

From: Tiffany Faulkner
To: [PublicOnlyCouncilEmail](#)
Subject: Willow Street Storm Water
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June 2, 2025

Re: Denial of Rezoning Application and Subsequent Subdivision of PID 45045879, Willow Street, Hantsport

Dear Mayor and Members of Council,

We are writing to express our serious concerns regarding the accuracy of information provided by municipal planning staff in response to questions posed by Council during the April 2024 Council meeting, which included the Public Hearing and Second Reading concerning the rezoning of PID 45045879 on Willow Street, Hantsport.

Since that time, we have been advised by the Acting Director of Planning that significant misinterpretations were made during the review process. We believe these errors may have materially impacted both Council's deliberations and the public's understanding of the application.

Background on the Application

The subject property is a steep, undeveloped, tree-covered parcel that has experienced persistent storm water issues over many years, negatively affecting adjacent properties.

At the April 2024 Council meeting, several specific questions were raised and referred to planning staff, with input to be sought from the Development Officer and the Public Works Department. The Public Hearing was deferred to May 28 to allow staff time to respond.

The meeting materials provided to Council included the following key staff responses:

1. What can be accommodated for as-of-right residential development on the subject lot through the subdivision process?

The Development Officer confirmed, based on lot area and frontage, that the subject lot could be subdivided (provided a successful application) into 3 separate lots. Based on the underlying Single Unit Residential (R-1) zoning, the owner would be permitted to construct a single unit dwelling and accessory dwelling unit on each lot, totaling 6 dwelling units.

2. Is a storm water management plan required for as-of-right development?

The Development Officer confirmed that through the subdivision approval process, comments from the Municipal Public Works Department would be requested. Staff reached out to the Municipal Public Works Department for further information and they commented that each subdivision application is analyzed on a case-by-case basis. In this scenario, the Municipal Public Works Department confirmed that they would request a storm water management plan as part of a potential subdivision application for this subject lot due to the concerns with existing water on the site. Emphasis added.

3. Would a storm water management plan be required to analyze the cumulative effects as part of the subdivision application?

The Municipal Public Works Department confirmed that the storm water management plan that would be requested as part of the potential subdivision application would be required to show how storm water would be managed on the entire lot as a whole. Emphasis added.

These statements were presented to Council and the public as assurance that existing storm water concerns would be properly addressed through the subdivision approval process.

Subsequent Clarification

However, we have since received clarification from the Acting Director of Planning that the earlier information was incorrect. Specifically, no storm water management plan will be required for this development, as it qualifies as “as-of-right” under current Hantsport subdivision regulations:

“Hi Tiffany, You are correct, the staff report stated what you mentioned in your email. It was later determined that this was an error in interpretation; this is standard practice in the old Town of Windsor and West Hants, but not in Hantsport. West Hants Regional Municipality is still operating with three separate land use and subdivision by-laws for these three separate areas, and therefore different requirements depending on where the property is located. In Hantsport, a storm water master plan is only required if the subdivision includes the creation of a new public street—not for lot splitting on an existing street.”

This clarification stands in stark contradiction to the information previously provided to Council and the public.

Conflict with Council's Stated Reasons for Denial

We are particularly troubled by this development in light of Council's formal rationale for denying the rezoning application in May 2024. Council cited:

1. The negative impact on adjacent properties due to storm water runoff and the proposed development's scale, contrary to Policies RP-7 and IM-3(a)(iv);
2. Concerns under Policy IM-3(e) regarding the lot's steep slope and marshy conditions, would require significant fill and result in displacement of storm water without a clear drainage solution—particularly given the expected high lot coverage from buildings and driveways.

These concerns were premised on the assumption that a storm water management plan would be a prerequisite to development. That is no longer the case.

Ongoing Storm Water Issues

Construction is now underway on three dwellings. Storm water continues to collect at the lower end of the lot, and it appears that excess water is being redirected to a shallow ditch extending east toward the school ball field. This ditch does not appear to be adequately managing the runoff, and storm water is once again encroaching onto our property. We have attached photos from April and May 2025 to document these issues.

This situation is deeply concerning—not only for its direct impact on neighbouring residents but also because it raises broader issues of transparency, interdepartmental coordination, and public confidence in the municipal planning process.

Request for Action

We respectfully request that Council:

1. Undertake a formal review of the planning reports and related correspondence associated with this file, including a comparison of the original written recommendations from the Development Officer and Public Works staff, and take corrective action to implement a storm water management plan.

Sound municipal planning depends on accurate information and consistent professional standards. We trust that Council shares this view and will take appropriate steps to ensure accountability and prevent similar issues in the future.

Thank you for your attention to this matter. We are available to provide any additional information or clarification that Council may require.

Tiffany and Ryan Faulkner

School Street, Hantsport, NS









