

Flower City



brampton.ca

APPLICATION NUMBER:

"B" - 2024-0008

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. Questions about the collection of personal information should be directed to the Freedom of Information and Privacy Coordinator, 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 Mantella Corporation  
(print given and family names in full)

Address 1 Greensboro Dr, Etobicoke, ON M9W 1C8

Phone # 416-247-5432

Fax # \_\_\_\_\_

Email f.bilotta@mantellacorporation.com

(b) Name of Authorized Agent Mainline Planning Services Inc.

Address P.O. Box 319, Kleinburg ON, L0J 1C0

Phone # 905-893-0046

Fax # \_\_\_\_\_

Email nmalta@mainlineplanning.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: The purpose of this proposal is for a technical consent to create an easement over an existing storm sewer. This technical consent will convey an easement from PIN 14249-0033 (21 Van Kirk Dr) over Parts 8, 11, 15, 16 and 17 in favour of PIN 14249-0032 (25 & 35 Van Kirk Dr).

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.

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

a) Name of Street	<u>Van Kirk Drive</u>	Number	<u>21</u>
b) Concession No.	_____	Lot(s)	_____
c) Registered Plan No.	<u>M-286</u>	Lot(s)	<u>Part of Blocks J &amp; L</u>
d) Reference Plan No.	<u>See Draft R-Plan</u>	Lot(s)	<u>Parts 5 to 17</u>
e) Assessment Roll No.	<u>10-06-0-001-28805-0000</u>	Geographic or Former Township	<u>Brampton</u>

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

Yes ☒ No ☐  
Specify: Subject to and together with LT353007

6. Description of severed land: (in metric units) **Section 6 is Not Applicable**

a) Frontage \_\_\_\_\_ Depth \_\_\_\_\_ Area \_\_\_\_\_

b) Existing Use \_\_\_\_\_ Proposed Use \_\_\_\_\_

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

d) Access will be by:

	Existing	Proposed
Provincial Highway	<input type="checkbox"/>	<input type="checkbox"/>
Municipal Road - Maintained all year	<input type="checkbox"/>	<input type="checkbox"/>
Other Public Road	<input type="checkbox"/>	<input type="checkbox"/>
Regional Road	<input type="checkbox"/>	<input type="checkbox"/>
Seasonal Road	<input type="checkbox"/>	<input type="checkbox"/>
Private Right of Way	<input type="checkbox"/>	<input type="checkbox"/>

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 system	<input type="checkbox"/>	<input type="checkbox"/>
Lake or other body of water	<input type="checkbox"/>	<input type="checkbox"/>
Privately owned and operated individual or communal well	<input type="checkbox"/>	<input type="checkbox"/>

Other (specify): \_\_\_\_\_

g) Sewage disposal will be by:

	Existing	Proposed
Publicly owned and operated sanitary sewer system	<input type="checkbox"/>	<input type="checkbox"/>
Privy	<input type="checkbox"/>	<input type="checkbox"/>
Privately owned and operated individual or communal septic system	<input type="checkbox"/>	<input type="checkbox"/>

Other (specify): \_\_\_\_\_

7. Description of retained land: (in metric units) **Section 7 is Not Applicable**

a) Frontage \_\_\_\_\_ Depth \_\_\_\_\_ Area \_\_\_\_\_

b) Existing Use \_\_\_\_\_ Proposed Use \_\_\_\_\_

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

d) Access will be by:

	Existing	Proposed
Provincial Highway	<input type="checkbox"/>	<input type="checkbox"/>
Municipal Road - Maintained all year	<input type="checkbox"/>	<input type="checkbox"/>
Other Public Road	<input type="checkbox"/>	<input type="checkbox"/>
Regional Road	<input type="checkbox"/>	<input type="checkbox"/>
Seasonal Road	<input type="checkbox"/>	<input type="checkbox"/>
Private Right of Way	<input type="checkbox"/>	<input type="checkbox"/>

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 system	<input type="checkbox"/>	<input type="checkbox"/>
Lake or other body of water	<input type="checkbox"/>	<input type="checkbox"/>
Privately owned and operated individual or communal well	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify):	_____	

g) Sewage disposal will be by:

	Existing	Proposed
Publicly owned and operated sanitary sewer system	<input type="checkbox"/>	<input type="checkbox"/>
Privy	<input type="checkbox"/>	<input type="checkbox"/>
Privately owned and operated individual or communal septic system	<input type="checkbox"/>	<input type="checkbox"/>
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	M4A-2118 (Industrial)	M4A-2118 (Industrial)
Official Plans		
City of Brampton	Industrial	Industrial
Region of Peel	Employment	Employment

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 # DPC-2023-0004 Status/Decision Draft Approval Pending

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	N/A	
Zoning By-law Amendment	N/A	
Minister's Zoning Order	N/A	
Minor Variance	A02-252, A11-132	Approved
Validation of the Title	N/A	
Approval of Power and Sale	N/A	
Plan of Subdivision	N/A	

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 Toronto  
this 23rd day of April, 2024.

