



February 3, 2023

Capital City Shopping Ctr Ltd & 2155965 Ontario Inc.
c/o Cushman & Wakefield
161 Bay Street, Suite 1500, Box 602
Toronto, Ontario M5J 2S1
Attn: Mike Mehak

Re: 1344 – 1346 Bank Street Abatement and Demolition
Re: Substantial Performance
Hobin Project No: 1719.02

Dear Mike:

Please find attached Certificate of "Substantial Performance of the work" for the **1344 – 1346 Bank Street Abatement and Demolition**.

In accordance with the Contract, the Construction Lien Act, and as determined by our office, "the Work" at 1344 and 1346 Bank Street reached Substantial Performance as defined below on **January 20, 2023**.

1. For the purposes of the Construction Lien Act, the part of the work is substantially performed,
 - (a) when the improvement to be made under that contract or a substantial part thereof is ready for use or is being used for the purposes intended; and
 - (b) when the improvement to be made under that contract is capable of completion or, where there is a known defect, correction, at a cost of not more than,
 - (i) 3 per cent of the first \$500,000 of the contract price,
 - (ii) 2 per cent of the next \$500,000 of the contract price, and
 - (iii) 1 per cent of the balance of the contract price. R.S.O. 1990, c. C.30, s. 2 (1).

This state of this project has satisfied the above requirements. As of the issuance of this letter, work to be completed includes:

- Seasonal exterior site and landscape installation

Sincerely,

A handwritten signature in black ink, appearing to read "Doug van den Ham".

Doug van den Ham, Project Lead

cc. Brendan McHale, EllisDon Corporation

Partners

Barry J. Hobin
OAA, FRAIC, Hon. Fellow AIA

William A. Davis
OAA, MRAIC, Associate AIA

Wendy Brawley
OAA, MRAIC, Associate AIA

Douglas Brooks
Senior Arch. Tech.

Gordon Lorimer
FRAIC, Partner Emeritus
Special Projects

Directors

Marc Thivierge, OAA

Reinhard Vogel

Dan Henhoeffter

Associates

Bryan Bonell, OAA

Melanie Lamontagne, OAA

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Hobin Architecture Incorporated

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

Construction Act

Ottawa

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

1344 & 1346 Bank Street, Ottawa, Ontario K1H 7X9

(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:

Demolition and removal of two buildings.

(short description of the improvement)

to the above premises was substantially performed on January 20, 2023

(date substantially performed)

Date certificate signed: February 3, 2023

Doug van den Ham (Hobin Architecture)

(payment certifier where there is one)

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

Name of owner: Capital City Shopping Ctr Ltd & 2155965 Ontario Inc. c/o Cushman & Wakefield (832797)

Address for service: _____

Name of contractor: EllisDon Corporation

Address for service: 2680 Queensview Drive, Ottawa, Ontario, K2B 8J9

Name of payment certifier (where applicable): Hobin Architecture Incorporated

Address: 63 Pamila Street, Ottawa, Ontario, K1S 3K7

(Use A or B, whichever is appropriate)

- ☒ A. Identification of premises for preservation of liens:
1340-1344 Bank Street. Part of Lot 18, Concession Junction Gore, Geographic Township of Gloucester, now in the City of Ottawa. Being Part 1 on Reference Plan 5R-4623, Except Part 1 on 5R-12957.

(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, the name and address of the person or body to whom the claim for lien must be given)

January 30, 2023

Vince Brown Via Email: vince@cap-city.ca
Capital City Shopping Centre Limited
Corporate Head Office,
110 Yonge Street, Suite 1001,
Toronto, Ontario,
M5C 1T4,

Tel: (416) 603-0850
Fax: (416) 603-0854
Email: capitalcity@cap-city.ca

Attention: Mike Mehak

RE: Substantial Completion – Demolition of 1344 and 1346 Bank Street.

Please accept this letter as our formal request for certification of Substantial Completion for the above noted project as of January 20, 2023.

Information related to this claim is noted below. Please read in conjunction with our billing breakdown. All numbers are based on the billing amount for January 31, 2023.

Original Contract	\$258,632.00 +HST
Current Contract Price	\$260,963.00 +HST
Gross amount certified to date	\$237,719.52 +HST
Seasonal Work Remaining	\$14,300.00+HST
Balance to complete	\$7,645.65 +HST

Substantial Completion:

3% of \$260,963.00	\$7,828.89
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Total balance to complete must be less than \$7,828.99. There is currently \$14,300.00 for seasonal work left in the contract, we have \$7,645.65 remaining therefore we meet the requirements for substantial completion as per the Lien Act.

Should you require further information regarding this request, please do not hesitate to contact the undersigned

Thank you,

Brendan McHale, Asst. Project Manager