



Court File No. CV-16-11389-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

THE HONOURABLE) THURSDAY, THE 1st
)
CHIEF JUSTICE MORAWETZ) DAY OF SEPTEMBER, 2022
)
)

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 URBANCORP TORONTO MANAGEMENT INC., URBANCORP (ST. CLAIR VILLAGE) INC., URBANCORP (PATRICIA) INC., URBANCORP (MALLOW) INC., URBANCORP (LAWRENCE) INC., URBANCORP DOWNSVIEW PARK DEVELOPMENT INC., URBANCORP (952 QUEEN WEST) INC., KING RESIDENTIAL INC., URBANCORP 60 ST. CLAIR INC., HIGH RES. INC., BRIDGE ON KING INC. (Collectively the "Applicants") AND THE AFFILIATED ENTITIES LISTED IN SCHEDULE "A" HERETO

ORDER
(Transfer of Application to Commercial List)

THIS MOTION, made by KSV Restructuring Inc., formerly KSV Kofman Inc., in its capacity as Court-appointed Monitor (the "**Monitor**") of the Applicants and the affiliated entities listed on Schedule "A" (collectively, the "**CCAA Entities**", and each individually a "**CCAA Entity**"), pursuant to the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. c-36, as amended (the "**CCAA**") for an order, among other things, directing that the Application of Mattamy (Downsview) Limited ("**Mattamy**") under Rule 14.05(2) of the Rules of Civil Procedure, R.R.O. 1990, Reg.194, and Section 46 of the *Arbitration Act* 1991, S.O. 1991, c.17 commenced by Notice

of Application bearing Court File No. CV-22-00685084-0000 (the “**Application**”) be transferred to the Commercial List, was heard this day by judicial videoconference using Zoom due to the COVID-19 pandemic.

ON READING the Notice of Motion of the Monitor and the Fifty-Third Report of the Monitor dated August 24, 2022 (the “**Report**”), and on hearing the submissions of respective counsel for the Monitor, Adv. Guy Gissin, in his capacity as the Court-appointed Israeli Functionary of Urbancorp Inc. (the “**Foreign Representative**”), Mattamy, and such other counsel as were present, no one else appearing although duly served as appears from the Affidavits of Service as filed,

SERVICE

1. **THIS COURT ORDERS** that the time for service of the Notice of Motion and the Motion Record herein is hereby abridged and validated so that this Motion is properly returnable today and hereby dispenses with further service thereof.

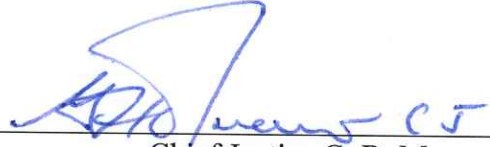
TRANSFER TO COMMERCIAL LIST

2. **THIS COURT ORDERS AND DIRECTS** that the Application be and is hereby transferred to the Commercial List to be heard in these proceedings.

SEALING

3. **THIS COURT ORDERS** that pending further order of this Court, Confidential Appendix “1” to the Report be sealed, kept confidential and not form part of the public record, but rather shall be placed separate and apart from all other contents of the Court file, in a sealed

envelope attached to a notice that sets out the title of these proceedings and a statement that the contents are subject to a sealing order.



Chief Justice G. B. Morawetz

SCHEDULE "A"

LIST OF NON APPLICANT AFFILIATES

Urbancorp Power Holdings Inc.

Vestaco Homes Inc.

Vestaco Investments Inc.

228 Queen's Quay West Limited

Urbancorp Cumberland 1 LP

Urbancorp Cumberland 1 GP Inc.

Urbancorp Partner (King South) Inc.

Urbancorp (North Side) Inc.

Urbancorp Residential Inc.

Urbancorp Realtyco Inc.

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

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**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**

Proceeding commenced at Toronto

**ORDER
(TRANSFER OF APPLICATION TO
COMMERCIAL LIST)**

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