

PETROFF

PETROFF PARTNERSHIP ARCHITECTS 10 AVIVA WAY STE 400 MARKHAM CANADA L6G 0G1 T:905.470.7000 F:905.470.2500 PETROFF.COM

May 1, 2026

Turner & Townsend
2 St. Clair Avenue West,
Floor 12, Toronto, ON
M4V 1L5

Attention: Laura Holland
Senior Project Manager

Re: Substantial Performance
TD Bank Remote ATM Program
286 Bunting Road
St. Catharines ON

TR- 7651 TDT - 1016580

PPA Project No. 25028.00

Dear Ms. Holland,

Enclosed herewith is a Certificate of Substantial Performance (Form 9) for the above noted project, a copy of which is being simultaneously forwarded to Quoin Construction Limited, who will make application for Release of Holdback, prepare, and submit all close-out documentation and work towards total performance of the contract.

Please be advised that the holdback monies are due and payable one day after termination of the statutory sixty (60) day lien waiting period which commences from date of publication of the certificate. The contractor shall publish a copy of the certificate once in a construction trade paper.

Yours truly,



Alex Egberts
Partner
OAA, AANB, AAPEI, NSAA

cc: Don Adams - Quoin Construction Limited

FORM 9

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

Construction Act

St. Catharines

(County/District or Regional Municipality/City or Borough of the Municipality in which the premises are situated)

286 Bunting Road

(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:

TD Bank Remote ATM Program

TR # 7651

To the above premises was substantially performed on:

April 30, 2026

(date substantially performed)

Date certificate signed:

May 1, 2026



Alex Egberts
c/o Petroff Partnership Architects
(signature of payment certifier where there is one)

Name of owner:

St. Catharines Equity Limited

Attention: David Ciastko

Address for service:

**970 Lawrence Avenue, West
Suite 503
Toronto ON M6A 3B6**

Name of contractor

Quoin Construction Limited

Address for service:

**2600 Skymark Avenue
Bldg. 5, Suite 202
Mississauga ON**

Name of payment certifier:

Petroff Partnership Architects

Address:

**10 Aviva Way, Suite 400
Markham ON L6G 0G1**

(Use A or B whichever is appropriate)

A Identification of premises for the preservation of liens:

**TD Remote ATM
286 Bunting Road
St. Catharines ON
CP 5 PT LOT 180 RP 30R-4901 PART 1 IRREG 9.08AC 513.3**

(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 the lien and affidavit must be given to preserve lien:

**Enterprise Real Estate | TD Bank Group
66 Wellington St. W; 30th Floor, Toronto, ON M5K 1A2**

(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)

Substantial Performance Application Template

Project Name: TR7651 TD 286 Bunting Rd.

Contractor Name: Quoin Construction Limited

Date Submitted: 30-Apr-26

(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 30th day of April 2026. 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	\$136,331.47
Deferred Work & Remaining Cash Allowance value	\$0.00
Revised Total Contract Price to determine SP	\$136,331.47

A Value of Work Remaining including Deficiencies **\$1,000.00**

Lien Act calculation to determine Substantial Performance

3% of Contract Price up to \$1million	\$136,331.47	\$4,089.94
2% of Contract Price within the next \$1million	\$0.00	\$0.00
1% of Remaining Balance	\$0.00	\$0.00

B Total **\$4,089.94**

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)
\$1,000.00	\$4,089.94	-\$3,089.94

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.

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