

April 19, 2022

To: All Creditors

Re: Notice of Intention to Make a Proposal ("NOI")

During the past two years the COVID-19 pandemic has impacted us all in ways that none could have predicted. Throughout this time, we have remained committed to doing everything possible to support our Gateway franchisees so they can emerge from the pandemic and thrive when things return to the new normal.

We are finally seeing positive signs of growth as people return to their workplaces, use transit, and go shopping. It is impossible to say whether any more setbacks are on the horizon, but we are hopeful that we've turned a page and can look forward to a better future.

To continue operating throughout the pandemic we have had to make some difficult choices. While we have received tremendous support from many of partners, we are emerging from the past two years with more liabilities than our business can support. To continue supporting our franchisees and our business into the future, we have made the decision that we need to restructure our debts.

Gateway Market Canada Inc., along with its affiliated companies, Tobmar Investments Inc. and Tobmar Investments International Inc. have each filed a Notice of Intention to Make a Proposal ("NOI") on April 19, 2022, under the provisions of the *Bankruptcy and Insolvency Act*. The NOI is a legal process that will permit us to restructure our financial affairs by making a proposal to our creditors. We will be working with our creditors on a restructuring plan, and hope to emerge with an improved ability to operate into the future.

As the economy continues to reopen and people return to their workplaces and normal routines, we and our franchisees will remain focused on providing service to our returning customers and growing our businesses. On behalf of our many franchisees who depend on our landlords, business partners and creditors for their livelihoods, we extend our sincere thanks and gratitude for your continued support during these challenging times.

Please feel free to reach out to us if you have any questions.

Gateway Market Canada Inc.

Per:



Mary Kelly
Chief Executive Officer
647-929-9371
mkelly@gatewaynewstands.ca



Kevin Farrell
Chief Operating Officer
416-566-5349
kfarrell@gatewaymarket.ca



April 22, 2022

To: Creditors of Tobmar Investments Inc.

Re: In the Matter of the Notice of Intention to Make a Proposal of Tobmar Investments Inc. - Estate No.: 31-2822730

Please be advised that Tobmar Investments Inc. (“**Tobmar**”) filed a Notice of Intention to Make a Proposal (“**NOI**”) on April 19, 2022 pursuant to Section 50 of the *Bankruptcy and Insolvency Act* (the “**BIA**”) and that Albert Gelman Inc. has consented to act as Trustee under the NOI (“**Trustee**”). A copy of the NOI and a listing of Tobmar’s creditors is attached.

Tobmar is not bankrupt. Instead, it has availed itself of a legal process whereby it can restructure its financial affairs with creditor and court approval, and continue in business. Our role as Trustee is to assist with the development of a proposal to creditors and to communicate with creditors as needed regarding this process. The Trustee will also assist the creditors in making their decision with respect to voting on the proposal.

All liabilities of Tobmar are stayed/frozen as of April 19, 2022 by virtue of the BIA.

Tobmar has thirty days from the date of filing the NOI to file a proposal with the Trustee, subject to any application Tobmar may make to court for an extension of that time. Once the proposal is filed, the Trustee will call a meeting of creditors to be held within twenty-one days thereafter.

Creditors are not required to file a proof of claim at the present time. The Trustee will provide creditors with additional information as well as a proof of claim form in due course.

During these restructuring proceedings, and pursuant to Section 69.1 of the BIA:

- i. no person may terminate or amend any agreement with Tobmar, or claim an accelerated payment, or a forfeiture of the term, under any agreement with Tobmar, by reason only that Tobmar is insolvent or by reason of the filing of the NOI.
- ii. no creditor has any remedy against Tobmar or its property or shall commence or continue any action, execution, or other proceedings against Tobmar.

Please contact Sudhanshu Marwaha at 416-504-1650 ext. 124 or by email at smarwaha@albertgelman.com if you would like any additional information concerning this matter.

Yours very truly,

**ALBERT GELMAN INC., solely in its capacity as Trustee in the
Notice of Intention to make a Proposal filed by Tobmar Investments Inc.
And not in its personal capacity**

Per:



Joe Albert, CPA, Licensed Insolvency Trustee

Encl.



Industry Canada
Office of the Superintendent
of Bankruptcy Canada

Industrie Canada
Bureau du surintendant
des faillites Canada

District of Ontario
Division No. 09 - Toronto
Court No. 31-2822739
Estate No. 31-2822739

In the Matter of the Notice of Intention to make a proposal of:

Tobmar Investments Inc.

