

Bylaw P-1200, Lot Grading and Drainage Review

Planning Advisory Committee

Planning Development Department

February 17, 2026



EAST HANTS

Background

- Bylaws related to the Planning and Development Department are reviewed every five years. A variety of provisions were identified that should be amended.
- The definition and the use of the word “Applicant” has been changed to “Owner” because it is the owner of the land who is ultimately responsible for ensuring the completion of the lot grading and drainage requirements. Not the person who applies.
- A definition of “Accessory Structure” has been added to the definition section of the Bylaw.
- A new provision is proposed to be added to Section 3.1 that would not require a lot grading and drainage plan to be completed for additions to an existing building, where the addition has a maximum gross floor area of 55 square metres. Under the current regulations, all additions to a main building require a lot grading and drainage plan; however, Building Officials were finding that they were receiving building permits for small additions on helical piles or other foundation types where there was no grade change.

Background

- A new sentence is proposed to be added to provision 3.2, requiring the Engineer to confirm in writing that changes to lot grading will not adversely affect the lot or adjacent properties, when a lot grading plan is prepared that is not in accordance with pre-established grades or plans.
- There are other minor changes outlined in the draft bylaw for Planning Advisory Committee to review.

Email from Resident

- An email has been received from a resident of Lorna Drive, Elmsdale, requesting amendments to Bylaw-P1200.
- The resident would like to construct a garage larger than 55 m², without having to apply for a Lot Grading Permit.
- The email suggests that the Development Officers be given the authority to decide when a Lot Grading Permit is required. However, as discussed during previous PAC meetings, Development Officers are not engineers and do not have the qualifications necessary to determine when a Lot Grading Permit is required.
- An Engineer would have to make this determination based on a set of pre-identified requirements.
- Staff also caution that the area in question, around Pinehill Drive, has had drainage/flooding issues in the past.

Recommendation

- That first reading be given to Bylaw P-1200-1, Lot Grading and Drainage, a bylaw to amend Bylaw P-1200, Lot Grading and Drainage.

Recommended Motion

- *The Planning Advisory Committee recommends to Council that Council:*
 - *Give first reading to Bylaw P-1200-1, a bylaw to amend Bylaw P-1200, Lot Grading and Drainage Bylaw.*

Alternative Motion

- *The Planning Advisory Committee recommends to Council that Council:*
 - *direct staff to further investigate the letter from the resident on Lorna Street, Elmsdale.*