Tel: 905 524 1008 Fax: 905 570 0249 www.bdo.ca BDO Canada Limited 25 Main Street West, Suite 805 Hamilton ON L8P 1H1 Canada

July 29, 2024

## LETTER TO CREDITORS REGARDING NOTICE OF INTENTION

# TO THE CREDITORS OF TKC METAL RECYCLING INC

Dear Sir / Madam:

Re:

The Matter of the Proposal of TKC Metal Recycling Inc.

Estate No. 32-3109134

Please be advised that on the 26<sup>th</sup> day of July, 2024, TKC Metal Recycling Inc., (the "Company") filed a Notice of Intention to Make a Proposal (the "NOI") pursuant to Section 50.4 of the *Bankruptcy and Insolvency Act*, and BDO Canada Limited has consented to act as Trustee under the Proposal.

We enclose for your records, the following information:

- 1. Notice of Intention to Make a Proposal;
- 2. List of known creditors, as per the Company's records;
- 3. Notice of Stay of Proceedings and
- 4. Consent to Act as Trustee.

Please refer to the Notice of Stay of Proceedings as to the effect the filing of the NOI has on you. Within thirty days, the Company is required to file a Proposal under Part III, Division I of the *Bankruptcy and Insolvency Act* with the Trustee, unless the Court grants an extension.

The Trustee is required to monitor the Company's business and affairs during this period and report any material adverse changes to the Official Receiver's office and/or the Court. Once a Proposal has been filed, the Trustee will provide you with a copy of the Proposal, the Report of the Trustee, a Proof of Claim form, a Voting Letter, a Proxy and a Notice to Creditors of the First Meeting of Creditors.

If you have any questions regarding the above, please contact the undersigned at aconsoli@bdo.ca or 289-678-0230.

Yours truly.

**BDO Canada Limited** 

In its capacity as Trustee in the

Proposal of TKC Metal Recycling Inc.

Angelo Consoli CA, CPA, LIT, CIRP

Vice President



Tel: 905 524 1008 Fax: 905 570 0249 www.bdo.ca BDO Canada Limited 25 Main Street West, Suite 805 Hamilton ON L8P 1H1 Canada

District of: Division No:

Court No.

Ontario 32-Hamilton 32-3109134

## NOTICE OF STAY OF PROCEEDINGS

In the matter of the Notice of Intention to make a proposal of TKC Metal Recycling Inc. (the "Debtor")

Of the City of St. Catharines, in the Province of Ontario

Date of NOI - July 26, 2024

Notice is hereby given that the above debtor filed a Notice of Intention to make a Proposal ("NOI").

Every NOI made in pursuance of this Act takes precedence over all judicial or other attachments, garnishments, certificates of judgment, judgments operation as hypothec, executions or other process against the property of a bankrupt, except such as have been completely executed by payment to the creditor or his agent, and except also the rights of a secured creditor.

Upon the filing of an NOI or a proposal made by an insolvent person, or upon the bankruptcy of any debtor, no creditor with a claim provable in the bankruptcy shall have any remedy against the Debtor, or his/her property. Or, shall commence a claim provable in bankruptcy until the trustee has been discharged or until the proposal has been refused, unless with the leave of the Court and on such terms as the Court may impose.

Where a proposal has been made, the Sherriff or other officer of any Court or any person having seized property of the Debtor under execution of attachment, or any other process, shall upon receiving a copy of the proposal certified by the Trustee as a true copy thereof, forthwith deliver to the Trustee all the property of the Debtor in its possession.

Dated at the City of Hamilton in the Province of Ontario. This 29th day of July, 2024

BDO Canada Limited Licensed Insolvency Trustee

25 Main Street West

Suite 805

Hamilton, Ontario L8P 1H1 Phone: (905) 524-1008

Fax: (905) 570-0249

# SUPERIOR COURT OF JUSTICE (IN BANKRUPTCY AND INSOLVENCY)

# IN THE MATTER OF THE PROPOSAL OF TKC METAL RECYCLING INC.

## CONSENT

WE THE UNDERSIGNED, BDO CANADA LIMITED, a licensed Trustee in Bankruptcy, hereby consent to act as Trustee under the Notice of Intention to file a Proposal to be filed by the above-noted debtor.

