

**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)

55 Avenue Road, Toronto, M5R 3L2

(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 Over Equinox Gym and Office Spaces

(short description of the improvement)

to the above premises was substantially performed on April 26, 2023

(date substantially performed)

Date certificate signed: May 25, 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: 55 Avenue Road - East Tower, Suite 2250, Toronto, ON, M5R 3L2

Name of contractor: Trio Roofing Systems Inc.

Address for service: 5 West Drive, Brampton, ON, L6T 4T2

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:

(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:

First Capital Asset Management LP: 55 Avenue Rd - East Tower, Suite 2250, Toronto, ON, M5R 3L2

(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)