



**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:** Mayor Zebian and Members of West Hants Regional Municipality Council

**Submitted by:** \_\_\_\_\_

Alex Dunphy, Senior Planner

**Date:** June 24, 2025

**Subject:** Development Agreement: Bent Ridge Geo Domes (PID 45382934);  
File # 25-05A

**LEGISLATIVE AUTHORITY**

Municipal Government Act Section 230

**RECOMMENDATION**

To allow the requested development, staff recommend that the Council forward a positive recommendation by passing the following motions:

...that Council gives First Reading and will hold a Public Hearing to consider entering into a development agreement to allow permits the construction of four geodesic domes on the subject property as part of an agritourism 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.

...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.

**BACKGROUND**

Property X	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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An application was received from Ted Misztela on February 4, 2025. The application is to allow for the construction of four geodesic domes on the subject property as part of an agritourism business by development agreement.

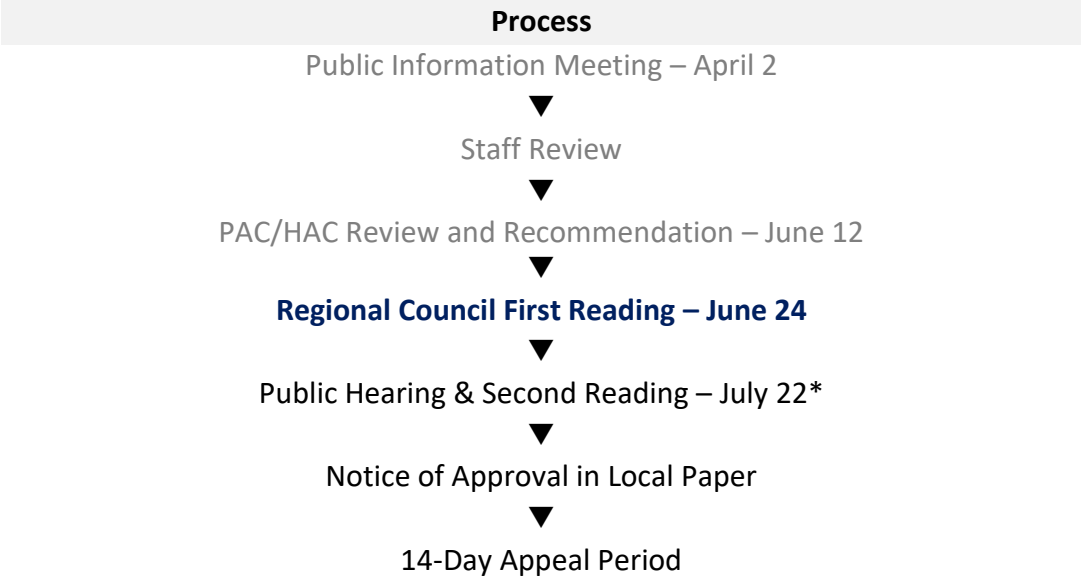
**DISCUSSION**

A Public Information Meeting was held on April 2, 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.

On June 12, 2025, staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix A). The Committee discussed the benefit of the style of accommodation and asked about enforcement of the development agreement. During the meeting the PAC/HAC recommended in favour the application.

**NEXT STEPS**

The anticipated process for this application is as follows:



**FINANCIAL IMPLICATIONS**

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

**ALTERNATIVES**

In response to this application, Council may:

- hold First Reading and authorize a Public Hearing to approve the development agreement as drafted or as specifically revised by direction of Council;
- hold First Reading and authorize a Public Hearing to refuse the development agreement as drafted, citing the criteria that Council consider not to be met; or
- provide alternative direction, such as requesting further information on a specific topic.

**APPENDIX**

Appendix A                    2025-06-12 Staff Report - Development Agreement: Bent Ridge Geo Domes (PID 45382934); File # 25-05

**CHIEF ADMINISTRATIVE OFFICER REVIEW**

The report and attachments speak to the enabling policies found primarily in the WHMPS. I encourage Council to reflect on the key components such as;

1. WHMPS enabling policies.
2. Comments plus the agrologist report with respect to impacts on agricultural lands.
3. Traffic comments.
4. Site, size, scale and compatibility.
5. Appropriateness of the development.
6. Comments regarding climate and stormwater.

I support the recommendation.

Report Prepared by: \_\_\_\_\_

Alex Dunphy, Senior Planner

Report Approved by: \_\_\_\_\_

Kari Fougere, Acting Director of Planning and Development

Report Approved by:  \_\_\_\_\_

Mark Phillips, Chief Administrative Officer

**Appendix A – 2025-06-12 Staff Report - Development Agreement:  
Bent Ridge Geo Domes (PID 45382934); File # 25-05**



**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, Senior Planner

**Date:** June 12, 2025

**Subject:** Development Agreement: Bent Ridge Geo Domes (PID 45382934);  
 File # 25-05

**LEGISLATIVE AUTHORITY**

Municipal Government Act Section 230

**RECOMMENDATION**

Staff recommends that the PAC/HAC forward a positive recommendation by passing the following motion:

...that PAC/HAC recommends that Council give First Reading and 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.

...that PAC/HAC recommends that Council require 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.

**BACKGROUND**

Property X	Public	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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	Opinion <input type="checkbox"/>				
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An application was received from Ted Misztela on February 4, 2025. The application is to allow for the construction of four geodesic domes on the subject property as part of an agritourism business by development agreement.

**DISCUSSION**

The subject lot is designated Agriculture, with a small portion also designated Dykeland on the Generalized Future Land Use Map (GFLUM) of the West Hants Municipal Planning Strategy (WHMPS) (Figure 1). The subject lot is zoned Agricultural Priority Two (AR-2) on Schedule A of the West Hants Land Use By-law (WHLUB) (Figure 2).

***Surrounding Context***

Surrounding properties are all designated Agriculture and zoned Agricultural Priority Two (AR-2). Uses on surrounding properties consist of agricultural uses as well as some sparse residential dwellings nearer to the road.

***Municipal Planning Strategy Review***

Policy 8.9.4 of the WHMPS is the primary enabling policy to be considered for this application. This policy provides Council with the ability to consider new non resource Rural Commercial (RC) by development agreement. The full list of criteria is included within this report in Attachment A. In summary, the proposal meets the criteria 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 operations;
- 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.

Policy 16.3.1 of the WHMPS establishes the general criteria that must be considered for all rezoning applications. The full list of criteria is included with this report in Attachment A. In summary, the proposal meets the criteria as:

- 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.

## MUNICIPAL CLIMATE CHANGE ACTION PLAN

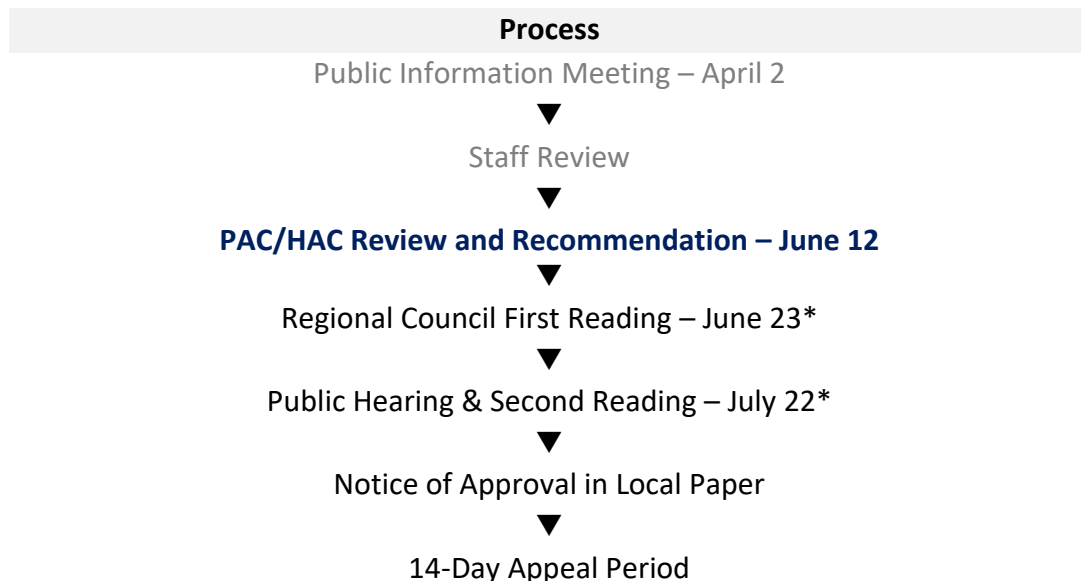
The Municipal Climate Change Action Plan (MCCAP) for Windsor (2014) highlights two simulated flooding scenarios. The first scenario is based on a storm surge that occurred in 1997, which shows the expected damage is to occur along the coastline. The second scenario shows the simulated flooding extent for probable maximum flood due to climate change.

A portion of the subject lot is within the Dykelands Overlay. This portion is not planned to be developed on as part of the proposal. Any development that may be proposed to take place within this portion will require an Environmental study, as well as permission from the Nova Scotia Department of Environment and Climate Change.

The draft development agreement stipulates that any changes to stormwater on the property shall comply with the WHRM Municipal Service Systems Specifications Manual. Property owners are responsible for ensuring that their lot is suitable for the proposed uses.

## NEXT STEPS

As noted above, the proposed development agreement has been considered within the context of both the specific and general policies of the WHMPS, and is consistent with the intent, objectives, policies and criteria of the WHMPS. As a result, it is reasonable to consider the construction of four geodesic domes on the subject property as part of an agritourism business by development agreement, at PID 45382934 on Highway 14 in Windsor Forks.



## FINANCIAL IMPLICATIONS

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

## **ALTERNATIVES**

In response to this application, PAC may:

- recommend that Council hold First Reading and authorize a Public Hearing to approve the development agreement as drafted or as specifically revised by direction of PAC/HAC; or
- recommend to Council to provide alternative direction such as requesting further information on a specific topic.

## **ATTACHMENTS**

Figure 1	West Hants GFLUM Extract
Figure 2	West Hants Zoning Map Extract
Attachment A	Policy Summary
Attachment B	Draft Development Agreement
Attachment C	Public Information Meeting Notes
Attachment D	Agrologist Report

Report Prepared by: \_\_\_\_\_  
Alex Dunphy, Senior Planner

Report Approved by: \_\_\_\_\_  
Kari Fougere, Acting Director of Planning and Development

Figure 1 – West Hants GFLUM Extract

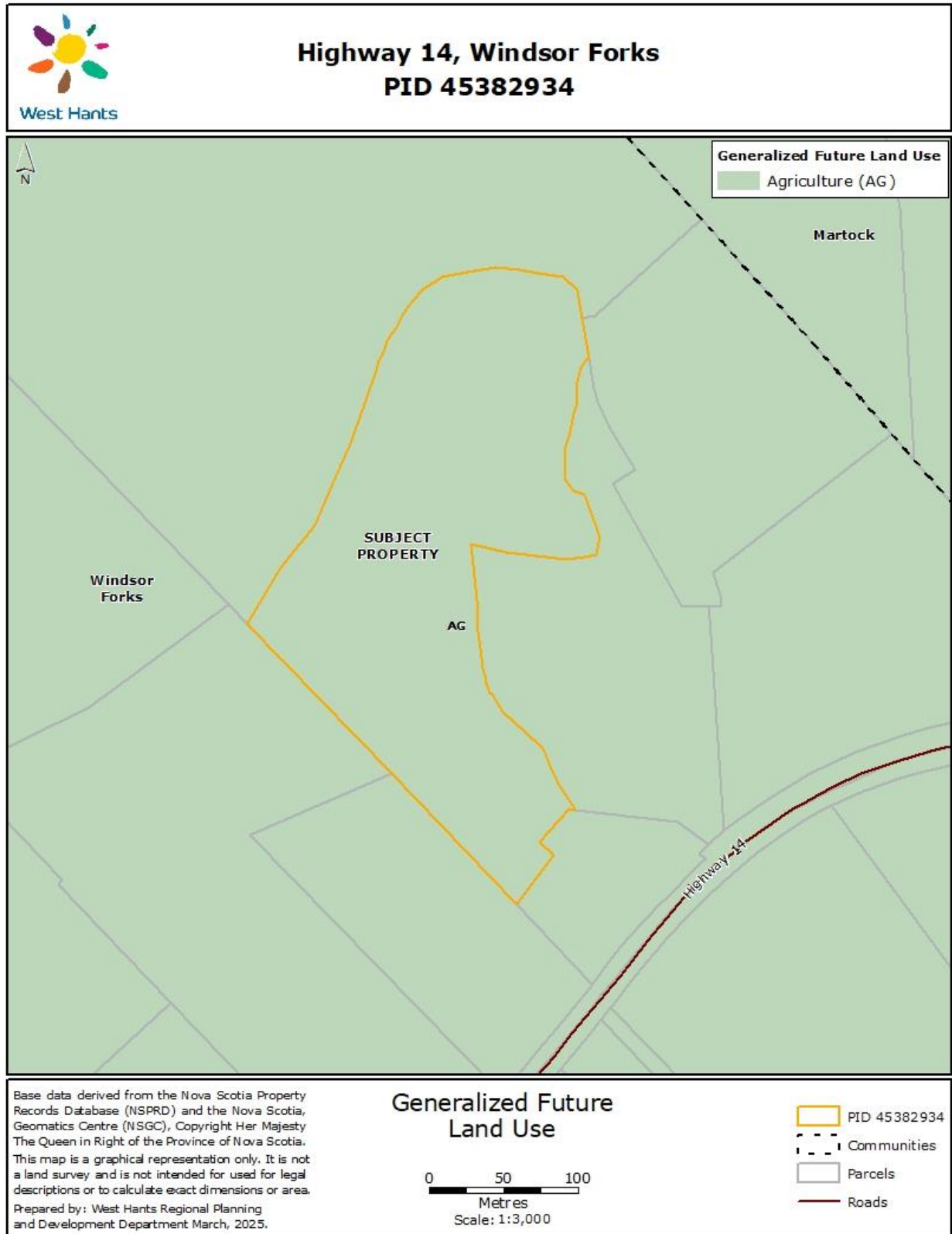
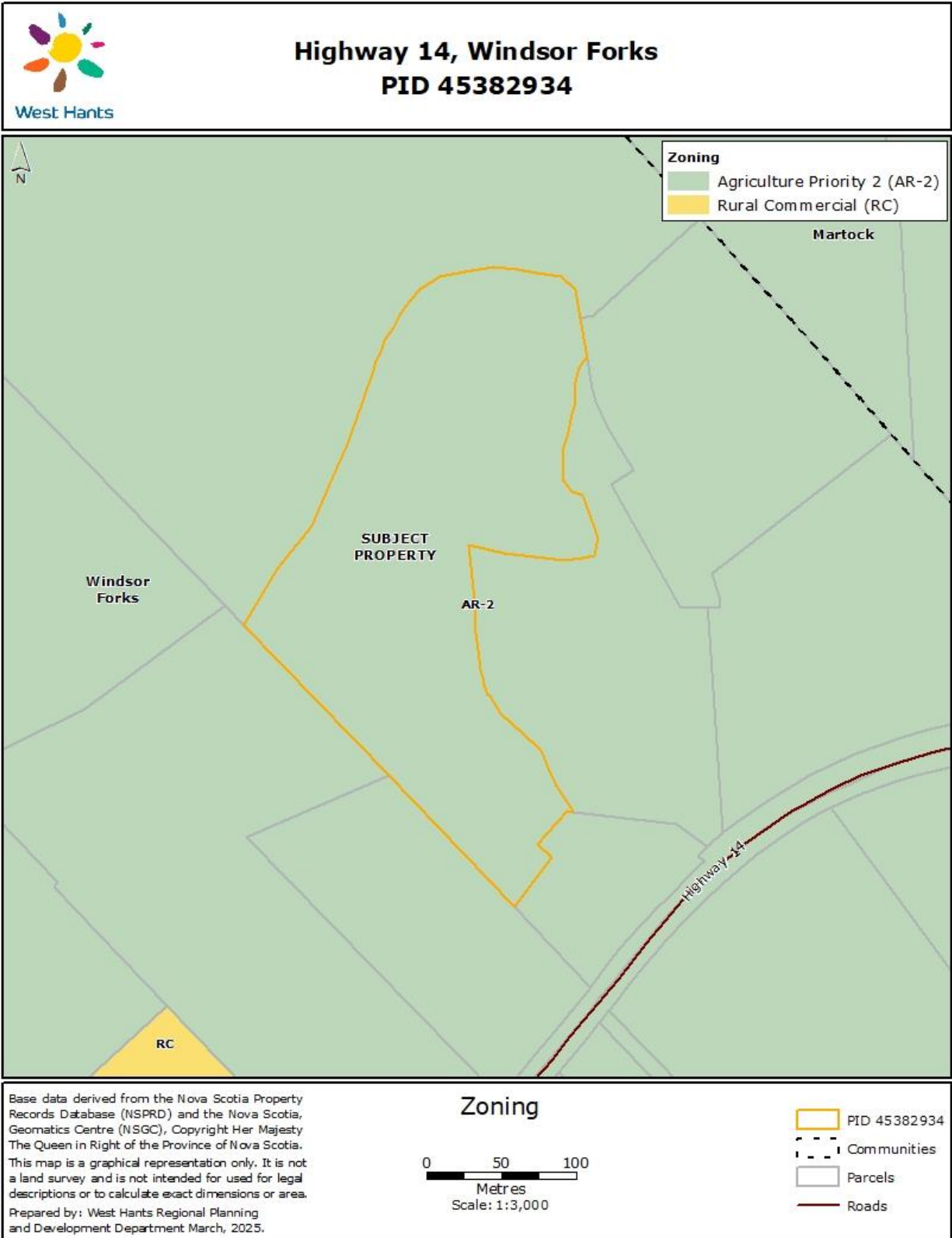


