



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation X	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Members of Planning and Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
 Alex Dunphy, Planner

Date: November 10th, 2022

Subject: File 20-29A: Coastal Protection and Flood Planning Policy Update (West Hants)

LEGISLATIVE AUTHORITY

Municipal Government Act Section 212 (4)

RECOMMENDATION

To allow the amendment, staff recommends that PAC/HAC forward a positive recommendation by passing the following motion:

... that PAC/HAC recommend that Council give First Reading and hold a Public Hearing to consider amending the West Hants Municipal Planning Strategy in a manner substantively the same as the draft set out in Attachment A of the report File # 20-29 to the Municipal Climate Change Action Plan Committee dated November 9, 2022.

BACKGROUND

Property <input type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment X	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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Coastal Flooding was added to the 2021 MCCAP Workplan on January 21st, 2020. During the February 10th, 2021 MCCAP meeting, the Committee discussed a number of policy options for flood proofing and coastal flooding.

During the MCCAP meeting on September 14th, 2022 I updated the Committee with new information I had acquired through a meeting with Climate Change and Planning staff from

HRM. In that meeting, I had learned some of the issues faced by HRM staff pertaining to the implementation of coastal protection policies in preparation for the release of the Coastal Protection Act regulations. I had asked the Committee for direction, given that the Coastal Protection Act regulations would render previous policies impossible to implement due to new requirements given by the Coastal Protection Act regulations. The Committee recommended that staff pursue a more general set of policies which can be used until the Coastal Protection Act regulations are implemented.

DISCUSSION

Staff presented a recommendation report to the Municipal Climate Change Action Plan Committee (MCCAP) on November 9th, 2022. (Attachment A). During the November 9th meeting, MCCAP recommended in favour of the amendment.

NEXT STEPS

Discussion by PAC/HAC will be incorporated into the report and presentation to the Council.

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

PAC/HAC may:

- provide alternative direction, such as requesting further information on a specific topic.

ATTACHMENTS

Attachment A File 20-29: Coastal Protection and Flood Planning Policy Update (West Hants)

Report Prepared by: _____

Alex Dunphy, Planner

Report Approved by: _____

Madelyn LeMay, Director of Planning and Development

Attachment A

File 20-29: Coastal Protection and Flood Planning Policy Update (West Hants)



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To: Members of Municipal Climate Change Action Plan Committee (MCCAP)

Submitted by: _____
Alex Dunphy, Planner

Date: November 9th, 2022

Subject: File 20-29: Coastal Protection and Flood Planning Policy Update (West Hants)

LEGISLATIVE AUTHORITY

Municipal Government Act Section 212 (4)

RECOMMENDATION

To allow the amendment, staff recommends that the MCCAP Committee forward a positive recommendation by passing the following motion:

...that the MCCAP Committee recommends that PAC/HAC recommend that Council give First Reading and hold a Public Hearing to consider amending the West Hants Municipal Planning Strategy in a manner substantively the same as the draft set out in Attachment A of the report File # 20-29 to the Municipal Climate Change Action Plan Committee dated November 9, 2022.

BACKGROUND

Property <input type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment X	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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Coastal Flooding was added to the 2021 MCCAP Workplan on January 21st, 2020. During the February 10th, 2021 MCCAP meeting, the Committee discussed a number of policy options for flood proofing and coastal flooding.

During the last MCCAP meeting on September 14th, 2022 I updated the Committee with new information I had acquired through a meeting with Climate Change and Planning staff from HRM. In that meeting, I had learned some of the issues faced by HRM staff pertaining to the

implementation of coastal protection policies in preparation for the release of the Coastal Protection Act regulations. I had asked the Committee for direction, given that the Coastal Protection Act regulations would render previous policies impossible to implement due to new requirements given by the Coastal Protection Act regulations. The Committee recommended that staff pursue a more general set of policies which can be used until the Coastal Protection Act regulations are implemented.

DISCUSSION

In research for what other municipal units have done in preparation for the implementation of the Coastal Protection Act, I have found that Wolfville's Municipal Planning Strategy is the only document which directly addresses the Coastal Protection Act. Other municipal units have sections within their Municipal Planning Strategies which address coastal setbacks or other similar matters, but no direct references to the Coastal Protection Act or associated regulations. In the Wolfville Municipal Planning Strategy, outlined under the Provincial and Regional Coordination Section and immediately following a policy to 'comply with the Statements of Provincial Interest' is the following policy: *"It shall be the policy of Council: 2) To designate a Coastal Protection Zone to comply with the regulations of Bill 106, the Coastal Protection Act."* The inclusion of a straightforward policy similar to this would display the intention of Council to meet the requirements of the Coastal Protection Act once the Act has official regulations for municipalities to implement. Staff have included the draft policy for each of the Municipal Planning Strategies within the Regional Municipality and attached the draft as Attachment A.

The Coastal Protection Zone is a major component of the Coastal Protection Act. The boundaries of that Zone will be provided by the official regulations of the Act. Until those boundaries are provided to the Municipality and added to the planning documents, including policy which depends on the Coastal Protection Zone would be ineffective.

NEXT STEPS

Discussion by MCCAP Committee will be incorporated into the report and presentation to the Planning and Heritage Advisory Committee (PAC/HAC).

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report.

ALTERNATIVES

The MCCAP Committee may:

- provide alternative direction, such as requesting further information on a specific topic.

ATTACHMENTS

Attachment A Draft General Policy - Coastal Protection Act

Report Prepared by: _____

Alex Dunphy, Planner

Report Approved by: _____

Madelyn LeMay, Director of Planning and Development

Attachment A

Draft General Policy – Coastal Protection Act

Note: coloured text indicates a change from the present WHMPS and is provided only for the convenience of PAC/HAC and Council. The purple text is proposed amendments recommended by staff.

Purpose: Text amendments to the West Hants Municipal Planning Strategy to provide intention to comply with the regulations of the Coastal Protection Act.

West Hants Municipal Planning Strategy

- 1. Amend Section 12.1, *Dykeland Areas*, of the West Hants Municipal Planning Strategy to include a description of the Coastal Protection Act and a new policy immediately following the text of Policy 12.1.10 to read as follows:**

The Coastal Protection Act was passed in 2019 and will come into effect with the approval of accompanying regulations. When that happens, a new Coastal Protection Zone will extend along the coast of Nova Scotia and new requirements will apply to constructing houses and other structures in the zone. The regulations will outline the protections for sensitive coastal ecosystems and ensure that construction is at a safer height and distance from coastal shorelines. The purpose is to mitigate impacts from sea level rise, coastal flooding and coastal erosion.

Policy 12.1.11 *It shall be the policy of Council to identify a Coastal Protection Zone to comply with the regulations of Bill 106, the Coastal Protection Act.*