

Form 24

**Purpose: to change the registered interest, benefits or burdens**

**(Instrument code: 450)**

*(If change requested relates 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).*

Registration District:	Halifax County
Submitter's User Number:	7142
Submitter's Name:	Brian A. Tabor / Stewart McKelvey
In the matter of Parcel Identification Number (PID)	
PID: 00154393	

<b>For Office Use</b>	
HALIFAX COUNTY LAND REGISTRATION OFFICE I certify that this document was registered or recorded as shown here. Kim MacKay, Registrar	
118017301 Document #	LR <input checked="" type="checkbox"/> RODE <input type="checkbox"/>
FEB 17 2021 MM DD YYYY	10:21 Time

-Original  
Signed-

The following additional forms are being submitted simultaneously with this form and relate to the attached document:

- ☐ Form 24(s)
- ☐ Form 8A(s)

**Additional information:**

- ☐ 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:**

- ☐ 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

- ☒ 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, as set out below.

The registered interests and related information are to be changed as follows: **N/A**

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*): **N/A**

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*: **N/A**

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

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

<b>Instrument type</b>	Amendment
<b>Interest holder and type to be removed</b>	N/A
<b>Interest holder and type to be added</b>	Halifax Regional Municipality – Party to Agreement (Burden)
<b>Mailing address of interest holder to be added</b>	
<b>Reference to related instrument in names-based roll/parcel register</b>	Agreement Re Use of Land / 2016 / Doc. 109033861
<b>Reason for removal of interest:</b> <b>Instrument code: 443</b>	N/A

The following recorded interests are to be added and/or removed in the parcel register(s): **N/A**

The textual qualifications are to be changed as follows: **N/A**

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

**Certificate of Legal Effect:**

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

Dated at Halifax, in the County of Halifax and Province of Nova Scotia, on this 9<sup>th</sup> day of February, 2021.

-Original Signed-

<b>Signature of Authorized Lawyer</b>	
<b>Name:</b>	Brian A. Tabor / Stewart McKelvey
<b>Address:</b>	P.O. Box 997, Halifax, NS B3J 2X2
<b>Phone:</b>	902.420.3200
<b>E-mail:</b>	btabor@stewartmckelvey.com
<b>Fax:</b>	902.420.1417

- ☐ 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.

THIS FIRST AMENDING AGREEMENT made this 15<sup>th</sup> day of January, 2021.

BETWEEN:

**THE HOUSING TRUST OF NOVA SCOTIA**

a society, registered 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 2250-2260 Maitland Street, Halifax and which said lands are more particularly described in Schedule A hereto (hereinafter called the "Lands");

**AND WHEREAS** the Halifax and West Community Council approved an application to enter into a Development Agreement at a meeting on February 17, 2015, to allow for mixed-use development on the Lands (municipal case 18547), which said Development Agreement was registered at the Halifax County Land Registration Office on June 2, 2016 as Document Number 109033861 (hereinafter called the "Original Agreement");

**AND WHEREAS** the Developer has requested that amendments to the Original Agreement to allow for an extension to the commencement and completion of development dates on the Lands pursuant to the provisions of the *Halifax Regional Municipality Charter*, and pursuant to Policies 10.27 and 10.28 of the Regional Centre Municipal Planning Strategy, Policies 2.3.1, 2.3.2, and 2.3.3 of Section XI of the Halifax Municipal Planning Strategy, Section 92 of the Halifax Peninsula Land Use By-law, and Section 6.2 of the Original Agreement;

**AND WHEREAS** the Halifax and West Community Council approved this request at a meeting held on December 9, 2020, referenced as Municipal Case Number 22851;

**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 ~~four~~ **five** years from the date of registration of this the Original Agreement at the Registry of Deeds or Land Registry 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 of the Original Agreement shall be amended by deleting the text shown in ~~strikeout~~, and inserting the text shown in bold as follows:

If the Developer fails to complete the development after ~~six~~ **eight** years from the date of registration of ~~this the~~ **Original Agreement** at the Registry of Deeds or 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.

**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 \_\_\_\_\_

**THE HOUSING TRUST OF NOVA SCOTIA**

-Original Signed-

Per: \_\_\_\_\_

Print Name: **BRIAN A. TAPSCOTT**

Print Position: **Secretary**

**SEALED, 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-

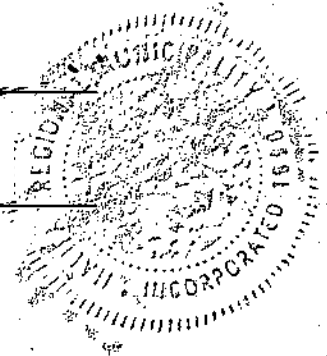
Witness \_\_\_\_\_

**HALIFAX REGIONAL MUNICIPALITY**

-Original Signed-

Mayor  
-Original Signed-

14/ Municipal Clerk



PROVINCE OF NOVA SCOTIA  
COUNTY OF HALIFAX, NOVA SCOTIA

On this 8<sup>th</sup> day of JANUARY, A.D., 2021, before me, the subscriber personally came and appeared SAN B. BILEK a subscribing witness to the foregoing Indenture who having been by me duly sworn, made oath and said that THE HOUSING TRUST OF NOVA SCOTIA, one of the parties thereto, signed, sealed and delivered the same in his/her presence.

-Original Signed-

A Commissioner of the Supreme Court  
of Nova Scotia

*Cherchen Yu*

PROVINCE OF NOVA SCOTIA  
COUNTY OF HALIFAX, NOVA SCOTIA

On this 15 day of January, A.D., 2021, before me, the subscriber personally came and appeared Justin Bradley, and Sweta Singh the subscribing witness to the foregoing Indenture who being by me sworn, made oath, and said that Mike Savage, Mayor, and Iain MacLean, *Phoebe Rair* Municipal Clerk of the Halifax Regional Municipality, signed the same and affixed the seal of the said Municipality thereto in his/her presence.

-Original Signed-

A Commissioner of the Supreme Court  
of Nova Scotia

**SIMON ROSS-SIEGEL**  
A Commissioner of the  
Supreme Court of Nova Scotia

**SCHEDULE "A"**

**PID 00154393**

**Registration County: HALIFAX COUNTY**

**Street/Place Name: GOTTINGEN STREET /HALIFAX**

**Title of Plan: PLAN OF CONSOLIDATION OF LANDS REGISTERED TO THE HOUSING TRUST OF NOVA SCOTIA**

**Designation of Parcel on Plan: LOT 21A**

**Registration Number of Plan: 99827488**

**Registration Date of Plan: 2012-01-03 12:38:55**

**First Benefit:**

Together with the benefit of those rights of way identified as right of way number one and right of way number two in the Deed registered in the Land Registration Office for the registration district of Halifax County on April 2, 1942 in Book 795 at Page 1141, as more fully described therein.

**Second Benefit:**

Together with the benefit of a right of way more fully described in the Deed registered in the Land Registration Office for the registration district of Halifax County on February 2, 1927 in Book 614 at Page 131.

**Third Benefit:**

Together with the benefit of a right of way more fully described in the Deed registered in the Land Registration Office for the registration district of Halifax County on April 28, 1948 in Book 1010 at Page 141.

**First Burden:**

Subject to a Development Agreement in favour of Halifax Regional Municipality. Said Agreement was registered at the Halifax County Land Registration Office on June 2, 2016 as Document No. 109033861.

**\*\*\* 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: HALIFAX COUNTY**

**Registration Year: 2012**

**Plan or Document Number: 99827488**