



October 24, 2023

Mr. Ricardo Aslan  
York1 Excavating LP  
5090 Commerce Blvd, suite 200,  
Mississauga, Ontario L4W 5M4

Dear Mr. Aslan:

**Subject: 'Contract 'A' - Phase 8 Erosion Controls, Topsoil Stripping and Earthworks  
Caledonia, Haldimand County  
Certificate of Substantial Performance**

We have reviewed your request for the issuance of a Certificate of Substantial Performance and we find that Substantial Performance has been achieved.

Please find enclosed our Certificate dated May 23, 2023. Be advised that the Construction Act, Revised Statutes of Ontario 1990, Chapter C.30, s 31 requires the contractor to publish the certificates once in a daily construction trade newspaper.

Please provide the undersigned with a Statutory Declaration of Accounts, Workplace Safety and Insurance Board Clearance Certificate, and Proof of Publication prior to the release of your holdback.

Yours very truly,

**WSP CANADA INC**

A handwritten signature in blue ink, appearing to be 'DL' or similar initials, followed by a flourish.

Dalibor Ljubenkovic, P. Eng.  
Senior Project Engineer  
Contract Administration

Encl.

C. + Encl.: John Castro, Mark Longo – Empire Communities (via Email only)

2023.10.24\_YORK CSP Phase 8 - Contract A.docx

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

**Caledonia, Haldimand County**

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

**50 McClung Road, Caledonia, Ontario**

(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:

**'Contract 'A' - Phase 8 Erosion Controls, Topsoil Stripping and Earthworks**

(short description of the improvement)

to the above premises was substantially performed on **May 23, 2023**

(date substantially performed)

Date certificate signed: **October 24, 2023**



(payment certifier where there is one)

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

Name of owner: **McClung Properties Limited**  
**(Empire)**

Address for service: **7077 KEELE STREET, SUITE 400, VAUGHAN, ONTARIO L4K 0B6**

Name of contractor: **York1 Excavating LP**

Address for service: **5090 Commerce Blvd, suite 200, Mississauga, Ontario L4W 5M4**

Name of payment certifier (where applicable): **WSP CANADA INC**

Address: **100 Commerce Valley Drive W, Thornhill, ON L3T 0A1**

(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:

**McClung Properties Limited (Empire), 7077 KEELE STREET, SUITE 400, VAUGHAN, ONTARIO L4K 0B6**  
(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)