Insolvent Person

ALBERT GELMAN INC.

Licensed Insolvency Trustee

Date of the Notice of Intention:

April 19, 2022

CERTIFICATE OF FILING OF A NOTICE OF INTENTION TO MAKE A PROPOSAL
Subsection 50.4 (1)

I, the undersigned, Official Receiver in and for this bankruptcy district, do hereby certify that the aforementioned insolvent person filed a Notice of Intention to Make a Proposal under subsection 50.4 (1) of the Bankruptcy and Insolvency Act;

Pursuant to subsection 69. (1) of the Act, all proceedings against the aforementioned insolvent person are stayed as of the date of filing of the Notice of Intention.

E-File/Dépôt Electronique

Date: April 19, 2022, 14:30

Official Receiver

151 Yonge Street, 4th Floor, Toronto, Ontario, Canada, M5C2W7, (877)376-9902

Canada

- Proposal Consent -
In the Matter of the Proposal of
Tobmar Investments Inc.
of the City of Toronto, in the Province of Ontario

To whom it may concern,

This is to advise that we hereby consent to act as trustee under the Bankruptcy and Insolvency Act for the proposal of Tobmar Investments Inc..

Dated at the City of Toronto in the Province of Ontario, this 19th day of April 2022.

Albert Gelman Inc. - Licensed Insolvency Trustee



100 Simcoe Street, Suite 125
Toronto ON M5H 3G2
Phone: (416) 504-1650 Fax: (416) 504-1655

District of:
Division No. -
Court No.
Estate No.

- FORM 33 -
Notice of Intention To Make a Proposal
(Subsection 50.4(1) of the Act)

In the Matter of the Proposal of
Tobmar Investments Inc.
of the City of Toronto, in the Province of Ontario

Take notice that:

1. I, Tobmar Investments Inc., an insolvent person, state, pursuant to subsection 50.4(1) of the Act, that I intend to make a proposal to my creditors.
2. Albert Gelman Inc. of 100 Simcoe Street, Suite 125, Toronto, ON, M5H 3G2, a licensed trustee, has consented to act as trustee under the proposal. A copy of the consent is attached.
3. A list of the names of the known creditors with claims of \$250 or more and the amounts of their claims is also attached.
4. Pursuant to section 69 of the Act, all proceedings against me are stayed as of the date of filing of this notice with the official receiver in my locality.

Dated at the City of Toronto in the Province of Ontario, this 19th day of April 2022.



Tobmar Investments Inc.
Insolvent Person

To be completed by Official Receiver:

Filing Date

Official Receiver

District of:
 Division No. -
 Court No.
 Estate No.

- FORM 33 -

Notice of Intention To Make a Proposal
 (Subsection 50.4(1) of the Act)

In the Matter of the Proposal of
 Tobmar Investments Inc.
 of the City of Toronto, in the Province of Ontario

List of Creditors with claims of \$250 or more.			
Creditor	Address	Account#	Claim Amount
1250 RLB Limited Partnership and BK Prime Quebec 1 LP	BentallGreenOak (Canada) LP 1250 boul Rene-Levesque Ouest bureau 2710 Montreal QC H3B 4W8	62-IBM Tower	27,967.65
1969620 Ontario Inc. Sunyoung Ahn	9350 Yonge Street Unit #E002B Toronto ON L4C 1V6	208-Gateway Newstand	741.72
2011041 Ontario Limited Kil Joon Ahn	66 Wellington Street, Unit 20A P.O. Box 248 Toronto ON M5K 1A1	412-Gateway Newstand	860.92
2109351 Ontario Inc. Hyunju Lee	200 Wellington St. W. P.O. Box 103 Metro Center Retail Concourse Level Toronto ON M5V 3C7	70-Gateway Newstand	787.94
2687269 Ontario Inc. Ghanshyam Rathod	2 Queen Street East, Unit 108 Toronto ON M3C 2G7	450-Gateway Newstand	29,750.00
5015298 Ontario Inc. Yuwei Zhou and Ying Wei	300 Borough Drive, Unit 4B Scarborough ON M1P 4P5	434-Gateway Newstand	491.70
630 Rene-Levesque West Property Co.	630 Rene-Levesque West Property Co. 1555 Peel St MZ-10 Montreal QC H3A 3L8	315-Le Drugstore, Local 180	2,289.84
7594730 Manitoba Ltd. Jiong Kun Ao (Kenny)	1485 Portage Avenue UnitB006 Winnipeg MB R3G 0W4	401-Gateway Newstand	1,115.93
9331-8129 Quebec Inc. Xin Tian	1250 Rene Levesque Blvd. West, Level 1, Box 16 Montreal QC H3B 4W8	62-Gateway Newstand	9,180.00
970 Dixon Developments Inc.	970 Dixon Developments Inc. 3100 Steeles Ave E Suite 601 Markham ON L3R 8T3	519-Holiday Inn Gift Shop	10,912.64
Bayshore Shopping Centre Limited and KS Bayshore Inc.	Cushman Wakefield 95 Wellington St W Suite 300 Toronto ON M5J 2R2	616-Bayshore Shopping Centre	151,979.96
Black Sea Star Inc. Mustafa Elevli	50 Rideau Street Unit #0325C Ottawa ON K1N 9J7	166-Gateway Newstand	414.91
Bluebird Pine Property Corp	Canderel Management 220-251 Consumers Road Toronto ON M2J 4R3	465-Parkway Place	21,652.72

