

COURT FILE NUMBER 643 of 2016

COURT QUEEN'S BENCH FOR SASKATCHEWAN
 IN BANKRUPTCY AND INSOLVENCY

JUDICIAL CENTRE SASKATOON

APPLICANTS 101133330 SASKATCHEWAN LTD. and
 101149825 SASKATCHEWAN LTD.

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

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT
OF 101133330 SASKATCHEWAN LTD. and 101149825 SASKATCHEWAN LTD.

SECOND SUPPLEMENTARY AFFIDAVIT OF DAVID CALYNIUK

I, DAVID CALYNIUK, of the City of Saskatoon, in the Province of Saskatchewan,
businessman, MAKE OATH AND SAY THAT:

1. I am the Chief Executive Officer of Land and Commercial Development for
North Ridge Development Corporation ("**North Ridge**"), consultant to 825 and 33330,
such that I have personal knowledge of the facts and matters hereinafter deposed, except
where stated to be on information and belief and, where so stated, I believe the same to
be true.

2. Unless otherwise defined, capitalized terms in this affidavit will have the
meanings given to them in my Affidavit sworn August 12, 2016, the Affidavit sworn
December 16th, 2016 (the "**Second Calyniuk Affidavit**"), as well as the affidavits sworn
by John Orr in these proceedings.

I. INTRODUCTION

3. North Ridge has two roles in these proceedings:

- (a) as the Owner's Consultant for the 825 Land, North Ridge primarily acts as the owner's liaison with Dream, providing advice, direction, and work in relation to the inclusion of the 825 Land in the Willows community by way of Dream's Amended Willows Concept Plan submission to the City; and
 - (b) as the Orr Centre Owner's Consultant, North Ridge's work has focused on conceptualizing redevelopment options for the Campus, as well as identifying and implementing strategies to improve the Orr Centre facilities and cash flows.
4. A discussion of the work completed in each of these roles and the anticipated next steps follows.

II. 825 LAND UPDATE

5. Paragraphs 7 and 16-20 of the Supplementary Affidavit of David Calyniuk explained the nature of the various civil infrastructure studies (including the sanitary study and Remaining Studies) that must be completed in order to finalize Dream's Amended Willows Concept Plan submission. Significant progress has been made on this front in consultation with the City but Dream does not anticipate that the outstanding items discussed below will be completed until late summer of 2017.

(i) The Sanitary Study

6. The inclusion of the 825 Land into the Willows development means additional residential development and therefore increased demands on the existing sewer, water, and storm infrastructure servicing the area. As part of its submission, Dream therefore needs to be able to either demonstrate that there is capacity in the existing system to accommodate additional development on the 825 Land or alternatively to identify the extent of the upgrade that would be necessary to allow for the same.

7. Ordinarily the waste flow calculations would be completed using approved models. For example, the Catterall & Wright Report utilized the City of Regina's

Development Standards Manual for the purposes of its sanitary flow calculations. The City has a similar manual based on the local system and conditions called the *City of Saskatoon Design and Development Standards Manual*.

8. In this case Dream has access to the actual flow rates from the existing Willows development and therefore the ability to more accurately calculate the available capacity which will indicate the maximum density of additional development on the 825 Land without necessarily triggering the need for an upgrade. A sufficient body of data is, however, required. Having monitored the actual flows through the winter months and collected data from this year's spring runoff and initial rain events, Dream plans to carry the study into the summer to gather data in respect of the summer conditions.

9. From a costs perspective it is important that this study be as accurate (and therefore as persuasive to the City) as possible. As part of the arrangement with Dream, 825 is gaining access to the Willows' existing sewer, water, and storm infrastructure in exchange for 825 paying a proportionate share of the development costs. Being able to successfully demonstrate to the City that there is sufficient capacity in the existing system will potentially avoid the additional costs associated with an upgrade entirely; conversely, if the results of the study show that an upgrade is required, the parties will know to a high degree of precision the full extent of the upgrade that is required which will avoid any potential overdesign and associated increase in costs.

(ii) The Remaining Studies

10. Since the last extension application Dream, as lead developer, has corresponded with the City to address the comments and directions it received on the Remaining Studies. As a result the archaeology, environmental, and traffic impact studies have been completed and drafts are currently under review by the City's Planning and Development Department. Aside from the sanitary study the only outstanding submission is the Market Demand Study.

11. It is presently anticipated that the Market Demand Study will be completed by late summer. Absent any unforeseen developments, Dream is aiming to submit the final Amended Willows Concept Plan shortly thereafter which will likely result in the same coming before the City council for final approval in the first or second quarter of 2018.

III. ORR CENTRE UPDATE

A. Overview

12. The Campus and Orr Centre are unique assets. From an investment perspective there are three main considerations in assessing the overall value:

- (a) the bare land value;
- (b) the value of the existing buildings; and
- (c) the value related to the revenue streams.

13. As will be discussed in more detail below, North Ridge's opinion is that the Campus is not currently saleable for a reasonable price due to, among other things, the present zoning designation; consequently, the high level work completed since the last extension application has focused on whether the Campus could be subdivided and/or rezoned so as to increase the redevelopment options and therefore the overall value and pool of prospective purchasers.

14. The discussion below references work product of both North Ridge and its consultants in relation to the Campus. This work product is both technical and economic in nature and would not ordinarily be disclosed, except as required by the City of Regina in the course of the development process. Copies of the engineering and surveying materials referenced below are therefore not appended to this Affidavit, but can be made available for this Honourable Court's review upon request.