Figure 2 – Windsor Zoning Map Extract



## Attachment A – Policy Summary for Development Agreement

<p><b>Policy 8.9.4</b>  <i>It shall be the intention of Council to consider new non resource Rural Commercial (RC), Recreation Commercial (RecC), Resource Industrial (M-1) or Open Space (OS) uses in the AR 2 zone by development agreement subject to the following:</i></p>	
<p><i>(a) the development site has been determined to have little or no agricultural capability in accordance with Policy 8.6.1;</i></p>	<p>The agrologist report listed as Attachment D concludes that the area where the geodomes will be placed, is not in agricultural production and will not disturb the surrounding U-Pick business.  Therefore, the development agreement request does not include any loss of agricultural production.</p>
<p><i>(b) the proposed use will not compromise or adversely affect the operation or integrity of existing agricultural operations;</i></p>	<p>As part of the agrologist report, the agrologist consulted neighbouring farms. The only matter raised was the timing of spraying the existing orchard. The orchard owner and the developer have discussed the scheduling and will agree on timing to ensure that the accommodations are vacant when necessary.  The proposed use will not affect neighbouring farms.</p>
<p><i>(c) the predominant agricultural character of the area will not be adversely affected;</i></p>	<p>The proposed use will not affect the agricultural character of the area as it is non-disruptive and complementary to the existing agricultural uses.</p>
<p><i>(d) adequate separation distances and buffering between agricultural and non agricultural uses can be provided;</i></p>	<p>As the proposed use is intended to be integrated into the surrounding agricultural uses, normal separation distances would not be applicable to this style of agritourism development.</p>
<p><i>(e) the use is not one which, because of its size or nature, would be more appropriately located in a Growth Centre, Village or Hamlet;</i></p>	<p>The proposed use is appropriately sized for the agricultural context of the area.</p>
<p><i>(f) safe and efficient roadway access is provided;</i></p>	<p>The Area Manager from the Nova Scotia Department of Public Works had no</p>

	concerns regarding the roadway access for the subject lot.
<i>(g) adequate on-site parking is provided;</i>	The Development Officer confirmed that there was sufficient area to accommodate parking.
<i>(h) the development is compatible with adjacent land uses with respect to:</i>	
<i>(i) traffic generation and traffic safety;</i>	The Area Manager from the Nova Scotia Department of Public Works had no concerns regarding the generation of traffic or traffic safety.
<i>(ii) hours of operation;</i>	No concerns were raised during the consultation with neighbouring landowners regarding hours of operation. As the uses is intended to occupied overnight, the draft development agreement requires a caretaker to be available to respond to any issues on site whenever guests are present.
<i>(iii) size and design of building(s);</i>	The geodesic domes are approximately 26 ft. in diameter and 17 ft. in height. The design is an increasingly popular choice for accommodation in rural areas. Staff have no concern regarding either the size or design of the proposal.
<i>(iv) signage; and</i>	Any signage will need to meet the requirements of the West Hants Land Use By-law.
<i>(v) pedestrian circulation and safety;</i>	There is an existing pathway on the development site. Staff have no concerns regarding pedestrian circulation and safety.
<i>(i) any other matter which may be addressed in a development agreement;</i>	All matters have been addressed.
<i>(j) Policy 16.3.1.</i>	See below.
<b>Policy 8.6.1</b>	

<p><i>It shall be the policy of Council to consider certain non-farm development, pursuant to the relevant specific policies of this Part, on land within the Agricultural designation that has been determined to have little or no agricultural capability. A determination of agricultural capability shall be based on the following:</i></p>	
<p><i>(a) 90 percent or more of the development site is an existing or abandoned resource extraction site such as a sand pit, gravel pit or quarry for which a permit for extraction has been issued by the Province of Nova Scotia. The resource extraction must have been existing or abandoned prior to the effective date of this Strategy; or</i></p>	<p>Not applicable.</p>
<p><i>(b) if not a resource extraction site, a study has been prepared by a professional agrologist, at the expense of the applicant, which concludes that the proposed development will not adversely affect the viability of surrounding agricultural operations and:</i></p>	
<p><i>(i) 90 percent or more of the development site has soils defined as Class 4 or lower capability for agriculture; or</i></p>	<p>Not applicable.</p>
<p><i>(ii) the soils have a capability for agriculture rating better than Class 4, but 90 percent or more of the development site exhibits severe limitations for agricultural use because of slope, stoniness, salinity, wetness, permeability, depth of soils, size of parcel or proximity to non-farm buildings;</i></p>	<p>The agrologist report indicated that the development site for the proposed use is not located within an area which is in agricultural production, thus not reducing agricultural capacity. Additionally, the proposed use is expected to have minimal to no impact on any agricultural operations.</p>
<p><i>(c) the study shall;</i></p>	
<p><i>(i) be prepared by a registered full member of the Nova Scotia Institute of Agrologists;</i></p>	<p>A report was received from Yvonne Thyssen-Post, who is a Professional Agrologist recognized by the Nova Scotia Institute of Agrologists.</p>
<p><i>(ii) require a site inspection by the agrologist;</i></p>	<p>A site visit was conducted on December 20<sup>th</sup>, 2024 by Yvonne Thyssen-Post.</p>
<p><i>(iii) specify the method used, consistent with the C.L.I. classification methodology, to determine soil capability for agriculture;</i></p>	<p>The Canadian Land Classification system was designed for regional level classification. The agrologist's report</p>

	did not reclassify the land, but instead identified key characteristics of agricultural production capability which determine whether the subject lot is suitable.
<i>(iv) identify any major site features or characteristics which influence or determine soil capability including, but not limited to, slope, soil texture, stoniness, wetness, salinity, permeability, and depth of soils;</i>	Refer to the Study Criteria section in Attachment D.
<i>(v) include a site plan illustrating the area studied and any relevant site features;</i>	Included within Attachment D.
<i>(vi) identify reasons why the use would be compatible with, or not adversely affect, area farms. Reference should be made to the following where applicable: site and locational constraints; infilling between existing non-farm development; logical extension of existing non-farm development; special use with special locational requirements; current pattern of development; parcel size and shape; surrounding land uses; context within which the parcel fits into the farming area; viability of the parcel and remnant for farming; and existing, past and future use of the parcel and remnant;</i>	The proposed use is compatible with the surrounding agricultural uses and is intended to operate harmoniously with the existing uses. The surround farm owners were also consulted as part of the agrologist report and stated that the proposed use would have no impact on their existing operations.
<i>(vii) indicate the implications of letting the parcel go out of agricultural production; and</i>	Not applicable.
<i>(viii) indicate the implications of fragmenting the land.</i>	Not applicable.

**Policy 16.3.1**

*In considering development agreements and amendments to the West Hants Land Use By-law, in addition to the criteria set out in various policies of this Strategy, Council shall consider:*

<i>(a) whether the proposal is considered premature or inappropriate in terms of:</i>	
<i>(i) the adequacy of sewer and water services;</i>	The Public Works Department confirmed that there are no municipal services on the subject lot. Any on-site services must meet the requirements of the Nova Scotia Department of Environment and Climate Change.
<i>(ii) the adequacy of school facilities;</i>	Not applicable.
<i>(iii) the adequacy of fire protection and other emergency services;</i>	The Manager of Building and Fire Inspection Services commented that access to the site would be required to allow passage of emergency vehicles, staff have included this as a provision in the draft development agreement. The local Fire Chief commented that they had no concerns regarding the proposal.
<i>(iv) the adequacy of road networks adjacent to, or leading to the development; and</i>	The Area Manager from the Nova Scotia Department of Public Works had no concerns regarding the road networks adjacent or leading to the proposed development.
<i>(v) the financial capacity of the Town to absorb any costs relating to the development.</i>	There are no anticipated costs to the Municipality regarding the proposed development.
<i>(b) whether the development is serviced, or capable of being serviced, by a potable water supply and either central sewer or an approved on site sewage disposal system;</i>	See Policy 16.3.1 (a) (i).
<i>(c) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;</i>	The Area Manager from the Nova Scotia Department of Public Works had no concerns regarding movement suitability on the subject lot. There is an existing pedestrian trail on the subject lot and the existing driveway to Highway 14. There is no active rail line in the vicinity.

<p><i>(d) the adequacy of the dimensions and shape of the lot for the intended use;</i></p>	<p>The Development Officer commented that the subject lot is suitable in terms of dimension and shape for this proposal. Any development will need to meet the requirements of the Land Use By-law following rezoning.</p>
<p><i>(e) the pattern of development which the proposal might create;</i></p>	<p>The Development Officer has no concerns regarding the pattern of development that the proposal may create. The intent of the proposed use is to cooperate with the existing agricultural uses.</p>
<p><i>(f) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses, wetlands, and susceptibility of flooding;</i></p>	<p>There is a small portion of the lot within the Dykeland Overlay. The proposal does not coincide with this portion of land except for the existing driveway. Any development proposed to take place within this portion will require permission from the Nova Scotia Department of Environment and Climate Change.</p>
<p><i>(g) whether the proposal meets the requirements of the appropriate provincial or federal agencies as well as whether it conforms to all other relevant municipal by-laws and regulations; and</i></p>	<p>All Municipal, Provincial, and Federal regulations will have to be met.</p>
<p><i>(h) any other matter required by relevant policies of this Strategy.</i></p>	<p>All relevant matters have been addressed in this report.</p>

**Attachment B – Draft Development Agreement**



West Hants

## DEVELOPMENT AGREEMENT

**THIS AGREEMENT** made this                    day of                    , 2025.

### **BETWEEN:**

**WEST HANTS REGIONAL MUNICIPALITY**, a body corporate pursuant to the *Municipal Government Act*, having its chief place of business at 76 Morison Drive, Wentworth Creek, in the County of Hants, Province of Nova Scotia,

(Hereinafter referred to as the “Municipality”)

OF THE FIRST PART

- and -

**4633522 NOVA SCOTIA LIMITED**, a body corporate with a head office at 2 Thompson Run, Hammonds Plains, in the County of Halifax, Province of Nova Scotia,

(Hereinafter referred to as the “Owner”)

OF THE SECOND PART

**WHEREAS** the Owner is the registered owner of the parcel of land located at PID 45382934 hereinafter referred to as the “Property”, which lands are more particularly described in Schedule A attached hereto; and

**WHEREAS** the Property is designated Agriculture, with a small portion also designated Dykeland on the Generalized Future Land Use Map of the Municipal Planning Strategy and zoned Agricultural Priority Two (AR-2) on the Zoning Map of the Land Use By-law; and

**WHEREAS** the Owner has requested that the Municipality enter into a development agreement to construct up to four geodesic domes as part of an agritourism business on the Property (the “Development”); and

**WHEREAS** Policy 8.9.4 of the Municipal Planning Strategy and Section 6.1 (s) of the Land Use By-law enables Council to consider Rural Commercial (RC) outside of the Growth Centre, Village, and Hamlet designations by development agreement; and

**WHEREAS** the Council of the Municipality, at a meeting held on **Month Day, 2025**, approved this request and adopted this Agreement by policy, subject to the execution of this development agreement by the parties hereto and the other conditions herein;

**NOW THEREFORE THIS AGREEMENT WITNESSETH** that in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

## **PART 1 AGREEMENT CONTEXT**

### **1.1 Definitions**

In this Agreement, all words or phrases used shall carry their customary meaning unless otherwise set out in the Land Use By-law.

### **1.2 Schedules**

The following attached schedules shall form part of this Agreement:

Schedule A - Legal Description

Schedule B - Site Plan

### **1.3 Municipal Planning Strategy, Land Use By-law and Subdivision By-law**

- (a) *Municipal Planning Strategy* means the Municipal Planning Strategy of the Municipality of the District of West Hants, effective on June 26, 2008, as amended, or successor By-laws;
- (b) *Land Use By-law* means the Land Use By-law of the Municipality of the District of West Hants, effective on June 26, 2008, as amended, or successor By-laws;
- (c) *Subdivision By-law* means the Subdivision By-law of the Municipality of the District of West Hants, approved on June 26, 2008, as amended, or successor By-laws.

## **PART 2 DEVELOPMENT REQUIREMENTS**

### **2.1 Use**

The Parties agree that uses on the Properties shall be limited to the following:

- (a) those uses permitted by the underlying zoning in the Land Use By-law; and
- (b) up to four (4) geodesic domes and utilities necessary for agritourism on the Property.

Except as otherwise provided in this Agreement, the provisions of the Land Use By-law and the Subdivision By-law apply to any development undertaken pursuant to this Agreement.

## **2.2 Development Location and Design**

- (a) The Development location and design shall be consistent with the Site Plan shown in Schedule B.
- (b) The Development Officer may approve in writing minor changes to aspects of the Site Plan.
- (c) Accessory buildings are permitted in accordance with Section 5.1 of the Land Use By-law, Accessory Buildings and Structures.
- (d) The Owner shall keep all undeveloped areas of the Property landscaped which may include grass, shrubs, trees or other appropriate vegetative cover.

## **2.3 Access and Egress**

The Property shall be accessed by an extension to the existing driveway on PIDs 45425949 and 45404027 in general conformance with the driveway shown on Schedule B.

## **2.4 Parking**

- (a) All parking spaces shall be located on the Property and shall be buffered in accordance with Section 2.5, *Buffering*.
- (b) A minimum of one parking space per geodesic dome shall be provided for the Development.
- (c) The number of parking spaces may be varied by the Development Officer.

## **2.5 Buffering**

Outdoor parking shall be screened from abutting properties, through the use of:

- (a) a mix of local species of coniferous trees. At planting, each tree shall have a diameter of at least 2 in. measured at 4.5 ft. above the surrounding grade and a minimum height of 5 ft.; or

- (b) a hedge of a variety of coniferous shrubs each of which will reach over 6 ft. in height at maturity; or
- (c) a wall or an opaque fence which is a minimum of 5 ft. in height and of sufficient height to provide a visual buffer to the abutting property; or

any combination of the above, all arranged to form a dense or opaque screen, and maintained for as long as the buffer is required.

## **2.6 Signs and Lighting**

Signage and illumination shall be regulated under Sections 5.18 and 7.0 of the Land Use By-law, *Illumination* and *Signs*, which controls lighting, size, location, and number of signs. Exterior lighting for driveways, parking areas, signs or structures shall be shielded and directed downward to ensure there is no light spilling, glare or light cast over neighbouring properties or the street.

## **2.7 Maintenance**

- (a) The Owner shall keep the Property and building and any portion thereof clean and in good repair. Any driveways, fences, lawns, trees, shrubs, walkways and other landscaping elements shall be regularly maintained and kept in a tidy state and free from unkempt materials or matter of any kind.
- (b) The Owner shall maintain the driveway to a level adequate to allow for access by emergency services vehicles.

## **2.8 Servicing**

### **(a) Waste Collection**

- (i) The Owner shall be responsible for garbage collection from the Development.

### **(b) Water and Sewer Services**

- (i) Any changes to stormwater on the property shall comply with the WHRM Municipal Service Systems Specifications Manual.
- (ii) The Owner shall be responsible for constructing, installing and maintaining any water or sewer services on the Property.

