

FORM 109
(RULE 22-2 (2) AND (7))



• This is the 1st affidavit
of Gilbert Lafleur
in this case and was made
on 18 Dec 2025

Affidavit has been sworn or
affirmed by video conference

Court File 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,
DOUGLAS HOWG doing business as STP PAINTING,
JOHN DOE AND ALL TENANTS OR OCCUPIERS OF THE
SUBJECT LANDS AND PREMISES

Respondents

AFFIDAVIT

[Rule 22-2 applies to affidavits and Rule 22-3 of the Supreme Court Civil Rules applies to all forms.]

I, Gilbert Lafleur of 2020 35 Ave NE, Calgary, AB T2E 6W4, Construction Manager of IKA Builders Inc.

SWEAR (OR AFFIRM) THAT:

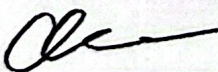
1. I am a construction manager with IKA Builders Inc. and worked on site at the Kimberley Crossing project from approximately June 24, 2024 to August 15, 2025, and as such have

A handwritten signature in black ink, appearing to be "Gilbert Lafleur", located at the bottom right of the page.

personal knowledge of the matters hereinafter deposed to, save and except where the same are stated to be based upon information and belief, and where so stated I verily believe the same to be true.

2. Attached hereto as Exhibit "A" to this Affidavit is a true copy of images taken on February 20, 2025 on site at Kimberley Crossing project located at 500-302nd Avenue, Kimberley, BC, V1A 3H7.
3. The roof and attic water ingress issues were evident no later than February 20, 2025, were known to Cal Harvey, Randy, and Phil Salgado, and remained unresolved into December 2025, such that the conditions observed then were a continuation of earlier defects rather than a newly arising issue.
4. Based on the photographs attached to the email sent by Mr. Jonathan Williams on December 17, 2025, I believe the affected unit is Building B3, Unit #3, in the kitchen/living room area. The images show dried water staining on the subfloor consistent with a prior water ingress event, as well as cut drywall in the upper left corner with dried staining, which was opened to allow ventilation and facilitate natural drying of the building assembly following the earlier leak to prevent mold growth.
5. I acknowledge the solemnity of making a sworn statement/solemn declaration and acknowledge the consequences of making an untrue statement.
6. I was not physically present before the person before whom this affidavit was sworn or affirmed but was in that person's presence using video conferencing.

SWORN (OR AFFIRMED) BEFORE)
ME at Vancouver, British Columbia,)
on December 18, 2025.)


A commissioner for taking affidavits)
for British Columbia)

CHANCHAN WANG
A Commissioner for Oaths
in and for British Columbia
Lawyer, Notary Public


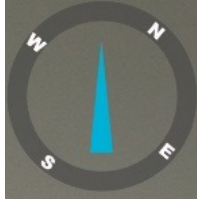

GILBERT LAFLEUR

Exhibit A

The time-stamped photograph attached as Exhibit "A" shows that water ingress at the roof existed as of February 20, 2025, which contradicts the suggestion that the roof leak was first discovered in December 2025.

CHANCHAN WANG
A Commissioner for Oaths
in and for British Columbia
Lawyer, Notary Public



February 20, 2025 at 08:57:09

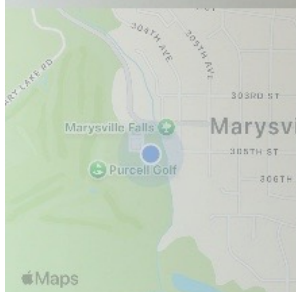
321° NW

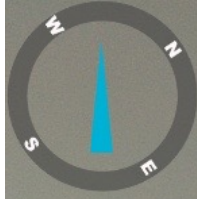
305th St

Kimberley BC V1A 3H6

Canada

Altitude:946.9meter





February 20, 2025 at 08:57:00

304° NW

305th St

Kimberley BC V1A 3H6

Canada

Altitude:946.9meter