15. In terms of the Orr Centre itself North Ridge has conducted:

- (a) walkthroughs of the facilities to identify areas in need of critical repairs or those that should be demolished to accommodate future development; and
 - (b) a full-scale analysis of the existing revenue streams to make recommendations for improving cash flow and reducing the overall operating expenses.
16. The approach employed throughout has been to analyze the Orr Centre and Campus from the perspective of a potential purchaser looking to negotiate the best possible deal for itself, to identify the areas of concern that could reasonably support a reduced purchase price and work towards eliminating the same so as to maximize the potential sale proceeds for the benefit of the stakeholders.

B. The Campus

(i) The Catterall & Wright Report and Initial Site Plans

17. From North Ridge's perspective, the immediate question that needed to be answered in order to consider options to increase the value of the Campus was the extent to which the existing infrastructure could accommodate increased sanitary flows from the parcel, which would aid North Ridge in determining the most advantageous type of development, as well as identify the permissible density of the same.

18. Catterall & Wright was engaged for this purpose and produced a servicing capacity report (the "**Catterall & Wright Report**") which was referenced in the Second Calyniuk Affidavit. The conclusion reached by Catterall & Wright was that the existing infrastructure has sufficient capacity to accommodate:

- (a) residential development to a density of 31.50 units per acre;
- (b) commercial development to an overall site coverage of 41%; or
- (c) combined development at 40 units per acre residential development on 2.3 hectares with 25% of the remaining site devoted to commercial

development.

19. Consequently, 33330 is now in a position to demonstrate to both a prospective purchaser and the City of Regina that the existing infrastructure can support residential and commercial development on the Campus, thereby increasing its value from the perspective of any prospective purchasers.

(ii) **Real Property Report & Sketch Plan and Revised Site Plans**

20. With the servicing capacity determined North Ridge turned its attention to considering the potential for subdivision in the Campus in order to accommodate the permissible levels of development contemplated by the Catterall & Wright Report. For the purposes of each site plan it was necessary to include the addition of a cul-de-sac demonstrating to the City of Regina that the newly subdivided parcels could be independently accessed from Connaught Street, without which subdivision would not be permitted.

21. North Ridge next engaged Webb Surveys to complete a Real Property Report & Sketch Plan (the “**Real Property Report**”) and topographic map (the “**Map**”). The purpose of the Real Property Report is to detail the location of the buildings and easements on the Campus while the Map illustrates in significant detail all of the natural and man-made features of the Campus.

22. With this information North Ridge was able to revise its prospective site plans based on the actual site conditions, which included drafting a specific site plan that included the addition of a senior’s centre using the building footprint of a Regina seniors provider who had privately expressed interest about potentially purchasing a portion of the Campus if the same could be subdivided.

23. As a result of the work performed to date 33330 is in a position to demonstrate to the City of Regina that subdivision and future development on the Campus is possible

and selling a portion (or portions) of the Campus remains a possibility going forward. Regardless of whether a subdivision application is ultimately made, this work has added significant additional value to the Campus from the perspective of a potential purchaser as the Campus' servicing capacity, layout, and topography would otherwise represent areas of concern.

24. For the time being North Ridge does not recommend incurring the costs associated with a subdivision, as there are more viable options that would allow for a significant increase in the bare land value of the Campus in and of itself. Coupled with an aggressive effort to rehabilitate the Orr Centre (and increase the value of the same), the strategy described below has the potential to see the Campus and Orr Centre play a much more integral role in this process than previously anticipated and one that is independent of any future value derived from the sale of the 825 Land.

*(iii) **Rezoning the Campus***

25. The Campus is presently zoned for institutional use which poses significant limitations for the types of future development that can occur on the parcel. Excerpts from the City of Regina, Zoning Bylaw No. 9250 (the "**Zoning Bylaw**") are attached collectively as **Exhibit "A."** As stated therein, the aim of institutional zoning from the City of Regina's perspective is "to provide sites for, and regulate the provision of, public owned facilities of an institutional and community service nature," and the land uses that are permitted as of right include the construction of a fire or police station, community college or centre, hospital, and library.

26. A rezoning application to allow for a broader scope of land uses and future development would therefore have a significant positive impact on the bare land value of the Campus. The Catterall & Wright Report, Real Property Report, and Map, the costs of which have already been incurred, are all necessary supporting documents for the rezoning application. While 33330 effectively has a head start on the process there are still other studies and engineering work that are required as part of the rezoning

application. A Traffic Impact Study has already been initiated in that regard.

27. Catterall & Wright has been engaged to complete the remaining work and the anticipated date of completion is mid-June of this year. The rezoning application will be submitted to the City of Regina at that time and the procedure that follows is summarized in the flow chart retrieved from the City of Regina's online Zoning Bylaw Amendment Application, a copy of which is attached as **Exhibit "B."** The anticipated timeframe for receiving the City council's decision is between six and eight months. Absent any unforeseen difficulties, the Campus rezoning application is therefore expected to dovetail with the City's response in relation to the Amended Willows Concept Plan at which point the Companies anticipate being in a position to put a formal plan of arrangement to the stakeholders for consideration.

C. The Orr Centre

(i) Introduction

28. Over and above the bare land value of the Campus, an investor will consider the value of the physical buildings comprising the Orr Centre and the associated net operating income; consequently, with a strategy in place to increase the bare land value of the Campus, North Ridge focused on analyzing the state of the existing facilities and understanding the Orr Centre cash flows.

