

Highway 14, Windsor Forks Development Agreement

Council First Reading

June 24, 2025

something inspiring awaits



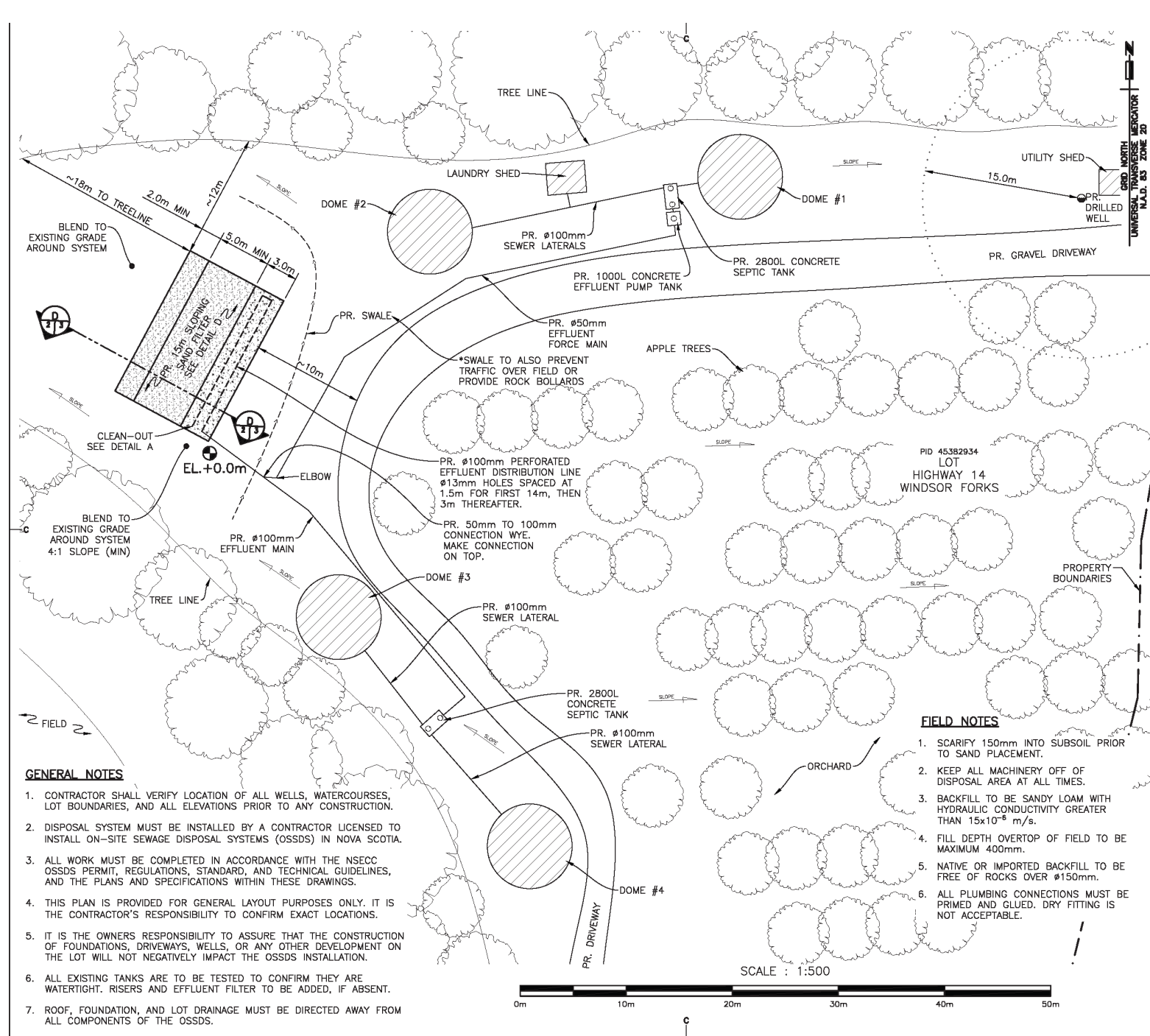
Application Background

- A completed application was received from Ted Misztela on February 4, 2025
- The request was for a development agreement to allow four (4) geodomes on the subject lot, intended as part of an agritourism glamping experience



