Flower City

brampton.ca

For Office Use Only
(to be inserted by the Secretary-Treasurer
after application is deemed complete)

APPLICATION NUMBER: "B" - 2024 - 0020

The personal Information collected on this form is collected pursuant to subsection 53(2) of the Planning Act and will be used in the processing of this application. Applicants are advised that the Committee of Adjustment is a public process and the information contained in the Committee of Adjustment files is considered public information and is available to anyone upon request and will be published on the City's website. Questions about the collection of personal information should be directed to the Secretary-Treasurer, Committee of Adjustment, City of Brampton.

APPLICATION
Consent
(Please read Instructions)

NOTE: Pursuant to subsection 53(2) of the *PLANNING ACT*, the applicant shall provide the Committee of Adjustment with such information or material as the Committee of Adjustment may require. The Committee of Adjustment may refuse to accept or further consider the application until the prescribed information, material and the required fee are received.

1. (a) Name of Owner/Applicant 2494747 Ontario Ltd.
(print given and family names in full)

Address 98-100 Rutherford Road South, Brampton, ON, L6W 3J5

Phone # 416-400-9911 **Fax #**

Email bir.ltd@hotmail.com

(b) Name of Authorized Agent Neil G. Davis, Davis Webb LLP

Address 800-24 Queen Street East, Brampton, ON, L6V 1A3

Phone # 905-451-6714 x 226 **Fax #** 905-454-1876

Email neil.davis@daviswebb.com

2. The type and the purpose of the proposed transaction, such as transfer for a creation of a new lot, lot addition, an easement, a charge, a lease or a correction of title.

Specify: Consent to a conveyance (lot addition) and a consent to the partial discharge of the mortgages in favour of The Bank of Nova Scotia. The lands are to be added to the adjacent lands at 25 Clark Boulevard.

3. If known, the name of the person to whom the land or an interest in the land is to be transferred, charged or leased.

25 Clark Blvd Inc.

4. Description of the subject land ("subject land" means the land to be severed and retained):

a) Name of Street Rutherford Road South **Number** 98-100

b) Concession No. 2 EHS **Lot(s)** 4

c) Registered Plan No. **Lot(s)**

d) Reference Plan No. 43R39471; 43R17742 **Lot(s)** Pts 3 & 4; Pts 1-4

e) Assessment Roll No. 10-02-0-005-17800-0000 **Geographic or Former Township** Toronto Gore

5. Are there any easements or restrictive covenants affecting the subject land?

Yes ☑ **No** ☐

Specify: BR51139, BR48239, BR53000 and VS121670

6. Description of severed land: (in metric units)

a) **Frontage** 45.68 metres **Depth** 63.23 metres **Area** 1,432.5 sq. m.

b) **Existing Use** Industrial **Proposed Use** Industrial

c) **Number and use of buildings and structures (both existing and proposed) on the land to be severed:**

(existing) None

(proposed None

d) Access will be by:	Existing	Proposed
Provincial Highway	☐	☐
Municipal Road - Maintained all year	☑	☑
Other Public Road	☐	☐
Regional Road	☐	☐
Seasonal Road	☐	☐
Private Right of Way	☐	☐

e) **If access is by water only, what parking and docking facilities will be used and what is the approximate distance of these facilities from the subject land and the nearest public road?**

f) Water supply will be by:	Existing	Proposed
Publicly owned and operated water systen	☑	☑
Lake or other body of water	☐	☐
Privately owned and operated individual or communal well	☐	☐

Other (specify):

g) Sewage disposal will be by:	Existing	Proposed
Publicly owned and operated sanitary sewer system	☑	☑
Privy	☐	☐
Privately owned and operated individual or communal septic system	☐	☐

Other (specify):

7. Description of retained land: (in metric units)

a) **Frontage** 272.73 metres **Depth** 222.50 metres **Area** 60,682.42 sq. m.

b) **Existing Use** Industrial **Proposed Use** Industrial - No Change

c) **Number and use of buildings and structures (both existing and proposed) on the land to be retained:**

(existing) 1 building - industrial building

(proposed No change

d) Access will be by:	Existing	Proposed
Provincial Highway	☐	☐
Municipal Road - Maintained all year	☑	☑
Other Public Road	☐	☐
Regional Road	☐	☐
Seasonal Road	☐	☐
Private Right of Way	☐	☐

e) If access is by water only, what parking and docking facilities will be used and what is the approximate distance of these facilities from the subject land and the nearest public road?