29. On or about March 13, 2017, I visited the Campus for a walkthrough in order to more fully familiarize myself with the present condition the multiple buildings comprising the Orr Centre. A complete space-by-space analysis of the entire Orr Centre is beyond the scope of this affidavit. For the sake of economy, what follows will describe the areas that are:

- (a) in a state of good repair and otherwise compliant with commercial leasing standards;

- (b) in need of reasonable repairs but that should otherwise be included in any overall strategy for rehabilitating the property; and
- (c) candidates for demolition in order to accommodate future development.

30. After the initial assessment was completed I visited the Campus a second time on or about April 10, 2017 with a representative of Wright Construction Western Inc. (“**Wright Construction**”) with a view to further evaluating the condition of the various buildings and tenant spaces as well as pricing the recommended repair and demolition work.

31. I also arranged for a representative of Welldone Mechanical Services Inc. (“**Welldone Mechanical**”) to visit the Orr Centre to review the Orr Centre’s HVAC equipment and provide a quotation for an assessment of the same.

(ii) **The U of S**

32. The U of S’ College of Nursing Campus is in good physical condition as a result of the U of S’ significant leasehold improvements. The primary point of concern in relation to the U of S’ space that was communicated to North Ridge is the proper functioning of its dedicated HVAC unit. Put simply, there was not sufficient heat in the winter or cooling in the summer.

33. In response to a call from the U of S reporting uncomfortably hot temperatures in the lecture theatre on or about May 6, 2017 (which was a Friday), Welldone Mechanical started diagnostics the following Monday. Welldone Mechanical recommended a number of repairs that have now been completed and the most recent report as of May 17 is that the unit is thus far performing in a satisfactory manner.

34. From an investor perspective, the presence of a reliable tenant, such as the U of S, on the Campus has inherent value over and above the rental income alone, and presents a conceptual foundation upon which to base plans for future development. I understand

from the previous affidavit materials filed in these proceedings that the seniors' concept has been presented as a viable option, and North Ridge does not disagree. Seniors' housing is a discretionary use under the existing zoning designation that would indeed complement the presence of the nursing college. Rather than limit future options, North Ridge has proposed zoning that will still allow for the construction of a seniors' centre, but also additional complimentary commercial uses.

(iii) Office Space and Racquetball Courts

35. In addition to the U of S, there are a number of additional office spaces in the Orr Centre that are in a state of good repair, while the presently unused racquetball courts are in excellent physical condition and represent a potential future revenue stream.

36. I have had preliminary discussions with the Canadian Racquetball Association, and will also be following up with the Saskatchewan Racquetball Association going forward. My understanding is that there is a level of interest in leasing the courts but that upgrades to the washroom and change room facilities would likely be required as part of any such arrangement. Given the cost of other remedial and assessment work that is presently underway and the demolition work that is being recommended, these capital improvements may not be recommended to be undertaken by 33330, unless there is a viable business case to support the same. It may be that a potential tenant would undertake the upgrades as tenant improvements under a new lease arrangement; however, the possibility has yet to be explored.

(iv) The SALPN and Daycare Units

37. The Saskatchewan Association of Licensed Practical Nurses' ("SALPN") unit has experienced a number of temperature, odour, and water issues. Immediately after these concerns were communicated to me by the Companies' legal counsel I undertook an investigation of the same with Wright Construction while onsite.

38. The concerns observed included:

- (a) issues with the improper installation of windows;
- (b) areas of the drywall that have residual water damage from an indoor sprinkler flood that occurred in 2016;
- (c) certain doors and other hardware that are not properly fitted so as to function properly; and
- (d) other miscellaneous items, such as portions of the flooring being in need of replacement.

39. This work was priced by Wright Construction and is in the process of being completed. With the outstanding issues addressed, the SALPN unit will be one of the more attractive spaces in the Orr Centre from a commercial leasing perspective.

40. The odour problem was reported to be related to a toilet located in Orr Centre daycare's unit, which is being replaced along with other renovations to the bathroom and touch-ups to the overall daycare space.

(v) **The Dormitories**

41. As shown in the Real Property Report and Map, there are five dormitory buildings located on the Campus:

- (a) the dormitory situated on the southwest corner of the Campus (the "**Connaught Dorm**");
- (b) the dormitory situated on the southeast corner of the Campus and attached to the Orr Centre itself (the "**Lewvan Dorm**"); and
- (c) three dormitories located on the northern portion of the Campus (the "**Remaining Dorms**").

(collectively, the "**Dorms**")

42. The Connaught Dorm and Lewvan Dorm are vacant, while two of the three

Remaining Dorms have a number of rooms rented to residential tenants for a total revenue of \$1,435 per month.

43. In the circumstances, a cost benefit analysis suggests that the stakeholders would be better served if the Dorms were demolished, the reasons for which include, but are not limited to, the following:

- (a) despite 33330's past efforts, the nursing students do not appear to be interested in renting any of the available rooms, and it is my understanding that some of the nursing students have actually expressed safety concerns with respect to the vacant and occupied Dorms;
- (b) while certain rooms in the Remaining Dorms are rentable as they are, the state of repair and square footage of the units only allows for a minimal amount of rent to be charged in respect of the same;
- (c) early in its retainer as the Orr Centre Owner's Consultant, North Ridge conducted a rough pricing analysis in relation to the possibility of upgrading one of the Dorms, and concluded that an entirely new residential building of a similar size could be constructed for a comparable price such that it was not economically feasible; and
- (d) as shown in the copy of the Campus' 2016 property tax statement attached as **Exhibit "C,"** the Dorms are assessed as multi-residential buildings, and account for approximately \$35,162.92 (i.e., ~33%) of 33330's \$106,554.30 property tax liability for the Campus, such that there would be substantial ongoing savings if the Dorms were to be demolished.