Development Proposal

- Request to allow 4 geodomes
- Existing orchard intended to stay in use



- GENERAL NOTES**
1. CONTRACTOR SHALL VERIFY LOCATION OF ALL WELLS, WATERCOURSES, LOT BOUNDARIES, AND ALL ELEVATIONS PRIOR TO ANY CONSTRUCTION.
 2. DISPOSAL SYSTEM MUST BE INSTALLED BY A CONTRACTOR LICENSED TO INSTALL ON-SITE SEWAGE DISPOSAL SYSTEMS (OSSDS) IN NOVA SCOTIA.
 3. ALL WORK MUST BE COMPLETED IN ACCORDANCE WITH THE NSECC OSSDS PERMIT, REGULATIONS, STANDARD, AND TECHNICAL GUIDELINES, AND THE PLANS AND SPECIFICATIONS WITHIN THESE DRAWINGS.
 4. THIS PLAN IS PROVIDED FOR GENERAL LAYOUT PURPOSES ONLY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO CONFIRM EXACT LOCATIONS.
 5. IT IS THE OWNERS RESPONSIBILITY TO ASSURE THAT THE CONSTRUCTION OF FOUNDATIONS, DRIVEWAYS, WELLS, OR ANY OTHER DEVELOPMENT ON THE LOT WILL NOT NEGATIVELY IMPACT THE OSSDS INSTALLATION.
 6. ALL EXISTING TANKS ARE TO BE TESTED TO CONFIRM THEY ARE WATERTIGHT. RISERS AND EFFLUENT FILTER TO BE ADDED, IF ABSENT.
 7. ROOF, FOUNDATION, AND LOT DRAINAGE MUST BE DIRECTED AWAY FROM ALL COMPONENTS OF THE OSSDS.

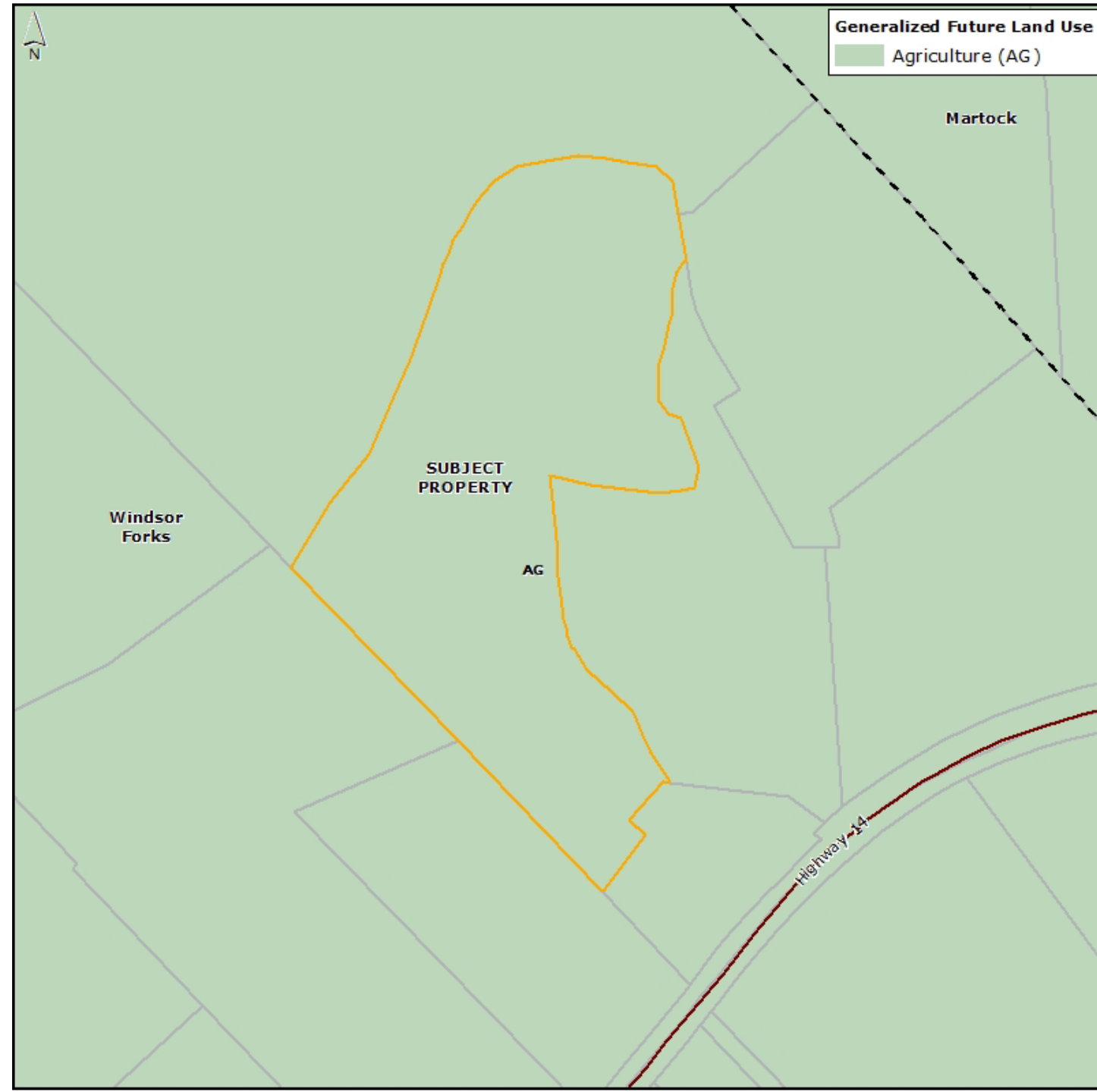
- FIELD NOTES**
1. SCARIFY 150mm INTO SUBSOIL PRIOR TO SAND PLACEMENT.
 2. KEEP ALL MACHINERY OFF OF DISPOSAL AREA AT ALL TIMES.
 3. BACKFILL TO BE SANDY LOAM WITH HYDRAULIC CONDUCTIVITY GREATER THAN 15×10^{-6} m/s.
 4. FILL DEPTH OVERTOP OF FIELD TO BE MAXIMUM 400mm.
 5. NATIVE OR IMPORTED BACKFILL TO BE FREE OF ROCKS OVER $\phi 150$ mm.
 6. ALL PLUMBING CONNECTIONS MUST BE PRIMED AND GLUED. DRY FITTING IS NOT ACCEPTABLE.