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In the Matter of the Proposal of
 Tobmar Investments Inc.
 of the City of Toronto, in the Province of Ontario

List of Creditors with claims of \$250 or more.			
Creditor	Address	Account#	Claim Amount
Brookfield Place (Wellington) Limited	BCE Place Property Management Office 181 Bay St Bay Wellington Tower Suite 220 Box 838 Toronto ON M5J 2T3	598-Brookfield Place (BCE)	255,490.49
Calloway REIT (Mississauga) Inc.	Sutter Hill Corporation T-D Centre, Commercial Union Tower PO Box 293 Toronto ON M5K 1K2	247-South Common Mall	80,028.60
Canapen (Halten) Limited and Ivanhoe Cambridge II Inc.	JLL 95 Wellington St W Suite 300 Toronto ON M5J 2R2	574-Mapleview Centre	8,920.70
Gerrard Square Inc.	Davpart Inc. 4576 Yonge St Suite 700 Toronto ON M2N 6N4	538-Gerrard Square Lotto Kiosk	2,408.04
Gerrard Square Inc.	Davpart Inc. 4576 Yonge St Suite 700 Toronto ON M2N 6N4	189-Gerrard Square	3,953.86
HCR LP (Ontario) Inc.	Triovest Realty Advisors Inc. 40 University Ave Suite 1200 Toronto ON M5J 1T1	206-Woodside Square	3,464.70
Her Majesty the Queen, in Right of Canada, as represented by the Minister of Public Works and Government Services	Public Services and Government Services Canada c/o Maple Leaf Property Management Ltd 90 Sparks St Ottawa ON K1P 5B4	620-Edmonton Canada Place	460.68
I.G. Investment Management, Ltd., as trustee for Investors Real Property Fund c/o Bentall Kennedy (Canada), Limited Partnership	I.G. Investment Management, Ltd., as trustee for Investors Real Property Fund c/o Bentall Kennedy (Canada), Limited Partnership 65 Port St E Unit 110 Mississauga ON L5G 4V3	492-55 University Avenue	2,943.02
Ice District (10111-104 Avenue) Corp.	One Properties Suite 1600, 10130 - 103 Street NW Edmonton AB T5J 3N9	647-Edmonton Tower	73,233.78
Kwang Il Jung Kwang Il Jung	TD North Tower 77 King Street West Unit 58, P.O. Box 59 Toronto ON M5K 1E7	582-Gateway Newstand	546.99

