



NO. H-250918
VANCOUVER REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA

BARRY CHARLES HOLDINGS LTD.
BECISION HOLDING CORPORATION
G.I.H. PROPERTIES LTD.
MCVICAR & COMPANY HOLDINGS INC.
TNL DEVELOPMENTS LTD.
AMAN GILL
PETER CHAPPELL
SANDRA CHAPPELL
TERESA GAUTREAU

PETITIONER

AND:

27222 LOUGHEED HIGHWAY HOLDINGS LTD.
145 GOLDEN DRIVE LTD.
SKAW PROPERTIES LTD.
WHITEWATER CONCRETE LTD.
WHITEWATER DEVELOPMENTS LTD.
KRYSTLE HOLDINGS LTD.
BASTIAN HOLDINGS LTD.
TRILOGY CONCRETE 2021 LTD.
ROBERT KYLE SMITH
CRAIG ALLEN SMITH
ALL TENANTS OR OCCUPIERS OF THE
SUBJECT LANDS AND PREMISES

RESPONDENTS

ORDER MADE AFTER APPLICATION
(ORDER NISI)

BEFORE ASSOCIATE JUDGE

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27TH DAY OF
OCTOBER, 2025

THE HEARING of the Petition coming on for hearing on the 27th day of October, 2025 at the Courthouse at 800 Smithe Street, Vancouver, British Columbia, AND UPON HEARING Heather A. Frydenlund, Counsel for the Petitioner, and no one else appearing although duly served.

THIS COURT DECLARES THAT:

1. A form of *inter alia* mortgage and assignment of rents made between the Petitioners, BARRY CHARLES HOLDINGS LTD., BECISION HOLDING CORPORATION, G.I.H. PROPERTIES LTD., MCVICAR & COMPANY HOLDINGS INC., TNL DEVELOPMENTS LTD., AMAN GILL, PETER CHAPPELL, SANDRA CHAPPELL, and TERESA GAUTREAU, as Mortgagees, and the Respondents, 27222 LOUGHEED HIGHWAY HOLDINGS LTD. and 145 GOLDEN DRIVE LTD., as Mortgagors, and SKAW PROPERTIES LTD., WHITEWATER CONCRETE LTD., WHITEWATER DEVELOPMENTS LTD., KRYSTLE HOLDINGS LTD., BASTIAN HOLDINGS LTD., TRILOGY CONCRETE 2021 LTD., ROBERT KYLE SMITH, and CRAIG ALLEN SMITH, as Covenantors, dated February 23, 2024, and registered on February 27, 2024 at the New Westminster Land Title Office under numbers CB1182040 and CB1182041, respectively (collectively, the “**Mortgage**”) is a Mortgage charging the following lands and premises:

Civic: 27222 Lougheed Highway, Maple Ridge, V2W 1M4
PID: 024-337-285
PARCEL 1 DISTRICT LOT 433 GROUP 1 NEW WESTMINSTER DISTRICT PLAN
LMP39524

(the “**Lougheed Property**”)

Civic: 145 Golden Drive, Coquitlam, B.C. V3K 6T1
PID: 023-895-128
LOT 3 DISTRICT LOT 67 GROUP 1 NEW WESTMINSTER DISTRICT PLAN LMP35071

(the “**Golden Drive Property**”)

2. the Golden Drive Property has sold;
3. ranking in priority to the interests in the Lougheed Property of the Respondents and each of them, and their respective heirs, executors, administrators, successors and assigns and all persons claiming by, through or under them;

THIS COURT DECLARES AND ORDERS THAT:

4. there has been default under the Mortgage and that the last date for redemption shall be April 27, 2026 (the “**Redemption Date**”);
5. the amount of money due and owing under the Mortgage, and the amount of money required to redeem the Lougheed Property is \$3,245,427.38 on this date, plus interest thereon at the rate of 12%,

calculated and compounded monthly, not in advance, and being a current daily rate of \$1,064.53, accruing from this date to and including the date of payment, plus the assessed costs of the Petitioners of an in connection with this proceeding (collectively, the “**Amount Required to Redeem**”);

6. the Respondents, LOUGHEED HIGHWAY HOLDINGS LTD., SKAW PROPERTIES LTD., KRYSTLE HOLDINGS LTD., BASTIAN HOLDINGS LTD., ROBERT KYLE SMITH, and CRAIG ALLEN SMITH, jointly or severally pay to the Petitioners the sum of \$3,245,427.38, plus interest thereon and the Petitioners’ assessed costs of and in connection with this proceeding;

7. Judgment against Trilogy Concrete 2021 Ltd., 145 Golden Drive Ltd., Whitewater Concrete Ltd., and Whitewater Developments Ltd., is adjourned generally;

8. if the Lougheed Property is not redeemed, the Petitioners shall be at liberty to apply for an Order Absolute and upon pronouncement of an Order Absolute then the Respondents, 27222 LOUGHEED HIGHWAY HOLDINGS LTD. and 145 GOLDEN DRIVE LTD., and their heirs, executors, administrators, successors and assigns of the said Respondents and all persons claiming by, through or under them shall henceforth stand absolutely debarred and foreclosed of and from all right, title, interest and equity of redemption in or to the Lougheed Property, and shall immediately deliver to the Petitioners vacant possession of the Lougheed Property;

9. upon the Respondents, LOUGHEED HIGHWAY HOLDINGS LTD., 145 GOLDEN DRIVE LTD., SKAW PROPERTIES LTD., WHITEWATER CONCRETE LTD., WHITEWATER DEVELOPMENTS LTD., KRYSTLE HOLDINGS LTD., BASTIAN HOLDINGS LTD., ROBERT KYLE SMITH, and CRAIG ALLEN SMITH, paying into the Vancouver Registry of this Honourable Court at 800 Smithe Street, Vancouver, British Columbia, or to the solicitors for the Petitioners or if no such solicitor exists to the Petitioners, the Amount Required to Redeem before pronouncement of Order Absolute or an Order approving a sale of the Lougheed Property, then the Petitioners shall reconvey the Lougheed Property free and clear of all encumbrances in favour of it or by any person claiming by, through or under it, to the said Respondents or Respondents who made payment;

10. the Petitioners are at liberty to apply to this Court for an Order directing an inquiry, assessment or accounting to be held of any amounts due to the Petitioners pursuant to the Mortgage for principal, simple or compound interest, taxes, utilities, insurance expenses, legal or collection expenses, costs, charges or otherwise which are not included in the Amount Required to Redeem, whether such amounts become due before or after the date of pronouncement of this Order, and for an Order varying the Amount Required to Redeem and the Judgment in this Order accordingly;

11. the Petitioners' costs to and including this Order be assessed on a party and party scale ^{AP} basis, and the Petitioners are at liberty to apply for an Order that any of its costs after this Order be assessed on a different basis.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:


Signature of Heather A. Frydenlund,
Counsel for the Petitioners,
Barry Charles Holdings Ltd.,
Becision Holding Corporation,
G.I.H. Properties Ltd.,
McVicar & Company Holdings Ltd.,
TNL Developemnts Ltd.,
Aman Gill,
Peter Chappell,
Sandra Chappell, and
Teresa Gautreau

BY THE COURT


REGISTRAR

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**ORDER MADE AFTER APPLICATION
(ORDER NISI)**

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