_____

f) Water supply will be by:	Existing	Proposed
Publicly owned and operated water systen	☑	☑
Lake or other body of water	☐	☐
Privately owned and operated individual or communal well	☐	☐

Other (specify): _____

g) Sewage disposal will be by:	Existing	Proposed
Publicly owned and operated sanitary sewer system	☑	☑
Privy	☐	☐
Privately owned and operated individual or communal septic system	☐	☐

Other (specify): _____

8. What is the current designation of the land in any applicable zoning by-law and official plan?

	Land to be Severed	Land to be Retained
Zoning By-Law	M2	M2
Official Plans City of Brampton	Central Area/Central Area Mixed Use and Special Stucy Area	Central Area/Central Area Mixed Use and Special Study Area
Region of Peel		

9. Has the subject land ever been the subject of an application for approval of a plan of subdivision under section 51 of the Planning Act or a consent under section 53 of the Act and if the answer is yes and if known, the file number of the application and the decision on the application?

Yes ☑ No ☐

File # "B"2022-0007 Status/Decision Approved (Lot Addition Only)

10. Has any land been severed from the parcel originally acquired by the owner of the subject land?

Yes ☐ No ☑

Date of Transfer _____ Land Use _____

11. If known, is/was the subject land the subject of any other application under the Planning Act, such as:

	File Number	Status
Official Plan Amendment	Unknown	
Zoning By-law Amendment	Unknown	
Minister's Zoning Order	Unknown	
Minor Variance	Unknown	
Validation of the Title	Unknown	
Approval of Power and Sale	Unknown	
Plan of Subdivision	Unknown	

12. Is the proposal consistent with Policy Statements issued under subsection 3(1) of the *Planning Act?*
Yes ☑ **No** ☐

13. Is the subject land within an area of land designated under any Provincial Plan?
Yes ☑ **No** ☐

14. If the answer is yes, does the application conform to the applicable Provincial Plan?
Yes ☑ **No** ☐

15. If the applicant is not the owner of the subject land, the written authorization, of the owner that the applicant is authorized to make the application, shall be attached. (See "APPOINTMENT AND AUTHORIZATION OF AGENTS" form attached).

Dated at the City of Brampton

this 28th day of October, 2024.

Davis Webb LLP

Per: _____
Signature of Applicant, or Authorized Agent, see note on next page
Neil G. Davis

Check box if applicable:
☐ I have the authority to bind the Corporation

DECLARATION

I, Neil G. Davis of the City of Brampton

in the County/District/Regional Municipality of Peel solemnly declare that all the statements contained in t

application are true and I make this as if made under oath and by virtue of "The Canada Evidence Act".

Declared before me at the City of Brampton

in the Region of Peel

this 28th day of October, 2024.

_____
Signature of applicant/solicitor/authorized agent, etc.

_____
Signature of a Commissioner, etc.

FOR OFFICE USE ONLY - To Be Completed By the Zoning Division

This application has been reviewed with respect to possible variances required and the results of the said review are outlined on the attached checklist.

_____ _____
Zoning Officer Date

DATE RECEIVED Nov 5, 2024

Date Application Deemed Complete by the Municipality VL

NOTES:

1. If this application is signed by an agent or solicitor on behalf of the applicant, the owner's written authorization must accompany this application. If the applicant is a Corporation acting without agent or solicitor, the application must be signed by an Officer of the Corporation with a declaration indicating that the said Officer has the authority to bind the Corporation. If the application is signed by an agent or solicitor on behalf of the applicant who is a Corporation, the applicant's written authorization must accompany this application and must be signed by an Officer of the Corporation with a declaration indicating that the said Officer has the authority to bind the Corporation.