### **(c) Snow Plowing**

The Owner shall have sole responsibility for snow plowing within the Development.

## **2.9 Fire Safety**

All access routes shall be kept clear of overhead obstructions and wires and be maintained by the Owner to allow unimpeded access to the Property by emergency services vehicles, unless otherwise agreed to in writing by the Fire Chief.

#### **2.10 Subdivision**

Subdivision of the Property shall be permitted in accordance with the applicable Subdivision By-law.

#### **2.11 Operations**

- (a) A designated individual must be available to respond to issues on-site at any time the geodesic domes are inhabited.
- (b) The Owner must ensure that no guests are present during any spraying that takes place at the existing orchard on the Property.

### **PART 3 CHANGES and DISCHARGE**

**3.1** The Owner shall not vary or change the use of the Property from that provided for in Section 2.1 of this Agreement, *Use*, unless a new agreement is entered into with the Municipality or this Agreement is amended.

**3.2** Any matters in this Agreement which are not specified in Subsection 3.3 below are not substantive matters and may be approved in writing by the Development Officer without a public hearing, in accordance with Section 230 of the *Municipal Government Act*, provided that the Development Officer determines that the changes do not significantly alter the intended effect of this Agreement.

**3.3** The following matter is a substantive matter:

- (a) the uses permitted on the Property as listed in Section 2.1, *Use*.

**3.4** Notwithstanding the foregoing, discharge of this Agreement is not a substantive matter, and this Agreement may be discharged by the Chief Administrative Officer in accordance with Section 229 of the *Municipal Government Act*.

**3.5** Notice of Intent to Discharge this Agreement may be given by the Municipality to the Owner following a resolution of Council to give such Notice:

- (a) as provided for in Section 4.1, *Commencement of Development*, of this Agreement; or
- (b) at the discretion of the Municipality, with or without the concurrence of the Owner, where the Development has, in the reasonable opinion of Council on

advice from the Development Officer, ceased operation for a period of at least twenty-four (24) months; or

- (c) at any time upon the written request of the Owner, provided the use of the Properties is in accordance with the Land Use By-law or a new Agreement has been entered into.

**3.6** Council may discharge this Agreement 30 days after a Notice of Intent to Discharge has been given.

## **PART 4 IMPLEMENTATION**

### **4.1 Commencement of Development**

- (a) The Owner may not commence any construction or use on the Property until the Municipality has issued any development permit, building permit and/or occupancy permit that may be required. The date of commencement will be determined as the date the Owner begins Active Construction on the building within this Agreement as permitted by an issued development and building permit.
- (b) Active Construction shall commence not later than forty-eight (48) months from the date this Agreement is signed. If, in the opinion of the Development Officer, this time limit has not been met, this Agreement may be discharged at the option of the Municipality by resolution of Council in accordance with Section 229 of the *Municipal Government Act* 30 days after giving Notice of Intent to Discharge to the Owner. Upon the written request of the Owner, the Municipality, by resolution of Council, may grant an extension to the date of commencement of Development without such an extension being deemed to be an amendment to this Agreement.
- (c) If the Owner is bona fide delayed from commencing the Development for reasons which are beyond the Owner's control, the determination of which shall be at the sole discretion of the Development Officer, then performance by the Owner is excused for the period of the delay and the time period for the Owner to perform their obligations shall be extended by the Development Officer in writing for an equivalent period, without such an extension being deemed to be an amendment to this Agreement.

### **4.2 Material to be Provided**

- (a) The Owner shall provide record drawings to the Development Officer for any portion of the development for which an engineered design is required, within ten (10) days of completion of any work which requires the engineered design.

- (b) The Owner shall, upon written request, provide the Municipality with copies of any documentation, permits or approvals required by Provincial or Federal governments or agencies.

## **PART 5 ADMINISTRATION and COMPLIANCE**

### **5.1 Compliance with Other Bylaws and Regulations**

- (a) Nothing in this Agreement shall exempt the Owner from complying with Federal, Provincial and Municipal laws, by-laws and regulations in force or from obtaining any Federal, Provincial, or Municipal license, permission, permit, authority, or approval required thereunder.
- (b) Where the provisions of this Agreement conflict with those of any by-law of the Municipality applicable to the Property (other than the Land Use By-law to the extent varied by this Agreement) or any statute or regulation, the higher or more stringent requirements shall prevail.

### **5.2 Severability of Provisions**

The provisions of this Agreement are severable from one another and the invalidity or unenforceability of one provision shall not affect the validity or enforceability of any other provision.

### **5.3 Interpretation**

- (a) Where the context requires, the singular shall include the plural and the neutral gender shall include the masculine and feminine.
- (b) Where the written text of this Agreement conflicts with information provided in the Schedules attached to this Agreement, the written text of this Agreement shall prevail.
- (c) References to particular sections of statutes and bylaws shall be deemed to be references to any successor legislation and bylaws even if the content has been amended, unless the context otherwise requires.

### **5.4 Municipal Responsibility**

- (a) The Municipality does not make any representations to the Owner about the suitability of the Property for the development proposed by this Agreement. The Owner assumes all risks and must ensure that any proposed development complies with this Agreement and all other laws pertaining to the Development.
- (b) Any failure of the Municipality to insist upon a strict performance of any requirements or conditions contained in this Agreement shall not be deemed a

waiver of any rights or remedies that the Municipality may have and shall not be deemed a waiver of any subsequent breach or default in the conditions or requirements contained in this Agreement.

#### **5.5 Breach of Terms or Conditions**

Upon breach of any term or condition of this Agreement, the Municipality may notify the Owner in writing. In the event that the Owner has not cured any such breach or entered into arrangements with the Municipality related to such breach to the Municipality's satisfaction, acting reasonably, within six (6) months of such notice then the Municipality may rely upon the remedies contained in Section 264 of the *Municipal Government Act* and may enter the land and perform any of the terms contained in the Development Agreement, or take such remedial action as is considered necessary to correct a breach of the Agreement, including the removal or destruction of anything that contravenes the terms of the Agreement and including decommissioning the site. It is agreed that all reasonable expenses, whether arising out of the entry on the land or from the performance of the terms, are a first lien on the land that is the subject of the Development Agreement.

#### **5.6 Costs**

The Owner shall pay all costs associated with registering this Agreement and all costs associated with any amendment thereof.

#### **5.7 Development Agreement Bound to Land**

This Agreement shall be binding upon the parties hereto and their heirs, executors, administrators, successors and assigns, and shall run with the land which is the subject of this Agreement until such time as it is discharged by the Municipality in accordance with Section 229 of the *Municipal Government Act*.

#### **5.8 Assignment of Agreement**

The Owner may, at any time and from time to time, transfer or assign this Agreement and its rights hereunder and may delegate its obligations hereunder to an assign, successor, heir, or purchaser of the land bound by this Agreement.

#### **5.9 Written Notice**

- (a) The Municipality may serve notice on the Owner personally or by ordinary mail which shall be deemed to have been received within three (3) business days of mailing, addressed to 4633522 NOVA SCOTIA LIMITED, 2 Thompson Run, Hammonds Plains, Nova Scotia, B4B 1T7, Canada, or at any other address provided by the Owner in writing.

- (b) The Owner may serve notice on the Municipality by registered mail addressed to the Chief Administrative Officer, West Hants Regional Municipality, 76 Morison Drive, P.O. Box 3000, Windsor, NS, B0N 2T0, or at any successor address provided by the Municipality to the Owner in writing.

**5.10 Full Agreement**

This Agreement constitutes the entire agreement and contract entered into by the Municipality and the Owner. No other agreement or representation, oral or written, shall be binding.

**IN WITNESS WHEREOF** this Agreement was properly executed by the respective parties hereto on the day and year first above written.

**SIGNED, SEALED AND DELIVERED**

In the presence of:

) **WEST HANTS REGIONAL**

) **MUNICIPALITY**

)

)

)

Per: \_\_\_\_\_

\_\_\_\_\_  
Witness

) Abraham Zebian, Mayor

)

)

) Per: \_\_\_\_\_

\_\_\_\_\_  
Witness

) Deanna Snair, Municipal Clerk

)

)

) **4633522 NOVA SCOTIA LIMITED**

)

)

Per: \_\_\_\_\_

\_\_\_\_\_  
Witness

) Ted Misztela, Director

)

)

**PROVINCE OF NOVA SCOTIA  
COUNTY OF HANTS**

**ON THIS**            day of            , A.D. 2025, before me, the subscriber, personally came and appeared            , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that **THE WEST HANTS REGIONAL MUNICIPALITY**, one of the parties thereto, caused the same to be executed in its name and on its behalf and its corporate seal to be thereunto affixed in            presence.

---

A Commissioner of the Supreme Court of Nova Scotia

**PROVINCE OF NOVA SCOTIA  
COUNTY OF HANTS**

**ON THIS**            day of            , A.D. 2025, before me, the subscriber, personally came and appeared            , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that, **Ted Misztela**, one of the parties thereto, signed, sealed and delivered the same in            presence.

---

A Commissioner of the Supreme Court of Nova Scotia

**AFFIDAVIT OF CLERK**

**WEST HANTS REGIONAL MUNICIPALITY**

I, Deanna Snair of \_\_\_\_\_, Hants County, Nova Scotia make oath and swear that:

1. I am the Clerk of the West Hants Regional Municipality (the “Municipality”) and I have personal knowledge of the matters to which I have sworn in this Affidavit.
2. The Municipality is a body corporate pursuant to the *Municipal Government Act*, S.N.S. 1988, c.18, as amended.
3. I acknowledge that the Municipality executed the attached Instrument by its proper designates duly authorized in that regard under seal on the date of this Affidavit pursuant to subsection 13(3) of the *Municipal Government Act*, S.N.S. 1988, c.18, as amended. This acknowledgement is made pursuant to subsection 31(a) of the Registry Act, R.S.N.S. 1989, c.392 and/or clause 79(1)(a) of the Land Registry Act, S.N.S. 2001, c.6, as amended, for the purpose of registering or recording the Instrument.
4. The Municipality is resident in Canada for the purposes of the Income Tax Act (Canada).

I certify that on this \_\_\_\_\_, 2025  
the Municipal Clerk, Deanna Snair came before me, made oath,  
and swore the foregoing affidavit at  
\_\_\_\_\_, Nova Scotia.

\_\_\_\_\_  
A BARRISTER/COMMISSIONER OF THE  
SUPREME COURT OF NOVA SCOTIA  
Print name/affix seal

\_\_\_\_\_  
Deanna Snair, Clerk

Canada  
Province of Nova Scotia

**AFFIDAVIT & PROOF OF EXECUTION (CORPORATE)**

I, Ted Misztela, Nova Scotia, make oath and say that:

1. I, Ted Misztela of **4633522 NOVA SCOTIA LIMITED**, the “Corporation”. Except as otherwise stated I have personal knowledge of the matters to which I have sworn in this Affidavit.
2. I acknowledge that I executed the foregoing instrument on behalf of the Corporation on the date of this affidavit; this acknowledgment is made for the purpose of registering such instrument pursuant to s.31(a) of the Registry Act, R.S.N.S. 1989, c.392 or ss.79 and 83 of the Land Registration Act as the case may be.
3. I verify that I have the authority to execute the foregoing instrument on behalf of the corporation and thereby bind the Corporation.
4. The Corporation is a resident of Canada under the Income Tax Act (Canada).
5. The ownership of a share or an interest in a share of the Corporation does not entitle the owner of such share or interest in such share to occupy a dwelling owned by the Corporation.

I certify that on this \_\_\_\_\_, 2025  
the Deponents came before me, made oath,  
and swore the foregoing affidavit at  
\_\_\_\_\_, Nova Scotia.

\_\_\_\_\_  
A BARRISTER/COMMISSIONER OF THE  
SUPREME COURT OF NOVA SCOTIA

\_\_\_\_\_  
Ted Misztela, Director

**Schedule A**  
**Legal Description – PID 45382934**

ALL that lot of land also so marked, containing thirteen acres more or less of upland and orchard bounded as follows:

ON the west by lands occupied by Mrs. Robert Bacon;

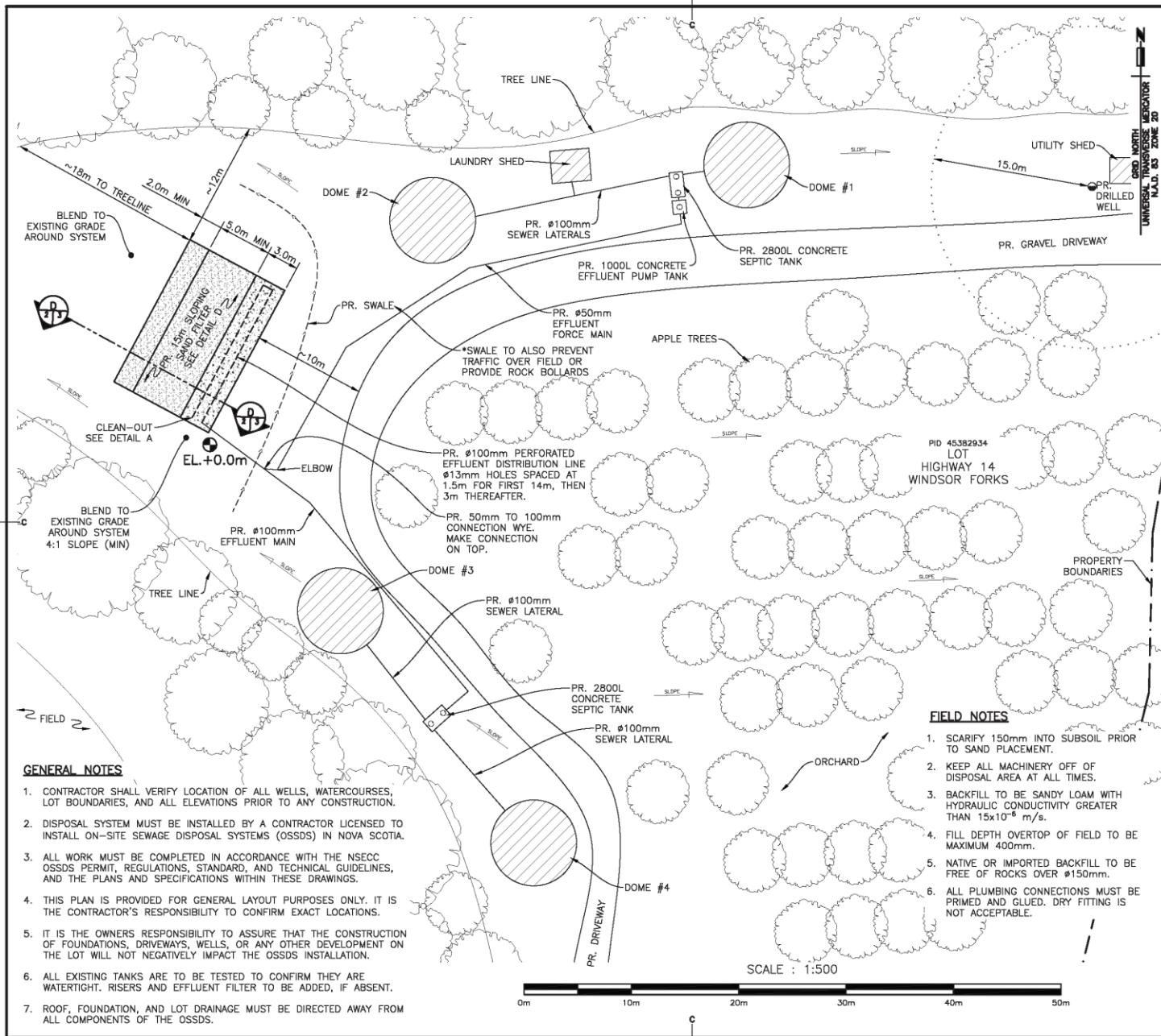
ON the north by a lot of marsh or dyke land contained forty-eight (48) acres more or less;

ON the east by a fence separating it from the private road to the land lying next to the marsh land; and

ON the south by the main highway.

Saving and excepting all the lands (PID 45038163) described in a Trustee's Deed filed at the Hants County Registry of Deeds for Hants County as Document No. 112589362.

**Schedule B**  
**Site Plan**



No.	Revision Description	Date	By
Project			

**ON-SITE SEWAGE DISPOSAL SYSTEM INSTALLATION**  
**HIGHWAY 14 WINDSOR FORKS, NS**

Drawing

**PROPOSED SITE PLAN**

Stamp



Scale	<b>AS NOTED</b>
Drawn	<b>JGB</b>
Designed	<b>JGB</b>
Date	<b>SEP 15 2024</b>
Project No.	<b>2409071</b>
Sheet No.	<b>3 of 6</b>
Drawing No.	<b>C02</b>

**GENERAL NOTES**

- CONTRACTOR SHALL VERIFY LOCATION OF ALL WELLS, WATERCOURSES, LOT BOUNDARIES, AND ALL ELEVATIONS PRIOR TO ANY CONSTRUCTION.
- DISPOSAL SYSTEM MUST BE INSTALLED BY A CONTRACTOR LICENSED TO INSTALL ON-SITE SEWAGE DISPOSAL SYSTEMS (OSSDS) IN NOVA SCOTIA.
- 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.
- THIS PLAN IS PROVIDED FOR GENERAL LAYOUT PURPOSES ONLY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO CONFIRM EXACT LOCATIONS.
- 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.
- ALL EXISTING TANKS ARE TO BE TESTED TO CONFIRM THEY ARE WATERTIGHT. RISERS AND EFFLUENT FILTER TO BE ADDED, IF ABSENT.
- ROOF, FOUNDATION, AND LOT DRAINAGE MUST BE DIRECTED AWAY FROM ALL COMPONENTS OF THE OSSDS.

**FIELD NOTES**

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



**Attachment C – Public Information Meeting Notes**

**April 2 - 16, 2025**

**Development Agreement: Bent Ridge Geo Domes (PID 45382934); File # 25-05**

<p><b>Meeting date and time</b></p>	<p>A Public Information Meeting was held on April 2, 2025 beginning at 6:11 p.m. The meeting was broadcast live on the Municipal Facebook page.</p>
<p><b>Attending</b></p>	<p>In attendance for the meeting:                  One (1) Chair:                 <ul style="list-style-type: none"> <li>• Councillor Ivey</li> </ul>                 Four (4) members of staff:                 <ul style="list-style-type: none"> <li>• Senior Planner Dunphy</li> <li>• Planner Hong</li> <li>• Planning Assistant Lake</li> <li>• Acting Director Fougere</li> </ul>                 The applicants (Ted Misztela and Matt Murant) and 16 members of the public attending the meeting.</p>
<p><b>Applicant</b> Ted Misztela</p> <p><b>Property</b> Highway 14, Windsor Forks (PID 45382934)</p>	<p>Planner Dunphy outlined the application to permit the construction of geodomes by development agreement.</p> <p>Ted and Matt explained the purpose and economic benefit of their project, the (Daniels) family history of the land, and read a letter of support from the owner of Bent Ridge, Glen Dodge.</p>
<p><b>Comments</b></p>	<p>Comments from the public could be submitted by mail, e-mail and telephone between April 2 – 16, 2025. Staff received 1 email during the public comment period. Email correspondence is included below.</p> <p>Five members of the public spoke during the Public Information Meeting. Staff responses are purple.</p> <p>Melodie Daniels asked to confirm location of the domes, if there will be staff on site and the location of bathroom facilities.</p> <p>Alex displayed the location of the domes with the Orthophoto.</p> <p>Matt explained each dome will have a full bathroom.</p> <p>Ted said they will be employing a nearby manager on the business hours of the Bent Ridge Winery, and Bent Ridge staff will also be on call. They have not decided on firepits (wood or metal) yet and may include hot tubs on site as well.</p>

	<p>Morgan Edgecomb was in favour and if there were plans to expand.</p> <p>Ted replied that they haven't done this before, so they want to see results before they consider expanding. They have an agreement with the owner of the orchard (Philip Daniels) to keep the U-Pick in operation and will not be disturbing the existing orchard.</p> <p>Susan Sanford was in favour of the project and support of more accommodation varieties. West Hants needs more options.</p> <p>Blaine Daniels said that the subject property was mostly used to piling up trimmed apple tree branches, and the developers only plan to use a portion of the large property for their project.</p> <p>Coady Sanford said with most municipalities choosing to regulate short term rentals, this is a fantastic opportunity for West Hants. It will potentially be good for Ski Martock customers too.</p> <p>Ted confirmed that they plan to operate year-round.</p>
<b>Adjournment</b>	The Public Information Meeting ended at 6:32 p.m.

**Public Email Responses Submitted for the Application PIM**

**April 2, 2025**  
**From** Melodie Daniels  
**To** Alex Dunphy

Hello,

It might have come across today that I do not support the idea, but I was just trying to make my questions as quick to the point as possible. I don't think anyone wants lots of verbiage during meetings.

I think the idea is fantastic, my only concern was the placement of the domes, fires, etc as my family owns the neighbouring property.

Please make sure the owners know I totally support their idea and wish them all the best. I also live in an isolated community in the north and the Internet is very uncertain, so I am used to fast talking to get my point across.

Would you be able to send me a copy of your powerpoint? I would like to be able to share it with my mother, who resides at the neighbouring property fulltime, as well as my brother.

Kindest regards,

Melodie Daniels

**Attachment D – Agrologist Report**

**PROFESSIONAL AGROLOGIST REPORT**  
**DETERMINATION OF AGRICULTURAL CAPABILITY**  
**of PID #4538934**

**DEVELOPMENT AGREEMENT REQUEST from**  
**#4633522 Nova Scotia Limited**

**January 2025**



*Managing Today for Tomorrow*

Tel: 902-895-1414 Cell: 902-899-5929

Email: [yvonne@thyagrissenconsulting.ca](mailto:yvonne@thyagrissenconsulting.ca)

Website: [www.thyagrissenconsulting.ca](http://www.thyagrissenconsulting.ca)



## I. Scope of Work

A numbered company - #4633522 NS Ltd. – wishes to apply for a development agreement to build tourist accommodations on PID #45382934 located in Windsor Forks, NS. This 12-acre land parcel is currently zoned Agricultural Priority two (AR-2) and is farmed as a U-Pick apple orchard under the name Daniel’s U-Pick. The entire PID was previously owned by Philip Daniels (owner of Daniel’s U-Pick) until recently when the back half of the property was purchased by the numbered company, as depicted in the survey map located in Appendix A.



Photo 1: Property boundaries of PID #45382934 outlined in black; aerial view taken

#4633522 NS Ltd is owned by four shareholders - Ted Misztela, Mat Murrant, Marcelo Nicolela, and 3114631 Verdermar Inc. The civic address of PID #45382934 is 4499 Highway 14 Windsor Forks, West Hants Municipality, NS. The land is immediately adjacent to Bent Ridge Winery; in fact, access to the land parcel, apple orchard and the winery is through a shared driveway (Photo 1). I believe the road is also considered the access point to the marshlands that are behind the orchard and winery. The orchard on the 6-acre block owned by the numbered company will continue to be managed by Phil Daniels’ and his son John as a U-Pick apple orchard, in cooperation with the #ed company.

The applicant is working in cooperation with the owner of Bent Ridge Winery (Glenn Dodge) to establish four GeoDomes along the back edge of the



Photo 2: Proposed geodomes; photo taken from [www.atlanticdome.com](http://www.atlanticdome.com). Domes are to be placed on a wooden deck system as depicted with a sewer bed system for each dome.

orchard. The geodomes are unique, short-term accommodations, the first of their kind in the West Hants region. These luxurious domes will offer guests a one-of-a-kind ‘glamping’ experience, complete with stunning vineyard views, premium amenities, and proximity to local attractions including Martock ski resort, hiking trails, and neighboring wineries. By leveraging growing tourism trends and platforms like Airbnb, the GeoDomes will cater to eco-conscious travelers and experiential tourism enthusiasts. This initiative will also enhance the winery's offerings in particular providing over-night accommodations for weddings and special functions. It will also boost local tourism, making it a key destination for visitors seeking luxury and adventure in rural Nova Scotia.

The West Hants Municipal Planning Strategy (WHMPS) and Land Use By-Law outlines a process that landowners are required to undertake when requesting a development agreement from Council to rezone 'agricultural' land. This report complies with Policy 8.6.1 of the WHMPS, providing a Professional Agrologist study to determine agricultural capability of the land being considered. A land-use by-law amendment or development agreement process provides an opportunity for owners of land with minimal or no agricultural capability to use the property for certain non-farm development, provided the development will not interfere with adjacent farm activities or negatively affect the viability of the farming area. This policy outlines the parameters for determining agricultural capability of a land parcel, and the criteria that the Professional Agrologist study needs to address.

## **II. Professional Agrologist – Yvonne Thyssen-Post**

Yvonne Thyssen-Post, President of Thyagrissen Consulting Limited, is a Professional Agrologist with over 40 years experience. She is a registered full member of the Nova Scotia Institute of Agrologists (NSIA), member ID #19311. Confirmation of current membership is provided in Appendix B. Ms. Thyssen-Post holds a Bachelor of Science in Agriculture from McGill University as well as a Master of Adult Education from St. Francis Xavier University. Her experience includes 14 years as an agricultural extension agent with the Nova Scotia Department of Agriculture, followed by 29 years as a private business consultant. She established her own company in 1998 – Thyagrissen Consulting Limited – through which she continues to provide various professional business planning services, primarily to the agricultural industry in Atlantic Canada.

## **III. PID Profile**

PID #4633522 is located off highway #14, at civic address #4499 in Windsor Forks, West Hants Municipality, NS. The PID is a 12-acre parcel of land zoned Agricultural Priority Two (AR-2) by the West Hants Regional Municipality; designated agriculture and currently in agricultural production as an apple orchard. Phil Daniel's and his son, John, manage the apple orchard as a U-Pick operation under the name – Daniel's U-Pick. The PID has recently been subdivided, half owned by Phil Daniel's and the upper half recently purchased by the numbered company which is the applicant for the development agreement request/study.

A site visit was made to the property by Ms. Thyssen-Post on December 20, 2024. The land is zoned agriculture, and has been in agricultural production as an apple orchard for many decades by the Daniel's family. Although the PID was recently split in terms of ownership to accommodate the development of the geodomes, the Daniel's will continue to manage the orchard on the numbered company's land under a Memorandum of Understanding (MOU). The geodomes will be placed on open land on the outer perimeter of the orchard, where no apple trees exist, technically not reducing the agricultural production.

The PID is primarily L-shaped, but only the top 6-acres closest to the marshland being considered for the development agreement. The parcel is up-land before the marshlands, and hosts a legacy long established apple orchard. The outer perimeter of the orchard includes a 20 ft wide band, seeded to grass void of apple trees. The land slopes gently from the outer edge in toward the apple trees; a steeper slope from the perimeter towards the marshlands (site photos, APPENDIX A).

Section 8.7 of the WHMPS defines land zoned AR-2 as “Improved and unimproved land with high capability (Class 2 and 3) for production of a variety of crops. This land will be reserved for agricultural production with limited non-agricultural development.” (Page 73, WHMPS). The strategy further clarifies the intent behind zoning land as AR-2:

*“The Agricultural Priority Two (AR-2) zone is intended to apply to areas with high capability for agriculture, but where land owners do not want the strict development controls of the Prime Agriculture (P/Ag) zone. The AR-2 zone allows for more flexibility than the P/Ag zone including a wider scope of on-farm businesses by development agreement. Unlike the P/Ag zone, new dwellings are permitted as a main use, although subdivision is limited to two lots per area of land in a calendar year.” (Page 76, WHMPS)*

#### **IV. Study Criteria**

The Professional Agrologist study considers the land parcel according to Policy 8.6.1 of the WHMPS. The site is not an existing or abandoned resource extraction site therefore it must be evaluated under section (b) of this Policy. Subsections (i) or (ii) also do not apply to this site, therefore the study evaluates soils that have capability for agriculture rating better than Class 4 and 90% or more of the development site does not exhibit severe limitations for agricultural use.

The following section addresses each aspect of Policy 8.6.1.(c) fulfilling the requirements of the Professional Agrologist study.

- Yvonne Thyssen-Post, P.Ag., is the author of the study and is a registered full-member of the Nova Scotia Institute of Agrologist.
- A site inspection was conducted by the Agrologist on Friday, December 20, 2024 accompanied by Ted Misztela, Mat Murrant and Glenn Dodge.
- Soil capability for agriculture was determined using the Soil Map of Hants County, NS, (Report #5, NS Soil Survey) sourced from Government of Canada website, Agriculture & Agri-Food Canada, Canada Land Inventory (CLI) soil surveys. Section 8.6.1 of the strategy acknowledges that the scale of the Canada Land Inventory (C.L.I.) mapping, upon which the agricultural designation is based, is generalized. As such, there may be pockets of land with a higher or lower capability rating. The Canada Land Inventory (CLI) Capability

for Agriculture classification system shows the varying potential of a specific area for agricultural production. It indicates the classes and subclasses according to the Soil Capability Classification of Agriculture, which is based on characteristics of the soil as determined by soil surveys. These agricultural capability maps can be used at the regional level in several ways: for making decisions on land improvements and farm consolidation; for developing land-use plans; and for preparing equitable land assessments (Government of Canada website). The classes indicate the degree of limitation imposed by the soil in its use for mechanized agriculture. The subclasses indicate the kinds of limitations that individually or in combination with others, are affecting agricultural land use. Although the information is dated, and better information is available for some areas as part of more recent soil surveys, the interpretations are still largely valid and many jurisdictions still use them for land use planning purposes.

Soil surveys have been published for most of the agricultural areas, and many surrounding areas across Canada. Data from these surveys comprise the most detailed soil inventory information in the National Soil Database (NSDB). PID #45382934 was located using commercially available mapping software and the location transposed to the soil survey map (see slides in Appendix C). The site is identified as Class 2F soils which has moderate limitations that restrict the range of crops or requires moderate conservation practices. The 'F' subclass indicates low natural fertility levels.

- The site is identified as mostly Q-P/1.B4 soil type. The soil characteristics are consistent with those represented by the Queens soil classification, which is classified as good to fair crop land. Canada Land Inventory (CLI) indicates the following features for Queens soil type.
  - The surface and subsoil are light reddish-brown loam over reddish brown clay loam, slightly stony; the '1' in the label indicates the stoniness is no hindrance to cultivation.
  - Parent material is dark reddish brown clay loam till derived from reddish brown shales deposited over gypsum.
  - Topography and drainage: B4 refers to complex slopes; irregular or rough surface; moderately sloping with 6-9% slope. P indicates the soil is well drained.
  - Present land use (CLI): is apple orchard with very little surface stone.

There are approximately 91,000 acres in West Hants rated Class 1, 2, and 3. With less than 50% of this land cleared; there is considerable potential for future expansion. The soil in PID #45382934 is primarily Class 2, possibly some Class 3 according to the Atlantic Provinces Soil Class Maps, compiled by the Soil Research Institute, Research Branch, Agriculture Canada based on maps supplied by NS Soil Survey.

- Major site features or characteristics which influence or determine soil capability include slope, drainage, and soil type. The land parcel has moderate slope, good surface drainage with moderate to slow internal drainage. There was no standing water on site at the time of the site visit. The soil is currently supporting a thick cover of grass, in addition to long-established apple trees planted some 40 plus years ago. The PID consists of 12-acres supporting an apple orchard, but with this development request there is a proposed subdivision of the property (APPENDIX C), where the top 6-acres will be sold to the #'ed company.
- A site plan provided by the applicant is included in APPENDIX B. The outer perimeter of the lot, about 20 ft in width, is grass covered, with no apple trees. This outer perimeter is the proposed location of the geodomes. The back of the PID drops away from the orchard with a relatively steep slope to the dykelands.

Appendix C locates the site via commercially available mapping software, soils maps and aerial photography. Photos of the site taken on December 20, 2024 (Appendix A) further depict the site layout.

- The PID is surrounded by farm land, most of which is owned by Glenn Dodge (owner of Bent Ridge Winery), who is working in consultation with the numbered company to develop the geodomes. The remaining apple orchard is owned by Philip Daniel's who manages it with his son, John, under the trade name Daniel's U-Pick. They invite the general public to come to the orchard and pick their own apples in the fall. Lands to the north are in pasture production and the land immediately behind the orchard is dykeland owned by Blaine Daniels. The dykeland is rented out to a local dairy/beef farm who grows hay/grain for his livestock.

Owners of the abutting lands were consulted for this study to assess the impact of placing geodomes along the outer top perimeter of the orchard. This development technically does not take agricultural land out of production as it typically is not farmed, provides a buffer around the orchard. All of the individuals consulted did not see any negative impact from the development agreement request and in fact, each indicated that it will attract more business to the area. They felt it was "a good business idea: business brings business." Such is the case for the winery as well as the geodomes will provide accommodations for wedding guests and other events hosted at the winery.

From a Professional Agrologist perspective, the only concern is the continued management and operation of the orchard when there are accommodations in the immediate vicinity. Enabling a compatible relationship will require cooperation and coordination between the two parties, the land owner and the apple orchard manager.

This concern was discussed during the site visit/follow-up calls with both the applicant and the leaser, both acknowledging the need to coordinate spraying and management activities with the occupancy level of the geodomes. The owners of the orchard had noted that they had previously offered tenting on this same land parcel in years gone by and had no issues.

- The land will remain in agricultural production however the development agreement request is to enable the construction of geodome, accommodation facilities in the orchard. The geodomes are part of an agritourism effort supporting visitors to the winery, events at the winery and other local tourist attractions. By providing accommodations people can stay longer in the area, explore attractions and spend money which will go into the general economy.
- The land that is being utilized for the geodomes is too close to the edge of the property perimeter to support apple tree production. This area is typically utilized to turn equipment for management operations. The land isn't being fragmented as the orchard will continue to operate and the geodomes will be placed within the orchard. The geodomes are somewhat portable too in that they can be removed if not successful. The only permanent aspect is the sewage disposal system.

## V. Rezoning Assessment Summary

The soil found in PID #45382932 is Class 2 soil which considered is good to fair cropland in terms of agricultural capability, according to the CLI. The site inspection conducted by Ms. Thyssen-Post, P.Ag. on December 20, 2024 revealed that the land currently supports an apple orchard operating as a U-Pick business. The natural fertility of the soil is low but appeared to be good to support the growth of grass and apple trees. Majority of the PID is in agricultural production in however the area where the geodomes will be placed, is not in agricultural production. Therefore, the development agreement request does not include any loss of agricultural production.

There are no limitations that would influence its' economic viability for agricultural production as the slope, drainage and soil type are adequate. The addition of overnight 'glamping' accommodations at the back of the PID will require collaboration between the developer and the orchard leaser to ensure the timing of necessary agricultural production practices occurs when the geodomes are not occupied.

## References

Canada Land Inventory (CLI) 1:1,000,000. (1954). Atlantic Provinces Soil Capability for Agriculture Map. Retrieved from <https://sis.agr.gc.ca/cansis/publications/maps/cli/1m/agr/index.html>

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## **APPENDIX A**

Current NS Institute of Agrologist Membership

Receipt Number: 2000

2025



**Nova Scotia Institute of Agrologists**

7 Atlantic Central Dr  
East Mountain, NS B6L 2Z2

Yvonne Thyssen-Post  
35 Talon Court  
Bible Hill, NS B2N 7B4

Member ID: 19311

This is your receipt for income tax purposes.

**NSIA Membership Fee for 2025 (HST Included at 15%)**

**\$178.25**

**Status: Professional Agrologist**

**\*\*\*\*THIS IS YOUR OFFICIAL RECEIPT --- DO NOT PAY\*\*\*\***

**BN 888 257 599 RT0001**



**Nova Scotia Institute of Agrologists**

7 Atlantic Central Dr.,  
East Mountain, NS B6L 2Z2  
902-893-7455

Web: <http://www.nsagrologists.ca>

**This is to certify that Yvonne Thyssen-Post  
is a Professional Agrologist**

Membership valid from Jan. 1 to Dec. 31, 2025

Member Signature

**APPENDIX B**

Site Photos (as of December 20, 2024)

Site Plan Lay-out

## #4633522 NS Ltd. Site Photos (December 20, 2024)



Daniel's U-Pick stand on left side of shared driveway entering PID. Phil Daniel's owns the PID #453829434 which harbours a 12-acre orchard.

Shared driveway provides access to PID on the left past the winery; winery/restaurant on the right.





Vineyard to the right behind the winery

Parking lot across from winery; apple orchard in the distance





Apple orchard view from roadway;  
PID #45382934



Top of orchard; site of proposed  
geodomes

OSSDS PERMIT ISSUED BY



**DRAWING LIST**

C01	EXISTING SITE PLAN
C02	PROPOSED SITE PLAN
C03	SECTIONS & DETAILS
C04	PUMP NOTES
C05	GENERAL NOTES

# ON-SITE SEWAGE DISPOSAL SYSTEM – INSTALLATION

**SYSTEM DETAILS**

COMMERCIAL RENTAL UNITS  
1200L/D DESIGN FLOW  
(2) 2800L SEPTIC TANKS  
1000L EFFLUENT PUMP TANK  
15m SLOPING SAND FILTER

**LOCATION**

HIGHWAY 14  
WINDSOR FORKS  
HANTS COUNTY  
PID 45382934

**APPLICANT**

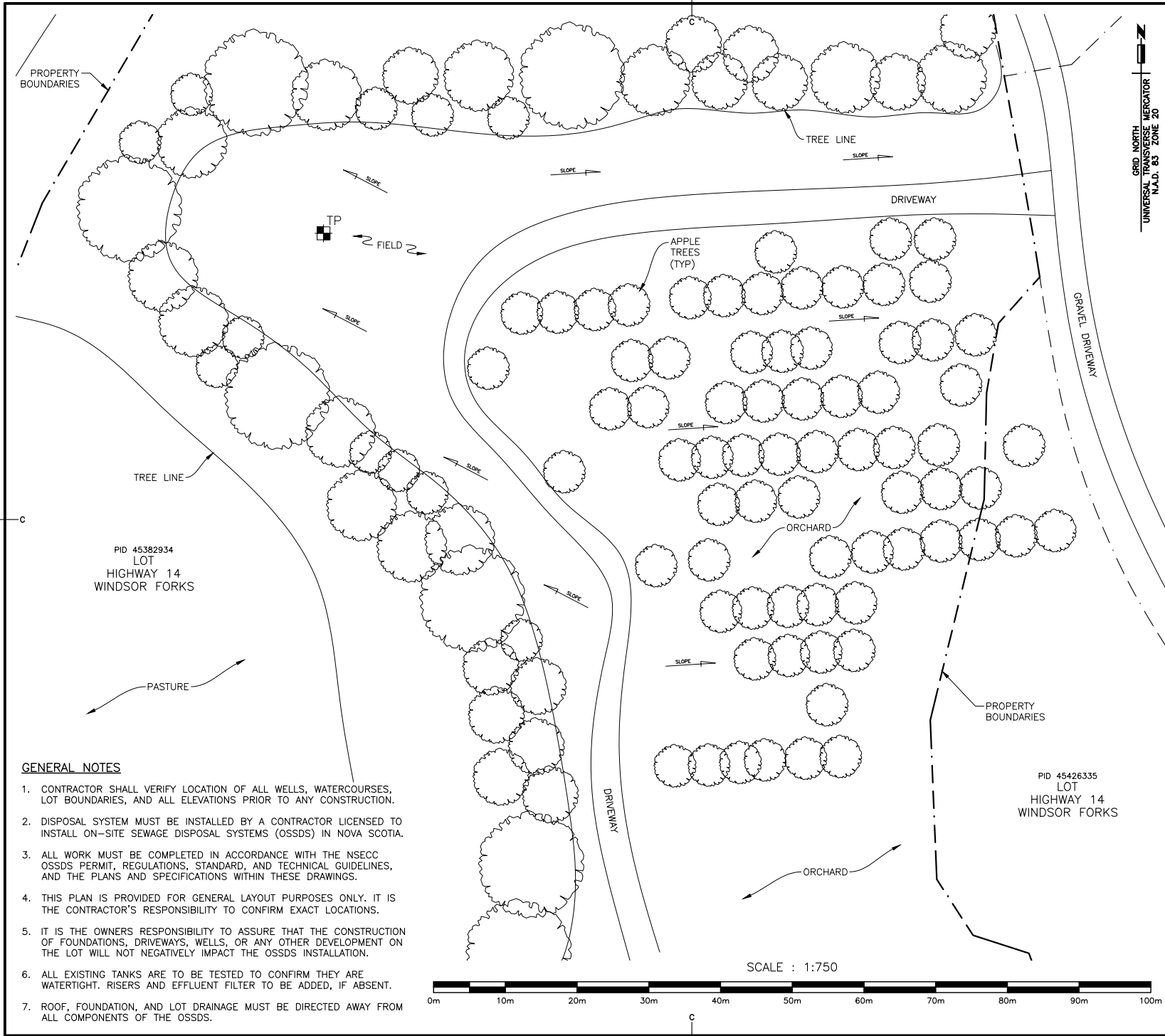
JOHNATHAN BEATON, P.ENG.  
14 WOODENS RIVER ROAD  
SEABRIGHT, NS  
902.410.5747

**LEGEND**

	BENCHMARK
	CATCH BASIN
	FIRE HYDRANT
	IRON PIPE OR BAR
	MAINTENANCE HOLE
	POTABLE WATER SOURCE
	SHRUB
	SURVEY MARKER (CAPPED)
	TREE DECIDUOUS
	TREE CONIFEROUS
	TEST PIT
	UTILITY POLE
	UTILITY POLE WITH LIGHT
	WATER BODY
	WETLAND
	WOOD POST

PROJECT Nº 2409071





**GENERAL NOTES**

- CONTRACTOR SHALL VERIFY LOCATION OF ALL WELLS, WATERCOURSES, LOT BOUNDARIES, AND ALL ELEVATIONS PRIOR TO ANY CONSTRUCTION.
- DISPOSAL SYSTEM MUST BE INSTALLED BY A CONTRACTOR LICENSED TO INSTALL ON-SITE SEWAGE DISPOSAL SYSTEMS (OSSDS) IN NOVA SCOTIA.
- 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.
- THIS PLAN IS PROVIDED FOR GENERAL LAYOUT PURPOSES ONLY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO CONFIRM EXACT LOCATIONS.
- 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.
- ALL EXISTING TANKS ARE TO BE TESTED TO CONFIRM THEY ARE WATERTIGHT. RISERS AND EFFLUENT FILTER TO BE ADDED, IF ABSENT.
- ROOF, FOUNDATION, AND LOT DRAINAGE MUST BE DIRECTED AWAY FROM ALL COMPONENTS OF THE OSSDS.

No.	Revision Description	Date	By

Project  
**ON-SITE SEWAGE DISPOSAL SYSTEM INSTALLATION**  
**HIGHWAY 14 WINDSOR FORKS, NS**

Drawing  
**EXISTING SITE PLAN**

Stamp

Scale **AS NOTED**

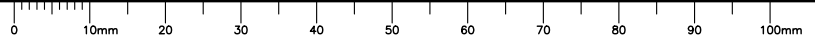
Drawn **JGB**

Designed **JGB**

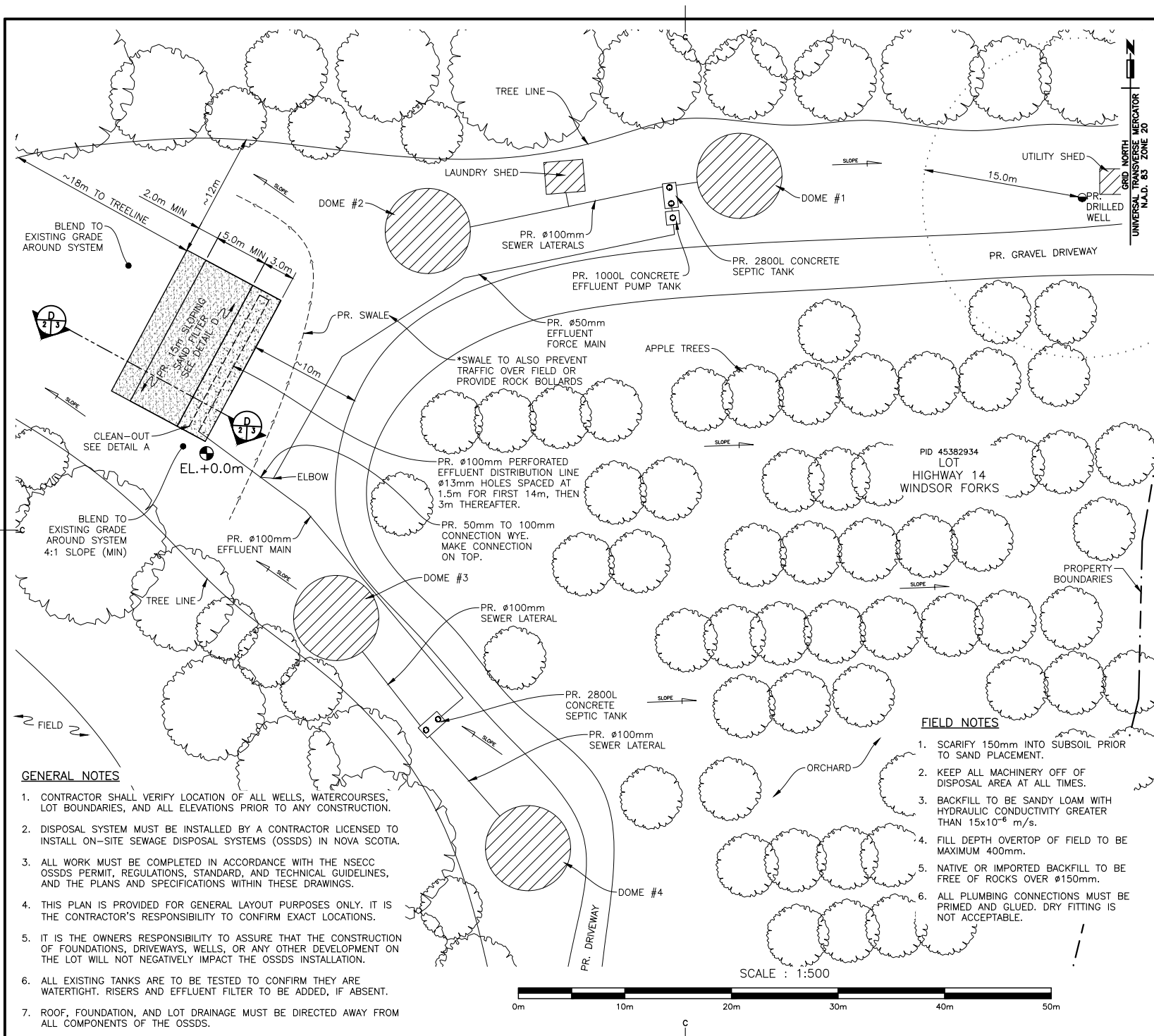
Date **SEP 15 2024**

Project No.  
**2409071**

Sheet No. **2 of 6** Drawing No. **C01**



UNIVERSAL TRANSVERSE MERCATOR  
N.A.D. 83 ZONE 20



No.	Revision Description	Date	By

Project  
**ON-SITE SEWAGE DISPOSAL SYSTEM INSTALLATION**  
HIGHWAY 14 WINDSOR FORKS, NS

Drawing  
**PROPOSED SITE PLAN**

Stamp

REGISTERED PROFESSIONAL ENGINEER

Date **Sep. 25 2024**

*J. G. Beaton*

J. G. Beaton

20220300

PROVINCE OF NOVA SCOTIA

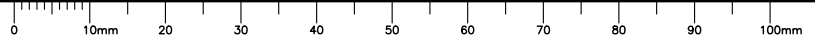
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Designed	JGB
Date	SEP 15 2024
Project No.	2409071
Sheet No.	3 of 6
Drawing No.	C02

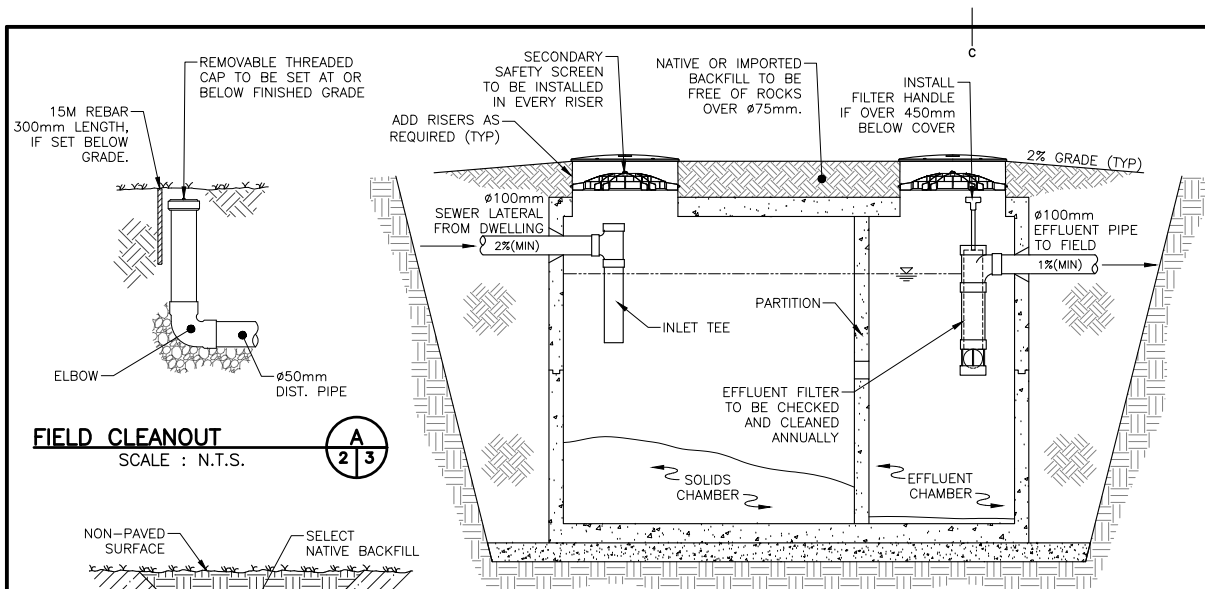
**GENERAL NOTES**

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- 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.
- ALL EXISTING TANKS ARE TO BE TESTED TO CONFIRM THEY ARE WATERTIGHT. RISERS AND EFFLUENT FILTER TO BE ADDED, IF ABSENT.
- ROOF, FOUNDATION, AND LOT DRAINAGE MUST BE DIRECTED AWAY FROM ALL COMPONENTS OF THE OSSDS.

**FIELD NOTES**

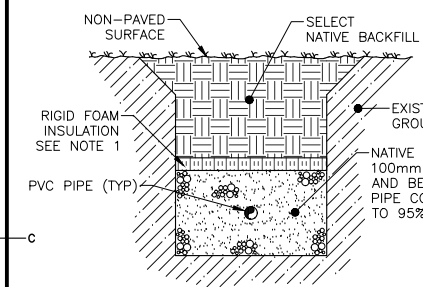
- SCARIFY 150mm INTO SUBSOIL PRIOR TO SAND PLACEMENT.
- KEEP ALL MACHINERY OFF OF DISPOSAL AREA AT ALL TIMES.
- BACKFILL TO BE SANDY LOAM WITH HYDRAULIC CONDUCTIVITY GREATER THAN  $15 \times 10^{-6}$  m/s.
- FILL DEPTH OVERTOP OF FIELD TO BE MAXIMUM 400mm.
- NATIVE OR IMPORTED BACKFILL TO BE FREE OF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





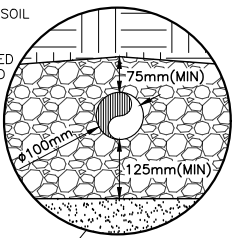
BILL OF MATERIALS		
QTY	UOM	ITEM DESCRIPTION
17	m <sup>3</sup>	TOP SOIL (100mm THK.)
36	m <sup>3</sup>	NATIVE SANDY LOAM BACKFILL
85	m	GEOTEXTILE FABRIC TX-70 (1.83m)
13	m <sup>3</sup>	ø25mm CRUSHED ROCK
28	m	ø100mm PERFORATED PVC PIPE
1	m	ø100mm SOLID PVC PIPE
75	m <sup>3</sup>	APPROVED FILTER SAND
1	EA	ø100mm CLEANOUT ASSEMBLY
31	m	6mil POLYETHYLENE BARRIER (1.2m)
1	EA	50mm TO 100mm WYE ASSEMBLY
2800	L	CONCRETE SEPTIC TANK (2)
1000	L	CONCRETE PUMP TANK
80	m	ø100mm SOLID PVC NS SPEC PIPE
1	EA	LIBERTY 283 SERIES ½HP (MIN)
48	m	ø50mm SOLID PVC PIPE

**FIELD CLEANOUT**  
SCALE : N.T.S.



**TRENCH DETAIL**  
SCALE : 1:30

**PR. CONCRETE SEPTIC TANKS**  
SCALE : 1:40



**GENERAL NOTES**

- RIGID FOAM INSULATION REQUIRED OVER TANK IF LESS THAN 300mm OF SOIL COVER PROVIDED AND OVER SEWER MAIN IF LESS THAN 450mm OF SOIL COVER PROVIDED.
- BACKWASH WATER FROM WATER TREATMENT DEVICES MUST NOT BE DISCHARGED INTO THE ON-SITE SEWAGE DISPOSAL SYSTEM.
- IT IS RECOMMENDED THAT FLOW FROM WATER FIXTURES TO BE MAXIMUM OF 6.8lpm FOR FAUCETS AND 5.0lpm FOR TOILETS.
- PLUMBING CONNECTIONS MUST BE PRIMED AND GLUED. DRY FITTING IS NOT ACCEPTABLE.
- NATIVE OR IMPORTED BACKFILL TO BE FREE OF ROCKS OVER ø150mm, UNLESS OTHERWISE NOTED.
- BACKFILL TO BE SANDY LOAM WITH HYDRAULIC CONDUCTIVITY GREATER THAN  $15 \times 10^{-6}$  m/s.
- KEEP ALL MACHINERY OFF OF DISPOSAL AREA AT ALL TIMES.

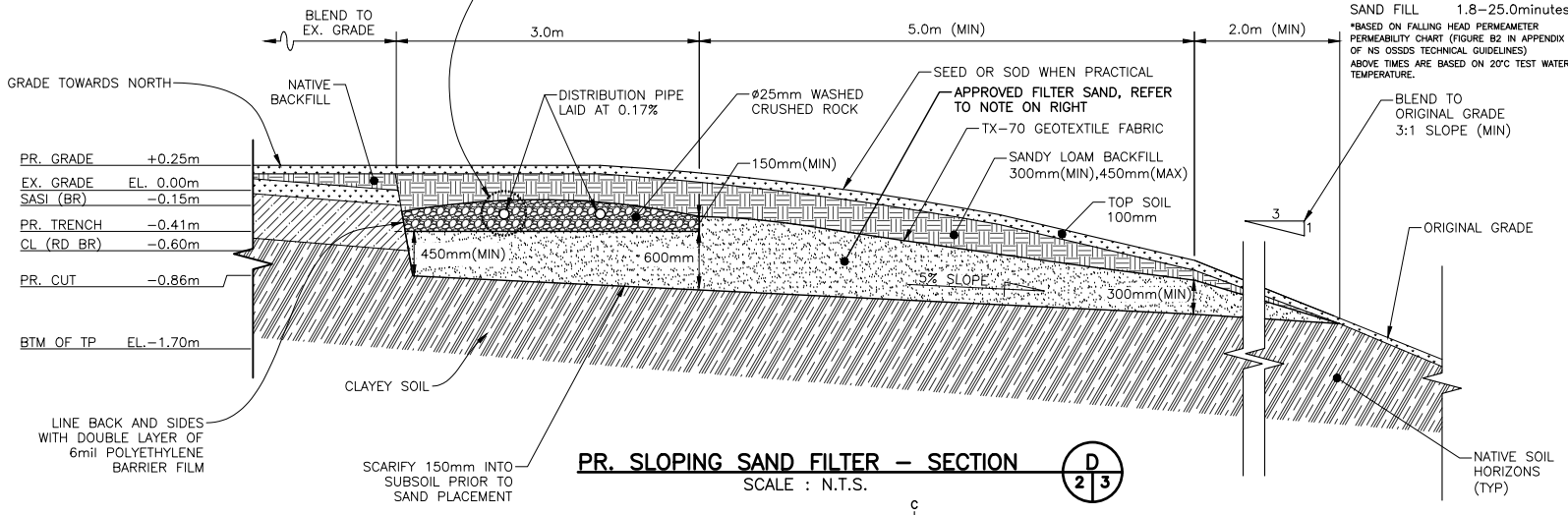
**LEGEND**

	BEDROCK
	WATER TABLE
	GEOTEXTILE
	SEED OR SOD
	EXISTING GRADE
	ORGANICS
	BACKFILL
	CLEAR STONE SAND
	SAND
	GRAVEL
	SANDY SOIL
	SILTY SOIL
	CLAYEY SOIL
	BEDROCK

**IMPORTED SAND FILL**

FILTER SAND	1.8-6.0minutes
SAND FILL	1.8-25.0minutes

\*BASED ON FALLING HEAD PERMEAMETER PERMEABILITY CHART (FIGURE B2 IN APPENDIX B OF NS OSODS TECHNICAL GUIDELINES) ABOVE TIMES ARE BASED ON 20°C TEST WATER TEMPERATURE.



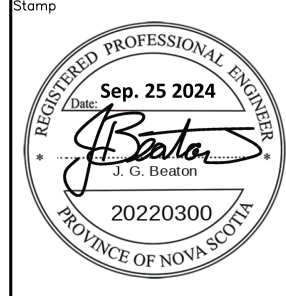
**PR. SLOPING SAND FILTER - SECTION**  
SCALE : N.T.S.

No.	Revision Description	Date	By

Project  
**ON-SITE SEWAGE DISPOSAL SYSTEM INSTALLATION**  
**HIGHWAY 14 WINDSOR FORKS, NS**

Drawing  
**SECTIONS & DETAILS**

Stamp

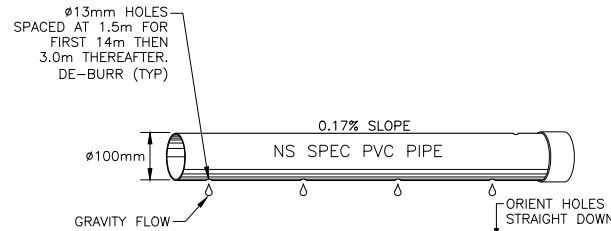


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Designed	JGB
Date	SEP 15 2024
Project No.	2409071
Sheet No.	4 of 6
Drawing No.	C03

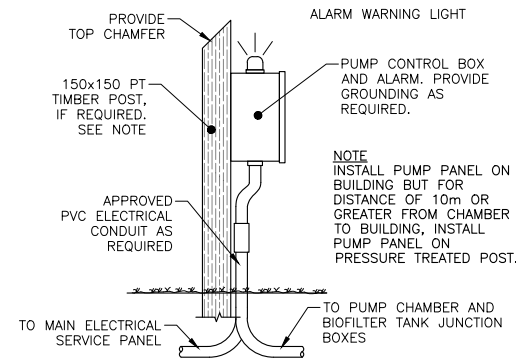


**PUMP NOTES**

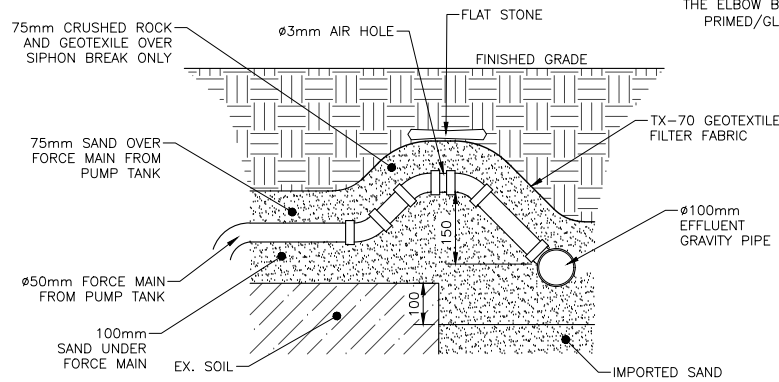
1. ALL PVC COMPONENTS ARE SCH40 UNLESS OTHERWISE SPECIFIED.
2. PLUMBING CONNECTIONS MUST BE PRIMED/GLUED. DRY FITTING IS NOT ACCEPTABLE.
3. THE SYSTEM MUST BE ABLE TO DRAIN BACK INTO THE EFFLUENT CHAMBER WHEN THE PUMP IS NOT IN OPERATION. A  $\phi 5\text{mm}$  DRAIN HOLE IS TO BE DRILLED IN THE LOWER OUTLET ELBOW.
4. THREADED UNIONS AND FILTER ARE TO BE INSTALLED WITHIN 300mm FROM THE RISER COVER.
5. EXCESS CABLES/CORDS ARE TO BE NEATLY COILED OUT OF THE WAY. USE BLACK CABLE TIES OR ELECTRICAL TAPE TO ATTACH TOGETHER.
6. POLYPROPYLENE (PP) ROPE OR STAINLESS STEEL (SS) CHAIN IS TO BE SECURELY ATTACHED TO THE RISER. PUMP MUST NOT BE LOWERED OR RAISED BY USING THE ELECTRICAL WIRE OR PIPING.
7. USE HEX HEAD SCREWS AND PLASTIC PLUG TO ANCHOR COMPONENTS TO TANK. ENSURE COMPONENTS ARE NOT LOOSE AND ARE SECURED AGAINST TANK WALL.



**PERFORATED DISTRIBUTION PIPE**  
SCALE : N.T.S.



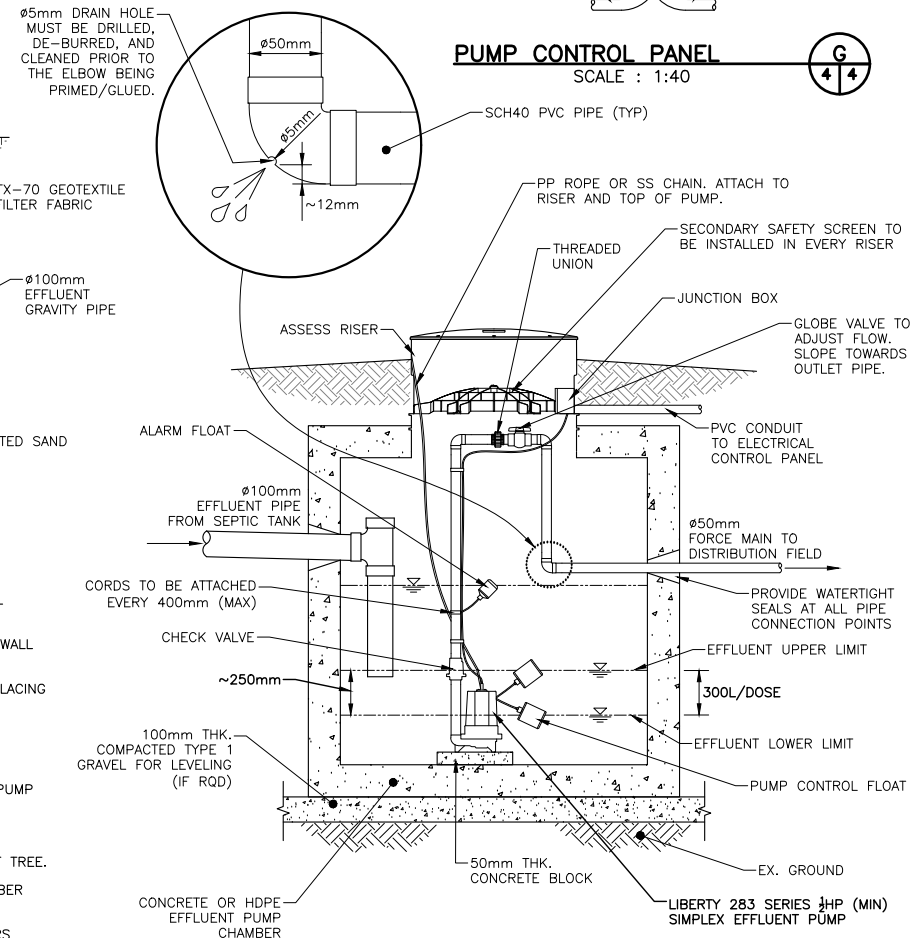
**PUMP CONTROL PANEL**  
SCALE : 1:40



**SIPHON BREAKER**  
SCALE : 1:20

**GENERAL WIRING**

1. THE INSTALLER MUST BE AWARE OF AND ADHERE TO ALL LOCAL ELECTRICAL CODES.
2. ALL ELECTRICAL WORK SHALL BE INSTALLED ACCORDING TO ALL APPLICABLE ELECTRICAL CODES AND CARRIED OUT AND CERTIFIED IN WRITING BY A LICENSED ELECTRICIAN.
3. CONTROL PANELS SHOULD BE LOCATED OUTSIDE FOR EASIER SERVICING, EITHER ON A WALL OR POST, AT LEAST 1.0m OFF THE GROUND, AND SHELTERED FROM DIRECT WEATHER.
4. IN EXTREME CLIMATES, CONSIDERATION SHOULD BE GIVEN TO INSULATING PANELS OR PLACING THEM INSIDE A GARAGE OR A SHED.
5. PANELS SHOULD BE LOCATED AS CLOSE TO THE TREATMENT TANKS AS POSSIBLE.
6. ALARM AND PUMP TO BE ON SEPARATE CIRCUITS.
7. IF THE PANEL IS GREATER THAN 12m FROM THE PUMPS OR FLOAT SWITCHES IN THE PUMP CHAMBER, THEN THE WIRE GAUGE WILL HAVE TO BE INCREASED.
8. ABOVE GRADE JUNCTION BOXES MUST BE USED IF WIRES REQUIRE SPLICING.
9. ELECTRICAL CORDS MUST BE LONG ENOUGH TO ALLOW REMOVAL OF PUMPS AND FLOAT TREE.
10. DO NOT DIRECT BURY WIRE. ELECTRICAL CONDUIT IS REQUIRED FROM THE PUMP CHAMBER TO THE PANEL.
11. POWER IS RUN DIRECTLY TO THE PANEL. DO NOT INSTALL GROUND FAULT INTERRUPTERS (GFI) ON THE LINE FROM THE DWELLING TO THE CONTROL PANEL.
12. SEAL CONDUIT WITH ELECTRICAL PUTTY ON BOTH ENDS TO PREVENT GAS MIGRATION.



**PR. 1000L PUMP CHAMBER**  
SCALE : 1:40

No.	Revision	Description	Date	By
Project				
<b>ON-SITE SEWAGE DISPOSAL SYSTEM INSTALLATION</b>				
<b>HIGHWAY 14 WINDSOR FORKS, NS</b>				
Drawing				
<b>PUMP DETAILS</b>				
Stamp				
Scale				
AS NOTED				
Drawn				
JGB				
Designed				
JGB				
Date				
SEP 15 2024				
Project No.				
2409071				
Sheet No.				Drawing No.
5 of 6				C04

**GENERAL**

- ALL ELEVATIONS AND HORIZONTAL DIMENSIONS ARE INDICATED IN METRES. DETAIL DIMENSIONS ARE INDICATED IN MILLIMETRES, UNLESS OTHERWISE NOTED.
- ALL CONSTRUCTION WORK, INSTALLATION METHODS, AND PRACTICES SHALL BE IN ACCORDANCE WITH THESE DRAWINGS, WITH ALL MANUFACTURERS INSTRUCTIONS, THE NOVA SCOTIA ENVIRONMENT AND CLIMATE CHANGE (NSECC) ON-SITE SEWAGE DISPOSAL SYSTEMS STANDARD, AND AS DIRECTED BY THE ENGINEER.
- CARRY OUT ALL WORK IN ACCORDANCE WITH THE NOVA SCOTIA OCCUPATIONAL HEALTH AND SAFETY ACT.
- DO NOT SCALE DRAWINGS. USE FIGURED DIMENSIONS ONLY.
- FIELD DIMENSIONS SHOWN ARE FOR REFERENCE ONLY. WHERE EXISTING CONDITIONS ARE SHOWN THEY ARE NOT GUARANTEED TO BE ACCURATE, CORRECT, OR COMPLETE. CONTRACTOR TO CONFIRM ON SITE PRIOR TO PROCEEDING WITH CONSTRUCTION.
- PROPERTY BOUNDARIES SHOWN ARE ONLY APPROXIMATE AND SHALL BE VERIFIED ON SITE BY THE LANDOWNER AND CONTRACTOR AS REQUIRED PRIOR TO CONSTRUCTION.
- PROPOSED DRIVEWAYS SHOWN ARE FOR REFERENCE ONLY AND IS TO BE APPROVED BY NOVA SCOTIA PUBLIC WORKS AND/OR IN ACCORDANCE WITH ALL APPLICABLE PROVINCIAL AND MUNICIPAL BYLAWS.
- THE CONTRACTOR SHALL BECOME AWARE OF ALL SITE CONDITIONS, INCLUDING SERVICES (BURIED, EMBEDDED, OR OTHERWISE) LOCATED IN THE AREA.
- CONTRACTOR TO VERIFY ALL DIMENSIONS AND ELEVATIONS ON SITE. REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO PROCEEDING WITH THE WORK.
- ALL DEVIATIONS OR SUBSTITUTIONS ARE TO BE APPROVED BY THE ENGINEER.
- UNSUITABLE SOIL CONDITIONS ENCOUNTERED DURING CONSTRUCTION MUST BE BROUGHT TO THE ATTENTION OF THE ENGINEER.
- ALL ROOF DOWNSPOUT DRAINS TO DISCHARGE AS FAR AS POSSIBLE AWAY FROM TANKS AND DISPOSAL FIELD.
- CONTRACTOR SHALL BE RESPONSIBLE FOR TRAFFIC CONTROL AT THE SITE IN CONFORMANCE WITH ALL APPLICABLE CODES, REGULATIONS, AND GUIDELINES FOR THE AREA.
- CONTRACTOR TO REINSTATE ALL AREAS AFFECTED BY NEW CONSTRUCTION TO ORIGINAL CONDITION TO THE SATISFACTION OF THE ENGINEER.
- THE CONTRACTOR IS RESPONSIBLE FOR THE PROVISIONS OF RECORD DRAWINGS.

**INSPECTIONS**

- THE ENGINEER MAY INSPECT ANY AND ALL PHASES OF THE CONSTRUCTION.
- THE CONTRACTOR IS TO NOTIFY THE ENGINEER WHEN THE SYSTEM IS READY FOR INSPECTION.
- THE DISPOSAL FIELD MUST NOT BE COVERED PRIOR TO INSPECTION BY THE ENGINEER.
- IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO INFORM THE ENGINEER AT LEAST 48hrs PRIOR TO COMMENCING CONSTRUCTION OF THE SYSTEM.
- ALL PUMPED SYSTEMS MUST BE PRESSURE TESTED WITH WATER PRIOR TO COVERING DISPOSAL FIELD.
- FINAL APPROVAL WILL NOT BE GRANTED UNTIL ALL COMPONENTS OF THE SYSTEM HAVE BEEN INSTALLED ACCORDING TO THIS DESIGN AND ARE SATISFACTORY TO THE ENGINEER.

**INTERIOR PLUMBING**

- IT IS RECOMMENDED THAT ALL WASHING MACHINES HAVE A LINT FILTER INSTALLED TO THE OUTLET PIPE.
- GARBAGE DISPOSAL UNITS (GARBURATORS) ARE NOT ALLOWED TO BE INSTALLED WITH THIS SYSTEM AS THEY SIGNIFICANTLY INCREASE THE ORGANIC LOADING TO A SYSTEM. IF THE OWNER WISHES TO USE A GARBURATOR, OPTIONS CAN BE DISCUSSED WITH THE ENGINEER AND THE DAILY DESIGN FLOW WILL BE INCREASED.
- WATER CONDITIONERS CAN ADVERSELY AFFECT SEPTIC TANK TREATMENT AND ADD TO HYDRAULIC LOAD OF THE SYSTEM. CONDITIONER BACKWASH DISCHARGE FROM THESE DEVICES SHALL BE DIRECTED TO A SEPARATE APPROVED ALTERNATIVE DISPOSAL SYSTEM OR DRAIN.
- IT IS RECOMMENDED THAT ONLY LOW-FLOW WATER FIXTURES BE INSTALLED TO REDUCE THE AMOUNT OF WATER WASTE.

**ENVIRONMENTAL**

- MEASURES WILL BE TAKEN TO PREVENT MATERIALS SUCH AS FRESH CONCRETE AND CONSTRUCTION DEBRIS FROM ENTERING ANY WATERCOURSE.
- ALL EQUIPMENT AND MACHINERY TO BE OPERATED ON OR NEAR A WATER BODY WILL BE MECHANICALLY SOUND WITH NO LEAKING FUEL TANKS OR HYDRAULIC CONNECTIONS. FUEL STORAGE, REFUELING, AND LUBRICATION SHALL BE CARRIED OUT IN DESIGNATED AREAS NOT WITHIN 30m OF ANY WATER BODY.
- ALL WORK OPERATIONS WILL BE CONDUCTED WITH MEASURES TAKEN TO CAUSE A MINIMUM OF SILTATION AND DISRUPTION TO ADJACENT AND DOWN SLOPE AREAS.

**IMPORTED SAND FILL**

- IMPORTED SAND FILL AND FILTER SAND ARE TO MEET PERMEABILITY SPECIFICATIONS AS PER THE FALLING HEAD PERMEABILITY TEST SET OUT IN THE NSECC OSSDS STANDARD.
- IMPORTED SAND FILL PERMEABILITY TO BE BETWEEN  $3 \times 10^{-5} \text{m/s}$  AND  $5 \times 10^{-4} \text{m/s}$ .
- FILTER SAND PERMEABILITY TO BE BETWEEN  $1 \times 10^{-4} \text{m/s}$  AND  $5 \times 10^{-4} \text{m/s}$ .
- CONTRACTOR SHALL PROVIDE THE SOURCE OF IMPORTED FILTER SAND AND RECENT PERTINENT PERMEABILITY TEST RESULTS IN WRITING TO THE ENGINEER UPON REQUEST.
- THE ENGINEER RESERVES THE RIGHT TO TEST ALL IMPORTED SAND PRIOR OR AFTER INSTALLATION.
- APPROVAL OF IMPORTED SAND WILL BE BASED ON IN-PLACE FIELD TESTS TAKEN AFTER INSTALLATION.
- ANY SAND INSTALLED WITHOUT PRIOR APPROVAL BY THE ENGINEER MAY NOT BE ACCEPTED AND MAY BE REQUIRED TO BE REMOVED.

**PUMP AND EFFLUENT FORCE MAIN**

- ALL FORCE MAIN PIPE TO BE CONTINUOUS LENGTH.
- PUMP CHAMBER SHALL BE FITTED WITH APPROPRIATELY SIZED EFFLUENT PUMP.
- EFFLUENT PUMP IS TO MEET OR EXCEED FLOW DOSE VOLUME AS PER SPECIFICATIONS PROVIDED ON PUMP DETAIL DRAWING.
- EFFLUENT PUMP SHALL BE EQUIPPED WITH A HIGH LEVEL ALARM PROVIDING AUDIBLE AND VISUAL ALERT TO ALL STRUCTURES CONNECTED TO SYSTEM.
- ALL ELECTRICAL WORK SHALL BE INSTALLED ACCORDING TO ALL APPLICABLE ELECTRICAL CODES AND CARRIED OUT AND CERTIFIED IN WRITING BY A LICENSED ELECTRICIAN.
- ELECTRICAL JUNCTION BOX TO BE WATERPROOF AND LOCATED 1.0m ABOVE GROUND, MOUNTED ON 150x150mm PT WOOD POST.
- ALL ELECTRICAL WIRING TO BE CONTAINED IN WATERPROOF CONDUIT APPROPRIATELY SIZED FOR THE APPLICATION.
- FORCE MAIN PIPING BURIED UNDER ROADWAYS SHALL BE PROTECTED WITHIN CONDUIT SLEEVE AND/OR COMPACTED TYPE 1 GRAVELS TO PREVENT CRUSHING.

**SEPTIC TANK AND EFFLUENT CHAMBER**

- ALL SEPTIC TANKS MUST CONFORM TO STANDARD CAN/CSA-B66.
- ALL NEW SEPTIC TANKS TO BE CONSTRUCTED OF REINFORCED CONCRETE OR HIGH DENSITY POLYETHYLENE.
- CONSTRUCTION JOINTS IN CONCRETE TANKS TO BE SEALED WITH BUTYL ROPE OR EQUIVALENT.
- MAXIMUM BURY DEPTH FOR CONCRETE TANK: 1.5 METRES OR OTHERWISE AS SPECIFIED BY THE MANUFACTURER.
- MAXIMUM BURY DEPTH FOR HDPE TANK: 1.2 METRES OR OTHERWISE AS SPECIFIED BY THE MANUFACTURER.
- ALL TANKS TO HAVE MINIMUM 150mm COMPACTED DEPTH OF TYPE 1 GRAVEL BEDDING.
- ALL COMPONENTS OF TANKS, INCLUDING RISERS AND COVERS, MUST BE WATERTIGHT.
- ALL TANKS MUST BE ASSEMBLED AND INSTALLED AS PER MANUFACTURERS INSTRUCTIONS.
- TANKS MUST INCLUDE WATERTIGHT ACCESS RISERS AT SURFACE FOR MAINTENANCE, INSPECTION, AND PUMP OUT.
- ALL RISERS TO BE AT OR ABOVE FINAL GRADE. AREA AROUND RISERS TO BE GRADED TO DIVERT SURFACE RUNOFF.
- ALL ACCESS HATCHES SHALL BE EQUIPPED WITH A SECONDARY SAFETY SCREEN.
- EFFLUENT FILTERS ARE REQUIRED TO BE INSTALLED ON ALL SYSTEMS AS A MEANS OF PREVENTING SOLIDS FROM LEAVING THE SEPTIC TANK.
- EFFLUENT FILTER MUST BE INSTALLED IN OUTLET TEE OF THE LAST SEPTIC TANK, OR AS SPECIFIED ON DRAWINGS.

**PIPEWORK**

- ALL PIPE SHALL HAVE A MINIMUM GROUND COVER OF 450mm, OTHERWISE RIGID INSULATION IS TO BE PROVIDED.
- ALL SEWER GRAVITY MAIN PIPE TO HAVE MINIMUM 150mm TYPE 1 BEDDING.
- ALL FORCE MAIN PIPE TO HAVE MINIMUM 100mm SAND OR TYPE 1 BEDDING.
- ALL BUILDING SEWER GRAVITY PIPE TO BE  $\phi 100\text{mm}$  PVC SDR 35 (CSA B137.0-02 OR CSA B-182.1) WITH 2% SLOPE.
- ALL GRAVITY DISTRIBUTION PIPES SHALL HAVE A MINIMUM SLOPE OF 50-100mm PER 30m OF LENGTH, AND CONFORM TO CSA B-182.1 WITH HOLE SPACING AS SHOWN IN DIAGRAM 3D OF NSECC OSSDS STANDARD.
- ALL PRESSURIZED DISTRIBUTION PIPE SHALL HAVE NO SLOPE. PIPE DIAMETER, AND ORIFICE DIAMETER AND SPACING IS AS SPECIFIED ON DRAWING.
- ALL PUMP SYSTEMS SHALL BE CONNECTED TO THE DISPOSAL FIELD BY A SIPHON BREAKER, AS SHOWN ON DETAILS DRAWING.
- ALL PIPE TO PIPE AND PIPE TO STRUCTURE CONNECTIONS TO BE SECURELY FITTED AND/OR GLUED TO PROVIDE A WATERTIGHT SEAL.

**REINSTATEMENT**

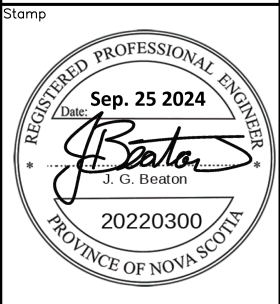
- BACKFILL PLACED OVER THE GEOTEXTILE FILTER FABRIC SHALL BE APPROVED ON-SITE MATERIAL AND/OR CLEAN SANDY LOAM SOIL.
- ALL DISTURBED GROUND TO BE COVERED WITH A MINIMUM 100mm OF TOPSOIL AND SEEDED OR COVERED WITH SOD.
- PRIOR TO PLACEMENT OF TOPSOIL, MATERIAL LARGER THAN  $\phi 75\text{mm}$  MUST BE REMOVED FROM THE DISTURBED SURFACE.
- SHOULD SEASONAL CONDITIONS PROHIBIT THE PLACEMENT OF SEED OR SOD, ALL DISTURBED GROUND SHALL BE COVERED WITH STRAW, HAY, MULCH, OR OTHER MATERIAL TO PREVENT EROSION UNTIL SUCH TIME THAT SEEDING OR SOD MAY BE PLACED AND ESTABLISHED.
- IT IS THE CONTRACTOR'S RESPONSIBILITY TO COMPLETE SEEDING OR SODDING WHEN SEASONAL CONDITIONS PERMIT.
- IT IS RECOMMENDED THAT HAY OR STRAW BE PLACED OVER SEEDING TO INCREASE THE LIKELIHOOD OF ESTABLISHED GROWTH.
- BACKFILL AGAINST FOUNDATION TO BE GRADED TO SLOPE AWAY FROM DISPOSAL FIELD.
- ALL VEHICULAR TRAFFIC IS PROHIBITED OVER THE SYSTEM NOW AND IN FUTURE.



