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November 24, 2023
Reference: 2021289

Black Creek Mechanical Ltd.
48 Galaxy Blvd., #413
Toronto, Ontario
M9W 6C8

Attention: Dylan Findlay
Project Manager

dylan@blackcreekmechanical.ca

Subject:

**SUBSTANTIAL PERFORMANCE
YEC Boiler Plant Replacement**

Pursuant to the request of Black Creek mechanical Ltd. (the Contractor) for Certification of Substantial Performance of the Contract, we have reviewed the progress of the work as of November 23, 2023 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 – Adam Fillion, Project Manager
RioCan Yonge Eglinton LP – Allan Aquino, General Manager

Enc.

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 Boiler Plant Replacement

(short description of the improvement)

to the above premises was substantially performed on November 23, 2023.

(date substantially performed)

Date certificate signed: November 24, 2023.



(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: Black Creek Mechanical Ltd.

Address for service: 48 Galaxy Blvd., #413, Toronto, Ontario M9W 6C8

Peter LaForme, McGregor Allsop

Name of payment certifier (where applicable): 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)