44. A copy of the repair and demolition quotation prepared by Wright Construction is attached as **Exhibit "D."** The repairs to the SALPN and daycare units are already underway and expected to be completed shortly. For the reasons already stated, North Ridge is recommending that 33330 proceed with the initial demolition of the Connaught Dorm and Lewvan Dorm. Subject to funding concerns North Ridge is recommending that all of the Dorms be completely demolished to accommodate eventual future development and realization of the associated tax savings.

(vi) **The HVAC Assessment**

45. A copy of Welldone Mechanical's estimate for providing a preliminary HVAC assessment of the units and related control systems for the U of S, SALPN, and daycare units is attached as **Exhibit "E."** The assessment is currently underway.

46. The preliminary assessment of the HVAC equipment is complete and it is anticipated at the time of swearing this affidavit that the controls assessment will be completed in the next week. Welldone Mechanical has indicated that there are a significant number of issues with the HVAC equipment, but that it requires time to compile the list of deficiencies and pricing on the components. It has requested that a site meeting be held once this work is completed to walk through its assessment in order to discuss allocating the available funding in the most efficient manner. A contingency budget is recommended to be established until the full extent and cost of the repairs have been ascertained.

47. Finally, Welldone Mechanical has been retained as the Orr Centre's preferred mechanical maintenance contractor, and will provide on call emergency services to the tenants going forward.

(vii) **Orr Centre Lease Review**

48. Since the last extension application, North Ridge has spent a considerable amount of time reviewing the individual Orr Centre lease agreements with the Companies' legal counsel, the aim of which was to:

- (a) compile a rent roll for the Orr Centre;
- (b) understand the individual relationships, as well as whether any agreements are set to expire in the near future; and
- (c) draft a standard form Orr Centre lease agreement to be used with all new tenants going forward.

49. An immediate area of concern was the fact that all of the Orr Centre leases utilize the “gross lease” concept, requiring 33330 to carry all of the property tax, insurance, and maintenance costs. For a commercial leasing project of this size, North Ridge would ordinarily expect all of the tenants to have net lease arrangements, with any shortfall in the yearly operating costs being charged back to the tenants. Were the net lease concept acceptable to the existing tenants, 33330 could implement a standard form lease and move towards a more traditional commercial leasing model that included professional property management.

50. With this in mind, North Ridge initiated contact with some of the existing tenants to determine whether there was any appetite to renegotiate net leases, which North Ridge believes would reduce 33330’s operating costs. Unfortunately, this does not appear to be a possibility at this time.

(viii) Retention of Colliers

51. It was nevertheless concluded in the course of conducting this exercise, however, that the retention of third party property management was something that was desired by not just 33330’s primary secured creditor, but also a number of the key tenants.

52. North Ridge conducted a further analysis of 33330’s profit and loss statements and further concluded that the retention of a professional property manager would also likely result in a reduction of the Orr Centre’s operating costs. In the result, the recommendation was made that 33330 make further reductions to its payroll associated with the Orr Centre and retain CIR Commercial Realty Inc. (“**Colliers**”) to assume control of managing the property.

53. The final version of the Companies’ 31 week cash flows show the Orr Centre’s total rental income for the period to be \$533,036.00 and operating costs of \$433,228.00, for a net balance of \$99,808.00. On an annualized basis we are presently projecting a net

operating income of \$167,420.00. Applying a modest capitalization rate of 8% would indicate a value of \$2,092,750.00 based on the same. The goal is to continue to increase the net operating income and in turn the associated valuation.

IV. CONCLUSION OF THE OWNER'S CONSULTANT

54. The practical reality of land development is that it is a slow moving process. While a developer can do its best to ensure that its background work and studies are completed within certain timeframes, the timing for receiving the requisite approvals is outside of its control. Significant progress has been made with respect to the 825 Land in so far as the Remaining Studies have been completed and a significant amount of data has been gathered for Dream's sanitary study. More time is needed to complete the latter and there will then be a waiting period between the anticipated late-summer submission of the finalized Amended Willows Concept Plan and approval from the City council. It is expected that approval will be obtained in the first or second quarter of 2018.

55. Since the last extension application the majority of the work in relation to the Amended Willows Concept Plan has been handled by the lead developer, Dream, which has allowed North Ridge to focus most of its efforts on the Campus and Orr Centre. The proposed plan for moving forward on that front entails making an application to rezone the Campus to a designation that allows for a broader scope of land uses, which will result in a significant increase in the value of the bare land itself. The estimated timing for obtaining rezoning approval appears should dovetail closely with the City approval of the Amended Willows Concept Plan in early 2018.

56. In terms of the Orr Centre itself, a number of repairs and upgrades have been made undertaken to certain units and the HVAC equipment to address specific tenant concerns; however, there are still many unknowns that will affect both the budget and the amount of demolition work that will occur. The focus moving forward will be to continue to add value to the facilities themselves and improve the cash flows and control costs which will in turn have a positive impact upon the capitalization rate to a future

investor, thereby increasing the overall value of the asset.

