

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

THE HONOURABLE MADAM	)	THURSDAY, THE 8 th
	)	
JUSTICE J. STEELE	)	DAY OF OCTOBER, 2026

B E T W E E N:

WINDSOR PRIVATE CAPITAL LIMITED PARTNERSHIP
and WINDSOR II LIMITED PARTNERSHIP

Applicants

- and -

2352107 ONTARIO INC.

Respondent

**IN THE MATTER OF AN APPLICATION UNDER SECTION 243(1) OF THE
BANKRUPTCY AND INSOLVENCY ACT, R.S.C. 1985, c.B-3, AS AMENDED, SECTION
101 OF THE *COURTS OF JUSTICE ACT*, R.S.O. 1990 c. c.43, AS AMENDED**

ORDER

THIS MOTION made by Albert Gelman Inc., in its capacity as receiver (in such capacity, the “**Receiver**”) of the real property municipally known as 175 Melvin Robson Avenue, Aurora, Ontario and all assets, undertakings and properties of 2352107 Ontario Inc., on consent of the Lien Claimant, Elements Air Systems Inc., pursuant to section 47 of the *Construction Act*, R.S.O. 1990, c. C. 30, as amended, for an Order discharging the Construction Lien of the Lien Claimant,

Elements Air Systems Inc., and dismissing Ontario Superior Court of Justice action bearing Court File No. CV-25-00004940-0000, without costs, was heard this day at 330 University Avenue in Toronto, via Zoom videoconference.

ON READING the Affidavit of Jordan Kupinsky sworn October 5, 2026, and the consent of the Lien Claimant, Elements Air Systems Inc., filed, and upon hearing submissions of counsel for the Receiver and the Applicants, no one else appearing, although duly served as set out in the affidavit of service of Antoinette De Pinto sworn October 6, 2026 filed,

1. **THIS COURT ORDERS** that the time for service of the Receiver's Notice of Motion dated October 5, 2026, and the related motion material filed in support of that Notice of Motion (collectively, the "**Motion Record**"), is hereby abridged, and that service of the Motion Record is hereby validated, and that further service thereof is hereby dispensed with.
2. **THIS COURT ORDERS** that the Construction Lien of Elements Air Systems Inc. registered in the Land Registry Office for the Land Titles Division (No.65), as Instrument No. YR3875716 on December 11, 2025, against the lands and premises described in Schedule "A" attached hereto, be discharged.
3. **THIS COURT ORDERS** that the Certificate of Action of Elements Air Systems Inc. registered in the Land Registry Office for the Land Titles Division (No. 65, as Instrument No. YR3880997 on December 29, 2025, be vacated.

4. **THIS COURT ORDERS** that the action commenced by the Lien Claimant, Elements Air Systems Inc., in the Ontario Superior Court of Justice bearing Court File No. CV-25-00004940-0000 is hereby dismissed without costs.
5. **THIS COURT ORDERS** that a copy of this Order shall be placed in Ontario Superior Court File No. CV-25-00004940-0000.
6. **THIS COURT ORDERS** that a copy of this Order be served upon the lawyers for the Lien Claimant, Elements Air Systems Inc., forthwith after entry.

**Jana
Steele** Digitally signed
by Jana Steele
Date: 2026.10.08
14:08:13 -04'00'

Schedule “A”

PIN	30132 - 0001 LT
Description	UNIT 1, LEVEL 1, YORK REGION STANDARD CONDOMINIUM PLAN NO. 1600 AND ITS APPURTENANT INTEREST; SUBJECT TO EASEMENTS AS SET OUT IN SCHEDULE A AS IN YR3868859; TOWN OF AURORA
Address	AURORA
PIN	30132 - 0002 LT
Description	UNIT 2, LEVEL 1, YORK REGION STANDARD CONDOMINIUM PLAN NO. 1600 AND ITS APPURTENANT INTEREST; SUBJECT TO EASEMENTS AS SET OUT IN SCHEDULE A AS IN YR3868859; TOWN OF AURORA
Address	AURORA
PIN	30132 - 0003 LT
Description	UNIT 3, LEVEL 1, YORK REGION STANDARD CONDOMINIUM PLAN NO. 1600 AND ITS APPURTENANT INTEREST; SUBJECT TO EASEMENTS AS SET OUT IN SCHEDULE A AS IN YR3868859; TOWN OF AURORA
Address	AURORA
PIN	30132 - 0004 LT
Description	UNIT 4, LEVEL 1, YORK REGION STANDARD CONDOMINIUM PLAN NO. 1600 AND ITS APPURTENANT INTEREST; SUBJECT TO EASEMENTS AS SET OUT IN SCHEDULE A AS IN YR3868859; TOWN OF AURORA
Address	AURORA
PIN	30132 - 0005 LT