2. Each copy of the application must be accompanied by a sketch **and a key map** showing the location of the subject land.

3. Sketches or reproductions are to be no larger than Legal Size. Application plans which are larger may be submitted provided at least **one reproduction** reduced to Legal Size is filed with the application.

4. Where it is determined that a sketch will not adequately provide the information required, it may be necessary to provide a plan prepared by an Ontario Land Surveyor.

5. The sketch shall show:

a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;

b) the approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;

c) the boundaries and dimensions of the subject land, the part that is to be severed (shown in double hatch lines XXXX) and the part that is to be retained (shown in single hatched lines ////);

d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;

e) the approximate location of all natural and artificial features on the subject land and on the land that is adjacent to the subject land that, in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks;

f) the existing uses on adjacent land, such as residential, agricultural and commercial uses;

g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way;

h) if access to the subject land is by water only, the location of the parking and boat docking facilities to be used;

i) the location and nature of any easement affecting the subject land; a

j) if a natural or artificial feature is to be the proposed new property line or part thereof, identify the feature(s) as such on the sketch.

6. It is required that **1 original copy** of this application be filed, together with **2 copies** of the sketch described in item 2 above, with the Secretary-Treasurer, accompanied by the applicable fee.

APPOINTMENT AND AUTHORIZATION OF AGENT(S)

To: The Committee of Adjustment, City of Brampton,

I, 2494747 Ontario Ltd. ,
(Please print or type full name of the owner)

the undersigned, hereby appoint and authorize/have appointed and authorized as my agent(s) for the purpose of:

1. Signing and filing the application(s) on behalf of the undersigned;

1. _____ ;
(Please print or type full name(s) of the agent(s) or the firm or corporation name. Add a separate sheet if necessary.)

2. Representing the undersigned before the Committee of Adjustment,

2. _____ ;
(Please print or type full name(s) of the agent(s) or the firm or corporation name. Add a separate sheet if necessary.)

3. Acting on behalf of the owner with respect to all matters related to the application, including but not limited to fulfilling conditions and acquiring the Secretary-Treasurer's Certificate,

3. Davis Webb LLP - All members ;
(Please print or type full name(s) of the agent(s) or the firm or corporation name. Add a separate sheet if necessary.)

AND, I do hereby declare and confirm that I am the (an) owner of the land to which this application relates;

AND, I do hereby ratify, confirm and adopt as my own, the act(s), representation(s), reply (replies) and commitment(s) made on my behalf by the said agent(s).

Dated this 31st day of October , 2024.

_____
(Signature of the owner, or where the owner is a firm or corporation, the signing officer of the owner.)

Tarlochan Singh, I have the authority to bind the Corporation.
(Where the owner is a firm or corporation, please type or print the full name of the person signing.)

NOTES:

1. If the owner is a corporation, this appointment and authorization shall include the statement that the person signing this appointment and authorization has authority to bind the corporation (or alternatively, the corporate seal shall be affixed hereto).

2. If there is more than one owner, **all owners** shall complete and sign **individual** appointment and authorization forms.

3. If the agent is a firm or corporation, specify whether all members of the firm or corporation are appointed or, if not, specify by name(s) the person(s) of the firm or corporation that are appointed.

PERMISSION TO ENTER

To: The Secretary-Treasurer
Committee of Adjustment
City of Brampton
2 Wellington Street West
Brampton, Ontario
L6Y 4R2
coa@brampton.ca

LOCATION OF THE SUBJECT LAND: 98-100 Rutherford Road South, Brampton, Ontario

I/We, 2494747 Ontario Ltd.
please print/type the full name of the owner(s)

the undersigned, being the registered owner(s) of the subject land, hereby authorize the Members of the City of Brampton Committee of Adjustment and City of Brampton staff members, to enter upon the above noted property for the purpose of conducting a site inspection with respect to the attached application for Minor Variance and/or consent.

