



Date: March 11, 2026  
To: Kelly Ash, Manager of Development Service  
From: John Woodford, Director of Planning & Development  
Re: Unsubstantial amendment of Development Agreement - 123649817

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## **PLN26-006 Application by 4666951 (Andrew Kim)**

Part 230(4) of the Municipal Government Act and policy IM36 of the Municipal Planning Strategy enables the Development Officer to approve non-substantive amendments to a development agreement.

### **Proposed amendments**

An application was received from 4666951 Nova Scotia Limited (Andrew Kim) to unsubstantially amend an existing development agreement for 251 Highway 214, Elmsdale (PID 45084969). The proposed amendment is to enable the issuance of a conditional occupancy permit while undertaking the completion of their obligations under the Existing Agreement with respect to the active transportation trail.

### **Background**

In 2023 Council approved a development agreement for a commercial building including a restaurant, drive-thru. The Existing Agreement included obligations regarding an active transportation trail. The original agreement was amended in 2024 to enable amendments to the design of the building and parking area. A new request has been received to unsubstantially amend the development agreement, regarding timelines for the completion of the active transportation trail. The unsubstantial amendment will enable the Development Officer to issue a conditional occupancy permit whilst ensuring the active transportation trail is completed.

### **Analysis**

The original Development Agreement, approved in 2023 does not preclude the unsubstantial amendment for the timelines to complete the construction of the active transportation trail. This amendment does not amend the intent of the original development agreement and unsubstantial amendment approved in 2024.

### **Recommendation**

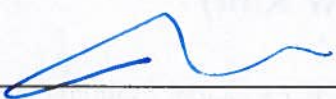
That approval be given to the unsubstantial amendments to the development agreement to enable a conditional occupancy permit to be issued.



Review by the Director of Planning & Development of the recommendation to the Development Officer regarding the Unsubstantial Development Agreement Amendment.

Name: JOHN WOODFORD

Date: MARCH 11, 2026

Signature: 

Development Officer Approval or Refusal to Approve

Approval:

Refusal to Approve:

Name: Kelly Ash

Date: MARCH 11, 2026

Signature: 