  
Signature of Applicant, or Authorized Agent, see note on next page

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

#### DECLARATION

I, Nicholas Malta of the City of Vaughan  
in the County/District/Regional Municipality of York solemnly declare that all the statements contained in this 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 Vaughan  
in the Region of York  
this 23rd day of April, 2024.

  
Signature of applicant/solicitor/authorized agent, etc.

**Nicholas George Moore,**  
a Commissioner, etc., Province of Ontario,  
for Mainline Planning Services Inc.  
Expires December 27, 2026.

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

Received  
By

April 30, 2024  
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, Mantella Corporation,  
(Please print or type full name of the owner)

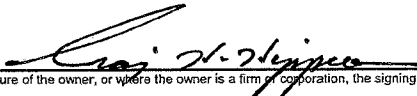
the undersigned, hereby appoint and authorize/have appointed and authorized as my agent(s) for the purpose of:

1. Signing and filing the application(s) on behalf of the undersigned;
1. Mainline Planning Services Inc. ;  
(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. Mainline Planning Services Inc. ;  
(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. Mainline Planning Services Inc. ;  
(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 23rd day of April, 2024.

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

Craig Hippen, President/CFO, Mantella 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**

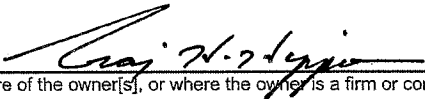
To: The Secretary-Treasurer  
Committee of Adjustment  
City of Brampton  
2 Wellington Street West  
Brampton, Ontario  
L6Y 4R2  
[coa@brampton.ca](mailto:coa@brampton.ca)

LOCATION OF THE SUBJECT LAND: 21 Van Kirk Drive

I/We, Mantella Corporation  
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 23rd day of April, 2024.

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

Craig Hippert, President/CFO, Mantella 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 hereto**

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



LT 353007

OL S/T & T/W  
this B/W as per  
this inst.

ARMBRO MATERIALS & CONSTRUCTION LTD.  
(Incorporated under the laws of Ontario)  
COLLATERAL FIXED AND FLOATING CHARGE DEBENTURE

1. FOR VALUE RECEIVED, the undersigned, ARMBRO MATERIALS & CONSTRUCTION LTD. (hereinafter referred to as the "Borrower"), a corporation incorporated under the laws of Ontario, hereby acknowledges itself indebted to and promises to pay to CANADA PERMANENT MORTGAGE CORPORATION or other registered holder hereof (the "Holder"), at the times hereinafter indicated or on such earlier date as the principal monies hereby secured may become payable in accordance with the terms hereof, the sum of \$3,000,000 together with interest on the said principal amount or any part thereof from time to time outstanding both before and after default and before and after maturity and after judgment (with interest on overdue interest at the same rate) at an annual rate equal to 24%, such interest to be calculated monthly not in advance and to be payable on the 15th day of each month.
2. Payments of both principal and interest are to be made in lawful money of Canada by cheque made payable to the Holder, mailed or delivered to it at such address as it may designate to the Borrower in writing from time to time.
3. As security for the payment of the principal and interest (including interest on overdue interest) and premium, if any,

APPENDIX "A"

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Brampton, in the Regional Municipality of Peel, (formerly in the Township of Chinguacousy, in the County of Peel) and being composed of Part of Lot Blocks J and L, according to a plan of subdivision registered in the Registry Office for the Land Titles Division of Peel, (No. 43), as Plan M-286, and which said parcel is more particularly designated as Parts One and Two, as shown on a plan deposited in the said Registry Office as Plan 43R-8869;

SUBJECT TO and easement for all purposes in favour of the owners, from time to time, of Parts 3 and 4 as shown on Plan 43R-8869 on, over, under and through a strip of land more particularly described as Part 2 as shown on the said Plan 43R-8869;

TOGETHER WITH an easement for all purposes in favour of the owners, from time to time, of Parts 1 and 2 as shown on Plan 43R-8869 on, over, under and through a strip of land more particularly designated as Part 3 as shown on the said Plan 43R-8869.

353007

353007 THE LAND TITLES ACT  
DATED: November 25th 1981

1981 NOV 25 PM 1 04

Entered In:  
Folio: 2  
Parcel: Blk. J-2  
Section: 11-28

*Recently*  
*Real Plan 1*  
*Section 11-28*  
CANADA PERMANENT MORTGAGE CORPORATION  
Suite 1208  
390 Bay Street  
Toronto, Ontario

No: 353007  
Land Titles Division of Peel (No. 43)  
This instrument received at *10/2* in the  
P.M.

NOV 25 1981

Land Registry  
Office at  
Erampton,  
Ontario.

*9 Cannon*  
LOW ACQUISITION

APPLICATION  
Section 98(1)

FASKEN & CALVIN  
Barristers & Solicitors  
Box 30  
Toronto-Dominion Centre  
Toronto, Ontario  
M5K 1C1

BM/njk 72655/909/67

THIS INSTRUMENT  
IS THE PROPERTY OF  
THE LAND REGISTRY OFFICE FOR  
PEEL - 1983

*15.00*  
*C*