



THE MUNICIPALITY OF THE DISTRICT OF EAST HANTS

Amending Development Agreement

DRAFT

Between:

Riverstone 214 LTD

And

**The Municipality of the District of
East Hants, Nova Scotia**

To permit a mixed-use development, residential and commercial, on land zoned Regional Commercial (RC), on lands located along Highway 214, Elmsdale, Nova Scotia and identified as PID 45428810.

Original agreement approved by Municipal Council on the 29th day of April, 2020.

Amending agreement approved by the Municipal Development Officer on the ___ day of _____, 2026.

Signed and entered into this ____ day of _____, 2026.

This Amending Agreement made this ____ day of _____, 2026.

BETWEEN:

RIVERSTONE 214 LTD of Halifax, 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 RIVERSTONE 214 LTD the **DEVELOPER** of the first part is the registered owner of certain lands located along Highway 214 in Elmsdale, referenced by PID 45428810 and which said lands are more particularly described in Schedule “A” to this Agreement, hereinafter called the **LANDS**;

AND WHEREAS the Council of the Municipality, at a meeting held on the 29th day of April, 2020, approved an application by E.L.T. Property Holdings Limited to enter into a development agreement to allow for the development of a mixed-use development on the **LANDS**, the said agreement being recorded at the Land Registry Office on March 15, 2021 as Document #118203000 (hereinafter called the “Existing Agreement”);

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

AND WHEREAS the Development Officer for the Municipality approved these requests via this amending agreement on the ____ day of _____, 2026;

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 6.2 of the Existing Agreement shall be amended by replacing Section 6.2 with the following:

6.2(a) Pursuant to the terms and conditions of this agreement, the Developer shall apply for a development permit or permits for the four storey mixed use building and single storey commercial building within four (4) years of the parties entering into this development agreement. Once a development permit has been issued 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 two (2) years after each development permit has been issued, otherwise the development agreement may be terminated and the existing zone and all provisions of the Land Use Bylaw shall apply.

6.2(b) Pursuant to the terms and conditions of this agreement, the Developer shall apply for a development permit for the six storey residential building within nine (9) years of the parties entering into this original development agreement. Once a development permit has been issued 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 two (2) years after the development permit has been issued, otherwise the development agreement may be terminated and the existing zone and all provisions of the Land Use Bylaw shall apply.

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:

RIVERSTONE 214 LTD

Developer

Witness

Riverstone 214 Ltd

MUNICIPALITY OF EAST HANTS
Municipality

Witness

Kim Ramsay
Chief Administrative Officer & Municipal Clerk

Province of Nova Scotia, County of Hants

On this ____ day of _____, 2026, 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 _____, 2026, 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

SCHEDULE A

Description of Property

Parcel Description for PID 45428810

Registration County: HANTS COUNTY
Street/Place Name: HIGHWAY 214 /ELMSDALE
Title of Plan: PLAN OF SURVEY OF LOTS 1A & 3 BEING A S/D OF LANDS OF 4332419
NOVA SCOTIA LTD HWY NO 214 ELMSDALE
Designation of Parcel on Plan: LOT 3
Registration Number of Plan: 123191463
Registration Date of Plan: 2023-10-12 09:43:20

*** Municipal Government Act, Part IX Compliance ***

Compliance:

The parcel is created by a subdivision (details below) that has been filed under the Registry Act or registered under the Land Registration Act
Registration District: HANTS COUNTY
Registration Year: 2023
Plan or Document Number: 123191463