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Le 1000 de la Gauchetiere I Inc. and Le 1000 de la Gauchetiere II Inc.	Ivanhoe Cambridge Inc. Edifice Jacques Parizeau 1001, Square Victoria Suite C-500 Montreal QC H2Z 2B5	662-1000 de la Gauchetiere	39,295.62
Les Immeubles Carrefour Richelieu Burdet Céline	7077 Boul Newman Lasalle QC H8N 1X1	257-Gateway Newstand	10,457.75
Les Promenades St-Bruno Leaseholds Inc.	The Cadillac Fairview Corporation Limited 5th Floor 20 Queen St W Toronto ON M5H 3R4	637-Promenades St. Bruno	103,036.93
Malvern Town Centre Inc.	Davpart 31 Tapscott Rd Toronto ON M1B 4Y7	291-Malvern Town Center	4,281.93
Montez Hillcrest Inc. and Hillcrest Holdings Inc.	Oxford Properties Group Royal Bank Plaza, North Tower, 200 Bay St Suite 900 Toronto ON M5J 2J2	208-Hillcrest Mall	8,744.69
Morguard 99 Metcalfe Limited	Morguard Investments Limited 402-350 Sparks St Ottawa ON K1R 7S8	321-99 Metcalfe	29,110.85
Morguard Corporation and Bramalea City Centre Equities Inc.	Morguard Investments Limited 55 City Centre Drive Suite 800 Mississauga ON L5B 1M3	154-Bramalea City Centre #2	9,320.81
NA (LPM) Limited Partnership by its General Partner, NADG (LPM) GP Ltd. and I.G. Investment Management, Ltd. as Trustee for Inv	Centrecorp Management Services Limited Suite One 2851 John St Markham ON L3R 5R7	648-Lynden Park Mall	394.64
Northam CCPF Tenco (BTS) Limited	Northam Realty Advisors Limited 483 Bay St, Lower Level Toronto ON M5G 2C9	402-Bell Trinity Square	12,800.54
OREC (RAC) Holdings Inc. and 9486798 Canada Inc.	Oxford Properties Suite 900 100 Adelaide St W Toronto ON M5H0E2	668-Richmond Adelaide Centre	39,960.02

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Oxford Properties Group Inc.	Oxford Properties Royal Bank Plaza, North Tower, Suite 900 Toronto ON M5J 2J2	70-Metro Centre	55,094.61
Peninsula Capital Partners L.L.C. Ty T. Clutterbuck	500 Woodward Avenue, Suite 2800 Detroit MI 48226		18,351,017.00
PensionFund Realty Limited	Morguard Investments Limited 55 City Centre Drive Suite 800 Mississauga ON L5B 1M3	308-Coquitlam Centre	4,895.56
Revenue Properties Company Limited	Morguard Investments Limited Landlord's Office Centrepoint Mall Yonge St & Steeles Ave Toronto ON M2M 3X4	381-Centerpoint Mall Café	58,025.26
Scarborough Town Centre Holdings Inc.	Oxford Properties Group Royal Bank Plaza, North Tower, 200 Bay St Suite 900 Toronto ON M5J 2J2	613-Scarborough Town Centre	15,856.88
Shin Hwang and Joung Suk Wang Joung Suk and Shin Hwang	33 City Centre Drive Suite 147 Mississauga ON L5B 2N5	541-Gateway Newstand	890.95
TD Commercial Banking Daryl Coelho	TD Bank Tower, 66 Wellington Street West, 12th Floor Toronto ON M5K 1A2		3,677,136.35
The Cadillac Fairview Corporation Limited	The Cadillac Fairview Corporation Limited 5th Floor 20 Queen St W Toronto ON M5H 3R4	101-Simcoe Place	36,364.77
The Cadillac Fairview Corporation Limited	The Cadillac Fairview Corporation Limited 5th Floor 20 Queen St W Toronto ON M5H 3R4	299-Yonge Corporate Center	3,532.04
The Outlet Collection (Niagara) Limited	JLL 95 Wellington St W Suite 300 Toronto ON M5J 2R2	586-The Outlet Collection at Nia	11,094.93

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The TDL Group Corp. and Wendy's Restaurants of Canada Inc., c.o.b. in partnership under the name of Timwen Partnership and CS Ca	Timwen Partnership 5515 North Service Rd Suite 201 Burlington ON L7L 6G4	567-Gateway Welcome Centre	27,941.87
Vanson Nguyen Vanson Nguyen	42 - 2nd Avenue SW Unit #111 Calgary AB T2P 3L8	584-Gateway Newstand	996.48
Viking Rideau Corporation	The Cadillac Fairview Corporation Limited 5th Floor 20 Queen St W Toronto ON M5H 3R4	166-Rideau Centre	127,719.81
York University Student Centre Incorporated	York University Student Centre Corporation 4700 Keele St Toronto ON M3J 1P3	63-York University Student Centr	3,096.60
Total			23,320,663.68



Tobmar Investments Inc.
Insolvent Person