

**Prepared for:**

Xcel Construction Ltd  
255 Carrier Drive, 2<sup>nd</sup> Floor,  
Toronto, ON M9W 5Y8  
ATTN: Dave Pusateri

**Prepared by:**

Leading Edge Building Engineers Inc.

October 24, 2022  
Project No. 21-154

## **Retaining Wall Replacement Certificate of Substantial Performance**

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Please find enclosed a copy of the Certificate of Substantial Performance for the above referenced project. Provided no liens have been registered against the property, statutory holdback for the project will become due in 60 days after publication.

Please forward the following documentation to our attention at your earliest convenience:

- Invoice for Release of Holdback, including a WSIB Clearance Certificate and Statutory Declaration.
- Confirmation of Publication with the Daily Commercial News
- Statement of Warranty Letter, including all applicable manufacturer/supplier warranties

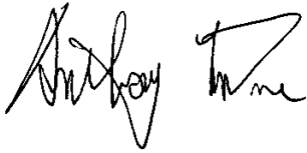
In accordance with the CCDC Contract between the Contractor and the Owner, the Consultant on behalf of the Owner, hereby certifies that:

1. The work or a substantial part thereof is ready for use and may be used for the purpose intended; and
2. The Contract is deemed complete.

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 two (2) years following the date of substantial completion. Upon receipt of the above required documentation, we shall review and issue a Certificate for Payment for Release of Holdback.

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

Best Regards,

A handwritten signature in black ink, appearing to read "Anthony La Torre". The signature is fluid and cursive, with the first name "Anthony" written in a larger, more prominent script than the last name "La Torre".

Anthony La Torre, P.Eng., BSS  
Principal

Encl.: Form 9

**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)

90 Kippendavie Avenue, Toronto, ON M4L 3R5

(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:

Retaining Wall Replacement

(short description of the improvement)

to the above premises was substantially performed on October 24, 2022

(date substantially performed)

Date certificate signed: October 24, 2022



(payment certifier where there is one)

YCC 334

c/o City Sites Property

Name of owner: Management

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

Address for service: 90 Kippendavie Avenue, Toronto, ON M4L 3R5

Name of contractor: Xcel Construction Ltd

255 Carrier Drive, 2nd Floor,

Address for service: Toronto, ON M9W 5Y8

Name of payment certifier (where applicable): Leading Edge Building Engineers

Address: 350 Creditstone Road, Unit 201, Vaughan ON, L4K 3Z2

(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:

City Sites Property Management

4 Robert Speck Pkwy Suite 380, Mississauga, ON L4Z 1S1

(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)