



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, STEVEN DOUGLAS HOWG, also known as STEVEN
DOUGLAS HOWG doing business as STP PAINTING, JOHN DOE AND ALL
TENANTS OR OCCUPIERS OF THE SUBJECT LANDS AND PREMISES**

Respondents

**IN THE MATTER OF THE RECEIVERSHIP OF PEAK DEVELOPMENTS CORP. and
PEAK DEVELOPMENTS LIMITED PARTNERSHIP**

ORDER MADE AFTER APPLICATION

BEFORE THE HONOURABLE

MR. JUSTICE MILMAN

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**WEDNESDAY, THE 25TH DAY OF JUNE,
2025**

**ON THE APPLICATION of D. MANNING & ASSOCIATES INC. as RECEIVER AND
MANAGER (the "Receiver") of all of the assets, undertakings and property of PEAK
DEVELOPMENTS CORP. and PEAK DEVELOPMENTS LIMITED PARTNERSHIP
(collectively, the "Debtor") acquired for, or used in relation to a business carried on by the
Debtor in constructing residential and commercial strata lots located at 500 – 302nd
Avenue, Kimberley, British Columbia, legally described as, City of Kimberley, Parcel
Identifier 031-836-780, Lot 1, District Lot 2378, Kootenay District, Plan EPP124173 (the
"Lands"), coming on for hearing this day at Vancouver, British Columbia.**

**AND ON READING the Report of the Receiver dated June 20, 2025, and the affidavits
and pleadings filed herein; AND ON HEARING Jonathan L. Williams, Counsel for the**

Receiver, and other counsel as listed on Schedule "A" hereto, and no one else appearing, although duly served.

THIS COURT ORDERS AND DECLARES that:

1. The time for service of the notice of application for this order is hereby abridged and validated so that the notice of application is properly returnable today and this Court hereby dispenses with further service thereof.
2. The order made herein by the honourable Mr. Justice Milman, dated May 6, 2025 (the "Initial Order") is hereby amended, by deleting subparagraph 2(r) of the Initial Order, and replacing it with:

(r) to receive further advances of the Petitioner's loan to the Debtor, up to \$2,000,000 (which amount may be further increased be either by the agreement of the parties hereto or further Order of this Court) for the purpose of carrying on its duties pursuant hereto which advances will be in full priority to all Respondents and all Claims of Builders' Lien, pursuant to s. 32(5) of the *Builders' Lien Act* S.B.C. 1997 c.45.
3. All other terms of the Initial Order remain valid and subsisting.
4. Endorsement of this Order by counsel appearing on this application other than the Petitioner is dispensed with.

THE FOLLOWING PARTIES APPROVE OF THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:

APPROVED BY:



Signature of Jonathan L. Williams
lawyer for Petitioner

BY THE COURT

REGISTRAR

Schedule "A"

Counsel Appearing

<u>Name</u>	<u>Party</u>
Robyn Gurofsky	PEAK DEVELOPMENTS CORP., PEAK DEVELOPMENTS L.P.
Chantal Wang	IKA BUILDERS INC.
K. Lane	MACKAY CONTRACTING LTD.

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COLUMBIA

BETWEEN:

Peoples Trust Company/Compagnie De Fiducie

Petitioner

- and -

PEAK DEVELOPMENTS
CORP. and others

Respondents

RECEIVERSHIP ORDER