DATED at Hamilton, this 24th day of July, 2024,

**BDO CANADA LIMITED** 

Per:

Christopher Mazur, CIRP, LIT

Ontario 32 - Hamilton

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
TKC Metal Recycling Inc.
of the City of St.Catharines, in the Province of Ontario

#### Take notice that:

- 1. I, TKC Metal Recycling 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. BDO Canada Limited / BDO Canada Limitée of 25 Main Street West, Suite 805, Hamilton, ON, L8P 1H1, 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.

receiver an my locality.	
Dated at the City of St. Catharines in the Province of Ontario, the	his 26th day of July 2024.
,	12
	TKC Metal Recycling Inc. Insolvent Person
To be completed by Official Receiver:	
Filing Date	Official Receiver

Ontario 32 - Hamilton

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 TKC Metal Recycling Inc.

of the City of St. Catharines, in the Province of Ontario

#### List of Creditors with claims of \$250 or more, Creditor Address Account# Claim Amount 1000909688 Ontario Inc 3095 New Street, Suite 200 2,206,342.00 Burlington ON L7N 1M7 1122068 Ontario Limited o/a PO Box 130. 1,274.98 Select Total Service 126 South St. North Port Robinson ON LOS 1KO 2404962 Ontario Inc. 5 Aintree Court 7,417.96 Toronto ON M8W 2E1 Advanced Office Solutions 189 South Service Road 601.73 Grimsby ON L3M 4H6 Advantage Waste Systems 231 S Service Rd 7,992.11 Grimsby ON L3M 1Y6 American Stone Spreader 156 Berryman Ave. 29,298,50 St. Catharines ON L2R 3X1 Arrow Scale P.O. Box 736 3,046.03 Aurora ON L4G 4J9 A-Z Expediting Delivery 242 Dunkirk Road 1,506.75 Service St. Catharines ON L2R 7K6 Bateman Manufacturing 5 Winster Road 3,493.96 Oro Medonte ON LOL 2L0 Bee & Jay Carton Company 910 Brock Road 2,034.00 Ltd. Pickering ON L1W 1Z9 Birmingham Fire Control 13 Front St. N 968.67 Thorold Thorold ON L2V 1X3 Canadian Specialty Castings 4248 Broughton Ave 2,991.30 Niagara Falls ON L2E 0A4 Clean Works / Pure Life 453 Eastchester Ave, E 7,512.79 Machinery St. Catharines ON L2M 6S2 CRA - Sudbury Tax Services PO Box 5548 724904727 RT0001 103,542.58 Office 3 - 451 Talbot St. London ON N6A 4R3

Ontario 32 - Hamilton

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 TKC Metal Recycling Inc.

of the City of St.Catharines, in the Province of Ontario

List of Creditors with claims of \$250 or more.				
Creditor	Address	Account#	Claim Amount	
Decora Power Coatings	24 Benfield Dr., Bldg C St. Catharines ON L2S 3V5		7,146.12	
Durward Jones Barkwell & Grimsby	570 Highland Road West, Unit 1 Hamilton ON L8W 0C4		30,317.90	
Ed Learn Ford Lincoln Ltd,	375 Ontario St. St. Catharines ON L2R 5L3		7,865.69	
Elmwood Group	570 Welland Ave St. Catharines ON L2M 5V6		1,774.37	
Every Scale Limited	5350 Mainway Unit A3 & A4 Burlington ON L7L 6A4		994.40	
Frew Energy	180 cushman Road St. Catharines ON L2M 6T6		5,760.41	
Gap International Recycling	201 Rue Montcalm Saint-Joseph-De-Sorel QC J3R 1B9		12,865.84	
GFL Environmental Inc.	39 Fenmar Drive North York ON M9L 1M1		371.86	
GGS Structures	3559 North Service Road Vineland ON L0R 2E0		1,486.48	
Giampaolo Investments Limiter	850 Intermodal Drive Brampton ON L6T 0B5		7,542.75	
Grimsby Hyundai	569 Main St. West Grimsby ON L3M 1V1		6,483.18	
Heddle Marine Service	340 Lakeshore Rd. St. Catharines ON L2M 0A2		11,740.28	
Henley Motors Ltd.	308 Lake Street St. Catharines ON L2N 4H3	1	3,635.83	
Kia of Hamilton	1885 Upper James Hamilton ON L9B 1K8		1,525.50	
akeshore Communications	30 Meteor Drive Toronto ON M9W 1A4		679.02	