57. I therefore swear this Affidavit in support of the application that is presently before this Honourable Court.

SWORN (OR AFFIRMED) BEFORE ME)
at the City of Saskatoon, in the Province of)
Saskatchewan, this 23rd day of May, 2017.)


A COMMISSIONER FOR OATHS for
Saskatchewan - Being a Solicitor.


DAVID CALYNIUK

CONTACT INFORMATION AND ADDRESS FOR SERVICE:

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Name of lawyer in charge of file:	Ian A. Sutherland
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Email address (if any):	isutherland@mcdougallgauley.com

A COMMISSIONER FOR OATHS FOR
SASKATCHEWAN
Being a Solicitor

Temporary Uses

Temporary uses in this zone shall be subject to the regulations in
Chapter 12.

(5) Non-conforming Uses

Non-conforming uses in this zone shall be subject to the provisions in
Chapter 13.

(6) Parking and Loading

Parking and loading facilities in this zone shall be provided in accordance
with the provisions in Chapter 14.

(7) Landscaping and Buffering

Landscaping and buffering in this zone shall be provided in accordance
with the provisions in Chapter 15.

(8) Signs

The erection of signs in this zone shall be in accordance with the
provisions in Chapter 16.

(9) Development Permits

Applications for development permits in this zone shall be made in
accordance with the provisions in Chapter 18. [1992/9250]

9C.5 INSTITUTIONAL ZONE (I)

5.1 INTENT

- (1) The institutional zone is designed to provide sites for, and regulate the provision of, public owned facilities of an institutional and community service nature.
- (2) The zone is confined to lands owned, controlled, regulated, used or proposed to be used by public bodies for public benefit.
- (3) The zone implements the objective of the Development Plan to promote development that contributes to the maintenance and improvement of the quality of life. It will also provide opportunities to realize the diverse park, recreation and open space objectives of the Development Plan.
[1992/9250]

5.2 PERMITTED USES

As specified in Table 5.4 of Chapter 5. [1992/9250]

5.3 DISCRETIONARY USES

As specified in Table 5.4 of Chapter 5. [1992/9250]

5.4 DEVELOPMENT STANDARDS

- (1) As specified in Table 5.9 of Chapter 5.
- (2) Exceptions to the development standards in Table 5.9 are specified in Part 9B. [1992/9250]

5.5 ADDITIONAL REGULATIONS

(1) General Development Regulations

The general development regulations in Chapter 4 shall apply to developments in this zone.

(2) Overlay Zones

The Overlay Zone regulations in Chapter 10 shall apply to any portion of this zone that lies within an overlay zone.

(3) Accessory Uses

Accessory uses in this zone shall be subject to the provisions in Chapter 11.

(4) Temporary Uses

Temporary uses in this zone shall be subject to the regulations in Chapter 12.

(5) Non-conforming Uses

Non-conforming uses in this zone shall be subject to the provisions in Chapter 13.

(6) Parking and Loading

Parking and loading facilities in this zone shall be provided in accordance with the provisions in Chapter 14.

(7) Landscaping and Buffering

Landscaping and buffering in this zone shall be provided in accordance with the provisions in Chapter 15.

(8) Signs

TABLE 5.4: TABLE OF LAND USES - SPECIAL ZONES [2003-6]

LAND USE TYPE	SIC CODE	LAND USE ZONE¹							
		AIR	FW	I	PS	PUD	RR	UH	WC
KEY: P=Permitted Use; D=Discretionary Use; Blank Space=Prohibited use									
RESIDENTIAL									
Apartment, Seniors Assisted Living – Low Rise [2005-34]	999			D					
Apartment, Seniors Assisted Living – High Rise [2005-34]	999			D					
Detached Dwelling	999			D²		P		D²	
Detached Dwelling, Zero Lot Line	999					P			
Secondary Suite [2001-91]	999			P		P		P	
AGRICULTURAL									
Agricultural Production [1997/9904]	01		P					P	
Horticultural Specialties [1996/9776]	018		D					D	
Vegetable Production [1996/9776]	016		D					D	
PUBLIC ADMINISTRATION									
Fire Station	9224			P					
Police Station	9221			P					
SERVICES [2003-1; 2003-2; 2003-32]									
Amusement Park, Commercial	7996							D	
Aquarium, Indoor	8422			D					
Auditorium or Amphitheatre	999			D					
Bed and Breakfast Homestay [1995/9736]¹²	702					D			
Campground	7033							D	
Care Home, Special⁶	805			D					
Cemetery	7261			D	D				
College, Community	8222			P					
Community Centre	999			P	P				
Convent	8661			D					
Day Care Centre, Adult [1995/9736]⁹	999			P	D	D			
Day Care Centre, Child [1995/9736]⁹	835			P	D	D			
		AIR	FW	I	PS	PUD	RR	UH	WC

