



# Proposed *Coastal Protection Act* Regulations

July 8, 2021



## At a Glance

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 around the coast of Nova Scotia and new requirements will apply to constructing houses and other structures in the zone.

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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.

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## The regulations will:

- **Create a Coastal Protection Zone.**  
This will be a narrow band surrounding the province's coast, including land and water-covered areas on either side of the high-water mark, where regulations will apply. The zone will include islands and parts of rivers nearest the ocean that are connected to coastal waters. Government is proposing the inland portion extend inland from the high-water mark by in the range of 80 to 100 metres. Government will select a single consistent distance following consultation, but this has not been determined.
- **Ensure any construction (wharves, boat ramps, shoreline armouring and other structures) do not unnecessarily interfere with the dynamic nature of the coast and sensitive coastal ecosystems.**  
This will be done by creating new restrictions for existing permitting processes of the Department of Lands and Forestry.
- **Improve protection from sea level rise and coastal erosion.**  
Setbacks will apply to municipal building permits to ensure greater future protection for structures.

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Vertical setbacks will be the minimum building elevation above mean sea level for new construction for different areas along the coast.

The horizontal setback will be determined by a designated professional as outlined in the regulations. Landowners will hire a designated professional to determine the appropriate setback distance and submit the designated professional's report when applying for a building permit.

Municipalities will be responsible for ensuring the proposed construction is consistent with the submitted report and above the minimum building elevation before approving a building permit. Some exemptions in certain areas may apply.

Repair and maintenance of existing structures will not be affected by the regulations unless the existing size of the structure increases.

The *Coastal Protection Act* does not apply to all buildings and structures or to federal Crown Land. Public infrastructure and commercial or industrial operations that need direct access to the water are exempted. In addition, some activities regulated under other legislation are also exempted.