

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST – EAST REGION**

**B E T W E E N:**

THE TORONTO-DOMINION BANK

Applicant

and

GILMOUR REAL ESTATE CORPORATION, GILMOUR'S ON 38 INC., GILMOUR'S BY THE BAY INC., 1203113 ONTARIO INC., GILMOUR HOLDING CORPORATION, and J. GILMOUR HOLDINGS INC.

Respondents

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## **SUPPLEMENTAL RECORD OF THE APPLICANT**

**(Returnable August 4, 2026)**

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July 17, 2026.

**HARRISON PENZA LLP**

Barristers & Solicitors

130 Dufferin Avenue, Suite 1101

London, ON N6A 5R2

**Timothy C. Hogan (LSO#36553S)**

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Solicitors for the Applicant,  
The Toronto-Dominion Bank

TO: Service List

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# Tab 1

Court File No. CV-25-00102436-0000

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST – EAST REGION**

BETWEEN:

THE TORONTO-DOMINION BANK

Applicant

-and-

GILMOUR REAL ESTATE CORPORATION, GILMOUR'S ON 38 INC., GILMOUR'S BY THE BAY INC., 1203113 ONTARIO INC., GILMOUR HOLDING CORPORATION, and J. GILMOUR HOLDINGS INC.

Respondents

**THIRD SUPPLEMENTAL AFFIDAVIT OF DENNIS ZAMANIS**

(Sworn July 17, 2026)

I, Dennis Zamanis, of the City of Markham, in the Province of Ontario, **MAKE OATH AND SAY:**

1. I am an Account Manager, with the Applicant, The Toronto-Dominion Bank (the "**Bank**"), and as such have knowledge of the matters to which I hereinafter depose. Unless I indicate to the contrary these matters are within my own knowledge and are true. Where I have indicated that I have obtained facts from other sources, I have identified the source and I believe those facts to be true.
2. This affidavit follows my sworn affidavits in this matter on December 29, 2025 (the "**First Zamanis Affidavit**"), April 1, 2026 (the "**Supplemental Zamanis Affidavit**"), and April 23, 2026 (the "**Second Supplemental Zamanis Affidavit**"). All capitalized terms not otherwise defined herein retain the same meaning as in the First Zamanis Affidavit, Supplemental Zamanis Affidavit and Second Supplemental Zamanis Affidavit.
3. This matter was last before the Court on May 6, 2026. Attached hereto to this my

affidavit and marked as **Exhibit "A"** is a copy of the endorsement of the Honourable Justice C. MacLeod dated June 2, 2026, that followed from the May 6, 2026 hearing.

4. The Endorsement dated June 2, 2026 provided as follows:

The Application is adjourned on consent to August 6, 2026 at 10:00a.m., on the following terms:

1. The Application is adjourned peremptory on the Respondents to August 6, 2026;
  2. The Order sought will issue on August 6, 2026 on consent unless:
    - a. The Indebtedness owing to the Bank is paid in full by that date; and,
    - b. As of the date of payment of the Indebtedness, the Respondents provide to the Applicant evidence that the Respondents are current on all fillings and remittances on accounts with Canada Revenue Agency for payment of monies due for the employee deductions at source and HST, satisfactory to the Bank in its sole discretion.
  3. The Bank may return this application before the Court on five (5) days notice to a date earlier than August 6, 2026;
  4. In the event that the terms detailed at paragraph 2 herein are met by the Respondents, the within application shall be dismissed on a without cost basis.
5. As of July 16, 2026 the Respondents are indebted to the Bank as drafted, with interest, expenses and legal fees continuing to accrue:
- a. Gilmour REC:
    - i. \$1,849,204.51 with respect to the Committed Reducing Term Facility'
  - b. Gilmour 38:
    - i. \$122,799.01 with respect to the Operating Loan;

c. Gilmour BTB:

i. \$74,903.94 with respect to the Operating Loan;

d. \$51,740.20 in relation to legal fees paid by the Bank.

Attached hereto this my affidavit and marked as **Exhibit "B"** is a true copy of the Statement of Account dated July 16, 2026..

6. The Bank has not received evidence that the Respondents are current with Canada Revenue Agency for payment of monies due for employee deductions at source and HST.
7. I make this Affidavit in support of the Application to appoint AGI as Receiver, without security, of all the assets, undertakings and properties of the Respondents and for no other or improper purpose.

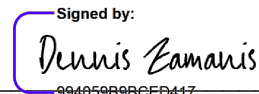
**Sworn or Affirmed before me:** ☐ in person OR ☒ by video conference

by Dennis Zamanis of the City of Markham in the Province of Ontario, before me at the City of London in the Province of Ontario, on July 17, 2026 in accordance with [O. Reg. 431/20](#), Administering Oath or Declaration Remotely.