TABLE 5.4: TABLE OF LAND USES - SPECIAL ZONES [2003-6]									
LAND USE TYPE	SIC CODE	LAND USE ZONE¹							
		AIR	FW	I	PS	PUD	RR	UH	WC
KEY: P=Permitted Use; D=Discretionary Use; Blank Space=Prohibited use									
SERVICES (continued)									
Exhibition Operation	7999				D				
Golf Course or Golf Driving Range	7992, 7997, 7999		D		P			D	
Home-Based Business¹⁰ [2006-14]	999					P			
Hospital	806			P					
Humanitarian Service Facility [2003-2]	999			D	D				
Individual and Family Social Service Home [2003-1]	999			D					
Job Training and Vocational Rehabilitation	833			P					
Library	823			P	D⁵				
Medical Clinic	801,802 [2015-1]				D⁵				
Nursery School⁹ [2003-1]	999			P	D	D			
Religious Institution[2013-64]⁸	866			D	D			D	
Rink, Curling	999				D				
Rink, Ice Skating	7999		D¹		P³ D⁴				
School, Private	821, 824, 829			P					
School, Public	821, 824, 829			P					
School, Vocational	824			P					
Stadium (Professional Sports Clubs and Promoters)¹³	7941				P¹⁴				
Supportive Living Home⁶	805					P			
Theatre, Drive-in	7833							D	
University, College and Professional School	8221			P					
Zoological Garden	8422			D					
		AIR	FW	I	PS	PUD	RR	UH	WC

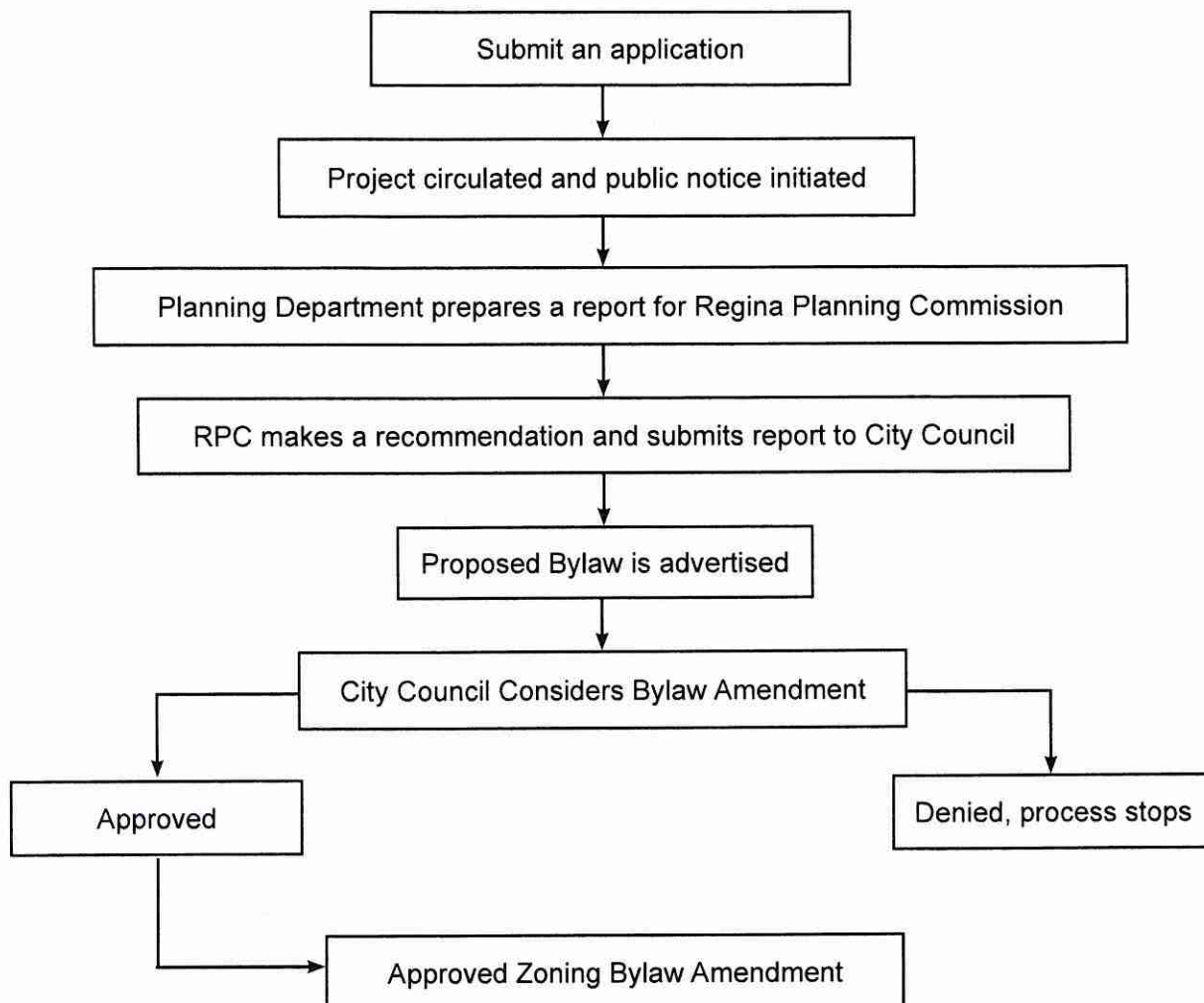
TABLE 5.4: TABLE OF LAND USES - SPECIAL ZONES [2003-6]

