

Stormwater Management

Planning Advisory Committee

July 15, 2025

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.
- At their March 2024, Council passed Motion C24(88) *"...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."*
- Three public information meetings were held in May 2025 to discuss the proposed amendments.



Stormwater Management

- 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.

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, both the Municipal Planning Strategy and Subdivision Bylaw will have to be amended. Text in green, bold and italic identifies text to be added. Text in red with a strikethrough indicates text to be deleted.
- Below are proposed amendments to Section C9: Environment of the Municipal Planning Strategy:
 - EN28. Council shall require an adequate storm drainage system to be in place for all new developments within ~~the Growth Management and Growth Reserve Areas of~~ the Municipality.
 - EN31. The development, alteration, or influence of any storm drainage system on a specific site shall be presented within a Stormwater Management Plan, which shall be required from the developer during the subdivision or development agreement process. A Stormwater Management Plan shall be required for subdivisions over 3 lots on an existing area of land. ~~in the Growth Management and Growth Reserve Areas of the Municipality.~~
 - EN34. It shall be the policy of Council to require that development agreement applications for WCDD **and RCDD** land include a Stormwater Management Plan and that stormwater best management practices be given consideration.

- Below are proposed amendments to Part 12. Stormwater Management of the Subdivision Bylaw:
 - 12.1. Prior to receiving approval of a tentative plan of Subdivision ~~in all Growth Management and Growth Reserve Areas~~, the Subdivider shall be required to prepare a stormwater management plan based on the following requirements:
 - a. the stormwater management plan shall apply to the entire area of land to be subdivided;
 - b. the stormwater management plan shall include a drainage plan to address all drainage patterns within the Subdivision area and shall prescribe a method for the proper drainage and collection of stormwater based on the full development of the site;
 - c. the stormwater management plan shall include a grading plan to address the conveyance of all surface runoff from the developed Subdivision area to a stable outlet or established drainage area in accordance with Municipal standards;
 - d. the stormwater management plan shall meet all specific requirements under Municipal standards;
 - e. the stormwater management plan shall be stamped by a Professional Engineer and shall be subject to review by Nova Scotia Environment and Climate Change and the Municipality;
 - f. this requirement shall only apply where approval is being sought for 3 lots or more (including 2 lots and a remainder) from an existing area of land.
 - 12.6. All paved public roads ~~within the Growth Management and Growth Reserve Areas~~ that are not required to have a buried stormwater system shall be designed and constructed with an open-ditch stormwater drainage system in accordance with Municipal standards.

Citizen Engagement

- As part of the Subdivision amendment process, a public information meeting (PIM) is required.
- Three PIMs were held in May 2025, one in each region of the Municipality. Notes from the meeting have been attached as Appendix A.
- The reason for the delay between Motion C24(88) being passed and the date of the PIM was that during this time, Council was considering whether they were going to proceed with amending Bylaw P-1200, Lot Grading and Drainage. Staff were attempting to address both matters at the same time to reduce confusion between the two topics.
- At their June 25, 2025, meeting Council decided not to proceed with amending Bylaw P-1200.

Recommendation

- Recommend that first reading be given to the proposed Subdivision Bylaw amendments and authorize staff to schedule a public hearing.

Recommended Motion

Planning Advisory Committee recommends that Council:

- *give first reading to the proposal to amend the Municipal Planning Strategy and Subdivision Bylaw to require stormwater management plans in un-serviced areas of the Municipality, for the purpose of enabling a public hearing; and*
- *authorize staff to schedule a public hearing.*