



AMENDING DEVELOPMENT AGREEMENT

THIS AMENDING AGREEMENT made this day of , 2025.

BETWEEN:

WEST HANTS REGIONAL MUNICIPALITY, a body corporate pursuant to the *Municipal Government Act*, having its chief place of business at 76 Morison Drive, Wentworth Creek, in the County of Hants, Province of Nova Scotia,

(Hereinafter referred to as the “Municipality”)

OF THE FIRST PART

- and -

3229190 NOVA SCOTIA LIMITED a body corporate, with a head office at 130 Eileen Stubbs Avenue, Suite 201, in the County of Halifax, Province of Nova Scotia,

(Hereinafter referred to as the “Owner”)

OF THE SECOND PART

WHEREAS the Municipality and Owner entered into a Development Agreement, said Agreement being attached hereto as Schedule “A”, dated October 22, 2024, and recorded at the Land Registry Office on October 30, 2024, as document number 124933269;

AND WHEREAS the Owner wishes to amend the Development Agreement to correct an inconsistency between the agreement and the Site Plan attached to the original Development

Agreement as Schedule B. The amendment will allow the Development Officer to reduce or waive the minimum lot frontage requirements applicable to the flag lots and to the lots fronting the cul-de-sac, provided that the lots remain generally consistent with the Site Plan;

AND WHEREAS the Development Officer approved this request, in writing, pursuant to Section 3.2 and 3.3 of the Development Agreement;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

1. Section 2.2, *Development Location and Design*, of the Development Agreement shall be amended by inserting under subclause 2.2 (b) the following:

*The flag lots and the lots fronting the cul-de-sac shall be permitted to have a reduced frontage of 20 feet, provided that the lots remain generally consistent with the Site Plan attached as Schedule B.

2. The parties hereby agree that all remaining terms and conditions of the Development Agreement recorded on October 22, 2024, including the Site Plan, shall remain in full force and effect.

IN WITNESS WHEREOF this Agreement was properly executed by the respective parties hereto on the day and year first above written.

SIGNED, SEALED AND DELIVERED

In the presence of:

Witness

Witness

) **WEST HANTS REGIONAL MUNICIPALITY**

)

)

Per: _____

) Abraham Zebian, Mayor

)

)

Per: _____

) Deanna Snair, Municipal Clerk

)

)

)

) **3229190 NOVA SCOTIA LIMITED**

)

)

)

Per: _____

Witness

) Mitchell W. Brison, President

PROVINCE OF NOVA SCOTIA

COUNTY OF HANTS

ON THIS day of , A.D. 2025, before me, the subscriber, personally came and appeared , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that **WEST HANTS REGIONAL MUNICIPALITY**, one of the parties thereto, caused the same to be executed in its name and on its behalf and its corporate seal to be thereunto affixed in presence.

A Commissioner of the Supreme Court of Nova Scotia

PROVINCE OF NOVA SCOTIA

COUNTY OF HANTS

ON THIS day of , A.D. 2025, before me, the subscriber, personally came and appeared , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that, **Mitchell W. Brison**, one of the parties thereto, signed, sealed and delivered the same in presence.

A Commissioner of the Supreme Court of Nova Scotia

**AFFIDAVIT OF CLERK
WEST HANTS REGIONAL MUNICIPALITY**

I, Deanna Snair of _____, Hants County, Nova Scotia make oath and swear that:

1. I am the Clerk of the West Hants Regional Municipality (The “Municipality”) and I have personal knowledge of the matters to which I have sworn in this Affidavit.
2. The Municipality is a body corporate pursuant to the Municipal Government Act, S.N.S. 1988, c.18, as amended.
3. I acknowledge that the Municipality executed the attached Instrument by its proper designates duly authorized in that regard under seal on the date of this Affidavit pursuant to subsection 13(3) of the Municipal Government Act, S.N.S. 1988, c.18, as amended. This acknowledgement is made pursuant to subsection 31(a) of the Registry Act, R.S.N.S. 1989, c.392 and/or clause 79(1)(a) of the Land Registry Act, S.N.S. 2001, c.6, as amended, for the purpose of registering or recording the Instrument.
4. The Municipality is resident in Canada for the purposes of the Income Tax Act (Canada).

I certify that on this _____, 2025
the Municipal Clerk, Deanna Snair came before me, made oath,
and swore the foregoing affidavit at
_____, Nova Scotia.

A BARRISTER/COMMISSIONER OF THE
SUPREME COURT OF NOVA SCOTIA

Deanna Snair, Clerk

Canada

Province of Nova Scotia

AFFIDAVIT & PROOF OF EXECUTION (CORPORATE)

I, Mitchell W. Brison, Nova Scotia, make oath and say that:

1. I Mitchell W. Brison of 3229190 NOVA SCOTIA LIMITED the "Corporation". Except as otherwise stated I have personal knowledge of the matters to which I have sworn in this Affidavit.
2. I acknowledge that I executed the foregoing instrument on behalf of the Corporation on the date of this affidavit; this acknowledgment is made for the purpose of registering such instrument pursuant to s.31(a) of the Registry Act, R.S.N.S. 1989, c.392 or ss.79 and 83 of the Land Registration Act as the case may be.
3. I verify that I have the authority to execute the foregoing instrument on behalf of the corporation and thereby bind the Corporation.
4. The Corporation is a resident of Canada under the Income Tax Act (Canada).
5. The ownership of a share or an interest in a share of the Corporation does not entitle the owner of such share or interest in such share to occupy a dwelling owned by the Corporation.

I certify that on this _____, 2025
the Deponents came before me, made oath,
and swore the foregoing affidavit at
_____, Nova Scotia.

A BARRISTER/COMMISSIONER OF THE
SUPREME COURT OF NOVA SCOTIA

Mitchell W. Brison, President

Schedule A