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LAND USE TYPE	SIC CODE	LAND USE ZONE¹							
		AIR	FW	I	PS	PUD	RR	UH	WC
KEY: P=Permitted Use; D=Discretionary Use; Blank Space=Prohibited use									
TRANSPORTATION AND PUBLIC UTILITIES									
Ambulance Service	4119			D					
Licensed Restaurant	5812				D⁵				
Personal Service	999				D⁵				
Post Office	431			P					
Railroad Transportation	40						P		
Restaurant	5812				D⁵				
Truck and Freight Terminals [2009-24]	4231						P		
Warehousing	42						D		
CULTURE AND RECREATION									
Art Gallery or Museum	841			P	D⁵				
Community Garden [2006 – 63]	999	P	P	P	P	P	P	P	P
MISCELLANEOUS									
Park and Open Space [1999/10120; 2003-32]	999		D	P	P				
Public Use¹¹ [2003-1]	999		P	P	P	P	P	P	
		AIR	FW	I	PS	PUD	RR	UH	WC
Notes:									
1	Land use zone abbreviations are explained in Chapter 3								
2	Accessory to a permitted or discretionary use.								
3	Outdoor.								
4	Indoor.								
5	Only in conjunction with municipally owned or operated recreational facility.								
6	Refer to the regulations in Subpart 6D.2.								
7	Deleted. [2006-14]								
8	Refer to the regulations in Subpart 9D.1 and development standards for the I-Institutional zone in Table 5.9. [1997/9904]								
9	Refer to the regulations in Subpart 4C.1.								
10	Refer to the regulations in Subpart 6D.3.								
11	Refer to the regulations in Subpart 4C.2.								
12	Refer to the regulations in Subpart 6D.1. [1995/9736]								
13	Refer to the regulations in Subpart 9D.2								
14	Repealed. [2015-1]								

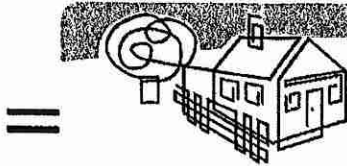
THIS IS EXHIBIT "B" REFERRED TO IN THE
SECOND SUPPLEMENTARY AFFIDAVIT
OF DAVID CALYNIUK SWORN BEFORE
ME AT THE CITY OF SASKATOON,
IN THE PROVINCE OF SASKATCHEWAN,
THIS 23RD DAY OF MAY, 2017.

A COMMISSIONER FOR OATHS FOR
SASKATCHEWAN
Being a Solicitor

ing Bylaw Amendment Procedure



A COMMISSIONER FOR OATHS FOR
SASKATCHEWAN
Being a Solicitor



2016

Property Address
4400 4TH AVENUE

Account Number
10187033

Statement Date
May 5, 2016

Assessed Persons
101133330 SASKATCHEWAN LTD.

Assessed Parcel
Plan: 75R32425 Block: A/E; Plan: 59R20949
Block: 28 Lot: 7; Plan: 101889344 Block: 28
Lot: 9

Taxable Assessment
7,034,500

Leap Year

Mortgage Company

Mortgage Number

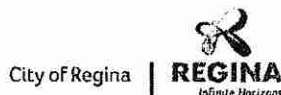
Taxation Period
January to December

	Taxable Assessment	x	Mill Rate	x	Mill Rate Factor	=	Amount
Education Taxes	Public Support: 71%						
	Commercial	2,255,585	8.2800	1.00000		\$18,676.24	
	Multi-Residential	1,772,231	5.0300	1.00000		\$8,914.32	
	Separate Support: 29%						
	Commercial	921,295	8.2800	1.00000		\$7,628.32	
	Multi-Residential	723,869	5.0300	1.00000		\$3,641.06	
Provincial legislation requires the City of Regina to collect education taxes. Education taxes are set by the province and are paid directly to the School Divisions.							
Total School Taxes (36% of total taxes) ▶							\$38,859.94
Library Taxes	Commercial	3,176,880	0.9594	1.32901		\$4,060.68	
	Multi-Residential	2,496,100	0.9594	0.87880		\$2,104.51	
Total Library Taxes (6% of total taxes) ▶							\$6,165.19
Municipal Taxes	Commercial	3,176,880	9.5920	1.32901		\$40,498.43	
	Multi-Residential	2,496,100	9.5920	0.87880		\$21,040.74	
Total Municipal Taxes (58% of total taxes) ▶							\$61,539.17
Total 2016 Taxes ▶							\$106,554.30
Balance on account as of May 05, 2016							(\$9,728.32)
Total Balance Due by June 30, 2016 ▶							\$96,825.98

21256

Interested in the Tax Installment Payment Plan? For more information or an application form, go to Regina.ca or call 306-777-7000.
E & O.E. See reverse for payment options.

Property Tax Payment Stub



Attach this portion to your payment.



10187033 000009682598 20160505

101133330 SASKATCHEWAN LTD.
C/O ORR DEVELOPMENTS
163 CARTWRIGHT AVENUE
TORONTO ON M6A 1V5

000001

Payment Due Date: June 30, 2016

Account Number:	10187033
Property Address:	4400 4TH AVENUE
Balance Due:	\$96,825.98
Amount Paid:	

Orr Center - Wright Construction Scope Breakdown

Total Budget (as presented):

Connaught Building Demo	63,000
Connaught Building Demo (Backfill)	14,000
Connaught Building Demo (Landscape) - OPTIONAL	12,500
Lewvan Building Demo	50,000
Lewvan Building Demo (Backfill)	10,000
Lewvan Building Demo (Landscape) - OPTIONAL	10,000
Utility disconnects (Demo) - All buildings	11,000
Rear Residential - Large	68,200
Rear Residential - Small	36,960
Rear Residential (Landscape) - OPTIONAL	25,000
SALPN - Replace Windows (aluminum)	76,800
SALPN - Remove & Replace Drywall	7,680
SALPN - Doors & hardware	1,875
Contingency	100,000
	487,015
General Conditions	18,801
Markup	25,291
Insurance, Permits	8,599
	<u>\$ 539,705</u>

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THIS 23RD DAY OF MAY, 2017.