Ontario 32 - Hamilton

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 TKC Metal Recycling Inc.

of the City of St.Catharines, in the Province of Ontario

#### List of Creditors with claims of \$250 or more. Creditor Address Account# Claim Amount Landon Roedding 4549 Second Ave. 983.86 Niagara Falls ON L2E 4H3 Liebherr Crane 1015 Sutton Dr. 2,081.46 Burlington ON L7L 5Z8 Linde Canada Inc. PO Box 400 STN D 27,573,55 Scarborough ON M1R 5M1 Luxyclad 24 Benfield Dr. 6,636.49 St. Catharines ON L2S 3V5 Mercedes-Benz Burlington 441 North Service Road 2,187.66 Burlington ON L7P 0A3 Merrittville Speedway 2371 Merrittville Highway 1,695.00 Entertainment Inc Fonthill ON LOS 1E6 MicroAge Technology Services 188 Bunting Road 762.08 Unit 2 St. Catharines ON L2M 3Y1 Miller Waste Systems 335 Townline Road 6,171.57 Niagara On The Lake ON LOS 1J0 Mini St. Catharines 268 Lake St. 649.75 St. Catharines ON L2N 4H1 Mitsubishi HC Capital Canada 401-1100 Burloak Drive 53,744.00 Leasing Inc. Burlington ON L7L 6B2 Mitsubishi HC Capital Canada 401-1100 Burloak Drive 400,977.94 Leasing Inc. Burlington ON L7L 6B2 Modern Corporation 2025 Fruitbelt Parkway 32,983.35 Niagara Falls ON L2J 0A5 Modern Landfill of Ontario 2025 Fruitbelt Parkway 34,154.30 Niagara Falls ON L2J 0A5 National Tank Service -474 Southdown Road 5,658.58 MISSISSAUGA Mississauga ON L5J 2Y4

Ontario

Court No. Estate No. 32 - Hamilton

#### - FORM 33 -

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

> In the Matter of the Proposal of TKC Metal Recycling Inc.

of the City of St.Catharines, in the Province of Ontario

#### List of Creditors with claims of \$250 or more. Creditor Address Account# Claim Amount National Tank Services - Port 1 Invertose Drive 1,724.55 Colborne Port Colborne ON L3K 5X7 Niagara Falls Bridge PO Box 395 1,543.80 Commission Niagara Falls ON L2E 6T8 Northern Uniform Service 2230 Algonquin Road 2,806.82 Sudbury ON P3E 4Z6 Ontario General And Marine RR# 320 Airport Road 4,589.36 Niagara-On-The-Lake ON LOS 1J0 OPHARDT Hygiene 4743 Christie Dr. 2,132.48 Technologies Inc. Beamsville ON LOR 1B4 Part Time CFO Services LLP 5115 Oak Hills Road 16,611.00 Hamilton Township ON K0L 1E0 Performance Audi 365 Lake St. 1,221.69 St. Catharines ON L2N 4H5 Performance BMW 266 Lake St. 1,931,38 St. Catharines ON L2N 4H1 Performance Chrysler 357 Onlario St. 1,933.08 St. Catharines ON L2R 5L3 Performance Hyundai 342 Ontario St. 2,944.28 St. Catharines ON L2R 5L8 Performance Mercedes 371 Ontario St. 1,188.47 St. Catharines ON L2R 7A7 Performance Toyota 262 Lake St. 3,018.83 St. Catharines ON L2N 4H1 Performance VW 363 Lake St. 7,627.50 St. Catharines ON L2N 4H5 Pure Alloys 505 Garyray Drive 1,059,846,03 Toronto ON M9L 1P9 Radwell International Canada 570 Welland Ave Unit #2, 11,807.94 Automation St. Catharines ON L2M 5V6

