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August 23, 2022
Reference: 2018186

Kone Inc.

16 Ensa Park Drive, Unit 8
Mississauga, Ontario
M4K 1K8

Attention: Josephine Kencroft
Project Manager

Josephine.kencroft@kone.com

Subject:

**SUBSTANTIAL PERFORMANCE
YEC Tower A Modernization of Eight (8) Passenger Elevators**

Pursuant to the request of Kone Inc. (the Contractor) for Certification of Substantial Performance of the Contract, we have reviewed the progress of the work as of August 6, 2022 and have determined, in accordance with the terms of the contract and the Construction Act, the work is substantially performed.

By copy of this letter and Form 9 Certificate of Substantial Performance (attached), we hereby request that the Contractor have the attached Form 9 Certificate of Substantial Performance published in a Construction Trade newspaper in order for the lien period to commence. The holdback monies will be due and payable upon expiry of the 60-day lien period following the date of publication, provided any liens have been satisfied, discharged or vacated.

The Contractor is to advise consultants and client of the publication date and provide the Certificate of Publication. The Contractor is also required to forward all of the necessary documentation with the application for release of holdback so that a Certificate of Payment can be issued.

Should you have any questions, please do not hesitate to contact this office.

Yours very truly,

McGregor Allsop Limited

A handwritten signature in black ink, appearing to read 'Peter J. LaForme'.

Peter J. LaForme
Executive Vice President

CC: RioCan Yonge Eglinton LP – Roberto De Barros, VP CAPEX Construction, Operations
RioCan Yonge Eglinton LP – Ahmed Dawoud, Operations Manager
KJA Consultants – Mohammad Askari, Elevator Consultant

Enc.

McGregor Allsop Limited

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ENG-F024 Rev. 00
Issued: 23DEC2015

FORM 9
CERTIFICATE OF SUBSTANTIAL PERFORMANCE OF THE
CONTRACT UNDER SECTION 32 OF THE ACT
Construction Act

City of Toronto

(County/District/Regional Municipality/Town/City in which premises are situated)

20 Eglinton Ave. W., Toronto, Ontario

(street address and city, town, etc., or, if there is no street address, the location of the premises)

This is to certify that the contract for the following improvement:

YEC Tower A Modernization of Eight (8) Passenger Elevators

(short description of the improvement)

to the above premises was substantially performed on August 6, 2022.

(date substantially performed)

Date certificate signed: August 23, 2022.



(payment certifier where there is one)

(owner and contractor, where there is no payment certifier)

Name of owner: RioCan Yonge Eglinton LP

Address for service: 20 Eglinton Ave. W. Suite 1401, Toronto, Ontario M4R 1K8

Name of contractor: Kone Inc.

Address for service: 16 Ensa Park Drive, Unit 8, Markham, Ontario L3R 5X1

Name of payment certifier (where applicable): Peter LaForme, McGregor Allsop Limited

Address: 1 Concorde Gate, Suite 808, Box 65, Toronto, Ontario M3C 3N6

(Use A or B, whichever is appropriate)

- ☒ A. Identification of premises for preservation of liens:
In the City of Toronto, Province of Ontario and being parts of Lots 1, 2, 3, 4, 5, 6, and part of Irregular Reserve along the north limit of Lot 1 and Lane (closed) by EO106340, Plan 818-York; Block A and part of Lots 10, 17, 18, 19, and 20, Lots 11, 12, 13, 14, 15, 16, and Starrett Avenue (closed by EO1066340), Plan 542E, City of Toronto; Lots 32 and 33 and part of Lot 31, Plan 1567-York; part of Lot 2, Plan 491-York, designated as Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24 on Reference Plan 64R-14268

(if a lien attaches to the premises, a legal description of the premises, including all property identifier numbers and addresses for the premises)

- ☐ B. Office to which claim for lien must be given to preserve lien:

(if the lien does not attach to the premises, a concise description of the premises, including addresses, and the name and address of the person or body to whom the claim for lien must be given)