

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

*Construction Act*

**City of Thornhill**

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

**20 and 42 Kindale Way, Thornhill, ON L3T 4Z3**

(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 **January 1, 2024**

(date substantially performed)

Date certificate signed: **January 1, 2024**

(payment certifier where there is one)

**York Condominium Corporation**

**167**

**c/o Newton-Trelawney Property**

Name of owner: **Management**

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

Address for service: **314 Harwood Ave. S., Ajax, ON, Suite 204**

Name of contractor: **918359 Ontario Ltd. dba Construct Plus**

Address for service: **54 Hallmark Court, Thornhill, ON, L4J 3A4**

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:

**YCC 167 c/o Newton-Trelawney Property Management, 314 Harwood Ave. S., Ajax, ON Suite 204**

(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)

## York Condominium Corporation 167 20 and 42 Kindale Way, Thornhill, ON

**Prepared for:**

YCC 367 c/o Newton-Trelawney Property Management  
314 Harwood Ave. S., Suite 204  
Ajax, ON L1S 2J1  
Attn: Janet Saunders, Property Manager

**Prepared by:**

Leading Edge Building Engineers Inc.

January 1, 2024  
Project No. 23-158

### 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 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 with 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 substantially 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.



Kevin Abdi, P.Eng., Project Manager

Encl: Form 9 Certificate of Substantial Performance