



PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Halifax Regional Council
June 13, 2006

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: 
Paul Dunphy, Director, Planning & Development Services

DATE: June 2, 2006

SUBJECT: Lot Grading and Sedimentation

INFORMATION REPORT

ORIGIN

Planning & Development Business Plan

BACKGROUND

Currently, there are three different by-laws which deal with site disturbance. These by-laws were enacted by the former municipal units and vary greatly on their level of regulatory control. Provincial regulations are also applicable.

The Lot Grading by-law applies in the serviced areas of the former County and Cities of Halifax and Dartmouth and regulates grading of single and two unit residential dwellings. The Grade Alteration By-law regulates the grading of all types of lots within the former Town of Bedford. Neither of these by-laws directly regulates erosion and sedimentation control. The Topsoil By-law applies to specific sites within the former County. While it does regulate the release of sediment from sites, it is quite restrictive in the areas and types of uses over which it applies. The Nova Scotia Department of Environment & Labour regulates erosion and sedimentation control through its Erosion and Sedimentation Control Manual.

DISCUSSION

Under the 2005/06 business planning process, staff noted that a review of the existing regulations relating to grading and sedimentation would be undertaken. Dillon Consulting was hired to undertake a study on stormwater management. The study was a joint undertaking between Planning & Development Services and Environmental Management Services. The report has recently been completed and has been submitted to Regional Council under a separate information report at this meeting.

There were numerous deliverables of the study including an analysis of other jurisdictions across Canada and their regulations and best practices relating to grading and sedimentation. With the near completion of the Regional Plan, there is now capacity to complete this work and this information will form the framework for a stakeholder consultation. This consultation and study framework will provide staff with significant information to form the basis of a revised by-law to replace the dated existing regulations.

The initial stakeholder consultation has been scheduled and further consultation will occur through the summer months and into early fall. Consultation will occur through stakeholder workshop, stakeholder committee and discussions with both members of public and Council. Once consultation has been completed, staff will return to Council to provide an overview of the consultation and obtain direction on the scope of the proposed by-law.

The following is a proposed time line for completion of all of the tasks necessary for creation of the revised by-law:

Project Components	Tasks	Time line
Framework	Stormwater Study	Completed
Consultation	Industry Workshop	Mid July, 2006
	Public consultation	Summer /Fall 2006
Scope Analysis	Stakeholder Committee	Summer/Fall 2006
Council Direction	Committee of Whole Presentation	Mid Fall 2006
Draft By-law	Preparation of by-law Review with Stakeholder Committee	Late Fall/Winter 2006
Public Process	First Reading, Public Hearing	Winter 2006
Implementation	Resource assignment	Spring 2007

BUDGET IMPLICATIONS

There are no budget implications at this time. Once the scope of the revised by-law is determined, assessment of additional resources will be necessary. This assessment may have budget implications due to additional resources. This assessment will be brought to Regional Council as part of 2007/08 Operating Budget Analysis.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES

None identified at this time

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/agenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by : Denise Schofield, P.Eng, A/Manager, Development Engineering, 490-6252

Financial Review : 
Ferdinand Makani, Financial Consultant, 490-6902