

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

THE HONOURABLE ) THURSDAY, THE  
JUSTICE KIMMEL ) 30<sup>TH</sup> DAY OF MARCH, 2023

B E T W E E N:

**PEOPLES TRUST COMPANY**

Applicant

- and -

**ROSE OF SHARON (ONTARIO) RETIREMENT COMMUNITY**

Respondent

APPLICATION UNDER section 243 of the *Bankruptcy and Insolvency Act*, R.S.C. 1985 c B-3,  
as amended, and section 101 of the *Courts of Justice Act*, as amended

**ORDER  
(Approval of Vesting Certificates)**

**THIS MOTION**, made by Deloitte Restructuring Inc. in its capacity as the Court-appointed receiver (the “**Receiver**”) of the undertaking, property and assets of Rose of Sharon (Ontario) Retirement Community was heard this day at 330 University Avenue, Toronto, Ontario.

**ON READING** the Fourteenth Report of the Receiver dated 22 March 2023 (the “**Fourteenth Report**”) and on hearing the submissions of counsel for the Receiver, no one appearing for any other person on the service list:

1. **THIS COURT ORDERS AND DECLARES** that: (a) Receiver’s actions in completing the Receiver’s Certificates as authorized and directed by paragraph 4 of the Approval and Vesting Order dated 27 July 2022 (the “**Condo AVO**”) as described in the Fourteenth Report be and are

hereby validated and approved; and (b) the property described in **Appendix A** to the Fourteenth Report and attached as **Schedule A** to this Order (the “Purchased Property”) is vested in the persons identified opposite each person’s name on **Schedule A** (the “**Purchaser**”) as contemplated by the Condo AVO free and clear of the Encumbrances (as defined in the Condo AVO) identified on **Appendix B** to the Fourteenth Report and attached as **Schedule B** to this Order

2. **THIS COURT ORDERS AND DECLARES** that:

- (a) once completed by the Receiver as contemplated by paragraph 4 of the Condo AVO, a Vesting Certificate (as defined by the AVO) constitutes part of the Condo AVO to which it is attached and is an Order of the Superior Court under which the property identified on the Vesting Certificate is vested in the purchaser(s) identified in that Vesting Certificate free and clear of the encumbrances identified in the Vesting Certificate for the purposes of s. 25(2) of the *Land Titles Act*, RSO 1990, c L.5 (the “**LTA**”); and
  - (b) the land registrar shall, without requiring further evidence or proof, make such entries in the register as are necessary to give effect to the Condo AVO and this Order by: (a) reflecting the Purchasers identified on **Schedule A** as the owner of the Purchased Property identified opposite the name of that Purchaser on the **Schedule A**; and (b) deleting and expunging from title to the Purchased Property the Encumbrances identified on **Schedule B** all as required by paragraph 5 of the Condo AVO.
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**SCHEDULE A**  
**PURCHASERS AND PURCHASED PROPERTIES**

**PURCHASERS AND PURCHASED PROPERTY**

# of Units sold	Suite#	PIN(s)	Purchaser (s) Capacity
1.	901	<p><b>PIN 76911-0066 (LT)</b></p> <p>UNIT 1, LEVEL 6, TORONTO STANDARD CONDOMINIUM PLAN NO. 2911 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN AT6082534; CITY OF TORONTO</p> <p><b>PIN 76911-0141 (LT)</b></p> <p>UNIT 36, LEVEL A, TORONTO STANDARD CONDOMINIUM PLAN NO. 2911 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN AT6082534; CITY OF TORONTO</p>	<p><b>DELGADO, ANDREW FERREIRA</b></p> <p>as Tenants In Common as to a 99% Interest</p> <p><b>FIDA, JOSEPH THOMAS</b></p> <p>as Tenants In Common as to a 1% Interest</p>
2.	907	<p><b>PIN 76911-0071 (LT)</b></p> <p>UNIT 6, LEVEL 6, TORONTO STANDARD CONDOMINIUM PLAN NO. 2911 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN AT6082534; CITY OF TORONTO</p> <p><b>PIN 76911-0132 (LT)</b></p> <p>UNIT 27, LEVEL A, TORONTO STANDARD CONDOMINIUM PLAN NO. 2911 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN AT6082534; CITY OF TORONTO</p>	<p><b>JIN, MEI HUI</b></p> <p>as Registered Owner</p>
3.	701	<p><b>PIN 76911-0042 (LT)</b></p> <p>UNIT 1, LEVEL 4, TORONTO STANDARD CONDOMINIUM PLAN NO. 2911 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN AT6082534; CITY OF TORONTO</p>	<p><b>ORTEGA, AMY</b></p> <p><b>VIJAYARAGHAVAN, AJITH</b></p> <p>as Joint Tenants</p>

