

January 18, 2021



Riocan Real Investment Trust (199890)
7475 Newman Blvd. Suite 500
Lasalle QC
H8N 1X3
Attention: Mr. Stéphane Doueïhi

EllisDon Corporation
2680 Queensview Drive
Ottawa, Ontario
K2B 8J9
Attention: Mr. Andrew Syversten, Project Manager

Partners

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

William A. Davis
OAA, MRAIC, Associate AIA

Gordon Lorimer
OAA, FRAIC, Associate AIA

Wendy Brawley
OAA, MRAIC, Associate AIA

Douglas Brooks
Senior Arch. Tech.

Directors

Marc Thivierge, OAA

Reinhard Vogel

Associates

Bryan Bonell, OAA

William Ritcey

Dan Henhoeffter

Melanie Lamontagne, OAA

Rheal Labelle

Patrick Bisson, OAA

RE: **Elmvale - Luma – 964 Smyth Road, Ottawa Ontario.**
Substantial Performance of part of the Work-TP-02.
Our project # 1817

In response to the Contractor's Application for holdback release, Invoice No 70399-1-23 / PO-1269742 our office is providing this letter.

The Construction Manager has made an application on behalf of Marathon Underground for the partial release of the holdback monies associated with their Contract – TP-02 Shoring, Excavation, and Backfilling

Please find attached Certificate of Completion of Subcontract under Section 33(1) of the Construction Lien Act for the following listed Contracts.

The Construction Manager, EllisDon, has submitted the required documentation requesting the release of holdback monies for the above noted Subcontractors..

- a) description of the scope of work included in the subcontract.
- b) Declaration of Last Supply by the subcontractor as prescribed in subsection 31(5) of the CA (Form 7.)
- c) Workplace Safety and Insurance Board interim release for the contractor.
- d) contractor's written acknowledgement to the owner that the requirements of the contract documents will not be altered by the early release of the holdback of the completed subcontracts.

Hobin has reviewed the application and prepared the required Form 10 Certificate dated **January 18, 2021** and also prepared the Holdback release Payment Certificate . The holdback monies shall be due and payable at the end of the 45 day lien period.

Provided that:

- a) no liens or certificates of action are preserved,
 - b) all documents noted herein have been received, and
 - c) no written or oral notices of lien claims or of unpaid subcontractors or suppliers have been received by the owner;
- the owner may then make payment to a contractor on the basis of the architect's certificate for payment. It is recommended that the owner retain legal counsel to carry out the lien search.

Hobin Architecture Incorporated

63 Pamilla Street
Ottawa, Ontario
Canada K1S 3K7

t 613-238-7200

f 613-235-2005

hobinarc.com



We recommend that you consult your legal counsel prior to issuing this and each subsequent payment to the contractor. There are legal considerations, such as requirements in the Construction Lien Act, and Personal Property Security Act, which may affect payment. Please forward a copy of the attached Certificate for Payment along with your payment to the Contractor.

It is understood and agreed that the information contained herein is for our client's use, without any responsibility or liability of Hobin Architecture Incorporated to any lending institution, person or entity (lender) who may rely on the said information in relation to the lender's financing of the project.

We trust that the above is understood. Should you have any questions with regard to the above, or have any information that would alter our recommendation please contact the undersigned.

Yours truly,

A handwritten signature in black ink, appearing to read "Doug Brooks", written in a cursive style.

Doug Brooks,
Partner, Senior Technologist

FORM 10
CERTIFICATE OF COMPLETION OF SUBCONTRACT
UNDER SUBSECTION 33(1) OF THE ACT

Construction Act

This is to certify the completion of a subcontract for the supply of services or materials between

D-Squared Construction Ltd. and 2058280 Ontario Limited,
(name of subcontractor)

dated the 15 day of August, 20 19.

The subcontract provided for the supply of the following services or materials:

Supply and Installation of shoring, provided all excavation, removals, organic material scraping, backfilling, compaction of backfill materials, and grading.

to the following improvement:

LUMA - Elmvale Acres Phase 1 Development, 9 storey rental apartment building with 2 Levels of underground parking

(short description of the improvement)

of premises at 964 Smyth Road, Ottawa Ontario.
(street address, or if there is none, the location of the premises)

Date of certification January 18, 2021



(payment certifier where there is one)

(owner and contractor)

Name of owner: 2058280 Ontario Limited

Address for service: 2300 Yonge Street Suite 500 P.O. Box 2386, Toronto Ontario M4P 1E4

Name of contractor: EllisDon Corporation

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

Name of payment certifier (where applicable): Hobin Architecture Inc.

Address: 63 Pamilla Street, Ottawa Ontario K1S 3K7

(Use A or B, whichever is appropriate)

A. Identification of premises for preservation of liens:
Part of Block E, Registered Plan 643, City of Ottawa
(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)