



January 31, 2023

Semple Gooder Roofing Corporation
1365 Martin Grove Rd.,
Toronto, ON M9W 4X7

Attention: Jon Ouellette, Project Manager

Dear Jon:

**Subject: 40 King Street West, Toronto
Forecourt Canopy Gutter Repairs (Section C- Year 3-2022) – 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 completion of the project. Receipt of the following information will also be required:

- Statement of Warranty Form
 - Roofing Manufacturer Warranty Certificate
 - Roofing Contractor Warranty Document

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

In accordance with the Contract dated May 17, 2022 between the Contractor and the Owner, and on the basis of a joint inspection with the Contractor on December 21, 2022, 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 remaining under the Contract is not more than \$10,000.00 which is less than the \$25,232.20 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 contractor's warranty is 2 years and the manufacturer's warranty is 20 years for the work.

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

25 York Street, Suite 700
Toronto, Ontario
M5J 2V5 Canada

T: +1 (416) 487-5256
F: +1 (416) 487-9766
wsp.com



Sincerely,

Leah Petersen, B.Sc.Eng.
Building Science Consultant

Jillian Wilson, P.Eng.
Project Manager

Sal Alajek, P.Eng., RRO
Project Director

Encl. Certificate of Substantial Performance

Dist: John Arruda jarruda@scotiaplaza.com, Charlene Swales cswales@scotiaplaza.com; Ken Madden, Ken.Madden@scotiaplaza.com, Jon Ouellette jouellette@semplegooder.com; Ruben Arruda rarruda@semplegooder.com; Andrea Perry aperry@semplegooder.com; Maggie Martin mmartin@semplegooder.com; Sal Alajek sal.alajek@wsp.com; Gregory Kelk Gregory.kelk@wsp.com
Jillian Wilson jillian.wilson@wsp.com; Leah Petersen leah.petersen@wsp.com

WSP Ref.: 181-03425-02



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

Construction Act

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:

Forecourt Canopy Gutter Repairs (Section C-Year 3)

(short description of the improvement)

to the above premises was substantially performed on

December 21, 2022

(date substantially performed)

Date certificate signed: January 31, 2023

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: 40 King Street West, P1 Level, PO Box 101, Toronto, ON M5H 3Y2

Name of contractor: Semple Gooder Roofing Corporation

Address for service: 1365 Martin Grove Rd., Toronto, ON M9W 4X7

Name of payment certifier: WSP Canada Inc.

Address: 25 York St., Suite 700, Toronto, ON M5J 2V5

(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)

