

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

Construction Act

KINGSTON, ONTARIO - COUNTY OF FRONTENAC

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

FRONTENAC MALL - 1300 BATH RD - KINGSTON

(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:

FRONTENAC MALL SHOPPING CENTRE - PHASE 1

(short description of the improvement)

to the above premises was substantially performed on APRIL 30th, 2025

(date substantially performed)

Date certificate signed: JUNE 11, 2025

MURRAY JOSSELYN - JOSSELYN ENGINEERING INC.

(payment certifier where there is one)

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

Name of owner: BAYFIELD REALTY ADVISORS INC

Address for service: _____

Name of contractor: J. HARRISON EXCAVATING & PIPELINE LTD

Address for service: 21 STEELE FOUYO DR KINGSTON, ON K7M 8P1

Name of payment certifier (where applicable): MURRAY JOSSELYN

Address: 1225 GARDINERS RD, SUITE # 105, KINGSTON, ON K7P 0G3

(Use A or B, whichever is appropriate)

A. Identification of premises for preservation of liens:

1300 BATH RD, KINGSTON, ON

(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)

FORM C - PROJECT CONSULTANT'S CERTIFICATE

TO: Royal Bank of Canada ("Bank")	BORROWER: Frontenac Shopping Centre Inc. ("Borrower")
ADVANCE NO: 15	PROJECT: Demolishment/redevelopment of the Frontenac Mall and the development of the 4.2 acre site for the future of a 6-storey, 320 unit purpose-built rental apartment building ("Project")
CERTIFICATE DATE: December 04, 2024	COMPLETION DATE: DECEMBER 2024 ("Completion Date")

Based on my/our professional experience and qualifications and after making such reasonable enquiries as I/we have deemed necessary in the circumstances, I/we hereby certify to the Bank as follows:

1. I/we am/are the Engineer for the Project.
2. I/we have periodically inspected construction since the commencement of construction and last inspected the Project on December 6, 2024 (the "**Inspection Date**").
3. All required permits, licenses and other authorizations have been obtained and are being maintained.
4. Construction and development of the Project up to and including the Inspection Date has been performed in a good and workmanlike manner.
5. Construction and development of the Project up to and including the Inspection Date has been performed substantially in accordance with (i) the plans and specifications, (ii) all applicable building codes, municipal bylaws and regulations, (iii) all required permits, licenses and other authorizations and (iv) all applicable laws, rules and regulations including, without limitation, environmental laws.

This certificate is given in connection with the above-referenced advance under your construction letter agreement with the Borrower indicated above and you may rely upon it in making such advance.

Dated at **Ottawa, ON**, this 6 day of December, 2024.

McIntosh Perry Consulting Engineers / EGIS Canada Ltd.

per:


