



West Hants

Public Hearing Agenda

1. Intro by Mayor
2. Presentation by Planner (Alex Dunphy)
3. Presentation by Applicant (Ted Misztela)
4. Comments or Questions from Public
5. Questions from Council
6. Conclusion of Public Hearing



Highway 14, Windsor Forks Development Agreement

Public Hearing

July 22, 2025

something inspiring awaits



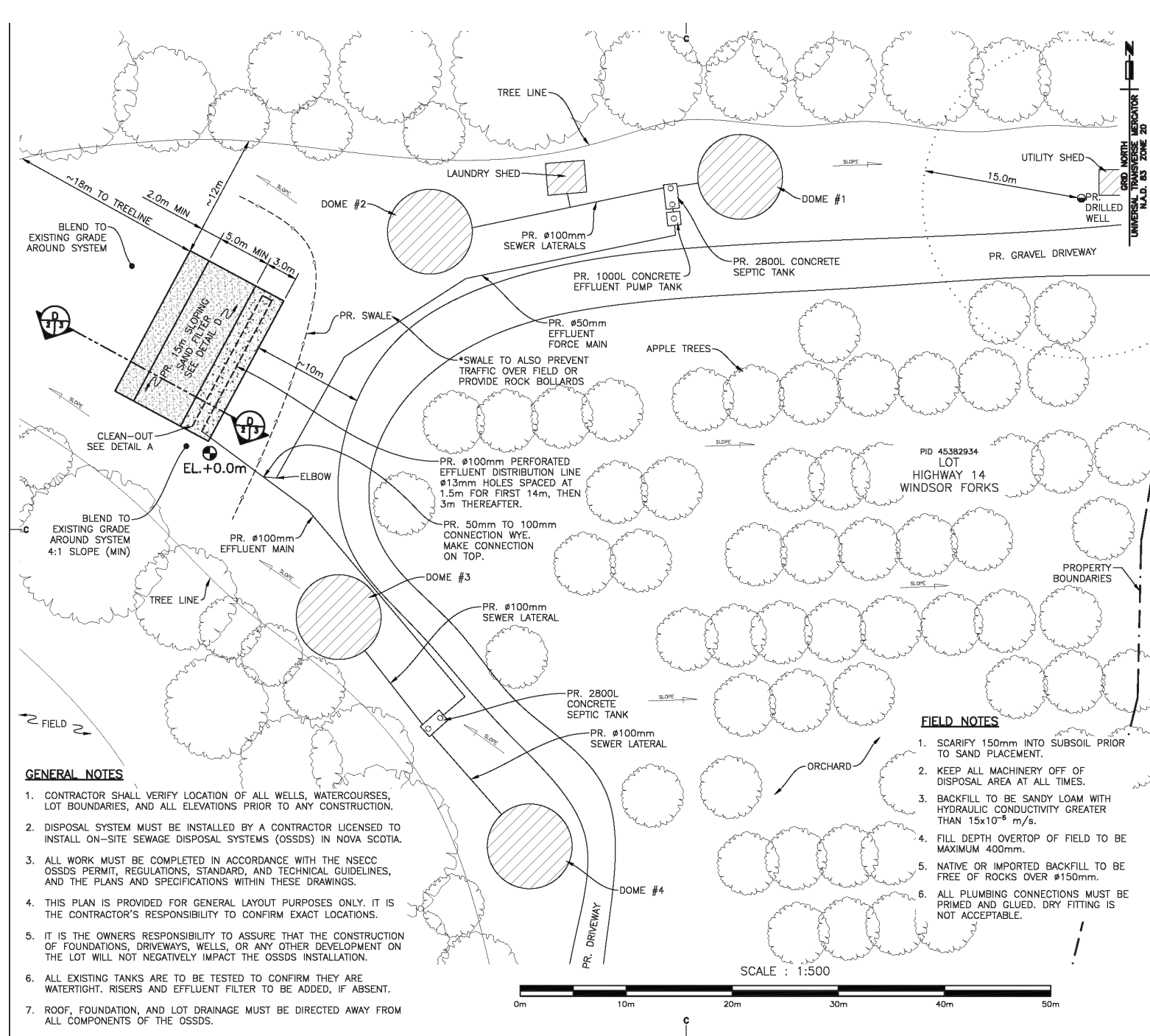
Application Background

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



Development Proposal

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

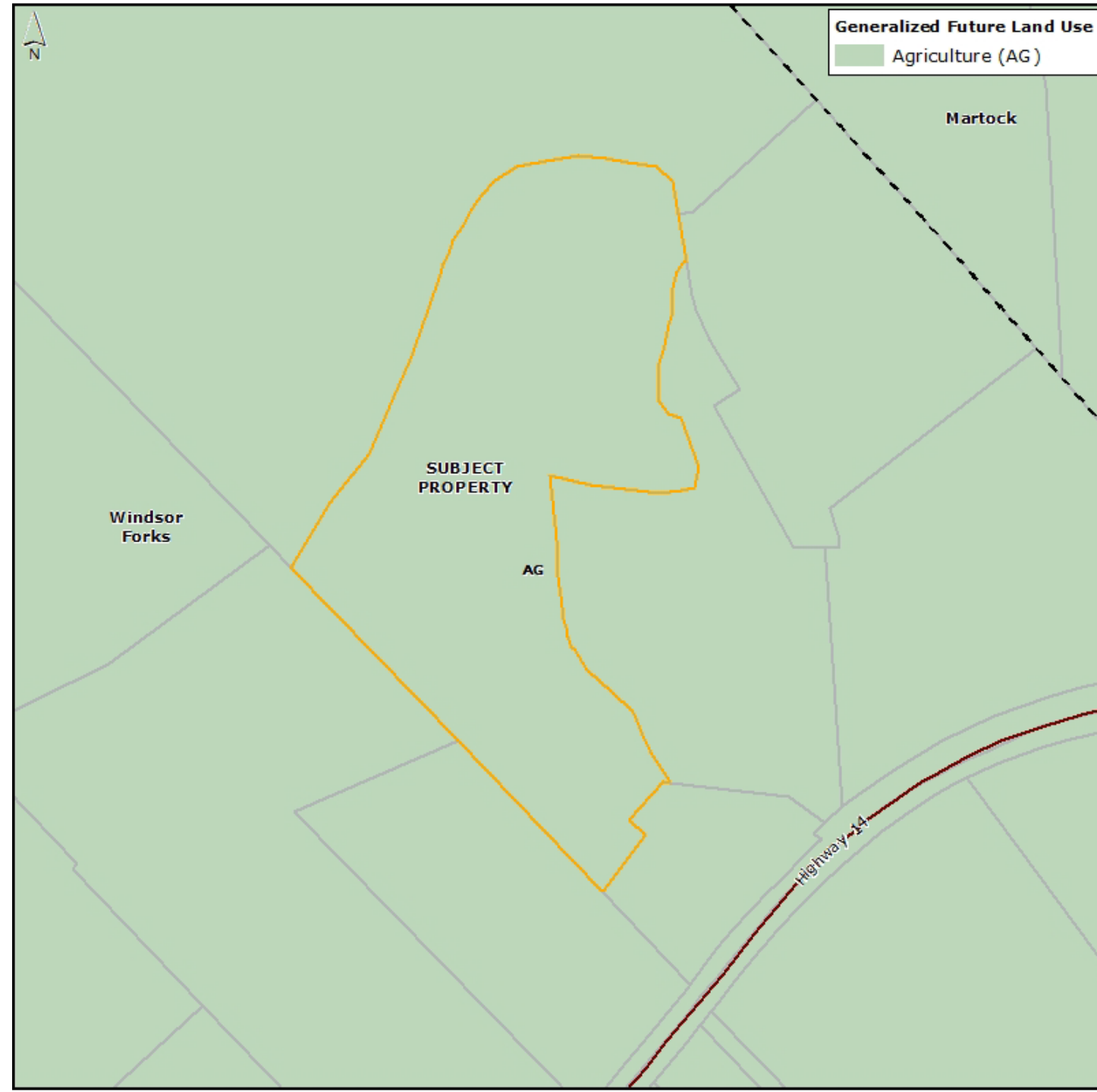




Orthophoto

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



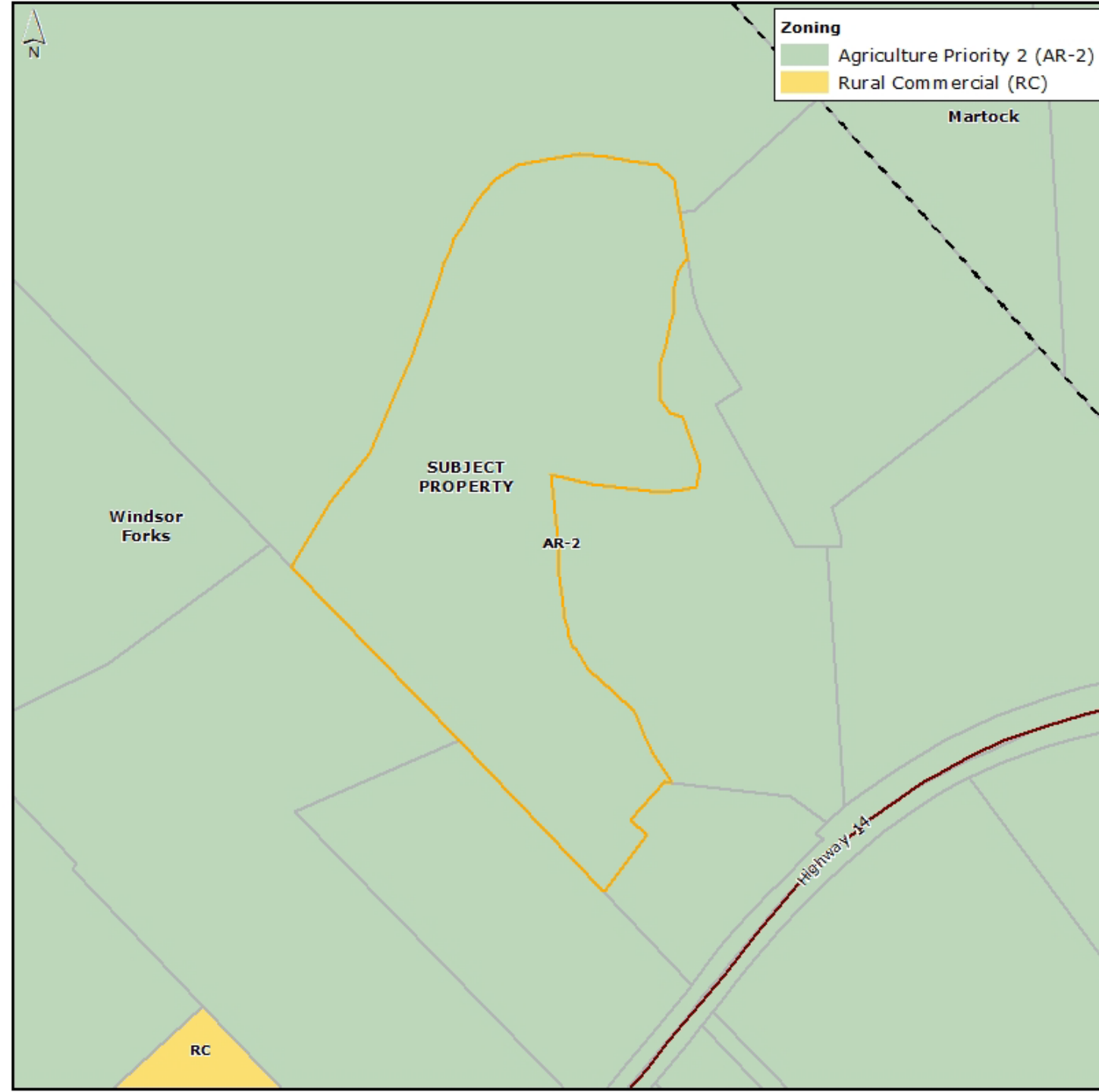


GFLUM

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Zoning



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Left: View of winery and access road

Right: View from proposed entrance to the subject lot



West Hants MPS Policies

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

In summary, the criteria are met since:

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



West Hants MPS Policies

Policy 16.3.1 states general criteria for development agreements.

In summary, the criteria are met since:

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



Development Agreement Details

Requirements

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



Development Agreement Details

Substantive Matter

- the uses permitted on the property

Public Information Meeting Notes

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



Supplementary Information regarding Agricultural Policy

The exact wording of Criterion (b) of Policy 8.6.1 with respect to the proposal was deemed not applicable within the agrologist report. The location of the proposal is limited to an area on the PID which is not within agricultural production and is stated to be “too close to the edge of the property perimeter to support apple tree production.” Staff consider this smaller section of the PID, which is not within agricultural production, to be the development site of the proposal.

Further, the development site being limited to this area would mean that any potential expansion to the proposal would require a substantive amendment and would be brought back through an additional public process.

Due to the development site of the proposal not reducing agricultural production, not adversely affecting nearby agricultural operations, nor fragmenting agricultural land, staff have determined that the proposal meets the intent of Policy 8.6.1 and Policy 8.9.4 of the WHMPS.



Public Information Meeting – April 2

Staff Review

PAC/HAC Review and Recommendation –
June 12

Council First Reading – June 24

**Public Hearing & Second Reading –
July 22**

Notice of Approval

14 Day Appeal Period

Process

All statutory requirements have now been met.



Presentation from the Applicant



Comments or Questions from Public



Questions from Council



Public Hearing Comment Period

- The Public Hearing was advertised:
 - in the paper July 7 and 14;
 - letters were sent to property owners within 500 ft of the subject lot; and
 - a sign was posted on the lot.
- The deadline for comments was Friday, July 18.
- Staff received one piece of correspondence from the public. It was included in the submitted report.





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Recommendations (1 of 2)

...that Council gives Second Reading approves 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.



Recommendations (2 of 2)

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



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