No.	Revision Description	Date	By

Project  
**ON-SITE SEWAGE DISPOSAL SYSTEM INSTALLATION**  
**HIGHWAY 14 WINDSOR FORKS, NS**

Drawing  
**GENERAL NOTES**



Scale **AS NOTED**

Drawn **JGB**

Designed **JGB**

Date **SEP 15 2024**

Project No.  
**2409071**

Sheet No. **6 of 6** Drawing No. **C05**



## **APPENDIX C**

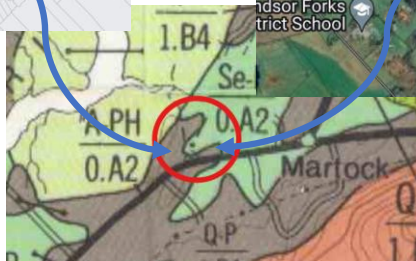
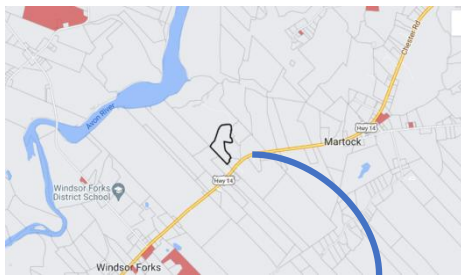
PID Identification; Agricultural Capability Determination

# #4633522 NS Ltd. Land Classification

Windsor Forks, Hants Co.

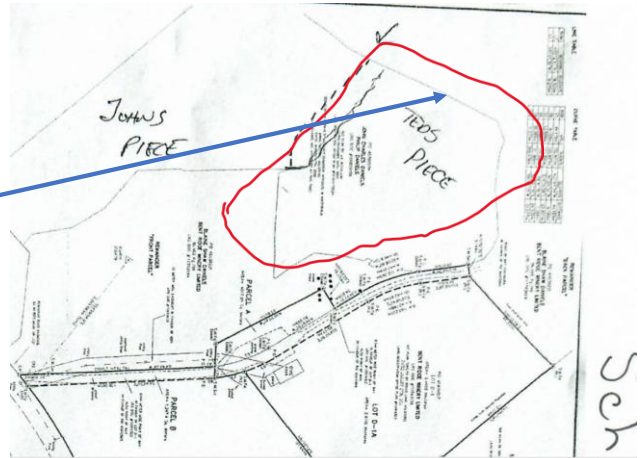
PID #45382934

Hwy 14, Windsor Forks  
PID #45382934



## Hwy 14, Windsor Forks PID #45382934

- Proposed subdivision of PID (property outlined in red to be purchased by #’ed company)

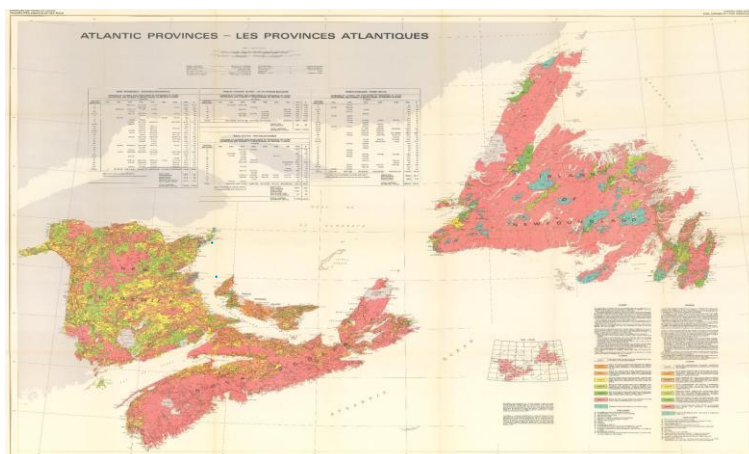


Source: Property survey

## Hwy 14, Windsor Forks PID #45382934

### Soil Class

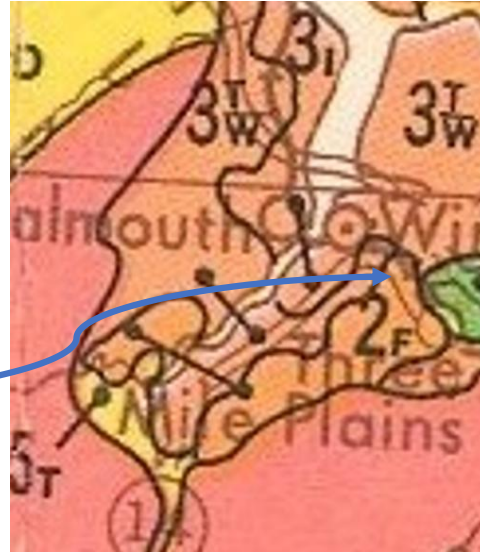
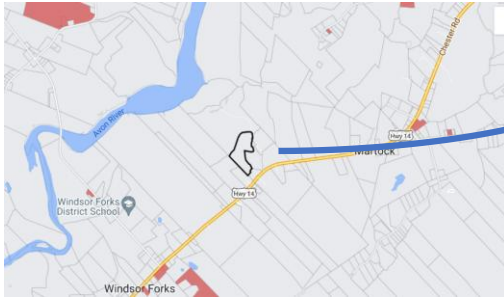
Scale 1:1,000,000



Source: Government of Canada - Canada Land Inventory – Soil Capability for Agriculture  
[https://sis.agr.gc.ca/cansis/publications/maps/cli/1m/agr/cli\\_1m\\_agr\\_atlantic.jpg](https://sis.agr.gc.ca/cansis/publications/maps/cli/1m/agr/cli_1m_agr_atlantic.jpg)

Hwy 14, Windsor Forks  
 PID #45382934

Class 2 F  
 Moderate Limitations  
 Low natural fertility



Hwy 14, Windsor Forks  
 PID #45382934

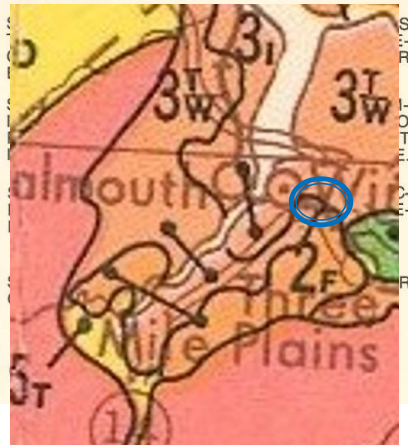
Class 2 F -  
 Moderate Limitations  
 Low natural Fertility

CLASSES

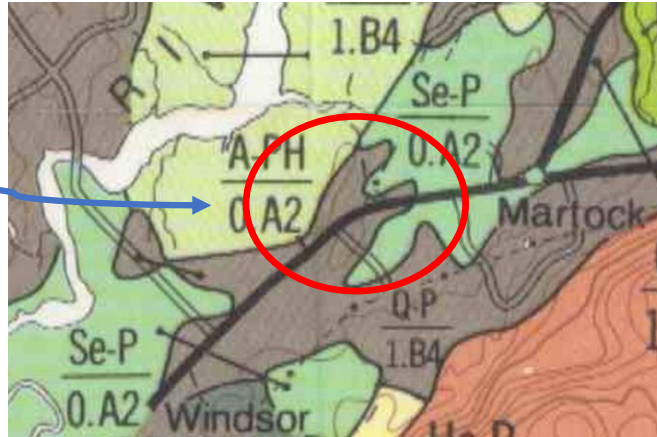
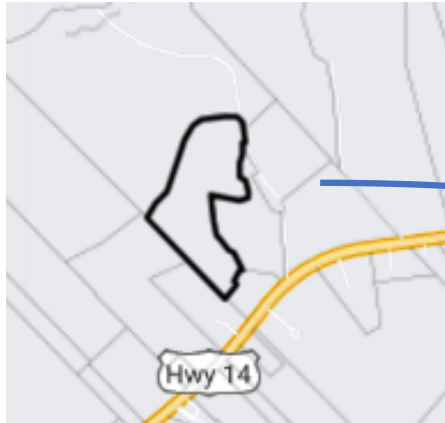
- CLASS 1 SOILS IN THIS CLASS HAVE NO SIGNIFICANT LIMITATIONS TO USE FOR CROPS.
- CLASS 2 SOILS IN THIS CLASS HAVE MODERATE LIMITATIONS THAT RESTRICT THE RANGE OF CROPS OR REQUIRE MODERATE CONSERVATION PRACTICES.
- CLASS 3 SOILS IN THIS CLASS HAVE MODERATELY SEVERE LIMITATIONS THAT RESTRICT THE RANGE OF CROPS OR REQUIRE SPECIAL CONSERVATION PRACTICES.
- CLASS 4

SUBCLASSES

- A - droughtiness or aridity as a result of climate
- D - undesirable soil structure and or low permeability
- E - past damage from erosion
- F - low natural fertility
- H - adverse climate as a result of cold temperatures
- I - periodic inundation by streams and lakes
- M - deficient soil moisture
- N - salinity
- P - stoniness
- R - shallowness to bedrock
- S - a combination of two or more of the subclasses D, F, M and N
- T - adverse relief because of steepness or pattern of slopes
- V - a pattern of wet (W) and moisture deficient (M) soils very intimately associated
- W - excessive soil moisture
- X - an accumulation of two or more adverse characteristics that individually would not affect the class rating.



Hwy 14, Windsor Forks  
PID #45382934

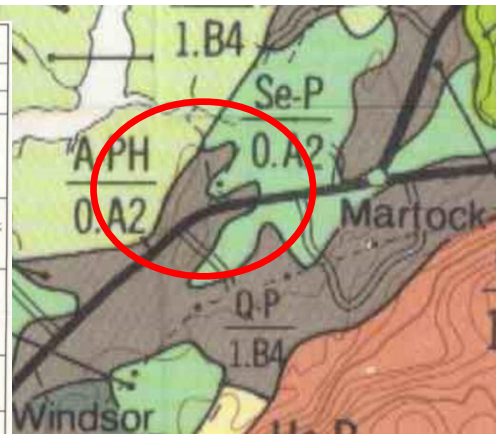


Source: Soil Survey of Hants County - Area Soils map-ns5b  
<https://sis.agr.gc.ca/cansis/publications/surveys/ns/index.html>

Hwy 14, Windsor Forks  
PID #45382934

**Soil Type QP – 1.B4**

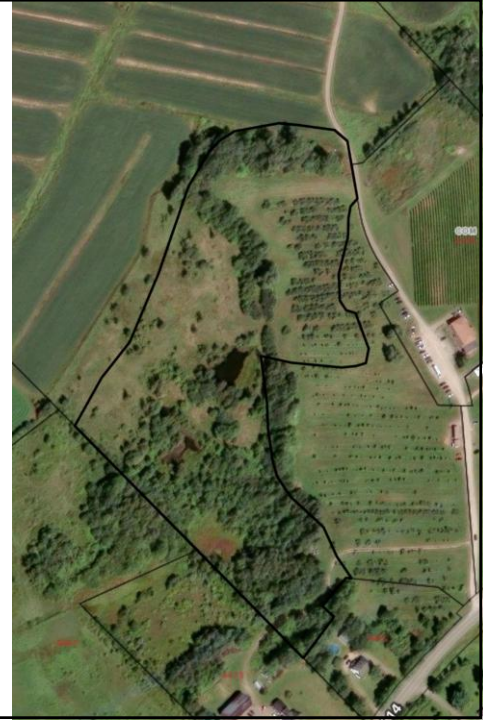
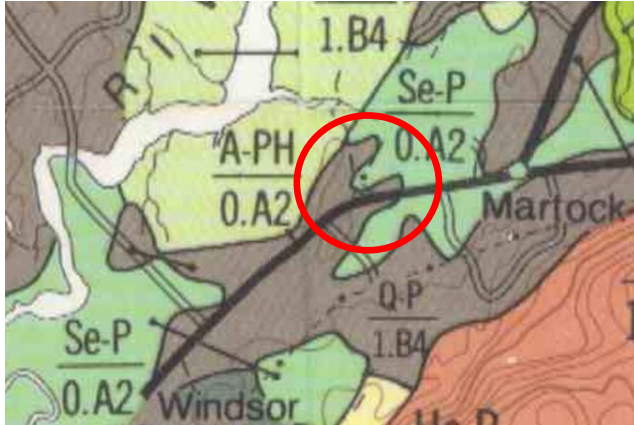
SYMBOL	Pu-P	QP	Ha-P
SOIL CATENA	PUGWASH	QUEENS	HANSPORT
ACREAGE	15148.8	79014.4	38745.6
DESCRIPTION OF SURFACE AND SUBSOIL	Light brown sandy loam over reddish brown sandy loam to loam; contains fragments of red and brown sandstone.	Light reddish brown loam over reddish brown clay loam.	Light reddish brown clay loam over reddish brown clay loam.
PARENT MATERIAL	Dark reddish brown sandy loam to loam till; contains numerous fragments and sandstone cobbles.	Dark reddish brown clay loam till derived from reddish brown shales deposited over gypsum.	Dusky red clay loam till from red and grey shales; contains fragments of red.
TOPOGRAPHY AND DRAINAGE	Undulating to gently rolling; well drained; occasional moist depressions.	Gently undulating to gently rolling; some knob and kettle topography; well drained; internal drainage moderate to slow.	Undulating to gently rolling; well drained; internal drainage moderate to slow.
PRESENT LAND USE	Hay, grain, vegetables; a good crop soil, but often poorly managed.	Mixed farming; hay, grain, potatoes, orchard, very little surface stone.	General farming. Only small areas are cleared.
LAND USE CAPABILITY	GOOD TO POOR CROP LAND		



Source: Soil Survey of Hants County - Area Soils map-ns5b  
<https://sis.agr.gc.ca/cansis/publications/surveys/ns/index.html>

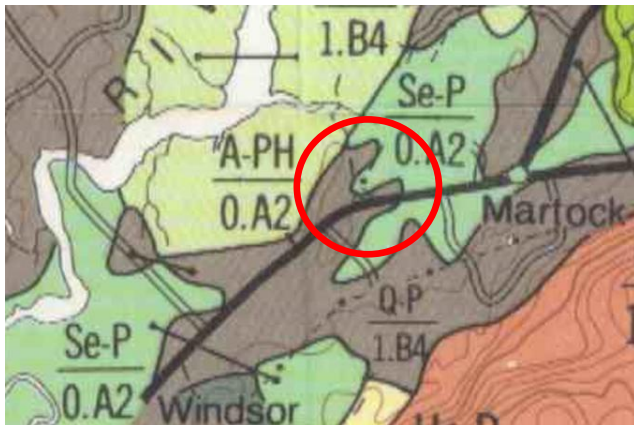
Hwy 14, Windsor Forks  
 PID #45382934

**Soil Type QP – 1.B4**



Hwy 14, Windsor Forks  
 PID #45382934

**Soil Type QP – 1.B4**



**CONVENTIONS**

Soil Symbol:          Catena - Drainage  
         Stoniness - Topography

**DRAINAGE**

P Well drained  
 PH Imperfectly drained

**STONINESS:**

0. Stone free.
1. Slightly stony; no hindrance to cultivation.
2. Moderately stony; enough stone to interfere with cultivation unless removed.
3. Very stony; sufficient stone to be a serious handicap to cultivation.
4. Excessively stony; non-arable, too stony for cultivation.

**TOPOGRAPHY**

A Single slopes; smooth or regular surface.  
 B Complex slopes; irregular or rough surface.

**Depressional to Level**

A0. Smooth undrained basin  
 A1. Smooth level  
 B0. Irregular hummocky basin  
 B1. Irregular level

**Sloping**

2 Very gently sloping	5-1.5%
3 Gently sloping	2-5%
4 Moderately sloping	6-9%
5 Steeply sloping	10-15%
6 Very steeply sloping	16-30%
7 Hilly	over 30%