Dated this 31st day of October, 2024.

(signature of the owner[s], or where the owner is a firm or corporation, the signature of an officer of the owner.)

Tarlochan Singh, I have the authority to bind the Corporation.
(where the owner is a firm or corporation, please print or type the full name of the person signing.)

NOTE: If the owner is a firm or corporation, the corporate seal shall be affixed heret

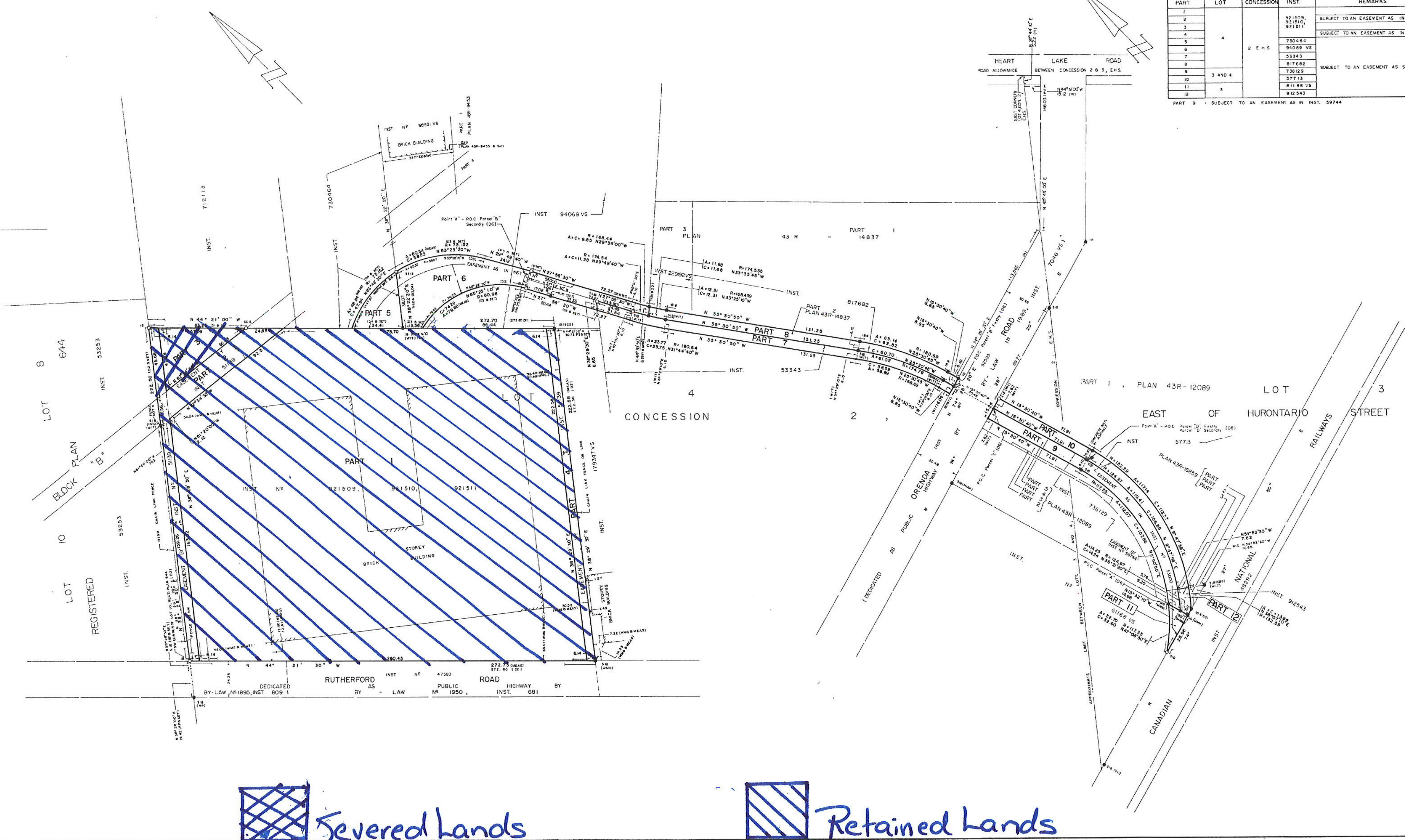
NO DISCUSSION SHALL TAKE PLACE BETWEEN THE COMMITTEE MEMBERS AND THE APPLICANT DURING THE SITE INSPECTION

