



## APPLICATION TO CREATE A CONDOMINIUM

**Mail**  
 PO Box 2703 (J-2A)  
 Whitehorse, YT Y1A 2C6

**Phone**  
 867.667.5612

**Drop off**  
 2134 2nd Ave, Whitehorse, YT

<b>Applicant</b> Northern Community Land Trust Society		Client ref # NCLTS 2735	
Contact person Lenore Morris	LTO client # 1000337		LTO account # 1000102
Mailing address 201-4133 4th Avenue	City Whitehorse	Terr./Prov. YT	Postal code Y1A 1H8
Phone 867-456-2326	Email lenore@lenoremorris.com		
Condominium name (e.g. Whitehorse Condominium Corporation No. 95) Whitehorse Condominium Corporation No. ____			
Legal land description(s) related to registration (i.e. lot, block plan or parcel #) Parcel #100105276 or Lot 1096, Whistle Bend Subdivision, Whitehorse, YT, Plan 100043008			

Documents		Extra titles	Registration fee
Documents to be registered			
<b>1</b>	If a leasehold condominium ( <i>Condominiums on Leasehold Land Regulation</i> ) <ul style="list-style-type: none"> <li>Ground lease (registration prior to application)</li> </ul>		
<b>2</b>	If a phased development condominium ( <i>Phased Development Regulation</i> ) <ul style="list-style-type: none"> <li>A statement required to be contained in the declaration that the condominium is a phased development per ss. 4(2) of the Regulation</li> <li>Phased development disclosure statement prepared by the developer that complies with s.5 of the Regulation               <ul style="list-style-type: none"> <li>Statutory declaration (form 14)</li> </ul> </li> <li>Condominium plan, including as described in ss.7(1) and (2) of the Regulation</li> </ul>		
<b>3</b>	If a converted building condominium ( <i>Converted Building Condominium Regulation</i> ) <ul style="list-style-type: none"> <li>A certificate of an approving authority that accompanies the condominium plan, issued following the developer's submission of a building assessment report, per s.3 of the Regulation</li> </ul>		
<b>4</b>	If a bare land condominium ( <i>Bare Land Condominium Regulation</i> ) <ul style="list-style-type: none"> <li>Statements required to be contained in the declaration per s.1 of the Regulation</li> </ul>		
<b>5</b>	Condominium Declaration <ul style="list-style-type: none"> <li>Schedule – Unit entitlement</li> <li>Schedule – Voting rights</li> </ul>		
<b>6</b>	Condominium plan and Transform Approval Certificate (TAC) <ul style="list-style-type: none"> <li>Certificates or endorsement of               <ul style="list-style-type: none"> <li>– Surveyor</li> <li>– Architect, engineer or a Canada Lands Surveyor</li> <li>– Approving authority</li> </ul> </li> </ul>		

Documents to be filed and other documents		Extra titles	Registration fee
1	If a leasehold condominium ( <i>Condominiums on Leasehold Land Regulation</i> ) <ul style="list-style-type: none"> <li>Ground lease registration number</li> <li>Leasehold condominium agreement or written evidence satisfactory to the Registrar of Land Titles that the relevant public authority approves of the condominium plan.</li> </ul>		
2	If a phased development condominium ( <i>Phased Development Regulation</i> ) <ul style="list-style-type: none"> <li>If the phased development includes an existing condominium, evidence of consents satisfactory to the Registrar per ss. 8(1) of the Regulation.</li> </ul>		
3	If a converted building condominium ( <i>Converted Building Condominium Regulation</i> ) <ul style="list-style-type: none"> <li>A statement from the developer, in a form acceptable to the registrar, as to whether the developer has complied with ss.6(1) and (2) of the Regulation regarding tenants' rights and conditional offers for sale of the existing units</li> </ul>		
4	Notice of Bylaws		
5	Notice of First Directors		
6	Notice of Address		
Certificates of title and other services		Extra titles	Registration fee
1	Certified copy of certificate(s) of title		
2	Certified copy of common property certificate(s) of title		
3	Certified copy of common assets certificate(s) of title		
<b>Total Fees</b>		\$	

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Personal information in this form is collected under section 15(c)(i) of the *Access to Information and Protection of Privacy Act* (ATIPPA), and under the *Condominium Act, 2015*, the *Land Titles Act, 2015* and the Regulations under both of those Acts, for the purpose of carrying out the activities of the Land Titles Office, such as creating condominiums, registering the title to land and compilation of public registers. ATIPPA does not apply to the information in public registers kept by the Land Titles Office. Any person is entitled to access to the information contained in the public registers and may make copies or extracts of the information. If you have questions related to the collection of this information, contact the Deputy Registrar of Land Titles at 867-667-5612, or toll free, within Yukon 1-800-661-0408, ext. 5612.

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## CONDOMINIUM DECLARATION

**1. This declaration (the Declaration) is made according to the provisions of the *Condominium Act, 2015* (the Act) and its Regulations, as amended from time to time by:**

Full name(s) of the declarant(s) (developer) as shown on the certificate of title or ground lease

Northern Community Land Trust Society

the registered owner(s) in fee simple or lessees of the parcel that is the subject of this Declaration, as described below (par. 9(1)(b))

**2. Legal land description(s) related to registration as shown on the Certificate of Title**

Parcel #100105276 or  
 Lot 1096,  
 Whistle Bend Subdivision,  
 Whitehorse, YT,  
 Plan 100043008

**3. I/We the declarant(s) intend that a condominium that is governed by the Act be formed regarding the land and buildings shown on the condominium plan (par. 9(1)(c)) and the condominium development is**

- Conventional
- Bare land
- Phased
- Mixed use
- Converted
- Leasehold

**4. As required by par. 9(1) of the Act, this declaration includes:**

- 4.1 A schedule of unit entitlement that complies with s. 10 of the Act and is marked as Schedule "A."
- 4.2 A schedule of voting rights that complies with s. 11 of the Act and is marked as Schedule "B."
- 4.3 A description of a standard unit, if required to do so by the Regulations.
- 4.4 If the application is to create a bare land condominium, the documents respecting the requirements set out in s. 1 of the *Bare Land Condominium Regulation*.
- 4.5 If the application is to create a phased development condominium, a statement that the condominium is a phased development as required by ss. 4(2) of the *Phased Development Condominium Regulation*.
- 4.6 Any other features required by the regulations (par. 9(1)(f) of the Act).

**5. Using the existing parcel title value, provide the percentage (or fraction) of the value that should be assigned to**

- each unit
- any common property
- any common assets

The total must add up to 100% of the existing parcel value of the parcel that was cancelled to create the condominium. This calculation is only for the purposes of creating the new titles and is not to be used as the calculation for unit entitlement.

Unit number	Assigned value	% of total parcel value
Common property		
Common assets		
	Total = existing parcel value	Total = 100%

**6. Declaration**

**I/We make this declaration as the**

- Registered owner(s), or  
 Lessee(s) of the parcel(s)

Date of execution  
 YYYY / MM / DD

**Execution by individual** Requires Affidavit of Witness

Signed by the applicant(s) in the presence of:

Signature of witness (if more than one applicant, witness as to both signatures)	Name (print)
Signature of applicant	Signature of applicant
Name (print)	Name (print)

<b>Execution by body corporate</b> (check one)	
<input type="checkbox"/> with seal <input checked="" type="checkbox"/> without seal (requires Affidavit of Corporate Authority)	
Name of body corporate <b>Northern Community Land Trust Society</b>	
Signature of authorized signatory	Name (print) <b>Laird Herbert</b>
Position <b>President of Society</b> (corporate seal)	
Signature of authorized signatory (if more than one required)	Name (print) <b>Tyler Heal</b>
Position <b>Secretary/Treasurer of Society</b>	
<b>7. Encumbrance holders</b> – Signed by each holder of an encumbrance registered on the Certificate of Title	
Date of execution YYYY / MM / DD	
<b>Execution</b> – by individual encumbrance holder	
Signature of encumbrance holder	Name (print)
Signature of encumbrance holder (if more than one)	Name (print)
<b>Execution by body corporate encumbrance holder</b> (check one)	
<input type="checkbox"/> with seal <input type="checkbox"/> without seal (requires Affidavit of Corporate Authority)	
Name of body corporate	
Signature of authorized signatory	Name (print)
Position (corporate seal)	
Signature of authorized signatory (if more than one required)	Name (print)
Position	

**EXECUTION BY A BODY CORPORATE – Land Titles Act 2015, ss. 46(1)**

Instruments signed by a body corporate must be signed by at least one officer or director and have the corporate seal affixed. If the seal is not affixed, it must be accompanied by an Affidavit of Corporate Authority in which the officer or director signing the document attests that they have the authority to execute the document on behalf of the body corporate. A form of Affidavit of Corporate Authority that may be used for all instruments executed by a body corporate for the purposes of the Act is available as a separate document.

