

COVE BAY DEVELOPMENTS INC.
DISCLOSURE STATEMENT
Real Estate Development Marketing Act of British Columbia

Date of Disclosure Statement:	July 22, 2021
Date of any prior amendments:	November 23, 2021
Date of this amendment:	February 18, 2022
Developer:	COVE BAY DEVELOPMENTS INC.
Development to be known as:	"BAYVIEW HILLS"
Address of Development:	Block A Priestland Rd Halfmoon Bay, British Columbia
Address for Service:	c/o Ostrosky Law Corporation 201-1001 Gibsons Way Gibsons, B.C. V0N 1V8
Developer Address:	710-939 Homer St Vancouver, B.C., V6B 2W6
Developer's Real Estate Agent:	Tony Browton, PREC* Re/Max City Realty 938 Gibsons Way Gibsons, B.C., V0N 1V7

The Disclosure Statement dated July 22, 2021 and FIRST amendment dated November 23, 2021, are amended as follows:

1. Section 2.1 is deleted and replaced with the following:

2.1. General Description of the Development

The existing legal description of the land which the Development will be located is as follows:

Parcel Identifier: 015-931-901

BLOCK A (REFERENCE PLAN 1657), GROUP 1 NEW WESTMINSTER DISTRICT EXCEPT PORTIONS IN PLANS 7134, 7360, 7481 AND 7697 DISTRICT LOT 1427 (the "Lands")

The Development will be located in Halfmoon Bay, British Columbia on Priestland Road. The civic address for the Development will change and will be as determined by the Sunshine Coast Regional District (the "SCRD") and the Developer, at their sole discretion.

The Development is predicted to consist of 19 residential freehold lots. However, the Developer intends on creating an additional 10 strata lots on the Remainder Parcel (together with the strata corporation and surrounding common property) (the "Strata Lots").

Attached as Schedule A is a draft subdivision plan (the "Draft Subdivision Plan"). **The Lots being offered for sale in this Disclosure Statement are:**

Freehold Lots 1-13 (the "Lots")

Prior to substantial completion of the Development, a final surveyed subdivision plan (the "Subdivision Plan") will be filed in the Land Title Office subdividing the Lands to create the Lots, and remainder parcel (the "Remainder Parcel"). The Developer will retain the Remainder Parcel. The Developer intends on filing a second subdivision/strata plan to further subdivide the Remainder Parcel to create the Strata Lots. The Developer is marketing the Strata Lots under a separate disclosure statement dated February 18, 2022.

The Lots and their intended uses in the Development are subject to the bylaws and regulations of the SCRD.

The Lots are designed for residential single family living.

The Subdivision Plan has not been deposited for registration, but a preliminary layout review has been issued by the Ministry of Transportation and Infrastructure (the "PLR") and is attached as Schedule "B".

The estimated date for deposit of the Subdivision Plan creating the Development is between October 30, 2022 and January 30, 2023.

The Developer reserves the right to change the number, size, shape and/or location of the Lots in the Development, in its sole discretion.

The Developer reserves the right to further subdivide the Remainder Parcel to create any number of freehold lots and/or bareland strata lots, together with limited and/or common property, in its sole discretion.

2. Section 4.4. is deleted and replaced with the following:

4.3. Existing Encumbrances and Legal Notations

Financial Encumbrance, Mortgage CA9349092, is registered against the Lands. The Developer will cause Mortgage CA9349092 to be partially discharged from the title to any particular Lot within a reasonable time after receipt of the net sale proceeds from the sale of such Lot.

There are no other encumbrances registered against title to the Lands, except Legal Notation BB1317342 in favour of the SCRD advising the Lands are subject to a permit. Legal Notation BB1317342 will remain registered against title to the Strata Lots and/or Common Property of the Development.

3. Section 6.2. is deleted and replaced with the following:

6.2. Construction Financing

As of the date of this Disclosure Statement, the Developer has not obtained an unconditional financing commitment for financing the construction of the Development. The estimated date for obtaining a satisfactory financing commitment for the construction of the Lots is nine months or less from the date this Disclosure Statement is filed with the Superintendent of Real Estate. **An Amendment to this Disclosure Statement setting out particulars of the satisfactory financing commitment will be filed with the Superintendent of Real Estate, and a copy thereof delivered to each purchaser, once a financing commitment has been obtained.**

The Lands as of the date of this Disclosure Statement have been charged with CA9349092. However, at any time the Lands may be charged with the additional security described in section 4.4 above and following receipt of a satisfactory financing commitment, title to the Lots will be subject to the financial encumbrances described in 4.3(d) and may be subject to additional mortgages, assignment of rent and/or any other security relating to such construction financing commitment (collectively referred to as the "Construction Security"). The Developer will cause any Construction Security to be partially discharged from the title to any particular Lot within a reasonable time after receipt of the net sale proceeds from the sale of such Lot. As additional security for the Construction Financing, a general security agreement may be registered against the Developer and/or the Registered Owner in the British Columbia Personal Property Registry.

Under section 12 of the *Real Estate Development Marketing Act* (BC), a developer must not market a subdivision lot unless the Developer has made adequate arrangements to ensure payment of the cost of utilities and other services associated with the subdivision lot. The Developer will satisfy the requirements of the Superintendent of Real Estate in relation to this requirement as they relate to the Development. If the Developer has obtained a satisfactory financing commitment, the Developer is deemed to have made adequate arrangements for the purpose of installing utilities and services associated with the subdivision lots. In this case, no further terms and conditions are applicable to the marketing of the subdivision lots.

4. Schedule "A" – Draft Subdivision Plan is deleted and is replaced with the attached Schedule "A" – Draft Subdivision Plan

DEEMED RELIANCE:

Section 22 of the *Real Estate Development Marketing Act* provides that every purchaser who is entitled to receive this Disclosure Statement is deemed to have relied on any false or misleading statement of a material fact contained in this Disclosure Statement, if any, and any omission to state a material fact. The Developer, its directors, and any person who has signed or authorized the filing of this Disclosure Statement, are liable to compensate the purchaser for any misrepresentation, subject to any defences available under section 22 of the *Act*. The Developer, who has signed or authorized the filing of this Disclosure Statement, is liable to compensate the Purchaser for any misrepresentation, subject to any defences available under section 22 of the *Act*.

DECLARATION:

The foregoing statements disclose, without misrepresentation, all material facts relating to the Development referred to above, as required by the *Real Estate Development Marketing Act* of British Columbia, as of the 18th day of February 2022.

SIGNED this 18th day of February 2022.

Director in his personal capacity:



ALISTER TOMA

COVE BAY DEVELOPMENTS INC.

By:



Authorized signatory

SCHEDULE A – DRAFT SUBDIVISION PLAN