Description	UNIT 5, LEVEL 1, YORK REGION STANDARD CONDOMINIUM PLAN NO. 1600 AND ITS APPURTENANT INTEREST; SUBJECT TO EASEMENTS AS SET OUT IN SCHEDULE A AS IN YR3868859; TOWN OF AURORA
Address	AURORA
PIN	30132 - 0006 LT
Description	UNIT 6, LEVEL 1, YORK REGION STANDARD CONDOMINIUM PLAN NO. 1600 AND ITS APPURTENANT INTEREST; SUBJECT TO EASEMENTS AS SET OUT IN SCHEDULE A AS IN YR3868859; TOWN OF AURORA
Address	AURORA
PIN	30132 - 0007 LT
Description	UNIT 7, LEVEL 1, YORK REGION STANDARD CONDOMINIUM PLAN NO. 1600 AND ITS APPURTENANT INTEREST; SUBJECT TO EASEMENTS AS SET OUT IN SCHEDULE A AS IN YR3868859; TOWN OF AURORA
Address	AURORA
PIN	30132 - 0008 LT
Description	UNIT 8, LEVEL 1, YORK REGION STANDARD CONDOMINIUM PLAN NO. 1600 AND ITS APPURTENANT INTEREST; SUBJECT TO EASEMENTS AS SET OUT IN SCHEDULE A AS IN YR3868859; TOWN OF AURORA
Address	AURORA
PIN	30132 - 0009 LT
Description	UNIT 9, LEVEL 1, YORK REGION STANDARD CONDOMINIUM PLAN NO. 1600 AND ITS APPURTENANT INTEREST; SUBJECT TO EASEMENTS AS SET OUT IN SCHEDULE A AS IN YR3868859; TOWN OF AURORA

Address	AURORA
PIN	30132 - 0010 LT
Description	UNIT 10, LEVEL 1, YORK REGION STANDARD CONDOMINIUM PLAN NO. 1600 AND ITS APPURTENANT INTEREST; SUBJECT TO EASEMENTS AS SET OUT IN SCHEDULE A AS IN YR3868859; TOWN OF AURORA
Address	AURORA
PIN	30132 - 0011 LT
Description	UNIT 11, LEVEL 1, YORK REGION STANDARD CONDOMINIUM PLAN NO. 1600 AND ITS APPURTENANT INTEREST; SUBJECT TO EASEMENTS AS SET OUT IN SCHEDULE A AS IN YR3868859; TOWN OF AURORA
Address	AURORA
PIN	30132 - 0012 LT
Description	UNIT 12, LEVEL 1, YORK REGION STANDARD CONDOMINIUM PLAN NO. 1600 AND ITS APPURTENANT INTEREST; SUBJECT TO EASEMENTS AS SET OUT IN SCHEDULE A AS IN YR3868859; TOWN OF AURORA
Address	AURORA
PIN	30132 - 0013 LT
Description	UNIT 13, LEVEL 1, YORK REGION STANDARD CONDOMINIUM PLAN NO. 1600 AND ITS APPURTENANT INTEREST; SUBJECT TO EASEMENTS AS SET OUT IN SCHEDULE A AS IN YR3868859; TOWN OF AURORA
Address	AURORA
PIN	30132 - 0014 LT

