

Draft Amending Development Agreement

This Amending Agreement made this ____ day of _____, 2021.

BETWEEN:

Maple Mews Limited of Halifax, Nova Scotia,

hereinafter called the “**DEVELOPER,**”

OF THE FIRST PART;

- and -

THE MUNICIPALITY OF THE DISTRICT OF EAST HANTS, a body corporate pursuant to the *Municipal Government Act* (SNS 1998, c. 18), having its chief place of business at Elmsdale, in the District of East Hants, Nova Scotia,

hereinafter called the “**MUNICIPALITY,**”

OF THE SECOND PART.

WHEREAS the **DEVELOPER** is the registered owner of certain lands known as PID 45409844 at Highway 2, Lantz, which said lands are more particularly described in Schedule “C” to this Agreement, hereinafter called the **PROPERTY**;

AND WHEREAS the Council of the Municipality, at a meeting held on the 26th day of September, 2018, approved an application by the Developer to enter into a development agreement to allow for the development of a nine building residential development, the said agreement being recorded at the Land Registry Office in Lawrencetown on November 22, 2018 as Document #113669817. (hereinafter called the “**EXISTING AGREEMENT**”);

AND WHEREAS the Developer has requested an unsubstantial amendment to the provisions of the **EXISTING AGREEMENT** to enable an increase of dwelling units, a decrease in parking ratio per dwelling unit and an increase in the timeline of the project;

AND WHEREAS the Council for the Municipality approved these requests at a meeting held on the 24th day of November, 2021;

THEREFORE, in consideration of the benefits accrued to each party from the covenants herein contained, the Parties agree that the Existing Agreement be amended as follows:

1. A maximum of 42 dwelling units shall be permitted.
2. The Developer shall provide a minimum of 1.47 parking stalls for each residential unit.
3. The development shall be made consistent with all terms and conditions of this agreement and all features of the site plan attached as Schedule “B” no later than 5 years from the date of the first development permit.

IN WITNESS WHEREOF the parties hereto for themselves, their successors and assigns have hereunto set their hands and seals as of the day and year first above written.

SIGNED, SEALED AND DELIVERED
in the presence of:

MAPLE MEWS LIMITED
Developer

Witness

Jason Brunt
President

MUNICIPALITY OF EAST HANTS
Municipality

Witness

Kim Ramsay
Chief Administrative Officer & Municipal Clerk

Province of Nova Scotia, City of Halifax.

On this ____ day of _____, 2021, before me the, subscriber personally came and appeared _____, a subscribing witness to the foregoing agreement, who having been by me duly sworn, made oath and said that the Developer, one of the parties thereto, signed, sealed and delivered the same in his/her presence.

A Commissioner of the Supreme
Court of Nova Scotia

Province of Nova Scotia, County of Hants.

On this ____ day of _____, 2021, before me, the subscriber personally came and appeared _____, a subscribing witness to the foregoing agreement, who having been by me duly sworn, made oath and said that Kim Ramsay, CAO & Municipal Clerk, signing authority for the Municipality of East Hants, one of the parties thereto, signed, sealed and delivered the same in his/her presence.

A Commissioner of the Supreme
Court of Nova Scotia

**Development Agreement:
Maple Mews Limited
and the Municipality of East Hants**

SCHEDULE C

This agreement applies to property identified by PID 45409844 at Highway 2, Lantz and further described by Plan filed at the Registry of Deeds Office for the registration district of Hants in Lawrencetown, Nova Scotia, registered under the *Land Registration Act*.