

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE MR.) FRIDAY, THE 3rd DAY
JUSTICE HAINEY) OF MAY 2019



IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*, R.S.C. 1985, c. C-36, AS AMENDED

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF FORME DEVELOPMENT GROUP INC. AND THE OTHER COMPANIES LISTED ON SCHEDULE "A" HERETO

APPLICATION UNDER THE *COMPANIES' CREDITORS ARRANGEMENT ACT*, R.S.C. 1985, c. C-36, AS AMENDED

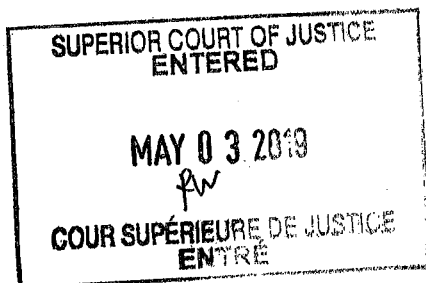
WILSON ANCILLARY ORDER

THIS MOTION, made by KSV Kofman Inc., in its capacity as Court-appointed monitor (in such capacity, the "**Monitor**") of 1326 Wilson Development Inc. (the "**Wilson Applicant**") pursuant to the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36, as amended (the "**CCAA**") was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Notice of Motion and the Monitor's Fifth Report dated April 26, 2019 (the "**Fifth Report**"), together with the appendices thereto, and on hearing the submissions of counsel for the Monitor and such other counsel as were present, no one appearing for any other person on the service list, although properly served as appears from the affidavit of Aiden Nelms sworn April 26, 2019, filed,

1. **THIS COURT ORDERS** that following the delivery of the Monitor's Certificate contemplated by the Wilson Approval and Vesting Order granted on the date hereof, the Monitor is authorized and directed to:

- (a) first, make one or more distributions to pay the commission owing to TD Cornerstone Commercial Realty Inc., being 1.75% of the sale price of the Wilson Property (as defined in the Fifth Report);
- (b) second, make one or more distributions to pay in full all of the property tax arrears relating to the Wilson Property;
- (c) third, make one or more distributions to Morrison Financial Mortgage Corporation ("**Morrison Financial**"), or as it may direct, until the amounts owing to Morrison Financial under its first registered mortgage on the Wilson Property is paid in full;
- (d) fourth, make one or more distributions to pay the fees and expenses owing to the Monitor, counsel for the Monitor and counsel for the Applicants relating to the administration of the CCAA proceedings for the Wilson Applicant; and
- (e) fifth, make one or more distributions of all remaining proceeds to 2348793 Ontario Ltd. and JYR Real Capital Mortgage Investment Corporation, or as they may direct, up to the amount owing under their registered mortgage on the Wilson Property.



A handwritten signature in cursive script, appearing to read "Hailey J.", written over a horizontal line.

SCHEDULE "A"
APPLICANTS

3310 Kingston Development Inc.
1296 Kennedy Development Inc.
1326 Wilson Development Inc.
5507 River Development Inc.
4439 John Development Inc.
2358825 Ontario Ltd.
250 Danforth Development Inc.
159 Carrville Development Inc.
169 Carrville Development Inc.
189 Carrville Development Inc.
27 Anglin Development Inc.
29 Anglin Development Inc.

IN THE MATTER OF THE COMPANIES' CREDITORS ARRANGEMENT ACT, R.S.C. 1985, c. C-36, AS AMENDED
AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF FORMER DEVELOPMENT GROUP INC. AND THE
OTHER COMPANIES LISTED ON SCHEDULE "A" HERETO (the "Applicants")

ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

Proceeding commenced at Toronto

WILSON ANCILLARY ORDER

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Counsel to KSV Kofman Inc., solely in its
capacity as Court-appointed monitor and not
in its personal capacity