Description	UNIT 14, LEVEL 1, YORK REGION STANDARD CONDOMINIUM PLAN NO. 1600 AND ITS APPURTENANT INTEREST; SUBJECT TO EASEMENTS AS SET OUT IN SCHEDULE A AS IN YR3868859; TOWN OF AURORA
Address	AURORA
PIN	30132 - 0015 LT
Description	UNIT 15, LEVEL 1, YORK REGION STANDARD CONDOMINIUM PLAN NO. 1600 AND ITS APPURTENANT INTEREST; SUBJECT TO EASEMENTS AS SET OUT IN SCHEDULE A AS IN YR3868859; TOWN OF AURORA
Address	AURORA
PIN	30132 - 0016 LT
Description	UNIT 16, LEVEL 1, YORK REGION STANDARD CONDOMINIUM PLAN NO. 1600 AND ITS APPURTENANT INTEREST; SUBJECT TO EASEMENTS AS SET OUT IN SCHEDULE A AS IN YR3868859; TOWN OF AURORA
Address	AURORA
PIN	30132 - 0017 LT
Description	UNIT 17, LEVEL 1, YORK REGION STANDARD CONDOMINIUM PLAN NO. 1600 AND ITS APPURTENANT INTEREST; SUBJECT TO EASEMENTS AS SET OUT IN SCHEDULE A AS IN YR3868859; TOWN OF AURORA
Address	AURORA
PIN	30132 - 0018 LT
Description	UNIT 18, LEVEL 1, YORK REGION STANDARD CONDOMINIUM PLAN NO. 1600 AND ITS APPURTENANT INTEREST; SUBJECT TO EASEMENTS AS SET OUT IN SCHEDULE A AS IN YR3868859; TOWN OF AURORA

Address	AURORA
PIN	30132 - 0019 LT
Description	UNIT 19, LEVEL 1, YORK REGION STANDARD CONDOMINIUM PLAN NO. 1600 AND ITS APPURTENANT INTEREST; SUBJECT TO EASEMENTS AS SET OUT IN SCHEDULE A AS IN YR3868859; TOWN OF AURORA
Address	AURORA
PIN	30132 - 0020 LT
Description	UNIT 20, LEVEL 1, YORK REGION STANDARD CONDOMINIUM PLAN NO. 1600 AND ITS APPURTENANT INTEREST; SUBJECT TO EASEMENTS AS SET OUT IN SCHEDULE A AS IN YR3868859; TOWN OF AURORA
Address	AURORA
PIN	30132 - 0021 LT
Description	UNIT 21, LEVEL 1, YORK REGION STANDARD CONDOMINIUM PLAN NO. 1600 AND ITS APPURTENANT INTEREST; SUBJECT TO EASEMENTS AS SET OUT IN SCHEDULE A AS IN YR3868859; TOWN OF AURORA
Address	AURORA
PIN	30132 - 0022 LT
Description	UNIT 22, LEVEL 1, YORK REGION STANDARD CONDOMINIUM PLAN NO. 1600 AND ITS APPURTENANT INTEREST; SUBJECT TO EASEMENTS AS SET OUT IN SCHEDULE A AS IN YR3868859; TOWN OF AURORA
Address	AURORA
PIN	30132 - 0023 LT

Description UNIT 23, LEVEL 1, YORK REGION STANDARD
 CONDOMINIUM PLAN NO. 1600 AND ITS
 APPURTENANT INTEREST; SUBJECT TO
 EASEMENTS AS SET OUT IN SCHEDULE A AS IN
 YR3868859; TOWN OF AURORA

Address AURORA

PIN 30132 - 0024 LT

Description UNIT 24, LEVEL 1, YORK REGION STANDARD
 CONDOMINIUM PLAN NO. 1600 AND ITS
 APPURTENANT INTEREST; SUBJECT TO
 EASEMENTS AS SET OUT IN SCHEDULE A AS IN
 YR3868859; TOWN OF AURORA

Address AURORA

WINDSOR PRIVATE CAPITAL LIMITED PARTNERSHIP et. al.

-and-

2352107 ONTARIO INC.

Applicants

Respondent

Court File No. CL-26-00000005-0000

ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

Proceeding commenced in Toronto

ORDER

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