



February 22, 2024

Xcel Construction Limited
255 Carrier Drive, Second Floor
Etobicoke, ON
M9W 5Y8

Attention: Paul Karwowski, Operations Manager

Dear Paul:

**Subject: 212 Eglinton Avenue East, Toronto – Panache Condominium (TSCC 1951)
Garage Repairs – 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:

- Invoice for Release of Holdback with:
- WSIB Clearance Certificate; and
- Statutory Declaration.
- Statement of Warranty Form
- Confirmation of Publication of Substantial Performance

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

In accordance with the Contract dated March 20, 2023 between the Contractor and the Owner, and on the basis of a joint inspection with the Contractor on February 14, 2024, 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 Elastomeric Vehicular Traffic Coating is five (5) years. The warranty period for all other work is two (2) years.

Suite 700
25 York Street
Toronto, ON
M5J 2V5

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wsp.com



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

Sincerely,

Thomas Breijinck, M.A.Sc
Building Sciences Consultant

Sydney Wahlberg, B.A.Sc
Project Manager

Edgar Vargas, P.Eng
Senior Project Director

Encl. Certificate of Substantial Performance

Dist: Paul Karwowski paul@xcelconstruction.ca
Ahmed Alkaddour Panache.PM@Delcondo.com

WSP Ref.: 211-04039-00



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)

212 Eglinton Avenue East, 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:

Garage Repairs

(short description of the improvement)

to the above premises was substantially performed on

February 14, 2024

(date substantially performed)

Date certificate signed: February 22, 2024

WSP Canada Inc.

(Payment Certifier where there is one)

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

Name of owner: Toronto Standard Condominium Corporation 1951 c/o DEL Property Management

Address for service: 212 Eglinton Avenue East, Toronto, ON, M4P 0A3

Name of contractor: Xcel Construction Limited

Address for service: 255 Carrier Drive, 2nd Floor, Etobicoke, ON, M9W 5Y8

Name of payment certifier: WSP Canada Inc.

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



(Use A or B, whichever is appropriate)

A. Identification of premises for preservation of liens:

FIRSTLY:

Those parts of Lot 14 on the North Side of Eglinton Avenue East on Registered Plan 639 York designated as PARTS 1 and 2 on Reference Plan 66R-23687, being all of P.I.N. 21136-0437(LT)

SUBJECT TO an easement in favour of Rogers Cable Inc. over those parts of Lot 14 on the North Side of Eglinton Avenue East on Registered Plan 639 York designated as PARTS 1 and 2 on Reference Plan 66R-23687, for the purposes as set out in Instrument AT417102.

SECONDLY:

Those parts of Lot 13 on the North Side of Eglinton Avenue East on Registered Plan 639 York designated as PARTS 3, 4, 5 and 8 on Reference Plan 66R-23687, being part of P.I.N. 21136-0438(LT).

SUBJECT TO a right of way in favour of the owner(s) of that part of Lot 13 on the North Side of Eglinton Avenue East on Registered Plan 639 York designated as PART 3 on Reference Plan 66R-20485 over that part of Lot 13 on the North Side of Eglinton Avenue East on Registered Plan 639 York designated as PART 5 on Reference Plan 66R-23687, for the purposes as set out in Instrument EO63876.

TOGETHER WITH a right of way in favour of the owner(s) of those parts of Lot 13 on the North Side of Eglinton Avenue East on Registered Plan 639 York designated as PARTS 3, 4, 5 and 8 on Reference Plan 66R-23687, over that part of Lot 13 on the North Side of Eglinton Avenue East on Registered Plan 639 York designated as PART 3 on Reference Plan 66R-20485 for the purposes as set out in Instrument EO63876.

The "FIRSTLY" and "SECONDLY" described lands are hereinafter referred to as the "Condominium Lands".

RESERVING an easement in favour of the owner(s) of those parts of Lot 13 on the North Side of Eglinton Avenue East on Registered Plan 639 York designated as PARTS 6 and 7 on Reference Plan 66R-23687, being the remainder of P.I.N. 21136-0438(LT)) over those parts of the Condominium Lands designated as PARTS 3 and 4 on Reference Plan 66R-23687, for the purpose of providing pedestrian ingress and egress to and from the benefiting lands.

(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)