District of: Division No. Court No. Ontario 32 - Hamilton

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 TKC Metal Recycling Inc.

of the City of St. Catharines, in the Province of Ontario

#### List of Creditors with claims of \$250 or more. Creditor Address Account# Claim Amount RCAP Leasing Inc. 5575 North Service Rd. Suite 300 53,222.22 Burlington ON L7L 6M1 Rexall Solutions 27 Keefer Road 3,123.40 Thorold ON L2M 6K4 Right Machine Industrial 127 Vine St. 1,225.93 St. Catharines ON L2R 3Y3 Rims Transport Flats Hamilton 1818 Burlington St. E. 1,130.00 Hamilton ON L8H 3L4 Royal Bank of Canada 10 York Mills Road, 3rd Floor 79,611.63 Toronto ON M2P 0A2 Safety Kleen Canada Inc. P.O. Box 15221, Station A 5,866.32 Toronto ON M5W 1C1 Seaway Fluid Power 189 Bunting Road 4,233,97 St. Catharines ON L2M 3Y2 Shear Power 910 Wright St. 2,755.65 Strathroy ON N7G 3H8 Silver Lining Steel 146 CUSHMAN ROAD UNIT 14 802.90 St Catharines ON L2M 6T6 SLM Recycling 555 Brown Road, Box 142 124,544.82 Welland ON L3B 5P2 Stanlake Services Ltd. 2186 Devlin Drive 1,011.82 Burlington ON L7P 2Z7 Star Gas 526 Eastchester Ave. E 3,358.63 St. Catharines ON L2M 7P3 Stehling Metals Inc. 550 Industrial Dr. 14,010.43 Fort Erie ON L2A 5M4 Strongco Limited Partnership 1640 Enterprise Road 5,518.00 Mississauga ON L4W 4L4 Stubbe's Precast 44 Muir Line 45,483.99 Henley ON N0E 1E0

Ontario

Court No. Estate No. 32 - Hamilton

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In the Matter of the Proposal of TKC Metal Recycling Inc.

of the City of St.Catharines, in the Province of Ontario

List of Creditors with claims of \$250 or more.				
Creditor	Address	Account#	Claim Amount	
SunOpta Inc.	337 Four Miles Creek Road St Davids ON LOS 1P0		10,718.74	
The Dumpster Service	332 Lake Ave North Hamilton ON L8E 3A2		474.60	
The Toronto Dominion Bank	100 King St. W P.O. Box 57148 Hamilton ON L8P 4W9		36,134.68	
Tooling Management Group LLC	745 State Circle Ann Arbor MI 48108 USA		49,150.65	
Top Lift Enterprises	42 PINELANDS AVE Stoney Creek ON L8E 5X9		3,360.79	
Toromont Material Handling	369 Glover Road Stoney Creek ON L8E 6C9		797.55	
Twinkle Cleaning and Maintenance	13 Highcourt Crescent St. Catherines ON L2M 3M5		1,265.60	
VW Credit Canada Inc.	4865 Marc-Blain St. Suite 300 St-Laurent QC H4R 3B2		29,036.47	
Walker Environmental Group	PO Box 100 Thorold ON L2V 3Y8		1,046.35	
Waste Management	P.O. Box 4205, Station A Toronto ON M5W 5L4		9,902.56	
Total			4,663,187.49	

TKC Metal Recycling Inc. Insolvent Person