



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

Construction Act

City of Toronto

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

40 King Street West, Toronto

(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:

Exterior Wall Sealant Replacement (Phase 7)

(short description of the improvement)

to the above premises was substantially performed on

October 8, 2021

(date substantially performed)

Date certificate signed: November 24, 2021

WSP Canada Inc.

(Payment Certifier where there is one)

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

Name of owner: KS SP LP, KS SP1 LP, ARI SP LP and ARI SP1 LP
c/o Bentall Kennedy Property Services (Ontario) Ltd.

Address for service: Scotia Plaza, 40 King St. W., Box 101, P1 Level, Toronto, ON M5H 3Y2

Name of contractor: Dominion Caulking Limited

Address for service: 253 Centre St. E., Richmond Hill, ON L4C 1A7

Name of payment certifier: WSP Canada Inc.

Address: 2300 Yonge St., Suite 2300 Toronto, ON M4P 1E4

(Use A or B, whichever is appropriate)

A. Identification of premises for preservation of liens:

PARTS 2, 5, 6, 7, 12, 13, 14, 15 – ALL OF PARCEL 2-9, SECTION Y-1, Part of PART 5, Subject to Right of Way in Inst. No 54475 ES (Part 4, Plan 66R-13450), PART 8 – ALL OF PARCEL 3-3, SECTION Y-1, PART 10 – ALL OF PARCEL 3-6, SECTION Y-1, Leasehold & Freehold, Right and Easement for Light in Inst. No CT 463763

(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, a concise description of the premises, including addresses,
and the name and address of the person or body to whom the claim for lien must be given)



November 24, 2021

Dominion Caulking Limited
253 Centre St. E.
Richmond Hill, ON L4C 1A7

Attention: Jeff Walker, Project Manager

Dear Jeff,:

**Subject: 40 King Street West, Toronto, ON
Exterior Wall Sealant Replacement (Phase 7) – Certificate of Substantial
Performance**

Please find enclosed a copy of the Certificate of Substantial Performance for this project. Provided no liens have been registered against the property, statutory holdback for the project will become due 60 days after publication of Substantial Performance. Receipt of the following information will also be required:

- Invoice for Release of Holdback with:
 - WSIB Clearance Certificate; and
 - Statutory Declaration.

Upon receipt of the required information, we shall issue a Certificate for Payment for Release of Holdback.

In accordance with the Contract dated May 20, 2020 between the Contractor and the Owner, and on the basis of a joint inspection with the Contractor on October 8, 2021, the Consultant on behalf of the Owner, hereby certifies that:

- 1** The work or a substantial part thereof is ready for use and may be used for the purpose intended; and
- 2** The work is Substantially Performed. The work to be done under the Contract is capable of completion or correction at a cost of not more than \$1,500, which is less than the \$8,865 maximum limit required by the Construction Lien Act.

The issuance of this Certificate does not release the Contractor or any Subcontractor from the duty of completing the Work pursuant to the terms of the Contract. The date of substantial performance defines the start of the warranty period. The warranty period for this work is 2 years.

2300 Yonge Street
Suite 2300
Toronto, ON, Canada M4P 1E4

T: +1 416 487-5256
F: +1 416 487-9766



Should you have any questions, please do not hesitate to contact us.

Sincerely,

A handwritten signature in cursive script, reading 'Sydney Wahlberg'.

Sydney Wahlberg, B.A.Sc.
Building Sciences Consultant

A handwritten signature in cursive script, reading 'J. Wilson'.

Jillian Wilson, P.Eng.
Project Manager

A handwritten signature in cursive script, reading 'G. Kelk'.

Greg Kelk, P.Eng.
Project Director

Encl. Certificate of Substantial Performance

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WSP Ref.: 201-06435-00