Orthophoto

- 12 acre lot
- Currently used as an apple orchard
- Access from an existing driveway
- Abuts a winery, agricultural uses, and some low density residential uses nearer to the Highway



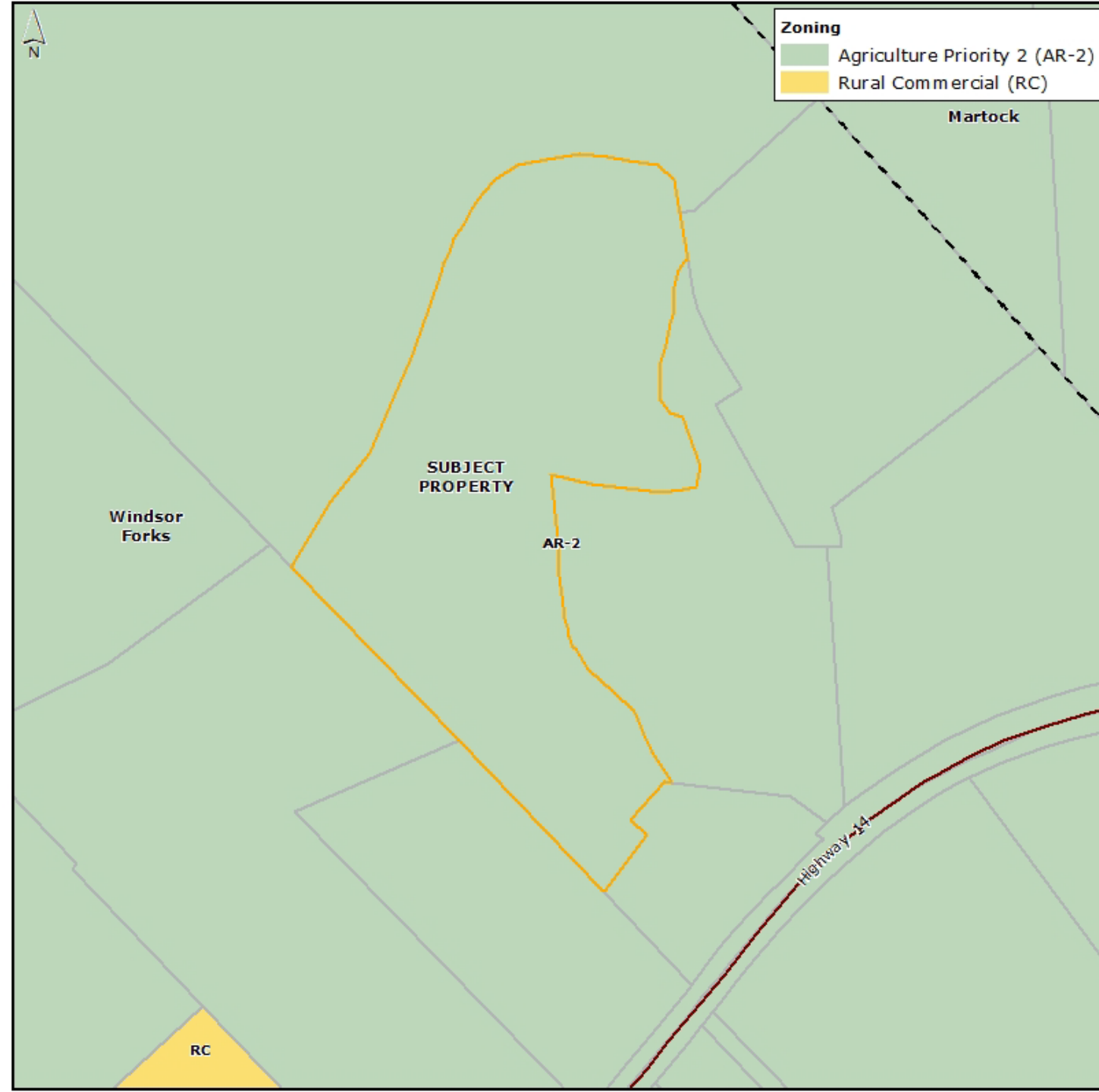


GFLUM

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Zoning



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Left: View of winery and access road

Right: View from proposed entrance to the subject lot



West Hants MPS Policies

Policy 8.9.4 enables Council to consider new non resource Rural Commercial (RC) uses in the AR-2 zone by development agreement.

In summary, the criteria are met since:

- the agrologist report concludes that the proposed use is not located on an area of the subject lot in agricultural production;
- the proposed use will not compromise the agricultural character of the area or the operation of existing agricultural uses;
- The Area Manager from the Nova Scotia Department of Public Works had no concerns regarding roadway access or traffic generation; and
- the size, design, and on-site parking areas are suitable for the proposed use.



West Hants MPS Policies

Policy 16.3.1 states general criteria for development agreements.

In summary, the criteria are met since:

- the proposal is not considered premature or inappropriate for the area;
- no municipal costs related to the proposal are anticipated; and
- the Fire Chief, Development Officer, Manager of Building and Fire Inspection Services, Public Works Engineering Division, and Area Manager from the Nova Scotia Department of Public Works have no concerns which have not been addressed in this report.



Development Agreement Details

Requirements

- Permits: up to 4 geodesic domes and necessary utilities
- Access from existing driveway off of Highway 14
- A minimum of 4 parking spaces are to be provided
- Buffering from abutting properties
- A designated individual available at all times guests are present
