

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

Construction Act

The City of Toronto, in the Province of Ontario

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

101 Yorkville Avenue, Toronto, M5R 1C1

(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:

Roof replacement and HVAC upgrades, including authorized changes, as part of the Building Envelope Remediation

(short description of the improvement)

to the above premises was substantially performed on December 15, 2022

(date substantially performed)

Date certificate signed: March 23, 2023

Craig Kirkwood - 
(payment certifier where there is one)

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

Name of owner: First Capital Asset Management LP

Address for service: 85 Hanna Avenue, Suite 400, Toronto, Ontario, M6K 3S3

Name of contractor: Bothwell-Accurate Co. Inc.

Address for service: 6675 Rexwood Road, Mississauga, Ontario, L4V 1V1

Name of payment certifier (where applicable): FORSMITH Building Science Consultants

Address: 845 Harrington Court, Suite B1, Burlington, Ontario, L7N 3P3

(Use A or B, whichever is appropriate)

- ☒ A. Identification of premises for preservation of liens:
Parts of Lots 10 and 11, Registered Plan 298 (York), and Part of Lot 21, Concession 2, From the Bay, City of Toronto
(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)