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Appendix to  
CONDOMINIUM DECLARATION

5. Using the existing parcel title value, provide the percentage (or fraction) of the value that should be assigned to

- each unit
- any common property
- any common assets

The total must add up to 100% of the existing parcel value of the parcel that was cancelled to create the condominium. This calculation is only for the purposes of creating the new titles and is not to be used as the calculation for unit entitlement.

Unit number	Assigned Value	% of total parcel value
1	\$31,434	2.6%
2	\$31,434	2.6%
3	\$32,372	2.7%
4	\$32,372	2.7%
5	\$22,520	1.9%
6	\$21,581	1.8%
7	\$23,458	2.0%
8	\$23,458	2.0%
9	\$25,335	2.1%
10	\$23,927	2.0%
11	\$36,594	3.1%
12	\$18,297	1.5%
13	\$36,594	3.1%
14	\$46,447	3.9%
15	\$46,447	3.9%
16	\$36,594	3.1%
17	\$18,297	1.5%
18	\$36,594	3.1%
19	\$22,989	1.9%
20	\$24,865	2.1%
21	\$24,396	2.0%
22	\$23,927	2.0%
23	\$37,063	3.1%
24	\$18,297	1.5%
25	\$36,594	3.1%
26	\$46,447	3.9%
27	\$46,447	3.9%
28	\$36,594	3.1%
29	\$18,297	1.5%
30	\$36,594	3.1%
31	\$22,989	1.9%
32	\$23,927	2.0%
Common property	\$234,579	19.6%
Common assets	\$0	0.0%
<b>Total</b>	<b>\$1,197,759</b>	<b>100.0%</b>



### SCHEDULE / AMENDED SCHEDULE OF UNIT ENTITLEMENT

#### Schedule A to the Declaration/Amended Declaration

1. Is this an Amended Schedule of Unit Entitlement? (check one)

Yes

No

2. Full name(s) of the applicant(s) as shown on the Declaration

Northern Community Land Trust Society

#### Condominium corporation

3. Name (e.g., Whitehorse Condominium Corporation No. 95)

Whitehorse Condominium Corporation No. \_\_\_\_\_

4. Designate exclusive use common property and/or exclusive use common assets. Include terms and conditions of designation in bylaws. (add additional sheets if required)

Unit number	Exclusive use common property	Exclusive use common assets

5. The unit entitlement for each unit is set out below

Unit number	Unit area (m <sup>2</sup> ) base calculation	Plus/minus any adjustments (m <sup>2</sup> )	Equals unit entitlement (m <sup>2</sup> )	Final unit entitlement <small>(in percentage and rounded to one decimal place)</small>
Total number of units 32	Total unit area	Total adjustments	Total unit entitlement	Total 100%

6. Basis for adjustments (add additional sheets if required)

Unit number	Explanation

The Registrar of Land Titles is under no duty to ensure that the unit entitlements set out in a schedule of unit entitlement are calculated in accordance with the Act or the Regulations (*Condominium Act, 2015* ss. 199(a)).

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**4. Designate exclusive use common property and/or exclusive use common assets.**

Unit Number	Exclusive Use Common Property (m <sup>2</sup> )	Exclusive Use Common Assets
1	79.4	n/a
2	79.4	n/a
3	28.0	n/a
4	37.0	n/a
5	62.4	n/a
6	52.4	n/a
7	27.0	n/a
8	26.0	n/a
9	42.0	n/a
10	29.0	n/a
11	29.0	n/a
12	51.0	n/a
13	29.0	n/a
14	52.0	n/a
15	52.0	n/a
16	29.0	n/a
17	51.0	n/a
18	29.0	n/a
19	29.0	n/a
20	42.0	n/a
21	42.0	n/a
22	29.0	n/a
23	29.0	n/a
24	51.0	n/a
25	29.0	n/a
26	55.0	n/a
27	55.0	n/a
28	29.0	n/a
29	47.0	n/a
30	29.0	n/a
31	29.0	n/a
32	42.0	n/a