- No guests are to be present during spaying of the existing orchard



Development Agreement Details

Substantive Matter

- the uses permitted on the property

Public Information Meeting Notes

- A Public Information Meeting was held on April 2. The meeting was broadcast live on the Municipal Youtube page
- 16 members of the public attended the Public Information Meeting
- The deadline for comments was April 16, 2025
- Staff received some questions regarding the locations of the proposal on the lot, bathroom facilities, and potential expansion. The remainder of the comments were in support of the form of accommodation that the proposal was providing.



Public Information Meeting – April 2

Staff Review

PAC/HAC Review and Recommendation –
June 12

Council First Reading – June 24

Public Hearing & Second Reading –
July 22*

Notice of Approval

14 Day Appeal Period

Process

* Anticipated dates



Recommendations (1 of 2)

...that Council gives First Reading and will hold a Public Hearing to consider entering into a development agreement to allow the construction of four geodesic domes on the subject property as part of an agritourism business at PID 45382934 on Highway 14 in Windsor Forks, which is substantively the same as the draft set out in Attachment B of the report File #25-05 to the Planning and Heritage Advisory Committee dated June 12, 2025.



Recommendations (2 of 2)

... that Council requires that the development agreement with Ted Misztela which permits the construction of four geodesic domes on the subject property as part of an agritourism business at PID 45382934 on Highway 14 in Windsor Forks be signed within 120 days from the date of final approval by Council or the date that any appeals have been disposed of; otherwise this approval will be void and obligations arising hereunder shall be at an end.



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