PLAN 43R-17742
I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE REGISTRY ACT DATE APRIL 9, 1990 Walter Carbis WALTER CARBIS ONTARIO LAND SURVEYOR
RECEIVED AND DEPOSITED DATE April 10, 1990 Janet Harrison Asst Dep LAND REGISTRAR FOR THE REGISTRY DIVISION OF PEEL (Nº 43)

SCHEDULE FOR REGISTRY OFFICE

PART	LOT	CONCESSION	INST.	REMARKS
1	4	2 E.H.S	921509, 921510, 921511	
2				SUBJECT TO AN EASEMENT AS IN INST. 51139
3				
4				SUBJECT TO AN EASEMENT AS IN INST. 51139
5			730464	
6			94069 VS	
7			53343	
8			817682	SUBJECT TO AN EASEMENT AS SET OUT IN INST. 53000
9	3 AND 4		736129	
10			57713	
11	3		61168 VS	
12			912543	

PART 9 : SUBJECT TO AN EASEMENT AS IN INST. 59744



PLAN OF SURVEY OF
PART OF LOTS 3 AND 4 CONCESSION 2 EAST OF HURONTARIO STREET
CITY OF BRAMPTON
REGIONAL MUNICIPALITY OF PEEL
(FORMERLY TOWNSHIP OF CHINGUACOUSY, COUNTY OF PEEL)

SCALE 1 : 1 000

0 25 50 75 100 metres

J.K. YOUNG COMPANY LTD. - 1989

METRIC

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

CAUTION

THIS PLAN IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF THE PLANNING ACT

NOTES

BEARINGS HEREON ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTHERLY LIMIT OF PART 1, AS SHOWN ON PLAN 43R-14837, HAVING A BEARING OF N 74° 28' 20" E

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT PLANTED
SIB	DENOTES	STANDARD IRON BAR
SSIB	DENOTES	SHORT STANDARD IRON BAR
IB	DENOTES	IRON BAR
Ø	DENOTES	ROUND
(OU)	DENOTES	ORIGIN UNKNOWN
(922)	DENOTES	F. SCHAEFFER, O.L.S.
(JDB)	DENOTES	J.D BARNES LTD.
(MMM)	DENOTES	MARSHALL MACKLIN MONAGHAN ONTARIO LTD.
(MTC)	DENOTES	MINISTRY OF TRANSPORTATIONS.
(WIT)	DENOTES	WITNESS
(MEAS)	DENOTES	MEASURED
E.H.S.	DENOTES	EAST OF HURONTARIO STREET
(P1)	DENOTES	PLAN 43R-14837
(P2)	DENOTES	PLAN 43R-16859
(P3)	DENOTES	PLAN OF SURVEY BY F. SCHAEFFER, O.L.S., DATED SEPT 9, 1964
(RP)	DENOTES	REGISTERED PLAN 644
D1	DENOTES	INST. 51139
D2	DENOTES	INST. 745103
(WMG)	DENOTES	PLAN OF SURVEY BY WINTERS MAUGHAN GLENDAY, O.L.S., DATED AUGUST 30, 1966.
D3	DENOTES	INST. Nº 94069 VS
D4	DENOTES	INST. Nº 730464
D5	DENOTES	INST. Nº 196931 VS
D6	DENOTES	INST. Nº 121670 VS
P.O.C.	DENOTES	POINT OF COMMENCEMENT

