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### **ANGER & HONSBERGER LAW OF REAL PROPERTY**

Anne Warner La Forest  
Release No. 2, December 2024

### What's New in this Update:

This release includes updates to Chapters 6 (The Life Estate), 7 (Leaseholds), 11 (Trusts), 16 (Covenants and Licences Affecting Land), 17 (Incorporeal Hereditaments), 23 (Remedies), 29 (Extinguishment of Title), 30 (Recording and Examination of Title), 32 (Aboriginal Interests in Land), and 33 (Mortgages).

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## Highlights

The following cases are of note:

- *Swift v. Nazaroff*, 2023 CarswellBC 2673: § **6:4**
- *Metro Ontario Real Estate Limited v. Embee Properties Limited*, 2024 CarswellOnt 1022: § **7:1**
- *2693693 Ontario Inc. v. Palmeri et al.*, 2024 CarswellOnt 5018: § **7:17**
- *Symmban Stroud Inc. v. 20636999 Ontario Inc. O/A Dollar Bits and Discounts*, 2023 CarswellOnt 17027: § **7:27**
- *The Canada Life Assurance Company et al. v. Aphria Inc.*, 2023 CarswellOnt 19921: § § **7:47, 7:50**
- *Fifth Avenue Holdings Ltd. v. Rocky Mountain Chocolate Factory Canada Ltd.*, 2024 BCSC 928: § **7:49**
- *Hydro One Networks Inc.*, 2024 CarswellOnt 7182 (leave to appeal refused): § **17:14**
- *Gatoto v. 5GC Inc.*, 2023 ONCA 210 (affirmed on other grounds): § **23:7**
- *Pawel Kosicki et al. v. City of Toronto, Formerly the Corporation of the Borough of York*, 2024 CarswellOnt 5135 (leave to appeal allowed): § **29:13**
- *Milne v. Margaritis*, 2023 ONSC 5943 (affirmed); *Eddy v. Newfoundland and Labrador (Fisheries, Forestry, and Agriculture)*, 2023 NLCA 37 (affirmed): § **29:15**
- *Ferguson v. Tejpar*, 2024 ABCA 235 (reversed in part): § **30:18**
- *Shot Both Sides v. Canada*, 2024 CarswellOnt 12 (reversed in part): § **32:12**
- *Monica McRuer v. Sunridge Nissan Inc., et al.*, 2023 CarswellAlta 3166 (leave to appeal refused): § **33:5**