**PURCHASERS AND PURCHASED PROPERTY**

# of Units sold	Suite#	PIN(s)	Purchaser (s) Capacity
4.	PH7	<p><b>PIN 76911- 0100 (LT)</b></p> <p>UNIT 3, LEVEL 9, TORONTO STANDARD CONDOMINIUM PLAN NO. 2911 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN AT6082534; CITY OF TORONTO</p> <p><b>PIN 76911- 0174 (LT)</b></p> <p>UNIT 20, LEVEL B, TORONTO STANDARD CONDOMINIUM PLAN NO. 2911 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN AT6082534; CITY OF TORONTO</p> <p><b>PIN 76911- 0175 (LT)</b></p> <p>UNIT 21, LEVEL B, TORONTO STANDARD CONDOMINIUM PLAN NO. 2911 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN AT6082534; CITY OF TORONTO</p>	<p><b>PETERSON, MAGDALENE</b>                      <b>CLARE</b></p> <p>as Registered Owner</p>
5.	PH3	<p><b>PIN 76911-0098 (LT)</b></p> <p>UNIT 1, LEVEL 9, TORONTO STANDARD CONDOMINIUM PLAN NO. 2911 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN AT6082534; CITY OF TORONTO</p> <p><b>PIN 76911-0170 (LT)</b></p> <p>UNIT 16, LEVEL B, TORONTO STANDARD CONDOMINIUM PLAN NO. 2911 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN AT6082534; CITY OF TORONTO</p>	<p><b>PERL, MIRIAM</b></p> <p>as Registered Owner</p>

**PURCHASERS AND PURCHASED PROPERTY**

# of Units sold	Suite#	PIN(s)	Purchaser (s) Capacity
6.	210	<p><b>PIN 76911-0014 (LT)</b></p> <p>UNIT 9, LEVEL 2, TORONTO STANDARD CONDOMINIUM PLAN NO. 2911 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN AT6082534; CITY OF TORONTO</p> <p><b>PIN 76911-0108 (LT)</b></p> <p>UNIT 3, LEVEL A, TORONTO STANDARD CONDOMINIUM PLAN NO. 2911 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN AT6082534; CITY OF TORONTO</p> <p><b>PIN 76911-0173 (LT)</b></p> <p>UNIT 19, LEVEL B, TORONTO STANDARD CONDOMINIUM PLAN NO. 2911 AND ITS APPURTENANT INTEREST; SUBJECT TO AND TOGETHER WITH EASEMENTS AS SET OUT IN SCHEDULE A AS IN AT6082534; CITY OF TORONTO</p>	<p><b>2509960 ONTARIO LTD.</b></p> <p>as Registered Owner</p>

**SCHEDULE B**  
**ENCUMBRANCES TO BE DELETED AND EXPUNGED FROM TITLE**

**ENCUMBRANCES TO BE DELETED AND EXPUNGED FROM TITLE**

<b>REGISTRATION NO.</b>	<b>DATE</b>	<b>INSTRUMENT TYPE</b>	<b>PARTIES FROM</b>	<b>PARTIES TO</b>
CA600752	1999/05/14	CHARGE		MIKAL CONSTRUCTION INC.
E579089	2002/08/02	CHARGE	ROSE OF SHARON (ONTARIO) RETIREMENT COMMUNITY	TURFPRO INVESTMENTS INC.
AT1040316	2006/01/19	APL (GENERAL)	MIKAL CONSTRUCTION INC.	ROSE OF SHARON (ONTARIO) RETIREMENT COMMUNITY
AT1040360	2006/01/19	TRANSFER OF CHARGE	MIKAL CONSTRUCTION INC.	TURFPRO INVESTMENTS INC.
AT1040424	2006/01/19	CHARGE	ROSE OF SHARON (ONTARIO) RETIREMENT COMMUNITY	MIJO HOLDINGS INC.
AT1450426	2007/05/18	CHARGE	ROSE OF SHARON (ONTARIO) RETIREMENT COMMUNITY	PEOPLES TRUST COMPANY
AT1450427	2007/05/18	NO ASSGN RENT GEN	ROSE OF SHARON (ONTARIO) RETIREMENT COMMUNITY	PEOPLES TRUST COMPANY
AT1450457	2007/05/18	POSTPONEMENT	TURFPRO INVESTMENTS INC.	PEOPLES TRUST COMPANY



**ENCUMBRANCES TO BE DELETED AND EXPUNGED FROM TITLE**

AT1450458	2007/05/18	POSTPONEMENT	TURFPRO INVESTMENTS INC.	PEOPLES TRUST COMPANY
AT1450459	2007/05/18	POSTPONEMENT	MIJO HOLDINGS INC.	PEOPLES TRUST COMPANY
AT1450745	2007/05/18	TRANSFER OF CHARGE	MIJO HOLDINGS INC.	UNIMAC GROUP LTD.
AT1949790	2008/11/14	CHARGE	ROSE OF SHARON (ONTARIO) RETIREMENT COMMUNITY	IWOK CORPORATION
AT1949960	2008/11/14	POSTPONEMENT	TURFPRO INVESTMENTS INC.	IWOK CORPORATION
AT1949961	2008/11/14	POSTPONEMENT	TURFPRO INVESTMENTS INC.	IWOK CORPORATION
AT1950125	2008/11/14	POSTPONEMENT	UNIMAC GROUP LTD.	IWOK CORPORATION
AT2318865	2010/03/02	TRANSFER OF CHARGE	UNIMAC GROUP LTD.	IWOK CORPORATION
AT2547993	2010/11/09	NOTICE OF LEASE	ROSE OF SHARON (ONTARIO) RETIREMENT COMMUNITY	YORK HEALTH CARE DEVELOPMENTS INC.
AT2579872	2010/12/16	NOTICE OF LEASE	ROSE OF SHARON (ONTARIO) RETIREMENT COMMUNITY	BERG, ROBERT
AT2601817	2011/01/19	NOTICE OF LEASE	ROSE OF SHARON (ONTARIO) RETIREMENT COMMUNITY	YOON, ALBERT

ENCUMBRANCES TO BE DELETED AND EXPUNGED FROM TITLE

AT2908311	2011/12/30	TRANSFER OF CHARGE	IWOK CORPORATION	MORRISON FINANCIAL SERVICES LIMITED
AT3416400	2013/09/26	TRANSFER OF CHARGE	MORRISON FINANCIAL SERVICES LIMITED	2383431 ONTARIO INC
AT3461665	2013/11/25	TRANSFER OF CHARGE	IWOK CORPORATION	2381682 ONTARIO INC.
AT5781875	2021/06/29	APPLICATION TO REGISTER COURT ORDER	ONTARIO SUPERIOR COURT OF JUSTICE	DELOITTE RESTRUCTURING INC.

**PEOPLES TRUST COMPANY**

-and-

**ROSE OF SHARON (ONTARIO) RETIREMENT  
COMMUNITY**

Applicant

Respondent

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

PROCEEDING COMMENCED AT  
TORONTO

**ORDER**

**GOWLING WLG (CANADA) LLP**

Barristers & Solicitors  
1 First Canadian Place  
100 King Street West, Suite 1600  
Toronto ON M5X 1G5

E. Patrick Shea (#39665K)  
Tel: (416) 369-7399  
Fax: (416) 862-7661

Lawyers for the Receiver