## 5. The unit entitlement for each unit is set out below.

Unit Number	Unit area (m <sup>2</sup> ) base calculation	Plus/minus any adjustments (m <sup>2</sup> )	Equals unit entitlement (m <sup>2</sup> )	Final unit entitlement (%)
1	67	0	67	3.3
2	67	0	67	3.3
3	69	0	69	3.4
4	69	0	69	3.4
5	48	0	48	2.3
6	46	0	46	2.2
7	50	0	50	2.4
8	50	0	50	2.4
9	54	0	54	2.6
10	51	0	51	2.5
11	78	0	78	3.8
12	39	0	39	1.9
13	78	0	78	3.8
14	99	0	99	4.8
15	99	0	99	4.8
16	78	0	78	3.8
17	39	0	39	1.9
18	78	0	78	3.8
19	49	0	49	2.4
20	53	0	53	2.6
21	52	0	52	2.5
22	51	0	51	2.5
23	79	0	79	3.8
24	39	0	39	1.9
25	78	0	78	3.8
26	99	0	99	4.8
27	99	0	99	4.8
28	78	0	78	3.8
29	39	0	39	1.9
30	78	0	78	3.8
31	49	0	49	2.4
32	51	0	51	2.5
Total Number of Units: 32	Total Unit Area: 2053	Total Adjustments: 0	Total Unit Entitlement: 2053	Total 100%

	2053		2053	100.0
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## SCHEDULE / AMENDED SCHEDULE OF VOTING RIGHTS

**Schedule B to the Declaration/Amended Declaration**

**1. Is this an Amended Schedule of Voting Rights? (check one)**

Yes

No

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**2. Full name(s) of the applicant(s) as shown on the Declaration**  
Northern Community Land Trust Society

**Condominium corporation**

**3. Name (e.g., Whitehorse Condominium Corporation No. 95)**  
Whitehorse Condominium Corporation No. \_\_\_\_

**4. The voting rights for each unit are set out below (attach additional page)**

Unit number	Number of votes
Total number of units	Total number of votes

**5. If a phased development condominium, the method by which voting rights are determined and allocated**  
Not applicable.

The Registrar of Land Titles is under no duty to ensure that the voting rights set out in a schedule of voting rights are determined in accordance with this Act or the regulations (*Condominium Act 2015* ss. 199(b)).

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Appendix to  
SCHEDULE OF VOTING RIGHTS

Unit number	Number of votes
1	1
2	1
3	1
4	1
5	1
6	1
7	1
8	1
9	1
10	1
11	1
12	1
13	1
14	1
15	1
16	1
17	1
18	1
19	1
20	1
21	1
22	1
23	1
24	1
25	1
26	1
27	1
28	1
29	1
30	1
31	1
32	1
<b>Total number of units: 32</b>	<b>Total number of votes: 32</b>

## NOTICE OF FIRST DIRECTORS

The first directors are appointed by the applicant and hold office until the first annual general meeting (AGM) of the condominium corporation. Do not use this form to file a notice of change of directors after the first AGM; instead, use form #10. After subsequent AGMs, use form #16. For a change of first directors before the first AGM, use form #9.

Condominium corporation			
<b>1. Name</b> (e.g., Whitehorse Condominium Corporation No. 95) Whitehorse Condominium Corporation No. _____			
<b>2. The following are appointed as first directors of the corporation effective as of the registration date of the application to create the condominium</b> (attach additional sheets if required)			
First director's name			
Laird Herbert			
Mailing address	City	Terr./Prov.	Postal code
14 Metropolit Lane	Whitehorse	YT	Y1A 0J1
First director's name			
Tyler Heal			
Mailing address	City	Terr./Prov.	Postal code
3 Carpiquet Road	Whitehorse	YT	Y1A 0J3
First director's name			
Sarah Newton			
Mailing address	City	Terr./Prov.	Postal code
64 Topaz Crescent	Whitehorse	YT	Y1A 6B3

The Registrar of Land Titles is under no duty to ensure that a notice of directors or change of directors is correct (*Condominium Act, 2015*, par. 199(d)).

