



THE MUNICIPALITY OF THE DISTRICT OF EAST HANTS

Amending Development Agreement

DRAFT

Between:

Magnolia Continuing Care Holdings Limited

And

The Municipality of the District of East Hants, Nova Scotia

To permit the development of a nursing home and an assisted living facility on lands located in Enfield.

Original agreement approved by Municipal Council on the 29th day of March, 2023.

Amending agreement approved by Municipal Council on the _____ day of _____, 2025.

Signed and entered into this _____ day of _____, 2025.

This Amending Agreement made this _____ day of _____, 2025.

BETWEEN:

Magnolia Continuing Care Holdings Limited of Dartmouth, Nova Scotia,

OF THE FIRST PART;

hereinafter called the "Developer,"

- 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 lands known as 410 Highway 2, Enfield (PID 45357555), and 416 Highway 2, Enfield (PID 45151909) Enfield, more particularly described in Schedule "A" to this Agreement, hereinafter called the **Property**;

AND WHEREAS the Council of the Municipality, at a meeting held on the 29th day of March, 2023, approved an application by Magnolia Continuing Care Holdings Limited, also known as 3225210 Nova Scotia Limited, to allow for the development of a nursing home and an assisted living facility on the **Property**, the said agreement being recorded at the Land Registry Office on March 15, 2024 as Document #123848443 (hereinafter called the "Existing Agreement");

AND WHEREAS the Developer has requested amendments to the provisions of the Existing Agreement;

AND WHEREAS the Council for the Municipality approved these requests via this amending agreement at a meeting held on the _____ day of _____, 2025;

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

1. Section 1(a) of the Existing Agreement shall be amended to read:
 - (a) The use of the Property permitted by this Agreement, subject to its terms and as generally illustrated on Schedule "B", shall be a two (2) storey nursing home containing seventy one (71) beds as well as ancillary facilities and a four (4) storey assisted living facility containing **seventy six (76) units** as well as ancillary facilities.
2. Section 4(b) of the Existing Agreement shall be amended, adding the following at the end of 4(b):
 - xi. The Development Officer has consulted with the Enfield Volunteer Fire Department regarding fire truck access to the front of the assisted living facility. The Developer will invite the Fire Department to visit the property following the paving of the parking area but prior to the painting of parking spaces to the front of the assisted living facility. Following that visit the Development Officer may require the developer to amend their parking lot layout to remove up-to 4 parking spaces.
3. Section 6(b) of the Existing Agreement shall be amended to read:
 - (b) Pursuant to the terms and conditions of this agreement, the Developer shall apply for a development permit to construct the assisted living facility within **three (3)** years of the parties entering into this development agreement, or the agreement for the property identified as PID 45357555 may be terminated and the existing zone and all provisions of the Land Use By-law shall apply for this property.
4. Schedule B shall be amended by replacing Schedule B with the updated version attached to this agreement.
5. Schedule C shall be amended by replacing Schedule C with the updated version attached to this agreement.

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:

**MAGNOLIA CONTINUING CARE HOLDINGS
LIMITED**

Developer

Witness

Magnolia Continuing Care Holdings Limited

**MUNICIPALITY OF EAST HANTS
Municipality**

Witness

Kim Ramsay
Chief Administrative Officer & Municipal Clerk

Province of Nova Scotia, County of Hants

On this _____ day of _____, 2025,
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.

Province of Nova Scotia, County of Hants.

On this _____ day of _____, 2025,
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

A Commissioner of the Supreme
Court of Nova Scotia

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SCHEDULE A

Description of Property

Parcel Description for PID 45357555

Registration County: HANTS COUNTY
Street/Place Name: NO 2 HIGHWAY /ENFIELD
Title of Plan: PLAN OF SURVEY OF LOTS 1B & 2Z, BEING A S/D OF PARCEL Z FROM LOT 1
AND CONSOLIDATING PARCEL Z WITH LOT 2, LANDS OF 3225210 NOVA SCOTIA LTD, NO 2
HWY, ENFIELD APP LOTS 1B & 2Z
Designation of Parcel on Plan: LOT 2Z
Registration Number of Plan: 92539874
Registration Date of Plan: 2009-01-12 10:31:17

Parcel Description for PID 45151909

Registration County: HANTS COUNTY
Street/Place Name: NO 2 HIGHWAY /ENFIELD
Title of Plan: PLAN OF SURVEY OF LOTS 1B & 2Z, BEING A S/D OF PARCEL Z FROM LOT 1
AND CONSOLIDATING PARCEL Z WITH LOT 2, LANDS OF 3225210 NOVA SCOTIA LTD, NO 2
HWY, ENFIELD APP LOTS 1B & 2Z
Designation of Parcel on Plan: LOT 1B
Registration Number of Plan: 92539874
Registration Date of Plan: 2009-01-12 10:31:17

SUBJECT TO a Development Agreement in favour of the Municipality of the District of East Hants as registered in the Hants Land Registration Office on December 3, 2008 as Document No. 92294314.

SUBJECT TO an Easement in favour of Bell Aliant Regional Communications Inc. as conveyed in a Grant of Easement registered in the Hants County Land Registration Office on November 10, 2009 as Document No. 94693604

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SCHEDULE B

Site Plan

Large print version to be added



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SCHEDULE C

Rendering Drawing of Assisted Living Facility



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