M.D. EMMONS, PRESIDENT
B.H. MITCHELL, VICE-PRESIDENT

592 JUSTUS DRIVE
KINGSTON, ON K7M 4H4
PHONE 613-389-4250
FAX 613-389-5611
E-mail: info@eandm.ca

Emmons & Mitchell
CONSTRUCTION LIMITED

HONESTY AND INTEGRITY SINCE 1957

MEMBER KCA KINGSTON CONSTRUCTION ASSOCIATION

November 5, 2025

To: ONTARIO CONSTRUCTION NEWS
certificates@ontarioconstructionnews.com
1554 CARLING AVENUE, SUITE 57
OTTAWA, ONTARIO K1Z 7M4

RE: CERTIFICATE OF SUBSTANTIAL PERFORMANCE

PROJECT: Interior Alterations at Retail Unit Y015
Cataraqui Centre
Kingston, Ontario

OWNER - Primaris REIT
181 Bay Street, Suite 2720
Toronto, Ontario M5J 2T3

SUBSTANTIALLY PERFORMED - November 5, 2025

PLEASE PUBLISH ABOVE NOTED PROJECTS AS SUBSTANTIALLY PERFORMED AS SOON AS POSSIBLE - FURTHER QUESTIONS PLEASE CALL (613) 389-4250 X 112

REMIT INVOICE TO EMMONS & MITCHELL CONSTRUCTION (2000) LIMITED
592 JUSTUS DRIVE
KINGSTON ONTARIO K7M 4H4
PHONE (613) 389-4250 FAX (613) 389-5611

ATTENTION: Debbie Mack info@eandm.ca

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

Construction Act

City of Kingston

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

216 Ontario Street, Kingston, ON, K7L 2Z3

(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:

Interior Alteration at Retail Unit Y015

(short description of the improvement)

to the above premises was substantially performed on November 05, 2025

(date substantially performed)

Date certificate signed: November 05, 2025

(payment certifier where there is one - signature required)

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

Name of owner: Primaris REIT

Address for service: 181 Bay Street, Suite 2720, Toronto, ON, M5J 2T3

Name of contractor: Emmons & Mitchell Construction LTD.

Address for service: 592 Justus Dr., Kingston, ON, K7M 4H4

Name of payment certifier (where applicable): MMC International Architects Ltd.

Address: 65 Queen Street West, Suite 1110, Toronto, ON, M5H 2M5

(Use A or B, whichever is appropriate)

☑ A. Identification of premises for preservation of liens:

See below.

(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)

PIN 36102-0225 (LT)

Part Lots 8-9, Con. 2, Kingston, Part 1, 13R-736, except Parts 1-7, 15 & 16, 13R-5156; S/T FR343557 and FR370219; Kingston

PIN 36086-0003 (LT)

Part Lot 10, Concession 3, Kingston, Part 4, 13R-10655, except Part 1, 13R-12929; S/T right in FR544044; Kingston; T/W an easement over Part 3, 13R-12929, AS IN FR639881

PIN 36086-0004 (LT)

Part Lot 10, Concession 3, Kingston, Parts 5 & 7, 13R-10655, except Parts 2-4, 13R-12929; Kingston; T/W an easement over Part 3, 13R-12929, as in FR639881

PIN 36086-0579 (LT)

Part Lot 10, Con. 3, Kingston, Parts 19, 21-35 & 47-49, 13R-15157; S/T FR572800; S/T FR690239; Kingston; T/W an easement over Part 3, 13R-12929, as in FR639881

PIN 36086-0356 (LT)

Part Lot 10, Concession 3, Kingston, Part 51, 13R-15157; S/T FR572800; T/W FR572800; Kingston

MMCARCHITECTS
MMC INTERNATIONAL ARCHITECTS LTD
65 Queen Street West, Suite 1110, Toronto, ON M5H 2M5
T 416 972 1901
www.mmcarchitects.ca

CONFIRMATION OF SUBSTANTIAL PERFORMANCE

PROJECT NAME	Cataraqui Centre – LL Work CRU Y015
PROJECT LOCATION	City of Kingston, 216 Ontario Street, Kingston, ON, K7L 2Z3
PROJECT NO.	24049
DATE	November 05, 2025

PRIME CONSULTANT	OWNER	CONTRACTOR
MMC International Architects Ltd. 65 Queen Street West, Suite 1110, Toronto, ON M5H 2M5	Primaris REIT 181 Bay Street, Suite 2720 Toronto, ON M5J 2T3	Emmons & Mitchell Construction ltd 592 Justus Dr., Kingston, ON, K7M 4H4

In accordance with Contract, dated **March 05, 2024** AND on the basis of regular site reviews undertaken over the course of the project, we hereby accept the request for Substantial Performance submitted by Emmons & Mitchell Construction LTD., dated Nov 05, 2025.

In that:

The date of Substantial Performance, Nov 05, 2025 shall be the **Commencement of the Warranty periods**.

Find attached herewith Form 9 'Certificate of Substantial Performance of the Contract under Section 32 of the Act'.
The contractor shall publish a copy of the certificate in the manner set out in the regulations.

The date of Publication of the Certificate shall be considered to be the **Commencement of the Sixty (60) day Lien period**, stipulated in the Ontario Construction Act, for release of the statutory holdback.

We have reviewed the General Contractor's associated submission for Substantial Performance and agree that the value of remaining incomplete and/or deficient work is below the permitted threshold. The General Contractor and their Sub-contractors shall continue to work towards total completion of the contract during this countdown period. Provided that no liens are registered and the General Contractor has forwarded all appropriate documentation for the Project, holdback monies shall be due and payable one day after termination of the Sixty (60) day holdback period.

Be advised that this does not constitute the release of all holdback monies, in as much as there shall be a **Finishing Holdback retained and to be released upon the Contractor attaining Total Performance of the Contract**.

The issuance of the Certificate of Substantial Performance of Contract does not release the Contractor or any Sub-contractor from the duty of completing the work pursuant to the terms of the contract.

ISSUED BY:

Emilio DeLeon
on behalf of MMC International Architects Ltd.

November 05, 2025
Date