Signature(s)	
Date of execution	
YYYY / MM / DD	
<b>Execution by individual</b> (Requires Affidavit of Witness)	
Signed by the applicant(s) in the presence of:	
Signature of witness (if more than one applicant, witness as to both signatures)	Signature of applicant
Name (print)	Name (print)

<b>Execution by body corporate</b> (check one)	
<input type="checkbox"/> <b>with seal</b>	
<input checked="" type="checkbox"/> <b>without seal</b> (requires Affidavit of Corporate Authority)	
Name of body corporate <b>Northern Community Land Trust Society</b>	
Signature of authorized signatory	Name (print) <b>Laird Herbert</b>
Position  <span style="float: right;">(corporate seal)</span>	
Signature of authorized signatory (if more than one required)	Name (print) <b>Tyler Heal</b>
Position	

**EXECUTION BY A BODY CORPORATE – *Land Titles Act 2015*, ss. 46(1)**

Instruments signed by a body corporate must be signed by at least one officer or director and have the corporate seal affixed. If the seal is not affixed, it must be accompanied by an Affidavit of Corporate Authority in which the officer or director signing the document attests that they have the authority to execute the document on behalf of the body corporate. A form of Affidavit of Corporate Authority that may be used for all instruments executed by a body corporate for the purposes of the Act is available as a separate document.

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## NOTICE OF ADDRESS

Condominium corporation name			
1. Name (e.g., Whitehorse Condominium Corporation No. 95) Whitehorse Condominium Corporation No. ____			
2. Physical address for service of the corporation			
Address 3 Carpiquet Road	City Whitehorse	Terr./Prov. YT	Postal code Y1A 0J3
3. Mailing address for the corporation (if different from physical address)			
Mailing address 3 Carpiquet Road	City Whitehorse	Terr./Prov. YT	Postal code Y1A 0J3

The Registrar of Land Titles is under no duty to ensure that a notice of address or change of address is correct (*Condominium Act 2015*, ss. 199(e)).

Signature(s)	
<b>Execution by individual</b> (requires Affidavit of Witness)	
Date of execution YYYY / MM / DD	
Signed by the applicant(s) in the presence of:	
Signature of witness (if more than one applicant, witness as to both signatures)	Signature of applicant
Name (print)	Name (print)
<b>Execution by body corporate</b> (check one)	
<input type="checkbox"/> with seal	
<input checked="" type="checkbox"/> without seal (requires Affidavit of Corporate Authority)	
Name of body corporate Northern Community Land Trust Society	
Signature of authorized signatory	Name (print) Laird Herbert
Position President	(corporate seal)
Signature of authorized signatory (if more than one required)	Name (print) Tyler Heal
Position Secretary/Treasurer	

### EXECUTION BY A BODY CORPORATE – *Land Titles Act 2015*, ss. 46(1)

Instruments signed by a body corporate must be signed by at least one officer or director and have the corporate seal affixed. If the seal is not affixed, it must be accompanied by an Affidavit of Corporate Authority in which the officer or director signing the document attests that they have the authority to execute the document on behalf of the body corporate. A form of Affidavit of Corporate Authority that may be used for all instruments executed by a body corporate for the purposes of the Act is available as a separate document.

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**AFFIDAVIT OF CORPORATE AUTHORITY  
(BODY CORPORATE SIGNING WITHOUT SEAL)**  
(s. 46(1)(b))

TO THE REGISTRAR:

I AFFIRM THAT:

1. I am an officer, director or authorized representative of the body corporate who executed the annexed instrument.
2. I am one of the persons who signed the annexed instrument on behalf of the body corporate, and I have authority to do so without a corporate seal.

AFFIRMED BEFORE ME )  
 at the City of Whitehorse in Yukon )  
 on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ )

\_\_\_\_\_) (Signature)  
 \_\_\_\_\_) Laird Herbert  
*Lenore Morris*) (PRINT NAME)

Notary Public in and for Yukon; )  
 or Notary Public or Commissioner for )  
 Oaths in and for )  
 My commission does not expire. )  
 )

**\* All Notaries and Commissioners outside of Yukon must affix seal**

**AFFIDAVIT OF CORPORATE AUTHORITY  
(BODY CORPORATE SIGNING WITHOUT SEAL)**  
(s. 46(1)(b))

TO THE REGISTRAR:

I AFFIRM THAT:

1. I am an officer, director or authorized representative of the body corporate who executed the annexed instrument.
2. I am one of the persons who signed the annexed instrument on behalf of the body corporate, and I have authority to do so without a corporate seal.

AFFIRMED BEFORE ME )  
 at the City of Whitehorse in Yukon )  
 on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ )

\_\_\_\_\_  
 (Signature)

\_\_\_\_\_  
 Lenore Morris

Tyler Heal  
 (PRINT NAME)

Notary Public in and for Yukon; )  
 or Notary Public or Commissioner for )  
 Oaths in and for )  
 )  
 My commission does not expire. )  
 )

**\* All Notaries and Commissioners outside of Yukon must affix seal**