Commissioner for Taking Affidavits (*or as may be*)



*Signature of Commissioner (or as may be)*

Signed by:  


994059B9BCEB417...  
DENNIS ZAMANIS

Court File No. CV-25-00102436-0000

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST – EAST REGION**

BETWEEN:

THE TORONTO-DOMINION BANK

Applicant

-and-

GILMOUR REAL ESTATE CORPORATION, GILMOUR'S ON 38 INC., GILMOUR'S BY  
THE BAY INC., 1203113 ONTARIO INC., GILMOUR HOLDING CORPORATION, and J.  
GILMOUR HOLDINGS INC.

Respondents

ATTACHED HERETO ARE EXHIBITS "A" TO "B"  
AS REFERRED TO IN THE AFFIDAVIT OF DENNIS ZAMANIS,  
SWORN BEFORE ME BY VIDEOCONFERENCE JULY 17, 2026.



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A Commissioner, etc.

# EXHIBIT "A"

***ONTARIO***  
**SUPERIOR COURT OF JUSTICE**  
***COMMERICAL LIST – EAST REGION***

B E T W E E N:

THE TORONTO-DOMINION BANK

Applicant

- and -

GILMOUR REAL ESTATE CORPORATION, GILMOUR’S ON 38 INC., GILMOUR’S BY THE BAY  
INC., 1203113 ONTARIO INC., GILMOUR HOLDING CORPORATION and J. GILMOUR  
HOLDINGS INC.

Respondents

*Presiding Justice:* The Honorable Justice C. MacLeod

*Applicant Counsel:* Timothy Hogan

*Respondent Counsel:* Martin Black

Date: May 6, 2025

**ENDORSEMENT**

The Application is adjourned on consent to August 6<sup>th</sup>, 2026 at 10:00 a.m. on the following terms:

1. The application is adjourned peremptory on the Respondents to August 6th, 2026;
2. The Order sought will issue on August 6th, 2026, on consent unless:
  - i. The Indebtedness owing to the Bank is paid in full by that date; and,
  - ii. As of the date of payment of the Indebtedness, the Respondents provide to the Applicant evidence that the Respondents are current on all fillings and remittances on accounts with Canada Revenue Agency for payment of monies due for the employee deductions at source, and HST, satisfactory to the Bank in its sole discretion.

3. The Bank may return this application before the Court on five (5) days notice to a date earlier than August 6th 2026;
4. In the event that the terms detailed at paragraph 2 herein are met by the Respondents, the within application shall be dismissed on a without cost basis.



Digitally signed by C. MacLeod RSJ  
Date: 2026.06.02 18:29:49 -04'00'

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Justice C. MacLeod

THE TORONTO-DOMINION BANK

Applicant

-and-

GILMOUR REAL ESTATE CORPORATION., et al.

Respondents

Court File No. CV-25-00102436-0000

**ONTARIO**  
**SUPERIOR COURT OF JUSTICE**  
**COMMERCIAL LIST – EAST REGION**

PROCEEDING COMMENCED AT  
OTTAWA, ONTARIO

**ENDORSEMENT**

**HARRISON PENZA LLP**  
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Lawyers for the Applicant,  
The Toronto-Dominion Bank

# EXHIBIT "B"

|                                   |                |                |
|-----------------------------------|----------------|----------------|
| July 16, 2026                     |                |                |
|                                   |                |                |
| Gilmour REC                       |                |                |
|                                   |                |                |
| Term loan                         | \$1,482,955.14 |                |
| Accrued interest to July 16, 2026 | \$366,249.37   |                |
| Sub-total                         |                | \$1,849,204.51 |
| Per diem                          | \$221.43       |                |
|                                   |                |                |
| Gilmour 38                        |                |                |
|                                   |                |                |
| Operating line                    | \$122,527.23   |                |
| Accrued interest to July 16, 2026 | \$271.78       |                |
| Sub-total                         |                | \$122,799.01   |
|                                   |                |                |
| Gilmour BTB                       |                |                |
|                                   |                |                |
| Operating line                    | \$74,735.69    |                |
| Accrued interest to July 16, 2026 | \$168.25       |                |
| Sub-total                         |                | \$74,903.94    |
|                                   |                |                |
| Total owing as of July 16, 2026   |                | \$2,046,907.46 |

THE TORONTO-DOMINION BANK

and

GILMOUR REAL ESTATE CORPORATION, et al;

Applicant

Respondents

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SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST – EAST REGION**

PROCEEDING COMMENCED AT  
OTTAWA, ONTARIO

**THIRD SUPPLEMENTAL AFFIDAVIT OF DENNIS  
ZAMANIS**

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Lawyers for the Applicant,  
The Toronto-Dominion Bank

THE TORONTO-DOMINION BANK

and

GILMOUR REAL ESTATE CORPORATION, et al;

Applicant

Respondents

Court File No. CV-25-00102436-0000

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST – EAST REGION**

PROCEEDING COMMENCED AT  
OTTAWA, ONTARIO

**SUPPLEMENTAL RECORD**

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