

**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 the premises are situated)

1055 Bay St, Toronto, ON

(street address and city, town, etc., or, if there is not street address, the location of the premises)

This is to certify that the contract for the following improvement:

Window Replacement

(short description of the improvement)

to the premises was substantially performed on: July 17, 2024

(date substantially performed)

Date certificate signed: July 23, 2024

(payment certifier where there is one)

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

Name of Owner: Metro Toronto Condominium Corporation No. 734 c/o DEL Property Management Inc.

Address for Service: 4800 Dufferin Street, Toronto, ON M3H 5S9

Name of Contractor: Maresco Limited

Address for Service: 171 Basaltic Rd., Concord, ON, L4K 1G4

Name of Payment Certifier (where applicable): Pretium Engineering Inc.

Address: 355 Harry Walker Parkway North Unit 6, Newmarket, ON L3Y 7B3

(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:

DEL Property Management Inc., 4800 Dufferin Street, Toronto, ON M3H 5S9

(if a lien does not attach to the premises, the name address of the person or body to whom the claim for lien must be given)

July 23, 2024

Marius Byrski  
Maresco Limited  
171 Basaltic Rd.,  
Concord, ON, L4K 1G4

**Project No. 19-00378**  
**Certificate of Substantial Performance**  
**Window Replacement**  
**1055 Bay Street, Toronto ON**

Dear Marius Byrski,

Please find attached a copy of the Certificate of Substantial Performance for the above noted project.

In accordance with the Contract dated February 14, 2024 between Maresco Limited and Metro Toronto Condominium Corporation No. 734, Pretium Engineering Inc. on behalf of the Owner and on the basis of a joint review with Maresco Limited on July 17, 2024, 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 to be done under the Contract is capable of completion or correction at a cost of not more than \$75,000 (value of work outstanding), which is less than the \$81,111 maximum limit required by the Construction 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.

Provided no liens have been registered against the property, statutory holdback for the project will become due following the expiry of the lien filing period which extends 60 days after the date of publication of the Certificate of Substantial Performance in a commercial trade newspaper.

Please submit the following with your submission for release of holdback:

1. Confirmation of publication of substantial performance i.e. Daily Commercial News Certificate of Publication;
2. Statutory Declaration;
3. Current WSIB Clearance Certificate; and
4. Specified Warranties.

The date of substantial performance defines the start of the warranty period. The warranty period for this work is as follows (as outlined in the specifications):

Item	Warranty Terms
Masonry	2 Year Material and Application
Sheet Metal Flashing/Trim	2 Year Material and Application
Sealant	2 Year Material and Application
Sealant	5 Year Manufacturer Warranty
Windows & Doors	5 Year Warranty
Windows & Doors	10 Year Manufacturer Warranty
Powder Coat Finish	5 Year Manufacturer Warranty
Fluoropolymer Finish	10/20 Year Manufacturer Warranty
Glazing	10 Year Material and Installation
Gypsum Board	2 Year Warranty

We trust that the above is satisfactory for your purposes. If you have any questions regarding the information provided herein, please do not hesitate to contact the undersigned.

Yours very truly,

**Pretium Engineering Inc.**



Laura Barbon, B.Tech.

*Project Manager*