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Form 24

Purpose: to change the registered interest, benefits or burdens

(Instrument code: 450)

(If change(s) requested relate(s) to one or more of the following and no other interests are being added or removed on this form: manner of tenure, description of manner of tenure, non-resident status, parcel access or NSFLB occupant. Note: This form cannot be used to correct an error in a parcel register).

(Instrument code: 451)

(Change to existing servient or dominant tenement PID number in a parcel register as a result of subdivision or consolidation. Note: This form cannot be used to correct an error in a parcel register)

For Office Use

Registration district: Halifax
Submitter's user number: 3350
Submitter's name: Doug R. Stevenson

HALIFAX COUNTY LAND REGISTRATION OFFICE
I certify that this document was registered or recorded
as shown here.
Kim MacKay, Registrar

115797699
Document # 01 22 2020 15:07
MM DD YYYY Time
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In the matter of Parcel Identification Number (PID)

PID 00245860

PID

(Expand box for additional PIDs, maximum 9 PIDs per form)

The following additional forms are being submitted simultaneously with this form and relate to the attached document (check appropriate boxes, if applicable):

- ☐ Form 24(s)
☐ Form 8A(s)

Additional information *(check appropriate boxes, if applicable):*

- ☐ This Form 24 creates or is part of a subdivision or consolidation.
☐ This Form 24 is a municipal or provincial street or road transfer.
☐ This Form 24 is adding a corresponding benefit or burden as a result of an AFR of another parcel.
☐ This Form 24 is adding a benefit or burden where the corresponding benefit/burden in the "flip-side" parcel is already identified in the LR parcel register and no further forms are required.

Power of attorney *(Note: completion of this section is mandatory)*

- ☐ The attached document is signed by attorney for a person under a power of attorney, and the power of attorney is:
☐ recorded in the attorney roll
☐ recorded in the parcel register
☐ incorporated in the document

OR

May 4, 2009

X No power of attorney applies to this document

This form is submitted to make the changes to the registered interests, or benefits or burdens, and other related information, in the above-noted parcel register(s), as set out below.

The registered interests and related information are to be changed as follows:

Instrument type	
Interest holder and type to be removed (if applicable)	
Interest holder and type to be added (if applicable) <i>Note: include qualifier (e.g., estate of, executor, trustee, personal representative) if applicable</i>	
Mailing address of interest holder to be added (if applicable)	
Manner of tenure to be removed (if applicable)	
Manner of tenure to be added (if applicable)	
Description of mixture of tenants in common and joint tenancy (if applicable)	
Access type to be removed (if applicable)	
Access type to be added (if applicable)	
Percentage or share of interest held (for use with tenant in common interests)	
Non-resident (to qualified solicitor's information and belief) (Yes/No?)	
Reference to related instrument in parcel register (if applicable)	
Reason for removal of interest (for use only when interest is being removed by operation of law and no document is attached) Instrument code: 443	

The following tenant in common interests that appear in the section of the parcel register(s) labelled "Tenants in Common not registered pursuant to the *Land Registration Act*" are to be removed because the interests are being registered (*insert names to be removed*):

I have searched the judgment roll with respect to this revision of the registered interest and have determined that it is appropriate to add the following judgment(s) or judgment-related documents to the parcel register, in accordance with the *Land Registration Act* and *Land Registration Administration Regulations*:

Instrument type	
Interest holder name and type to be added	
Interest holder mailing address	
Judgment Roll reference	

The following benefits are to be added and/or removed in the parcel register(s):

(Note: An amending PDCA is required if the changes being made to the benefit section are not currently reflected in the description in the parcel register).

Instrument type	
Interest holder and type to be removed (if applicable)	
Interest holder and type to be added (if applicable) <i>Note: include qualifier (e.g., estate of, executor, trustee, personal representative) (if applicable)</i>	
Mailing address of interest holder to be added (if applicable)	
Servient tenement parcel(s) (list all affected PIDs):	
Reference to related instrument in names-based roll/parcel register (if applicable)	
Reason for removal of interest (for use only when interest is being removed by operation of law) Instrument code: 443	

The following burdens are to be added and/or removed in the parcel register(s):

(Note: An amending PDCA is required if the changes being made to the burden section are not currently reflected in the description in the parcel register).