A COMMISSIONER FOR OATHS FOR
SASKATCHEWAN
Being a Solicitor

Initial Scope:

Connaught Building Demo	63,000	
Connaught Building Demo (Backfill)	14,000	
Lewvan Building Demo	50,000	
Lewvan Building Demo (Backfill)	10,000	
Utility disconnects (Demo) -	5,500	
SALPN - Replace Windows	37,000	NOTE: Assumed we can re-use existing and re-install pro
SALPN - Remove & Replace Drywall	7,680	
SALPN - Doors & hardware	1,875	
SALPN - General Fit Out (Cash Allowance)	10,000	NOTE: Flooring, general improvements
Daycare - Basement Reno (Cash Allowance)	15,000	Includes: New Toilet, bathroom repairs, general touchup:
	214,055	
General Conditions	6%	12,843
Markup	7%	14,984
Insurance, Permits		8,599
		250,481
Contingency		50,000
		<u>\$ 300,481</u>

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IN THE PROVINCE OF SASKATCHEWAN,
THIS 23RD DAY OF MAY, 2017.

A COMMISSIONER FOR OATHS FOR
SASKATCHEWAN
Being a Solicitor

April 18th, 2017

Attention: David Calyniuk

Orr Centre HVAC Equipment Assessment

A preliminary walk through of the Orr Centre building revealed HVAC equipment with varying degrees of age (5 - 40+ years), with signs of component failure and the need for maintenance (basic and high level calibration).

The following proposal only addresses the HVAC equipment serving the 4 most critical areas, which in order of importance, were articulated as:

- 1) U of S Nursing Classrooms
- 2) U of S Library
- 3) SALPN (Saskatchewan Association of Licensed Practical Nurses)
- 4) Daycare

1. U of S Nursing Classrooms

The university classrooms are served by 2 RTUs and 2 Boilers:

RTUs: Providing Heating and Cooling

- 1- Lennox RTU (2006) connected into the Building Management System (BMS).
- 1- Lennox RTU (Original to the building- 1975) not connected into the BMS

Boilers: Providing Heating

- 2- Laars boilers (Original to the Building) controls do not appear to be connected to the BMS.

Assessment of the boiler includes verifying boiler components such as:

- pumps,
- feed tanks,
- expansion tanks and,
- safeties (but **does not** include the controls portion ie. Zone valves, thermostats, VAVs and actuators)

Operation, test and assessment: \$2800-\$3700

2. U of S Library

The library is served by an AAON Air Handler which includes:

- gas heating,
- an economizer and
- a remote condensing unit.
- 2 boilers also provide heating to this space (both of which have already been replaced since 2012 due to heat exchanger failure)

Air Handler: Providing heating and cooling

- 1- AAON Air Handler (approx. 2012) connected into the BMS

Boilers: Providing Heating

- 2- Navien Boilers (approx. 2012), appears to be connected into the BMS

Operation, test and assessment: \$1140-\$1900

3 & 4- SALPN and Daycare (Note: Both of these areas are served by the same equipment)

The spaces occupied by SALPN and the Daycare are served by:

- 2 McQuay Air Handlers,
- 2 remote AAON condensing units.
- RBI Boiler that provides heating to hydronic coils located throughout the air distribution system

Air Handlers: Provide heating and cooling

- 2- McQuay Air Handlers (approx. 12-15 years old)

Boiler: Provides heating to heating coils

- 1- RBI Boiler (approx. 12-15 years old)

Operation, test and assessment: \$1460-\$2500

5. Controls/BMS

Controls and the BMS are an integral part of the reliability and functionality of an HVAC system. Controls include, but are not limited to:

- thermostats,
- zone valves,
- VAVs,
- actuators,
- dampers and
- BMS technology.

At this time, the extent and number of controls are unknown, and as such cannot be quoted.

It is important to note that even if a piece of equipment is working properly, unless the controls are calibrated, interlocked and responding correctly, the system will not function as designed.

To fully understand the various controls systems (pneumatic and BMS) and how they interact with the equipment, will require a better understanding of the building and significant investigation.

Our best guess for operating, testing, tracing, mapping and assessing the controls system will be approximately:

\$5,000-\$12,000

Once the controls/BMS investigation begins and if we reach the \$6,000 range we will contact David to inform on how much more is required to fully understand the system.

Summary

U of S Classrooms:	\$2,800-\$3,700
U of S Library:	\$1,140-\$1,900
SALPN and Daycare:	\$1,460-\$2,500
Controls/BMS:	\$5,000-\$12,000
Total:	\$10,400-\$20,100

NOTES

1. The above estimates include assessing the units only, and **DOES NOT** include repairs or mapping out the air distribution system.
2. During the assessment, additional equipment and components may be uncovered. In this case, David will be contacted to decide whether or not to add into the scope of the job.
3. The air compressor which would be responsible for operating the pneumatic controls will be assessed under the controls section.
4. There are a number of other pieces of HVAC equipment at the Orr Centre, but were not included in this report as they serve areas that were deemed non-critical.
5. Typical manufacturer life span for HVAC equipment is 15-20 years. This should be considered when deciding when to repair versus replace.
6. All applicable taxes apply.