands.
- The Bylaw was adopted in 2006 and is only applicable to lands located in the serviced GMAs.
- Staff are not recommending that the Lot Grading and Drainage Bylaw be extended to areas outside of the serviced GMAs at this time.
- Lots located where there are no Municipal services tend to require a large area of land due to septic system requirements; thereby, reducing the potential impact to neighbouring lands.

Discussion

- Under the current regulations, any developer constructing a new road outside of a GMA or GRA is not required to submit a stormwater management plan, except for land adjacent to the Nine Mile River.
- It may be difficult for residents in areas outside of the GMA's or GRA's who feel that they are experiencing stormwater-related issues on their properties to prove their concerns.
- Since there are no stormwater management plans required, the Municipality also has little recourse if an issue arises.
- Not requiring a stormwater management plan also means that a Developer may not take into consideration how the construction of a new road may impact adjacent lands.
- If Council decides to require stormwater management plans for new developments in other areas of East Hants, it will be an extra expense for the Developer.
- Staff feel the protection of neighbouring property owners outweighs the cost to the Developer.

Halifax Stormwater Regulations

- HRM uses different language from East Hants in its SUB to regulate stormwater management; however, a drainage plan and stormwater management system are required for all subdivisions where new streets are created.
- This includes both public and private streets located anywhere in the Municipality.

Drainage Plan

- 103** Where a proposed subdivision is to be serviced with primary or secondary services or by a private road, the subdivider shall provide 8 copies of the complete drainage plan, prepared by a Professional Engineer in accordance with the **Engineering Regulations**, showing the following: **(RC-Jun 21/16;E-Jul 30/16)**
- (a) the location of the proposed subdivision within the drainage area;
 - (b) the location and direction of flow of every watercourse;
 - (c) the receiving water of the proposed **stormwater** system; **(RC-Jun 21/16;E-Jul 30/16)**
 - (d) the approximate total area of:
 - (i) the proposed subdivision; and
 - (ii) the land tributary to the proposed subdivision and the appropriate run-off coefficients;
 - (e) contour lines at 2 m intervals or as otherwise required by the Engineer in order to determine site drainage patterns; and
 - (f) any other information required by the Development Officer to determine if the tentative subdivision plan conforms to this by-law.

Proposed Amendments

- In order to extend the requirement for stormwater management plans to be undertaken in all areas of East Hants, staff recommends amending the Subdivision Bylaw to include a provision that all roads in the Municipality, whether public or private will require a stormwater management plan to be submitted with the engineering documents for a tentative plan of subdivision.
- Staff will draft proposed amendments if Council decides to proceed with the recommendation.
- A public information meeting is required for amendments to the Subdivision Bylaw.

Alternative

There are two alternatives for Council to consider:

1. Make no changes to the Subdivision Bylaw in regards to requiring stormwater management plans.
2. Require stormwater management plans for all tentative plans of subdivision for lands located in the Country Residential (CR) Zone, the Lakeshore Residential (LR) Zone, the Established Residential Neighbourhood (R1) Zone, and Two Unit Dwelling Residential (R2) Zone.

Recommendation

- Authorize staff to start the process of amending the Subdivision Bylaw to require stormwater management plans for tentative plans of subdivision in all areas of the Municipality and for all road types; and authorize staff to hold a public information meeting.

Recommended Motion

Planning Advisory Committee recommends that Council:

- *authorize staff to proceed with amending the Subdivision Bylaw to require stormwater management plans for tentative plans of subdivision for all areas of the Municipality and all road types; and*
- *authorize staff to hold a public information meeting.*