Instrument type	Amending Agreement
Interest holder and type to be removed (if applicable)	N/A
Interest holder and type to be added (if applicable) <i>Note: include qualifier (e.g., estate of, executor, trustee, personal representative) (if applicable)</i>	Halifax Regional Municipality – Party to Agreement – (Burden)
Mailing address of interest holder to be added (if applicable)	PO Box 1749 Halifax, NS B3J 3A5
Reference to related instrument in names-based roll/parcel register (if applicable)	Document No. 110388486 - 2017

May 4, 2009

Reason for removal of interest <i>(for use only when interest is being removed by operation of law)</i> Instrument code: 443	
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The following recorded interests are to be added and/or removed in the parcel register:

Instrument type	
Interest holder and type to be removed <i>(if applicable)</i>	
Interest holder and type to be added <i>(if applicable)</i> <i>Note: include qualifier (e.g., estate of, executor, trustee, personal representative) (if applicable)</i>	
Mailing address of interest holder to be added <i>(if applicable)</i>	
Reference to related instrument in names-based roll/parcel register <i>(if applicable)</i>	
Reason for removal of interest <i>(for use only when interest is being removed by operation of law)</i> Instrument code: 443	

The textual qualifications are to be changed as follows:

Textual qualification on title to be removed <i>(insert any existing textual description being changed, added to or altered in any way)</i>	
Textual qualification on title to be added <i>(insert replacement textual qualification)</i>	
Reason for change to textual qualification <i>(for use only when no document is attached)</i> Instrument code: 838	

The following information about the occupier of the parcel, which is owned by the Nova Scotia Farm Loan Board, is to be changed:

Name and mailing address of occupier to be removed	
Name and mailing address of occupier to be added	

Certificate of Legal Effect:

I certify that, in my professional opinion, it is appropriate to make the changes to the parcel register(s) as instructed on this form.

Original Signed

Original Signed

Dated at Halifax, in the County of Halifax, Province of Nova Scotia, on December, 10th, 2009

Signature of authorized lawyer

Name: Doug R. Stevenson

Address:

Phone:

E-mail:

Fax:

- ☐ This document also affects non-land registration parcels. The original will be registered under the *Registry Act* and a certified true copy for recording under the *Land Registration Act* is attached.

May 4, 2009

THIS FIRST AMENDING AGREEMENT made this 14 day of January, 2020.

BETWEEN:

TOUCAN INDUSTRIES LTD.,

a body corporate, in the Province of Nova Scotia
(hereinafter called the "Developer")

OF THE FIRST PART

- and -

HALIFAX REGIONAL MUNICIPALITY

a municipal body corporate, in the Province of Nova Scotia
(hereinafter called the "Municipality")

OF THE SECOND PART

WHEREAS the Developer is the registered owner of certain lands located at 181 Pleasant Street, Dartmouth and which said lands are more particularly described in Schedule A hereto (hereinafter called the "Lands");

AND WHEREAS the Harbour East-Marine Drive Community Council of the Municipality approved an application to enter into a Development Agreement to allow for a multiple unit residential building on the Lands (Municipal Case Number 19528), pursuant to Policy IP-5 of the Dartmouth Municipal Planning Strategy, at a meeting held on November 10, 2016, which said Development Agreement was registered at the Land Registration Office on February 28, 2017 as Document Number 110388486 (hereinafter called the "Original Agreement");

AND WHEREAS the Developer has requested that further amendments to the Original Agreement to allow for a one-year extension to the Date of Commencement and a four-year extension to the Date of Completion on the Lands pursuant to the provisions of the *Halifax Regional Municipality Charter*, pursuant to Policy IP-5 of the Dartmouth Municipal Planning Strategy, and pursuant to Section 6.2 of the Original Agreement;

AND WHEREAS the Harbour East-Marine Drive Community Council for the Municipality approved this request at a meeting held on November 14, 2019, referenced as Municipal Case Number 22490;

THEREFORE, in consideration of the benefits accrued to each party from the covenants herein contained, the Parties agree as follows:

1. Except where specifically varied by this First Amending Agreement, all other conditions and provisions of the Original Agreement as amended shall remain in effect.
2. The Developer agrees that the Lands shall be developed and used only in accordance with and subject to the terms and conditions of this First Amending Agreement, and the Original Agreement.
3. Section 7.3.1 of the Original Agreement shall be amended by deleting the text shown in ~~strikeout~~, and inserting the text shown in bold as follows:
 - 7.3.1 In the event that development on the Lands has not commenced within ~~three (3)~~ **one (1)** years from the date of registration of this **First Amending Agreement** at the Registry of Deeds or Land Registration Office, as indicated herein, the Agreement shall have no further force or effect and henceforth the development of the Lands shall conform with the provisions of the Land Use By-law.

4. Section 7.5.1 of the Original Agreement shall be amended by deleting the text shown in ~~strikeout~~, and inserting the text shown in bold as follows:

7.5.1 If the Developer fails to complete the development after ~~six (6)~~ **four (4)** years from the date of registration of this **First Amending** Agreement at the Land Registration Office Council may review this Agreement, in whole or in part, and may:

- (a) retain the Agreement in its present form;
- (b) negotiate a new Agreement; or
- (c) discharge this Agreement.

Original Signed

IN WITNESS WHEREAS the said parties to these presents have hereunto set their hands and affixed their seals the day and year first above written.

SIGNED, SEALED AND DELIVERED in the presence of:

Original Signed

Witness

DOUGLAS R. STEVENSON
A Barrister of the Supreme
Court of Nova Scotia

SIGNED, DELIVERED AND ATTESTED to by the proper signing officers of Halifax Regional Municipality, duly authorized in that behalf, in the presence of:

Original Signed

Witness

Original Signed

Witness

TOUCAN INDUSTRIES LTD.,

Original Signed

Per:

Name:
Position:

MARSHALL K. LEWIS
PRESIDENT

HALIFAX REGIONAL MUNICIPALITY

Original Signed

Per:

MAYOR

Mike Savage

Per:

MUNICIPAL CLERK

Original Signed

Kevin Arjoon

PROVINCE OF NOVA SCOTIA
COUNTY OF HALIFAX

On this 13th day of DECEMBER, A.D. 2019, before me, personally came and appeared DAUGLAS R. STEVENSON, the subscribing witness to the foregoing indenture who having been by me duly sworn, made oath and said that Toucan Industries Ltd., of the parties thereto, signed, sealed and delivered the same in their presence.

Original Signed

— A Commissioner of the Supreme Court
of Nova Scotia

PETER J. THOMSON
A Barrister of the Supreme
Court of Nova Scotia

PROVINCE OF NOVA SCOTIA
COUNTY OF HALIFAX

On this 14 day of January, A.D. 2020, before me, personally came and appeared Devyn Carter & Love, the subscribing witness to the foregoing indenture who having been by me duly sworn, made oath and said that Mike Savage, Mayor and Kevin Arjoon, Clerk of the Halifax Regional Municipality, signed the same and affixed the seal of the said Municipality thereto in their presence.

Original Signed

A Commissioner of the Supreme Court
of Nova Scotia

KRISTA VINING
A Commissioner of the
Supreme Court of Nova Scotia

Schedule A

Parcel Description

All that certain lot of land situate and being in the City of Dartmouth, Halifax Regional Municipality and being more particularly bounded and described as follows

Beginning at a point where the south side of the Easson Road meets the north west corner of lands now or formerly owned by Domenicao D Giansante and Rosina Giansante thence in a south easterly direction along the south west side of the lands of Giansante to an iron pin, said iron pin marking the east corner of the described lands and the north corner of lands now or formerly owned by Mei Yao Chang, Kum Sheng Chang and Harry Chang thence in a south westerly direction along the north west boundary of the Chang lands and the north west boundary of another property owned by Mei Yao Chang and Kum Sheng Chang until it meets the north easterly boundary of Pleasant Street

Thence in a generally north westerly direction along the various courses of Pleasant Street until it meets Easson Road

Thence in an easterly direction along the south side of Easson Road to the point and place of beginning.

The parcel is exempt from the requirement for subdivision approval under the Municipal Government Act because of s.268A (1)