SURVEYOR'S CERTIFICATE

I CERTIFY THAT :

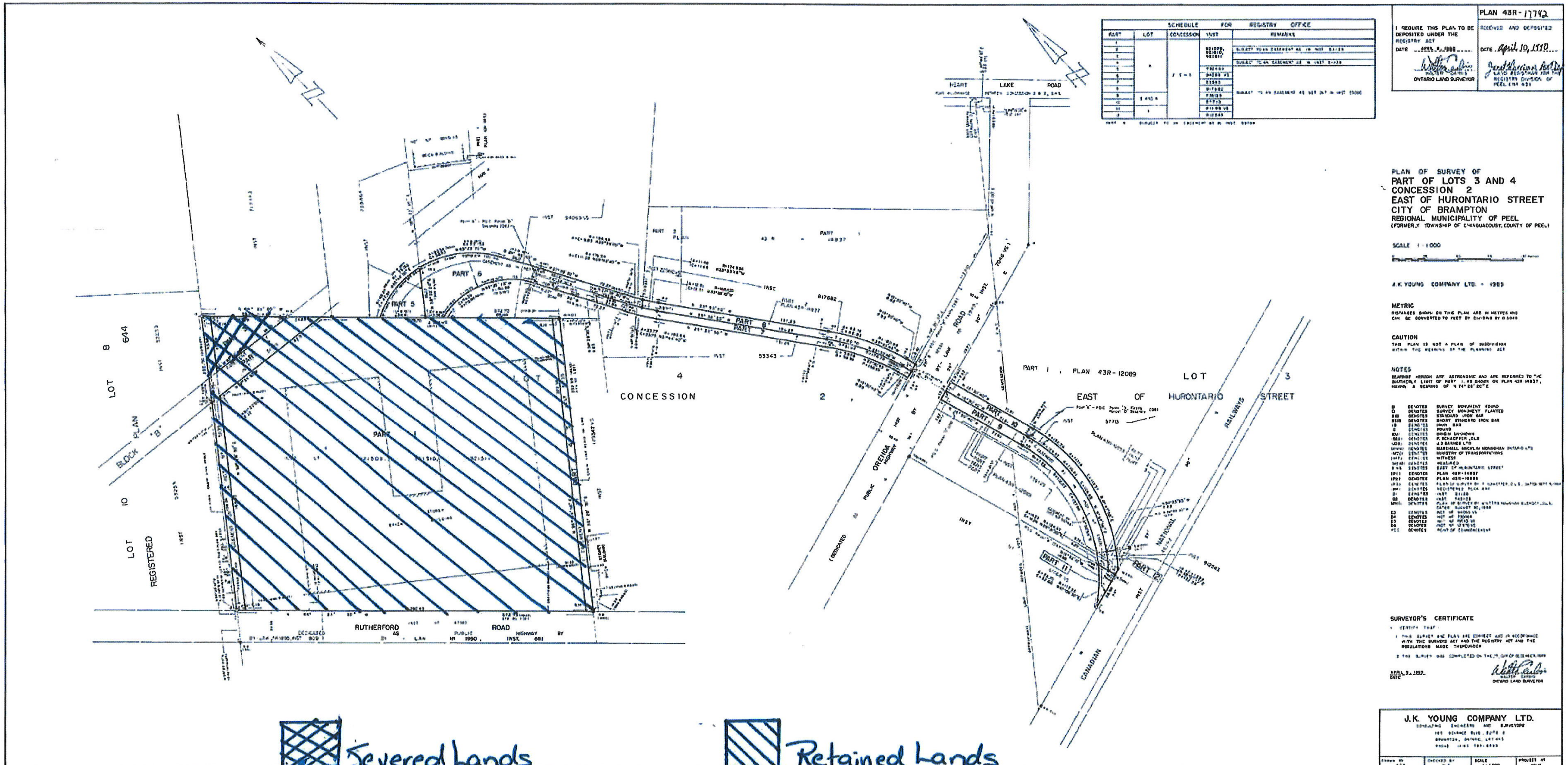
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE REGISTRY ACT AND THE REGULATIONS MADE THEREUNDER.
2. THE SURVEY WAS COMPLETED ON THE 14 DAY OF DECEMBER, 1989

