

August 28<sup>th</sup>, 2025.

**Mirtren Construction Limited**  
50 Nashdene Road,  
Unit 110, Scarborough, ON  
M1V 5J2

Attention: Mr. Simon Nagy  
Project Manager

**Re: RBC Kleinburg  
WZMH Project No. 08627  
Substantial Performance Form 9**

Dear Simon,

We are pleased to submit herewith the Construction Act Form 9 dated August 28<sup>th</sup>, 2025, acknowledging Substantial Performance achieved on August 21<sup>st</sup>, 2025, for the above noted project. Publishing this document in print (example Daily Commercial News), or electronic format, is the sole responsibility of Mirtren Construction Limited. WZMH and the Owner, *Jones Lang LaSalle* require confirmation that Form 9 has been published according to the Construction Act.

Please contact the undersigned if you have any queries regarding the above.

Yours truly,  
**WZMH ARCHITECTS**



**Bhishma Ravalji**

Attached:

1. Form 9
2. 3-2-1 calculation

cc. Susan Buchowski  
Simon Nagy  
Fred Chong

JLL  
Mirtren Construction Limited  
WZMH Architects

**Principals**

Len Abelman, OAA, MRAIC  
Mohammed Al-Atheri, OAA, MRAIC  
Supreet Barhay, OAA, MRAIC, LEED AP BD+C  
Nicola Casciato, OAA, MRAIC  
Harrison Chan, OAA, MRAIC  
Jee-Young-Kang, B.Arch.  
Jeffrey Leong-Poi, OAA, MRAIC  
Richard Myers, OAA, MRAIC, LEED AP BD+C  
Moran Olsha, B.Tech, LEED AP  
Zenon Radewych, B.Tech

**Chief Financial Officer**

Genevieve Easton, CPA, CA, ACA

A Partnership of Corporations

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

*Construction Act*

**CITY OF VAUGHAN**

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

**40 BARON ST, KLEINBURG, ON.**

(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:

(short description of the improvement)

to the above premises was substantially performed on **AUGUST 21, 2025**  
(date substantially performed)

Date certificate signed: **AUGUST 28, 2025**



**BHISHMA RAVALJI**

(payment certifier, where there is one)  
**JONES LANG LASALLE**

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

Name of owner: \_\_\_\_\_

**INTERIOR UNIT ALTA BAY STREET, SUITE 1100, TORONTO, ONTARIO**

Name of contractor: **MIRTREN CONSTRUCTION LIMITED**

Address for service: **50 NASHDENE ROAD, UNIT#110, SCARBOROUGH, ONTARIO**

Name of payment certifier (where applicable): **WZMH ARCHITECTS**

Address: **95 ST. CLAIR AVE. W., UNIT 1500, TORONTO, ONTARIO**

(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:

**JONES LANG LASALLE, 200 WELLINGTON STREET WEST, SUITE 605, TORONTO, ON**

(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)



**MIRTREN CONSTRUCTION LIMITED**

50 Nashdene Road, Unit #110. Scarborough, Ontario, M1V 5J2  
 T: (416) 2192-9393 W: www.mirtren.com F: (416) 292-6437

**Contractor Name: Mirtren Construction Limited**

**Project Name:** RBC-40 Barons St, Kleinburg, Ontario

**Project Number:** S54-013

**Date Submitted:** 21-Aug-24

(i) the Contract is substantially performed, and  
 (ii) the phase of the performance of the balance of the Contract is in process and completion is scheduled for the **Date**. Where the balance of the Contract, or a part or parts thereof, cannot be performed forthwith, but must be deferred for reasons beyond the control of the Contractor, the Contractor's statement shall contain a completion date for each phase of the balance of the Contract.

**Evaluation of Net Contract Price to determine Substantial Performance**

*(Input blue italic values only)*

Contract Price	<i>\$1,138,132.21</i>
Deferred Work & Remaining Cash Allowance value	<i>\$14,235.80</i>
<b>Revised Total Contract Price to determine SP</b>	<b>\$1,123,896.41</b>

**A Value of Work Remaining including Deficiencies** *\$14,235.80*

**Lien Act calculation to determine Substantial Performance**

3% of Contract Price up to 1mil	\$1,000,000.00	\$30,000.00
2% of Contract Price within the next 1mil	\$1,000,000.00	\$2,762.64
1% of Remaining Balance	\$123,896.41	\$0.00

**B Total** **\$32,762.64**

**Value of Work remaining NOT TO EXCEED Lien Act calculation**

**if A - B = NEGATIVE value Substantial Performance achieved**

**if A - B = POSITIVE value Substantial Performance NOT achieved**

A - B	Substantial Performance ( - or + value)	
<b>\$14,235.80</b>	<b>\$32,762.64</b>	<b>-\$18,526.84</b>

**Lien Act Criteria**

When contract substantially performed

2. (1) For the purposes of this Act, a contract is substantially performed,

(a) when the improvement to be made under that contract or a substantial part thereof is ready for use or is being used for the purposes intended; AND

(b) when the improvement to be made under that contract is capable of completion or, where there is a known defect, correction, at a cost of not more than,

- (i) 3 per cent of the first \$1,000,000 of the contract price,
- (ii) 2 per cent of the next \$1,000,000 of the contract price, and
- (iii) 1 per cent of the balance of the contract price. R.S.O. 1990, c. C.30, s. 2 (1).

**Deferred work is defined as:**

3. Work which cannot be performed for reasons beyond the control of the Contractor; and where applicable Work which the Owner and the Contractor agree in writing is to be deferred to a later date