



No. S253365  
Vancouver Registry

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

BETWEEN:

PEOPLES TRUST COMPANY/COMPAGNIE DE FIDUCIE PEOPLES

Petitioner

AND:

PEAK DEVELOPMENTS CORP., PEAK DEVELOPMENTS LIMITED PARTNERSHIP, WESTCASTLE HOLDINGS LTD., WESTCASTLE LAND DEVELOPMENTS CORP., BOULEVARD CONSTRUCTION CORPORATION, RIVERVIEW CUSTOM HOMES LTD., PHIL SALGADO, also known as PHILIP SALGADO, CHRIS YORK, also known as CHRISTOPHER YORK, MACKAY CONTRACTING LTD., KULKON CONSTRUCTION CORP., 1111053 B.C. LTD. DOING BUSINESS AS JJ MECHANICAL, GAUER POWER LTD., IKA BUILDERS INC., 689048 ALBERTA LIMITED, STEPHEN DOUGLAS HOWG doing business as STP PAINTING, JOHN DOE AND ALL TENANTS OR OCCUPIERS OF THE SUBJECT LANDS AND PREMISES

Respondents



**ORDER MADE AFTER APPLICATION  
(ORDER APPROVING SALE)**

BEFORE ) MR. JUSTICE MILMAN ) 2/JUN/2026  
) )

The application of D. Manning & Associates Inc. in its capacity as receiver and manager of PEAK DEVELOPMENTS CORP. and PEAK DEVELOPMENTS LIMITED PARTNERSHIP (the "Receiver"), coming on for hearing on June 2, 2026, at 800 Smithe Street, Vancouver, BC, and upon hearing Jonathan Williams, appearing as counsel for the Receiver, those counsel listed in Schedule "A" hereto, and no one else appearing although duly served, and on reading the material filed:

THIS COURT ORDERS THAT:

1. The sale of the following lands and premises:

PARCEL IDENTIFIER: 031-836-780  
LOT 1 DISTRICT LOT 2378  
KOOTENAY DISTRICT PLAN EPP124173

(the "Lands")

to 500-305 ST. KIMBERLEY INC. (the "Purchaser"), or if amended or assigned by the Purchaser and agreed to by the Receiver, on the terms and conditions set out in the contract of purchase and sale dated April 28, 2026, which was assigned to the Purchaser on May 8, 2026, for the sum of \$7,500,000.00, is hereby approved.

2. Upon filing a certified copy of this order in the Land Title Office together with a letter from the Receiver's solicitor authorizing such registration and subject to the terms of this order, the Lands be conveyed to and vest in the Purchaser in fee simple, free and clear of any estate, right, title, interest, equity of redemption, and other claims of the parties, excepting only the reservations, provisos, exceptions, and conditions expressed in the original grant(s) thereof from the Crown.
3. The date for completion, adjustment and possession be set 14 business days after court approval or so soon before or so soon thereafter as the Receiver and the Purchaser shall agree.
4. The net purchase price after adjustments shall be paid to Owen Bird Law Corporation, in trust, and shall be paid out in accordance with the following priorities without further order:
  - a) in payment of any outstanding property taxes, water and sewer rates, interest and penalties thereon;
  - b) in payment of any real estate commission of 3.00% percent plus GST to be paid from the proceeds of the gross selling price;
  - c) GST, if payable;
  - d) the balance then remaining of the proceeds of the sale to Peoples Trust Company.

5. For the purpose of issuing title and in respect of the Lands, the following charges, liens, encumbrances, caveats, mortgages, and certificates of pending litigation be cancelled insofar as they apply to the Lands:

<b>RESPONDENTS</b>	<b>NATURE OF INTEREST</b>	<b>REGISTRATION NUMBER</b>
MackKay Contracting Ltd.	Claim of lien	CB1826406
Kulkon Construction Corp.	Claim of lien	CB1876435
1111053 BC Ltd., dba JJ Mechanical	Claim of lien	CB1921687
Riverview Custom Homes Ltd.	Claim of lien	CB1927469
IKA Builders Inc.	Claim of lien	HB12546
Westcastle Holdings Ltd.	Claim of lien	CB1939465
689048 Alberta Limited	Claim of lien	CB1944843
Steven Douglas Howg	Claim of lien	HB13198
Kulkon Construction Corp.	CPL	CB2045728
South-Way Equipment Rental Ltd.	Claim of lien	HB14261
1111053 BC Ltd., dba JJ Mechanical	CPL	CB2066336
IKA Builders Inc.	CPL	CB2625684
IKA Builders Inc.	CPL	CB2679437

together with any other charges, liens, encumbrances, caveats, mortgages, or certificates of pending litigation registered against the Lands subsequent to charge number CB2353343.

6. The respondent, Peak Developments Corp., or any person or persons on behalf of the said respondent, including any tenants or occupants of the Lands, shall immediately deliver up to the Receiver or to who it shall appoint in writing, possession of the Lands. If the said respondent, or any person claiming by through or under them, including without limitation, any tenants or occupants of

the Lands, fails to deliver up vacant possession to the Receiver immediately, then the Receiver may apply to the Registrar for a writ of possession under Rule 13-2(13) without further order.

7. The parties may apply for such further direction as may be necessary to carry out this order.
8. The signatures of all counsel appearing on this application other than counsel for the Receiver is hereby dispensed with.

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 Jonathan Williams, lawyer for Receiver

BY THE COURT



\_\_\_\_\_  
REGISTRAR

Certified a true copy according to  
the records of the Supreme Court  
at Vancouver, B.C.  
DATED: JUN 02 2026

  
\_\_\_\_\_  
Authorized Signing Officer  
MICHAEL CHAN

SCHEDULE "A"

Counsel:	Appearing for:
Cody Reedman /	2594335 Alberta Ltd.
Sarah James	

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*In the Supreme Court of British Columbia*

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Petitioner

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DEVELOPMENTS LIMITED PARTNERSHIP,  
WESTCASTLE HOLDINGS LTD., WESTCASTLE LAND  
DEVELOPMENTS CORP., BOULEVARD  
CONSTRUCTION CORPORATION, RIVERVIEW  
CUSTOM HOMES LTD., PHIL SALGADO, also known as  
PHILIP SALGADO, CHRIS YORK, also known as  
CHRISTOPHER YORK, MACKAY CONTRACTING LTD.,  
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DOING BUSINESS AS JJ MECHANICAL, GAUER  
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**OWEN BIRD LAW CORPORATION**

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Vancouver Centre II  
2900 – 733 Seymour Street  
Vancouver, BC V7B 0S6  
Attention: Jonathan L. Williams  
File No. 23024-0139  
(HL Litigation)

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