APRIL 9, 1990
DATE

Walter Carbis
WALTER CARBIS
ONTARIO LAND SURVEYOR

J.K. YOUNG COMPANY LTD.
CONSULTING ENGINEERS AND SURVEYORS
165 ADVANCE BLVD., SUITE 2
BRAMPTON, ONTARIO, L6T 4Y3
PHONE (416) 793-8333

DRAWN BY	CHECKED BY	SCALE	PROJECT Nº
PDS	W.C.	1 : 1 000	89112


SCHEDULE FOR REGISTRY OFFICE
PART
LOT
CONCESSION
INST
REMARKS
I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE REGISTRY ACT
DATE APRIL 9, 1990
ONTARIO LAND SURVEYOR
PLAN 43R-17742
RECEIVED AND DEPOSITED
DATE April 10, 1990
HEART LAKE ROAD
PART 5
PART 6
PART 8
PART 9
PART 10
PART 11
PART 12
PART 1
INST 53343
CONCESSION
4
2
LOT 3
PART 1, PLAN 43R-12089
EAST OF HURONTARIO STREET
ORENDA ROAD
CANADIAN
NATIONAL
RAILWAYS
INST 912543
LOT 8
644
BLOCK 'B'
PLAN
LOT 10
REGISTERED
RUTHERFORD ROAD
PUBLIC HIGHWAY BY INST. 681
PLAN OF SURVEY OF
PART OF LOTS 3 AND 4
CONCESSION 2
EAST OF HURONTARIO STREET
CITY OF BRAMPTON
REGIONAL MUNICIPALITY OF PEEL
(FORMERLY TOWNSHIP OF CHINGUACOUSY, COUNTY OF PEEL)
SCALE 1:1000
J.K. YOUNG COMPANY LTD. - 1989
METRIC
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048
CAUTION
THIS PLAN IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF THE PLANNING ACT
NOTES
SURVEYOR'S CERTIFICATE
ONTARIO LAND SURVEYOR
J.K. YOUNG COMPANY LTD.
SCALE 1:1000
Severed Lands
Retained Lands

DAVIS WEBB LLP
LAWYERS

24 Queen Street East
Suite 800
Brampton, Ontario L6V 1A3
Canada

Internet: DavisWebb.com
Fax: 905.454.1876
Telephone: 905.451.6714

ESTABLISHED IN 1916
A. Grenville Davis QC (1916-1973)
Hon. William G. Davis PC CC QC (1955-2021)

Neil G. Davis
Ellen S. Pefhany
Barbara Skupien
James S.G. Macdonald
Melisa Rupoli
Chantal Issa

286875-001

DELIVERED BY HAND

November 4, 2024

Committee of Adjustment
City of Brampton
2 Wellington Street West
Brampton, ON
L6Y 4R2

Dear Sir/Madam:

RE: 2494747 Ontario Ltd. application for consent to convey and partial discharges re lot addition to 25 Clark Boulevard (25 Clark Blvd Inc.)

In connection with the above-captioned matter please find enclosed the following:

1. One (1) fully completed original copy of the application form with original signatures;
2. Two (2) copies of Reference Plan 43R-17742 depicting the severed and retained lands; and
3. Our trust cheque in the sum of $4,519.00 representing the application fee.

By way of background, under Committee of Adjustment File No. "B"2022-0007 the application for consent to convey with respect to the lot addition requested in the enclosed application was approved but that Provisional Consent has now lapsed. That application did not provide for a concurrent request for a consent to partial discharges which we have been asked to include.

Yours very truly,

DAVIS WEBB LLP

Neil G. Davis
Enclosures as noted.