

March 27, 2023

Conex Ontario Inc  
1486 Greenvally Trail  
Oshawa, Ontario L1K 2N5

Attention: Mr. Adrian Conforti

Dear Sir:

**Re: Winash South, East of Baldwin, Brooklin  
Site Preparation & Rough Grading Works  
Town of Whitby  
Our Project No. E19010**

We have attached hereto the Certificate of Substantial Performance of the Contract for the above noted project as per the requirements of the Construction Lien Act, 1990, Section 32.

Please forward the following documents required for release of the Statutory Holdback for Contract I (Rough Grading) in accordance with the Form of Agreement between Contractor and Owner within the contract documents.

1. Proof of publication of the Substantial Performance Certificate.
2. Statutory Declaration that all liabilities incurred by the Contractor and Sub-Contractors in carrying out the Contracts have been paid and there are no liens, garnishes, attachments or claims relating to the work.
3. A Clearance Certificate from the Workplace Safety & Insurance Board.
4. Declaration releasing the Owner from all further claims relating to Contract I (with stated exceptions as appropriate).
5. As-Constructed Record Drawings (Received).

Should you have any questions regarding the above, please contact the undersigned.

Yours truly,

**CANDEVCON EAST LIMITED**



Kevin J. Dwyer, C.E.T.  
Sr Project Manager, Land Development

KJD/lh

Encl.

cc Winash Developments Limited, Attn. Mr. Russel White



**FORM 9**

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

Town of Whitby, Regional Municipality of Durham  
(County/District/Regional Municipality/Town/City in which premises are situated)

Part of Lot 24, Concession 5, Town of Whitby, Regional Municipality of Durham  
(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:

Winash South, East of Baldwin - Contract I – Site Preparation & Rough Grading  
(short description of the improvement)

TO THE ABOVE PREMISES SUBSTANTIALLY PERFORMED ON

March 24, 2023  
(date substantially performed)



DATE CERTIFICATE SIGNED: March 27, 2023

.....  
Kevin J. Dwyer, C.E.T. - CANDEVCON EAST LIMITED  
(payment certifier, where there is one)

NAME OF OWNER: Winash Developments Limited

ADDRESS FOR SERVICE: 5400 Yonge Street, Suite 501, Toronto, Ontario M2N 5R5

NAME OF CONTRACTOR: Conex Ontario Inc.

ADDRESS FOR SERVICE: 1486 Greenvalley Trail Oshawa, Ontario L1K 2N5

NAME OF PAYMENT CERTIFIER: CANDEVCON EAST LIMITED

ADDRESS: 1600 Stellar Drive, Whitby, Ontario, L1N 9B2

(Use A or B whichever is appropriate)

A. IDENTIFICATION OF PREMISES FOR PRESERVATION OF LIENS:

Part of Lot 24, Concession 5, Town of Whitby, Regional Municipality of Durham  
(if a lien attaches to 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:

5400 Yonge Street, Suite 501, Toronto, Ontario M2N 5R5  
(if a lien does not attach to 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)