



March 5, 2024

K.I.B Building Restoration Inc.
5320 Bradco Boulevard,
Mississauga, ON
L4W 1G7

Attention: Anthony Monardo, Project Manager

Dear Anthony:

**Subject: New Times Square – 109 Front Street East, Toronto
Localized Hydro Vault 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.
- 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 September 20, 2023 between the Contractor and the Owner, and on the basis of a joint inspection with the Contractor on February 28, 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 this work is five (5) years for the elastomeric waterproofing system and two (2) years for all other work.

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

Sincerely,

Thomas Breijinck, M.A.Sc
Building Sciences Consultant

Milisan Pugalendiran, P. Eng.
Project Manager



A handwritten signature in blue ink, appearing to read 'Gransuh'.

Gerard Gransuh, P. Eng.
Project Director

Encl. Certificate of Substantial Performance

Dist: Anthony Monardo amonardo@kibrestitution.com
Doug Vallery managernewtimessq@bell.net

WSP Ref.: 231-00626-00



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)

109 Front Street East, Toronto, ON, M5A 4P7

 (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:

Localized Hydro Vault Repairs

 (short description of the improvement)

to the above premises was substantially performed on

February 28, 2024

 (date substantially performed)

Date certificate signed: March 5, 2024

WSP Canada Inc. Gerard Gransauil, P.Eng.

 (Payment Certifier where there is one)

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

Name of owner: Metropolitan Toronto Condominium Corporation Nos. 1280 and 1385

Address for service: 109 Front Street East, Toronto, ON, M5A 4P7

Name of contractor: K.I.B Building Restoration Inc.

Address for service: 5320 Bradco Boulevard, Mississauga, ON, L4W 1G7

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:
 Metropolitan Toronto Condominium Corporation No. 1280: PARTS 9, 27, 40, 44 and 45 on plan of survey of record deposited in the Land Registry Office for the Land Titles Division of the Metropolitan Toronto as Plan 66R-18517.

Metropolitan Toronto Condominium Corporation No. 1385 – PARTS 1, 2, 3, 4, 5, 9, 10, 19, 24, 31, 32, 34, 35, 36, 37, 38, 39, 40, 41, 42, 46, 48, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 62, and 63 on plan of survey of record deposited in the Land Registry Office for the Land Titles Division of the Metropolitan Toronto as Plan 66R-19126.

 (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)